

AN ORDINANCE ADOPTING AN ADMINISTRATIVE CODE FOR THE CITY OF OAK PARK HEIGHTS, WASHINGTON COUNTY, MINNESOTA.

THE CITY COUNCIL OF THE CITY OF OAK PARK HEIGHTS, WASHINGTON COUNTY, MINNESOTA, DOES ORDAIN:

201.01 Purpose.

There is hereby established for the City of Oak Park Heights, Washington County, Minnesota, an administrative code for the purpose of dividing the administrative services of the City into departments and divisions and for the purpose of dividing the functions and duties of each department or division and providing for the organization, management and administration of City government.

201.02 Council Meetings.

The City Council shall hold two regular meetings each month which shall be held on the second and fourth Tuesdays of each month at 7:00 p.m. A special meeting of the City Council may be called at any time by the Mayor or in the case of the Mayor's absence or disability, by the Mayor Pro Tem or by any two councilmembers. Except in cases where notice is waived, the person or persons calling such special meeting shall cause a written notice of such special meeting specifying the business to be transacted at such special meeting to be delivered prior to the time of such meeting, to the residence of all other councilmembers or shall cause a notice of such special meeting to be mailed to all other councilmembers three (3) days prior to such special meeting, so that such notice, in a normal course of the mails, would arrive at the residence or post office address of the other councilmembers prior to the time such special meeting is held. No business shall be transacted at such special meetings unless the same shall have been specified in the notice thereof, without the consent of all of the members of the Council. Any member present at any special meeting who fails to object and have his objections entered in the minutes of such special meeting, will be conclusively presumed to have consented to the transaction of all business transacted at such special meeting and no objections may thereafter be raised as to such councilmember that the notice of the special meeting was defective. Any member of the Council before, during or after any special meeting of the Council, may waive notice of such special meeting. When notice of a special meeting is waived by a councilmember, no objections may thereafter be raised that the notice to such councilmember of such special meeting was defective or that no notice was given.

201.03

Ordinances, Resolutions and Minutes.

- A. The minutes of all Council meetings shall be prepared by the City Clerk or designee as soon as is reasonably practicable after such Council meetings are held.
- B. The enacting clause of all resolutions shall be as follows: "Be it resolved by the City Council of the City of Oak Park Heights, Washington County, Minnesota."
- C. All ordinances and resolutions shall be numbered and resolutions shall be recorded apart from the minutes in a separate journal kept for this purpose.
- D. No resolution shall be published unless the laws of the State of Minnesota require it to be published or unless it is directed to be published by the Council.

201.04

Funds and Financial Affairs.

- A. All present funds of the City shall be continued as now used and designated except as hereinafter provided and in the event of the conflict between present funds and funds hereinafter established, this administrative code shall be controlling.
- B. A general fund shall be maintained into which shall be placed or credited all monies received not otherwise appropriated and from which shall be paid all expenses and disbursements not otherwise provided for.
- C. A permanent improvement fund shall be maintained for the purpose of paying the costs of all real property and all rights therein and all improvements thereon which the City may own or acquire for its various purposes, payment for which is not otherwise provided for by use of other funds, and also for the purpose of paying such portions of the expense of local improvements as shall devolve upon the City.
- D. An equipment fund shall be maintained into which shall be placed or credited all monies levied or appropriated for the purchase of any equipment for the departments of the City.
- E. Separate sinking funds shall be maintained in connection with each issue of bonds as provided by law, or act of the City Council.
- F. A public utility fund shall be created and maintained into which shall be placed or credited all monies received from the operation of all public utilities, and from which shall be paid all expenses incurred in the operation

of any public utility and certificates chargeable to any public utility, as supervised, controlled or managed by the City of Oak Park Heights.

- G. The Council in its discretion may, by resolution, establish any other fund or funds which it may consider necessary or as shall be required by law.

201.05 General Provisions.

- A. The Council shall designate depositories for City funds as provided by law.
- B. All contracts, deeds, and other legal documents of a like nature shall be executed by the Mayor and City Clerk-Treasurer under authority granted by the Council.
- C. No claims against the City except fixed charges and wages and salaries, as previously authorized by the Council, shall be paid until audited and approved by the Council.

