

ORDINANCE NO. 1061

AN ORDINANCE AMENDING NORTHFIELD CITY CODE, CHAPTERS 2, 22, 34, 42 AND 54 RELATED TO THE CODE OF ETHICS AND ESTABLISHING A UNIFORM SET OF PROCEDURES FOR CITY BOARDS AND COMMISSIONS

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

SECTION 1. Northfield Code, Chapter 2 – Administration, Article III. – Officers and Employees, Division 2. – Code of Ethics, Section 2-121. – Definitions, is hereby amended as follows:

Sec. 2-121. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Public officials includes and is limited to the mayor, city councilmembers, members of permanently established ~~advisory~~ boards and commissions, the hospital board, and the following ~~employees~~:

- (1) City administrator.
- (2) Finance director/~~city clerk~~.
- (3) Public works director/city engineer.
- (4) Community development director.
- (5) City planner.
- (6) ~~Water superintendent~~ Utilities manager.
- (7) ~~Wastewater superintendent~~ City clerk.
- (8) ~~Streets superintendent and parks manager~~.
- (9) ~~Parks and recreation director~~.
- ~~(10) Police chief.~~
- ~~(11) Fire chief.~~
- ~~(12) Director of Library director services.~~
- (13) Liquor ~~store operations~~ manager.
- (14) Northfield Hospital & Clinics administrator president and chief executive officer.

SECTION 2. Northfield Code, Chapter 2 – Administration, Article III. – Officers and Employees, Division 2. – Code of Ethics, Section 2-123. – Sanctions, is hereby amended as follows:

Sec. 2-123. Sanctions.

Except as provided in state law, aAny person who willfully violates this division is guilty of a misdemeanor and shall be punished as provided in section ~~1-8~~ 3-10.

SECTION 3. Northfield Code, Chapter 2 – Administration, Article III. – Officers and Employees, Division 2. – Code of Ethics, Section 2-127. – Conflict of Interest, is hereby amended as follows:

Sec. 2-127. Conflict of interest.

- (a) *Personal financial interest in sale, lease or contract with city.* Any public official who has a personal financial interest in any sale, lease, or contract with the city shall make such interest known to the city council and shall be bound by state law, Minn. Stat. §§ 471.87 through 471.89, in determining how to resolve such a conflict of interest. Pursuant to Northfield city charter, section 15.3 and Minn. Stat. § 412.311, except as provided in Minn. Stat. §§ 471.87 through 471.89, no public official shall be directly or indirectly interested in any contract made between the city and another party or parties or have a personal financial interest in or personally benefit financially therefrom. Every public officer who violates Minn. Stat. § 471.87 is guilty of a gross misdemeanor.
- (b) *Other conflicts.* In addition to section 2-127 (a), Any public official who engages in any business or transaction or has a financial or other personal interest, direct or indirect, including an interest arising from blood, adoptive, or marriage relationships, organizational or contractual affiliations, or close business or personal associations, which interest is incompatible with the proper discharge of his/her the public official's official duties in the public interest or would tend to impair his/her the public official's independence of judgment or action in the performance of official duties shall disclose the nature of such activity or interest, refrain from participation in any discussion, in or outside of any public meeting, of such matter before the government body of which the public official is a member, and shall at the meeting recuse and abstain disqualify himself/herself from discussion and voting, provided that such member shall be allowed to participate in discussion as a member of the public on the matter upon which the public official has a conflict of interest. Disqualification is not called for, however, if discussion and action by a public official will not affect him/her the public official more than any other member of the same group, neighborhood, business classification, profession, or occupation general public similarly situated as the public official on the subject matter.
- (c) *Disclosure of confidential information.* Public officials shall observe the dictates of the Minnesota Government Data Practices Act (Minn. Stat. ch. 13) and related laws with reference to confidentiality of information. No public official shall use any "not public data" to advance the financial or other private interest of ~~himself/herself~~ the public official or others.
- (d) *Gifts and favors.* Public officials shall comply with Minn. Stat. § 471.895, which prohibits gifts to local officials. This section shall not make unlawful or unethical any practice allowed under Minn. Stat. ch. 211B or related laws.
- ~~(e) *Political activity.* No public official, whether elected or appointed, shall promise an appointment to any municipal position as a reward for any political activity.~~

SECTION 4. Northfield Code, Chapter 2 – Administration, Article III. – Officers and Employees, Division 2. – Code of Ethics, Section 2-128. – Public Disclosure, is hereby amended as follows:

Sec. 2-128. Public disclosure.

- (a) Upon election or appointment, each public official of the city subject to this division shall file for public record, in the office of the finance director/city clerk, a sworn statement in a form approved by the city and which must contain, at a minimum, the following information:
 - (1) The names of all businesses, corporations, companies, firms, partnerships, organizational or contractual affiliations, or other business enterprises, doing business in excess of \$1,000.00 per year with the city, to which such public official is connected as an employee, owner, director, officer, or in which such public official has a financial interest. The term "financial interest" shall be deemed to include ownership of more than ten percent of the stock or proprietary interest in an enterprise doing business with the city, except that mutual funds and retirement plans shall not be subject to disclosure.

