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## **ARTICLE 2 - THE GOVERNMENT ORGANIZATION AND ADMINISTRATION**

### **2-100 Elections**

#### **2-110 Regular Municipal Election**

A regular municipal election shall be held on the first Tuesday after the first Monday of each even-numbered year at such place or places as the City Council may designate. Notice shall be as required by the City Charter of applicable state law.

### **2-200 Mayor**

#### **2-210 Term**

The term of mayor shall be for four years.

#### **2-220 Duties**

The duties of the mayor shall be as prescribed by City Council.

#### **2-230 Compensation**

- (1) Salary - The salary of the Mayor of the City shall be \$6,000.00 per year.
- (2) Reimbursement Expense - The Mayor shall from time to time be entitled to reimbursement for payment of expenses necessarily incurred in the performance of the Mayor's duties in an amount to be established by Resolution of the City Council.
- (3) Monthly Payment - The Mayor's salary shall be paid monthly.

### **2-300 City Council**

#### **2-310 Term**

The term of a City Council Member shall be four years.

#### **2-320 Duties**

The duties of a City Council Member shall be as prescribed by the City Council.

#### **2-330 Compensation**

- (1) Salary - The salary of each Councilmember shall be \$4,900.00 per year.
- (2) Reimbursed Expenses - Councilmember shall from time to time be entitled to reimbursement for payment of expenses necessarily incurred in the performance of the Councilmembers duties in an amount to be established by Resolution of the City Council.
- (3) Monthly Payment - The Councilmembers salary shall be paid monthly.

#### **2-340 Public Comment**

At any City Council meeting, thirty (30) minutes shall be set aside at the beginning of the meeting for public comment. Any person desiring to address the Council shall be given the opportunity to do so during the public comment

period. Each person addressing the Council shall give his/her name and address in an audible tone of voice for the records, and unless further time is granted by the presiding officer, shall limit his or her address to five (5) minutes. All remarks should be addressed to the Council as a body and not to any member thereof. No person, other than the Council and the person having the floor shall Each be permitted to enter into any discussion, either directly or through a member of the Council without the permission of the presiding officer.

## **2-400 Other City Officials**

### **2-410 Probationary Period**

Each original appointment of any City employee shall be subject to a six (6) month probationary period.

### **2-420 Discharge for Cause**

After a City employee has satisfactorily completed the probationary period, that official may not be discharged except for cause, after a public hearing before the City Council. This prohibition shall not apply to discharges of City employees due to lay-offs occasioned by work shortages or lack of funds or budgetary incapacity to continue the payroll expense of the discharged employee.

### **2-430 Notice and Hearing**

- (1) The City Council must send written notice of the date, and time, and the place of the public hearing to the non-probationary City official it seeks to discharge.
- (2) The written notice shall be sent to the last address the official has placed on file with the City.
- (3) The written notice shall be sent at least seven (7) days before the date of the hearing. Neither the date of mailing nor the date of the hearing may be included in the computation of the seven (7) days.

### **2-440 Suspension**

- (1) The employee may be suspended pending a discharge hearing, upon the affirmative vote of three (3) members of the Council.
- (2) Where a City official has been suspended, the discharge hearing shall be held within fifteen (15) days of the suspension.

### **2-450 Final Decision**

- (1) If after the public hearing, the City Council decides that cause exists for the discharge of the City official, that official shall be dismissed immediately.
- (2) If the City Council decides that cause for dismissal does not exist, the City Official may continue employment and, if the official has been suspended pending the hearing, he shall be paid his normal pay for the period of suspension and be entitled to any other benefits which would have accrued as though the suspension had not occurred.

### **2-460 Clerk**

There is hereby created the office of City Clerk. The Clerk shall have the duties as prescribed by statute, as modified by City Charter and by ordinance. Unless specifically directed otherwise by the City Council, the City Administrator shall also hold the office of City Clerk. The person holding this office shall use the title of "City Administrator" unless directed otherwise by the City Council, or unless required by law to use the title "Clerk" in executing or certifying or otherwise being identified in official public documents, proceedings or duties.

**2-470 Administrator**

There is hereby created the office of Administrator. The Administrator shall be appointed by the City Council for an indefinite term. The duties of the Administrator shall be as determined by the City Council, which shall include the duties of Clerk, as prescribed by statute and as modified by City Charter and by ordinance. The Administrator shall have overall supervisory responsibility for all City staff, including the offices created under Article 2-400 of the Ham Lake City Code.

**2-480 Public Works Superintendent**

There is hereby created a Street Department and the position of Public Works Superintendent. The Public Works Superintendent shall be appointed by the City Council for an indefinite term. The duties of the Public Works Superintendent shall be as determined by the City Council.

