

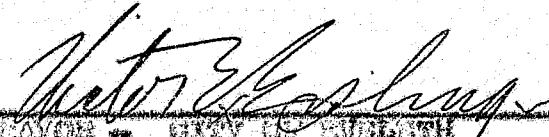
STATE OF MINNESOTA )  
COUNTY OF ST. LOUIS ) ss  
CITY OF EVELOTH )

I, Victor E. Hasling, Mayor of the City of Eveleth, St. Louis County, Minnesota, hereby certify that the following Charter Amendments as set forth herein were duly ratified by more than sixty per cent (60%) of the legalized voters, voting at a special election held in the City of Eveleth on the 7th day of November, 1933, and which were duly declared adopted by the canvassing board as per resolution duly adopted by the canvassing board at a regular meeting of such board in the City of Eveleth, St. Louis County, Minnesota, on the 8th day of November, 1933.


I further certify that the said resolution attached hereto passed by the canvassing board declaring said amendments to the Charter of the City of Eveleth, St. Louis County, Minnesota, duly adopted, is a true and correct copy thereof, and the ballot attached hereto is a true and correct copy of the ballot upon which said questions were submitted.

I further certify that the Affidavits of Publication are attached hereto showing that the proposed amendments to the City Charter of the City of Eveleth were duly published for at least thirty (30) days in three (3) newspapers of general circulation in said City of Eveleth, St. Louis County, Minnesota before said special election as required by law.

IN TESTIMONY WHEREOF, I, Victor E. Hasling, Mayor of the City of Eveleth, St. Louis County, Minnesota have hereunto set my hand, authenticated by the Corporate Seal of the City of Eveleth, St. Louis County, Minnesota this 8th day of November, 1933.

  
\_\_\_\_\_  
MAYOR - CITY OF EVELOTH

ATTENDED:

  
\_\_\_\_\_  
CITY CLERK - CITY OF EVELOTH

6626

Resolution No. \_\_\_\_\_

## City of Eveleth, Minn.

### Council Chambers

**Resolution** ~~CRATING THE RIGHT OF CANTAGE OF VOTES AND RESOLVED TO~~ ~~OF SPECIAL ELECTION ON SPECIAL AMENDMENTS MADE TO THE CITY OF EVELETH, ST. LOUIS COUNTY, MINNESOTA, ON THE 7TH DAY OF NOVEMBER, 1933.~~

#### ~~Be it Resolved by the City Council of the City of Eveleth:~~

WHEREAS, The City Clerk of the City of Eveleth has duly made his report of the returns of the Special City Election held Tuesday, November 7th, 1933, on the question of whether to adopt certain proposed amendments to the City Charter, as filed in the office of the City Clerk of the City of Eveleth, St. Louis County, Minnesota, and

WHEREAS a majority vote of at least three-fifths (3/5) of the total votes cast, namely 3455 at the said Special Election are necessary to adopt the said amendments to the City Charter, and

WHEREAS, the City Council has duly canvassed the returns of votes cast at said Special Election and found the results thereof to be as follows:

<u>Amendment No. 1</u>	Yes	--	2564
	No	--	529
<u>Amendment No. 2</u>	Yes	--	2318
	No	--	612
<u>Amendment No. 3</u>	Yes	--	2340
	No	--	637
<u>Amendment No. 4</u>	Yes	--	2487
	No	--	488
	Total vote cast		3455

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Eveleth that said amendments be and they hereby are declared duly adopted.

The foregoing Resolution was offered by Councilman Skramstad

and on his motion supported by Councilman Lessar was declared carried on the following vote:

Ayes: Councilmen O'Neil, Lessar, Skramstad, Rodda, and Mayor Essling.

Nays: Councilmen None

Passed November 8, 1933

VICTOR E. ESSLING

Mayor.

Attested:

AXEL BRANDT

Published November 16, 1933.

CITY OF EVELETH

Corporate

\*\*\*\*

SEAL

ST. LOUIS CO. MINN.

— OFFICIAL —  
**B A L L O T**  
 CHARTER AMENDMENTS  
 City of Eveleth  
*Special Election, November 7, 1933*

(Place your cross mark X in the one of the squares  
 you wish to vote for.)

**AMENDMENT NO. 1**

**CHAPTER 9 FINANCES AND TAXATION**—Amendments are in substance:

Sec. 76. No claim allowed (except labor or salary payrolls) unless accompanied by itemized bill and affidavit. Clerk shall publish a list of all claims, and none paid until 5 days after publication, a penalty being provided for violations. Any taxpayer may appeal to district court from allowance of claim.

Sec. 76A. Clerk is guardian of every fund and must countersign all orders. No purchases without prior requisition countersigned by Clerk. Authorization of any expenditures creating overdraft constitutes malfeasance and is punishable.

Sec. 77. Sinking fund levy for payment of bonds changed to five (5) mills.

Sec. 79 and 79A. Placing and keeping City on cash basis. Debt limit increased to 8% of assessed valuation. Council authorized to issue bonds without vote of people up to \$450,000 for funding floating indebtedness. Council required to set aside portion of 1933 and 1934 tax levies for payment of indebtedness not funded by bond issue. Tax certificates will be issued for portion of indebtedness not funded by bond issue.

Sec. 80. The Council shall make a budget each year, by quarters, and no obligation shall be incurred unless there will be money available to meet it in the quarter in which it becomes due.

Sec. 83. Authorizing tax certificates up to 90% of amount named in tax levy; regulating issuance and payment of such tax certificates.

Sec. 83A. If certificates are not sold they shall be deposited with Treasurer and City may issue warrants up to principal amount of such certificates.

Sec. 89A. Any officer incurring any liability contrary to Charter shall be guilty of a misdemeanor, and obligations incurred in violation of Charter shall not be paid.

Shall the proposed amendment  
 No. 1 to Chapter 9 be adopted?



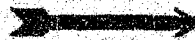
YES	
NO	

**AMENDMENT NO. 2**

Sec. 40 of Chapter 5 is amended in substance as follows:

The Council shall have power to investigate city affairs and shall employ the state comptroller, if available, and if not available a certified public accountant to audit the affairs of the city for the preceding fiscal year.

Shall the proposed amendment  
 No. 2 to Chapter 5 be adopted?



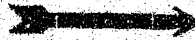
YES	
NO	

**AMENDMENT NO. 3**

Sec. 13 of Chapter 2 is amended in substance as follows:

Before taking office the mayor and city clerk each shall give bond in the sum of \$15,000 and each councilman and city treasurer in the sum of \$10,000; regulating bonds of other officers.

Shall the proposed amendment  
 No. 3 to Chapter 2 be adopted?



YES	
NO	

**AMENDMENT NO. 4**

Sec. 68 of Chapter 7 is amended in substance as follows:

All official acts of the city shall be published within 10 days after their passage and the city clerk shall be responsible for the publishing of same.

Shall the proposed amendment  
 No. 4 to Chapter 7 be adopted?



YES	
NO	

SEE  
OVERSIZED  
DOCUMENT(S) (3)

CHAPTER AMENDMENTS

LETTER TRANSMITTAL

TO THE HONORABLE VICTOR E. ESSLING,  
MAYOR OF THE CITY OF EVELETH, MINNESOTA.

DEAR SIR:

A petition signed by five percent (5%) of the voters of the City of Eveleth was presented to the undersigned board of freeholders on August 26, 1933. Said petition set forth certain proposed amendments to the Charter of the City of Eveleth.

Now, therefore, the undersigned board of freeholders present the said proposed amendments as modified and supplemented by the said board, the better to accomplish the evident objects contemplated by the said proposed amendments submitted by the voters.

The proposed amendments as submitted herewith cover Chapter 9, Section 13 of Chapter 2, Section 40 of Chapter 5, and Section 68 of Chapter 7, of the Charter of the City of Eveleth.