- (2) A listing of all real property within city limits or within Greenvale, Waterford, Bridgewater, or Northfield townships, excluding homestead property, in which the official or a partnership of which the official is a member holds a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect. Any such listing shall indicate the street address in the city or the section, township, range and approximate acreage, whichever applies, wherein the property is located.
 - (3) The interest of a spouse or minor child or other member of the immediate household, whether related or not, of any public official shall be considered an interest of the public official for purposes of filing the statement required.
- (b) Except for public officials as provided in subsection (c) of this section, eEach person who files or applies for a public office which is subject to this division shall file a public disclosure required by this section at or within 72 hours from the time of filing or application for office. Any person who is nominated for such office by others or elected for such office by write-in shall file such a public disclosure within ten days of being so nominated or elected, but in any event such disclosure must be filed before such person is sworn in or appointed to office.
 - (c) Annually, in the month of January, all public officials subject to this division the mayor, city councilmembers, and members of the economic development commission, housing and redevelopment authority, planning commission and zoning board of appeals, heritage preservation commission, and hospital board shall file a new sworn statement as required by this section, provided that a new sworn statement need not be filed in the month of January immediately following a first filing which occurred on or after August 15, unless the information required to be contained in the statement has changed since the first filing. All other public officials subject to this division shall file the disclosure statement required hereby prior to or within 30 days of the date of appointment and as needed thereafter to keep such disclosure statement accurate for relevant changes.
 - (d) This section shall not be construed to require the filing of any information relating to any person's connection with any professional society or any charitable, religious, social, fraternal, recreational, civil or political organization or any similar organization not conducted as a business enterprise.
 - (e) ~~The finance director/~~city clerk or the city clerk's designee shall inform each person who is required to file a statement of the time and place for filing and shall furnish each such person with a copy of this section and the required statement form. Failure to timely file a statement required by this section shall result in one of the following sanctions:
 - (1) Any elected official who is subject to this division may, by resolution of the council, be fined a sum not exceeding \$10.00 per day for each day such filing is past due, which fines may accrue until such statement is filed. If such elected official refuses to pay such fine, he/she may be proceeded against before any court of competent jurisdiction on a misdemeanor charge and, upon conviction of such offense, such member may be ordered to pay the fine imposed by the council and the costs of prosecution, in addition to any other sanctions imposed by the court.
 - (2) A city employee who is subject to this division shall be subject to discipline pursuant to the city's personnel policy.
 - (3) The voting privileges of a member of a permanently established advisory board or commission, including the hospital board, shall be suspended until such statement is filed, provided that if the statement is not filed within 30 days after it is due, the member shall also be subject to removal from the board or commission.

SECTION 5. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, Division 1. – Generally, is hereby amended to add new sections, as follows:

Sec. 2-281. Board and commission establishment.

- (a) Authority to establish. Pursuant to Northfield city charter, section 3.2, as well as other applicable state statutes, the city council may establish or continue to operate existing boards and commissions to advise the council with respect to or perform certain municipal functions and activities, to investigate subjects of interest to the city, and to perform certain quasi-judicial proceedings and functions.
- (b) How established. A board or commission may be established by a majority vote of the council. An ordinance shall be adopted prescribing the purpose, duties and composition of the board or commission, unless another procedure for establishment is otherwise prescribed by applicable law in which case establishment shall be in accordance with the requirements stated in the governing law.
- (c) Subject to provisions in this chapter. All boards and commissions established by the council shall be subject to the provisions of this chapter, unless otherwise specified in charter, city ordinance or state law.
- (d) Purposes and duties generally. Except as otherwise provided in charter, city code, state law or council enabling resolution, all boards and commissions established by the council shall be advisory to the council and may have the responsibility to:
 - a. Investigate matters within the delegated governing scope of the particular board or commission or as specifically directed by the council.
 - b. Advise the council by communicating the viewpoint or advice of the board or commission.
 - c. As provided by and limited by applicable law or city enabling ordinance/resolution, hold hearings, receive evidence, conduct investigations, and, on the basis of such hearings, evidence and investigations, make decisions and recommendations to the council.
- (e) Advisory role. A board or commission established by the council shall not assume the role of an administrative or legislative body.

Sec. 2-282. City staff.

- (a) The city administrator shall coordinate activities of and serve as adviser to all elected and appointed city officials as provided in Section 7.3, Subd. 5, of the charter and fulfill other related board and commission duties as specified in charter, state law, or city code.
- (b) The city administrator may make available city staff members to perform administrative duties and records management on behalf of a board or commission.

Sec. 2-283. Membership types and eligibility.

- (a) Regular members. Regular members of boards and commissions established by the council shall be adult residents of the city unless otherwise expressly stated by ordinance or other applicable law. Members who discontinue legal residency in the city or who no longer meet eligibility requirements as stated in the governing ordinance or other applicable law shall automatically be deemed to have resigned from the board or commission as of the date of such discontinuance.
- (b) Student members. Student members shall be residents of the city or officially open enrolled as a student at a Northfield High School and entering freshman, sophomore, junior or senior year. Student members shall be nonvoting unless otherwise expressly stated by ordinance. Not all boards and commissions are eligible to have student members due to restrictions in applicable law. Student members of boards and commissions are only authorized where expressly provided in a respective board's or commission's establishment ordinance.

- (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 be appointed to a board or commission in addition to any 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.

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 1 and expiring the following May 31.
- (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 will count towards any applicable term limit for a board or commission.
- (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 board or commission for one year.

Sec. 2-285. Subcommittees.

- (a) Establishment. A board or commission may establish subcommittees by majority vote in consultation with the city staff liaison.
- (b) Composition. Subcommittees are comprised of board or commission members only. 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.
- (c) Prohibition. A subcommittee may not engage in activities, functions, or duties outside the scope of authority granted to the board or commission by which it was established. A subcommittee is advisory only to the board or commission that created it.

Sec. 2-286. Officers.

- (a) Chairperson and vice-chairperson. Each board or commission annually shall elect from its members a chairperson and vice-chairperson to serve a term of one year. Serving in such capacity shall conform to the members term on the board or commission. A chairperson elected to fill a vacancy shall be eligible to serve three full terms in addition to the remainder of the vacated term. There are no term limits for the position of vice-chairperson, except that serving in such capacity shall conform to the members term on the board or commission.
- (b) The vice chairperson performs the duties of the chairperson in the chairperson's absence. If both the chairperson and the vice chairperson are absent, an acting chairperson may be assigned in advance by either officer or at the meeting by a majority vote of the members.

Sec. 2-287. Time, location and types of meetings and meeting procedures.

- (a) Regular meetings. All board and commission meetings are open meetings subject to the Minnesota Open Meeting Law (Minn. Stat. ch. 13D) and shall be held at a fixed time, on a fixed date and in a fixed place as shall be determined by the council. The city staff liaison shall work with the city clerk to give notice of all board and commission meetings as required for meetings of public bodies. A regular scheduled meeting may be rescheduled by a majority vote at a prior meeting.
- (b) Special meetings. Special meetings can be called by the city staff liaison in consultation with the chairperson and city administrator, or by a majority vote of members of a board or commission. Notice of special meetings must conform to the Minnesota Open Meeting Law.
- (c) Quorum. A simple majority of voting members, appointed and serving, shall constitute a quorum for any regular or special meeting. If a quorum is not established or maintained during the course of a meeting, no votes on board or commission business may be taken except a motion to adjourn or recess.

