



*Village of Minnetonka*

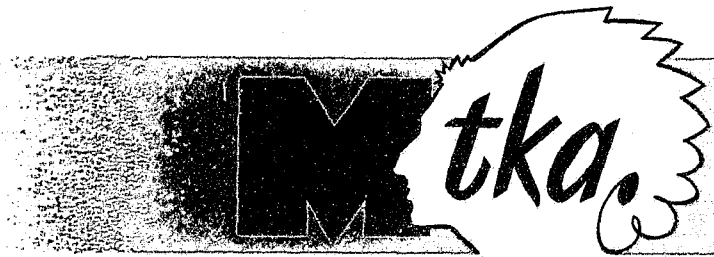
ADMINISTRATIVE OFFICES  
13231 MINNETONKA DRIVE  
MINNETONKA, MINN. 55343  
PHONE . . . . . 935-4471

This is to certify that the foregoing is a true and correct copy of the Minnetonka City Charter approved by the voters of the Village of Minnetonka at a duly authorized election held on November 4, 1969.

*Roy E. Swenson*  
Roy E. Swenson, Village Clerk

#21206  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
DEC 1 - 1969

*Joseph L. Johnson*  
Secretary of State



*Village of Minnetonka*

ADMINISTRATIVE OFFICES  
13231 MINNETONKA DRIVE  
MINNETONKA, MINN. 55343  
PHONE . . . . . 935-4471

November 26, 1969

Joseph L. Donovan  
Secretary of State  
State Capitol  
St. Paul, Minnesota

Dear Sir:

Enclosed is a certified copy of the Minnetonka City Charter, which was adopted by the voters of the Village of Minnetonka on November 4, 1969.

Yours very truly,

VILLAGE OF MINNETONKA

Roy E. Swenson  
Clerk-Administrator

RES:lj

Enclosure

#21206  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
DEC 1 - 1969  
*Joseph L. Donovan*  
Secretary of State

(Official Publication)  
**NOTICE OF ELECTION**  
Village of Minnetonka, Minnesota  
Notice is hereby given that a Village Election will be held in the Village of Minnetonka, County of Hennepin, State of Minnesota, on Tuesday, the 4th day of November, 1969, between the hours of 7:00 a.m. and 8:00 p.m., to vote for or against the following questions:

Shall the proposed new Charter be adopted?  
(The proposed new Charter is as hereafter set forth.)

**MINNETONKA CITY CHARTER**  
**CHAPTER I**

Name, boundaries, powers, and general provisions

Section 1.01. Name and boundaries. The Village of Minnetonka, in the County of Hennepin, and State of Minnesota, shall, upon the taking effect of this charter, continue to be a municipal corporation under the name and style of the City of Minnetonka, with the same boundaries as now are or hereafter may be established.

Sec. 1.02. 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 Minnetonka 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. This 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.

Sec. 1.03. Charter a public act. This charter shall be a public act and need not be pleaded or proved in any case. It shall take effect thirty days from and after its adoption by the voters.

**CHAPTER 2**  
**Form of Government**

Sec. 2.01. Form of government. The form of government established by this charter is the "Council-Manager Plan." The council shall exercise the legislative power of the city and determine all matters of policy. 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.

Sec. 2.02. Boards and commissions. There shall be no separate administrative board of health, library board, park board, or any other administrative board or commission, except for existing civil service commissions and boards and except for the administration of a function jointly with another political subdivision. The council shall itself be and perform the duties and exercise the powers of such boards and commissions. The council may, however, establish boards or commissions to advise the council with respect to any municipal function or activity, to investigate any subject of interest to the city, or to perform quasi-judicial functions.

Sec. 2.03. Elective Officers. The council shall be composed of a mayor and six councilmen who shall be qualified electors, and who shall be elected at large. Each councilman shall serve for a term of four years and until his successor is elected and qualified. The mayor shall serve for a term of two years and until his successor is elected and qualified. The council shall be judges of the election of the mayor and councilman.

Sec. 2.04. Incompatible offices. No member of the council shall be appointed city manager, nor shall any member hold any other paid municipal office or employment under the city; and until one year after the expiration of his term as mayor or councilman no former member shall be appointed to any paid non-elective appointive office or employment under the city. This section does not prohibit the appointment of a councilman to fill a vacancy in the office of mayor.

Sec. 2.05. 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 new council, or by reason of the death, resignation, removal from office, removal from the city, 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 three months. In each such case the council shall be resolution declare such vacancy to exist and shall forthwith appoint an eligible person to fill the same until the next regular municipal election, when the office shall be filled for the unexpired term. If the council shall be unable to agree on an appointee to fill the vacancy within 30 days, the mayor, or president pro tem if the vacancy is in the office of mayor, shall appoint a person to fill such vacancy.

Sec. 2.06. 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. The mayor shall have a vote as a member of the council. 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. 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. In time of public danger or emergency he may, with the consent of the council, take command of the police, maintain order and enforce the law.

Sec. 2.07. Salaries. The mayor and members of the council shall receive such salaries as are currently being paid under the village form of government until changed in accordance with state law. When authorized by the council, its members may be reimbursed for their reasonable expenses incurred in connection with the city's business. The city manager and all subordinate officers and employees of the city shall receive such compensation as may be fixed by the council.

Sec. 2.08. Investigation of city affairs. The council and the city manager, 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 an audit of the city's accounts at least once a year by the state department in charge of such work or by a certified public accountant. The council may at any time provide for an examination or audit of the accounts of any officer or department of the city government and it may cause to be made any survey or research study of any subject of municipal concern.

Sec. 2.09. Interferences with administration. The council may by ordinance establish the merit system in all or part of the city administration, but neither the council nor any of its members shall dictate the appointment of any person to office or employment by the city manager, or in any manner interfere with the city manager or prevent him from exercising his own judgment in the appointment of officers and employees in the administrative service. Except for the purpose of inquiry the council and its members shall deal with and control the administrative service solely through the city manager, and neither the council nor any member thereof shall give orders to any of the subordinates of the city manager, either publicly or privately.

