

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

August 6, 2007
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Doug Reese, Ron Christianson, Bruce DeBlieck, Denis Anderson, Rick Fagerlie, Jim Dokken, and Steven Gardner; Present 8, Absent 1 - Cindy Swenson was excused from the meeting.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Police Chief Jim Kulset, Fire Chief Marv Calvin, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, Community Education and Recreation Director Steve Brisendine, and City Clerk Kevin Halliday.

The Council requested the City Council Minutes of July 16, 2007, be removed from the Consent Agenda.

Council Member Anderson offered a motion adopting the Consent Agenda which included the following: Rice Hospital Board Minutes of July 11, Municipal Utilities Commission Minutes of July 23, Planning Commission Minutes of July 18 and August 1, Police Commission Minutes of April 3, Convention/Visitors Bureau Minutes of June 19, Housing Task Force Minutes of July 23, Council Work Session Minutes of August 1, 2007; Exempt Permit Application for Willmar Hockey Association and West Central Ducks Unlimited; and Out-of-State Travel Request from Council Member DeBlieck. Council Member DeBlieck seconded the motion, which carried.

The Council requested clarification on the limited writing of the discussion points in the City Council Minutes under certain agenda items. Staff explained it was twofold: 1) cost of publication in the West Central Tribune; and 2) the fact that all Council action is recorded in the videotape of the meeting. The City Council Minutes of July 16, 2007, were approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Christianson, seconded by Council Member Anderson, and carried.

Chad Johnson, President of Willmar Fests, Inc., appeared before the Mayor and Council to express appreciation for supporting the 2007 Willmar Fests activities and recap the various activities. Shelby Warner, Queen of Festivals; Brittney Holtber, Aqua Princess; and Sara Oestrich, International Princess; shared new experiences and future events scheduled. Senior King Harlan and Queen Shirley Lohse shared the joy of representing Willmar at the recently attended neighboring community events. The Mayor expressed appreciation and wished them all well on the year-long journey as Ambassadors for the City of Willmar.

David Turch, representing Turch and Associates, appeared before the Mayor and Council to present an annual update. As the City's Federal lobbyist, Mr. Turch, whose expertise has been in transportation funding, said the City received roughly \$2.97 million for the new Airport and \$500,000 for an electric generation study. It was noted that bills pending in Congress would allocate \$25,000 for a methamphetamine education program, \$150,000 for gang enforcement, and \$15 million for the waste water treatment plant. Mr. Turch introduced Kodiak Hill-David, a former aide to a member of Congress. Ms. Hill-Davis joined Turch and Associates in February, 2007, and is assigned to

Willmar. This matter was for information only.

At 7:47 p.m. Mayor Heitke opened a hearing on an Ordinance Adopting Minnesota State Building Code. Planning and Development Services Director Peterson presented details of the proposed Ordinance, which would approve the new 2007 Building Code recently adopted by the State of Minnesota in July, 2007, and extension and continued use of the 1994 fee schedule that is currently enforced. Steve Fladaboe, Excel Overhead Doors, representing the West Central Builders Association, spoke in favor of reducing the building permit fees because the cost exceeds staff time involved in the review and that various projects had the building fees forgiven. Upon hearing all those who wished to be heard, Mayor Heitke closed the hearing at 7:53 p.m.

Council Member Gardner offered a motion to adopt, assign a number and order final publication of the Ordinance Adopting Minnesota State Building Code. Council Member Anderson seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

At 8:07 p.m. Mayor Heitke opened a hearing on an Ordinance Adopting 2007 Minnesota State Fire Code. Planning and Development Services Director Peterson presented details of the proposed Ordinance, which also was adopted by the State of Minnesota in July, 2007. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 8:08 p.m.