- (d) Canceling Meetings. Meetings can be cancelled by the city staff liaison in consultation with the chairperson and city administrator, or by majority vote of members at a meeting. Meetings may be cancelled for insufficient business, lack of quorum, conflict with a holiday, inclement weather, in the event of a community emergency, or for other good and sufficient reasons.
- (e) Meeting Agendas. Meeting agendas will be prepared by the city staff liaison in consultation with the chairperson. Two or more members may request items be added to the agenda via a request to the chairperson and city staff liaison.
- (f) Meeting Rules of Business and Meeting Rules. The City Council may establish by policy Rules of Business and Meeting Rules for Boards and Commissions.
- (g) Bylaws. Boards and commissions may recommend the city council adopt procedural bylaws that are in addition to this division, but which shall not conflict with or be inconsistent with this division, and shall not repeat or duplicate what is already contained in this division or in charter, state law, city code, or council enabling resolution, as applicable to the respective board or commission, except that such bylaws may identify the same category and cite/cross-reference to the applicable sections of the same. All bylaws are subject to review and approval by the city council. The city council may also initiate amendments to any adopted bylaws in the council's sole judgment and discretion, unless otherwise provided in charter or applicable state law.

Sec. 2-288. Attendance requirements.

To assist boards and commissions in fulfilling their purposes and duties and to ensure that they are not prevented from doing so by the repeated absence of their members, the council may establish an attendance policy for members serving on boards and commissions.

Sec. 2-289. Reports.

Pursuant to Northfield city charter, section 3.2, all reports, resolutions, recommendations, and policy statements of boards and commissions made to the city council shall be addressed to the city council and filed with the city clerk. Recommendations presented to the council from its duly constituted boards and commissions shall receive consideration by council within six (6) months of presentation unless otherwise required by law or requested by the board or commission in which case consideration shall be scheduled in accordance with applicable law or as soon as practicable. Council consideration may include, but is not limited to: a presentation before the council; and/or acceptance, approval, approval as amended by council, or rejections of such reports, resolutions, recommendations, and policy statements by motion of the council. The council action shall be communicated in writing by the applicable city staff liaison to the respective board or commission. In case of rejection of a recommendation or a decision not to act on a matter by council, written reasons, which may be in the form of the council resolution or staff report, shall be included in the written communication from the applicable city staff liaison.

Secs. 2-290—2-300. 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 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 ~~14~~ seven regular voting members ~~to be appointed by the mayor by and with the advice and consent of the council.~~ In addition to the ~~nine~~ seven regular commission members, there shall be one ~~youth~~ student voting member and up to three ~~youth~~ 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. ~~In addition, annually the mayor may appoint with the advice and consent of the council up to four additional voting or non voting advisory members. The voting or non voting designation shall be at the discretion of the mayor. These voting or non voting advisory members shall have a term of one year and shall have substantial education or training in human rights, or have some other unique perspectives or qualifications for the purpose of dealing with discrimination on the basis of race, color, creed, religion, national origin, sex, age, disability, marital status, status with regard to public assistance, sexual orientation, or familial status under the Minnesota Human Rights Act.~~
- (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 ~~youth~~ student members ~~and voting or non voting advisory members,~~ shall be appointed for terms of three years, ~~except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his/her predecessor was appointed shall be appointed only for the remainder of such term. Upon the expiration of the member's term of office, a member shall continue to serve until his/her successor is appointed. Members who serve three consecutive terms, not including a partial term due to appointment to fill a vacancy, shall be ineligible for reappointment for one year following the completion of their third term. The youth commission members shall be high school aged, grades nine through 12. The youth commission members shall be appointed for one year terms in the same manner as other members of the commission. Youth commission member terms shall commence June 1 and expire the following May 31.~~
- (d) ~~The members of the human rights commission shall serve without financial compensation and may be removed from office for cause by the mayor in consultation and agreement with a majority of the human rights commission.~~

Sec. 2-338. City's policy Reserved.

It is declared that it is the public policy of the city to fulfill its responsibility as a partner of the state department of human rights in securing for all citizens equal opportunity in housing, employment, public accommodations, public services and education, and to work consistently to improve the human relations climate of the city.

Sec. 2-339. Purpose Reserved.

The purpose of the human rights commission is to secure for all citizens 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. 2-340. Duties and responsibilities.

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

- (1) ~~Adopt bylaws and rules for the conduct of its affairs, including among others the election, assumption of duties and definition of responsibilities of officers and committees.~~ 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 ~~regulatory and enforcement~~ 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.
- (4) 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.
- (6) 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.
- (7) 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 in the community.
- (8) ~~Receive 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 and investigate such complaints in order to seek resolution of the problem. If necessary, the human rights commission may hold hearings to determine the facts and seek solutions, may refer the case to the state department of human rights or may take such other action as may be authorized by the state human rights act. 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 ~~the~~ 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

Sec. 2-356. ~~Arts and culture commission~~ Established.

~~The City of Northfield hereby establishes~~ There is hereby established within the city an arts and culture commission to advise the city council on the development of arts and cultural activities, organizations and facilities in Northfield.

Sec. 2-357. Purpose.

The purpose of the arts and culture commission shall be to assist ~~Northfield~~ 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.

Sec. 2-358. Responsibilities.

The arts and culture commission shall be advisory to the city council and its 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.
- (9) 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;
- (10) 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.
- (12) Operate in accordance with Division 1 of this Article VI.

Sec. 2-359. Membership; term.

- (a) The arts and culture commission shall consist of seven volunteer members, ~~who shall serve without financial compensation. The commission may be expanded to up to nine members at any time by resolution of the city council.~~ In addition to the seven regular commission members, there shall be one youth-student voting member and up to three youth-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 by the mayor, with the approval of the city council. Members may be removed at the discretion of the mayor and council.~~
- (c) 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.
- ~~(d) Members shall serve for three-year terms, except as otherwise provided herein with respect to youth student members. Terms shall begin on January 1 and end on December 31, provided that a member shall continue to serve until a successor is appointed. An appointment to fill a mid-term vacancy shall be made by the mayor for the duration of the term. The youth commission members shall be high school aged, grades nine through 12. The youth commission members shall be appointed for one year terms in the same manner as other members of the commission. Youth commission member terms shall commence June 1 and expire the following May 31.~~
- ~~(e) Members who serve three successive terms, not including a partial term due to appointment to fill a vacancy, shall be ineligible for reappointment for one year following the completion of their third term.~~

Sec. 2-360. Officers powers and duties Reserved.