**CHAPTER 3**  
**Procedure of Council**

Sec. 3.01. Council meetings. On the first Monday after January 1 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 each month as may be prescribed by ordinance or resolution. The mayor or any three members of the council may call special meetings of the council upon at least twelve hours' written notice to each member of the council. Such notice shall be delivered personally to each member or shall be left at his usual place

of residence with some responsible person. 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. 3.02. Secretary of council. The city clerk shall act as secretary of the council. He shall keep a journal of council proceedings and such other records and perform such other duties as this charter or the council may require. The council shall choose such other officers and employees as may be necessary to serve at its meetings. The council may designate any other official or employee of the city (except the city manager or a member of the council) to act as secretary of the council.

Sec. 3.03. Rules of procedure and quorum. The council shall determine its own rules and order of business. A majority of all members elected shall constitute a quorum to do business, but a smaller number may adjourn from time to time. The council may by ordinance provide a means by which a minority may compel the attendance of absent members.

Sec. 3.04. Ordinances, resolutions and motions. Except as in this charter otherwise provided, all legislation shall be by ordinance. The ye and no vote on ordinances, resolutions, and motions shall be recorded unless the vote is unanimous. An affirmative vote of a majority of all the members of the council shall be required for the passage of all ordinances except as otherwise provided in this charter or as required by state law.

Sec. 3.05. Procedure on ordinances. The enacting clause of all ordinances shall be in the words, "The City of Minnetonka does ordain." Every ordinance shall be presented in writing. No ordinance except an emergency ordinance shall be passed at the meeting at which it is introduced and at least seven days shall elapse between its introduction and final passage.

Sec. 3.06. Emergency ordinances. An emergency ordinance is an ordinance necessary for the immediate preservation of the public peace, health, morals, safety or welfare in which the emergency is defined and declared in a preamble thereto, and is adopted by a vote of at least five members of the council. No prosecution shall be based upon the provisions of any emergency ordinance until 24 hours after the ordinance has been filed with the city clerk and posted in three conspicuous places or until the ordinance has been published, unless the person charged with violation had actual notice of the passage of the ordinance prior to the act or omission complained of. Every emergency ordinance shall automatically stand repealed as of the sixty-first (61st) day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists.

Sec. 3.07. Procedure on resolutions. Every resolution shall be presented in writing and read in full before a vote is taken thereon, unless the reading of a resolution is dispensed with by unanimous consent. All administrative business may be transacted by motion.

Sec. 3.08. Signing and publication of ordinances and resolutions. Every ordinance or resolution passed by the council shall be signed by the mayor or by two other members, attested by the city clerk and filed and preserved by him. Every ordinance shall be published at least once in the official newspaper.

Sec. 3.09. When ordinances and resolutions take effect. A resolution and an emergency ordinance shall take effect immediately upon its passage or at such later date as is fixed in it. Every other ordinance shall take effect 30 days after publication or at such later date as is fixed therein. Every ordinance and resolution adopted by the voters of the city shall take effect immediately upon its adoption, or at such later time as is fixed therein.

Sec. 3.10. Amendment and repeal of ordinances. Every ordinance repealing a previous ordinance or section or subdivision thereof shall give the number, if any, and the title of the ordinance to be repealed in whole or in part. No ordinance or section or subdivision thereof shall be amended by reference to the title alone, but such an amending ordinance shall set forth in full each section or subdivision to be amended.

Sec. 3.11. Revision and codification of ordinances. The city shall within five years from the adoption of this charter, and at intervals thereafter of not more than five years revise, rearrange and codify its or-

dinances with such additions and deletions as may be deemed necessary by the council. Such ordinance code shall be published in book, pamphlet or continuously revised loose-leaf form and copies shall be made available by the council at the office of the city clerk for general distribution to the public free or at a reasonable charge. Publication in such a code shall be a sufficient publication of any ordinance provision not previously published if a notice that copies of the codification are available at the office of the city clerk is published in the official newspaper for at least two successive weeks.

**CHAPTER 4**  
**Nominations and Elections**

Sec. 4.01. The regular municipal election. A regular municipal election shall be held on the first Tuesday after the first Monday in November of each odd-numbered year commencing in 1971 at such place or places as the city council may designate. The city clerk shall give at least two weeks' previous notice of the time and place of holding such election and of the officers to be elected by posting in at least one public place in each voting precinct and by publication at least once in the official newspaper, but failure to give such notice shall not invalidate such election.

Sec. 4.02. Primary elections. On Tuesday, four (4) weeks in advance of the regular municipal election provided for in Section 4.01 of this charter, there shall be a primary election for the selection of two nominees for each office to be filled at the regular municipal election unless no more than twice the number of candidates to be elected file for each elective office. When three councilmen are to be elected and the number of candidates is more than six, the six candidates receiving the highest number of votes at the primary election shall be the nominees for the office on the general election ballot.

Sec. 4.03. Candidates filing. Any person eligible and desiring to have his name placed on the official ballot as a candidate for an office to be voted for at the regular municipal election shall file his affidavit of candidacy with the city clerk not more than ten (10) weeks nor less than eight (8) weeks prior to the regular municipal election.

Sec. 4.04. Special elections. The council may by resolution order a special election and provide all means for holding it. At least three weeks' published notice of a special election shall be given in the official newspaper. The procedure at such election shall conform as nearly as possible to that prescribed for other municipal elections.

Sec. 4.05. Procedure at elections. Subject to the provisions of this charter and applicable state laws, the council may by ordinance further regulate the conduct of municipal elections. Except as otherwise provided in this charter or in ordinance adopted pursuant thereto, the general laws of the State of Minnesota pertaining to elections shall apply to calling and conducting all municipal elections.

**CHAPTER 5**  
**Initiative and Referendum**

Sec. 5.01. Powers reserved by the people. The people of the City of Minnetonka reserve to themselves the power, in accordance with the provisions of this charter, to initiate and adopt any ordinance, (except an ordinance appropriating money or authorizing the levy of taxes,) and to require such an ordinance when passed by the council to be referred to the electors for approval or disapproval. These powers shall be called the initiative and the referendum respectively.

