

STATE OF MINNESOTA)
 SS
COUNTY OF DOUGLAS)

I, H. S. Campbell, City Clerk of the City of Alexandria, Douglas County, Minnesota, hereby certify that I have compared the foregoing copy of proposed amendment to section Eighty of the City Charter of the City of Alexandria, Douglas County, Minnesota with the original records remaining on file in my office and that the same is a true and correct printed copy thereof and of the whole of such proposed amendment and that said amendment was duly adopted by a three-fifths vote of the voters of said city and was duly declared adopted by the Council of said city on the 4th day of August, 1920.

WITNESS my hand and seal at Alexandria,
Douglas County, Minnesota this 15th day of September, 1928.

H. S. Campbell
City Clerk.

4059

(80) of the City Charter of the City of Alexandria, Douglas County, Minnesota.

Relating to the power of the City Council to levy special Assessments upon property benefited by the construction or extension of any Water or Sewer Main and power to issue certificates of indebtedness thereon.

To the Honorable Hugh E. Leach, Mayor of the City of Alexandria, Minnesota:

We, the undersigned Board of Freeholders, appointed on the 2nd day of January, 1920, and on the 24th day of January, 1920, by the Honorable Judges of the Seventh Judicial District of the State of Minnesota, as a commission with power to propose amendments to the City Charter of the City of Alexandria, Minnesota, pursuant to Section Thirty-six (36), Article Four (4), of the Constitution of the State of Minnesota and Chapter Nine (9), of the Revised Laws of 1913 and amendments thereto, having duly met pursuant to due notice, in the City of Alexandria, Minnesota, on the 4th day of June, 1920, at four-thirty o'clock p. m., to consider proposed amendments to said Charter and after due consideration the said Board respectfully submits and returns to you the following draft of a proposed amendment to the City Charter of the City of Alexandria, as follows:

Proposed Amendment to the City Charter of the City of Alexandria, Minnesota.

Section 80 (a) Power to levy special assessments and to issue certificates of indebtedness thereon.

The City Council shall have power to levy special assessments upon property benefited by the 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 four 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 the proportion, or the total as the case may be, of the cost shall be assessed to the property benefited, and the City Council shall become the duty of the city engineer or city engineer, or other officer or agent as the case may be, to prepare estimates of the assessments necessary to be levied upon the several parcels of property benefited to equalize 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 one of the papers 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 completed. The City Council may then alter or revise such assessments as may be deemed proper. At the close of such hearings such resolution or revised resolution shall be put to the vote of the Council and if adopted shall be final as to such assessments; provided, that the City Council shall have the power to levy supplemental assessments in case the 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 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 uncollected assessments or balances thereof shall be pro rata reduced by the City Council.

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 30 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 assessments 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 will be due on all referred 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; provided, that the owner of any parcel of property against which any special assessment or installments therefor and interest due has been so extended on the rolls of the county auditor, may pay directly to the city treasurer, and present his receipt in lieu of paying the amount extended on the rolls; and provided further, that when a special assessment levied against the property of the School District of Alexandria or against property which is exempt from taxation by reason of belonging to any

church, or other benevolent association, or for any other reason, the amount of assessment or installment which is unpaid when due may be collected by proceedings brought by the city in the district court of Douglas County. The proceeds of such special assessments, when received by the city treasurer, shall be 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 assessments as hereinbefore provided.

The City Council shall have power to issue certificates of indebtedness of the City of Alexandria, bearing interest 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 estimate or actual cost of the construction of such Water or Sewer Main, or extension thereof. An amount of such certificate shall mature each year, as nearly as may be equal to the amount of the installments of the special assessments to be collected that year. Certificates of indebtedness may also be issued under like terms, representing the part of the cost of the Water or Sewer Main or extension thereof 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 certificates 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 Alexandria shall be pledged for the payment of such certificates of indebtedness, but they shall be paid first from the proceeds of special assessments; second, from the earnings in case of a Water or Sewer Main; and third, from taxes levied for this purpose.

Respectfully submitted this Fourth day of June, 1920.

- A. D. HASKELL,
- C. H. JENSEN,
- O. W. LANDEEN,
- J. A. WEDUM,
- E. E. EVANS,
- D. E. WHITTENBERG,
- PHIL. J. NOONAN,
- C. T. HOWE,
- J. A. KINNEY,
- ALBERT BLINSS,
- H. H. GRIBBENOW.

4059