

ALDERMEN
MARGARET H. LEUTHNER, First Ward
DAVID V. MARTIN, Second Ward
WILLIAM J. ANDERSON, Third Ward
DOROTHY E. KOBBS, Fourth Ward
PAUL F. NELSON, Fifth Ward



ARLAN E. JOHNSON, Council Administrator
R. F. HINTZEN, Assessor
GEORGE MCKAY, Chief of Police
MELVIN WESTROM, Street Commissioner
DR. J. H. MERICKEL, Health Officer
MARVIN CROMWELL, Zoning & Bldg. Adm.
MORRIS GROVER, Attorney
JAMES P. TADDEI, Planner

City of Alexandria

VERNON J. BISSON, Mayor
P.O. BOX 231
Alexandria, Minnesota
56308

November 23, 1976

NOV 24 1976

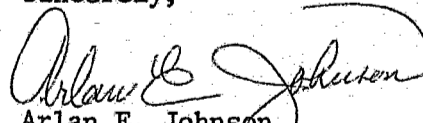
SECRETARY
ELECTION DEPARTMENT

Mrs. Joan Growe
Secretary of State of Minnesota
180 State Office Building
St. Paul, Minnesota 55155

Dear Mrs. Growe:

Pursuant to Minnesota Statutes 410.12, Subd. 6, please find enclosed my certification concerning certain charter amendments approved at the November 2, 1976, City Election which are to be filed with your office.

Sincerely,


Arlan E. Johnson
Council Administrator

enc.

#30118
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 24 1976
Joan Anderson Howe
Secretary of State

STATE OF MINNESOTA)
) SS.
COUNTY OF DOUGLAS)


I, ARLAN E. JOHNSON, the duly appointed and qualified City Clerk and Treasurer of the City of Alexandria, do hereby certify that the attached is a correct and true copy of charter amendments adopted by the City Council in ordinance form by Ordinance No. 78, 2nd Series on July 29, 1976, pursuant to Minnesota Statutes 410.12, Subd. 6. The original of the said ordinance is now on file in my office. The deletions from the text of the charter are reflected by lines through the words to be deleted (~~words-to-be-deleted~~), and the additions to the text of the charter are reflected by underlining the words to be added (words to be added).

I further certify that the proposed amendments to the Charter were submitted by order of the Council to the qualified voters of the City of Alexandria on November 2, 1976, pursuant to Minnesota Statutes 410.12, Subd. 4, and at that election the amendments were approved pursuant to the requirements of Minnesota Statutes 410.12, Subd. 4, in the following matter:

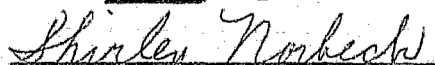
1. Sec. 2.04, yes 1664 no 1559
2. Sec. 3.02, yes 1686 no 1587
3. Sec. 6.06, yes 1941 no 1297
4. Sec. 6.08, yes 2502 no 726
5. Sec. 2.01; 2.02 Subd. 1, 2 and 3; 2.03 Subd. 1; 2.06 Subd. 2(b); 2.07 Subd. 1 and 3; 2.10; 3.02; 3.03; 4.02; 4.04; 5.01 Subd. 2; 5.04 Subd. 5; 6.03; 7.04; 7.05 Subd. 3; 7.06; 7.07; 7.09 Subd. 1; 7.10 Subd. 2; 10.02 Subd. 5; 10.03 Subd. 3; 10.04 Subd. 1; 11.02; 11.03 and 11.04

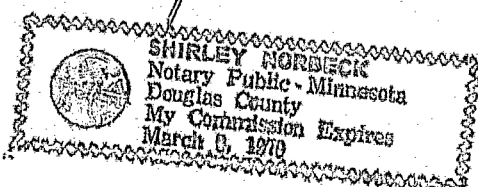
yes 2202 no 907

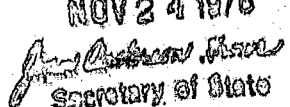
IN TESTIMONY WHEREOF, I have hereunto affixed my name as City Clerk of the City of Alexandria, this 23 day of November, 1976.


Arlan E. Johnson
City Clerk

Subscribed and sworn to before me this 23rd day of November, 1976.


