

City Charter

The City of Crookston was incorporated February 14th, 1879. Crookston is a Home Rule Charter City. Home rule charter cities can exercise any powers in their locally adopted charters as long as they do not conflict with state laws. Conversely, charter provisions can specifically restrict the powers of a city. Consequently, voters in home rule cities have more control over their city's powers.

A revised City Charter was adopted on November 2nd, 1999. Our prior charter was adopted on July 31st, 1906, and amended on November 7th, 1961.

CHAPTER 1: NAME, BOUNDARIES, POWERS, AND GENERAL PROVISIONS

Section 1.01, Name And Boundaries.

The City of Crookston, Polk County, Minnesota is a municipal corporation under the name City of Crookston and has the same boundaries as are established now or as may be established in the future.

Section 1.02, Powers Of The City.

The City has all powers which it may now or in the future be possible for a municipal corporation in this State to exercise in harmony with the Constitution of this State and of the United States. It is the intention of this Charter to give to the City every power which it would have if it were specifically mentioned. The Charter shall be construed liberally in favor of the City. The specific mention of particular municipal powers in other sections of this Charter does not limit the powers of the City to those mentioned. Unless granted to some other officer or body, all powers are vested in the City Council.

CHAPTER 2: FORM OF GOVERNMENT

Section 2.01, Form Of Government.

The form of government established by this Charter is the "Weak Mayor - Strong Council - Administrator Plan". Except as otherwise provided by law or this Charter, all powers of the City are vested in the Council. The City Administrator is the head of the administrative branch of the City government and is responsible to the Council for the proper administration of all City affairs.

Section 2.02, Boards And Commissions.

The Council may establish, alter and abolish such boards and commissions as may be necessary to carry on the business of the City.

Section 2.03, Council Composition And Elections.

The Council is composed of nine individuals - a Mayor and eight Council Members, all of whom must be qualified electors. The Mayor and two Council Members shall be elected at large, and six Council Members shall be elected by wards. Each ward Council Member must be a resident of the ward from which the Council Member is elected. The Mayor and the Council Members shall serve for a term of four years and until a successor is elected and qualifies.

Section 2.04, Incompatible Offices.

Neither the Mayor nor a Council Member may be appointed City Administrator, nor may the Mayor or a Council Member hold any paid municipal office or employment under the City. Until one year after expiration of the term as Mayor or Council Member, no former Mayor or Council Member may be

appointed to any paid office or employment under the City which was created or the compensation for which was increased during the term as Mayor or Council Member.

Section 2.05, Vacancies.

An elective office becomes vacant when the person elected or appointed to the office dies before taking office or fails to qualify, or the incumbent dies, resigns in writing filed with the City Administrator, is convicted of a felony, ceases to reside in the City, is adjudged incompetent by a court of competent jurisdiction, or misses six consecutive official Council meetings without good cause. In each such case, the Council may, by resolution of a majority vote of five Council Members, or four Council Members and the Mayor or Assistant Mayor in the event of a tie, declare the vacancy to exist and may appoint an eligible person to fill the vacancy for the remainder of the un-expired term.

Section 2.06, The Mayor.

The Mayor shall preside at meetings of the Council and shall not have a vote, except when there is a tie vote by the Council Members, then the Mayor shall vote in order to break ties. Every ordinance or resolution passed by the Council shall, before it takes effect, be presented to the Mayor for approval. If the Mayor approves it, the Mayor shall sign the same, but if it is not approved, it shall be returned to the Clerk within 10 days marked "vetoed". Upon the return of any ordinance or resolution by the Mayor, the vote shall be deemed to have been reconsidered, and the question shall again be put to a vote of the Council. If the Council shall pass the vetoed ordinance or resolution by a vote of at least six Council Members, it shall have the same effect as if approved by the Mayor. The vote on the vetoed ordinance or resolution shall be by ayes and nays and it shall be entered by the Clerk. If an ordinance or resolution is not deposited with the Clerk by the Mayor within 10 days after it was presented to the Mayor, it shall have the same effect as if approved by the Mayor. The Mayor shall be recognized as head of the City government for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor for purposes of martial law, but shall have no administrative duties. The Council shall choose from its members an Assistant Mayor who shall hold office at the pleasure of the Council. The Assistant Mayor shall preside at meetings in the Mayor's absence and shall act as Mayor in case of the Mayor's disability or absence from the City.

