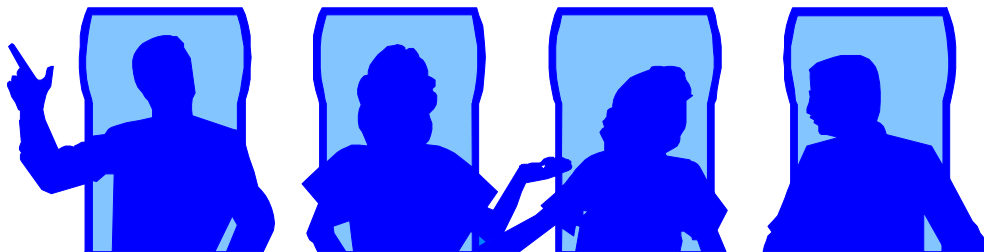




CITY OF HASTINGS

2016 MUNICIPAL

CANDIDATE INFORMATION



City of Hastings
2016 Municipal Candidate Information

The following is general information for the benefit of citizens of Hastings regarding the candidate filing and election process for municipal office in the City of Hastings. The process is governed by Minnesota State Statutes, Chapters 200 through 211B, which regulate all elections and campaign practices of Federal, State and local candidates and their committees in Minnesota Elections.

If you have questions or need information, call the Deputy City Clerk’s office at (651) 480-2343.

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Minnesota Campaign Manual 2016

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Affidavit of Withdrawal

May, 2014

General Information

The Hastings City Council is composed of the Mayor, four Ward Council Members (one representing each ward), and two At-Large Council Members. All members are elected by and from the electors of the City at large. The Mayor and the Council Members hold their terms for four (4) years. The terms for Ward Council Members are staggered with the Mayor and the two At Large Council Members.

Municipal elections are non-partisan. The candidate names are placed on the ballot without party designation.

The City implements Primary Elections. A Primary Election for an office shall only be held if the number of candidates is more than twice the number of individuals to be elected to the office. If three or more file for Mayor or a Ward Council Member, those candidates will appear on the Primary Election Ballot on August 9, 2016.

The regular municipal election is held on the first Tuesday after the first Monday in November in each even-numbered year. In 2016, the election will be held on November 8.

By law, the polls open on Election Day at 7:00 a.m. and close at 8:00 p.m.

The City Clerk is the official in charge of administering the municipal election. State law is very specific as to the conduct of the election and every effort is made to conform throughout the entire process so as to ensure a fair, honest election.

No public meetings are to be held between 6:00 p.m. and 8:00 p.m. on Election Day. This includes the School Board, Board of County Commissioners and City Council. (*M.S. 204C.03, Subd. 1*)

The returns of the election must be canvassed by the City Council within 3 days after the primary and between the 3rd and 10th day after the general election. Candidates become elected by receiving the highest number of votes.

A certificate of election is delivered by the City Clerk to the elected candidate no sooner than seven days after the canvassing board has declared the results, unless the election has been contested or the candidate fails to file all necessary campaign financial reports. A losing candidate may request a recount of vote according to M.S. 204C.36. Any voter may contest any election procedure according to M.S. Chapter 209. Generally, the request or complaint must be filed within seven (7) days after the canvass is completed. If contest is based on serious deliberate and material violation of laws discovered in the financial report, contest must begin within 10 days after the report is filed.

Candidate Filing Information

A candidate for elective office must be an eligible voter in the State of Minnesota and must:

- be 21 years of age on or before the date he/she would take office
- must reside in their district for at least 30 days before the General Election
- must have no other affidavit on file for any other elected office (*exception: soil & water conservation supervisor - MN Statute 204B.06*).

A person may qualify for being a candidate by filing an Affidavit of Candidacy in the office of the City Clerk.

A fee of five dollars (\$5.00) is to be paid at the time of filing.

In place of the filing fee, the candidate may present a petition at the time of filing an affidavit. The petition may be signed by individuals eligible to vote for the candidate. The number of signatures required is the lesser of: 500 signatures or 5 percent (5%) of the total number of votes cast in the municipality at the preceding City election at which that office was on the ballot.

A candidate's name may also be placed on the ballot by an application signed by not less than five (5) voters and filed with the City Clerk. The petition must contain the same information about the candidate as the Affidavit of Candidacy. A copy must be given to the proposed candidate before filing. Proof that the candidate received the copy must be provided by the candidate's endorsement on the application or a separate affidavit attesting to receipt. A five dollar (\$5.00) filing fee is due when the voters file the petition.

