

CITY OF HANOVER
CHAPTER 2: ADMINISTRATION

ADOPTED:

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09/04/12 – Ordinance No. 2012-02

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City Council

SEC. 2.01 CITY COUNCIL

The City Council shall consist of a Mayor and four (4) Council persons. The Mayor and two Council persons shall be elected in the same years as the national presidential elections are held, the remaining two Council persons shall be elected during off-year elections. The terms of all members of the Hanover City Council shall be four years. The Council shall have the power to provide for the government and good order of the City, the suppression of vice and immorality, the prevention of crime, the protection of public and private property, the benefit of trade and commerce, and the promotion of health, safety, order, convenience, and the general welfare.

SEC. 2.02 CITY CLERK-TREASURER

The City Clerk shall be appointed by the Hanover City Council. The City Clerk shall handle the normal office work of the City with office hours as prescribed by the City Council. The duties of the treasurer as prescribed by Chap. 412 of Minnesota Statutes shall be performed by the City Clerk.

SEC. 2.03 CITY ADMINISTRATOR

The City Administrator shall be appointed by the Council. The Administrator shall be the Chief Administrative Officer of the City. The Council may combine the duties of City Administrator and Clerk/Treasurer. The duties of the City Administrator shall be established by the City Council.

SEC. 2.04 MEETINGS

- A. Regular Meetings. The Regular Council Meeting shall be held on the first and third Tuesday of the month, at times as determined by the City Council. The first meeting of the month will be held at 7 p.m. Whereas the second meeting of the month will be held at 6 p.m. At the discretion of the City Council, the second meeting of the month may be designated as a “Work Session” meeting. The purpose of the Work Session is for the City Council to have more in-depth discussions on matters before the Council, thus regular business will not be conducted, except for the payment of claims, or the consideration of other business that the Council determines must be acted upon prior to the next regularly scheduled Council meeting.
- B. Special Meetings. The Mayor or any two members of the Council may call a special meeting of the Council upon at least 24 hours written notice to each member of the Council. This notice shall be delivered personally to each member or shall be left at his or her usual place of residence with some responsible person. Similar notice shall be given to the official newspaper and radio station and a copy shall be posted on the

bulletin board at the City Hall and at the Hanover Post Office.

- C. Initial Meeting. At the first regular Council meeting in January of each year the Council shall:
1. Designate the depositories of City funds;
 2. Designate the official newspaper and radio station;
 3. Choose 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. Establish and/or appoint members to those boards, commissions, and committees as deemed necessary by the Council.
- D. Public Meetings. All Council meetings, including special and adjourned meetings and meetings of Council committees, shall be open to the public.

SEC. 2.05 PRESIDING OFFICER

- A. Who Presides. The Mayor shall preside at all meetings of Council. In the absence of the Mayor, the acting Mayor shall preside. In the absence of both, the Clerk 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 presiding officer.
- B. 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 proceedings of the Council shall be conducted in accordance with the most recent edition of Robert's Rules of Order, Revised.
- C. 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.

SEC. 2.06 MINUTES

- A. Who Keeps. Minutes of each Council meeting shall be kept by the Clerk. In the absence of the Clerk, 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 Clerk and can be accurately identified from the description given in the minutes.

- B. Approval. The minutes of each meeting shall be reduced to written form, shall be signed by the Clerk, and copies thereof shall be delivered to each Council member as soon as practicable after the meeting. At the next regular Council meeting following such delivery, approval of the minutes shall be considered by the Council. The minutes need not be read aloud, but 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, the Council shall vote upon the addition or correction. If there are no additions or corrections, the minutes shall stand approved.

SEC. 2.07 ORDER OF BUSINESS

- A. 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. Approval of Agenda
 3. Approval of Consent Agenda (includes routine, non-controversial items)
 4. Citizen's Forum
 5. Public Hearings
 6. Unfinished Business
 7. New Business
 8. Reports of Council Members, Staff, Boards and Committees
 9. Adjournment
- B. Varying Order. The order of business may be varied by the presiding officer; but all public hearings shall be held at or after the time specified in the notice of hearing.
- C. Agenda. The Clerk shall prepare an agenda of business for each regular Council meeting and file a copy in his or her office not later than 4 calendar days before the meeting. The agenda shall be prepared in accordance with the order of business and copies thereof shall be delivered to each Council member and to the City Attorney.

SEC. 2.08 QUORUM AND VOTING

- A. Quorum. At all Council meetings a majority of all the seated 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 not

exceeding \$25.00 for each absence from any meeting unless a reasonable excuse is offered.