201.06 Administrative Organization.

The administrative services of the City shall be divided into the following departments and offices and heads thereof and said departments, offices and positions are hereby created:

Department of Administration	City Administrator (also referred to as the City Clerk-Treasurer)
Department of Finance	Finance Director (also referred to as Deputy Clerk)
Department of Community Development	Community Development Director
Office of Building Services and Protective Inspections	Building Official
Department of Police	Chief of Police
Department of Public Works	Public Works Director
Office of Engineering	City Engineer
Office of Legal	City Attorney
Office of Planning	City Planner
Office of the Arborist	City Arborist
Fire Department	Fire Chief

201.07

Administrative Policy and Procedures.

- A. Each department head shall perform all duties required of his office by ordinance or other laws, and he shall perform such duties not in conflict therewith as may be assigned by the Council.
- B. Each department head shall be responsible for the preservation of all public records under its jurisdiction. No public record, reports, correspondence, or other data relative to the business of any department shall be destroyed or removed permanently unless authorized by law or ordinance, or without the knowledge and approval of the Council.
- C. The department heads shall be responsible to the Council and the City Clerk-Treasurer for effective administration of their departments and all activities assigned thereto.
- D. Each department head shall supervise employee performance and provide periodic employee review.
- E. Each department head shall implement and be responsible for personnel policies adopted by the Council for all employees of the City of Oak Park Heights.
- F. Each department head shall supervise and implement enforcement of the Code of Ordinances of the City of Oak Park Heights and the statutes of the State of Minnesota as it affects their departments.
- G. Each department head may attend Council meetings and provide reports to the Council as it affects the operations of their department.

201.08

Organization and Functions of the Department of Administration.

- A. Offices Combined.
Pursuant to the power granted to the City of Oak Park Heights by Minnesota Statutes, Section 412.591, the office of the City Treasurer is hereby combined with the office of the City Clerk. Hereafter, the duties of the City Clerk and the duties of the City Treasurer shall be performed by the City Clerk-Treasurer.
- B. Chief Administrative Officer.
The City Administrator (also referred to as the City Clerk-Treasurer) shall be the chief administrative officer of the City, and pursuant to this position shall perform the following functions:

1. Supervise the administration of all departments, offices and divisions of the City except as is otherwise provided by law; carries out any other responsibilities as provided for by ordinance or by subsequent Council action.
2. Assure all City laws, ordinances, resolutions are enforced and makes recommendations for changes or additions to ordinances and resolutions when necessary. Provides information on proposals and issues before the Council for consideration.
3. Serve as City's personnel officer handling personnel matters in conjunction with council-established policy. Represents the Council in collective bargaining matters on the terms and conditions of labor contracts.
4. Prepare or oversee the preparation of council agenda and recommends to the Council such measures as he/she may deem necessary for the welfare of the residents and efficient administration of the City.
5. Responsible for directing the development implementation of appropriate budgeting, including capital improvements and administrative planning and control procedures and creation of annual fiscal budget.
6. Supervise and coordinate local elections in accordance with law.
7. Acts as a custodian of City Seal and records all signed official papers.
8. The Clerk-Treasurer shall represent the City at all official or semi-official functions as may be directed by the Council.

C. Deputy Clerk.

The Deputy Clerk shall perform such other related duties as may be required by law, ordinance or by the City Clerk-Treasurer; in the event of a vacancy, the Deputy Clerk will assume the duties of the City Clerk as prescribed by Minnesota State Statutes, and manage the operation of the Administrative Office until a replacement is appointed by the Council.

D. Purchasing.

The Administrative Department shall be responsible for contracts and agreements (hereinafter referred to as expenditures) entered into for the sale, purchase, or acquisition of supplies, materials, equipment or the rental thereof, or the construction, alteration, repair, or maintenance of real or

personal property made for, or in the name of the City of Oak Park Heights. All contracts or agreements, as above set forth, shall meet the following conditions.

