

STATE OF MINNESOTA)
County of Dakota) ss.

I, Wallace H. Erickson, Mayor of the City of Hastings, Dakota County, Minnesota, do hereby certify that the following proposed amendments to Chapters II, III, IV and V of the Home Rule Charter of the City of Hastings was duly submitted to the voters of the said city at a special election legally called for that purpose, which election was duly and legally held in the said City of Hastings on the 9th day of October, 1956.

That 596 ballots were cast at said election and that there were 513 votes cast in favor of the said proposed amendments and that there were 83 votes cast against the said proposed amendments.

That more than three-fifths (3/5) of all the votes at said election were cast in favor of the said proposed amendments.

I therefore hereby certify that the said amendments were duly ratified, adopted and approved by the voters of the City of Hastings at said election and are now a part of the Home Rule Charter of the said City of Hastings.

IN TESTIMONY WHEREOF, I have hereunto affixed my hand and seal, and caused the Corporate seal of the City of Hastings, Minnesota, to be hereto affixed this 16th day of October, 1956.

Wallace H. Erickson (SEAL)
Mayor, City of Hastings, Minnesota.

Attest:

Edna M. Jensen
Clerk, City of Hastings, Minnesota.

13833
O.D.

STATE OF MINNESOTA
DEPARTMENT OF STATE
M. H. BOARD
AUG 18 1958

Joseph L. Johnson
Secretary of State

Proposed Amendments to the Charter of the City of Hastings, Minnesota.

To the Honorable Wallace H. Erickson, Mayor of the City of Hastings,
in the County of Dakota, State of Minnesota, and the Members of the City
Council of said City:

The undersigned, heretofore appointed by the Judges of the District
Court of the First Judicial District as a Board of Freeholders (Charter
Commission) in and for the City of Hastings, Dakota County, Minnesota, do
hereby report and deliver the hereto attached proposed amendments to
Chapters II, III, IV, and V of the home-rule charter for said City of
Hastings and do recommend that the said proposed amendments be submitted
to the voters of said City for adoption, according to law.

<u>Frank A. Lindholm</u> Chairman	<u>Louis W. Franzmeier</u>
<u>John P. Karpen</u> Vice-Chairman	<u>James J. Hiniker</u>
<u>Frank A. Muirhead</u> Secretary	<u>F. W. Benjamin</u>
<u>Edwin G. Sontag</u>	<u>Joseph J. Hubley</u>
<u>Evarist J. Rotty</u>	<u>Edward J. Schommer</u>
<u>Harry E. Engstrom</u>	<u>Clarence Soleim</u>
<u>Frank Howard</u>	<u>David Johnson</u>
<u>L. F. Rosenbaum</u>	

That Chapter II of the Charter of the City of Hastings be Amended to Read as Follows:

CHAPTER II
NOMINATIONS AND ELECTIONS

Sec. 1. ELECTION DISTRICTS. The council shall establish and from time to time divide, consolidate and rearrange election districts by resolution and ordinance according to the laws of the state of Minnesota.

Sec. 2. PRIMARY ELECTION. On the second Tuesday in September preceding any general city election or on the third Tuesday preceding any special election held for the purpose of electing city officials an election of nominees, hereafter designated as the "primary election", shall be held in each election district for the selection of candidates for all elective offices within the city of Hastings to be filled at such ensuing election. The city clerk shall give at least ten days posted and published notice of time and place of holding the same, of the hours during which the polls will be open, and of the offices for which candidates are to be nominated.

At said primary election there shall be nominated by the qualified electors of the city two (2) candidates for every office to be filled within the city at the next ensuing general or special election.

At least fifteen days before the said primary election, any person, eligible and desirous of having his name placed upon the primary ballot as a candidate for any office to be voted for at said primary election shall file, or cause to be filed, with the city clerk of said city, a petition, signed by at least fifteen (15) qualified voters of said city, which petition shall state the name and residence of such person, the office for which he desires to be a candidate and that he is a qualified voter in said city.

No elector shall sign petitions for more candidates than the number of places to be filled at the general election, and should he do so, his signature shall be void as to the petition or petitions last filed. All petitions shall be in the hands of the city clerk at least fifteen days before the election. The clerk shall prepare the ballots in a manner to be provided by ordinance.

Sec. 3. NOMINATION PETITIONS. The signatures to the petition seeking to have the name of an individual placed before the voters for nomination at any primary election need not all be appended to one paper, but to each separate paper there shall be attached an affidavit of the circulator thereof stating the number of signers of such paper, and that each signature appended thereto was made in his presence and is the genuine signature of the person whose name it purports to be. With each signature shall be stated the place of residence of

the signer, giving the street and number or other description, sufficient to identify the same. The form of the nomination petition shall be substantially as follows:

PETITION

We, the undersigned electors of the city of Hastings, Minnesota, hereby petition that the name of _____ whose residence is _____ be placed upon the primary election ballot for the office of _____ to be voted for at the primary election to be held on the _____ day of _____ 19____, and we individually certify that we are qualified electors and that we have not signed more petitions of this type for candidates for this office than there are persons to be elected thereto:

NAME	STREET AND NUMBER
_____	_____
_____	_____

_____ being duly sworn, deposes and says, that he is the circulator of the foregoing petition paper containing _____ signatures, and that the signatures appended thereto were made in his presence and are the signatures of the persons whose names they purport to be.

