

## CHAPTER 2 OPERATIONS AND ADMINISTRATION

### Mayor and Council

#### **2.101. Rules of Order.**

The following rules of order and procedure shall govern the deliberations and meetings of the council and of communities thereof:

- (1) The city council shall have regular meetings on the first and third Mondays of each month and if either Monday shall fall on a holiday the meeting shall be held the following day. Regular meetings will begin at 6:30PM throughout the year. Special meetings may be held at any other time the council may deem proper. All meetings shall be held in city hall unless a more convenient place is designated by the council.
- (2) The mayor shall preside at all meetings of the council. In the absence of the mayor the acting mayor shall preside. In the absence of both, the trustees shall elect from one of their numbers, a temporary chairman. The acting mayor or chairman occupying the place of the mayor shall have the same privileges as other members.
- (3) At all meetings of the council, a majority of the council members elected shall constitute a quorum to do business, but a minority may adjourn from day to day and may compel the attendance of absentees, by a fine not exceeding ten dollars for each offense, unless a reasonable excuse be offered.
- (4) At the hour appointed for meeting, the members shall be called to order by the mayor, and in his absence by the acting mayor, and in the absence of both, by the Clerk-Administrator. The Clerk-Administrator shall call the roll, note the absentees and announce whether a quorum be present. In the absence of the Clerk-Administrator the mayor shall appoint a secretary pro tem. Upon the appearance of a quorum the council shall proceed to business, which shall be conducted in the following order:
  - a. Call to order
  - b. Approve Minutes
  - c. Approve Agenda
  - d. Public Forum
  - e. Old Business
  - f. New Business
  - g. Pay Bills
  - h. Adjourn
- 5) The mayor shall preserve order and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in "Roberts Rules of Order" unless otherwise provided by statute or by those rules. The mayor may make motions, second motions, or speak on any question provided, however, that in order to do so, upon demand of anyone council member, he shall vacate the chair

and designate a trustee to preside temporarily. The mayor shall be entitled to vote like other members of the council.

- (6) Petitions and other papers addressed to the council shall be read by the Clerk-Administrator upon presentation of the same to the council.
- (7) No person, other than the mayor and other members of the council, shall be admitted within the bar of the council, except City officers. No person other than a member shall address the council except with the consent of the members present or by a vote of a majority of the members present.
- (8) All sessions of the council shall be public.
- (9) The (Chief of Police) shall attend meetings of the council when requested to do so by the mayor and preserve order in the room.

### **2.102. Salaries.**

The mayor's salary is fixed at \$2,240.00 per year and the trustees or council member's salary is fixed at \$1,440.00 per year. This salary shall be paid to the respective person semiannually at the July and December meetings.

### **2.103. Budget.**

The council each year at its December meeting shall approve an annual budget for the City. The budget will include the salaries of all City employees and such other items, as the council deems necessary.

### **2.104. Special Meetings.**

Special meetings of the council may be called as provided by Minnesota Statutes § 412.191, subdivision 2, as it may be amended from time to time, and shall comply with the Open Meeting Law (Minnesota Statutes § 13D.01, as it may be amended from time to time).

### **2.105. Public Meetings.**

All council meetings, including special and adjourned meetings and meetings of council committees, will be open to the public, except as otherwise provided by law (Open Meeting Law, Minnesota Statutes § 13D.01, as it may be amended from time to time).

## Elections

**State Law Reference** – Municipal Elections, Minnesota Statutes §205.07, as it may be amended from time to time

### **2.201. Date of Election.**

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

### **2.202. Law adopted by Reference.**

The state registration law, Minnesota Statutes Chapter 201, as it may be amended from time to time, is adopted by reference, and the provisions of such law thus incorporated shall be as much a part of this section as if they had been set forth in full in this section.

Clerk-Administrator**2.301. Office of the Clerk-Administrator.**

The Clerk-Administrator shall be appointed by the council and receive such compensation as the council may fix.

