

CERTIFICATE OF MAYOR

I, Aage O. Buhl, the duly elected, qualified and acting Mayor of the City of Granite Falls, Counties of Yellow Medicine and Chippewa, and State of Minnesota, do hereby certify as follows:

That the Board of Freeholders of the City of Granite Falls duly submitted to the City Council proposed amendments to Section 98 (b) and (c), Section 82, Section 35, Section 19, Section 34.01, Section 88, Section 114, of the Charter of the City of Granite Falls, such board of freeholders being duly constituted according to law.

That on September 17, 1957, pursuant to four ^{successive} weeks published notice of the election and four ^{successive} weeks published amendments, and notice of the election and sample ballot having been posted according to law, a special election was duly held in which a total of 158 votes was cast, and the results duly canvassed and found to be as follows:

Amendment to Section 98 (b)	Yes <u>98</u>	No <u>59</u>	Defective <u>0</u> , Blank <u>1</u>
Amendment to Section 98 (c)	Yes <u>98</u>	No <u>58</u>	Defective <u>0</u> , Blank <u>2</u>
Amendment to Section 82,	Yes <u>98</u>	No <u>58</u>	Defective <u>0</u> , Blank <u>2</u>
Amendment to Section 19,	Yes <u>133</u>	No <u>20</u>	Defective <u>0</u> , Blank <u>5</u>
Amendment to Section 34.01	Yes <u>112</u>	No <u>41</u>	Defective <u>0</u> , Blank <u>5</u>
Amendment to Section 35	Yes <u>133</u>	No <u>20</u>	Defective <u>0</u> , Blank <u>5</u>
Amendment to Section 88,	Yes <u>126</u>	No <u>25</u>	Defective <u>0</u> , Blank <u>7</u>
Amendment to Section 114	Yes <u>103</u>	No <u>45</u>	Defective <u>0</u> , Blank <u>10</u>

That all of the said amendments to the Charter of the City of Granite Falls, having been duly ratified by more than three-fifths of the voters as required by law, this certificate is submitted in accordance with Article 4 Section 36 of the Minnesota Constitution.

The following is a complete text of the amendments to the Charter of the City of Granite Falls, Counties of Yellow Medicine and Chippewa, State of Minnesota, ratified by the voters:

Section 98 of the Charter of the City of Granite Falls shall be amended to read as follows:

(b) A Public Utility Fund or funds for the acquisition, construction, maintenance and operation of any public utility owned or operated by the city, including the payment of the interest on any bonds or other indebtedness which may be a lien upon such utility. There shall be paid into this fund all moneys derived from the sale of bonds issued on account of any utility, and from the operation of such utility, and from the sale of any property acquired for or used in connection with any such utility. There shall be paid out of this fund the cost of the purchase, construction, maintenance and repair of such utility. Any surplus in said fund may be used for the purchase of bonds or certificates of indebtedness issued against said utility, and for the payment of such bonds or other indebtedness upon their maturity; and from such surplus transfers shall be made to the Bond and Interest Fund of such amounts as may be necessary to pay bonds or interest on bonds which may be liens upon said utility. Any surplus in excess of the amounts needed for maintenance and operation of such public utility and retirement of its indebtedness, may be transferred to the general fund. Separate funds and accounts shall be kept for each utility operated separately, and in case two or more utilities are operated together, the funds and accounts shall be kept separate as far as practicable.

(c) A Public Utility Reserve Fund, created out of payments annually made in accordance with Section 82 of this charter, of amounts equal to the sum chargeable against each utility as depreciation; such payments being made out of the earnings of such utility. Funds in excess of One Hundred Thousand Dollars (\$100,000.00) accumulated in such fund may be used by the city council to retire any outstanding city obligations for public improvements of a permanent nature.