Signed _____

Subscribed and sworn to before me

this _____ day of _____, 19____.

This petition, if found insufficient by the city clerk, shall be returned to (Name) _____ at (Street Address) _____

It shall be the duty of the city clerk thereafter to provide a sufficient number of primary ballots for each election district, such ballots to have printed thereon the names of all persons by or on behalf of whom petitions have been filed as hereinabove provided, together with the designation of the office for which the nomination is sought. Where more than one name is presented for nomination for the said office, such names shall be placed upon the primary ballot in alphabetical order. Below each designation for office there shall be a blank line upon which the voter may write the name of any other person as his choice of a nominee for such office. During the week preceding such primary election the city clerk shall cause a sample ballot to be published in all newspapers in said city. The two (2) persons having the highest number of votes for any elective office shall be notified of that fact by the clerk and shall be the candidates for such office

at the ensuing general election unless within two (2) days after notification they, either or any of them, file with the clerk a refusal to be a candidate, in which event the person or persons having the next highest vote shall be notified by the clerk and this process shall be continued until two (2) candidates are secured, or the list of all those voted for at the primary shall be exhausted, and the person or persons so finally determined by this process to be the candidate or candidates shall be entitled to have his or their names placed upon the official ballot used in the ensuing election. In case of a tie vote, the nomination shall be determined by the casting of lots in the presence of the clerk at such time and place and in such manner as he may direct.

Sec. 4. THE REGULAR MUNICIPAL ELECTION. The regular general municipal election shall be held on the first Tuesday after the first Monday in November in every even numbered year, after the year of 1956, at such place or places as the city council may designate. At least ten (10) days previous notice shall be given by the city clerk of the time and place of holding such election and of the officers to be elected and of those nominated for said respective positions as determined by the primary election, by causing public notice thereof to be made at least once in the official newspaper of the city of Hastings but the failure to give such notice shall not invalidate such election.

Sec. 5. JUDGES AND CLERK OF ELECTION. The council shall, ten days before each primary or regular municipal election, appoint three qualified voters of each election district to be judges of election and two qualified voters of each election district to serve as clerks of election, therein.

Sec. 6. CANVASS OF ELECTIONS. The council shall meet and canvass the election returns of any primary, special or general election with three (3) days after the holding thereof and shall make full declaration of the results as soon as possible and file a statement thereof with the city clerk.

This statement shall include:

- A. The total number of good ballots cast for each candidate, with an indication of those who were either nominated or elected, as the case may be;
- B. A true copy of the ballots used in said elections;
- C. The names of the judges and clerks of election; and
- D. Such other information as may seem pertinent.

The city clerk shall forthwith notify all persons nominated or elected of the fact thereof.

Sec. 7. SPECIAL ELECTIONS. The council may by resolution and shall upon the petition signed by a number of electors equivalent to at least twenty-five (25)

per cent of the total number of votes cast at the last preceding regular city election order a special election for any proper purpose, fix the time of holding the same and provide the means for holding such special election. The procedure at such election shall conform as nearly as possible to that herein provided for regular municipal elections.

Sec. 8. PROCEDURE AT ELECTIONS. The conduct of elections shall be regulated by ordinance subject to the provisions of this charter and of the general laws of the state of Minnesota, to be conducted as closely as possible to the election procedure set forth in the general laws of the state applicable thereto.

Sec. 9. PRESENT OFFICERS TO HOLD OFFICE - TILL WHEN. The present officers of the city shall continue in their present offices and functions, and shall continue to govern the city in the usual manner until the first Monday after the first Tuesday of January, 1959. They shall make such financial and other provisions for the fiscal year of 1959 as will serve to carry on the government until a government has been set up under the provisions of these amendments to the charter, and they shall make provision for the first election to be held under this chapter.

Their term of office shall terminate on the first Monday after the first Tuesday of January, 1959.

Sec. 10. FIRST ELECTION UNDER THIS AMENDMENT. The first election under this amendment to the charter of the city of Hastings shall be held on the first Tuesday after the first Monday of November, 1958.

Sec. 11. TERMS OF COUNCILMEN ELECTED AT THE FIRST ELECTION. Of the two councilmen elected from each ward of the city of Hastings at the first election held under this amendment to the charter of said city the term of office of the one receiving the least number of votes shall be for a period of two (2) years and of the one receiving the greatest number of votes shall be for a period of four (4) years. Thereafter one (1) councilman shall be elected from each ward at each regular city election and shall serve for a term of four (4) years. In the event that both councilmen elected from any ward at the first election held under this amendment to the charter of said city shall receive the same number of votes it shall be determined by lot which shall serve for a term of four (4) years and which shall serve for a term of two (2) years, to be drawn in the presence of the city clerk at such time and place as he shall direct.