**2.302. Objectives and Scope of the Clerk-Administrator Position.**

Subdivision 1. The Clerk-Administrator shall plan and direct the administration of City functions as delegated by the City Council and perform the duties of the Clerk/Treasurer to ensure efficient municipal services and development in line with Council objectives.

Subdivision 2. The Clerk-Administrator shall supervise the municipal office and administer all departments placed within his/her jurisdiction, which shall include the Police Department, Building Inspection and Zoning Administration, Public Works Department, Fire Department and City Library. He/she shall be responsible for coordinating the City activities with the City attorney, engineering consultants and planning consultants. He/she shall work in an advisory capacity with the City commissions and boards. He/she shall work with the HRA on Community Development. He/she shall operate with considerable discretion in normal administrative functions and in implementing policies of the Council. He/she shall be responsible for effective recommendation in the areas of policies, staffing, expenditures, and other areas where Council action is required.

**2.303. Relationships of Clerk-Administrator.**

The Clerk-Administrator shall:

- Report to:** City Council
- Supervise:** Public Works Director  
Building Inspector and Zoning Administration  
Chief of Police  
Volunteer Fire Chief  
Municipal Office Personnel  
Head Librarian
- Coordinate:** City Attorney  
Engineering Consultants  
Planning Consultants  
Assessor

Through these subordinates, he/she shall be indirectly responsible for all City employees.

**2.304. Major duties and Responsibilities of Clerk-Administrator.**

The Clerk-Administrator shall:

1. Perform duties as prescribed under Statutory City Code and resolution and in addition thereto, shall be the Administrative Officer of the City responsible for the administration of the affairs of the City assigned to said office by the Council.
2. See that all laws, ordinances and resolutions of the City are enforced through subordinates and makes recommendations for changes or additions to ordinances when necessary.
3. Supervise the administration of all departments and staff placed within his /her jurisdiction by resolution adopted by the Council including those positions listed above and coordinate the work of advisory bodies, the City Attorney and consultants.
4. Work closely with the Council and set up meeting agendas, attend meetings to report on City affairs and problems, present recommendations concerning policies and objectives as well as specific actions participate in discussions as appropriate, maintain custody of official documents, join with the Mayor in executing legal documents on behalf of the City, and implement Council decisions. He/she shall be responsible for keeping the Council fully advised of all significant matters and effectively presenting all items, which require Council action or approval.
5. Develop and ensure effective utilization of appropriate budgeting and administrative planning and control procedures. He/she shall be responsible for all accounting, budgeting, billing, including quarterly billing of all water and sewer utility customers, ensure that proper control reports are developed and used and police effective operation of purchasing procedures as outlined by Council resolution. He/she shall recommend changes in these procedures to the Council as appropriate.
6. Ensure the development of an effective municipal organization. He/she shall recommend changes in organization structure as appropriate, work with department managers to ensure effective job design and utilization of employees, recommend staffing or additions, and recommend salary treatment and employee training activities. He/she shall follow up to ensure effective implementation of approved recommendations.
7. Ensure effective management of financial and physical assets. He/she shall work with the City Council to ensure proper investment of available funds and to ensure that effective accounting practices are used to control financial assets. He/she shall provide proper information for effective financial planning to the City Council.
8. Keep informed of the provisions of City resolutions, court decisions affecting local government, departmental and agency operating procedures, provisions and requirements of county ordinances, state and federal laws and other administrative rules.

9. Supervise the registration of voters and the conduct of City elections, including posting of notices. He/she shall prepare and administer assessment roles, including the collection of initial assessment payments, certify assessment data to the County Auditor for further collections and maintain the assessment register.
10. Work with City Advisory Commissions and Boards, coordinating their activities with elected City Officials and present commission recommendations to the City Council.
11. Ensure proper public relations. He/she shall follow up with all departments to make sure that public services are efficiently provided and that all complaints and public contacts are effectively handled. He/she shall participate in local affairs as appropriate.
12. Stay abreast of developments in the public administration field and cooperate with other governmental units and municipalities on matters of mutual interest. He/she shall direct City planning and development activities and perform other functions as directed by the Council.
13. Perform other duties as assigned by the City Council.

