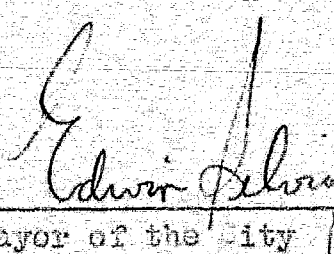


CERTIFICATE

I, the undersigned, the duly elected, qualified and acting Chief Magistrate of the City of Willmar, Kandiyohi County, Minnesota, known and designated as its Mayor, do hereby certify that at an election held in and for said City of Willmar on the 20th day of June, 1932, the following proposed amendment to the first paragraph of Section 6, and the following proposed amendment to Section 7 of the Charter of said City were ratified and adopted, and that the following proposed amendment to Section 8A of said Charter, by eliminating therefrom the eighth and ninth paragraphs thereof following the words "shall be nominated as follows" and substituting in lieu thereof the provisions hereinafter set out, was also ratified and adopted.

Dated Sept. 9, 1936

  
\_\_\_\_\_  
Mayor of the City  
of Willmar

7915

First paragraph of Section 6.

"Section 6. The term of office of the Mayor, Treasurer, clerk, constables and justices of the peace shall be two years; provided, however, that in the case of constables and justices now serving whose terms expire in 1934, their successors shall be elected for one year only, but thereafter all Justices and Constables shall be elected for a term of two years. The term of office of alderman shall be four years, providing, however, that in the case of aldermen now serving whose terms expire in 1934 their successors shall be elected for one year only, but thereafter one alderman from each ward shall be elected in odd numbered years for a term of four years.

Provided further, that an alderman elected for a term of four years may be recalled and removed by a vote of the electors in the ward from which such alderman is elected and which he represents, in the following manner, to-wit:--

Whenever a petition signed by qualified electors residing in any ward equal in number to at least 30% of the total number of votes cast in said ward at the preceding general city election, which petition shall be verified by one of the signers thereto, shall be filed with the City Clerk and presented to the City Council, praying for the recall and removal of any alderman of such ward, said petition shall be received and if found to have the requisite number of signatures thereto, the Council shall forthwith, by resolution, call and provide for a special election to be held in such ward not later than 40 days thereafter for the purpose of determining whether or not such alderman shall be recalled and removed.

The ballot to be used at such special election shall be in substantially the following form:--

Shall Alderman \_\_\_\_\_ be recalled ) Yes \_\_\_\_\_  
and removed ) No \_\_\_\_\_

If it be determined upon a canvas of the votes at such special election that a majority thereof favor the recall and removal of such alderman, then and in that event such alderman shall forthwith cease to hold his office and cease to be an alderman and the office of such alderman shall forthwith be and become vacant and the Mayor shall so proclaim.

And Provided further that no petition for the recall and removal of any alderman shall be filed with the city Clerk, or presented to the City Council, or acted upon by said council within six (6) months after such alderman has been elected and has qualified, nor shall any such petition for the recall and removal of any alderman be filed with the City Clerk, or presented to the City Council, or acted upon by said council within six (6) months after an election has been held on the recall and removal of such alderman.

Any vacancy occurring by reason of such recall and removal shall be filled in accordance with the provisions of Section 14 of this Chapter."

"SECTION 7. The regular election shall be held bi-ennially on the first Tuesday after the first Monday in April of every odd-numbered year beginning with the year 1933, provided, however, that an election shall be held on the first Tuesday after the first Monday in April of the year 1934 for the purpose of electing for the term of



one year only all successors to all constables, justices of the peace and aldermen whose terms expire in 1954.

At said regular bi-ennial election there shall be elected the following officers to-wit:--The Mayor, Treasurer, Clerk, one member of the Council from each ward, one Justice of the Peace from each ward and two constables from the City at large, and bi-ennially thereafter in odd-numbered years successors shall be elected for all elective officers whose terms of office expire prior to the next following regular election.

The Mayor, or, in case of his refusal, the Council may by resolution by an 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 and the purpose of such election shall be clearly stated in such resolution and no other matter shall be submitted at such election."