That Chapter III of the Charter of the City of Hastings be Amended to Read as Follows:

CHAPTER III
FORM OF GOVERNMENT

Sec. 1. FORM OF GOVERNMENT. The form of government established by this charter shall be known as the "MAYOR-COUNCIL PLAN". All discretionary powers of the city, both legislative and executive, shall vest in and be exercised by the city council. It shall have complete control over the city administration, which it shall exercise either directly or through its appointed officers and heads of departments, subject to the provisions of this charter and any regulations or ordinances consistent herewith. The council may create such departments, divisions and bureaus for the administration of the city's affairs as it may deem necessary for efficient government, and from time to time may alter the power and organization of the same.

Sec. 2. ELECTIVE OFFICERS. After January 1st, 1959, the elective officers of the city of Hastings, shall be a mayor, two members of the council from each of four (4) wards of the city, who shall be known as councilmen, one justice of the peace from each ward and two (2) constables from the city at large. All of said elective officers shall be qualified electors and residents in and of the city of Hastings and they shall be elected as hereinafter provided. The mayor, justices of the peace and constables shall serve for a term of two (2) years and until their successors are elected and qualified. The eight councilmen shall each serve for a term of four (4) years and until their respective successors are duly elected and qualified.

There shall also be elected a police justice presently provided by law, who shall hold office for a term of four (4) years and until his successor is elected and qualified.

All present elected officers shall serve until January 1st, 1959, or until their successors are elected and qualified.

The police justice shall have sole and exclusive jurisdiction to hear all complaints and conduct all examinations and trials in cases arising under any of the ordinances of the said city, and shall also have the same power and authority as other justices of the peace of the county, in all respects, and be entitled to like fees. In case of absence, sickness or other disability of the police justice, the city council may appoint one of the justices of peace in said city to exercise and perform his duties during such absence, sickness or disability. Should the said city establish a municipal court as provided by the laws of the State of Minnesota, the office of police justice shall be abolished immediately upon the due qualification of a judge of the such municipal court.

The term of all elective officers shall begin on the first (1st) Monday after the first (1st) Tuesday in January following a regular municipal election. The council shall be the judge of election of the mayor and councilmen, and of all elective officers of the city.

Sec. 3. VACANCIES IN THE COUNCIL. A vacancy in the council shall be deemed to exist in case of the failure of any person elected thereto to qualify on or before the date of the second regular meeting of the council, or by reason of the death, resignation, removal from office, removal from the city or the ward from which elected, continuous absence from the city for more than three months, or conviction of a felony of any such person, whether before or after his qualification, or by reason of the failure of any councilman without good cause to perform any of the duties of membership in the council for a period of more than three (3) months.

Sec. 4. VACANCIES - GENERALLY. Whenever a vacancy shall occur in any of the elective or appointive offices provided for by this charter by reason of death, resignation, change of residence, refusal or neglect to enter upon the discharge of his office or for any other cause, such vacancy shall be filled for the unexpired term by appointment of the council or as otherwise provided by law; provided, however, that when such vacancy shall occur in the office of councilman, and such vacancy shall occur more than two (2) years before the expiration of the term for which elected, then such appointment shall be effective only until a successor can be elected at the next general city election to fill the unexpired term of the office in which vacancy occurs.

Sec. 5. THE MAYOR. The mayor shall be the presiding officer of the council except that an acting mayor from among the members of the council, shall be chosen who shall serve as mayor in case of the mayor's disability or absence from the city. The mayor shall exercise all powers and perform all duties conferred and imposed upon him by this charter, the ordinances of the city and the laws of the state of Minnesota. He shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for the purpose of martial law. He shall study the operations of the city government and shall report to the council any neglect, dereliction of duty, or waste on the part of any officer or department of the city. The mayor shall be considered to be a member of the council. He shall have the right to vote on all matters of policy and administration of city affairs, except that he shall have no vote on questions concerning the adoption, modification or repeal of ordinances having to do with legislation. In all matters of legislation when the council is acting in its legislative capacity, the mayor shall have no vote except in case of a tie, when he shall have the power to cast the deciding vote. He shall not serve on any committee

of the council, except upon the unanimous vote of the entire council.

He shall be the chief executive officer of the city, and shall have command and control of its police force. He shall sign all warrants and orders drawn on the treasurer, and all bonds, obligations and contracts on behalf of the city, except as may be otherwise provided for herein.

a. There shall be in the city a police department of which the mayor shall have control and supervision and of which he shall be the chief executive officer and head. Said department shall consist of a chief of police and such patrolman and other personnel as from time to time may be authorized by the council. All members of said department shall be employees of the city and they shall be nominated by the mayor, but must be confirmed by the council before entering upon the discharge of their duties. The mayor or council may, at his or their pleasure, remove any member of the department. Except as otherwise herein provided, the compensation of the chief of police, patrolmen and other employees of the police department shall be fixed by the council in the same manner as the compensations of other city officers.

b. The qualifications of all personnel of the police department shall be as determined, from time to time, by the city council; all police officers of the city of Hastings shall be endowed with, and they shall exercise, all the powers conferred upon them by this charter, the ordinances of the city of Hastings and the law of the state of Minnesota.

