

CITY OF WILLMAR

MISSION STATEMENT

The City of Willmar is committed to providing responsible municipal service in an open, effective and efficient manner to all citizens of the local and area community. The ultimate goal is to preserve and enhance the quality of life for future generations.

COMMUNITY VALUES

Fiscal Responsibility
Excellence in the Delivery of Service
Quality Service
Ethics and Integrity
Visionary Leadership and Planning
Open and Honest Communication
Professionalism

RESOLUTION NO. 17-90

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA
SUPPORTING THE CONSENSUS OF THE JULY 22, 2017 STRATEGY WORK SESSION

Motion By: Plowman

Second By: Mueske

WHEREAS, the City Council of the City of Willmar on July 22, 2017 held a Council Strategical Retreat to prioritize and reach a consensus with respect to views on capital projects.

WHEREAS, multiple projects were discussed under three categories defined as Facilities, Stormwater Management and Parks to provide additional guidance regarding execution of those projects.

WHEREAS, the following summary of capital priorities was reached:

Facilities:

1. City Hall (high consideration given to consolidation of multiple facilities)
2. Civic Center (ice plant is urgent/consider consultant for master plan)
3. Community Center/Auditorium tied (both guided by community input, tuckpointing of Auditorium immediate concern)
4. Aquatic Center (pool bottom repair immediate concern)

Stormwater Management:

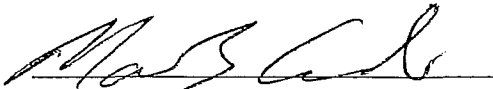
1. Western Interceptor (design 2017, construction 2018)
2. Menards (design and land purchase 2018, construction 2019)
3. Kennedy School Area (not likely in the next five years)
4. Analyze annually and adjust plans

Parks:

1. Robbins Island (\$250,000 match to receive \$606,000 Legacy Grant)
2. Neighborhood Parks and Playgrounds (replace play units)
3. Rice Park/Miller Park (complete Rice to plan, reconstruct tennis courts at Miller)
4. Swansson Park (improved lighting for Baker Field)

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar that the priorities developed at the July 22, 2017 Council Work Session be supported and developed into next year and future City budgets.

Dated this 7th day of August, 2017



Mayor

Attest:



City Clerk



**WILLMAR CITY COUNCIL MEETING
MONDAY, JUNE 3, 2019 7:00 PM
COUNTY BOARD ROOM, HEALTH AND HUMAN SERVICES BUILDING
2200 – 23RD STREET NE, WILLMAR, MINNESOTA**

AGENDA

1. Call Meeting to Order
2. Roll Call
3. Pledge of Allegiance
4. Proposed Additions or Deletions to Agenda
5. Consent Items
 - Approve: A. City Council Minutes of May 6, 2019
 - B. City Council Minutes of May 20, 2019
 - C. Willmar Municipal Utilities Board Minutes of May 28, 2019
 - D. Planning Commission Minutes of May 15, 2019
 - E. Accounts Payable Report May 16 through May 29, 2019
 - Accept: F. Central Community Transit Operations Board Minutes of March 26, 2019
 - G. Police Commission Minutes of March 21, 2019
 - Information: H. Invest in Willmar Board Meeting Summary of May 8, 2019
 - I. Appointment of Rhonda Otteson to Planning Commission
6. Approve Consent Agenda Items
7. Items Removed from Consent Agenda
8. Recognition of Retirement of Jim Gauer, Wastewater Treatment Plant Superintendent
9. Open Forum
10. Hearing: 7:01 p.m. – Text Amendment to Section 6.1 of the Zoning Ordinance Relating to the General Business District
11. Community Development Committee Report of May 28, 2019
 - Action Item: A. Resolution for Hazard Building Declaration
12. Finance Committee Report of May 23, 2019
 - Action Item: A. Motion to Review Lease Agreement with Willmar Baseball and Northwoods League (Refer back to Park and Recreation Board)
 - B. Resolution Authorizing License Agreement with Wild Oar Rentals to Use Public Park Property
 - C. Resolution Authorizing Amendments to Agreement with Glacial Ridge Curling Club
 - D. Resolution Approving Laws of MN for 2019, First Special Session, Chapter 6, Article 6, Section 32 to Impose by Ordinance a Sales and Use Tax
 - E. Introduce Ordinance Adopting a Sales and Use Tax and a Motor Vehicle Excise Tax for Hearing on June 17, 2019
13. Consideration of Civic Center Special Event Liquor License Permit – Bike MS: Bike Across MN

14. Resolution to Award South 1st Street Water Main Replacement Project to Landpride Construction
15. Labor Committee/Consideration of Interim City Administrator Recommendation
16. City Administrator's Comments
17. Mayor's Announcements
18. Council Members' Announcements
19. Adjourn

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM
HEALTH AND HUMAN SERVICES BUILDING
WILLMAR, MINNESOTA

May 6, 2019
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Shawn Mueske, Kathy Schwantes, Vicki Davis, Fernando Alvarado, Julie Asmus, Andrew Plowman, and Audrey Nelsen. Present 9, Absent 0.

Also present were City Administrator Ike Holland, Police Sergeant Vince King, Public Works Director Sean Christensen, Park and Recreation Director Rob Baumgarn, Fire Chief Frank Hanson, Planning and Development Services Director David Ramstad, City Planner Sarah Swedburg, Administrative Assistant Janell Sommers, and City Attorney Robert Scott.

Proposed additions or deletions to the agenda included: Mayor Calvin asked that Item 16 – Consideration of City Hall Site Options and Item 17 – Mayor Calvin on Replacement of EDC Joint Powers Board Member be switched on the agenda this evening.

Council Member Mueske moved to approve the agenda, as amended. Council Member Asmus seconded the motion which carried.

Administrative Assistant Janell Sommers reviewed the consent agenda.

- A. City Council Minutes of April 15, 2019
- B. City Council Special Meeting Minutes of April 29, 2019
- C. Willmar Municipal Utilities Board Minutes of April 22, 2019
- D. Planning Commission Minutes of April 17, 2019
- E. **Resolution No. 19-067 Declaring Surplus Equipment and Authorizing Sale at Public Auction**
- F. Accounts Payable Report April 11 through May 1, 2019
- G. Willmar Lakes Area CVB Board Minutes of March 19, 2019
- H. Human Rights Commission Minutes of March 19, 2019
- I. Willmar Parks and Recreation Board Minutes of April 17, 2019
- J. Building Report for the Month of April, 2019
- K. City Hall Task Force Meeting Summary of April 9, 2019
- L. Invest in Willmar Board Meeting Summary of April 10, 2019
- M. Application for Temporary Position on Airport Commission – Dan Reigstad
- N. Year-to-Date Indoor Range Report for 2019

Council Member Fagerlie offered a motion to approve the Consent Agenda. Council Member Plowman seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Blue Cross and Blue Shield of Minnesota representative Wendy Foley and Healthy Together Willmar Community Table representative Arfon Mohamud gave a presentation on Healthy Together Willmar. Since the inception of Healthy Together Willmar in 2016, the core stakeholders heard specifically the need for diverse leadership development, more responsive care, and support for existing work. The organization continues to center their work around the core values that have been identified by Willmar residents related to how we connect and engage with each other, particularly across difference. Ms. Foley and Ms. Mohamud identified some of the activities currently going on in the community and urged everyone to continue participating in the event.

Mayor Calvin thanked them for the presentation and their work involved in Healthy Together Willmar.

At 7:21 p.m. Mayor Calvin opened the public hearing for tax abatement request by AEHM, LLC. Mr. Gabe Olson, representing AEHM, LLC. , stated they had purchased the Sunwood Apartment Complex and plan to build an additional 24-unit building in addition to improvements of the interior and exterior on the existing two buildings (12 units each). AEHM, LLC.'s request for tax abatement is for 10 years at 90% of the increased tax base and states that the project cannot support itself without tax abatement from the City.

There being no one to speak for or against the proposed tax abatement request, Mayor Calvin closed the hearing at 7:25 p.m. and opened it up for discussion by the Council.

Following discussion, **Resolution No. 19-068 Approving Property Tax Abatement** was introduced by Council Member Fagerlie. Council Member Schwantes seconded the motion, which carried on a roll call vote of Ayes 6, Noes 2. Council Members Davis and Alvarado voted "no".

Dirk Meuleners, Spicer, addressed the Mayor and Council during the Open Forum. Mr. Meuleners spoke in regard to the current site locations for the new city hall and his concerns with said locations.

Stephen Deleski, Willmar, addressed the Mayor and Council during the Open Forum. Mr. Deleski spoke in regard to the needs for a new city hall.

John Harren, Willmar, addressed the Mayor and Council during the Open Forum. Mr. Harren spoke as a member of Vision 2040, and invited everyone to attend a presentation "13 Ways to Kill Your Community" being held May 16, 2019 from 12:00 noon to 1:30 p.m. at the Willmar Conference Center and from 6:30 p.m. to 8:00 p.m. at the Little Crow Golf Course.

Jerry Gesch, Willmar, addressed the Mayor and Council during the Open Forum. Mr. Gesch stated he is so proud to be a citizen of Willmar. He also spoke about the limited growth of the community and the options available downtown for a new city hall, and urged the Council to listen to the community and explore other options available.

Bob Enos, Willmar, addressed the Mayor and Council during the Open Forum. Mr. Enos spoke regarding the need for a new city hall.

Bolton and Menk Design Manager Aaron Warford and MnDOT Project Manager Paul Rasmussen presented information regarding the proposed intersection design in the Willmar Wye Highway 12 realignment in conjunction with the roundabouts. At this time they were asking for Council's consent to the proposed design.

Following discussion, Council Member Nelsen offered a motion to approve the design as presented. Council Member Plowman seconded the motion which carried.

Parks and Recreation Director Rob Baumgarn and Engan Associates Architect Richard Engan presented updated information on "Plan E", as requested by Council, of the four season shelter being proposed for Robbins Island.

Following discussion, Council Member Asmus offered a motion to approve "Plan E", and direct staff to prepare bid documents. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 7, Noes 1. Council Member Schwantes voted "no".

Mayor Calvin recessed the meeting at 8:52 p.m.

Mayor Calvin reconvened the meeting at 9:00 p.m.

Council Member Plowman read a proclamation, on behalf of the Mayor, declaring Public Works Week May 19 - 25, 2019, and noted 2019 marks the 59th Annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association.

The Finance Committee Report for April 18, 2019 was presented to the Mayor and Council by Council Member Nelsen. There were seven items for consideration.

Item No. 1 The Committee reviewed information about the Preservation Alliance of Minnesota/MN Main Street Mini-Grant Program. Willmar Main Street submitted an application for \$6,000 (maximum allowed) to help fund the Retail Business Design Workshops. These workshops were a large partnership between the UMN Extension, College of Design, Kandiyohi & Willmar EDC, Willmar Area Foundation, United Way, and several other area partners. Twenty local businesses participated in the workshops: one-half of which were from Willmar, three-fourths were women-owned, and 20% were diverse businesses (all from downtown). The organization received outstanding feedback from participants, both about main street's content from industry mentors on topics such as target marketing, inventory management, and social media, as well as accountability and networking among each other during the coaching sessions. This is the first program of its kind in Minnesota.

There were two actions requested from the Committee. The first was to accept the Grant funding of \$4,200, and the second was to adopt the Main Street Budget as revised.

Council Member Nelsen introduced **Resolution No. 19-069 Accepting the Grant from MN Main Street in the Amount of \$4,200**. Council Member Alvarado seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Nelsen introduced **Resolution No. 19-070 Adopting the 2019 Preliminary Main Street Budget, As Revised, in the Amount of \$56,700.00**. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 2 Staff explained that the Mayor, City Administrator, and Finance Director will be meeting to set the 2020 Budget Calendar. The Committee reviewed the 2019 Budget Calendar as it was adopted last year. This item was for information only.

Item No. 3 Staff explained that Springsted, Inc., and had completed their analysis of wastewater utility rates for the City's sewage treatment plant. Based on various assumptions, the financial projections indicate no rate increases are needed in 2019 through 2021. The City can alternatively plan to refinance the ballooned maturities in 2025 through 2029 or increase rates 2.5% annually beginning in 2022 to maintain coverage levels and address the debt service increases that begin in 2025. This item was for information only.

Item No. 4 A brief discussion was held on the 1st Quarter Investments and Departmental Budgets. Presentations will be scheduled to be reviewed at future Council meetings. Since the Finance Director will be absent from the May 6th meeting, this will start with the second Quarter report in July. This item was for information only.

Item No. 5 Staff explained that the preliminary 2018 year-end excess for the General Fund was approximately \$870,000. Finance Director Okins also explained how it actually takes three different levels of processing to finalize the numbers, those being the Pre-Audit, Internal Audit and the External Independent Audit. The Committee will review this again at the time of the completion of the External Audit. This item was for information only.

Item No. 6 Due to time constraints of this meeting, the remaining items will be placed on future meeting agendas: Purchasing Policy Review; Tax Abatement/Tax Increment; Deferred/Suspense and Agriculture Assessments; Review Meeting Schedule (Information). This item was for information only.

Item No. 7 The Committee then reviewed the Future Meeting Schedule, and tentatively set the next meeting for May 16th. This item was for information only.

The Finance Committee Report of April 18, 2019, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Nelsen. Council Member Asmus seconded the motion, and carried.

Council Member Mueske presented information in regard to a settlement and release agreement between the City and former employee Bruce Peterson. He indicated the contents of the agreement are confidential until all signatures are obtained.

Resolution No. 19-071 Resolution Approving Settlement and Release Agreement Between City of Willmar and Bruce Peterson was introduced by Council Member Mueske. Council Member Schwantes seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Calvin stated he had received a resignation letter from Economic Development Commission (EDC) Joint Powers Board by Council Member Plowman. Council Member Plowman stated due to other commitments, he is no longer able to serve on the board. Mayor Calvin is requesting Council to consider a replacement for the board and this item will be placed on the May 20, 2019 Council agenda for formal action.

Council Member Nelsen was excused from the meeting at 9:11 p.m.

Council Member Schwantes stated a City Hall Task Force was formed by the Council on January 22, 2019 and has been meeting to discuss site selection for construction of a new city hall. From recent meetings the site has been narrowed down from six sites to three site concepts for the Council's consideration this evening. Site concept one is to remodel the current city hall building. Site concept two is to demolish the current city hall building and construct a new city hall possibly connecting with the city auditorium. Site concept three is to consider vacant land on Block 25 for construction of a new city hall.

Following a lengthy discussion, Council Member Schwantes introduced **Resolution No. 19-072 A Resolution by the Mayor and City Council of the City of Willmar, Minnesota Authorizing Negotiations and Preparations for the City's Acquisition Certain Real Property in the City for the Construction of a New City Hall.** Council Member Asmus seconded the motion.

City Attorney Robert Scott clarified the various sections of the proposed resolution.

Following further discussion, Council Member Plowman offered a friendly amendment to the motion to direct staff to further explore the Wodash property at the same time as the Nelsen property and perform soil samples on the properties. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 7, Noes 1. Council Member Fagerlie voted "no".

The original motion and resolution then carried on a roll call vote of Ayes 7, Noes 1. Council Member Fagerlie voted "no".

City Administrator offered the following comments: May 17th is the Mayor's Bike Ride and Block Party downtown; Saturday, May 18th the Lions Club will be hosting an event at the Dog Park; Thursday, May 23rd during Public Works Week there will be an open house at the Public Works garage; YMCA is hosting the 5K Run on May 25th.

Mayor Calvin offered the following comments: we recently received the \$750,000 DEED grant for downtown improvements that we had applied for; commended staff for all their hard work on the grant application; urged everyone to attend the "13 Ways to Kill Your Community" presentations on May 16th; Mayor's Bike Ride is May 17th; Ridgewater College graduation is May 17th; his wife informed him she heard on the radio there was a law suit filed against him - he had no knowledge of this as he had not been formally served or heard anything from the City Attorney;

Council Member Fagerlie offered the following comments: Community Development Committee meets on Monday, May 13th, and one of the agenda items is flood insurance.

Council Member Schwantes offered the following comments: wanted to thank the Council for making a decision tonight and thanked the task force for all the work they put into the city hall project, and she is excited for the next phase in the process; the storm water subcommittee for the local option sales tax met and agreed to do a tour of Willmar and talk about the watershed and different points of interest regarding storm water so they have a good understanding of storm water, and extended an invite to Council to join on the tour which will be on Tuesday, May 28th from 8:00 a.m. to 10:00 a.m. and will meet at the Goodness in downtown Willmar.

Council Member Alvarado offered the following comments: appreciates the decisions made tonight; "Hats Off" to Council Member Schwantes on a super job.

Council Member Asmus offered the following comments: the Mayor's Prayer Breakfast held recently was a huge success, and thanked the Mayor and his committee for putting together such a wonderful event; her family attended the Cinco de Mayo event held on Sunday at the Community Center - lots of great food and fun events and thanked everyone for putting this event together.

Council Member Fagerlie offered a motion to adjourn the meeting with Council Member Asmus seconding the motion which carried. The meeting adjourned at 10:20 p.m.

MAYOR

Attest:

SECRETARY TO THE COUNCIL

RESOLUTION NO. 19-067

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA
DECLARING SURPLUS SUPPLIES, MATERIALS, AND EQUIPMENT AND AUTHORIZING THE SALE
THEREOF**

Motion By: Fagerlie

Second By: Plowman

WHEREAS, the City of Willmar ("City") is permitted to sell City-owned surplus supplies, materials, and equipment pursuant to Minnesota Statutes Section 471.345, subdivision 17; and

WHEREAS, the City has determined that it owns a surplus of supplies, materials, and equipment, as specified in Exhibit A, which is attached and incorporated herein; and

WHEREAS, the City wishes to hold a public auction on May 15, 2019 ("Public Auction") at which the surplus supplies, materials, and equipment may be sold.

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

1. The City Council finds and declares that all surplus supplies, materials, and equipment listed in Exhibit A is City-owned surplus supplies, materials, and equipment and is authorized to be sold at the Public Auction.

Adopted by the City Council of the City of Willmar on May 6, 2019.

Approved:

s/s Marv Calvin

Mayor

Attested:

s/s Judy Thompson

City Clerk

EXHIBIT A

2019 City Auction Items

Waste Water Treatment Facility

12KW 120/208 3Phase generator on Trailer – Needs electrical Hookup
(5) 12vdc Beacon Lights
(2) metal Desks
10 ton NAPA floor Jack

Planning & Development Services

Wood Desk
Wood Bookshelf -2 shelf
Blue Office Chair

Finance

150 3-Ring Binders

Public Works

Air Compressor

Information Technology

Metal Desk and Return

Engineering

3 Drawer Cabinet
Desk Shelf
Guest Chair

Police Department

Year	Make	Style	License Number	Serial Number
1996	Jeep	Grand Cherokee	856UMM	1J4EZ58S9TC111335
2009	Saturn	Aura	210VKZ	1G8ZX57739F119703
2000	Dodge	Stratus	750NBA	1B3EJ46X0YN264995
1990	Honda	Civic	62ACX7	1HGED3558LA093947
1995	GMC	Yukon	766NBC	1GKEK18K2RJ766397
2000	Pontiac	Grand Prix	736WTG	1G2WP52K3YF329306
1988	Buick	Electra 225	270XLY	1G4CW51C7J1628145
Ford	Ford	Taurus	987XAT	1FAPP53U77A157259

2005	Pontiac	Grand Am	594JDX	1G2NE52E35M145650
2001	Plymouth	Neon	693VKZ	1P3AS46C51D124797
2005	Nissan	Altima	826MUW	1N4AL11D25C952853
2002	Pontiac	Grand AM	063UMN	1G2NW12E92C227289
2004	Chev	Malibu	456XVE	1G1ZT52894F121068
2002	Chevrolet	Tahoe	323JDT	1GNEK13Z92J231225
1999	Ford	EPD	919NLN	1FMPU18LXXLC51300
2005	Volkswagon	New Jetta	823KWP	3VWRF71K65M607116
1999	Jeep	Grand Cherokee	855RCD	1J4GW58S7XC751034
1997	Toyota	Camry	ACM5597	4T1BG22K6VU144808
2001	Olds	Aurora	520WMP	1G3GS64C714231004
2003	Olds	Silhouette	430VKZ	1GHDX13E53D133760
	Skamper	5th Wheel Camper	RL64050	
1995	Mazda	626	966PVZ	1YVGE22C2S5308466
2003	Chrysler	PT Cruiser	344WNT	3C4FY58B73T500671
2004	Mazda	MZ3	792HHM	JM1BK32F241217541
1999	Honda	Civic	530MBW	2HGEJ6611XH579819
1995	Buick	LeSabre	773EPT	1G4HP52L3SH525024
	Honda	Scooter	MP84926	JH2AF0605HS304202
1997	Buick	Lesabre	625VKZ	1G4HP52K0VH545324
1997	Chev	Blazer	666DYR	1GNNT13W9V2136483
1997	Jeep	Grand Cherokee	934NBC	1J4GZ58S4VC630353
1998	Dodge	Stratus	3G0794	1B3EJ56X7WN315220
2001	Pontiac	Bonneville	205GGK	1G2HX54K614195155
2000	Chev	Blazer	811JUV	1GNNT13W1Y2215974
1997	Toyota	Corolla	025LHA	1NXBB02EXVZ624637
2002	Chrysler	Newport	168RPP	2C3AE76KX2H199715
2000	Dodge	Neon	079LLP	1B3ES46C7YD521618
2001	Chev	Impala	161LLK	2G1WF52E119202862
1999	Jeep	Grand Cherokee	495UMM	1J4GW58S5XC709252
1999	Chevrolet	Blazer	599LER	1GNNT13W3X2175170
2008	Chua	Motorcycle	22970MG	LFGTCKPXX71001339
2002	Mazda	TRB	556UKJ	4F2YU09142KM49028
1997	Oldsmobile	Bravada	256WAM	1GHDT13W7V2719802
1995	Pontiac	Grand Am	212WAM	1G2NE55M7SM596854
2001	Toyota	Corolla	782PAR	1NXBR12E11Z424709
2009	Chevrolet	Aveo	735XVC	KL1TD56E19B309681
1999	Nissan	Quest	887LAA	4N2XN11T1XD823048
2002	Dodge	Caravan	870XVG	1B8GP44382B568022
2001	Chev	S10	566RKJ	1GCDT13W81K219695
2000	Chev	Silverado	443MKU	2GCEK19T5Y1174665
2000	Volkswagon	Jetta	908PKU	3VWTE29MXYM149487