"Section 6 A. By eliminating therefrom the Eighth and Ninth paragraphs thereof, following the words "shall be nominated as follows"; and substituting in lieu thereof the following:

At least fifteen (15) days before the said primary election, any person, eligible and desirous of having his name placed upon the primary ballot as a candidate for any office to be voted for at said primary election, shall file, or cause to be filed, with the City clerk of said City, a petition, signed by at least ten (10) qualified voters of said City, or election district, as the case may be, which petition shall state the name and residence of such person, the office for which he desires to be a candidate, that he is a qualified voter in said City or the sub-division thereof in which he seeks to be nominated and that he possesses the qualifications required by the Charter of said City for persons holding such office.

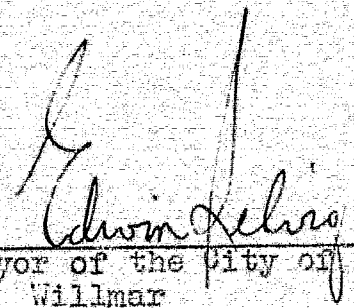
It shall be the duty of the City Clerk to provide a sufficient number of primary ballots for each election district, such ballots to have printed thereon the names of all persons by or on behalf of whom petitions have been filed as hereinbefore provided together with the designation of the office for which the nomination is sought. Where more than one name is presented for nomination for the said office, such name shall be placed upon the primary ballot in alphabetical order. Below each designation there shall be a blank line upon which the voter may write the name of any other person as his choice of a nominee for such office.

During the week preceding such primary election the City Clerk shall cause a sample ballot to be published in the newspapers published in said City."

CERTIFICATE

I, the undersigned, the duly elected, qualified and acting Chief Magistrate of the City of Willmar, Kandiyohi County, Minnesota, known and designated as its Mayor, do hereby certify that at an election held in and for said City of Willmar on the 5th day of April 1936, the following proposed amendments to sub-division 5 of Section 91, and the following proposed amendment to Section 92 of the Charter of said City were ratified and adopted.

Dated Sept. 9,  
1936.

  
\_\_\_\_\_  
Mayor of the City of  
Willmar

Sub-division 5 Section 91. "Should there be any accumulation of money in this fund beyond the needs thereof, the Council may, by resolution passed by a two-thirds vote, direct <sup>such</sup> accumulation, or any part thereof to be paid and transferred to the sinking fund; or the Council by a two-thirds vote thereof approved by a two-thirds vote of the members of the Water and Light Commission, notice of which approval shall be filed in writing with the City Clerk, may direct that a sum not to exceed 50% of the money in the General Water and Light Fund be transferred to the General Fund of said City or to any other city fund, and upon a like vote and like approval may direct a transfer of a like sum, part to one fund and part to another fund or other funds."

#### "THE SEVERAL FUNDS"

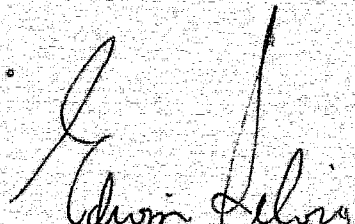
"Sec. 92. The income and revenue of the city paid into the treasury shall at once, by the treasurer, under the direction of the clerk, be apportioned to and kept in the separate funds established by this Charter and by the Council, and it shall be unlawful to transfer money from one fund to another, or to divert money from the fund to which it belongs, except that, when there shall be a surplus of cash to the credit of any such fund, the council may, by resolution passed by a three-fourths vote of all its members, authorize ~~to~~ <sup>said</sup> surplus cash to be placed in the Sinking or Interest Fund, and except that moneys in the General Water and Light Fund may be transferred to other funds as provided in the last paragraph of sub-division 10. 5 of Sec. 91 of Chapter V of this Charter; provided, that money shall never be transferred to any other fund from the sinking fund until the several purposes for which said fund has been established and maintained shall have been fully accomplished."



CERTIFICATE

I, the undersigned, the duly elected, qualified and acting Chief Magistrate of the City of Millmar, Kandiyohi County, Minnesota, known and designated as its Mayor, do hereby certify that at an election held in and for said City of Millmar on the 22nd day of March, 1926, the following proposed amendment to Section 71 of the Charter of said City was ratified and adopted.