**2.305. Education and/or Requirements.**

The Clerk-Administrator shall possess a degree in business, economics or public administration and/or a minimum of three (3) years experience in municipal administration with supervising experience and/or equivalent experience, knowledge, and/or abilities which, in the opinion of the City Council, qualify the person for the position, including but not limited to the following:

1. Strong administrative skills with ability to schedule and plan work with minimum direction and to maintain confidential information.
2. A good working knowledge of the organizational functions of all city departments.
3. Ability to handle contacts diplomatically with the public, outside agencies and work with the City Council effectively.

**2.306. Appointment and Removal.**

The Clerk-Administrator shall be appointed by the City Council for an indefinite term and may be removed only for cause by a majority vote of the City Council.

Police Department

**2.401. Police Department.**

The police department shall consist of such persons as may be recommended by the City, and approved by the City Council. The department shall enforce all laws of the state and all ordinances of the City, prevent crimes, protect lives and property, maintain the peace, and perform such other duties as are prescribed by law or as the Council may require.

**2.402. Chief of Police.**

The chief shall supervise the operation of the police department, serve all legal processes on behalf of the City and perform such other duties and keep such records as are prescribed by law or as the Council may require.

Fire Department

**2.501. Fire Department Established.**

There is hereby established in this City; a volunteer fire department consisting of a chief, an assistant chief and not less than fifteen nor more than twenty-five firemen.

**2.502. Election Appointment.**

The chief of the fire department shall be elected annually by the members of the department subject to confirmation by the council. He shall appoint each year an assistant chief subject to confirmation by the council. The chief and the assistant chief each shall hold office for one year and until his successor has been duly elected or appointed, except that any of them may be removed by the council for cause and after a public hearing. Firemen shall be appointed by the members of the department and shall continue as members of the department during good behavior.

**2.503. Duties of the Chief.**

The chief shall have control over all of the fire fighting apparatus and shall be solely responsible for its care and condition. He may make a report, semi-annually, to the council at it's meeting in March and September, as to the condition of the equipment and needs of the fire department. He may submit additional reports and recommendations at any meeting of the council, and he shall report each suspension by him of a member of the fire department at the first meeting of the council following such suspension. He shall be responsible for the proper training and discipline of the members of the fire department, and may suspend any member for refusal or neglect to obey orders pending final action by the council on his discharge or retention. The chief shall be charged with the enforcement of all ordinances aimed at fire prevention and control. He shall have full authority to inspect all premises and to cause the removal or abatement of all fire hazards.

**2.504. Records.**

The chief shall keep in convenient form a complete record of all fires. Such record shall include the time of the alarm, location of fire, cause of fire (if known), type of building, name of owner and tenant, purpose for which occupied, value of building and contents, members of the department responding to the alarm, and such other information as he may deem advisable or as may be required from time to time by the council or state insurance department. He/She shall attend a regular City Council meeting once a month and give a report of the Fire Department activities. In his/her absence, the Assistant Fire Chief or City Clerk-Administrator may give the report.

**2.505. Practice Drills.**

It shall be the duty of the chief, when the weather permits, to hold a monthly practice drill of at least one hour's duration for the fire department and to give the firemen instruction in approved methods of fire fighting and fire prevention.

**2.506. Assistant Chief.**

In the absence of disability of the chief, the assistant chief shall perform all the functions and exercise all of the authority of the chief.

**2.507. Firemen.**

The chief, the assistant chief and all firemen shall be not less than eighteen (18) nor more than sixty-two (62) years of age and able-bodied.