Shirley Norbeck



30118
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 24 1976

Secretary of State

Sec. 2.01. Elective Officers.

The elective officers of the city shall be the five members of the council, and the mayor. ~~and a municipal judge.~~ All such officers shall be qualified electors of the city. The members of the council and the mayor shall hold their respective offices for a term of two years commencing on January 2nd next following their election, and, at the expiration of their terms, until their successors are elected and qualified.

Sec. 2.02. Council
Subd. 1. Membership

The council shall consist of one ~~alderman~~ member from each ward, who shall be a bona fide resident of that ward. The mayor shall have no vote in the proceedings of the council except in the case of a tie.

Subd. 2. Meetings.

Regular meetings of the city council shall be held on the second and fourth Mondays in each month, at ~~7:30~~ 7:00 P.M., unless otherwise determined by a resolution adopted by a four-fifths vote of the council. A majority of the council shall constitute a quorum. The mayor or any two members of the council may call a special meeting of the council upon such notice ~~as he or they deem reasonable~~ given to the mayor and all council members who can be reasonably located. All meetings of the council shall be public. Any citizen shall have access to the minutes and records of such meetings at all reasonable times.

Subd. 3. Rules of Procedure.

~~The council shall make its own rules, prescribe the order of business, and keep a journal of its proceedings.~~ Robert's Rules of Order Revised will be the governing guide to all council proceedings and a journal of all special and regular proceedings shall be kept.

Sec. 2.03. Mayor.

Subd. 1. Powers and Duties, Generally.

The mayor shall be the presiding officer of the council, ~~except~~ that At the first meeting in January, a president pro tempore shall be chosen by the council who shall serve as president in the mayor's absence, and as acting mayor when the mayor is absent from the city or when he the mayor is prevented by disability from performing his the duties of the of the office. The mayor shall be the chief executive officer of the city and shall have command and control of its police force. ~~He~~ The mayor shall exercise all powers and perform all duties conferred and imposed upon him the mayor by this charter, the ordinances of the city, and the constitution and statutes of the State of Minnesota. The president pro tempore shall not relinquish right to vote during the council meeting simply because of the designation as president pro tempore.

Sec. 2.04. Subordinate Officers.

There shall be a city clerk who shall also act as treasurer, a deputy city clerk, a city attorney, a city engineer, a city assessor, a street commissioner and such other subordinate officers as are designated in this charter or the council may create, each of whom shall be appointed by the council, ~~and each of whom shall be a qualified elector of the city.~~ The duties of the various officers may be altered or combined as the council may see fit.

Sec. 2.06. Vacancies.

Subd. 2. Council.

A vacancy in the council shall be deemed to exist in any case where a person elected thereto:

- (a) fails to qualify within 30 days from and after his election.

- (b) dies, resigns, is removed from office, removes from the ward in which elected, or resigns from the city;
- (c) is continuously absent from the city for more than three months
- (d) is convicted of a felony, either before or after he qualifies;
- (e) fails, without good cause, to perform any of the duties of his office for a period of three months.

In each case, the council shall by resolution declare such vacancy to exist, and shall forthwith appoint an eligible person to fill the vacancy for the unexpired term of said office.

Sec. 2.07. Salaries.

Subd. 1. Elective Officers.

~~The mayor shall receive an annual salary of five hundred dollars (\$500.00). Each alderman shall receive an annual salary of three hundred dollars (\$300.00). The Council may change such salaries by ordinance, effective with the beginning of the following term of such office, but no such ordinance shall take effect until it has been adopted by a majority of those voting on such question at a general election, or at a special election called for the purpose. The salaries for all elective officers shall be in accordance with Minnesota Statutes 415.11, as amended.~~

Subd. 3. Certain Salaries Not to be Increased.

The salary of no elective officer shall be increased during the term for which he is elected except as authorized by Minnesota Statutes 415.11, as amended.

Sec. 2.10. Incompatible Offices.

No member of the council shall hold any other municipal office or become an employee of said city while serving as such council member. No former member shall be appointed to any paid appointive office or employment of the city, which office or employment was created, or the emoluments of which were increased, during his the term as alderman council member, until two years after the expiration of the term for which he was elected.