**2-490 Zoning Officer**

There is hereby created the office of Zoning Officer to be appointed by the City Council for an indefinite term. The Zoning Officer shall enforce and administrate the Zoning Code. The office of Zoning Officer may be combined with the office of Building Inspector.

**2-491 Building Inspector**

There is hereby created the office of Building Inspector, to be appointed by the City Council for an indefinite time. The Building Inspector shall enforce the codes adopted under Articles 8 and 11, issue building permits, inspect construction, and perform such other duties as prescribed by the City Council. The office of Building Inspector may be combined with the office of Zoning Officer.

**2-492 Treasurer/Finance Director**

There is hereby created the office of City Treasurer, to have the duties as prescribed by statute, as modified by City Charter and by ordinance. The person holding this office shall use the title of "Finance Director" unless directed otherwise by the City Council, or unless required by law to use the title "Treasurer" in executing or certifying or otherwise being identified in official public documents, proceedings or duties. The Finance Director shall be appointed to an indefinite term by the City Council.

**2-493 Fire Chief/Emergency Management Director**

There is hereby created the office of Fire Chief/Emergency Management Director and Public Safety Director. The person holding this office shall use the title of "Fire Chief" unless directed otherwise by the City Council, or unless required by law to use the title "Emergency Management Director" in executing or certifying or otherwise being identified in official public documents, proceedings or duties. The Fire Chief shall be appointed to an indefinite term by the City Council. The Fire Chief shall be responsible to supervise the Ham Lake Volunteer Fire Department, to serve in the capacity of Emergency Management Director and to serve as liaison with the Anoka County Sheriffs Office.

### **2-500 Fees**

The City Council shall, by resolution in January of each year, adopt a schedule of all municipal fees and charges required by the Ham Lake City Code, or other jurisdictional authority. The City Council may, at any time, by resolution, amend or alter the fee schedule.

### **2-600 Legal Costs of Public Officials**

That in the event that any official, agent, or employee is a defendant in any litigation arising out of conduct or alleged conduct performed during the course of affairs directly or indirectly related to the interest of the City of Ham Lake, upon resolution by majority vote of the City Council of the City of Ham Lake, the City shall be authorized to discharge with municipal funds any and all costs of private counsel incurred by said officials, agents and employees, and to reimburse or to pay on behalf of said officials, agents or employees, any judgment arising out of said litigation.

### **2-700 Worker's Compensation Coverage for Elected and Appointed Officials**

Pursuant to Minnesota Statutes 176.011, subd.9, clause 6, elected officials and members of the following boards, commissions, and committees are included in the coverage of the workers compensation act: Park and Tree Commission and Planning Commission.

### **2-800 Employment Background Checks**

**Preamble:** The Anoka County Sheriff's Office is designated as the exclusive entity within the City, to do a criminal history background investigation on the applicants for the following positions within the city, unless the city's hiring authority concludes that a background investigation is not needed.

#### **2-801 Employment Positions**

All employees in all City departments and all prospective employees being offered a conditional offer of employment shall be subject, as a condition to employment, to undergo a criminal history background check.

#### **2-802 Manner of Conducting Investigations**

In conducting the criminal history background investigation in order to screen employment applicants, the Anoka County Sheriff's Office is authorized to access data maintained in the Minnesota Bureau of Criminal Apprehensions Computerized Criminal History information system in accordance with BCA policy and any other State or Federal agencies deemed necessary. Any data that is accessed and acquired shall be maintained at the Anoka County Sheriff's Office under the care and custody of the chief law enforcement official or his/her designee. A summary of the results of the computerized criminal history data may be released by the Anoka County Sheriff's Office to the hiring authority, including the City Council, the City Administrator, or other city staff involved in the hiring process.

**2-803 Conditions Precedent to Investigation, Denial of Employment**

Before the investigation is undertaken, the applicant must authorize the Anoka County Sheriff's Department by written consent to undertake the investigation. The written consent must fully comply with the provisions of Minn. Stat. Chap. 13 regarding the collection maintenance and use of the information. Except for the positions set forth in Minnesota Statutes Section 364.09, the City will not reject an applicant for employment position of employment sought and the conviction is for a felony, gross misdemeanor, or misdemeanor. If the City rejects the applicant's request on this basis, the City shall notify the applicant in writing of the following:

- A. The grounds and reasons for the denial
- B. The applicant complaint and grievance procedures set forth in Minnesota Statutes Section 364.06
- C. The earliest date the applicant may reapply for employment
- D. That all competent evidence of rehabilitation will be considered upon reapplication.