

ORDINANCE NO. 1704

AN ORDINANCE RELATING TO THE QUALIFICATIONS OF THE SUPERINTENDENT OF THE CITY OF ROCHESTER ELECTRIC LIGHT PLANT; AMENDING SECTION 153 OF THE CHARTER OF THE CITY OF ROCHESTER.

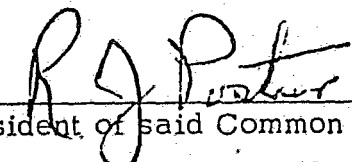
THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. Upon recommendation of the Charter Commission of the City of Rochester, and after public hearing duly noticed and held, Section 153 of the Charter of the City of Rochester is amended to read as follows:

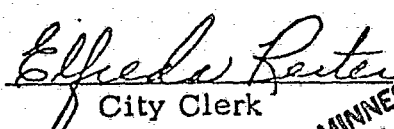
"Section 153. The Secretary of said Board shall also be the Bookkeeper and collector for the City Electric Light Plant. Said Board shall annually appoint a Superintendent of said plant. It shall also appoint and hire such other employees as are necessary for the proper management and operation of such plant, and may discharge them at will. Such Board shall prescribe the duties of such Superintendent, Secretary and employees and shall fix their compensations. Such Board may require from its appointees and employees bonds for the faithful performance of their duties. The amount of such bonds shall be fixed by the Board."

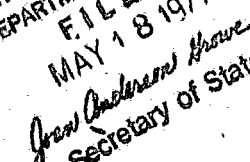
Section 2. This ordinance is enacted pursuant to Minnesota Statutes, Section 410.31, and shall take effect and be in force 90 days after passage and publication.

Passed and adopted by the Common Council of the City of Rochester, Minnesota, this 4th day of June, 1973.

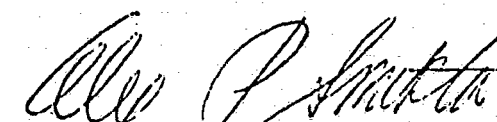


President of said Common Council

Attest:  #30507
City Clerk

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 18 1977

Secretary of State

Approved this 5th day of June, 1973.



Mayor of said City

#1704

STATE OF MINNESOTA)
) ss.
COUNTY OF OLMSTED)

I, Carole A. Grimm, City Clerk of the City of Rochester, Minnesota, pursuant to Minnesota Statutes 1976, §§410.11 and 410.12, subd. 7, do hereby certify that I have compared the attached copy of Ordinance No. 1704 relating to the qualifications of the superintendent of the City of Rochester Electric Light Plant and amending section 153 of the Charter of the City of Rochester, with the original thereof on file in my office and that the attached copy is a true and correct copy of said Ordinance No. 1704 and of the whole thereof, and that according to the records on file in my office said ordinance was recommended by the Charter Commission of the City of Rochester, that said ordinance was approved by the affirmative vote of all members of the Rochester Common Council after a public hearing upon two weeks' published notice containing the text of the proposed amendment, that said ordinance was approved by the Mayor and published as in the case of other ordinances, and that no petition requesting a referendum thereon was filed in my office within 60 days after passage and publication of said ordinance.

Witnesseth my hand this 13th day of May, 1977.

Carole A. Grimm
City Clerk #30507

(Seal of the City of
Rochester, Minnesota)

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 18 1977

Jan Anderson Howe
Secretary of State

Attest *Arnell A. Gunn*
City Clerk

Approved this 5th day of August, 1975.

Alvin P. Simola
Mayor of said City

(Seal of the City of
Rochester, Minnesota)

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 18 1977
James Anderson Howe
Secretary of State

Section 6. Section 130 of the charter of the city of Rochester is amended to read:

SECTION 130. The board shall within 60 days after the end of each fiscal year file with the city clerk for the common council a detailed statement of the receipts and disbursements of the board during the preceding fiscal year. It may include in such report any recommendations or information, and the common council may publish the same or such portion thereof as it shall deem advisable.