Sec. 3.02. Adoption of Ordinances.

Every ordinance shall be presented in writing. No ordinance except an emergency ordinance shall be passed at the meeting at which it is introduced. At least fourteen days shall elapse between the introduction of any ordinance, except an emergency ordinance, and its final passage. Every ordinance shall be published forthwith once in the official newspaper of the city and shall take effect and be in force from and after its publication, except in the case of emergency ordinances. Notwithstanding any reference to publication of ordinances, if the city council, in its discretion, determines that the publication of the complete text of an ordinance is not economically feasible, the council may, by a four-fifths vote, direct that publication by reference be made. If publication by reference is made the caption of the ordinance shall be published in lieu of the entire text and a brief and concise statement therefor substituted stating that it is not economically feasible to publish the entire text of the ordinance and that the full official copy of the ordinance is on file in the office of the city clerk and copies are available to any interested person during the regular office hours of the city clerk.

Sec. 3.03. Signing and Recording Ordinances.

Every ordinance upon its passage, shall be signed by the mayor or by two other members attested to by the clerk and filed by in the clerk's office. The clerk forthwith shall record such ordinance in a book kept for the purpose and the record shall be certified by

the clerk. Nothing herein shall limit the veto power of the mayor as set forth in Sec. 2.03, Subd. 2.

Sec. 4.02. Regular Municipal Election.

The regular municipal election shall be held on the first Tuesday after the first Monday in November in each year, at such places as the city council may designate. Aldermen from wards 1, 2 and 4 shall be elected in even numbered years. Aldermen from wards 3, 5, and the mayor shall be elected in odd numbered years. ~~A municipal judge shall be elected once every six years, beginning with regular election of November 1963.~~ All elective officers provided by this charter shall assume their duties on the January 2nd following such election. Each ward shall constitute at least one election district, and additional election districts may be established, and the boundaries thereof subsequently changed in the manner provided by law. At least fifteen days previous notice shall be given by the city clerk of the time and the places of holding such election, and of the officers to be elected, by posting a notice thereof in at least one public place in each election district, or by publishing a notice thereof at least once in the official newspaper of the city or both, as the council may ordain, but failure to give such notice shall not invalidate such election.

Sec. 4.04 Judges and Clerks of Election.

The council shall at least ten days before each municipal election appoint such judges and clerks of election as it may deem necessary, each of whom shall be a qualified elector of the district he that person serves.

Sec. 5.01. General Provisions.

Subd. 2. Expenditures by Petitioners.

No member of any initiative, referendum or recall committee, no circular 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 any such committee from incurring expenses an expense not to exceed one hundred dollars for legal advice, stationery, copying, printing, and notaries' fees. Any violation of the provisions of this section shall constitute a misdemeanor.

Sec. 5.03. Referendum

Subd. 3. Referendum Ballots.

The ballots used in any referendum election shall conform as nearly as possible to the rules laid down in Sec. ~~12~~ 5.02, Subd. 5, of ~~this~~ charter for initiative ballots.

Sec. 5.04. Recall.

Subd. 5. Form of Recall Ballot.

Unless the officer whose removal is sought shall have resigned within ten days after the receipt by the council of the completed recall petition, the form of the ballot at such election shall be as near as may be: "Shall A _____ be recalled from the office of _____?" the name of the officer whose recall is sought being inserted in place of A, and the electors shall be permitted to vote separately "Yes" or "No" upon this question. The ballot shall also contain the names of the candidates to be voted upon to fill the vacancy, in case the recall is successful, under the caption: "Candidates to fill the place of A, if recalled." But the officer whose recall is sought shall not himself be a candidate upon such ballot. In case a majority of those voting for and against the recall of any official shall vote in favor of recalling such official, the official he shall be thereby removed from office, and in that event, the candidate who

receives the highest number of votes for his place the office shall be elected thereto for the remainder of the unexpired term. If the officer sought to be recalled shall have resigned within ten days after the receipt by the council of the completed recall petition, the form of ballot at the election shall be the same, as nearly as may be, as for form in use at a regular municipal election. the vacancy shall be filled in accordance with the provisions of Sec. 2.06, Subd. 2.

