

CERTIFICATE OF ADOPTION OF HOME
RULE CHARTER AMENDMENT

State of Minnesota)
County of Waseca) SS

I, Arvid Tollefson, Mayor of the City of Waseca, Minnesota, and as such the Chief Magistrate of such 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 such charter amendment was duly submitted to the voters of said City of Waseca, Minnesota, at the Special Election held in such city on January 26, 1959 and was duly adopted by a vote of 230 for the charter amendment and 99 against the charter amendment, the total vote cast in such city at such special election being 329.

Witness my hand and corporate seal of the City of Waseca, Minnesota, this 27th day of January, 1959

Arvid Tollefson
Arvid Tollefson, Mayor
City of Waseca, Minnesota

ATTEST:

Lila Goemann
Lila Goemann, City Clerk
City of Waseca, Minnesota

#13983
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB 4 - 1959
James S. Johnson
Attorney of State

AMENDMENT OF THE CHARTER OF THE CITY OF WASECA, MINNESOTA

THE CHARTER OF THE CITY OF WASECA, MINNESOTA, ADOPTED PURSUANT TO SECTION 36, ARTICLE 4 OF THE CONSTITUTION OF THE STATE OF MINNESOTA, AS AMENDED, AND PURSUANT TO THE LAWS OF THE STATE OF MINNESOTA AS THEY EXISTED ON MAY 10, 1904, IS HEREBY AMENDED BY ENACTING AN AMENDMENT TO BE KNOWN AS AMENDMENT NO. IV ESTABLISHING A BOARD OF POLICE COMMISSIONERS AND PRESCRIBING ITS POWERS AND DUTIES, READ AS FOLLOWS:

AMENDMENT NUMBER IV.

SECTION 1. There is hereby created a Board of Police Commissioners with powers and duties as prescribed herein.

SECTION 2. The Board shall consist of three members, who shall be residents and electors, freeholders and dulyqualified voters of the city during their terms of office. All members, except the secretary, shall serve without pay. No member shall, during his term of office on said Board, hold any other office or employment under the city, the United States, the State of Minnesota, or any political subdivision thereof, except the office of notary public.

SECTION 3. When first appointed, one member shall be appointed for one year who shall be president of the said Board, one for two years, and one for three years. There shall thereafter be one member appointed each year for a term of three years, and each member shall during the last year of his term be president of the Board. Each member shall hold his office until his successor is duly appointed and qualified.

SECTION 4. The Board shall meet immediately after its appointment and thereafter annually on the third Tuesday of April, at which meetings it shall select from its members a secretary who shall hold that office until his successor is selected. The Common Council may allow the secretary such compensation as it may deem proper for the additional services rendered by him. The Board shall also from time to time fix the dates of its meetings and adopt, amend, and alter rules for its procedure.

SECTION 5. The Board shall have absolute control and supervision of the employment, promotion, discharge and suspension of all officers and employees of the police department, except temporary or special police or watchmen as provided for by section 1, Chapter IV of this Charter, and all grades and departments

thereof in this city. The Board shall, immediately after its appointment, establish grades for the employments in the police department and shall classify every officer and employee now in the police department service in the respective classifications thus established. The Board shall keep a service register of all men in these classifications, giving their names, ages, compensation, past employment, duties, and such other facts and data with reference to each officer and employee as the Board may deem useful.

SECTION 6. The Board shall, immediately after its appointment and from time to time thereafter, make, amend, alter, and change rules to promote efficiency in the police department services and carry out the purpose of this Charter Amendment. Copies of all rules adopted by the Board shall be kept posted in the city hall and at each station house, and no rule of general application with reference to employment, promotion, suspension, or discharge shall become effective until five days after the date of posting.

SECTION 7. Appointments and promotions in the police department shall be made by the Board upon the basis of ratings established as the result of public competitive examination and information obtained from other investigations of the applicant. The Board, in classifying positions, shall prescribe standards of physical and mental fitness for each classification and shall adapt each examination to the respective classification. All examinations shall be impartial, fair and practical, and shall, as far as possible, be of a character to test and determine the relative mental and physical fitness and ability of applicants actually to perform the duties of the position to which they seek appointment. Any test or combination of tests that in the judgment of the Board serves to this end may be employed. No question in any examination shall relate to religious convictions or affiliations.