Section 7. Section 148 of the charter of the city of Rochester is amended to read:

SECTION 148. The term of office of the members of the public utility board appointed by the mayor in 1976 shall expire on the second Monday in June, 1978, and the term of office of the members of the public utility board appointed by the mayor in 1977 shall expire on the second Monday in June, 1979. The term of office of the member of the public utility board appointed by the common council in 1977 shall expire on the second Monday in June, 1979. Should the board member appointed by the common council cease to be a member of the common council he shall be deemed to have vacated his office as a member of the public utility board. Appointments may be made at any time to fill a vacancy for an unexpired term by the mayor to those offices to which it is his duty to appoint and by the common council to the office to which it is the common council's duty to appoint.

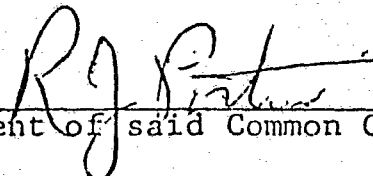
Section 8. Chapter X (section 160 and subsections 1 through 14 inclusive) of the charter of the city of Rochester is repealed.

Section 9. Section 1, 5, 6, and 7 of this ordinance shall take effect on January 1, 1978.

Section 10. Section 2, 3, and 4 of this ordinance shall take effect on January 1, 1976.

Section 11. This ordinance is enacted pursuant to Minnesota Statutes, section 410.12, subdivision 7 and shall take effect and be in force 90 days after passage and publication.

Passed and adopted by the Common Council of the City of Rochester, Minnesota, this 4th day of August, 1975.



President of said Common Council

elected and qualified; provided, however, that the term of office of each alderman elected from an odd numbered ward at the charter election in 1977 shall expire on the first Monday in June, 1979. The alderman from each of the even numbered wards shall be elected in each even numbered year and shall hold office for two years and until his successor is elected and qualified; provided, however, that the term of office of each alderman elected from an even numbered ward at the charter election in 1976 shall expire on the first Monday in June, 1978.

Section 4. Section 18 of the charter of the city of Rochester is amended to read:

SECTION 18. All city officers elected by the people, on and after January 1, 1978, shall enter upon the duties of the respective offices the first Monday of June in the year of their election, except as herein otherwise provided. The officers appointed by the mayor or by the common council on and after January 1, 1978, shall enter upon the duties of their respective offices on the second Monday in June in the year of their appointment, except as otherwise provided. All the officers of said city elected or appointed on and after January 1, 1978, shall hold their respective offices for a term of one year, except as herein otherwise provided, and until their respective successors shall be elected or appointed and qualified; provided, however, that the officers so elected or appointed in 1977 shall hold their respective offices for a term commencing on the second Monday in April, 1977, and expiring the second Monday in June, 1978.

Section 5. Section 128 of the charter of the city of Rochester is amended to read:

SECTION 128. There shall be a board of park commissioners of the city of Rochester, to consist of one member from each ward and one member at large, appointed by the mayor and confirmed by the common council. They shall be residents and freeholders of the city. Each shall hold office for two years, except as herein otherwise provided. A park commissioner shall be appointed from each odd numbered ward on the second Monday in June in each odd numbered year and a park commissioner shall be appointed from each even numbered ward on the second Monday in June in each even numbered year. The park commissioner at large shall be appointed on the second Monday in June in each odd numbered year. The term of office of the park commissioners appointed on the second Monday in April, 1976, shall expire on the second Monday in June, 1978, and the term of office of the park commissioners appointed on the second Monday in April, 1977, shall expire on the second Monday in June, 1979.

ORDINANCE NO. 1814

AN ORDINANCE RELATING TO CITY ELECTIONS AND TERMS OF OFFICES; AMENDING THE CHARTER OF THE CITY OF ROCHESTER, SECTIONS 8, 14, 15, 18, 128, 130, AND 148, AND REPEALING CHAPTER X (SECTION 160 AND SUBSECTIONS 1 THROUGH 14).

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. Section 8 of the charter of the city of Rochester is amended to read:

SECTION 8. There shall be an annual election for elective officers hereinafter provided, which election shall be known as the "charter election" and shall be held on the third Tuesday in May of each year at such place within each ward as the common council shall designate. The polls shall be kept open from nine o'clock in the forenoon until seven in the afternoon and 10 days previous notice shall be given by the city clerk of said city of the time and place of holding such elections, and the officers to be elected, by posting notices thereof in three of the most public places in the city, and by publishing the same in the official newspaper of said city.

