

**CHAPTER 3**

**OFFICERS, BOARDS, COMMISSIONS AND EMPLOYEES**

ADMINISTRATION

Administrator-Clerk

3.101. Administrator-/Clerk Generally. The City Administrator-Clerk shall be the chief administrative officer of the city having the duties of the clerk and treasurer as required by law as prescribed by this code. The City Administrator-Clerk shall be appointed by a majority of the council, receive such compensation as the council may fix and shall serve at the pleasure of the council.

(Ordinance 169, sec. 1. 6/19/76; Ordinance 203, sec. 1, 4, // )

3.102. Qualifications of the Administrator-Clerk. The person filling the position of City Administrator-Clerk shall have the following knowledge, skills, and abilities:

- (1) Considerable knowledge of municipal government operation, proper procedures, public relations, finances, purchasing, and all administrative requirements for proper municipal operation.
- (2) Knowledge of or ability to acquire full knowledge of all laws affecting the city.
- (3) Ability to provide harmonious relations with city employees and the general public.
- (4) Ability to plan development, to collect material and analyze it for reporting, and to conduct and implement studies of procedures, operations, and organization.

(Ordinance 203, sec. 3, // )

3.103. Duties of the Administrator-Clerk. The City Administrator-Clerk shall give required notice of each regular and special election, record the proceedings thereof, notify officials of their elections or appointments to office, certify to the county auditor all appointments and the results of all municipal elections, and shall have the following additional duties:

- (1) Direct the administration as provided by council action and state and federal statutes. Coordinate with the council in administering city affairs.

- (2) Prepare reports and summaries relating to contemplated city projects and/or improvements and submit them with recommendations as may be required to the council for study and subsequent action.
- (3) Prepare an annual fiscal budget and capital improvement plan for submission to the council. Maintain financial guidelines for the city within the scope of the approved budget and capital program.
- (4) Prepare the annual financial statement and perform other duties as required by Minnesota Statutes 412.141 and 5.04 of the Code.
- (5) Attend and participate in all council meetings. Attend at his discretion or by invitation other committee and commission meetings.
- (6) Coordinate city programs and activities as authorized by the council.
- (7) Submit quarterly reports to the council of the financial condition of the city accounts.
- (8) Supervise the conduct of local elections in accordance with the prescribed laws and regulations.
- (9) Supervise the activities of all city department heads and the administrative staff in the administration of city policy with authority to effectively recommend their employment and removal.
- (10) Work in cooperation with the Council's appointed attorney and engineer.
- (11) Prepare news releases, develop and discuss public relations material with all concerned as required. Maintain good public relations with the general public.
- (12) Consult with appointed officials and with other public or private agencies as may be required.
- (13) Be fully informed regarding federal, state, and county programs which affect the city.
- (14) Negotiate or delegate the negotiation of the terms and conditions of employee labor contracts for presentation to the council.
- (15) Perform all duties required of him by ordinances or resolutions adopted by the council.

(Ord. 203, sec. 1, 2, // )

3.104 Records to Be Kept By the City Administrator-Clerk. The Administrator/Clerk shall keep the following records:

- (1) A minute book, noting therein all proceedings of the council;
- (2) An ordinance book, in which he shall record at length all ordinances passed by the council;
- (3) An account book, in which he shall enter all transactions of the city, including the dates and amounts of all receipts and the person from whom the money was received and all orders drawn upon the treasurer with their payee and object.

