

Proposed amendments to the City Charter.

AN ACT AUTHORIZING THE CITY COUNCIL TO CONSERVE OR REBUILD SIDEWALKS, SEWERS AND TO MACADAMIZE OR PAVE STREETS AND TO ASSESS THE BENEFITS THEREOF UPON THE LOTS OR PARCELS OF LAND ADJOINING THE SIDEWALK, SEWER OR STREET, TO MAKE ASSESSMENTS PAYABLE IN FROM 3 TO 10 ANNUAL INSTALLMENTS WITH INTEREST, AND AUTHORIZING THE CITY TO ISSUE ORDERS THEREFOR, BEARING INTEREST.

Section 1.

Whenever the City Council, on their own motion or on a petition by the property owners, shall order any sidewalk or sewer to be constructed or rebuilt, or any street to be macadamized or paved, where property is assessed for the benefits thereof the Council shall decide the manner and time of payment of benefits and may provide that the amount of benefits assessed shall be payable in from three to ten equal annual installments; which benefits shall be and become a charge against the property and assessed thereon, as in the case of County, State, and other City taxes and payable in such number of annual installments and with such interest not exceeding 6 % as the Council shall determine.

Section 2.

If the assessments for benefits are not paid within twenty days after said walk or sewer has been fully constructed or rebuilt or street macadamized or paved, the Council may issue or cause to be issued, the orders of the City, for the aggregate amount of the unpaid balance of each of said assessments, payable in from three to ten annual installments, each of which installments shall be represented by a separate order, bearing interest at a rate to be determined by said Council, not exceeding six per cent per annum from their date until maturity, and payable as follows:

One payable on or before the 1st day of June, of the year next following the issuing thereof; one payable on the first day of June each and every year until all are paid.

Said orders may be issued, negotiated and sold by the City for not less than their face value.

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All said orders shall be in substantially the following form;

----- Dated at the City of Montevideo, Minnesota,-----19---

The Treasurer of the City of Montevideo will pay to the bearer hereof the sum of-----Dollars and -----cents on or before the 1st day of June 19----- with interest thereon at the rate of---- per cent per annum from date hereof until maturity. This order represents ---- -----of the amount expended in the construction of ----- in the City in the year-----.

A record of all said orders shall be made and kept by the City Clerk which record shall show the date same was issued, amount of order, date when due, to whom sold, amount sold for, and for what purpose same was issued, when the same was paid, and the amount paid as shown by the treasurer's books.

Books shall be provided for said purpose.

Section 3.

After the completion of said walks, sewers, macadamizing or paving of streets as aforesaid by the City Council, the City Council shall annually, on or before the first day of October of each year, until the whole of said assessments have been levied as herein provided, cause a statement of the amount of one of said annual installments with six per cent annual interest thereon computed from the time of completion of said work to the first day of June following the making of said levy added thereto, to be transmitted, with the City taxes for that year, to the auditor of the county, and the said auditor shall insert the same with the other taxes in the duplicate statement of taxes annually transmitted by him to the county treasurer for collection and payment thereof, and the same shall be enforced with, and in like manner, as City, County and State taxes are collected and payment thereof enforced.

After the completion of said walk, sewer macadamizing or paving of streets, the owner or owners of said land adjoining same, or interested therein, shall have the privilege of paying all or any portion of the costs of construction thereof at any time within twenty days there-

after, and before said levy has been made, and the amount so paid shall be deducted from the amount of the assessment.

PROPOSED AMENDMENT **** TAXPAYERS APPEAL FROM ALLOWANCE OF CLAIM.

No order shall be issued or signed for the payment of any claim until ten days after the allowance thereof, within which time any five taxpayers of the City may appeal from such allowance to the District Court of the County. To effect such appeal, they shall pay to the clerk a fee of fifty cents (\$.50), and serve upon him a notice setting forth the fact of the appeal, the claim referred to, and the date and amount of its allowance, and thereafter no order shall issue until the appeal is determined. The Clerk shall forthwith file the copy of notice served, and transmit to the clerk of said court the original affidavit and claim, with a certified copy of the minutes of all council proceedings relating thereto. Upon proof being filed with said clerk of the service of said notice, the court shall have jurisdiction of said claim, 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.

