



# AGENDA

## Blackduck City Council - Work Session Meeting

6:00 PM - Monday, August 23, 2021  
City Hall, 8 Summit Drive, Blackduck MN

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	Page
1. CALL TO ORDER	
a. Roll Call	
b. Pledge of Allegiance	
2. APPROVAL OF AGENDA	
3. OLD BUSINESS	
a. Public Works / Police Facility Updates	3 - 10
<a href="#">BlackduckPW-PSAuthorizationtoBid</a>	
<a href="#">Blackduck LCI Final</a>	
b. Liquor Store Remodel / Addition Update	11 - 13
<a href="#">The Pond Weekly Update 081321</a>	
<a href="#">The Pond Weekly Update 082021</a>	
c. American Rescue Plan Act Funding	
d. Blackduck Stumpjumpers Public Parking Lot - Update	
1. Property Closing - completed 8/17/2021	
2. Lease Draft - in progress	
e. Downtown Redevelopment Grant Project - Update	
September 7, 2021 Council Meeting	
1. Public Hearing will be held	
2. Purchase Agreement with Blackduck Development Corp. - approval needed	
3. Loan Agreement with Deed - approval needed	
4. Resolution accepting the offer of Deed to purchase General Obligation bond Series 2021A - approval needed	
Meeting of adjacent Property Owners - August 24, 2021 @ 10am - City Hall	
f. Organizational Management of the Golf Course - update	14 - 17
Personnel Committee Meeting - August 25, 2021 will discuss Golf Director Position and wage scale	
<a href="#">Golf Course Director - full-time new</a>	
4. NEW BUSINESS	
a. Introduction of CEDA and Community Development Opportunity - Sarah Carling Community & Business Development Specialist	

b.	Letter of Intent - Laurie Hamilton - 165 Liberty Drive NE Blackduck, MN 56630 <a href="#">Laurie Hamilton</a>	18
c.	Letter of Intent - Bobbie Joe Kewitsch - 233 Northern Ave NE <a href="#">Bobbie Joe Kewitsch</a>	19 - 20
d.	Ordinance Section 310.01 Council Pay - Discuss compensation for meetings of council members <a href="#">Chapter 3 Administration</a> <a href="#">Council pay study</a>	21 - 41
e.	Ordinance Section 300.07 subdivision 1 - Standing Committees <a href="#">Chapter 3 Administration</a> <a href="#">Ord107Administration</a>	42 - 62
f.	Resolution 2021-01 - Revision <a href="#">2021-01-4-Resolution of annual appointments and designations for 2021</a>	63 - 67
g.	Consideration for Water Restrictions - 2021 Drought - Mike Schwanke & Brian Larson	
h.	2022 General Fund Budget Process - 1. September 20, 2021 Work Session @ 6pm to discuss recommendations and consider any changes 2. September 27, 2021 Special Council Meeting @ 6pm to approve the preliminary levy for 2022	
5.	BLACKDUCK HRA	
6.	ADJOURNMENT	



Rural Development

August 23, 2021

3217 Bemidji Ave N  
Bemidji, MN 56601

Voice 218.751.1942  
Fax 855.831.9441

City of Blackduck  
Attn: Mayor Maxwell Gullette  
PO Box 380  
Blackduck, MN 56630

Re: BID AUTHORIZATION LETTER

Dear Mayor Gullette:

USDA - Rural Development has obligated the funding for this proposed Maintenance and Police Facility project and has received the Office of General Council’s closing instructions. Please see the enclosed copy of the closing instructions.

The final plans and specifications have been reviewed and approved.

RD now calculates project costs to be:

Construction	\$1,603,080.00
Land	\$ 0.00
Legal	\$ 26,141.00
Architect fees	\$ 169,000.00
Interim Interest	\$ 23,859.00
FF & E	\$ 31,850.00
Contingencies	\$ 80,154.00
<b>TOTAL</b>	<b>\$1,934,084.00</b>

The sources of funding the proposed project are as following:

RD Loan	\$1,655,000.00
Borrower Contribution	\$ 279,084.00
<b>TOTAL</b>	<b>\$1,934,084.00</b>

Please coordinate the bid opening date with your attorney and this office. A copy of the actual published advertisement of bids should be submitted to this office when available.

The project architect must submit copies of all addenda to RD in sufficient time to review and concur prior to the bid opening.

Affirmative steps need to be taken for the solicitation of small, minority and women contractors, supplies and services, as part of the solicitation process. Please take these steps and return the enclosed certification (MN 1780, Guide 5) with the bidding material.

The following material is to be prepared by the project architect and submitted to our office:

1. Bid tabulation
2. Low Bidder's bid
3. Low Bidder's bid bond
4. Low Bidder's Compliance Statement, RD 400-6
5. Low Bidder's Certification for Contracts, 1940- Q, Exhibit A-1
6. Low Bidder's Lower Tier Debarment Certification, AD-1048
7. Low Bidder's Contractor Conflict of Interest, MN 1900-D Guide 2
8. Your Project Architect's recommendation on bid acceptance
9. Evidence of the acquisition of Necessary Property
10. Evidence of Exceptions listed on Preliminary Title Opinion are now cleared.
11. Attorney's review and concurrence on the project architect's recommendation.

If you have any questions, please contact us.

Sincerely,



Angela Bokovoy  
Area Specialist

cc: Christina Regas-City Administrator  
Stephen Rose-Project Architect  
Joseph J. Langel-City Attorney  
Mark Ryan-USDA Rural Development Construction Analyst and Architect



United States  
Department of  
Agriculture

Office of the  
General Counsel

STOP 1401, P.O. Box 419205  
Kansas City, MO 64141-6205  
(816) 823-4646  
E-Mail: usda-ogc-kc@usda.gov

July 29, 2021

Ms. Cynthia Morales  
Acting State Director, Rural Development  
United States Department of Agriculture  
375 Jackson Street, Suite 410  
St. Paul, MN 55101

Via Email Only: Brenda.Smith3@usda.gov

Dear Ms. Morales:

Subject: City of Blackduck, Minnesota  
Community Facility Loan Closing Instructions: New Building  
Loan Amount: \$1,655,000.00.  
Applicant Contribution: \$279,084.00  
OGC Ref: LB 8748260

It is our understanding that you have approved a loan to the City of Blackduck, Minnesota (the "Borrower"), a Minnesota municipality located in Beltrami County, for the purpose of constructing a building to house the City Streets and Maintenance Departments, along with the Police and Public Safety Department. The total cost of the project is \$1,934,084.00. The Borrower will receive a loan in the amount of \$1,655,000.00, with repayment scheduled over a term of 20 years, at an interest rate of 2.25%, and no deferral of principal. Payments will be \$63,188.00 per year. The Borrower will contribute \$279,084.00 of its own funds. The proposed loan will be secured by a General Obligation Bond and repaid out of tax levies. We reviewed the loan file you submitted, and based on your representations and the file, issue the following closing instructions.

The Agency loan should be closed in accordance with Rural Development Instructions, the State Director's Instructions, the Letter of Conditions dated April 19, 2021, and the following:

**Requirements to be met on or before the date of closing:**

- (1) The bond counsel should review the organizational documents of the Borrower to determine the validity of the organization and its authority to borrow funds, issue bonds and enter this transaction. If the bond counsel provides a positive review of these items, the Agency may rely upon that review and keep such documentation in the file. The official and correct name of the Borrower and the Agency must be used on all documents. The Agency and bond counsel should verify that the Borrower has not exceeded its bond capacity. Bond counsel should ensure that, in all respects, the bond complies with 7 C.F.R.

§§ 1942, Subpart A. The Agency should review the bond in accordance with the **attached Agency bond checklist** and USDA regulations to ensure that all requirements have been included in the documents (bond, Resolution, Ordinances, etc.) Agency personnel should complete the bond checklist, citing to the page, section and provision where elements are found. The completed bond checklist should be retained in the loan file. If there are any questions with the bond, contact our office for further guidance. If the bond, resolution, and ordinance are found to be acceptable by the Agency and bond counsel, it should be duly adopted and enacted pursuant to bond counsel.

- (2) **A draft of the proposed bond ordinance is not attached. Please submit it to our office for review and approval.**
- (3) Ordinances/Resolutions must be duly adopted by the Borrower in the form approved by the agency providing tax rates and charges in amounts approved by the agency as sufficient to repay the loan with interest. *See* 7 C.F.R. § 1942.19(c)(5)
- (4) The docket must include evidence of the commitment of all necessary project funds. 7 C.F.R. §§ 1942.17(c)(2)(vi).
- (5) The Agency should document its determination that the requirements of 7 C.F.R. § 1942.17(e) have been met (public use).
- (6) Agency files should be documented to show compliance with the public information meeting requirement in accordance with 7 C.F.R. § 1942.17(j)(9).
- (7) The Agency should document its analysis regarding the economic feasibility of the project and place its determination in the file. *See* 7 C.F.R. § 1942.17(h). The Agency should review the financial records to ensure that the Borrower has adequately budgeted loan repayment, maintenance, overhead, reserve accounts, etc., and meets the economic feasibility requirements.
- (8) Federal, state and local requirements relating to civil rights, rehabilitation, discrimination, land acquisition, equal opportunity, historic preservation, and architectural barriers must be satisfied. The Borrower must comply with the Safe Drinking Water Act, Clean Water Act, the Resource Conservation and Recovery Act, The Rehabilitation Act of 1973, the Civil Rights Act of 1964, the Americans with Disabilities Act, the Age Discrimination Act of 1975, and all other applicable federal, state or local laws.
- (9) Approval must be obtained from all applicable federal, state, county, and local regulatory authorities.
- (10) The requirements of the title examiner must be satisfied so that upon loan closing, merchantable title is vested in the Borrower. Contact our office if there are any exceptions which give you cause for concern. I recommend a visit to the premises, a review of the

records in the courthouse, and a call to the clerks of the local state court, Federal District Court, and Bankruptcy Court prior to closing to check for any apparent problems or pending matters concerning the property. **A preliminary title opinion was not provided, and as such, the Agency should assure itself that the Borrower has acquired adequate property rights for the project prior to closing.**

- (11) All taxes and assessments now delinquent or becoming delinquent, relating to or affecting the site(s) and right(s)-of-way of the project, must be paid.
- (12) The docket should evidence that you have complied with environmental assessment requirements in accordance with your Instructions. If it has been determined that the system will have a significant environmental impact, an Environmental Impact Statement must be prepared, circulated and reviewed as required by RD Instructions.
- (13) Your requirements should be completed with respect to insurance coverage and fidelity bonding. Planning, design, bidding, contracting, construction and development should proceed in accordance with RD regulations (7 C.F.R. § Part 1942, Subpart A) and applicable instructions.
- (14) Local zoning and building codes must be complied with, and it should appear that the property is situated so as to properly serve the purposes of the loan with adequate means of access. It should be determined that the property will have access to all necessary utilities. The project must be duly designated and authorized to provide the planned service.
- (15) The Agency should document its determination that the requirements of 7 C.F.R. § 1942.17(j)(3) have been met.
- (16) Loan Resolution (Public Bodies) (RUS Bulletin 1942-47) should be adopted at a duly called meeting of the governing body. A copy of the excerpts of minutes, and notice if adopted at a special meeting, should be furnished. **The certification statement to the Loan Resolution must be completed at closing.**

**II. Requirements to be met on date of closing:**

- (1) A complete bond transcript and preliminary opinion of counsel must be delivered, disclosing that the proceedings of the Borrower are in compliance with local, Minnesota, and Federal law and that the bond when issued will be a valid obligation of the Borrower payable from the City via collection of taxes. Bond counsel should certify that the bond provisions are in compliance with all USDA regulations, including 7 C.F.R. § Part 1942, Subpart A.
- (2) The RD Representative should examine the duly executed bond of the Borrower in order to determine that the form of the bond complies with the ordinance, that the maturity schedule of the bond is correct, and that the bond has been properly executed and dated.
- (3) When the foregoing is completed, the loan and grant funds should be disbursed thereafter in accordance with RD Instructions.