- B. Voting. The votes of the members of any question may be taken in any manner which signifies the intention of the individual members, and the votes of the members of any action taken shall be recorded in the minutes. The vote of each member shall be recorded on each appropriation of money, except for payments of judgments, claims, and amounts fixed by statute.
- C. Votes Required. A 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.

SEC. 2.09 ORDINANCES, RESOLUTIONS, MOTIONS, PETITIONS, AND COMMUNICATIONS

- A. Readings. Every ordinance and resolution shall be presented in writing. Every ordinance shall receive one reading before the Council prior to final adoption. An ordinance or resolution need not be read in full unless a member of the Council requests such a reading.
- B. Signing and Publication Proof. Every ordinance passed by the Council shall be signed by the Mayor, attested by the Clerk, and filed by the Clerk in the ordinance or resolution book. Proof of publication of every ordinance shall be attached and filed with the ordinance. Resolutions may be attested solely by City Clerk.
- C. 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 the title of the ordinance or code number of the ordinance or resolution to be repealed in whole or in part. Each ordinance or resolution or part thereof shall set forth in full each amended section or subdivision as it will read with the amendment.
- D. 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 the office of the Clerk.

SEC. 2.10 COMMITTEES

The Council may create such committees, standing or special, as it deems necessary. Committees shall consist of as many members, and perform such duties, as the Council may require.

- A. Membership. Each committee shall consist of at least one member of the Council and the chairperson of each committee shall be designated by the Mayor. Each committee member shall serve as appointed unless excused by a majority of the members of the Council. If the committee does not provide otherwise, committee meetings shall be held at the call of the chairperson. The same notice shall be given of committee meetings as for special meetings of the Council except that personal notice need not be given each member if the committee so decides.

- B. Referral and Reports. Any matter brought before the Council for consideration may be referred by the presiding officer to the appropriate committee for recommendation before it is considered by the Council as a whole. Each committee report shall be approved by a majority of the members and shall be transmitted to the Clerk 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 any matter referred to it.

SEC. 2.11 CORPORATE SEAL

The City Clerk is authorized and directed to procure and use, when proper, a corporate seal.

SEC. 2.12 SALARIES OF MAYOR AND COUNCIL MEMBERS

- A. Effective January 1, 2013, the Mayor of the City of Hanover shall be compensated the amount of \$1,650 per year.

- B. Effective January 1, 2013, each Council Member of the City of Hanover shall be compensated the amount of \$1,250 per year.

- C. The Mayor and each Council Member of the City of Hanover shall be compensated for various meetings attended at the following rate schedule.

Special City Council Meetings	\$30.00
City Council Workshops	\$30.00
Planning Commission Meetings	\$30.00
Park Board Meetings	\$30.00
Economic Development Authority	\$30.00
Other City Council Formed Committees/Taskforces	\$30.00
Joint Powers Board	\$30.00
Northwest Hennepin Human Services Council Executive Board	\$30.00
Fire Relief Association	\$30.00
Wright County Mayor’s Association	\$30.00
Northwest Hennepin League of Municipalities	\$30.00

- D. Upon approval by City Council, the Mayor and each Council Member of the City of Hanover shall be compensated for attending seminars, conferences and miscellaneous

meetings, at the following rate.

Two Hours or Less:	\$ 30.00 + parking and mileage
More Than Two Hours but Less Than Four Hours:	\$ 60.00 + parking and mileage
More Than Four Hours:	\$120.00 + parking and mileage

- E. The Mayor and each Council Member shall be eligible to be reimbursed for mileage at the IRS approved rate. Reimbursement for lodging shall be approved on a case by case basis at the time approval for attendance to the seminar, conference or miscellaneous meeting is granted.
- F. The Mayor and City Councilors of the City of Hanover will be provided reimbursement by the City for an I-pad or other computer purchased for use in their official capacity as Hanover City Councilors in a maximum amount of \$500 with receipt for proof of purchase of said computer.

The reimbursement will be done once per member per Council term. The computer must be purchased within the first six (6) months of the member’s term to be eligible for reimbursement as provided in this Ordinance. In the event of a vacancy, the Council member appointed or elected to fill the balance of the Council term shall also be entitled to reimbursement for a computer used in the performance of duties provided that at least 12 months remains in the balance of the Council term.

The computer purchases reimbursed under this Ordinance are the personal property of the Mayor or Councilmember. Individual Councilors may refuse this benefit.

