

CERTIFICATE OF ADOPTION OF HOME RULE CHARTER

STATE OF MINNESOTA))
) SS.
COUNTY OF ISANTI))

I, Norman C. Schafer, Clerk of the City of Isanti, do hereby certify that the charter hereto attached and made a part of this certificate is a true and correct copy of the charter returned and filed with the City by a duly appointed and qualified charter commission of such City.

I further certify that such charter was duly submitted to the voters of the City of Isanti at a general election held in such City on November 7, 1978, and was duly adopted by a vote of 196 for the charter, 175 against the charter, and 6 blank ballots, the total vote cast in such City of Isanti at such election being 377.

Witness my hand and the corporate seal of the City of Isanti this 21 day of Nov., 1978.

Norman C. Schafer - Clerk
Norman C. Schafer, Clerk

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 27 1978

Jon Andrews Shaw
Secretary of State
#31827
O.D.

NOTICE OF ELECTION

PLEASE TAKE NOTICE that the following proposed Charter, prepared and framed by the Isanti Home Rule Charter Commission, shall be presented for election on the 7th day of November, 1978, at which time duly qualified voters in the City of Isanti shall vote on the following question:

Shall the proposed new Charter be adopted?

The text of the proposed Charter is as follows:

C E R T I F I C A T E

We, the undersigned, being the duly appointed, qualified and acting members of the Isanti Home Rule Charter Commission in and for the City of Isanti, Isanti county, Minnesota, hereby certify that the foregoing document of Chapters 1 through 12, inclusive, is the draft of a proposed charter prepared and framed by the charter commission, and we hereby affix our signatures to that draft in testimony of our approval thereof, and deliver the same to Norman Schafer, the city clerk of the said city, for action pursuant to law.

<u>David W. Denker</u> Chairman	<u>Wm. D. Wall</u>
<u>Harv R. Curtis</u>	<u>Donald K. Wood</u>
<u>Judith A. Jackson</u>	<u>LaVonne J. Rajewski</u>
<u>Almus Brellentzen</u>	<u>Harlan E. Lillman</u>
<u>Dennis M. Raso</u>	<u>Walter Slater</u>
<u>D. J. Miller</u>	

I, Norman Schafer, clerk of the city of Isanti, Isanti county, Minnesota, hereby certify that the foregoing draft of a proposed charter and certificate in connection therewith was delivered to me this 3 day of October, 1978.

Norman C. Schafer
Clerk

I N D E X
PROPOSED CHARTER
OF
THE CITY OF ISANTI

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CHAPTER 1

NAME BOUNDARIES, POWERS, AND GENERAL PROVISIONS.

Section 1.01. Name and boundaries. The City of Isanti, in the County of Isanti, 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 Isanti, with the same boundaries as now are or hereafter may be established.

Section 1.02. Powers of the city. The City shall have all powers which 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 Isanti 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.

Section 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 January 1, 1979.

CHAPTER 2

FORM OF GOVERNMENT

Section 2.01. Form of government. The form of government established by this charter is the "Council-Mayor Plan". Except as otherwise provided by law or this charter, all powers of the city are vested in the Council.

Section 2.02. Boards and commissions. There shall be no separate administrative board of health, library board, or any other administrative board or commission 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 provided for by statute. 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.

Section 2.03. Council composition and election. The council shall be composed of a mayor and four 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 qualifies. The mayor shall serve for a term of two years and until his successor is elected and qualifies.

Section 2.04. Incompatible offices. No member of the council shall hold any 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 appointive office or employment under the city which was created or the compensation for which was increased during his term as councilman.

Section 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, written resignation delivered to the city clerk, removal from office by act of law, removal of principal residence 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 two months. If there is no municipal election to be held for a period of six months, the council shall by resolution declare such vacancy to exist and shall forthwith appoint an eligible person within 45 days after the declaration of the vacancy or if said vacancy is not filled within 45 days after said vacancy has by resolution been declared to exist, then the Isanti City Council shall call a special election to be held on the first Tuesday as legally permissible at the first general council meeting following the aforesaid 45 day period, to fill the vacancy until January 1 following the next regular municipal election, when the office shall be filled for the unexpired term.

Section 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 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.