2004	Chrysler	Concord	384KEE	2C3AD56G04H686766
1996	Chev	S10	627NBB	1GCDT19W2T8144449
2001	Jaguar	S-Type	916PXY	SAJDA01N81FM03149
2001	Olds	Alero	347VKY	1G3NL52E41C211432
2002	Nissan	Altima	209WTE	1N4AL11EX2C260540
2001	Mazda	626	683PAN	1YVGF22C115227907
1984	Datsun	720	518KBJ	JN6ND06Y0EW006194
2003	Chev	Venture	359WWA	1GNDX03EX3D270152
	Ford	Expedition		1FMPU17575LA30379
2007	Pontiac	G6	030VKV	1G2ZH58N774237265
1998	Toyota	Corolla	456VLA	1NXBR18E7WZ001227
1988	Chev	Nova	897UAT	1Y1SK514XJZ100844
2005	Ford	Escape	292MKV	1FMYU94185KA69136
1994	Buick	Century	356RBB	1G4AG5543R6478914
2001	Ford	Windstar	842VKZ	2FMDA56401BA84628
2001	Ford	Mustang	780XKT	1FAFP40431F223198
2003	Ford	Taurus	141LKB	1FAFP53U43G255320
2000	Chev	Impala	020VHC	2G1WH55KXY9324853
2002	Mitsubishi	Eclipse	589TLG	4A3AC54H42E033482
1996	Chevy	Cavalier	18884	1G1JC1241T7119424
2003	Nissan	Pathfinder	163MBZ	JN8DR09Y53W817230
2001	Toyota	Camry	393TLH	4T1BG22K91U764756
1995	Chevrolet	Tahoe	(No Plt)	1GNEK13K6SJ395146
1998	Chev	Suburban	377JDV	1GCEK19R3WE157931
1995	Honda	Passenger	AJ60049	JHMCD5632SC000873
2003	Nissan	Maxima	385VKY	JN1DA31A43T414167
2006	Ford	Focus	262LKZ	1FAFP37N56W166793
1994	Nissan	Altima	290WTH	1N4BU31D7RC137454
1999	Ford	Taurus	600KRB	1FAFP53U7XG143472
1988	Ford	Ranger	992NBB	1FTBR10A2JUD05510
2005	Buick	Rendezvous	2DE801	3G5DB03765S545857
2006	Chev	Malibu	641KHM	1G1ZT61896F303248
1999	Honda	Accord	816LLN	1HGCG1653XA051192
1996	Honda	Accord	142TDU	1HGCD5655TA283898
1970	Nomad	Camper / Trailer	RU86621	N0913193D
2001	Pontiac	Grand Am	599RLR	1G2NW12EX1M624826
2003	Chev	Impala	520JNM	2G1WF52E639299639
2007	Saturn	Aura	531RBD	1G8ZS57NX7F151414
2000	Pontiac	Grand Prix	079NBU	1G2WP52K5YF166755
1999	Ford	Expedition	789KMA	1FMRU1867XLA61585
2001	Pontiac	Bonneville	915RBD	1G2HX54K614147493
2003	KIA	Sedona	249UMN	KNDUP131436423821

2004	Chev	Trailblazer	456TLH	1GNDT13S242415334
1999	Lexus	RX 300	BNE450	JT6HF10U5X0088748
2005	Chev	Malibu	885GEL	1G1ZT52845F118080
1999	Ford	Contour	126VKZ	1FAFP6535XK198056
2000	Honda	Accord	293MYB	1HGCG565XYA030235
2008	Nissan	Altima	432WAX	1N4AL21EX8N412691
1999	Ford	Explorer	634KYL	1FMZU35P9XZA05685
2000	Cadillac	Escalade	041WAM	1GYEK63R5YR223066
2003	Chevrolet	Blazer	982NBB	1GNET16S936150421
1998	Dodge	Caravan	825VLA	1B4GP54G6WB627455
1998	Honda	Civic	799RBC	1HGEJ657XWL039926
1992	Ford	F150	125XYR	1FTEX15N2NKA17907
1995	Olds	Achieva	960RYN	1G3NL55M2SM309423
2005	Audi	S4	(NONE)	WAUPL68E25A050857
1996	Toyota	Corolla	833JXE	JT2EB02E7T0106662
1999	Chevrolet	Silverado	329PAR	2GCEK19T9X1144261
2006	Chrysler	Town & Country	064LNZ	2A4GP54L06R729006
2003	Buick	Rendezvous	BND600	3G5DA03E33S588874
2002	Chrysler	300	ADN780	2C3AE66G12H119062
2003	Olds	Alero	AUY130	1G3NL52F23C170147
2000	Honda	Civic	600JZZ	2HGEJ6619YH579567
1997	Honda	Civic	468UNC	JHMEJ6578VS018266
2012	Dodge	Caravan		2C4RDGAG2CR248728

RESOLUTION NO. 19-068

RESOLUTION APPROVING PROPERTY TAX ABATEMENT

Motion By: Fagerlie Second By: Schwantes

BE IT RESOLVED by the City Council (the "Council") of the City of Willmar, Minnesota (the "City"), as follows:

1. Recitals.
 - a. AEHM, LLC (the "Developer") proposes to develop an additional 24 unit apartment building existing on Developer's real property located at 2609 15th Avenue Northwest (parcel number 95-135-1140, the "Development Property") in the City, (the "Project"). The developer has requested that the City provide financial assistance to the Developer for the project. The City proposes to use tax abatement for the purposes provided for in the Abatement Law (and hereinafter defined), including the Project. The proposed term of the abatement will be for a term not to exceed ten years in a total amount not to exceed \$87,000. The abatement will apply to the City's share of ad valorem property taxes on the Development Property derived from the value of the Project and paid by the Developer (the "Abatement").
 - b. On May 6, 2019 the Council held a public hearing on the question of the Abatement, with proper notice being duly given.

- c. The Abatement is authorized under Minnesota Statutes, Section 469.1812 through 469.1815 (the "Abatement Law").
2. Findings for the Abatement. The City Council hereby makes the following findings:
- a. The Council expects the benefits to the City of the Abatement to at least equal or exceed the costs to the City thereof.
 - b. Granting the Abatement is in the public interest because it will increase or preserve the tax base of the City, help provide a variety of housing ownership alternatives and housing choices, and help redevelop or renew blighted areas.
 - c. The Property is not located in a tax increment financing district.
 - d. In any year, the total amount of property taxes abated by the City by this and other resolutions, if any, does not exceed greater of ten percent (10%) of the current levy or \$200,000.
3. Terms of Abatement. The Abatement is hereby approved; provided, however, this approval is contingent upon the approval by Kandiyohi County of an abatement program for the Project upon the same terms as set forth below for the County's share of property tax amount which the County receives from the Property. The terms of the Abatement are as follows:
- a. The Abatement shall be for ten (10) years and shall apply to the taxes payable in the years 2020 through 2030 inclusive.
 - b. The City will abate the portion of the City's share of ad valorem property taxes on the Development Property paid by the Developer, beginning with taxes payable in 2020 and continuing through taxes payable in 2030, as follows:
 - 1. The lesser of \$8,700 per year or the actual City portion of real estate taxes.
 - c. The Abatement shall be subject to all the terms and limitation of the Abatement Law, as well as that certain Tax Abatement Agreement between the Developer and the City approved by the City on even date herewith setting forth the rights and obligations of the parties with respect to the Abatement in greater detail.
 - d. The Abatement may not be modified or changed during its term.

Dated this 6th day of May, 2019.

s/s Marv Calvin
 Mayor

Attest:

s/s Judy Thompson
 City Clerk

RESOLUTION NO. 19-069

AUTHORIZATION TO ACCEPT THE MINNESOTA MAIN STREET MINI-GRANT

Motion By: Nelsen

Second By: Alvarado

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that City Staff be authorized to accept the awarded MN Main Street Mini-Grant in the amount of \$4,200.00.

Dated this 6th day of May, 2019.

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 19-070
2019 PRELIMINARY MAIN STREET BUDGET
TOTAL COST \$56,700

*Budget Amounts are Essential

Motion By: Nelsen

Second By: Asmus

Code

PERSONNEL SERVICES

10* Salaries Reg. Employees	
11* Overtime Reg. Employees	
12* Salaries Temp. Employees	
13* Employer Pension Contr.	
14* Employer Ins. Contr.	
TOTAL	\$0.00

RECEIVABLES

Property Owners	
County	
State	
City	\$32,500.00
City	
Other	\$24,500.00-\$24,200.00
TOTAL	\$56,700.00

SUPPLIES

20* Office Supplies	\$500.00
21* Small Tools	
22* Motor Fuels & Lubricants	
23* Postage	\$1,000.00
24 Mtce. of Equipment	
25 Mtce. of Structures	
26 Mtce. of Other Improvements	
27 Subsistence of Persons	
28 Cleaning & Waste Removal	
29* General Supplies	\$15,000.00
TOTAL	\$16,500.00

FINANCING

Bonds	
State	
City	
City	
Other	
TOTAL	\$0.00

GRAND TOTAL **\$56,700.00**

Dated this 6th day of May, 2019

OTHER SERVICES

30 Communications	\$9,000.00
31* Printing & Publishing	\$1,500.00
	\$1,200.00

32 Utilities			
33* Travel-Conf.-Schools	\$4,770.00		
34 Mtce. of Equipment			<u>s/s Marv Calvin</u>
35 Mtce. of Structures			Mayor
36* Mtce. of Other Impr.			
37 Subsistence of Persons			Attest:
38 Cleaning & Waste Removal			
39* Other Services	\$6,555.00		
	\$6,155.00		
TOTAL	\$21,125.00		<u>s/s Judy Thompson</u>
			City Clerk
OTHER CHARGES			
40 Rents	\$400.00		
41 Insurance & Bonds			
42 Awards & Indemnities	\$15,000.00		
43	\$3,675.00		
Subscriptions/Memberships			
44 Interest			
45 Licenses & Taxes			
46* Prof. Serv.			
47 Advertising			
48 Admin OH (Transfer)			
49 Other Charges			
TOTAL	\$19,075.00		
GRAND TOTAL	\$56,700.00		

RESOLUTION NO. 19-071

RESOLUTION APPROVING SETTLEMENT AND RELEASE AGREEMENT BETWEEN CITY OF WILLMAR AND BRUCE PETERSON

Motion By: Mueske Second By: Schwantes

WHEREAS, Bruce Peterson was employed by the City as Planning and Development Director until January 31, 2019 - the date he retired from employment with the City;

WHEREAS, Bruce Peterson asserted that the amounts he was paid for salary and cash out of his accumulated sick leave and vacation in 2019 were less than he requested and confirmed in writing by City management;

WHEREAS, the City asserts that Bruce Peterson was paid the appropriate amounts in 2019 based on its policies;

WHEREAS, Bruce Peterson has threatened to take legal action related such payments; and

WHEREAS, City and Bruce Peterson mutually feel that it is in the best interests of each party that they resolve this matter in accordance with the terms and conditions specified below in this Agreement and avoid the time, expense, effort, and risk of proceeding with any claims Bruce Peterson may attempt to pursue against the City.

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

1. Approve the Settlement and Release Agreement Between City of Willmar and Bruce Peterson

2. Authorize the Mayor and City Administrator to sign and fully execute the Settlement and Release Agreement Between City of Willmar and Bruce Peterson

Dated this 6th day of May, 2019

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

**CITY OF WILLMAR
RESOLUTION NO. 19-072**

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA
AUTHORIZING NEGOTIATIONS AND PREPARATIONS FOR THE CITY'S ACQUISITION CERTAIN REAL
PROPERTY IN THE CITY FOR THE CONSTRUCTION OF A NEW CITY HALL**

Motion By: Schwantes

Second By: Asmus

WHEREAS, the Willmar City Council ("City Council") formed a City Hall Task Force ("Task Force") for the purpose of researching and evaluating potential sites in the City of Willmar ("City") for the construction of a new city hall pursuant to priorities established by the City Council; and

WHEREAS, the Task Force has identified and considered numerous potential sites for the new city hall and extensively involved the public in its process, having conducted its meetings in public and held public hearings on June 26, 2018 (through a previous task force), April 16, 2019, and May 3, 2019; and

WHEREAS, the Task Force has completed its site selection process and has identified two potential sites for the new city hall that it is recommending as alternatives for final selection by the City Council: the site of the current city hall, which is currently owned by the City and could be either renovated or demolished and replaced with a newly constructed facility, or Block 25 of the Original Town of Willmar between U.S. Highway 12 to the north, Benson Avenue to the south, 2nd Street Southwest to the east, and 3rd Street Southwest to the west ("Block 25"), which is currently mostly vacant, and one-half of which is currently owned by the City; and

WHEREAS, pursuant to sections 1.02 and 4.02, subdivision 8 of the City's Charter, the City has "all the powers, functions, rights and privileges possible for a city to have under the constitution and laws of the State of Minnesota," and specifically may acquire a "City street, park, public grounds, or real estate, ways, streets, alleys or buildings" provided such acquisition is submitted to and approved by the City's Planning Commission; and

WHEREAS, Minnesota Statutes, Section 465.01 grants cities the power to acquire real property through eminent domain "for any purpose for which it is authorized by law to take," subject to the procedure prescribed by Minnesota Statutes, Chapter 117; and

WHEREAS, Council Member Nelsen has disclosed that she has a potential indirect financial interest in several of the non-City owned parcels located on Block 25 as detailed in the City Council's findings below; and

WHEREAS, Section 9.02 of the City's Charter addresses a council member's conflict of interest in a contract with the city, in relevant part, as follows:

Section 9.02. - Personal financial interest.

Any . . . Council members . . . who have a substantial financial interest, direct or indirect . . . in any contract with the City or in the sale of any land . . . to the City . . . shall make known that interest and shall refrain from voting upon or otherwise participating in their capacity as a City officer or employee in the making of such sale or in the making of or performance of such contract

; and

WHEREAS, Minn. Stat. § 471.87 generally prohibits "a public officer who is authorized to take part in any manner in making any . . . contract in official capacity" from "voluntarily (having) a personal financial interest in that . . . contract or personally (benefiting) financially therefrom"; and

WHEREAS, Council Member Nelsen has abstained from participation in the City Council's and Task Force's site selection processes at all times while Block 25 was under consideration as a potential location for the new city hall; and

WHEREAS, the City Council, after considering the Task Force's two recommended alternative sites for the new city hall, believes that constructing a new city hall on Block 25 provides the greatest opportunity for the City to meet its evolving needs long into the future at the greatest value to the City's taxpayers, while redeveloping a strategically important block on the northern boundary of the City's central business district that will serve as a gateway to downtown from U.S. Highway 12 and provide a catalyst for private redevelopment in this area.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the City Council makes the following findings and conclusions:

- A. The estate of Norma Nelsen ("estate") owns a portion of Block 25 (Parcels 95-003-2640, -2650, and -2660, the "estate properties"). Norma Nelsen's will ("will") is the subject of a probate action pending in Kandiyohi County District Court.
- B. The estate properties are encumbered assets of the estate, meaning that certain obligations secured by liens on the estate properties must be satisfied before revenues from their sale could be used to make distributions to beneficiaries.
- C. Council Member Nelsen's spouse, Paul Nelsen (Norma Nelsen's son), is one of five residuary beneficiaries under the will and would be entitled to a distribution of a percentage of anything that remains in the estate, including the estate properties (or revenues generated by their sale), after certain other assets are distributed to other beneficiaries, and after satisfaction of all estate obligations.
- D. It is currently unclear whether the revenues from the sale of the estate properties (and other estate assets) would be sufficient to fully satisfy the estate's obligations so as to allow the estate to make distributions to beneficiaries. These issues are unlikely to be resolved for at least several months.

- E. Based on the facts set forth above, Council Member Nelsen has a potential indirect financial interest in the estate properties but such interest is not a voluntary interest because (1) neither Council Member Nelsen nor her spouse would make the decisions on behalf of the estate whether to sell the estate properties and if so, at what price; (2) Council Member Nelsen cannot unilaterally disclaim her interest in the estate properties as she is not the named beneficiary in the will; and (3) the City Council, itself and through the Task Force, independently identified Block 25 as the preferred location for the new city hall after considering numerous other potential locations and without any involvement of Council Member Nelsen, her spouse, or anyone working on their behalf.
- F. Due to Council Member Nelsen's involuntary potential indirect interest in the estate properties, under Charter Section 9.02, Council Member Nelsen is not authorized to vote or otherwise participate in any action the City Council may take in furtherance of entering into a contract to acquire the estate properties.
- G. Council Member Nelsen has to-date satisfied the requirements of Section 9.02 of the charter in all respects by disclosing her potential indirect interest in the estate properties and abstaining from participation and voting on city hall site selection matters at all times when Block 25 was under consideration.
- H. Minn. Stat. § 471.87 does not prohibit the City from entering into a contract for the purchase of the estate properties because Council Member Nelsen's potential indirect interest therein is not voluntary.
- I. The acquisition of the non-City owned parcels on Block 25, including the estate properties, is reasonably necessary or convenient, in furtherance of a proper public use and public purpose, that public use and public purpose being the construction of a new city hall thereon.

BE IT FURTHER RESOLVED by the City Council of the City of Willmar that:

1. City staff and its agents are hereby authorized and directed to negotiate with the owners of the non-City owned parcels on Block 25 for the City's purchase thereof, and to take such additional actions as are necessary or convenient in furtherance of the City's acquisition thereof, including commissioning appraisal(s) of said parcels and performing any other investigations of the site conditions, encumbrances on title, or other relevant parcel-specific information, and, if negotiations are unsuccessful, to make such preparations as are necessary or convenient in furtherance of the City's acquisition of said parcels through eminent domain, all subject to final approval of this City Council of any agreement for the purchase of such parcels, or any of them, or any action to acquire the same through eminent domain.
2. Pursuant to Section 4.02, subdivision 8 of the City's Charter, the Planning Commission is hereby requested to review and approve the City's acquisition of the non-City owned parcels on Block 25.
3. City staff are hereby authorized and directed to solicit proposals for professional design and construction management services for the new city hall project, subject to final approval of this City Council of any professional services agreements for the new city hall project.

Adopted by the City Council of the City of Willmar on May 6, 2019.

Approved:

s/s Marv Calvin

Mayor

Attested:

s/s Judy Thompson

City Clerk

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM
HEALTH AND HUMAN SERVICES BUILDING
WILLMAR, MINNESOTA

May 20, 2019
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Shawn Mueske, Kathy Schwantes, Vicki Davis, Fernando Alvarado, Julie Asmus, Andrew Plowman, and Audrey Nelsen. Present 9, Absent 0.

Also present were City Administrator Ike Holland, Police Chief Jim Felt, Finance Director Steve Okins, Public Works Director Sean Christensen, Planning and Development Services Director David Ramstad, Fire Chief Frank Hanson, Human Resource Director Samantha Beckman, City Clerk Judy Thompson and City Attorney Robert Scott.

Mayor Calvin stated under the Community Development Committee Report, Item B – Resolution Approving Plans and Specifications for Airport Pavement Rehabilitation Project would be addressed first, and Item A – Consideration of Flood Insurance Rate Map would be addressed second.

Council Member Fagerlie moved to approve the agenda, as amended. Council Member Nelsen seconded the motion which carried.

City Clerk Judy Thompson reviewed the consent agenda.

- A. Willmar Municipal Utilities Board Minutes of May 13, 2019
- B. Planning Commission Minutes of May 1, 2019
- C. Application for Temporary Appointment to the Airport Commission – Dan Reigstad
- ~~D. Accounts Payable Report May 2 through May 15, 2019~~
- E. Willmar Lakes Area CVB Board Meeting Minutes of April 16, 2019
- F. City Hall Task Force Meeting Summary of April 23, 2019
- G. Invest in Willmar Board Meeting Summary of April 24, 2019

Council Member Mueske offered a motion to approve the Consent Agenda. Council Member Asmus asked that Item D. be removed for discussion. Council Member Plowman seconded the motion to approve the consent agenda, with the removal of Item D., which carried.