Only those Councilors in office on February 1, 2013 and thereafter will be eligible for this computer and computer related equipment reimbursement. A Mayor-elect and Councilors-elect who will take office effective January 1 of any year may be reimbursed after January 1 of any year, for their computer equipment purchased prior to the effective date of the commencement of their term in office. Also, any Mayor or Councilmember in office at the time of the effective date of this ordinance may receive said reimbursement within one (1) month of the effective date.

- G. Requests for compensation and reimbursements as outlined in Sections 3, 4, and 5 of this Ordinance must be submitted on a form provided by the City. The City Administrator/Clerk-Treasurer shall inform the Mayor and City Council of submission deadlines in order to meet the appropriate payroll cycle. Failure to submit the compensation form by January 15 of the following year for meeting attendance in the previous year shall result in the Mayor or Council Member forfeiting the meeting compensation portion of their salary.
- H. The City Administrator/Clerk-Treasurer shall audit the compensation and reimbursement request forms in the same manner as other claims against the City. If a change to the request is warranted, the City Administrator/Clerk-Treasurer shall contact the affected member of the City Council and inform him/her. If the affected member does not agree with the City Administrator/Clerk-Treasurer’s determination, the matter shall be

addressed by the entire City Council. The City Council's decision shall be final.

Police Protection

SEC. 2.13 POLICE SERVICES

The City Council of the City of Hanover shall provide police services to protect the health and safety of its residents as it deems proper.

Fire Protection

SEC. 2.14 FIRE DEPARTMENT

There is hereby established in this City a volunteer fire department consisting of a Chief and four (4) Fire Captains, one who will serve as Assistant Chief. The total membership shall not be fewer than 22 nor more than 30 firefighters.

SEC. 2.15 APPOINTMENT

The Chief, Assistant Chief, the Fire Captains, and Firefighters shall be appointed by the Council. In making such appointments, the Council shall take into consideration recommendations of the members of the department. The Fire Department shall elect from its own members a President, Vice President, Secretary, and Treasurer to conduct the internal business of the department.

SEC. 2.16 POLICIES

The Fire Department shall adopt Policies, Rules, Regulations, and Standard Operating Procedures, all of which shall be submitted to and approved by the City Council.

SEC. 2.17 DUTIES OF THE CHIEF

The Chief shall have control of all the fire fighting apparatus and shall be solely responsible for its care and condition. The Chief shall make an annual report to the Council at its second meeting in January of the fire calls answered by the Fire Department within and without the City Limits, stating approximate loss and damage, and report on the condition of the equipment and needs of the fire department. He/she may submit additional reports and recommendations at any meeting of the Council, and he/she shall report each suspension by him of a member of the Fire Department at the first meeting of the Council following such suspension. He/she shall be responsible for the proper training and discipline of the members of the Fire Department, and may suspend any member for refusal or neglect to obey orders pending final action by the Council on his/her discharge or retention. The Fire Chief shall be paid a salary to be set by the City Council.

SEC. 2.18 ASSISTANT CHIEF

In the absence or disability of the chief, the Assistant Chief shall perform all the functions and exercise all of the authority of the chief.

SEC. 2.19 FIRE RECORDS

The Chief shall keep in convenient form a complete record of all fires. Such a record shall include the time of the alarm, location of fire, cause of fire (if known), type of building, name of owner and tenant, purpose for which occupied, approximate value of building and contents, members of the department responding to the alarm, and such other information as he may deem advisable or as may be required from time to time by the Council or state insurance department.

SEC. 2.20 DESIGNATED FIRE PROTECTION AREA

The Department is hereby authorized to answer fire calls outside the City limits, and when so doing, shall be considered as on-duty Firemen of the City of Hanover.

SEC. 2.21 FEES FOR EMERGENCY PROTECTION FIRE SERVICE-RELATED COSTS

- A. Purpose and Intent. This Section authorizes the City of Hanover to charge for certain fire service-related costs as authorized by Minn. Stat. §§ 366.011, 366.012, and 415.01.
- B. Definitions.
1. “Fire service” means any deployment of firefighting personnel and/or equipment to extinguish a fire or perform any preventative measure in an effort to protect equipment, life, or property in an area threatened by fire. It also includes the deployment of firefighting personnel and/or equipment to provide fire suppression, rescue, extrication, and any other services related to fire and rescue as may occasionally occur.
 2. “Fire service-related cost” means out-of-pocket costs incurred by the City in providing fire service.
 3. “Motor vehicle” means any self-propelled vehicle designed and originally manufactured to operate primarily upon public roads and highways, and not operated exclusively upon railroad tracks. It includes semi-trailers. It does not include snowmobiles, manufactured homes, all terrain vehicles, or park trailers.
 4. “Fire protection contract” means a contract between the City and a town or other city for the City to provide fire service.
 5. “Mutual aid agreement” means an agreement between the City and a town or other city for the City’s fire department to provide assistance to the fire department of a town or other city.
 6. “False Alarm” means a fire service call for which fire service was requested from an alarm system, but was not required.

