

minneapolis

city of lakes

OFFICE OF CITY CLERK
LYALL A. SCHWARZKOPF, CITY CLERK
304 CITY HALL, MINNEAPOLIS, MINNESOTA 55415
PHONE: 348-2215

December 10, 1984

Secretary of State's Office
Room 180
State Office Building
St. Paul, Minnesota 55155

To Whom It May Concern:

Enclosed you will find copies of Amendments No. 101 and 102 to the Minneapolis City Charter, as adopted at the Minneapolis City General Election which was held on November 6, 1984, for filing with the Office of the Secretary of State as required by Minnesota Statutes 410.

Sincerely,


Lyle D. Lund
Assistant City Clerk

LDL:gj

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

DEC 12 1984

Jean Anderson Howe
Secretary of State

35672



STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF MINNEAPOLIS)

I, LYLE D. LUND, Assistant City Clerk of the City of Minneapolis in the County of Hennepin and State of Minnesota, do hereby certify that proposed Amendment No. 101 to the City Charter of the City of Minneapolis, of which the attached is a true and correct copy, was submitted to the electorate at the General Municipal Election held on Tuesday, November 6, 1984; that notice of said Election and the proposed Amendment No. 101 to the City Charter was duly published, all pursuant to the Statutes of the State of Minnesota and the action of the City Council of the City of Minneapolis on September 14, 1984; that at the said General Municipal Election held as above stated, there were 129,991 votes cast on the question; that the number of votes cast in favor of the said proposal amendment was 87,211; that the number of votes cast against the said proposed amendment was 42,780; that the number of votes necessary for the adoption of said proposed amendment was 51 per cent, or 66,295; that said proposed Amendment No. 101 was duly adopted by the qualified voters of the City of Minneapolis and therefore becomes Amendment No. 101 to the City Charter of the City of Minneapolis.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the corporate
seal of said City this 7th day of
December, A.D. 1984.


Assistant City Clerk

MINNEAPOLIS CITY CHARTER, CHAPTERS 3, 4, 5, 6 and 13

Establishing a City Coordinator, establishing an Executive Committee, and placing Purchasing Agent, Budget Director, Planning Director and their respective departments under the City Coordinator

**PROPOSED CHARTER
AMENDMENT NO. 101**

Proposing that there be submitted to the voters amendments to the Minneapolis City Charter, Chapters 3, 4, 5, 6, 7 and 13, establishing a City Coordinator, establishing an Executive Committee, placing the Purchasing Agent, the Budget Director, and the

Planning Director and their respective departments under the City Coordinator.

That pursuant to the provisions of Minnesota Statute Section 410.12, Subdivision 5, there be submitted to the voters of Minneapolis the following proposed amendment to the Minneapolis City Charter:

Section 1. That Chapter 3, sections 3 through 25 of the Minneapolis City Charter be renumbered 5 through 27 and that new Sections 3 and 4, be added to read as follows:

SECTION 3. CITY COORDINATOR — COMPENSATION. THERE SHALL BE APPOINTED A CITY COORDINATOR AS PROVIDED BY THIS CHAPTER. THE CITY COUNCIL SHALL PRESCRIBE BY ORDINANCE OR RESOLUTION THE GENERAL DUTIES AND FIX THE COMPENSATION OF THE CITY COORDINATOR.

SECTION 4. EXECUTIVE COMMITTEE. THERE IS HEREBY ESTABLISHED AN EXECUTIVE COMMITTEE CONSISTING OF THE MAYOR, THE PRESIDENT OF THE CITY COUNCIL, AND UP TO THREE ADDITIONAL MEMBERS OF THE CITY COUNCIL TO BE CHOSEN BY THE COUNCIL; PROVIDED, HOWEVER, THAT NOT ALL OF THE MEMBERS OF THE EXECUTIVE COMMITTEE SHALL BE OF THE SAME POLITICAL PARTY, UNLESS THE MAYOR AND ALL OF THE MEMBERS OF THE CITY COUNCIL SHALL BE MEMBERS OF THE SAME POLITICAL PARTY. THE EXECUTIVE COMMITTEE SHALL ESTABLISH ITS OWN RULES AND PROCEDURES. IT SHALL BE CHAIRED BY THE MAYOR.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER OR SPECIAL LAW TO THE CONTRARY, APPOINTMENT AND REMOVAL DURING THEIR TERM FROM THE OFFICE OF POLICE CHIEF, FIRE CHIEF, CITY ENGINEER, COMMISSIONER OF HEALTH, CITY ATTORNEY,