Sec. 5.02. Expenditures by petitioners. No member of any initiative or referendum committee, no circulator of a signature paper, and no signer of any such paper, or any other person, shall accept or offer any reward, pecuniary or otherwise, for service rendered in connection with the circulation thereof, but this shall not prevent the committee from paying for legal advice and from incurring an expense for stationery, copying, printing, and notaries' fees. Any violation of the provisions of this section is a misdemeanor.

Sec. 5.03. Further regulations. The council may provide by ordinance such further regulations for the initiative and referendum, not inconsistent with this charter, as it deems necessary.

**Initiative**

Sec. 5.04. Initiation of measures. Any five

(Official Publication)  
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(The proposed new Charter is as hereafter set forth.)  
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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 three months. In each such case the council shall be resolution declare such vacancy to exist and shall forthwith appoint an eligible person to fill the same until the next regular municipal election, when the office shall be filled for the unexpired term. If the council shall be unable to agree on an appointee to fill the vacancy within 30 days, the mayor, or president pro tem if the vacancy is in the office of mayor, shall appoint a person to fill such vacancy.

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Sec. 3.11. Revision and codification of ordinances. The city shall within five years from the adoption of this charter, and at intervals thereafter of not more than five years revise, rearrange and codify its or-

dinances with such additions and deletions as may be deemed necessary by the council. Such ordinance code shall be published in book, pamphlet or continuously revised loose-leaf form and copies shall be made available by the council at the office of the city clerk for general distribution to the public free or at a reasonable charge. Publication in such a code shall be a sufficient publication of any ordinance provision not previously published if a notice that copies of the codification are available at the office of the city clerk is published in the official newspaper for at least two successive weeks.

CHAPTER 4

Nominations and Elections

Sec. 4.01. The regular municipal election. A regular municipal election shall be held on the first Tuesday after the first Monday in November of each odd-numbered year commencing in 1971 at such place or places as the city council may designate. The city clerk shall give at least two weeks' previous notice of the time and place of holding such election and of the officers to be elected by posting in at least one public place in each voting precinct and by publication at least once in the official newspaper, but failure to give such notice shall not invalidate such election.

Sec. 4.02. Primary elections. On Tuesday, four (4) weeks in advance of the regular municipal election provided for in Section 4.01 of this charter, there shall be a primary election for the selection of two nominees for each office to be filled at the regular municipal election unless no more than twice the number of candidates to be elected file for each elective office. When three councilmen are to be elected and the number of candidates is more than six, the six candidates receiving the highest number of votes at the primary election shall be the nominees for the office on the general election ballot.

Sec. 4.03. Candidates filing. Any person eligible and desiring to have his name placed on the official ballot as a candidate for an office to be voted for at the regular municipal election shall file his affidavit of candidacy with the city clerk not more than ten (10) weeks nor less than eight (8) weeks prior to the regular municipal election.

Sec. 4.04. Special elections. The council may by resolution order a special election and provide all means for holding it. At least three weeks' published notice of a special election shall be given in the official newspaper. The procedure at such election shall conform as nearly as possible to that prescribed for other municipal elections.

Sec. 4.05. Procedure at elections. Subject to the provisions of this charter and applicable state laws, the council may by ordinance further regulate the conduct of municipal elections. Except as otherwise provided in this charter or in ordinance adopted pursuant thereto, the general laws of the State of Minnesota pertaining to elections shall apply to calling and conducting all municipal elections.

CHAPTER 5

Initiative and referendum

Sec. 5.01. Powers reserved by the people. The people of the City of Minnetonka reserve to themselves the power, in accordance with the provisions of this charter, to initiate and adopt any ordinance, (except an ordinance appropriating money or authorizing the levy of taxes,) and to require such an ordinance when passed by the council to be referred to the electors for approval or disapproval. These powers shall be called the initiative and the referendum respectively.

Sec. 5.02. Expenditures by petitioners. No member of any initiative or referendum committee, no circulator of a signature paper, and no signer of any such paper, or any other person, shall accept or offer any reward, pecuniary or otherwise, for service rendered in connection with the circulation thereof, but this shall not prevent the committee from paying for legal advice and from incurring an expense for stationery, copying, printing, and notaries' fees. Any violation of the provisions of this section is a misdemeanor.

Sec. 5.03. Further regulations. The council may provide by ordinance such further regulations for the initiative and referendum, not inconsistent with this charter, as it deems necessary.

Initiative

Sec. 5.04. Initiation of measures. Any five

electors may form themselves into a committee for the initiation of any ordinance except as provided in Section 5.01. Before circulating any petition they shall file a verified copy of their proposed ordinance with the city clerk together with their names and addresses as members of such committee. They shall also attach a verified copy of the proposed ordinance to each of the signature papers herein described, together with their names and addresses as sponsors therefor.

Sec. 5.05. Form of petition and of signature papers. The petition for the adoption of any ordinance shall consist of the ordinance, together with all the signature papers and affidavits thereto attached. Such petition shall not be complete unless signed by a number of voters equal to at least ten percent of the total number of votes cast at the last state general election. All the signatures need not be on one signature paper, but the circulator of every such paper shall make an affidavit that each signature appended to the paper is the genuine signature of the person whose name it purports to be. Each signature paper shall be in substantially the following form:

Initiative Petition  
proposing an ordinance to .....  
(stating the purpose of the ordinance), a copy of which ordinance is hereto attached. This ordinance is sponsored by the following committee of electors:

Name	Address
1. ....	.....
2. ....	.....
3. ....	.....
4. ....	.....
5. ....	.....

The undersigned electors, understanding the terms and the nature of the ordinance hereto attached, petition the council for its adoption, or, in lieu thereof, for its submission to the electors for their approval.

1. ....  
2. ....  
3. ....

At the end of the list of signatures shall be appended the affidavit of the circulator mentioned below.