C. Parties Affected.

1. Owners of property within the City who receive fire service.
2. Anyone who receives fire service as a result of a motor vehicle accident or fire within the City.
3. Owners of property in towns or cities to which the City provides fire service pursuant to a fire protection contract.

D. Rates. False Alarm calls will be subject to the amount adopted in the City's fee schedule.E. Billing and Collection.

1. Parties requesting and receiving fire services may be billed directly by the City for any fire service-related costs incurred by the City. Additionally, if the party receiving fire services did not request services, but a fire or other situation exists which, at the discretion of the fire department personnel in charge requires fire service, the party will be charged and billed for fire service-related costs. All parties will be billed whether or not the fire service-related cost is covered by insurance. Any billable amount of the fire service-related cost not covered by a party's insurance remains a debt of the party receiving the fire service.
2. Parties billed for fire service-related costs will have 30 days to pay. If the fire service-related cost is not paid by that time, it will be considered delinquent and the City will send a notice of delinquency.
3. If the fire service-related cost remains unpaid for 30 days after this notice of delinquency is sent, the City will use all practical and reasonable legal means to collect the fire service-related cost including provisions of Minn. Stat. 366.012. The party receiving fire service shall be liable for all collection costs incurred by the City including, but not limited to, reasonable attorney fees and court costs.
4. Fees charged will be in accordance with the City's annual fee schedule.

F. Fire Service Charges

1. False alarms: will be billed as a fire call after the second false alarm within a twelve month period (running January through December). On the third false alarm call within the twelve month period, the property owner will be charged as set forth in the City's fee schedule, with each additional false alarm call increasing in accordance with the City's fee schedule.
Example: 3rd false alarm - \$150, 4th false alarm - \$250, 5th false alarm - \$350, etc.
2. Underground pipeline utility break: any incident response to an underground pipeline utility break if caused by an excavator or person other than a homeowner or resident operating on their own property

An invoice will be sent to the excavator or person responsible for the pipeline utility break for costs incurred by the Fire Department to respond.

3. Hazardous materials incident: any response to the release of hazardous material from its container, or the threat of a release, chemical reaction, or other potential emergency as the result of a hazardous material where the Fire Department is able to render aid, provide assistance, or otherwise improve the conditions or protect the public.

An invoice will be sent to the responsible party for the hazardous material or transportation of the hazardous material for costs incurred by the Fire Department to respond. The invoice shall include any costs associated with the cleanup/replacement of equipment used during the Fire Service.

4. Fire as a result of illegal activity: any incident response to a fire that resulted from illegal activities. Examples would include, but not limited to, an activity in violation of Minnesota statute, rules and regulations of the city or county ordinances, operation of business without proper permits or approvals, or burning of debris without proper burn permit.

An invoice will be sent to the property owner, owner's insurance company, and/or the person(s) responsible for the illegal activity for costs incurred by the Fire Department to respond. The invoice shall include any costs associated with the cleanup/replacement of equipment used during the Fire Service. The City reserves the right to seek reimbursement through restitution should the person responsible for the illegal activity be convicted of a crime related to the incident.

5. Arson: any incident response to a fire where a person is charged under Minnesota Law.

An invoice will be sent to the property owner, owner's insurance company, and/or the person(s) charged with the arson for costs incurred by the Fire Department to respond. The invoice shall include any costs associated with the cleanup/replacement of equipment used during the Fire Service. The City reserves the right to seek reimbursement through restitution should the person responsible for the illegal activity be convicted of a crime related to the incident.

G. Mutual Aid Agreement. When the City fire department provides fire service to another fire department pursuant to a Mutual Aid Agreement, the billing will be determined by the Mutual Aid Agreement.

H. Application of Collections to Budget. All collected fire service-related costs will be City funds and used to offset the expenses of the City fire department in providing fire services.

Park Board

SEC. 2.22 ESTABLISHMENT OF PARK BOARD

A Park Board for the City is hereby established.

