

## ORDINANCE NO. \_\_\_\_

### AN ORDINANCE AMENDING NORTHFIELD CITY CODE, CHAPTER 2, RELATED TO CITY BOARDS AND COMMISSIONS

THE CITY COUNCIL OF THE CITY OF NORTHFIELD DOES ORDAIN THAT (new material is underlined; deleted material is lined out):

SECTION 1. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 1. – Generally, Section 2-283 - Membership types and eligibility, Subsection (c) - City council ex-officio and liaison members, is hereby amended as follows:

- (c) *City council ~~ex-officio and~~ liaison members.* The mayor may appoint, with the confirmation of the council, council ~~ex-officio and~~ liaison members to attend meetings of boards and commissions, act as intermediaries between the boards and commissions and the council, facilitate a close working relationship with the council, and periodically report back to the council activities of such boards and commissions. ~~An appointed council ex-officio member shall be a non-voting, fully participating member of the board or commission to which the council member has been appointed, but shall not be counted for purposes of establishing quorum for a meeting or for purposes of the number of appointed members to a board or commission as established in applicable law.~~ An appointed council liaison attends meetings of the board and commission to which the member is appointed, but is not considered a member of such board or commission ~~and attends public meetings in the same capacity as any member of the public.~~ Council ~~ex-officio and~~ liaison members may not be appointed to a board or commission ~~in addition to~~ if there are any other council members appointed as voting members to serve on a respective board or commission, ~~provided however that the total number of council members appointed to a respective board or commission, including council ex-officio and liaison members and council members appointed to serve as voting members, shall not exceed three council members, unless otherwise provided by law or ordinance.~~ With respect to the EDA, HRA, hospital board, and charter commission, council liaisons may only be appointed to such boards or commissions for the purposes and under the limitations stated herein, unless otherwise provided in applicable law.

SECTION 2. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 1. – Generally, Section 2-284 - Appointment and terms of membership, is hereby amended as follows:

#### **Sec. 2-284. Appointment and terms of membership.**

- (a) *Regular members.* The mayor shall appoint the members of advisory boards and commissions subject to confirmation by a majority vote of the council.
- (b) *Number of members.* The number of members of a board or commission shall be as provided in charter, state law, city code, or council enabling resolution, as applicable to the respective board or commission. No board or commission shall add members, liaisons or some other form of voting or non-voting participants on a board or commission, unless provided in charter, state law, city code, or council enabling resolution, as applicable to the respective board or commission.
- (c) *Term of membership.* Members of a board or commission shall serve such terms as are prescribed in charter, state law, city code, or council enabling resolution, as applicable to the respective board or commission. Unless otherwise provided in charter, state law, city code, or council enabling resolution, as applicable to the respective board or commission, the term of a board or commission member shall expire at the end of the member's stated term and become vacant, unless such member is reappointed as provided in this section.

- (d) *Student members.* Student members shall be appointed in the same manner as regular members, but serve in one-year terms that correspond to the school year commencing ~~June~~ May 1 and expiring the following ~~May 31~~ April 30.
- (e) *Resignation and removal.* Members shall serve without compensation and may resign voluntarily by written correspondence to the city clerk or may be removed by the council pursuant to Charter, section 3.2, unless otherwise provided in applicable state law.
- (f) *Vacancies.* Vacancies in membership may be filled in the same manner as appointment of regular members for the balance of the unexpired term.
- (g) *Term of appointment to fill vacancy.* A person appointed to fill a vacancy shall be eligible to serve term limits as defined in charter, state law, city code, or council enabling resolution, as applicable to the respective board or commission, in addition to the balance of the unexpired term.
- (h) *Staggered terms.* Terms of membership shall be staggered so that no more than one-half of the terms on a board or commission expire in any particular year.
- (i) *Change in board or commission appointment.* All uninterrupted board or commission ~~service full-term appointments~~ will count towards any applicable term limits for a board or commission. Partial terms will not count against applicable term limits.
- (j) *Total term limits.* Regular members who complete the defined term limits as defined in charter, state law, city code, or council enabling resolution, as applicable to the respective board or commission, are ineligible to serve on the same or another city board or commission for one year.

SECTION 3. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 1. – Generally, Sec. 2-285 - Membership types and eligibility, Subsection (b) - Subcommittees, is hereby amended as follows:

- (b) *Composition.* Subcommittees are comprised of board or commission members only, unless otherwise specified in charter, city ordinance or state law applicable to the respective board or commission. Subcommittees may only include a number board or commissioner members less than the number sufficient to constitute a quorum of that board or commission. Any subcommittee created must include the city staff liaison or other designated city staff.

SECTION 4. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 1. – Generally, is hereby amended to add a new section as follows:

**Secs. 2-290 Annual Reports to Council**

City staff, as directed and determined by the city administrator, shall annually compile a written report or reports of updates and other relevant information for each respective city board and commission, except the EDA, HRA, hospital board, and charter commission. The respective report(s) shall not be considered a board or commission recommendation requiring council action, but instead shall be provided as an informational item on either a council meeting agenda or via other means of distribution to council, which may include posting to the city's website. The reports may be individual for each applicable board or commission or may be a combined report(s) including two or more of the applicable boards and commissions as determined by the city administrator.