Because of the interdependence of the foregoing amendments to the Charter, all of them relating, as they do, to the financial affairs of the City of Eveleth, the same are proposed herewith as one question to be submitted to the voters of the City of Eveleth and the undersigned board of freeholders request that the same be so submitted as provided by law.

Dated at Eveleth, Minnesota, this 2nd day of October, 1933.

W. R. VAN SLYKE, President  
C. W. MOHR  
TIMOTHY SHEA  
JAMES J. GIBLIN  
GUSTAF HENDRICKSON  
C. H. MORRILL  
GEO. A. WHITMAN

GEO. H. MCCORMICK

JAS. A. ROBB  
P. E. SHOLUND  
V. E. BOARDMAN  
JAMES MARRA  
J. R. SCHUKNECHT  
JOHN CIAGNE  
AUGUST BRATULICH

(By W. R. VAN SLYKE AS PER WRITTEN AUTHORIZATION DATED SEPT. 30, 1933)



PROPOSED AMENDMENTS TO CITY CHARTER, CITY OF EVELETH, MINNESOTA

(Capital Typed Portions, Ruled Off, as Hereinafter Set forth are the Amendments and Changes which were Duly Adopted)

Chapter 9

FINANCES AND TAXATION

THE FISCAL YEAR.

Section 73. The fiscal year of the City shall commence upon the Tuesday after the first Monday of January of each year.

DEBT NOT TO BE INCREASED OR CREDIT LOANED.

Section 74. The debt of the City shall not be increased, nor shall any new bonds of the City be issued except as provided herein, nor shall the City loan its credit, become a stock holder or make contributions or donations to any person, company or corporation, except as herein provided.

PROVISIONS TO BE MADE TO PAY BONDS.

Section 75. The Council is authorized to provide by taxation for the prompt payment of interest upon indebtedness, and for a sinking fund for the purpose of meeting bonds of the City at maturity, whether heretofore or hereafter issued.

MONEY, HOW PAID OUT, CITY ORDERS.

Section 76. All moneys belonging to the City, except as otherwise provided for in this Charter, shall be under the control of the Council, and shall be paid out only upon the order of the Mayor, countersigned by the City Clerk, duly authorized by a motion or resolution by the Council, by an affirmative vote by ayes and noes of three-fifths of its members. Every order drawn upon the Treasury shall designate the purpose for which it is drawn, and the fund upon which drawn, and shall be payable only out of the fund named in the motion or resolution providing for its payment. Each order shall be payable to the order of the person in whose favor it is drawn, and may be transferred by endorsement; no order on any fund shall be drawn until there is money sufficient to the credit of such fund to pay the same, together with all the

orders previously issued against such fund EXCEPT AS PROVIDED IN SECTION 83 AND 83A HEREOF AS AMENDED.

NO CLAIM AGAINST THE CITY (OTHER THAN LABOR OR SALARY PAY ROLLS) SHALL BE ALLOWED OR PAID UNLESS ACCOMPANIED BY AN ITEMIZED BILL OR VOUCHER VERIFIED BY THE AFFIDAVIT OF THE CLAIMANT THAT THE MATERIALS OR SERVICES SPECIFIED THEREIN WERE DELIVERED TO OR RENDERED FOR THE CITY AND THAT THE CLAIM IS JUST AND TRUE; LABOR AND SALARY PAY ROLLS (OTHER THAN PAY ROLLS OF THE CHARTER OFFICERS) SHALL BE VERIFIED BY THE AFFIDAVIT OF THE HEAD OF THE DEPARTMENT SUPERINTENDENT, FOREMAN OR OTHER OFFICIAL RESPONSIBLE FOR THE EMPLOYMENT, THAT THE MEN LISTED THEREON WERE DULY EMPLOYED PURSUANT TO THE AUTHORITY OF THE COUNCIL AND WORKED FOR THE NUMBER OF DAYS OR HOURS, AND AT THE RATE AND IN THE CAPACITY SET FORTH IN THE PAY ROLL; PAY ROLL OF THE CHARTER OR CHIEF OFFICERS OF THE CITY SHALL BE VERIFIED BY THE AFFIDAVIT OF THE CITY CLERK. THE CITY CLERK SHALL TAKE THE AFFIDAVIT OF ANY CLAIMANT WITHOUT CHARGE.

IT SHALL BE THE DUTY OF THE CITY CLERK TO PUBLISH IN THE OFFICIAL PAPER OF THE CITY FOLLOWING EACH MEETING OF THE COUNCIL AT WHICH ANY CLAIMS OR PAY ROLLS ARE ALLOWED, A LIST OF ALL CLAIMS (OTHER THAN ORDINARY PAY ROLLS) ALLOWED BY THE COUNCIL, WITH THE NAME OF THE CLAIMANT, THE GENERAL NATURE OF THE CLAIM AND THE AMOUNT THEREOF, ADDING TO SUCH LIST OF CLAIMS THE FOLLOWING CERTIFICATE:

"I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE LIST OF ALL CLAIMS (OTHER THAN LABOR OR SALARY PAY ROLLS) ALLOWED BY THE COUNCIL AT ITS MEETING ON . . . . . 19 . . . . .; THAT ORDERS WILL BE ISSUED IN PAYMENT OF THESE CLAIMS AFTER FIVE DAYS FROM THE DATE OF THIS PUBLICATION; THAT THE ITEMIZED AND VERIFIED CLAIMS SO ALLOWED ARE ON FILE IN MY OFFICE OPEN TO THE INSPECTION OF ANY PERSON; THAT THE LABOR AND SALARY PAY ROLLS ALLOWED BY THE COUNCIL, WITH THE NAMES OF EMPLOYEES AND THE AMOUNT TO BE PAID TO EACH, ARE ON FILE IN MY OFFICE, OPEN TO THE INSPECTION OF ANY PERSON, AND ORDERS WILL BE ISSUED THEREON AFTER FIVE DAYS FROM THE DATE OF THIS PUBLICATION."

IN THE EVENT SUCH LIST IS PUBLISHED IN ADVANCE OF THE REGULAR PUBLICATION OF THE MINUTES OF THE MEETING AT WHICH SUCH CLAIMS WERE ALLOWED, IT SHALL NOT BE NECESSARY TO REPUBLISH SUCH LIST AS A PART OF SUCH MINUTES.

NO ORDER SHALL BE ISSUED FOR THE PAYMENT OF ANY CLAIMS, INCLUDING LABOR OR SALARY PAY ROLLS, UNTIL FIVE DAYS AFTER THE PUBLICATION OF SUCH LIST OR CERTIFICATE.

WITHIN FIVE DAYS AFTER THE PUBLICATION OF ANY SUCH LIST OR CERTIFICATE, ANY TAXPAYER OF THE CITY MAY APPEAL FROM THE ALLOWANCE OF ANY CLAIM TO THE DISTRICT COURT OF THE COUNTY TRIABLE AT VIRGINIA, MINNESOTA. TO EFFECT SUCH AN APPEAL, HE SHALL PAY TO THE CITY CLERK A FEE OF FIFTY CENTS FOR EACH CLAIM TO WHICH EXCEPTION IS TAKEN AND SERVE UPON HIM A NOTICE, SETTING FORTH THE FACT OF APPEAL, THE CLAIM REFERRED TO AND THE RATE AND AMOUNT OF ITS ALLOWANCE. SUCH NOTICE SHALL STATE THE GROUNDS UPON WHICH IT IS ASSERTED THAT THE ALLOWANCE OF EACH SUCH CLAIM IS INVALID.