**III. Post-Closing Requirements:**

Each of the above requirements of these closing instructions, when completed, should be initialed by the RD Representative and the Borrower's attorney. For each requirement, please also indicate, by tab and position number, where in the docket the particular document or paper that satisfies the requirement may be found. The certifications below should also be executed. After the closing of this loan, the closing documents, the final opinion of bond counsel, bond transcript, bond checklist, final title opinion, closing opinion of local counsel, and any related material should be returned to this office for post-closing review. Supervision should continue to ensure that the Borrower complies with all requirements relating to this transaction.

If you have any questions or concerns, please contact Lisa Billman at (816) 994-4110, or at [lisa.billman@usda.gov](mailto:lisa.billman@usda.gov).

Sincerely,

JOHN P. VOS  
Regional Attorney

By: \_\_\_\_\_  
Lisa Billman  
Attorney Advisor

**CERTIFICATIONS**

I certify that this transaction was closed in accordance with all applicable RD Instructions and the instructions contained in this memorandum.

Transaction closed \_\_\_\_\_, 20\_\_\_\_.

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Rural Development Representative

I certify that I have complied with all requirements made of me in this memorandum and that this transaction has been closed in accordance with all legal requirements.

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Attorney for the Borrower



**KRAUS-ANDERSON®**

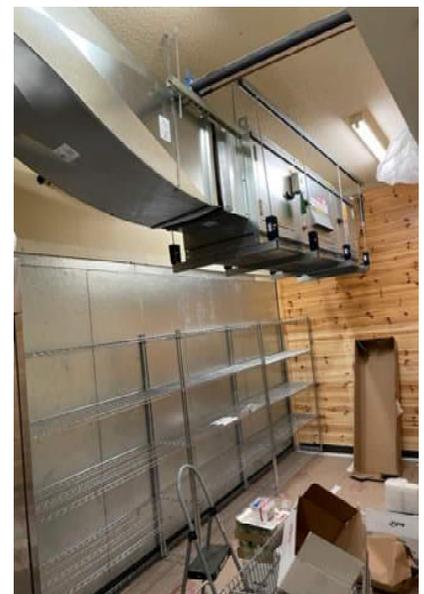
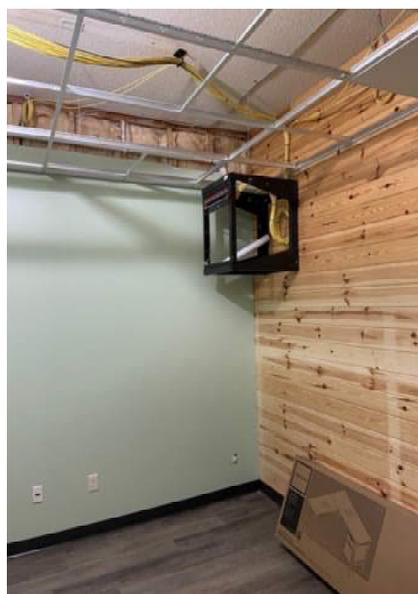
**The Pond Addition & Remodeling**

**8/9/21-8/13/21**

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*This week we got the duct work in the storage room finished and stubbed out into the addition. Paul Bunyan Communications ran their above wiring and are ready to move the office computers once we get power to their rack in the office. The ceiling grid was installed in the breakroom, office and bathroom. On the outside of the building, we finished the trim work around the doors and openings and started on the siding. We should be finished with the siding early next week.*

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**KRAUS-ANDERSON®**

**The Pond Addition & Remodeling**

**8-16-21 – 8-20-21**

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*This week we got the rest of the siding finished. We installed the north door and installed a keyed lock, for security. We also installed the air chutes in the rafters, vapor barrier, and got the ceiling drywall put up. The excavator came in and graded out the sidewalk/apron area to be ready for the concrete crew next week. Power was added to the communication rack in the office for Paul Bunyan Communications to relocate their equipment.*

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CITY OF BLACKDUCK  
FULL-TIME GOLF COURSE DIRECTOR  
JOB DESCRIPTION

Job Title:	Golf Course Director
Department:	Golf
Organizational Relationships:	
Reports to:	City Administrator
Communicates with:	<i>Internally</i> – Seasonal club house staff; grounds staff; Head Grounds Keeper; public works staff; administration staff <i>Externally</i> – citizens; golf customers; vendors
Supervises:	Part-time seasonal Club House Staff; Part-time course maintenance staff; and head grounds keeper
FLSA:	Exempt

Primary Objective of Position

Performs difficult professional work supervising the facilities, operations and staff of the Blackduck Golf Course, and related work as apparent or assigned. Work involves setting policies and goals under the direction of the City Council. Department supervision is exercised over all personnel within the department.

Essential Duties and Responsibilities – These duties listed are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to that position. Other duties may be assigned.

1. Directs, supervises, manages and maintains the Blackduck Golf Course in accordance with sound business practices and procedures.
2. Establishes appropriate administrative and internal procedures to effectively manage the total operations of the department.
3. Supervises, trains, and motivates personnel in the department to effectively carry out their responsibilities, to ensure the efficient delivery of services to the golf course's customers and the community.
4. Develops and maintains a positive and effective relationships with customers and others.
5. Oversees general operations of Blackduck Golf Course – on & off season – including but not limited to:
  - a) Complies with all City of Blackduck policies and procedures
  - a) Establishes budget for golf course.
  - b) Maintains full and complete records & monitors monthly and other financial reports/statements on a regular basis and takes effective corrective action when necessary
  - c) Registers and track green fees
  - d) Records golf membership registration
  - e) Maintains membership with the MGA & other professional associations & updates members handicaps with USGA
  - f) Registers golf cart storage and trail fees
  - g) Handles & reports funds, including but not limited to:



CITY OF BLACKDUCK  
FULL-TIME GOLF COURSE DIRECTOR  
JOB DESCRIPTION

- a. Golf equipment sales;
- b. Rental of golf carts, golf clubs and pull carts;
- c. Daily bank deposits; Submit deposit tickets to City Clerk; and
- d. All cash sales.
- e. Orders and tracks golf supplies and equipment
- f. Orders and inventory concessions (pop, candy, beer, etc.)
- g. Delivers invoices to clerk at month-end.
- h) Responsible for assisting with interviewing, hiring, training, scheduling, assigning, and directing work; addressing complaints and resolving disciplinary issues of employees
- i) Assists women's and men's clubs with their activities
- j) Maintains an active and positive involvement with the Golf Board
- k) Schedules periodic staff meetings for golf course staff

Marketing and Public Relations

1. Encourage and support the game of golf for all age groups
2. Present and direct staff to provide a quality golf experience to the public
3. Develop and implement a plan to advertise and promote the Blackduck Golf Course to include Social Media and on other platforms
4. Assist Management of groups who are organizing and running tournaments
5. Manage Tournaments as necessary & communicate needs of tournaments to superintendent.
6. Actively participate in Golf course events, making use of significant personal contact as a means of gathering feedback
7. Maintain exceptional member relations and facilities by creating a quality environment through staffing, service operations, and maintenance
8. Ensure follow up on all golfer complaints/concerns quickly and effectively
9. Works collaboratively with the Golf Course Head Grounds Keeper to ensure that the playing surface and grounds are well maintained.

Required Knowledge, Skills, and Abilities and Competencies required – The requirements listed below are representative of the knowledge, skill, ability and/or competency sets required to complete the essential functions at a satisfactory level.

1. Working knowledge of agronomy as it relates to golf turf management.
2. Working knowledge of personal computers and data management.
3. Skills in effectively dealing with the general public.
4. Ability to communicate effectively, both orally and in writing.
5. Ability to effectively manage personnel in a manner that builds collaboration and team spirit.
6. Ability to meet tactfully and effectively with the general public, employees and clientele.



CITY OF BLACKDUCK  
FULL-TIME GOLF COURSE DIRECTOR  
JOB DESCRIPTION

7. Ability to develop strategies to improve operations and service levels at Blackduck Golf Course.
8. Ability to play golf with a reasonable experience level.
9. Comprehensive knowledge of the principles, practices, organizational purposes and administration of proprietary golf courses.
10. Ability to understand meaning of words and ideas associated with them and use them effectively; perform arithmetic operations quickly and accurately; and the ability to perceive pertinent details in verbal and tabular matter.
11. Knowledge and expert experience in Golf Operations
12. Excellent interpersonal and sales skills, friendly professional leadership skills with guests and staff.
13. Self-motivated, enthusiastic, flexible, patient, excellent time management, and ability to prioritize tasks.
14. Previous sales experience is preferred
15. Ability to work independently
16. Regular and reliable attendance is required, and it is understood that a strong presence is necessary when the course is busiest, primarily on weekends and during large events.
17. Full-time employment will be available to work a flexible 40 hours weekly.

Physical Demands

This work requires the occasional exertion of up to 10 pounds of force; work regularly requires speaking or hearing and using hands to finger, handle or feel and occasionally requires standing, walking, sitting, reaching with hands and arms, pushing or pulling, lifting and repetitive motions; work requires close vision, distance vision, ability to adjust focus and depth perception; vocal communication is required for expressing or exchanging ideas by means of the spoken work and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work occasionally requires exposure to outdoor weather conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

Education and/or Experience

Associates/Technical degree in golf business, or related field and considerable experience working as a head golf professional, or equivalent combination of education and experience.

Professional golf association member.

Valid driver's license in the State of Minnesota.



CITY OF BLACKDUCK  
FULL-TIME GOLF COURSE DIRECTOR  
JOB DESCRIPTION

While this job description is intended to be an accurate reflection of the job requirements, the Council reserves the rights to modify, add or remove duties from particular jobs and to assign other duties as necessary.

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

DRAFT

Laurie Hamilton 165 Liberty Dr. NE Blackduck, MN 56630

City of Blackduck  
AUG 19 2021

August 17, 2021

Blackduck City Council  
8 Summit AVE  
Blackduck, MN 56630

This letter is to express my interest in the Blackduck City council seat vacancy. As a new member to the community (2017) I too have a vested interest in becoming involved in keeping with the goals of this city to maintain a clean, healthy, and safe environment for all people.

My husband and I moved here to embrace community as seniors, we both work and raise an elementary age granddaughter, we appreciate the outstanding education and dedication of the teachers we have experienced here.

