

CITY OF

Marshall

Minnesota 56258

OFFICE OF CITY CLERK

Phone 507/532-5796

P. O. Box 477

December 18, 1975

State of Minnesota
Secretary of State
Saint Paul, Minnesota 55155

Dear Ms. Growe:

I am enclosing a certified copy of Ordinance No. 574 which is an ordinance amending the home rule charter of the City of Marshall.

This ordinance was adopted by the Common Council at a regular meeting held on the 15th day of September, 1975. It as published in The Independent on the 19th day of September, 1975. December 18, 1975 is the 90th day after publication and therefore the effective date.

I am also filing a copy of this ordinance with the Register of Deeds for Lyon County on this date as required by the ordinance.

Thank you.

Very truly yours,


L. W. Mannion
L. W. Mannion
City Clerk

Enc.

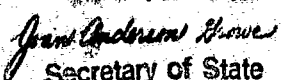
4128335

STATE OF MINNESOTA)
 : ss.
COUNTY OF LYON)

The undersigned, being the duly qualified and acting
City Clerk of the City of Marshall, Minnesota, a municipal
corporation, and as such the custodian of the books and
records of said City, hereby certifies and attests that the
attached copy of Ordinance No. 574 duly adopted by the
Common Council on the 15th day of September, 1975 and
published in the official newspaper on the 19th day of
September, 1975, is a true and correct copy of said
Ordinance No. 574 on file and of record and that said
Ordinance is in full force and effect as of December 18, 1975.


L. W. Mannion
City Clerk
Marshall, Minnesota

(SEAL)

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 22 1975

Secretary of State

ORDINANCE NO. 574

AN ORDINANCE AMENDING THE CHARTER OF THE CITY OF MARSHALL, MINNESOTA PURSUANT TO THE STATUTE IN SUCH CASE MADE AND PROVIDED.

The Common Council of the City of Marshall do ordain as follows:

Section 1. The Charter of the City of Marshall is hereby amended so that:

(1) Section 11.05 shall read as follows in its entirety:

Section 11.05. Public Utility: how discontinued. The steam heat system operated by the municipal Water, Light, Power and Building Commission may be discontinued in whole or in part at the discretion of such Commission, provided that prior to exercising said authority of discontinuing the steam heat system the Commission shall obtain the majority approval of the Council.

No public utility owned by the city except the steam heat system shall be sold or otherwise disposed of by the city unless the full terms of the proposition of sale or other dispositions 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;

Section 2. The City Clerk shall file copies of the foregoing amendment to the Charter in the office of the Secretary of State, the Register of Deeds of Lyon County and in his own office, accompanied in each case by certificate attesting to the accuracy of each of such copies and giving the date of the adoption of the ordinance containing said amendment and the vote of the members of the Common Council by which said amendment was adopted.

Section 3. This ordinance shall take effect 90 days after the passage and publication thereof.

Passed and adopted by the Common Council this 15th day of September, 1975.

THE COMMON COUNCIL

By *W. Dicklaugh*
Mayor

Joseph M. Sells
City Administrator

ATTEST:

J. W. Magnusson
City Clerk

Introduced On September 2, 1975
Adopted on September 15, 1975

#28335
STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED
DEC 22 1975 #2

Joan Anderson Howe
Secretary of State

CITY OF

Marshall

Minnesota

56258

OFFICE OF CITY CLERK

Phone 507/532-5796

P. O. Box 477

July 24, 1975

State of Minnesota
Office of Secretary of State
Saint Paul, Minnesota 55155

Gentlemen:

I am enclosing a certified copy of Ordinance No. 564
which is an ordinance amending the Home Rule Charter.

The ordinance was adopted by the Common Council at a
regular meeting held on the 21st day of April, 1975
and published in the Messenger Independent on the 25th
day of April, 1975 and is today officially in force.

I am also filing a copy of this ordinance with the
Register of Deeds for Lyon County as set forth in the
ordinance.