Section 2.07. Salaries. The monthly salary of each of the councilman and mayor shall be fixed by ordinance in accordance with law, but shall not be increased during the current term of office of the councilmen or mayor at the time of enactment of such ordinance. The mayor and councilmen, in addition to the above salaries, shall be paid a reasonable sum for each day, and their reasonable expenses incurred, while traveling outside the city on the city's business. The employees of the city shall receive such salaries or wages as may be fixed by the council.

Section 2.08. Investigation of city affairs. The council may make investigations into the affairs of the city and the conduct of any city department, office or agency and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. 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 public accountant. At any time the council may provide for an examination or audit of the accounts of any city officer or agency and it may provide for any survey or research study of any subject of municipal concern.

Section 2.09. Subordinate officers. There shall be a city clerk and such other officers subordinate to the city clerk as the council may establish by ordinance. The city clerk shall have such duties in connection with the keeping of the public records, the custody and disbursement of the public funds, and the general administration of the city's affairs as the council may prescribe. He may be designated to act as secretary of the council and also as treasurer.

Section 2.10. The city clerk. The city clerk shall be the chief administrative officer of the city. He shall be chosen by the council solely on the basis of his training, experience, executive and administrative qualifications. He need not be a resident of the city at the time of his appointment but may reside outside the city while in office only with the approval of the council. The city clerk shall be appointed for an indefinite term and may be removed as provided by this charter but after he has served as city clerk for one year, he may demand written charges and a public hearing on the charges before the council prior to the date when his final removal takes effect. After the hearing, if one is demanded, the council shall have unlimited discretion either to reinstate the clerk or make his removal final by a simple majority vote of the city council. Pending the hearing and removal, the council may suspend the city clerk from office. With the approval of the council, the city clerk may designate some properly qualified person to perform the duties of the city clerk during his absence or disability or while the office is vacant.

CHAPTER 3

COUNCIL PROCEDURE

Section 3.01. Council meetings. The council shall meet regularly at least once each month at such times and places as the council may designate by rule. The mayor or any three members of the council may call special meetings of the council by delivering written notice of the time, place and the subject to be discussed to each member and by posting notice upon the official public notice board at the city hall, all at least 24 hours before the meeting. To the extent provided by law, all meetings of the council and its committees shall be public and any citizen shall have access to the minutes and records of the council at all reasonable times.

Section 3.02. Secretary of council. The city clerk shall act as secretary of the council. He shall keep a journal of council proceedings and perform such other duties as this charter or the city may require. The council may designate any other city official or employee, except a member of the council, to act as secretary of the council.

Section 3.03. Rules of procedure and quorum. The council shall determine its own rules and order of business. A majority of all members shall constitute a quorum. The council may by rule provide a means by which a minority may compel the attendance of absent members.

Section 3.04. Ordinances resolutions, and motions. Except as otherwise provided in this charter, all legislation shall be by ordinance. The votes of council members on any action taken shall be recorded in accordance with statute. Except as otherwise provided in this charter, an affirmative vote of a majority of all the members of the council shall be required for the adoption of all ordinances and resolutions.

Section 3.05. Procedure on ordinances. The enacting clause of all ordinances passed by the council shall be in the words, "The City of Isanti does ordain." Every ordinance shall be presented in writing and shall have one public reading in full at the meeting at which it is introduced. No ordinance except an emergency ordinance shall be passed at the meeting at which it is introduced, nor before the next regularly scheduled meeting of the council.

Section 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 three 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.

Section 3.07. Procedure on resolutions. Every resolution shall be presented in writing and read in full before adoption, unless the reading is dispensed with by unanimous consent.

Section 3.08. Signing and publication of ordinances. Every ordinance 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. To the extent and in the manner provided by law an ordinance may incorporate by reference a statute of Minnesota, a state administrative rule or regulation, a code, or ordinance or part thereof without publishing the material referred to in full.

Section 3.09. When ordinances and resolutions take effect. Every resolution and emergency ordinance shall take effect immediately upon its passage or at such later date as it specifies. Every other ordinance shall take effect 30 days after publication or at such later date as it specifies. Every ordinance and resolution adopted by the voters of the city shall take effect immediately upon its adoption or at such later date as it specifies.