I have been blessed over the last 10 years to work for Lutheran Social Services of MN supporting people with disabilities to live their best independent life. I have a front row seat at some very amazing changes in peoples lives, when given opportunities to grow, with dignity and respect. I enjoyed several years as a Coach for Special Olympics.

I was also a small business owner, Bemidji Catering & On Your Way Café. (1999-2006) I understand the importance of supporting local businesses. Bemidji Catering had the pleasure of serving Paul Bunyan customer appreciation 2003 serving 4,500 guest & 2004 serving 5,200 guests.

In some form I have always been in the service industry, building organizational and problem-solving skills, identifying individual strengths, and providing a safe environment for people to grow and build their skills.

I appreciate the time you took to read this letter and look forward to hearing from you. Please feel to reach out with any questions you may have.

Peace



Laurie Hamilton  
218.760.3920  
LAH@paulbunyan.net

AUG 19 2021

My name is BobbieJo Kewitsch. Members of the community may know me as BobbieJo Exner(my maiden name). I would like to become a member of the Blackduck City Council. I recently purchased a home in the city limits but have been a part of this community since childhood. I am also a wife and Mother of 5; 3 of which attend the local school. I believe it's important to be involved in the community that I live in so I can be a part of helping it thrive for our future generations. It has come to my attention that there are openings on the council so I feel that is where I can help. Thank you for your consideration.

Sincerely,  
BobbieJo Kewitsch





Office of the Minnesota Secretary of State  
**AFFIDAVIT OF CANDIDACY**

Filing #	_____
Cash/Check #	_____
Amount \$	_____

**Instructions**

All information on this form is available to the public. Information provided will be published on the Secretary of State's website. If filing for partisan office and not a major party candidate, you must file both an affidavit of candidacy and a nominating petition. (*Minn. Stat. 204B.03*)

**Candidate Information**

**Name and Office**

Candidate Name (as it will appear on the ballot) Bobbie Jo Kewitsch

Office Sought City Council Member District # \_\_\_\_\_

For Partisan Office, Provide Political Party or Principle \_\_\_\_\_

For Judicial Office, Provide Name of Incumbent \_\_\_\_\_

**Residence Address**

Do not complete if residence address is to be private and checkbox below is marked. All address and contact information is optional for federal, judicial, county attorney, and county sheriff office candidates.

Street Address 233 Northern Ave NE

City Blackduck State MN Zip Code 56630

My residence address is to be classified as private data. I certify a police report has been submitted or I have an order for protection for my (or my family's) safety, or my address is otherwise private by Minnesota law. I have attached a separate form listing my residence address.

**Campaign Address and Contact**

Candidate Phone Number (Required) 218-368-3514

Campaign Contact Address (Required for those who have checked the box above):

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Website \_\_\_\_\_ Email April Flower 2003@gmail.com

**Affirmation**

For all offices, I swear (or affirm) that this is my true name or the name by which I am generally known in the community. If filing for a state or local office, I also swear (or affirm) that:

- I am eligible to vote in Minnesota;
- I have not filed for the same or any other office at the upcoming primary or general election (except as provided in *M.S. 204B.06, subd. 1 (2)*);
- I am, or will be on assuming office, 21 years of age or more;
- I will have maintained residence in this district for at least 30 days before the general election; and
- If a major political party candidate, I either participated in the party's most recent precinct caucuses or intend to vote for a majority of that party's candidates at the next general election.

If filing for one of the following offices, I also swear (or affirm) that I meet the requirements listed below:

- **United States Senator** – I will be an inhabitant of this state when elected and I will be at least 30 years old and a citizen of the United States for not less than nine years on the next January 3rd, or if filled at special election, within 21 days after the election.
- **United States Representative** – I will be an inhabitant of this state when elected and I will be at least 25 years old and a citizen of the United States for not less than seven years on the next January 3rd, or if filled at special election, within 21 days after the election.
- **Governor or Lieutenant Governor** – I will be at least 25 years old on the first Monday of the next January and a resident of Minnesota for not less than one year on election day. I am filing jointly with \_\_\_\_\_
- **Supreme Court Justice, Court of Appeals Judge, District Court Judge, or County Attorney** – I am learned in the law and licensed to practice law in Minnesota. My Minnesota attorney license number is \_\_\_\_\_ and a copy of my license is attached.
- **State Senator or State Representative** – I will be a resident of Minnesota not less than one year and of this district for six months on the day of the general or special election.
- **County Sheriff** – I am a licensed peace officer in Minnesota. My Board of Peace Officer Standards and Training license number is \_\_\_\_\_ and a copy of my license is attached.
- **School Board Member** – I have not been convicted of an offense for which registration is required under *Minn. Stat. 243.166*.
- **County, Municipal, School District, or Special District Office** – I meet any other qualifications for that office prescribed by law.

Candidate Signature Bobbie Jo Kewitsch Date 8/19/2021

Subscribed and sworn to before me this 19<sup>th</sup> day of August, 2021.

Notary public or other officer empowered to take and certify acknowledgement (Notary stamp)

**Chapter 3: ADMINISTRATION**

**CHAPTER 3: ADMINISTRATION**

**Section 300 – In General.**

Section

300.01	Meetings of the Council
300.02	Presiding Officer
300.03	Minutes
300.04	Order of business.
300.05	Quorum and Voting.
300.06	Ordinances, Resolutions, Motions, Petitions, and Communications.
300.07	Committees.
300.08	Suspensions or amendments of rules.

**300.01 Meetings of the Council**

**Subdivision 1. Regular Meetings**

Regular meetings of the council shall be the first Monday of each calendar month after the third at 6:00 P.M. Any regular meeting falling upon a holiday shall be held on the next following business day at the same time and place. All meetings including special and adjourned meetings shall be held in city hall. No meeting will continue beyond 12:00 midnight, regardless of completion of agenda items.

**Subdivision 2. Special Meetings.**

A special meeting may be called by the mayor or by any two council members pursuant to the notice requirements of M.S. § 13D.04 Subd. 2 as it may be amended from time to time at such time and place for such purposes as stated in the notice of the meeting.

**Subdivision 3. Emergency Meetings.**

When the health, safety, or welfare of the city or its residents would be unduly endangered or subject to imminent harm by any delay, the Council may convene an emergency meeting to discuss how to handle the emergency situation. The notice of provisions of M.S. § 13D.04, Subd. 3 as it may be amended from time to time, shall be followed.

**Subdivision 4 First Council Meeting of the Year**

At the first regular meeting in January of each year the council shall:

1. Designate the depositories of city funds
2. Designate the official newspaper
3. Chose one of the council members as acting mayor, who shall perform the duties of the mayor during the disability or absence of the mayor from the city or, in case of a vacancy in the office or mayor, until a successor has been appointed and qualifies.
4. Appoint such officers and employees and such members of boards, commissions, and committees as may be necessary.
5. Designate City Assessor
6. Designate City Attorney

**Subdivision 5. Public Meetings.**

All council meetings, including the special and adjourned meetings, and all meetings of the council committees shall be open to the public. All closed meetings will be held in accordance with the M. S Ch. 13D.

**300.02 Presiding Officer****Subdivision 1. Who Presides.**

The mayor shall preside at all meetings of the City Council. In the absence of the mayor, the acting mayor shall preside. In the absence of both, the administrator shall call the meeting to order and shall preside until the council members present at the meeting choose one of their members to act temporarily as preceding office.

**Subdivision 2. Procedure.**

The presiding officer shall preserve order, enforce the rules of procedure herein prescribed, and determine without debate, subject to the final decision of the council on appeal, all questions of procedure and order. Except as otherwise provided by statute or by these rules, the procedure and order shall be conducted in accordance with "Roberts Rules of Order, Revised."

**Subdivision 3. Appeal Procedure.**

Any member may appeal to the council from a ruling of the presiding officer. If the appeal is seconded, the member may speak solely on the question involved and presiding officer may explain his/her ruling, but no other council member shall participate in the discussion. The appeal shall be sustained if it is approved by a majority of the members present exclusive of the presiding officer.

**Subdivision 4. Rights of Presiding Officer.**

The presiding officer may make motions, second motions, or speak on any question except that on demand of any council member he shall vacate the chair and designate a council member to preside temporarily.

**300.03 Minutes****Subdivision 1. Who keeps.**

Minutes of each council meeting shall be kept by the City Administrator or, in his or her absence, the Administrative Assistant. In the absence of both, the presiding officer shall appoint a secretary pro tem. Ordinances, resolutions, and claims need not be recorded in full in the minutes if they appear in other permanent records of the administrator and can be accurately identified from the description given in the minutes.

**Subdivision 2. Approval**

The minutes of each meeting shall be reduced to typewritten form, and shall be signed by the administrator. At the next regular council meeting approval of the minutes shall be considered by the council. The minutes need not be read aloud unless a member of the

council requests such a reading. The presiding officer shall call for any additions or corrections. If there is no objection to a proposed addition or correction, it may be made without a vote of the council. If there is an objection, it may be made without a vote upon the addition or correction. If there are no additions or corrections, the minutes shall stand approved.

### **300.04 Order of business.**

#### **Subdivision 1. Order established.**

Each meeting of the council shall convene at the time and place appointed therefore. Council business shall be conducted in the following order:

1. Call to order
2. Roll Call
3. Blackduck Forum
4. Consent Items
5. Public Hearings
6. Petitions, requests, and communications
7. Ordinances and Resolutions
8. Experts of officers, boards, and committees
9. Unfinished business new business
10. Miscellaneous
11. Adjournment

#### **Subdivision 2. Varying Order.**

The presiding officer may vary the order of business, but all public hearings shall be held at the time specified in the notice of the hearing.

#### **Subdivision 3. Agenda**

The administrator shall prepare an agenda of business for each regular council meeting and a file a copy in the office. The agenda shall be prepared in accordance with the order of business and copies therefore shall be delivered to each council member as far in advance of the meeting as time for preparation will permit. No item of business shall be considered unless it appears on the agenda for the meeting or is approved for addition to the agenda by a unanimous vote of the council members present.

### **300.05 Quorum and Voting.**

#### **Subdivision 1. Quorum.**

At all council meetings a majority of all the council members elected shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time and the council may punish non attendance by a fine for each absence from any meeting unless a reasonable excuse is offered.

#### **Subdivision 2. Voting.**

The votes of the members on any question be taken in any manner which signifies the intention of the individual members, and the votes of the members on any action shall be

recorded in the minutes. The votes of each member shall be recorded on each appropriation of money, except for payments of judgements, claims, and amounts fixed by statute. If any member is present but does not vote, the minutes, as to his or her name, shall be marked "Present – Not Voting"

**Subdivision 3. Votes Required.**

Majority vote of all members of the council shall be necessary for approval of any ordinance unless a larger number is required by statute. Except as otherwise provided by statute, a majority vote of a quorum shall prevail in all other cases.

**300.06 Ordinances, Resolutions, Motions, Petitions, and Communications.**

**Subdivision 1. Readings**

Every ordinance and resolution shall be presented in writing. Every ordinance shall receive two readings before the council prior to final adoption, but shall not be read twice at the same meeting unless the rules are suspended for that purpose. An ordinance or resolution need not be read in full unless a member of the council requests such a reading.