**Secs. 2-290~~1~~—2-300. Reserved.**

SECTION 5. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 2. – Hospital Board, is hereby amended as follows:

## *DIVISION 2. HOSPITAL BOARD*

### **Sec. 2-306. Duties and ~~powers~~ responsibilities.**

- (a) The city hospital board shall have charge of the administration, operation and maintenance of all hospitals, convalescent homes, nursing homes and related medical facilities including medical clinics, now and hereafter owned and operated by the city and may make such rules, regulations and bylaws concerning such hospitals, convalescent homes, nursing homes or related medical facilities as it may deem for the best interest of such hospitals, convalescent homes, nursing homes or related medical facilities. The general ~~powers~~ duties and responsibilities granted in this subsection shall not be considered to be limited by enumeration of specific ~~powers~~ duties and responsibilities in this section.
- (b) The board shall have the power and responsibility to:
- (1) Hire, terminate, and discipline the hospital president and chief executive officer (CEO), but the president and chief executive officer shall otherwise have the power and responsibility to hire, terminate, and discipline all other necessary employees and fix and pay their compensation subject to budgetary parameters set by the board annually;
  - (2) Delegate to the hospital president and CEO through adopted policy the power and responsibility to ~~Reimburse~~ officers and employees for expenses necessarily paid or incurred in performance of their duties;
  - (3) Require a bond of any officer or employee and pay the premium thereon;
  - (4) Effect all necessary insurance;
  - (5) Make repairs of hospital, convalescent home, nursing home buildings and related medical facilities including medical clinics, and their contents;
  - (6) Establish and provide for rates and suitable charges for the use of hospitals, convalescent homes or nursing homes and related medical facilities including medical clinics, and for payment and collection of the rates and charges;
  - (7) Purchase all necessary equipment, apparatus and supplies;
  - (8) Receive and accept all donations and contributions for hospital and related purposes that may be made to the city and manage any such gifts that may be in the form of securities or property;
  - (9) Establish such committees as it sees fit; ~~and~~
  - (10) Make rules relating to its own procedure and to the administration, operation and maintenance of hospitals, convalescent homes, nursing homes and related medical facilities including medical clinics.
  - (11) Contract with consultants, including, but not limited to, accountants, auditors, engineers, architects, and legal counsel or other services professionals as it determines is necessary and convenient.
  - (12) Sue and be sued, plead and be impleaded, answer and be answered to, appear, prosecute or defend any action or claim of any kind thereof, including but not limited to actions or claims asserted against the board, the city, or the officials, employees or agents of either the board or the city, arising out of or relating to the administration, operation and maintenance of the facilities identified in subsection (a) or this section, whether in contract, employment, tort, or equity, in any court, administrative agency or tribunal of any kind, in its own name; and
  - (13) To insure and indemnify the hospital, the board, and the city or the officials, employees or agenda of either, and be liable for all losses or liability arising out of or relating to the board's responsibilities and authority established in this Division 2, whether asserted against the board, the city, or the officials,

employees or agents of either the board or the city, whether asserted or arising before or after the effective date of this ordinance.

#### **Sec. 2-307. Authority reserved to city council.**

The city council shall have the exclusive authority to:

- (1) Construct any additional hospitals or additions to the present hospitals, convalescent homes, nursing homes and related medical facilities including medical clinics.
- (2) Construct any appurtenant structures.
- (3) Acquire any real property for any hospital or related use.
- (4) Buy, ~~or sell, or lease~~ any of the above mentioned facilities or property.
- (5) Levy or impose taxes for the operation and maintenance of any part of the hospital system.
- (6) Enter into operation, management, sale, purchase, privatization, lease and all other similar operations and/or management agreements by which a substantial portion of the hospital system's assets (including but not limited to equipment, supplies, and accounts), cumulatively or collectively, are leased, licensed, or otherwise transferred or conveyed, for any length of time, to another legal entity other than the hospital and the board to operate and/or manage the same.

#### **Sec. 2-308. – Responsibility for Losses and Claims.**

- (a) As between the board and the city council, the board, consistent with its responsibility and authority established in this Division 2, shall be responsible for all losses or liability arising out of or relating to its responsibilities for such facilities, whether incurred before or after the effective date of this ordinance, and for defending all claims therefore, whether in contract, employment, tort, or equity, in any court, administrative agency or tribunal of any kind, whether asserted against the board, the city, or the officials, employees or agents of either the board or the city, whether arising before or after the effective date of this ordinance, and whether asserted before or after the effective date of this ordinance.
- (b) The board shall obtain and maintain in its own name, at its expense, and at all times during its operations of any facilities identified in this Division 2, commercial general liability (CGL), workers' compensation, directors and officers, public officials errors and omissions, property insurance for contents and mobile and miscellaneous equipment, property and buildings, professional liability, and auto insurance, and such other insurance as the board deems necessary to cover its responsibilities under this Division 2. The board's insurance coverages shall be primary and noncontributory in the event of a loss, as applicable to the respective policies. The board's policies shall include legal defense fees in addition to its liability policy limits, as applicable to the respective policies.
- (c) Nothing herein shall be construed to waive or limit any exemption or immunity from, or limitation on, liability available to the city, whether set forth in Minnesota Statutes, Chapter 466 or otherwise.

#### **Sec. 2-309. – Membership; term.**

- (a) Pursuant to Charter, section 14.2, the hospital board shall consist of seven, eight, or nine regular voting members as determined by the council. The members shall be residents of the Northfield School District. No more than three of the foregoing members may, but need not, be appointed from and reside outside city limit. All appointments to the hospital board shall be as provided in Charter, section 14.2.
- (b) Pursuant to Charter, section 14.2, hospital board members shall be appointed for terms of three years and shall be limited to three consecutive terms, not counting partial terms, across one or multiple boards and commissions. Members shall be eligible for reappointment after a period of one year off the board.

**Secs. 2-308~~10~~—2-335. Reserved.**

SECTION 6. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 3. – Human Rights Commission, is hereby amended as follows:

***DIVISION 3. HUMAN RIGHTS COMMISSION***

**Sec. 2-336. Established; purpose.**

There is hereby established within the city a human rights commission pursuant to Minn. Stat. § 363A.07. The purpose of the human rights commission is to secure for all ~~citizens~~ persons residing and working in city limits equal opportunity in employment, housing, public accommodations, public services and education, and full participation in the affairs of this community by assisting the state department of human rights in implementing the state human rights act and by advising the city council on long range programs to improve community relations in the city.