1. The Council authorizes a department head or, in the event there is no department head, an employee of the department to make expenditures for or in behalf of the City, in amounts not to exceed Fifteen Hundred Dollars (1,500.00).
2. The Clerk-Treasurer is authorized to make expenditures in amounts up to Five Thousand Dollars (\$5,000.00).
3. If the expenditure is estimated to exceed \$5,000.00 but not to exceed \$50,000.00, formal approval of the Council shall be required prior to entering into a contract or agreement for the expenditure, and sealed bids or two or more quotations shall also be required.
4. If the amount of the expenditure is estimated to exceed Fifty Thousand Dollars (\$50,000.00), sealed bids shall be solicited by public notice in the manner required by law.
5. All quotations and bids received for expenditures, as above described, shall be kept on file for a period of at least one (1) year after receipt thereof.
6. The head of the department for which the expenditure is being made, or the Council, must recommend that the order be placed or the work done.
7. The expenditure must be necessary to the operation of the department.
8. The expenditure must be within the limits established by the department budget, unless the Council directs otherwise.
9. All claims or bills resulting from expenditures, as above described, shall be audited and approved by the Council prior to payment.
10. The Council expressly retains its power to disaffirm a contract or agreement entered into by the City Administrative Department on behalf of the City.

E. Personnel.

The City Clerk-Treasurer shall be in charge of all personnel records of all employees of the City. All department heads shall furnish the Clerk with all information and records that are necessary to maintain accurate files. The City Clerk-Treasurer and department head shall interview and recommend to the Council the appointment of personnel.

201.09

Organization and Functions of the Finance Department.

The Finance Department shall maintain all City accounts and develop all reports required by law, or requested by the Council, and shall maintain and store the official City records of all revenue collections, disbursements, deposits and utility billings. All records shall be maintained in accordance with generally accepted accounting principles, as set forth by the Governmental Accounting Standards Board (G.A.S.B.), and in accordance with classifications prescribed by the State of Minnesota.

1. The Finance Director shall be responsible to, and under the supervision of, the City Administrator.
2. The Finance Director shall be financial advisor to the Council and shall prepare the annual fiscal budget and assist in the preparation of and presentation of the annual budget.
3. The Finance Director shall be responsible for the application of approved financial and accounting procedures and methods employed within the department, and shall recommend accounting procedures to be adopted by all administrative departments.
4. The Finance Director shall prepare or supervise the preparation of all reports requested of him or her by the Clerk-Treasurer, or that are required by law.

A. Property Assessment Services.

The City Council shall appoint an assessor to provide property assessment services or contract for assessment services. The Assessor performs the following functions:

1. Carry out the duties relative to taking the inventory and the appraisal of property for taxation.
2. Prepare assessments and tax rolls as required by law.
3. Check all property transfers and maintain all property records.

4. Prepare and maintain all records pertaining to the assessing function required by law.
5. Perform all other related functions as required.

201.10 Organization and Functions of the Community Development Department.

This department shall analyze current City needs, future development and adaptive reuses of land and zoning involving land development and zoning which will help the City stay economically competitive in the private marketplace. This department shall maintain primary responsibility for land use planning, zoning, community and development, and building inspections.

A. Duties and Responsibilities of the Community Development Director:

1. Prepare recommendations for community and economic development plans and specific approaches for implementing them. Evaluate community and economic development programs and strategies; identify grant opportunities and financial assistance packages; prepare reports in the areas of market studies, land availability, and demographics.
2. Maintain contact with existing City businesses and prospective commercial and industrial developers and assist existing and potential businesses locating, relocating or expanding within the City of Oak Park Heights.
3. Serve as a liaison to agencies concerned with economic and community development and regional planning.
4. Coordinate the activities of developers, City staff and consultants, and other public agencies in the implementation of development projects. Review projects and plans to determine their conformance with City ordinances and land use plans.
5. Maintain and recommend changes to the City's Comprehensive Plan and Zoning Ordinance.
6. Oversee the functioning of the City's Parks and Planning Commissions.
7. Supervise Community Development Department staff and coordinate

with City Consultants to ensure the proper functioning of the Community Development Department and building inspections services.

B. Office of Building Services and Protective Inspection.

The Building Official shall be responsible for the enforcement of all laws and ordinances regulating the structures and facilities within the City and those regulations pertaining to land usage within the City.