Section 3.10. Amendment and repeal of ordinances and resolutions. Every ordinance or resolution repealing a previous ordinance or resolution or section or subdivision thereof shall give the number, if any, and the title of the ordinance or resolution to be repealed in whole or in part. No ordinance or resolution or section or subdivision thereof shall be amended by reference to the title alone, but such an amending ordinance or resolution shall set forth in full each section or subdivision to be amended and shall indicate new matter by underscoring and old matter to be omitted by enclosing it in brackets. In newspaper publications, the same indications of omitted and new matter shall be used except that italics or boldfaced type may be substituted for underscoring and omitted matter may be printed in capital letters within parenthesis.

Section 3.11. Revision and codification of ordinances. The city may revise, rearrange and codify its ordinances 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

Section 4.01. Regular municipal elections. A regular municipal election shall be held on the 1st Tuesday after the first Monday in November of the year in which an election is to be held at such place or places as the city council may designate by resolution. At least 15 days notice shall be given by the city clerk of the time and places of holding such election, and of the offices to be elected, by posting a notice thereof in at least one public place where the election is held and by publishing a notice thereof at least once in the official newspaper of the city, but failure to give such notice shall not invalidate such election. The officers elected shall take office at the first regular meeting in January after their election.

Section 4.02. Special elections. The council may by resolution order a special election and provide all means for holding it. The clerk shall give at least two weeks published notice of a special election. The procedure at such election shall conform as nearly as possible to that prescribed for other city elections.

Section 4.03. Judges of election. The council shall at least 25 days before each election, appoint at least three qualified electors to be judges of election. The council shall set compensation for the election judges and clerks.

Section 4.04. Candidate for office. All candidates for office provided for by this chapter who shall desire to be elected to any elected office, shall file an Affidavit not more than 54 days nor less than 40 days prior to the Election date, with the city clerk, paying to said officer a fee of \$5.00. Such Affidavit or Application shall state that the candidate is a qualified voter of Isanti and name of the office for which he is a candidate. The city clerk shall prepare and have printed, at the expense of the city, the necessary ballots and materials for conducting the election.

Section 4.05. Withdrawal of candidate. Any person whose name has been presented in the manner provided for in the foregoing section as a candidate, may, not later than 12 o'clock noon of the day after the last day for filing, cause his name to be withdrawn from nomination by filing with the city clerk a request to do so in writing. No name so withdrawn shall be printed upon the ballot.

CHAPTER 5

INITIATIVE, REFERENDUM AND RECALL.

Section 5.01. Powers reserved by the people. The people of Isanti 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, to require any ordinance when passed by the council to be referred to the electors for approval or disapproval, and to recall any elected city official. These powers shall be called the initiative, referendum and recall respectively.

Section 5.02. Petitions. An initiative or referendum shall be initiated by a petition signed by voters of the city equal in number to 20 percent or a minimum of 75 voters of those who voted in the last preceding city election. A recall shall be initiated by a petition signed by voters of the city equal in number to 40 percent of those who voted in the last preceding city election. Each petition shall be sponsored by a committee of five voters whose names and addresses shall appear on the petition. A petition may consist of one or more papers, but each paper circulated separately shall contain at its head or attached to it the statement required by Section 5.05, 5.06 or 5.07, as the case may be. Each signer shall sign his name and give his street address. Each separate page of the petition shall have appended to it a certificate, verified by oath, that each signature is the genuine signature of the person whose name it purports to be. The person making the certificate shall be a resident of the city. Any person whose name appears on a petition may withdraw his name by a statement in writing filed with the city clerk before the clerk advises the council of the sufficiency of the petition.

Section 5.03. Determination of sufficiency. Immediately upon receipt of the petition, the city clerk shall examine the petition as to its sufficiency and report to the council within 20 days, and in the case of recall shall also officially notify the person sought to be recalled of the sufficiency of the petition and of the pending action. The council shall at its next regular meeting determine, by resolution, the sufficiency of the petition.

Section 5.04. Disposition of insufficient petition. If the council determines that the petition is insufficient or irregular, the city clerk shall deliver a copy of the petition, together with a written statement of its defects, to the sponsoring committee. The committee shall have 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 council finds that the petition is still insufficient or irregular, the city clerk shall file the petition in his office and notify the sponsoring committee. The final finding that the petition is insufficient or irregular shall not prejudice the filing of a new petition for the same purpose nor, in the case of initiative and referendum, shall it prevent the council from referring the ordinance to the voters at the next regular or special election at its option, but in the case of recall no further action shall be taken.