- ~~(a) At the first meeting of each year, members of the commission shall select by majority vote a chair, vice chair, and secretary to serve until the end of that year and until a successor is chosen.~~
- ~~(b) The chair shall:
 - (1) Set the agenda and preside at meetings of the commission;
 - (2) Call additional meetings as needed;
 - (3) Assign duties to commission members;
 - (4) Arrange meetings with other commissions, boards, and organizations from the public, private, and non-profit sectors as needed;
 - (5) Communicate with the city council and staff as needed; and
 - (6) Provide overall leadership to the commission in carrying out its purpose and responsibilities.~~
- ~~(c) In the absence of or at the request of the chair, the duties of the chair shall be performed by the vice chair, and in the absence of both the chair and vice chair, by the secretary.~~
- ~~(d) The secretary shall keep minutes and maintain permanent records of every meeting of the commission, and shall submit minutes for approval at each successive meeting. The secretary shall serve as correspondent for the commission. Copies of the minutes of all meetings shall be filed with the city clerk.~~

Sec. 2-361. Meetings Reserved.

The commission shall meet at least monthly and as otherwise determined by the chair. A regular meeting may be cancelled by the chair or a majority of the commission.

Sec. 2-362. Quorum Reserved.

~~For the transaction of business at any meeting of the commission, a quorum consisting of at least one half of all members shall be required.~~

Sec. 2-363. Staff support Reserved.

~~A city staff member shall act as liaison to the commission, provide staff support, and help get recommendations of the commission on the agenda for consideration by the city council when necessary.~~

Sec. 2-364. Public art program.

- (a) Definitions. As used in this section, the following terms shall have the meanings herein set forth:
- (1) *Conservation* means repair done to return artwork to its original condition and integrity, as necessitated by, for instance, flaws, neglect, aging, damage or vandalism.
 - (2) *Maintenance* means regular routine inspection, repair, and care of artwork, such as cleaning and applying protective surface coatings.
 - (3) *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.
 - (4) *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.
 - (5) *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—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.

~~The city hereby establishes~~ 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.

~~Members shall be appointed by the mayor, with the approval of the city council. Members may be removed at the discretion of the mayor and council.~~

- ~~(b) Qualifications to serve as a member of the MYC shall include the following:~~

- ~~(1) Members must be high school age students;~~
- ~~(2) 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; and~~
- ~~(3) Members must abide by and remain in compliance with applicable city Code, including the Code of Ethics, as well as those agreements pertaining to conduct and attendance signed by members annually.~~

- ~~(c) A member's term is for the period the member is enrolled in and attending high school until the appointed member graduates from high school, provided such member continues to meet the qualification of membership required in paragraph (b) above.~~

Sec. 2-377. ~~Organization and meetings~~ Reserved.

- ~~(a) At the final meeting of the previous year, the MYC shall elect a chair or co-chairs, a secretary or co-secretaries, and directors for any established committees.~~
- ~~(b) The MYC shall hold at least one regular monthly meeting throughout the school year (August—May). Regular meetings of the MYC shall be prescribed by resolution, which resolution shall state the day, time and location of all regular meetings. The chair and/or co-chairs may call special meetings of the MYC and must do so upon the request of seven MYC members or at the request of the city council. Notice of all meetings of the MYC shall be given in compliance with applicable law.~~
- ~~(c) For transaction of business at any meeting, ten voting members shall constitute a quorum. At least ten votes shall be required for the adoption of any resolution.~~
- ~~(d) The MYC shall adopt such bylaws as shall be necessary or desirable for the conduct of its business.~~

Sec. 2-378. Responsibilities.

- (a) The MYC shall be advisory to the city council and its responsibilities shall include the following:
 - (1) Advise the city council on 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.
 - (6) Promote public awareness and concern of local issues that are important to young people and the programs that support Northfield youth.
 - (7) Operate in accordance with Division 1 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. ~~All formal recommendations, reports or resolutions of the MYC shall be directed to the city council and filed with the city clerk.~~

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 SUBSTANCE ABUSE PREVENTION

Sec. 2-391. Established; purpose.

There is hereby established within the city a commission entitled "Northfield Alliance for Substance Abuse Prevention" (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 shall consist of 11 voting volunteer members, including seven regular members and four youth-student members. ~~At least nine commission members shall be city residents. 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 by the mayor, with the approval of the city council, for three year terms, which are staggered, except that the four youth-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 may be removed at the discretion of the mayor and city council.~~
- (c) ~~The youth commission members shall be high school aged, grades nine through 12. The youth commission members shall be appointed for one year terms in the same manner as other members of the commission. Youth commission member terms shall commence June 1 and expire the following May 31.~~
- (d) ~~Members who serve three consecutive terms, not including partial terms due to appointment to fill a vacancy, shall be ineligible for reappointment for one year following the completion of their third term.~~
- (e) 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.
- (f) ~~Non-voting members. The mayor, with the approval of the council, may appoint up to four non-voting members. Any non-voting member of the commission from the city council or from the community shall have no voting privileges, but they may participate in discussions of the commission.~~

Sec. 2-393. Organization Reserved.

- (a) Annually the members of the commission shall elect by majority vote a chair, vice chair, and a secretary.
- ~~(b) The chair shall:
 - Set the agenda and preside at meetings of the commission.
 - Call additional meetings as needed.
 - Assign duties to commission members.
 - Arrange meetings with other commissions, boards, and organizations from the public, private and non-profit sectors as needed.
 - Communicate with the city council and staff as needed.
 - Provide overall leadership to the commission in carrying out its purposes and responsibilities.~~
- ~~(c) In the absence of or at the request of the chair, the duties of the chair shall be performed by the vice chair, and in the absence of both the chair and vice chair, by the secretary.~~
- ~~(d) The secretary shall keep minutes and maintain permanent records of every meeting of the commission, and shall submit minutes for approval at each successive meeting. The secretary shall serve as correspondent for the commission. Copies of the minutes of all meetings shall be filed with the city clerk.~~
- ~~(e) Regular meetings of the commission shall be prescribed by resolution, which resolution shall state the days, time and usual location of all regular meetings. The chair and/or vice chair may call special meetings of the commission and must do so upon the request of a majority of the voting members or at the request of the city council. Notice of all meetings of the commission shall be given in compliance with applicable law.~~
- ~~(f) For transaction of business at any meeting, six voting members shall constitute a quorum. At least six votes shall be required for the adoption of any resolution.~~
- ~~(g) The commission shall adopt such bylaws as shall be necessary or desirable for the conduct of its business.~~

Sec. 2-394. Responsibilities.