**Sec. 2-337. Membership; term.**

- (a) The human rights commission shall consist of up to seven regular voting members. In addition to the ~~nine~~ seven regular commission members, there shall be one student voting member and up to three student ex-officio nonvoting members on the commission. Up to two of the foregoing members may, but need not, be appointed from and reside outside city limit; ~~provided such person(s) has a demonstrated interest in the city, knowledge, and/or background that is beneficial to the commission in the judgment of the mayor.~~ All appointments shall be as provided in section 2-284.
- (b) ~~Members of the human rights commission shall be appointed with due regard to their fitness for the efficient dispatch of the functions, powers and duties vested in and imposed upon the human rights commission. Appointments shall represent a broad cross section of the community such as both sexes, various economic levels including welfare recipients, the business and professional community, racial and ethnic minorities, religious groups, various age groups including senior citizens and students, renters and homeowners.~~
- (c) ~~Members of the human rights commission~~, except as otherwise provided herein with respect to student members, shall be appointed for terms of three years. Members shall be limited to three consecutive terms, not counting partial terms, across one or multiple boards and commissions.

**Sec. 2-338. Reserved.**

**Sec. 2-339. Reserved.**

**Sec. 2-340. Duties and responsibilities.**

In fulfillment of its purpose, the human rights commission's duties and responsibilities shall be to:

- (1) Operate in accordance with division 1 of this article VI.
- (2) ~~Draft a memorandum of agreement with the state department of human rights for the purpose of determining procedures for the human rights commission to provide information regarding complaints and otherwise to the state department of human rights in order to ensure preservation of rights of all parties and compliance with state investigation procedures.~~
- (3) ~~Enlist the cooperation of agencies, organizations and individuals in the community in an active program directed to create equal opportunity and eliminate discrimination and inequalities and advise the city council on such recommendations.~~

- (43) Formulate a human relations program for the city to give increased effectiveness and direction to the work of all individuals and agencies addressing themselves among others to planning, policy making and educational programming in the area of civil and human rights.
- ~~(5) Present to the mayor and city council, in December of each year, an annual report, advising them of the matters studied by the human rights commission in that year, and recommendations for the coming year.~~
- (64) Act in an advisory capacity with respect to planning or operation of any city department on issues of civil and human rights and recommend the adoption of such specific policies or actions as are needed to provide for full equal opportunity in the community.
- (75) ~~Develop in cooperation with the state department of human rights~~ such programs of formal and informal education as will assist in the implementation of the state human rights act and provide for the human rights commission's assumption of leadership in recognizing and resolving potential ~~problem areas~~ discrimination in the community.
- (86) Refer any complaints or claims of alleged discrimination under the state human rights act or any other civil rights or discrimination laws to the state commissioner of human rights in order for the state to investigate such complaints. The human rights commission shall not receive, investigate, or seek resolution directly of any individual claims of alleged discrimination due to lack of legal and financial resources and liability to the city in processing such complaints. All individual complaints received by the human rights commission shall be referred directly and without action or recommendation to the state commissioner of human rights.
- ~~(9) Develop an active working relationship with the Northfield School System in the area of human relations.~~

**Sec. 2-341. Commission's policy.**

~~It shall be the policy of the human rights commission to encourage nearby communities to join with it the city in seeking to secure equal opportunity for all citizens.~~

**Secs. 2-342—2-355. Reserved.**

SECTION 7. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 4. – Arts and Culture Commission, is hereby amended as follows:

***DIVISION 4. ~~ARTS AND CULTURE COMMISSION~~ PUBLIC ARTS BOARD***

**Sec. 2-356. Established; purpose.**

There is hereby established within the city ~~an arts and culture commission~~ a public arts board to advise the city council on the development of ~~arts and cultural activities, organizations and facilities~~ publicly funded art in Northfield, including physical and performing arts.

**Sec. 2-357. Purpose-Membership; term.**

~~The purpose of the arts and culture commission shall be to assist the city in becoming a community in which arts and cultural activities:~~

- ~~(1) Are recognized as vital components of community life that are worthy of investment and support from the public, private and non-profit sectors;~~

- ~~(2) Are valued and promoted for their economic benefits and development potential, especially in the downtown;~~
  - ~~(3) Include new ethnic groups in Northfield's identity and sense of community;~~
  - ~~(4) Represent an integral part of Northfield's educational mission and programs for young people;~~
  - ~~(5) Engage the talents and involvement of retirees and senior citizens;~~
  - ~~(6) Develop a wider array of opportunities for collaboration between faculty and student artists at the two colleges and community artists; and~~
  - ~~(7) Cooperate to enhance the public perception of Northfield's identity and quality of life in the community itself, the surrounding region, and beyond.~~
- (a) The public art board shall consist of up to seven regular voting members. In addition to the seven regular commission members, there shall be one student voting member and up to three student ex-officio nonvoting members on the commission. Up to two of the foregoing members may, but need not, be appointed from and reside outside city limit. All appointments shall be as provided in section 2-284.
  - (b) Members, except as otherwise provided herein with respect to student members, shall be appointed for terms of three years. Members shall be limited to three consecutive terms, not counting partial terms, across one or multiple boards and commissions.
  - (c) The public art board may invite to meetings and consult periodically with artists and arts organizations to advise the board on arts projects as deemed necessary by the board in its discretion. These arts consultants/advisors may include artists, arts organizations, Carleton and St. Olaf Colleges, local schools, the business community, or be members of the community at-large, but the same shall not be considered members or act as part of the board.