Section 2. Section 14 of the charter of the city of Rochester is amended to read:

SECTION 14. The elective officers of said city shall be a mayor and an alderman-at-large. The mayor shall be elected at the charter election in each odd numbered year and shall hold office for a term of two years and until his successor shall be elected and qualified; provided, however, that the term of office of the mayor to be elected at the charter election in 1977 shall expire on the first Monday in June, 1979. The alderman-at-large shall be elected at the charter election in each even numbered year, and shall hold his office for a term of two years, and until his successor shall be elected and qualified; provided, however, that the term of office of the alderman-at-large to be elected at the charter election in 1976 shall expire on the first Monday in June, 1978.

Section 3. Section 15 of the charter of the city of Rochester is amended to read:

SECTION 15. The elective officers of each ward shall be one alderman. The alderman from each of the odd numbered wards shall be elected in each odd numbered year and shall hold office for two years and until his successor is

1814

STATE OF MINNEOTA)
) ss.
COUNTY OF OLMSTED)

I, Carole A. Grimm, City Clerk of the City of Rochester, Minnesota, pursuant to Minnesota Statutes 1976, §§410.11 and 410.12, subd. 7, do hereby certify that I have compared the attached copy of Ordinance No. 1814 relating to city elections and terms of offices and amending the Charter of the City of Rochester by amending sections 8, 14, 15, 18, 128, 130 and 148, and repealing chapter X (section 160 and subsections 1 through 14), with the original thereof on file in my office and that the attached copy is a true and correct copy of said Ordinance No. 1814 and of the whole thereof, and that according to the records on file in my office said ordinance was recommended by the Charter Commission of the City of Rochester, that said ordinance was approved by the affirmative vote of all members of the Rochester Common Council after a public hearing upon two weeks' published notice containing the text of the proposed amendment, that said ordinance was approved by the Mayor and published as in the case of other ordinances, and that no petition requesting a referendum thereon was filed in my office within 60 days after passage and publication of said ordinance.

Witnesseth my hand this 13th day of May, 1977.

Carole A. Grimm
City Clerk

(Seal of the City of
Rochester, Minnesota)

#30507
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 18 1977
John Andrew Howe
Secretary of State

ORDINANCE 1485

AN ORDINANCE RELATING TO THE RESIDENCY
OF POLICE OFFICERS AND AMENDING SECTION
35 OF THE CHARTER OF THE CITY OF ROCHESTER.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. Section 35 of the Charter of the City of Rochester
is amended in its entirety to read:

"Section 35. Any person to be eligible to appointment in the
Police Department shall be a citizen of the United States, shall be
able to read and write the English language, and shall not have been
convicted of a felony."

Section 2. This ordinance is enacted pursuant to Minnesota
Statutes 1967, Section 410.31, and shall take effect and be in force
90 days after passage and publication.

Passed and adopted by the Common Council of the City of
Rochester, Minnesota, this 3rd day of March, 1969.

Harold Dilts
President of said Common Council

Attest: Elfeda Reiter
City Clerk

Approved this 4th of March, 1969.

(Seal of the City of
Rochester, Minnesota)

Alvin P. Smith #30507
Mayor of said City.

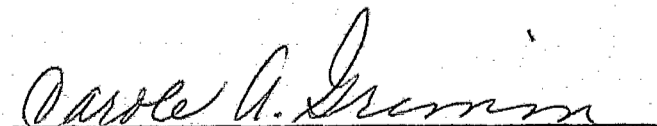
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 18 1977
Joan Anderson Howe
Secretary of State

#1485

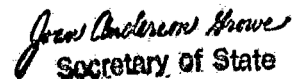
STATE OF MINNESOTA)
) ss.
COUNTY OF OLMSTED)

I, Carole A. Grimm, City Clerk of the City of Rochester, Minnesota, pursuant to Minnesota Statutes 1976, §§410.11 and 410.12, subd. 7, do hereby certify that I have compared the attached copy of Ordinance No. 1485 relating to the residency of police officers and amending section 35 of the Charter of the City of Rochester with the original thereof on file in my office and that the attached copy is a true and correct copy of said Ordinance No. 1485 and of the whole thereof, and that according to the records on file in my office said ordinance was recommended by the Charter Commission of the City of Rochester, that said ordinance was approved by the affirmative vote of all members of the Rochester Common Council after a public hearing upon two weeks' published notice containing the text of the proposed amendment, that said ordinance was approved by the Mayor and published as in the case of other ordinances, and that no petition requesting a referendum thereon was filed in my office within 60 days after passage and publication of said ordinance.