Council Member Asmus inquired about the expenditures to the Artists, which is part of the grant for downtown, and if there is an update as to where the money is being distributed and the balance remaining on the grant. City Administrator Ike Holland stated several have applied for funds to do their projects and a document was drafted whereby art that is created would be retained by the city.

Following clarification, Council Member Asmus offered a motion to approve Item D. Council Member Fagerlie seconded the motion which carried.

Mayor Calvin read a Proclamation declaring May 21, 2019 as “Tom Corneil Day” in Willmar. Mayor Calvin noted Mr. Corneil was born and raised in Willmar and has been in the insurance business for 72 years. Mr. Corneil was also involved in many activities with the Willmar community throughout the years and the citizens of Willmar are grateful to him for his hard work, leadership in the community, and his service to local organizations.

Sara Sietsema, Atwater, addressed the Mayor and Council during the Open Forum. Ms. Sietsema spoke as the union steward for the AFSCME General Unit and also spoke on behalf of the AFSCME Public Works Unit in regard to the recent compensation study conducted by Springsted Incorporated and their desire to have the discrepancies addressed sooner than later.

Stephen Schmitt, Spicer, addressed the Mayor and Council during the Open Forum. Mr. Schmitt spoke as the AFSCME labor representative for the City of Willmar. Mr. Schmitt also spoke in regard to the recent compensation study conducted by Springsted Incorporated and his desire to have the discrepancies addressed sooner than later.

The Community Development Committee Report for May 13, 2019, was presented to the Mayor and Council by Council Member Fagerlie. There were two items for consideration.

Item No. 1 Jared Voge stated Runway 13/31, Taxiway A, and the West Taxilanes were originally constructed in 2007. Since that time, no substantial pavement rehabilitation has been completed. In order to preserve the pavement, crack repair and seal coating has been recommended. City staff along with Bolton & Menk met with FAA officials to review the project and request Federal discretionary funding for the project on November 20, 2018. The City Council of Willmar approved a resolution on December 17, 2018 to enter into Work Order # 2 with Bolton and Menk for a professional services contract for airport design, bidding, and construction administration services for the project. Runway 13/31 and Runway 3/21 will be closed during certain periods of the construction. A Construction Phasing Plan has been developed to minimize the closure periods and disruption to pilots. During any runway closure, Life Link III will still be allowed to operate. The total estimated cost of the project is \$980,750.50, which is split 90% Federal, 5% State, and 5% local. The estimated City of Willmar cost for the project is \$48,887.53. This money is allocated in the CIP. It was the recommendation of the committee to approve staff's recommendation.

Resolution No. 19-073 Approving Final Plans and Specifications and Ordering Advertisement for Bids Airport Runway 13/31, Taxiway A, and West Taxilanes Pavement Rehabilitation Project was introduced by Council Member Fagerlie. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 2 Doug Fenstra was present to discuss the need for flood insurance rate map due to a property that is being purchased on Country Club Drive. The new FEMA lines modified in 2015 outline that this property is in a flood plain. Fannie Mae/Freddie Mac will not allow financing within a municipality that is not a participant within the flood insurance program. Willmar is not a member of the program. There are eight or nine other properties that will also be impacted by this. Doug Fenstra is requesting that the City participate in the FEMA national flood insurance program.

Chair Fagerlie, inquired about the FEMA map and the need for flood insurance. Director Ramstad informed the Committee that there would be negligible cost to the City of Willmar in adopting the flood insurance program and administering flood-proof construction by the Building Official.

Public Works Director Sean Christensen voiced his concern about participating in the program. A federally backed loan wouldn't be allowed without a federally backed program that they have drawn for the flood plains. That doesn't do anything for the conventional loans or other types of buying/selling homes. Mr. Christensen feels this could be an unnecessary burden to property owners.

After lengthy discussion, the Committee is asking staff to clarify any discrepancies on what financing insurance is available, and determine if Willmar would be eligible for federal grants when there is a natural disaster. The Committee also requested that Kandiyohi County Emergency Management Services Director, Kim Lindahl, attend the May 20th Council meeting to clarify any discrepancies.

There was no recommendation from the Committee due to their desire for additional information to be presented to the City Council.

Minnesota Department of Natural Resources (DNR) representative Nathan Jensen from the Spicer office presented pertinent information to the Mayor and Council regarding flood insurance, flood plains, and the process involved.

Following discussion, Council Member Schwantes offered a motion to direct the City Administrator and City Attorney to complete the necessary documents including drafting an ordinance to participate in FEMA flood insurance program. Council Member Plowman seconded the motion which carried.

Item 3 Chair Fagerlie asked Airport Manager Eric Rudningen about the status of T-hangar leases. Mr. Rudningen stated that due to the upcoming Wye Track, they have been in contact with Justin Boike, who has the majority of ag land leased from the City for the modification of his ag leases. This item was for information only.

The Community Development Committee Report for May 13, 2019, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Fagerlie, seconded by Council Member Nelsen, and carried.

The Labor Relations Committee Report for May 13, 2019, was presented to the Mayor and Council by Council Member Mueske. There were five items for consideration.

Item No. 1 Staff informed the Committee that we had six applicants for our interim opening to date and we discussed next steps to proceed with the interview process. With the current Administrator's last day being June 18, staff was recommending to set the target start date for the Interim to June 11, 2019. Staff was recommending to set a term length for the interim at a minimum of 6 months. Staff was recommending to set a minimum requirement of three days per week for the interim to be on site. The committee also discussed and reduced the Project List and recommended adopting the new list. Staff has the contract, job description, and interview questions from the previous interim and will work within the previous parameters for compensation. Chair Mueske and Council Member Davis volunteered to serve on the hiring committee with HR Director Beckman. It was the recommendation of the committee to approve staff's recommendations.

Following discussion, Council Member Mueske offered a motion to approve the Interim Administrator project list. Council Member Schwantes seconded the motion which carried.

Council Member Mueske offered a motion to set the start date for the Interim for June 11, 2019. Council Member Schwantes seconded the motion which carried.

Council Member Mueske offered a motion to set a term length for the interim at a minimum of six months. Council Member Schwantes seconded the motion which carried.

Council Member Mueske offered a motion to set a minimum requirement of three days per week for the interim to be on site. Council Member Schwantes seconded the motion which carried.

Item No. 2 Staff presented an updated vacation cash out policy that removes the requirement that an employee must take 40 consecutive hours of vacation. The updated policy still requires that employees use 40 hours of vacation time in order to be eligible for a cash out, but it does not need to be consecutive. It was the recommendation of the committee to adopt the updated policy.

Council Member Mueske offered a motion to approve staff's recommendation. Council Member Schwantes seconded the motion which carried.

Item No. 3 Staff presented Springsted's results from the 2018 Compensation Study conducted on the AFSCME union positions along with three salary structure options to choose from for implementation. In comparison with similar cities, Willmar's pay scales are below the market average. Willmar's pay ranges are 12.53 - 19.09 percent below the market rate. Springsted also provided three options for implementing a new City-Wide pay structure. Option A shows a new implementation based solely off of the market rate, Option B shows the pay scales reduced to compensate for the fact that the employer pays 100% of the family health insurance premium. Option C shows the pay scales further reduced to compensate for the employer contribution to the health insurance premium and the employer contribution to the employee's HSA (based on the family rate). The committee's recommendation was to present and discuss these options at the Council Retreat on July 29th with a Springsted representative. The committee also requested more information about our Department Head's pay structure and wanted more information on their pay scales.

Council Member Mueske offered a motion to approve the committee's recommendations. Council Member Schwantes seconded the motion which carried.

Item No. 4 Staff presented the second section of the updated employee personnel policy, updated Conflict of Interest Policy, and Whistleblower Protections Policy obtained from the League of MN Cities. Text in black is League's recommended language and text in red is language pulled from our existing Personnel Policy. It was the recommendation of the committee to adopt the second section of the new Personnel Policy. (See action taken after Item 5)

Item No. 5 Staff presented the third section of the updated employee personnel policy obtained from the League of MN Cities. At the League's recommendation, staff is utilizing their handbook template and customizing it to Willmar's policies and procedures.

Council Member Mueske offered a motion to approve both Items 4 and 5 as recommended by staff. Council Member Schwantes seconded the motion which carried.

The Labor Relations Committee Report for May 13, 2019, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Mueske, seconded by Council Member Schwantes, and carried.

The Public Works/Public Safety Committee Report of May 15, 2019 was presented to the Mayor and Council by Council Member Plowman. There were seven items for consideration.

Item No. 1 Staff brought forth, for information, the Police and Fire Department statistics for the month of April. This item was for information only.

Item No. 2 Staff brought forth, for approval, purchase of a brine mixing station and storage tank for the Public Works garage. With the addition of liquid applicator tanks on snow plow trucks, staff solicited quotes for a brine mixing station and storage tank to fill the trucks. Two quotes were received for the station; one from Varitech in the amount of \$77,350.60 and one from Aspen Equipment in the amount of \$60,322. Staff has chosen to proceed with Aspen Equipment and also received a quote from them for a 3,000 gallon storage tank in the amount of \$10,146. It was the recommendation of the committee to approve the purchase of the brine mixing station and tank from Aspen Equipment and electrical work from Kim's Electric in the amount of \$72,300.

Following discussion, Council Member Plowman introduced **Resolution No. 19-074 Awarding the Purchase for a Brine Mixing Station, Storage Tank and Electrical Work in the Amount of \$72,300.00.** Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 3 Staff brought forth, for approval, purchase and replacement of a Wastewater tractor. The Wastewater department land applies over four million gallons of MPCA approved bio solids to approximately 2,200 acres of farm fields with a tractor and honey wagon. The current 2009 John Deere 8330 is scheduled for replacement in accordance with the Vehicle Replacement Program and is lacking horsepower for efficient application using the new honey wagon purchased in 2016. State contract pricing was received from Haug Implement Company for a 2019 John Deere 8345R in the amount of \$214,744.27, which includes \$100,000 trade in value for the current tractor. It was the recommendation of the committee to approve the purchase of a John Deere 8345R from Haug Implement Company in the amount of \$214,744.27.

Resolution No. 19-075 Approving the Purchase of a 2019 John Deere 8345R Tractor in the Amount of \$214,744.27 was introduced by Council Member Plowman. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 4 Staff brought forth, for approval, purchase of a portable pump for the Wastewater department. They currently have six smaller pumps with are only used for sanitary sewer emergency bypass events. A larger portable pump will assist in rainstorm flooding events in both sanitary and storm sewers and with the valve vaults in the newer lift stations. Quotes were solicited from Electric Pump in the amount of \$67,287 and one from General Repair Service in the amount of \$66,000. Comparing the two quotes, staff finds the one from

Electric Pump has better capacities with diverse pump control features. It was the recommendation of the committee to approve the purchase of one trailer mounted portable pump from Electric Pump in the amount of \$67,287.

Resolution No. 19-076 Approving the Purchase of a Trailer Mounted Portable Pump in the Amount of \$67,287.00 was introduced by Council Member Plowman. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 5 Staff brought forth, for approval, to declare costs to be assessed, adopt resolution of intent to reimburse on all 2019 Improvement Projects, order preparation of the assessment roll, and to call for the Assessment Hearing on City Projects Nos. 1901-A, 1901-B, 1903-A, 1903-B, and 1903-C. Bids were opened on May 9th and the amount received to perform the necessary improvements is known. Staff is preparing the assessable footage and the amount for each affected lot. It was the recommendation of the committee to declare costs to be assessed, adopt resolution of intent to reimburse on all 2019 Improvement Projects, order preparation of the assessment roll, and to call for the Assessment Hearing on June 17, 2019 for Project Nos. 1901-A, 1901-B, 1903-A, 1903-B, and 1903-C.

Following discussion, **Resolution No. 19-077 Declaring Costs to be Assessed, Ordering Preparation of the Assessment Roll and Calling Hearing on Assessments for Project Nos. 1901-A, 1901-B, 1903-A, 1903-B and 1903-C; 2019 Street and Other Improvements** was introduced by Council Member Plowman. Council Member Alvarado seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Resolution No. 19-078 Establishing Procedures Relating to Compliance With Reimbursement Bond Regulations Under the Internal Revenue Code was introduced by Council Member Plowman. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 6 Staff brought forth, for approval, to reject the bids received for the DOAC pool resurfacing project. The CIP includes \$200,000 for the project with two bids received; one from Horizon Commercial Pool Supply in the amount of \$349,400 and one from Global Specialty Contractors, Inc. in the amount of \$299,000. With the bids significantly higher than budgeted, staff will rebid the project with pool decking as an alternate and adjust the capital budget to accommodate for the increased expense. It was the recommendation of the committee to reject all bids for the DOAC pool resurfacing project and instruct staff to receive new bids for completion by spring, 2020.

Council Member Plowman offered a motion to approve the recommendation of the committee. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 7 Staff brought forth, for information, a status update on the Cambridge drainage pond project. The latest estimate from Bolton & Menk on the project came in at \$885,544.06, which is twice the original estimate of \$444,448. Staff is looking at other design options within the Engineering department and with Bolton & Menk staff. This item was for information only.

Mayor Calvin encouraged staff to work with the Public Works committee to get this project completed in 2019.

The Public Works/Public Safety Committee Report for May 15, 2019, was approved as presented, and ordered placed on file in the City Clerk's Office upon motion by Council Member Plowman, seconded by Council Member Nelsen, and carried.

Planning and Development Services Director David Ramstad presented a request to consider a text amendment to the zoning ordinance relating to General Business District (GBD) to consider a tattoo parlor in the GBD. Mr. Ramstad was recommending the Council approve the **introduction of Ordinance Amending No. 1060 Known as the Willmar Zoning Ordinance by Amending Section 6.I Relating to the General Business District**, and set a public hearing for June 3, 2019 at 7:01 p.m.

Following discussion, Council Member Mueske offered a motion to approve staff's recommendation. Council Member Nelsen seconded the motion which carried.

Mayor Calvin stated the City Council appoints various members/liasons to the Boards and Commissions of the City biennially. Due to time constraints, Council Member Plowman has provided his resignation from the Economic Development Commission (EDC) Joint Powers Board effective May 31, 2019. Mayor Calvin was asking Council to discuss and appoint by resolution a replacement to the EDC Joint Powers Board effective June 1, 2019.

Following discussion, Council Member Schwantes nominated Council Member Asmus to serve on the EDC Joint Powers Board. Council Member Alvarado seconded the motion.

Council Member Schwantes offered a motion to cast a "white" ballot. Council Member Mueske seconded the motion which carried.

Resolution No. 19-079 Appointment of Council Liaison Position was introduced by Council Member Schwantes. Council Member Mueske seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Clerk Judy Thompson presented a request to approve the State Application and Permit for a 1-Day to 4-Day Temporary On-Sale Liquor License as submitted by the Kandiyohi County Fair Association. Ms. Thompson stated the Kandiyohi County Fair Association is planning to sell alcohol during the Kandiyohi County Fair from August 7 - 10, 2019.

Council Member Schwantes offered a motion to approve staff's recommendation. Council Member Mueske seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Clerk Judy Thompson presented a request to approve the State Application and Permit for a 1-Day to 4-Day Temporary On-Sale Liquor License as submitted by the Willmar Lakes Rotary Club. Ms. Thompson stated the Willmar Lakes Rotary Club plans to sell alcohol during the Willmar Fests Beach Party located at Robbins Island on June 22, 2019.

Council Member Mueske offered a motion to approve staff's recommendation. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Administrator Ike Holland offered the following comments: congratulated City Clerk Judy Thompson for recently receiving her certification as a Minnesota Municipal Clerk; also noted that Ms. Thompson conducted the City Surplus Auction held last Wednesday and noted it was a huge success; acknowledged the Public Works staff for all their work involved in the auction as well as staff from the Police Department; this week is Public Works Week and there will be an open house at the City Garage from 4:00 p.m. to 6:00 p.m. on Thursday and urged the public to attend.

Mayor Calvin offered the following comments: the Planning Commission is in need of a member so please notify either himself or Janell Sommers if you know of someone interested in this position; he attended the Minnesota Mayor's Together meeting last Thursday and Friday in Edina and highlighted several of the topics discussed which included: how to breakdown divide between metro and out-state communities, workforce development, shortage of daycare, and the City of Becker and their Google Data Center; EMS open house is tomorrow from 4:00 p.m. to 6:00 p.m.; Public Works Week is this week; and noted the position of Mayor should be involved in the process of hiring the City Administrator.

Council Member Davis offered the following comments: the Mayor's Bike Ride was held last Friday and she had the opportunity to try out the new Koloni bikes and thought they were great.

Council Member Alvarado offered the following comments: he attended the 2040 program last Thursday, "13 Ways to Destroy Your Community", he thought it was great and we should promote the international community within the City of Willmar.

Council Member Asmus offered the following comments: May 15th was Peace Officers Memorial Day, and Officer Tim Wallace, Officer Sam Schaeffbauer and Chief Jim Felt were present to represent Willmar.

Council Member Plowman offered the following comments: the New York Times, Minneapolis Star Tribune, and West Central Tribune featured Willmar in a great news article recently; we need to extract all the good in our community and use it to energize our future.

City Administrator Ike Holland disclosed that Mr. Wodash is the owner of two of the parcels in Block 25 being discussed during the closed session, and he is a part-time employee of the City of Willmar. Administrator Holland stated Mr. Wodash doesn't have any influence on the City's decision to buy or not buy or the price that we might offer, and should not be a conflict of interest for the City.

Mayor Calvin disclosed the Council Member Nelsen has excused herself from any and all discussions regarding the sale of Block 25 due to her possible interest in said property.

At this time, Mayor Calvin stated the Council will now go into closed session pursuant to State Statute 13.D.05, subd. 3 (c) to determine/consider offers or counteroffers for the purchase or sale of real property.

At 9:00 p.m. Council Member Alvarado offered a motion to go into closed session. Council Member Fagerlie seconded the motion which carried.

The Council returned to open session at 10:18 p.m.

Council Member Alvarado offered a motion to adjourn the meeting with Council Member Fagerlie seconding the motion which carried. The meeting adjourned at 10:19 p.m.

MAYOR

Attest:

SECRETARY TO THE COUNCIL

RESOLUTION NO. 19-073

**A RESOLUTION APPROVING FINAL PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS
AIRPORT RUNWAY 13/31, TAXIWAY A, AND WEST TAXILANES PAVEMENT REHABILITATION PROJECT**

Motion by: Fagerlie Seconded by: Nelsen

WHEREAS the airport consultant Bolton and Menk for the City of Willmar has presented to the City Council plans and specifications for the aforementioned project for the City of Willmar;

NOW THEREFORE BE IT RESOLVED BY THE City Council of Willmar:

Final plans and specifications are hereby approved. An advertisement for bids shall be published and shall indicate that bids will be received on June 12, 2019.

Dated this 20th day of May, 2019

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 19-074

**A RESOLUTION AWARDING THE PURCHASE FOR A BRINE MIXING STATION AND TANK
IN THE AMOUNT OF \$72,300.**

Motion By: Plowman

Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, the bid of Aspen Equipment for a brine mixing system and 3,000 gallon storage tank with electrical work from Kim's Electric is accepted, and the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into agreement with the bidders for the terms and consideration of the contract in the total amount of \$72,300.

Dated this 20th day of May, 2019

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 19-075

**A RESOLUTION APPROVING THE PURCHASE OF A 2019 JOHN DEERE 8345R TRACTOR
IN THE AMOUNT OF \$214,744.27.**

Motion By: Plowman

Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, the purchase of a 2019 John Deere 8345R tractor is accepted through Contract No. 152244, and be it further resolved the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with Haug Implement Co. for the terms and consideration of the contract in the amount of \$214,744.27.

Dated this 20th day of May, 2019

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 19-076

**A RESOLUTION APPROVING THE PURCHASE OF A TRAILER MOUNTED PORTABLE PUMP
IN THE AMOUNT OF \$67,287.00.**

Motion By: Plowman

Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, the purchase of a trailer mounted portable pump is accepted, and be it further resolved the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with Electric Pump for the terms and consideration of the contract in the amount of \$67,287.00.

Dated this 20th day of May, 2019

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 19-077

DECLARING COSTS TO BE ASSESSED, ORDERING PREPARATION OF THE ASSESSMENT ROLL AND CALLING HEARING ON ASSESSMENTS FOR PROJECT NOS. 1901-A, 1901-B, 1903-A, 1903-B and 1903-C; 2019 STREET AND OTHER IMPROVEMENTS

Motion By: Plowman Second By: Alvarado

WHEREAS, contracts have been let for the construction of Street and Other Improvements of 2019 in the City, to-wit: City Project Nos. 1901-A, 1901-B, 1903-A, 1903-B and 1903-C, and;

WHEREAS, the total cost of said Street and Other Improvements of 2019 is \$ 4,944,974.56.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. The City Council hereby determines that the City shall pay \$ 3,136,484.36 of said cost, exclusive of the amount it may pay as a property owner, and the sum of \$ 1,808,490.20 shall be assessed against benefited property owners based upon benefits received without regard to cash valuation.
2. The Clerk, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land without regard to cash valuation as provided by law, and he shall file a copy of such assessment in his office for public inspection.
3. The Clerk shall, upon the completion of such assessment, notify the City Council thereof.
4. The Clerk shall publish notice that this City Council will meet to consider the proposed assessments on June 17, 2019, at 7:01 p.m. in the Board Room, Kandiyohi County Health & Human Services Building, 2200 23rd Street NE, Willmar, Minnesota.
5. Said notice shall also be mailed to the owners of each parcel of property described in the assessment roll.
6. Such notice shall be in substantially the following form:

7. Said notice shall be published by the City Clerk in the official newspaper at least two weeks prior to the hearing and mailed by said Clerk to the owners of each parcel described in the assessment roll.