## **Sec. 2-358. Duties and Responsibilities.**

~~The arts and culture commission~~ public arts board shall be advisory to the city council and its duties and responsibilities shall include the following:

- ~~(1) Develop, update, and recommend to the council a city mission, public agenda and strategic plan for arts and culture in Northfield;~~
- ~~(2) Provide leadership for completing the city's comprehensive plan sections regarding arts and culture goals and planning, and provide ongoing input for plan revisions;~~
- ~~(3) Leverage individual, corporate, foundation and city funding for arts and cultural activities;~~
- ~~(4) Facilitate collaboration and joint planning among public and private agencies involved with related issues such as economic development, tourism, and arts education;~~
- ~~(5) Advise in the planning, acquisition and/or development of land and facilities by the city as needed to support Northfield's arts and cultural activities and organizations, and the development of affordable studio space and housing for individual artists;~~
- ~~(6) In cooperation with existing city departments and with the city council, develop and advocate design standards for city facilities, public areas, and private development, in order to advance a coherent image of Northfield as a place of unique aesthetic, architectural, and cultural identity;~~
- ~~(7) Plan and advocate funding in support of the creation and installation of public art in Northfield that enhances the city's appearance and artistic appeal;~~
- ~~(8) Foster inclusive and cross-cultural activities to help build community as Northfield continues to become more diverse.~~

- (94) Develop policies, procedures and standards for evaluating offers of gifts of art made to the city and recommend that gifts of art be accepted or not accepted by the city council;
- (105) Advise the city council and city departments on commissioning, placement and maintenance of works of art that have been purchased or accepted by the city, or which are owned by the city because they have been produced or created with public funds;
- ~~(11) Advise the city council and city departments on arts-related capital investments, plans, programs, and evaluations initiated by the city.~~
- (126) Operate in accordance with division I of this article VI.

#### **~~Sec. 2-359. Membership; term.~~**

- ~~(a) The arts and culture commission shall consist of seven volunteer members. In addition to the seven regular commission members, there shall be one student voting member and up to three student ex-officio non-voting members on the commission. Up to two of the foregoing members may, but need not, be appointed from and reside outside city limit, provided such person(s) has a demonstrated interest in the city, knowledge, and/or background that is beneficial to the commission in the judgment of the mayor. All appointments shall be as provided in section 2-284.~~
- ~~(b) Members shall be appointed from each of the following sectors of the community, if possible:
  - (1) Arts and cultural organizations;
  - (2) Carleton and St. Olaf Colleges;
  - (3) Local schools;
  - (4) Business community;
  - (5) Independent artists; and
  - (6) Community at large.~~
- ~~(c) Members shall serve for three year terms, except as otherwise provided herein with respect to student members.~~

#### **~~Sec. 2-360. Reserved.~~**

Ord. No. 1061, § 7, adopted June 4, 2024, repealed § 2-360, which pertained to officers powers and duties and derived from Ord. No. 1022, § 1, 3-2-2021.

#### **~~Sec. 2-361. Reserved.~~**

Ord. No. 1061, § 7, adopted June 4, 2024, repealed § 2-361, which pertained to meetings and derived from Ord. No. 1022, § 1, 3-2-2021.

#### **~~Sec. 2-362. Reserved.~~**

Ord. No. 1061, § 7, adopted June 4, 2024, repealed § 2-362, which pertained to quorum and derived from Ord. No. 1022, § 1, 3-2-2021.

#### **~~Sec. 2-363. Reserved.~~**

Ord. No. 1061, § 7, adopted June 4, 2024, repealed § 2-363, which pertained to staff support and derived from Ord. No. 1022, § 1, 3-2-2021.



## **Sec. 2-364. Public art program.**

(a) — *Definitions.* As used in this section, the following terms shall have the meanings herein set forth:

*Conservation* means repair done to return artwork to its original condition and integrity, as necessitated by, for instance, flaws, neglect, aging, damage or vandalism.

*Maintenance* means regular routine inspection, repair, and care of artwork, such as cleaning and applying protective surface coatings.

*Public art* means physical art assets, including outdoor sculpture and artwork integrated into physical public structures and environments, including, but not limited to, rights-of-way.

*Construction costs* means the total amount appropriated for a city capital improvement project less the actual costs of: (i) real property acquisition, (ii) demolition of existing structures, (iii) environmental remediation, (iv) equipment costs, and (v) professional service fees, including, but not limited to, legal, architecture, engineering, and accounting fees. Final determination of construction costs are calculated at the time the city capital improvement project is awarded to the general contractor.

*Eligible funds* means a source of funds authorized by law or charter for a city capital improvement project from which public art is not prohibited, limited or otherwise restricted as an expenditure.

(b) — Powers and duties of the arts and culture commission as relating to this section.

- (1) — Subject to the provisions of this section and applicable law and charter relating to expenditures for the arts, the city staff shall be responsible for administering the city's public art program with the assistance of the arts and culture commission, as outlined in this division and other related city council adopted policies.
- (2) — City staff, in consultation with the arts and culture commission, shall prepare an annual fiscal year report to the city council presented no later than March annually which shall include at least the following:
  - a. — A description of the artwork completed, obtained or commenced in the previous year;
  - b. — A description of the city capital improvement projects designated for inclusion of public art by the city council in the upcoming year and of the funding source; and
  - c. — A budget for the income and expenditures for such city capital improvement projects.
- (3) — The arts and culture commission shall work together with city staff to review and make recommendations to the city council regarding artwork proposed for permanent or long-term placement on city property to determine an appropriate location for the placement of the artwork. Artwork to be placed in a museum or gallery is excepted from this process. To make the determination, the arts and culture commission may examine the artwork itself or a design or model of the same. In any case in which the city council and the commission cannot agree on the location of placement of such works, the alternatives shall be presented for city council determination.
- (4) — Prior to moving or removing any artwork placed in, on or about city property pursuant to the public art program, city staff shall first submit such proposed change to the arts and culture commission for a report and recommendation about a new space for the artwork or alternatives to moving it. In any case in which the city council and the commission cannot agree on issues related to the relocation or removal of the artwork, the alternatives shall be presented for city council determination.
- (5) — In accordance with the art in public places policy and to encourage broad community participation in the public art program and to ensure artwork of the highest quality, the arts and culture commission may solicit the participation of community representatives and professionals in the visual arts and design fields as part of the artist and artwork selection process for particular public art projects in accordance with the size and complexity of the public art projects. These advisors may assist the

commission in the selection of artists, public art project oversight and other related purposes, but shall have no vote on matters coming before the arts and culture commission. These advisors, as well as select city staff and arts and culture commissioners, will comprise the public art review committee.