Sec. 6.03. Police Department.

The mayor shall be the head of the Police Department. There shall be a chief of police and such other officers of the peace as the mayor, from time to time, may deem necessary. The chief and all regular officers of the department shall possess the authority and rights of and perform all the duties of constable, law enforcement officers. The present police civil service commission shall continue to function as provided by statute.

Sec. 6.06. Planning Department.

The Planning Department shall be controlled by a planning commission which shall consist of seven members, appointed by the council for terms of three years. ~~Four shall be appointed by the council, one shall be selected by the council from among its own members, and~~ The city attorney and city engineer shall be advisory members ex-officio. ~~Of the members first appointed, one shall be appointed for a term of one year, and one for a term of two years, one for a term of three years, and one for a term of four years. Their successors shall be appointed for terms of four years.~~ The terms of ex-officio any council members shall correspond to their the official tenures. The powers and duties of the planning commission shall be defined by ordinance.

Sec. 6.08. Library Board

The Library Board shall consist of seven members who shall be appointed by the council, for terms of three years. The terms of any council members shall correspond to the official tenures.

Sec. 7.04. Board of Equalization.

The city clerk and the ~~five-aldermen~~ council members shall constitute a board of equalization for the city. They shall meet and perform their duties as provided by law.

Sec. 7.05. Borrowing.

Subd. 3. Emergency Debt Certificates.

If in any year any calamity or other public emergency or unforeseen circumstances should subject the city to the necessity of making expenditures not provided for in the budget, then the council may authorize the issuance and sale of emergency debt certificates to run not to exceed one year and to bear interest at ~~not to exceed six per cent per annum~~ a rate in accordance with that authorized by state statutes. The full amount of such certificates with interest to maturity shall be included in the next budget and tax levied therefor. The authorization of any issue of such certificate shall take the form of an ordinance approved by four-fifths of all the aldermen council members and such ordinance, if necessary, may be passed as an emergency ordinance.

Sec. 7.06. Receipts to City Clerk.

All receipts of money belonging to the city, or any branch thereof, excepting only those funds collected by the county treasurer, or those funds pertaining to the operation of the public utilities, shall be paid to the city clerk by the person authorized to receive the same at the close of each business day. All such money received upon tax settlements from the county treasurer, shall be deposited as soon as received in a bank or banks approved by the city council. Any person in the employ of the city guilty of a violation of this provision shall be liable to be reduced in salary or to be dismissed from his office or position, as the council may determine after a hearing.

Sec. 7.07. Funds.

The city shall keep a general fund, ~~a water and light fund,~~ a utility fund, and such other funds that are required by law this charter, or the ordinances of the city which will include, but shall not be limited to, bond, principal and interest, or sinking funds.

Sec. 7.09. Contracts and Purchases.

Subd. 1. Bids Required When

In cases of work to be done by contract or in the purchase of property of any kind, where the amount involved is more than ~~one thousand five hundred dollars~~ ~~(\$1,500.00)~~ the amount authorized by state statute to be expended without securing competitive bids therefore, unless the council, by an emergency ordinance, shall otherwise provide, the city clerk shall procure bids in such manner as may be designated by the council. Contracts of this magnitude shall be let only to the lowest responsible bidder. The council, however, may reject any and all bids. This section shall not apply to contracts or purchases of the Board of Public Works as set forth in Section 10.03, Subd. 3.

Sec. 7.10. Accounting.

Subd. 2. Accounts and Reports.

The council may prescribe and enforce proper accounting methods, forms, blanks and other devices consistent with the law, this charter and the ordinances in accord with it. The city clerk shall submit to the council a statement each month showing the amount of money in the

city treasury, the status of all funds, the amount spent or charge-able against each of the annual budget allowances and the balances left in each, and such other information relative to the finances of the city as the council may require. Once in each year and on or before the ~~last-day-of-January~~ first regular meeting in March, the city clerk shall submit a report to the council covering the entire financial operations of the city for the past fiscal year. Such report shall be as complete in detail as said monthly reports and as complete as required by the city council and shall cover the entire past fiscal year. It shall also show the total outstanding bonds and debts of the city, the maturity of the same, the amount of bonds and other evidences of indebtedness issued during the past fiscal and the amount redeemed during the same period. It shall also show the rate of interest of said bonds, or other evidence of indebtedness. It shall show the condition of all the annual budget allowances and contain an inventory of all the property owned by the city, and such other information as the council may require.

