

TITLE III: ADMINISTRATION

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CHAPTER 30: CITY COUNCIL

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§ 30.01 ORDER OF BUSINESS.

The order of business shall be as follows:

- (A) Calling the roll;
- (B) Reading the minutes of the previous meeting;
- (C) Unfinished business;
- (D) Reports of committees;
- (E) New business;
- (F) Adjournment.

(Ord. passed 6-10-1893)

§ 30.02 MAYOR OR CLERK PRO TEMPORE.

In case of the absence of the Mayor or the City Clerk, a quorum of the Council may appoint one of their number to act in place of the absent officer, pro tempore.

(Ord. passed 6-10-1893)

§ 30.03 LACK OF QUORUM.

If there is less than a quorum present at any meeting, the Clerk shall so note it in his or her minute book under the date upon which the meeting was to be held, and note the names of members absent.
(Ord. passed 6-10-1893)

§ 30.04 MEETINGS.

The regular meetings of the City Council shall be held on the second Thursday of each month at a time set by the City Council. Any member who is unable to attend shall notify the City Clerk or another Council member.
(Ord. passed 6-10-1893; Am. Ord. 2015-1, passed 2-12-2015)

§ 30.05 MAYOR'S ROLE.

The Mayor shall preserve order and decorum, shall have a right to speak to points of order and decide questions of order subject to an appeal to the Council when called for by any Council Member. The Mayor shall have the casting vote upon all questions upon which the Council is equally divided.
(Ord. passed 6-10-1893)

§ 30.06 MOTIONS.

When motion is made and seconded it shall be stated by the Mayor, and, if in writing, handed to the Clerk and by the Clerk read aloud before being debated. After a motion is stated by the Mayor or read by the Clerk it shall be deemed to be in the possession of the Council and open to debate and can then only be withdrawn by leave of the Council.
(Ord. passed 6-10-1893)

§ 30.07 MINUTES.

If no objection is made to the minutes of the Council when read, it shall be taken as the sense of the Council that the same stand approved.
(Ord. passed 6-10-1893)

§ 30.08 COMPENSATION OF COUNCIL.

The salaries for the Mayor and Council members shall be as set from time to time by ordinance, except the Council may by resolution fix such salaries in a small amount for any year, pursuant to state law.

(Ord. 82, passed 12-20-1970; Am. Ord. passed 10-3-1974; Am. Ord. 94-1, passed 8-11-1994; Am. Ord. 97-2, passed 9-11-1997)

CHAPTER 31: CITY OFFICIALS

Section

City Administrator

31.01 Established; removal; qualifications; vacancy

31.02 Duties

Cross-reference:

Police Chief, see §§ 32.01 et seq.

Fire Chief, see § 32.21

Enforcing officer, see § 90.15

CITY ADMINISTRATOR

§ 31.01 ESTABLISHED; REMOVAL; QUALIFICATIONS; VACANCY.

(A) The position of the City Administrator is hereby established. The City Administrator may be chosen by the City Council solely on the basis of his or her training, experience, and administrative qualifications. The City Administrator shall be appointed for an indefinite period by a majority of the City Council and may be removed from office only by a majority of the City Council, after 30 calendar days' written notice. If he or she has served as City Administrator for one year, written charges and a public hearing on the charges before the City Council shall be provided if requested prior to the date wherein his or her removal takes place. The public hearing must be held within 30 days after presentation of the charges and he or she must receive the charges at least ten days before the public hearing.

(B) The City Administrator must have the ability to plan development within the city, to collect material and analyze that material for reporting to the City Council, and to conduct and implement studies as to procedure, operations, and organization. The City Administrator shall also have the ability to advance and promote harmonious relations with municipal employees and the general public. The City Administrator shall possess a degree in public administration, political science, or a related field and/or four years of experience in municipal administration, or have equivalent experience, knowledge, and/or abilities which, in the opinion of the City Council, qualifies him or her for the position.

(C) The City Administrator must have considerable knowledge of municipal government operation, proper procedures, public relations, finances, purchasing, and all administrative requirements for proper municipal operation. He or she must have knowledge of, or the ability to acquire full knowledge of, all laws affecting the municipality. He or she must have the ability to provide harmonious relations with municipal employees and the general public. He or she must have the ability to plan development, to collect material and analyze it for reporting, and to conduct and implement standards of procedure, operation, and organization.