THEREAFTER NO ORDER OR CHECK SHALL ISSUE FOR THE PAYMENT OF SUCH CLAIM UNTIL THE APPEAL IS DETERMINED. THE CITY CLERK SHALL FORTHWITH FILE A COPY OF THE NOTICE SERVED AND TRANSMIT TO THE CLERK OF SAID COURT AT VIRGINIA, MINNESOTA, THE ORIGINAL AFFIDAVIT AND CLAIM, WITH A CERTIFIED COPY OF THE MINUTES OF ALL COUNCIL PROCEEDINGS RELATING TO SUCH CLAIM. UPON PROOF BEING FILED WITH SAID CLERK OF SAID COURT AT VIRGINIA, MINNESOTA, OF THE SERVICE OF SAID NOTICE, THE SAID DISTRICT COURT SHALL HAVE JURISDICTION OF SAID CLAIM OR CLAIMS AND OF THE PARTIES THERETO. SUCH APPEAL SHALL BE TRIED AND DETERMINED IN THE SAME MANNER AS APPEALS FROM A DECISION OF THE COUNTY BOARD. SUCH APPEAL SHALL NOT BE THE EXCLUSIVE REMEDY FOR PREVENTING SUCH PAYMENT AND THE FAILURE TO TAKE SUCH APPEAL SHALL NOT PREVENT THE RECOVERY OF MONEY WRONGFULLY PAID OUT.

ANY OFFICER OR AGENT OF THE CITY ISSUING ANY ORDER OR PAYING ANY CLAIM IN AN AMOUNT DIFFERENT FROM THAT THEREIN SPECIFIED OR IN VIOLATION OF THE PROVISIONS OF THIS CHARTER SHALL BE GUILTY OF A MISDEMEANOR AND PUNISHED BY A FINE OF NOT TO EXCEED ONE HUNDRED DOLLARS (\$100.00), OR BY IMPRISONMENT FOR NOT TO EXCEED EIGHTY-FIVE (85) DAYS; BUT SUCH CONVICTION SHALL NOT BE A BAR TO PROSECUTION UNDER ANY STATE LAW WHICH MAY HAVE BEEN VIOLATED IN CONNECTION THEREWITH.

SECTION 76-A. NO MATERIALS OR SUPPLIES SHALL BE PURCHASED EXCEPT UPON PRIOR REQUISITION SIGNED BY AN OFFICER OR EMPLOYE IN THE DEPARTMENT ORDERING THE SAME, (SUCH OFFICER OR EMPLOYE TO BE DESIGNATED FOR THAT PURPOSE BY THE COUNCIL), AND COUNTERSIGNED BY THE CITY CLERK, WHO SHALL CERTIFY THEREON THAT SUCH PURCHASE IS MADE BY THE PERSON DULY AUTHORIZED AND WILL



NOT RESULT IN AN OVERDRAFT IN THE FUND CHARGEABLE THEREWITH FOR THE QUARTERLY PERIOD IN WHICH IT IS DELIVERED.

IT IS THE INTENT OF THIS SECTION THAT THE CITY CLERK IS HEREBY MADE THE CHIEF ACCOUNTING OFFICER OF THE CITY AND THE GUARDIAN OF EVERY FUND ESTABLISHED BY THIS CHARTER OR BY RESOLUTION OF THE CITY COUNCIL. ANY KNOWING AND WILLFUL COUNTERSIGNING BY THE CITY CLERK OF ANY EXPENDITURE FOR MATERIAL OR SUPPLIES AGAINST ANY FUND WHICH WILL CREATE AN OVERDRAFT THEREON SHALL CONSTITUTE A VIOLATION OF HIS OATH OF OFFICE AND SHALL AUTOMATICALLY CREATE A VACANCY IN THE OFFICE OF CITY CLERK AND THE AMOUNT OF SUCH OVERDRAFT MAY BE RECOVERABLE FROM THE CITY CLERK AND THE SURETIES ON HIS BONDS. ANY AUTHORIZATION OF EXPENDITURES BY ANY MEMBER OR MEMBERS OF THE CITY COUNCIL OR BY ANY DEPARTMENT HEAD OR EMPLOYEE OF THE CITY FOR LABOR, CONTRACTS, OR OTHER ITEMS WHICH WILL CREATE AN OVERDRAFT ON ANY FUND, SHALL CONSTITUTE MALFEASANCE IN OFFICE OF THE PERSON OR PERSONS AUTHORIZING SUCH EXPENDITURES AND THE AMOUNT OF SUCH EXPENDITURES, IF MADE, MAY BE RECOVERABLE FROM THE PERSON OR PERSONS AUTHORIZING THE SAME AND THE SURETIES ON THEIR BONDS; SUCH AUTHORIZATION SHALL AUTOMATICALLY CREATE A VACANCY IN THE OFFICE OR OFFICES OF THE PERSON OR PERSONS RESPONSIBLE FOR THE CREATION OF SUCH OVERDRAFT. ON THE FIRST REGULAR MEETING OF THE COUNCIL IN EACH MONTH THE CITY CLERK SHALL PREPARE A STATEMENT SHOWING THE BALANCE LEFT IN EACH FUND AFTER TAKING INTO ACCOUNT ALL AUTHORIZATIONS OF EXPENDITURES AGAINST EACH FUND IN ORDER THAT THE VARIOUS CITY OFFICIALS, DEPARTMENT HEADS AND OTHER EMPLOYEES OF THE CITY MAY BE FULLY INFORMED AS TO THE STATUS OF EACH FUND AND THE AVAILABLE BALANCE THEREIN AND SUCH STATEMENT SHALL CONSTITUTE PART OF THE OFFICIAL MINUTES.

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#### PROPERTY SUBJECT TO TAXATION.

Section 77. All property in the City of Eveleth <sup>taxable</sup> under the laws of the State, shall be subject to taxation for the support of the City government and the payment of its debts and liabilities, and the same shall be assessed as provided for by law and this Charter.

There shall be maintained in the City Treasury the following funds and the Council by three-fifths vote of its members may levy an annual tax upon all taxable property in the City for the support of such funds, and purposes following; that is to say:

First: An interest fund, for which there shall be levied a sum sufficient to provide for the payment of the interest to become due during the next fiscal year, upon the indebtedness of the City. Out of such fund interest only shall be paid.

Second: A sinking fund to provide for the payment when due of bonds of the City. For the maintenance of this fund, there shall be levied an annual tax of not to exceed FIVE (5) MILLS on the dollar of the assessed valuation of all taxable property of the City. This fund shall be applied only to the principal of bonds issued by the City.

Third: A fire department fund to provide for the maintenance of the fire department.

Fourth: A police department fund to provide for the maintenance of the police department and the care of prisoners in its custody.

Fifth: A light fund to provide for the lighting of said City and public buildings thereof, whether the same be done by the City or by individuals or corporations.

Sixth: A road and bridge fund to provide for the engineering department, the cleaning and repairing of streets, sewers, sidewalks, crosswalks and bridges.

Seventh: A health department fund to provide for the support of the health department.

Eighth: A Municipal Court fund to provide for the support of the Municipal Court.

Ninth: A salary fund to provide for the payment of the salaries of the City officers, and of clerk hire not otherwise provided for, but which may be authorized by law.

Tenth: A printing and supply fund to provide for printing and supplies for all departments of the City not provided for by any other fund mentioned in this chapter.

Eleventh: A library fund to provide for the support of the public library.

Twelfth: An armory fund to provide for the maintenance of an armory.

Thirteenth: A park fund to provide for the purchase and maintenance of public parks. There shall be paid out of such fund all salaries and expenses incurred by the Council on account of parks or parkways and in the operation and maintenance of the park system of the City, and also the cost of acquiring, laying out, extending or improving any park or parkway, or planting and caring for trees.

Fourteenth: Public utilities fund to provide for the support and maintenance of any plant owned or operated by the City for furnishing to the City or its inhabitants water, heat or light, and of paying the cost of the purchase, construction, extension, operation, maintenance, and repair of such water, heat and light plant.

