

City of Rochester
Minnesota

March 19, 1963

ELFREDA REITER
City Clerk

Mr. Joseph Donovan
Secretary of State
St. Paul, Minnesota

Dear Sir:

Enclosed herewith are certified copies of (a) a resolution adopted by the Common Council of the City of Rochester setting an election on five proposed amendments to the Charter of the City and (2) a resolution adopted by the Common Council of the City of Rochester canvassing the votes on the election of the proposed amendments.

Amendment No. 1 (amending Sections 3, 15, 82, 128, Section 2 of Section 160, Chapter X and 196 of said charter), Amendment No. 2 (amending Sections 163, 164 and 131 of said charter) and Amendment No. 5 (amending section 295 of said charter) received the necessary 60% of the votes cast at this election and therefore was declared adopted and made a part of the City Charter.

Amendments No. 3 (amending Section 14 of said charter) and Amendment No. 4 (amending Section 293) did not receive the necessary 60% of the votes cast at the election so therefore were declared rejected.

These are filed in accordance with Minnesota Statutes, Section 410.12, Subd. 4 (1959).

In checking our files I could find no record that these had been filed with your department at the time of passage.

Very truly yours,

Elfreda Reiter
City Clerk

/er
enc.

#16232
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 22 1963

Joseph L. Donovan
Secretary of State

WHEREAS, The Board of Freeholders appointed by the Judges of the District Court, Tenth Judicial District of the State of Minnesota, to frame a Charter for the City of Rochester and to propose amendments thereto, has delivered to the Mayor of the City of Rochester, Minnesota five proposed amendments to the City Charter.

AND WHEREAS, the Mayor has delivered the draft of the five proposed amendments to the Common Council to be submitted to the voters as required by law.

AND WHEREAS, one of said amendments, hereby designated by the Common Council as proposed Amendment No. 1, proposes to amend Sections 3, 15, 82, 128, Section 2, of Section 160, Chapter X and 196 of said Charter; another of said amendments, hereby designated by the Common Council as proposed Amendment No. 2, proposes to amend Sections 163, 164 and 131 of said Charter; another of said amendments, hereby designated by the Common Council as proposed Amendment No. 3, proposes to amend Section 14 of said Charter; another of said amendments, hereby designated by the Common Council as proposed Amendment No. 4, proposes to amend Section 293 of said Charter; and the last of said amendments, hereby designated by the Common Council as proposed Amendment No. 5, proposes to amend Section 295 of said Charter.

NOW THEREFORE, be it resolved by the Common Council of the City of Rochester, Minnesota:

(1) That the City Clerk of the City of Rochester is hereby ordered and directed to file the original drafts of said proposed amendments in her office, which amendments read as follows:

AMENDMENT NO. 1

Amend Sections 3, 15, 82, 128, Section 2 of Section 160 Chapter X and 196 of the Charter of the City of Rochester, Minnesota so that the said sections, as amended, shall read in their entirety as follows:

"Section 3. The said City shall be divided into six (6) wards, called the First, Second, Third, Fourth, Fifth and Sixth Wards.

"The First Ward shall comprise all that part of the City which lies east of Broadway South and south of a line drawn east and west along the center of that part of Sixth Street Southeast lying east of Third Avenue Southeast, and extended westerly to said Broadway South, and extended easterly to the intersection of said Sixth Street Southeast and Thirteenth Avenue Southeast and thence southeasterly along the center of Old Trunk Highway Number Twenty (20), (being that street extending southeasterly from the intersection of Sixth Street Southeast and Thirteenth Avenue Southeast to the intersection of Highways Fourteen (14) and Fifty-two (52) to Eight and One-half (8½) Street Southeast, thence easterly along the center of Eight and One-half (8½) Street Southeast to the eastern limits of the City.

"The Second Ward of the said City shall comprise all that part of the said City which lies west of Broadway South and south of a line commencing at the center of the intersection of Sixth Street Southwest and Broadway South, thence west along the center of Sixth

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STATE OF MINNESOTA
DEPARTMENT OF STATE
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MAR 22 1903
Joseph L. Johnson
Secretary of State

Street Southwest to the center of Highway Fifty-two (52), as presently laid out, thence north along the center of Highway Fifty-two (52) to the center of Fifth Street Southwest, thence westerly along the center of Fifth Street Southwest to the western limits of said City.