The Building Official shall approve licenses for contractors and issue construction permits in the designated building and mechanical inspection activities:

1. Have jurisdiction in all requests for building permits conforming with the Building Code and Zoning Ordinance within the City. Consult with the City Attorney, City Planner, City Engineer, Community Development Director and City Clerk-Treasurer where necessary.
2. Inspect all construction within the City to assure compliance with the Building Code and Zoning Ordinance.
3. Have jurisdiction in all installations which involve plumbing, steam fitting, gas fitting, air conditioning, hot water and warm air heating, duct work, sheet metal installation, and necessary installations.
4. Receive applications for permits and issue such permits upon showing of compliance with the appropriate codes.
5. Inspect all installations which are made in the City within the scope of jurisdiction and take such action as may be necessary to enforce compliance with the mechanical codes.
6. Review all applications for licenses to do mechanical installation contracting work within the City.

201.11 Organization and Function of the Police Department.

- A. The position of the City Constable of the City of Oak Park Heights is hereby abolished.
- B. There is hereby established a Police Department in the City of Oak Park Heights which shall consist of such number of police officers with such ranks and titles as may from time to time be authorized by resolution of the Council.

- C. It shall be the duty of the police under the direction of the Chief of Police to assume proper watches in places of duty at the times they shall be on duty and to discharge customary duties of a police officer.
- D. The Chief of Police shall have administrative responsibility under the direction of the Council for the maintenance of order, the enforcement of laws and ordinances, the prevention of crime and the protection of life and property, in the City of Oak Park Heights, and to direct and coordinate all activities of the City Police Department. The Chief shall further have precedence over the police officers and they shall, at all times when on duty, be subject to the Chief's command and control. The Chief shall be responsible for the proper training and discipline of the members of the Police Department and may suspend any member for refusal or neglect to obey orders pending final action by the Council on discharge or retention.
- E. It shall be the responsibility of each and every police officer in his assigned district or beat under specified period for the maintenance of order, enforcement of laws and ordinances, and the protection of life and property; to assist in the investigation of criminal offenses, accidents or other police problems as assigned. Such police officers shall report to the Chief of Police all violations of City ordinances, violation of criminal laws of the State and breaches of peace, and to make complaint against any person or persons guilty thereof, and to attend upon all trials of offenses in regard to which complaint has been made, and to use all reasonable efforts to maintain the peace. The duties of the City Police Officers shall include but not necessarily be limited to the following: patrol specified beats; direct traffic; make arrests for violations of Federal or State laws and City ordinances; locate missing persons; give evidence in court; make reports; operate patrol car; report matters which require attending by other municipal departments; answer questions asked by the public and give directions; perform various duties assigned by the Chief of Police and protect persons and property within the City.

201.12

Organization and Functions of the Department of Public Works.

A. Organization.

The Department of Public Works shall be composed of a Director of Public Works.

The primary function of the Department of Public Works shall be the supervision of all public works projects and maintenance and operation of existing facilities and buildings within the City. The Department of Public Works shall be responsible for the following areas:

1. Streets.

The maintenance of the City street and storm sewer systems and for the maintenance of all City maintenance vehicles and construction and maintenance equipment.

2. Public Utilities and Facilities.

The maintenance and operation of all sewer and water facilities of the City.

3. Parks and Playgrounds Maintenance.

The maintenance of all City parks and playground facilities.

4. Reports and Records.

The Department of Public Works shall prepare such reports as may be requested by the Council, the City Administrator, and that are required by law.

B. Duties and Responsibilities of the Director of Public Works.

The Director of Public Works shall perform the following functions:

1. Supervise the administration of public works, offices, and contracts placed within his purview by this ordinance or as the Council may from time to time direct; such supervision shall include the making of ministerial decisions affecting public works areas and recommending procedures to the Council for adoption.
2. Generate and issue all administrative rules, regulations and procedures necessary to insure the proper functioning of all public works areas. Such rules, regulations and procedures shall be consistent with Minnesota Statutes, City Ordinances and Council policy. Said rules, regulations, and procedures shall be effective upon issuance and shall continue to be in effect until rescinded by the Director of Public Works or by express action of the Council.
3. Advise the Council on all matters pertaining to or involving public work in the city.
4. Assure that the laws, ordinances, and resolutions pertaining to public works are enforced and, whenever necessary, shall make recommendations for changes or additions to existing ordinances.
5. Perform such additional functions and attend all meetings of the Council and such commission meetings or other functions as they relate to the public works department or as the Council may direct.