Sec. 10.02. Board of Public Works.

Subd. 5. Employees.

The board shall employ a superintendent, who shall be a properly qualified engineer, and such other help as will enable it properly to perform its duties under this charter and successfully operate said public utilities system. The board may discharge any employee at will. The duties and compensation of its employees shall be fixed by the board.

Sec. 10.03. Powers of Board.

Subd. 3. Contracts

The board shall have authority to contract for equipment and construction of additional facilities without specific approval by the City Council where the cost incurred for any one item or addition shall not exceed the sum of ~~three-thousand-dollars-(\$3,000.00)~~ authorized to be expended by the City of Alexandria pursuant to applicable State Statutes without first securing competitive bids. If the cost of such item exceeds ~~three-thousand-dollars-(\$3,000.00)~~ the amount authorized to be expended without securing competitive bids, it shall first be recommended by the board and authorized by the City Council. In all cases of work to be done by contract, or in the purchase of personal property or supplies, where the amount is more than ~~three-thousand-dollars-(\$3,000.00)~~ the amount authorized to be expended in accordance with State statutes without competitive bidding, unless the City Council shall, by an emergency resolution otherwise provide, the council shall advertise for bids. Contracts of this magnitude shall be let to the lowest responsible bidder, but however, the term "lowest responsible bidder" shall be interpreted as giving the council the right to accept any bid which it deems most advantageous to the board. The council may, however, reject any and all bids. ~~¶~~ The council may contract for doing work with patented process or purchase patented appliances without bids.

Sec. 10.04. Duties of Board.

Subd. 1. Reports.

The board shall on the first of March of each year, and at other times when requested to do so by the council, render a full and complete report setting forth the condition of the utilities system, the improvements made and cost of same, and a detailed report of the earnings and expenses. All minutes of the board's proceedings at regular or special meetings shall be deemed to be public records and treated as all proceedings of other municipal agencies and boards.

Sec. 11.02. Ordinances Granting Franchise; Requirements.

Every ordinance by which the Council shall propose to grant any franchise shall contain all the terms and conditions of the franchise ~~to be granted, and before any such ordinance shall be in force, it shall be submitted to the qualified voters of the city at some general or special elections,~~ and shall be adopted as all other ordinances in and for the City of Alexandria before such ordinance shall be enforced.

Sec. 11.03. Regulation of Rates.

The City shall have the power to regulate and control the maximum rate to be charged by any corporation or person exercising any franchise in the city for the service rendered by it in the city, but such price shall be fair and reasonable to such corporation or person and to the public. The manner in which such rate shall be regulated shall be fixed by the council by ordinances and said council shall have the right and is hereby authorized to prescribe by ordinance for the appointment of commissions to investigate and hear and determine all questions with reference to rates to be charged by any such corporation or person. The Council may by ordinance provide that every person or corporation exercising any franchise in the city shall pay a franchise fee a gross earnings tax, and the amount thereof and the method of its collection.

Sec. 11.04. Reports Required.

Every corporation or person exercising any franchise in the City of Alexandria shall file annually ~~on the first Monday in February, in the office of the clerk, a statement subscribed and sworn to by some officer of such corporation or person who knows the facts, setting forth in detail for the preceding calendar year, the then actual cost of the plant or business operation by such party, the actual encumbrance, debts and obligations thereon, if any, the amount of stock issued, and to whom, the gross earnings, the expenses and the net income, and the amount of stock of any such corporation,~~ such reports and statements certified by such officer or agent of the corporation or person as may be required by the applicable franchising ordinance. Said statement shall be open to public inspection and if the owner of any such franchise refuses or neglects to file such report as herein provided by the applicable ordinance, the council may proceed by ordinance to cancel and revoke such franchise.

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STATE OF MINNESOTA
DEPARTMENT OF STATE
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NOV 24 1976

Grant Anderson
Secretary of State