Thank you.

Very truly yours,

L. W. Mannion

L. W. Mannion
City Clerk

#28335
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 24 1975
Secretary of State

PRINTER'S AFFIDAVIT OF PUBLICATION

#28375
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 2 8 1975

April 25, 1975

ORDINANCE NO. 564
AN ORDINANCE AMENDING THE
CHARTER OF THE CITY OF MAR-
SHALL, MINNESOTA PURSUANT TO

PRINTER'S AFFIDAVIT OF PUBLICATION
STATE OF MINNESOTA

County of Lyon ss.

Roger M. Smed, being duly sworn, on oath says he is and during all the times herein stated has been the publisher and printer of the newspaper known as The Messenger Independent, and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a tri-weekly and is distributed at least twice a week. (3) Said newspaper has 25 per cent of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75 per cent of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the city of Marshall in the County of Lyon and it has its known office of issue in the city of Marshall in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below. (8) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

He further states on oath that the printed Ordinance No. 564

hereto attached as a part hereof was cut from the columns of said newspaper, and was printed and published therein in the English language, once ~~back xxxxxx~~

successive weeks; that it was first so published on Friday the 25th day of April, 1975 and was thereafter printed and published on every to and including the day of

19, and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:

abcdefghijklmnopqrstuvwxyz

Roger M. Smed

Subscribed and sworn to before me this 25th day of April, 1975

VIOLA R. MALLAND
NOTARY PUBLIC-MINNESOTA
LYON COUNTY, Minnesota
My Commission Expires 1-27-1982

Viola R. Malland
Notary Public, Lyon County Minnesota
My Commission Expires Jan 27 1982

CIFICATE OF MEASUREMENT Ordinance No. 564

I hereby certify that the legal notice entitled as published in the Messenger Independent News of the date of April 25, 1975 measures as follows:

127	lines straight composition	one	times at .216	\$ 27.43
46	lines extra composition	one	times at .072	\$ 3.31
	folios		times at	\$

Total \$ 30.74

Roger M. Smed
Messenger Independent

of
own 19 per cent.
talled 4.3 million
seller, the report
per cent increase
a year
a
called 34.3 million
stocks of million
1
cent.
rghum grain
its 327 million
sley 134 million
own 11 per cent
ventory was 659
the report said
the April soybean

Minnesota

home
enjoyment, close
For an evening

Food in Excellence!

Club
Theater
Theater

Ted's Bar

PRINTER'S AFFIDAVIT OF PUBLICATION

April 25, 1975

#28335
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 2 8 1975

ORDINANCE NO. 564
AN ORDINANCE AMENDING THE
CHARTER OF THE CITY OF MAR-
SHALL, MINNESOTA PURSUANT TO
THE STATUTE IN SUCH CASE MADE
AND PROVIDED.

The Common Council of the City of
Marshall do ordain as follows:

Section 1. The Charter of the City of
Marshall is hereby amended so that:

(1) Section 6.02 shall read as
follows in its entirety:

Section 6.02. The city ad-
ministrator. The council shall appoint a
city administrator and delegate to him
whatever powers, ministerial or ad-
ministrative, they deem necessary for
the proper administration of city af-
fairs, in addition to the specific duties
set out in Section 6.03. He shall be the
chief administrative officer of the city.
He shall be so chosen by the council
solely on the basis of his training, ex-
perience and administrative
qualifications and need not be a
resident of the city at the time of his
appointment. He shall be appointed for
an indefinite period of time and may be
removed by the council at any time.
The council may designate some
properly qualified person to perform
the duties of the city administrator
during his absence or disability or while
the office of the city administrator is
vacant. The term "city administrative
assistant", wherever it appears
elsewhere in this charter, shall refer to
the city administrator.