Sec. 5.06. Filing of petitions and action thereon. All the signature papers shall be filed in the office of the city clerk as one instrument. Within five days after the filing of the petition, the city clerk shall ascertain by examination the number of electors whose signatures are appended thereto and whether this number is at least ten per cent of the total number of electors who cast their votes at the last preceding state general election. If he finds the petition insufficient or irregular, he shall at once notify one or more of the committee of sponsors of that fact, certifying the reasons for his finding. The committee shall then be given 30 days in which to file additional signature papers and to correct the petition in all other particulars. If at the end of that period the petition is found to be still insufficient or irregular, the clerk shall file it in his office and shall notify each member of the committee of that fact. The final finding of the insufficiency or irregularity of a petition shall not prejudice the filing of a new petition for the same purpose, nor shall it prevent the council from referring the ordinance to the electors at the next regular or any special election at its option.

Sec. 5.07. Action of council on petition. When the petition is found to be sufficient, the city clerk shall so certify to the council at its next meeting, stating the number of petitioners and the percentage of the total number of voters which they constitute, and the council shall at once read the ordinance and refer it to an appropriate committee, which may be a committee of the whole. The committee or council shall thereupon provide for public hearings upon the ordinance, after the holding of which the ordinance shall be finally acted upon by the council not later than 65 days after the date upon which it was submitted to the council by the city clerk. If the council fails to pass the proposed ordinance, or passes it in a form different from that set forth in the petition and unsatisfactory to the petitioners, the proposed ordinance shall be submitted by the council to the vote of the electors at the next regular municipal election; but if the number of signers of the petition is equal to at least 20% of the total number of voters voting at the last state general election, the council shall call a special election upon the measure. Such special elec-

tion shall be held not less than 30 nor more than 45 days from date of final action on the ordinance by the council or after the expiration of 65 days from the date of submission to the council when there has been no final action; but if a regular election is to occur within three months, the council may submit the ordinance at that election. If the council passes the proposed ordinance with amendments and at least 4/5 of the committee of petitioners do not express their dissatisfaction with such amended form by a statement filed with the city clerk within 10 days of the passage thereof by the council, the ordinance need not be submitted to the electors.

Sec. 5.08. Initiative ballots. The ballots used when voting upon any such proposed ordinance shall state the substance of the ordinance and shall give the voters the opportunity to vote either "yes" or "no" on the question of adoption. If a majority of the electors voting on any such ordinance vote in favor of it, it shall thereupon become an ordinance of the city. Any number of proposed ordinances may be voted upon at the same election but the voter shall be allowed to vote for or against each separately. In case of inconsistency between two initiated ordinances approved at one election, the one approved by the higher percentage of electors voting on the question shall prevail to the extent of the inconsistency.

Sec. 5.09. Initiation of charter amendments. Nothing in this charter shall be construed as in any way affecting the right of the electors under the constitution and statutes of Minnesota to proposed amendments to this charter.

#### Referendum

Sec. 5.10. The referendum. If prior to the date when an ordinance takes effect a petition signed by qualified electors of the city equal in number to 20 percent of the total vote at the last state general election is filed with the city clerk requesting that any such ordinance be repealed or be submitted to a vote of the electors, the ordinance shall thereby be prevented from going into operation. The council shall thereupon reconsider the ordinance at its next regular meeting, and either repeal it or by aye and no vote re-affirm its adherence to the ordinance as passed. In the latter case the council shall immediately order a special election to be held thereon, or submit the ordinance at the next regular municipal election, pending which the ordinance shall remain suspended. If a majority of the electors voting thereon is opposed to the ordinance, it shall not become effective; but if a majority of the electors voting thereon favors the ordinance, it shall go into effect immediately or on the date therein specified.

Sec. 5.11. Referendum petitions. The requirements laid down in Sections 5.04 and 5.05 above as to the formation of committees for the initiation of ordinances and as to the form of petitions and signature papers shall apply to the referendum as far as possible, but with such verbal changes as may be necessary. A referendum petition shall read as follows:

Referendum Petition  
proposing the repeal of an ordinance to (stating the purpose of the ordinance), a copy of which ordinance is hereto attached. The proposed repeal is sponsored by the following committee of electors:

Name	Address
1. ....	.....
2. ....	.....
3. ....	.....
4. ....	.....
5. ....	.....

The undersigned petitioners, understanding the nature of the ordinance hereto attached and believing it to be detrimental to the welfare of the city, petition the council for its submission to a vote of the electors for their approval or disapproval.

Name	Address
1. ....	.....
2. ....	.....
3. ....	.....

Sec. 5.12. Referendum Ballots. The ballots used in any referendum election shall conform to the rules laid down in Section 5.08 of this charter for initiative ballots.

#### CHAPTER 6

##### Administration of city affairs

Sec. 6.01. The city manager. The city manager shall be the chief administrative officer of the city. He shall be chosen by the council solely on the basis of his training,

experience and administrative qualifications. The choice shall not be limited to inhabitants of the city or state but he shall be a citizen of the United States. The city manager shall be appointed for an indefinite period and shall be removable by the council at any time; but after he has served as manager for one year he may within fifteen (15) days after his removal or suspension pending removal demand written charges and a public hearing on the charges before the council prior to the date when his final removal takes effect but pending and during the public hearing the council may suspend him from office. During suspension pending removal or after removal and pending the public hearing the manager shall be paid his regular salary. Such public hearing shall take place within thirty (30) days after the demand for the same and the written charges shall be furnished him by the council at least ten (10) days before the public hearing. After such hearing, if one is demanded, the council shall have unlimited discretion either to reinstate the manager or make his removal final and the manager shall have no right to appeal and no right to further pay. The council shall designate some properly qualified person to perform the duties of the manager during his suspension, absence or disability or while the office of manager is vacant.

Sec. 6.02. Powers and duties of the city manager. Subdivision 1. Subject to the provisions of this charter and any council regulations consistent therewith, the city manager shall control and direct the administration of the city's affairs. He shall have the powers and duties set forth in the following subdivisions:

Subd. 2. He shall see that this charter and the laws, ordinances and resolutions of the city are enforced.

Subd. 3. He shall appoint upon the basis of merit and fitness and may suspend or remove upon the basis of merit and fitness, and upon the provisions of all applicable ordinances, all officers and employees of the city, except the city attorney whose appointment and removal shall be subject to council approval. Removal of department heads shall be made final only upon majority vote of the council.