Dated this 20th day of May, 2019

s/s Marv Calvin

MAYOR

ATTEST:

s/s Judy Thompson

CITY CLERK

**NOTICE OF HEARING ON ASSESSMENTS FOR
PROJECT NOS. 1901-A, 1901-B, 1903-A, 1903-B AND 1903-C
2019 STREET AND OTHER IMPROVEMENTS**

NOTICE IS HEREBY GIVEN that the City Council of the City of Willmar, Minnesota, will meet in the Board Room, Kandiyohi County Health and Human Services Building, 2200 23rd Street NE, Willmar, Minnesota, on the 17th day of June, 2019, at 7:01 p.m. to consider objections to the proposed assessments for Project Nos. 1901-A, 1901-B, 1903-A, 1903-B and 1903-C of the 2019 Street and Other Improvements heretofore ordered by the City Council.

The proposed assessment roll is on file with the Clerk and open to public inspection.

The area proposed to be assessed consists of every lot, piece or parcel of land benefited by said improvement, which has been ordered made, and is as follows:

Parcel No.
Legal Description

Name
Street
City, State and Zip

The total estimated cost of the assessable improvements are \$4,944,974.56; the City's share of the Project is \$3,136,484.36 (not as a benefited property owner) and \$1,808,490.20 which will be specially assessed against private property of which \$_____ is proposed to be assessed against private property supposedly owned by yourself and described above. The estimated rate of interest to be accrued if the assessment is not prepaid within the required time period is four and thirty hundredths (4.30) percent.

Written or oral objections will be considered at the hearing.

An owner of property to be assessed may appeal the assessment to the district court of Kandiyohi County pursuant to Minnesota Statutes, Section 429.081, by serving notice of the appeal upon the Mayor or Clerk of the City within 30 days after the adoption of the assessment and filing such notice with the district court within 10 days after service upon the Mayor or Clerk. No appeal may be taken as to the amount of any assessment adopted by the City Council unless a written objection signed by the affected property owner is filed with the Clerk prior to the assessment hearing or presented to the presiding officer at the hearing in the manner prescribed by Minnesota Statutes, Section 429.061.

Once special assessment rolls have been approved, property owners have the option of either paying the total amount of their assessment within a prescribed prepayment period without interest or of paying it in ten annual installments with interest added. If the property owner pays the entire amount of the assessment within the prescribed prepayment period ending October 31, 2019, he/she shall pay the amount shown in this notice. Payments made between November 1 and November 15, 2019 will be in the amount shown plus daily interest for each day from the date of borrowing of September 1, 2019, until the day payment is received. For property owner selecting not to pay the full amount by November 15, 2019, the assessment plus interest will be added to your property taxes over a ten-year period. The first year's interest will be charged at a rate of 5.50 percent, calculated on the full principal amount from the date of the bond sale through December 31, 2020 (approximately 18 months).

In all subsequent installment years, the property owner must pay the principal installment plus twelve (12) months of interest, which would have accrued to December 31 of the year for which the payment was certified for collection.

Under provisions of Minnesota Statutes, Section 435.193 to 435.195, the City may, at its discretion, defer the payment of assessments for any homestead property owned by a person 65 years of age or older or retired by virtue of a permanent and total disability for whom it would be a hardship to make the payments. This deferment must be applied for prior to October 31 of any year in which the property owner qualifies for deferment. The deferred assessment plus applicable interest becomes due upon the death of owner, sale of property, loss of homestead status, or when hardship can no longer be claimed. Applications are available at the City Clerk's office at 333 SW 6th Street.

Adoption by the City Council of the proposed assessment may be taken at the hearing.

If the assessment amount, interest rate, and terms of payments are adopted consistent with this notice, said notice shall constitute your final notice of assessment.

Dated this 20th day of May, 2019

BY ORDER OF THE CITY COUNCIL

/s/ Judy Thompson

City Clerk

RESOLUTION NO. 19-078

**RESOLUTION ESTABLISHING PROCEDURES
RELATING TO COMPLIANCE WITH REIMBURSEMENT BOND
REGULATIONS UNDER THE INTERNAL REVENUE CODE**

Motion By: Plowman

Second By: Nelsen

BE IT RESOLVED, by the City Council (the "Council") of the City of Willmar, Minnesota (the "City"), as follows:

1. Recitals.

A. The Internal Revenue Service has issued Treasury Regulations, Section 1.150-2 (as the same may be amended or supplemented, the "Regulations"), dealing with "reimbursement bond" proceeds, being proceeds of the City's bonds used to reimburse the City for any project expenditure paid by the City prior to the time of the issuance of those bonds.

B. The Regulations generally require that the City make a declaration of intent to reimburse itself for such prior expenditures out of the proceeds of subsequently issued bonds, that such declaration be made not later than 60 days after the expenditure is actually paid, and that the bonding occur and the written reimbursement allocation be made from the proceeds of such bonds within 18 months after the later of (1) the date of payment of the expenditure or (2) the date the project is placed in service (but in no event more than 3 years after actual payment).

C. The City heretofore implemented procedures for compliance with the predecessor versions of the Regulations and desires to amend and supplement those procedures to ensure compliance with the Regulations.

D. The City's bond counsel has advised the City that the Regulations do not apply, and hence the provisions of this Resolution are intended to have no application, to payments of City project costs first made by the City out of the proceeds of bonds issued prior to the date of such payments.

2. Official Intent Declaration. The Regulations, in the situations in which they apply, require the City to have declared an official intent (the "Declaration") to reimburse itself for previously paid project expenditures out of the proceeds of subsequently issued bonds. The Council hereby authorizes the City Clerk to make the City's Declarations or to delegate from time to time that responsibility to other appropriate City employees. Each Declaration shall comply with the requirements of the Regulations, including without limitation the following:

A. Each Declaration shall be made not later than 60 days after payment of the applicable project cost and shall state that the City reasonably expects to reimburse itself for the expenditure out of the proceeds of a bond issue or similar borrowing. Each Declaration may be made substantially in the form of the Exhibit A, which is attached to and made a part of this Resolution, or in any other format which may at the time comply with the Regulations.

B. Each Declaration shall (1) contain a reasonably accurate description of the "project," as defined in the Regulations (which may include the property or program to be financed, as applicable), to which the expenditure relates and (2) state the maximum principal amount of bonding expected to be issued for that project.

C. Care shall be taken so that the City, or its authorized representatives under this Resolution, not make Declarations in cases where the City doesn't reasonably expect to issue reimbursement bonds to finance the subject project costs, and the City officials are hereby authorized to consult with bond counsel to the City concerning the requirements of the Regulations and their application in particular circumstances.

D. The Council shall be advised from time to time on the desirability and timing of the issuance of reimbursement bonds relating to project expenditures for which the City has made Declarations.

3. Reimbursement Allocations. The designated City officials shall also be responsible for making the "reimbursement allocations" described in the Regulations, being generally written allocations that evidence the City's use of the applicable bond proceeds to reimburse the original expenditures.

4. Effect. This Resolution shall amend and supplement all prior resolutions and/or procedures adopted by the City for compliance with the Regulations (or their predecessor versions), and, henceforth, in the event of any inconsistency, the provisions of this Resolution shall apply and govern.

Adopted this 20th day of May, 2019, by the Willmar City Council

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

EXHIBIT A

DECLARATION OF OFFICIAL INTENT

The undersigned, being the duly appointed and acting City Clerk of the City of Willmar, Minnesota (the "City"), pursuant to and for purposes of compliance with Treasury Regulations Section 1.150-2 (the "Regulations"), under the Internal Revenue Code of 1986, as amended, hereby states and certifies as follows:

1. The undersigned has been and is on the date hereof duly authorized by the Willmar City Council to make and execute this Declaration of Official Intent (the "Declaration") for and on behalf of the City.
2. This Declaration relates to the following project, property or program (the "Project") and the costs thereof to be financed: 2019 Street Improvements Bond.
3. The City reasonably expects to reimburse itself for the payment of certain costs of the Project out of the proceeds of a bond issue or similar borrowing (the "Bonds") to be issued by the City after the date of payment of such costs. As of the date hereof, the City reasonably expects that \$4,390,000 is the maximum principal amount of the Bonds, which will be issued to finance the Project.
4. Each expenditure to be reimbursed from the Bonds is or will be a capital expenditure or a cost of issuance, or any of the other types of expenditures described in Section 1.150-2(d)(3) of the Regulations.
5. As of the Date thereof, the statements and expectations contained in this Declaration are believed to be reasonable and accurate.

Dated: May 20, 2019

s/s Judy Thompson

Judy Thompson

City Clerk

City of Willmar, Minnesota

CERTIFICATION

The undersigned, being the duly qualified and acting City Clerk of the City of Willmar, Minnesota, hereby certifies the following:

The foregoing is true and correct copy of a Resolution on file and of official, publicly available record in the offices of the City, which Resolution relates to procedures of the City for compliance with certain IRS Regulations on reimbursement bonds. Said Resolution was duly adopted by the governing body of the City (the "Council") at a regular meeting of the Council held on May 20, 2019. Said meeting was duly called, regularly held, open to the public, and held at the place at which meetings of the Council are regularly held. Council Member Plowman moved the adoption of the Resolution, which motion was seconded by Council Member Nelsen. A vote being taken on the motion, the following members of the Council voted in favor of the motion to adopt the Resolution:

Council Members Fagerlie, Mueske, Schwantes, Davis, Alvarado, Asmus, Plowman, and Nelsen

and the following voted against the same: None

Whereupon said Resolution was declared duly passed and adopted. The Resolution is in full force and effect, and no action has been taken by the Council, which would in any way alter or amend the Resolution.

WITNESS MY HAND officially as the City Clerk of the City of Willmar, Minnesota, this 20th day of May, 2019.

s/s Judy Thompson
City Clerk
City of Willmar, Minnesota

RESOLUTION NO. 19-079

APPOINTMENT OF COUNCIL LIAISON POSITION

Motion By: Schwantes

Second By: Mueske

WHEREAS, the Willmar City Council adopted Resolution 19-003 on January 7, 2019 and therein appointed Council Member Plowman to fill one of the three seats on the City of Willmar/Kandiyohi County Economic Development Commission ("EDC") Joint Powers Board reserved for City Council Members under the EDC Joint Powers Agreement, with such term to expire on December 31, 2020; and

WHEREAS, Council Member Plowman has submitted his written resignation from the EDC Joint Powers Board effective May 31, 2019, thereby creating a vacancy on the Joint Powers Board on such date.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Willmar, Minnesota, that Council Member Asmus be appointed to fill the vacancy on the EDC Joint Powers Board created by Council Member Plowman's resignation, with such appointment to be effective June 1, 2019.

Dated this 20th day of May, 2019.

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

WILLMAR MUNICIPAL UTILITIES MINUTES
MUNICIPAL UTILITIES AUDITORIUM
MAY 28, 2019

The Municipal Utilities Commission met in its regular scheduled meeting on Tuesday, May 28, 2019 at 11:45 a.m. in the Municipal Utilities Auditorium with the following Commissioners present: Carol Laumer, Justin Mattern, Abdirizak Mahboub, Ross Magnuson, Bruce DeBlieck and Brendan MacDonald. Absent was Commissioner Nathan Weber.

Others present at the meeting were: General Manager John Harren, Director of Finance Denise Runge, Power Supply Manager Chris Carlson, Systems Administrator Mike Sangren, Administrative Secretary Beth Mattheisen, and City Attorney Robert Scott (via teleconference).

Commission President Laumer opened the meeting by asking if any revisions were needed to the presented agenda. There being none, Commissioner Laumer continued by requesting a resolution to approve the Consent Agenda. Commissioner Mahboub offered a resolution to approve the Consent Agenda as presented. Commissioner DeBlieck seconded.

RESOLUTION NO. 20

“BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the Consent Agenda be approved as presented which includes:

- ❖ Minutes from the May 13, 2019 Commission meeting; and,
- ❖ Bills represented by vouchers No. 190716 to No. 190777 and associated wire transfers inclusive in the amount of \$1,415,578.04.

Dated this 28th day of May, 2019.

President

Attest:

Secretary

The foregoing resolution was adopted by a vote of six ayes and zero nays.

Director of Finance Denise Runge presented the Commission with the April 2019 Financial Reports along with a recap of the April 30, 2019 Investment Portfolio. The data presented included analyses of the Electric, Water, Heating and Combined Divisions. Information contained in the reports reflect operating revenues & expenses, operating income, and retained earnings. The Investment Portfolio presented a summary of WMU's securities and associated brokerage firms/agencies to date.

General Manager Harren and Power Supply Manager Carlson recapped for the Commission their attendance at the 54th MRES Annual Meeting held May 8-9 (Sioux Falls, SD). Carlson briefly touched on various topics of discussion. Among the subjects addressed were: Public Power Ecosystem (Sue Kelly from APPA); educating the general public on the advantages of public power; enabling efficient, affordable & sustainable power solutions (solar, wind, hydro, etc.); electric vehicles and preparing for their future needs (i.e. additional power load, charging stations); Red Rock Hydroelectric Project; various innovations being introduced by tech companies; and, cyber security. Harren expanded on the growing emphasis by consumers for additional “green energy” options which we will continue to address in the future. It was further stated that MRES does not anticipate any rate increases for the years 2020, 2021, and 2022. The MRES Annual Meeting is very informative and future attendance is encouraged.

General Manager Harren was happy to announce that Maritza Ocampo has joined the WMU's staff effective May 22nd. Ms. Ocampo filled the position of Customer Service Representative which was open due to recent retirements in the Customer Service Department. Welcome aboard, Maritza!

General Manager Harren reminded the Commission of a number of Committee meetings which have been scheduled. The WMU Labor Committee will meet on Tuesday, June 4th at 7:30 a.m. with the primary discussion to focus on RFP's received to conduct a rate study (electric & water). Later that day (12:00 p.m.), the WMU Planning Committee will meet to discuss the following: Water Treatment Plant update; generation update; and, WMU property options. On Tuesday, June 11th at 10:00 a.m., the WMU Labor Committee will meet to address a union grievance recently issued by IBEW.

General Manager Harren further stated that additional WMU Committee meetings will be forth coming. Future agenda item(s) slated for discussion will include: Generation Study analysis (Planning Committee); and, succession planning for the General Manager position (Labor Committee).

For information: Upcoming meetings/events to note include:

- Lead Electric Meter Mechanic Steve Hillenbrand will be retiring on May 31st (24+ yrs. of service).
- APPA Governance Webinar Series: Webinars are held @ 12:30 pm (1 hr.). Attending (to date): Commissioners Laumer & Mattern
 - May 31st: *"A Board's Role in Setting & Achieving Long-Term Success"*
- APPA National Conference – June 7-12 (Austin, TX)
- WMU Annual Open House – Thurs., August 15th (4:00-6:30 pm)
- MMUA Summer Conference – August 19-21 (Breezy Point)
- MRES Laramie River Station/Grayrocks Dam & Reservoir Tour – Aug. 27-28 (Wheatland, WY)
- MRES Legal Seminar *"Staying Current: Emerging Issues for Utilities"* – Oct. 4th (Sioux Falls, SD)

There being no further business to come before the Commission, Commissioner Laumer declared the meeting adjourned at 12:09 p.m.

Respectfully Submitted,

WILLMAR MUNICIPAL UTILITIES

Beth Mattheisen
Administrative Secretary

ATTEST:

Abdirizak Mahboub, Secretary

**WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, MAY 15, 2019**

MINUTES

1. The Willmar Planning Commission met on Wednesday, May 15, 2019, at 7:00 p.m. at the Willmar City Offices Conference Room #1.

Members Present: Jeff Kimpling, Terry Sieck, Cletus Frank, Christina Nelson, Steve Gardner, Rolf Standfuss and Dr. Jerry Kjergaard

Members Absent: Jonathan Marchand

Others Present: Sarah Swedburg – Planner, David Ramstad – Director of Planning and Development Services

2. MINUTES: Minutes of the May 1, 2019 meeting were approved as presented.
3. INTRODUCTION: Staff introduced David Ramstad, Planning and Development Services Director.
4. GENERAL BUSINESS TEXT AMENDMENT PUBLIC HEARING: The public hearing opened at 7:10 p.m. Staff presented a request for text amendment to allow tattoo parlors in the General Business District. Staff reviewed previous discussion regarding multiple uses allowed in the Central Business & Shopping Center districts that are not currently allowed in the General Business district. This text amendment will make a current legal non-conforming use, conforming.

No one appeared to speak for or against this matter, and the public hearing closed at 7:11 p.m.

Mr. Standfuss made a motion, seconded by Dr. Kjergaard, to approve the General Business Text Amendment.

The motion carried.

5. ZONING ORDINANCE DISCUSSION: Staff reviewed at more detail the discrepancy between uses currently allowed in the CBD & SC, but not in GB districts. There are eight allowed uses in Central Business District and the Shopping Center District that are not currently allowed in the General Business District: Broadcasting studios (without transition towers), Interior Design Stores, Pawn Shops, Paint Stores, Specialty Food Stores, Tattoo Parlors, Taxi/Transit Businesses, and Whole Sale. Some districts, such as the Technology District or the Central Business District have more limited, specific list of permitted uses compared to a zone such as General Business. Due to these discrepancies,

staff and the Planning Commission agree that it is time to move forward with revisions of the Zoning Ordinance and Comprehensive Plan.

Staff expressed the desire for data and public input to drive the Comprehensive Plan with roughly a 24-month timeline. The Plan should conclude with a set of priorities and timeline/operating procedures for how to obtain goals laid out in the document. The Zoning Ordinance revisions and updates will also occur during this time.

The Commission was in agreement with this approach, and Commissioner Nelson mentioned the benefit of the timing with the upcoming 2020 Census.

Staff will continue to move forward with research and data collection, and come back with updates in the near future.

6. MISCELLANY: Staff provided the Commission with an update regarding the City Hall Task Force Meeting. The City currently owns half of the Block 25 site (City Parking Lot) and the second half of the block is listed at approximately \$200,000. The Commission wished the City Hall Task Force to be aware of their desire for a plan to be put in place to demolish or decommission the current location, rather than letting it sit as a potential issue for others to clean up in the future. The Commission brought up the MPCA concerns regarding contamination on the Block 25 site, as a laundromat historically sat on that location. It would be encouraged for the structure be built on the existing parking lot, with new parking and/or green space constructed where the laundromat was. The Planning Commission will require the plan review as it is a new development downtown. Until a purchase agreement with more details is provided, the Planning Commission did not feel comfortable making a formal motion to approve or disapprove the location. They felt that discussion over the past several meetings, reflected in the minutes, regarding a City Hall development has been thorough and accurately depicts their thoughts and concerns.

There being no further business to come before the Commission, the meeting adjourned at 7:53 p.m.