**2.508. Loss of Membership.**

Firemen absent from three consecutive monthly meetings of the fire department, drills or calls unless excused by the chief shall forfeit membership in the department.

**2.509. Interference with Department.**

It shall be unlawful for any person to give or make, or cause to be given or made, an alarm of fire without probable cause, or to neglect or refuse to obey any reasonable order of the chief at a fire, or to interfere with the department in the discharge of its duties; and any person convicted of violating this section shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than \$25.00 nor more than \$50.00 and costs. If in default of payment of fine and costs, or both, he shall be committed to the county jail until said fine and costs are satisfied as provided by law.

**2.510 Emergency or Fire Call Fees.**

A base fee of \$1000.00 will be charged for all Hendricks Fire Department call outs or emergency responses. Additional expenses occurred by the Fire Department shall be charged above and beyond the base fee.

Municipal Civil Defense

**2.601. Policy and Purpose.**

Subdivision 1. Because of the existing and increasing possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from enemy attack, sabotage, or other hostile action, or from fire, flood, earthquake, or other natural causes, and in order to insure that preparations of this city will be adequate to deal with such disasters, and generally, to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of this city, it is hereby found and declared to be necessary:

- (a) To establish a local organization for civil defense;
- (b) To provide for the exercise of necessary powers during civil defense emergencies;
- (c) To provide for the rendering of mutual aid between this city and other political subdivisions of this state and of other states with respect to the carrying out of civil defense functions.

Subdivision 2. It is further declared to be the purpose of this chapter and the policy of the city that all civil defense functions of this city be coordinated to the maximum extent practicable with the comparable functions of the Federal government, of this state, the county, and of other states and localities, and

of private agencies of every type, to the end that the most effective preparations and use may be made of the nation's manpower, resources, and facilities, for dealing with any disaster that may occur.

**2.602. Definitions.**

- Subdivision 1. "Civil Defense" means the preparations for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters caused by enemy attack, sabotage, or natural causes. These functions include, without limitation, firefighting services, police services, medical health services, rescue, engineering, warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, utilization of best available Fallout Shelters, and other functions related to civilian protection, together with all other activities necessary or incidental to preparation for and carrying out of the foregoing functions.
- Subdivision 2. "Civil defense emergency" means an emergency declared by the governor under Minnesota Statutes, Section 12.31 (as amended from time to time), or an emergency proclaimed by the mayor under Section 2.706. of this chapter.
- Subdivision 3. "Civil defense forces" means any personnel employed by the city and any other volunteer or paid member of the local civil defense agency engaged in carrying on civil defense functions in accordance with the provisions of this chapter or any rule or order there under.

**2.603. Continuation of a Civil Defense Agency.**

- Subdivision 1. There is hereby continued within the city government a civil defense agency, which shall be under the supervision and control of a director of civil defense, hereinafter called the director. The director shall be appointed by the mayor for an indefinite term and may be removed by him at any time. The director may be compensated at a rate to be determined by the city council and he shall be paid his necessary expenses. The director shall have direct responsibility for the organization, administration, and operation of the civil defense agency, subject to the direction and control of the mayor. The civil defense agency shall be organized into such divisions and bureaus, consistent with state and local civil defense plans, as the director deems necessary to provide for the efficient performance of local civil defense functions during a civil defense emergency. The civil defense agency shall perform civil defense functions within the city and, in addition, shall conduct such functions outside the city as may be required pursuant to the provisions of the Minnesota Civil Defense Act of 1951 as amended, or this chapter.



Subdivision 2. There is hereby created within the civil defense agency a civil defense advisory committee, hereinafter called the "committee". Members of the committee shall be appointed by the mayor to represent city departments and other groups concerned with civil defense. The mayor shall be chairman and the director shall be secretary of the committee. The committee shall advise the director and the city council on all matters pertaining to civil defense. Each member shall serve without compensation and shall hold office at the pleasure of the mayor.