There shall be put into it all moneys derived from the sale of property acquired for or used in connection with any utility plant of the City; also the proceeds of all special assessments levied on account of or in connection with such water, heat and light plant, also such amounts as may from time to time be realized from the sale of bonds issued on account of said plant; and also all moneys received from the sale of said plant, including water and light, rentals and penalties, and all moneys derived from water assessments on property in front of which water pipes are laid. The surplus in this fund at the close of each fiscal year, may if the Council elect, be paid into the sinking fund. This fund shall not be maintained by taxation except in case of emergency.

Fifteenth: A permanent improvement fund for the purpose of paying the cost of all real property; and all rights therein and all improvements thereon, which the City shall acquire for its various purposes, and the payment for which is not otherwise provided for out of other funds, and also for the purpose of paying such portions of the expenses of local improvements as shall devolve upon the said City. There shall also be paid into this fund all moneys received from the sale of any permanent improvements or property of the City, not otherwise disposed of under this Charter, and also such amounts as may from time to time be realized from the sale of bonds issued on account of this fund.

Sixteenth: A general fund to provide for all current and incidental expenses of, and judgments against the City not otherwise provided for, and such other disbursements as may be authorized by law. There shall be paid into this fund all moneys received from any source save when received

for a specific use and purpose.

Seventeenth: A permanent improvement revolving fund for the purpose of providing money for paying for that portion of local improvements, under the provisions of this Charter for which assessments may be levied, but it shall not be supported by taxation. There shall be paid into it all moneys received from all special assessments levied under this Charter for local improvements, and also such amounts as may be realized from the sale of bonds, warrants, or certificates authorized therefor in this Charter.

Provided that nothing contained herein shall prevent the Council from borrowing from the general fund to aid and help any other fund at such times as in its judgment public necessities require, but the Council shall have no power to borrow from any fund except the general fund.

The Council may at its discretion establish any other fund which it may consider necessary.

Moneys (1) in the City Treasury at the time this Charter goes into effect, (2) to be collected from the taxes levied before this Charter goes into effect, shall so far as practicable be divided among the several funds hereby established and where such sub-division is not practicable, shall be kept in the general fund. The Council by resolution shall provide for such sub-division in accordance with the directions herein contained.

Where, prior to the time that this Charter goes into effect, an assessment has been levied to cover the costs of a local improvement, which improvement has not at said time been paid for, the proceeds of such assessment shall be paid into the permanent improvement revolving fund, and the cost of said improvement shall be paid out of said fund.

From the general fund the Council may in every year by resolution appropriate a sum not to exceed Five Hundred Dollars for contingent expenses incurred or to be incurred by the Mayor in the detection and prevention of crime in the City, or to be used as an urgent necessity fund.

#### SINKING FUND BOARD.

Section 76. The Council shall constitute a board of sinking fund and shall have charge of the sinking fund and shall invest the same in bonds or other obligations of the City, issued pursuant to this Charter, or in such other bonds as are permitted by law for the investment of the public school



funds for the State of Minnesota or any County or school bonds of this State. In case of investment of bonds in the bonds or other obligations of the City, the same shall be cancelled except when authorized by the Council, but shall be held in the sinking fund and the interest thereon shall be paid and supplied to such sinking fund. Whenever any bonds of the City become due the Council may dispose of enough of the bonds then in the sinking fund, if any, as will with the money then on hand be sufficient to pay such maturing bonds, the Council may dispose of any bonds in said fund, at such other time as is deemed for the best interests of said fund. Whenever the amount of such sinking fund, together with the interests therefrom computed from time of maturity of the City bonds is sufficient to pay all of said bonds, the levy hereinbefore provided for may be diverted to other funds, but, whenever said fund shall be in the judgment of the Council insufficient to pay such bonds at maturity, such tax shall be resumed.

Said Council shall make a detailed report at the first meeting in July of each year, and at such other time as it may deem advisable, and said report shall show the condition of said sinking fund, the nature and value of all the securities thereunto belonging, with a full description of said securities. Any taxpayer, or any of the owners of the bonds of the City, shall have the right to maintain in a court of competent jurisdiction any proper action or proceedings to enforce, upon the part of the Council, compliance with the provisions of this section. Whenever, at the maturity of any bonds of the City, said sinking fund shall not have money sufficient to pay the bonds so maturing and whenever the Council shall deem it advisable to take up any bonds not due, the Council may issue other bonds of the City, to run not exceeding twenty years, on such terms as to place and time of payment and rate of interest as may be deemed advisable, and in such amount as may be necessary to meet such deficiency, and to take up and refund such bonds if not due.

POWER TO BORROW MONEY OR INCUR DEBT.

Section 79. The City may issue bonds by resolution subject to the limitations hereinbefore provided as follows:



1. For the purpose of constructing, maintaining, extending, enlarging or improving suitable water, light, heating plants, or for the purpose of purchasing any such plant already in existence in the City, or for the purpose of acquiring any real estate or other property needed in connection with any such plant and such bonds shall be a first lien upon all water and light plants and structures of any kind, if issued for both, and if for one only upon the appliance and structure thereof, and all property acquired for use in connection therewith.

2. For the purpose of raising not to exceed Twenty-five Thousand Dollars for a permanent improvement revolving fund provided for in this Charter, in order to provide money for any contemplated local improvement, and such bonds shall constitute a first lien upon such local improvements and upon the property benefited thereby and to be assessed therefor.

3. For defraying the cost of making local improvements in intersections of streets, alleys, and in front of property exempt by law from special assessments, and property owned by the City.

4. For defraying the cost of establishing and maintaining a general system of sewers and of maintaining, altering, relaying and extending the existing system of sewers.

5. For the purpose of paying, funding or refunding any bonded indebtedness of the City, existing at the time this Charter goes into effect or created at any time as authorized by this Charter. The City, by resolution, may issue its certificates or other evidence of indebtedness in anticipation of any taxes or assessments, levied upon any portion of the taxable property of the City, as provided for herein. Such resolution for the issuance of bonds or certificates, may provide that the same shall be general obligations of the City, or that they will not be general obligations, but shall be payable out of any specified taxes, assessments, funds or liens held by the City, or may limit the City's liability thereon in any other manner, or may guarantee that the City shall pay the same, providing that the bonds issued under sub-divisions one, two, three and four above mentioned, shall be general obligations of the City.

The City shall have authority to protect itself by acquiring title to any property subject to special assessment for local improvements, and shall

have authority by ordinance to assign and convey any property so acquired whether proceedings to acquire such title have been had prior to the time of the going into effect of this Charter, or thereafter, and shall have the power in like manner to assign any lien or right of action held by the City on account of, or arising out of any such assessments as security for the payment of any bonds, certificates of indebtedness, or other evidence of indebtedness mentioned in this section, or to provide that such bonds, certificates or other evidence of indebtedness mentioned herein, may be collected out of any such property, liens, or rights of action.

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No bonds shall be issued unless the issuance thereof is authorized by a resolution or ordinance passed by a majority vote of all members of the Council and approved by the voters, PROVIDED, HOWEVER, THAT THE CITY COUNCIL IS HEREBY AUTHORIZED TO ISSUE THE BONDS REFERRED TO IN SECTION 79-A HEREOF WITHOUT THE VOTE OF THE PEOPLE FOR THE SPECIFIC PURPOSE OF TAKING UP ALL OUTSTANDING INDEBTEDNESS OF ANY PROPER AND LEGITIMATE KIND AS FAR AS THE AFORE-<sup>ISSUE</sup> SAID BOND WILL GO TOWARD TAKING UP SUCH INDEBTEDNESS) WHICH MAY EXIST AT THE TIME OF THE ADOPTION OF THIS AMENDMENT OR WHICH MAY BE INCURRED PRIOR TO JANUARY 2, 1934.