Subd. 4. He shall exercise control over all departments and divisions of the city administration created by this charter or by the council.

Subd. 5. He shall attend all meetings of the council, with the right to take part in the discussion but not to vote; but the council may in its discretion exclude him from any meeting at which his removal is considered.

Subd. 6. He shall recommend to the council for adoption such measures as he may deem necessary for the welfare of the people and the efficient administration of the city's affairs.

Subd. 7. He shall keep the council fully advised as to the financial condition and needs of the city, and he shall, with the assistance of the department heads, prepare the annual budget and submit it to the council.

Subd. 8. He shall prepare and submit to the council for adoption a proposed administrative code incorporating the details of administrative procedure, and from time to time he shall suggest amendments to such code.

Subd. 9. He shall perform such other duties as may be prescribed by this charter or by law or required of him by ordinances or resolutions adopted by the council.

Sec. 6.03. Departments of administration. The council may create such departments, divisions, and bureaus for the administration of the city's affairs as may seem necessary, and from time to time alter their powers and organization. It shall, in conjunction with the city manager, prepare a complete administrative code for the city and enact it in the form of an ordinance, which may be amended from time to time by ordinance.

Sec. 6.04. Subordinate officers. There shall be a city clerk and such other officers subordinate to the city manager as the council may create by ordinance. The council may by ordinance abolish offices which have been created by ordinance, and it may combine the duties of various offices as it may see fit.

Sec. 6.05. Purchases and contracts. The city manager shall be the chief purchasing agent of the city and he may make or let contracts for the purchase of merchandise,

materials or equipment or any kind of construction work when the amount of such contract does not exceed One Thousand Five Hundred Dollars (\$1,500.00). If such contract exceeds the stated amount but is less than Five Thousand Dollars (\$5,000.00), or such higher amount as is provided by state law for cities of the second class, the same may be made or let by the city manager after first obtaining the approval of the city council. All other purchases shall be made and all other contracts let by the council after the recommendation of the city manager has first been obtained. All contracts, bonds, and instruments of any kind to which the city is a party shall be signed by the mayor and the city manager on behalf of the city and shall be executed in the name of the city.

Sec. 6.06. Contracts; how let. Every contract for the purchase of merchandise, materials or equipment, or for any kind of construction work where the amount involved is more than Five Thousand Dollars (\$5,000.00), or such higher amount as is provided by state law for cities of the second class, shall be let only by the council upon the recommendation of the city manager to the lowest responsible bidder. Unless the council shall by emergency ordinance otherwise provide, the city manager shall advertise for bids by at least one week's published notice in the official legal newspaper of the city on all such contracts exceeding \$5,000. The council may, however, reject any and all bids. Nothing contained in this section shall prevent the council from contracting by a 5/7ths vote for the doing of work with patented processes, or from the purchasing of patented appliances by the same majority. Subject to the provisions of this charter, the council may by ordinance adopt further regulations for the making of bids and the letting of contracts.

#### CHAPTER 7

##### Taxation and Finances

Sec. 7.01. 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. 7.02. Fiscal years. The fiscal year of the city shall be the calendar year.

Sec. 7.03. System of taxation. Subject to the state constitution, and except as forbidden by it or by state legislation, the council shall have full power to provide by ordinance for a system of local taxation. In the taxation of real and personal property as such, the city shall conform as fully as possible to the general state law as to the assessment of such property and the collection of such taxes.

Sec. 7.04. Board of equalization. The board of equalization shall consist of the members of the council. To assist the board of equalization the city manager shall appoint two advisors who shall be residents of the city and who shall serve one year terms, the appointments shall be subject to approval by the council. The two advisors shall be experienced in real estate matters and shall receive such compensation as the council may determine. The board of equalization shall equalize assessments of property for taxation purposes according to law. All action by the board of equalization shall require a majority of all its members. As soon as any real estate has been reassessed, the affected property owner shall be notified by the Assessor of the amount of change and the reasons therefor.

Sec. 7.05. Preparation of the annual budget. The city manager shall prepare the estimates for the annual budget. The budget shall be by funds and shall include all the funds of the city, except the funds made up of proceeds of bond issues, utility funds, and special assessment funds, and may include any of such funds at the discretion of the council. The estimates of expenditures for each fund budgeted shall be arranged for each department or division of the city under the following heads:

(1) ordinary expenses (for operation, maintenance and repairs); (2) payment of principal and interest on bonds and other fixed charges; (3) capital outlays (for new construction, new equipment, and all improvements of a lasting character). Ordinary expenses shall be sub-divided into:

(a) salaries and wages, with a list of all salaried offices and positions, including the salary allowance and the number of persons holding each; (b) other expenses, 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 completed fiscal years and the current fiscal year, actual to date and estimated for the balance of the year. In addition to the estimates of expenditures, the budget shall include for each budgeted fund a statement of the revenues which have accrued for the past two completed fiscal years with the amount collected and the uncollected balances together with the same information, based in so far as necessary on estimates; 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) fees; (c) fines; (d) interest; (e) miscellaneous, not included in the foregoing; (f) sales and rentals; (g) earnings of public utilities and other public service enterprises; (h) special assessments; and (i) sales of bonds and other obligations. Such estimates shall be printed or typewritten and there shall be sufficient copies for each member of the council, for the city manager, for the city clerk, and three, at least, to be available at the City Hall for public inspection. The estimates shall be submitted to the council at its first regular meeting in September and shall be made public. The city manager shall submit with the estimates, such explanatory statement or statements as the council may require.

