



Request for Council Action

TO: Mayor and City Council
FROM: Tim Murray, City Administrator
MEETING DATE: February 12, 2019
SUBJECT: Ordinance 2019-1 Delete Sec. 2-8 of the City of Faribault Code of Ordinances regarding the Advisory Joint Civil Service Commission – Second Reading

Background:

In 2010, two ordinances were passed by the Council regarding the Joint Civil Service Commission (JCSC). The first, Ordinance 2010-05, disbanded the Joint Civil Service Commission that was in place at that time. This was shortly followed up with the passage of Ordinance 2010-10, which put in place an Advisory JCSC (non-statutory), made up of three members, which was charged with advising the City Council on employment and promotion of the licensed or uniformed personnel of the Police and Fire Departments.

The City currently has two vacancies on the JCSC, and has not received any applications for appointment, which renders the commission as unable to perform any duties or actions. In previous years, it has also been difficult scheduling meeting times that worked for all three members. Additionally, the tasks the commission is charged with are adequately covered and addressed through existing employment laws, policies, procedures, and collective bargaining agreements in place that govern the employment and promotion of all City employees.

This matter was discussed at the January 15, 2019 Joint Committee meeting as part of the Board and Commission appointments item. The Committee was in agreement that the JCSC should be eliminated. In conjunction with this action, City Administration and Human Resources will look to develop processes and procedures that are specific to the hiring and promotion of police and fire personnel, to include the development of eligibility and certification list.

The collective bargaining agreement with the firefighters union still contains language regarding the role of the JCSC, while the labor agreements with the police groups no longer include this reference. A Memorandum of Understanding was agreed to with the fire fighters group to this ordinance change and was approved as part of an earlier action at this meeting.

No changes were made to the ordinance since first reading.

Recommendation:

Approve Ordinance 2019-1 on Second Reading
Approve Summary Publication (requires 5/7ths vote)

Attachments:

- Ordinance 2019-1
- Summary Publication

**CITY OF FARIBAULT
ORDINANCE No. 2019-1**

**DELETING SEC. 2-8 OF THE CITY OF FARIBAULT CODE OF
ORDINANCES REGARDING THE ADVISORY JOINT CIVIL SERVICE
COMMISSION**

THE CITY OF FARIBAULT ORDAINS: The City Code of Ordinances, shall be amended as follows:

Section 1. Chapter 2, Section 2-8 of the Code of Ordinances of the City of Faribault is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language (thereby deleting the entire section as currently written) as follows:

Sec. 2-8. - Reserved.~~Joint civil service for police and fire personnel.~~

~~(a) There is hereby created an advisory joint civil service commission for personnel of the police division and the fire division of the department of public safety of the city. Such joint civil service commission is not formed pursuant to nor shall it constitute a civil service commission operating pursuant to Minnesota Statutes, Chapter 419 or Minnesota Statutes, Chapter 420.~~

~~(b) The membership of the joint civil service commission shall be appointed as consistent as practical with the appointment procedure set forth in Minnesota Statutes, Chapter 419.~~

~~(c) Subject to city council authority and discretion, the city charter and this section, the uniformed personnel of the police division and the fire division shall be subject to the joint civil service commission. Personnel of the police division and the fire division not subject to the joint civil service commission include, but are not limited to, chief of police, director of fire, police reserve officers, records personnel and other support personnel such as secretaries and administrative assistants.~~

~~(d) The joint civil service commission shall be charged with the duties of advising the city council as to the employment and promotion of the licensed or the uniformed personnel of the police division and fire division. Subject to city council authority and discretion, the city charter and this section, the joint civil service commission employment and promotion procedures shall function and operate as consistent as practical with those set forth in Minnesota Statutes, Chapter 419. The joint civil service commission shall not be charged with any issues involving discipline,~~

~~discharge or suspension of any members of the police division and fire division.~~

Section 2. This ordinance amendment shall take effect and be in force after its passage and publication in accordance with Section 3.05 of the City Charter.

First Reading: January 22, 2019

Second Reading: February 12, 2019

Publication Date: February 19, 2019

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

Summary Publication

CITY OF FARIBAULT

ORDINANCE 2019-1

DELETING SECTION 2-8 OF THE FARIBAULT CODE OF ORDINANCES RELATED TO THE ADVISORY JOINT CIVIL SERVICE COMMISSION

On February 12, 2019, the Faribault City Council adopted Ordinance 2019-1, which deletes Section 2-8 of the City's Code of Ordinances, thereby eliminating the Advisory Joint Civil Service Commission. A complete copy of the ordinance is on file at City Hall, 208 NW 1st Avenue, Faribault, Minnesota and is available for public review during normal business hours.

First Reading: January 22, 2019
Second Reading: February 12, 2019
Publication: February 19, 2019