(Ord. 203, // )

3.105 Procedures to Be Followed By the City Administrator-Clerk. Ordinances, resolutions, and claims considered by the council need not be given in full in the minute book if they appear in other permanent records of the City Administrator/Clerk and can be accurately identified from the description given in the minutes. The city administrator/clerk shall act as the clerk and bookkeeper of the city, shall be the custodian of its seal and records, shall sign its official papers, shall post and publish such notices, ordinances, and resolutions as may be required, and shall perform such other appropriate duties as may be imposed upon him by the council. For certified copies and for filing and entering, when required, papers not relating to city business, he shall receive the fees allowed by law to town clerks; but the council may require the clerk to pay such fees to the city treasury. With the consent of the council, he may appoint a deputy for whose acts he shall be responsible and whom he may remove at pleasure. In case of the administrator/ clerk's absence from the city or disability, the council may appoint a deputy administrator/clerk, if there is none, to serve during such absence or disability. The deputy may discharge any of the duties of the administrator/ clerk except that he shall not be a member of the council.

(Ord., 203, sec. 1, // )

### Departments

3.110. Department Heads. In order to provide for the economic and efficient discharge of administrative functions, the following departments of the city shall be headed by the respective head:

- (1) Liquor store - Liquor store manager;
- (2) Street department - Street superintendent;

- (3) Water and sewer department - Water and sewer superintendent;
- (4) Police department - Chief of police.  
(No prior Ord.)

Fire Department

3.120 Fire Department Generally. A volunteer fire department shall provide fire protection for the city. The fire department may establish such rules and have such officers as may be prescribed by its bylaws or articles of association, subject to any rules or regulations which the council may fix. The council shall determine and fix the compensation of the members of the fire department. Members of the fire department shall be exempt from jury duty in the city.

(Ord. 30, sec. 1, 2, 2/1/04)

**BOARDS AND COMMISSIONS**

Airport Commission

3.201 Joint City-County Airport Commission. The City of Long Prairie and Todd County agree each with the other to share in the ownership and operation of the Long Prairie Municipal Airport, and for that purpose the Todd-Long Prairie Airport Commission, having the duties and powers prescribed below, shall consist of seven members four of whom shall be appointed by the council.

(Ord. 195, 9/24/74)

3.202. Contribution to Capital Costs. Subject to qualifications hereinafter set out, the city shall contribute 60 percent and the county 40 percent of that portion of the cost of additional land that may be added to the Long Prairie Municipal Airport and the capital costs of construction, improvement, and development of the airport not covered by state and federal contributions. Title to the airport and title to any additions thereto shall be in the name of the City of Long Prairie and the County of Todd, and the city and county shall share in the ownership thereof.

(Ord. 195, sec. 2, 8/24/74)

3.203. Term of Office. All members shall serve terms of three years.

(Ord. 195, sec. 9/24/74)

3.204 Appointments. Appointees shall serve until their successors are appointed and qualified. Vacancies shall be filled for the unexpired portion of the term by appointment of the council. Members shall receive such compensation as the council may fix.

(Ord. 195, sec. 3, 9/24/74)

3.205. Duties of the Commission. The commission shall choose one of its members as chairman and one to act as secretary. In the event the volume of work handled by the commission shall require additional personnel, they may be employed by the commission.  
(Ord. 195, sec. 3, 9/24/74)

3.206. Powers of the Commission. The commission shall have full authority and responsibility for the maintenance, management, and regulation of the Long Prairie Municipal Airport. The commission shall have all the power and authority vested in the city and county under the laws of the State of Minnesota and of the United State of America relating to the construction, management, and operation of airports. Without limiting its general powers vested in it by law, it shall have authority to acquire necessary property for and to establish, enlarge, construct, improve, maintain, equip, operate, and regulate the Long Prairie Municipal Airport and other air navigation facilities and airport protection privileges to be acquired, controlled, and operated by the commission. No real property and no airport or other air navigation facility or air protection privilege acquired under this agreement shall be disposed of by the commission by sale, lease or otherwise except by authority of both the council and the board of county commissioners; but the commission may lease space area or improvements and grant concessions on airport for aeronautical purposes, or purposes incidental thereto. This commission shall have the authority to hire or retain all employees and professional services that may be necessary in accomplishing the purposes for which it was appointed.  
(Ord. 195, sec. 4, 9/24/74)