Section 5.05. Initiative. Any ordinance, except an ordinance pertaining to the budget or capital program, the appropriation of money, the levy of taxes, or the salaries of city officers or employees, may be proposed by a petition which shall state at the head of each page or attached thereto the exact text of the proposed ordinance. If the council passes the proposed ordinance with amendments and a majority of the sponsoring committee do not disapprove the amended form by a statement filed with the city clerk within 10 days of its passage by the council, the ordinance need not be submitted to the voters. If the council fails to enact the ordinance in an acceptable form within 60 days after the final determination of sufficiency of the petition, the ordinance shall be placed on the ballot at the next election occurring in the city. If no election is to occur within 120 days after the filing of the petition, the council shall call a special election on the ordinance to be held within such period. If a majority of those voting on the ordinance vote in its favor, it shall become effective 30 days after adoption unless the ordinance specifies a later effective date.

Section 5.06. Referendum. Any ordinance subject to the initiative may be subjected to referendum by a petition which shall state, at the head of each page or on an attached paper, a description of the ordinance. Any ordinance upon which a petition is filed, other than an emergency ordinance, shall be suspended in its operation as soon as the petition is found sufficient. If the ordinance is not thereafter entirely repealed, it shall be placed on the ballot at the next election or at a special election called for that purpose, as the council determines. If a majority of the voters voting thereon favors the ordinance, it shall go into effect immediately or on the date specified in the ordinance; if a majority of the electors voting thereon votes against the ordinance, it shall be considered repealed upon certification of the election results. If a petition is filed against an emergency ordinance, the ordinance shall remain in effect but shall be repealed if a majority of the voters voting on the ordinance vote against it.

Section 5.07. Recall. Any elected official may be subjected to recall by a petition which shall state, at the head of each page or on an attached paper in not more than 250 words, a statement of the grounds for removal. Upon the determination of the city council that the petition for recall is sufficient and that the grounds for removal show malfeasance or nonfeasance in office and if the elected official has not resigned, the council shall, by resolution, provide for the holding of a special recall election in not less than 30 nor more than 45 days but if any other election is to occur within 60 days, the council may in its discretion provide for the holding of the recall election at that time. The ballot at such election shall be: "Shall . . . (Name) be recalled?". If a majority of those voting on the question of recall vote in favor of recall, the official shall be thereby removed from office.

Section 5.07a. Incapacity of recalled officers. No person who shall have been recalled from office, or who has resigned from such office while recall proceedings were pending against him, shall be eligible for any city office within one year after said recall or resignation.

CHAPTER 6

TAXATION AND FINANCE

Section 6.01. Council to control finances. The council shall have full authority over the financial affairs of the city. It 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.

Section 6.02. Fiscal Year. The fiscal year of the city shall be the calendar year.

Section 6.03. System of taxation. Subject to the State Constitution, and except as forbidden by it or by State law, the council shall have full power to provide by ordinance for a system of local taxation. This authority includes the power by ordinance to assess, levy, and collect taxes on all subjects or objects of taxation except as limited or prohibited by the State Constitution, by this Charter or by laws imposing restrictions upon the city irrespective of Charter provisions.

Section 6.04. Board of Equalization. The council shall constitute a Board of Equalization to equalize assessments of property for taxation purposes according to law.

Section 6.05. Establishment of funds and accounting procedures. In accordance with the requirements of and subject to the limitations of State law and any applicable general or special provision of this Charter, the city council shall in an administrative code or by special ordinance provide for such special funds, budget controls, additional regulations and accounting procedures as shall be reasonably necessary or desirable to establish unified, efficient and business like control over all of the city's fiscal affairs.

Section 6.06. Submission of Budget. Annually the city clerk shall submit to the council his recommended budget in accordance with a budget calendar to be established by ordinance or, in the absence of ordinance, by September 1. The budget shall provide a complete financial plan for all city funds and activities for the ensuing fiscal year and except as required by law or charter, shall be in such form as the clerk deems desirable or the council may require. It shall include a summary and show in detail all estimated income and all proposed expenditures, including debt service and comparative figures for the current fiscal year, actual and estimated, and the preceding fiscal year. In addition to showing proposed expenditures for current operations, it shall show proposed capital expenditures to be made during the year and the proposed method of financing each such capital expenditure. For each utility operated by the city, the budget shall show anticipated net surplus or deficit and the proposed method of its disposition; and subsidiary budgets for each such utility giving income and expenditure information shall be included or attached as appendices. The total proposed operating budget to be provided from the property tax shall not exceed the amounts authorized by law and this charter. Consistent with these provisions, the budget shall contain such information and be in the form prescribed by ordinance and by law.

