

NAME	Willmar, City of	
NATURE	Amendments to Charter of	
FILED	July 22, 1951	FILE No. 2654
		2654

V. E. LAWSON, MAYOR

HANS GUNDERSON, CLERK

**City of Willmar, Minnesota**

OFFICE OF THE CITY CLERK

WILLMAR, MINN.


State of Minnesota,  
County of Kandiyohi, { ss.  
City of Willmar. {

I, Victor E. Lawson, the duly elected, qualified and present Acting Mayor of the City of Willmar, Minnesota, do hereby certify that the within sixteen (16) Amendments to the Charter of the City of Willmar, Minnesota, submitted to the voters of said City at the Annual City Election held in and for said City on April 5 th, 1921, were each and every one duly carried and adopted by more than three fifths (3/5) vote of all the votes cast at said Election.

Given under my hand and seal of the City of Willmar, Minnesota, this 20 th day of July A. D. 1921.

  
\_\_\_\_\_  
Mayor City of Willmar, Minnesota.

Attest :

  
\_\_\_\_\_  
City Clerk of the City of  
Willmar, Minnesota.

**PROPOSED CHARTER AMENDMENTS**

The following Amendments to Sections 5, 6, 7, 8, 44, 61, 109, 175, 176, 177, 179, 180, 182, 183, 184, 188, 189 and 190 of the Charter of the City of Willmar, Minnesota, have been proposed and presented to the Mayor and City Council of the said City by the Board of Freeholders of said City and will be submitted to the Voters of said City of Willmar, for Ratification at the Regular ~~City Council Meeting~~ on ~~the 17th day of~~ Tuesday, the 5th day of April, A. D. 1921.

Dated at Willmar, Minnesota, February 15, 1921.

HANS GUNDERSON,  
City Clerk.

Willmar, Minn., Jan. 28th, 1921.

To the Honorable Mayor of the City of Willmar, Minnesota, and to the Honorable Council of said City:

The undersigned Board of Freeholders in and for said city herewith propose the following amendments to the Charter of the City of Willmar, Minnesota and respectfully request that the same be submitted to the electors of the said city for ratification:

**PROPOSED AMENDMENTS**

**First Proposed Amendment**

We propose that Section Five (5) of the said Charter of the said City be amended to read as follows: "ELECTIVE AND GENERAL PROVISIONS OF OFFICERS."

"Sec. 5. There shall be elected in the City of Willmar, a mayor, a treasurer, a clerk, two members of the council from each ward, who shall be known as aldermen, one justice of the peace from each ward and two constables from the city at large. Said officers shall be known as the elective officers of the city.

The appointive officers of said city shall be an auditor, an engineer, an assessor, members of the board of health, street commissioners, park commissioners and an attorney.

The appointive officers shall be appointed by the council. Such appointments shall be made by ballot, and it shall require the affirmative vote of a majority of all members of the council to appoint such officers."

The purpose of the proposed amendment is to make the office of assessor appointive by the council.

**Second Proposed**

**Fourth Proposed Amendment**

We propose that a new section, to be known and designated as Section Eight a (8a), be added to the said Charter to read as follows:

"PRIMARY ELECTION."

"Sec. 8a. On the third Tuesday preceding any general or special election, held for the purpose of electing city officers, an election of nominees, hereinafter designated as the 'primary election,' shall be held in each election district for the selection of candidates for all elective offices within the City of Willmar to be filled at such ensuing election.

The city clerk shall give at least ten (10) days' posted and published notice of the time and place of holding the same, of the hours during which the polls will be open, and of the offices for which candidates are to be nominated.

At such primary election the polls shall be kept open from 9 o'clock a. m. until 9 o'clock p. m.

The council shall appoint three judges in each election district for each general or special election, who shall appoint or select clerks of election, and such judges and clerks shall act on the day of such primary election as judges and clerks thereof, and vacancies may be filled and additional appointments made as in the case of elections. The compensation for services of judges and clerks of election shall be fixed by the city council.

At said primary election the judges shall make duplicate lists of all qualified voters who vote at such primary, and shall add thereto the names of all other persons entitled to vote at the ensuing election, containing the said names in alphabetical order and their places of residence. They shall cause copies of such lists to be posted in three public places in the district at least fifteen (15) days before the election.

At said primary election there shall be nominated by the qualified electors, two candidates for every office to be filled within the city at the next ensuing general or special election, which candidates shall be nominated as follows:

Each qualified voter shall be entitled to cast a vote for one person as a nominee for each elective office to be voted for in his election district and may write the name of such nominee in the proper place on the primary ballot furnished for such election.

It shall be the duty of the city clerk to provide a sufficient number of primary ballots for each election district, such ballots to have thereon the name or designation of each elective office to be filled and below each designation a blank line upon which the voter may write the name of his choice of a nominee for each office.

The city clerk shall also furnish the judges of election in each district with suitable tally sheets and blanks for

No fee shall be charged any candidate for the placing of his name on the official ballot as a candidate for any office."

The purpose of the proposed amendment is to provide a primary election system for the City of Willmar for the nomination of candidates for public office.

**Fifth Proposed Amendment**

We propose that Section Forty-four (44) of the said Charter of the said City be amended to read as follows: "APPOINTMENT—DEPUTIES."

"Sec. 44. The assessor must be a freeholder of the city, and for the past two years a resident and elector thereof. He shall be elected by the council at their first meeting in January of each year or within one month thereafter and he shall enter upon the performance of his duties at such time not later than May 1st of each year as the council may direct, but all assessments shall be made as of the date provided by the statutes of Minnesota. He shall, with the consent of the council, appoint such deputies as may be required to enable him to properly perform the duties of his office, and may discharge such deputies at will. He shall present the names of such deputies to the council for its approval at a regular meeting in April."

The purpose of the proposed amendment is to change the time of residence required of the assessor from five years to two years, and to permit the appointment of an assessor and the entering upon his duties at an earlier date than formerly in order that he may complete his work before the meeting of boards of equalization.