THE TOTAL DEBT OF THE CITY AT ANY TIME AND FOR ALL PURPOSES SHALL NOT EXCEED 8 PER CENT OF ITS ASSESSED VALUATION AND ALL CONTRACTS AND PROMISES MADE IN VIOLATION THEREOF SHALL BE VOID PROVIDED THAT CERTIFICATES OF INDEBTEDNESS ISSUED PURSUANT TO THIS CHARTER AGAINST TAXES LEVIED SHALL NOT BE INCLUDED IN CALCULATING SUCH TOTAL DEBT.

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Bonds, warrants, certificates and other evidence of indebtedness of the City, authorized by this charter, shall in no event bear a greater rate of interest than six per cent (6%) per annum, and shall in no event be sold for less than the par value thereof.

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#### CASH BASIS BONDS.

Section 79-A. UPON THE ADOPTION OF THIS AMENDMENT AND THE TAKING EFFECT THEREOF, THE INCUMBENT COUNCIL SHALL FORTHWITH DIRECT THE CLERK TO PREPARE

FORTHWITH (A) A COMPLETE ITEMIZED LIST OF ALL LEGAL WARRANTS, ORDERS, CLAIMS, BONDS, CERTIFICATES, AND OTHER LIABILITIES THEN OUTSTANDING, TOGETHER WITH THE DATES, NAMES OF PAYEES, IF KNOWN, PURPOSES, AMOUNTS, MATURITIES, RATES OF INTEREST, DATES FROM WHICH INTEREST REMAINS UNPAID ON EACH ITEM THEREOF AND ALL OTHER INFORMATION RELATIVE TO THE EXISTING LIABILITIES OF THE CITY WHICH THE COUNCIL MAY REQUEST; (B) AN ESTIMATE IN SUCH DETAIL AS THE COUNCIL MAY REQUEST, OF ALL NECESSARY AND LEGALLY PERMISSIBLE EXPENSES IN CONNECTION WITH THE ADMINISTRATION OF CITY AFFAIRS FOR THE BALANCE OF THE CALENDAR YEAR 1933; (C) A STATEMENT OF ALL MONEYS, RECEIVABLE AND LEGALLY COLLECTIBLE FROM ANY SOURCE FOR THE BALANCE OF THE CALENDAR YEAR 1933. THE INCUMBENT COUNCIL WITHIN THIRTY DAYS AFTER THE ADOPTION OF THIS CHARTER AMENDMENT SHALL ARRIVE AT THE NET AMOUNT NECESSARY TO RETIRE ALL LEGAL EXISTING INDEBTEDNESS EXCEPT UNMATURED BONDS, TOGETHER WITH THE AMOUNT NECESSARY TO CONDUCT THE AFFAIRS OF THE CITY FOR THE BALANCE OF THE FISCAL YEAR OF 1933.

THE COUNCIL SHALL THEREUPON PREPARE AND ISSUE SERIAL FUNDING BONDS IN SUCH AMOUNT AS MAY BE NECESSARY, BUT NOT TO EXCEED FOUR HUNDRED AND FIFTH THOUSAND DOLLARS (\$450,000.00) IN ANY CASE, TO FUND THE MAJOR PORTION, AS FAR AS IT WILL GO, OF SUCH INDEBTEDNESS. SUCH BONDS SHALL RUN FOR A PERIOD OF NOT TO EXCEED TEN YEARS AND SHALL BE DIVIDED INTO INSTALLMENTS SUCH THAT THE AMOUNT MATURING ANNUALLY WITH THE ANNUAL REQUIREMENTS TO MEET THE BONDS TO BE PAID DIRECTLY OUT OF TAXES SHALL BE AS NEARLY EQUAL AS POSSIBLE.

IF SOLD TO THE STATE OF MINNESOTA, SUCH BONDS SHALL BE IN SUCH MATURITIES AS TO COMPLY WITH THE LAWS OF THE STATE; IF SOLD TO OTHERS THAN THE STATE OF MINNESOTA, THE FIRST OF SUCH BONDS SHALL BE DUE IN NOT MORE THAN THREE YEARS AND THE LAST INSTALLMENT ON SUCH BONDS SHALL BE DUE IN NOT MORE THAN TEN YEARS FROM THE DATE THEREOF. SUCH BONDS SHALL BE SOLD IN ACCORDANCE WITH THE GENERAL LAWS OF THE STATE GOVERNING THE SALE OF BONDS TO THE STATE OF MINNESOTA OR PRIVATE PURCHASERS RESPECTIVELY WITH THE EXCEPTION THAT NO VOTE OF THE PEOPLE SHALL BE NECESSARY THEREON.

THE COUNCIL SHALL, IN MAKING THE TAX LEVY IN 1933, PAYABLE IN 1934, SET ASIDE A SUFFICIENT PORTION OF SUCH LEVY TO RETIRE SUCH PORTION OF THE INDEBTEDNESS DETERMINED AS HEREINBEFORE PROVIDED, AS IS NOT FUNDED BY THE BOND ISSUE AUTHORIZED HEREIN, AND MONEY SO SET ASIDE SHALL NOT BE USED

FOR ANY OTHER PURPOSE THAN THE PAYMENT OF SUCH INDEBTEDNESS. PROVIDED THAT THE AMOUNT OF THE 1933 LEVY SO MADE FOR 1934 SO SET ASIDE FOR PAYMENT OF INDEBTEDNESS SHALL NOT EXCEED SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00). IF THERE IS ANY PORTION OF SUCH INDEBTEDNESS THAT IS NOT FUNDED BY THE BOND ISSUE AUTHORIZED HEREIN, OR IS NOT TAKEN CARE OF BY THE SETTING ASIDE OF A PORTION OF THE 1933 LEVY AS ABOVE PROVIDED, THE COUNCIL SHALL, IN MAKING THE 1934 TAX LEVY, PAYABLE IN 1935, SET ASIDE A SUFFICIENT PORTION OF SUCH LEVY TO RETIRE SUCH INDEBTEDNESS IN FULL, AND MONEYS SO SET ASIDE SHALL BE USED ONLY FOR THAT PURPOSE. IN THE EVENT THAT A PORTION OF THE 1934 TAX LEVY, PAYABLE IN 1935, IS SET ASIDE HEREUNDER FOR THE PAYMENT OF THE FINAL PORTION OF SUCH INDEBTEDNESS, CERTIFICATES OF INDEBTEDNESS FOR THE AMOUNTS SO SET ASIDE MAY BE ISSUED AGAINST SUCH LEVY AT ANY TIME AFTER THE MAKING THEREOF. MONEYS FROM THE SALE OF SUCH CERTIFICATES SHALL BE USED ONLY FOR THE FINAL RETIREMENT OF SUCH INDEBTEDNESS. WITH THE EXCEPTION OF THE TIME OF ISSUANCE THEREOF, SUCH CERTIFICATES OF INDEBTEDNESS SHALL BE ISSUED AND SOLD AS PROVIDED BY THIS CHARTER FOR ORDINARY CERTIFICATES OF INDEBTEDNESS.

BEFORE THE ISSUANCE OF ANY BONDS HEREIN AUTHORIZED, EXCEPT IN THE CASE OF SUCH BONDS AS MAY BE SOLD TO THE STATE, THE INCUMBENT COUNCIL SHALL, BY A RESOLUTION DULY ADOPTED, PROVIDE FOR A LEVY EACH YEAR, UNTIL THE PRINCIPAL AND INTEREST ARE PAID IN FULL OF A DIRECT ANNUAL TAX SUFFICIENT TO COVER ALL PRINCIPAL AND INTEREST REQUIREMENTS OF THIS AND ANY OTHER EXISTING BOND ISSUES NOT INCLUDED HEREIN, EXCEPT SUCH BONDS OWNED BY THE STATE, WHEN AND AS THEY MATURE AND THE PROCEEDS OF SUCH TAX LEVY SHALL BE APPLIED TO THAT PURPOSE AND NO OTHER. THE CLERK SHALL FORTHWITH TRANSMIT A CERTIFIED COPY OF SUCH LEVY TO THE COUNTY AUDITOR AND THE COUNTY AUDITOR SHALL EXTEND AND ASSESS THE TAX SO LEVIED. AFTER THE DELIVERY OF ANY BONDS HEREUNDER, SUCH TAX SHALL BE IRREVOCABLE UNTIL ALL SUCH OBLIGATIONS ARE PAID, AND NO FURTHER ACTION OF THE COUNCIL SHALL BE NECESSARY FOR SUCH LEVY. THIS LEVY, TOGETHER WITH ALL OTHER TAX LEVIES, SHALL BE WITHIN THE PER CAPITA TAX LIMIT, AS PROVIDED FOR IN SECTIONS 2066-1 to 2066-6, INCLUSIVE, MASON'S MINNESOTA STATUTES, 1931 SUPPLEMENT.

