

PUBLIC HEARING TO CONSIDER  
PROPOSED AMENDMENTS TO THE  
HAM LAKE CITY CHARTER

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD on Monday, February 1, 2010, in the Council Chambers of the Ham Lake City Hall at 6:30 p.m. to consider the following proposed amendments to the Ham Lake City Charter:

**1. Section 7.10 of the Ham Lake City Charter be amended to read as follows:**

SECTION 7.10            City Indebtedness

Except as provided in Sections 7.11 and 7.12, 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 of less than 50% of the current City annual general fund budget and/or not exceeding a total bond debt of more than 50% of the current City annual general fund budget, for which an election is not required by this charter or by law, and except in the case of obligations, regardless of dollar amounts, which are proposed and/or issued in connection with public improvement projects for which special assessments levied under the provisions of Minnesota Statutes Chapter 429 are used to repay such obligations in whole or in part, no such obligations shall be issued and sold without the approval of the majority of the voters voting on the questions at a general or special election.

**2. The last complete sentence of Section 2.03 of the Ham Lake City Charter be repealed, to be replaced by the following language:**

SECTION 2.03            Council Composition and Election:

“The Mayor shall serve for a term of four (4) years and/or until his/her successor is elected and qualifies.”

The foregoing language shall be effective for the mayoralty election to be held in November, 2010, for a term of office beginning in January, 2011, and for all subsequent terms of office for the office of Mayor.

**3. That the following language be added to the Ham Lake City Charter in Section 1.03, to read as follows:**

SECTION 1.03            Charter Commission Number and Membership Composition

The Charter Commission shall consist of seven persons, all residents of the City of Ham Lake, to be appointed in the manner provided by law. However, pursuant to the authority granted in Minnesota Statutes Chapter 410.05, Subdivision 1, the composition of the Charter Commission shall contain no more than two incumbent members of the Ham Lake City Council, including the Mayor.

**4. Section 5.06 of the Ham Lake City Charter be amended to read as follows:**

SECTION 5.06      Referendum

Petitions submitted under this Section must be received by the City Administrator no earlier than the day following the adoption of the ordinance by vote of the Ham Lake City Council, and no later than 29 days after publication of the ordinance. Petitions received outside of the foregoing time frame shall be of no force and effect.

**5. Section 7.06 of the Ham Lake City Charter be amended to read as follows:**

SECTION 7.06    Council Action on Budget

The budget shall be considered at the first regular monthly meeting of the Council in August and at subsequent meetings until a budget is adopted for the ensuing year. The meetings shall be so conducted as to give interested citizens a reasonable opportunity to be heard. The Council may revise the proposed budget but no amendment to the budget shall increase the authorized expenditures to an amount greater than the estimated income. The Council shall adopt the proposed budget in a manner consistent with timelines established by the Truth in Taxation law, 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 certifying the proposed amount of taxes provided in the budget, and the City Clerk shall certify the proposed tax resolution to the County Auditor in accordance with law. The Council shall hold a public hearing on the proposed budget and Five Year Capital Improvement Program in accordance with State law between November 29 and December 20. The Council shall also adopt a resolution approving the final budget and levying the final amount of taxes provided in the budget following the public hearing, and the City 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.

**6. Section 5.02 of the Ham Lake City Charter is hereby amended to read as follows:**

SECTION 5.02    Petitions

An initiative or referendum shall be initiated by a petition signed by registered voters of the City equal in number to 5 percent of those who were registered to vote as of the completion of voting at the last preceding City election. Each petition shall be sponsored by a committee of five voters whose names and addresses and phone numbers shall appear on the petition. A petition may consist of one or more pages, but each paper circulated separately shall contain at its head or attached to it the statement required by Section 5.05 or 5.06, as the case may be. Each signer shall sign his/her name and give his/her street address. Each separate page of the petition shall have appended to it a certificate, verified by oath, that each signature is the genuine signature of the person whose name it purports to be. The person making the certificate shall be a resident of the City. Any person whose name appears on a petition may withdraw his/her name by a statement in writing filed with the City Clerk before the City Clerk advises the Council of the sufficiency of the petition.

**2. Section 3.08 of the Ham Lake City Code is hereby amended to read as follows:**

SECTION 3.08            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. If the City Council determines that publication of the title and summary of an ordinance would clearly inform the public of the intent and effect of the ordinance, the Council may by a four-fifths vote of its members direct that only the title of the ordinance and a summary be published with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the office of the City Clerk and any other location which the Council designates. A copy of the entire text of the ordinance shall be posted in the community library, if there is one, or if not, in any other public location which the Council designates. Prior to the publication of the title and summary the Council shall approve the text of the summary and determine that it clearly informs the public of the intent and effect of the ordinance. The publishing of the title and summary shall be deemed to fulfill all legal publication requirements as completely as if the entire ordinance had been published. To the extent and 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.

Both proponents for and opponents against such amendments shall be heard.

Dated: January 15, 2010

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Doris A. Nivala, Administrator