"The Third Ward shall comprise all that part of the City which lies north of the Second Ward and west of Broadway North and South and south of a line drawn east and west along the center of Seventh Street Northwest to the intersection of Seventh Street Northwest, if extended, and the Chicago, Northwestern Railroad Right-of-Way, thence westerly along the center of the said Chicago, Northwestern Railroad Right-of-Way to the western limits of the City.

"The Fourth Ward shall comprise all that part of the said City which lies north of the First Ward and east of Broadway North and South and south of a line drawn east and west along the center of Seventh Street Northeast to the eastern limits of said City.

"The Fifth Ward shall comprise all that part of the said City which lies north of the Fourth Ward and east of Broadway North.

"The Sixth Ward shall comprise all that part of the said City which lies north of the Third Ward and west of Broadway North."

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"Section 15, The elective officers of each ward shall be one Alderman. The Alderman from each of the odd numbered wards shall be elected in each odd numbered year and shall each hold office for two (2) years and until his successor is elected and qualified. The Alderman from each of the even numbered wards shall be elected in each even numbered year and shall each hold office for two (2) years and until his successor is elected and qualified. The term of office of all Aldermen holding office on the effective date of this amendment shall expire on the first Monday in April, 1960, and the residence provisions of Section 22 of this Charter shall not operate to vacate the office of any Alderman Holding office between such effective date and the first Monday in April, 1960. Any Alderman elected from an odd numbered ward in the general City election in 1960 shall hold office for one (1) year and until his successor is elected and qualified."

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"Section 82. The legislative authority of the City shall be vested in a Common Council, which shall be composed of an Alderman at Large and one Alderman from each ward in the City."

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"Section 128. There shall be a Board of Park Commissioners of the City of Rochester, to consist of one member from each ward and one member at large, appointed by the Mayor and confirmed by the Common Council. They shall be residents and freeholders of the City. Each shall hold office for two (2) years. A Park Commissioner shall be appointed from each odd numbered ward on the second Monday in April in each odd numbered year and a Park Commissioner shall be appointed from each even numbered ward on the second Monday in April in each even numbered year. The Park Commissioner at Large shall be appointed on the second Monday in April in each odd numbered year. The term of office of all Park Commissioners holding office on the effective date of this amendment shall expire on the second Monday in April, 1960. The term of office of the Park Commissioner at Large and the Park

Commissioners from odd numbered wards, appointed on the second Monday in April, 1960, shall expire on the second Monday in April, 1961."

Section 2 of Section 160, Chapter X

"Section 2. The Board of Education shall consist of one (1) member from each ward and one member at large. The board member from each of the odd numbered wards and the board member at large shall be elected at the general City election in each odd numbered year and shall each hold office for two (2) years and until his successor is elected and qualified. The board member from each of the even numbered wards shall be elected at the general City Election in each even numbered year and shall each hold office for two years and until his successor is elected and qualified. The term of office of all board members holding office on the effective date of this amendment shall expire on the first Monday in April, 1960. The residence provisions of Section 22 of this Charter shall not operate to vacate the office of any board member between the effective date of this amendment and the first Monday in April, 1960, and the Board of Education serving on the effective date of this amendment shall continue to serve with full power and authority until the first Monday in April, 1960. Any board member from an odd numbered ward and the board member at large elected at the general City election in 1960 shall hold office for one (1) year and until his successor is elected and qualified."

"Section 196. The Common Council, upon ordering an improvement above mentioned to be made, shall appoint three commissioners, each of whom shall be a disinterested freeholder and qualified voter of the City, to view the premises, and assess the damages which may be occasioned by the taking of private property or otherwise in making said improvement. The commissioners so appointed shall be notified as soon as practicable by the City Clerk to attend a meeting at his office, at a time to be fixed by him for the purpose of qualifying and entering upon their duties. In the event of the absence, inability or refusal of any Commissioner so appointed to serve, any two Commissioners who have qualified, are authorized to appoint a Commissioner possessing the qualifications aforesaid to fill the vacancy. In all other cases of vacancy the Common Council shall fill such vacancy or vacancies."

This amendment shall take effect as of the first day of January, 1960.

AMENDMENT NO. 2

Amends Sections 163, 164 and 131 of the Charter of the City of Rochester, Minnesota as follows:

Amend Section 163 by adding immediately following subdivision "Sixteenth" thereof, a new paragraph to be numbered subdivision "Seventeenth" and to read as follows:

"Seventeenth. An Auditorium Fund, into which shall be paid all taxes levied by the Common Council for the purpose of operating, maintaining, repairing and improving municipal auditoriums, and all revenue produced by the operation of municipal auditoriums."