- (6) During the design phase of artwork, city staff shall determine the maintenance requirements of every artwork, recommend to the responsible department the type, frequency and extent of maintenance required to preserve the quality and value of every artwork, and inspect such maintenance work for the guidance of the city departments concerned. It is the responsibility of the site manager or appropriate department head to provide for the maintenance of artwork in their routine site maintenance program.

~~(c) Administration of funds.~~

- (1) *Generally.* This subsection refers to budgeting for and expending eligible funds for the costs of public art as provided in this subsection.
- (2) *Budgeting and appropriation.* All budgets for city capital improvement projects shall include an amount equal to one percent of the projected construction costs to be used for the costs of public art in accordance with subsection (c)(5), and eligible funds shall be appropriated by the city in the amount so budgeted to pay the costs of public art in accordance with subsection (c)(5). No allocation shall be made for any city capital improvement project with an estimated expenditure of less than the threshold amount for which formal bidding procedures are required pursuant to Minn. Stat. § 471.345. If the applicable law governing any particular city capital improvement project precludes, limits or restricts art as a permissible expenditure, this subsection (c) shall not apply or shall otherwise conform with the applicable limitations or restrictions so as to be compliant with such law. If the source of funding for any particular city capital improvement project precludes art as a permissible expenditure, other available eligible funds shall be allocated to the amount required to be budgeted for public art pursuant to this subsection (c)(2) to the extent authorized by applicable law or charter, or, if eligible funds are not available in the amount required to be budgeted for public art pursuant to this subsection (c)(2), such budgeted amount shall be reduced to the amount of available eligible funds.
- (3) *Deposits to accounts.* The city's finance director shall establish a special fund designated the public art account for appropriated eligible funds. To the extent the eligible funds appropriated pursuant to subsection (c)(2) are required to be spent for public art directly related to a city capital improvement project for which such eligible funds are budgeted, such eligible funds shall be deposited into the project fund for such city capital improvement project, but shall be spent in accordance with this subsection (c). To the extent the eligible funds appropriated pursuant to subsection (c)(2) are not required to be spent for public art directly related to the city capital improvement project for which such eligible funds are budgeted, such eligible funds shall be deposited into the public art account together with any other funds derived from gifts, grants, and/or donations to the city for public art.
- (4) *Disbursement procedures.* Eligible funds and other amounts deposited into the public art account shall be budgeted and expended in the same manner as other city revenues and used for public art projects commissioned pursuant to this section. Eligible funds and other amounts deposited into the public art account shall be disbursed in accordance with procedures established by the city's finance director for public art projects commissioned pursuant to this section. Each disbursement from such public art account or from other appropriations for public art shall be documented by the arts and culture commission staff liaison and presented at monthly arts and culture commission meetings, and authorized in accordance with applicable law and accounting principles governing expenditures from the city's budget. Disbursement of funds from the public art account to pay for public art acquired pursuant to this section shall be made in accordance with procedures established by the city's finance director.
- (5) *Eligible costs of public art.* Eligible funds appropriated and allocated in accordance with this section and any other funds deposited in the public art account may be used for the planning, selection,

~~acquisition, purchase, commissioning, fabrication, siting, placement, installation, conservation, maintenance, exhibition or display of public art, including, a commission fee of up to 15 percent of the cost of the public art for services rendered in connection with the acquisition and installation of the public art.~~

- ~~(6) — Coordination with city capital improvement project. To the extent practical, artist selection should be concurrent with selection of the architect or designer to ensure integration of public art into the city capital improvement project architecture. If a particular city capital improvement project is deemed inappropriate for the placement of artwork by city staff, if not prohibited by law or otherwise, the eligible funds appropriated for public art may be used at other more appropriate public sites.~~

#### **~~Sec. 2-365. Ownership of artwork.~~**

~~All artwork acquired pursuant to this section shall be acquired in the name of the city and title, if applicable, shall vest in the city.~~

#### **Secs. 2-~~366~~59—2-374. Reserved.**

SECTION 8. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 5. – Mayor’s Youth Council, is hereby amended as follows:

### ***DIVISION 5. MAYOR'S YOUTH COUNCIL***

#### **Sec. 2-375. Establishment; purpose.**

There is hereby established within the city a mayor's youth council ("MYC") for the purposes of advising the city council on perspectives and issues important to Northfield youth in order to ensure a youth voice in civic affairs, and working with community partners and other youth initiatives to help design and recommend to the city council solutions and options to address opportunities and areas of concern in the Northfield community.

#### **Sec. 2-376. Membership; term.**

- (a) The MYC shall consist of 18 volunteer, student voting members. Members shall be appointed from and reside within the Northfield Public School District. Members must either be enrolled and attend high school within the Northfield Public School District or live within the geographic boundaries of the city and be enrolled and attend another high school. All appointments shall be as provided in section 2-284.