CITY ASSESSOR, CITY COORDINATOR AND CIVIL SERVICE COMMISSIONER SHALL BE BY THE EXECUTIVE COMMITTEE. AN APPOINTMENT OR REMOVAL SHALL BE EFFECTIVE ONLY UPON APPROVAL BY ACTION OF THE CITY COUNCIL TAKEN IN COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER 2, SECTION 2, AND CHAPTER 3, SECTION 1 OF THIS CHARTER. WHEN CONSIDERING AN APPOINTMENT OR REMOVAL THE EXECUTIVE COMMITTEE SHALL FOLLOW PROCEDURES PRESCRIBED BY ORDINANCE OR RESOLUTION OF THE CITY COUNCIL WHICH MAY INCLUDE PROVISION FOR PARTICIPATION BY MEMBERS AND COMMITTEES OF THE CITY COUNCIL, BUT IN THE CASE OF AN APPOINTMENT SUCH PROCEDURES MAY NOT IMPOSE A LIMITATION ON THE CANDIDATES TO BE CONSIDERED BY THE EXECUTIVE COMMITTEE.

FURTHER DUTIES OF THE EXECUTIVE COMMITTEE SHALL BE ONLY AS PRESCRIBED BY ORDINANCE OR RESOLUTION OF THE CITY COUNCIL.

Section 2. That Chapter 4, Section 4 of the Minneapolis City Charter be amended to read as follows:

Section 4. City Council — Power to Remove Officers — Place and Manner of Trial. The City Council shall have power to remove from office any officer of said City whether appointed by the City Council or elected by the people, but no officer elected by the people shall be removed except for cause, nor unless first furnished with a copy of the charges, nor until such person shall have had reasonable opportunity to be heard in person or by counsel in his or her own defense. Continued absence from the meetings of the Council in case of Council Members, and neglect of duty in case of other officers, unless for good reason, shall be deemed a good cause of removal. THE EXECUTIVE COMMITTEE SHALL HAVE POWER TO REMOVE FROM OFFICE ANY OFFICER OF THE CITY APPOINTED BY IT SUBJECT TO THE PROVISIONS OF CHAPTER 3, SECTION 4 OF THIS CHARTER, EXCEPT THAT MEMBERS OF THE CIVIL SERVICE COMMISSION MAY ONLY BE REMOVED DURING THEIR TERM FOR CAUSE.

Section 3. That Chapter 4, Section 19 of the Minneapolis City Charter be amended to read as

follows:

Section 19. City Council may Establish Purchasing Department. The City Council is hereby authorized and empowered and shall at all times hereafter have the power and authority to establish and maintain a purchasing department as a branch of the city government, which department shall have full charge of the purchase by the city and the several boards of the city of all supplies and materials required for the use of the city and the several departments and boards of the city, including the Board of Public Welfare, Board of Education, Board of Park Commissioners (Park and Recreation Board) and Library Board, of the city, and for making and maintaining public works and improvements of the city, excepting from the provisions of this section the purchase of books, periodicals, pamphlets, works of art and other like supplies for the library board and art museum of the city, and the purchase of supplies for the use of the Board of Park Commissioners (Park and Recreation

Board) of the city at its several refectories and places of amusement, and by ordinance or otherwise to make all rules and regulations necessary for the conduct and management of such purchasing department. THE CITY COORDINATOR SHALL APPOINT A PURCHASING AGENT WHO SHALL BE THE HEAD OF SUCH PURCHASING DEPARTMENT AND WHO SHALL APPOINT ALL NECESSARY ASSISTANT PURCHASING AGENTS AND OTHER EMPLOYEES REQUIRED FOR THE PROPER MANAGEMENT OF SUCH PURCHASING DEPARTMENT, AND SHALL PRESCRIBE THE DUTIES OF SUCH PURCHASING AGENT, ASSISTANT PURCHASING AGENTS AND OTHER EMPLOYEES.

