

State of Minnesota)
County of Stevens)ss
City of Morris)

CHARTER AMMENDMENT CERTIFICATE

Robert G. Leuty does hereby certify:

and
He is, for several years last past has been, the Mayor,
chief magistrate, and chief executive officer of the City of
Morris, Minnesota.

On or about August 24, 1961, the duly appointed, qualified
and acting Board of Freeholders, otherwise known as the Charter
Commission, in and for the City, duly executed and returned to
said mayor two instruments, each designated "Certificate of
Charter Commission", each dated August 24, 1961, certifying
drafts of proposed amendments of the Charter of said City.
Copies of said certificates, with lists of the names of the
members of the Charter Commission signing the originals thereof,
are annexed hereto and made a part hereof by reference.

Each of said proposed amendments was thereafter duly sub-
mitted to the qualified voters of said City at an election held
in said city on November 6, 1961, and on said election more than
fifty-five per cent (55%), and more than the majority required
by law, of the qualified voters voting at said election ratified
each of said amendments and declared in favor thereof.

Now therefore, this is to further certify that each of
said amendments has been duly adopted, and that, no other time
being fixed therefor, each of said amendments took effect
thirty (30) days from and after said date of November 7, 1961.

Dated December 7, 1961.

Robert G. Leuty
Robert G. Leuty,
Mayor of Morris.

#15603

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 6 1961
James R. Anderson
Secretary of State

CERTIFICATE OF CHARTER COMMISSION

The undersigned members of the Board of Freeholders, otherwise known as the Charter Commission, in and for the City of Morris, in Stevens County, Minnesota, do hereby certify that the following is a draft of amendments which they propose of the sections indicated of the existing charter of the city, said draft, as hereinafter written, having been prepared and framed by said Board of Freeholders and approved by said Board and the undersigned members thereof, and we do hereby affix our signatures to said draft and deliver the same to the Honorable Mayor, being the chief executive, of said City of Morris, to be submitted and for action as by law provided:

I

Sections 2, 3, and 4 of the existing charter shall be amended by deleting the same and substituting therefor the following section 2:

Section 2. Powers of the city. The city shall have all powers which it may now or hereafter be possible for a municipal corporation in this state to exercise in harmony with the constitutions of this state and of the United States. It is the intention of this charter that every power which the people of the City of Morris might lawfully confer upon themselves, as a municipal corporation, by specific enumeration in this charter shall be deemed to have been so conferred by the provisions of this section. The charter shall be construed liberally in favor of the city, and the specific mention of particular powers in the charter shall not be construed as limiting in any way the generality of the power herein sought to be conferred.

II

Section 6 shall be amended to read in full as follows: Section 6. Form of Government. The form of government established by this Charter shall be known as the "Council-Manager Plan". All powers of the city, including all legislative, executive and administrative powers, authority and duties, shall vest in and be exercised by the city council, subject to the initiative, referendum and recall powers of the people. The city manager shall be the head of the administrative branch of the city government and shall be responsible to the council for the proper administration of all affairs relating to the city. Whenever in this charter the word "Commission" is used with reference to the governing body of the city, the word "Commission" shall be changed to, and construed to mean, "Council".

III

Section 10 shall be amended to read in full as follows: Section 10. Salaries. Beginning on the first day of the month following the date when this amendment to the charter takes effect, and until modified by ordinance as hereinafter provided, the Mayor shall receive a salary of Six Hundred Dollars (\$600.00) per year, and each councilman shall receive a salary of Four Hundred Dollars (\$400.00) per year, payable monthly at the expiration of each calendar month. Such salary shall be accepted and received by said Mayor and councilmen in lieu of all other compensation, if any, otherwise provided by law and in full compensation for all services required by law and the provisions of this Charter.

Such salaries of the members of the Council may be modified from time to time by the ~~election~~ Council by resolution; which resolution, however, shall not be immediately effective, but shall take effect as to each member whose salary is modified on the first day of January following the next general municipal election at which the office of such member is filled.

All other officers and employees of the City shall receive such compensation for their services as the Council may prescribe.

CERTIFICATE OF CHARTER COMMISSION (cont)

IV

Section 12 shall be amended to read in full as follows: Section 12.
The Mayor. The mayor shall be the presiding officer of the council, except that the council shall choose from its members a president pro tem who shall hold office at the pleasure of the council and shall serve as president in the Mayor's absence and as mayor in case of the mayor's disability or absence from the city. He 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. The mayor shall have a vote as a member of the council.

V

Section 17 shall be amended to read in full as follows: Section 17.
Other Appointments and Employments. Except as herein otherwise expressly provided, no person shall be appointed or employed to any office or employment for a term to expire later than the next regular January meeting of the council.

VI

Section 19 (4) shall be amended by changing the designation Section 19 (4) to Section 19 (3) (1), and deleting therefrom the first sentence reading: "The City Manager shall be the chief accounting officer of the City and of every branch thereof," and Section 20 shall be amended to read as follows: Section 20.
City Treasurer. The City Treasurer shall be the chief accounting officer of the city and of every branch thereof, and the custodian of the funds of the city, and he shall be governed in the discharge and performance of his duties by all provisions of this Charter relating to finances applicable to his office and by such directions and restrictions as the Council shall by ordinance or resolution prescribe.