Council Member DeBlieck offered a motion to adopt, assign a number and order final publication of the Ordinance Adopting 2007 Minnesota Fire State Code. Council Member Dokken seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Sherry Ristau, President/CEO of the Southwest Initiative Foundation, presented an annual update to Mayor and City Council. Ms. Ristau reviewed strategic plan goals through 2011, various projects carried throughout the area, renewable energy projects, leadership projects, early childhood initiatives, and the McKnight Challenge. This matter was for information only.

Mayor Heitke recognized individuals who had signed up to address the City Council during its scheduled Open Forum. John Sullivan spoke with regards to the Westwinds Project voting process by a Council Member, and Terry Spieker spoke with regards to Railroad quiet zones.

Mayor Heitke called for a recess at 8:55 p.m. and reconvened the meeting at 9:00 p.m.

The Public Works/Safety Committee Report for July 24, 2007, was presented to the Mayor and Council by Council Member Reese. There were 11 items for Council consideration.

Item No. 1 The Committee considered a request from Infinia Health Care to close a portion of Russell Street NW immediately west of their facility for their 8th Annual Block Party scheduled for August 2, 2007. Following discussion, the Committee was recommending the Council approve the closing of a portion of Russell Street for the Annual Block Party. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Christianson seconding the motion, which carried.

Item No. 2 The Committee received a demonstration from Staff of the recently installed upgrades to the City Hall conference rooms and noted the technology will be soon be available at the Council Chambers. This matter was for information only.

Item No. 3 The Committee considered two change orders for the 19th Avenue SE street construction (Project No. 0704). The change orders added a manhole, sanitary sewer and water

main and revised the wearing course from traffic level 2 to traffic level 3 to match the wearing course on the City's overlay project for the remainder of 19th Avenue SE.

The Committee was recommending the Council approve the change orders and adjust the budget accordingly. Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 1

WHEREAS, a contract has been awarded to Duinck Bros., Inc. of Prinsburg, Minnesota, on February 26, 2007, in the amount of \$828,096.30 for construction of the 2007 19th Avenue SE Improvements – Project No. 0704 under the direction of Bolton and Menk as engineer; and

WHEREAS, it is desired to add additional work to the above contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that:

1. Additional work is herewith authorized to be added to the above contract estimated by the Consulting Engineer to be \$13,461.50 for Change Order No. 1 and \$11,739.42 for Change Order No. 2.
2. Funding for the additional work is from within the Project Budget.

Dated this 6th day of August, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

AS-BID 19TH AVENUE SE PAVING BUDGET
PROJECT NO. 0704

PERSONNEL SERVICES		RECEIVABLES	
TOTAL	\$0.00	Property Owners	\$88,240.00
SUPPLIES		State (MSAS)	\$414,600.00
Office Supplies	\$500.00	City (MUC)	\$15,000.00
Small Tools	\$500.00	City (CIF)	<u>\$531,760.00</u>
Motor Fuels & Lubricants	\$1,000.00	TOTAL	\$1,049,600.00
Postage	\$500.00	FINANCING	
Mtce. of Other Improvements	<u>\$1,000.00</u>	Bonds (2007-B)	\$635,000.00
TOTAL	<u>\$4,000.00</u>	State (SA)	<u>\$414,600.00</u>
OTHER SERVICES		TOTAL	\$1,049,600.00
Printing & Publishing	\$1,500.00	GRAND TOTAL	\$1,049,600.00
Mtce. of Other Impr.	\$853,300.00		
Other Services	<u>\$54,800.00</u>		

TOTAL	\$909,600.00
OTHER CHARGES	
Insurance & Bonds	\$1,000.00
Prof. Serv. (B&M, SOILS, SURVEY)	\$115,000.00
Adm. OH (Transfer)	\$10,000.00
Other Charges	<u>\$10,000.00</u>
TOTAL	\$136,000.00
GRAND TOTAL	\$1,049,600.00

Dated this 6th day of August, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 The Committee considered a request by Duininck Development Incorporated, regarding the Water View Business Park, to change the completion date for the wear course of all streets to year 2008. It was noted that the current agreement states that the wear course for a portion of 5th street and 24th Avenue were to be paved by June 30, 2007, with the remainder to be paved by June 15, 2008. Staff concurred with their request with the condition that no extra cost be incurred by the City for temporary striping, traffic control, tapering joints for snow plowing or any other expenses related to leaving the wear off this year.