#### **Sec. 2-377. Reserved.**

#### **Sec. 2-378. Duties and Responsibilities.**

- (a) The MYC shall be advisory to the city council and its duties and responsibilities shall include the following:
- (1) Advise the city council on policies, programs, perspectives and issues important to Northfield youth in order to ensure a youth voice in civic affairs.
  - (2) Work with community partners and other youth initiatives to help design and recommend to the city council solutions and options to address opportunities and areas of concern in Northfield.
  - (3) ~~Recommend to the city council additional policy provisions and ordinances, as well as actions and programs that will maintain or improve support systems for the young people of Northfield.~~
  - ~~(4) —~~Work to keep Northfield youth informed on relevant local issues affecting youth.

- ~~(5) Report to the city council on the activities and findings of the MYC at least annually.~~
- ~~(64)~~ Promote public awareness and concern of local issues that are important to young people and the programs that support Northfield youth.
- ~~(75)~~ Operate in accordance with division I of this article VI.
- (b) The responsibilities of the MYC shall be exercised upon the request of the mayor, the city council, or directly upon the initiative of the MYC.

**Secs. 2-379—2-390. Reserved.**

SECTION 9. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 6. – Northfield Alliance for Substance Abuse Prevention, is hereby amended as follows:

***DIVISION 6. ~~NORTHFIELD ALLIANCE FOR YOUTH SUBSTANCE ABUSE PREVENTION~~***  
***ALLIANCE***

**Sec. 2-391. Established; purpose.**

There is hereby established within the city a commission entitled "~~Northfield Alliance for Youth Substance Abuse Prevention~~ Alliance" (the "commission") for the purpose of: raising awareness about youth alcohol and drug use; supporting and encouraging efforts to increase community education about youth alcohol and drug use; providing a citizen voice in community efforts to reduce youth alcohol and drug use; examining existing policies and practices in the community around youth alcohol and drug use; understanding and addressing the impact of youth mental health issues on substance use and abuse; facilitating collaborative efforts with community partners on youth alcohol and drug use prevention, and developing and making recommendations to the city council regarding youth alcohol and drug use prevention efforts. The primary, but not exclusive, focus of the commission's efforts will be school-age youth of 18 years of age or younger.

**Sec. 2-392. Membership; term.**

- (a) The ~~Northfield Alliance for Substance Abuse Prevention~~ commission shall consist of 11 voting volunteer members, including seven regular members and four student members. Up to two of the foregoing members may, but need not, be appointed from and reside outside city limit, provided such person(s) has a demonstrated interest in the city, knowledge, and/or background that is beneficial to the commission in the judgment of the mayor. All appointments shall be as provided in section 2-284.
- (b) ~~Members shall be, for three year terms, except that the four student members shall have the term specified in subsection (c) below. A member wishing to be reappointed for a subsequent term must complete the proper application form and submit it to the city clerk in order to be considered for reappointment~~ Members, except as otherwise provided herein with respect to student members, shall be appointed for terms of three years. Members shall be limited to three consecutive terms, not counting partial terms, across one or multiple boards and commissions.
- (c) Youth commission members either must attend school within the Northfield Public School district, or live or work within the geographic boundaries of the City of Northfield.

**Sec. 2-393. Reserved.**

**Sec. 2-394. Duties and Responsibilities.**

- (a) The duties and responsibilities of the Northfield Alliance for Substance Abuse Prevention commission shall be to:
- (1) Raise awareness about youth alcohol and drug use;
  - (2) Support and encourage efforts to increase community education about youth alcohol and drug use;
  - (3) Provide a citizen voice in community efforts to reduce youth alcohol and drug use;
  - (4) Examine existing policies and practices in the community around youth alcohol and drug use;
  - (5) Understand and address the impact of youth mental health issues on substance use and abuse;
  - (6) Facilitate collaborative efforts with community partners on youth alcohol and drug use prevention;
  - (7) Develop and make recommendations to the city council regarding youth alcohol and drug use prevention efforts; and
  - (8) ~~Report to the city council on the activities and findings of the Northfield Alliance for Substance Abuse Prevention.~~
  - (9) —Operate in accordance with division 1 of this article VI.
- (b) The duties and responsibilities of the Northfield Alliance for Substance Abuse Prevention commission shall be exercised upon the request of the mayor, the city council, or directly upon the initiative of the ~~Northfield Alliance for Substance Abuse Prevention commission.~~

**Secs. 2-395—2-400. Reserved.**

SECTION 10. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 8. – Housing and Redevelopment Authority, Section 2-411 – Established; purpose, is hereby amended as follows:

**Sec. 2-411. Established; purpose.**

There is established in the city by and through city council enabling resolution adopted January 27, 1969, and by city council resolution no. 90-250, dated August 6, 1990, as amended by city ordinance no. 851, dated November 6, 2006, and as amended by city council resolution no. 2020-001, dated January 28, 2020, as the same may be further amended from time to time by the city council, a housing and redevelopment authority with the powers and duties and responsibilities as provided in said enabling resolution documents, as amended, and Minnesota Statutes, Chapter 469.

SECTION 11. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 9. – Environmental Quality Commission, is hereby amended as follows:

***DIVISION 9. ENVIRONMENTAL QUALITY COMMISSION***

**Sec. 2-421. Established; purpose.**

There is hereby established an environmental quality commission in the city for the purpose of advising the city on matters concerning environmental quality and natural resources and on the implementation of the environmental policy stated in City Code, section 22-1.

#### **Sec. 2-422. Membership; term.**

- (a) The environmental quality commission shall consist of seven voting members. In addition to the seven regular commission members, there shall be one student voting member and up to three student ex-officio non-voting members on the commission. ~~Each regular commission member shall be appointed for a three-year term.~~ Up to two of the foregoing members may, but need not, be appointed from and reside outside city limit, provided such person(s) has a demonstrated interest in the city, knowledge, and/or background that is beneficial to the commission in the judgment of the mayor. All appointments shall be as provided in section 2-284.
- (b) Members, except as otherwise provided herein with respect to student members, shall be appointed for terms of three years. Members shall be limited to three consecutive terms, not counting partial terms, across one or multiple boards and commissions.