3.207. Real Property. The commission, on behalf of the city and county, may procure options of additional land for additions to the present airport. No real property, airport, restricted landing area, air protection privilege, or personal property costing in excess of \$1,000 shall be acquired, and no condemnation proceedings shall be instituted except after the authority to do so has been granted in each individual case by the council and the board of county commissioners. Condemnation proceedings shall be instituted in the names of the city and county jointly.  
(Ord. 195, sec. 5, 9/24/74)

3.208 Budget. The commission shall each year prior to August 1 prepare a budget for airport finances for the ensuing calendar year. The budget shall be substantially balanced.

(1) Estimated revenues, divided as follows:

- a. Federal and State grants;
- b. Contribution from City;
- c. Contributions from County;
- d. Miscellaneous revenues.

(2) Estimated expenditures, divided as follows:

- a. Personal services;
- b. Services other than personal;
- c. Supplies and materials;
- d. Equipment;
- e. Real estate and improvements;
- f. Miscellaneous expenditures.

The budget shall be submitted not later than September 1st to the council and the county board. Part I of the budget shall be for the information of the council and county board to assist in their financial planning. Part II of the budget shall be submitted for action of the council and county board on the requested contributions. Council and county board action shall be reported back to the commission which shall adjust the budget if necessary. The city shall pay 60 percent of the total contributions paid into the airport fund by the city and county each year. If either the council or the county board fixes its contributions at less than the amount requested by the commission, the contribution of the other shall be decreased proportionately, unless the latter shall decide to pay a larger portion of the total contribution that is required by this agreement. The expenditure allowances as finally adjusted and approved by the commission shall control the year's spending program except that excess revenues received may be spent upon the approval of four members of the commission. The commission shall not itself levy taxes or borrow money; and it shall not approve any claims or incur any obligations for expenditures unless there is unencumbered cash in the appropriate airport fund to the credit of the commission with which to pay the same. Any surplus in revenue over the cost of maintenance and operating expenses of the properties acquired under this commission to the city and county in the same proportion as they are required by this paragraph to contribute for maintenance and operation.

Ord. 195, Section 6, 9/24/74)

3.209. Finances. For the purpose of financing the necessary expenditures in carrying out the provision of this agreement, there are hereby created in the city accounts and treasury one special fund to be called the Joint Airport Fund. Into the Joint Airport Fund shall be placed the various revenues enumerated in Part I of the budget provided for in Section 3.208 and from it shall be paid claims for various airport expenditures as to enumerated. All receipts belonging to the commission shall be deposited intact in a bank account to the credit of the Airport Fund, and no disbursement shall be made from this bank account except by check nor unless a verified claim for services and commodities actually rendered or delivered has been first submitted to and approved for payment by the commission as authenticated by signature of the chairman and secretary. The City Administrator/Clerk shall account for the fund and the custody of the cash and the bank checking account shall be in the hands of the city treasurer. These officers shall make reports to the commission at reasonable intervals as determined by the commission. For the purpose of budgeting, accounting, and reporting, the fiscal year of the commission and the fund shall be December 31st. An audit of the fund shall be made annually. Such audit may be independently of or in conjunction with any audit which may be made of the funds of the city. Any employee of the commission who handles cash in the process of collection shall furnish a

surety bond in such amount as is determined by the commission.  
(Ord. 195, Section 7, 9/24/74)

3.210. Reports. The commission shall, as soon as possible after the end of each fiscal year, prepare and present to the council and the county board a comprehensive annual report of its activities and finances. The commission shall also prepare and present to federal and state officials such reports as may be required by law, regulation or contract.  
(Ord. 195. Section 8, 9/24/74)

3.211. Schedule of Capital Improvement Assets. The commission shall maintain a schedule of all capital improvement assets showing the cost and life expectancy thereof and shall at the end of each fiscal year, depreciate said capital improvement assets according to the life expectancy thereof.  
(Ord. 195, Section 9, 9/24/74)