(D) In the absence of, or temporary vacancy in the position of, the City Administrator, the title of "Administrator" and/or "City Administrator" as written in all ordinances and/or resolutions adopted by the City Council shall be replaced by the title of City Council.
(Ord. 90-2, passed 4-12-1990)

§ 31.02 DUTIES.

(A) *General duties.*

(1) *Generally.* Subject to City Council regulations and applicable laws, the City Administrator shall control and direct the administration of municipal affairs.

(2) *Enforcement of laws.* The City Administrator shall see that all laws, ordinances, and resolutions of the city are enforced in conjunction with the Chief of Police.

(3) *Supervision of personnel.* The City Administrator as directed by the City Council shall supervise the activities of all municipal department heads and personnel of the city in the administration of municipal policy with authority to effectively recommend their employment or removal.

(4) *Participation in Council and other meetings.* The City Administrator shall attend and participate in all meetings of the City Council. He or she shall assist in the preparation of the City Council agenda and recommend to the City Council such measures as he or she may deem necessary for the welfare of the citizens and the efficient administration of the city. He or she may attend at his or her discretion or at the direction of the City Council other committee and commission meetings.

(5) *Planning and Zoning Administrator duties.* He or she shall be the Planning and Zoning Administrator and be responsible for the preparation of the Planning and Zoning Commission agendas and keep a minute book.

(6) *Fiscal matters.* The City Administrator shall assist in the preparation of the annual fiscal budget, levy, and capital improvement plan for the City Council. He or she shall maintain financial guidelines for the municipality within the scope of his or her responsibilities in accordance with Minnesota statutes.

(7) *Public relations.* The City Administrator may represent the city at official functions as directed by the City Council and shall maintain good public relations with the citizens of the community.

(8) *Purchases.* The City Administrator shall have the authority to sign purchase orders for routine services, equipment, and supplies in his or her department for which the cost does not exceed \$200. All claims resulting from orders placed by the city shall be audited for payment by the City Council. He or she shall negotiate contracts for any kind of merchandise, materials, equipment, or construction work for presentation to the City Council.

(9) *Coordination of activities; monitoring of work.* The City Administrator shall coordinate municipal programs and activities as directed by the City Council. He or she shall monitor all consultant and contract work performed for the city. He or she shall coordinate the activities of the City Attorney.

(10) *Cooperation with City Attorney and Engineer.* The City Administrator shall work in cooperation with the City Council's appointed attorney and engineer.

(11) *Public relations.* The City Administrator shall prepare news releases, and develop and discuss public relations with all concerned as may be required.

(12) *Governmental programs.* The City Administrator shall be informed regarding federal, state, and county programs which affect the municipality. He or she shall consult with officials of both public and private agencies as may be required.

(13) *Administration; administrative code.* The City Administrator shall inform the City Council on matters dealing with the administration of the city and prepare and submit to the City Council for adoption an administrative code encompassing the details of administrative procedures.

(14) *Other duties.* He or she shall perform such other duties as may be prescribed by law or required of him or her by ordinance or resolution adopted by the City Council.

(15) *Record keeping.* The City Clerk, under the supervision of the City Administrator, shall maintain the following:

(a) An ordinance book, in which he or she shall record at length all ordinances passed by the City Council; and

(b) A minute book. 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 Administrator and can be accurately identified from the description given in the minutes.

(16) *Record administration; city seal.* The City Clerk, under the supervision of the City Administrator, shall be the custodian of the city seal and records, may sign the city's official papers,

shall post and publish notices, ordinances, and resolutions as may be required, and shall perform such other appropriate duties as may be imposed upon him or her by the Council.

(B) *Community development duties.* The City Administrator shall:

(1) Develop and maintain contacts with other municipalities, state and federal agencies, foundations, corporations, business associations, and organizations which deal with grants and programs pertaining to community development;

(2) Respond to the request of private businesses pertaining to assistance in the expansion of their businesses;

(3) Actively seek out and contact commercial/industrial businesses interested in relocating or expanding to the community;

(4) Attend the monthly Economic Development Corporation meeting and any other meetings pertaining to community development or city administration;

(5) Promote closer relationships between city government entities and the private businesses of the community and the citizens of the community;

(6) Be knowledgeable and provide current information on available sites for potential businesses and also expand and update the city zoning areas; and

(7) Assist with activities that will promote awareness of and interest in the community.
(Ord. 90-2, passed 4-12-1990)

CHAPTER 32: POLICE AND FIRE DEPARTMENTS

Section

Police Department

32.01 Police Chief

Fire Department

32.15 Established

32.16 Cooperation of Council required

32.17 Composition

32.18 Administrative matters

32.19 Officers

32.20 Meetings; drills

32.21 Fire Chief; authority

32.22 Fire calls outside city limits

32.23 Interference with Fire Department operations; applicability of traffic laws to Fire Department personnel

32.24 Enforcement authority

32.99 Penalty

Cross-reference:

Volunteer Ambulance Service, see Chapter 95

POLICE DEPARTMENT

§ 32.01 POLICE CHIEF.

