

CERTIFICATE OF ADOPTION OF HOME RULE CHARTER
AMENDMENT

STATE OF MINNESOTA

SS

COUNTY OF WASHINGTON

I, Andrew Madsen, Mayor of the City of Stillwater, Washington County, Minnesota, and, as such, chief magistrate of said City, do hereby certify that the Charter Amendment hereto attached and made a part of this Certificate, is a true and correct copy of the Charter Amendment returned and filed with the City by the duly appointed and qualified Board of Freeholders of said City.

I further certify that said Charter Amendment was duly submitted to the voters of the City of Stillwater at a special election, held in said City on the 4th day of November, 1958, and was duly adopted by a vote of 1,455 for the Charter Amendment and 690 against the Charter Amendment, the total vote cast in said City at said election being 2,145.

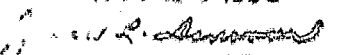
Witness my hand and the corporate seal of said City this 21st day of November, 1958.


Mayor

Attest:


City Clerk

13941
O.D.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 26 1958

Secretary of State

CHARTER AMENDMENT TO THE CHARTER
OF THE CITY OF STILLWATER

ARTICLE V
THE COUNCIL

Sec. 118. Amend to read as follows:

"118. Council Members. - The Council shall consist of the Mayor, and four Councilmen, elected at large in the manner specified in Article III. The Council shall be the governing body of the Municipality, and shall exercise the corporate power of the City, except as denied or limited by this charter, and shall be vested with all powers of legislation in Municipal affairs, adequate to a complete system of local government, consistent with the constitution and laws of the State.

The compensation for the office of Mayor shall be Four Hundred (\$400.00) Dollars per year and the compensation for each Councilman shall be Three Hundred (\$300.00) Dollars per year, such compensation to be paid to said Mayor and Councilmen on a monthly basis during their respective terms of office and, in the event of vacancy, for the period of time actually served in such office."

ARTICLE X
TAKES AND FINANCES

Sec. 166. Amend first sentence to read as follows:

"166. Board of Equalization and Duties. - The Council shall designate three of its members who shall constitute a Board of Equalization, who shall be sworn according to law as such Board and meet at the Council room in the City each year at such time as may be provided by State law, and revise, amend and equalize the assessments on the roll of the assessor."

Sec. 167. Amend second sentence to read as follows:

"It shall complete such equalization within such time as is provided by State law."

Sec. 171. Amend to read as follows:

"171. City Not Required to Pay for Water. - The City shall not be required to make payment to the Board of Water Commissioners for water supplied by said Board to the City for all public purposes, including the Stillwater Public Library."

Sec. 172. Amend to read as follows:

"172. Estimates of Receipts and Expenses. - The City Treasurer shall report to the Council each month figures of all revenues and expenditures. The City Clerk shall submit to the Council, in sufficient time for its adoption on or before October 31st of each year, detailed estimates in writing of the expenses of the City for the ensuing fiscal year and of the resources to meet such expenses, which estimate or budget shall be divided among the several funds designated in Section 177 to be provided to meet such expenses."

Sec. 173. Amend to read as follows:

"173. Tax Levy. - After making of the reports provided for in the foregoing section, the Council shall levy such taxes for all City purposes on all the taxable property in the City as it shall deem necessary in addition to the other revenue of the City applicable thereto, to defray the expenses of the City for all purposes for the next fiscal year; but no such taxes for current expenses shall in any one year amount to more than the mill rate limitation from time to time prescribed by State law, and said levy shall include an amount sufficient to pay interest to become due during such fiscal year, upon all the bonds and debts of the City, and shall include a tax sufficient to provide for the payment of the principal of said bonds, when the same shall become due, and the amounts collected for said interest and bonds shall not be applied to any other purpose, but this restriction shall not prohibit the investment of the sinking fund hereinafter provided."

Sec. 174. Amend to read as follows:

"174. Duty of Council to Reduce Expenses. - If upon the monthly reports of the City Treasurer provided in section 172, it shall appear that the current expenses for the portion of the fiscal year covered thereby have exceeded the estimates upon which the tax levy therefor was based, or that the revenues of the City are likely to fall short of their estimated amount at the time of making such tax levy, the Council shall, within a reasonable time, proceed to reduce the current expenses of the City in such manner as may be deemed advisable, and for that purpose may diminish the amount of service for lighting streets, reduce the force or number of men employed in the several departments of the City, and when

necessary for the proper reduction of such expenses, may reduce the salaries, or compensation of all officials and persons employed by the City, as said Council may deem expedient. In all future contracts for lighting streets, the City shall reserve the right to reduce the amount of service on account of deficiency of revenue."

