

ORDINANCE NO. 605

AN ORDINANCE OF THE CITY OF GLENCOE, MINNESOTA, AMENDING VARIOUS SECTIONS OF THE CITY CHARTER:

THE CITY COUNCIL OF THE CITY OF GLENCOE ORDAINS (new material is underlined; deleted material is lined out; sections which are not proposed to be amended are omitted; sections which are only proposed to be re-numbered are only set forth below as to their number and title):

SECTION 1. That City of Glencoe Home Rule Charter, Chapter III – City Council, Section 3.01 – General Powers, be amended as follows:

Section 3.01 General Powers. The legislative power and authority of the City of Glencoe shall be vested in the City Council as provided by this Charter and by the laws and Constitution of the State of Minnesota. The City Council shall have charge of the care, control and supervision of all public streets, alleys, buildings, and grounds of the city, the care and supervision of which are not by this Charter vested in any other board or officer of the city. The City Council, except as in this Charter otherwise provided, shall have the general management and control of the finances and all the property of the city, and shall have full power and authority to make, amend or repeal all such ordinances or resolutions as it shall deem expedient for the government and good order of the city, for the protection of the public and public health, comfort, and safety, for the suppression of vice and for the prevention of crime. It shall have power and authority to declare and impose penalties and punishments for the violation of ordinances and resolutions and to enforce the same against any person who may violate the same, and all such ordinances and resolutions, not inconsistent with laws and Constitution of this state or of the United States, of this Charter, are hereby declared to have full force and effect as the law of the city. In addition the Council shall have the specific powers as now provided by Minnesota Statutes ~~Annotated Section 411.40, and~~ as the same may hereafter from time to time be amended, together with such other specific powers as are from time to time granted by the Constitution and laws of the State of Minnesota to city councils of cities of the class of the City of Glencoe. The City Council shall have the power and authority, to be exercised by the four-fifths vote of the Council, to establish a nursing home and home for the aged, the establishment and operation of which is hereby specifically declared to be a public purpose. ~~In the event the Council so elects to establish such a home, it shall thereafter be constructed, acquired, operated and maintained by the Glencoe Area Health Center Commission.~~

SECTION 2. That City of Glencoe Home Rule Charter, Chapter VII – Departments of the City, be amended as follows:

Section 7.01 Police Department. There shall be a police department of the City of Glencoe, over which the Mayor shall have the power to exercise authority, ~~and employing such police officers as the Council shall deem necessary~~ and which shall have all the powers and duties as herein and by statute and common law provided. The Council shall provide such real and personal property for police use as the Council shall deem necessary.

Section 7.02 Organization of Fire Department and Control of Property. There shall be a fire department in the City of Glencoe, over which the Mayor shall have the power to exercise authority, ~~the members being such persons as shall volunteer or be employed therefor.~~ In addition to appointing employees of the fire department, the Mayor appoints, subject to confirmation of a majority vote of the Council, any volunteers of the fire department. The Council shall provide

such real and personal property for the use of the fire department as the Council shall deem necessary ~~to enable the fire department to efficiently perform its duties.~~

Section 7.03 Officers of Fire Department. ~~The members of the fire department, subject to the approval of the Mayor and Council, shall elect a chief of the fire department for such term as the By-laws of the fire department shall provide. The chief may be removed by not less than a three-fifths vote of the Council for cause, provided that written charges against him shall have been filed with the City Administrator at least thirty (30) days and served on the accused at least twenty (20) days before hearing and vote thereon. The department members shall also elect an assistant chief who shall act as chief during the absence or incapacity of the chief. They may elect and remove such other officers and employees as may be necessary for the efficient operation of the department. Repealed by Ordinance No. _____, dated _____, 2019.~~

Section 7.04 Powers and Duties of Chief. The chief of the fire department shall be the general superintendent of the fire department and all real and personal property assigned to the department use. The Fire Chief shall direct and control the training of ~~members~~ employees and volunteers of the department and all activities ~~of members employees and volunteers~~ of the department and other individuals engaged in fighting fires. The Fire Chief shall make an annual report of the activities of the department to the Mayor and Council, together with such other reports as may be required by law.

Section 7.05 By-Laws, Rules and Regulations of Fire Department. ~~The majority of the members of the fire department are authorized and required to make all necessary By-Laws and rules and regulations not inconsistent with the laws of this State, the provisions of this Charter or the ordinances of the city, for the government and control of the fire department and for the prevention and extinguishment of fires. All such By-Laws, rules and regulations shall be in writing, signed by the chief and shall be filed in the office of the City Administrator and shall be binding upon all persons connected with said department. Repealed by Ordinance No. _____, dated _____, 2019.~~

Section 7.06 Out of Town Calls. ~~The fire chief shall have authority, under such provisions as the Council may enact, and further subject to the provisions of the laws of the State of Minnesota, to send fire apparatus of the department with a complete force of fire personnel, to the relief of any other community, or for the preservation of property endangered by fire outside the limits of the city. Repealed by Ordinance No. _____, dated _____, 2019.~~

Section 7.07 Destruction of Buildings. ~~Whenever any building of the city shall be afire, it shall be lawful for and shall be the duty of the Mayor and the chief of the fire department to order and direct the destruction and removal of and to destroy, pull down and remove such building or any other buildings in the vicinity or any part thereof that they deem hazardous or deem likely to communicate the fire. No action shall be maintained against any person or the city therefor, or on account thereof. Repealed by Ordinance No. _____, dated _____, 2019.~~

Section 7.08 Additional City Departments - Authority to Establish. The City Council shall by ordinance establish such departments as the Council shall deem necessary. ~~Such departments shall consist of such officers and shall perform such duties as permitted by statute and provided by ordinance.~~

Section 7.09 Appropriations and Expenditures of Funds. The City Council may appropriate money from the general fund or other funds through its annual budgeting process

~~in order to fund the various and turn the same over to any of the~~ departments ~~and associated services of the City established as above for the purposes of said department~~, and subject to the approval by the City Council ~~and the uniform municipal contracting law, Minnesota Statutes, section 471.345~~, the ~~various~~ departments ~~at governing body~~ may be given the power to expend such monies as the City Council deems its functions.

SECTION 3. That this ordinance shall take effect from and after 210 days following its passage and publication in accordance with Minn. Stat. § 410.12, subd. 7.

Adopted this ____ day of _____, 2019 by the City Council of the City of Glencoe, Minnesota.

Randy Wilson, Mayor

Attest:

Mark Larson, City Administrator