**Subdivision 2. Signing and publication proof.**

Every ordinance and resolution passed by the council shall be signed by the mayor, attested by the administrator, and filed in the ordinance or resolution book. Proof of publication of every ordinance shall be attached and filed with each ordinance.

**Subdivision 3. Repeals and amendments.**

Every ordinance or resolution repealing a previous ordinance or resolution or a section or subdivision thereof shall give the number, if any, and title of the ordinance or code number of the ordinance or resolution to be repealed in whole or in part. Each ordinance or resolution amending an existing ordinance or resolution or part thereof shall set forth in full each amended section or subdivision as it will read with the amendment.

**Subdivision 4. Motions, Petitions, Communications.**

Every motion shall be stated in full before it is submitted to a vote by the presiding officer and shall be recorded in the minutes. Every petition or other communication addressed to the council shall be in writing and shall be read in full upon presentation to the council unless the council dispenses with the reading. Each petition or other communication shall be recorded in the minutes by title and filed with the minutes in Blackduck City Hall.

**300.07 Committees.**

**Subdivision 1. Standing Committees**

Committees designated - there shall be the following standing committees.

~~Liquor Committee~~

1. Park and Tree Board

- ~~Law Enforcement Committee~~
- ~~Golf Board~~
- 2. Revolving Loan Committee
- ~~Cemetery Committee~~
- 3. Library Board
- ~~Health Board~~
- 4. Personnel
- 5. Public Works
- 6. Marketing
- 7. Finance
- 8. Public Safety

**Subdivision 2. Membership**

Each committee shall be appointed by the mayor with the approval of the majority of the council. Each committee member shall serve as appointed unless excused by a majority of the members of the council.

**Subdivision 3. Referral Reports.**

Any matter brought before the council for consideration may be referred by the presiding officer to the appropriate committee or to the special committee appointed by him or her for a written report and committee report shall be signed by a majority of the members and shall be filed with the administrator prior to the council meeting at which it is to be submitted. Minority reports may be submitted. Each committee shall act promptly and faithfully on the matter referred to it.

**300.08 Suspensions or amendments of rules.**

These rules may be suspended only by a two-thirds vote of the members present and voting.

**Section 310. Salaries of Mayor and Council Members.**

**Section**

310.01.	Amount of Salaries
310.02	Special Meetings and Board or Commission Meetings
310.03	Compensation for out of town meetings.

**310.01. Amount of Salaries**

Effective January 1, 2003, the salary of the mayor shall be \$150.00 per month and the salary of each council member shall be \$50.00 per meeting attended.

The following duties shall be defined as part of the annual salary.

- a. All regularly scheduled council meetings – 24 per year
- b. Individual meetings with the city administrator and/or city staff members reviewing council agendas, concerns or other city actions items.
- c. Ground breaking, open houses, dedication ceremonies, public relations, and other invited social functions.

**310.02 Special Meetings and Board or Commission Meetings**

Each council member shall be paid \$25.00 per meeting for attendance at special meetings and those board and commission meetings that are council authorized and required to attend due to being that said board, committee, or commission liaison member. This amount is limited to two meetings per month per committee. The following duties shall fall under this section:

- a. Special council meetings as scheduled
- b. Council liaison for commission or board meetings
- c. Special commission or board meetings.
- d. Council approved committee and/or task force meetings
- e. Board of review meetings
- f. Budget review meetings
- g. Council retreat or training

**310.03 Compensation for out of town meetings.**

The mayor and each council person shall be paid \$50.00 per 8 hour day and \$25 per 4 hour day for attendance at any meeting, seminar or conference beyond the city limits of the City of Blackduck, when attendance at such meeting, seminar or conference is in the performance or furtherance of their duties as an elected official, and when the nature of the meeting and the travel time incident thereto, is such that the workday is expended in attendance and travel. When required to use his or her own vehicle when attending a meeting, conference, or seminar, reimbursement shall be made at the federal rate.

**Section 320 – Elections**

Section

- 320.01 Date of Regular City Election.
- 320.02 Terms of Mayor and Council Members.

**320.01 Date of Regular City Election.**

The regular City election shall be held biennially on the first Tuesday after the first Monday in November of every even-numbered year.

**320.02 Terms of Mayor and Council Members.**

After the first regular biennial election, the term for the office of Mayor shall be two years and the terms for the offices of Council members shall be four years.

**Section 330 – City Administrator**

Section	330.01	Purpose.
	330.02	Scope.
	330.03	Appointment.
	330.04	Duties.

**330.01 Purpose.**

In order to provide the City with a more efficient, coordinated, responsible and responsive municipal government, the position of City Administrator shall be hereby established.

**330.02 Scope.**

The City Council shall provide policy guidance and general direction to the City Administrator who shall serve as the Chief Administrative Officer of the City. The Administrator shall be responsible for the administrative direction of all departments and offices of the municipal government, subject only to statutory and/or municipal code or ordinance limits which may apply. It shall be the intent of this Section that the City Administrator shall have clear authority to administer the day-to-day operations of the municipal government, subject only to the restrictions noted above.

**330.03 Appointment.**

The City Administrator shall be appointed by a four-fifths (4/5) vote of all the members of the City Council and shall be chosen solely on the basis of his or her training, experience and executive and administrative qualifications. The City Administrator shall hold office for an indefinite term, subject to removal for cause by a four-fifths (4/5) vote of all the members of the City Council. The appointment may be terminated by the City Administrator upon two weeks written notice to the City Council prior to the termination.

**330.04 Duties.**

In addition to the general duties and responsibilities set forth in this Section, the City Administrator shall:

- A. Be responsible for preparation of the annual City budget in accordance with the guidelines as may be provided by the City Council, and in coordination with all department heads;
- B. Keep the Council informed of the financial condition of the City. Recommend action as appropriate, prepares and implements financial guidelines;
- C. Keep informed concerning current developments in the field of municipal administration, and from time-to-time submit recommendations or suggestions to improve the municipal government;
- D. Keep informed concerning State and Federal legislation affecting the City, and submit

appropriate reports and recommendations to the City Council;

E. Keep informed concerning the availability of State and Federal funds for local programs, and assist department heads and the City Council in procuring the funds;

F. Be responsible for the training, direction and supervision of all personnel assigned to the Municipal Government, and for making recommendations to the City Council on appointments and promotions of personnel;

G. Be responsible for the administrative direction and supervision of all employees of, consultants to, and vendors doing business with the City.

H. Serve as the personnel officer for the Municipal Government. As such, he or she shall keep complete and up-to-date personnel records, to include specific job descriptions for all City employees, recommend salary and wage scales for City employees, develop and enforce standards of performance by City employees, assure that all City employees have proper working conditions, work closely with department heads to promptly resolve any personnel problems or grievances.

I. Work closely with all department heads to ensure that such personnel and other City employees receive adequate opportunities for training to improve their knowledge and skills, and act as the approving authority for all requests by City employees to attend conferences, meetings, training schools, etc. pertaining to their employment;

J. In coordination with the Mayor, prepare the agenda for all meetings of the City Council, together with such supporting data as may be required. Nothing in this Section shall be construed as to give the City Administrator authority to limit or in any way prevent matters from being considered by the Council;

K. Act as purchasing agent for the City and be responsible for making all purchases in accordance with the approved municipal budget. The Administrator shall have the authority to sign purchase orders for budgeted routine services, equipment and supplies for which the cost shall not exceed one thousand dollars. All claims resulting from orders placed by the City shall be audited for payment by the Council. The Administrator shall negotiate contracts for any kind of merchandise, materials, equipment or construction work for presentation to the Council;

L. Perform all duties as prescribed by the job description and such other duties as may be prescribed by law or required by ordinance or resolution adopted by Council, including attending all meetings of the Council and such other boards, commissions, and committees as assigned by the Council, and performing all statutory duties of the City Clerk-Treasurer except as otherwise assigned by this Code or action of the Council.

**Section 340**  
**Provision for the Combination of Offices of City Clerk and City Treasurer**

**340.01           Combination of Offices**

Pursuant to the authority granted by Laws 1961, Ch 230 the offices of clerk and treasurer of the city of Blackduck are hereby combined in the office of clerk-treasurer.

## Section 350 Police Department

### Section

350.01	Establishment
350.02.	Chief of Police
350.03	Duties of Police
350.04	Uniform and Badge
350.05	Reserve Officers

### **350.01 Establishment**

A Police Department is hereby established. 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 council shall appoint members of the department.

### **350.02. Chief of Police**

The chief of police shall have supervision and control of the police department and its members. He or she shall be responsible for law enforcement and for property of the city used by department. He or she shall be responsible for the proper training and discipline of the members of the department. He or she shall be responsible for the keeping of adequate records and shall report to the council on the needs of the department and its work. Every member of the department subordinate to the chief shall obey instructions of the chief and superior officer. The council shall designate one of the police officers acting as chief, who shall have all powers and duties during his absence or disability.

### **350.03 Duties of Police**

Members of the police department are authorized to enforce the ordinances and laws applicable to the city, bring violators before the county 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 by law for town constables. All such fees shall be paid into the city treasury.

### **350.04 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 his or her membership in the department, he shall immediately deliver to the city his badge, uniform, and all other property of the city in his or her possession.

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NOTE: Strikeout denotes language removed; underline denotes language added

**350.05 Reserve Officers**

Incase of a riot or other law enforcement emergency, the Chief of Police may appoint for a specified time as many Reserve Officers as may be necessary for the maintenance of law and order. During such term of employment, the Reserve Officers shall have only the authority to provide supplementary assistance at special events, traffic or crowd control, and administrative or clerical assistance. A reserve officer's duties do not include enforcement of the general criminal laws of the state, and the officer does not have full powers of arrest.

**Section 360 Department of Public Works**

**260.01 Organization and Establishment**

A Public Works Department and Public Works Supervisor for the City of Blackduck is hereby established.

**Subdivision 1 Duties of the Public Works Supervisor.**

The department of the Public Works Supervisor and he or she shall be responsible for the operations of all public utilities, maintenance of streets, maintenance of buildings, maintenance of the cemetery, maintenance of parks and playgrounds. He or she shall generate and issue all rules, regulations and procedures necessary to incur the proper functioning of all divisions within these divisions. Such rule, regulations and procedures shall be consistent with MN Statutes, Ordinances, and Council policy. He or she must assure that the laws, ordinances, and resolutions pertaining to public works are enforced.

### **Section 370. Planning Commission**

#### Section

370.01	Establishment of Commission.
370.02	Composition
370.03	Organizations, meetings, etc.
370.04	Powers and duties of the commission.

#### **370.01 Establishment of Commission.**

A City Planning Commission for the City of Blackduck is hereby established. The commission shall be on the City Planning Agency authorized by Minnesota Statutes, Section 462.354, and Subdivision 1.

#### **370.02 Composition**

##### **Subdivision 1 Membership**

The City Planning Commission shall consist of five members. The City Planner shall be a member ex-officio. The five members shall be appointed and may be removed by the council.

##### **Subdivision 2 Terms**

All members shall serve without compensation.

#### **370.03 Organizations, meetings, etc.**

##### **Subdivision 1 Offices**

The commission shall elect a chairman from among its appointed members for a term of one year, and the commission may create and fill such other offices as it may determine.