Subdivision A. VETO POWER. Every ordinance passed by the council in its legislative capacity shall, before it takes effect, be presented to the mayor for approval. If he shall approve it, he shall sign the same, but if he disapproves it, he shall return it to the council with his objections thereto, by depositing the same with the clerk, to be presented to the council at its next regular meeting, or at a special meeting called for that purpose. Upon the return of any ordinance or resolution by the mayor, the vote by which the same was passed shall be deemed to have been reconsidered, and the question shall again be put upon the passage of the same, notwithstanding the objections of the mayor; and if, upon such submission, the council shall pass the same by a two-thirds (2/3) vote of all its members, it shall have the same effect as if approved by the mayor, and in case the vote shall be by yeas and nays, it shall be entered by the clerk. If an ordinance or resolution shall not be deposited with the clerk by the mayor within ten (10) days after it shall have been presented to him, the same shall have the same effect as if approved by him.

Sec. 6. SALARIES. The mayor shall receive an annual salary of Three Hundred Dollars (\$300.00) payable quarterly; he shall also have placed at his disposal by the city council, as a contingent fund each year the sum of Three hundred Dollars

(300.00), which he may expend as he may deem necessary and proper in the public interest. The salary of the councilmen shall be Two Hundred Fifty Dollars (\$250.00) per year.

Sec. 7. INVESTIGATION OF CITY AFFAIRS. The council and the mayor, or either of them, and any officer or officers formally authorized by them, or either of them, shall have power to make investigations into the city's affairs, to subpoena witnesses, administer oaths, and compel the production of books and papers. The council shall provide for a biennial audit of all the funds, books and accounts of the city, to be conducted by the public examiner of the state of Minnesota or a reliable certified public accountant; the findings of said public examiner or certified public accountant shall become a part of the official records of the city, to be preserved in the office of the city clerk and said records shall be available for examination by any citizen of the city. The council may, at any other time, provide for an examination or audit of the accounts of any officer or department of the city government.

Sec. 8. GENERAL DUTIES OF MUNICIPAL OFFICERS. The duties of all municipal officers shall be as provided for herein or as otherwise established and determined by the city council, from time to time, by resolution or ordinance; such determination of duties of municipal officers by the council shall be consistent with the provisions of this charter relating thereto.

That Chapter IV of the Charter of the City of Hastings be Amended to Read
Follows:

CHAPTER IV
PROCEDURE OF COUNCIL

Sec. 1. COUNCIL MEETINGS. On the first Monday after the first Tuesday in January, following a regular municipal election, the council shall meet at the 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 it shall meet not less than twice each month. The mayor or any three (3) members of the council may call special meetings of the council upon at least ten (10) hours notice to each member of the council. Such notice shall be delivered personally to each member or shall be left with some responsible person at the member's usual place of residence. All meetings of the council shall be public and any citizen shall have access to the minutes and records thereof at all reasonable times.

Sec. 2. APPOINTED OFFICERS. The city council shall appoint by majority vote of all its members and by due resolution, a secretary of the council, who shall be the city clerk, and who shall hold office under such terms and conditions as the council shall prescribe; he shall keep such records and perform such duties as may be required by this charter or by action of the city council. Under no circumstances shall a member of the council act as secretary of the council.

The city council shall also appoint a duly qualified licensed attorney-at-law, a resident of the city of Hastings, as city attorney, who shall act as legal advisor to the council, and to all the boards and departments of the city and who shall perform all services incident to that office, or as directed or authorized by the city council or the laws of the state of Minnesota.

The city council shall also appoint a duly qualified assessor who, with his deputies, shall qualify in the manner and form prescribed by the general law of the state, and he shall have all the powers and perform all the duties required by the general laws of the state of Minnesota.

The city council shall also appoint such other and further officers and personnel as may be required to enable the city to operate efficiently, and they shall determine the qualification thereof and prescribe the duties to be performed by them.

The terms of office, emoluments, compensation and conditions of employment of all appointive officers of the city of Hastings shall be fixed by due resolution of the city council. All officers appointed by the council shall hold office at the pleasure of the council and any officer may be discharged by the city council.

THE PRECEDING
 DOCUMENT(S)
HAVE BEEN
REFILMED
TO ENSURE
LEGIBILITY



That Chapter IV of the Charter of the City of Hastings be Amended to Read as Follows:

CHAPTER IV
PROCEDURE OF COUNCIL

Sec. 1. COUNCIL MEETINGS. On the first Monday after the first Tuesday in January, 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 twice each month. The mayor or any three (3) members of the council may call special meetings of the council upon at least ten (10) hours notice to each member of the council. Such notice shall be delivered personally to each member or shall be left with some responsible person at the member's usual place of residence. All meetings of the council shall be public and any citizen shall have access to the minutes and records thereof at all reasonable times.

Sec. 2. APPOINTED OFFICERS. The city council shall appoint by majority vote of all its members and by due resolution, a secretary of the council, who shall be the city clerk, and who shall hold office under such terms and conditions as the council shall prescribe; he shall keep such records and perform such duties as may be required by this charter or by action of the city council. Under no circumstances shall a member of the council act as secretary of the council.