Section 2.07, Salaries, Wages, And Compensation.

The Mayor and Council Members shall receive such compensation as is fixed by the Council in accordance with law. The City Administrator and all subordinate officers and employees of the City shall receive such salaries or wages and other compensation 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. 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, Interference With Administration.

Except for the purpose of inquiry and investigation under Section 2.08, the Council, the Mayor and Council Members shall deal with and control City administrative officers and employees under the

jurisdiction of the City Administrator solely through the City Administrator and shall not give orders to any subordinate of the City Administrator either publicly or privately.

CHAPTER 3: COUNCIL MEETINGS

Section 3.01, Council Meetings.

The Council shall meet regularly at least twice a month at such times and places as the Council may designate by rule. The Mayor or any three Council Members may call special meetings of the Council upon at least twelve hours notice to each member and such reasonable public notice as may be prescribed by Council rule in compliance with the laws of the State of Minnesota. 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, Electronic Communications.

The Council may, by ordinance, authorize meetings and public hearings of the Council and all of the commissions, boards, and committees of the City to be held by any means of communication through which the members thereof and other persons who take part in or are present at such meeting or hearing may simultaneously hear each other during the meeting or hearing. Participation in a meeting or hearing by that means shall constitute presence in person at the meeting or hearing.

Section 3.03, Secretary Of The Council.

Unless the Council designates another City official or employee to do so, the City Clerk shall act as Secretary of the Council. The Clerk shall keep a journal of Council proceedings and perform such other duties as this Charter or the Council may require. The Council may designate any other City official or employee, except the City Administrator or a Council Member, to act as Secretary of the Council.

Section 3.04, Rules Of Procedure And Quorum.

(Amended by Ordinance Number 168, Second Series, on March 8, 2005.)

The Council shall determine its own rules and order of business. The Mayor or Assistant Mayor and five Council Members shall constitute a quorum, but a smaller number may adjourn from time to time. The Council may by rule provide a means by which a minority may compel the attendance of absent members.

Section 3.05, 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 five Council Members, or four Council Members and the Mayor or the Assistant Mayor in the event of a tie, shall be required for the adoption of all ordinances and resolutions.

Section 3.06, Procedure On Ordinances.

Every proposed ordinance shall be presented in writing. No ordinance shall contain more than one subject which shall be clearly expressed in its title. The enacting clause shall be: "The City of Crookston ordains." No ordinance, except an emergency ordinance, shall be adopted at the meeting at which it is introduced and at least three days shall elapse between its introduction and final passage.

Section 3.07, 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 and the ordinance is adopted by a vote of at least seven Council Members.

Section 3.08, Procedure On Resolutions.

Every resolution shall be presented in writing.

Section 3.09, Signing And Publication Of Ordinances And Resolutions.

Every ordinance or resolution passed by the Council shall be signed by the Mayor, attested by the City Clerk, and filed and preserved by the City Clerk. 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, state administrative rule or regulation of Minnesota, a code, or ordinance or part thereof, without publishing the material referred to in full.

Section 3.10, 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. All other ordinances shall take effect immediately after passage and publication or at such later date as it specifies.

Section 3.11, Amendment And Repeal Of Ordinances And Resolutions.

Every ordinance or resolution repealing all or part of a previous ordinance or resolution 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 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 by appropriate type or symbols matter to be omitted or added.

Section 3.12, Revision And Codification Of Ordinances.

The City may revise, rearrange and codify its ordinances with such additions and deletions as may be deemed necessary. The ordinance code may 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 for 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, The Regular Municipal Election.

A regular municipal election shall be held on the first Tuesday after the first Monday in November of each even-numbered year at such place or places as the City Council may designate.

Section 4.02, Special Elections.

The Council may by resolution order a special election and provide all means for holding it. The procedure at such election shall conform as nearly as possible to that prescribed for other City elections.

Section 4.03, Filing For Office.

No earlier than 70 days or later than 56 days before the municipal election, any voter of the City qualified under the state constitution for elective office may, by filing an affidavit and paying the filing fee to the City Clerk, have his or her name placed on the municipal election ballot.

Section 4.04, Procedure At Elections.

