

CHAPTER III

ADMINISTRATION OF CITY GOVERNMENT

Section 300 - Officers; Department

300.01 Office of City Clerk. Subdivision 1. General. The City Clerk shall be appointed by the Council for an indefinite term. The City Clerk shall serve as Clerk of the City Council, and shall perform such other duties of a like nature as may be required by the City Council.

Subd. 2 Duties. The City Clerk shall:

- (a) Be responsible for the recording, filing, indexing and safekeeping of all proceedings of the Council.
- (b) Record in full, uniformly and permanently, all ordinances; authenticate the same; and shall cause all ordinances to be published pursuant to law.
- (c) Keep and maintain all election records and have custody of all property used in connection with elections.
- (d) Publish all legal notices required by law or ordinance.
- (e) Keep the official seal of the City of Rice.
- (f) Maintain all City license records, seeing to it that all bonds and insurance and other requirements of the City licenses are complied with.
- (g) Perform such other related duties as may be required by law, this code, or the City Council.
- (h) Collect all bills owing to, or for services rendered by, the City.
- (i) Be charged with the collection of all license fees.
- (j) Deposit weekly all monies received to the credit of the City in the official depositories designated by the Council.
- (k) Maintain proper records of receipts and disbursements.
- (l) Provide monthly reports of cash balances and other reports as may be required.
- (m) Be responsible for the City payroll, including verifying time cards and records; computing amounts earned; accounting for authorized leave time, compensation time, sick leave and tardiness; and other matters relating to payroll administration.
- (n) Receive for collection all special assessment rolls confirmed by the Council.
- (o) Certify to County Auditor records of unpaid assessments.

300.03 Office of City Treasurer. Subdivision 1. General. The City Treasurer shall be appointed by the Council for an indefinite term. The City Treasurer shall receive and have custody of all monies paid to the City and shall disburse City monies upon authorization of the City Council.

Subd. 2 Duties. The City Treasurer Shall:

- (a) Maintain proper records of receipts and disbursements.
- (b) Provide reports of cash balances and other reports as may be required.
- (c) Be responsible for the performance of all duties required of him by the City Council or by law, ordinance, or this code.

Section 305 - Boards and Commissions

305.01 Planning Commission. Subdivision 1. Establishment. The City Planning Commission for the City is hereby established and continued. The Commission shall be the City planning agency authorized by Minnesota Statutes, Section 462.354.

Subd. 2 Membership. A quorum must be present to transact business. All members shall be appointed by the City Council and may be removed by a four-fifths vote of the Council. The City Engineer and the City Attorney shall be members ex-officio.

Subd. 3 Terms, Vacancies, and Oath. Each member of the Commission shall be appointed for a three year term. All appointees shall hold their offices until their successors are appointed and qualified. Their successors shall be appointed for terms of three years. The terms of ex-officio members shall correspond to their respective official tenures. Vacancies during the term shall be filled by the Council for the unexpired portion of the term. Every member shall, before entering upon the discharge of duties, take an oath that he will faithfully discharge the duties of his office. All members shall serve with compensation.

Subd. 4 Organization, Meetings, etc. The Commission shall elect a chairperson from among its appointed members for a term of one year; and the Commission may create and fill such other offices as it may determine. The Commission shall appoint a person to act as the Secretary of the Commission. The Commission shall hold a regular meeting the last Monday of each month. It shall adopt rules for the transactions, and findings, which record shall be a public record. On or before January first of each year the Commission shall submit to the City Council a report of its work during the preceding calendar year. Expenditures of the Commission shall be within amounts appropriated for their purpose by the City Council.