VII

Section 54 shall be amended to read in full as follows: Section 54.
Expenditures. The total of all expenditures by and on behalf of any candidate in aid of his election shall not exceed the annual salary of the office for which he is a candidate.

VIII

Section 83 shall be amended by adding thereto an additional provision as follows: Section 83a. Emergency Appropriation in Budget. The council may include an Emergency Appropriation as a part of the budget but not to exceed ten per cent of the total budget. All moneys derived under this appropriation shall be paid into the Emergency Appropriation Fund, to be disbursed only by order of the council.

IX

Section 86 shall be amended to read in full as follows: Section 86.
Alterations in the Budget. After the budget resolution has been adopted, the council shall have no power to increase the amounts fixed in the budget resolution, by the insertion of new items or otherwise, beyond the estimated revenues, unless the actual receipts exceed the estimates and then not beyond the actual receipts. The council may at any time, by resolution, reduce the sums appropriated for any purpose by the budget resolution or authorize the transfer of sums from unencumbered balances of appropriations in the budget resolution to other purposes.

CERTIFICATE OF CHARTER COMMISSION (cont)

X.

Section 89 shall be amended to read in full as follows: Section 89. Disbursements. How Made. No disbursement of city funds shall be made except by check signed by the City manager and treasurer ☐ specifying the purpose for which the disbursement is made and the fund from which it is drawn. No such check shall be issued until there is money to the credit of the fund from which it is to be paid sufficient to pay it together with all outstanding encumbrances upon the fund. No such check shall be issued until the claim to which it relates has been supported by an itemized bill, payroll, or time-sheet approved and signed by the responsible city officer who vouches for its correctness and reasonableness, and the claim has been approved by the council. The city manager shall note on each contract requiring the payment of money by the city the particular fund out of which it is to be paid. The council may by ordinance make further regulations for the safe-keeping and disbursement of the funds of the city.

XI.

Section 22 shall be amended by adding thereto an additional provision as follows: Section 22a. Other Provisions Relating to Police. Residence of police officers shall not be a factor in their original appointments, but no such officer shall be qualified to remain in such appointment or employment for more than one year of uninterrupted employment without having within such year become a resident of the City; and he shall therefore become disqualified to continue in such continuous appointment or employment in case of continued non residence or removal of residence from the city. The provisions of Section 18 of this Charter relating to filling vacancies in appointive offices shall not apply to police, except as to such police officers, if any, as may be included in appointive officers specified in Section 16. Except as provided by Section 16 or otherwise provided by this charter, police officers shall be considered to be employees, rather than officers, without individual office for purposes of holding-over or other tenure.

XII.

Section 85 shall be amended to read in full as follows: Section 85. Enforcement of the Budget. It shall be the duty of the City Manager to enforce strictly the provisions of the budget. He shall not approve any order upon the City Treasurer for any expenditure unless an appropriation has been made in the budget, nor for any expenditure covered by the budget unless there is a ~~sufficient~~ unexpended balance left after deducting the total past expenditures and the sum of all outstanding orders and encumbrances, unless otherwise ordered by the Council. No officer or employee of the City shall place any orders 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.

XIII.

Section 90 (1), "A Sinking Fund", shall be repealed and in lieu thereof shall be substituted the following: Section 90 (1). A Debt Service Fund, into which shall be paid all receipts from taxes or other sources for the payment of principal and interest of all obligations issued by the city except bonds issued on account of any local improvement to be financed wholly or partly by special assessments and bonds issued on account of any municipally owned utility. Out of this fund shall be paid the principal and interest of such obligations when due. Any surplus in such fund not needed immediately for debt service may be invested under the direction of the council in such securities as are authorized by statute for the investment of such funds; and such investments may be liquidated at any time. To the extent required by law, a separate account in the debt service fund shall be maintained for each issue of city obligations.

CERTIFICATE OF CHARTER COMMISSION (cont)

XIV.

Section 90 (2), "A Public Safety Fund", shall be repealed and in lieu thereof shall be substituted the following: Section 90 (2). A Bond Fund, into which shall be paid and disbursed the proceeds of all bonds issued by the city except bonds issued on account of any local improvement to be financed wholly or partly by special assessments and bonds issued on account of any municipally owned utility. A separate bond account shall be kept for each issue of such bonds.

XV.

Section 90 (3), "A Library Fund", shall be repealed.

XVI.

Section 90 (4), "A Public Works Fund", shall be repealed.

XVII.

Section 90 (6), "A Public Utility Fund or Funds," shall be amended by amending the final paragraph thereof to read in full as follows: The Commission may by resolution issue bonds or certificates of indebtedness for any of the purposes of the public utility fund or funds but each bond or certificate shall be issued only for one utility and shall be a specific lien upon the utility for which it is issued and shall be an obligation only for the fund of the utility for which issued and not a general or specific liability of the City. Said bonds or certificates shall be sold in the manner provided for the sale of bonds or certificates under the Permanent Improvement Fund.