Sec. 176. Amend to read as follows:

"176. Money - How Paid Out - City Orders. All moneys belonging to the City, except as otherwise provided for in this Charter, shall be under the control of the Council, and shall be paid out only upon order of the Mayor, countersigned by the City Clerk, duly authorized by resolution of the Council, by an affirmative vote of ayes and nays of a majority of its members duly recorded. Every order drawn upon the treasury shall designate the purpose for which it is drawn, and the fund upon which drawn, and shall be payable only out of such fund. Each order shall be payable to the order of the person in whose favor it is drawn, and may be transferred by endorsement."

Sec. 177. Amend by inserting immediately following sub-paragraph "Sixth" the following new sub-paragraph:

"Seventh: A park fund for the purpose of paying the cost of maintaining and improving all property now or hereafter acquired by the City and set apart for park purposes. For the maintenance of this fund there shall be levied an annual tax of not to exceed two mills on the dollar of the assessed valuation of all taxable property of the City."

Sec. 177. Amend the paragraph presently following sub-paragraph "Sixth" to read as follows:

"Provided that nothing contained herein, shall prevent the Council from borrowing from any fund to aid and help any other fund at such times as in its judgment public necessities require."

Sec. 179. Amend to read as follows:

"179. Collection of Moneys. - The City Treasurer shall be the collecting officer for all moneys belonging to or for use of the City and all such moneys shall be paid to the Treasurer for the benefit of the funds to which such moneys severally belong."

ARTICLE XI
LOCAL IMPROVEMENTS AND PAYMENTS
OF ASSESSMENTS THEREFOR

Sec. 202. Amend to read as follows:

"202. Authorized Improvements. - The City shall have the power to make the following improvements:

(1) To acquire, open, and widen any street, and to improve the same by constructing, reconstructing, and maintaining sidewalks, pavement, gutters, curbs, and vehicle parking strips of any material, or by grading, graveling, oiling, or otherwise improving the same, including the beautification thereof and including storm sewers or other street drainage and connections from sewer, water or similar mains to curb lines.

(2) To construct, reconstruct, extend and maintain storm and sanitary sewers and systems, including outlets, treatment plants, pumps, lift stations, service connections, and other appurtenances of a sewer system, within and without the corporate limits.

(3) To install, replace, extend and maintain street lights and street lighting systems.

(4) To acquire, improve and equip parks, playgrounds and recreational facilities within or without the corporate limits.

(5) To plant trees on streets and provide for their trimming, care and removal.

(6) To abate nuisances and to drain swamps, marshes and ponds on public or private property and to fill the same.

(7) To construct, reconstruct, extend, and maintain dikes and other flood control works.

(8) To construct, reconstruct, extend, and maintain retaining walls, area walls, protective fences and railings."

Sec. 203. Amend to read as follows:

"203. Improvements. - Defraying Expenses of... - The cost of any improvement mentioned in the foregoing section, or any part thereof, may be assessed upon property benefited by the improvement, whether said property abuts on the improvement, or not, based upon the benefits received. The City may pay such portion of the cost of any such improvement as the Council may determine from general ad valorem tax levies or from other revenues or funds of the City available for the purpose."

ARTICLE XIII
ACCOUNTS AND CONTRACTS

Sec. 272. Amend first paragraph to read:

"272. Contracts - Minimum Amount - \$1,000.00 - Construing of. - All contracts for commodities, or service to be furnished or performed for the City,

involving an expenditure of more than One Thousand (\$1,000.00) Dollars shall be made as in this article provided."

Sec. 273. Amend second and third paragraphs to read:

"In case such estimated cost does not exceed the sum of One Thousand (\$1,000.00) Dollars, the Council may direct that the commodities, labor or service be procured by or through the proper officer of the City without public bids."

"In all cases where such estimated cost exceeds the sum of One Thousand (\$1,000.00) Dollars, said commodities, labor or service shall be furnished or done only upon public bids."

Sec. 278. Amend to read as follows:

"278. Bids. - Certified Check, Cash or Bid Bond to Accompany. - The Council shall require all bids for the doing of all work or the furnishing of all skill or material authorized by this charter, to be accompanied by a certified check or Bid Bond, payable to the City, for at least five per cent of the total amount of such bid, or cash to the same amount, to secure the execution by the bidder of a contract with the City for the doing of the work or the furnishing of the skill or material for the price mentioned in his bid and according to the plans and specifications therefor in case the contract shall be awarded to him; and in case of default on his part to sign and enter into such contract therefor within the time prescribed by Section 280, the said money, check or bond shall be deemed forfeited, and become the property of the City absolutely."

ARTICLE XVIII
BOARD OF WATER
COMMISSIONERS

Sec. 348. Amend to read as follows:

"348. Separate Accounts for City. - The said Board shall not be required to keep separate accounts for water furnished for all public purposes to the City and its various Boards, and shall not require payment for water furnished to the City and its various Boards."

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STATE OF MINNESOTA
DEPARTMENT OF STATE
RECEIVED
NOV 26 1958
James L. Anderson
Secretary of State