FROM AND AFTER THE COMMENCEMENT OF THE 1934 FISCAL YEAR, THE CITY OF EVELETH SHALL BE ON A CASH BASIS (EXCEPT SUCH INDEBTEDNESS AS MAY NOT HAVE BEEN RETIRED BY THE SO-CALLED CASH BASIS BONDS) AND THE TAX LEVY OF 1933



(WITH THE EXCEPTION OF SUCH PORTION OF IT AS MAY BE USED TO TAKE UP A PORTION OF THE UNRETIRED INDEBTEDNESS) SHALL BE CONSIDERED AS A LEVY FOR THE PURPOSE OF CONDUCTING THE AFFAIRS OF THE CITY DURING THE YEAR 1934 AND SHALL BE SPENT FOR NO OTHER PURPOSE AND THE SUBSEQUENT TAX LEVIES FOR THE SUBSEQUENT YEARS SHALL BE SIMILARLY TREATED FOR THE PURPOSE OF CONDUCTING THE AFFAIRS OF THE CITY DURING THE FISCAL YEAR SUCCEEDING SUCH LEVY (EXCEPT FOR THE RETIREMENT OF THE FINAL PART OF THE EXISTING INDEBTEDNESS AS A PART OF THE 1934 LEVY AS HEREINBEFORE SET FORTH).

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#### ANNUAL BUDGET.

Section 80. The Council shall meet annually in the month of September, prior to the tax levy, and make a Budget of the estimated amounts required to pay the expenses of conducting the business of the City for the next ensuing fiscal year.



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DURING THE MONTH OF JANUARY OF EACH YEAR THE COUNCIL SHALL ON THE BASIS OF THE TAX LEVY MADE, WITH ALLOWANCES FOR PROBABLE DELINQUENCIES, IF ANY, AND ON THE BASIS OF PROBABLE RECEIPTS FROM OTHER SOURCES, DETERMINE THE MONEYS WHICH WILL BE AVAILABLE FOR EACH DEPARTMENT AND PURPOSE DURING EACH QUARTER OF THE ENSUING YEAR AND SHALL BY RESOLUTION FIX THE MAXIMUM AMOUNT OF MONEY WHICH SHALL BE EXPENDED BY EACH SUCH DEPARTMENT AND FOR EACH SUCH PURPOSE IN EACH QUARTER OF THE ENSUING YEAR. NO OBLIGATION OF ANY KIND SHALL BE INCURRED OR AUTHORIZED FOR THE PAYMENT OF WHICH THERE IS NOT MONEY AVAILABLE AT THE TIME OF INCURRING OR AUTHORIZING THE SAME. AFTER PROVISION FOR OTHER OBLIGATIONS PREVIOUSLY AUTHORIZED, NEITHER SHALL ANY OBLIGATIONS OF ANY KIND BE INCURRED OR AUTHORIZED IF THE PAYMENT OF THE SAME WHEN DUE WILL LEAVE INSUFFICIENT MONEYS TO TAKE CARE OF ALL OBLIGATIONS PREVIOUSLY AUTHORIZED, AND THE NECESSARY GOVERNMENTAL EXPENSES OF THE CITY DURING THE QUARTERLY PERIOD WITHIN WHICH SUCH OBLIGATIONS SHALL BECOME DUE. PROVIDED, THAT CONTRACTS MAY BE ENTERED INTO FOR MATERIALS TO BE FURNISHED OR LABOR PERFORMED DURING THE CURRENT OR LATER QUARTERLY PERIODS, IF UNDER THE BUDGET AS ADOPTED AND ALLOCATED THERE WILL BE MONEY AVAILABLE DURING SUCH QUARTERLY PERIOD TO MEET SUCH OBLIGATIONS TOGETHER WITH ALL OTHER OBLIGATIONS PREVIOUSLY INCURRED AND DUE IN SUCH QUARTERLY PERIOD, AND TOGETHER WITH THE NECESSARY GOVERNMENTAL EXPENSES OF THE CITY TO THE END OF SUCH QUARTERLY PERIOD. WITHIN THE INTENT OF THIS SECTION, AN OBLIGATION SHALL BE CONSIDERED AS DUE WHEN THE SERVICES ARE RENDERED OR THE MATERIALS OR SUPPLIES DELIVERED AND IT SHALL NOT BE WITHIN THE POWER OF THE COUNCIL TO DEFEAT THE INTENT OF THIS SECTION BY SPECIFYING A DATE OF PAYMENT LATER THAN THE DATE OF PERFORMANCE OR DELIVERY.

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TAX LEVY, WHEN MADE.

Section 81. A levy shall be made by the Council on or before the 10th day of October of each year and the same shall be entered upon the tax duplicate for the County and collected with the County and State taxes.

SEPARATE ACCOUNTS TO BE KEPT FOR EACH FUND.

Section 82. The City clerk and Treasurer shall each, as soon as the

tax estimate is made in each year, open and copy in his book, separate and distinct accounts for each of the several divisions of taxes shown in the tax estimate of the then current year, and in making any tax estimate for expenditures, and in making any levy, the Council shall itemize the same, so as to show separately the amount to be collected from taxes for each fund, as said funds are designated in section 76.

It shall be the duty of the Treasurer to keep a complete, accurate and separate account of each and all of the separate funds, provided for in Section 76, which shall accurately show at all times the amount of money received by him for the credit of each of such funds, and whence received, and the amount of money paid out by him on account thereof, and to whom, and for what purpose paid out.

The treasurer shall also keep a separate and distinct account of moneys received or to be received for each local improvement for which an assessment is made, and when any money is collected by him from the County Treasurer, or any other source, on account of any such assessment, it shall be his duty to credit the same to its separate assessment account. Whenever the County Treasurer shall pay over to the City Treasurer any taxes belonging to the City, and collected under any levy, and whenever any money is received from the sale of certificates of indebtedness disposed of in anticipation of collection of a tax based on a tax estimate, the City Treasurer shall credit each of the respective funds and accounts with its proportionate amount of receipts according to the tax estimate of the fiscal year for which such estimate is made. The money collected on account of assessments shall not be paid out by the Treasurer except in payment of assessment work. The money received from the sale of certificates of indebtedness based on a tax estimate, and the money received from the County Treasurer on a tax levy based on such estimate, shall be used and applied only to defray the expenditures together with the arrearages due and unpaid for the specific object for which said estimate was made, and said taxes were levied.

After the accounts are opened in the books as hereinbefore provided, any money thereafter received by the City from the collection of delinquent taxes shall be forthwith distributed to the funds provided for

for herein, so far as such funds correspond to the funds named in the particular tax levy on which said delinquent taxes are collected; and so far as they do not correspond, the delinquent taxes collected shall be credited to the general fund. The surplus of any year's receipts over expenditures in any particular fund may be carried forward to the same fund for the succeeding year.

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#### TAX CERTIFICATES.