Dated Sept. 9, 1926.

  
\_\_\_\_\_  
Mayor of City of Millmar

"ORDINANCE GRANTING FRANCHISES"

"Section 71. Except as otherwise provided in the constitution of the state, or as otherwise specified in this charter, an ordinance or resolution for the lease or sale of any public utility, or the purchase of property of the value of three thousand dollars and upwards, must be submitted to the vote of the electors of the city before the same shall be valid, and in no case shall any franchise be granted for a longer period than twenty years.

"The ballots used at such election shall contain the words 'For the Ordinance' (stating the nature of the proposed ordinance) and 'Against the Ordinance' (stating the same).

"Returns of such election shall be made to the clerk, as provided for other elections, and the council must meet and canvass the returns within three days.

"If a majority of the votes cast upon such submission shall be in favor thereof, the council shall, within thirty days from the time of such election, proclaim such fact and upon such proclamation such ordinance shall be legal and binding. No such franchise or lease or sale of any public utility or any such purchase of property shall be of any force or effect except it be made in the manner above provided."

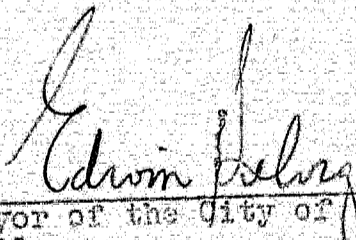
CERTIFICATE

I, the undersigned, the duly elected, qualified and acting Chief Magistrate of the City of Willmar, Kandiyohi County, Minnesota, known and designated as its Mayor, do hereby certify that at an election held in and for said City of Willmar, on the 5th day of April 1930, the following proposed amendments to Sections 5, 44, 61, 100, 175, 176, 177, 179, 180, 188, and 189 of the Charter of said City were ratified and adopted.

I further certify that at said election a new section to be known and designated as Section 5a relating to "Primary Election" was proposed and adopted as an amendment to the Charter of said City of Willmar, and that the same was ratified and adopted as the same appears herein.

I further certify, that at said election sections 182, 183, 184 and 190 were repealed.

Dated September 9, 1930

  
\_\_\_\_\_  
Mayor of the City of  
Willmar



"ELECTIVE AND APPOINTIVE OFFICERS OF OFFICERS."

"Section 5. Officers shall be elected in the City of Hillmar, 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."

"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".

"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".

"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."

"PROCEDURE FOR PUBLIC 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 low-lands 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."

"Sec. 176. 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 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 the date not earlier than ten or 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 cost of 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 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 Willmar, 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 certificates 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 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 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 Willmar 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, 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."

"Sec. 177. The City Council shall have power to improve any street or streets or any alley or alleys by laying and maintaining pavements, gutters and curbs thereon of any material which it may deem suitable or by grading or graveling the same. The cost of any such improvement may be assessed upon the abutting property based upon the number of feet fronting upon such street or alley proposed to be so improved, or upon the basis of benefits, but the council shall pay the cost of a pavement across intersecting street and alleys and one-half of the cost of pavement opposite any public park or municipal property, and may issue certificates of indebtedness for the city's share of the cost thereof, as provided herein or a part of the expense of the improvement. The improvement of two or more connecting streets may be included in one proceeding and conducted as one improvement.

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 therefore, have been notified to be present, by notice of such meeting published for two weeks in the official newspaper, 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 assessment 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 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 assessment as to any lot or lots, and upon the adoption by resolution of such assessment, the same shall constitute the special assessments against the lands named therein. Such assessments, with the accruing interest thereon, shall be a lien upon the property included therein, concurrent with general taxes, and shall be payable in equal annual installments extending over such period not exceeding twenty (20) years as the council may by resolution determine, the first of said installments to be payable on or before the first day of June following the adoption of the assessment, and all deferred payments shall bear interest at the rate to be paid on the certificates of indebtedness herein provided 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 transmit a certified duplicate of such assessment to the county auditor of the county, to be extended on the proper tax list of the county, and such assessments 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 installment thereof with interest, as to any lot, piece or parcel of land affected thereby.