Amend Section 164 by adding thereto at the end thereof a new paragraph to read as follows:

"For the Auditorium Fund, so much as it may deem necessary for the operation, maintenance, repair and improvement of municipal auditoriums, not exceeding one and one-half (1½) mills on the dollar of such assessed valuation."

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Amend Section 131 by adding thereto at the end thereof a new sentence to read as follows:

"Municipal auditoriums, and facilities incident thereto as defined by the Common Council, located in city parks shall be under the management and control of the Common Council, or such person or board, whether then existing or established for this purpose, as the Common Council, by resolution, may designate."

AMENDMENT NO. 3

Amend Section 14 of the Charter of the City of Rochester, Minnesota, so that the said Section, as amended, shall read in its entirety as follows:

"Section 14. The elective officers of said City shall be a Mayor, an Alderman at Large, an Assessor, and a Treasurer. The Mayor shall be elected at the general City election in each odd numbered year, and shall hold office for a term of two (2) years, and until his successor is elected and qualified. The Alderman at Large shall be elected at the general City election in each even numbered year, and shall hold office for a term of two (2) years, and until his successor is elected and qualified. The Assessor elected in 1959 shall hold office four (4) years, and until his successor shall be elected and qualified and the Treasurer elected in 1959 shall hold office two (2) years and until his successor is elected and qualified. Each Assessor and each Treasurer elected subsequent to 1959 shall hold office four (4) years and until his successor is elected and qualified. Any Assessor or Treasurer elected at a time other than the time such officer should be chosen, by reason of a vacancy in such office, shall hold office only for the unexpired term thereof."

AMENDMENT NO. 4

Amend Section 293 of the Charter of the City of Rochester, Minnesota so that the said Section, as amended, shall read in its entirety as follows:

"Section 293. The following officers of the City shall receive each year salaries as follows:

"The Mayor \$2,400.00; Aldermen, each \$1,800.00.

"In addition to his salary, the Mayor shall in any and all events have the exclusive control of a contingency fund in the amount of One Thousand Dollars (\$1,000.00) each year, or in such greater amount as the Common Council may by resolution provide. Expenditures made from this fund shall be subject to such post-audit as the Common Council may provide."

AMENDMENT NO. 5

Amend Section 295 of the Charter of the City of Rochester, Minnesota so that the said Section, as amended, shall read in its entirety as follows:

"Section 295. The City Assessor, City Treasurer and all other officers and employees of the City whose compensations are not specifically mentioned in this Charter, and the incumbents of any other offices which the Common Council may create hereunder, except the officers or employees hired and controlled by any board empowered heretofore to fix the respective salaries and wages, shall each receive such compensation as the Common Council shall deem proper. Such salaries and compensations and the salaries and wages fixed by any Board except the Board of Education shall be fixed at the time any office is created and annually with effect from the first day of January in each year. No officer's or employee's salary shall be increased or diminished on any date other than January 1st during his term of office. The Common Council may at any time fix the compensation of any officer or employee for any extraordinary service performed."

This amendment shall take effect as of the first day of January, 1960.

(2) BE IT FURTHER RESOLVED that the five proposed amendments as set forth above be submitted to the qualified voters of said City for their ratification or rejection at a special election to be held in the several election districts in the City of Rochester on Tuesday, September 9th, 1958 between the hours of 7:00 o'clock A. M. and 8:00 o'clock P. M.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause said proposed amendments to be published in their entirety once a week for four successive weeks in the Rochester Post Bulletin in the City of Rochester, Minnesota and is further directed to give such notice of said election to the qualified voters as required by law.

BE IT FURTHER RESOLVED that the form of the official ballot be and it is hereby fixed as follows:

PROPOSED AMENDMENT NO. 1

| | |
|-----|--|
| YES | TO AMEND SECTIONS 3, 15, 82, 128, SECTION 2 OF SECTION 160 CHAPTER X AND 196 OF THE CHARTER OF THE CITY OF ROCHESTER TO PROVIDE FOR AN INCREASE IN THE NUMBER OF WARDS FROM THREE TO SIX, THE BOUNDARIES OF WHICH PROPOSED SIX WARDS ARE SPECIFICALLY SET FORTH IN THE PROPOSED AMENDMENT; TO PROVIDE THAT THE ONLY ELECTIVE OFFICE OF EACH WARD SHALL BE ONE ALDERMAN, ELIMINATING WARD CONSTABLES AND WARD JUSTICE OF THE PEACE; TO PROVIDE THAT THE LEGISLATIVE AUTHORITY OF THE CITY SHALL BE VESTED IN A COMMON COUNCIL COMPOSED OF AN ALDERMAN AT LARGE AND ONE ALDERMAN FROM EACH WARD; TO PROVIDE FOR AN INCREASE IN THE MEMBERSHIP OF THE BOARD OF PARK COMMISSIONERS FROM FOUR TO SEVEN MEMBERS BEING ONE MEMBER FROM EACH PROPOSED NEW WARD AND ONE MEMBER AT LARGE; TO PROVIDE FOR AN INCREASE IN THE MEMBERSHIP OF THE BOARD OF EDUCATION FROM FIVE MEMBERS TO SEVEN MEMBERS, BEING ONE MEMBER FROM EACH PROPOSED WARD AND ONE MEMBER AT LARGE; AND TO PROVIDE FOR THE APPOINTMENT OF THREE COMMISSIONERS IN CONDEMNATION PROCEEDINGS WHO MAY BE CHOSEN FROM THE CITY AT LARGE INSTEAD OF ONE FROM EACH WARD. |
| NO | |

PROPOSED AMENDMENT NO. 2

| | |
|-----|--|
| YES | TO AMEND SECTION 131, 163 AND 164 OF THE CHARTER OF THE CITY OF ROCHESTER TO PROVIDE THAT MUNICIPAL AUDITORIUMS AND FACILITIES INCIDENT THERETO LOCATED IN CITY PARKS SHALL BE UNDER THE MANAGEMENT AND CONTROL OF THE COMMON COUNCIL OR SUCH PERSON OR BOARD AS THE COUNCIL MAY DESIGNATE; TO PROVIDE FOR A SEPARATE "AUDITORIUM FUND"; AND TO AUTHORIZE A LEVY OF NOT TO EXCEED ONE AND ONE-HALF MILLS FOR THE PURPOSE OF OPERATING, MAINTAINING, REPAIRING AND IMPROVING MUNICIPAL AUDITORIUMS. |
| NO | |

PROPOSED AMENDMENT NO. 3

YES TO AMEND SECTION 14 OF THE CHARTER OF THE CITY OF ROCHESTER TO PROVIDE THAT THE ELECTIVE OFFICERS OF THE CITY SHALL BE A MAYOR, AN ALDERMAN AT LARGE, AN ASSESSOR AND A TREASURER, ELIMINATING THE CITY JUSTICE OF PEACE; TO PROVIDE FOR AN INCREASE IN THE TERM OF OFFICE OF THE ASSESSOR FROM TWO YEARS TO FOUR YEARS; AND TO PROVIDE FOR AN INCREASE IN THE TERM OF OFFICE OF THE TREASURER FROM ONE YEAR TO FOUR YEARS.

NO

PROPOSED AMENDMENT NO. 4

YES TO AMEND SECTION 293 OF THE CHARTER OF THE CITY OF ROCHESTER TO PROVIDE AN INCREASE IN THE ANNUAL SALARY OF THE MAYOR FROM ONE THOUSAND DOLLARS (\$1,000.00) TO TWO THOUSAND FOUR HUNDRED DOLLARS (\$2,400.00); AND TO PROVIDE AN INCREASE IN THE ANNUAL SALARY OF EACH ALDERMAN FROM SEVEN HUNDRED FIFTY DOLLARS (\$750.00) TO ONE THOUSAND EIGHT HUNDRED DOLLARS (\$1,800.00); OTHERWISE SAID SECTION TO REMAIN THE SAME.

NO

PROPOSED AMENDMENT NO. 5

YES TO AMEND SECTION 295 OF THE CHARTER OF THE CITY OF ROCHESTER TO PROVIDE THAT THE COMPENSATION OF ALL ELECTED AND APPOINTED OFFICIALS AND EMPLOYEES NOT FIXED BY THE CHARTER OR BY ANY BOARD EMPOWERED TO DO SO SHALL BE FIXED BY THE COMMON COUNCIL IN SUCH SUM AS IT DEEMS PROPER; TO PROVIDE THAT ALL SALARIES AND WAGES FIXED BY THE COMMON COUNCIL OR BY ANY BOARD EXCEPT THE BOARD OF EDUCATION SHALL BE FIXED ANNUALLY EFFECTIVE JANUARY 1ST OF EACH YEAR; TO PROVIDE THAT NO OFFICERS OR EMPLOYEES SALARY SHALL BE INCREASED OR DIMINISHED ON ANY DATE OTHER THAN JANUARY 1ST DURING HIS TERM OF OFFICE; AND TO PROVIDE THAT THE COMMON COUNCIL MAY FIX COMPENSATION OF ANY OFFICER OR EMPLOYEE FOR EXTRAORDINARY SERVICES.