- (a) The responsibilities of the Northfield Alliance for Substance Abuse Prevention 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 responsibilities of the Northfield Alliance for Substance Abuse Prevention shall be advisory to the city council and 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. All formal recommendations, reports or resolutions of the Northfield Alliance for Substance Abuse Prevention shall be directed to the city council and filed with the city clerk.~~

Secs. 2-395—2-400. Reserved.

SECTION 10. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, is hereby amended to add a new Division 7, as follows:

DIVISION 7. ECONOMIC DEVELOPMENT AUTHORITY

Sec. 2-401. Established; purpose.

There is established in the city by and through city council resolution no. 90-187 and as amended by resolution no. 2011-131 and ordinance n. 850, as the same may be amended from time to time by the city council, an economic development authority with the powers and duties as provided in said enabling resolution and Minnesota Statutes, Chapter 469.

Sec. 2-402. Membership; appointment; term; vacancies; removal; compensation.

The size of the commission shall be as set in the city council enabling resolution subject to state law. The make-up of the commission, appointment of members, terms, procedures to fill vacancies and remove members, and compensation shall be as provided in Minn. Stat. § 469.095.

Sec. 2-403. Bylaws; officers; organization.

The authority to adopt bylaws and rules of procedure, the election of officers, duties of officers and other organizational matters shall be as provided in Minn. Stat. § 469.096.

Secs. 2-404—2-410. Reserved.

SECTION 11. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, is hereby amended to add a new Division 8, as follows:

DIVISION 8. HOUSING AND REDEVELOPMENT AUTHORITY

Sec. 2-411. Established; purpose.

There is established in the city by and through city council resolution no. 90-250, as the same may be amended from time to time by the city council, a housing and redevelopment authority with the powers and duties as provided in said enabling resolution and Minnesota Statutes, Chapter 469.

Sec. 2-412. Membership; appointment; term; vacancies.

The size of the commission, appointment of members, terms, and procedures to fill vacancies shall be as provided in Minn. Stat. § 469.003.

Sec. 2-413. Removal; bylaws; officers; organization; compensation.

The authority to remove commissioners, and the authority to adopt bylaws and rules of procedure, the election of officers, and other organizational matters shall be as provided in Minn. Stat. §§ 469.010 and 469.011, respectively.

Secs. 2-414—2-420. Reserved.

SECTION 12. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, is hereby amended to add a new Division 9, 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.

The environmental quality commission shall consist of seven voting members. ~~At least five commission members shall be city residents.~~ 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.

Sec. 2-423. Organization.

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

Sec. 2-424. Powers and duties.

(a) The powers and duties 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.
- (9) Operate in accordance with Division 1 of this Article VI.
- (b) The powers and duties 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 13. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, is hereby amended to add a new Division 10, 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 of the heritage preservation commission shall be appointed for terms of three years.

Sec. 2-433. Powers and duties.

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 related to Chapter 34 of this code:

- (a) To review and make decisions on certificates of appropriateness as provided for in Chapter 34, Section 8.5.8 of this code;
- (b) 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.
- (c) 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.
- (d) 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.
- (e) 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.
- (f) 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.
- (g) 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.

The heritage preservation commission shall make an annual report, containing a statement of its activities and plans, to the state historic preservation office and the city council.

Secs. 2-435—2-440. Reserved.

SECTION 14. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, is hereby amended to add a new Division 11, 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 of the library board shall be appointed for terms of three years.

Sec. 2-443. Powers and duties.

The general state statutes applying to public libraries and reading rooms, Minnesota Statutes, Chapter 134, shall govern the powers and duties 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 15. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, is hereby amended to add a new Division 12, 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.

Sec. 2-453. Powers and duties.

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.

Secs. 2-454—2-460. Reserved.

SECTION 16. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, is hereby amended to add a new Division 13, 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 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 shall be appointed for terms of three years.

Sec. 2-463. Powers and duties 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 related to Chapter 34 of this code:

- (a) To make recommendations to the city council regarding the adoption of the official comprehensive plan for Northfield or any amendments thereto;
- (b) To review and make recommendations to city council on preliminary plats and conditional use permits;
- (c) 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
- (d) To review and make recommendations to city council regarding annexation requests.

Sec. 2-464. Powers and duties 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 related to Chapter 34 of this code:

- (a) To review and make decisions on appeals from administrative decisions requests pursuant to Minn. Stat. § 462.359, subd. 4.
- (b) To review and make decisions on appeals from decisions by the heritage preservation commission on certificates of appropriateness;
- (c) To review and make decisions on variance requests pursuant to Minn. Stat. § 462.357, subd. 6.; and

(d) 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 17. Northfield Code, Chapter 2 – Administration, Article VI. – Boards and Commissions, is hereby amended to add a new Division 14, as follows:

DIVISION 14. CHARTER COMMISSION

Sec. 2-471. Established; purpose.

There is established in the city, by and through the 1910 general election, a charter, which is administered by an appointed charter commission created pursuant to and operating under and with the authority, powers and duties as provided in the charter and Minnesota Statutes, Chapter 410. The purpose of the charter commission is to study the charter and propose potential amendments to the text of the charter pursuant to Minn. Stat. §§ 410.12 and 410.14. The legislative, administrative and police powers of the city to legislate, regulate, enforce, and provide for the public health, safety and general welfare is reserved exclusively to the elected city council.

Sec. 2-472. Membership; appointment; term; vacancies; removal; meetings; compensation.

The size of the commission shall be as set in the charter subject to state law. The make-up of the commission, appointment of members, terms, procedures to fill vacancies and remove members, meetings, and compensation shall be as provided in Minn. Stat. §§ 410.05 and 410.06.

Secs. 2-473—2-480. Reserved.