(2) Section 6.05 shall read as
follows in its entirety:

Section 6.05. Purchases and con-
tracts. The city administrator shall be
the chief purchasing agent of the city.
All city purchases and contracts shall
be made or let by the city administrator
when the amount of the purchase or
contract does not exceed Five
Thousand (\$5,000.00) Dollars. All other
purchases shall be made and all other
contracts let by the council after the
recommendation of the city ad-
ministrator has first been obtained. All
contracts, bonds and instruments of
any kind to which the city is a party,
except checks drawn on the city, shall
be signed by the mayor and the city
administrator on behalf of the city and
shall be executed in the name of the
city.

(3) Section 6.06 shall read as
follows in its entirety:

PRINTER'S AFFIDAVIT OF PUBLICATION
STATE OF MINNESOTA

County of Lyon

55.

Roger M. Smed, being duly sworn, on oath says he is the
owner and proprietor of the following in its entirety:

Section 6.06. Contracts how let. All
contracts for the sale or purchases of
supplies, materials, equipment or the
rental thereof, or the construction,
alteration, repair or maintenance of
real or personal property, shall be let
by the common council, upon the
recommendation of the city ad-
ministrator, in strict compliance with
the laws of the State of Minnesota then
in effect.

(4) Section 12.06 shall read as
follows in its entirety:

Section 12.06. Power to Vacate. The
council may by ordinance, approved by
at least five (5) members of the council,
vacate any street, alley, thoroughfare,
public grounds, easement or any other
interest in real estate, or any part
thereof, dedicated to the public use and
located within the city. Such vacation
may be made only after published
notice and an opportunity for affected
property owners and the public to be
heard, and upon such further terms and
by such procedure as the council by
ordinance may prescribe. A notice of
completion of such proceedings shall be
filed with the proper county officers in
accordance with law.

Section 2. The City Clerk shall file
copies of the foregoing amendment to
the Charter in the office of the
Secretary of State, the Register of
Deeds of Lyon County and in his own
office, accompanied in each case by
certificate attesting to the accuracy of
each of such copies and giving the date
of the adoption of the ordinance con-
taining said amendment and the vote of
the members of the Common Council by
which said amendment was adopted.

Section 3. This ordinance shall take
effect 90 days after the passage and
publication thereof.

Passed and adopted by the Common
Council this 21st day of April, 1975.

THE COMMON COUNCIL
-s- R.J. Schlagel

ATTEST:
-s- L.W. Mannion
City Clerk

Introduced on March 17, 1975
Final Passage on April 21, 1975

64

during all the times herein stated has been
dependent, and has full knowledge of the facts herein stated as
language in newspaper format and in column and sheet form
Said newspaper is a tri weekly and is distributed at least twice
times devoted to news of local interest to the community which it
publication and is not made up entirely of patents, plate matter
nd near the municipality which it purports to serve, has at least
average of at least 75 per cent of its total circulation currently
entry as second-class matter in its local post-office. (5) Said
ounty of Lyon and it has its known office of issue in the city of
regular business hours for the gathering of news, sale of ad-
he managing officer of said newspaper or persons in its employ
ular business hours and at which said newspaper is printed. (6)
the State Historical Society. (7) Said newspaper has complied
eding the day or rates of publication mentioned below. (8) Said
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Ordinance No. 564

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day of

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as being the size and kind of type used in
tice, to wit:

abcdefghijklmnopqrstuvwxyz

25th day of April, 1975

Notary Public, Lyon County Minnesota

My Commission Expires Jan 27 1982

REMENT

64

as published in the Messenger Independent News of the date of April 25, 1975 measures as follows:

127 lines straight composition one times at .216 \$ 27.43

46 lines extra composition one times at .072 \$ 3.31


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Total \$ 30.74

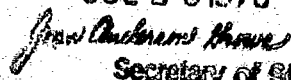
Messenger Independent

STATE OF MINNESOTA)
: ss.
COUNTY OF LYON)