**Sixth Proposed Amendment**

We propose that Section Sixty-one (61) of the said charter of the said City be amended to read as follows: "ORGANIZATION—APPOINTMENT OF OFFICERS."

"Sec. 61. The annual meeting of the council shall be held on the 2nd Thursday after the annual election of each year at eight o'clock in the evening, at which meeting or within one month thereafter, all appointive officers of the city, whose selection is not otherwise provided for herein, shall be appointed by the council, except that the assessor shall be appointed at the time provided in Sec. 44 hereof."

The purpose of the proposed amendment is to harmonize said Sec. 61 with Sec. 5, Sec. 6 and Sec. 44, as amended above in regard to assessor.

**Seventh Proposed Amendment**

We propose that Section One Hundred Nine (109) of the said charter of the said City be amended to

construction or extension of any Water or Sewer Main, upon determining the necessity for the construction or extension of any such Water or Sewer Main by a resolution adopted by the affirmative vote of six aldermen or upon the receipt of a petition signed by the majority of the owners of the property to be benefited by such Water or Sewer Main, praying for the construction or extension of the same, the City Council shall, by motion, direct the city engineer, or such other officer or agent as it may direct for this purpose, to prepare an estimate of the probable cost of such Water or Sewer Main, and certify the same to the City Council. Upon receipt of such estimate, the City Council shall, if it determines to proceed, determine by resolution what proportion, or the total as the case may be, of the cost shall be assessed to property benefited, and it shall thereupon become the duty of the City Clerk, with the assistance of the city engineer, to prepare estimates of the assessments necessary to be levied upon the several parcels of property benefited to realize the sums required, and report the same to the City Council. Unless otherwise directed by the City Council such assessments shall be made upon the basis of the frontage of the parcels of the property affected. The City Council shall thereupon proceed to consider such estimates and may alter or revise the same, and adopt them in the form of a proposed resolution which shall also contain a provision setting a date not earlier than ten nor later than fifteen days thereafter, and calling a public hearing thereon, at which the City Council will sit for the purpose of hearing objections or protests to the proposed assessments. Upon such preliminary adoption of such proposed resolution it shall be the duty of the city clerk to mail to the last known post-office address of the owner of each parcel of property against which an assessment has been levied in such proposed resolution a notice of such assessment and of the hearing thereon, and to cause such proposed resolution to be published for one week in the official paper of the city. Upon the date appointed the City Council shall sit to hear protests or objections to the proposed assessments, and may adjourn from time to time until such hearings are complete. The City Council may then alter or revise such assessments as may be deemed proper. At the close of such hearing such resolution or revised resolution shall be put to the vote of the council and if adopted shall be final as to such assessment, provided, that the City Council shall have the power to levy supplemental assessments in case of actual cost of such Water or Sewer Main or extension thereof exceeds the estimates made; and provided further, that the council shall refund any assessment or part thereof which may have been unjustly or illegally collected. If the

placed in the a shall be used work done or n the construction Water or Sewer of certificates of on that account. assessments as he The City Cou to issue certifi of the City of V est at not more annum, and to less that par an amount for Sewer Main, or in excess of the sums already r the special as timate or actua tion of such W extension there certificates sha nearly as may of the installm assessments to Certificates of be issued unde ing the part of or Sewer Mai which is a cha Willmar, or w taxes or from a Water or S equal annual i than ten year tificates shall city at any in thirty days' n certificate to of the City of for the paym of indebtedne first from the assessments; s in case of a any there be levied for th The amount at any time included in indebtedness this charter Nothing con charter shall or abridging issue certifi account of or Water M The purpo ment is to cil of the C to lay Wat and to ass the cost of cil's own m therefore. Te A We prop dred Sever ter of the read as fo "Sec. 17 have pove

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### Amendment

We propose that Section Six (6) of the said Charter of the said City be amended to read as follows:

"Sec. 6. The term of office of the mayor, treasurer, and clerk shall be one year. The term of office of all other elective officers shall be two years, provided that at the first election one member of the council from each ward shall be elected for one year and one member from each ward for two years and thereafter for the term of two years.

The term of office of all appointive officers shall be one year, except as hereinafter otherwise provided. All terms of office under this charter shall be construed as beginning ten days after the election at which such officer is elected, except as herein otherwise specifically provided. All officers, whether elective or appointive, shall continue in office until their successors are elected or appointed and qualified, and in case an officer is elected or appointed to fill an unexpired term such term expires at the time the term of the original incumbent would expire."

The purpose of the proposed amendment is to harmonize said Sec. 6 with Sec. 5 as amended above in regard to assessor.

### Third Proposed Amendment

We propose that Section Seven (7) of the said Charter of the said City be amended to read as follows:

"Sec. 7. The regular election shall be held annually on the first Tuesday after the first Monday in April of each year, and the first regular election under this charter shall be held on the first Tuesday after the first Monday in April, 1902.

At said regular election there shall be elected the following officers, to-wit: The mayor, treasurer, clerk, two members of the council from each ward, one justice of the peace from each ward and two constables from the city at large, and annually thereafter successors shall be elected for all elective officers whose terms of office under this charter expire prior to the next following regular election.

The mayor, or in case of his refusal, the council may, by affirmative vote of the majority of all its members, call a special election of the voters of the city and provide for holding the same; the purpose of such election shall be clearly stated in such resolution, and no other matter shall be submitted thereat."

The purpose of the proposed amendment is to harmonize said Sec. 7 with Sec. 5 and Sec. 6 as amended above in regard to assessor.

election returns.

Immediately after the close of the polls, the judges shall proceed to canvass and count the votes cast at such primary election in public and continue until completed and the result declared, and they shall make returns to the city clerk within 12 hours after completion thereof.

The city council shall meet within three days after any primary election and canvass the returns of votes cast at such election and declare the results thereof.