##### **Subdivision 2 Meetings records reports.**

The commission shall hold at least one regular meeting each month. It shall adopt rules for the transaction of business and shall keep record of its resolutions, transactions, and findings, which record shall be a public record. A copy of the minutes of each meeting shall be given to the City Council.

#### **370.04 Powers and duties of the commission.**

The planning Commission shall have the powers and duties planning conferred upon it by this ordinance by the council. After the commission has prepared and adopted a comprehensive plan, the commission shall periodically but at least once every two years, review the comprehensive plan, any ordinance and any capitol improvement plan, adopt the amendments or the new comprehensive plan, and recommend it to the council in accordance with law. Similarly, after such review, it shall recommend to the council any amendments it deems desirable to the capitol improvement project and any ordinance implementing the plan.

### Section 380 Emergency Management

#### Section

380.01	Policy and Purpose
380.02	Definitions
380.03	Establishment of emergency management organization
380.04	Powers and duties of Director
380.05	Local emergencies
380.06	Emergency regulations
380.07	Emergency management a government function
380.08	Participation in labor disputes or politics
380.99	Penalty

#### **380.01 Policy and Purpose.**

Because of the existing possibility of the occurrence of disasters of unprecedented size and destruction resulting from fire, flood, tornado, blizzard, destructive winds or other natural causes, or from sabotage, hostile action, or from hazardous material mishaps of catastrophic measure; and in order to insure that preparation of this city will be adequate to deal with those disasters, and generally, to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of the city, it is hereby found and declared to be necessary:

- A. To establish a city emergency management organization responsible for the city planning and preparation for emergency government in time of disasters.
- B. To provide for the exercise of necessary powers during emergencies and disasters.
- C. To provide for the rendering of mutual aid between this city and other political subdivisions of this state and of other states with respect to the carrying out of emergency preparedness functions.
- D. To comply with the provisions of M. S. § 12.25, as it may be amended from time to time, which requires that each political subdivision of the state shall establish a local organization for emergency management.

#### **380.02 Definitions.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***Disaster*** A situation which creates an immediate and serious impairment to the health and safety of any persons, or a situation which has resulted in or is likely to result in

catastrophic loss to property, and for which traditional sources of relief and assistance within the affected area are unable to repair or the prevent injury or loss.

***Emergency*** An unforeseen combination of circumstances which calls for immediate action to prevent from developing or occurring.

***Emergency Management*** The preparation for the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters caused by flood, fire, tornado, and other acts of nature, or from sabotage, hostile action, or from industrial hazardous mishaps. These functions include, without limitation, firefighting services, police services, emergency medical services, engineering, warning services, communications, radiological, and chemical, evacuation, congregate care, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utilities services and other functions related to civil protection, together with all other activities necessary or incidental for carrying out the foregoing functions. Emergency management includes activities sometimes referred to as “civil defense” functions.

***Emergency Management Forces*** The total personnel resources engaged in a city-level emergency management functions in accordance with the provisions of this chapter or any rule or order thereunder. This includes personnel from city departments, authorized volunteers, and private organizations and agencies.

***Emergency Management Organization*** The staff responsible for coordinating city-level planning and preparation for disaster response. This organization provides city liaison and coordination federal, state, ad local jurisdictions relative to disaster preparedness activities and assures implementation of federal and state requirements.

### **380.01 Establishment of Emergency Management Organizations.**

There is hereby created within the city government and emergency management organization, which shall be under the supervision and control of the City Emergency Management Director, called the Director. The Director shall be appointed by the Mayor with approval of the City Council for an indefinite term and may be removed by him or her at any time. The Director shall serve with a salary as established by the City Council and shall be paid his or her necessary expenses. The Director shall have direct responsibility for the organization, administration and operation of the emergency preparedness organization, subject to the direction and control of the Mayor.

### **380.02 Powers and Duties of the Director.**

- A. The Director, with the consent of the Mayor, shall represent the city on any regional or state conference for emergency management. The Director shall develop proposed mutual aid agreements with other political subdivisions of the state for reciprocal emergency management aid and assistance in an emergency too great to be dealt with unassisted, and shall present these agreements to the Council for its action. These arrangements shall be consistent with the Sate Emergency Plan.

- B. The Director shall make studies and surveys of the human resources, industries, resources, and facilities of the city as deemed necessary to determine their adequacy for emergency management and to plan for their most efficient use in time of an emergency or disaster. The director shall establish the economic stabilization systems and measures, service staffs, boards, and sub-boards required, in accordance with state and federal plans and directions subject to the approval of the Mayor.
- C. The Director shall prepare a comprehensive emergency plan for the emergency preparedness of the city and shall present the plan to the Council for its approval. When the Council has approved the plan, it shall be the duty of all city agencies and all emergency preparedness forces of the city to perform the duties and functions assigned by the plan as approved. The plan may be modified in like manner from time to time. The Director shall coordinate the emergency management activities of the city to the end that they shall be consistent and fully integrated with the emergency plan of the federal government and the state and correlate with emergency plan of the county and other political subdivisions of the state.
- D. In accordance with the State and City Emergency Plan, the Director shall institute training programs, public information programs and conduct practice warning alerts and emergency exercises as may be necessary to assure prompt and effective operation of the City Emergency Plan when a disaster occurs.
- E. The director shall utilize the personnel, services, equipment, supplies, and facilities of existing departments and agencies of the city to the maximum extent practicable. The officers and personnel of all city departments and agencies shall, to the maximum extent practicable, cooperate with and extend services and facilities to the city's emergency management organization and to the Governor upon request. The Head of each department or agency head of each department or agency in cooperation with the Director shall be responsible for the planning and programming of those emergency activities as will involve the utilization of the facilities of the department or agency.
- F. The Director shall, in cooperation with those city departments and agencies affected, assist in the organizing, recruiting, and training of emergency management personnel, which may be required on a volunteer basis to carry out the emergency plan of the city and state. To the extent that emergency personnel are recruited to augment a regular city department or agency for emergencies, they shall be assigned to the departments or agencies and shall be under the administration and control of the department or agency.
- G. Consistent with the state emergency services law, the Director shall coordinate the activity of municipal emergency management organizations within the city and assist in establishing and conducting training programs as required to assure emergency operational capability in the several services as provided by M. S. § 12.25, as it be amended from time to time.
- H. The Director shall carry out all orders, rules, and regulations issued by the Governor with reference to emergency management.

- I. The Director shall prepare and submit reports on emergency preparedness activities when requested by the Mayor.

### **380.05 Local Emergencies.**

- A. A local emergency may be declared only by the Mayor or his or her legal successor. It shall not be continued for a period in excess of three days except by or with consent of the Council. Any order, or proclamation declaring, continuing, or terminating a local emergency shall be given prompt and general publicity and shall be filed in the office of the City Administrator.
- B. A declaration of a local emergency shall invoke necessary portions of the response and recovery aspects of applicable local or inter-jurisdictional disaster plans, and may authorize aid and assistance thereunder.
- C. No jurisdictional agency or official may declare a local emergency unless expressly authorized by the agreement under which the agency functions. However, an inter-jurisdictional disaster agency shall provide aid and services in accordance with the agreement under which it functions. Penalty, see 380.99.

### **380.06 Emergency Regulations.**

- A. Whenever necessary, to meet a declared emergency or to prepare for an emergency for which adequate regulations have not been adopted by the Governor or the Council, the Council may by resolution promulgate regulations, consistent with applicable federal and state laws or regulations, respecting: the conduct of persons and the use of property during emergencies; the repair, maintenance, and safeguarding of essential public services, emergency health, fire, and safety regulations, drills, or practice periods required for preliminary training, and all other matters which are required to protect public safety, health, and welfare in declared emergencies.
- B. Every resolution of emergency regulations shall be in writing, shall be dated; shall refer to the particular emergency to which it pertains, if so limited, and shall be filed in the office of the City Administrator. A copy shall be kept in posted and available for public inspection during business hours. Notice of the existence of these regulations and their availability for inspection at the City Administrator's Office shall be conspicuously posted at the front of the city hall or other headquarters of the city or at other places in the affected areas as the Council shall designate in the resolution. By resolution, the Council may modify or rescind a regulation.
- C. The Council may rescind any regulation by resolution at any time. If not sooner rescinded, every regulation shall expire at the end of 30 days after its effective date or at the end of the emergency to which it relates, whichever comes first. Any resolution, rule, or regulation inconsistent with an emergency regulation promulgated by the Council shall be suspended during the period of time and to the extent conflict exists.

- D. During a declared emergency, the city is, under the provisions of M.S. § 12.31, as it may be amended from time to time notwithstanding any statutory or Charter provision to the contrary, empowered, through its Council, acting within or without the corporate limits of the city, to enter into contracts and incur obligations be necessary to combat the disaster by protecting the health and safety of persons and property and providing emergency assistance to the victims of a disaster. The city may exercise these powers in the light of the exigencies of the disaster without compliance with the time consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering rental equipment agreements, purchase of supplies and materials, limitations upon tax levies, and the appropriation of expenditure of public funds, including, but not limited to, publication of resolutions, publication of calls for bids, provisions of personnel laws and rules, provisions relating to low bids, and requirement for bids. Penalty, see 380.99.

**380.07           Emergency Management a Government Function.**

All functions and activities relating to emergency management are hereby declared to be governmental functions. The provisions of this action shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this resolution or under the worker's compensation law, or under any pension law, nor the right of any person to receive any benefits or compensation under act any of Congress.

**380.08           Participation in Labor Disputes or Politics.**

The emergency management organization shall not participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a labor dispute.

**380.99           Penalty.**

Any person who violates any provision of the chapter or any regulation adopted thereunder relating to acts, omissions, or conduct other than official acts of city employees or officers is guilty of a misdemeanor.

# Blackduck City Council Pay Study

City	Mayor Pay	Per Meeting/Month	Additional Meetings	Councilor Pay	Per Meeting/Month	Additional Meetings
Blackduck	\$150.00	month	\$25/meeting	\$50.00	meeting	\$25/meeting
Vergus	\$125.00	month	\$50/meeting	\$100.00	month	\$50/meeting
Henning	\$200.00	month	\$15/hour	\$125.00	month	\$15/hour
Callaway	\$100.00	month		\$75.00	month	
Lake Park	\$150.00	month	\$25/ meeting	\$100.00	month	\$25/meeting
Ada	\$300.00	month				
Red Lake Falls	\$300.00	month	\$50/meeting	\$210.00	month	\$50/meeting

**Chapter 3: ADMINISTRATION**

**CHAPTER 3: ADMINISTRATION****Section 300 – In General.**

## Section

300.01	Meetings of the Council
300.02	Presiding Officer
300.03	Minutes
300.04	Order of business.
300.05	Quorum and Voting.
300.06	Ordinances, Resolutions, Motions, Petitions, and Communications.
300.07	Committees.
300.08	Suspensions or amendments of rules.

**300.01 Meetings of the Council****Subdivision 1. Regular Meetings**

Regular meetings of the council shall be the first Monday of each calendar month after the third at 6:00 P.M. Any regular meeting falling upon a holiday shall be held on the next following business day at the same time and place. All meetings including special and adjourned meetings shall be held in city hall. No meeting will continue beyond 12:00 midnight, regardless of completion of agenda items.