NO

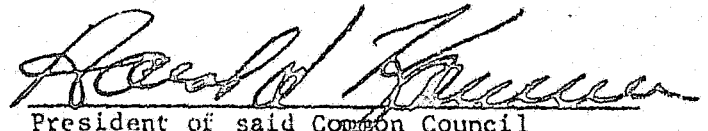
BE IT FURTHER RESOLVED that the following are hereby designated as the polling places for the several election districts, in said City, viz:

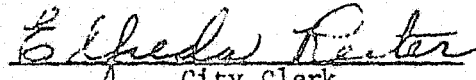
In the Horace Mann School Building located at 11th Street and 8th Avenue Southeast, in said City, in the First Election District of the First Ward;
In the Hawthorne School Building at 4th Avenue and 7th Street Southeast, in said City, in the Second Election District of the First Ward;
In the Public Health Center, located at 415 - 4th Street Southeast, in said City, in the Third Election District of the First Ward;
In the Central Fire Station at Broadway and Sixth Street Southwest, in said City, in the Fourth Election District of the First Ward;
In the Edison School Building at 6th Avenue and 7th Street Southwest, in said City, in the Fifth Election District of the First Ward;

In the Holmes School Building at East Center Street and 11th Avenue Southeast, in said City, in the First Election District of the Second Ward;
In the Mayo Civic Auditorium, west entrance at 20 Second Avenue Southeast, in said City, in the Second Election District of the Second Ward;
In the City Hall Building, Room 109, in said City, in the Third Election District of the Second Ward;
In the Olmsted County Court House, in said City, in the Fourth Election District of the Second Ward;
At Miracle Mile, Moores-Jones Color Center, 20 - 17th Avenue N. W. in said City, in the Fifth Election District of the Second Ward;

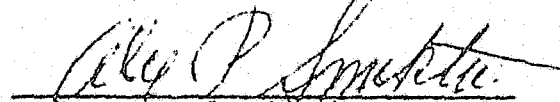
In the Jefferson School Building at 10th Avenue and 14th Street Northeast, in said City, in the First Election District of the Third Ward;
In the Minnesota National Guard Armory at 119-123 North Broadway, in said City, in the Second Election District of the Third Ward;
In the Lincoln School Building, at 9th Avenue and West Center Street, in said City, in the Third Election District of the Third Ward;
In the Rochester Linoleum and Carpet Store, 601 - 6th Avenue Northwest, in said City, in the Fourth Election District of the Third Ward;
In the New Fire Hall, located at 7th Street and 2nd Avenue Northeast, in said City, in the Fifth Election District of the Third Ward;
In the Washington School Building at 11th Avenue and 12th Street Northwest, in said City, in the Sixth Election District of the Third Ward.

Passed and adopted by the Common Council of the City of Rochester, Minnesota,
at a meeting thereof held this 4th day of August, A. D. 1958.

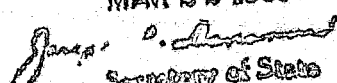

President of said Common Council

Attest: 
City Clerk

Approved this 4 day of August, A. D. 1958.


Mayor of said City

(Seal of the City of
Rochester, Minnesota)

STATE OF MINNESOTA
DEPARTMENT OF STATE
RECEIVED
MAR 22 1958

Secretary of State

State of Minnesota,

County of Olmsted,

City of Rochester, SS

I, Elfreda Reiter, City Clerk of the City of Rochester, Minnesota do hereby certify that I have compared the foregoing copy of a resolution with the original resolution on file in my office, and that the foregoing is a true and correct copy of the said resolution and of the whole thereof.

Witness my hand this 19th day of March, A. D. 1963.