The two persons having the highest number of votes for any elective office shall be notified of that fact by the clerk and shall be candidates for such office at the ensuing election, unless within two days after notification they, or either of them, file with the clerk a refusal to be a candidate, in which event the person or persons having the next highest vote shall be notified by the clerk and this process shall be continued until two candidates are secured, or the list of all those voted for at the primary shall be exhausted, and the person or persons so finally determined by this process to be the candidate or candidates shall be entitled to have their names placed upon the official ballot used at the ensuing election. In case of a tie vote the nomination shall be determined by the casting of lots in the presence of the clerk at such time and place and in such manner as he may direct.

Nothing herein shall be construed as prohibiting the nomination of any person as a candidate for any elective office by means of a certificate of nomination filed with the clerk at least ten (10) days before the election and signed by a number of qualified voters equal to at least ten per cent of the number voting at the last city general election for the office in question, as provided by the statutes of Minnesota relating to 'nomination of voters' but no such certificate shall be signed until after the holding of the primary election and no person shall sign such petition who voted in the primary.

The clerk shall provide a sufficient number of blanks for such election for each election district and shall print thereon, under headings properly designating each official position, the names of the candidate or candidates nominated at the primary election, together with the names of all who may have been nominated by a certificate of voters, leaving a blank space or blank spaces, as the case may be, under each designation in which a name or names may be written by the voter, and the names of such candidates shall be rotated or alternated on said ballot as provided in the statutes of Minnesota, and such ballot shall be the official ballot for such election.

No party or other designation shall be placed on any of such ballots, nor shall any candidate be permitted or required to state his party affiliation.

as follows:

### "EXTENSION AND SERVICE."

"Sec. 109. Extension of city electric light lines shall not be made except when ordered by said board and approved by the council."

The purpose of the proposed amendment is to eliminate from said section water pipes and water mains, as the laying of water pipes and water mains is provided for in Sec. 176, hereinafter mentioned.

### Eighth Proposed Amendment

We propose that Section One Hundred Seventy-five (175) of the said charter of the said City be amended to read as follows:

### "PROCEDURE FOR MAKING IMPROVEMENTS—GRANT OF POWERS."

"Sec. 175. The City of Willmar is hereby authorized to fill, excavate, grade, level, pave, re-pave, curb, wall, bridge, gravel, macadamize, sprinkle, plank, sweep or light any street, avenue, lane, alley or highway, and keep the same in repair; also, to fill, excavate, grade, improve, protect and ornament any park, public park, square or ground; also, to construct, improve or ornament any park, boulevard or grass plat; also, to plant and protect shade and ornamental trees along streets and avenues; also, to construct, lay, re-lay and repair sidewalks, water pipes and water mains, sewers, retaining walls, gutters, drains and pipes for surface water and private drains in, over or under any street, lane, alley or highway; also, to abate nuisances; also, to drain lowlands within the city when they constitute a nuisance, and the whole or any part of such expense of such improvement may be subject to the provisions hereinafter contained, defrayed by an assessment upon the real estate benefited thereby, in proportion to such benefits, or upon the basis of the frontage of the parcels of property affected, without regard to valuation, to be determined and levied in the manner hereinafter provided."

The purpose of the proposed amendment is to permit the assessing of property for the cost of laying water pipes and water mains and to permit an assessment being made on the basis of frontage as well as upon the basis of benefits.

### Ninth Proposed Amendment

We propose that Section One Hundred Seventy-six (176) of the said charter of the said City be amended to read as follows:

"Sec. 176. The City Council shall have power to levy special assessments upon property benefited by the

cost of the construction of the Water or Sewer Main or extension thereof does not amount to so much as the sum of the assessments levied on that account, the excess shall be pro rata refunded in cases where the total assessment has been paid, and the uncollected assessments or balances thereof shall be pro rata reduced by the City Council.

In any case where any assessment or any part thereof as to any lot, lots or parcels of land assessed under any of the provisions of this section, for any reason whatsoever, is set aside, the council may cause a re-assessment or a new assessment, to defray the expenses of such improvement, to be made.

Upon the final adoption of the resolution levying special assessments, the city clerk shall certify a copy of the same to the city treasurer to be spread upon his records, and shall mail to the last known post office address of each owner of any parcel of property affected a statement of the amount assessed against each such parcel. Such notice shall include a statement that the whole or any installments of such assessment may be paid to the city treasurer, without interest, at any time within thirty days (except that such period shall not extend beyond the fifteenth day of October thereafter) and that if such assessment is then unpaid it will draw interest from the date of expiration of such period of 30 days at the rate of interest to be paid on the certificates of indebtedness hereinafter provided for, and that if such assessment remains unpaid upon the fifteenth day of October next thereafter, it will be certified to the County Auditor for extension upon the tax rolls and collection as hereinafter provided. Such assessment shall be payable in not to exceed ten equal annual installments, as the Council shall determine in the resolution making the levy. On the fifteenth day of October of each year the mayor and the city clerk shall certify to the county auditor a list of all parcels of property on which any installment of any special assessment shall be due, stating the amount of the assessment or assessments or installments thereof then due, and of the amount of interest which shall be due on all deferred and uncollected installments of such assessments on the date when the next collection of the taxes shall be due. It shall be the duty of the county auditor to spread such amounts upon his rolls and the same shall be collected in the same manner and the time as taxes are next collected upon the parcels of property. A separate special assessment fund shall be provided for each improvement and the proceeds from the sale of any certificates issued on its account and the proceeds of such special assessments, when received by the city treasurer, shall be

streets or any alling and maintainers and curbs the rial which it may grading or gravel cost of any such, assessed upon the based upon the n ing" upon such stro to be so improved of benefits, but t the cost of a pa secting street and of the cost of pa public park or and may issue ce thereof, as provi of the expense The improvement necting streets m proceeding and c provement.

No action shall making of any su cept upon the ac tion to that effe vote of all the m cil after a meetin owners whose pro assessed therefor fied to be presen meeting publishe the official newsp al notice mailed the last known l each such propert days before such

Before making ment the council, quire the owners, erty to lay bran pipes from the l lot lines of each property owner sewer or water p days after having copy of such re may cause the s may assess the against the pro same as taxes a water pipe con such material as scribe.