#### **Sec. 2-423. ~~Organization~~ Reserved.**

~~The environmental quality commission shall hold at least one regular monthly meeting.~~

#### **Sec. 2-424. ~~Powers and~~ Duties and responsibilities.**

- (a) The ~~powers and~~ duties and responsibilities of the environmental quality commission shall be to:
- (1) Assist and advise the city council, ~~planning commission~~ and the designated city governmental staff in assessing the environmental impact of proposed undertakings that fall in part or in total under the city's jurisdiction and recommend changes that would lessen or eliminate the environmentally detrimental effects of such undertakings.
  - (2) Appraise activities of the city government and public and private organizations for the purpose of determining the extent to which such activities contribute to or detract from city governmental policies and goals.
  - (3) Recommend to the city council additional environmental policy provisions and ordinances for enactment, as well as actions and programs that will maintain or improve environmental quality and the conservation of natural resources.
  - (4) Request that the city council authorize studies on matters pertaining to environmental quality and natural resources and ~~recommend, when necessary, the employment of professionally qualified persons to carry out such studies.~~
  - (5) ~~Hold public hearings at the request of the city council, notice of which shall be published in the local newspaper at least ten days in advance of the day of the hearing.~~
  - ~~(6) Report to the city council on the activities and findings of the environmental quality commission.~~
  - ~~(7) Request a budget to provide for the payment of all ordinary expenses incurred in carrying out the functions of the environmental quality commission.~~
  - ~~(8) Promote public awareness and concern for environmental quality and conservation of natural resources.~~
  - (96) Operate in accordance with division 1 of this article VI
- (b) The ~~powers and~~ duties and responsibilities of the environmental quality commission shall be exercised upon the request of ~~the mayor, the city council, or the planning commission~~ or directly upon the initiative of the environmental quality commission.

**Secs. 2-425—2-430. Reserved.**

SECTION 12. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 10. – Heritage Preservation Commission, is hereby amended as follows:

***DIVISION 10. HERITAGE PRESERVATION COMMISSION***

**Sec. 2-431. Established; purpose.**

There is hereby established in the city a heritage preservation commission in accordance with Minn. Stat. § 471.193, subd. 2, to engage in a comprehensive program of historic preservation, and to promote the use and conservation of historic properties for the education, inspiration, pleasure, and enrichment of the citizens of city.

**Sec. 2-432. Membership; term.**

- (a) The heritage preservation commission shall consist of seven voting members. Pursuant to Minn. Stat. § 471.193, subd. 5, commission members must be persons with demonstrated interest and expertise in historic preservation and must reside within the city. Every commission shall include, if available, a member of a county historical society of a county in which the city is located. In addition to the seven regular commission members, there shall be up to three student ex-officio non-voting members on the commission. All appointments shall be as provided in section 2-284.
- (b) Members, except as otherwise provided herein with respect to student members, of the heritage preservation commission shall be appointed for terms of three years. Members shall be limited to three consecutive terms, not counting partial terms, across one or more boards and commissions.

**Sec. 2-433. ~~Powers and d~~Duties and responsibilities.**

In addition to any other authority granted to the heritage preservation commission by charter, ordinance, or state law, the heritage preservation commission shall have the following ~~powers and duties~~ and responsibilities related to chapter 34 of this Code:

- (1) To review and make decisions on certificates of appropriateness as provided for in chapter 34, section 8.5.8 of this Code;
- (2) Following designation of a heritage preservation commission site by city council, the heritage preservation commission shall act as a resource and in an advisory capacity to the owner of the property regarding preservation, restoration, and rehabilitation activities. Heritage preservation commission activity in this regard shall include participation in the planning and implementation of activities within the downtown historic district and other sites that have been designated as heritage preservation sites.
- (3) The heritage preservation commission shall work for the continuing education of the citizens of the city with respect to the city's civic and architectural heritage. This continuing education may include public meetings or publications. It shall keep current and public a register of designated heritage preservation sites along with the plans and programs that pertain to them.
- (4) The heritage preservation commission may recommend to the city the acceptance of gifts and contributions to be made to the city and to assist the city staff in the preparation of applications for grant funds to be made through the city for the purpose of heritage preservation. Any contributions or gifts will be expended in the manner provided through the city's fiscal policy.
- (5) The heritage preservation commission shall establish and monitor an archive policy that would encourage the collection of all city planning and development records, documents, studies, models,

maps, plans and drawings. This may be entered into the public library historical archives as a permanent record of city history and development.

- (6) At the discretion of the heritage preservation commission, public hearings may be initiated to solicit public input regarding proposed activities on a heritage preservation site.
- (7) To recommend to the city council heritage preservation site designation as provided for in chapter 34, section 8.5.7 of this Code.

#### **Sec. 2-434. Annual report.**

Pursuant to Minn. Stat. § 471.193, subd. 6, the heritage preservation commission shall, by October 31 of each year, make submit an annual written report, containing a statement of its activities and plans, to the state historic preservation office summarizing the commission's activities, including designations, reviews, and other activities during the previous 12 months and the city council.

#### **Secs. 2-435—2-440. Reserved.**

SECTION 13. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 11. – Library Board, is hereby amended as follows:

### ***DIVISION 11. LIBRARY BOARD***

#### **Sec. 2-441. Established; purpose.**

There is hereby established in the city a public library board for the purpose of providing a public library and related public library services for the Northfield community.