3.212. Schedule of Capital Improvement Assets. This agreement shall be in full force and effect for the term of 10 years from September 24, 1974 and thereafter for like periods of 10 years until terminated by written notice from either party to the other party at least one year prior to the expiration of any such period. Notwithstanding termination, powers of the commission under this agreement shall continue to the extent necessary to maintain and operate the airport until disposition under Paragraph II of the property acquired under this agreement.  
(Ord. 195, Section 10, 9/24/74)

3.213. Disposition of Property Upon Termination. As soon as practical after termination of this agreement, the council and the county board shall dispose of all property acquired under this agreement, including surplus funds as follows:

- (1) All assets, other than capital improvement assets shall be disposed of in any manner agreed upon by and between the parties hereto. If no agreement as to disposition is reached within three months after termination of this agreement, the council shall, within 30 days thereafter appoint some person, who may be a city official as its representative. The county shall similarly appoint a representative; and the Minnesota Commissioner of Aeronautics shall appoint a third person. These persons together shall constitute an advisory board on disposition of the airport property. This board shall as soon as possible prepare and recommend to the council and county board a complete plan for the disposition of said property, and such plan shall provide for the continuation of the use of the property as a public airport, if practicable.
- (2) If the agreement is terminated by action of the county, all capital improvement assets shall belong to the city free and clear of any claim by the county.

- (3) If the agreement is terminated by the action of the city, all capital improvement assets jointly owned by the city and county shall belong to the county.

3.214. Enforcement. Specific performance of the provisions of this agreement may be enforced against either party by the other party.  
(Ord. 195, Section 12, 9/24/74)

3.215. Amendments. This agreement may be amended in any particular by following the procedure used for the adoption of this agreement.  
(Ord. 195, Section 13, 9/24/74)

#### Park Board

3.220. Board Composition and Appointment. The park board shall consist of seven members who shall be appointed by the council. Members of the park board shall receive such compensation as the council may fix and shall serve at the pleasure of the council.

3.221. Term of Office. All members of the park board shall serve terms of three years. Shorter terms may be designated by the council to allow for the staggering of the terms of the board members.

3.222. Officers of the Board. The board shall annually at the first meeting of the board in January choose one of its members as chairman and shall select a secretary either from its own members or otherwise.  
(Ord. 136, 4/18/55)

3.223. Powers and Duties of the Board. The park board shall have the powers and duties herein set forth:

- (1) The park board shall hold at least one regular meeting each month.
- (2) The park board may adopt and from time to time amend its rules of procedure.
- (3) The park board shall keep a record of its resolutions, transactions, and findings, which record shall be a public record.
- (4) The park board may formulate and prescribe reasonable rules and regulations for the use by the general public of any park facilities and any park areas and may recommend to the council any such rules and



regulations which must be adopted as ordinances.

- (5) On or before September 1 in each year, the park board shall submit to the council a budget reflecting the anticipated receipts and disbursements for the operation and maintenance of the city parks for the calendar year commencing on the first day of January thereafter.
- (6) On or before February 15 of each year, the park board shall submit to the council a report of its activities during the preceding calendar year.  
(Ord. 136, 4/18/55)

Board of Health

3.230. Board Composition Term. The board of health shall consist of three members, all residents of the city, one of whom shall be a physician, all appointed annually by the council. Members of the board of health shall receive such compensation as the council may fix and shall serve at the pleasure of the council.  
(Ord.22, Sec. 1, 2/1/04)

Memorial Hospital - Nursing Home Board

Section 3.240 through 3.246 repealed. Ordinance No. 78-3-20.

Planning Commission

(See sections 16.101 to 16.107 of this code)

Tourism Commission

3.301 Title. This ordinance shall be known and cited as the “Long Prairie Tourism Commission Ordinance”.

3.302 Establishment. A Tourism Commission is hereby established to be advisory to the City Council, which Tourism Commission shall have the powers and duties as set forth in this section.

