

State of Minnesota)
County of Watonwan)SS.
City ~~St. James~~)

I hereby certify that the foregoing Proposed Amendments to the City Charter of The City of St. James, Minnesota, by the Board of Freeholders of the City of St. James, Watonwan County, Minnesota, was submitted by the City Council of the City of St. James to the qualified voters thereof at a special election held in and for said city on the 23rd day of September, 1919, at which said election said proposed amendments were duly ratified and adopted by a vote of one hundred fifteen in favor of the proposed amendments and fifty-six votes against the proposed amendments.

Dated this 26th day of September, 1919.



Mayor

2432

PROPOSED AMENDMENTS TO THE CITY CHARTER OF THE CITY OF ST. JAMES.

By the Board of Freeholders of the City of St. James, Watonwan County, Minnesota.

Amending section 89 of the Charter of the City of St. James, adopted March 26, 1918, to read as follows:

Power to Borrow Money or Incur Debt. Sec. 89. The City may issue bonds by resolution as follows:

(1) For the purpose of constructing, maintaining, extending, enlarging or improving suitable water or light plants or for the purpose of acquiring any real estate or other property needed in connection with any such plant and such bonds shall be a first lien upon all water and light plants and structures of any kind, if issued for both, and if for one only upon the appliance and structures thereof, and all property acquired for use in connection therewith.

(2) For the purpose of raising not to exceed Five Thousand Dollars for a permanent improvement revolving fund provided for in this Charter, in order to provide money for any contemplated local improvement, and such bonds shall constitute a first lien upon such local improvements and upon the property benefited thereby and to be assessed therefor to the amount of such assessment.

(3) For defraying the cost of making local improvements, in intersections of streets, alleys and in front of property exempt by law from special assessments, and property owned by the City.

(4) For defraying the cost of establishing and maintaining a general system of storm and sanitary sewers, and of maintaining, altering, relaying, extending and improving such sewers and the existing system of sewers.

(5) For defraying the cost of establishing and maintaining a drainage system or system for low and wet lands within the corporate limits of the city together with a drainage for the overflow of Lake St James and for the purpose of acquiring any real estate or other property needed in connection with any such drainage and drainage systems.

(6) For the purpose of paying, funding or refunding any bonded indebtedness of the city, existing at the time this Charter goes into effect, or created at any time as authorized by this Charter together with the refunding of any outstanding warrants at the time of the adoption of this amendment. The city by resolution may issue its certificates or other evidence of indebtedness, in anticipation of any taxes or assessments, levied upon any portion of the taxable property of the city, as provided for herein. Such resolution for the issuance of bonds or certificates may provide that the same shall be general obligations of the city, or that they will not be general obligations, but shall be payable out of any specified taxes, assessments, funds, or liens held by the city, or may limit the city's liability thereon in any other manner, or may guarantee that the city shall pay the same, provided, that the bonds issued under subdivisions, one, two, three, four and five above mentioned, shall be general obligations of the city.

Provided that upon the filing of a petition with the City Clerk within thirty (30) days from the publication of any resolution providing for the issuance of the bonds of the City, signed by electors qualified to vote in said city equal in number to at least twenty (20) per cent of the entire vote cast for all candidates for Mayor at the last preceding general municipal election wherein a candidate for Mayor was elected, and in no event less than fifty (50) qualified electors, requesting that the question of issuing the bonds provided for in the published resolution be submitted at a

special election called for that purpose, or at a general election if one is to be held within one hundred twenty (120) days from the date of the publication of said resolution, then within ten days after the date of filing such petition the City Clerk shall ascertain from the voters register whether or not said petition is signed by the requisite number of qualified electors, and, if necessary the Council shall allow him extra help for that purpose; and he shall attach to said petition his certificate showing the result of said examination. If, by the City Clerk's certificate, the petition is shown to be insufficient, it may be amended within ten days from the date thereof. The City Clerk, shall, within ten days after such amendment, make like examination of the amended petition, and if his certificate shall show the same to be insufficient it shall be returned to the person filing the same without prejudice however, to the filing of a new petition to the same effect but which last petition must be filed within ten days from the return thereof to the person who filed the same; if the petition be deemed sufficient the City Clerk shall submit the same to the City Council without delay, and thereupon the Council shall order the same filed and submit the question of issuing the bonds provided for by the resolution in question at a general or special election as hereinbefore provided for. Such election, whether general or special, shall be conducted in the same manner and with the same formalities as special and general elections are conducted under the general laws of this state.