The city council shall also appoint a duly qualified licensed attorney-at-law, a resident of the city of Hastings, as city attorney, who shall act as legal advisor to the council, and to all the boards and departments of the city and who shall perform all services incident to that office, or as directed or authorized by the city council or the laws of the state of Minnesota.

The city council shall also appoint a duly qualified assessor who, with his deputies, shall qualify in the manner and form prescribed by the general law of the state, and he shall have all the powers and perform all the duties required by the general laws of the state of Minnesota.

The city council shall also appoint such other and further officers and personnel as may be required to enable the city to operate efficiently, and they shall determine the qualification thereof and prescribe the duties to be performed by them.

The terms of office, emoluments, compensation and conditions of employment of all appointive officers of the city of Hastings shall be fixed by due resolution of the city council. All officers appointed by the council shall hold office at the pleasure of the council and any officer may be discharged by the city council.

Sec. 3. RULES OF PROCEDURE AND QUORUM. Unless otherwise ordered and determined by the council, the rules and order of business shall be as prescribed in the latest revision of Robert's Rules of Order. The council shall keep a journal of its proceedings. A majority of all members elected shall constitute a quorum to do business, but a less number may adjourn from time to time. The council shall provide by ordinances a means by which a minority may compel the attendance of absent members, should such procedure be necessary.

Sec. 4. ORDINANCES, RESOLUTIONS, AND MOTIONS. Every legislative act of the council shall be by ordinance. The enacting clause of every ordinance shall be in these words: "The city of Hastings does ordain". No ordinance shall contain more than one subject, which shall be expressed in its title, nor shall any ordinance be amended after its introduction so as to change its original purpose.

a. Every ordinance, except an emergency ordinance, shall be introduced and have its first reading at a regular meeting. Its second reading shall be at some subsequent regular or adjourned meeting which shall occur not less than one week after its first reading. Its third reading shall be had, and it may be passed, only at a regular or adjourned regular meeting occurring at least one week after its second reading, and no ordinance shall be passed until it has had three readings as herein provided. An ordinance shall not be reconsidered except at the first regular meeting after its adoption or rejection, nor at such meeting unless there are present as many members of the council as were present when said ordinance was adopted or rejected.

b. It shall require the affirmative vote of at least a majority of all the members of the council to enact an ordinance. The vote shall be taken by yeas and nays, and be entered upon its journal. Every ordinance, before it takes effect, shall be published once in the official paper. The proof of such publication, by affidavit of the foreman or publisher of the paper or any other competent proof thereof, shall be prima facie evidence of the legal passage, enactment, approval, publication and promulgation of such ordinance in any court of this state or elsewhere.

c. Every ordinance or resolution providing for any specific improvement, or involving the appropriation or disposition of public property, or the expenditure of public money, or levying any tax or assessment, or creating any liability, or awarding or approving any contract for the payment of money, or ordering the condemnation of private property, or the making of any local improvement, shall require a two-thirds vote of all the members of the council, except where otherwise provided by the laws of the state of Minnesota; provided, however, that the payroll of certain city officers and employees hereinafter specified shall only require a

majority vote of the members of the council present.

d. All ordinances, with proof of publication, shall be deposited with the clerk, who shall record the same at length in a suitable book; but proof of recording shall not be required in any proceeding where it is necessary to prove such ordinance.

Sec. 5. EMERGENCY ORDINANCES. An emergency ordinance is an ordinance for the immediate preservation of the public peace, health, or safety, in which the emergency is defined or declared in a preamble thereto, separately voted upon and agreed to by at least a three-fourths of the members of the council, as recorded by "ayes" and "noes". An emergency ordinance must be in writing but may be enacted without previous filing or publication. No grant of any franchise shall be construed to be an emergency ordinance.

Sec. 6. RESOLUTIONS AND MOTIONS. All powers other than legislative and temporary administrative acts shall be exercised by resolution. Every resolution shall be presented in writing and shall be read in full before a vote is taken thereon unless the reading of a resolution is dispensed with by unanimous consent.

Sec. 7. WHEN ORDINANCES AND RESOLUTIONS TAKE EFFECT. Emergency ordinances and resolutions, and ordinances and resolutions making the annual tax levy, determining the annual budget, and providing for local improvements and assessments, shall take effect immediately upon their passage.

The council may authorize the city clerk to publish in the official newspaper of the city the minutes and proceedings of the council in narrative or resume form, except that all ordinances, and all resolutions, necessarily to be published by the terms of this charter, shall be so published in full.

Sec. 8. AMENDMENT AND REPEAL OF ORDINANCES AND RESOLUTIONS. Every ordinance upon its passage shall be numbered and recorded in a separate book or books kept for that purpose. Ordinances may be amended, either wholly or partially, by reference to their numbers, titles, and dates of adoption. Ordinances may be repealed by reference to their numbers, titles, and dates of adoption. It shall not be necessary, in case of amending an ordinance, to completely restate the entire section or sections to be amended.