Candidates may withdraw by filing an Affidavit of Withdrawal with the City Clerk before 5:00 p.m. two days after the last day of filing Affidavits of Candidacy. Withdrawal after that time is not allowed. The filing fee will not be refunded upon withdrawal.

2016 Filing Dates

Filings open:

**Tuesday, May 17, 2016
8:00 a.m.**

Filings Close:

**Tuesday, May 31, 2016
5:00 p.m.**

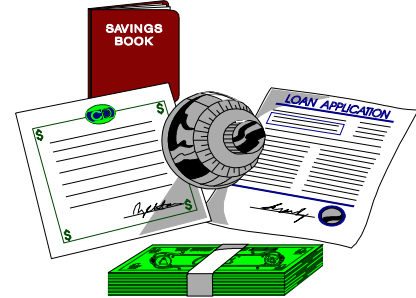
(Because Monday, May 30, 2016 is a holiday on which unnecessary public business is prohibited by law, neither affidavits of candidacy nor nominating petitions will be accepted for filing and will not be processed on May 31, 2016. However, nominating petitions may be circulated and signed.)

Campaign Financial Reporting

Candidates and their committees for elective office are responsible for adherence to the provisions of Minnesota Statutes 211A and 211B regarding Campaign Financial Reporting and Fair Campaign Practices.

Enclosed for your use are the following:

- Minnesota Campaign Manual.
This contains a digest and the text of Chapters 211A and 211B.
- Campaign Financial Report Forms.
These are to be filed as indicated by the provisions of M.S. 211A.02.



As a candidate for municipal elective office, you are responsible for fulfilling the requirements of Minnesota Statutes Chapter 211A, Campaign Financial Reporting.

A summary of several important dates regarding Campaign Financial Reporting related to the November 8, 2016 General Election is as follows:

INITIAL REPORT

A committee or a candidate who receives contributions or makes disbursements of more than \$750 in a calendar year shall submit an initial report to the filing officer within 14 days after the candidate or committee receives or makes disbursements of more than \$750. Reporting dates for candidates and committees after the required initial report are as follows:

TEN DAYS BEFORE THE GENERAL ELECTION

October 28, 2016

CAMPAIGN FINANCIAL REPORT CERTIFICATION OF FILING

November 15, 2016

Each county, municipal or school district level candidate shall certify to the filing officer that all reports required by Minnesota Statutes 211A.02 have been submitted to the filing officer or that the candidate or committee has not received contributions or made disbursements exceeding \$750 in the calendar year. The certification shall be submitted to the filing officer no later than seven days after the general election.

A certificate of election will not be issued to a candidate who has not certified that all reports required by M.S. 211A.02 have been filed.

30 DAYS AFTER THE GENERAL ELECTION

December 9, 2016

JANUARY 31, 2016

The Committee or candidate must file a report by January 31 of each year following the year when the initial report was filed or until a final report is submitted.

FINAL REPORT

A candidate or committee may file a final report when all debts have been settled and all assets in excess of \$100 in the aggregate are disposed of. The final report may be filed at any time and must include the kinds of information contained in the financial statements required by M.S. 211A.02 for the period from the last previous report to the date of the final report.

NOTICE OF FAILURE TO FILE

If a candidate or committee fails to file a report on the date it is due, the filing officer shall immediately notify the county attorney of the county where the candidate resides or where the committee headquarters is located. The county attorney shall then immediately notify the candidate or committee of the failure to file. If a report is not filed within ten days after the notification is mailed, the county attorney shall proceed under M.S. 211A.08.

THIS IS ONLY A SUMMARY TO HELP INFORM YOU REGARDING REPORTING DATES AND REQUIREMENTS. PLEASE REFER TO THE FULL TEXT OF MINNESOTA STATUTES CHAPTER 211A FOR COMPLETE INFORMATION.



CITY OF HASTINGS
Dakota County, Minnesota

Election Campaign Signs

The City, County and State have regulations that govern the placement of temporary election signs. The text of the Hastings City Code Chapter 155.08, the Dakota County Board of Commissioners Resolution and information from the Minnesota Dept. of Transportation regulating signs is provided in this information folder.

The following Minnesota state statute applies:

M.S. 211B.045 Noncommercial Signs Exemption

In any municipality, whether or not the municipality has an ordinance that regulates the size or number of noncommercial signs, all noncommercial signs of any size may be posted in any number from June 24, 2016 in a state general election year until ten days following the state general election.