#### **Sec. 2-442. Membership; term.**

- (a) The library board shall consist of seven voting members. In addition to the seven regular library board members, there shall be up to three student ex-officio non-voting members. Pursuant to Minn. Stat. § 134.09, subd. 1, the mayor, with the approval of the city council, may appoint to the library board, residents of the county, provided that the county is participating in the regional public library system and that the majority of the members of the library board are residents of the city. Not more than one council member or county commissioner shall at any time be a member of the library board.
- (b) Members, except as otherwise provided herein with respect to student members, of the library board shall be appointed for terms of three years. Members shall be limited to three consecutive terms, not counting partial terms, across one or more boards and commissions.

#### **Sec. 2-443. ~~Powers and~~ Duties and responsibilities.**

The general state statutes applying to public libraries and reading rooms, Minn. Stat. Ch. 134, shall govern the ~~powers and~~ duties and responsibilities of the library board, except as otherwise provided by Charter. Pursuant to Charter, section 3.2, the library board shall be subject to the authority of the city council and shall advise the city council with respect to matters pertaining to the public library. ~~The public library board shall operate in accordance with division 1 of this article VI.~~



**Secs. 2-444—2-450. Reserved.**

SECTION 14. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 12. – Parks and Recreation Board, is hereby amended as follows:

***DIVISION 12. PARK AND RECREATION ADVISORY BOARD***

**Sec. 2-451. Established; purpose.**

There is hereby established a park and recreation advisory board for the purpose of advising the city on matters concerning parks and recreation in the city.

**Sec. 2-452. Membership; term.**

- (a) The park and recreation advisory board shall consist of seven voting members. In addition to the seven regular members, there shall be one student voting member and up to three student ex-officio non-voting members. Up to two of the foregoing members may, but need not, be appointed from and reside outside city limit, provided such person(s) has a demonstrated interest in the city, knowledge, and/or background that is beneficial to the commission in the judgment of the mayor. All appointments shall be as provided in section 2-284.
- (b) ~~Each regular commission member shall be appointed for a three year term.~~ Members, except as otherwise provided herein with respect to student members, shall be appointed for terms of three years. Members shall be limited to three consecutive terms, not counting partial terms, across one or more boards and commissions.

**Sec. 2-453. ~~Powers and d~~Duties and responsibilities.**

The park and recreation advisory board shall act in an advisory capacity to the city council regarding the public parks system and all public recreational facilities and programs of the city. The board shall assist in the long range planning for land acquisition for parks, as well as detailed plans for park development and use. ~~The board shall make a written report annually in December, and additionally when it so desires or is requested, to the city council.~~ The board shall operate in accordance with division 1 of this article VI.

**Secs. 2-454—2-460. Reserved.**

SECTION 15. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 13. – Planning Commission and Zoning Board of Appeals, is hereby amended as follows:

***DIVISION 13. PLANNING COMMISSION AND ZONING BOARDS OF APPEALS***

**Sec. 2-461. Established; purpose.**

There is hereby established a planning commission, a single board that serves as both the planning commission and zoning board of appeals for the city in accordance with Minn. Stat. § 462.354. The planning commission and zoning board of appeals shall have those ~~powers and duties and responsibilities~~ contained in, and operate in accordance with, applicable state law, Chapter 34 this city code and this article. This commission/board shall be referenced and cited in Chapter 34 of this code as the planning commission unless the specific citation in

Chapter 34 relates to the board's role as the zoning board of appeals, in which case, the board shall be referenced and cited as the zoning board of appeals.

**Sec. 2-462. Membership; term.**

- (a) The planning commission and zoning board of appeals shall consist of seven voting members. In addition to the seven regular commission members, there shall be up to three student ex-officio non-voting members on the commission.
- (b) ~~Members of the planning commission and zoning board of appeals, except as otherwise provided herein with respect to student members, shall be appointed for terms of three years. Members shall be limited to three consecutive terms, not counting partial terms, across one or more boards and commissions.~~

**Sec. 2-463. ~~Powers and d~~Duties and responsibilities as planning commission.**

In addition to any other authority granted to the planning commission by charter, ordinance, or state law, the planning commission shall have the following ~~powers and~~ duties and responsibilities related to chapter 34 of this Code:

- (1) To make recommendations to the city council regarding the adoption of the official comprehensive plan for Northfield or any amendments thereto;
- (2) To review and make recommendations to city council on preliminary plats and conditional use permits;
- (3) To initiate and make recommendations to city council regarding proposed amendments, supplements and enactments to this LDC and changes to the zoning map, or changes to the land development code text; and
- (4) To review and make recommendations to city council regarding annexation requests.

**Sec. 2-464. ~~Powers and d~~Duties and responsibilities as zoning board of appeals.**

In addition to any other authority granted to the zoning board of appeals by charter, ordinance, or state law, the planning commission, when acting as the zoning board of appeals, shall have the following ~~powers and~~ duties and responsibilities related to Chapter 34 of this code:

- (1) To review and make decisions on appeals from administrative decisions requests pursuant to Minn. Stat. § 462.359, subd. 4.
- (2) To review and make decisions on appeals from decisions by the heritage preservation commission on certificates of appropriateness;
- (3) To review and make decisions on variance requests pursuant to Minn. Stat. § 462.357, subd. 6.; and
- (4) To interpret the zoning district boundaries as provided for in chapter 34, section 2.1.4, interpretation of zoning district boundaries, of this Code.

**Secs. 2-465—2-470. Reserved.**

SECTION 16: This Ordinance shall take effect thirty days after its publication.

Passed by the City Council of the City of Northfield, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

VOTE:      \_\_\_\_\_ ZWEIFEL \_\_\_\_\_ BEUMER \_\_\_\_\_ DAHLEN \_\_\_\_\_ HOLMES  
              \_\_\_\_\_ NESS \_\_\_\_\_ PETERSON WHITE \_\_\_\_\_ SOKUP

First Reading:	
Second Reading:	
Published:	