Followings discussion, it was recommended by the Committee that a memorandum of understanding be drafted and signed by both parties to amend the developer's agreement to reflect this change. The Committee was recommending the Council approve the request of Duininck Development Incorporated with the conditions as noted on the memorandum of understanding. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 5 Craig Holmes of Donohue and Associates reviewed with the Committee the June monthly report for the WWTP Relocation Project and highlighted the status of the location of the Jennie-O Benson Avenue pump station, as well as their pre-treatment. He also updated the Committee on the status of access to properties west of County Road 5 for construction of the main interceptor line.

The overall design of the new facility is nearing 75%, which is anticipated to be complete in late August. The phase I of the Southern Interceptor Construction Project was completed as of this meeting. This matter was for information only.

Item No. 6 Chief Kulset informed the Committee that he had met with individuals who had expressed concern over the definition of ultimate fighting at the May public hearing on the proposed ordinance to ban ultimate/mixed martial arts fighting. The group was working on ordinance language to define the activity when it was learned that the Minnesota Legislature passed legislation at the end of this year's session which placed regulatory authority for this activity with the State Boxing Commission.

Following discussion, the Committee was recommending the Council introduce an ordinance to prohibit boxing, wrestling, ultimate fighting, mixed martial arts contests, and similar activities in

licensed liquor establishment. Council Member moved to introduce an Ordinance Amending On-sale Liquor Conditions in the City of Willmar and to set a public hearing on August 20, 2007. Council Member Fagerlie seconded the motion, which carried.

Item No. 7 Staff advised the Committee that the County took bids for County Road 47 on July 10, 2007. There were five bidders, and the low bid came in below the engineer's estimate which resulted in a savings to the City of Willmar in the amount of \$480,000.00. The Committee was recommending the Council pass a Resolution to revise the budget accordingly.

Resolution No. 3 was introduced by Council Member Reese, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

AS-BID 2007 IMPROVEMENT BUDGET

PERSONNEL SERVICES		RECEIVABLES	
Overtime Reg. Employees	\$1,000.00	Property Owners	\$561,200.00
Salaries Temp. Employees	\$4,000.00	City (MUC)	\$59,800.00
Employer Pension Contr.	<u>\$1,500.00</u>	State (State Aid)	\$237,000.00
TOTAL	\$6,500.00	City (CIF)	\$259,000.00
SUPPLIES		City (LOST)	\$1,817,000.00
Office Supplies	\$1,500.00	City (WWTP)	\$22,300.00
Small Tools	\$2,000.00	City (Utility fee)	<u>\$210,000.00</u>
Motor Fuels & Lubricants	\$1,000.00	TOTAL	\$3,166,300.00
Postage	\$2,000.00	FINANCING	
Mtce. of Other Improvements	\$2,000.00	Bonds (2007-B)	\$1,090,000.00
General Supplies	<u>\$2,500.00</u>	State	\$237,000.00
TOTAL	\$11,000.00	City (WWTP/General)	<u>\$22,300.00</u>
OTHER SERVICES		City (LOST)	\$1,817,000.00
Printing & Publishing	\$4,000.00	TOTAL	\$3,166,300.00
Mtce. of Other Impr.	\$2,041,937.00		
Other Services (Proj. 2, 12, conting.)	<u>\$825,863.00</u>		
TOTAL	\$2,871,800.00		
OTHER CHARGES			
Insurance & Bonds	\$2,000.00		
Prof. Serv.	\$100,000.00	01 (Street)	\$1,055,537
Adm. OH (Transfer)	\$125,000.00	02 (C.R. 5)	741,000
Other Charges	<u>\$50,000.00</u>	07 (Lighting)	20,000
TOTAL	\$277,000.00	08 (Seal Coat)	30,000
GRAND TOTAL		10 (Willmar Ave.)	935,800
	\$3,166,300.00	12 (Airport Demo)	30,000