Subject to this Charter and applicable state laws, the Council may by ordinance further regulate the conduct of municipal elections. Except as otherwise provided by this Charter and supplementary ordinances, general state laws on elections shall apply to municipal elections.

Section 4.05, Tie Votes.

In the event that there is a tie vote between or among candidates for the same office, the Clerk shall supervise the drawing of lots by them, with the results determining the relative positions of the candidates. A candidate with a higher position shall be deemed to have received more votes than a candidate with a lower position.

CHAPTER 5: ADMINISTRATION OF CITY AFFAIRS

Section 5.01, The City Administrator.

The City Administrator shall be the chief administrative officer of the City. The City Administrator shall be chosen by the Council solely on the basis of training, experience, executive and administrative qualifications. The City Administrator need not be a resident of the City at the time of the appointment, but may reside outside the City while in office only with approval of the Council. The City Administrator shall be appointed for an indefinite term and may be removed at any time by an affirmative vote of five Council Members or four Council Members and the Mayor or Assistant Mayor in the event of a tie.

Section 5.02, Powers And Duties Of The City Administrator.

Subdivision 1.

The City Administrator shall be responsible to the Council for the administration of the City's affairs. The City Administrator shall have the powers and duties set forth in the following subdivisions:

Subdivision 2.

The City Administrator shall see that this Charter and the laws, ordinances and resolutions of the City are enforced.

Subdivision 3.

The City Administrator shall appoint and may suspend, remove, promote, demote, transfer and otherwise discipline upon the basis of merit and fitness and subject to applicable personnel rules, all subordinate officers and City employees, except that the approval of the Council shall be necessary before any such action affecting heads of departments shall be effective.

Subdivision 4.

The City Administrator shall direct and supervise all departments, offices and agencies of the City, except as otherwise provided by law or Charter.

Subdivision 5.

The City Administrator or the City Administrator's designee shall attend all meetings of the Council and may take part in discussion but not vote. The Council may, in its discretion, exclude the City Administrator from any meetings at which the employment terms and conditions, removal, suspension or other discipline of the City Administrator is considered.

Subdivision 6.

The City Administrator shall recommend to the Council for adoption such measures as the City

Administrator deems necessary for the welfare of the people and the efficient administration of the City's affairs.

Subdivision 7.

The City Administrator shall keep the Council fully advised on the financial condition and needs of the City, and shall prepare and submit to the Council the annual budget and capital plan.

Subdivision 8.

The City Administrator shall submit to the Council and make available to the public a complete report on the finances and administrative activities of the City at the end of each fiscal year.

Subdivision 9.

The City Administrator shall assist the Council with long term and strategic planning.

Subdivision 10.

The City Administrator shall perform such other duties as are prescribed by Charter or may be required by the Council.

Section 5.03, Administrative Organization.

The Council may by ordinance establish City departments, offices and agencies and prescribe their functions. No power or duty conferred by this Charter upon a particular office or agency shall be transferred to any other.

Section 5.04, Subordinate Officers.

There shall be a Clerk, Treasurer and such other subordinate officers to the City Administrator as the Council may establish by ordinance. The Clerk and Treasurer shall be subject to the direction of the City Administrator and shall have such duties as the Council may prescribe. The Council may by ordinance abolish offices which have been created by ordinance and it may combine the duties of various offices.

Section 5.05, Purchase And Contracts.

The City Administrator shall be the chief purchasing agent of the City. All City purchases and contracts shall be made or let by the City Administrator when the amount involved does not exceed any limit set by Council resolution. All other purchases shall be made and all contracts let by the Council after the recommendation of the City Administrator has first been obtained. All purchase contracts above the amount set by Council resolution, all other contracts, bonds and instruments of any kind to which the City is a party shall be signed by the Mayor and the City Administrator on behalf of the City and shall be executed in the name of the City. The Council may, by ordinance, adopt further regulations for the making of bids and the letting of contracts including, but not limited to, regulations authorizing life cycle or total cost bidding.

CHAPTER 6: TAXATION AND FINANCES

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 by the State Constitution, by this Charter or by laws imposing restrictions upon the City, irrespective of Charter provisions.

Section 6.04, Submission Of Budget.