All candidates and their representatives desiring to post campaign signs within the City are requested to place their signs in a suitable location clear from the public rights of way. The City's current sign regulations prohibit the installation of all signs upon the public right of way or property and in city parkland unless erected by a governmental unit for identification or traffic safety. To ensure traffic safety, each candidate is asked to please erect their campaign signs out of all street rights of way. The street right of way typically occurs one foot behind the sidewalk on major thoroughfares and collector streets. For local streets in most residential areas without sidewalks, the street right of way line is normally located 15 feet behind the curb. For more details on street rights of way lines, the Engineering Department may be contacted at (651) 480-6185. Signs illegally placed within the public rights of way may be impounded by the City.

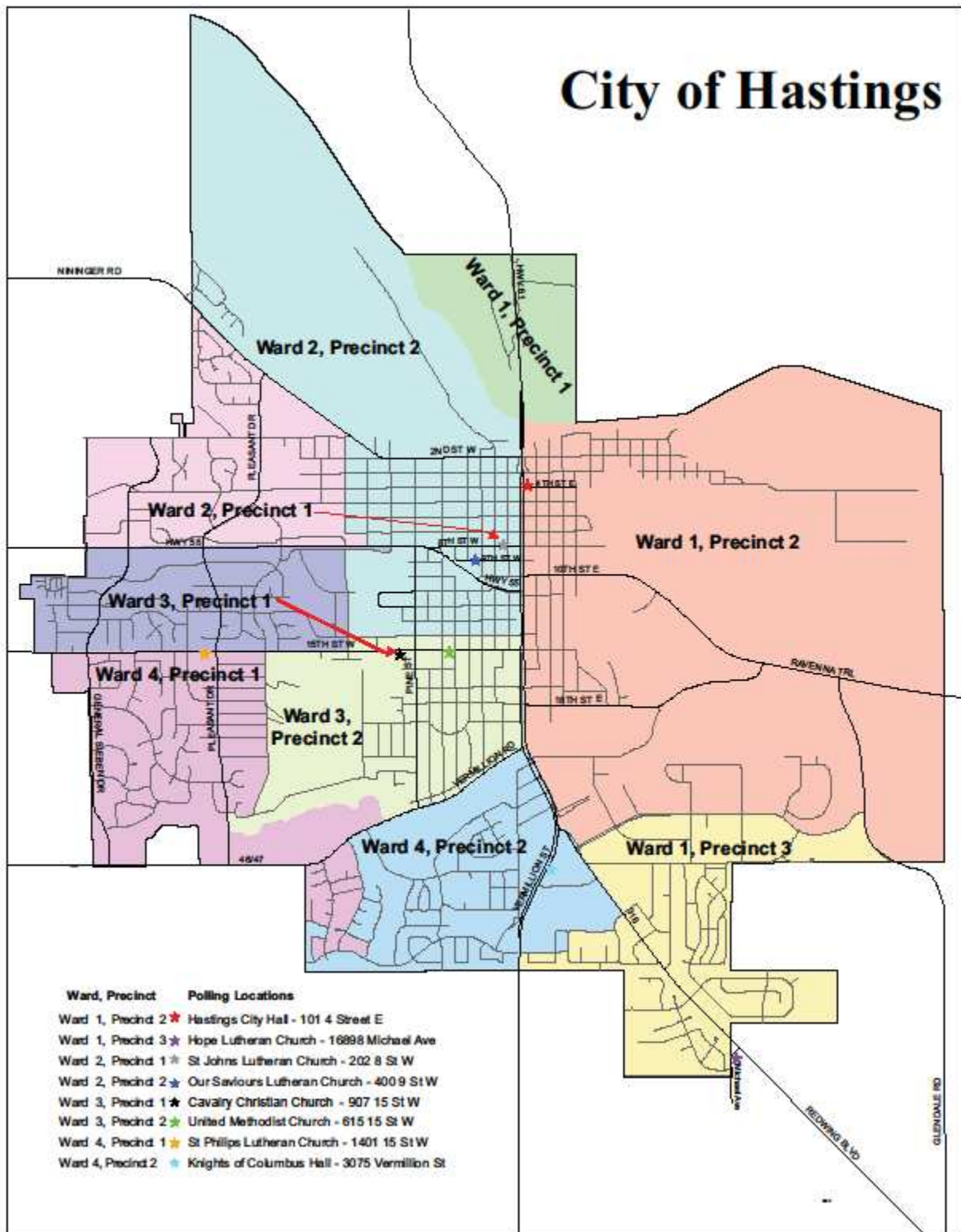
All signs should have the name, address, and phone number of the committee or person responsible for their placement and, of course, signs placed on private property need the permission of the owner.

Your cooperation in complying with these regulations will be greatly appreciated.

