

**CHAPTER 3.  
OFFICERS AND EMPLOYEES**

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3.00. **Clerk-Treasurer Combined** The offices of Clerk and Treasurer shall be combined into the office of City Administrator, which shall be subject to the control and direction of the Mayor and the City Council. The City Administrator shall be responsible for performing all the duties of the office of the Clerk and all the duties of the office of Treasurer.

3.01. **City Administrator.** The City Administrator shall be appointed by the Council, shall receive such compensation as the Council may fix and shall serve at the pleasure of the Council.

3.01.01. **Duties.** The City Administrator, under the control and direction of the City Council, shall be charged with the following duties:

3.01.01.01. Supervise the management and the operation of the City office;

3.01.01.02 Supervise the administration of the health, building, streets, water, sewer, engineering and police departments, the liquor store, and City parks;

3.01.01.03. Supervise the method and manner of maintaining City accounts and for collection and payment of money within the limits provided by law and providing for periodic reports to the City Council;

3.01.01.04. Keep for the City a record of the following: real property belonging to or used by the City; plats of land within the City; special assessments; charges and assessment rolls that may be assembled or prepared

by or on behalf of the City which pertain to public improvements or property of the City.

3.01.01.05 Perform all statutory duties of a City Clerk;

3.01.01.06 Perform all other duties assigned by the Council.

3.02. **Fire Chief.** The Chief shall be elected by the department and approved by the City Council for a two (2) year term. The Chief's tenure of office shall depend upon his or her good conduct, his or her efficiency and the approval of the City Council. The Chief may be removed from office only for just cause and after a fair and impartial hearing before the City Council upon ten (10) days written notice to the Chief.

3.02.01 **Duties and Powers of Chief.** The Chief shall be the administrative head of the fire department. In such position, it shall be his or her duty to:

3.02.01.01. **Establish Management Organization.** Recommend the management organization of the department to the Joint Powers Board;

3.02.01.02. **Control Apparatus.** Have control of all fire fighting apparatus and equipment and be solely responsible for its care and condition;

3.02.01.03. **Budget Committee.** Head the Budget Committee of the department;

3.02.01.04 **Prepare Long-Range Plans.** Prepare projections describing what the fire department should accomplish during periods of 1 to 5 years. These reports shall be adjusted as frequently as changing conditions dictate and shall include predicted annual budget requests for members and equipment as well as capitol expenditures;

3.02.01.05. **Reports.** Make reports to the City Council or to the public as required by the Council;

3.02.01.06. **Control Assignments.** Control work assignments so as to properly utilize the working forces of the department;

3.02.01.07. **Training.** Insure the proper training of the members of the fire department. At least one (1) meeting of the fire department members and at least one (1) drill per month shall be held. Such meetings and drills may be held on the same night if sufficient time is allocated foreach. Records shall be kept of the names and the number of the firefighters present at each meeting or drill,

what each drill consists of, and any other pertinent information deemed necessary by the Council or the State Fire Marshall;

3.02.01.08 **Ancillary Functions**. To perform such other functions as are necessary to properly administer the fire department and as may be assigned by the Council;

3.02.01.09 **Lock Boxes**. Pursuant to the authority granted by the Minnesota State Fire Code, the Chief may, when he or she deems it necessary for potential life saving or firefighting purposes, order any apartment complex or other structure with a secured entry system to install a key box with appropriate keys inside to allow the fire department immediate access to the structure.

### 3.03. **Reserved.**

### 3.04. **Police Department**

3.04.01. **Establishment**. A police department is, by this Section, continued. The head of the department shall be known as the Chief of police and the number of additional members of the department, together with their ranks and titles, shall be determined by the Council by resolution. The compensation to be paid members of the police department shall be fixed by the Council. Members of the department shall be appointed by the Council, and be licensed peace officers in the State of Minnesota.

3.04.02. **Chief of Police**. The office of Chief of Police is hereby continued. He or she shall be appointed by the Council and may be removed only for cause and after public hearing. The Chief shall be under the direct supervision of the City Administrator.

3.04.02.01. **Police Chief Duties**. The Chief of Police shall perform all the duties by law conferred upon him or her for the preservation of the public peace. He or she shall have control over his or her department and shall be solely responsible for its care and condition. He or she shall make a report monthly to the City Council, as to the condition of the equipment and the needs of the police department. He or she may submit additional reports and recommendations at any meeting of the City Council and shall report suspensions by him or her or the police department at the first meeting of the Council following such suspensions. He or she 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, his or her discharge or retention.

3.04.02.02 **Records**. The Chief shall keep in a convenient form a complete record of his or her calls and arrests. Such record shall include the time of

same, the location and such other information as he or she may deem advisable or as may be required from time to time by the City Council or applicable laws.