**Subdivision 2. Special Meetings.**

A special meeting may be called by the mayor or by any two council members pursuant to the notice requirements of M.S. § 13D.04 Subd. 2 as it may be amended from time to time at such time and place for such purposes as stated in the notice of the meeting.

**Subdivision 3. Emergency Meetings.**

When the health, safety, or welfare of the city or its residents would be unduly endangered or subject to imminent harm by any delay, the Council may convene an emergency meeting to discuss how to handle the emergency situation. The notice of provisions of M.S. § 13D.04, Subd. 3 as it may be amended from time to time, shall be followed.

**Subdivision 4 First Council Meeting of the Year**

At the first regular meeting in January of each year the council shall:

1. Designate the depositories of city funds
2. Designate the official newspaper
3. Chose one of the council members as acting mayor, who shall perform the duties of the mayor during the disability or absence of the mayor from the city or, in case of a vacancy in the office of mayor, until a successor has been appointed and qualifies.
4. Appoint such officers and employees and such members of boards, commissions, and committees as may be necessary.
5. Designate City Assessor
6. Designate City Attorney

**Subdivision 5. Public Meetings.**

All council meetings, including the special and adjourned meetings, and all meetings of the council committees shall be open to the public. All closed meetings will be held in accordance with the M. S Ch. 13D.

**300.02 Presiding Officer****Subdivision 1. Who Presides.**

The mayor shall preside at all meetings of the City Council. In the absence of the mayor, the acting mayor shall preside. In the absence of both, the administrator shall call the meeting to order and shall preside until the council members present at the meeting choose one of their members to act temporarily as preceding office.

**Subdivision 2. Procedure.**

The presiding officer shall preserve order, enforce the rules of procedure herein prescribed, and determine without debate, subject to the final decision of the council on appeal, all questions of procedure and order. Except as otherwise provided by statute or by these rules, the procedure and order shall be conducted in accordance with "Roberts Rules of Order, Revised."

**Subdivision 3. Appeal Procedure.**

Any member may appeal to the council from a ruling of the presiding officer. If the appeal is seconded, the member may speak solely on the question involved and presiding officer may explain his/her ruling, but no other council member shall participate in the discussion. The appeal shall be sustained if it is approved by a majority of the members present exclusive of the presiding officer.

**Subdivision 4. Rights of Presiding Officer.**

The presiding officer may make motions, second motions, or speak on any question except that on demand of any council member he shall vacate the chair and designate a council member to preside temporarily.

**300.03 Minutes****Subdivision 1. Who keeps.**

Minutes of each council meeting shall be kept by the City Administrator or, in his or her absence, the Administrative Assistant. In the absence of both, the presiding officer shall appoint a secretary pro tem. Ordinances, resolutions, and claims need not be recorded in full in the minutes if they appear in other permanent records of the administrator and can be accurately identified from the description given in the minutes.

**Subdivision 2. Approval**

The minutes of each meeting shall be reduced to typewritten form, and shall be signed by the administrator. At the next regular council meeting approval of the minutes shall be considered by the council. The minutes need not be read aloud unless a member of the

council requests such a reading. The presiding officer shall call for any additions or corrections. If there is no objection to a proposed addition or correction, it may be made without a vote of the council. If there is an objection, it may be made without a vote upon the addition or correction. If there are no additions or corrections, the minutes shall stand approved.

### **300.04 Order of business.**

#### **Subdivision 1. Order established.**

Each meeting of the council shall convene at the time and place appointed therefore. Council business shall be conducted in the following order:

1. Call to order
2. Roll Call
3. Blackduck Forum
4. Consent Items
5. Public Hearings
6. Petitions, requests, and communications
7. Ordinances and Resolutions
8. Experts of officers, boards, and committees
9. Unfinished business new business
10. Miscellaneous
11. Adjournment

#### **Subdivision 2. Varying Order.**

The presiding officer may vary the order of business, but all public hearings shall be held at the time specified in the notice of the hearing.

#### **Subdivision 3. Agenda**

The administrator shall prepare an agenda of business for each regular council meeting and a file a copy in the office. The agenda shall be prepared in accordance with the order of business and copies therefore shall be delivered to each council member as far in advance of the meeting as time for preparation will permit. No item of business shall be considered unless it appears on the agenda for the meeting or is approved for addition to the agenda by a unanimous vote of the council members present.

### **300.05 Quorum and Voting.**

#### **Subdivision 1. Quorum.**

At all council meetings a majority of all the council members elected shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time and the council may punish non attendance by a fine for each absence from any meeting unless a reasonable excuse is offered.

#### **Subdivision 2. Voting.**

The votes of the members on any question be taken in any manner which signifies the intention of the individual members, and the votes of the members on any action shall be

recorded in the minutes. The votes of each member shall be recorded on each appropriation of money, except for payments of judgements, claims, and amounts fixed by statute. If any member is present but does not vote, the minutes, as to his or her name, shall be marked "Present – Not Voting"

**Subdivision 3. Votes Required.**

Majority vote of all members of the council shall be necessary for approval of any ordinance unless a larger number is required by statute. Except as otherwise provided by statute, a majority vote of a quorum shall prevail in all other cases.

**300.06 Ordinances, Resolutions, Motions, Petitions, and Communications.**

**Subdivision 1. Readings**

Every ordinance and resolution shall be presented in writing. Every ordinance shall receive two readings before the council prior to final adoption, but shall not be read twice at the same meeting unless the rules are suspended for that purpose. An ordinance or resolution need not be read in full unless a member of the council requests such a reading.

**Subdivision 2. Signing and publication proof.**

Every ordinance and resolution passed by the council shall be signed by the mayor, attested by the administrator, and filed in the ordinance or resolution book. Proof of publication of every ordinance shall be attached and filed with each ordinance.

**Subdivision 3. Repeals and amendments.**

Every ordinance or resolution repealing a previous ordinance or resolution or a section or subdivision thereof shall give the number, if any, and title of the ordinance or code number of the ordinance or resolution to be repealed in whole or in part. Each ordinance or resolution amending an existing ordinance or resolution or part thereof shall set forth in full each amended section or subdivision as it will read with the amendment.

**Subdivision 4. Motions, Petitions, Communications.**

Every motion shall be stated in full before it is submitted to a vote by the presiding officer and shall be recorded in the minutes. Every petition or other communication addressed to the council shall be in writing and shall be read in full upon presentation to the council unless the council dispenses with the reading. Each petition or other communication shall be recorded in the minutes by title and filed with the minutes in Blackduck City Hall.

**300.07 Committees.**

**Subdivision 1. Standing Committees**

Committees designated - there shall be the following standing committees.

~~Liquor Committee~~

1. Park and Tree Board

- ~~Law Enforcement Committee~~
- ~~Golf Board~~
- 2. Revolving Loan Committee
- ~~Cemetery Committee~~
- 3. Library Board
- ~~Health Board~~
- 4. Personnel
- 5. Public Works
- 6. Marketing
- 7. Finance
- 8. Public Safety

**Subdivision 2. Membership**

Each committee shall be appointed by the mayor with the approval of the majority of the council. Each committee member shall serve as appointed unless excused by a majority of the members of the council.

**Subdivision 3. Referral Reports.**

Any matter brought before the council for consideration may be referred by the presiding officer to the appropriate committee or to the special committee appointed by him or her for a written report and committee report shall be signed by a majority of the members and shall be filed with the administrator prior to the council meeting at which it is to be submitted. Minority reports may be submitted. Each committee shall act promptly and faithfully on the matter referred to it.

**300.08 Suspensions or amendments of rules.**

These rules may be suspended only by a two-thirds vote of the members present and voting.

**Section 310. Salaries of Mayor and Council Members.**

**Section**

310.01.	Amount of Salaries
310.02	Special Meetings and Board or Commission Meetings
310.03	Compensation for out of town meetings.

**310.01. Amount of Salaries**

Effective January 1, 2003, the salary of the mayor shall be \$150.00 per month and the salary of each council member shall be \$50.00 per meeting attended.

The following duties shall be defined as part of the annual salary.

- a. All regularly scheduled council meetings – 24 per year
- b. Individual meetings with the city administrator and/or city staff members reviewing council agendas, concerns or other city actions items.
- c. Ground breaking, open houses, dedication ceremonies, public relations, and other invited social functions.

**310.02 Special Meetings and Board or Commission Meetings**

Each council member shall be paid \$25.00 per meeting for attendance at special meetings and those board and commission meetings that are council authorized and required to attend due to being that said board, committee, or commission liaison member. This amount is limited to two meetings per month per committee. The following duties shall fall under this section:

- a. Special council meetings as scheduled
- b. Council liaison for commission or board meetings
- c. Special commission or board meetings.
- d. Council approved committee and/or task force meetings
- e. Board of review meetings
- f. Budget review meetings
- g. Council retreat or training

**310.03 Compensation for out of town meetings.**

The mayor and each council person shall be paid \$50.00 per 8 hour day and \$25 per 4 hour day for attendance at any meeting, seminar or conference beyond the city limits of the City of Blackduck, when attendance at such meeting, seminar or conference is in the performance or furtherance of their duties as an elected official, and when the nature of the meeting and the travel time incident thereto, is such that the workday is expended in attendance and travel. When required to use his or her own vehicle when attending a meeting, conference, or seminar, reimbursement shall be made at the federal rate.

**Section 320 – Elections**

Section

- 320.01 Date of Regular City Election.
- 320.02 Terms of Mayor and Council Members.

**320.01 Date of Regular City Election.**

The regular City election shall be held biennially on the first Tuesday after the first Monday in November of every even-numbered year.

**320.02 Terms of Mayor and Council Members.**

After the first regular biennial election, the term for the office of Mayor shall be two years and the terms for the offices of Council members shall be four years.

### Section 330 – City Administrator

Section	330.01	Purpose.
	330.02	Scope.
	330.03	Appointment.
	330.04	Duties.

#### **330.01 Purpose.**

In order to provide the City with a more efficient, coordinated, responsible and responsive municipal government, the position of City Administrator shall be hereby established.

#### **330.02 Scope.**

The City Council shall provide policy guidance and general direction to the City Administrator who shall serve as the Chief Administrative Officer of the City. The Administrator shall be responsible for the administrative direction of all departments and offices of the municipal government, subject only to statutory and/or municipal code or ordinance limits which may apply. It shall be the intent of this Section that the City Administrator shall have clear authority to administer the day-to-day operations of the municipal government, subject only to the restrictions noted above.

#### **330.03 Appointment.**

The City Administrator shall be appointed by a four-fifths (4/5) vote of all the members of the City Council and shall be chosen solely on the basis of his or her training, experience and executive and administrative qualifications. The City Administrator shall hold office for an indefinite term, subject to removal for cause by a four-fifths (4/5) vote of all the members of the City Council. The appointment may be terminated by the City Administrator upon two weeks written notice to the City Council prior to the termination.