**2.604. Powers and Duties of the Director.**

Subdivision 1. The director, with the consent of the mayor, shall represent the city on any regional or state organization for civil defense. He shall develop proposed mutual aid agreements with other political subdivisions within or outside the state for reciprocal civil defense aid and assistance in a civil defense emergency too great to be dealt with unassisted, and he shall present such agreements to the council for its action. Such arrangements shall be consistent with the state civil defense plan and during a civil defense emergency; it shall be the duty of the civil defense agency and civil defense forces to render assistance in accordance with the provisions of such mutual aid arrangements. Any mutual aid arrangement with a political subdivision of another state shall be subject to the approval of the governor.

Subdivision 2. The director shall make such studies and surveys of the manpower, industries resources, and facilities of the city including fallout shelters, as he deems necessary to determine their adequacy for civil defense, and to plan for their most efficient use in time of a civil defense emergency.

Subdivision 3. The director shall prepare a comprehensive general plan for the civil defense of the city, which will include a Community Shelter Plan utilizing the established fallout shelters and shall present such plan to the council for its approval. When the council has approved the plan by resolution, it shall be the duty of all municipal agencies and all civil defense forces of the city to perform the duties and functions assigned by the plan as approved. The plan may be modified in like manner from time to time. The director shall coordinate the civil defense activities of the city to the end that they shall be consistent and fully integrated with the civil defense plans of other political subdivisions within the state.

Subdivision 4. In accordance with the state and city civil defense plan, the director shall institute such training programs and public information programs and shall take all other preparatory steps, including the partial or full mobilization of civil defense forces in advance of actual disaster, as may be necessary to the prompt and effective operation of the city civil defense plan in time of a civil defense emergency. He may, from time to time, conduct such

practice air-raid alerts or other civil defense exercises, as he may deem necessary.

- Subdivision 5. The director shall utilize the personnel, services, equipment, supplies, and facilities of existing departments and agencies of the city to the maximum extent practicable. The officers and personnel of all such departments and agencies shall, to the maximum extent practicable, cooperate with and extend such services and facilities to the local civil defense agency and to the governor upon request. The head of each department and agency, in cooperation with and under the direction of the director, shall be responsible for the planning and the programming of such civil defense activities as will involve the utilization of the facilities of this department or agency.
- Subdivision 6. The director shall, in cooperation with existing city departments and agencies affected, organize, recruit, and train Fallout Shelter Managers, Radiological Monitors, police reserves, rescue personnel, auxiliary firemen, emergency medical personnel, and any other personnel that may be required on a volunteer basis to carry out the civil defense plans of the city and the state. To the extent that such emergency personnel are recruited to augment a regular city department or agency for civil defense emergencies, they shall be assigned to such department or agency for purposes of administration and command. The director may dismiss any civil defense volunteer at any time and require him to surrender any equipment and identification furnished by the city.
- Subdivision 7. Consistent with the civil defense plan, the director shall provide and equip emergency hospitals, casualty stations, ambulances, canteens, evacuation centers, and other facilities, or conveyances for the care of the injured or homeless persons.
- Subdivision 8. The director shall carry out all orders, rules, and regulations issued by the governor pertaining to civil defense.
- Subdivision 9. The Civil Defense Director shall direct and control the general operations of all local civil defense forces during a civil defense emergency in conformity with controlling regulations and instructions of State Civil Defense authorities. The heads of departments and agencies shall be governed by his orders in respect thereto.
- Subdivision 10. Consistent with the civil defense plan, the director shall provide and equip at some suitable place in the city an Emergency Operating Center and, if required by the local civil defense plan, auxiliary centers to be used during a civil defense emergency as headquarters for direction and control of civil defense forces. He shall arrange for representation at the center by municipal departments and agencies, public utilities and other agencies

authorized by Federal or State authority to carry on civil defense activities during a civil defense emergency. He shall arrange for the installation at the Emergency Operating Center of necessary facilities for communication with and between heads of civil defense divisions, the stations and operating units of municipal services and other agencies concerned with civil defense and for communication with other communities and Emergency Operating Centers, within the surrounding area and with the Federal and State agencies concerned.