Dated this 6th day of August, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 8 The Committee reviewed plans and specs for a portion of the trail project along Civic Center Drive from North Business 71 easterly to the Civic Center. The total estimated cost for this project is \$90,000.00. The project involves widening the current four foot sidewalk an additional four feet. Following discussion, the Committee was recommending the Council approve the plans and specification for Project No. 0712 and authorize advertisement for bids.

Resolution No. 4 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 4

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 0712 (2007 Civic Center Drive Path Widening Improvements) for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:00 p.m. on the 4th day of September, 2007, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 6th day of August, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Committee further recommended that the Council adopt the preliminary Trail Improvements Budget. Resolution No. 5 was introduced by Council Member Reese, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 5

PRELIMINARY TRAIL IMPROVEMENT BUDGET

SUPPLIES		RECEIVABLES	
Motor Fuels & Lubricants	\$500.00	State (DNR)	\$65,000
Postage	\$200.00	City (LOST)	<u>\$235,000.00</u>
General Supplies	<u>\$300.00</u>	TOTAL	\$300,000.00
TOTAL	\$1,000.00		
OTHER SERVICES		FINANCING	
Printing & Publishing	\$500.00	State (DNR Grant)	\$65,000.00
Mtce. of Other Impr.	\$270,000.00	City (LOST)	<u>\$235,000.00</u>
Other Services	<u>\$15,000.00</u>	TOTAL	\$300,000.00
TOTAL	\$285,500.00		
OTHER CHARGERS			
Prof. Serv.	\$5,000.00	MinnWest Segment	\$75,000
Advertising	\$500.00	Kandiyohi Coop Segment	\$100,000

Adm. OH (Transfer)	\$8,000.00	Civic Center Drive segment	\$90,000
TOTAL	\$13,500.00	Robbins Island Overlay	\$35,000
GRAND TOTAL	\$300,000.00		

Dated this 6th day of August, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 9 The Committee reviewed the final pay estimate to Duinick Bros. Inc. in the amount of \$40,592.76 for Project 0604-B (Emerald Pond Development. This project is in the Koosman Development located east of Lakeland Drive in the vicinity of the YMCA. All work on the project has been completed and the final payment represents the retainage held for completion of the punch list items.

The Committee was recommending the Council accept the project and authorize final payment to Duinick Bros., Inc. Resolution No. 6 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 6

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

IMPROVEMENT: Project No. 0604-B – 2006 Emerald Pond Improvements
 CONTRACTOR: Duinick Bros. Inc.
 DATE OF CONTRACT: April 21, 2007
 BEGIN WORK: June 8, 2006
 COMPLETE WORK: May 31, 2007
 APPROVE, CITY ENGINEER: July 24, 2007

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that:

1. The said City of Willmar Project No. 0604-B be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$ 162,327.15
Change Orders (None)	\$0.00
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$ 162,327.15
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$ 159,294.86
Less Previous Payments	\$ 119,992.85
Incentive	\$ 1,290.75
FINAL PAYMENT DUE CONTRACTOR:	\$ 40,592.76

Dated this 6th day of August, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 10 The Committee reviewed a proposed amendment to the SEH Professional Service Agreement for the 19th Avenue and 5th Street SE signal project. The amendment to the agreement was necessary as the scope was increased to include replacing the failing loop detectors at 19th Avenue and 1st Street South, additional site visits, as well as additional close out and punch list items. The amount of their request is a \$3,000.00 increase for a new not to exceed contract total of \$18,200.00.