SECTION 8. Appointment to or promotion in the police department shall be given to the applicant who received the highest rating by the Board. Provided, however, that on demotion, furlough, or discharge for retrenchment the person involved therein shall not

lose his seniority. In case of suspension for disciplinary reasons, any penalty imposed may include a reduction in seniority.

SECTION 9. Notice of time, place, and scope of all examinations shall be given two weeks in advance thereof by posted advertisements at the city hall and at each station house, and by published notice in two successive issues of the official newspaper of the city.

SECTION 10. No officer or employee, after six months' continuous employment, shall be discharged except for cause, and according to the following procedure:

- (a) Written charges against the officer or employee filed with the secretary of the Board, either by a superior officer, the mayor, a member of the common council, or by a member of the Board in which event said member will be disqualified from acting on the complaint.
- (b) Investigation of the charges by the Board, after ten days' notice to the accused, of the charges as filed.
- (c) An opportunity for the accused officer or employee to be heard in his own defense.
- (d) A final decision by the Board.

The president of the Board may suspend any accused officer or employee with or without pay pending determination of the charges filed against him. If the charges are not sustained, the case shall be dismissed; and if the accused officer or employee has been suspended he shall be immediately reinstated, and in the case of suspension without pay the reinstated officer or employee shall be paid all back pay for the period of suspension.

SECTION 11. The secretary of the Board shall keep a record of the minutes of each meeting, and shall file a true copy thereof with the city clerk within two weeks after each meeting.

SECTION 12. The Board shall fix the compensation of all officers and employees of the police department; provided, that the expense of the department shall not exceed in any one year the amount that is appropriated and set apart for this purpose by the common council. The number of officers and employees of the police department shall be determined and fixed by the common council from time to time as the common council deems necessary and expedient.

SECTION 13. The common council shall pay from the city treasury necessary expenses incurred by the Board in the performance of its

duties.

SECTION 14. Should a vacancy arise in the membership of the Board by reason of death, resignation, removal from office in accordance with provisions of Section 13 of Chapter IV of the City Charter, or for any other reason, the newly appointed and duly qualified member shall hold office for the unexpired term of the member whom he succeeds. Should a vacancy be created in the office of the president, the member who at that time is next in succession to the presidency shall assume that office.

SECTION 15. All provisions in said Charter and amendments thereto inconsistent with the provisions of this amendment are hereby repealed.

SECTION 16. This amendment shall take effect and be in force on the second Tuesday in April following ratification and adoption.

CERTIFICATE OF COMMISSION

The foregoing is a draft of the proposed charter amendment of the charter of the city of Waseca, Minnesota, made, framed and adopted by the commission appointed by the judge of the district court of the fifth judicial district, (now Fourteenth Judicial District), of the State of Minnesota, under and pursuant to Section 36, Article 4, of the constitution of the state of Minnesota, as amended by that certain amendment proposed by the legislature of the state of Minnesota in an act of said legislature known as Chapter 280 of the general laws of Minnesota for 1897 and duly adopted at the general election of said state in the year 1898 and Chapter 351 of the general laws of the state of Minnesota for the year 1899, and as amended and provided by Chapter 238 of the session laws of said state, A. D. 1903; and said draft of said proposed charter of the city of Waseca, is hereby returned to the Honorable Arvid Tollefson, mayor of the city of Waseca, to be submitted according to law. Signed by the undersigned majority of said Commission.

Dated this 22 day of December, A.D. 1958

<u>E. F. Johnson Chairman</u>	<u>[Signature]</u>
<u>E. C. King Sec. pro tem</u>	<u>Glen F. Murphy</u>
<u>[Signature]</u>	<u>A. H. Stewart</u>
<u>Donald Brown</u>	<u>Wm. C. C. [Signature]</u>
<u>E. L. Nelson</u>	<u>_____</u>
<u>C. H. [Signature]</u>	<u>_____</u>
<u>Harold J. [Signature]</u>	<u>_____</u>

STATE OF MINNESOTA } ss:
COUNTY OF WASECA }

I, Arvid Tollefson, mayor of the city of Waseca, in said County, do hereby certify that the within and foregoing proposed charter was duly filed with me and in my office this 22nd day of Dec., A. D., 1958.

Arvid Tollefson
MAYOR OF THE CITY OF WASECA

#13983
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB 4 - 1959
Jayce L. [Signature]
Secretary of State