After the cou to make any su a contract there awarded, the ch ance of the engi selected by the the duties of eng calculate the pro cially assessed f against every as parcel of land v fected, in accord sions of this so to cash valuat assessment so m with the clerk a inspection. The under the cou notice of the tim where the coun upon such propo

be charged any candi-  
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as a candidate for any

**Proposed  
Amendment**

that Section Forty-four  
said Charter of the said  
ed to read as follows:  
MENT—DEPUTIES.”  
The assessor must be a  
the city, and for the past  
resident and elector there-  
elected by the council  
meeting in January of  
within one month there-  
shall enter upon the per-  
his duties at such time  
May 1st of each year  
may direct, but all as-  
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**Proposed  
Amendment**

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The annual meeting of  
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the council, except that  
shall be appointed at the  
in Sec. 44 hereof.”  
of the proposed amend-  
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and Sec. 44, as amended  
ed to assessor.

**Proposed  
Amendment**

that Section One Hun-  
09) of the said charter

construction or extension of any Water  
or Sewer Main. Upon determining the  
necessity for the construction or ex-  
tension of any such Water or Sewer  
Main by a resolution adopted by the  
affirmative vote of six aldermen or  
upon the receipt of a petition signed  
by the majority of the owners of the  
property to be benefited by such Water  
or Sewer Main, praying for the  
construction or extension of the same,  
the City Council shall, by motion, di-  
rect the city engineer, or such other  
officer or agent as it may direct for  
this purpose, to prepare an estimate  
of the probable cost of such Water or  
Sewer Main, and certify the same to  
the City Council. Upon receipt of such  
estimate, the City Council shall, if it  
determines to proceed, determine by  
resolution what proportion, or the to-  
tal as the case may be, of the cost  
shall be assessed to property benefi-  
ted, and it shall thereupon become the  
duty of the City Clerk, with the as-  
sistance of the city engineer, to pre-  
pare estimates of the assessments nec-  
essary to be levied upon the several  
parcels of property benefited to real-  
ize the sums required, and report the  
same to the City Council. Unless oth-  
erwise directed by the City Council  
such assessments shall be made upon  
the basis of the frontage of the par-  
cels of the property affected. The  
City Council shall thereupon proceed  
to consider such estimates and may  
alter or revise the same, and adopt  
them in the form of a proposed reso-  
lution which shall also contain a pro-  
vision setting a date not earlier than  
ten nor later than fifteen days there-  
after, and calling a public hearing  
thereon, at which the City Council will  
sit for the purpose of hearing objec-  
tions or protests to the proposed as-  
sessments. Upon such preliminary  
adoption of such proposed resolution  
it shall be the duty of the city clerk  
to mail to the last known post-office  
address of the owner of each parcel  
of property against which an assess-  
ment has been levied in such proposed  
resolution a notice of such assessment  
and of the hearing thereon, and to  
cause such proposed resolution to be  
published for one week in the official  
paper of the city. Upon the date ap-  
pointed the City Council shall sit to  
hear protests or objections to the pro-  
posed assessments, and may adjourn  
from time to time until such hearings  
are complete. The City Council may  
then alter or revise such assessments  
as may be deemed proper. At the  
close of such hearing such resolution  
or revised resolution shall be put to  
the vote of the council and if adopted  
shall be final as to such assessment,  
provided, that the City Council shall  
have the power to levy supplemental  
assessments in case of actual cost of  
such Water or Sewer Main or exten-  
sion thereof exceeds the estimates  
made; and provided further, that the  
council shall refund any assessment  
or part thereof which may have been  
unjustly or illegally collected. If the

placed in the appropriate fund, and  
shall be used only in payment for  
work done or material furnished in  
the construction or extension of the  
Water or Sewer Main, or in payment  
of certificates of indebtedness issued  
on that account, or as refunds of as-  
sessments as hereinbefore provided.

The City Council shall have power  
to issue certificates of indebtedness  
of the City of Willmar, bearing inter-  
est at not more than six per cent per  
annum, and to sell the same for not  
less than par and accrued interest, to  
an amount for each such Water or  
Sewer Main, or extension thereof, not  
in excess of the difference between the  
sums already received in payment of  
the special assessments and the esti-  
mate or actual cost of the construc-  
tion of such Water or Sewer Main, or  
extension thereof. An amount of such  
certificates shall mature each year, as  
nearly as may be equal to the amount  
of the installments of the special as-  
sessments to be collected that year.  
Certificates of indebtedness may also  
be issued under like terms, represent-  
ing the part of the cost of the Water  
or Sewer Main or extension thereof  
which is a charge against the City of  
Willmar, or which is to be paid from  
taxes or from the earnings in case of  
a Water or Sewer Main, maturing in  
equal annual installments for not more  
than ten years. All or any such cer-  
tificates shall be redeemable by the  
city at any interest paying date, upon  
thirty days' notice to the holder of the  
certificate to be redeemed. The credit  
of the City of Willmar shall be pledged  
for the payment of such certificates  
of indebtedness, but they shall be paid  
first from the proceeds of special as-  
sessments; second, from the earnings  
in case of a Water or Sewer Main, if  
any there be, and third, from taxes  
levied for this purpose.

The amount of any such certificates  
at any time outstanding shall not be  
included in determining the city's net  
indebtedness under the provisions of  
this charter or any applicable law.  
Nothing contained in Sec. 96 of this  
charter shall be construed as limiting  
or abridging the power of the City to  
issue certificates of indebtedness on  
account of the construction of Sewer  
or Water Mains.”

The purpose of the proposed amend-  
ment is to confer on the City Coun-  
cil of the City of Willmar the power  
to lay Water Mains or Sewer Mains  
and to assess abutting property for  
the cost of the same upon the coun-  
cil's own motion without any petition  
therefore.