Witnesseth my hand this 13th day of May, 1977.


City Clerk

(Seal of the City of
Rochester, Minnesota)

#30507
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 18 1977

Secretary of State

Richard P. [Signature]
President of said Common Council

Attest: *Edwards Reiter*
City Clerk

Approved this 7th day of April, 1970.

[Signature]
Mayor of said City

(Seal of the City of
Rochester, Minnesota)

30507
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 18 1977
John Anderson Howe
Secretary of State

ORDINANCE NO. 1547

AN ORDINANCE RELATING TO THE ROCHESTER COMMON COUNCIL, ADMINISTRATION OF CITY GOVERNMENT, ADOPTION OF ORDINANCES, AND LEVYING OF PROPERTY TAXES; AMENDING THE CHARTER OF THE CITY OF ROCHESTER AS FOLLOWS: AMENDING SECTIONS 98 AND 107, REPEALING SECTIONS 114 THROUGH 122, AND ADDING A NEW SECTION 165.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. Section 98 of the Charter of the City of Rochester is amended to read as follows:

"Section 98. No ordinance shall be passed by the Common Council until it has had two public readings, either in full or by title and description, and at least 25 days shall elapse between readings, except that on unanimous consent of all members present at the time of the second reading, which shall be noted in the record, the second reading may be given on the day of introduction or on any other day."

Section 2. Section 107 of the Charter of the City of Rochester is amended to read as follows:

"Section 107. The Common Council may create such departments and offices for the administration of the city's affairs as it may deem necessary, and from time to time may alter their duties and organization. The Common Council may abolish or combine departments and offices as it sees fit in the same manner in which they were created. Appointment and removal of the city attorney, city clerk, director of finance, and department heads shall be made final only by majority vote of the Common Council. The Common Council may delegate the appointment and removal of such other officers and employees as it sees fit. All appointments shall be for an indefinite period, and all appointments and removals shall be on such terms and conditions as the Common Council may provide, subject to applicable provisions of this charter and state law."

Section 3. The Charter of the City of Rochester is amended by adding Section 165 thereto to read as follows:

"Section 165. The Common Council is authorized to levy taxes on all real and personal property within the city to be assessed and collected in the manner provided under the general laws of this state."

Section 4. Sections 114 through and including 122 of the Charter of the City of Rochester are repealed.

Section 5. This ordinance is enacted pursuant to Minnesota Statutes, Section 410.31, and shall take effect and be in force 90 days after passage and publication.

Passed and adopted by the Common Council of the City of Rochester, Minnesota, this 6th day of April, 1970.

#1547

STATE OF MINNESOTA)
) ss.
COUNTY OF OLMSTED)

I, Carole A. Grimm, City Clerk of the City of Rochester, Minnesota, pursuant to Minnesota Statutes 1976, §§410.11 and 410.12, subd. 7, do hereby certify that I have compared the attached copy of Ordinance No. 1547 relating to the Rochester Common Council, administration of city government, adoption of ordinances, and levying of property taxes, and amending the Charter of the City of Rochester by amending sections 98 and 107, repealing sections 114 through 122, and adding a new section 165, with the original thereof on file in my office and that the attached copy is a true and correct copy of said Ordinance No. 1547 and of the whole thereof, and that according to the records on file in my office said ordinance was recommended by the Charter Commission of the City of Rochester, that said ordinance was approved by the affirmative vote of all members of the Rochester Common Council after a public hearing upon two weeks' published notice containing the text of the proposed amendment, that said ordinance was approved by the Mayor and published as in the case of other ordinances, and that no petition requesting a referendum thereon was filed in my office within 60 days after passage and publication of said ordinance.