SEC. 2.23 MEMBERS

The Park Board shall consist of five (5) members appointed by the City Council for three year terms, but members shall serve at the pleasure of the Council. No Park Board member may be a member of the City Council. The City Council shall select either the Mayor or a City Council person to act as liaison. All members shall hold office until their successors are appointed and qualified.

SEC. 2.24 ORGANIZATION

The Park Board annually shall elect a chairperson and a secretary from its members for a term of one year. The Park Board shall provide its own procedures, meeting dates, and methods of keeping records.

SEC. 2.25 POWERS

The Park Board shall be advisory to the City Council. It shall study and supervise the needs and uses of parks and advise the City Council thereof. All pertinent contracts of purchase, sale, use and management shall be made by the City through the City Council upon advice thereof from the Park Board.

Planning Commission

SEC. 2.26 ESTABLISHMENT OF PLANNING COMMISSION

A Planning Commission for the City of Hanover is hereby established. The commission shall be the city-planning agency authorized by Minnesota Statutes, Section 462.354, Subdivision 1.

SEC. 2.27 COMPOSITION

- A. Membership. The City Planning Commission shall consist of five members appointed by the City Council for three year terms, but members shall serve at the pleasure of the Council. No Planning Commission member shall be a City Council member. Appointees shall hold their offices until their successors are appointed and qualified. The Council shall select either the Mayor or one of its members to act as a liaison between the City Council and the Planning Commission. The liaison shall attend meetings of the Planning Commission. The Planning Commission shall annually elect from its members a chair person and such other officers as it may determine.
- B. 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 a record of its resolutions, transactions, and findings, which record shall be a public record.

SEC. 2.28 POWERS AND DUTIES OF PLANNING COMMISSION

The Planning Commission shall be advisory to the City Council. The Planning Commission shall have the powers and duties given planning agencies generally by law. The Commission shall also exercise the duties conferred upon it by City Code and by the Council. After the Commission has prepared and adopted a comprehensive plan, the Commission shall periodically but at least once every 5 years, review the comprehensive plan, any ordinances and any capital improvement program the Council has adopted to implement the plan. After such review it shall, to the extent it deems necessary, recommend revisions to the comprehensive plan to the Council in accordance with law. Similarly, after such review, it shall recommend to the Council any amendments it deems desirable to the capital improvement program and any ordinance implementing the plan.

Civil Defense

SEC. 2.29 CIVIL DEFENSE ACT ADOPTED

The Minnesota Civil Defense Act, Minnesota Statutes, Chapter 12, insofar as it relates to cities, is adopted by reference as part of this Ordinance as fully set forth explicitly herein.

SEC. 2.30 CIVIL DEFENSE AGENCY

- A. Agency and Director. There is hereby created within the City government a Civil Defense and Disaster Agency which shall be under the supervision and control of a director of civil defense, hereinafter called the Director. The Director shall be appointed by the Mayor for an indefinite term and may be removed by the Mayor at any time. He/she shall serve without salary but shall be paid his/her necessary expenses. The director shall have direct responsibility for the organization, administration, and operation of the civil defense agency, subject to the direction and control of the Mayor.
- B. Organization and Functions. The Civil Defense Agency shall be organized into such divisions and bureaus, consistent with state and local defense plans, as the director deems necessary to provide for the efficient performance of local civil defense functions during a civil defense emergency. The agency shall perform civil defense functions within the City and in addition shall conduct such function outside the City as may be required pursuant to Minnesota Statutes, Chapter 12, or City Code.

SEC. 2.31 POWERS AND DUTIES OF DIRECTOR: INTERGOVERNMENTAL ARRANGEMENTS

- A. With the consent of the Mayor, the Director shall represent the City at any regional or state organization for civil defense. He/she shall develop proposed mutual aid agreements with other political subdivisions within or outside the state for reciprocal civil defense aid and assistance in a civil defense emergency too great to be dealt with unassisted, and he/she shall present such agreements to the Council for its action. Such agreements shall be consistent with the civil defense plan and during a civil defense emergency, the Civil Defense Agency and civil defense offices shall render assistance in accordance with the provisions of such agreements.
- B. Civil Defense Plan. The Director shall prepare a comprehensive general plan for the civil defense of the City and shall present such plan to the City Council for its approval. When the Council has approved the plan by resolution all civil defense forces of the City shall perform the duties and functions assigned by the plan.
- C. Reports. The Director shall prepare and present to the Council periodically a report of activities and recommendations.