**Tenth Proposed  
Amendment**

We propose that Section One Hun-  
dred Seventy-seven of the said Char-  
ter of the said City be amended to  
read as follows:

“Sec. 177. The City Council shall  
have power to improve any street or

published in the official paper at least  
one week prior to such meeting of  
the council.

At such meeting the council shall  
hear and pass upon all objections  
thereto, if any, and may, if it deems it  
just, amend such proposed assess-  
ment as to any lot or lots, and upon  
the adoption by resolution of such as-  
sessment, the same shall constitute  
the special assessments against the  
lands named therein. Such assess-  
ments, with the accruing interest  
thereon, shall be a lien upon the prop-  
erty included therein, concurrent with  
general taxes, and shall be payable in  
equal annual installments extending  
over such period not exceeding twen-  
ty (20) years as the council may by  
resolution determine, the first of said  
installments to be payable on or be-  
fore the first day of June following  
the adoption of the assessment, and  
all deferred payments shall bear inter-  
est at the rate to be paid on the  
certificates of indebtedness herein pro-  
vided for to be payable annually and  
computed from the period of thirty  
(30) days following the adoption of  
the assessment.

It shall then be the duty of the  
clerk immediately thereafter to trans-  
mit a certified duplicate of such as-  
sessment to the county auditor of the  
county, to be extended on the proper  
tax lists of the county, and such as-  
sessments shall be collected and paid  
over in the same manner as other  
municipal taxes; provided that the  
owner of any property, so assessed,  
may, at any time, pay the whole of  
such assessment, or any annual in-  
stallment thereof with interest, as to  
any lot, piece or parcel of land affect-  
ed thereby.

In case of omissions, errors, or mis-  
takes, in making such assessments, in  
respect to the total cost of such im-  
provement, or otherwise, it shall be  
competent for the council to provide  
for and make supplemental assess-  
ments to correct such omissions,  
errors or mistakes.

After a contract or contracts for the  
making of any such improvement shall  
have been entered into by the city  
council, it may issue certificates of in-  
debtedness of the said city in such  
amounts as may be necessary to de-  
fray in whole or in part the expense  
incurred or to be incurred in making  
such improvement. The word 'ex-  
pense' shall be construed to mean and  
cover every item of cost of such im-  
provement from its inception to its  
completion, and all fees and expenses  
incurred or to be incurred in pursu-  
ance thereof. Such certificates shall  
be payable in annual installments as  
near equal in amount as conveniently  
may be, over a period not exceeding  
twenty (20) years from their date,  
shall bear interest at the rate of not  
to exceed six per cent, payable an-  
nually, or semi-annually, which inter-  
est may be evidenced by appropriate  
coupons and shall be in such form  
and denominations as the coun-

to read as follows:

**"APPLICATION."**

“Sec. 179. All applications, pro-  
ceedings or propositions for any im-  
provements authorized in section 175  
of this chapter shall be made to or  
emanate from the council. Any such  
application or petition made to the  
council shall be in writing, and if  
made by owners of property liable to  
be assessed therefore shall state the  
place of residence of each signer, and  
shall specify the real estate owned  
by each signer which he believes will  
be benefited by the improvement  
thereunder, and such petition shall  
be verified by the oath of such sign-  
er, and shall be prima facie evidence  
of its own genuineness and of the  
facts therein stated, and shall be pre-  
served in the office of the clerk.”

The purpose of the proposed amend-  
ment is to harmonize said Section 179  
with the sections of the charter here-  
inbefore amended.

**Twelfth Proposed  
Amendment**

We propose that Section One Hun-  
dred Eighty (180) of the said charter  
of the said city be amended to read  
as follows:

**"CONTRACT AND ASSESSMENT."**

“Sec. 180. When the council shall  
authorize any improvement described  
in Section 175 of this charter it shall  
cause the work described in said or-  
der to be let and done by contract, as  
in this charter provided.”

The purpose of the proposed amend-  
ment is to harmonize said Section 180  
with the sections of the charter here-  
inbefore amended.

**Thirteenth Proposed  
Amendment**

We propose that Sections One Hun-  
dred Eighty-two (182), One Hundred  
Eighty-three (183) and One Hundred  
Eighty-four (184) of the said charter  
of the said city, provided for notices  
to be given by commissioners before  
proceeding to make assessments, pro-  
viding for the method of procedure by  
commissioners, and providing for as-  
sessments to be certified to the Audi-  
tor of Kandiyohi County, be repealed.

The purpose of the proposed amend-  
ment is to repeal said provisions so  
that the same will not conflict with  
the provisions as to making assess-  
ments as provided in sections herein-  
before amended.

**Fourteenth Proposed  
Amendment**

We propose that Section One Hun-  
dred Eighty-eight (188) of the said  
charter of the said city be amended  
to read as follows:

**"RE-ASSESSMENT."**

“Sec. 188. The council may re-as-

the proposed amend-  
ment "to amend section  
176 of the charter of  
the city of willmar  
minn. as follows: "

### Proposed Amendment

That Section One Hun-  
dred Eighty-nine (189)  
of the said charter of  
the City of Willmar be  
amended as follows:  
"FOR LAYING IM-  
PROVEMENTS—GRANT OF  
LIENS."  
"The City of Willmar is  
authorized to fill, excavate,  
repave, curb, wall,  
macadamize, sprinkle,  
light any street, ave-  
nue or highway, and keep  
it, also, to fill, excava-  
te, protect and or-  
ganize, public parks, squares  
to construct, improve  
park, boulevard or  
to plant and protect  
ornamental trees along  
avenues; also, to con-  
lay and repair side-  
walks and water mains,  
walls, gutters, drains,  
surface water and pri-  
vies over or under any  
street or highway; also,  
to drain low-lying  
places in the city when they  
become a nuisance, and the  
whole or any part of the  
expense of such im-  
provements shall be subject  
to the provisions hereinafter  
contained, and the assess-  
ment upon the real property  
thereby, in proportion  
to the value of the property,  
or upon the basis of the  
area of the parcels of prop-  
erty, shall be levied in ac-  
cordance with the provisions  
hereinafter provided."