Sec. 7.06. *Passage of the budget.* The budget shall be the principal item of business at the first regular monthly meeting of the council in September and the council shall hold adjourned meetings from time to time until all the estimates have been considered. The meetings shall be so conducted as to give interested citizens a reasonable opportunity to be heard. The budget estimates shall be read in full and the city manager shall explain the various items thereof as fully as may be deemed necessary by the council. The annual budget finally agreed upon shall set forth in detail the complete financial plan of the city for the ensuing fiscal year for the funds budgeted and shall be signed by a majority of the council for the purpose of identification when adopted. It shall indicate the sums to be raised and from what sources and the sums to be spent and for what purposes according to Section 7.05. The total sum appropriated shall be less than the total estimated revenue by a safe margin. The council shall adopt the budget not later than October 10th by a majority of the council adopting a resolution which shall set forth the total for each budgeted fund and each department with such segregation as to objects and purposes of expenditures as the council deems necessary for purpose of budget control. A majority of the council shall also adopt a resolution levying whatever taxes it considers necessary within statutory limits for the ensuing year for each fund. The tax levy resolution shall be certified to the county auditor in accordance with law not later than October 10. At the beginning of the fiscal year, the sums fixed in the budget resolution shall be and become appropriated for the several purposes named in the budget resolution and no other.

Sec. 7.07. *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 resolution, nor for any expenditure covered by the budget resolution unless there is a sufficient unexpended balance left after deducting the total past expenditures and the sum of all outstanding orders and incumbrances. No officer or employee of the city shall place any order or make any purchase except for a purpose and to the amount authorized in the budget resolution. Any obligation incurred by any person in the employ of the city for any purpose not authorized in the budget resolution or for any amount in excess of the amount therein authorized shall be a personal obliga-

tion upon the person incurring the expenditure.

Sec. 7.08. *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 approved by a majority of all of its members, reduce the sums appropriated for any purpose by the budget resolution, or by a vote of five members, authorize the transfer of sums from unencumbered balances of appropriations in the budget resolution to other purposes.

Sec. 7.09. *Emergency appropriation in budget.* The council may include an emergency appropriation as a part of the budget but not to exceed 10% of the total budget. A transfer from the emergency appropriation to any other appropriation shall be made only by a vote of at least five members of the council and shall be used only for the purpose designated by the council.

Sec. 7.10. *Disbursements. How made.* No disbursement of city funds shall be made except by check signed by the "mayor," city manager and treasurer and specifying the purposes 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. 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.

Sec. 7.11. *Funds to be kept.* There shall be maintained in the city treasury, a classification of funds which shall provide for a general fund for the payment of such expenses of the city as the council may deem proper, and such other funds as may be required by statute, ordinance or resolution. The council shall have full power by ordinance or resolution to make inter-fund loans except from trust and agency funds or as otherwise prohibited by law, as may be deemed necessary and appropriate from time to time. The council shall have full authority by ordinance or resolution to make permanent transfers between all funds which may be created, provided that such transfers are not inconsistent with the provisions of this charter or state statute.

Sec. 7.12. *Accounts and reports.* The city manager 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, periodic reports and other devices consistent with the law, this charter and the ordinances adopted in accordance therewith. Once each year, on or before the last day of May, the city manager shall submit a report to the council, covering the entire financial operations of the city for the past fiscal year.

Sec. 7.13. *City indebtedness.* Except as provided in Sections 7.14 and 7.15, no obligations shall be issued to pay current expenses, but the council may issue and sell obligations for any other municipal purpose in accordance with law and within the limitations prescribed by law. Except in the case of obligations for which an election is not required by this charter or by state law, no such obligations shall be issued and sold without the approval of the majority of the electors of the city voting on the question at a general or special election.

Sec. 7.14. *Tax anticipation certificates.* At any time after January 1 following the making of an annual tax levy, the council may issue certificates of indebtedness in anticipation of the collection of taxes levied for any fund and not yet collected. The total amount of certificates issued against any fund for any year with interest thereon until maturity shall not exceed 90% of the total current taxes for the fund uncollected at the time of issuance. Such certificates shall be issued on such terms and condi-

tions as the council may determine and shall bear interest at a rate not to exceed the maximum limit provided by law, but they shall become due and payable not later than the 1st day of April of the year following their issuance. The proceeds of the tax levied for the fund against which tax anticipation certificates are issued and the full faith and credit of the city shall be irrevocably pledged for the redemption of the certificates in the order of their issuance against the fund.

Sec. 7.15. *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, the council may by ordinance 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 the maximum limit provided by law. 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 ordinance authorizing an issue of such emergency debt certificates shall state the nature of the emergency and be approved by at least five members of the council. It may be passed by resolution.

Sec. 7.16. *Certificates of indebtedness.* The council may issue certificates of indebtedness within existing debt limits for the purpose of purchasing fire or police equipment or street construction or maintenance equipment. Such certificates shall be payable in not more than five years and shall be issued on such terms and in such manner as the council may determine. A tax levy shall be made for the payment of the principal and interest on such certificates as in the case of bonds.

Sec. 7.17. *Borrowing outside the debt limit.* The council may also purchase equipment for street department, water or sewer utility, police or fire department use on conditional sales contracts, provided that the installment payments do not extend beyond the estimated useful life of the equipment so purchased. The council may purchase real property through a contract for deed wherein the seller is confined to the remedy of recovery of the property in case of non-payment of all or part of the purchase price which shall be payable over a period of not to exceed five years.

#### CHAPTER 8 Public Improvements and Special Assessments

Sec. 8.01. *Power to make improvements and levy assessments.* The city shall have the power to make any and every type of public improvement not forbidden by the laws of this state and to levy special assessments to pay all or any part of the cost of such improvements as are of a local character in accordance with the laws of the state of Minnesota.

Sec. 8.02. *Assessments for services.* The council may provide by ordinance that the cost of snow, rubbish or weed removal, sprinkling of streets or of any other service to streets, sidewalks, or other public property, or the costs of any services to other property undertaken by the city may be assessed against the property benefited and collected in like manner as are special assessments.

Sec. 8.03. *Local improvements regulations.* After this charter takes effect local improvements commenced prior thereto shall be completed and assessments may be levied and securities issued for the financing thereof as prescribed by the law applicable thereto.

Sec. 8.04. *Public works; how performed.* Public works, including all local improvements, may be constructed, extended, repaired, and maintained either directly by day labor or by contract. Pursuant to the laws of the State of Minnesota the city shall require contractors to give bonds for the protection of the city and all persons furnishing labor and materials.