SECTION 18. Northfield Code, Chapter 22 – Environment, Article II. - Environmental Quality Commission, is hereby amended as follows:

ARTICLE II. ENVIRONMENTAL QUALITY COMMISSION

Sec. 22-26. Established; purpose.

There is established an environmental quality commission 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 section 22-1. The environmental quality commission shall operate in accordance with Chapter 2, Article VI, Divisions 1 and 9 of this city code.

Sec. 22-27. Membership.

~~(a) The environmental quality commission shall consist of seven voting members appointed by the mayor with the consent of the city council. At least five commission members shall be city residents. In addition to the seven regular commission members, there shall be one youth voting member and one youth ex-officio non-voting member on the commission. Each regular commission member shall be appointed for a three-year term. The remainder of any regular commission member term vacated by resignation shall be filled by the normal appointment procedure. Upon expiration of the term of office or voluntary resignation, a regular commission member shall continue to serve until his/her successor shall be appointed. Regular commission members who serve three consecutive terms, not including a partial term due to appointment to fill a vacancy, shall be ineligible for reappointment for one year following the completion of their third term. The designated representative of the city government staff shall serve as an ex-officio, nonvoting member of the~~

environmental quality commission. The youth commission members shall be high school aged, grades nine through 12. The youth commission members shall be appointed for one year terms in the same manner as other members of the commission. Youth commission member terms shall commence June 1 and expire the following May 31.

- (b) At the second regular meeting of each calendar year, the environmental quality commission may appoint two or more nonvoting advisory members. These persons shall have substantial education or training in the natural sciences or environmental or urban planning field and shall, upon request of the environmental quality commission or upon its own initiative, advise the environmental quality commission on matters concerning environmental quality and natural resources.

~~Sec. 22-28. Organization.~~

- (a) At the first regular meeting of the calendar year, the environmental quality commission shall elect a chairperson, vice chairperson, and secretary, who shall each serve until a successor is elected. The chairperson shall appoint the ex officio members of the planning commission and the appropriate city council committees, with the consent of the environmental quality commission. These positions may rotate to other members of the environmental quality commission from time to time, at the discretion of the commission.
- (b) The environmental quality commission shall hold at least one regular monthly meeting. Regular meetings of the commission shall be held as prescribed by resolution, which resolution shall state the days, time and usual location of all regular meetings. The chairperson may call special meetings of the commission and must do so upon the request of four voting commission members or at the request of the council. Notice of all meetings of the commission shall be given in compliance with applicable law.
- (c) For transaction of business at any meeting, four voting members shall constitute a quorum. At least four votes shall be required for the adoption of any resolution.
- (d) The environmental quality commission shall adopt such bylaws as shall be necessary or desirable for the conduct of its business.

~~Sec. 22-29. Powers and duties.~~

- (a) The powers and duties 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.~~
- (b) ~~The powers and duties of the environmental quality commission shall be advisory to the city council and 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. All formal recommendations, reports and resolutions of the environmental quality commission shall be directed to the city council.~~

Sec. 22-30. Relationship with planning commission, appropriate council committees and designated city staff.

~~The relationship of the environmental quality commission with the planning commission, appropriate city council committees, and designated city government staff shall be as follows:~~

- (1) ~~There may be one ex-officio, nonvoting position on the planning commission occupied by a person serving concurrently on the environmental quality commission.~~
- (2) ~~There may be one ex-officio, nonvoting position on each appropriate city council committee, designated by the mayor, occupied by a person serving concurrently on the environmental quality commission.~~
- (3) ~~The city administrator shall cooperate with the environmental quality commission on environmental matters. The administrator shall, upon reasonable request and within a reasonable time, furnish to the environmental quality commission or to its employees or agents such available records or information as may be required in its work.~~

Secs. 22-3127—22-55. Reserved.

SECTION 19. Northfield Code, Chapter 34 – Land Development Code, Article 7. - Administration, is hereby amended as follows:

Article 7. ADMINISTRATION

7.1 Purpose.

The purpose of this article is to identify the authority of the review and decision-making bodies in the development review procedures established within this LDC. It also describes how the provisions of this LDC are to be administered and enforced.

7.2 General Provisions for all Administrative Bodies and Boards Reserved.

7.2.1 Meetings. ~~All meetings and hearings of the city council, planning commission, zoning board of appeals, and heritage preservation commission shall be scheduled and conducted in compliance with bylaws as established by the individual board or commission, and with other applicable laws.~~

7.2.2 Bylaws. ~~Each board, at its own discretion, may adopt bylaws governing its procedures on such matters as officers, agendas, voting, order of business, and related matters as it may consider necessary or advisable, provided such bylaws are consistent with the provisions of this LDC.~~

7.3 City Council.

7.3.1 Powers and Duties. In addition to any other authority granted to the city council by charter, ordinance, or state law, city council shall have the following powers and duties related to this LDC:

- (A) To adopt, monitor, and insure implementation of the principles, goals, and strategies of the official comprehensive plan for Northfield;
- (B) To determine the number, qualifications, and terms of the members of the planning commission, the zoning board of appeals, and heritage preservation commission based on the City Charter, Section 3.2;
- (C) To initiate or act upon proposed amendments, supplements and enactments to this LDC and changes to the zoning map, or changes to the Land Development Code text;
- (D) To review and make decisions regarding heritage preservation site designations;
- (E) To review and make decisions on preliminary plat, final plats, and accept related improvements;
- (F) To review and make decisions on annexation requests;
- (G) To decline to follow a recommendation of the planning commission provided that such action is passed or approved by a majority vote of the full membership of the city council, and the planning commission is provided with a written response from the city council to the planning commission detailing the reason for the city council decision as provided in City Charter, Section 3.2; and
- (H) To modify or waive the payment of park dedication requirements as established in Section 5.2.6(C), Waiver of Requirements, upon application by the property owner, or designated representative as provided for in this LDC.

7.4 Planning Commission and Zoning Board of Appeals.

7.4.1 Created. 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 contained in, and operate in accordance with, applicable state law, this LDC, and Chapter 2, Article VI, Divisions 1 and 13 of this city code.

7.4.2 Title and Citations. This board shall be referenced and cited in this LDC as the planning commission unless the specific citation 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.