Witnesseth my hand this 13th day of May, 1977.

Carole A. Grimm
City Clerk #30507

(Seal of the City of
Rochester, Minnesota)

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 18 1977
James Anderson Howe
Secretary of State

City of **ROCHESTER**
— Minnesota 55901 —



CAROLE A. GRIMM
CITY CLERK
Room 100, City Hall

May 17, 1977

Ms. Joan Anderson Growe
Secretary of State
Room 180 State Office Bldg.
St. Paul, MN 55155

Dear Ms. Growe:

Enclosed for filing in your office pursuant to Minnesota Statutes 1976, §410.11 are certificates of the undersigned pertaining to the following amendments to the Charter of the City of Rochester:

1. Ordinance No. 1485 amending section 35 relating to the residency of police officers.
2. Ordinance No. 1547 relating to the Rochester Common Council, administration of City government, adoption of ordinances, and levying of property taxes, and amending sections 98 and 107, repealing sections 114 through 122, and adding a new section 165.
3. An amendment proposed by Ordinance No. 1578 adding a new section 164 relating to an excise tax on the furnishing of lodging, which amendment was approved by the voters at the March 9, 1971 election.
4. Ordinance No. 1814 relating to City elections and terms of offices and amending sections 8, 14, 15, 18, 128, 130, and 148, and repealing chapter X (section 160 and subsections 1 through 14).
5. Ordinance No. 1704 relating to the qualifications of the superintendent of the electric light plant and amending section 153.

Very truly yours,

Carole A. Grimm
City Clerk

GHS:ldl

encls.

cc: Gerald H. Swanson, City Attorney
Richard White, Chairman, Charter Commission

#30507
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 18 1977
Joan Anderson Growe
Secretary of State

City of **ROCHESTER**
— Minnesota 55901 —



CAROLE A. GRIMM
CITY CLERK
Room 100, City Hall

May 17, 1977

Ms. Joan Anderson Growe
Secretary of State
Room 180 State Office Bldg.
St. Paul, MN 55155

Dear Ms. Growe:

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3. An amendment proposed by Ordinance No. 1578 adding a new section 164 relating to an excise tax on the furnishing of lodging, which amendment was approved by the voters at the March 9, 1971 election.
4. Ordinance No. 1814 relating to City elections and terms of offices and amending sections 8, 14, 15, 18, 128, 130, and 148, and repealing chapter X (section 160 and subsections 1 through 14).
5. Ordinance No. 1704 relating to the qualifications of the superintendent of the electric light plant and amending section 153.

Very truly yours,

Carole A. Grimm
City Clerk

GHS:ld1

encls.

cc: Gerald H. Swanson, City Attorney
Richard White, Chairman, Charter Commission

#30507
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 18 1977
Joan Anderson Growe
Secretary of State

Council to levy an Excise Tax of not to exceed three pre cent on the consideration paid for the furnishing of lodging by Hotels, Rooming Houses, Tourist Courts, Motels, Trailer Camps and similar property for lodging purposes other than the renting or leasing thereof for a continuous period of 30 days or more.

30507

STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED

MAY 18 1977

James Anderson Howe
Secretary of State

EXHIBIT "A"

NAME and OFFICE	FIRST WARD		SECOND WARD		THIRD WARD			FOURTH WARD		FIFTH WARD			SIXTH WARD		TOTAL
	Prec.	No.	Prec.	No.	Prec.	No.		Prec.	No.	Prec.	No.	Prec.	No.		
	1	2	1	2	1	2	3	1	2	1	2	3	1	2	
<u>MAYOR</u>															
D. Dewey Day	297	396	160	206	312	398	220	144	217	132	242	382	284	774	4164
Alex Smekta	3			1		2		1		2		1			10
Mary Martin		2													2
Leonard Ekstrand		1						2							3
Carol Kamper		2													2
Crazy Hat		1													1
Warren Larson		1													1
A. M. Keith		1													1
Robert Larson		1													1
Joseph Mayer		1													1
William Gernes		1						3							4
Paul Hasking		1													1
Jeff VandenBerg								1							1
<u>ALDERMAN - FIRST WARD</u>															
Frank Moody	133	164													297
Darrell G. Strain	248	341													589
<u>ALDERMAN - THIRD WARD</u>															
Paul Ludowese					196	184	143								523
Joseph W. Mayer					203	313	116								632
<u>ALDERMAN - FIFTH WARD</u>															
August E. Graf										56	100	120			276
Robert L. Larson										103	205	376			684
<u>ALDERMAN - SIXTH WARD (One year Term)</u>															
Carol J. Kamper													181	530	711
James J. Novak													144	392	536
<u>CHARTER AMENDMENT</u>															
"YES" Received	265	316	117	165	228	333	179	83	157	97	193	373	251	734	3491
"NO" Received	89	147	113	125	140	141	53	99	99	43	90	115	55	140	1449
Shall the Charter of the City of Rochester be amended by adding a Section authorizing the Common															