### Proposed Amendment

That Section One Hun-  
dred Seventy-nine (179)  
of the said charter of  
the City of Willmar be  
amended as follows:  
"The City Council shall  
be authorized to levy special  
assessments upon the prop-  
erty benefited by the

improvements, when deemed  
necessary and proper to  
make such improvements,  
and the council is hereby  
authorized to levy an ad-  
ditional assessment upon  
parcels of land benefited  
by such local improve-  
ment in all cases where it  
shall be found that the  
actual cost of making  
said improvement has ex-  
ceeded the total amount  
of benefits already as-  
sessed, and in such case  
such additional assess-  
ment shall be for such  
additional cost, and in  
such case like notice  
shall be given and sim-  
ilar proceedings had in  
all respects as in making  
said original assessments."

The purpose of the pro-  
posed amendment is to  
harmonize said Section 189  
with provisions of the  
charter hereinafter amend-  
ed.

When the final adop-  
tion of the resolution  
levying special assess-  
ments, the city clerk shall  
certify a copy of the same  
to the city treasurer to be  
spread upon his records,  
and shall mail to the last  
known post office address  
of each owner of any parcel  
affected a statement of the  
amount assessed against  
each such parcel. Such  
notice shall include a state-  
ment that the whole or any  
installments of such assess-  
ment may be paid to the  
city treasurer, without in-  
terest, at any time within  
thirty days (except that  
such period shall not extend  
beyond the fifteenth day  
of October thereafter);  
and that if such assess-  
ment is then unpaid it will  
draw interest from the date  
of expiration of such period  
of 30 days at the rate of  
interest to be paid on the  
certificates of indebtedness  
hereinafter provided for,  
and that if such assess-  
ment remains unpaid upon  
the fifteenth day of Octo-  
ber next thereafter, it will  
be certified to the County  
Auditor for extension upon  
the tax rolls and collection  
as hereinafter provided.  
Such assessment shall be  
payable in not to exceed  
ten equal annual install-  
ments, as the Council shall  
determine in the resolution  
making the levy. On the  
fifteenth day of October  
of each year the mayor and  
the city clerk shall certify  
to the county auditor a list  
of all parcels of property  
on which any installment  
of any special assessment  
shall be due, stating the  
amount of the assessment  
or assessments or install-  
ments thereof then due,  
and of the amount of in-  
terest which shall be due  
on all deferred and uncol-  
lected installments of such  
assessments on the date  
when the next collection  
of the taxes shall be due.  
It shall be the duty of the  
county auditor to spread  
such amounts upon his  
rolls and the same shall  
be collected in the same  
manner and the time as  
taxes are next collected  
upon the parcels of prop-  
erty. A separate special  
assessment fund shall be  
provided for each improve-  
ment and the proceeds from  
the sale of any certificates  
issued on its account and  
the proceeds of such special  
assessments, when received  
by the city treasurer, shall be

deposited in such fund,  
and the council shall pay  
the principal and interest  
of any such certificates  
out of any funds in the  
treasury when the moneys  
on hand in the appropriate  
special assessment fund  
are insufficient to meet  
the payment of the prin-  
cipal or interest when the  
same matures, but the fund  
from which such moneys  
have been taken or used  
for the payments of such  
principal or interest shall  
be replenished with in-  
terest at the rate of six  
per cent per annum from  
the collection of unpaid  
assessments on account  
of such improvements.  
In any case where any  
assessment or any part  
thereof as to any lot, lots  
or parcels of land assessed  
under any of the provisions  
of this section, for any  
reason whatsoever, is set  
aside, the council may  
cause a re-assessment or  
a new assessment, to defray  
the expenses of such im-  
provement, to be made.

No action shall be taken  
for the making of any  
such improvement except  
upon the adoption of a  
resolution to that effect  
by a two-thirds vote of  
all the members of the  
council after a meeting  
at which property owners  
whose property is liable  
to be assessed therefor,  
have been notified to be  
present, by notice of such  
meeting published for two  
weeks in the official news-  
paper, and by personal  
notice mailed by the city  
clerk to the last known  
post office address of each  
such property owner at  
least ten days before  
such meeting.  
Before making any such  
improvement the council  
may by resolution require  
the owners of the abutting  
property to lay branch  
sewers and water pipes  
from the mains to the  
curb or lot lines of each  
lot, and in case any  
property owner neglects  
to lay such sewer or water  
pipe within sixty (60)  
days after having been  
served with a copy of  
such resolution, the council  
may cause the same to be  
put in and may assess  
the cost of the same against  
the property and collect  
the same as taxes are  
collected. All such water  
pipe connections shall be  
of such material as the  
council may prescribe.  
After the council has  
determined to make any  
such improvement and a  
contract therefor has been  
let and awarded, the clerk,  
with the assistance of the  
engineer or other person  
selected by the council  
to perform the duties of  
engineer, shall forthwith  
calculate the proper amount  
to be specially assessed  
for such improvement against  
every assessable lot, piece  
or parcel of land within  
the district affected, in  
accordance with the provisions  
of this section, without  
regard to cash valuation,  
and the proposed assess-  
ment so made up shall  
be filed with the clerk  
and be open to public  
inspection. The clerk  
shall thereupon under  
the council's direction  
cause notice of the time  
and place when and where  
the council will meet to  
pass upon such proposed  
assessment, to be

published in the official  
newspaper, and the same  
shall be signed by the  
mayor and attested by  
the clerk. A separate  
special assessment fund  
shall be provided for  
each improvement and  
the proceeds from the  
sale of any certificates  
issued on its account  
shall be placed in such  
fund. The council shall  
provide moneys for the  
payment of the principal  
and interest of said  
certificates, as they  
severally mature, which  
money shall be placed  
in such fund and into  
such fund shall also be  
paid all moneys received  
from the payment of any  
liens created under the  
provisions of this section.  
And the council shall  
pay the principal and  
interest of any such  
certificates out of any  
funds in the treasury  
when the moneys on  
hand in the appropriate  
special assessment fund  
are insufficient to meet  
the payment of the prin-  
cipal or interest when  
the same matures, but  
the fund from which  
such moneys have been  
taken or used for the  
payments of such prin-  
cipal or interest shall  
be replenished with in-  
terest at the rate of six  
per cent per annum  
from the collection of  
unpaid assessments on  
account of such im-  
provements.