~~**7.4.3 Length of Members' Terms.** Members of the planning commission and zoning board of appeals shall be appointed for terms of three years, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his/her predecessor was appointed shall be appointed only for the remainder of such term. Upon the expiration of the member's term of office, a member shall continue to serve until his/her successor is appointed. Members who serve three consecutive terms, not including a partial term due to appointment to fill a vacancy, shall be ineligible for reappointment for one year following the completion of their third term.~~

~~**7.4.4 Powers and Duties 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 related to this LDC:~~

- ~~(A) To make recommendations to the city council regarding the adoption of the official comprehensive plan for Northfield or any amendments thereto;~~
- ~~(B) To review and make recommendations to city council on preliminary plats and conditional use permits;~~

~~(C) 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~~

~~(D) To review and make recommendations to city council regarding annexation requests.~~

7.4.5 Powers and Duties as the 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, acting as the zoning board of appeals, shall have the following powers and duties related to this LDC:

~~(A) To review and make decisions on appeals from administrative decisions.~~

~~(B) To review and make decisions on appeals from decisions by the heritage preservation commission on certificates of appropriateness;~~

~~(C) To review and make decisions on variance requests; and~~

~~(D) To interpret the Zoning District boundaries as provided for in Section 2.1.4, Interpretation of Zoning District Boundaries.~~

7.5 Heritage Preservation Commission (HPC).

7.5.1 Created. There is hereby established a heritage preservation commission in accordance with Minn. Stat. § 471.193, subd. 2. The heritage preservation commission shall have those powers and duties contained in, and operate in accordance with, applicable state law, this LDC, and Chapter 2, Article VI, Divisions 1 and 10 of this city code.

7.5.2 Members. The membership of the heritage preservation commission shall be as outlined in the heritage preservation commission bylaws, subject to the requirements of the Minn. Stat. § 471.193, subd. 5 and the city council's authority as outlined in Section 4.3.1(B). Members of the heritage preservation commission shall be appointed for terms of three years, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his/her predecessor was appointed shall be appointed only for the remainder of such term. Upon the expiration of the member's term of office, a member shall continue to serve until his/her successor is appointed. Members who serve three consecutive terms, not including a partial term due to appointment to fill a vacancy, shall be ineligible for reappointment for one year following the completion of their third term.

7.5.3 Annual Report. The heritage preservation commission shall make an annual report, containing a statement of its activities and plans, to the state historic preservation office and the city council.

7.5.4 Powers and Duties. 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 related to this LDC:

~~(A) To review and make decisions on certificates of appropriateness;~~

~~(B) 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.~~

~~(C) 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.~~

- ~~(D) 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.~~
- ~~(E) 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.~~
- ~~(F) 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.~~
- ~~(G) To recommend to the city council heritage preservation site designation as provided for in Section 8.5.7, Heritage Preservation Site Designation.~~

7.6 City Planner and Code Enforcement Officer.

7.6.1 Appointment. The city administrator shall appoint a city planner to administer and enforce this LDC. Nothing in this LDC shall prevent the city administrator from appointing a single person as both the city planner and code enforcement officer.

7.6.2 Administration Powers and Duties. In addition to any other authority granted to the city planner by charter, ordinance, or state law, the city planner shall have the following powers and duties:

- (A) Interpret the meaning and application of this LDC as allowed in Section 8.5.18, Code Interpretation;
- (B) Issue zoning certificates, temporary use permits, flood plain permits, and other administrative permits or certificates;
- (C) Review and make decisions on Type 1 Development Review Procedures as provided for in Table 8.4-1;
- (D) Review and make recommendations on Types 2, 3, 4, 5, 6 and 7 Development Review Procedures as provided for in Table 8.4-1;
- (E) Serve as administrative staff to the planning commission, zoning board of appeals, and heritage preservation commission;
- (F) Accept and certify all submitted applications as to completeness;
- (G) Publicize the agenda for all meetings;
- (H) Respond to inquiries;
- (I) Maintain permanent and current records in conformance with the city's records retention/disposition policy;
- (J) Serve as chairperson of the development review committee;
- (K) Undertake notice requirements as established in this LDC;
- (L) Provide minutes of all planning commission, zoning board of appeals, and heritage preservation commission meetings; and
- (M) Advise applicants of the appeals process for those who have received a denial for a land use application or other decision.

7.6.3 Enforcement Powers and Duties. In addition to any other authority granted to the city planner and code enforcement officer by charter, ordinance, or state law, the city planner and code enforcement officer shall have the following powers and duties related to this LDC:

- (A) Conduct inspection of sites, buildings and uses of land to determine compliance with this LDC; and

- (B) Determine the existence of any violations of this LDC, issue notifications, or initiate other administrative or legal action as needed.

7.7 Development Review Committee (DRC).

7.7.1Role. The development review committee (DRC) is the technical review body composed of city staff and others who shall be responsible for the initial review of applications submitted to the city under this LDC.

7.7.2Powers and Duties. The members of the development review committee shall review all applications forwarded to it by the city planner and respond to other issues to be considered by the city council and planning commission that are relevant to the purpose, intent, and implementation of this LDC.

7.7.3Membership.

- (A) The development review committee shall be comprised of the community development director, city engineer, city planner, building official, and fire chief. Additional city staff, or outside agencies and professionals, possessing specific expertise in a matter relating to a given application or issue may be consulted at the discretion of the city planner including, but not limited to, the economic development manager, police department, city attorney, the Department of Natural Resources, Department of Transportation and the applicable Soil and Water Conservation District.
- (B) The city council may retain a town architect to serve as a member of the development review committee to enforce the architectural standards of this LDC pursuant to paragraph (A) above.

7.7.4Meetings.

- (A) The city planner shall serve as the chairperson to the development review committee, schedule meetings, and prepare follow-up reports as appropriate. The city planner shall inform the applicant of the date, time, and location of the development review committee meeting. The applicant may attend the development review committee meeting but such attendance is not mandatory.
- (B) The City Planner shall notify the chairman of the Historic Preservation Commission (HPC) of applications in the "adjacent commercial" areas (as defined in the Northfield Downtown Guidelines) outside of the Historic District in the East of Highway 3 Sub-District of the C1 District. The HPC will be asked to provide comments to the City Planner, the City Planning Commission, and the developer on such applications during the normal course of such application reviews.
- (C) The development review committee meeting related to a specific application subject to review by a board shall occur prior to the preparation of any staff report for the planning commission, zoning board of appeals, heritage preservation commission, or city council meeting or hearing.
- (D) A summary of the preliminary meeting with the planning commission or heritage preservation commission, if held, will be provided to the development review committee (See Section 8.3.4, Effect of Preapplication Meetings and Preliminary Review).