Respectfully submitted,



Sarah Swedburg
Planner

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
AFFILIATED MED CENTERS			000028											
	55797	05/29/19	FIRE FIGHTER PHYSICALS	4,013.80		4911012/5-19		D	N				PROFESSIONAL SER	101.42412.0446
AHUA/KASHIMANA			003491											
	55798	05/29/19	ARTIST ON MAIN ST REIM	1,040.00		051719		D	M	07			TRAVEL-CONF.-SCH	235.41402.0333
ALEX AIR APPARATUS INC			002061											
	55799	05/29/19	RETURNED ROPE	218.90	CR	INV-39327		D	N				GENERAL SUPPLIES	101.42412.0229
	55799	05/29/19	CLASS A FOAM	410.00		INV-39364		D	N				GENERAL SUPPLIES	101.42412.0229
	55799	05/29/19	ROPE-TECH. RESCUE TEAM	190.28		INV-39433		D	N				SMALL TOOLS	101.42412.0221
	55799	05/29/19	ROPE BAGS	446.00		INV-39539		D	N				SMALL TOOLS	101.42412.0221
			VENDOR TOTAL	827.38		*CHECK TOTAL								
ANDERSON LAW OFFICES			002954											
	55800	05/29/19	SOLD FORFEITURE VEHICL	1,134.00		052419		D	M	07			OTHER SERVICES	101.41428.0339
ANDERSON/ALEXANDER			003265											
	55801	05/29/19	FIELD TRAINING COURSE	97.67		051619		D	N				TRAVEL-CONF.-SCH	101.42411.0333
ANNUAL OUTDOORS			002672											
	55802	05/29/19	SNOW REMOVAL	100.00		1992		D	M	07			OTHER SERVICES	101.45001.0339
APSA HEADQUARTERS			003400											
	55803	05/29/19	FELT-2020 MBRSHP DUES	33.33		052219		D	N				PREPAID EXPENSES	101.128000
	55803	05/29/19	FELT-2019 MBRSHP DUES	16.67		052219		D	N				SUBSCRIPTIONS AN	101.42411.0443
			VENDOR TOTAL	50.00		*CHECK TOTAL								
ARCHIVESOCIAL			003398											
	55804	05/29/19	2020 SOC. MEDIA ARCHIV	2,394.00		7323		D	N				PREPAID EXPENSES	101.128000
	55804	05/29/19	2019 SOC. MEDIA ARCHIV	2,394.00		7323		D	N				SUBSCRIPTIONS AN	101.41409.0443
			VENDOR TOTAL	4,788.00		*CHECK TOTAL								
AT&T MOBILITY			000075											
	55805	05/29/19	MOBILE HOTSPOT	53.55		X05232019		D	N				COMMUNICATIONS	101.41409.0330
AVENU HOLDINGS LLC			000131											
	55806	05/29/19	AS400 HOSTING-APR	2,437.36		INVB-002167		D	N				SUBSCRIPTIONS AN	101.41409.0443
AXON ENTERPRISE INC			002266											
	55807	05/29/19	TASER	291.00		SI-1591147		D	N				SMALL TOOLS	101.42411.0221
BENNETT OFFICE TECHNOLOG			000099											
	55808	05/29/19	PRINT/PAGE COUNT	55.38		290475		D	N				OFFICE SUPPLIES	101.41405.0220
BERNICK'S PEPSI-COLA CO			000103											
	55809	05/29/19	COFFEE	129.78		11738		D	N				GENERAL SUPPLIES	101.43425.0229

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
BSE			001980											
	55810	05/29/19	NUTS/BOLTS	6.86		917644238		D	N				MTCE. OF EQUIPME	101.45433.0224
	55810	05/29/19	MOTOR WIRE CONNECTORS	99.39		917692907		D	N				MTCE. OF EQUIPME	651.48484.0224
	55810	05/29/19	HYDRANT PARTS	1.05		917728700		D	N				MTCE. OF OTHER I	101.43425.0226
				107.30										
			VENDOR TOTAL	107.30										
						*CHECK TOTAL								
CALVIN/MARVIN B			001998											
	55811	05/29/19	JENNIE-O MEETING-MEAL	11.00		050819		D	N				TRAVEL-CONF.-SCH	101.41401.0333
	55811	05/29/19	MN MAYOR'S MEETING	302.79		051619		D	N				TRAVEL-CONF.-SCH	101.41401.0333
	55811	05/29/19	LMCIT TRAINING-MILEAGE	42.92		052119		D	N				TRAVEL-CONF.-SCH	101.41401.0333
				356.71										
			VENDOR TOTAL	356.71										
						*CHECK TOTAL								
CANON FINANCIAL SERVICES			002336											
	55812	05/29/19	COPIER LEASE-MAY	98.56		20098703		D	N				RENTS	101.41405.0440
CARDMEMBER SERVICE			002365											
	328	05/23/19	2020 SHRM MBRSHP DUES	63.00		STMT/4-19		M	N				PREPAID EXPENSES	101.128000
	328	05/23/19	CALVIN-LODGING DEPOSIT	116.75		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.41401.0333
	328	05/23/19	RAMSTAD-WELCOME COFFEE	88.44		STMT/4-19		M	N				OTHER SERVICES	101.41402.0339
	328	05/23/19	DRY ERASE MARKERS	21.61		STMT/4-19		M	N				OFFICE SUPPLIES	101.41409.0220
	328	05/23/19	WIRELESS CHARGER	19.99		STMT/4-19		M	N				SMALL TOOLS	101.41409.0221
	328	05/23/19	TRANSCRIPTION HEADSET	20.93		STMT/4-19		M	N				SMALL TOOLS	101.41409.0221
	328	05/23/19	COMPUTER HEADSET	26.99		STMT/4-19		M	N				SMALL TOOLS	101.41409.0221
	328	05/23/19	MOUSE PADS	16.98		STMT/4-19		M	N				GENERAL SUPPLIES	101.41409.0229
	328	05/23/19	MOUSE PADS	8.75		STMT/4-19		M	N				GENERAL SUPPLIES	101.41409.0229
	328	05/23/19	OFF SITE BACKUP	34.99		STMT/4-19		M	N				SUBSCRIPTIONS AN	101.41409.0443
	328	05/23/19	WEBSITE HOSTING FEE	2.48		STMT/4-19		M	N				SUBSCRIPTIONS AN	101.41409.0443
	328	05/23/19	DOC MONTHLY SOFTWARE	95.00		STMT/4-19		M	N				SUBSCRIPTIONS AN	101.41409.0443
	328	05/23/19	BROADCASTER SUBSCRIPTION	106.30		STMT/4-19		M	N				SUBSCRIPTIONS AN	101.41409.0443
	328	05/23/19	DICTATION LICENSE	40.24		STMT/4-19		M	N				LICENSES AND TAX	101.41409.0445
	328	05/23/19	FACEBOOK ADVERTISING	18.31		STMT/4-19		M	N				ADVERTISING	101.41409.0447
	328	05/23/19	FOREIGN TRANSACTION FEE	3.10		STMT/4-19		M	N				OTHER CHARGES	101.41409.0449
	328	05/23/19	BECKMAN-HR MGMT SEMINAR	47.21		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.41420.0333
	328	05/23/19	BECKMAN-LODGING EXPENSE	187.39		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.41420.0333
	328	05/23/19	2019 SHRM MBRSHP DUES	126.00		STMT/4-19		M	N				SUBSCRIPTIONS AN	101.41420.0443
	328	05/23/19	CASE INVEST. PORTFOLIOS	663.97		STMT/4-19		M	N				OFFICE SUPPLIES	101.42411.0220
	328	05/23/19	BUSHNELL RIFLE SCOPE	1,124.25		STMT/4-19		M	N				SMALL TOOLS	101.42411.0221
	328	05/23/19	BUSHNELL RIFLE SCOPE	1,124.25		STMT/4-19		M	N				SMALL TOOLS	101.42411.0221
	328	05/23/19	PROTECTION FACE MASK	214.60		STMT/4-19		M	N				SMALL TOOLS	101.42411.0221
	328	05/23/19	LAPTOP LT FOR SQUAD	119.00		STMT/4-19		M	N				SMALL TOOLS	101.42411.0221
	328	05/23/19	DRILL KIT/FLASHLIGHT	180.39		STMT/4-19		M	N				SMALL TOOLS	101.42411.0221
	328	05/23/19	INVERTERS FOR SQUADS	259.57		STMT/4-19		M	N				SMALL TOOLS	101.42411.0221
	328	05/23/19	DRONE REPAIR-PARTS	179.00		STMT/4-19		M	N				MTCE. OF EQUIPME	101.42411.0224
	328	05/23/19	CSO INTERVIEW PNL-MEALS	26.36		STMT/4-19		M	N				SUBSISTENCE OF P	101.42411.0227
	328	05/23/19	CR FOR ITEMS NOT REC'D	22.56CR		STMT/4-19		M	N				GENERAL SUPPLIES	101.42411.0229
	328	05/23/19	FIRST AID SUPPLIES	136.12		STMT/4-19		M	N				GENERAL SUPPLIES	101.42411.0229
	328	05/23/19	DRONE CASE/BATTERIES	833.87		STMT/4-19		M	N				GENERAL SUPPLIES	101.42411.0229
	328	05/23/19	NEUBAUER-DMT RECERT CNCL	75.00CR		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.42411.0333

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
CARDMEMBER SERVICE			002365											
	328	05/23/19	WALLACE/CARLSON-LODGING	209.48		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.42411.0333
	328	05/23/19	DRONE REPAIR-LABOR	275.00		STMT/4-19		M	N				MTCE. OF EQUIPME	101.42411.0334
	328	05/23/19	FDIC CONF-BAGGAGE FEE	120.00		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.42412.0333
	328	05/23/19	FDIC CONF-TRANSPORTATION	34.50		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.42412.0333
	328	05/23/19	FDIC CONF-MEALS	158.75		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.42412.0333
	328	05/23/19	FDIC CONF-TRANSPORTATION	30.27		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.42412.0333
	328	05/23/19	FDIC CONF-AIRPORT PRKNG	130.00		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.42412.0333
	328	05/23/19	FDIC CONF-MEALS	213.96		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.42412.0333
	328	05/23/19	FDIC CONF-LODGING	1,900.08		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.42412.0333
	328	05/23/19	CALENDAR	12.77		STMT/4-19		M	N				OFFICE SUPPLIES	101.43417.0220
	328	05/23/19	HOEKSTRA-WORKSHOP REGIS.	250.00		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.43417.0333
	328	05/23/19	BAUMCHEN-CONF REGIS.	310.00		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.43417.0333
	328	05/23/19	SEAN-LODGING EXPENSE	527.08		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.43417.0333
	328	05/23/19	HOEKSTRA-CONF REGIS.	200.00		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.43417.0333
	328	05/23/19	BAUMCHEN-LODGING EXPENSE	160.92		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.43417.0333
	328	05/23/19	SEAN-APWA CONF REGIS.	235.00		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.43417.0333
	328	05/23/19	ASST ENG./SURVEYOR AD	2.44		STMT/4-19		M	N				ADVERTISING	101.43417.0447
	328	05/23/19	PLUMBING PARTS	229.76		STMT/4-19		M	N				MTCE. OF STRUCTU	101.43425.0225
	328	05/23/19	DIAGNOSTICS SUBSCRIP-MAY	179.00		STMT/4-19		M	N				SUBSCRIPTIONS AN	101.43425.0443
	328	05/23/19	DVD'S	72.54		STMT/4-19		M	N				GENERAL SUPPLIES	101.45001.0229
	328	05/23/19	BRASS ROLLER	529.23		STMT/4-19		M	N				SMALL TOOLS	101.45427.0221
	328	05/23/19	2 PORTABLE B-BALL HOOPS	423.06		STMT/4-19		M	N				SMALL TOOLS	101.45432.0221
	328	05/23/19	POSTAGE	12.15		STMT/4-19		M	N				POSTAGE	101.45432.0223
	328	05/23/19	COACHES MEETING-MEALS	96.45		STMT/4-19		M	N				SUBSISTENCE OF P	101.45432.0227
	328	05/23/19	BASEBALL TRYOUTS-MEALS	98.79		STMT/4-19		M	N				SUBSISTENCE OF P	101.45432.0227
	328	05/23/19	JOB FAIR/EXPO-SUPPLIES	8.02		STMT/4-19		M	N				GENERAL SUPPLIES	101.45432.0229
	328	05/23/19	SCHEFFLER-JOB FAIR/EXPO	75.00		STMT/4-19		M	N				TRAVEL-CONF.-SCH	101.45432.0333
	328	05/23/19	WHIST PRIZES/SUPPLIES	66.88		STMT/4-19		M	N				GENERAL SUPPLIES	101.45435.0229
	328	05/23/19	BINGO SUPPLIES	82.98		STMT/4-19		M	N				GENERAL SUPPLIES	101.45435.0229
	328	05/23/19	BINGO SUPPLIES	24.20		STMT/4-19		M	N				GENERAL SUPPLIES	101.45435.0229
	328	05/23/19	MAGAZINE HOLDER	45.69		STMT/4-19		M	N				GENERAL SUPPLIES	101.45435.0229
	328	05/23/19	CHAIR COVERS	178.20		STMT/4-19		M	N				GENERAL SUPPLIES	101.45435.0229
	328	05/23/19	BINGO SUPPLIES	49.04		STMT/4-19		M	N				GENERAL SUPPLIES	101.45435.0229
	328	05/23/19	TEA PARTY SUPPLIES	54.85		STMT/4-19		M	N				GENERAL SUPPLIES	101.45435.0229
	328	05/23/19	2 50" RESCUE TUBES	127.25		STMT/4-19		M	N				SMALL TOOLS	101.45437.0221
	328	05/23/19	6 LIFE GUARD HIP PACKS	44.95		STMT/4-19		M	N				GENERAL SUPPLIES	101.45437.0229
	328	05/23/19	SWEDBURG-ONLINE TRNG	275.00		STMT/4-19		M	N				TRAVEL-CONF.-SCH	235.41402.0333
	328	05/23/19	MAIN STREET WRKSHP REG.	40.00		STMT/4-19		M	N				TRAVEL-CONF.-SCH	235.41402.0333
	328	05/23/19	SWEDBURG-CONF REGIS.	15.00		STMT/4-19		M	N				TRAVEL-CONF.-SCH	235.41402.0333
	328	05/23/19	MAIN STREET WRKSHP REG.	10.00		STMT/4-19		M	N				TRAVEL-CONF.-SCH	235.41402.0333
	328	05/23/19	WTP SCADA PHONE LINE	134.84		STMT/4-19		M	N				COMMUNICATIONS	651.48484.0330
	328	05/23/19	CSWEA CONF REGISTRATIONS	80.00		STMT/4-19		M	N				TRAVEL-CONF.-SCH	651.48484.0333
			VENDOR TOTAL	13,531.41										
				13,531.41		*CHECK TOTAL								
CARRANZA/NOE			002547											
	55813	05/29/19	INTERPRETED 05/26/19	90.00		052619		D	M	07			PROFESSIONAL SER	101.42411.0446

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
CENTERPOINT ENERGY 000467										
	55814	05/29/19	NATURAL GAS-MAY	644.61		6007939/5-19		D N	UTILITIES	101.43425.0332
	55814	05/29/19	NATURAL GAS-APR	54.91		6072309/4-19		D N	UTILITIES	101.45437.0332
	55814	05/29/19	NATURAL GAS-MAY	302.39		6102726/5-19		D N	UTILITIES	101.42412.0332
	55814	05/29/19	NATURAL GAS-MAY	16.11		6401277/5-19		D N	UTILITIES	101.41408.0332
	55814	05/29/19	NATURAL GAS-MAY	159.90		8503501/5-19		D N	UTILITIES	651.48485.0332
	55814	05/29/19	NATURAL GAS-MAY	37.29		8512023/5-19		D N	UTILITIES	651.48485.0332
	55814	05/29/19	NATURAL GAS-MAY	3,703.01		8795475/5-19		D N	UTILITIES	651.48484.0332
			VENDOR TOTAL	4,918.22		*CHECK TOTAL				
CHARTER COMMUNICATIONS 000736										
	55815	05/29/19	PHONE SERV-MAY	1,431.77		0009126051219		D N	COMMUNICATIONS	101.41409.0330
	55815	05/29/19	PHONE SERV-MAY	285.18		0309560051619		D N	COMMUNICATIONS	208.45005.0330
			VENDOR TOTAL	1,716.95		*CHECK TOTAL				
COLLINS GROUP INC/THE .02715										
	55816	05/29/19	OPEN HOUSE FLAG KITS	138.00		I01208125		D N	GENERAL SUPPLIES	101.43425.0229
CROW CHEMICAL & LIGHTING 000186										
	55817	05/29/19	SUPPLIES	100.95		14331		D N	GENERAL SUPPLIES	101.43425.0229
	55817	05/29/19	CLEANING SUPPLIES	173.00		14350		D N	CLEANING AND WAS	651.48484.0228
			VENDOR TOTAL	273.95		*CHECK TOTAL				
DIEM *PETTY CASH/BRITTA 003492										
	55818	05/29/19	DOAC START UP CASH	300.00		052319		D N	PETTY CASH	101.102000
DVS RENEWAL 003336										
	55819	05/29/19	#103762-LICENSE TABS	11.00		052419		D N	LICENSES AND TAX	101.42411.0445
	55819	05/29/19	#130712-LICENSE TABS	11.00		052419		D N	LICENSES AND TAX	101.42411.0445
			VENDOR TOTAL	22.00		*CHECK TOTAL				
ETTERMAN ENTERPRISES 001567										
	55820	05/29/19	GAUGE FOR SCREW PUMP	38.27		283020		D M 07	MTCE. OF EQUIPME	651.48484.0224
	55820	05/29/19	BATTERIES	42.42		283022		D M 07	GENERAL SUPPLIES	651.48484.0229
			VENDOR TOTAL	80.69		*CHECK TOTAL				
FANCY COATS 002172										
	55821	05/29/19	K-9 BOARDING 04/25-05/01	144.00		34529		D N	OTHER SERVICES	101.42411.0339
FASTENAL COMPANY 001188										
	55822	05/29/19	SHOP SUPPLIES	58.95		MNWIL179252		D N	GENERAL SUPPLIES	101.43425.0229
	55822	05/29/19	CLEANING CART	164.99		MNWIL179253		D N	SMALL TOOLS	101.43425.0221
			VENDOR TOTAL	223.94		*CHECK TOTAL				

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
MENARDS			000449											
	55857	05/29/19	CREDIT FOR DOUBLE PYMT	59.98CR		74121		D	N				SMALL TOOLS	101.45433.0221
	55857	05/29/19	CREDIT FOR DOUBLE PYMT	34.63CR		74121		D	N				MTCE. OF STRUCTU	101.45433.0225
	55857	05/29/19	CREDIT FOR DOUBLE PYMT	115.68CR		74121		D	N				GENERAL SUPPLIES	101.45433.0229
	55857	05/29/19	CREDIT FOR DOUBLE PYMT	94.99CR		74692		D	N				MTCE. OF STRUCTU	101.43425.0225
	55857	05/29/19	CREDIT FOR DOUBLE PYMT	29.43CR		74783		D	N				GENERAL SUPPLIES	101.41408.0229
	55857	05/29/19	PICTURE FRAME GLASS	8.19		76390		D	N				GENERAL SUPPLIES	101.41408.0229
	55857	05/29/19	COMMAND STRIP/BATTERIES	29.25		76390		D	N				GENERAL SUPPLIES	101.41408.0229
	55857	05/29/19	HYDRANT PAINT	29.98		76531		D	N				MTCE. OF OTHER I	101.42412.0226
	55857	05/29/19	PAINTING SUPPLIES	82.57		76531		D	N				GENERAL SUPPLIES	101.42412.0229
	55857	05/29/19	LIFT STATION SUPPLIES	2.99		76780		D	N				GENERAL SUPPLIES	651.48485.0229
	55857	05/29/19	COIL FOR WINDOW	44.99		76920		D	N				MTCE. OF STRUCTU	101.45433.0225
	55857	05/29/19	POLY BIRD SPIKES	14.99		76924		D	N				GENERAL SUPPLIES	101.45435.0229
	55857	05/29/19	DRINKING WATER	59.80		76998		D	N				SUBSISTENCE OF P	101.42412.0227
	55857	05/29/19	HYDRANT PAINT	4.51		77141		D	N				MTCE. OF OTHER I	101.42412.0226
	55857	05/29/19	CABLE FOR CAR JACK	12.99		77225		D	N				SMALL TOOLS	651.48484.0221
	55857	05/29/19	SUPPLIES	1.74		77225		D	N				GENERAL SUPPLIES	651.48484.0229
	55857	05/29/19	HOSE MENDER SUPPLIES	5.98		77241		D	N				MTCE. OF EQUIPME	101.45435.0224
	55857	05/29/19	HOSE NOZZLE	9.99		77279		D	N				SMALL TOOLS	101.43425.0221
	55857	05/29/19	COFFEE	89.76		77365		D	N				GENERAL SUPPLIES	101.41408.0229
	55857	05/29/19	DRINKING WTR/PAPER PLATE	31.16		77365		D	N				GENERAL SUPPLIES	101.43425.0229
	55857	05/29/19	DISH SOAP/PAPER PLATES	22.84		77370		D	N				GENERAL SUPPLIES	651.48484.0229
	55857	05/29/19	SHOP SHELVEING	344.84		77377		D	N				MTCE. OF STRUCTU	101.43425.0225
	55857	05/29/19	WD-40/CARB CLEANER	13.97		77394		D	N				MTCE. OF EQUIPME	101.42412.0224
	55857	05/29/19	HYDRANT PAINT	29.95		77394		D	N				MTCE. OF OTHER I	101.42412.0226
	55857	05/29/19	SHOP SHELVEING	21.98CR		77420		D	N				MTCE. OF STRUCTU	101.43425.0225
	55857	05/29/19	PAINT FOR BASES	29.39		77422		D	N				MTCE. OF OTHER I	101.43425.0226
	55857	05/29/19	SHOP SHELVEING	121.83		77425		D	N				MTCE. OF STRUCTU	101.43425.0225
	55857	05/29/19	4LB DEADBLOW HAMMER	12.99		77522		D	N				SMALL TOOLS	101.42412.0221
	55857	05/29/19	HYDRANT PAINT	36.96		77522		D	N				MTCE. OF OTHER I	101.42412.0226
			VENDOR TOTAL	684.97									*CHECK TOTAL	
				684.97										
MINI BIFF LLC			001805											
	55858	05/29/19	TOILET RENTALS	79.05		A-104505		D	N				RENTS	101.43425.0440
	55858	05/29/19	TOILET RENTALS	79.05		A-104506		D	N				RENTS	101.43425.0440
	55858	05/29/19	TOILET RENTALS	79.05		A-104518		D	N				RENTS	101.43425.0440
			VENDOR TOTAL	237.15									*CHECK TOTAL	
				237.15										
MN DEPT OF HEALTH			000488											
	55859	05/29/19	STATE HOSPITALITY FEE	40.00		353		D	N				LICENSES AND TAX	101.45433.0445
MN DEPT OF REVENUE			000492											
	327	05/20/19	SALES TAX-APR	2,788.00		STMT/4-19		M	N				SALES TAX PAYABL	101.206000
	327	05/20/19	USE TAX-APR	61.92		STMT/4-19		M	N				SALES TAX PAYABL	101.206000
	327	05/20/19	USE TAX-APR	14.85		STMT/4-19		M	N				SALES TAX PAYABL	101.206000
	327	05/20/19	SALES TAX-APR	0.37CR		STMT/4-19		M	N				GENERAL SUPPLIES	101.41400.0229
	327	05/20/19	SALES TAX-APR	0.74CR		STMT/4-19		M	N				OFFICE SUPPLIES	101.41401.0220
	327	05/20/19	SALES TAX-APR	3.61CR		STMT/4-19		M	N				OFFICE SUPPLIES	101.41409.0220