In case of omissions, errors, or mistakes, in making such assessments, in respect to the total cost of such improvement, or otherwise, it shall be competent for the council to provide for and make supplemental assessments 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 indebtedness of the said city in such amounts as may be necessary to defray in whole or in part the expense incurred or to be incurred in making such improvement. The word "expense" shall be construed to mean and cover every item of cost of such improvement from its inception to its completion, and all fees and expenses incurred or to be incurred in pursuance 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 annually, or semi-annually, which interest may be evidenced by appropriate coupons and shall be in such form and denominations, all as the council shall by resolution determine, and shall be signed by the mayor and counter-signed 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 fund in the treasury when the moneys on hand in the appropriate special assessment fund are insufficient to meet the payment of the principal 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 interest 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 improvement, to be made.

Any party desiring to object to the assessment, or his duly authorized agent or attorney, shall on or before the date of final hearing upon such assessment, file with the clerk a written statement of the objections and all objections not specified therein shall be deemed waived.

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."

#### "APPLICATION."

"Sec. 179. All applications, proceedings or propositions for any improvement 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 therefor 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 signer, and shall be prima facie evidence of its own genuineness and of the facts therein stated, and shall be preserved in the office of the clerk."

#### "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 order to be let and done by contract, as in this charter provided."



"RE-ASSESSMENT."

"Sec. 188. The council may re-assess any parcel of land for benefits for local improvements when deemed necessary and proper by them.

And said council is hereby authorized, in its discretion, to levy an additional assessment upon parcels of land benefited by such local improvement in all cases where it shall be found that the actual cost of making said improvement has exceeded the total amount of benefits already assessed, and in such case such additional assessment shall be for such additional cost, and in such case like notice shall be given and similar proceedings had in all respect as in making said original assessments."

"WHEN ASSESSMENT A LIEN."

"Sec. 189. From and after the date of <sup>the</sup> confirmation of any assessment as provided in this charter such assessment with interest thereon shall be a lien on all property affected thereby."

"PRIMARY ELECTIONS."

"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

(10) 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 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 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 printed 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 such ballots, nor shall any candidate be permitted or required to state his party affiliation.

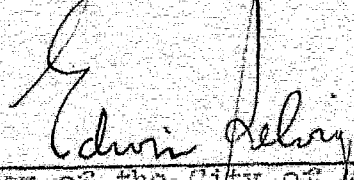
No fee shall be charged any candidate for the placing of his name on the official ballot as a candidate for any office."



CERTIFICATE

I, the undersigned, the duly elected, qualified and acting Chief Magistrate of the City of Willmar, Kandiyohi County, Minnesota, known and designated as its Mayor, do hereby certify that at an election held in and for said City of Willmar on the 5th day of March 1936, the following proposed amendment to Section 95 of the Charter of said City was ratified and adopted.

Dated Sept.  
9, 1936

  
Edwin Selby  
Mayor of the City of Willmar

"Section 95. The City of Millmar may incur liability by ordinance as follows:

1. For the purpose of constructing, regulating, maintaining, extending, enlarging or improving suitable water or light plants, or either of them, or for the purpose of acquiring or paying for any real estate or other property needed in connection with any such plant.

2. For the purpose of raising, not to exceed Fifteen Thousand (\$15,000.00) Dollars for a permanent improvement revolving fund provided for in this Charter, in order to provide money for any contemplated local improvements, and such bonds shall constitute a First Lien upon all such local improvements, and upon the property benefited thereby and to be assessed therefor.

3. For the purpose of paying, funding or refunding any bonded indebtedness of the City or the interest thereon, existing at the time this Charter goes into effect or created at any time in any manner by said Charter authorized.

4. For the purpose of constructing main sewers, septic tanks, filtrating plants, and other appurtenances pertaining to a sewer system.

5. For the purpose of constructing, maintaining, extending, enlarging or improving a suitable fire station, engine house or City Hall, or for the acquiring or paying for any real estate or other property needed in connection therewith providing however that bonds for said purpose or purposes shall not be issued to an amount exceeding the sum of Nine Thousand (\$9,000.00) Dollars.