Elfreda Reiter

City Clerk of Rochester, Minnesota

(Seal of the City of
Rochester, Minnesota)

STATE OF MINNESOTA
DEPARTMENT OF STATE
RECEIVED
MAR 22 1963
Joseph A. ...
Secretary of State

RESOLUTION

Be it resolved by the Common Council of the City of Rochester, Minnesota:

That the following is a tabulated statement and list of the number of votes cast for and against the amendments at the Special City Election held on September 9th, 1958, in the City of Rochester, Minnesota, as determined by said Common Council on the canvass of the returns of said Special City Election made on the 10th day of September, 1958, and said statement is hereby declared to show the result of the said Special City Election; said tabulation list and statement being as follows:

| First Ward | | | | | Second Ward | | | | | Third Ward | | | | | | Total |
|------------|---|---|---|---|-------------|---|---|---|---|------------|---|---|---|---|---|-------|
| District | | | | | District | | | | | District | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 6 | |

Amendment No. 1

The Charter of the City of Rochester, adopted pursuant to Minnesota Constitution, Article 4, Section 36, and Minnesota Laws, 1903, Chapter 238, and ratified August 2, 1904, as amended, is hereby amended by the substitution of the following in lieu of Section 3, Section 15, Section 82, Section 128, Section 2 of Section 160 of Chapter X, and Section 196, thereof, as follows:

"Section 3. The said City shall be divided into six (6) wards, called the First, Second, Third, Fourth, Fifth and Sixth Wards.

"The First Ward shall comprise all that part of the City which lies east of Broadway South and south of a line drawn east and west along the center of that part of Sixth Street Southeast lying east of Third Avenue Southeast, and extended westerly to said Broadway South, and extended easterly to the intersection of said Sixth Street Southeast and Thirteenth Avenue Southeast and thence southeasterly along the center of Old Trunk Highway Number Twenty (20), (being that street extending southeasterly from the intersection of Sixth Street Southeast and Thirteenth Avenue Southeast to the intersection of Highways Fourteen (14) and Fifty-two (52) to Eight and One-half (8½) Street Southeast, thence easterly along the center of Eight and One-half (8½) Street Southeast to the eastern limits of the City.

"The Second Ward of the said City shall comprise all that part of the said City which lies west of Broadway South and south of a line, commencing at the center of the intersection of Sixth Street Southwest and Broadway South, thence west along the center of Sixth Street Southwest to the center of Highway Fifty-two (52), as presently laid out, thence north along the center of Highway Fifty-two (52) to the center of Fifth Street Southwest, thence westerly along the center of Fifth Street Southwest to the western limits of said City.

"The Third Ward shall comprise all that part of the City which lies north of the Second Ward and west of Broadway North and South and south of a line drawn east and west along the center of Seventh Street Northwest to the intersection of Seventh Street Northwest, if extended, and the Chicago Northwestern Railroad Right-of-way, thence westerly along the center of the said Chicago Northwestern Railroad Right-of-Way to the western limits of the City.

"The Fourth Ward shall comprise all that part of the said City which lies north of the First Ward and east of Broadway North and South and South of a line drawn east and west along the center of Seventh Street Northeast to the eastern limits of said City.

"The Fifth Ward shall comprise all that part of the said City which lies north of the Fourth Ward and east of Broadway North.

"The Sixth Ward shall comprise all that part of the said City which lies north of the Third Ward and west of Broadway North."

"Section 15. The elective officers of each ward shall be one Alderman. The Alderman from each of the odd numbered wards shall be elected in each odd numbered year and shall each hold office for two (2) years and until his successor is elected and qualified. The Alderman from each of the even numbered wards shall be elected in each even numbered year and shall

each hold office for two (2) years and until his successor is elected and qualified. The term of office of all Aldermen holding office on the effective date of this amendment shall expire on the first Monday in April, 1960, and the residence provisions of Section 22 of this Charter shall not operate to vacate the office of any Alderman holding office between such effective date and the first Monday in April, 1960. Any Alderman elected from an odd numbered ward in the general City election in 1960 shall hold office for one (1) year and until his successor is elected and qualified."

"Section 82. The legislative authority of the City shall be vested in a Common Council, which shall be composed of an Alderman at Large and one Alderman from each ward in the City."

"Section 128. There shall be a Board of Park Commissioners of the City of Rochester, to consist of one member from each ward and one member at large, appointed by the Mayor and confirmed by the Common Council. They shall be residents and freeholders of the City. Each shall hold office for two (2) years. A Park Commissioner shall be appointed from each odd numbered ward on the second Monday in April in each odd numbered year and a Park Commissioner shall be appointed from each even numbered ward on the second Monday in April in each even numbered year. The Park Commissioner at Large shall be appointed on the second Monday in April in each odd numbered year. The term of office of all Park Commissioners holding office on the effective date of this amendment shall expire on the second Monday in April, 1960. The term of office of the Park Commissioner at Large and the Park Commissioners from odd numbered wards, appointed on the second Monday in April, 1960, shall expire on the second Monday in April, 1961."