The ballot to be used at such election shall have printed upon it this question: "Shall bonds to be issued to the amount of.....dollars for the purpose of....." Following and to the right of such question shall be printed or written two words, "Yes and No." The voter shall indicate his choice by an X marked to the right of "Yes" or "No," in a column prepared for that purpose on the ballot, according as he is in favor of, or opposed to, the issuance of said bonds and no such bonds shall be issued until such resolution has been approved by sixty-hundredths of the qualified electors voting at said election.

The city shall have authority to protect itself by acquiring title to any property subject to special assessment for local improvements, and shall have authority by ordinance to assign and convey any property so acquired, whether proceedings to acquire such title have been had prior to the going into effect of this Charter or thereafter and shall have the power in like manner to assign any lien of right of action held by the city on account of or arising out of any such assessments, as security for the payment of any bonds, certificates of indebtedness or other evidence of indebtedness mentioned in this section, or to provide that such bonds, certificates or other evidence of indebtedness mentioned herein, may be collected out of such property, liens or rights of action.

The council may, by resolution passed by three-fourths majority of the whole council, determine to sell, and after such determination may sell and convey, at a price not less than that named in such resolution, and upon such terms and security as specified in said resolution, any personal property of the city, which property is not used or needed, for city purposes; and the money and security realized from any such sale shall be turned into and become a part of the general fund of said city. Provided, that no city council shall sell any real estate, electric light plant, water plant or telephone system without first being authorized so to do by sixty per cent of the legal voters of said city voting at the election called for that purpose.

The debt of the city shall not be increased by bonds or otherwise beyond ten per cent of the total valuation of the taxable property of the city according to the last preceding assessment for the purpose of taxation, provided that bonds may be issued as above provided, for funding the city's bonded indebtedness whenever required and provided further certificates of indebtedness against taxes levied and assessed may be issued as hereinafter provided.

Bonds, warrants, certificates and other evidence of indebtedness of the city, authorized by this Charter shall in no event bear a greater rate of interest than six per cent per annum, and shall in no event be sold for less than the par value thereof.

Bonds to be sold by auction, sealed bids, or otherwise as the city council by resolution, may determine.

TAX CERTIFICATES.

(7) At any time the annual tax levy has been certified to the County Auditor, and not earlier than October 10th, in any year, the Council may by resolution passed by four-fifths majority of its members, issue and sell as many certificates of indebtedness as needed in anticipation of the collection of the taxes so levied, as aforesaid, for any special fund named in said estimates for the purpose of raising money for such special fund, but no certificates shall be issued for any of said separate funds, exceeding fifty per cent of the amount named in said tax estimate, to be collected for the use and benefit of said fund, and no certificate shall be issued to become due and pay-

able later than December 31st of the year succeeding the year in which said tax estimate, certified to the Auditor as aforesaid was made, and said certificate shall not be sold for less than par and accrued interest and shall not bear a greater rate of interest than six per cent per annum; each certificate shall state upon its face for which fund the proceeds of said certificate shall be used, and for the whole amount embraced in said tax estimate for the particular purpose. They shall be numbered consecutively and be in denominations of fifty dollars, or a multiple thereof, and may have interest coupons attached, and shall be otherwise of such form and terms, and be made payable at such place, as will best aid in their negotiations and the proceeds of the tax assessed and collected as aforesaid on account of said fund, and the faith and credit of the city are irrevocably pledged for the redemption of the certificates so issued.