It shall be the duty of the Police Chief and all regular and special police officers and they and each of them are hereby authorized and empowered to maintain and preserve the public peace within the city, and without warrant to arrest any person found violating any criminal law of the state or any ordinance of the city. Each of the officers shall have the power to serve within the city any process in any action, civil or criminal, arising from or founded upon any ordinance of the city.

(Ord. 5, passed 6-10-1893; Am. Ord. 84-B, passed 2-1-1973)

FIRE DEPARTMENT**§ 32.15 ESTABLISHED.**

(A) For the proper protection of the lives and property of the citizens of the city, there is hereby organized a volunteer fire department to be known as the Watkins Fire Department.

(B) There having been organized and now is a Fire Department in existence in this city, this subchapter is adopted for the purpose of perpetuating the present Department, and all officers and members thereof shall be considered as charter members thereof and all present officers of the same shall hold their respective offices until the next regular annual meeting of the Department.

(Ord. 52, passed 5-4-1944)

§ 32.16 COOPERATION OF COUNCIL REQUIRED.

In order to fully enable the Fire Chief, his or her assistants, and all of the members of the Fire Department to carry out the provisions of this subchapter, the Mayor and all members of the Council shall at all times cooperate with the Fire Department and furnish the Department with all necessary equipment, accessories and appliances necessary for proper fire-fighting.

(Ord. 52, passed 5-4-1944)

§ 32.17 COMPOSITION.

Firefighters and probationary firefighters shall be appointed by the Chief, subject to confirmation by the City Council. Firefighters shall continue as members of the Department during good behavior until retirement, but may be removed by the City Council for cause after a public hearing.

§ 32.18 ADMINISTRATIVE MATTERS.

The Department shall be self-governing, shall elect its members and officers, and shall adopt bylaws and such regulations as it may deem necessary for the proper and efficient functioning of the Department. Newly elected members shall be reported to the Council.

(Ord. 52, passed 5-4-1944)

§ 32.19 OFFICERS.

(A) The officers of the Department shall be a Fire Chief and one Assistant Fire Chief whose duties shall be as hereinafter stated. There shall also be two Training Officers, two Safety Officers, one Secretary and one Treasurer.

(B) (1) The Fire Chief, the Assistant Fire Chief, and all other officers of the Department shall be elected at the annual meeting, to be held on the first Monday in September, by the members of the Department.

(2) The method of election and the terms of office shall be as the bylaws may provide.

(3) The Secretary of the Department, as soon as practical after the election of officers, shall submit a list of the officers so elected to the City Clerk.

(4) The Fire Chief and Assistant Fire Chief shall be submitted for approval to the Council.
(Ord. 52, passed 5-4-1944)

§ 32.20 MEETINGS; DRILLS.

The Department shall hold a meeting and training on the first Monday of each month and special training on the third Monday of each month.

(Ord. 52, passed 5-4-1944)

§ 32.21 FIRE CHIEF; AUTHORITY.

(A) The Fire Chief shall exercise complete supervision and control over the Fire Department and all apparatus, shall examine the apparatus as often as may be necessary, and shall see that they are properly kept and cared for and always ready for service.

(B) The Fire Chief shall order drills of the Department as often as he or she may deem necessary, and see to it that all members are fully trained for their work.

(C) The Fire Chief or the person exercising the powers and duties of the office shall in case of fire have the power to and may direct any building or structure to be pulled down or removed in such manner as he or she may see fit, if such action is deemed by him or her to be necessary to arrest the progress of any fire. The Fire Chief or person in command for the time being at any fire shall have the same power to suppress all tumults or disorders as police officers of the city, and shall have power to prescribe limits within which no person shall come, except those who reside therein or are admitted with his or her consent, and he or she shall have further power to order any person away from the neighborhood of the fire and command such assistance from the inhabitants of the city to fight fires and for the preservation of property exposed to fires as he or she may require. In case any person shall refuse or neglect to obey any lawful order of the officers in command, or if such firefighter shall refuse or neglect to depart when ordered to do so as aforesaid, the person so offending shall for such offense be subject to the penalty hereinafter prescribed.