That Chapter V of the Charter of the City of Hastings be Amended to Read as Follows:

CHAPTER V
TAXATION AND FINANCE

Sec. 1. COUNCIL TO CONTROL FINANCES. The council shall have full authority over the financial affairs of the city, and shall provide for the collection of all revenues and other assets, the auditing and settlement of accounts, and the safekeeping and disbursement of public moneys, and in the exercise of a sound discretion shall make appropriations for the payment of all liabilities and expenses.

Sec. 2. FISCAL YEAR. The fiscal year of the city shall end each year on the thirty-first day of December.

Sec. 3. SYSTEM OF TAXATION. Subject to the state constitution, and except as forbidden by it or by state legislation, the council has full power to provide by ordinance for a system of local taxation and to change the same from time to time. Insofar as the city procures a revenue from taxes upon real and personal property as such, it shall conform as fully as possible to the general state laws as to the assessment of such property and the collection of such taxes.

Sec. 4. BOARD OF EQUALIZATION. The council shall constitute a board of equalization and shall meet as such in the usual place for holding council meetings on the last Monday in June to equalize the assessments according to law.

Sec. 5. PREPARATION OF THE ANNUAL BUDGET. The city clerk shall prepare the estimates for the annual budget. The estimates of expenditures shall be arranged for each department or division of the city under the following: (1) ordinary expenses (for operation, maintenance, and repairs); and (2) capital outlays (for new construction, new equipment, and all improvements of a lasting character). Ordinary expenses shall be subdivided into: (a) salaries, with a list of all salaried offices and positions, with the salary allowance and the number of persons holding each; (b) wages; (c) printing, telephone, telegraph, express charges, and other like items; (d) supplies and repairs, with sufficient detail to be readily understood. All increases and decreases shall be clearly shown. In parallel columns shall be added the amounts granted and the amounts expended under similar heads for the past two fiscal years and, as far as possible, for the current year. In addition to the estimates of expenditures, the estimates shall include a statement of the revenues which have accrued for the past two completed fiscal years, with the amounts collected and the uncollected balances, together with the same information, as far as possible, for the current fiscal year, and an estimate of the revenues for the ensuing fiscal year. The statement of revenues for each year shall specify the following items: sums derived from (a) taxation, (b) fines,

(c) fees, (d) interest, (e) miscellaneous, not included in the foregoing, (f) sales and rentals, (g) operation of public utilities, (h) special assessments, and (i) sales of bonds and other obligations. Such estimates shall be printed or typewritten, and there shall be at least twelve copies, one for each member of the council and one for the city clerk. The estimates shall be submitted to the council at its first regular meeting in August, and shall be made public. The city clerk may submit with the estimates such explanatory statement or statements as he may deem necessary, and during the first three years under this charter it shall be authorized to interpret the requirements of this section as requiring only comparisons of the city's finances with those of the previous government of the city as may be feasible and pertinent.

Sec. 6. PASSAGE OF THE BUDGET. The budget shall be the principal item of business at the first regular monthly meeting of the council in August, and the council shall hold adjourned meetings from time to time until all the estimates have been reconsidered. The meeting shall be so conducted as to give interested citizens a reasonable amount of time in which to be heard, and an opportunity to ask such questions as may seem pertinent to them. The budget estimates shall be read in full, and the city clerk shall explain the various items thereof as fully as may be deemed necessary by the council. The annual budget finally agreed upon shall be a resolution setting forth in detail the complete financial project of the city for the ensuing fiscal year. It shall indicate the sums to be raised and from what sources, and the sums to be spent and for what purposes, according to the plan indicated in section 5. The total sum appropriated shall be less than the total estimated revenue. The council shall adopt the budget resolution not later than the first day in October.

Sec. 7. ENFORCEMENT OF THE BUDGET. It shall be the duty of the city clerk to enforce strictly the provision of the budget. He shall not approve any order upon the city treasurer for any expenditure unless an appropriation has been in the budget, nor for any expenditure covered by the budget unless there is sufficient unexpended balance left after deducting the total past expenditures and the sum of all outstanding orders and encumbrances. No officer or employee of the city shall place any order or make any purchases except for the purposes and to the amounts authorized in the budget. Any obligation incurred by any person in the employ of the city for any purpose not authorized in the budget or for any amount in excess of the amount therein authorized shall be a personal obligation upon the person incurring the expenditure.

Sec. 8. ALTERATIONS IN THE BUDGET. After the budget shall have been duly adopted, the council shall not have power to increase the amounts therein fixed, whether by the insertion of new items or otherwise, beyond the estimated revenues, unless the actual receipt shall exceed such estimates, and in that event not beyond such actual receipts. The sums fixed in the budget shall be and become appropriated at the beginning of the fiscal year for the several purposes named therein and no other. The council may at any time, by a resolution passed by a three-fourths vote, reduce salaries or the sums appropriated for any other purpose, or authorize the transfer of sums from any unincumbered balance to other purposes.

