

## **ORDINANCE NO. 233**

### **AN ORDINANCE AMENDING ORDINANCE 202, CREATING A POLICE COMMITTEE AND SETTING OPERATING RULES FOR SAID COMMITTEE.**

**THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH AND WELFARE, HEREBY ORDAIN AS FOLLOWS:**

This ordinance supercedes any previous enabling ordinance creating a Police Commission or Committee in their entirety.

Ordinance 202 is amended to read as follows:

**Section 1. Police Committee Purpose and Composition.**

The Police Committee shall be made up of seven (7) voting members. The committee shall include five (5) citizens of Arlington and two (2) Arlington City Council members, appointed by the Mayor with the advice and consent of the City Council. The Sibley County Sheriff or his appointed designee shall act as an ex-officio, non-voting eighth (8) member. The Mayor and Arlington Police Chief shall also be ex-officio members of the committee. The purpose of the Committee will be to act as a resource for the City Council, the Police Department and the citizens of Arlington in collecting information, comments, complaints and suggestions, and formulating and presenting recommendations to the City Council for action, on matters pertaining to law enforcement and public safety issues in the City of Arlington.

**Section 2. Police Committee Terms.** Police Committee members shall serve for a term of two years. Initial terms shall be staggered as follows: Four two-year terms; three one-year terms. In the event of a vacancy on the Police Committee, the Mayor shall appoint a person to fill such vacancy for the unexpired term, subject to confirmation by the City Council. Members serve at the pleasure of the City Council.

**Section 3. Police Committee Organization.** The Police Committee members by a simple majority vote shall elect a Chairman and Vice Chairman from their members. The Chairman shall preside at Committee meetings. The Vice Chairman shall preside at Committee meetings in the Chairman's absence. A city office staff person shall be assigned to this committee as a secretary to assist the committee in producing written records of the committee proceedings and such other assistance as the committee requires. The secretary shall not be a voting member of the committee.

**Section 4. Police Committee Meetings.** The Police Committee shall meet whenever its Chairman deems appropriate, but no less often than monthly. Meetings shall be held at a time and place as set by the Chairman, to most conveniently accommodate the schedules of the Committee members.

**Section 5. Communication with City Council.** The Police Committee shall issue periodic reports to the City Council, either in written form or by appearance at City Council meetings, whenever the Committee feels the need has arisen to communicate with the Council, or whenever the Council requests a report from the Police Committee. It is expected that the

Mayor and the City Council members on the Committee shall also function as communicators between the City Council and the Committee. Minutes of all Police Committee meetings shall be submitted to the City Council.

- Section 6. The Police Committee is an advisory committee to the City Council.
- A. Its findings and suggestions serve as a guide for the Council to follow in dealing with public safety in our community.
  - B. The Council in return will take into account the Committee's background investigations and findings when determining policy and regulations.
- Section 7. The Police Committee will encourage community input whenever possible and appropriate, when reviewing issues involving the police department and public safety.
- Section 8. The Police Committee will assist in the hiring process when the need arises for a replacement and/or additional officer. After approval by the City Council to start the hiring process, the Police Committee will work with the Police Chief to provide a list of potential Police Officers to fill any vacancies or new positions. The Police Committee will follow POST Board and City guidelines when assisting in the hiring process. After the committee has completed its hiring review process, it shall make a recommendation to the City Council ranking the applicants in numerical order, assigning the Number 1 to the applicant the committee ranks highest. The City Council shall then conduct any final hiring interviews it deems appropriate, and make the hiring decision.
- Section 9. Complaints, compliments, or suggested changes to police activities shall be directed to the Police Committee where they will be investigated and reported to the Council at its next regular monthly meeting.
- Section 10. In the event of a complaint against an officer for improper conduct or dereliction of duty, the Police Committee shall refer the matter to the Employee Relations Committee for hearing, who in turn shall report their findings to the City Council and Police Committee. In keeping with the operating rules of the Employee Relations Committee, no complaints against an officer shall be considered or referred to the Employee Relations Committee unless said complaint is in written form and signed by the complainant. In other words, no anonymous complaints shall be considered. The identity of the complainant shall be kept strictly confidential, unless or until the complainant's testimony is required at a disciplinary or criminal hearing against the officer who is the subject of the complaint. As required by State law, any complaints against a specific officer shall also be kept strictly confidential until or unless final disciplinary action is imposed on the officer by the City Council, in which case the City Council will formulate a notice to the general public regarding the disciplinary action or criminal charges brought against the officer.
- Section 11. In the event of a complaint or question of a general police issue, the Police Committee shall investigate and report its findings (in writing) to the City Council at the next regular Council meeting. If the individual that brought the complaint or question is not satisfied with the findings or answer of the Police Committee, the individual may bring the matter to the City Council. All complaints or questions shall be documented including the findings or answers.

- Section 12. The Committee may serve as spokesman for the Police Department on general police enforcement or public safety issues to the City Council if the committee feels it is necessary.
- Section 13. The Committee may recommend to the City Council any major purchases for the Police Department after determining if they are necessary and checking on prices for such items or provide alternatives to such purchases.
- Section 14. The Committee shall review the budget (maintenance of vehicles, future capital outlay, and building maintenance and officer hours) at each meeting with the thought in mind to maximize the efficiency of the dollars within the budget.
- Section 15. The Committee shall work with the Police Chief to review schedules to minimize patrol officer shift duplications, overtime pay and part-time officer use.
- Section 16. The Committee will work with the Police Chief to make sure that normal vehicle maintenance and major repairs shall be spread as equally as possible among local businesses through a fair and ethical process.
- Section 17. The Committee will review any incidents involving Arlington Police Department officers responding to calls outside of city limits. The Committee shall obtain from the Police Department a written report of the purpose and result of such calls, and pass on to the City Council a written report thereof. The purpose of this review is to make sure that the City Public Safety resources are being properly used to protect the health, welfare and safety of the residents to the City of Arlington as its primary function. It is understood that it is the City policy that Arlington Police officers respond to “out of city limits calls” only in emergency situations, based on requests by the Sibley County Sheriff’s office, or other jurisdictions with which we have a mutual aid agreement.

This ordinance shall become effective January 1, 2009.

For City of Arlington:

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By James R. Kreft  
Its Mayor

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By Matthew Jaunich  
Its Administrator

First Reading: October 20, 2008  
Second Reading: November 3, 2008  
Adopted: November 3, 2008  
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