Section 4. That Chapter 5, Section 8, of the Minneapolis City Charter be amended to read as follows:

Section 8. Budget Participation of Mayor-Office of Budget. No later than the 15th day of August of each year, the Mayor shall prepare and submit to the City Council and the Board of Estimate and Taxation the Mayor's recommended budgets for the following fiscal year for the City Council and each board or department of the City having any power to levy taxes. Included in such budgets shall be statement of all proposed expenditures, the revenue from all sources and a recommended five-

year capital improvement program. Accompanying the budgets when submitted shall be a budget message from the Mayor outlining important features of the budget with appropriate explanatory comments. In such budget message the Mayor shall make recommendations for legislation and for other actions by other governmental bodies which actions would assist the financial programs of the City and shall further review and comment on taxes imposed in the City by all other taxing authorities and the effect of such total tax obligations.

All budget estimates, recommended budgets and the budget message of the Mayor shall be public records.

There shall be established an office of the Budget under the supervision of the CITY COORDINATOR, which shall assist the Mayor AND THE CITY COORDINATOR in the performance of THEIR duties relating to the budget and financial affairs of the City. The Office of the Budget shall be headed by a budget director appointed by the CITY COORDINATOR and such position shall be in the unclassified service and not subject to the provisions of Chapter 19 of this Charter. The Budget Director shall serve at the pleasure of the CITY COORDINATOR. The Budget Director shall appoint pursuant to Civil Service provisions such assistants as shall be necessary to perform the duties of said office.

In the performance of their duties under this section, the Mayor and the Budget Director shall have access to all records and information pertaining thereto possessed by the City Council, or any City board, commission or other agency and shall be assisted as necessary by the officers and employees thereof.

Section 5. That Chapter 6, Section 1 of the Minneapolis City Charter be amended to read as follows:

Section 1. Powers of Mayor over Police-Chief. The mayor shall be vested with all the powers of said city connected with and incident to the establishment, maintenance, appointment, removal, discipline, control and supervision of its police force, subject to the limitations herein contained and the provisions of the civil service chapter of this Charter, and may make all needful rules and regulations for the efficiency and discipline, and promulgate and enforce general and special orders for the government of the same, and have the care and custody of all public property connected with the police department of the city. The EXECUTIVE COMMITTEE shall, by and with the consent of A MAJORITY OF ALL of the members of the city council, appoint for a term of three (3) years commencing January 2, 1980, some suitable person as chief of police,

subject to removal upon the recommendation of the EXECUTIVE COMMITTEE by a vote of A MAJORITY OF ALL OF THE MEMBERS OF the city council. Such position shall be in the unclassified service. The term of office of each chief of police shall be three (3) years from and after the second day of January of the year of appointment. In case of a vacancy occurring otherwise, the appointment shall be for the unexpired term. Ten (10) days prior to the appointment of a chief of police, the EXECUTIVE COMMITTEE shall file with the city clerk the name of all persons the EXECUTIVE COMMITTEE is then considering for the appointment. The chief of police may be reappointed by a majority of all members of the city council. In the event that the council does not reappoint within thirty (30) days of the termination of the term, the EXECUTIVE COMMITTEE shall within sixty (60) days thereafter make a new appointment. Persons holding the position of chief of police shall be entitled to the same employee benefits as persons in the classified service except as to appointment and removal. If the person appointed chief of police is a member of the classified service, such person shall be deemed to be on leave of absence during the tenure as chief of police, and upon the termination of service as chief of police shall be returned to his or her permanent civil service classification. If no vacancy is available in that permanent civil service classified position, seniority shall prevail and the person most recently certified to such position shall be returned to the permanent civil service classification held prior to such certification. The mayor shall also appoint, subject to the provisions of the civil service chapter of this Charter, all members of the police force and other employees of the department prescribing the title, rank and duties of each, and report a list thereof to the city council, and the civil service commission. The personnel of the police department shall be established and maintained at a ratio, or as closely thereto as is possible within the limits of section 2 hereof, of not less than one and seven-tenths (1.7) employees per one thousand (1,000) of population of the city according to the latest United States official census. Each and every person so appointed shall be subject to removal by the mayor when the mayor shall deem the same necessary after proper investigation in accordance with the civil service chapter of this Charter. The mayor may also, in case of riot, large public gatherings or other unusual occasions demanding the same, appoint such number of temporary police as may be needed but not for a period of more than one (1) week, without

the consent of the city council. All police officers so appointed shall possess all the common law and statutory powers of constables, and any warrant for search or arrest issued by any magistrate or court of record in Hennepin County may be executed in any part of said county by any member of said police force.