SECTION 83. AT ANY TIME AFTER THE COMMENCEMENT OF A FISCAL YEAR FOLLOWING THE MAKING OF AN ANNUAL TAX LEVY, THE COUNCIL MAY, BY RESOLUTION PASSED BY A MAJORITY OF ITS MEMBERS, ISSUE AND SELL AS MANY CERTIFICATES OF INDEBTEDNESS AS NEEDED IN ANTICIPATION OF THE COLLECTION OF TAXES SO LEVIED, AS AFORESAID, FOR ANY SPECIAL FUND NAMED IN SAID TAX ESTIMATES FOR THE PURPOSE OF RAISING MONEY FOR SUCH SPECIAL FUND.

CERTIFICATES SHALL BE ISSUED FOR ANY OF SAID SEPARATE FUNDS NOT EXCEEDING NINETY PER CENT (90%) OF THE AMOUNT NAMED IN SAID TAX ESTIMATES, TO BE COLLECTED FOR THE USE AND BENEFIT OF SAID FUND, AND NO CERTIFICATES SHALL BE ISSUED TO BECOME DUE AND PAYABLE LATER THAN DECEMBER 31st OF THE YEAR SUCCEEDING THE YEAR IN WHICH SAID TAX ESTIMATE, CERTIFIED TO THE AUDITOR AS AFORESAID, WAS MADE, AND SAID CERTIFICATES SHALL NOT BE SOLD FOR LESS THAN PAR AND ACCRUED INTEREST AND SHALL NOT BEAR A GREATER RATE OF INTEREST THAN SIX PER CENT (6%) PER ANNUM; EACH CERTIFICATE SHALL STATE UPON ITS FACE FOR WHICH FUND THE PROCEEDS OF SAID CERTIFICATE SHALL BE USED, AND FOR THE WHOLE AMOUNT EMBRACED IN SAID TAX ESTIMATE FOR THAT PARTICULAR PURPOSE; PROVIDED THAT NO CERTIFICATES OF INDEBTEDNESS SHALL BE ISSUED IN ANY QUARTERLY PERIOD IN EXCESS OF THE AMOUNT NECESSARY TO MEET THE OBLIGATIONS OF THE CITY DURING SUCH QUARTERLY PERIOD AS ALLOCATED UNDER SECTION 80 HEREOF. CERTIFICATES ISSUED PRIOR TO JULY FIRST SHALL BE DUE AND PAYABLE NOT LATER THAN JULY FIRST OF THE YEAR IN WHICH THEY ARE ISSUED AND SHALL BE RETIRED OUT OF THE FUNDS RECEIVED FROM THE COUNTY AUDITOR BASED ON PAYMENTS OF TAXES DURING THE FIRST HALF OF THE YEAR. CERTIFICATES ISSUED SUBSEQUENT TO JULY FIRST SHALL BE RETIRED PRIOR TO

DECEMBER THIRTY-FIRST OUT OF THE FUNDS RECEIVED FROM THE COUNTY AUDITOR BASED ON PAYMENT OF TAXES DURING THE SECOND HALF OF THE YEAR. TAX CERTIFICATES SHALL BE NUMBERED CONSECUTIVELY AND BE IN DENOMINATIONS OF FIFTY DOLLARS (\$50.00) OR A MULTIPLE THEREOF, AND MAY HAVE INTEREST COUPONS ATTACHED, AND SHALL BE OTHERWISE IN SUCH FORM AND TERMS, AND BE MADE PAYABLE AT SUCH PLACE, AS WILL BEST AID IN THEIR NEGOTIATIONS, AND THE PROCEEDS OF THE TAX ASSESSED AND COLLECTED AS AFORESAID ON ACCOUNT OF SAID FUND, AND THE FAITH AND CREDIT OF THE CITY ARE IRREVOCABLY PLEDGED FOR THE REDEMPTION OF THE CERTIFICATES SO ISSUED.

SECTION 83A. IN THE EVENT THE CITY IS UNABLE TO SELL ITS TAX CERTIFICATES, AS HEREIN PROVIDED, IT MAY ISSUE SAID CERTIFICATES OF INDEBTEDNESS TO THE CITY TREASURER OR HIS ORDER AND DEPOSIT THE SAME WITH HIM. CERTIFICATES SO ISSUED SHALL BE HELD BY THE TREASURER UNTIL THEY MAY BE SOLD AND SHALL BEAR INTEREST NOT TO EXCEED SIX PER CENT (6%) PER ANNUM. THE CITY MAY THEREUPON, AS LONG AS SUCH CERTIFICATES ARE ON DEPOSIT WITH THE TREASURER, ISSUE WARRANTS UPON THE FUNDS AGAINST WHICH SUCH CERTIFICATES WERE ISSUED, THE TOTAL PRINCIPAL AMOUNT OF SUCH WARRANTS NOT TO EXCEED THE TOTAL PRINCIPAL AMOUNT OF THE CERTIFICATES SO HELD BY THE TREASURER. SUCH WARRANTS SHALL BEAR INTEREST AT SIX PER CENT (6%) PER ANNUM FROM AND AFTER THE DATE THEY ARE PRESENTED TO THE TREASURER AND STAMPED "NOT PAID FOR WANT OF FUNDS BUT PROTECTED BY CERTIFICATES OF INDEBTEDNESS NOW HELD BY ME." SUCH CERTIFICATES MAY BE SOLD BY THE CITY COUNCIL, AND THE PROCEEDS OF SUCH SALE SHALL BE USED TO TAKE UP SUCH WARRANTS IN THE ORDER PRESENTED FOR PAYMENT. INTEREST UPON SUCH WARRANTS SHALL STOP UPON THE DATE THEY ARE CALLED BY THE TREASURER FOR PAYMENT. SUCH CERTIFICATES OF INDEBTEDNESS SO HELD BY THE TREASURER SHALL BE PAID AT THE SAME TIME AND IN THE SAME MANNER AS IF THEY HAD BEEN ISSUED TO A PURCHASER THEREOF. ALL WARRANTS ATTEMPTED TO BE ISSUED AND ALL OBLIGATIONS OF INDEBTEDNESS ATTEMPTED TO BE INCURRED UNDER AUTHORITY OF THIS SECTION IN EXCESS OF THE PRINCIPAL AMOUNT OF THE CERTIFICATES OF INDEBTEDNESS SO HELD BY SUCH TREASURER SHALL BE VOID.

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BOARD OF EQUALIZATION.

SECTION 84. The Council shall constitute the Board of Equalization



and shall be sworn according to law as such, and shall meet at the City Hall on the 4th Monday in June of each year, and shall continue in session not later than the Friday next preceding the second Monday in July, to review, amend and equalize the work of the City Assessor, pursuant to the general laws of the State.

#### RECORD SESSIONS AND POWERS.

SECTION 85. Said board shall elect a secretary, who shall keep a record of its proceedings, and it is hereby vested with all powers which are or may be vested in the County Board of Equalization under the general laws of the State, but shall not be restricted by any limitations in respect to reducing the aggregate sum of real or personal property as returned by the City Assessor.

#### WHO MAY APPEAL BEFORE BOARD.

SECTION 86. Every person aggrieved by an assessment shall have the right to appear in person or by attorney before such board and present his grievance for its consideration.

#### REVISION AND CERTIFICATION OF ASSESSMENT ROLLS.

SECTION 87. The City Assessor shall revise his assessment rolls in accordance with the decision of said board, and after the same shall have been certified by the Mayor and Secretary of said board, shall transmit to the County Auditor such revised assessment rolls not later than the second Monday in July and unless otherwise provided the Assessor shall proceed under the general laws of the State.

#### DISPOSITION OF MONEYS COLLECTED.

SECTION 88. Every officer collecting or receiving moneys belonging to or for the use of the City shall settle for the same with the City Treasurer on or before the last day of each month, or at such more frequent intervals as directed by the Council, and immediately pay all of such money into the treasury, for the benefit of the fund to which such money severally belongs. When the last day of the month falls upon a Sunday, or a legal holiday, the said payments shall be made on the next preceding business day.