The undersigned, being the duly qualified and acting City Clerk of the City of Marshall, Minnesota, a municipal corporation, and as such the custodian of the books and records of said City, hereby certifies and attests that the attached copy of Ordinance No. 564, is a true and correct copy of the original thereof duly adopted by the Common Council on the 21st day of April, 1975, duly published in the Messenger Independent on April 25, 1975 and that the vote for the adoption of said Ordinance was unanimous, being recorded in the Book Of Minutes of said City as follows:
In favor: Wallace Regnier, Brian Hoffman, Rod Belsheim, Mike Boedigheimer, Eva Carlson, Robert Hirmer and Mayor Robert Schlagel; opposed: None.


L. W. Mannion
City Clerk
Marshall, Minnesota

(SEAL)

28335
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 28 1975

Secretary of State

AN ORDINANCE AMENDING THE CHARTER OF THE CITY OF MARSHALL, MINNESOTA PURSUANT TO THE STATUTE IN SUCH CASE MADE AND PROVIDED.

The Common Council of the City of Marshall do ordain as follows:

Section 1. The Charter of the City of Marshall is hereby amended so that:

(1) Section 6.02 shall read as follows in its entirety:

Section 6.02. The city administrator. The council shall appoint a city administrator and delegate to him whatever powers, ministerial or administrative, they deem necessary for the proper administration of city affairs, in addition to the specific duties set out in Section 6.03. He shall be the chief administrative officer of the city. He shall be so chosen by the council solely on the basis of his training, experience and administrative qualifications and need not be a resident of the city at the time of his appointment. He shall be appointed for an indefinite period of time and may be removed by the council at any time. The council may designate some properly qualified person to perform the duties of the city administrator during his absence or disability or while the office of the city administrator is vacant. The term "city administrative assistant", wherever it appears elsewhere in this charter, shall refer to the city administrator.

(2) Section 6.05 shall read as follows in its entirety:

Section 6.05. Purchases and contracts. The city administrator shall be the chief purchasing agent of the city. All city purchases and contracts shall be made or let by the city administrator when the amount of the purchase or contract does not exceed Five Thousand (\$5,000.00) Dollars. All other purchases shall be made and all other contracts let by the council after the recommendation of the city administrator has first been obtained. All contracts, bonds and instruments of any kind to which the city is a party, except checks drawn on the city, shall be signed by the mayor and the city administrator on behalf of the city and shall be executed in the name of the city.

(3) Section 6.06 shall read as follows in its entirety:

Section 6.06. Contracts how let. All contracts for the sale or purchase of supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property, shall be let by the common council, upon the recommendation of the city administrator, in strict compliance with the laws of the State of Minnesota then in effect.

(4) Section 12.06 shall read as follows in its entirety:

Section 12.06. Power to Vacate. The council may by ordinance, approved by at least five (5) members of the council, vacate any street, alley, thoroughfare, public grounds, easement or any other interest in real estate, or any part thereof, dedicated to the public use and located within the city. Such vacation may be made only after published notice and an opportunity for affected property owners and the public to be heard, and upon such further terms and by such procedure as the council by ordinance may prescribe. A notice of completion of such proceedings shall be filed with the proper county officers in accordance with law;

Section 2. The City Clerk shall file copies of the foregoing amendment to the Charter in the office of the Secretary of State, the Register of Deeds of Lyon County and in his own office, accompanied in each case by certificate attesting to the accuracy of each of such copies and giving the date of the adoption of the ordinance containing said amendment and the vote of the members of the Common Council by which said amendment was adopted.

Section 3. This ordinance shall take effect 90 days after the passage and publication thereof.

Passed and adopted by the Common Council this 21st day of April, 1975.

THE COMMON COUNCIL

By

Mayor

ATTEST:

City Clerk

Introduced on March 17, 1975

Final Passage on April 21, 1975.

#28335
STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED
JUL 28 1975

John Anderson Howe
Secretary of State