#### CHAPTER 9 Eminent Domain

Sec. 9.01. *Power to acquire property.* The city may acquire, by purchase, gift, devise, or condemnation, any property, real, personal, corporeal or incorporeal, either with or without its corporate boundaries, which may be needed by the city for any public use or purpose. Easements for slopes,

fills, drainages, sewers, building lines, poles, wires, pipes, and conduits for water, gas, heat, and power may be acquired by gift, devise, purchase, or condemnation in the manner provided by law.

Sec. 9.02. *Proceedings in acquiring property.* The necessity for the taking of any property by the city shall be determined by the council and shall be declared by a resolution which shall describe such property as nearly as may be and state the use to which it is to be devoted. In acquiring property by exercising the power of eminent domain, the city shall proceed according to the laws of this state, except as otherwise provided in this chapter.

Sec. 9.03. *Payment of award.* Whenever an award of damages is confirmed in any proceeding for the taking of property for public use by right of eminent domain, or whenever the court renders final judgment in any appeal from any such award and the time for abandoning such proceedings by the city has expired, the city shall, in accordance with the laws of this state, pay the amount of the award or judgment of the court, as the case may be; and if not paid, judgment therefor may be had against the city.

Sec. 9.04. *City may take entire plant.* If the city condemns a public utility which is operated at the time of the commencement of the condemnation proceedings as one property or one system, it shall not be necessary in the condemnation proceedings or any of the proceedings of the council, to describe or treat separately the different kinds of property composing such system; but all of the property, lands, articles, franchises, and rights which comprise such system may, unless otherwise ordered by the court, be treated together as one property and an award for the whole property in one lump sum may be made by the commissioners or other body assessing the damages on condemnation. This does not prevent the city, when the plant and property are separable into distinct parts, from acquiring only such part or parts thereof as may be necessary in the public interest.

#### CHAPTER 10 Franchises

Sec. 10.01. *Franchises required.* Except as otherwise provided by law, no person, firm, or corporation shall place or maintain any permanent or semi-permanent fixtures in, over, upon, or under any street or public place for the purpose of operating a public utility or for any other purpose, without a franchise therefor from the city. A franchise shall be granted only by ordinance, which shall not be an emergency ordinance. Every ordinance granting a franchise shall contain all the terms and conditions of the franchise. The grantee shall bear the costs of publication of the franchise ordinance and shall make a sufficient deposit with the clerk to guarantee publication before the ordinance is passed.

Sec. 10.02. *Term.* No exclusive or perpetual franchise shall ever be granted. No franchise for a term exceeding twenty years shall be effective until approved by a majority of the electors voting thereon.

Sec. 10.03. *Public hearing.* Before any franchise or privilege ordinance is adopted, altered, modified, extended or renewed, the council shall hold a public hearing upon ten (10) days published notice in the official newspaper. Additional notice of such hearing may be given in such a manner as the council may determine.

Sec. 10.04. *Power of regulation reserved.* Subject to any applicable law the council may by ordinance reasonably regulate and control the exercise of any franchise, including the maximum rates, fares, or prices to be charged by the grantee. No franchise value shall be included in the valuation of the grantee's property in regulating utility rates, fares, or prices under any applicable law, ordinance, or regulation or in proceedings for municipal acquisition of the grantee's property by purchase or eminent domain.

Sec. 10.05. *Renewals or extensions.* Every extension, renewal or modification of any existing franchise or of any franchise granted hereafter shall be subject to the same limitations and shall be granted in the same manner as a new franchise.

#### CHAPTER 11

*Public Ownership and Operation of Utilities.*  
Sec. 11.01. *Acquisition and operation of utilities.* The city may own and operate any gas, water, heat, power, light, telephone or

other public utility for supplying its own needs for utility service or for supplying utility service to private consumers or both. It may construct all facilities reasonably needed for that purpose and may acquire any existing utility properties so needed; but such acquisition action may only be taken by ordinance, which shall not be an emergency ordinance. The operation of all public utilities owned by the city shall be under the supervision of the city manager.

Sec. 11.02. Rates and finances. Upon recommendations made by the city manager or upon its own motion, the council may fix rates, fares and prices, for municipal utilities but such rates, fares and prices shall be just and reasonable. The council shall endeavor to make each municipal utility financially self-sustaining and shall not use any municipal utility operation directly or indirectly as a general revenue producing agency for the city. Before any rates, fares or prices for municipal utilities shall be fixed by the council, the council shall hold a public hearing on the matter in accordance with Section 11.06. The council shall prescribe the time and the manner in which payments for all such utility services shall be made, and may make such other regulations as may be necessary, and prescribe penalties for violations of such regulations.

Sec. 11.03. Purchase in bulk. The council may, in lieu of providing for the local production of gas, electricity, water, and other utilities, purchase the same in bulk and resell them to local consumers at such rates as it may fix. Before such rates are fixed by the council, the council shall hold a public hearing on the matter in accordance with Section 11.06.

Sec. 11.04. Lease of plant. The council may, if the public interest will be served thereby, contract with any responsible person, co-partnership, or corporation for the operation of any utility owned by the city, upon such rentals and conditions as it may deem necessary; but such contract shall be embodied in and let only by an ordinance approved by five members of the council. Such ordinance shall not be an emergency ordinance. In no case shall such contract be for a longer term than ten years.

Sec. 11.05. Public utility, How sold. No public utility owned by the city shall be sold or otherwise disposed of by the city unless the full terms of the proposition of sale or other disposition are embodied in an ordinance approved by a majority of the electors voting thereon at a general or special election. In the case of a water works or light plant, any sale, lease, or abandonment shall be subject, in addition, to the requirements of state law.

Sec. 11.06. Notice of public hearings. Notice of public hearings required by this Chapter shall be published at least once in the official newspaper at least ten (10) days prior to the date of the hearing. Additional notice of such public hearings may be given

in such manner as the council may determine.

#### CHAPTER 12

##### Miscellaneous and transitory provisions

Sec. 12.01. Official publications. The council shall annually designate a legal newspaper of general circulation in the city as its official newspaper in which shall be published ordinances and other matters required by law to be so published as well as such other matters as the council may deem it in the public interest to have published in this manner.