The amount of any such  
certificates at any time  
outstanding shall not be  
included in determining  
the city's net indebtedness  
under the provisions of  
this charter or any  
applicable law.  
Nothing contained in  
Sec. 96 of this charter  
shall be construed as  
limiting or abridging  
the power of the city  
to issue certificates of  
indebtedness on account  
of the making of any  
improvement under  
this section."

The purpose of the pro-  
posed amendment is to  
confer on the city council  
of the City of Willmar  
the power to improve  
streets or alleys by  
laying and maintaining  
pavements, gutters and  
curbs thereon or by  
grading and gravelling  
the same and to assess  
abutting property for  
the cost thereof upon  
the council's own motion  
without any petition  
therefore.

the amount of any such  
certificates at any time  
outstanding shall not be  
included in determining  
the city's net indebtedness  
under the provisions of  
this charter or any  
applicable law.  
Nothing contained in  
Sec. 96 of this charter  
shall be construed as  
limiting or abridging  
the power of the city  
to issue certificates of  
indebtedness on account  
of the making of any  
improvement under  
this section."

The purpose of the pro-  
posed amendment is to  
abolish the privilege of  
securing a five per cent  
deduction on all assess-  
ments paid within thirty  
days after the same  
has been made.

Respectfully submitted,  
LARS O. THORPE,  
RUSSELL SPICER,  
PETER C. PETERSON,  
D. N. TALLMAN,  
LEWIS JOHNSON,  
C. W. ODELL,  
O. A. NORMAN,  
C. E. ANDERSON,  
R. W. STANFORD,  
O. R. BERKNESS,  
CONRAD S. OLSON,  
J. F. NYQUIST,  
WILLIAM THOMPSON,  
S. D. QVALE,  
Board of Freeholders of the  
City of Willmar, Minn.

### Eleventh Proposed Amendment

We propose that Section  
One Hundred Seventy-nine  
(179) of the said  
Charter of the said City  
be amended

the amount of any such  
certificates at any time  
outstanding shall not be  
included in determining  
the city's net indebtedness  
under the provisions of  
this charter or any  
applicable law.  
Nothing contained in  
Sec. 96 of this charter  
shall be construed as  
limiting or abridging  
the power of the city  
to issue certificates of  
indebtedness on account  
of the making of any  
improvement under  
this section."

The purpose of the pro-  
posed amendment is to  
abolish the privilege of  
securing a five per cent  
deduction on all assess-  
ments paid within thirty  
days after the same  
has been made.

### Fifteenth Proposed Amendment

We propose that Section  
One Hundred Eighty-nine  
(189) of the said  
charter of the said city  
be amended to read as  
follows:

"WHEN ASSESSMENT A  
LIEN."  
"Sec. 189. From and  
after the date of the  
confirmation of any  
assessment as provided  
in this charter such  
assessment with interest  
thereon shall be a lien  
on all property affected  
thereby."

The purpose of the pro-  
posed amendment is to  
harmonize said Section 189  
with the sections of the  
charter hereinafter amend-  
ed.

### Sixteenth Proposed Amendment

We propose that Section  
One Hundred Ninety  
(190) of the said  
charter of the said city  
providing for a five per  
cent deduction on all  
assessments paid within  
a certain period of time,  
be repealed.

The purpose of the pro-  
posed amendment is to  
abolish the privilege of  
securing a five per cent  
deduction on all assess-  
ments paid within thirty  
days after the same  
has been made.

Respectfully submitted,  
LARS O. THORPE,  
RUSSELL SPICER,  
PETER C. PETERSON,  
D. N. TALLMAN,  
LEWIS JOHNSON,  
C. W. ODELL,  
O. A. NORMAN,  
C. E. ANDERSON,  
R. W. STANFORD,  
O. R. BERKNESS,  
CONRAD S. OLSON,  
J. F. NYQUIST,  
WILLIAM THOMPSON,  
S. D. QVALE,  
Board of Freeholders of the  
City of Willmar, Minn.

WOULD TESTIFY

"At middle life I had with heat flashes and smothering spells. I would become quite dizzy at times, too. Then I read of Dr. Pierce's Favorite Prescription as a relief from just the condition I was in, so I bought a bottle of it. I felt the benefit right coming it until I was in a normal period. It was now quickly Dr. Pierce's Favorite Prescription relieved me and I came through at health.—Mrs. Forest St.

Pierce's Invalids' Food, for a trial pkg.



...ce

nervous system weakened by work, who is experiencing slow convalescence from the general weakness that result from infectious disease, is a beneficial aid to health.

...for Strength"

...dupled.

Did yer git that

—No, he was too me. That was a the back seat,

She shure was.—

Cannot Be Cured

...as they cannot portion of the ear. requires constitutional remedy. caused by an inflamed mucous lining of the ear. When this tube is rumbling sound or when it is entirely the result. Unless be reduced, your destroyed forever. MEDICINE acts on the mucous surplus reducing the inflamed normal condition.

Druggists. Toledo, Ohio.

Children—

(son on snow)—As old winter day and we see on every

...om Life.

Daddy's Evening Fairy Tale

BY MARY GRAHAM BONNER

MOLLYMAUKS.

"I think," said daddy, "that I have told you a story of mollymauks once before."

"Yes," said Nancy, "and you said that they were large birds known also as albatrosses."

"You said albatrosses were their real names, didn't you?"