Section 6. That Chapter 7, Section 5 of the Minneapolis City Charter be amended to read as follows:

Section 5. Chief Engineer — How Appointed — Officers and Personnel. PURSUANT TO CHAPTER 3, SECTION 4 OF THIS CHARTER the EXECUTIVE COMMITTEE shall appoint, subject to the approval of A MAJORITY OF ALL THE MEMBERS OF THE CITY COUNCIL, a chief engineer of the fire department, SUBJECT TO REMOVAL BY THE EXECUTIVE COMMITTEE UPON APPROVAL OF A MAJORITY OF ALL OF THE MEMBERS OF THE CITY COUNCIL. THE City Council shall provide by ordinance for such other officers and personnel as may be deemed necessary for such department, and define the respective ranks and duties of such chief engineer and other officers and personnel and their compensation. Such position shall be in the unclassified service. The person holding the position of chief engineer shall be entitled to the same employee benefits as persons in the classified service except as to appointment and removal. If the person appointed chief engineer is a member of this classified service, such person shall be deemed to be on leave of absence during tenure as chief engineer, and upon the termination of service as chief engineer, shall be returned to the person's permanent civil service classification. If no vacancy is available in the permanent civil service classified position held by the chief engineer at the time of appointment as chief, seniority shall prevail and the person most recently certified to such position shall be returned to the permanent civil service classification which the person held prior to such certification.

Section 7. That Chapter 13, Section 1A of the Minneapolis City Charter be amended to read as follows:

Section 1A. (Planning Director.) The City Planning Department shall be administered by a planning director who shall perform such duties and functions as directed by the CITY COORDINATOR. The Planning Director shall be appointed by the CITY COORDINATOR, and may appoint a deputy planning director to assist the Planning Director and act as planning director in his or her absence or inability to act. The Planning Director and the Deputy Planning Director shall each serve at the pleasure of their respective

appointing authority, and neither position shall be in the classified service nor subject to the provisions of Chapter 19 of this Charter.

Section 8. This amendment shall take effect 30 days after the election at which it is approved by the voters.

ELECTIONS — Your Committee reports that, pursuant to instructions, we met as a Canvassing Board and we have canvassed the official election returns made and submitted to the City Clerk of Minneapolis of votes cast at the City General Election on November 6, 1984, on proposed Amendment No. 101 to the Minneapolis City Charter which provides an Executive Committee composed of the Mayor, City Council President and up to three other City Council Members. This Executive Committee would nominate city department heads; the civil service commissioners and the city coordinator. The city coordinator would appoint the city purchasing agent, budget director and planning director. Other duties of the Executive Committee and the city coordinator would be prescribed by city ordinance or resolution. All Executive Committee nominations would be subject to full City Council approval.

Total number of registered voters was 290,494.

Total number of "Yes" votes was 87,211.

Total number of "No" votes was 42,780.

The number of votes necessary for the adoption of said proposed amendment was 51% of the total number of legal voters voting on the question or 66,295.

Total number of legal voters voting on the question was 129,991.

Said proposed Amendment No. 101 to the Minneapolis City Charter was accepted.

Adopted. Yeas, 9; Nays, none, as follows:

Yeas — Council Members Niemiec, Cramer, Schulstad, Hoyt, Dziedzic, O'Brien, Hilary, Coyle, Scallon—9.

Absent — Council Members White, Carlson, Sayles, Belton, President Rainville—4.

Passed November 20, 1984.

Approved November 20, 1984.
Donald M. Fraser, Mayor.

Attest: Lyle D. Lund, Asst. City Clerk.

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ADOPTED

Approved as to Accuracy:

Chair

TS

RECORD OF COUNCIL VOTE													
Council Member	Aye	Nay	N.V.	Abs.	Ovrd.	Sust.	Council Member	Aye	Nay	N.V.	Abs.	Ovrd.	Sust.
Dziedzic	X						Scallon	X					
O'Brien	X						Niemiec	X					
Hilary	X						Cramer	X					
White				X			Schulstad	X					
Coyle	X						Hoyt	X					
Carlson				X			Pres. Rainville				X		
Sayles Bolton				X									

X INDICATES VOTE -- N.V. - Not Voting Abs. - Absent Ovrd. - Vote to Override Sust. - Vote to Sustain

PASSED NOV 20 1984 19

APPROVED NOV 20 1984 19

NOT APPROVED

VETTED

ATTEST [Signature]
Assistant City Clerk

[Signature]
Mayor

#35672
O.D