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
MN DEPT OF REVENUE			000492											
	327	05/20/19	SALES TAX-APR	4.87CR		STMT/4-19		M	N				SMALL TOOLS	101.41409.0221
	327	05/20/19	SALES TAX-APR	510.83CR		STMT/4-19		M	N				SMALL TOOLS	101.41409.0221
	327	05/20/19	SALES TAX-APR	25.11CR		STMT/4-19		M	N				MTCE. OF EQUIPME	101.41409.0224
	327	05/20/19	SALES TAX-APR	3.49CR		STMT/4-19		M	N				GENERAL SUPPLIES	101.41409.0229
	327	05/20/19	SALES TAX-APR	7.30CR		STMT/4-19		M	N				SUBSCRIPTIONS AN	101.41409.0443
	327	05/20/19	SALES TAX-APR	64.54CR		STMT/4-19		M	N				OFFICE SUPPLIES	101.41420.0220
	327	05/20/19	SALES TAX-APR	13.35CR		STMT/4-19		M	N				SMALL TOOLS	101.42411.0221
	327	05/20/19	SALES TAX-APR	5.90CR		STMT/4-19		M	N				SMALL TOOLS	101.42411.0221
	327	05/20/19	SALES TAX-APR	3.90CR		STMT/4-19		M	N				GENERAL SUPPLIES	101.42411.0229
	327	05/20/19	SALES TAX-APR	16.58CR		STMT/4-19		M	N				GENERAL SUPPLIES	101.42411.0229
	327	05/20/19	SALES TAX-APR	2.79CR		STMT/4-19		M	N				OFFICE SUPPLIES	101.42412.0220
	327	05/20/19	SALES TAX-APR	0.32CR		STMT/4-19		M	N				GENERAL SUPPLIES	101.42412.0229
	327	05/20/19	DIESEL FUEL TAX-APR	525.15		STMT/4-19		M	N				MOTOR FUELS AND	101.43425.0222
	327	05/20/19	USE TAX-APR	87.08		STMT/4-19		M	N				MOTOR FUELS AND	101.43425.0222
	327	05/20/19	USE TAX-APR	70.73		STMT/4-19		M	N				MOTOR FUELS AND	101.43425.0222
	327	05/20/19	SALES TAX-APR	38.20CR		STMT/4-19		M	N				SMALL TOOLS	101.45001.0221
	327	05/20/19	SALES TAX-APR	25.36CR		STMT/4-19		M	N				SMALL TOOLS	101.45001.0221
	327	05/20/19	SALES TAX-APR	7.30CR		STMT/4-19		M	N				SUBSCRIPTIONS AN	101.45001.0443
	327	05/20/19	SALES TAX-APR	3.32CR		STMT/4-19		M	N				SMALL TOOLS	101.45432.0221
	327	05/20/19	SALES TAX-APR	8.11CR		STMT/4-19		M	N				GENERAL SUPPLIES	101.45432.0229
	327	05/20/19	SALES TAX-APR	9.60CR		STMT/4-19		M	N				GENERAL SUPPLIES	101.45432.0229
	327	05/20/19	USE TAX-APR	0.42		STMT/4-19		M	N				MOTOR FUELS AND	101.45433.0222
	327	05/20/19	SALES TAX-APR	0.73CR		STMT/4-19		M	N				GENERAL SUPPLIES	101.45433.0229
	327	05/20/19	SALES TAX-APR	2.84CR		STMT/4-19		M	N				GENERAL SUPPLIES	101.45433.0229
	327	05/20/19	SALES TAX-APR	1.47CR		STMT/4-19		M	N				SMALL TOOLS	101.45435.0221
	327	05/20/19	SALES TAX-APR	38.39CR		STMT/4-19		M	N				MTCE. OF STRUCTU	101.45435.0225
	327	05/20/19	SALES TAX-APR	10.63CR		STMT/4-19		M	N				GENERAL SUPPLIES	101.45435.0229
	327	05/20/19	SALES TAX-APR	32.42CR		STMT/4-19		M	N				MTCE. OF EQUIPME	651.48484.0224
	327	05/20/19	SALES TAX-APR	1.93CR		STMT/4-19		M	N				GENERAL SUPPLIES	651.48484.0229
	327	05/20/19	DIESEL FUEL TAX-APR	32.31		STMT/4-19		M	N				MOTOR FUELS AND	651.48485.0222
			VENDOR TOTAL	2,736.46		*CHECK TOTAL								
MN FIRE SERVICE CERTIF.			000018											
	55860	05/29/19	CERTIFICATION TESTING	690.00		6548		D	N				TRAVEL-CONF.-SCH	101.42412.0333
MN HWY SAFETY & RESEARCH			000352											
	55861	05/29/19	EVOC TRAINING REGIS.	1,275.00		629430-7066		D	N				TRAVEL-CONF.-SCH	101.42411.0333
MN LODGING ASSOCIATION			002391											
	55862	05/29/19	MBRSHP DUES 01/01-05/31	143.75		62104		D	N				PREPAID EXPENSES	208.128000
	55862	05/29/19	MBRSHP DUES 06/01-12/31	201.25		62104		D	N				SUBSCRIPTIONS AN	208.45005.0443
			VENDOR TOTAL	345.00		*CHECK TOTAL								
MN PETROLEUM SERVICE			002167											
	55863	05/29/19	FUEL SYSTEM REPAIR-LABOR	678.63		0000057387		D	N				MTCE. OF OTHER I	101.43425.0336

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
MN UC FUND			000524											
	55864	05/29/19	UNEMPLOYMENT BENEFITS	714.00		07977283/4-19		D	N				RE-EMPLOYMENT IN	101.41428.0815
MOSER/NICK			003493											
	55865	05/29/19	BLOCK PARTY BAND	700.00		051919		D	N				OTHER CHARGES	208.45006.0449
MUNICIPAL UTILITIES			000541											
	55866	05/29/19	UTILITIES FOR MAY	893.44		5/19		D	N				UTILITIES	101.42412.0332
	55866	05/29/19	UTILITIES FOR MAY	1,273.58		5/19		D	N				UTILITIES	101.43425.0332
	55866	05/29/19	UTILITIES FOR MAY	3,181.00		5/19		D	N				UTILITIES	230.43430.0332
	55866	05/29/19	UTILITIES FOR MAY	55,271.12		5/19		D	N				UTILITIES	651.48484.0332
	55866	05/29/19	UTILITIES FOR MAY	358.33		5/19		D	N				UTILITIES	651.48485.0332
				60,977.47										
			VENDOR TOTAL	60,977.47		*CHECK TOTAL								
MVTL LABORATORIES INC			000544											
	55867	05/29/19	LAB TESTING	480.00		974915		D	N				PROFESSIONAL SER	651.48486.0446
	55867	05/29/19	LAB TESTING	304.00		975542		D	N				PROFESSIONAL SER	651.48484.0446
	55867	05/29/19	LAB TESTING	25.00		976339		D	N				PROFESSIONAL SER	651.48484.0446
	55867	05/29/19	LAB TESTING	384.00		976375		D	N				PROFESSIONAL SER	651.48486.0446
				1,193.00										
			VENDOR TOTAL	1,193.00		*CHECK TOTAL								
OAKLEAF/CHAD W			001827											
	55868	05/29/19	EVOC TRAINING	9.68		051419		D	N				TRAVEL-CONF.-SCH	101.42411.0333
OASIS AERO INC			003286											
	55869	05/29/19	AIRPORT MGMT CNTRCT-AP	4,000.00		2255		D	N				PROFESSIONAL SER	230.43430.0446
OFFICE SERVICES			000589											
	55870	05/29/19	PHOTO COPIES-MAY	646.99		STMT/5-19		D	N				OFFICE SUPPLIES	101.41410.0220
	55870	05/29/19	PHOTO COPIES-MAY	200.57		STMT/5-19		D	N				OFFICE SUPPLIES	101.41410.0220
				847.56										
			VENDOR TOTAL	847.56		*CHECK TOTAL								
PREMIUM WATERS INC			000374											
	55871	05/29/19	DRINKING WATER	27.50		329949/4-19		D	N				SUBSISTENCE OF P	101.42412.0227
PRINT MASTERS			000624											
	55872	05/29/19	MEET & PLAY FLYER	138.00		86616		D	N				OTHER CHARGES	208.45008.0449
	55872	05/29/19	NUMBER STAMPERS	54.38		86623		D	N				OFFICE SUPPLIES	101.43425.0220
				192.38										
			VENDOR TOTAL	192.38		*CHECK TOTAL								
QUICK SIGNS			001093											
	55873	05/29/19	BIKE WILLMAR SIGNS	352.00		175959		D	N				GENERAL SUPPLIES	236.45436.0229
	55873	05/29/19	DECALS FOR TRUCK	784.00		175961		D	N				MTCE. OF EQUIPME	101.45433.0224
	55873	05/29/19	SIGN FOR PARK BLDG	21.00		175967		D	N				MTCE. OF STRUCTU	101.43425.0225

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
QUICK SIGNS			001093											
	55873	05/29/19	DECALS FOR L.S. TRUCK	44.00		175976		D	N				MTCE. OF EQUIPME	651.48485.0224
				1,201.00	*CHECK	TOTAL								
			VENDOR TOTAL	1,201.00										
RAMBOW INC			000639											
	55874	05/29/19	STAFF SHIRTS/UNIFORMS	302.00		600451		D	N				GENERAL SUPPLIES	101.45432.0229
	55874	05/29/19	STAFF SHIRTS/UNIFORMS	324.00		600451		D	N				GENERAL SUPPLIES	101.45433.0229
				626.00	*CHECK	TOTAL								
			VENDOR TOTAL	626.00										
RIDGEWATER COLLEGE			001136											
	55875	05/29/19	FIRE EXT CERTIF. TRNG	275.00		00229411		D	N				TRAVEL-CONF.-SCH	101.42412.0333
RIVARD/LUKE			003419											
	55876	05/29/19	COMM. RHYTHMS WORKSHOP	300.00		24		D	M	07			PROFESSIONAL SER	899.45435.0446
SAND ELECTRIC			000678											
	55877	05/29/19	REPL. T-HANGAR FIXTURE	3,494.00		5867		D	N				MTCE. OF STRUCTU	230.43430.0335
SCHNEIDER/GENE			001013											
	55878	05/29/19	EVOC TRAINING	11.00		051419		D	N				TRAVEL-CONF.-SCH	101.42411.0333
SCHWEGMAN'S CLEANERS			000682											
	55879	05/29/19	DRY CLEANING SERVICES	18.88		590214		D	N				CLEANING AND WAS	101.42411.0338
SERVICE CENTER/CITY OF W			000685											
	55880	05/29/19	EQUIPMENT REPAIR-OIL	22.00		STMT/5-19		D	N				MOTOR FUELS AND	101.42411.0222
	55880	05/29/19	EQUIPMENT REPAIR-PARTS	252.49		STMT/5-19		D	N				MTCE. OF EQUIPME	101.42411.0224
	55880	05/29/19	EQUIPMENT REPAIR-OIL	67.58		STMT/5-19		D	N				MOTOR FUELS AND	101.43425.0222
	55880	05/29/19	EQUIPMENT REPAIR-PARTS	7,994.53		STMT/5-19		D	N				MTCE. OF EQUIPME	101.43425.0224
				8,336.60	*CHECK	TOTAL								
			VENDOR TOTAL	8,336.60										
SPICER/CITY OF			003220											
	55881	05/29/19	COMM CLUB APPREC BANQUET	70.00		CC-41519		D	N				TRAVEL-CONF.-SCH	208.45005.0333
SPRINT			000578											
	55882	05/29/19	CELL PHONE USAGE-APR	69.98		317498885-132		D	N				COMMUNICATIONS	101.41409.0330
STACY'S NURSERY INC			000706											
	55883	05/29/19	SHADE TREES	13,312.50		13867		D	N				MTCE. OF OTHER I	101.43425.0226
STATE TREASURER'S OFFICE			001451											
	55884	05/29/19	SOLD FORFEITURE VEHICLES	19.80		052019		D	N				OTHER SERVICES	101.41428.0339
STEINBEISSER AUTO REPAIR			003256											
	55885	05/29/19	PRGRM TIRE PRESSURE SNSR	36.93		7674		D	N				INVENTORIES-MDSE	101.125000

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
STEINBEISSER AUTO REPAIR			003256											
	55885	05/29/19	PRGRM TIRE PRESSURE SNSR	36.93		7719		D	N				INVENTORIES-MDSE	101.125000
				73.86	*CHECK	TOTAL								
			VENDOR TOTAL	73.86										
SUN LIFE FINANCIAL			003460											
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	70.84		M335		D	N				COBRA INS PREMIU	101.120001
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	66.80		M335		D	N				EMPLOYER INSUR.	101.41400.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	158.84		M335		D	N				EMPLOYER INSUR.	101.41402.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	38.30		M335		D	N				EMPLOYER INSUR.	101.41403.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	99.25		M335		D	N				EMPLOYER INSUR.	101.41405.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	19.23		M335		D	N				EMPLOYER INSUR.	101.41408.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	64.53		M335		D	N				EMPLOYER INSUR.	101.41409.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	28.70		M335		D	N				EMPLOYER INSUR.	101.41420.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	4.98		M335		D	N				EMPLOYER INSUR.	101.41424.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	98.21		M335		D	N				INS. PASS THROUG	101.41428.0819
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	917.17		M335		D	N				EMPLOYER INSUR.	101.42411.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	70.77		M335		D	N				EMPLOYER INSUR.	101.42412.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	91.38		M335		D	N				EMPLOYER INSUR.	101.43417.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	470.88		M335		D	N				EMPLOYER INSUR.	101.43425.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	22.43		M335		D	N				EMPLOYER INSUR.	101.45001.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	82.17		M335		D	N				EMPLOYER INSUR.	101.45432.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	40.94		M335		D	N				EMPLOYER INSUR.	101.45433.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	30.83		M335		D	N				EMPLOYER INSUR.	101.45435.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	9.15		M335		D	N				EMPLOYER INSUR.	101.45437.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	221.96		M335		D	N				EMPLOYER INSUR.	651.48484.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	17.40		M335		D	N				EMPLOYER INSUR.	651.48485.0114
	55886	05/29/19	LIFE/LTD/VISION INS-JUN	23.74		M335		D	N				EMPLOYER INSUR.	651.48486.0114
				2,648.50	*CHECK	TOTAL								
			VENDOR TOTAL	2,648.50										
TECH SALES CO			001616											
	55887	05/29/19	EFFL. FLOW METER PROJ	12,807.00		323389		D	N				MTCE. OF STRUCTU	651.48484.0225
US BANK EQUIPMENT FINANC			003143											
	55888	05/29/19	COPIER LEASE-MAY	157.00		384798385		D	N				RENTS	101.42411.0440
VERIZON WIRELESS			002915											
	55889	05/29/19	CELL PHONE USAGE-APR	3,028.88		9829754208		D	N				COMMUNICATIONS	101.41409.0330
VIGIL/RUDY			000951											
	55890	05/29/19	AVI SYSTEMS CONFERENCE	323.74		050819		D	N				TRAVEL-CONF.-SCH	101.45001.0333
WAL-MART COMMUNITY			000789											
	55891	05/29/19	COFFEE	34.60		042219		D	N				SUBSISTENCE OF P	101.42411.0227
	55891	05/29/19	DRINKING WATER	19.90		042319		D	N				GENERAL SUPPLIES	101.42411.0229
	55891	05/29/19	COFFEE/FILTERS/DISH SOAP	14.74		042819		D	N				GENERAL SUPPLIES	651.48484.0229
	55891	05/29/19	LAB SUPPLIES	61.08		050119		D	N				GENERAL SUPPLIES	651.48484.0229

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
WAL-MART COMMUNITY			000789											
	55891	05/29/19	PADLOCKS FOR LOCKERS	6.81		050319		D	N				GENERAL SUPPLIES	101.42411.0229
	55891	05/29/19	COFFEE	6.92		051319		D	N				GENERAL SUPPLIES	101.42411.0229
			VENDOR TOTAL	144.05										
				144.05										
WATCHGUARD VIDEO			003279											
	55892	05/29/19	2020 SQUAD CAM WARRANT	1,257.28		WARINV003273		D	N				PREPAID EXPENSES	101.128000
	55892	05/29/19	2019 SQUAD CAM WARRANTY	517.72		WARINV003273		D	N				MTCE. OF EQUIPME	101.42411.0334
			VENDOR TOTAL	1,775.00										
				1,775.00										
WEST CENTRAL COMMUNICATI			000796											
	55893	05/29/19	FUSE FOR SIREN	175.00		087819S		D	N				CIVIL DEFENSE	101.42428.0809
WEST CENTRAL INDUSTRIES			000801											
	55894	05/29/19	LATHS FOR COMM. GARDEN	35.86		4059		D	N				GENERAL SUPPLIES	101.45435.0229
WEST CENTRAL SHREDDING			003252											
	55895	05/29/19	SHREDDING SERVICE	25.00		11692		D	N				PROFESSIONAL SER	101.41403.0446
WEST CENTRAL TROPHIES			000808											
	55896	05/29/19	GRAVE MARKER ENGRAVINGS	35.00		5271		D	N				SUBSISTENCE OF P	101.42412.0227
WILLMAR CHAMBER OF COMME			000812											
	55897	05/29/19	PHONE SERV-APR	305.06		CC STMT/4-19		D	N				COMMUNICATIONS	208.45005.0330
	55897	05/29/19	STAFF MEETING	22.00		CC STMT/4-19		D	N				TRAVEL-CONF.-SCH	208.45005.0333
	55897	05/29/19	BOARD MEMBER RECOGNITION	19.32		CC STMT/4-19		D	N				AWARDS AND INDEM	208.45005.0442
	55897	05/29/19	BOARD MEMBER RECOGNITION	64.43		CC STMT/4-19		D	N				AWARDS AND INDEM	208.45005.0442
	55897	05/29/19	GUIDE DELIVERY	22.00		CC STMT/4-19		D	N				OTHER CHARGES	208.45010.0449
	55897	05/29/19	MTG WITH VOLUNTEER	3.48		CC STMT/4-19		D	N				OTHER CHARGES	208.45010.0449
	55897	05/29/19	FACEBOOK ADVERTISING	36.77		CC STMT/4-19		D	N				OTHER CHARGES	208.45010.0449
	55897	05/29/19	MN BICYCLING HANDBOOK	20.00		CC STMT/4-19		D	N				OTHER CHARGES	208.45011.0449
	55897	05/29/19	BIKE WILLMAR MTG	5.09		CC STMT/4-19		D	N				OTHER CHARGES	208.45011.0449
	55897	05/29/19	BIKE LAUNCH MTG	2.09		CC STMT/4-19		D	N				OTHER CHARGES	208.45011.0449
			VENDOR TOTAL	500.24										
				500.24										
WILLMAR CRANE SERVICE			000899											
	55898	05/29/19	CRANE SERVICES	400.00		5127		D	N				MTCE. OF EQUIPME	651.48484.0334
WINDSTREAM			002100											
	55899	05/29/19	PHONE SERV-APR	64.70		STMT/4-19		D	N				COMMUNICATIONS	101.45433.0330

ACS FINANCIAL SYSTEM
05/29/2019 15:48:32

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

CITY OF WILLMAR
GL540R-V08.12 PAGE 14

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
REPORT TOTALS:				191,890.40										

RECORDS PRINTED - 000345

ACS FINANCIAL SYSTEM
05/29/2019 15:48:32

Vendor Payment History Report

CITY OF WILLMAR
GL060S-V08.12 RECAPPAGE
GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
101	GENERAL FUND	87,957.96
208	CONVENTION & VISITORS BUREAU	2,993.42
230	WILLMAR MUNICIPAL AIRPORT	10,675.00
235	WILLMAR MAIN STREET	1,380.00
236	BIKE SHARE PROGRAM	1,526.89
651	WASTE TREATMENT	87,057.13
899	DONATION FUND (AGENCY)	300.00
TOTAL ALL FUNDS		191,890.40

BANK RECAP:

BANK	NAME	DISBURSEMENTS
HERT	HERITAGE BANK	191,890.40
TOTAL ALL BANKS		191,890.40

MINUTES
Central Community Transit
Operations Board

Tuesday, March 26, 2019
10:00 a.m.
Willmar Office

Members Present: Jill Bruns, Catherine Birr, Kristi Maahs, Jill Pelzel, Michelle Prah, Judy Thompson, Jan Wrase

Members via Phone: Amanda Becker, Paul Bukovich, Lori Rice

Members Absent: Alan Anderson, Chad Christianson, Pam Meinert, Laura Morales

Staff Present: Tiffany Collins, Transit Director; Doug Sweeter, Operations Coordinator; Patti Flannigan, Office Coordinator

Staff Absent: Donna Anderson, Assistant Transit Director

Guest(s): Anne Polta, West Central Tribune

Introductions

The meeting was called to order and introductions were made around the table.