(D) The Fire Chief shall in August of each year report to the Council the number of fire calls responded to during the preceding 12 months, reporting the calls responded to in the city limits, those outside the city limits and any mutual aid calls.

(E) In the absence of the Fire Chief, the first Assistant Fire Chief, or in case of both being absent, the next ranking officer shall carry out the duties of the Chief.

(Ord. 52, passed 5-4-1944) Penalty, see § 32.99

Cross-reference:

Fire hydrant use authorized by Fire Chief, see § 51.19

§ 32.22 FIRE CALLS OUTSIDE CITY LIMITS.

The Fire Department is hereby authorized to answer fire calls outside of the city limits and when so doing shall be considered on duty as firefighters of the city.

(Ord. 52, passed 5-4-1944)

§ 32.23 INTERFERENCE WITH FIRE DEPARTMENT OPERATIONS; APPLICABILITY OF TRAFFIC LAWS TO FIRE DEPARTMENT PERSONNEL.

(A) (1) No person shall follow by motor vehicle within 500 feet of any fire apparatus going to a fire nor shall they drive within 500 feet of any apparatus at work at a fire.

(2) Members of the Fire Department who miss the apparatus and follow in their own cars must obey traffic laws the same as other persons, unless they have proper signals and their cars are properly marked.

(B) No person shall knowingly or willfully drive or cause to be driven any vehicle of any kind over any hose of the Fire Department when the same is laid out to be used at any fire or at a regularly ordered drill of the Department without the consent of the Fire Chief, under the penalty hereinafter provided.

(C) It shall be unlawful for any person to give a false alarm of fire so as to get the Department to make a useless trip and create excitement and any person so giving a false alarm shall be subject to a fine as hereinafter provided.

(Ord. 52, passed 5-4-1944) Penalty, see § 32.99

§ 32.24 ENFORCEMENT AUTHORITY.

It shall be unlawful for any person to give or make, or cause to be given or made, an alarm of fire without probable cause, or to neglect or refuse to obey any reasonable order of the Chief or other firefighter at a fire, or to interfere with the Department or any member in the discharge of official duties. Penalty, see § 32.99

§ 32.99 PENALTY.

Any person violating any of the provisions of §§ 32.15 *et seq.* shall on conviction be punished as provided in § 10.99.

CHAPTER 33: PERSONNEL

Section

33.01 Personnel policies adopted by reference

§ 33.01 PERSONNEL POLICIES ADOPTED BY REFERENCE.

The personnel policies of the city, as may be revised from time to time, are hereby adopted by reference and shall be treated as if set forth in full herein.

CHAPTER 34: ELECTIONS

Section

34.01 Election date

§ 34.01 ELECTION DATE.

The regular city election shall be held on the first Tuesday after the first Monday in November of each even year.

(Ord. 70, passed 8-4-1960)

CHAPTER 35: PROCEDURES FOR ENFORCING ADMINISTRATIVE OFFENSES

Section

- 35.01 Purpose and intent
- 35.02 Administrative offense defined
- 35.03 Notice
- 35.04 Payment
- 35.05 Hearing
- 35.06 Hearing Officer
- 35.07 Failure to pay
- 35.08 Disposition of penalties

- 35.99 Penalty
Appendix A: Fees

§ 35.01 PURPOSE AND INTENT.

Administrative offense procedures established pursuant to this chapter are intended to provide the public and the city with an informal, cost effective, and expeditious alternative to traditional criminal charges for violations on the part of certain city code provisions. The procedures are intended to be voluntary on the part of those who have been charged with administrative offenses. At any time prior to the payments of the administrative penalty as is provided for thereafter, the individual may withdraw from participation in the procedures, in which event the city may bring criminal charges in accordance to law. Likewise, the city in its discretion, may choose not to initiate an administrative offense and may bring criminal charges in the first instance. In the event a party participates in the administrative offense procedures, but does not pay the monetary penalty, which may be imposed, the city will seek to collect the cost of administrative offense procedures as part of a subsequent criminal sentence, in the event the party is charged and is adjudicated guilty of the crime violation.
(Ord. 2003-3, passed 5-8-2003)

§ 35.02 ADMINISTRATIVE OFFENSE DEFINED.