3.04.03. **Duties of Police.** Members of the police department shall enforce the laws applicable to the City, bring violators before the court and make complaints for offenses coming to their knowledge. Members of the police department shall serve processes on behalf of the City and shall serve such notices as may be required by the Council or other authority. When the City is not a party to the proceedings involved in the process or notice, the officer shall collect the same fees as provided bylaw. All such fees shall be paid into the City treasury.

3.04.04. **Uniform and Badge.** Each member of the department shall, while on duty, wear a suitable badge and uniform furnished by the City, except that the Chief may authorize the performance of specific duties while not in uniform. When a member terminates membership in the department, the member shall immediately deliver to the City the badge, insignias, uniform (unless purchased by the officer by means of a clothing allowance or otherwise) and all other property of the City.240.07 **Extra Police.** In case of riot or other law enforcement emergency, the Chief of police may appoint for a specified time as many special police officers as may be necessary for the maintenance of law and order. During such term of appointment, the special police officer shall have only those powers and perform only those duties as shall be specifically assigned by the Chief of police.

### 3.05. **Police Reserve.**

3.05.01. **Establishment.** There is hereby created within the police department a police reserve which shall consist of such number of volunteer members as the Council deems necessary. The police reserve shall be under the control and supervision of the Chief of police. Members of the police reserve shall be appointed by the Council and may be removed by it at any time. They shall serve under the direction of the superior officers of the regular police force and such others as the Chief may appoint from their own number.

3.05.02. When assigned to duty by the Chief of police, each police reserve member shall have the same authority, duties, and obligations as regular members of the police department including the authority to issue citations except as restricted in Subd. 5 of this Subsection. Individual members may be used as deemed necessary by the Chief of police, but the entire police reserve shall not be called to duty except upon order of the Mayor.

3.05.03. **Oath, Insignia.** Each police reserve member shall take the oath prescribe by Minn. Stat. 358.05. Each member shall be issued a badge, suitable items

clothing and such other insignia or evidence of identification as the Chief of police may prescribe. Upon termination of membership, a member shall surrender to the City all City property issued to the member.

3.05.04. **Personnel Rules.** Personnel code sections and rules applicable to regular employees of the City do not apply to members of the police reserve, but each such member shall be covered as a City employee under the workers' compensation insurance policy of the City.

3.05.05. **Other Restrictions.** No member of the police reserve shall exercise any authority over the persons or property of others without displaying identification as such member. No police reserve member shall make arrests upon a warrant unless accompanied by a regular police officer. Only police reserve members shall use such identification or otherwise represent themselves to be members of the police reserve. No police reserve member shall carry any firearm while on duty except as specifically authorized by the police Chief.

3.06. **Public Works Director.** There is hereby established the office of the Public Works Director which shall be subject to the control and direction of the City Council.

3.06.01 **Duties and Powers.** The Public Works Director shall be charged with the following duties:

3.06.01.01. The Public Works Director shall maintain records relating to public property or improvement as the Council may by ordinance or resolution direct;

3.06.01.02. The Public Works Director shall inspect and supervise all construction, installation, repair and maintenance projects undertaken by or on behalf of the City and shall take such measures with respect thereto as may be necessary to safeguard the interest of the City and to insure compliance with plans and specifications, ordinances, rules, regulations and laws pertaining to such projects, including employing professional engineers and consultants;

3.06.01.03. The Public Works Director shall consult with, advise and assist the City Council and all other officials of the City on matters relating to the City's road, water, electrical, natural gas and sewer infrastructure;

3.06.01.04. The Public Works Director shall keep for the City a record of the following: traffic and street signs; street lights; grades and surfaces of streets; public improvements within the City; costs of construction of public improvements; plats of the sewers and water lines of the City; specifications for all street improvements, and such other records, plans, specifications, blueprints, surveys,

estimates, reports, profiles,;

3.06.01.05. The foregoing list of duties shall not be regarded as exclusive but the office of the Public Works Director shall have such other duties related or incidental thereto as may be necessary for the proper operation thereof, including, but not limited to the direction of improvements to and maintenance of the City streets, the operation of the City and sewage systems, the operation of the City electrical systems, the operation of the City's natural gas systems, the operations of the City sanitation equipment and personnel.

3.07. **Personnel Policies and Criminal Histories.** The City shall maintain a Personnel Policy which they shall revise from time to time as may be necessary. All individuals seeking employment with the City shall submit to criminal history check, conducted by the Tyler Police Department or by the Lincoln County Sheriff's Office at the request of the City Administrator.