Approval of Agenda

Tiffany mentioned during Other Updates the West Central Industries routing request discussion will take place.

Michelle Prah made a motion to approve the agenda. Judy Thompson seconded the motion, which carried.

Approval of Minutes

Judy Thompson made a motion to approve the minutes from February 26, 2019. Kristi Maahs seconded the motion, which carried.

Director's Update

Financials – Tiffany explained the MnDOT changes to the contracts and cost allocation between MnDOT and Non-MnDOT tracking. The CCT Employer Health Savings Account contribution of \$100 per employee per month, resulted in creating an additional budget line item (1063) beginning in March. Revenues were reviewed, reminding the board of the change that was made (2010.2) only consists of prepaid services with punch passes and token sales and (2024) *Special Services* includes contracted services. First quarter MnDOT Grant has been received and bank balances were reviewed. Expenditures were reviewed with 83.3% remaining and Personnel (1066) *Other* is currently reflecting the Contribution for HSA and will be moved into (1063) begin in March. Administration is higher with snow removal and tow truck expenses. Billing for fuel (1210) has been receive from Meeker and Kandiyohi and working towards a quarterly billing with Renville County going forward. (1230) *Contract Labor-Routine* is high with bus repairs. No bills have been received from the accident nonetheless insurance will cover. 2018 is about finished and should be ready to report to MnDOT this week. General Transportation Title III program continues with cost share and all rates have been adjusted to the \$0.58/mile. Blue Ride claims requirements for January were changed requiring a different individual's number on each claim, resulting in the rejection of those claims. This should be corrected and back on track soon. Expenses are as expected and good code tracking is being done with CDS involving more detail. Elderly/Disabled 5310 transportation program has been quiet over the winter with a few group rides starting up again. New Service Expansion with Litchfield City Day Route and Evening City Route will be placed into our budget effective July 2019.

Ridership – Doug Sweeter gave a brief review on the estimated ridership from February reflecting the 4 snow days that occurred. The cancellation of service was dependent on Service Agencies in addition to decisions to not run out of town routes. If “No Travel Advised” warnings occurred for example on Hwy 12 and Hwy 71 those route services didn't run. The challenge with the out of town routes remains if the passengers are brought in, they do need to return back and passenger safety is a main concern. The drivers did an excellent job with all of the schedule adjustments and winter driving. Volunteer Drivers make their own decision with weather based transportation. Custom reports are still being worked on with RouteMatch that will provide data information for the Board and MnDOT.

Committee Updates

Systems Resource Committee Update – Meeting cancelled March 5, 2019.

Administration Committee Update – Chad Christianson updated the committee from the March 20th meeting. Financials and bank reconciliation were reviewed by the committee. Building Project discussion was had. Future MnDOT contract consideration of a 2-4 year contract is still in discussion. RTCC-Reginal Transportation Coordination Council is a needed service to fill the transportation gaps that still remain for human service transportation beyond public transportation. Matthew Johnson is with the Mid-MN Development Commission and has been meeting with the County Boards and considering available funding options. The CCT 5 year plan is a separate plan that looks directly at CCT but will require working together with RTCC towards one goal.

Facility Discussion

Previously, MnDOT has offered a Solicitation for additional funding for building/expansion projects. CCT would like to move forward with the planning stage to become “Shovel Ready” in order to utilize these options, should they arise in the future. Tiffany identified and compiled a Future Facility Expansion Needs-Willmar Location list, different options available at this time and future growth needs along with a GIS picture of the outlying area for discussion to move forward. Discussion has taken place within the committees and at the Operations Board Meeting to identify current needs and future growth. A meeting was held with West Central Industries regarding open discussion for additional growth options to the north with possibilities of leasing or purchasing of building(s) and/or land. As WCI’s business is changing with no longer housing Extended Employment, the back building isn’t being utilized. Concerns were addressed to plan large enough for the future and to look at all available options, not to only cover the current needs. Kristi Maahs commented that the buses are the backbone of the business and need to be taken care of. The current Willmar facility was designed for KAT and undreamt for two mergers to occur. A Capital improvement plan hasn’t been in place with MnDOT and has become extremely noticeable over the years. CCT will be looking to Architectural and Consultant input to address options. The Operations Board felt the Future Facility Expansion Needs Willmar Location list wasn’t broad enough to cover future growth. Currently the Olivia and Litchfield location space is doing well. Discussion will be moved forward with the thoughts and ideas brought to the April 13th Joint Powers Board Meeting.

Bus Order Review – Discussion

2019 Contracts haven’t been received yet to date, however are expected in the near future and possibly before the 4/12/19 JPB Meeting. Discussion was had and various bus options were reviewed, input was also received from drivers and our mechanic, as the last labor negotiations a request was made to allow for driver input. Litchfield drivers prefer the lift in the back of the bus for the ProWorks transportation. The Kelderman suspension is very good, however some drivers would give up that option for heated mirrors, adjustable seats and more manual options. In the past we have attempted to keep the fleet similar for ease of parts, but have noticed the need for other options and securements. Seven vehicles will need to be ordered and three different bus styles are being considered with the goal to maintain 20-21 seating positions with ICS– Integrated Child Safety Seats and 2-3 wheelchair positions.

Judy Thompson made a motion to recommend to the Joint Powers Board for the CCT bus purchases to consist of a couple different floor plan models and options to meet the needs of the public. Jan Wrase seconded the motion, which carried all in favor.

5310 Application

The 5310 Application has been placed on hold at this time with MnDOT. CCT’s current 5310 bus was purchased back in 2009. Considering it has low mileage of 80,000 past experience has

shown costly repairs due to the age and diesel engine. The 5310 bus consists of 6 wheelchair places and is utilized throughout all three locations in providing transportation for elderly and disabled groups to outings.

Michelle Prahl made a motion to recommend to the Joint Powers Board to have a 5310 application ready for the replacement of the 5310 vehicle, should the application become available. Paul Bukovich seconded the motion, which carried all in favor.

Title III 2019 Project - Update

Tablets are being handed out to the Volunteer Drivers and different reporting options are being reviewed with the available data. The spring time change created an additional update that was worked through.

Renville County Routing Discussion

Weekly service is underway to both Hutchinson and Redwood Falls. Tuesday's route service to Hutchinson from Oliva, Bird Island, Buffalo Lake, Hector and Cosmos. Thursday's route service to Redwood Falls from Olivia, Fairfax, Franklin and Morton. Tiffany Collins and John Stahl attended the Redwood Falls Home Show with a booth display for available services. Radio and newspaper ads are being ran along with the listing on Renville County Public Health's Facebook page, City Clerks have posted on the Public Access channel and postings at local churches. A suggestion was made to have the postings also placed at the Redwood Falls and Hutchinson Clinics. Tiffany explained that both routes will be running a promotional ride free day to give passengers an opportunity to experience and become familiar with those routes.

Other Updates/Open Discussion

West Central Industries is considering going to a 6 hour day for the DT&H clients. Michelle Prahl and Doug Sweeter have been working together in trying to accommodate the needs. The time adjustment moving the pickup time from 2:30 up to 2:00 would create a ½ hour to 45 minute opening for 2 buses. The challenge is to make it work for both agencies and provide proper notification to residential staff.

Meeting Set Up/Dates

Operations Board: May 28, 2019 – 10:00 a.m.

(April 23, 2019 - 10:00 a.m. Cancelled)

Committee Meetings:

System Resource Committee: April 2, 2019 - 1:00 p.m.

Administration Committee: April 17, 2019 - 8:00 a.m.

**Central Community Transit Joint Powers Board Meeting:
April 12, 2019 - 9:00 a.m. – Litchfield**

Adjourn Meeting

Kristi Maahs made a motion to adjourn the meeting. Michelle PrahI seconded the motion, which carried.

The meeting adjourned at 11:36 a.m.

Submitted by,
Patti Flannigan
Office Coordinator

MINUTES
WILLMAR POLICE COMMISSION
Thursday, March 21, 2019

A meeting of the Willmar Police Civil Service Commission was held on Thursday, March 21, 2019, at the Law Enforcement Center in Willmar.

Present were Police Civil Service Commission members President Mike Kubesh, Vice President Earline Schulstad, and Secretary Dennis Anfinson. Police Chief Jim Felt and Administrative Assistant Sue Edwards were also present.

The meeting was called to order by President Kubesh at 9:02 a.m.

A motion was made by Commissioner Anfinson, seconded by Commissioner Schulstad, to approve the March 4, 2019 minutes as submitted. **Motion carried.**

Commissioner Kubesh explained that he had participated on the interview panel for the police officer hiring March 18th and 19th, and 17 candidates were interviewed, as one had withdrawn from the process. Chief Felt thanked Commissioner Kubesh for giving his time to help with the interviews.

The Commission was provided with the final results from the entry level police officer testing process, including written test scores, oral interview scores, and preference points given for veterans. Chief Felt explained that there are currently two openings for police officer positions and he would like to hire one candidate immediately.

After discussion, Commissioner Anfinson made a motion, seconded by Commissioner Schulstad, to set the cut-off at 75% on the final scores, establishing the eligibility register by certifying the top 13 names of qualified candidates. **Motion carried.**

Commissioner Schulstad made a motion, seconded by Commissioner Anfinson, to send out backgrounds to the top six candidates, and to continue down the list as needed. **Motion carried.**

Miscellaneous

Chief Felt informed the Commission that two CSOs will be leaving to attend the Skills Program in Alexandria in May, so he would like to hire additional CSOs before that time. He asked if any of the Commission members would be available to assist with the interviews on April 15, 2019; Commissioner Schulstad agreed to help with the interviews.

There being no further business, a motion to adjourn was made by Commissioner Anfinson, seconded by Commissioner Schulstad. The meeting was adjourned at 9:26 a.m.

Secretary Dennis Anfinson
by Sue Edwards

INVEST IN WILLMAR BOARD MEETING SUMMARY

The Invest in Willmar Board met at 3:00 p.m. on Wednesday, May 8, 2019 in Conference Room No. 1 at the Willmar City Office Building.

Members present were: Matt Dawson, Mary Sawatzky, Jon Konold, Tony Amon, Bob Poe, Shawn Mueske, and Denis Anderson.

Also present were: Mayor Marv Calvin, City Administrator Ike Holland, Park and Recreation Director Rob Baumgarn, Council Member Rick Fagerlie, Tribune Report Shelby Lindrud and Administrative Assistant Janell Sommers.

Chair Dawson opened the meeting at 3:00 p.m. Mayor Calvin asked to add an update on the status of the local option sales tax bill to the agenda. A motion was made by Denis Anderson, seconded by Bob Poe and passed to approve the April 24, 2019 minutes of the board.

Chair Dawson clarified the start of the meeting time changing from 4:00 p.m. to 3:00 p.m. for the next few months and asked members to let someone know if they cannot attend a meeting.

Chair Dawson informed the board he met with City staff and reviewed schedules and plans and generally tried to layout where the projects are at. They discussed some feedback from the committees for timelines and it was noted staff is working on schedules. Rob Baumgarn reported that staff and Robbins Island Chair Rachel Skretvedt met with Bolton and Menk regarding the roads and parking lots for Robbins Island to discuss feasibility of a project schedule. They worked up a timeline that was discussed. James Miller entered the meeting at 3:08 p.m. and discussion continued on the timeline for Robbins Island with priorities being the parking lot and roadways with the shelters coming last. Rob Baumgarn will get back with Bolton and Menk to further discuss the project schedule.

Chair Dawson brought up for information the schedule of the six subcommittees and having the chairs or their designated representative attend the Invest in Willmar Board meetings and also have the subcommittees send their meeting minutes and agendas to City staff for the website for transparency so this information can be accessed. Mayor Calvin touched on the recent stormwater committee meeting and the planned community bus tour on May 28th whereby stormwater projects will be visualized.

Chair Dawson asked board members to make himself or city staff aware of anything they see on the website that should be changed or added.

Chair Dawson requested feedback from members in relation to having a construction management company oversee the projects so there is one point person who is responsible. City Administrator Holland addressed the board stating he met with Bolton and Menk, the engineering firm the City uses for projects. They have access to many areas of expertise and working relationships with subcontractors. Mr. Holland spoke in favor of the board considering using Bolton and Menk as the owner's representative. They would design, build and oversee the projects in addition to putting documents together for bidding. They would represent the City and their sole interest is seeing that

your project is built correctly, on time, within budget and reported accordingly to the City Council and Administrator. A construction manager is a person who works for the construction firm and has their interest in mind. It is City Administrator Holland's recommendation to use one engineering firm for all the projects. The City would take bids things out and use different construction firms for projects.

The bidding laws were discussed pertaining to arbitrarily hiring a firm and how to factor that into the budgets questioning if it is funded through the 10-15% contingency. This type of firm may cost 3-5% but will save the city money in the long run by coordinating projects. City Administrator Holland will contact the City Attorney for clarification on the bidding process and also ask a representative of Bolton and Menk to attend the next meeting for questions. Members were asked to email any questions they have for Bolton and Menk to Mr. Holland in advance. The question was raised if an owner's representative is excluded from bidding any of the projects.

A motion was made by Tony Amon and seconded by Jon Konold to recommend to the Park and Recreation Board to engage Bolton and Menk as the Invest in Willmar Board owner's representative pending the City Attorney's approval and bring this recommendation to the Park and Recreation Board. Mr. Poe asked to see a scope of services for an owner's representative. Mr. Holland was asked to obtain that and email it out in the next couple days. The motion passed.

Mayor Calvin presented information he received from the League of MN Cities which contained a synopsis the House requested which was a breakdown of all the various projects cities are requesting local option sales bills for. This was received for information only.

The board discussed the process for subcommittee chairs or their designated representative attending board meetings to briefly update the members. Limiting it to three subcommittees at each meeting was felt to be the most beneficial.

The meeting adjourned at 4:13 p.m.

Respectfully submitted,

Janell Sommers
Administrative Assistant

**Application for Appointment to
City Board/Committee/Commission**

Please indicate the Board/Committee(s)/Commission(s) to which you are interested in being appointed. (If more than one, please number in order of choice.)

- _____ Airport Commission (meets monthly)
- _____ Cable Advisory Board (meets as needed)
- _____ Charter Commission (meets as needed)
- _____ Park and Recreation Board
- _____ City/County Economic Development Operations Board (meets monthly)
- _____ City of Willmar HRA
- _____ Human Rights Commission (meets as needed)
- _____ Municipal Utilities Commission (meets bi-monthly)
- _____ Pioneerland Library System Board (meets monthly)
- X _____ Planning Commission (meets bi-monthly)
- _____ Police Civil Service Commission (meets first Monday in February each year and on as-needed basis thereafter)
- _____ Rice Memorial Hospital (meets bi-monthly)
- _____ Willmar Convention and Visitors Bureau
- _____ Zoning Appeals Board (meets monthly)
- _____ Ad hoc Task Forces (will be posted and will meet on an as-needed basis)

Applicant Information

Name: Rhonda Otteson Date of Application: 5/30/19
Address: 208 SW Robbms Ave Willmar Phone No. 320.220.2816
(Certain Boards and Commissions may require that you are a resident of the City of Willmar)

Email: rhonda@velastrategy.com

What prompted you to make application for a citizen committee? invitation by
Sarah Swedburg

Briefly tell us why you want to serve on this Board/Committee/Commission:

to serve my community; to make a positive impact through planning and policy, thereby contributing to a thriving Willmar

List any special background or experience you have which would be helpful to this Board/Committee/Commission:

experience in leading strategic planning, visioning;
committed to equity & inclusion in our diverse city;
participated in Vision 2040 Housing team

List your educational background: BA - Interdepartmental Sociology, St Cloud State;
Master of Advocacy and Political Leadership, University of MN Duluth

List any social, fraternal, patriotic, governmental, or service organizations, which you have or currently are serving on:

Past - Faith Lutheran Church Council, The Link Advisory Board

If you are employed, please provide the name and address of your employer and your position:

The Link of Northern Kandiyohi County, New London, Executive
Director; Vela Strategy, New London, Consulting Associate.

Please return completed application to:

Mayor's Office
333 SW 6th Street
Willmar, MN 56201

Or fax completed forms to:

(320) 235-4917

CERTIFICATE OF

Appreciation

Presented to

Jim Gauer

for

Over 31 years of dedicated service to the City of Willmar, in its Wastewater Department.

Your hard work and effort has made Willmar a great community.


From the City of Willmar, City Council, Mayor and Administration

June 3, 2019

Date

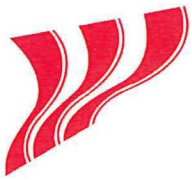


City Administrator Isaac J. Holland



Mayor Marvin Calvin





WILLMAR

City Office Building
333 SW 6th Street
Willmar, MN 56201
Main Number 320-235-4913
Fax Number 320-235-4917

CITY COUNCIL AGENDA REPORT

To: Mayor and City Council	Date: June 3, 2019
From: David Ramstad, PhD, Director of Planning & Development	Subject: Public Hearing on a Text Amendment to Zoning Ordinance Relating to General Business District

AGENDA ITEM: Public Hearing on a Text Amendment to Zoning Ordinance Relating to General Business District

INTRODUCTION/REQUEST: The Planning Commission was requested to consider a tattoo parlor use outright in the General Business District. The Commission recommends allowing this use outright.

HISTORY: This use was historically allowed only in the Central Business District.

CURRENT CIRCUMSTANCE: Planning Commission held a public hearing on the proposed text amendment on May 15, 2019, and approved the request. Commercial zones have evolved, and Planning Commission found this amendment appropriate as the use is currently allowed in the Central Business District and Shopping Center District. A tattoo parlor is a similar use to a hair salon business which is allowed outright in the General Business district currently. The text amendment was introduced to City Council on May 20, 2019.

FINANCIAL IMPACT: N/A

ISSUES: N/A

ALTERNATIVES:

1. Take no action.
2. Hold the action for further information.
3. Choose not to adopt the Zoning Ordinance text change amendment.

RECOMMENDED MOTION: Staff recommends the Ordinance be adopted, assigned a number, and published.

REVIEWED BY: Ike Holland, City Administrator

PLANNING COMMISSION DATE: May 15, 2019

COUNCIL MEETING DATE: May 20, 2019 (introduction) & June 3, 2019 (public hearing)

ORDINANCE NO.

**AN ORDINANCE AMENDING NO. 1060
KNOWN AS THE WILLMAR ZONING ORDINANCE
BY AMENDING SECTION 6.I RELATING TO
THE GENERAL BUSINESS DISTRICT**

The City Council of City of Willmar does ordain as follows:

SECTION 6. Ordinance 1060 is hereby amended by adding a new SECTION 6.I.1.aaa. so as to read as follows:

aaa. Tattoo Parlors.

EFFECTIVE DATE. This Ordinance shall be effective from and after its adoption and second publication.

This Ordinance introduced by Council Member: Mueske

This Ordinance introduced on: May 20, 2019

This Ordinance published on: May 24, 2019

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

**COMMUNITY DEVELOPMENT COMMITTEE
MINUTES**

The Community Development Committee of the Willmar City Council met on Tuesday, May 28, 2019, in Conference Room No. 1 at the City Office Building.

Present:	Rick Fagerlie	Chair
	Vicki Davis	Co-Chair
	Shawn Mueske	Council Member
	Julie Asmus	Council Member

Others present: Dave Ramstad – Director of Planning and Development Services

Item No. 1 Call to Order

The meeting was called to order at 5:15 p.m.

Item No. 2 Public Comments (For Information Only)

There were no public comments.

Item No. 3 Hazardous Building Declaration (Resolution)

Staff informed the Committee of a hazardous building at 312 9th Street Northwest. The detached garage at the above mentioned address has been in a state of dilapidation since March 2019. The property is owner occupied, with the collapse of the garage due to heavy snow fall. The garage meets the requirements to be declared as an unsafe building. If the building is so declared, staff will initiate the process for removal.

A motion was made by Council Member Mueske and seconded by Council Member Asmus to declare the detached garage at 312 9th Street Northwest as a hazardous building and order its complete removal with all fees assessed against the property.

The motion passed.

There being no further business to come before the Committee, the meeting was adjourned at 5:22 p.m. by Chair Fagerlie.

Respectfully submitted,



Dave P. Ramstad, PhD
Director of Planning and Development Services



WILLMAR

City Office Building
333 SW 6th Street
Willmar, MN 56201
Main Number 320-235-4913
Fax Number 320-235-4917

CITY COUNCIL AGENDA REPORT

To: Mayor and City Council	Date: May 28, 2019
From: Dave Ramstad Director of Planning and Development Services	Subject: Hazardous Building Declaration – 312 9th Street Northwest

AGENDA ITEM: Hazardous Building Declaration (Detached Garage) – 312 9th Street Northwest

INTRODUCTION/REQUEST: Staff requested that the detached garage at 312 9th Street Northwest be declared as a hazardous building.

HISTORY: The detached garage at the above mentioned address has been in a state of dilapidation since March 2019. The garage meets the requirements to be declared as an unsafe building. If the building is so declared, staff will initiate the process for removal.