Subd. 5 Powers and Duties of the Commission. The Planning Commission shall have the powers and duties given municipal planning agencies generally by law. The Commission shall also exercise the duties conferred upon it by this ordinance and by the Council. After the Commission has prepared and adopted a comprehensive plan, the Commission shall periodically but at least once every five years, review the comprehensive plan, any ordinances and any capitol improvement program the Council has adopted to implement the plan. After such review it shall, to the extent it deems necessary, revise the comprehensive plan,

adopt the amendments or the new comprehensive plan, and recommend it to the Council in accordance with law. After such review, the Commission shall also recommend to the Council any amendments it deems desirable to the capitol improvement program and any ordinance implementing the plan.

Subd. 6 Zoning Ordinances; Public Hearings. No zoning ordinance or amendment shall be adopted by the Council until a public hearing has been held thereon by the Planning Commission upon notice as provided by Minnesota Statutes, Section 462.357.

Subd. 7 Plats. Any subdivision plat submitted to the Council for approval shall, prior to final approval, be referred to the Planning Commission for review and recommendation in the manner set forth in Chapter V. Any plat so referred shall be returned to the Council by the Commission with its recommendations within 35 days, if no public hearing is required and 5 to 10 days after the public hearing, where a public hearing is required. Failure of the Commission to report within that period is deemed to have satisfied the requirements of this section.

Subd. 8 Procedure for Changes. No change shall be made in the zoning plan, future street and public lands plan, or regulations governing the platting of land after such plans or regulations have been adopted by the City Council, until the proposed change has been referred to the Planning Commission for report thereon and an attested copy of such report has been filed with the Council; and no ordinance or resolution establishing any of such plans or specifications shall be adopted by the City Council until such ordinance or resolution has been referred to the Planning Commission for a report thereon and an attested copy of such report has been filed with the Council. Failure of the Planning Commission so to report within thirty-five days or such longer period as may be designated by the Council after such reference shall be deemed to be approval of the proposed change.

Section 310 - Disposition of Unclaimed Property

310.01 Abandoned Motor Vehicles. Subdivision 1. Impoundment and Sale. The City Police Department shall take into custody and impound any abandon motor vehicle as defined by Minnesota Statutes, Section 168B.02, Subdivision 2. It shall give notice of the taking as provided by law and if the owner or any lienholder does not reclaim the vehicle within the period provided by law, it shall provide for the sale of the vehicle to the highest bidder at public auction or sale following two weeks' published notice.

Subd. 2 Summary Action in Certain Cases. When an abandoned motor vehicle is more than seven model years of age, is lacking vital component parts, and does not display a license plate currently valid in Minnesota or any other state or foreign country, it shall immediately be eligible for sale under Subdivision of Minnesota Statutes 168B.01 to 168.13.

Subd. 3 Disposition of Proceeds. The proceeds of the sale of an abandoned motor vehicle shall be placed in the general fund of the City. If the former owner or entitled lienholder makes application and furnished satisfactory proof of ownership or lien interest within 90 days of the sale, he shall be paid the proceeds of the sale of the vehicle less the cost of towing, preserving, and storing the vehicle and all administrative, notice and publication costs incurred in its handling.

310.03 Other Abandoned Property. Subdivision 1. Procedure. All other property lawfully coming into the possession of the City shall be disposed of as provided in this section.

Subd. 2 Storage. The department of the City acquiring possession of the property shall arrange for its storage. If City facilities for storage are unavailable or inadequate, the department may arrange for storage at privately owned facilities.

Subd. 3 Claim by Owner. The owner may claim the property by exhibiting satisfactory proof of ownership and paying the City any storage or maintenance costs incurred by it. A receipt for the property shall be obtained upon release to the owner.

Subd. 4 Sale. If the property remains unclaimed in the possession of the City for 60 days, the property shall be sold to the highest bidder at a public auction conducted by the Chief of Police after two weeks published notice setting forth the time and place of the sale and the property to be sold.

Subd. 5 Disposition of Proceeds. The proceeds of the sale shall be placed in the general fund of the City. If the former owner makes application and furnishes satisfactory proof of ownership within six months of the sale, he shall be paid the proceeds of the sale of his property, less the costs of storage and the proportionate part of the cost of published notice and other costs of the sale.