UNIFORM ACCOUNTS AND REPORT.

SECTION 89. The Council shall prescribe uniform forms of accounts, which shall be observed by all officers and departments of the City which receive or disburse moneys.

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PENALTY.

SECTION 89A. ANY ELECTIVE OR APPOINTIVE OFFICER OF THE CITY, AUTHORIZING OR INCURRING ANY OBLIGATION OR LIABILITY AGAINST THE CITY CONTRARY TO THE PROVISIONS OF THIS CHARTER, SHALL BE GUILTY OF A MISDEMEANOR AND PUNISHED BY A FINE OF NOT EXCEEDING ONE HUNDRED DOLLARS (\$100.00), OR BY IMPRISONMENT FOR NOT TO EXCEED EIGHTY-FIVE (85) days. NO OBLIGATION OF ANY KIND INCURRED OR AUTHORIZED IN VIOLATION OF THE PROVISIONS OF THIS CHARTER SHALL BE A VALID CLAIM AGAINST THE CITY, AND NO SUCH OBLIGATION SHALL BE ALLOWED OR PAID BY THE COUNCIL OR ANY OFFICER THEREOF.

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SECTION 40 OF CHAPTER 5 IS AMENDED TO READ AS FOLLOWS:

EXAMINATION OF CITY BOOKS.

SECTION 40. THE COUNCIL AND ANY OFFICER OR OFFICERS FORMALLY AUTHORIZED BY IT SHALL HAVE POWER TO MAKE INVESTIGATIONS INTO THE CITY'S AFFAIRS, TO SUBPOENA WITNESSES, ADMINISTER OATHS, AND COMPEL THE PRODUCTION OF BOOKS AND PAPERS. THE COUNCIL MAY AT ANY TIME PROVIDE FOR AN EXAMINATION OR AUDIT OF THE ACCOUNTS OF ANY OFFICER OR DEPARTMENT OF THE CITY GOVERNMENT. AT THE BEGINNING OF EACH FISCAL YEAR THE COUNCIL SHALL EMPLOY THE STATE COMPTROLLER OR IN THE EVENT THE STATE COMPTROLLER'S OFFICE IS UNABLE TO CONDUCT AN AUDIT, THEN A CERTIFIED PUBLIC ACCOUNTANT TO AUDIT ALL ACCOUNTS OF THE CITY FOR THE PRECEDING FISCAL YEAR. SUCH AUDITOR, SO EMPLOYED, SHALL HAVE UNLIMITED PRIVILEGES OF INVESTIGATION, TO EXAMINE UNDER OATH OR OTHERWISE ALL OFFICERS, CLERKS AND EMPLOYEES OF THE CITY, WHO SHALL GIVE ALL REQUIRED INFORMATION AND ASSISTANCE, AND SUBMIT FOR EXAMINATION ALL SUCH BOOKS AND PAPERS RELATING TO THE BUSINESS OF THE CITY AS MAY BE REQUESTED. FAILURE ON THE PART OF ANY

CITY OFFICIAL OR EMPLOYEE SO TO ASSIST AS REQUESTED SHALL BE DEEMED TO BE A FORFEITURE AND ABANDONMENT OF HIS OFFICE.

A DUPLICATE REPORT OF SUCH AUDIT SHALL BE PRESENTED TO THE MAYOR AND EACH COUNCILMAN, AND ONE COPY SHALL BE FILED WITH THE CITY CLERK AND ONE COPY SHALL BE FILED IN THE PUBLIC LIBRARY OF THE CITY. THE COUNCIL SHALL PROVIDE FOR THE PAYMENT OF SUCH AUDIT.

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SECTION 13 OF CHAPTER 2 IS AMENDED TO READ AS FOLLOWS:  
OFFICIAL BONDS.

SECTION 13. THE MAYOR, EACH COUNCILMAN, THE CITY CLERK AND THE CITY TREASURER, BEFORE ENTERING UPON THE DUTIES OF THEIR RESPECTIVE OFFICES, SHALL EACH GIVE BONDS TO THE CITY, THE MAYOR AND CITY CLERK EACH IN THE PENAL SUM OF FIFTEEN THOUSAND DOLLARS (\$15,000.00) AND EACH COUNCILMAN AND THE CITY TREASURER EACH IN THE PENAL SUM OF TEN THOUSAND DOLLARS (\$10,000.00) WITH A LEGALLY AUTHORIZED SURETY COMPANY AS SURETY, CONDITIONED FOR THE FAITHFUL PERFORMANCE OF THEIR RESPECTIVE OFFICIAL DUTIES. SUCH BONDS SHALL BE APPROVED BY ONE OF THE JUDGES OF THE DISTRICT COURT OF SAID ST. LOUIS COUNTY. THE COUNCIL SHALL FIX THE AMOUNT OF THE BONDS TO BE REQUIRED OF OTHER APPOINTIVE OFFICERS AND THE METHODS OF THEIR APPROVAL. THE APPROVAL OF SAID BONDS MUST BE ENDORSED THEREON AND SIGNED BY THE OFFICER OR OFFICERS APPROVING THE SAME. ALL BONDS WHEN APPROVED SHALL BE FILED WITH THE CITY CLERK, EXCEPT THE BONDS OF THE CITY CLERK, WHICH SHALL BE FILED IN THE OFFICE OF THE CITY TREASURER. THE PREMIUM OF ALL BONDS REQUIRED OF OFFICERS OR EMPLOYEES BY THIS CHARTER SHALL BE PAID BY THE CITY. THE PROVISIONS OF THE LAWS OF THE STATE, RELATING TO OFFICIAL BONDS, NOT INCONSISTENT WITH THIS CHARTER, SHALL BE COMPLIED WITH.

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SECTION 68 OF CHAPTER 7 IS AMENDED TO READ AS FOLLOWS:  
RECORDING AND PUBLISHING MINUTES.

SECTION 68. ALL OFFICIAL ACTS OF THE COUNCIL, INCLUDING BILLS AND PAY ROLLS ALLOWED, AND ORDINANCES, RESOLUTIONS AND MOTIONS ADOPTED, SHALL BE RECORDED IN THE MINUTES AND PROCEEDINGS THEREOF IN A PERMANENT

RECORD PROVIDED THEREFOR. ALL SUCH MINUTES AND PROCEEDINGS, WITH THE EXCEPTION OF THE LABOR AND SALARY PAY ROLLS WHICH MAY BE TREATED AS PROVIDED IN SECTION 76 OF THIS CHARTER AS AMENDED, OR PUBLISHED AS THE COUNCIL MAY DIRECT, SHALL BE PUBLISHED IN THE OFFICIAL NEWSPAPER WITHIN TEN DAYS AFTER THEIR PASSAGE. THE CITY CLERK SHALL BE RESPONSIBLE FOR THE PUBLISHING OF THE SAME AND ANY INTENTIONAL VIOLATION OF THIS SECTION OR FALSIFICATION OF THE RECORD BY CAUSING A FALSE VERSION TO BE RECORDED OR PUBLISHED SHALL CONSTITUTE MALFEASANCE IN OFFICE ON THE PART OF THE CITY CLERK, AND, UPON HIS CONVICTION THEREFOR, CREATE A VACANCY FORTHWITH IN SAID OFFICE AND HE SHALL NOT BE ELIGIBLE TO HOLD THE SAME THEREAFTER.

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ENACTING CLAUSE.

THE FOREGOING PROPOSED AMENDMENTS SHALL TAKE EFFECT AND BE IN FULL FORCE AND EFFECT THREE DAYS AFTER THE SAME SHALL BE ADOPTED, CERTIFIED, DEPOSITED AND RECORDED AS PROVIDED BY LAW.

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