Section 2 of Section 160, Chapter X

"Section 2. The Board of Education shall consist of one (1) member from each ward and one member at large. The board member from each of the odd numbered wards and the board member at large shall be elected at the general City election in each odd numbered year and shall each hold office for two (2) years and until his successor is elected and qualified. The Board member from each of the even numbered wards shall be elected at the general City election in each even numbered year and shall hold office for two years and until his successor is elected and qualified. The term of office of all board members holding office on the effective date of this amendment shall expire on the first Monday in April, 1960. The residence provisions of Section 22 of this Charter shall not operate to vacate the office of any board member between the effective date of this amendment and the first Monday in April, 1960, and the Board of Education serving on the effective date of this amendment shall continue to serve with full power and authority until the first Monday in April, 1960. Any Board member from an odd numbered ward and the board member at large elected at the general City Election in 1960 shall hold office for one (1) year and until his successor is elected and qualified."

"Section 196. The Common Council, upon ordering an improvement above mentioned to be made, shall appoint three commissioners, each of which shall be a disinterested freeholder and qualified voter of the City, to view the premises, and assess the damages which may be occasioned by the taking of private property or otherwise in making said improvement. The commissioners so appointed shall be notified as soon as practicable by the City Clerk to attend a meeting at his office, at a time to be fixed by him for the purpose of qualifying and entering upon their duties. In the event of the absence, inability or refusal of any Commissioners so appointed to serve, any two Commissioners who have qualified, are authorized to appoint a Commissioner possessing the qualifications aforesaid to fill the vacancy. In all other cases of vacancy the Common Council shall fill such vacancy or vacancies."

This amendment shall take effect as of the first day of January, 1960.

"YES" received

336 132 251 105 639 123 101 83 157 227 636 65 176 63 116 422 3632

"NO" received

180 56 92 35 114 73 27 43 54 66 181 29 60 52 50 117 1229

Amendment No. 2

The Charter of the City of Rochester, adopted pursuant to Minnesota Constitution, Article 4, Section 36, and Minnesota Laws, 1903, Chapter 238, and ratified August 22, 1904, as amended, is hereby amended by the amendment of Section 163, Section 164 and Section 131 as follows:

I.

Section 163 is amended by the addition, immediately following subdivision "Sixteenth" thereof, of a new paragraph to be numbered subdivision "Seventeenth" and to read as follows:

"Seventeenth. An Auditorium Fund, into which shall be paid all taxes levied by the Common Council for the purpose of operating, maintaining, repairing and improving municipal auditoriums, and all revenue produced by the operation of municipal auditoriums."

II.

Section 164 is amended by the addition at the end thereof of a new paragraph to read as follows:

"For the Auditorium Fund, so much as it may deem necessary for the operation, maintenance, repair and improvement of municipal auditoriums, not exceeding one and one-half (1½) mills on the dollar of such assessed valuation."

III.

Section 131 is amended by the addition at the end thereof of a new sentence to read as follows:

"Municipal auditoriums, and facilities incident thereto as defined by the Common Council, located in city parks shall be under the management and control of the Common Council, or such person or board, whether then existing or established for this purpose, as the Common Council, by resolution, may designate."

"YES" received

283 119 228 92 570 98 80 74 150 195 509 54 163 52 101 348 3116

"NO" received

245 71 122 53 195 93 52 55 66 109 304 39 86 68 72 206 1837

Amendment No. 3

The Charter of the City of Rochester, adopted pursuant to Minnesota Constitution, Article 4, Section 36, and Minnesota Laws, 1903, Chapter 238, and ratified August 22, 1904, as amended is hereby amended by the substitution of the following in lieu of Section 14, thereof, as follows:

"Section 14. The elective officers of said City shall be a Mayor, an Alderman at Large, an Assessor, and a Treasurer. The Mayor shall be elected at the general City election in each odd numbered year, and shall hold office for a term of two (2) years, and until his successor is elected and qualified. The Alderman at Large shall be elected at the general City election in each even numbered year, and shall hold office for a term of two (2) years, and until his successor is elected and qualified. The Assessor elected in 1959 shall hold office four (4) years, and until his successor shall be elected and qualified and the Treasurer elected subsequent to 1959 shall hold office two (2) years and until his successor is elected and qualified. Each Assessor and each Treasurer elected subsequent to 1959 shall hold office four (4) years and until his successor is elected and qualified. Any assessor or Treasurer elected at a time other than the time such officer should be chosen, by reason of a vacancy in such office, shall hold office only for the unexpired term thereof".