2016 Polling Locations for City of Hastings

Ward 1, Precinct 1	Mail Ballot (Washington County)
Ward 1, Precinct 2	City Hall (101 4 th Street East)
Ward 1, Precinct 3	Hope Lutheran Church (16898 Michael Avenue)
Ward 2, Precinct 1	St. John's Lutheran Church, 202 8 th Street West
Ward 2, Precinct 2	Our Saviour's Lutheran Church (400 9 th Street West)
Ward 3, Precinct 1	Calvary Christian Church (907 West 15 th Street)
Ward 3, Precinct 2	United Methodist Church (615 15 th Street West)
Ward 4, Precinct 1	St. Philip's Lutheran Church (1401 15 th Street West)
Ward 4, Precinct 2	Knight's of Columbus Hall (3075 Vermillion Street)

City of Hastings



Statement of Economic Interest

A STATEMENT OF ECONOMIC DISCLOSURE MUST BE COMPLETED BY EACH CANDIDATE AND EACH PERSON WHO HOLDS AN ELECTIVE OFFICE IN A METROPOLITAN GOVERNMENTAL UNIT, WHICH INCLUDES CITY OF BURNSVILLE ELECTIVE OFFICES

WHO MUST FILE? A candidate or holder of an elective office in a Metropolitan Governmental Unit or a local official who is appointed to or employed in a public position in a Metropolitan Unit in which the person has the authority to make, to recommend, or to vote on as a member of the governing body, major decisions regarding the expenditure or investment of public money.

WHEN DO I FILE? The Statement of Economic Interest is filed within **14 days** of filing an affidavit of candidacy.

WHAT DO I FILE? Every candidate must file the Statement of Economic Interest (Form ET-32).

WHERE DO I FILE IN THE CITY OF HASTINGS? The statement should be filed with the Deputy City Clerk, 101 East 4th Street, Hastings, MN 55033.

WHAT IF I HAVE QUESTIONS? Please refer to Minnesota Statute Chapter 10A, the Ethics in Government Act, for a complete copy of the law. You may also call the staff of the MN Campaign Finance & Public Disclosure Board (formerly Ethical Practices Board) at 651-296-5148.

**PUBLIC DISCLOSURE TO
CITY CODE SECTION 31.36
CITY OF HASTINGS, MINNESOTA**

I, the undersigned, a public official as defined in Hastings City Code Section 31.36 (as attached), being first duly sworn upon, depose and state:

1. That the following constitutes the address and/or legal description of each **parcel of real estate**, situated in the City of Hastings (other than real estate occupied by said public official as a personal residence) in which the undersigned directly or indirectly holds any interest, including the right to occupy said property (describe interest held):

2. That the following constitutes the names of all businesses, corporations, companies, firms, partnerships, or other business enterprises doing business with or in the City of Hastings, in which said public official is connected thereto as an employee, owner, director, officer, adviser or consultant, or in which said public official has a **continuing financial interest** through ownership of stock or a beneficiary of any pension or retirement plan (describe position or interest).

3. That the interests set forth in item 2 include any interest therein of the undersigned's spouse, minor child or other member of the undersigned's household.

That I, the undersigned, have read and are familiar with the provisions of the Ethics Code enacted by the City Council of the City of Hastings, as City Code 31.30; the requirements of said City Ordinance with respect to the making and filing of this Public Disclosure Statement; and the penalties set forth in said Ordinance for violation of any provision thereof.

Printed Name

Signature

Date

Subscribed and sworn to before me this ____ day of _____, 20____

HASTINGS CITY CODE

CHAPTER 31: CODE OF ETHICS

§ 31.31 DECLARATION OF POLICY.

The proper operation of democratic government requires that public officials be independent, impartial, and responsible to the people; that governmental decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established by this subchapter, a code of ethics. The purpose of this code is to establish ethical standards of conduct. The provisions and purpose of this code are hereby declared to be in the best interest of the City of Hastings, Minnesota. (Prior Code, § 2.81)

§ 31.33 DEDICATED SERVICE.

(A) All public officials of the City of Hastings should be loyal to the political objectives expressed by the electorate and the programs developed to attain those objectives.

(B) Public officials should not exceed their authority or break the law, or ask others to do so. They should work in full cooperation with other public officials unless prohibited from doing so by law. (Prior Code, § 2.81)

§ 31.34 FAIR AND EQUAL TREATMENT.

(A) No public official shall request or permit the use of City-owned vehicles, equipment, materials, or property for personal convenience or profit, except when the services are available to the public generally or provided by municipal policy for the use of the public official in the conduct of official business.

(B) No public official shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen. (Prior Code, § 2.81)

§ 31.35 CONFLICT OF INTEREST.