Sec. 9. LEVY AND COLLECTION OF TAXES. On or before the tenth day of October each year the council shall levy by resolution the taxes necessary to meet the requirements of the budget for the ensuing fiscal year. The city clerk shall transmit to the county auditor annually, not later than the tenth day of October, a statement of all ad valorem real and personal property taxes levied, and such taxes shall be collected and the payment thereof be enforced with and in like manner as state and county taxes. No tax shall be invalid by reason of any informality in the manner of levying the same, nor because the amount levied shall exceed the amount required to be raised for the special purposes for which the same is levied, but in that case the surplus shall go into the fund to which such tax belongs.

Sec. 10. TAX SETTLEMENT WITH COUNTY TREASURER. The city treasurer shall see to it that all moneys in the county treasury belonging to the city are promptly turned over to the city according to law.

Sec. 11. DISBURSEMENTS. HOW MADE. All disbursements shall be made only upon the order of the mayor and city clerk, duly authorized by a resolution of the council and every such resolution and order shall specify the purpose for which the disbursement is made, and indicate that it is to be paid out of the proper fund. Each such order shall be directed to the treasurer, and the latter shall issue a check payable to the order of the person in whose favor the order was drawn. The treasurer shall issue no check upon any city funds except upon such order. But no such order or check shall be issued until there is money to the credit of the fund out of which it is to be paid, sufficient to pay the same together with all then outstanding encumbrances upon such fund. Any order or resolution for the payment of money violating any provision of this section shall be void, and any officer of the city violating any provision of this section shall be personally responsible for the amount of such payment if any such payment is made contrary to the provisions hereof. No contract requiring the payment of money by the city shall be valid unless the particular fund out of which the same is to be paid is specified in such contract.

No claim against the city shall be allowed unless accompanied by an itemized bill and voucher, payroll, or time sheet signed by the responsible officer who has personal knowledge of the fact in the case and vouches for the correctness and reasonableness of the claim. The council may by ordinance make further regulations for the safekeeping and disbursement of the city's funds. It shall not be necessary for the city treasurer to issue a separate check payable to the order of the person in whose favor any order was drawn, it being sufficient for the city treasurer to countersign or otherwise endorse the original order, as executed by the mayor and city clerk. Upon the treasurer's countersignature upon, or endorsement of, any such order, the same shall have the same force and effect and be negotiable as a treasurer's check upon city funds.

Sec. 12. FUNDS TO BE KEPT. There shall be maintained in the city treasury the following funds for the support of which the council may levy taxes:

(a) A sinking fund for the purchase, or payment when due, of any bonds or any debts of the city and to pay the interest on all bonds and other obligations of the city. The council shall levy an annual tax sufficient to meet all obligations against this fund when due, unless otherwise provided for.

(b) A public utility fund or funds for the acquisition, construction, extension, 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, extension, operation, maintenance, and repair of such utility, including the interest upon all bonds or other indebtedness which may be a lien upon such utility. Any surplus in said fund may be used for the purchase of any bonds or certificates of indebtedness issued against said utility and for the payment of such bonds or other indebtedness upon their maturity. Separate funds or accounts shall be kept for each such utility operated separately, and in case two or more utilities are operated together the accounts shall be kept separate as far as practicable.

(c) A general fund for the support of such other funds and for the payment of such expenses of the city as the council may deem proper. Into this fund shall be paid all moneys not herein provided to be paid into any other fund.

(d) There shall be maintained in the city treasury a permanent improvement revolving fund, which shall be used to finance local improvements that are to be paid for, in whole or in part, from special assessments against benefited property.

There shall be paid into this fund: (1) collections of special assessments, with interest; (2) proceeds of permanent improvement revolving fund bonds; (3) amounts from other city funds representing either (a) apportionments of costs against the city at large; (b) benefit assessments against city property or (c) appropriations to maintain the integrity of the fund. There shall be paid out of this fund: (1) the cost of all local improvements that are to be paid for, in whole or in part, from special assessments against benefited property; (2) the amount needed for the redemption of all permanent improvement revolving fund bonds with interest, at or before maturity. The council shall maintain the integrity of this fund by appropriations from other funds if necessary. For the support of the fund, the council may by a three-fourths (3/4) vote issue and sell bonds, pledging the full faith and credit of the city, or pledging only special assessments, in such amounts and maturities as it may determine. The aggregate amount of such bonds outstanding at any time shall not exceed the sum of the following: (1) all assessments levied and uncollected; (2) assessable cost of work in progress, and (3) fifteen thousand dollars (\$15,000.00) cash reserve for working capital. The total sum of permanent improvement revolving fund bonds, in addition to obligations payable wholly or partly from assessments levied prior to the adoption of this Charter, shall never exceed ten (10) per cent of the taxable valuation of the city.

Sec. 13. RECEIPTS TO GO TO CITY TREASURER. All receipts of money belonging to the city, or any branch thereof, excepting only those funds collected by the county treasurer, shall be paid in to the city treasurer by the person authorized to receive the same at the close of each business day. All such money, and also all moneys received upon tax settlements from the county treasurer, shall be deposited as soon as received in a bank or banks approved by the city council. Any person in the employ of the city guilty of violation of this provision shall be liable to be reduced in rank and salary or to be dismissed from his office or position, as the council may determine after a hearing.