Annually, the City Administrator shall submit to the Council a recommended budget in accordance with a budget calendar to be established by resolution or, in the absence of such calendar, in compliance with law.

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 City Administrator 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 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 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 6.05, Capital Improvement Plan.

Annually, the City Administrator shall prepare and submit to the Council with the budget a recommended five-year Capital Improvement Plan. The Capital Improvement Plan shall contain a list of all capital improvements 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, recommended time schedules for each such improvement and the estimated 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 Plan and adopt it, with or without amendment, no later than the time the budget is adopted.

Section 6.06, Council Action On Budget.

The budget shall be considered and adopted in compliance with state law 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 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 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. 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 6.07, Enforcement Of The Budget.

The City Administrator shall enforce strictly the provisions of the budget. The City Administrator 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. Any obligation incurred by any person in the employ of the City for any purpose not 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 6.08, Alterations In The Budget.

After the budget resolution has been adopted, the Council shall not increase the amounts fixed in the resolution beyond the estimated receipts except to the extent that actual receipts exceed the estimate. At any time the Council may, by resolution approved by five Council Members, or four Council Members and the Mayor or Assistant Mayor in the event of a tie, reduce the sums appropriated for any purpose by the budget resolution or authorize the transfer of sums from unencumbered balances of appropriations in the budget resolution to other purposes.

Section 6.09, 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, except from trust and agency funds, as it may deem necessary and appropriate.

Section 6.10, City Indebtedness.

Except as provided in Sections 6.11 and 6.12, no obligations 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 prescribed by law. Except in the case of obligations for which an election is not required by this Charter or by law, no such obligations shall be issued and sold without the approval of the majority of voters voting on the question at a general or special election.

Section 6.11, Anticipation Certificates.

At any time after January 1 the Council may issue certificates of indebtedness in anticipation of State and Federal aids and the collection of taxes levied the previous year for any fund and not yet collected. The total amount of certificates issued against any fund for any year together with interest thereon until maturity shall not exceed the total of State and Federal aids and current taxes due to the fund and uncollected at the time of issuance. Such certificates shall be issued on such terms and conditions as the Council may determine, but they shall become due no later than April 1 of the year following issuance. The proceeds of the tax levied and such State or Federal aids as the governing body may have allocated 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.

Section 6.12, 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 run not to exceed three years. A tax sufficient to pay principal and interest on such certificates with the margin required by law 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 five Council Members, or four Council Members and the Mayor or Assistant Mayor in the event of a tie. It may be passed as an emergency ordinance.

CHAPTER 7: PUBLIC IMPROVEMENT AND SPECIAL ASSESSMENT

Section 7.01, Power To Make Improvements And Lay Assessments.

The City may make any type of public improvement not forbidden by law and levy special assessments to pay all or part of the cost of such improvements as are of a local character. The total assessments for any local improvements 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 7.02, 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 7.03, Assessments For Unpaid Claims.

The Council may provide by ordinance that the amount of unpaid claims owed to the City for administrative fees, fines or penalties and for any other obligation which relate to the regulation, ownership, operation or maintenance of real property within the City may be assessed against the associated property and collected in the same manner as special assessments.

Section 7.04, Local Improvement Procedure.

When the City undertakes any local improvement to which the state local improvement code applies, it shall comply with the provisions of the law. The Council, by ordinance, may prescribe the procedure to be followed in making any other local improvements and levying assessments therefor.

CHAPTER 8: EMINENT DOMAIN

Section 8.01, Acquisition Of Property.

The City may acquire, by purchase, gift, condemnation or otherwise, any property, either within or without its boundaries, that may be needed by the City for any public purpose. In acquiring property by exercising the power of eminent domain, the City shall proceed according to Minnesota Statutes, Chapter 117 or other applicable law.

CHAPTER 9: FRANCHISES

Section 9.01, Franchise 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, cable television service 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 9.02, Term.

No exclusive or perpetual franchise shall ever be granted. No franchise for a term exceeding fifteen years shall be effective until approved by a majority of electors voting thereon.

Section 9.03, 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 9.04, 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 9.05, 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.

Section 9.06, City May Offer Service.

The City may offer or enter into joint ventures or other business combinations to offer telecommunications and cable television service and any other service for which a franchise is required under Section 9.01.