#### **330.04 Duties.**

In addition to the general duties and responsibilities set forth in this Section, the City Administrator shall:

- A. Be responsible for preparation of the annual City budget in accordance with the guidelines as may be provided by the City Council, and in coordination with all department heads;
- B. Keep the Council informed of the financial condition of the City. Recommend action as appropriate, prepares and implements financial guidelines;
- C. Keep informed concerning current developments in the field of municipal administration, and from time-to-time submit recommendations or suggestions to improve the municipal government;
- D. Keep informed concerning State and Federal legislation affecting the City, and submit

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NOTE: Strikeout denotes language removed; underline denotes language added

appropriate reports and recommendations to the City Council;

E. Keep informed concerning the availability of State and Federal funds for local programs, and assist department heads and the City Council in procuring the funds;

F. Be responsible for the training, direction and supervision of all personnel assigned to the Municipal Government, and for making recommendations to the City Council on appointments and promotions of personnel;

G. Be responsible for the administrative direction and supervision of all employees of, consultants to, and vendors doing business with the City.

H. Serve as the personnel officer for the Municipal Government. As such, he or she shall keep complete and up-to-date personnel records, to include specific job descriptions for all City employees, recommend salary and wage scales for City employees, develop and enforce standards of performance by City employees, assure that all City employees have proper working conditions, work closely with department heads to promptly resolve any personnel problems or grievances.

I. Work closely with all department heads to ensure that such personnel and other City employees receive adequate opportunities for training to improve their knowledge and skills, and act as the approving authority for all requests by City employees to attend conferences, meetings, training schools, etc. pertaining to their employment;

J. In coordination with the Mayor, prepare the agenda for all meetings of the City Council, together with such supporting data as may be required. Nothing in this Section shall be construed as to give the City Administrator authority to limit or in any way prevent matters from being considered by the Council;

K. Act as purchasing agent for the City and be responsible for making all purchases in accordance with the approved municipal budget. The Administrator shall have the authority to sign purchase orders for budgeted routine services, equipment and supplies for which the cost shall not exceed one thousand dollars. All claims resulting from orders placed by the City shall be audited for payment by the Council. The Administrator shall negotiate contracts for any kind of merchandise, materials, equipment or construction work for presentation to the Council;

L. Perform all duties as prescribed by the job description and such other duties as may be prescribed by law or required by ordinance or resolution adopted by Council, including attending all meetings of the Council and such other boards, commissions, and committees as assigned by the Council, and performing all statutory duties of the City Clerk-Treasurer except as otherwise assigned by this Code or action of the Council.

**Section 340**  
**Provision for the Combination of Offices of City Clerk and City Treasurer**

**340.01           Combination of Offices**

Pursuant to the authority granted by Laws 1961, Ch 230 the offices of clerk and treasurer of the city of Blackduck are hereby combined in the office of clerk-treasurer.

**Section 350 Police Department**

Section

- 350.01 Establishment
- 350.02. Chief of Police
- 350.03 Duties of Police
- 350.04 Uniform and Badge
- 350.05 Reserve Officers

**350.01 Establishment**

A Police Department is hereby established. 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 council shall appoint members of the department.

**350.02. Chief of Police**

The chief of police shall have supervision and control of the police department ad its members. He or she shall be responsible for law enforcement and for property of the city used by department. He or she hall be responsible for the proper training and discipline of the members of the department. He or she shall be responsible for the keeping of adequate records and shall report to the council on the needs of the department and its work. Every member of the department subordinate to the chief shall obey instructions of the chief and superior officer. The council shall designate on of the police officers acting as chief, who shall have all powers and duties during his absence or disability.

**350.03 Duties of Police**

Members of the police department are authorized to enforce the ordinances and laws applicable to the city, bring violators before the county 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 by law for town constables. All such fees shall be paid into the city treasury.

**350.04 Uniform and Badge**

Each member of the department shall, while on duty, wear a suitable badge and uniform furnished buy the city, except that the chief may authorize the performance of specific duties while not in uniform. When a member terminates his or her membership in the department, he shall immediately deliver to the city his badge, uniform, and all other property of the city in his or her possession.

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NOTE: Strikeout denotes language removed; underline denotes language added

**350.05 Reserve Officers**

Incase of a riot or other law enforcement emergency, the Chief of Police may appoint for a specified time as many Reserve Officers as may be necessary for the maintenance of law and order. During such term of employment, the Reserve Officers shall have only the authority to provide supplementary assistance at special events, traffic or crowd control, and administrative or clerical assistance. A reserve officer's duties do not include enforcement of the general criminal laws of the state, and the officer does not have full powers of arrest.

**Section 360 Department of Public Works**

**260.01 Organization and Establishment**

A Public Works Department and Public Works Supervisor for the City of Blackduck is hereby established.

**Subdivision 1 Duties of the Public Works Supervisor.**

The department of the Public Works Supervisor and he or she shall be responsible for the operations of all public utilities, maintenance of streets, maintenance of buildings, maintenance of the cemetery, maintenance of parks and playgrounds. He or she shall generate and issue all rules, regulations and procedures necessary to incur the proper functioning of all divisions within these divisions. Such rule, regulations and procedures shall be consistent with MN Statutes, Ordinances, and Council policy. He or she must assure that the laws, ordinances, and resolutions pertaining to public works are enforced.

### **Section 370. Planning Commission**

#### Section

370.01	Establishment of Commission.
370.02	Composition
370.03	Organizations, meetings, etc.
370.04	Powers and duties of the commission.

#### **370.01 Establishment of Commission.**

A City Planning Commission for the City of Blackduck is hereby established. The commission shall be on the City Planning Agency authorized by Minnesota Statutes, Section 462.354, and Subdivision 1.

#### **370.02 Composition**

##### **Subdivision 1 Membership**

The City Planning Commission shall consist of five members. The City Planner shall be a member ex-officio. The five members shall be appointed and may be removed by the council.

##### **Subdivision 2 Terms**

All members shall serve without compensation.

#### **370.03 Organizations, meetings, etc.**

##### **Subdivision 1 Offices**

The commission shall elect a chairman from among its appointed members for a term of one year, and the commission may create and fill such other offices as it may determine.

##### **Subdivision 2 Meetings records reports.**

The commission shall hold at least one regular meeting each month. It shall adopt rules for the transaction of business and shall keep record of its resolutions, transactions, and findings, which record shall be a public record. A copy of the minutes of each meeting shall be given to the City Council.

#### **370.04 Powers and duties of the commission.**

The planning Commission shall have the powers and duties planning conferred upon it by this ordinance by the council. After the commission has prepared and adopted a comprehensive plan, the commission shall periodically but at least once every two years, review the comprehensive plan, any ordinance and any capitol improvement plan, adopt the amendments or the new comprehensive plan, and recommend it to the council in accordance with law. Similarly, after such review, it shall recommend to the council any amendments it deems desirable to the capitol improvement project and any ordinance implementing the plan.

### Section 380 Emergency Management

#### Section

380.01	Policy and Purpose
380.02	Definitions
380.03	Establishment of emergency management organization
380.04	Powers and duties of Director
380.05	Local emergencies
380.06	Emergency regulations
380.07	Emergency management a government function
380.08	Participation in labor disputes or politics
380.99	Penalty

#### **380.01 Policy and Purpose.**

Because of the existing possibility of the occurrence of disasters of unprecedented size and destruction resulting from fire, flood, tornado, blizzard, destructive winds or other natural causes, or from sabotage, hostile action, or from hazardous material mishaps of catastrophic measure; and in order to insure that preparation of this city will be adequate to deal with those disasters, and generally, to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of the city, it is hereby found and declared to be necessary:

- A. To establish a city emergency management organization responsible for the city planning and preparation for emergency government in time of disasters.
- B. To provide for the exercise of necessary powers during emergencies and disasters.
- C. To provide for the rendering of mutual aid between this city and other political subdivisions of this state and of other states with respect to the carrying out of emergency preparedness functions.
- D. To comply with the provisions of M. S. § 12.25, as it may be amended from time to time, which requires that each political subdivision of the state shall establish a local organization for emergency management.

#### **380.02 Definitions.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***Disaster*** A situation which creates an immediate and serious impairment to the health and safety of any persons, or a situation which has resulted in or is likely to result in

catastrophic loss to property, and for which traditional sources of relief and assistance within the affected area are unable to repair or the prevent injury or loss.

***Emergency*** An unforeseen combination of circumstances which calls for immediate action to prevent from developing or occurring.

***Emergency Management*** The preparation for the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters caused by flood, fire, tornado, and other acts of nature, or from sabotage, hostile action, or from industrial hazardous mishaps. These functions include, without limitation, firefighting services, police services, emergency medical services, engineering, warning services, communications, radiological, and chemical, evacuation, congregate care, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utilities services and other functions related to civil protection, together with all other activities necessary or incidental for carrying out the foregoing functions. Emergency management includes activities sometimes referred to as “civil defense” functions.

***Emergency Management Forces*** The total personnel resources engaged in a city-level emergency management functions in accordance with the provisions of this chapter or any rule or order thereunder. This includes personnel from city departments, authorized volunteers, and private organizations and agencies.

***Emergency Management Organization*** The staff responsible for coordinating city-level planning and preparation for disaster response. This organization provides city liaison and coordination federal, state, ad local jurisdictions relative to disaster preparedness activities and assures implementation of federal and state requirements.

### **380.01 Establishment of Emergency Management Organizations.**

There is hereby created within the city government and emergency management organization, which shall be under the supervision and control of the City Emergency Management Director, called the Director. The Director shall be appointed by the Mayor with approval of the City Council for an indefinite term and may be removed by him or her at any time. The Director shall serve with a salary as established by the City Council and shall be paid his or her necessary expenses. The Director shall have direct responsibility for the organization, administration and operation of the emergency preparedness organization, subject to the direction and control of the Mayor.

### **380.02 Powers and Duties of the Director.**

- A. The Director, with the consent of the Mayor, shall represent the city on any regional or state conference for emergency management. The Director shall develop proposed mutual aid agreements with other political subdivisions of the state for reciprocal emergency management aid and assistance in an emergency too great to be dealt with unassisted, and shall present these agreements to the Council for its action. These arrangements shall be consistent with the Sate Emergency Plan.

- B. The Director shall make studies and surveys of the human resources, industries, resources, and facilities of the city as deemed necessary to determine their adequacy for emergency management and to plan for their most efficient use in time of an emergency or disaster. The director shall establish the economic stabilization systems and measures, service staffs, boards, and sub-boards required, in accordance with state and federal plans and directions subject to the approval of the Mayor.
- C. The Director shall prepare a comprehensive emergency plan for the emergency preparedness of the city and shall present the plan to the Council for its approval. When the Council has approved the plan, it shall be the duty of all city agencies and all emergency preparedness forces of the city to perform the duties and functions assigned by the plan as approved. The plan may be modified in like manner from time to time. The Director shall coordinate the emergency management activities of the city to the end that they shall be consistent and fully integrated with the emergency plan of the federal government and the state and correlate with emergency plan of the county and other political subdivisions of the state.
- D. In accordance with the State and City Emergency Plan, the Director shall institute training programs, public information programs and conduct practice warning alerts and emergency exercises as may be necessary to assure prompt and effective operation of the City Emergency Plan when a disaster occurs.
- E. The director shall utilize the personnel, services, equipment, supplies, and facilities of existing departments and agencies of the city to the maximum extent practicable. The officers and personnel of all city departments and agencies shall, to the maximum extent practicable, cooperate with and extend services and facilities to the city's emergency management organization and to the Governor upon request. The Head of each department or agency head of each department or agency in cooperation with the Director shall be responsible for the planning and programming of those emergency activities as will involve the utilization of the facilities of the department or agency.
- F. The Director shall, in cooperation with those city departments and agencies affected, assist in the organizing, recruiting, and training of emergency management personnel, which may be required on a volunteer basis to carry out the emergency plan of the city and state. To the extent that emergency personnel are recruited to augment a regular city department or agency for emergencies, they shall be assigned to the departments or agencies and shall be under the administration and control of the department or agency.
- G. Consistent with the state emergency services law, the Director shall coordinate the activity of municipal emergency management organizations within the city and assist in establishing and conducting training programs as required to assure emergency operational capability in the several services as provided by M. S. § 12.25, as it be amended from time to time.
- H. The Director shall carry out all orders, rules, and regulations issued by the Governor with reference to emergency management.