7.8 Enforcement and Penalties.

7.8.1Enforcement by City Planner and Code Enforcement Officer.

- (A) It shall be the duty of the city planner to enforce this LDC in accordance with these administrative provisions.
- (B) All departments, officials, and employees of the city shall comply with the provisions of this LDC, and shall issue no permit, license, or registration for any use, building, or purpose in conflict with the provisions of this LDC. (C) The duties imposed on the city planner shall not constitute a limitation on the power of other enforcement officers of this city to make arrests or to institute prosecutions for violations of this LDC.

7.8.2Violations and Penalties. It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain, or use any building or land in violation of any of the provisions of this LDC, or any amendment or supplement thereto adopted by the city council. Any person, firm, corporation, or other legal entity violating any of the provisions of this LDC, or any amendment or supplement, shall be guilty of a misdemeanor (Minn. Stat. § 462.362). Upon conviction, the person, firm, corporation, or other legal entity shall be fined not more than maximum permitted by law. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues, shall be deemed to be a separate offense.

7.8.3Exemptions.

- (A) The city and other government entities carrying out a governmental function, activity, or implementation of essential services may be exempt in whole or in part from this LDC to the extent permitted in state and federal law.
- (B) The city and other governmental agencies that are exempt from the regulations of this LDC, in whole or in part, are encouraged to meet the requirements of this LDC to the maximum extent possible.

7.8.4Remedies.

- (A) In case any building is or is proposed to be used in violation of this LDC, or any amendment or supplement, the city council, city administrator, city attorney, city planner, or any person who would be specifically damaged by such violation may institute appropriate action or proceedings to prevent such unlawful location, erection, construction, reconstruction, alteration, conversion, maintenance or use. The action could be to restrain, correct or abate such violation; to prevent the occupancy of said building structure or land; or to prevent any illegal act, conduct, business or use in or about such premises.
- (B) Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION 20. Northfield Code, Chapter 42 – Library, is hereby amended as follows:

Sec. 42-1. Continuation.

It is acknowledged that a public library has long existed and shall continue in the city.

Sec. 42-2. Library board.

There is hereby established a public library board. The public library board shall have those powers and duties contained in, and operate in accordance with, applicable state law, this Chapter, and Chapter 2, Article VI, Divisions 1 and 11 of this city code. The public library shall be under the jurisdiction of a board of nine directors known as the library board. The general state statutes applying to public libraries and reading rooms shall govern the appointment of the board of members, their tenure in office, and their powers and duties, except with respect to the youth board members, which shall be as provided in this section. Pursuant to Northfield Charter, section 3.2, the 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. In addition to the nine regular board members, there shall be one youth voting member and one youth ex-officio non-voting member on the board. The youth board members shall be high school aged, grades nine through 12. The youth board members shall be appointed for one-year terms in the same manner as other members of the board. Youth board member terms shall commence June 1 and expire the following May 31.

Sec. 42-3. Violation of rules.

No person shall violate any of the rules promulgated by the library board.

SECTION 21. Northfield Code, Chapter 54 – Parks and Recreation, Article II. – Park and Recreation Advisory Board, is hereby amended as follows:

ARTICLE II. PARK AND RECREATION ADVISORY BOARD

Sec. 54-26. Established.

A park and recreation advisory board is established. The park and recreation advisory board shall operate in accordance with Chapter 2, Article VI, Divisions 1 and 12 of this city code.

Sec. 54-27. Composition; terms; appointments.

- (a) ~~The park and recreation advisory board shall consist of seven regular voting members appointed by the mayor with the approval of the city council for three year terms. Terms of regular board members are to run from January 1 through December 31 and are to be staggered so that there will be continuity on the board. Members shall continue to serve until a successor is appointed. Regular board members who serve three consecutive terms, not including a partial term due to appointment to fill a vacancy, shall be ineligible for reappointment for one year following the completion of their third term. In addition to the seven regular board members, there shall be one youth voting member and one youth ex-officio non-voting member on the board. The youth board members shall be high school aged, grades nine through 12. The youth board members shall be appointed for one year terms in the same manner as other members of the board. Youth board member terms shall commence June 1 and expire the following May 31.~~
- (b) ~~Vacancies shall be filled by appointment by the mayor with approval of the council to fill any portion of an unexpired term.~~
- (c) ~~An appointee shall continue on the board until his/her successor is appointed. A retiring appointee may be appointed to succeed himself/herself.~~

Sec. 54-28. Officers.

~~At the first meeting of each calendar year, members of the park and recreation advisory board shall elect a chairperson, a vice-chairperson, and a secretary, each to serve throughout the year and until a successor is chosen.~~

Sec. 54-29. Bylaws.

~~The park and recreation advisory board may set up its own bylaws.~~

Sec. 54-30. Meetings; quorum.

- (a) ~~Regular meetings of the board shall be held as prescribed by resolution, which resolution shall state the days, time and usual location of all regular meetings. The chairperson may call special meetings of the board and must do so upon the request of four voting board members or at the request of the council. Notice of all meetings of the board shall be given in compliance with the law.~~
- (b) ~~For transaction of business at any meeting, four members shall constitute a quorum. The votes of a majority of those present shall be required for the adoption of any resolution.~~

Sec. 54-31. Liaison.

~~The designated representative of city staff shall serve as an ex-officio, non-voting liaison to the park and recreation advisory board.~~

~~Sec. 54-32. Duties.~~

~~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. All reports, resolutions, recommendations, and policy statements of the board shall be addressed to the city council. 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.~~

Secs. ~~54-33~~27—54-60. Reserved.

SECTION 22: This Ordinance shall take effect thirty days after its publication.

Passed by the City Council of the City of Northfield, Minnesota, this 4th day of June 2024.

ATTEST:

City Clerk

Mayor

First Reading: 05/21/24
Second Reading: 06/04/24
Published: 06/12/24

VOTE: ____ POWNELL ____ HOLMES ____ NESS ____ PETERSON WHITE
 ____ REISTER ____ SOKUP ____ ZUCCOLOTTO