amendment were more than the required 51% of the total votes cast thereon, and therefore the amendment was declared duly adopted.

Passed and adopted by the Common Council of the City of Rochester, Minnesota at a meeting thereof held this 10th day of March, 1971.

R. J. Postis
President of said Common Council

Attest: Elfreda Rector
City Clerk

Approved this 11th day of March, 1971.

David Day
Mayor of said City

(Seal of the City of
Rochester, Minnesota)

#30507
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 18 1977
John Anderson Howe
Secretary of State

RESOLUTION

BE IT RESOLVED by the Common Council of the City of Rochester, Minnesota that the attached sheet, marked "Exhibit A" is a tabulated statement and list of the number of votes cast for each person at the Charter Election held on March 9, 1971 in the City of Rochester, Minnesota as determined by said Common Council on the canvass of the said returns of said election made the 10th day of March, 1971. The said statement is hereby declared to show the results of the said election.

Said tabulated list and statement is attached.

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

That D. Dewey Day is hereby declared to be elected to the office of Mayor of the City of Rochester, at the Charter Election held March 9, 1971, to hold office for two years and until his successor is elected and qualified;

That Darrell G. Strain is hereby declared to be elected to the office of Alderman of the First Ward of the City of Rochester, at the Charter Election held March 9, 1971, to hold office for two years and until his successor is elected and qualified;

That Joseph W. Mayer is hereby declared to be elected to the office of Alderman of the Third Ward of the City of Rochester, at the Charter Election held March 9, 1971, to hold office for two years and until his successor is elected and qualified;

That Robert L. Larson is hereby declared to be elected to the office of Alderman of the Fifth Ward of the City of Rochester, at the Charter Election held March 9, 1971, to hold office for two years and until his successor is elected and qualified;

That Carol J. Kamper is hereby declared to be elected to the office of Alderman of the Sixth Ward of the City of Rochester, at the Charter Election held March 9, 1971, to hold office for one year and until her successor is elected and qualified.

Be it further resolved that the total number of votes cast at said election on the Amendment to the Charter was 4940 of which 3491 were in favor of its adoption and 1449 were against its adoption. That the votes in favor of the

further directed to give such other notice of the submission of said proposed amendment to the qualified voters as is required by law.

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

PROPOSED AMENDMENT TO

THE CHARTER OF THE CITY OF ROCHESTER, MINNESOTA

Yes _____
No _____

SHALL THE CHARTER OF THE CITY OF ROCHESTER BE AMENDED BY ADDING A SECTION AUTHORIZING THE COMMON COUNCIL TO LEVY AN EXCISE TAX OF NOT TO EXCEED THREE PER CENT ON THE CONSIDERATION PAID FOR THE FURNISHING OF LODGING BY HOTELS, ROOMING HOUSES, TOURIST COURTS, MOTELS, TRAILER CAMPS AND SIMILAR PROPERTY FOR LODGING PURPOSES OTHER THAN THE RENTING OR LEASING THEREOF FOR A CONTINUOUS PERIOD OF 30 DAYS OR MORE.

Passed and adopted by the Common Council of the City of Rochester, Minnesota, this 18th day of January, 1971.

R. J. Post
President of said Common Council

Attest: Elfrieda Reiter
City Clerk

Approved this 19th day of January, 1971.

Clayton
Mayor of said City

(Seal of the City of
Rochester, Minnesota)