


State of Minnesota
County of Freeborn ss
City of Albert Lea

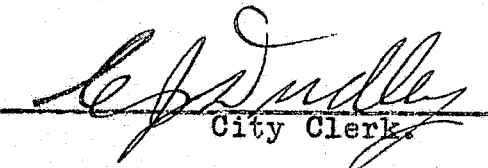
I, L. O. GREENE, the mayor of the city of Albert Lea, Freeborn County, Minnesota, do hereby certify that the hereto annexed amendments to the charter of the city of Albert Lea, were returned to the mayor of the city of Albert Lea by the Board of Fifteen Freeholders of said city of Albert Lea, Minnesota, duly appointed and acting pursuant to section 36 of article 4 of the Constitution of the state of Minnesota and the laws enacted in pursuance thereof, said Board being frequently called the "Charter Commission" of the city of Albert Lea Minnesota, - as a draft of the proposed amendments to said charter, to be submitted to the qualified voters of said city of Albert Lea at the next election thereof; that said amendments were, under the provisions of chapter 199 of the general laws of Minnesota for 1907, and of the other statutes in such case provided, duly submitted to the qualified voters of said city at the next election thereof which was held on the 4th day of April 1911 and that each of said charter amendments were duly ratified by more than three-fifths of all the qualified voters voting thereat.

And I further certify that the hereto attached presentation of the amendments by the said Board of Fifteen Freeholders, frequently called the "Charter Commission" is a true and correct copy of the original draft of the same on file and of record in the office of the ^{city} clerk of the city of Albert Lea.

In witness whereof I have signed this certificate and caused it to be authenticated by the corporate seal of the city of Albert Lea in duplicate this 11th day of April 1911.


Mayor of the city of Albert Lea.

Attest:


City Clerk.

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PROPOSED AMENDMENTS to the City Charter of the City of Albert Lea, duly proposed and duly returned and certified to the Mayor as Chief Magistrate of the city of Albert Lea, Minnesota, February 25th, 1911, by the Board of Fifteen Freeholders of the City of Albert Lea, Minnesota, duly appointed and acting pursuant to Section 36 of Article 4, of the Constitution of the State of Minnesota and the Laws enacted in pursuance thereof; said Board being frequently called the CHARTER COMMISSION of the City of Albert Lea, Minnesota.

That subdivision (b) of section ten of chapter five, as amended, of the City Charter of the City of Albert Lea, be amended, said amendment to take effect as soon as the certificates provided for in section thirty-six, article four of the constitution of the state of Minnesota, have been deposited and recorded, as thereby required, said amendment to be, by adding at the end of said subdivision (b) the following words:

"Provided, however, that in place and stead of borrowing money to be placed in the permanent improvement revolving fund and issuing certificates therefor in an amount not to exceed ninety-one thousand dollars, as provided in the proposition approved by the voters at the general election held November 8, 1910, the city council shall have power, at its option and without further approval of the voters, for the purpose of maintaining said fund, to borrow money to be placed in said fund and to issue bonds therefor in an amount not to exceed ninety-one thousand dollars, the due date and rate of interest of said issue to be the same as stated in said proposition so approved."

"The city council may, at its option, provide for the payment of the special assessments for any improvement in equal annual installments not exceeding ten in number."

That Section 4 of Chapter 3 of the City Charter of the City of Albert Lea be amended, said amendment to take effect as soon as the certificates provided for in Section 36, Article 4 of the Constitution of the State of Minnesota have been deposited and recorded, as thereby required, said Section 4 to read as follows:

Section 4. Re-call of city officers.

(1) Applies to all elective officers.

Every incumbent of an elective office, except city treasurer, whether elected by popular vote or appointed to fill a vacancy, is subject to recall by the voters of the city. The procedure to effect such removal from office shall be as follows:

Petition for recall.

(2) A petition signed by qualified electors equal in number to twenty-five per centum of the entire vote cast for Mayor at the last preceding general municipal election at which a Mayor was elected, demanding an election of a successor of the officer sought to be removed, shall be addressed to the Council and presented to the city clerk. The petition may request such election to be held at a special municipal election or at the next general municipal election. The petition must contain a statement of the reasons for the demand.

Election under recall petition.

(3) If the officer sought to be removed shall not resign within five days after the petition is filed by the city clerk, and if the petition requests a special election, the Council shall cause a special election to be held within forty-five days to determine whether the people will recall said officer, or, if a general municipal election is to occur within sixty days, the Council may in its discretion postpone the holding of such election to such general municipal election.

Grounds of recall. Officer's justi-

city, which said charter was duly submitted to the voters of said city at an election held on the 1st day of April, A. D. 1902, and was duly ratified by more than four-sevenths of all the qualified voters voting thereat and was duly adopted in form and manner as by law prescribed, which said charter became and now is the charter of said city prescribing the government of its affairs; and

WHEREAS, the said Board of fifteen freeholders has been continued as a permanent body and all vacancies therein from all causes, have been duly filled by appointment as by law provided, and which said Board now consists of the following members, viz: C. S. Edwards, H. A. Morgan, D. R. P. Hibbs, Wm. Wohlfuter, Heman Blackmer, Ole Wulff, J. H. Menefee, W. S. Jones, S. P. Swendsen, A. C. Sorenson, Vegger Gulbrandson, A. U. Mayland, Geo. Drommerhausen, Christ Berthelsen and C. H. Farnsworth, each and all of whom have duly accepted their said appointment and entered upon the performance of their duties; and

WHEREAS, the said Board has been duly organized by the election of a president and secretary, viz: Clement S. Edwards as president, and Andrew U. Mayland as secretary, and

WHEREAS, a certain petition and application in writing of more than 5 per cent of the legal voters of said city of Albert Lea was, on February 25, 1911, duly submitted to said Board of fifteen freeholders and filed with the secretary thereof, by which said Board of fifteen freeholders is petitioned to submit to the vote of the people in the manner provided by law, at an election to be held as soon as possible, the amendments Nos. 1, 2 and 3, to the Charter of the city of Albert Lea hereto attached; and

WHEREAS, said petition has this day been filed in the office of the City Clerk of said city of Albert Lea; and whereas amendment No. 4, hereto annexed, has been originated by said Board.