The foregoing is a draft of proposed amendments to the Charter of the City of Montevideo, framed and adopted by the Commission appointed by the judges of the District Court of the 12th Judicial District of the State of Minnesota, under and pursuant to section thirty-six of Article four of the Constitution of said State and Sections 748 to 756, inclusive, of the Revised Laws of Minnesota for the year 1905 and acts amendatory thereof, and said draft of said amendments is hereby returned to the Hon. A. I. McCargar Mayor of the City of Montevideo, according to law.

Dated at Montevideo, Minn. April 8, 1910.

Lloyd G. Mayer
C. A. Sherdahl
S. E. Claggett
J. M. Severens,
Elias Jacobson,

Chas. H. Pudd,
Pres. Pro tem
C. A. Fosnes
Clerk.
F. J. Rubertus
F. E. Bentley
Ole Johnsrud
Charter Commission.

State of Minnesota,)
County of Chippewa,) ss.
City of Montevideo.)

I, A. L. McCargar, Mayor of the City of Montevideo, in the County Chippewa and State of Minnesota, do hereby certify, that the foregoing proposed Amendments to the City Charter were, on the 9th day of April 1910, returned and delivered to me, as such Mayor, by the Charter Commission duly appointed under the provisions of Section 36 of Article 4 of the Constitution of Minnesota of 1905, and acts amendatory thereof and supplemental thereto, to be submitted to the voters of the said City, according to law

Witness my hand this 4th day of June 1910.

A. L. McCargar
Mayor.

State of Minnesota,)
County of Chippewa,) ss.
City of Montevideo.)

I, J. M. Severens, City Clerk of the City of Montevideo, in the County of Chippewa and State of Minnesota, do hereby certify, that at a Regular Meeting of the City Council of said City held on the 18th day of April 1910, at which meeting all the members of the City Council were present and voting, the following resolution was adopted:

" Whereas the Board of Free holders of this City has proposed certain amendments to the City Charter of this City.

Therefore, resolved That said proposed amendments be published for thirty days in the three news papers of this City, and that a Special Election be held on Tuesday the 31st day of May 1910, for the purpose of voting on said proposed amendments."

Dated this 4th day of June 1910.

J. M. Severens
City Clerk.

By Effie Fomke Uepf

State of Minnesota,)
County of Chippewa,) ss.
City of Montevideo.)

I, A. L. McCargar, Mayor of the City of Montevideo, in the County of Chippewa and State of Minnesota, do hereby certify, that the foregoing proposed amendments to the City Charter of said City were duly submitted to the qualified electors of said City at a Special Election held in the several election precincts of said City for that purpose on the 31st day of May 1910, at which said Special Election the said proposed amendments to the City Charter were ratified, as follows:

1- Shall the proposed published amendment to the City Charter, authorizing the City Council to construct or rebuild sidewalks, sewers to macadamize or pave streets and to assess the benefits thereof upon the lots or parcels of land adjoining the sidewalk, sewer or street, to make assessments payable in ~~ff~~ from three to ten annual installments, with interest, and authorizing the City to issue orders therefore, bearing interest, be ratified?)
Yes, received One Hundred Forty-eight (148) votes.)
No, received Fifty-seven (57) votes.)

2- Shall the proposed published ~~to~~/~~the~~ amendment to the City Charter, providing for Taxpayers appeal from allowance of claim, be ratified?)
Yes, received One Hundred Fifty-eight (158) votes.)
No, received Forty-eight (42) votes.)

The number of votes cast at said Special Election was Two Hundred and Ten (210).

Given under my hand and the seal of said City this 4th day of June 1910.

Attest:

J. M. Severens
City Clerk.

By Effie Tomik, Deputy.

A. L. McCargar
Mayor.

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