An administrative offense is a violation of a provision of the city code and is subject to the administrative penalties set forth in the schedule of offenses and penalties referred to in § 35.99, and set forth in Appendix A.
(Ord. 2003-3, passed 5-8-2003)

§ 35.03 NOTICE.

Any officer of the Watkins Police Department or any other person employed by the city, authorized in writing by the Mayor of Watkins, and having authority to enforce the city code, shall upon determining that there has been a violation, notify the violator, or in the case of a vehicular violation, attach to the vehicle a notice of the violation. Said notice shall set forth the nature, date and time of the violation, the name of the official issuing the notice, and the amount of the scheduled penalty.
(Ord. 2003-3, passed 5-8-2003)

§ 35.04 PAYMENT.

Once such notice is given, the alleged violator may, within 15 days of the time of issuance of the notice, pay the amount set forth on the schedule of penalties for the violation, or may request a hearing in writing, as is provided for hereinafter. The penalty may be paid in person or by mail, and payment shall be deemed to be an admission of the violation.
(Ord. 2003-3, passed 5-8-2003)

§ 35.05 HEARING.

Any person contesting an administrative offense pursuant to this chapter may, within seven days of the time of issuance of the notice, request a hearing by a hearing officer who shall forthwith conduct an informal hearing to determine if a violation has occurred. The hearing officer shall have the authority to dismiss the violation or reduce or waive the penalty imposed within seven days.
(Ord. 2003-3, passed 5-8-2003)

§ 35.06 HEARING OFFICER.

The Mayor shall designate in writing a hearing officer. The hearing officer is authorized to hear and determine any controversy relating to administrative offenses provided for in the chapter and may be compensated by the city for such hearings and related findings.
(Ord. 2003-3, passed 5-8-2003)

§ 35.07 FAILURE TO PAY.

In the event a party charged with an administrative offense fails to pay the penalty, a misdemeanor or petty misdemeanor charge may be brought against the alleged violator in accordance with applicable statutes. If the penalty is paid or if an individual is found not to have committed the administrative offense by the hearing officer, no such charge may be brought by the city for the same violation.
(Ord. 2003-3, passed 5-8-2003)

§ 35.08 DISPOSITION OF PENALTIES.

All penalties collected pursuant to this chapter shall be paid to the city and deposited in the General Fund.

(Ord. 2003-3, passed 5-8-2003)

§ 35.99 PENALTY.

Offenses which may be charged as administrative offenses and the penalties for such offenses, shall be established by resolution of the Watkins City Council from time to time. Copies of such resolution shall be maintained in the Office of the City Clerk.

(Ord. 2003-3, passed 5-8-2003)

APPENDIX A: FEES

<i>General offenses</i>	<i>Section or SS</i>	<i>Penalty</i>	<i>Admin fee</i>	<i>Total</i>
Unreasonable acceleration or braking	§ 70.02	\$50	\$15	\$65
Snowmobile/ATV violation	§ 71.03	\$50	\$15	\$65
Winter parking violation	§ 72.02			
1st offense		\$10	\$15	\$25
2nd offense		\$35	\$15	\$50
3rd or more offense		\$85	\$15	\$100
General parking	§ 72.04	\$10	\$15	\$25
Dog/cat running at large	§ 90.02	\$10	\$15	\$25
No dog/cat license	§ 90.02	\$10	\$15	\$25
Dog barking	§ 90.07	\$10	\$15	\$25
Illegal burning	§ 91.02	\$25	\$15	\$40
Nuisances	§§ 93.01 through 93.04	\$50	\$15	\$65
Junk vehicles and equipment	§ 94.01	\$50	\$15	\$65
Curfew violation	§ 130.03	\$30	\$15	\$45
Disorderly conduct	§ 130.04	\$50	\$15	\$65
Trespassing	SS 97B.002	\$35	\$15	\$50

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<i>Traffic violations</i>	<i>Section or SS</i>	<i>Penalty</i>	<i>Admin fee</i>	<i>Total</i>
Seat belt violation	SS 169.686	\$50	\$15	\$65
Failure to use child seat	SS 169.685	\$50	\$15	\$65
Speeding	SS 169.14	\$65	\$15	\$80
Stop sign/semaphore violation	SS 169.3	\$65	\$15	\$80
Expired license tabs	SS 169.79	\$50	\$15	\$65
Cracked windshield	SS 169.71	\$50	\$15	\$65

(Res. 2003-13, passed 5-8-2003)