NOW THEREFORE, We, the undersigned members of said Board of fifteen freeholders hereby sign, submit, present and return to the mayor

AMENDMENT NUMBER TWO.

That section fifteen of chapter five, as amended, of the City Charter of the City of Albert Lea, be amended, said amendment to take effect as soon as the certificates provided for in section thirty-six, article four of the constitution of the state of Minnesota, have been deposited and recorded, as thereby required, said section fifteen of chapter five, as so amended, to read as follows:

SECTION 15. The City Council shall have power and authority to borrow money, and issue bonds therefor, for the purpose of providing funds for any lawful municipal purpose, whenever the proposition for the issuance of such bonds, specifying generally the purpose of their issuance, shall have been submitted to the qualified voters of said city, at any general or special election and shall have received three-fifths of the votes of the qualified voters of said city voting thereon at such election. Whenever such voters have heretofore or shall hereafter approve a proposition to issue bonds, the city council may, at its option, issue all of said bonds or only a portion thereof, or none thereof, as it may for any reason determine. Provided, that the powers hereby conferred shall be construed as additional to and not as abridging the powers conferred by section thirteen of chapter four and by subdivision (b) of section ten of chapter five of this charter. But no bonds shall be issued so as to make the net indebtedness of the city in excess of the limit fixed by the general statutes of the state of Minnesota.

All provisions, and parts of provisions, inconsistent with this section are hereby repealed.

AMENDMENT NUMBER THREE.

That section twenty-six of chapter seven, as amended, of the City Charter of the City of Albert Lea, be amended, said amendment to take effect as soon as the certificates provided for in section thirty-six, article four of the constitution of the state of Minnesota, have been deposited and recorded, as thereby required, and said amendment to be as follows:

By striking out the figure "5" where it appears in said section twenty-six of chapter seven and inserting the word "Ten" in place and stead thereof so that the sentence in which the amendment occurs shall, when amended, read as follows:

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(4) In the published call for the election there shall be printed in not more than two hundred words the reasons for demanding the recall of the officer as set forth in the recall petition, and in not more than two hundred words the officer may justify his course in office.

Candidates. Election.

(5) The officer sought to be removed shall be deemed a candidate and, unless he resigns, his name shall be printed on the ballot. The nomination of other candidates and the election shall be in accordance with the statutes and laws now in force.

Incumbent Removed.

(6) The officer sought to be removed shall, if he do not resign, continue to perform the duties of his office until the election and, if he fail of election, he shall be deemed removed from office.

No recall petition for first three months.

(7) No recall petition shall be filed against any officer until he has actually held his office for at least three months.

Incapacity of recalled official.

(8) No person who has been recalled from an elective office, or who has resigned from such office while recall proceedings were pending against him, shall be appointed to any office within one year after such recall or resignation.

STATE OF MINNESOTA, County of Freeborn—ss.
City of Albert Lea.

WHEREAS, Upon application duly made to the District Court of the Tenth Judicial District in and for the county of Freeborn, in the state of Minnesota, the Honorable Nathan Kingsley, Judge of said court, did appoint a Board of fifteen freeholders who had been for the past five years immediately preceding their appointment, qualified voters of the city of Albert Lea, to frame a charter for the government of said city under and pursuant to section 36 of article 4 of the Constitution of the state of Minnesota and under and pursuant to the Laws enacted in pursuance thereof; and

WHEREAS, the said Board of fifteen freeholders did frame and propose, in accordance with law, such charter for the government of said

of the city of Albert Lea, as its chief magistrate, the annexed and foregoing amendments No. 1, No. 2, No. 3 and No. 4, as and for amendments to said charter of the city of Albert Lea; and we do hereby propose and approve said amendments to said charter and we do hereby certify that said annexed and foregoing amendments so numbered 1, 2, 3, and 4, are proposed amendments to said Charter of said city framed, approved and returned to be voted upon according to law.

Dated at Albert Lea, Minnesota, this 25th day of February, A. D., 1911.

HEMAN BLACKMER.

WM. WOHLHUTER.

CHRIST BERTHELSEN.

S. P. SWENDSEN.

OLE WULFE.

A. C. SORENSON.

VEGGER GULBRANDSON.

C. H. FARNSWORTH.

A. U. MAYLAND.

H. A. MORGAN.

Members of said Board of Fifteen Freeholders.

To the City Council of the City of Albert Lea:

The Board of Fifteen Freeholders duly appointed and acting pursuant to section 36, article 4, of the constitution of the state of Minnesota and the laws enacted in pursuance thereof, have on this day returned and certified to me as the chief magistrate of the city of Albert Lea, Minnesota, the hereto attached proposal for the amendment of the charter of said city, heretofore adopted as framed and submitted by said Board, which proposal has been duly approved and signed by the requisite number of members of said Board of fifteen freeholders, and is hereto annexed, and is hereby referred to and filed with you.

It is therefore incumbent that the authorities of said city make suitable provisions for submitting to the qualified voters of said city the question of the adoption of the said amendments numbered one, two, three and four; and action should be taken accordingly.

Dated at Albert Lea, Minnesota, this February 25th, 1911.

L. O. GREENE,

Mayor of said City.

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