Section 82 of the Charter of the City of Granite Falls shall be amended to read as follows:

Section 82. Rates and Finances. The City Council shall have the power to fix all rates and charges for water, light, gas, heat and all other utilities provided by plants owned by the city, but such rates and charges shall be just and reasonable. The rates shall be sufficient to pay all operating costs of the respective utility and all bonds and interest constituting a charge against such utility when the same mature; and thereafter the rate aforesaid shall remain at a point high enough to accumulate a reserve fund of at least One Hundred Thousand Dollars (\$100,000.00). There shall be paid into such reserve fund each year out of the earnings of such utility a sum equal to the amount of depreciation charged against such utility. Receipts of the utilities shall be paid into the city treasury and placed in a separate fund. The fund so created, or any part thereof, may be invested in any interest bearing securities available for the investment of sinking funds of cities under the laws 1927, Chap. 131, Section 9, or acts amendatory thereof. The council may also prescribe the time and manner in which water, heat, gas, electric current and any other utility product supplied by plants owned or leased by the city shall be computed or measured, whether by meter or flat rate, and make such other regulations as may be necessary, and may prescribe penalties for the violation of such regulations.

Section 35. Regular Municipal Elections. A regular municipal election shall be held on the first Tuesday after the first Monday in November in each year at such place or places as the city council may designate, to elect officers as herein provided. On the first Tuesday after the first Monday in November of each even-numbered year there shall be elected a mayor and alderman at large, and in each odd-numbered year there shall be elected two aldermen from the first ward and one alderman from the second ward. Provided, however, that the terms of the first officers elected pursuant to this provision shall commence on the fourth Tuesday in January following their election.

Not less than ten days before the day of such election the city clerk shall post in three conspicuous places in the city, or publish once in the official newspaper, or both, as the city council may direct, a notice of the election; but failure to give such notice shall not invalidate such election. At the regular election there shall be elected in addition to the municipal officers, such municipal judges as may be provided by law.

Section 19. Council Meetings. On the first Monday in December following a regular municipal election, the council shall meet at the usual place and time for the holding of council meetings. At this time the newly elected members of the council shall assume their duties. Thereafter the council shall meet at such times as may be prescribed by ordinance or resolution, except that they shall meet not less than once each month. The mayor may, and upon written request of three aldermen shall call special meetings of the council by giving written notice to each of its members, such notice to be delivered personally to each member or left with some responsible person at the member's usual place of residence. No business shall be transacted at any special meeting unless the subject of the same shall have been specified in the written notice thereof. No action shall be taken at such special meeting except by the affirmative vote of a majority of all members of the council. All meetings of the council shall be public and any citizen shall have access to the minutes and records thereof at all reasonable times.

Section 34.01. Contracts, how let. In all cases of work to be done by contract, or of the purchase of personal property of any kind, where the amount involved is more than one thousand dollars, unless the council shall by an emergency ordinance otherwise provide, the city manager shall advertise for bids in such manner as may be designated by the council. Contracts of this magnitude shall be let by the council only upon the recommendation of the city manager, and shall be let to the lowest responsible bidder. The council

may, however, reject any and all bids. Nothing contained in this section shall prevent the council from contracting for the doing of work with patented processes or from purchasing patented appliances. Further regulations for the making of bids and letting of contracts shall be made by ordinance, subject to the provisions of this charter.

Section 88. Fiscal Year. The fiscal year shall end on the thirty-first day of December.

Section 114. Notice of Defects. In the prosecution of actions against the city for personal injuries growing out of the defective or improperly constructed highways, bridges, culverts, streets, alleys, sidewalks, public utilities, parks, or recreational facilities, it shall be necessary in order to maintain said action for the plaintiff to allege and prove that actual notice in writing of such defects in said highways, bridges, culverts, streets, alleys, sidewalks, public utilities, parks or recreational facilities shall have been filed with the city clerk within at least ten days before the occurrence of such injury or damage on account of such defects, and in all cases, such notice shall describe with particularity the place and notice of the defects of which complaint is made.

Dated this 19th day of September, 1957

Clare C. Buhl
MAYOR OF THE CITY OF GRANITE FALLS

ATTEST:

L. R. [Signature]
CITY CLERK OF THE CITY OF GRANITE FALLS

STATE OF MINNESOTA
DEPARTMENT OF STATE

SEP 26 1957

James L. [Signature]
Secretary of State

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