Section 6.07. Capital Improvement Program. The city clerk shall prepare and submit to the council a recommended five-year capital improvement program no later than June 1 each year. The capital improvement program shall include a list of all capital improvements or replacements proposed to be undertaken during the next five fiscal years, with appropriate supporting information as to the necessity for such improvements; cost estimates, method of financing and recommended time schedules for each such improvement; and the estimated annual cost of operating and maintaining the facilities to be constructed or acquired. This information shall be revised and extended each year for capital improvements still pending or in process. The council shall hold a public hearing on the capital improvement program and adopt it with or without amendment no later than August 15.

Section 6.08. Council action on budget. The budget shall be considered at the first regular monthly meeting of the council in September and at subsequent meetings until a budget is adopted for the ensuing year. The meetings shall be so conducted as to give interested citizens a reasonable opportunity to be heard. The council may revise the proposed budget but no amendment to the budget shall increase the authorized expenditures to an amount greater than the estimated income. The council shall adopt the budget not later than the first week of October by 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 purposes of budget control. The council shall also adopt a resolution levying the amount of taxes provided in the budget and the clerk shall certify the tax resolution to the county auditor in accordance with law not later than October 10. Adoption of the budget resolution shall constitute appropriations at the beginning of the fiscal year of the sums fixed in the resolution for the several purposes named.

Section 6.09. Enforcement of the Budget. The city clerk shall enforce strictly the provisions of the budget. He shall not authorize any payment or the incurring of any obligation by the city unless an appropriation has been made in the budget resolution and there is a sufficient unexpended balance left after deducting the total past expenditures and encumbrances against the appropriation. 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 and with a necessary purchase order. 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 authorized shall be a personal obligation upon the person incurring the obligation. No check shall be issued or transfer made to any account other than one owned by the city until the claim to which it relates has been supported by an itemized bill, payroll, or time sheet or other document approved and signed by the responsible city officer who vouches for its correctness and reasonableness.

Section 6.10. 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 its members, reduce the sums appropriated for any purpose by the budget resolution, or by a vote of three members, authorize the transfer of sums from unencumbered balances of appropriations in the budget resolution to other purposes.

Section 6.11. Disbursements: How Made. No disbursement of city funds shall be made except by check signed by the city clerk and mayor 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 pay it together with all outstanding encumbrances upon the fund. No such checks shall be issued until the claim to which it relates has been supported by an itemized bill, payroll, or timesheet approved and signed by the responsible city officer who vouches for its correctness and reasonableness. The city clerk 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.

Section 6.12. Funds. There shall be maintained in the city treasury a general fund and such other funds as may be required by statute, ordinance, or resolution. The council may, by ordinance or resolution, make inter-fund loans or transfers, except from trust and agency funds, as it may deem necessary and appropriate.

Section 6.13. City Indebtedness. Except as provided in sections 6.14 and 6.15, no obligation 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 provided by law. No such obligation shall be issued and sold without the approval of the majority of the electors of the city voting thereon at a general or special election, except obligations issued under Sections 6.14 and 6.15, and obligations of kinds as to which state law provides that an election shall not be required to authorize them, and obligations authorized by state law to be issued by the city council without the express requirement of an election. When obligations are issued and sold pursuant to proper authorization, the proceeds are appropriated for expenditure for the purposes for which the obligations are authorized.

Section 6.14. 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 50% of the total current taxes for the fund uncollected, at the time of issuance plus the cash on hand in the fund. Such certificates shall be issued on such terms and conditions as the council may determine and shall bear interest at a rate not to exceed the maximum rate allowed by Minnesota statutes, 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.

Section 6.15. 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 necessitates the making of extraordinary expenditures, the council may by ordinance issue, on such terms and in such manner as the council determines, emergency debt certificates to be payable within three years after issuance. A tax levy sufficient to pay principal and interest on such certificates shall be levied as required by law. The ordinance authorizing an issue of such emergency debt certificate shall state the nature of the emergency and be approved by at least four members of the council. It may be passed as an emergency ordinance.