Amending section 160 of Charter of the City of St. James, adopted March 26th, 1918, to read as follows:

Owners May Be Forced to Lay Branch Sewers and Water Pipes.

Sec. 160. The Council may, when any resolution is passed, approved and published for improving any street, alley or highway within the city, by resolution require the owners of the abutting property to lay branch sewers and water pipes from the mains to the curb or lot line of each lot, and in case any property owners neglect to lay such sewer or water pipe within twenty (20) days after the publication of such Resolution, the council may cause the same to be put in and assess the same against the lots or parcels of land for which said sewer or water pipes are laid as part of the assessment for the cost of improving any street, alley or highway.

Amending section 161 of Charter of the city of St. James, adopted March 26th, 1918 to read as follows:

Two or More Improvements at the Same Time.

Section 161. Two or more of said improvements, upon one or more streets, may be made at the same time, under one order, and may in that case be included in one contract.

If two or more improvements are included in one contract, the expense of each improvement shall be separately apportioned and assessed upon the lots and parcels of land benefited by such improvements, in proportion to such benefits, but such two or more improvements may be included in one assessment proceeding.

Amending section 173 of Charter of the city of St. James, adopted March 26th, 1918, to read as follows:

Assessments Payable in Installments.

Sec. 173. When such assessment is fully completed and has been confirmed and established, the council shall by resolution in writing, provide the manner in which such assessment shall be paid.

The Council May By Such Resolution Provide:

(1) That such assessment shall be paid within thirty days from the date of the notice provided by Section 170.

(2) That said assessment may be paid in any manner as provided by the Statutes of the State of Minnesota as in such case made and provided.

(3) That the owner, or any person interested in any lot or parcel so assessed and described in such assessment may at his election and written request pay the same in ten annual installments. If paid in installments, each of said installments shall bear interest at a rate to be determined by said resolutions not exceeding six per cent per annum, from the expiration of thirty days after the publication of the notice provided in Section 177 of this Charter.

Amending section 176 of Charter of the City of St. James, adopted March 26th, 1918; to read as follows:

Treasurer to Order Notice on Warrant.

Sec. 176. Upon the receipt of any warrant for the collection of any special assessments, the City Treasurer shall forthwith give notice by one publication in the official newspaper that such warrant is in his hands for collection, briefly describing its nature, the improvement for which the assessment was made, and the territory embraced in such assessment. Such notice shall require all persons interested to make payments within thirty days from the date of such notice. If said assessment is payable in installments, such notice shall state the manner in which such installments are payable. If payable in the manner provided in Section 173, said notice shall also state that the owner, or any person interested in any lot or parcel of land so assessed and described in such assessment, may at his election and written request, pay the assessment in ten annual installments.

To the Honorable C. T. Crowley, Mayor of the City of St. James, Watonwan County, Minnesota:

We, the undersigned, Board of Freeholders of the City of St. James, Minnesota, appointed and acting under and pursuant to the statutes in such cases made and provided, do hereby submit to you the foregoing proposed amendments to the City Charter of the City of St. James, in Watonwan County, Minnesota. Dated this 5th day of August, 1919.

E. A. GIBBS,
Chairman,
W. G. MANNING,
JOHN PEDVIN,

J. K. SONNESYN,
J. C. RANSEEN,
C. E. FULLER,
THOMAS TONNESSON,
G. E. GILBERTSON,
C. H. ENGELBRACHT,
C. C. ANDERSON,
G. A. SCHOPFMAN,
E. Z. RASBY,
J. L. LOBBEN,

Secretary.

STATE OF MINNESOTA, County of Watonwan, City of St. James.

I hereby certify that the foregoing proposed amendments to the City Charter of the City of St. James, Minnesota, proposed and signed by the Board of Freeholders of said City, was delivered to me on the 11th day of August, 1919.

C. T. CROWLEY,
Mayor.

2432