- I. The Director shall prepare and submit reports on emergency preparedness activities when requested by the Mayor.

### **380.05 Local Emergencies.**

- A. A local emergency may be declared only by the Mayor or his or her legal successor. It shall not be continued for a period in excess of three days except by or with consent of the Council. Any order, or proclamation declaring, continuing, or terminating a local emergency shall be given prompt and general publicity and shall be filed in the office of the City Administrator.
- B. A declaration of a local emergency shall invoke necessary portions of the response and recovery aspects of applicable local or inter-jurisdictional disaster plans, and may authorize aid and assistance thereunder.
- C. No jurisdictional agency or official may declare a local emergency unless expressly authorized by the agreement under which the agency functions. However, an inter-jurisdictional disaster agency shall provide aid and services in accordance with the agreement under which it functions. Penalty, see 380.99.

### **380.06 Emergency Regulations.**

- A. Whenever necessary, to meet a declared emergency or to prepare for an emergency for which adequate regulations have not been adopted by the Governor or the Council, the Council may by resolution promulgate regulations, consistent with applicable federal and state laws or regulations, respecting: the conduct of persons and the use of property during emergencies; the repair, maintenance, and safeguarding of essential public services, emergency health, fire, and safety regulations, drills, or practice periods required for preliminary training, and all other matters which are required to protect public safety, health, and welfare in declared emergencies.
- B. Every resolution of emergency regulations shall be in writing, shall be dated; shall refer to the particular emergency to which it pertains, if so limited, and shall be filed in the office of the City Administrator. A copy shall be kept in posted and available for public inspection during business hours. Notice of the existence of these regulations and their availability for inspection at the City Administrator's Office shall be conspicuously posted at the front of the city hall or other headquarters of the city or at other places in the affected areas as the Council shall designate in the resolution. By resolution, the Council may modify or rescind a regulation.
- C. The Council may rescind any regulation by resolution at any time. If not sooner rescinded, every regulation shall expire at the end of 30 days after its effective date or at the end of the emergency to which it relates, whichever comes first. Any resolution, rule, or regulation inconsistent with an emergency regulation promulgated by the Council shall be suspended during the period of time and to the extent conflict exists.

- D. During a declared emergency, the city is, under the provisions of M.S. § 12.31, as it may be amended from time to time notwithstanding any statutory or Charter provision to the contrary, empowered, through its Council, acting within or without the corporate limits of the city, to enter into contracts and incur obligations be necessary to combat the disaster by protecting the health and safety of persons and property and providing emergency assistance to the victims of a disaster. The city may exercise these powers in the light of the exigencies of the disaster without compliance with the time consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering rental equipment agreements, purchase of supplies and materials, limitations upon tax levies, and the appropriation of expenditure of public funds, including, but not limited to, publication of resolutions, publication of calls for bids, provisions of personnel laws and rules, provisions relating to low bids, and requirement for bids. Penalty, see 380.99.

**380.07           Emergency Management a Government Function.**

All functions and activities relating to emergency management are hereby declared to be governmental functions. The provisions of this action shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this resolution or under the worker's compensation law, or under any pension law, nor the right of any person to receive any benefits or compensation under act any of Congress.

**380.08           Participation in Labor Disputes or Politics.**

The emergency management organization shall not participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a labor dispute.

**380.99           Penalty.**

Any person who violates any provision of the chapter or any regulation adopted thereunder relating to acts, omissions, or conduct other than official acts of city employees or officers is guilty of a misdemeanor.

# City of Blackduck

## ORDINANCE NO. 107

### AN ORDINANCE AMENDING CHAPTER 3 OF THE BLACKDUCK CITY CODE ENTITLED, "ADMINISTRATION" BY AMENDING SECTION 300.07 RELATING TO STANDING COMMITTEES

THE CITY OF BLACKDUCK DOES ORDAIN:

**Section I.** Blackduck City Code, Chapter 3 Section 300.07, entitled, "Committees" is hereby amended as follows:

**By amending Section 300.07 to provide:**

1. Park and Tree Board
2. Revolving Loan Committee
3. Library Board
4. Personnel
5. Public Works
6. Marketing
7. Finance
8. Public Safety

**Section II.** This ordinance shall become effective after its passage and publication according to law.

First Reading: December 4, 2006

Final Reading & Passed:

Attest:

Approved:

\_\_\_\_\_  
Marcia Larson, City Administrator

\_\_\_\_\_  
Robert Gannon, Mayor



# CITY OF BLACKDUCK RESOLUTION NO: 2021-01

## A RESOLUTION OF ANNUAL APPOINTMENTS AND DESIGNATIONS FOR 2021

**WHEREAS**, annually, at their first meeting in January, the Blackduck City Council handles annual designations and appointments; and

**WHEREAS**, included is the designation of the Official Newspaper, Official Depositories and Official Posting, and

**WHEREAS**, included is the designation of a Vice Mayor; and

**WHEREAS**, included are the appointments of City Councilors and staff to various boards and commissions.

**NOW, THEREFORE, BE IT RESOLVED**, that the Blackduck City Council does hereby make the annual designations (*Exhibit A attached hereto*) and appointments (*Exhibit B attached hereto*), effective immediately upon adoption.

Revised by the Blackduck City Council this 9<sup>th</sup> day of August 2021.

APPROVED:

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Maxwell Gullette, Mayor

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Christina Regas, City Administrator



# CITY OF BLACKDUCK RESOLUTION NO: 2021-01

## **EXHIBIT A**

### **DESIGNATIONS**

OFFICIAL NEWSPAPER:	Blackduck American
OFFICIAL POSTING LOCATION:	Blackduck City Hall 8 Summit Avenue NE, Blackduck
OFFICIAL DEPOSITORY:	Deerwood Bank
CITY ATTORNEY:	Joseph J. Langel of RRM Ratwik, Roszak & Maloney, P.A.



# CITY OF BLACKDUCK RESOLUTION NO: 2021-01

## **EXHIBIT B**

### **APPOINTMENTS AND REPRESENTATION ON VARIOUS COMMITTEES**

Vice Mayor: Nicholas Seitz

City Assessor: County Assessor, Joe Skerik

City Engineer: Curt Meyer, Widseth

Park & Trail Board (4): Public Works Supervisor, Mike Schwanke  
City Administrator, Christina Regas

*Council Member/ Other* Sandra Miller  
*Other* Meghan Klein

Personnel Committee (3): City Administrator, Christina Regas

*Council member* Jason Kolb  
*Other* Shawnda Lahr  
*Other* Jace Grangruth  
*Other* Mike Schwanke

Public Works Committee (4): Public Works Supervisor, Mike Schwanke  
City Administrator, Christina Regas

*Council Member* Nicholas Seitz  
*Other* Donald Johnson

Liquor Committee (4): Liquor Store Manager, Shawnda Lahr  
City Administrator, Christina Regas  
Councilor Donald Johnson

*Council Member* Nicholas Seitz

Finance Committee (3): City Administrator, Christina Regas

*Council Member* Jason Kolb  
*Other* Mike Schwanke

Public Safety Committee (up to 5): Police Chief Jace Grangruth  
Fire Chief Brian Larson  
City Administrator, Christina Regas  
Public Works Supervisor, Mike Schwanke

*Council Member* Maxwell Gullette



# CITY OF BLACKDUCK

## RESOLUTION NO: 2021-01

Golf Board (up to 6): City Administrator, Christina Regas  
Golf Manager, Pam Exner  
Golf Course Superintendent, Jim Andersen  
*Golf Member* **Misty Frenzel**  
*Golf Member* Kevin Erpelding  
*Council Member* Maxwell Gullette  
*Council Member* Jason Kolb

Safety Committee (4): Public Works Supervisor, Mike Schwanke  
Liquor Store Manager, Shawnda Lahr  
Deputy Clerk, Paige Moore  
*Other/Council Member*

Planning Commissioners (5): Kurt Benson  
Kurt Cease  
Bob Klug Sr.  
Ernie Tindell  
Ron Rockis

Zoning Administrator: City Administrator, Christina Regas

Library Board: Mary Salmonson  
Miriam Osborn  
Katie Click  
Lorraine Warden  
Paula Erickson  
Nance Kunkel  
Amy Granlund  
*Blackduck Librarian* Kelly West  
*Council Member Liason* Nicholas Seitz

Kitchigami Regional Library Representative: Nicholas Seitz

HRA (up to 5): Mayor Maxwell Gullette  
Councilor Jason Kolb  
**Vacant Seat**  
Councilor Nicholas Seitz  
Councilor Donald Johnson

City Administrator, Christina Regas



# CITY OF BLACKDUCK

## RESOLUTION NO: 2021-01

Revolving Loan Fund Committee (up to 5): City Administrator, Christina Regas  
Dwight Kalvig (Kalvig & Associates)  
Grant Frenzel (Deerwood Bank)  
*Council Member* Maxwell Gullette  
*Headwaters Regional Development Center Rep* Sarah Linda

Historical Preservation Committee (up to 8): Gene Kjelberg  
Glennis Moon  
Avonel Kjelberg  
Shirley Gilmore  
Mary Joy  
Marilyn Page  
Lavone Peterson  
Ann May Floura  
Carol Hannigan  
Marie Juelson

Ambulance Board Representative (BAII): City Administrator, Christina Regas

Ambulance Joint Powers Emergency Services: Mayor Maxwell Gullette

*Chapter 3 Administration §1. 300.07 Committees.*

*Subdivision 1. Standing Committees*

*Committees designated - there shall be the following standing committees.*

1. *Liquor Committee*
2. *Park and Tree Board*
3. *Golf Board*
4. *Revolving Loan Committee*
5. *Library Board*
6. *Personnel*
7. *Public Works*
8. *Finance*
9. *Public Safety*

*Subdivision 2. Membership*

*Each committee shall be appointed by the mayor with the approval of the majority of the council. Each committee member shall serve as appointed unless excused by a majority of the members of the council.*

*Subdivision 3. Referral Reports.*

*Any matter brought before the council for consideration may be referred by the presiding officer to the appropriate committee or to the special committee appointed by him or her for a written report and committee report shall be signed by a majority of the members and shall be filed with the administrator prior to the council meeting at which it is to be submitted. Minority reports may be submitted. Each committee shall act promptly and faithfully on the matter referred to it.*