3.303 Appointments and Terms of Office. All members of the Commission shall be appointed by the City Council and shall serve three year terms. Initially, the Council may designate one, two or three year terms to provide for the staggering of Commission members. The City Council shall make appointments to the Commission at its official meeting in December of each year, or as soon thereafter as it may be accomplished. Vacancies during the term shall be filled by

the Council for the unexpired portions of the term.

3.304 Composition. The Commission shall consist of nine members as follows: one Chamber of Commerce board member, and the remaining eight from representative businesses and/or individuals within the community.

3.305 Voluntary Absence. Absence from three consecutive regular meetings by any Commission member, without notifying the Commission citing a reason, shall be deemed to constitute a resignation of the member; and, the vacancy thus created shall be filled by appointment of the City Council for the remainder of the term of the member so deemed to have resigned.

3.306 Removal. The Council by a four-fifths vote shall have the authority to remove any Commission member from office whenever, in its discretion, the best interests of the City shall be served thereby.

3.307 Officers. The Commission shall have the following officers: Chairperson, Vice-Chairperson, and Secretary/Treasurer. The Commission may designate additional officers.

3.308 Meetings. The Commission shall meet publicly in regular session at least once each month at a time and place selected by a majority of its members. Additionally, the Chairperson, or any three members of the Commission, shall have the authority to call a special meeting of the Commission. Notice of special meeting shall be given to all members at least 24 hours prior to the time of the meeting unless the time and place for the special meeting is set at an earlier regular meeting.

3.309 Records. The Commission shall keep a record of its actions, including any resolutions, financial transactions, and findings, which shall be maintained as a public record.

3.310 Powers and Duties. The Commission shall have the following powers and duties:

- (1) To confer with and advise the Council on all matters concerning tourism activities and issues.
- (2) To collect and maintain such data and information as may be beneficial to the development of tourism within the City.
- (3) To publicize notices and information concerning tourism activities within the City.
- (4) To work jointly with all businesses and individuals in the City so as to encourage expansion, development and improvement of tourism or tourism-related matters within the City.

- (5) To recommend to the Council policies and actions with respect to tourism.
- (6) To work jointly with the Chamber of Commerce as to all tourism activities and issues.
- (7) To communicate and cooperate with any county, regional or state agency or such other organization, which would be of benefit to the City and the development of tourism.
- (8) The Commission shall have no power to levy taxes, borrow money nor condemn property.
- (9) The Commission shall submit to the Council, on a monthly basis, a copy of its minutes and a report of its finances for the preceding month. At the conclusion of each fiscal year, the Commission shall provide the Council with a complete copy of all of its financial records in such form and specificity as may be required, which information shall be included in the City's annual audit report.

**Criminal History Background Checks**

3.400 **Authorization.** The Long Prairie Police Department is authorized to perform criminal history background investigations on applicants who are finalists for positions with the City of Long Prairie.

3.401 **Consent Required.** The City of Long Prairie Administration Department shall obtain a written informed consent from the applicant before investigating the applicant's criminal history. The informed consent must be signed by the applicant.

3.402 **Distribution.** The results of criminal history background investigations by the Long Prairie Police Department on applicants for positions with the City of Long Prairie shall be released to the City Council, the City Administrator, and other City staff as appropriate.

3.403 **Evaluation.** Except as allowed by Minnesota Statutes Section 364.09, as amended, any applicant for a position with the City of Long Prairie whose application is rejected, due solely or in part to the applicant's prior criminal conviction, shall be notified in writing of the following:

- (1) the grounds and reasons for the rejection,
- (2) the complaint and grievance procedure set forth in Minnesota Statutes Section 364.06,

- (3) the earliest date the applicant may reapply for a position with the City of Long Prairie, and
- (4) that all competent evidence of rehabilitation will be considered upon reapplication.

3.404 Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication according to law.