XVIII.

Section 90 (8), "A Contingent Reserve Fund", shall be repealed and in lieu thereof shall be substituted the following: Section 90 (8), An Emergency Appropriation Fund. Into this fund shall be paid all moneys derived under the Emergency Appropriations under Section 83a, to be disbursed as therein provided.

XIX.

Section 91 shall be amended to read in full as follows: Section 91. Emergency Debt Certificates. If in any year the receipts from taxes or other sources shall 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, the council may by published resolution issue and sell on such terms and in such manner as the council determines emergency debt certificates to run not to exceed two years and to bear interest at not more than six per cent per year. A tax sufficient to pay principal and interest on such certificates with the margin required by law shall be levied as required by law. The resolution authorizing an issue of such emergency debt certificates shall state the nature of the emergency. It may, if deemed necessary by the council, be passed as an emergency resolution to take immediate effect without publication.

XX.

Section 92 shall be amended to read in full as follows: Section 92. Bonds. In any case in which the council of the city, by law, or public necessity, is required or permitted to acquire property, authorize contracts, or do or perform any other matter of thing requiring the payment of money by the city, when there is not sufficient money in the city treasury for such payment, the council may, by published resolution, issue bonds or certificates of indebtedness for amounts sufficient for such payment, either as general or other obligations of the city or its utilities or properties or funds as circumstances or this charter shall require. Such bonds or certificates shall be sold in the manner provided for the sale of bonds or certificates under the Permanent Improvement Fund.

CERTIFICATE OF CHARTER COMMISSION (cont)

XXI.

Section 93 shall be amended to read in full as follows: Section 93.
Limit on Net Debt. The city shall not incur or be subject to a net debt in excess of limits as the same now are and may hereafter be established by laws of the State of Minnesota relating to cities of this class, as the classification of the city may now and hereafter be.

XXII.

Section 94 shall be amended to read in full as follows: Section 94.
Tax Levy For General Purposes Limited. The total amount of taxes levied by or for the city for any and all general and special purposes, exclusive of taxes levied for special assessments for local improvements on property specially benefited thereby, shall not exceed in any year the limits as the same now are and may hereafter be established by laws of the State of Minnesota relating to cities of this class, as the classification of the city may now and hereafter be.

XXIII.

Section 96 shall be amended to read in full as follows: Section 96.
Investment of Funds. The Council shall have power from time to time in its discretion to invest such funds of the city as to the council may appear proper in obligations of the United States or of the State of Minnesota, general or special obligations of the City of Morris, loans to or between funds of the city, and such other investments as shall from time to time be authorized by law.

XXIV.

Section 98 shall be amended to read in full as follows: Section 98.
Local Improvements, Regulations. The council shall prepare and adopt ordinances from time to time prescribing the procedure which shall be followed thereafter in making all local improvements and levying assessments therefor. In the absence of an applicable ordinance in any instance, the proposed local improvement may be made and assessments levied therefor as prescribed by any applicable law. Such ordinances may provide a complete working code, covering petitions of property owners, the determination of assessments and assessment districts, classifications of assessments, public hearings, appeals and the trial thereof, reassessments, the spreading of all or any part of assessments over a reasonable period of years, the collection of assessments along with ~~other~~ taxes of otherwise, penalties for delinquency in payments, and all other matters appropriate to the subject of local improvements and assessments.

Dated August 24, 1961.

E. E. Ryhn
Edw. J. Morrison
W. A. Brandt
Wayne Schmidgall
James Martin
E. J. LaFave, Sr.
R. B. O'Neill

C. I. Dolva
Ray Leuthard
Arthur Splitstoser
H. B. Olson
Kenneth McKay
A. J. Balluff
Roy A. Lucken
Earl W. Eames

CERTIFICATE OF CHARTER COMMISSION

The undersigned members of the Board of Freeholders, otherwise known as the Charter Commission, in and for the City of Morris, in Stevens County, Minnesota, do hereby certify that the following is a draft of amendments which they propose of the sections indicated for the existing charter for the city, said draft, as hereinafter written, having been prepared and framed by said Board of Freeholders and approved by said Board and the undersigned members thereof, and we do hereby affix our signatures to said draft and deliver the same to the Honorable Mayor, being the chief executive, of said City of Morris, to be submitted and for action as by law provided:

XXV.

Section 22 shall be amended to read in full as follows: Section 22. Chief of Police. The Chief of Police shall be the principal police officer of the city, and shall be responsible for the efficiency and conduct of the police department. He shall appoint such other regular and special police officers as are necessary to the proper policing of the City.

Dated August 24, 1961.

C. I. Dolva
Ray Leuthard
E. C. Ryhn
Edw. J. Morrison
W. A. Brandt
Arthur Splitstoser

R. B. O'Neill
James Martin
Kenneth McKay
A. J. Balluff
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Wayne Schmidgall

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O.D.
STATE OF MINNESOTA
DEPARTMENT OF STATE
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DEC 6 1961
James C. Hennrich
Secretary of State

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DEC 7 1961

Joseph L. Benson
Secretary of State