(A) No public official shall engage in any business or transaction or shall have a financial or other personal interest direct or indirect, which is incompatible with the proper discharge of their duties in the public interest or which impairs their independence of judgment or action in the performance of their official duties. This includes an interest arising from blood or marriage relationships, close business, or political association.

(B) The following acts, although not intended to be all inclusive, shall be deemed to be a conflict of interest:

- (1) Incompatible employment as provided by Minnesota Statutes;
- (2) Use of confidential information, obtained as a result of public position, for personal gain;
- (3) Soliciting of personal gifts and favors by a public official;
- (4) Use of official position for personal gain;
- (5) Representation by a public official of private interests before City governmental agencies and participation in the profits from the representation; and
- (6) Contracting with the City by a business in which a public official has a substantial or controlling interest. (Prior Code, § 2.81)

§ 31.36 PUBLIC DISCLOSURE.

(A) Each public official of the City of Hastings shall file for public record in the office of the City Clerk, a sworn statement in a form approved by the City Council and which must contain, at a minimum, the following information:

- (1) The names of all businesses, corporations, companies, firms, partnerships, or other business enterprises, doing business with or in the City of Hastings, in which the public official is connected thereto as an employee, owner, director, officer, adviser, or consultant, or in which the public official has a continuing financial interest, through ownership of stock or as a beneficiary of any pension or retirement plan;
- (2) A description of all parcels of real property, other than property occupied by the public official as a personal residence, in which the public official has any interest, including the right to occupy any such property; and
- (3) The interest of a spouse, or minor child or other member of the immediate household of any public official shall be considered an interest of the public official for purposes of filing the statement required.

(B) Each person who becomes a public official shall, within 30 days after assuming the office or position, file a public disclosure required by this section.

(1) Following an initial filing, the information on that filing shall remain in effect and all public officials will continue to attest to its truth. Within 30 days of any change to the information on the initial filing and following any reappointment or reelection, all public officials shall file a new sworn statement with the City Clerk. City staff members covered under this provision shall fill out an initial filing and shall thereafter complete any amended filings within 30 days of any change to the information on the initial filing or at least every 4 years, in the years in which the Mayor and at large Councilmember seats are up for election, whichever comes first. (Am. Ord. 511, passed 4-5-2004)

(2) This subchapter shall not be construed to require the filing of any information relating to any person's connection with any professional society or any charitable, religious, social, fraternal, recreational, civil or political organization or any similar organization not conducted as a business enterprise.

(3) The City Administrator shall inform each person who is required to file a statement, the time and place for filing, and shall furnish each such person with a copy of this subchapter and the required statement form. The City Administrator shall inform the City Council when any person, who is required to file a statement, fails to file the statement in a timely manner. (Prior Code, § 2.811-8-2: ETHICS IN GOVERNMENT:

Minnesota Statutes, chapter 10A, Ethics in Government, is incorporated herein by reference. (Ord. 462, 9-8-92)

1-8-16: PERSONAL CONFLICTS OF PUBLIC OFFICIALS:

Any public official, who has a potential conflict of interest, as defined in this Chapter, shall publicly disclose the conflict before taking part in any action, discussion or vote pertaining to the matter. This provision shall not be interpreted to permit any act otherwise prohibited by law. (Ord. 235, 12-21-81)

1-8-17: GIFTS AND FAVORS:

No public official shall accept any valuable gift, whether in the form of money, service, loan, thing or promise from any person which to the official's knowledge is concerned, directly or indirectly, in any manner whatsoever in business dealings with the City; nor shall any public official:

- (A) Accept any gift, favor or thing of value that may tend to influence the official in the discharge of the official's duties; or
- (B) Grant in the discharge of the official's duties any improper favor, service or thing of value, or accept an offer which would not have been given if the official were not an official; or
- (C) Accept or receive anything of value through sale or gift of goods or services which would result directly or indirectly from the official's position as a public official of the City. (Ord. 235, 12-21-81)

1-8-18: USE OF CITY EQUIPMENT AND FACILITIES:

No public official shall request or permit the unauthorized use of City-owned vehicles, equipment, materials, property, labor or services for personal convenience or profit. (Ord. 235, 12-21-81)

1-8-19: DISTRIBUTION OF INFORMATION TO OFFICIALS:

The City Clerk shall distribute a copy of this Chapter to every public official within thirty (30) days after enactment of these sections. The City Clerk shall also distribute a copy of this Chapter to every subsequently elected or appointed public official within fourteen (14) days of the public official's election or appointment to public office, and every candidate for City office upon the candidate's filing for office. (Ord. 235, 12-21-81)

***Adeline Schroeder, Deputy City Clerk
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fax: 651-437-1654***