Section 6.16. Tax Levies and Limitations Thereon. Subject to the State Constitution and except as forbidden by it or by Statute, the Council shall have full authority and power to provide by ordinance for a system of local taxation and to change the same from time to time. Insofar as the city procures a revenue from taxes upon real property, it shall conform as fully as possible to the general state law as to the assessment of such property and the collection of such taxes and levies made for municipal purposes shall not exceed 75% of the limits now or hereafter provided by Statute for cities of the class of the City of Isanti.

CHAPTER 7

CONTRACTS AND PURCHASING AUTHORITY

Section 7.01. Purchasing Agent. The council shall be the chief purchasing agent for the city and, subject to the limitations and requirements of State law and the provisions of this charter, may provide in the administrative code or otherwise the manner in which all city purchases shall be made.

Section 7.02. Purchases by advertisement for Bids. The purchase and procurement of services, materials, supplies and property of whatever nature shall be by public letting after due and proper advertisement for bids. The advertisement for bids shall be published not less than once in the official newspaper of the city and at least one week shall elapse between the publication date of such advertisement and the date set for the opening of bids. The council may in the administrative code or otherwise establish some uniform system for the preparation of estimates, plans and specifications and bidding procedure. An award of contract or placing of a purchase order shall be to the "lowest responsible bidder" but in determining who is the "lowest responsible bidder" the council may exercise its best discretion acting upon all available information as to the bidder and the products or services offered and shall not be restricted to an acceptance of the low money bid, but shall accept the bid most advantageous to the city. In all advertisements for bids, the council shall reserve the right to reject any and all bids.

CHAPTER 8

PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS

Section 8.01. Power to make improvements and levy assessments.

The city may make any type of public improvement not forbidden by law and levy special assessments to pay all or any part of the cost of such improvements as are of a local character. The total assessments for any local improvement may not exceed the cost of the improvement, including all costs and expenses connected therewith, with interest. No assessment shall exceed the benefits to the property.

Section 8.02. Assessments for services. The council may provide by ordinance that the cost of city services to streets, sidewalks, or other public or private property may be assessed against property benefited and collected in the same manner as special assessments.

Section 8.03. Local Improvements - Regulations. The council may prepare and adopt a comprehensive ordinance describing the procedure which shall be followed in making local improvements and levying assessments therefor. Such ordinance may be amended only by an affirmative vote of at least three members of the council. Local improvements may also be made and assessments levied therefor as prescribed by state law unless such ordinance provides that such proceedings shall be taken only in accordance with provisions of the ordinance. No defect, irregularity or admission of and kind in any proceeding taken in the authorization of any improvements or the making of any contract or the levy of any assessment therefor, or in the giving of any notice or the holding of any hearing in connection therewith, shall affect the validity of any contract for the making of the improvement when it is executed or of any bond issue to finance the improvement when the proceeds thereof are received by the city. No such defect, irregularity, or admission shall effect the validity of any special assessment levied for an improvement, except to the extent, if any, that such defect, irregularity or admission impairs the constitutional right of each property owner to effective notice of and opportunity for hearing on the question whether the assessment exceeds the benefit resulting from the improvement to the property upon which it is levied.

Section 8.04. Public Works - How Performed. Public works, including all local improvements, may be constructed, extended, repaired and maintained either by day labor or by contract. The city shall require contractors to give bonds for the protection of the city and all persons furnishing labor and materials, pursuant to the laws of the state pertaining to and governing public works.

CHAPTER 9

EMINENT DOMAIN

Section 9.01. Power to acquire property. The city is hereby empowered to acquire by purchase, gift, devise, or condemnation, any property, corporeal or incorporeal, either within or without its corporate boundaries, which may be needed by the city for any public use or purpose. Easements for slopes, fills, 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.

Section 9.02. Proceedings in acquiring property. The necessity for 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. The acquisition of such property may be accomplished by legal proceedings, as in taking land for public use by right of eminent domain according to the laws of this state, except as otherwise provided in this charter. Any condemnation proceedings in progress when this charter takes effect shall be continued and completed under the laws under which such proceedings were begun.

Section 9.03. Payment of award. Whenever an award of damages is confirmed in any proceedings 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, within 60 days of such final determination pay the amount of the award or judgment of the court, as the case may be; and if not so paid, judgment therefor may be had against the city.

Section 9.04. City may abandon proceedings. The city may, by resolution of the council at any stage of the condemnation proceedings, or at any time within 30 days after final determination thereof, abandon such proceedings as to all or any part of the property sought to be acquired and shall pay all reasonable costs and expenses thereof including fees of counsel.

