

ORDINANCE NUMBER 86

CITY OF TOWER, MINNESOTA

Creation of the Tower Airport Commission and the powers and duties of the airport commission.

Section 1. COMPOSITION.

Pursuant to M.S. Chapter 360, as it may be amended from time to time, there has been created a city Airport Commission, which Commission is hereby continued as heretofore established, and it shall consist of eight members appointed by the Council. Each member shall serve for term of three years and until his or her successor is appointed and qualified. Residence within this municipality need not be a qualification of membership. In the event of a Commission vacancy the Commission shall recommend a replacement(s) to the Council. The vacancy shall be filled by the Council for the unexpired term. The Commission shall be advisory to the Council and shall not be authorized to spend money.

Section 2. ABSENCE OF MEMBERS.

Absence from three regular meetings without the formal consent of the Commission shall be deemed to constitute a resignation of a member; and the vacancy thus created shall be filled thereafter by appointment by the Council for the remainder of the term of the member so deemed to have resigned.

Section 3. RULES, OFFICERS, SALARY.

The Commission shall adopt rules for its own proceedings. It shall annually choose a Chairman from among its own members. Any vacancy of the Chairman position shall be filled in like manner for the remainder of the unexpired term. No member of the Commission shall receive a salary, or expense reimbursement, except as fixed by the Council.

Section 4. JURISDICTION, POWERS AND DUTIES.

- A. All powers set forth in M. S. 360.038, as amended from time to time, and laws amendatory and supplementary thereof, are hereby granted to and vested in the Council which shall exercise them after receiving advice from the Commission, except as hereinafter specifically qualified or restricted, as set forth in the divisions which follow.
- B. The Commission shall have, and is hereby granted, authority and power, working with the chief purchasing agent for the city, to negotiate executory agreements with all persons, firms, corporations, municipalities, and state and federal governments; provided however, that the Commission shall thereupon refer these negotiated agreements to the Council of this municipality, which this body shall act upon; further, provided, however, that all these agreements shall be made in the name of this municipality and shall not have legal force or effect until entered into by the Council.

- C. The Commission shall have and is hereby granted power, working with the chief purchasing agent of the city, to negotiate all necessary agreements to provide for the construction, enlargement, improvement, maintenance, equipment, operation, and regulation of the Tower Airport; provided, however, that the Commission shall thereupon refer these negotiated agreements to the Council, which this body shall act upon; further provided, however, that all these agreements shall be made in the name of this municipality and shall not have legal force or effect until entered into by the Council.
- D. The Commission shall recommend to the Council concerning employment of all necessary help for the management and operation of the Tower Airport, which help shall be employed by the Council, and the Commission may prescribe the duties of all officers and employees. However, these rules and regulations shall have no force and effect until approved by the Council
- E. The Commission is hereby further granted power to adopt and amend all needful rules and regulations, for the management, government, and use of the Tower Airport whether within or without the territorial limits of this municipality; to provide for full municipal police and fire regulation and protection; to adopt and enact rules and regulations designed to safeguard the public upon or beyond the limits of the airport; and to provide how these rules and regulations shall be published or otherwise made available to the public. However, these rules and regulations shall not be in force unless and until approved by the Council.
- F. The commission is hereby further granted all necessary power to negotiate leases of airport properties and/or facilities in accordance with M.S. 360.038(4), as amended from time to time, and laws amendatory and supplementary thereof. The Commission is further empowered to determine the charges of rental for the use of any properties under its control and the charges for any services or accommodations and the terms and conditions under which the property may be used; provided that in all cases the public is not deprived of its rightful, equal, and uniform use of the property. Charges shall be reasonable and uniform for the same class of service and established with due regard to the property and improvements used and the expense of operation to this municipality. This municipality shall have and may enforce liens, as provided by law for liens and enforcement thereof, for repairs to or improvement or storage or care of any personal property, to enforce the payment of any charges. However, the Commission shall thereupon refer these negotiated agreements to the Council of this municipality, which this body shall act upon; further provided, however, that all these agreements shall be made in the name of this municipality and shall not have legal force or effect until entered into by the Council
- G. The Commission shall further determine, working with the chief purchasing agent of the city, what types of hazard and liability insurance protections and coverage shall be carried by this municipality on all properties under its control and shall see that this insurance coverage's are obtained in the name of this municipality and kept in full force and effect. However, these insurance protections and coverage's shall not be obtained until they are approved by the Council.

Section 5. REPORTS.

The Commission's secretary shall provide monthly or other statement of operations to the Council as the Council may required. Annual operating and capital improvement budgets shall be made and a copy supplied to the City Clerk Treasurer by July of each year for his use in preparing the city budget in conformity with M.S. 412.281, as amended from time to time. After the close of the calendar year, the actual results will be compared to that budget with an analysis of the performance supplied to the council.

Introduced and given first reading on the 11th day of December, 2006, by Councilor Heinowski.

Given second reading on the 8th day of January, 2007, by Councilor Heinowski. Motion by Heinowski supported by Nevala to adopt and publish said ordinance.

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CITY OF TOWER

Stephen Abrahamson, Mayor

ATTEST:

Timothy L. Kotzian, Clerk/Treasurer