Sec. 14. ACCOUNTS AND REPORTS. The city clerk shall be the chief accounting officer of the city and of every branch thereof, and the council may prescribe and enforce proper accounting methods, forms, blanks, and other devices consistent with the law, this charter, and the ordinances in accord with it. He shall submit to the council a statement each month showing the amount of money in the custody of the city treasurer, the status of all funds, the amount spent or chargeable against each of the annual budget allowances and the balances left in each, and such other information relative to the finances of the city as the council may require. Once each year, on or before the last day of January, the city clerk shall

NOTICE OF ELECTION ON ANNEXATION

NOTICE IS HEREBY GIVEN That in accordance with a certain petition received April 1, 1958, and a Resolution of the Council of the Village of St. Anthony, Minnesota, duly adopted on the 17th day of April, 1958, an election will be held at the following designated place:

The Conoco Gasoline Service Station located at the intersection of Silver Lake Road and 37th Avenue N.E., (County Road D in Ramsey County) on Monday, April 28, 1958, at which time and place all qualified voters residing within the territory described in said petition may vote for or against the annexation of said territory to the Village of St. Anthony.

That the polls will be open at such time and place from 9:00 o'clock A.M. in the forenoon until 8:00 o'clock P.M. in the afternoon.

That said election shall be conducted so far as is practicable in accordance with laws regulating the election of town officers.

That the lands described in the petition and which are proposed to be annexed are as follows:

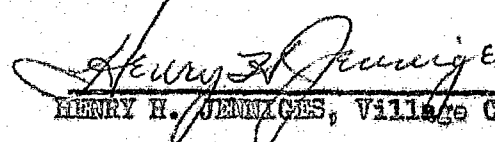
All of the Southeast Quarter (SE $\frac{1}{4}$) of Section 31, Township 30 North, Range 23 West, according to the U.S. Government survey thereof, the same being all of the land now located in the town of Mounds View, Ramsey County, and lying North of the center line of County Road D (Ramsey County) (37th Avenue N.E., Hennepin County), South of the center line of Orchard Place, East of the center line of Silver Lake Road and West of the center line of Higcrest Road,

and, also,

All of the Northwest Quarter (NW $\frac{1}{4}$) of Section 31, Township 30 North, Range 23 West, according to the U.S. Government survey thereof, excepting that part thereof already located within the Village of St. Anthony, the same being that land lying South of the center line of County Road E (Ramsey County), West of the center line of Silver Lake Road, and East of the center line of Stinson Boulevard, as is extended North from Lakeview Drive to its intersection with County Road E, and North of the center line of Lakeview Drive, excepting those lands therein contained already part of and located in the Village of St. Anthony.

That this notice is posted in accordance with law and shall not be removed from the place of posting until after the date of such election.

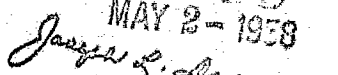
BY ORDER OF THE COUNCIL OF THE VILLAGE OF ST. ANTHONY.


HENRY H. JENNINGS, Village Clerk

(SEAL)

STATE OF MINNESOTA
DEPARTMENT OF STATE

MAY 2 - 1958


Joseph L. Chapman
Secretary of State

submit a report to the council covering the entire financial operations of the city for the past year. This report shall show the actual total receipts and actual total expenditures, omitting duplications, and stating the cash balance at the beginning of the last fiscal year and at the close; the total outlays for operation and maintenance, and the total capital outlays; the condition of each of the funds; the total receipts by sources and the total expenditures by general purposes; the total outstanding bonds and debts of the city and when due; the amount of new bonds issued and the amount redeemed and the interest rate of each; the condition of all the annual budget allowances; an inventory of all the property owned by the city; and such further information as the council and other city officials and the taxpayers should have.

Sec. 15. BONDED DEBT AND DEBT LIMIT. No bonds shall ever be issued to pay current expenses or to refund certificates of indebtedness issued to provide for temporary deficiencies in the revenues to cover current expenses; however, in addition to the powers granted by law the city council shall have the power by a resolution passed by a three-fourths vote, to borrow money and issue the bonds or other obligations of the city therefor in an amount of not to exceed ten thousand dollars (\$10,000.00) and such further amounts as may be authorized by a majority vote of the legal voters of the city voting upon the question in the manner provided by law.

Sec. 16. EMERGENCY DEBT CERTIFICATES. If in any year the receipts from taxes or other sources should from some unforeseen cause become insufficient for the ordinary expenses of the city or if any calamity or other public emergency should subject the city to the necessity of making extraordinary expenditures, then the council may authorize the sale by the city treasurer of emergency debt certificates to run not to exceed two years and to bear interest not to exceed six per cent per annum. A tax sufficient to redeem all such certificates at maturity shall be levied as part of the budget as required by law. The authorization of an issue of such emergency debt certificates shall take the form of an ordinance approved by three-fourths of the members of the council. The ordinance may, if deemed necessary, be passed as an emergency.

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