Section 9.05. 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 parts or part thereof as may be necessary in the public interest.

CHAPTER 10

FRANCHISES

Section 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.

Section 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.

Section 10.03. Public hearing. Before any franchise ordinance is adopted or any rates, fares, or prices to be charged by a public utility are fixed by the council, the council shall hold a public hearing on the matter. Notice of such hearing shall be published at least once in the official newspaper not less than ten days prior to the date of the hearing.

Section 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.

Section 10.05. Renewals or extensions. Every renewal or modification of a franchise, including an existing franchise, 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

Section 11.01 Acquisition and operation of utilities. The city may own and operate water, gas, light, power, heat, telephone, transportation or any other public utility for supplying its own needs for utility service or for supplying utility service to private consumers or other governmental agencies. It may construct all facilities reasonably needed for that purpose and may acquire any existing utility properties so needed. The city shall not acquire or construct any public utility unless the proposition to acquire or to construct it has been incorporated in an ordinance and adopted by the council. Such ordinance shall not be an emergency ordinance.

Section 11.02. Regulations and rates. The council may by ordinance fix rates, fares, and prices for any municipal utility, prescribe the time and manner of payment for any such service, make such other regulations as may be necessary, and prescribe penalties for violation of such regulations.

Section 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.

Section 11.04. Lease of plant. The council may by ordinance contract with any person, firm, or corporation for the operation of any municipal utility for a term not to exceed ten years. Such ordinance shall not be an emergency ordinance.

Section 11.05. Sale of public utility. 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 voters voting thereon at a general or special election. Any sale, lease or abandonment of a water works or light plant shall be subject, in addition, to the requirements of state law.

CHAPTER 12

GENERAL PROVISIONS

Section 12.01. Official publication. The council shall annually at its first meeting of the year 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.

Section 12.02. Oath of office. Every elected or appointed officer of the city shall, before entering upon the duties of his office, take and subscribe an oath of office in substantially the following form; "I do solemnly swear to support the constitution of the United States and of this state and to discharge faithfully the duties devolving upon me as . . . (title of office) of the city of Isanti to the best of my judgment and ability."

Section 12.03. Official bonds. The city clerk, and such other officers or employees of the city as may be specified by ordinance shall each, before entering upon the duties of his respective office or employment, give a corporate surety bond to the city as security for the faithful performance of his official duties and the safe keeping of the public funds. Such bonds shall be in such form and amount as the council determines and may be either individual or blanket bonds at the discretion of the council. They shall be approved by the city council and filed with the city clerk. The provisions of state laws relating to official bonds not inconsistent with this charter shall be complied with. The premiums on such bonds shall be paid by the city.

Section 12.04. Official interest in contracts. Except as otherwise permitted by law, no officer of the city who is authorized to take part in any manner in any contract with the city shall voluntarily have a personal financial interest in or personally benefit from such contract.

Section 12.05. Sale of real property. No real property of the city shall be disposed of except by ordinance. The net cash proceeds of any sale of the property shall be used to retire any outstanding indebtedness incurred by the city in the acquisition or improvement of the property. Any remaining net proceeds shall be used to finance other improvements in the capital improvement budget or to retire any other bonded indebtedness.

Section 12.06. Vacation of streets. The council may by ordinance approved by at least four members of the council vacate and convey any street or alley or public easement, park or public grounds owned by the city. Such action may be made only after published notice and an opportunity for affected property owners and 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 12.07. City to succeed to rights and obligations of former city. The city shall succeed to all the property, rights, and privileges, and shall be subject to all legal obligations of the city under the preceding city.

Section 12.08. Existing ordinances continued. All ordinances and regulations of the city in force when this charter takes effect and not inconsistent with this charter are continued in full force and effect until amended or repealed.

Section 12.09. Pending condemnations, improvements and assessments. Any condemnation, improvement, 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 city prior to the time when this charter takes effect shall be collected as if this charter had not been adopted.

Section 12.10. Ordinances to make charter effective. The council shall by ordinance, resolution, or other appropriate action take such steps as may be necessary to make effective the provisions of this charter.

Section 12.11. Present officers continued. All city officers elected at any city election held prior to the time this charter has become effective shall continue to hold their offices until the expiration of their respective terms.