"Yes," said daddy, "that's right. They're birds, and mollymauks is the family name given to all the smaller families of albatrosses. In fact, it is the name given to all albatrosses which are not so large as the great wandering albatross known as the 'goney.'"

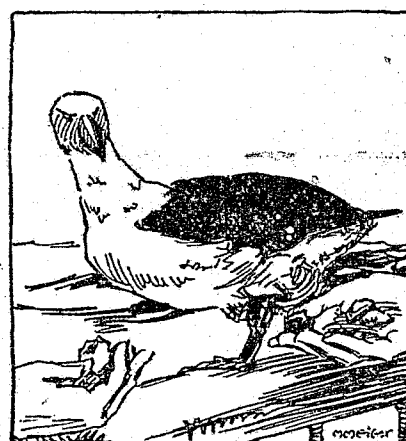
"There are five kinds of mollymauks, in the world. Their family name is the Black-Nosed Albatross family, the Yellow-Nosed Albatross family, the family of albatrosses which these who are not so large as the Yellow-Nosed Albatrosses and they are a little different from these gonesies."

"There are two great families of the Society Albatrosses."

"The Albatrosses are the King."

"We're the ones seen most often," said Mr. Black-Browed Albatross.

"That's so, with you Albatross said, 'but we're the most interesting and the most beautiful. We do not



"Gave Us Food."

mean to be conceited when any of us admit that, but it's a fact and we state it as a fact, that's all."

"Well, didn't we have a time following the boat which was traveling along these waters?"

"Ah, yes," Mr. Black-Browed Albatross said. "We were fed such good things. And we let the people on the boat see us and hear our voices and know what we were like because they were friendly with us and gave us food."

"It wasn't just because they gave us food that we were so friendly but because they were so friendly but

NATION IN DANGER

Farm Abandonment Has Created Most Serious Situation.

Food Supply Threatened Through the Drift of the Population to the Cities—Now Is Great Opportunity to Take Up Land.

The question, "How is the country to be fed if the population continues to drift to the cities?" is one that should create an agitation that will bring about a reply that will mean a solution. The census, recently completed, reveals a situation truly alarming, one that has never been known in the United States before. The urban population is now greater than that of the rural districts by about 4,000,000. Cities and towns, each with more than 2,500 inhabitants, contain 54,318,032 persons, or 51.4 per cent of the total population, while the farms and smaller towns together claim only 51,399,589 persons, or 48.6 per cent of the total.

As is pointed out by an influential Chicago daily, "the drift to the cities is thus proved, reduced to figures, showing a top-heavy condition of the industrial life."

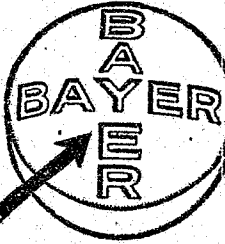
Farming is and must remain the basic industry of the world and certainly should remain the basic industry of a nation with a continental area like ours. It is hard profit to gain the markets of the world with manufactured goods if agriculture has decayed so badly as to furnish an uncertain subsistence for our people, and fluctuating crops are reflected in price changes that upset the economic life of the country. Yet we are within measurable distance of that condition, if the present or recent drift toward the cities continues.

Most writers on this topic take it for granted that young folks go from farms to cities merely to make more money. Doubtless that is something of a motive at all times and was a very strong one in the period immediately after the war, when city industries paid wages totally impossible for farmers to rival.

It is hoped that this drifting has reached its apex. Unless it has, and there still remains a possibility of its continuance, the effect cannot be foretold. The great wave of manufactures for war purposes has ceased, and with it the number of those employed in factories is diminishing by thousands daily. It is therefore hoped that there will again be heard the slogan, "Forward to the Land." If prices to which farm land has reached are prices prohibitive to many, the opportunity is still open elsewhere. There are states possessing large areas of good land that may still be had at prices within the reach of many, and it is doubtless true that in self-preservation it will be necessary to bring these lands under cultivation. The prices are not high, considering their value. Then, too, there are the lands of Western Canada, that hold out an inviting prospect. Reports from there show that

ASPIRIN

Name "Bayer" on Genuine



Beware! Unless you see the name "Bayer" on package or on tablets you are not getting genuine Aspirin prescribed by physicians during the last years and proved safe by millions. Take Aspirin only as told in the Bayer package for Colds, Headache, Neuralgia, Rheumatism, Earache, Toothache, Lumbago, and for Pain. Handy tin boxes of twelve Bayer Tablets of Aspirin cost few cents. Druggists also sell larger packages. Aspirin is the trade mark of Bayer Manufacture of Monoaceticacidester of Salicylicacid. —Adv.

Realism of the Movies.

Dorothy was at a moving picture theater with her nurse. There was portrayed on the screen a train rapidly approaching a spot in the foreground where a man sat on the track unaware of the oncoming danger. To the child the situation was a real one, and in excited whispers she entreated her nurse:

"Please have him get off the track! Please have him get off!"

As the train drew nearer the spot where the man sat, the child, unable to restrain the warning which she felt was necessary, rose in her seat and shouted at the top of her voice:

"Man, get off!"

Seeing and Saying.

Every business man, whether employer or employee, may well heed the remark of an old philosopher, that we have two eyes and one tongue because we are supposed to see twice as much as we say.—The Nation's Business.

Find the Cause!

It isn't right to drag along feeling miserable—half sick. Find out what is making you feel so badly and try to correct it. Perhaps your kidneys are causing that throbbing backache or those sharp, stabbing pains. You may have morning lameness, too, headaches, dizzy spells and irregular kidney action. Use Doan's Kidney Pills. They have helped thousands of ailing folks. Ask your neighbor!

A Minnesota Case

"Every Picture Tells a Story" Mrs. H. Damrow, Glencoe, Minn., says: "A cold settled in my kidneys. When I bent over it was hard for me to straighten. I would become dizzy and black specks appeared before my eyes. Mornings I was lame and

WILLMAR CITY OF 2654