Sec. 12.02. Oath of office. Every officer of the city shall, before entering upon the duties of his office, take and subscribe to an oath of office in substantially the following form: "I do solemnly swear (or affirm) to support the constitution of the United States and of the State of Minnesota and to discharge faithfully the duties devolving upon me as (mayor, councilman, city manager, etc.) of the City of Minnetonka to the best of my judgment and ability."

Sec. 12.03. City officers not to be interested in contracts. Except as otherwise permitted by law, no councilman or other officer or employee of the city who is authorized to take part in any manner in making any contract with the city shall voluntarily have a personal financial interest in such contract or personally benefit financially therefrom.

Sec. 12.04. Official bonds. The city manager, the city clerk, the city treasurer, and such other officers or employees of the city as may be provided for by ordinance shall each before entering upon the duties of his respective office or employment, give a corporate surety bond to the city in such form and in such amount as may be fixed by the council as security for the faithful performance of his official duties and the safekeeping of the public funds. Such bonds may be either individual or blanket bonds in the discretion of the council. They shall be approved by the city council, and approved as to form by the city attorney, and filed with the city clerk. The provisions of the laws of the state relating to official bonds not inconsistent with this charter shall be complied with. The premiums on such bonds shall be paid by the city.

Sec. 12.05. Sales of real property. No real property of the city shall be disposed of except by ordinance. The proceeds of any sale of such property shall be used as far as possible to retire any outstanding indebtedness incurred by the city in the purchase, construction, or improvement of this or other property used for the same public purpose. If there is no such outstanding indebtedness, the council may by resolution designate some other public use for the proceeds.

Sec. 12.06. Vacation of streets. The council may by resolution, approved by at least five (5) members of the council, vacate any street, alley, public grounds, public way, or any part thereof, on its own motion or on petition of a majority of the owners of land abutting on the street, alley, public grounds, public way, or part thereof to be vacated. No

such vacation shall be made unless it appears in the interest of the public to do so and only after a public hearing preceded by two weeks published notice. Not less than 10 days before the public hearing, notice of the proposed vacation and of the date, time and place of the hearing shall be mailed to the owner of each abutting property; failure to give said notice or any defects in the notice shall not invalidate the proceedings. Affected property owners and the public shall have an opportunity to be heard. The council may by ordinance prescribe additional terms and procedures as they deem necessary to protect the public interest. A notice of completion of such proceedings shall be filed with the proper county officers in accordance with law.

Sec. 12.07. City to succeed to rights and obligations of former village. The city shall succeed to all the property, rights, and privileges, and shall be subject to all legal obligations of the Village of Minnetonka.

Sec. 12.08. Present officers to hold office and schedule of election of new council members.

a.) Upon adoption of this charter, the council shall provide for a special election to be held within 90 days of the effective date of this charter, to elect two councilmen whose terms shall expire on December 31, 1973. Said election shall be held in accordance with the provisions of Chapter 4 of this charter and the general laws of the State of Minnesota.

b.) The terms of existing village officers shall be extended or continued in accordance with the following schedule.

1.) Mayor's term to expire December 31, 1971.

2.) The terms of councilmen whose terms expire on or before December 31, 1971 shall be extended to December 31, 1971.

3.) The term of the councilman elected at the regular municipal election in 1969 whose term would expire on December 31, 1972 shall be extended to December 31, 1973.

c.) The present officers of the village shall continue in their respective offices and functions until their successors are chosen and qualify, and shall continue to discharge the duties of their offices.

Sec. 12.09. Statutes not affected by charter. All general laws and statutes of the state applicable to all cities operating under home rule charters, or applicable to cities of the same class as the City of Minnetonka operating under home rule charters, and not inconsistent with the provisions of this charter, shall apply to the City of Minnetonka, and shall be construed as supplementary to the provisions of this charter.

Sec. 12.10. Existing ordinances continued. All ordinances and regulations of the village in force when this charter takes effect, and not inconsistent with the provisions thereof,

are hereby continued in full force and effect until amended or repealed.

Sec. 12.11. Pending condemnations and assessments. Any condemnation or assessment proceeding in progress when this charter takes effect shall be continued and completed under the laws under which such proceedings were begun. All assessments made by the village prior to the time when this charter takes effect shall be collected and the lien thereof enforced in the same manner as if this charter had not been adopted.

Sec. 12.12. Human rights. All powers of the city shall be used to protect against any discriminatory practices within the city which abridge the privileges or immunities of any citizen because of race, color, creed, religion, ancestry, national origin or sex.

Sec. 12.13. Ordinances to make charter effective. The council shall by ordinance make such regulations as may be necessary to carry out and make effective the provisions of this charter.

Robert Pillsbury moved that the document attached hereto entitled "MINNETONKA CITY CHARTER" be adopted by this Commission as the proposed city charter for the City of Minnetonka, Minnesota, to be submitted to the Village Clerk of the Village of Minnetonka pursuant to law.

Lillian Jensen seconded this motion and upon the vote being duly called for the following voted in favor:

Robert Pillsbury  
Cyrus Scheilly  
Peter Heegaard  
Mrs. Robert (Betty) Johnson  
Betty Salsbury  
Mrs. Horace (Charlotte) Chope  
Mrs. Reynold (Lillian) Jensen  
Lynn M. Nord  
Donald A. Duepner  
Myles Spicer

and the following voted in opposition: None.

CERTIFICATE OF CHARTER COMMISSION  
We, the undersigned, being the duly appointed Charter Commission of the Village of Minnetonka as appointed by the judges of the District Court for the Fourth Judicial District for the State of Minnesota, hereby certify that the foregoing document consisting of Chapters 1 through 12 inclusive, is the draft of a proposed charter prepared and framed pursuant to the constitution and laws of the State of Minnesota. We do hereby submit and deliver to the Village Council of the Village of Minnetonka said charter for submission to the electorate as provided by law.

Dated at Minnetonka, Minnesota, this 30th day of July, 1969.

By Order of the Village Council, September 8, 1969.

ATTEST:  
ROY E. SWENSON  
Village Clerk

(Oct. 9 & 16, 1969)—H

21206  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
DEC 1 - 1969

James A. Johnson  
Secretary of State