"YES" received

234 88 197 85 554 88 74 52 130 176 439 45 136 48 86 308 2740

"NO" received

282 103 150 60 205 105 58 70 81 122 373 50 113 70 87 217 2146

Amendment No. 4

The Charter of the City of Rochester, adopted pursuant to Minnesota Constitution, Article 4, Section 36, and Minnesota Laws, 1903, Chapter 238, and ratified August 22, 1904, as amended is hereby amended by substitution of the following in lieu of Section 293 thereof, as follows:

"Section 293. The following officers of the City shall receive each year salaries as follows:

"The Mayor. (\$2,400.00;
Aldermen, each. (\$1,800.00).

"In addition to his salary, the Mayor shall in any and all events have the exclusive control of a contingency fund in the amount of One Thousand Dollars (\$1,000.00) each year, or in such greater amount as the Common Council may by resolution provide. Expenditures made from this fund shall be subject to such post-audit as the Common Council may provide."

"YES" received

218 91 179 85 507 81 61 52 111 166 427 41 136 39 78 285 2557

"NO" received

304 96 165 56 249 116 75 76 94 138 386 49 113 79 93 269 2354

Amendment No. 5

The Charter of the City of Rochester, adopted pursuant to Minnesota Constitution, Article IV, Section 36, and Minnesota Laws, 1903, Chapter 238, and ratified August 22, 1904, as amended, is hereby amended, is hereby amended by the substitution of the following in lieu of Section 295 thereof, as follows:

"Section 295. The City Assessor, City Treasurer and all other officers and employees of the City whose compensations are not specifically mentioned in this Charter, and the incumbents of any other offices which the Common Council may create hereunder, except the officers or employees hired and controlled by any board empowered heretofore to fix the respective salaries and wages, shall each receive such compensation as the Common Council shall deem proper. Such salaries and compensations and the salaries and wages fixed by any Board except of Education shall be fixed at the time any office is created and annually with effect from the first day of January in each year. No officer's or employee's salary shall be increased or diminished on any date other than January 1st during his term of office. The Common Council may at any time fix the compensation of any officer or employee for any extraordinary service performed."

"YES" received

283 121 236 109 597 109 88 71 143 210 556 54 172 48 108 371 3276

"NO" received

243 69 113 38 159 87 51 57 69 92 262 39 75 69 66 188 1677

Be it further resolved by the said Common Council: That the total number of persons lawfully voting on the said amendments at the said Special City Election was 5075 and that it required 3045 votes being three-fifths (3/5) of those who voted at the said Special City Election to ratify the said Amendments and that there were more than three-fifths (3/5) of the total number of votes in favor of the adoption and ratification of Amendments No. 1, 2 and

5 and that each of the said amendments did receive the necessary three-fifths (3/5) of the said total votes and therefore each of said amendments was ratified and adopted by the voters at the said Special City Election and that each of said amendments therefore did carry and is made a part of the Charter of the City of Rochester, Minnesota.

Be it further resolved that Amendments No. 3 and 4 did not receive the required number of votes for adoption and ratification and each of said amendments is declared rejected by the voters.

Passed and adopted by the Common Council of the City of Rochester, Minnesota, this 10th day of September, A.D. 1958.

David Korman
President of said Common Council

Attest: *Elheda Renter*
City Clerk

Approved this 10th day of September, A.D. 1958.

David Korman
Mayor of said City

(Seal of the City of
Rochester, Minnesota)

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 22 1958
James A. ...
Secretary of State

State of Minnesota,
County of Olmsted,
City of Rochester, SS

I, Elfreda Reiter, City Clerk of the City of Rochester, Minnesota
do hereby certify that I have compared the foregoing copy of a resolution
with the original resolution on file in my office, and that the foregoing
is a true and correct copy of the said resolution and of the whole thereof.

Witness my hand this 19th day of March, A. D. 1963.

Elfreda Reiter
City Clerk of Rochester, Minnesota

(Seal of the City of
Rochester, Minnesota)

#16232

STATE OF MINNESOTA
DEPARTMENT OF STATE
R. F. L. REID
MAR 22 1963

James L. ...
Secretary of State