CHAPTER 10: PUBLIC OWNERSHIP AND OPERATION OF UTILITIES

Section 10.01, Acquisition And Operation Of Utilities.

The City may own and operate any water, gas, light, power, heat, telephone, transportation or 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 10.02, Regulations And Rates.

The Council may, by ordinance, fix rates, fares and prices for any municipal utility or provide for the fixing of such rates, fares and prices by resolution, prescribe the time and manner of payment for any such service, make such other regulations as may be necessary and prescribe penalties for violations of such regulations.

Section 10.03, 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 10.04, 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.

CHAPTER 11: GENERAL PROVISIONS

Section 11.01, Official Publication.

The Council shall annually at its first meeting of the year designate a legal newspaper of general circulation in the City 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 11.02, Oath Of Office.

Every elected or appointed officer of the City shall, before entering upon the duties of the office, take and subscribe an oath of office in substantially the following form: "I do solemnly swear or affirm to support the City Charter and the Constitution of the United States and of this State, and to discharge faithfully the duties given to me as . . . (title of office) of the City of Crookston to the best of my judgment and ability".

Section 11.03, Official Bonds.

The City Administrator and such other officers or employees of the City as may be specified by resolution shall each, before entering upon the duties of their respective office of employment, give a corporate surety bond to the City as security for the faithful performance of their official duties and the safekeeping of the public funds. Such bonds shall be in such form and amount as the Council determines and may be individual or blanket bonds in the discretion of the Council. They shall be approved by the City Council and filed with the City Clerk.

Section 11.04, Official Interest In Contracts.

Except as is otherwise permitted by law, no officer of the City who is authorized to take part in any manner in the making of any sale, lease or contract in official capacity with the City shall voluntarily have a personal financial interest in or personally benefit financially from such sale, lease or contract.

Section 11.05, Sale Of Real Property.

No real property of the City shall be disposed of except by ordinance or resolution. The proceeds of any such sale shall be used as far as possible to retire any outstanding indebtedness incurred by the City in the purchase, construction or improvement of this or other property used for the same public purpose; but if there be no such outstanding indebtedness, then the Council may by a resolution adopted by an affirmative vote of five Council Members, or four Council Members and the Mayor or Assistant Mayor in the event of a tie, designate some other public use for such proceeds.

Section 11.06, Vacation Of Streets.

The Council may by resolution approved by a vote of at least seven Council Members vacate any street

or alley or other public grounds thereof within the City. Such vacation 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 or resolution may prescribe. A notice of completion of such proceedings shall be filed with the proper County officer in accordance with the law.

Section 11.07, No Election Of Remedies.

The reservation, listing or use of a right or remedy by the City shall not prevent the City from using any other right or remedy it may have.

Section 11.08, 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 former Charter.

Section 11.09, 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 11.10, 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 11.11, Ordinances To Make Charter Effective.

The Council shall by ordinance, resolution or other appropriate action take such steps, if any, as may be necessary to make effective the provisions of this Charter.

Section 11.12, Present Officers Continued.

The present officers of the City shall continue in their respective offices and functions and shall continue to govern the City under the laws and Charter previously in effect until the officers provided for by this Charter have been elected and qualify. They shall make such financial and other provisions for the fiscal year 2000 as will serve to carry on the government until a government has been set up under this Charter, and they shall make provision for the election of the first City Council as provided in Chapter 4 and Section 11.13 of this Charter.

Section 11.13, Effective Dates/Transition.

Except as otherwise stated in this Section, the Charter shall be effective January 1, 2000. Section 2.03 shall be effective on January 1, 2003. The terms of the Mayor and all Council Members as of January 1, 2000 shall be three (3) years. New wards shall be established consistent with Section 2.03 for use with the general election in 2002, at which the Mayor and all Council Members shall stand for election. The initial terms of the Council Members selected at such election shall be staggered. The Council Members elected for even numbered wards shall serve four (4) year terms. The Council Members elected for odd numbered wards shall serve two (2) year terms. The At Large Council Member receiving the highest number of votes shall serve four (4) years and the At Large Council Member receiving the next highest number of votes shall serve two (2) years. Thereafter, the Mayor and Council Members shall serve the terms provided for in Section 2.03. Section 4.01 shall be effective January 1, 2001.