The Committee was recommending the Council approve the contract amendment to the professional services agreement with SEH for Project No. 0705. Resolution No. 7 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 7

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into a contract amendment to supplement the agreement between the City of Willmar and Short Elliott Hendrickson Inc., (SEH). The supplement includes costs for additional design work to be completed on City of Willmar Project No. 0705.

BE IT FURTHER RESOLVED, the original contract amount of not to exceed \$15,200.00 is hereby amended by \$3,000.00 for a total not to exceed figure of \$18,200.00.

Dated this 6th day of August, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 11 The Committee had previously requested Staff to research the possibility of banning pit bull dogs in the City of Willmar. Staff informed the Committee that Minnesota Statute prohibits communities from banning dogs based solely on breed. This matter was for information only.

The Public Works Safety Committee Report for July 24, 2007, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese, seconded by Council Member Christianson, and carried.

The Labor Relations Committee Report for July 25, 2007, was presented to the Mayor and Council by Council Member Gardner. There were four items for Council consideration.

Item No. 1 Police Chief Kulset presented to the Committee proposed revisions to the Police Civil Service Commission Rules and Regulations. The proposed changes were intended to

conform to Minnesota Statutes and had been recommended for approval by the three-member Police Commission.

Following discussion, the Committee was recommending the Council approve the revisions to the Police Civil Service Commission Rules and Regulations as proposed. Council Member Gardner moved to approve the recommendation of the Labor Relations Committee with Council Member Reese seconding the motion, which carried.

It was the consensus of the Committee to invite the Police Civil Service Commission to a future meeting in order to continue the discussion of the role of the Commission in the operation of City business.

Item No. 2 The Committee reviewed a Staff recommendation to create a specialist designation for officer(s) on narcotic assignment. Presently the Police Department has a specialist designation for those officers serving in gang enforcement, community policing and crime prevention, juvenile/school liaison, and investigations.

Following discussion, the Committee was recommending the Council approve of the specialist designation for officer(s) on narcotic assignment. Council Member Gardner moved to approve the recommendation of the Labor Relations Committee with Council Member Reese seconding the motion, which carried.

Item No. 3 Staff informed the Committee that the Office of the State Auditor has issued a Statement of Position on Out-of-State Travel Policies for elected officials, requiring that local policies be reviewed annually and any changes to the policy be approved by a recorded vote.

Following discussion, the Committee was recommending the Council approve of a revised Out-of-State Travel Policy for the Mayor and City Council. Resolution No. 8 was introduced by Council Member Gardner, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 8

OUT-OF-STATE TRAVEL POLICY FOR THE WILLMAR CITY COUNCIL

WHEREAS, the 2005 regular session of the Minnesota State Legislature has mandated that every City develop and approve, by a recorded vote, an out-of-state travel policy for its applicable elected officials (Minnesota Statutes 471.661); and

WHEREAS, the elected officials for the City of Willmar affected by this statutory requirement are the Mayor and eight ward Council Members; and

WHEREAS, the City of Willmar recognizes that its elected officials may at times receive value from traveling out of the state for workshops, conferences, events and other assignments. This policy sets forth the conditions under which out-of-state travel will be reimbursed by the City; now, therefore

BE IT RESOLVED: That the following Out-of-State Travel Policy shall apply for all City of Willmar Elected Officials beginning April 5, 2006:

General Guidelines:

1. The event, workshop, conference or assignment must be approved in advance by the City Council at an open meeting and must include an estimate of the cost of the travel.