- Subdivision 11. During the first 30 days of a civil defense emergency, if the Legislature is in session or the governor has coupled his declaration of the emergency with a call for a special session of the Legislature, the director may, when necessary to save life or property, require any person, except members of the Federal or State military forces and officers of the state or any other political subdivision, to perform services for civil defense purposes as he directs, and he may commandeer, for the time being, any motor vehicle, tools, appliances, or any other property, subject to the owner's right to just compensation as provided by law.

**2.605. General Provisions on Civil Defense Workers.**

- Subdivision 1. No person shall be employed or associated in any capacity in the civil defense agency who advocates or has advocated a change by force or violence in the constitutional form of government of the United States or in this state, or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment for information charging any subversive act against the United States. Each person who is appointed by serve in the civil defense agency shall, before entering upon his duties, take an oath in writing before a person authorized to administer oaths in this state, or before any officer of the state department of civil defense, or the local director.

The oath shall be substantially in the form prescribed by Minnesota Statutes, Section 12.43 as may be amended from time to time.

- Subdivision 2. Civil defense volunteers shall be called into service only in case of a civil defense emergency or a natural disaster for which the regular municipal forces are inadequate or for necessary training and preparation for such emergencies. All volunteers shall serve without compensation.

- Subdivision 3. Each civil defense volunteer shall be provided with such suitable insignia or other identification as may be required by the director. Such identification shall be in a form and style approved by the Federal government. No volunteer shall exercise any authority over the persons or property of others without his identification. No person except an authorized volunteer shall use the identification of a volunteer or otherwise represent him or her self to be an authorized volunteer.

Subdivision 4. No civil defense volunteer shall carry any firearm while on duty except on written order of the chief of the police department.

Subdivision 5. Personnel procedures of the city applicable to regular employees shall not apply to volunteer civil defense workers, but shall apply to paid employees of the civil defense agency.

**2.606. Emergency Regulations.**

Subdivision 1. When used in this section, the term "civil defense emergency" includes, in addition to the meaning given in Section 2.702., Subdivision 2, disasters caused by fire, flood, windstorm, or other natural causes.

Subdivision 2. Whenever necessary to meet a Civil Defense emergency or to prepare for such an emergency for which adequate regulations have not been adopted by the governor or the city council, the mayor may by proclamation promulgate regulations, consistent with applicable Federal or State law or regulations, respecting: protection against nuclear missiles; the sounding of attack warning; the conduct of persons and the use of property during emergencies; the repair, maintenance, and safeguarding of essential public services; emergency health, fire, and safety regulation, trial drills, or practice periods required for preliminary training; and all other matters which are required to protect public safety, health, and welfare in civil defense emergencies.

Subdivision 3. Every proclamation of emergency regulations shall be in writing and signed by the mayor; shall be dated; shall refer to the particular civil defense emergency to which it pertains, if so limited; and shall be filed in the office of the Clerk-Administrator, where a copy shall be kept posted and available for public inspection during business hours. Notice of the existence of such regulation and its availability for inspection at the Clerk-Administrator's office shall be conspicuously posted at the front of the city hall or other headquarters of the city and at such other places in the affected areas as the mayor shall designate in the proclamation. Thereupon the regulation shall take effect immediately or at such later time as may be specified in the proclamation. By like proclamation the mayor may modify or rescind any such regulation.

Subdivision 4. The city council may rescind any such regulation by resolution at any time. If not sooner rescinded, every such regulation shall expire at the end of 30 days after its effective date or at the end of the civil defense emergency to which it relates, whichever occurs first. Any ordinance, rule, or regulation inconsistent with an emergency regulation promulgated by the mayor shall be suspended during the period of time and to the extent that such conflict exists.