201.13 The Office of the City Engineer:

The City Engineer shall be appointed by the City Council by resolution. The City Engineer shall:

- A. Be responsible for the supervision of the design, planning, and construction of all streets and alleys, sidewalks, storm sewers, sanitary sewers, lift stations, and other City facilities.
- B. Recommend establishment of street and sidewalk grades.
- C. Prepare and maintain up-to-date maps of the City.
- D. Act as project engineer on all public improvement projects undertaken by or within the City.
- E. Draw proper specifications for all construction work undertaken on behalf of the City.
- F. Represent the City on any matters relating to engineering and public works which are under discussion with other governmental agencies as directed by the City Clerk-Treasurer or City Council.
- G. Act as liaison with the State Highway Department and the Washington County Engineer on matters relating to State and County roads within the City of Oak Park Heights as directed by the City Clerk-Treasurer or City Council.
- H. Perform such other related functions as may be required by the Council.

201.14 Office of the City Attorney.

The City Attorney shall be appointed by the Council by resolution and shall perform all legal services of the City including those of a legal advisor to the Council and Department Heads and the prosecution of all cases arising out of violations of the provisions of City ordinances.

The City Attorney shall:

- A. Represent the City in matters in which the City is interested in coming before any Court or tribunal.
- B. Prosecute or defend suits for or against the City or against its officers for causes arising from official acts.

- C. Call to the attention of the Council and the Clerk-Treasurer all matters of the law affecting the City or its officers.
- D. Prepare and revise ordinances when so requested by any member of the Council or Clerk-Treasurer.
- E. Prepare for execution all contracts and other written instruments to which the City is a party.
- F. Approve, as to form, all bonds and insurance required to be submitted to the City.
- G. Attend Council meetings as required by the Council.
- H. Attend Commission and Advisory Committee meetings when requested.
- I. Give legal opinions upon matters submitted by the Council or by any City officers.

201.15 Fire Department.

The Council shall contract for fire services. The Chief of the contracted fire department shall be the City Fire Chief. It shall be the duty of the Fire Chief or designee to enforce the Fire Prevention Code of the City; to enforce all laws regarding the inspection for and removal of fire hazards, and the prevention of fires; to engage in fire prevention work and education; and to perform all other related functions as required by the Council.

201.16 Office of Planning Consultant.

The Council shall appoint a City Planner or Consulting Firm by resolution. The City Planner or Consulting Firm shall, at the direction and request of the Council, City Clerk-Treasurer, or Community Development Director:

- A. Advise the Council on all matters pertaining to or affecting community development and planning in the City.
- B. Be responsible for the preparation and update of plans, including a comprehensive municipal plan and area land use plans.
- C. Review applications for rezoning, special use permits, variances, and development proposals, and submit written reports to the Council regarding the same.
- D. Attend such meetings, hearings, and other functions as the Council may direct.

- E. Perform such additional functions coordinating same through the Office of Community Development, City Clerk-Treasurer as the Council may from time to time direct.

201.17 Office of the Arborist.

The City Council shall appoint a City Arborist by resolution. The City Arborist shall be responsible for the following:

- A. Inspect trees on public and private property for disease, insects, hazards and maintenance.
- B. Complete inventories of trees on the boulevards and in park areas to assist with planning for future maintenance and planting needs.
- C. Make recommendations regarding tree species selection, maintenance, and planting specifications for trees on boulevards and in park areas.
- D. Inspect developmental parcels regarding vegetation resource identification, construction damage mitigation and re-planting of suitable plant species.
- E. Review development and landscape plans for commercial and residential development projects regarding construction damage mitigation, tree species selection, maintenance and planting specifications.
- F. Provide recommendations for the control of invasive plant species, for establishment and restoration of natural plant communities, and for the other natural resource issues as they arise.
- G. Work with the city to develop a community forestry management plan and any natural resource ordinances.
- H. Write grant applications or press releases related to tree and vegetation issues within the city.
- I. Attend the monthly Parks Commission meeting on the 3rd Tuesday of the month and other meetings within the city as requested.
- J. Provide reports of arborist's activities to the Parks Commission as well as city staff and council as requested.

201.18 Supervision of Amendment of the Rules.

Any of these rules may be temporarily suspended by a majority vote of the Councilmembers and shall not be repealed or amended except by a majority vote of the whole Council after notice has been given at some preceding Council meeting.