- In evaluating the out-of-state travel request, the Council will consider the following:
- a. Whether the elected official will be receiving training on issues relevant to the City or to his or her role as the Mayor or as a council member;
 - b. Whether the elected official will be meeting and networking with other elected officials from around the country to exchange ideas on topics of relevance to the City or on the official roles of local elected officials.
 - c. Whether the elected official will be viewing a city facility or function that is similar in nature to one that is currently operating at, or under consideration by the City where the purpose for the trip is to study the facility or function to bring back ideas for the consideration of the full council.
 - d. Whether the elected official has been specifically assigned by the Council to visit another city for the purpose of establishing a goodwill relationship such as a "sister-city" relationship.
 - e. Whether the elected official has been specifically assigned by the Council to testify on behalf of the City at the United States Congress or to otherwise meet with federal officials on behalf of the City.
 - f. Whether the City has sufficient funding available in the budget to pay the cost of the trip.
2. No reimbursements will be made for attendance at events sponsored by or affiliated with political parties.
 3. The City may make payments in advance for airfare, lodging and registration if specifically approved by the council. Otherwise all payments will be made as reimbursements to the elected official.
 4. The City will reimburse for transportation, lodging, meals, registration and incidental costs as follows:
 - a. Airfare will be reimbursed at the coach rate.
 - b. Mileage will be reimbursed at the IRS rate. If two or more council members travel together by car, only the driver will receive reimbursement. The City will reimburse for the cost of renting an automobile if necessary to conduct City business.
 - c. Receipts are required for lodging, airfare and meals and should accompany an expense report form. It is not necessary to have receipts for cabs and tips. The expense report form shall be submitted to the Finance Department for payment.
 - d. The City will not reimburse for alcoholic beverages, personal telephone calls, costs associated with the attendance of a family member, rental of luxury vehicles, meal expenses included in the cost of registration or recreational expenses such as golf or tennis.
 5. The elected official shall make available to the City all materials received at said conference.
 6. All frequent flyer miles or rebates shall accrue to the benefit of the owner of the credit card used in the purchase of allowable travel expenses.
 7. The City Council may make future amendments to this policy as deemed appropriate. The City Council also reserves the right to approve exceptions to this policy upon a majority vote of the Council.

Dated this 6th day of August, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 The Committee reviewed a recommendation by Staff to upgrade the position classification of Permit Technician and Clerk Typist at the Fire Department. In both cases the changes in job values are a direct result of employer-mandated higher education requirements.

Following discussion, the Committee was recommending the Council approve of the proposed position classifications of Clerk Typist at the Fire Department. Council Member Gardner moved to approve the recommendation of the Labor Relations Committee with Council Member Dokken seconding the motion, which carried.

Item No. 5 Staff presented to the Committee a recent Statement of Position from the Office of the State Auditor regarding car allowances and mileage reimbursements. Essentially, the Auditor is saying that employees receiving vehicle allowances cannot be reimbursed mileage expenses incurred outside of City limits. The City discontinued this practice following the Auditor's March Statement of Position. This matter was for information only.

The Labor Relations Committee Report of July 25, 2007, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Gardner, seconded by Council Member Dokken, and carried.

City Clerk Halliday informed the Mayor and Council that Wal-Mart Stores Inc. has applied for an Off-Sale Liquor License at 700 19th Avenue Southeast. Following discussion, Council Member Reese moved to approve the Liquor License as presented with Council Member Christianson seconding the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Planning and Development Services Director Peterson informed the Mayor and Council that Erickson Land Co. requests that assessments against a lot be split to reflect a property line change. Two lots are being combined in Trentwood Estates along with five feet off of a third lot to the south.

Resolution No. 9 was introduced by Council Member Anderson, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 9

WHEREAS, a request for reapportionment of special assessments has been filed with the City of Willmar, said request being signed by all of the parties having an interest in the following-described property:

See Attachment A (on file in City Clerk's Office)
Parcel No. 95-828-0300 and 95-828-0320
to wit: Erickson Land Co. of Willmar

WHEREAS, the above have waived notice of hearing and hearing on said reapportionment;
and

WHEREAS, the City Council of the City of Willmar is in agreement that the special assessments totaling \$25,203.95 placed against the above-described parcel be hereby reapportioned as herein described:

<u>Parcel No.</u>	<u>Legal Description</u>	<u>Amount</u>
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