Such ordinance for the issuance of bonds, may provide, that the same shall be general obligations of the City of Millmar or that they shall not be general obligations, but shall be payable out of any assessed taxes, assessments, funds or liens held by the City, or may limit the City's liability thereon in any other manner, or shall guarantee that the City shall pay for the same, provided that the bonds so issued under subdivision two above mentioned shall always be general obligations of the City.

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 time of the going into effect of this Charter or thereafter, and shall have the power in like manner to assign any lien or right of action, held by the City on account of, or arising out of, any such assignment, as security for the payment of any bonds, certificates <sup>or other evidence of indebtedness</sup> 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 any such property, liens or rights of action.

Whenever the Council shall pass any ordinance to issue bonds pursuant to the provisions of subdivisions one, two, four or five of this section, such ordinance shall provide for the submission to the legal voters of the City, at some general or special election to be called by the Council for that purpose, the proposition for issuing such bonds, to an amount deemed by said Council advisable. Such election, whether general or special shall be conducted in the same manner and with the same formalities as such elections are conducted under the general laws of this State.

The ballot to be voted at such election shall read substantially as follows: "Shall bonds be issued by the City of Millmar under provisions of Section 95, Chapter V., of the Charter of said

City to the amount of \_\_\_\_\_ Dollars, for the purpose of \_\_\_\_\_, and no such bonds shall be issued until such ordinance has been approved by a majority of the legal voters voting at such election.

The debt of the City shall not be increased by bonds or otherwise beyond eight (8) per cent of the total value 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 in subdivisions one, two, four and five, but the total amount of such bonds when added to the other indebtedness of the City shall not exceed nine (9) per cent of its taxable property as above defined; and provided, further, that bonds may be issued as above provided, for the funding of the City's bonded indebtedness whenever required; and provided, further, that certificates of indebtedness against taxes levied and assessed may be issued as hereinafter provided

Bonds, certificates and other evidences of indebtedness and obligations of the City authorized by this section shall in no event bear a greater rate of interest than six per cent per annum, and if they run for more than five years shall not bear a greater rate of interest than five per cent per annum, and shall in no event be sold for less than the par value thereof, and shall be sold in accordance with the provisions of Section 735 of the Revised Laws of the State of Minnesota. Except as provided in this Charter, no warrants, bonds, or other evidence of indebtedness shall be issued by the City or by any one in its behalf."



CERTIFICATE

I, the undersigned, the duly elected, qualified and acting Chief Magistrate of the City of Willmar, Kandiyohi County, Minnesota, known and designated as its Mayor, do hereby certify that at an election held in and for said City of Willmar, on the 7th day of April 1914, the following proposed amendment to Section 133 of the Charter of said City was ratified and adopted.

I further certify that at said election Section 98 of said Charter was repealed.

Dated Sept. 9, 1936

  
\_\_\_\_\_  
Mayor of the City of  
Willmar

"OFFICE BY COUNCIL."

"Section 159--The Council shall set upon such bids, and determine which one shall be accepted. All contracts shall be awarded to the lowest reliable and responsible bidder complying with the foregoing requirements; and in determining who is the lowest bidder, the Council may take into consideration the character, quality, efficiency and economy of the materials or commodities to be furnished, and the character and quality of the work to be done and performed, or the extent and amount of the service to be rendered; provided, that the Council may reject any bids which it may deem unreasonable or unreliable, and the Council in determining the reliability of the bid shall consider the question of the responsibility of the bidder and his ability to perform his contract, without any reference to the responsibilities of the sureties on his bond, and any person who shall have defaulted in any contract awarded by the City (except as to time), or who shall have refused to enter into a contract after the same shall have been awarded to him, shall not be considered a reliable and responsible bidder.

In all cases the Council may reject all bids and abandon the proposed contract, or it may require the Clerk to re-advertise for new bids in the manner hereinbefore provided, or, for good cause shown and where it appears that a saving can be effected, the Council may, upon a three-fourths (3/4) vote of all the members thereof, purchase the materials or commodities in open market or provide that the work be done by day labor.

All contracts shall be executed by the bidder within five days after the contract is ready for his signature, and if not executed by him in said time he shall be deemed to have abandoned the same."

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