During a civil defense emergency, the city is, notwithstanding any statutory or charter provision to the contrary, empowered, through its governing body acting within or without the corporate limits of the city, to enter into contracts and incur obligations necessary to combat such disaster by protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. The city may exercise such powers in the light of the exigencies of the disaster without compliance with time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, limitations upon tax levies, and the appropriation and expenditure of public funds including, but not limited to, publication of ordinances and resolutions, publication of calls for bids, provisions of civil service laws and rules, provisions relating to low bids, and requirements for budgets.

Subdivision 5. During a civil defense emergency the mayor is authorized to contract on behalf of the city for services or for the purchase of merchandise or materials. The mayor may take such action without prior approval of the council, and without prior approval of the council, and without compliance with regular purchasing and bidding procedures, but all claims resulting there from shall be audited and approved by the council as in the case of other purchases and contracts.

**2.607. Civil Defense Agency Procedure.**

Subdivision 1. There is hereby established in the city treasury a special fund to be known as the civil defense fund. Into this fund shall be placed the proceeds of taxes levied for civil defense, money transferred from other funds, gifts, and other revenues of the civil defense agency. From it shall be made expenditures for the operation and maintenance of the civil defense agency and other expenditures for civil defense. Regular accounting, disbursement, purchasing, budgeting, and other financial procedures of the city shall apply to the civil defense fund insofar as practicable; but budgeting requirements and other financial procedures shall not apply to expenditures from the fund in any case when their application will prevent compliance with terms and conditions of a Federal or State grant of money or property for civil defense purposes.

Subdivision 2. The director shall, as soon as possible after the end of each fiscal year, prepare and present to the city council for the information of the council and the public, a comprehensive report of the activities of the civil defense agency during the year.

**2.608. Fallout Shelter in Public Structures.**

Subdivision 1. It is the policy of the city that fallout shelters be incorporated in all public buildings of the city to the fullest extent practicable in order to provide

protection against radiation in the event of nuclear attack.

Subdivision 2. The city council shall require that all contracts for the design or construction of public buildings, including additions to or alterations of existing structures, incorporate fallout protection for at least the normal anticipated daily population of the building. The fallout shelter protection provided for shall meet or exceed the minimum space and fallout protection criteria recommended by the Office of Civil Defense, United States Department of Defense, unless exempted from such shelter requirement as provided in Section 2.608. Subdivision 3.

Subdivision 3. The council may exempt buildings or structures from the requirements of this section where it finds that such incorporation of fallout shelter will create an excess additional cost in the construction of such structure or if it finds that other factors make unnecessary or impracticable the incorporation of fallout shelter in such structures.

**2.609. Conformity and Cooperation with Federal and State Authority.**

Subdivision 1. Every officer and agency of the city shall cooperate with Federal and State authorities and with authorized agencies engaged in civil defense and emergency measures to the fullest possible extent consistent with the performance of their other duties. The provisions of this chapter and of all regulations made there under shall be subject to all applicable and controlling provisions of Federal and State laws and of regulations and orders issued there under and shall be deemed to be suspended and inoperative so far as there is any conflict therewith.

Subdivision 2. The city council may appoint any qualified person holding a position in any agency created under Federal or State authority for civil defense purposes as a special policeman of the city, with such police powers and duties within the city incident to the functions of his position, not exceeding those of a regular policeman of the city, as may be prescribed in the appointment. Every such policeman shall be subject to the supervision and control of the chief of police and such other police officers of the city as the chief may designate.

**2.610. Participation in a Labor Dispute or Politics.**

The civil defense agency shall not participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a legitimate labor dispute.

**2.611. Penalty.**

Any person who violates any provision of this chapter or of any regulation adopted there under relating to acts' omissions, or conduct other than official acts of city officers or employees, is guilty of a misdemeanor, and upon conviction may be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days.

Personnel Policy

**2.701. Personnel Policy.**

As per Union Contract.