CURRENT CIRCUMSTANCE: The property owner has made no attempts to contact the City for the compliance of the removal of the garage.

RECOMMENDATION: That the detached garage at 312 9th Street Northwest be declared a hazard building and order its complete removal.

ISSUES: N/A

FINANCIAL IMPACT: All costs that will incur with the removal of the detached garage will be assessed against the property.

ALTERNATIVE:

- To not approve the hazard building declaration

RECOMMENDED MOTION: To declare the garage as a hazardous building and order staff to initiate the process for complete removal.

REVIEWED BY: Dave Ramstad, Director of Planning and Development Services

COMMUNITY DEVELOPMENT COMMITTEE DATE: May 28, 2019

COUNCIL MEETING DATE: June 3, 2019

CONSENT AGENDA AGENDA

May 17, 2019

Avis Hanson
Paul Hanson
312 9th ST NW
Willmar, MN 56201

VIA CERTIFIED MAIL

**Re: City Ordinance Violations; Hazardous Building at 312 9th Street Southwest,
Willmar, Minnesota**

Dear Mr. Hanson:

I am writing in my capacity as City Attorney for the City of Willmar (the "City"). You were previously notified that an accessory structure located at the above-referenced address (the "property") in the City of Willmar and owned by you was structurally unsafe, and the City's Building Official ordered you to remove such unsafe structure from the property or otherwise correct the unsafe conditions on or before April 19, 2019. I enclose a copy of the notice to you from the City's Building Official dated March 19, 2019, which documents the unsafe condition of the structure at the above-referenced address, for your reference. These conditions have not to date been corrected, as evidenced by the enclosed photographs taken by City staff on May 3, 2019, documenting the garage on your property in a state of dilapidation, deterioration and decay.

Please be advised that the Willmar Community Development Committee will consider the hazardous building declaration and removal of the accessory structure at its meeting on **May 28, 2019 at 5:15 p.m.**, at the City Offices, 333 6th St SW, Willmar, MN 56201. The Community Development Committee will then make its recommendation to the Willmar City Council, who will consider declaring the accessory structure on your property to be a hazardous building and ordering its removal pursuant to Minnesota Statutes, Section 463.15 at its regular meeting on **June 3, 2019, at 7:00 p.m.**, at the City Council Chambers in the Willmar Municipal Utilities Building, 700 Litchfield Ave SW, Willmar, MN 56201. Such a declaration and order from the City Council will authorize our office to seek a court order permitting the City to remove the hazardous building and assess the costs of removal, as well as its legal fees incurred in doing so, against your property. You can avoid such further enforcement action by the City by completing the demolition of the garage (or otherwise correcting all documented unsafe conditions) on or before May 24, 2019. Please be advised that such work will require you to first obtain a building permit from the City's Building Inspections Office.

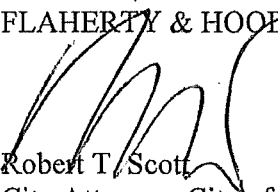
Avis Hanson
Paul Hanson
City of Willmar
May 17, 2019
Page Two

Your prompt attention to this matter is necessary to forestall further legal action against you by the City.

Please contact the Planning and Development Services Department at (320) 235-4913 if you have any questions about this letter or wish to discuss this matter further.

Sincerely,

FLAHERTY & HOOD, P.A.



Robert T. Scott
City Attorney, City of Willmar

RTS/kp

Encl.

cc:

Isaac Holland, City Administrator, City of Willmar (via email)

Dave Ramstad, Planning and Development Services Director, City of Willmar (via email)

May 22, 2019

Avis Hanson
Paul Hanson
312 9th ST NW
Willmar, MN 56201

VIA CERTIFIED MAIL

**Re: City Ordinance Violations; Hazardous Building at 312 9th Street Northwest,
Willmar, Minnesota**

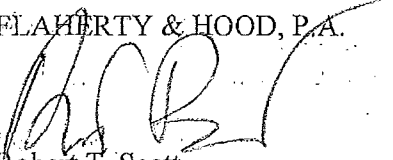
Dear Mr. Hanson:

I am writing in my capacity as City Attorney for the City of Willmar (the "City"). You were previously notified by letter dated May 17, 2019 that an accessory structure located at 312 9th Street Southwest in the City of Willmar and owned by you was structurally unsafe, and the City's Building Official ordered you to remove such unsafe structure from the property. This letter is to clarify that the correct address of the property owned by you and found to be structurally unsafe is 312 9th Street Northwest, (not Southwest). All dates for committee and council meetings to consider the hazardous building declaration and deadlines for removal thereof as stated in the May 17, 2019 letter remain applicable.

Please contact the Planning and Development Services Department at (320) 235-4913 if you have any questions about this letter or wish to discuss this matter further.

Sincerely,

FLAHERTY & HOOD, P.A.


Robert T. Scott
City Attorney, City of Willmar

RTS/kp

Encl.

cc: Isaac Holland, City Administrator, City of Willmar (via email)
Dave Ramstad, Planning and Development Services Director, City of Willmar (via email)



WILLMAR

PLANNING AND DEVELOPMENT SERVICES

March 19, 2019

City Office Building
333 SW 6th Street, Box 755
Willmar, MN 56201
320-235-8311
Fax: 320-235-4917
www.willmarmn.gov

Avis Hanson
%Paul Hanson
312 9th ST NW
Willmar, MN 56201

On **March 19, 2019** the City of Willmar Building Inspector conducted an inspection of a structure located at **312 9th ST NW**. The City of Willmar currently enforces the 2015 Minnesota State Building Code. The Code states in Chapter 1300.0180 "Unsafe Buildings and Structures" that: A building or structure regulated by the code is unsafe, for purposes of this part, if it is structurally unsafe, not provided with adequate egress, a fire hazard, or otherwise dangerous to human life. Building service equipment that is regulated by the code is unsafe, for purposes of this part, if it is a fire, electrical, or health hazard; an unsanitary condition; or otherwise dangerous to human life. Use of a building, structure, or building service equipment constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, or abandonment is, for the purposes of this part, an unsafe use. Parapet walls, cornices, spires, towers, tanks, statuary, and other appendages or structural members that are supported by, attached to, or a part of a building and that are in deteriorated condition or otherwise unable to sustain the design loads that are specified in the code are unsafe building appendages. The building official may order any building or portion of a building to be vacated if continued use is dangerous to life, health, or safety of the occupants. The order shall be in writing and state the reasons for the action.

All unsafe buildings, structures, or appendages are public nuisances and must be abated by repair, rehabilitation, demolition, or removal according to Minnesota Statutes, sections 463.15 to 463.26.

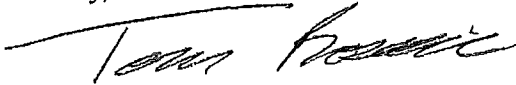
Your **detached garage** has been declared an unsafe building because of the following conditions as listed below:

1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of a fire or panic.
3. Whenever the stressing of any materials, member or portion thereof, due to all dead and live load, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
4. *Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.*

17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.
18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

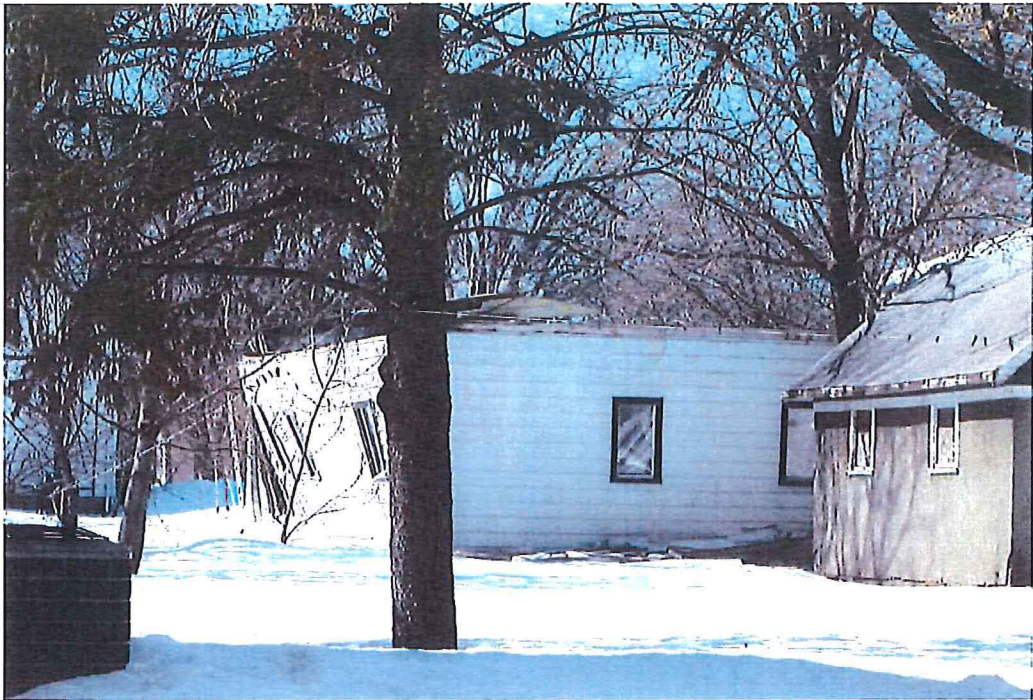
You are hereby ordered to repair / remove such unsafe structure by not later than Friday, April 19, 2019. Any failure to comply with this order is a misdemeanor violation of Minnesota Statutes, section 16B.69. If the structure is not removed or repaired within the time allotted in this order, the City of Willmar shall begin the removal process as defined by Minnesota State Statutes 463.15 to 463.26. This legal process allows the City, by court order, the authority to abate the public nuisance and provides the City with a means of recovering all associated costs involved with the abatement process. If you have any questions, feel free to call me at (320) 214-5187.

Sincerely,



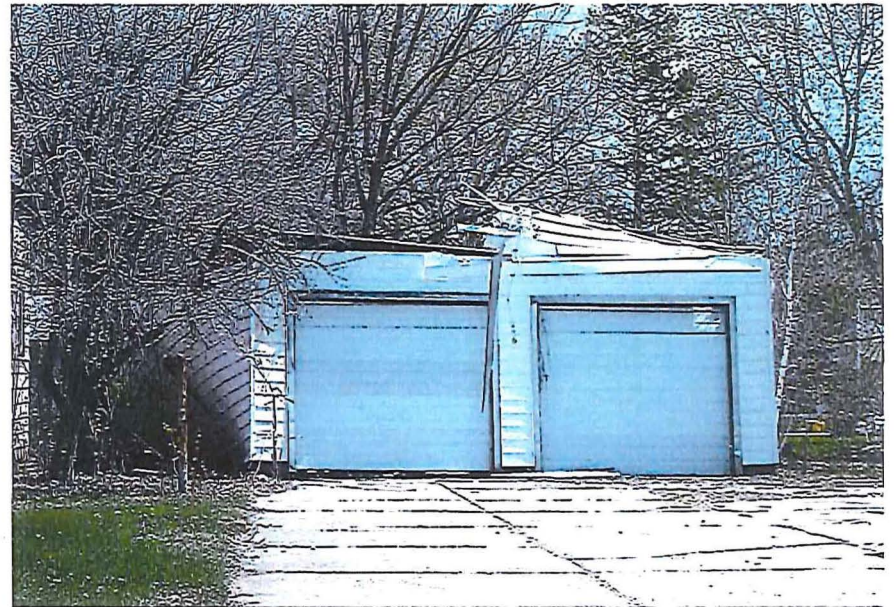
Tom Rosemeier
Building Official

**PLEASE NOTE: A BUILDING PERMIT IS REQUIRED FOR ALL REMOVAL OR REPAIRS,
INCLUDED IS AN APPLICATION.**



312 9th St NW 3/19/19 TR

312 9th St NW
May 3, 2019 TR



RESOLUTION NO. _____

**RESOLUTION DECLARING HAZARDOUS BUILDING AND ORDER FOR REMOVAL
BY THE CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA**

Motion By: _____ Second By: _____

WHEREAS, evidence has been presented to the City Council of the City of Willmar, Minnesota, and the City Council finds the following facts:

1. That on the real property located at 312 9th Street Northwest in the City of Willmar, Kandiyohi County, Minnesota, which real property is described as follows, to-wit:

Lots 9 and 10, Block 2 of the Original Town of Willmar,
according to the plat thereof on file in the Office of the
County Recorder, Kandiyohi County, Minnesota

2. Parcel Number: 95-003-0210 (the "property"), there is a single-family dwelling and detached garage (the "detached garage") (collectively, the "buildings").
3. That the records on file with the Kandiyohi County Recorder reveal that the owners of the property are Avis Hanson and Paul Hanson.
4. That the detached garage located on the property has become damaged and structurally unsafe, the damage occurring in the winter of 2019 when the roof partially collapsed due to accumulation of heavy snow.
5. That the detached garage has experienced significant structural damage to the extent that it does not meet the minimum requirements of the Minnesota State Building Code for buildings of similar structure, purpose or location.
6. That the detached garage has experienced significant structural damage, dilapidation, deterioration and/or decay because of the damage to its roof, has partially collapsed and likely to suffer further damage and/or completely collapse.
7. That the detached garage has experienced significant structural damage to the extent that it is no longer of sufficient strength or stability to resist wind pressure as specified in the Minnesota State Building Code.
8. That the detached garage is manifestly unsafe for the purpose for which it is being used.
9. Photographs documenting the current hazardous condition of the building are attached hereto as Exhibit 1.

NOW, THEREFORE, it is found as a matter of fact that the detached garage on the property constitutes a hazardous building; that the detached garage must be brought into compliance with the state building code or razed and removed.

YOU, Avis Hanson and Paul Hanson are hereby ordered to either:

1. Repair said detached garage within Twenty (20) days after service of this Order upon you, i.e., the roof on the detached garage must be replaced; any damaged foundation must be repaired or replaced, that any structurally damaged walls or rafters must be repaired; all exterior surfaces must be repaired to a weather resistive state; or
2. Raze and remove said detached garage within Twenty (20) days after service of this Order upon you and fill any excavation left after the razing of said buildings so that there will be no hazard to the public health and safety.

The City will make a motion for summary enforcement of this Order to the District Court of Kandiyohi County, Minnesota, if the corrective action is not taken as ordered, **or unless an answer is served within 20 days from the date this Order was served upon you, as provided in Minnesota Statutes Section 463.18.**

The City Attorney is directed to proceed with this matter according to law.

Dated this ____ day of _____, 2019.

By: _____
Marvin Calvin
Its: Mayor

ATTEST:

By: _____
Judy Thompson
Its: City Clerk

312 9th St NW
May 3, 2019 TR



Exhibit 1

FINANCE COMMITTEE

MINUTES

The Finance Committee of the City of Willmar met on Thursday , May 23rd, 2019 in Conference Room No. 1 at the City Office Building.

Present:	Audrey Nelsen	Chair
	Rick Fagerlie	Vice Chairman
	Andrew Plowman	Member
	Julie Asmus	Member

Others present: Finance Director Steve Okins, Park and Recreation Director Rob Baumgarn, Representatives from Willmar Baseball Association and the Willmar Stingers.

Item No. 1 Call to Order

The meeting was called to order at 5:15p.m.

Item No. 2 Public Comments

Members of the public were present to express concerns about the proposed Lease with the Willmar Stinger baseball organization. Some of the concerns expressed were in regards to the availability of the concession stand for other organizations like the VFW, Legion and Youth Baseball when they have events at the Stadium and the length of the Lease as proposed.

Item No. 3 Recommended Action Items for the Council

Willmar Stinger Lease Agreement - Motion

Staff presented a proposed lease with the Willmar Stinger Organization. The Willmar Stingers have had two (2) previous 5 year leases, with the current lease to expire in August of 2019. The proposed Lease is for a period of 10 years and would run thru August 25, 2029. The lease would set the per game rate at \$450 per game in 2020 with a rate of \$350 per game for Saturdays and Sundays with a projected \$10 increase per game per year for the duration of the contract. An additional change would require the Stinger Organization to clean the facility after each home game, which would save the City an estimated \$7,000 per season. In exchange for them cleaning the grounds the city would exchange the advertising rights, office space and storage and concession stand.

It was the recommendation of the Parks and Recreation Board to renew the lease agreement with the Stingers as presented. The committee discussed with Staff, representatives of the Stinger Organization and the Citizens present the concerns raised under Public comment and the possible solutions for the usage of the Concession Stand. It was stated that the Staff and the Stingers had discussed three possible options on handling concession stand issues. Those were for the Stinger Organization to operate the Concession stand for any other event and keep all proceeds, second for the Stingers to operate the Concession stand with an agreement to share the proceeds on a pre-determined amount and third for the organization that is holding on event at the Stadium to run concessions from another location on the grounds.

When asked if the three options were in the proposed lease it was indicated that they were not. After some discussion of the importance of all organizations to the community, the importance to having everything clearly stated in the lease and to allow Staff time to work out the exact language with the Stingers, it was moved, seconded and passed to refer the Lease back to Staff and Parks and Recreation Board to work out the details.

Wild Oar Rentals Agreement- Resolution

Staff the presented a proposed agreement with the Wild Oar group to use space at Robbins Island for the "water craft" rental business and the selling of pre-packaged food products.

The Wild Oar has been pursuing the utilization of Robbins Island for the rental/concession for a couple of years. And staff has been working with the owners to finalize the agreement but have been delayed due to the owner trying to finalize and supply the required Insurance Certificates.

Staff is recommending to approve the agreement with Wild Oar at \$20 per season and to require them to present and explain their information to the next Park and Recreation board meeting dated June 19th at 1:30 at the Civic Center.

The committee discussed the proposed fee of \$20 per season and expressed concerns if this amount was enough to cover administrative costs to issue and monitor the permit. It was the feeling by the committee that the amount proposed would not cover the costs and it was moved, seconded and passed to introduce a resolution to authorize the Mayor and Administrator to sign the agreement and amend the proposed fee from \$20 per season to \$50 per month.

Glacial Ridge Curling Agreement Amendment- Resolution

The committee reviewed a request from the Glacial Ridge Curling Club to amend their agreement with the City by allowing the Club to be able to hire an Architect and apply those costs to the 60% requirement to start the project and second to be able to apply in kind donations to also be applied to the 60% Cash donation in section 5.2.2 and section 4.1.1.

Staff has been working with the City Attorney to revise the agreement as proposed and the Parks and Recreation Board is recommending approval of the amended agreement as presented.

It was then moved, seconded and passed to introduce a resolution to authorize the Mayor and City Administrator to sign the Amended to the Glacial Ridge Curling Club agreement as presented.

Local Option Sales Tax- (Resolution -Ordinance)

The committee reviewed the requirements to move forward on the implementation of the Local Option Sales Tax as was approved at the November 2018 election.

In order to move forward on the implementation of the Local Option Sales Tax, and in order to have the tax start at the earliest possible date of October 1, 2019. The City will have to be able to meet the requirement to notify the Department of Revenue 90 days before, which would be no later than July 1st.

In order to meet the July 1st deadline the City per, special session law, City Charter and the Department of Revenue Rules and Regulations would have to take the following actions.:

1. Pass a resolution to implement the Special session statue to implement the tax as authorized
2. Per Charter and Law introduce an Ordinance spelling out the tax and setting a Public Hearing allowing the Public to comment on the Ordinance (No additional Public approval needed due the November referendum.)
3. File the required forms and documents with the Secretary of State and the Department of Revenue by July 1st, 2019.

It was then moved by the committee to introduce a Resolution to Implement and approve the Local Option Sales Tax as approved by the voters in November and the State Legislature at their special session.

It was then moved to introduce an Ordinance to amend the City Charter authorizing the Local Option Sales Tax and Motor Vehicle Excise Tax.

Item No. 4 Information Items Discussed

Capital Outlay Project Financing and 2019 non started projects

Staff and the committee reviewed all upcoming Capital Project Financing issues and reviewed and discussed the 2019 Capital Projects that have not been started at this time.

Review Meeting Schedule

The committee reviewed the future Meeting Schedule. It was discussed that this will be available at all future meetings, so items discussed or requested can be added and the Council will be informed of when certain items are scheduled to be discussed.

There being no further business to come before the Committee, the meeting was adjourned at 7:00 PM by Chair Nelsen.

Respectfully submitted,



Steven B. Okins
Finance Director



WILLMAR

City Office Building
333 SW 6th Street
Willmar, MN 56201
Main Number 320-235-4913
Fax Number 320-235-4917

CITY COUNCIL AGENDA REPORT

To: Mayor and City Council	Date: May 23rd 2019
From: Rob Baumgarn, Parks and Recreation Director	Subject: Willmar Stinger Lease Agreement

AGENDA ITEM: Willmar Stingers Lease Agreement

INTRODUCTION/REQUEST: This request is to approve the lease agreement for the Willmar Stingers. This lease would be a 10 year lease- August 25, 2019- August 25, 2029.

HISTORY: This year will be the 10th year for the Willmar Stingers. Previously, there have been two-five leases.

CURRENT CIRCUMSTANCE: The current lease agreement will expire in August 2019. Parks and Recreation and Public Works staff have met with Willmar Stingers owners to go over the terms of the renewal. The Parks and Recreation Board has also reviewed the lease.

RECOMMENDATION: It is the recommendation from the Parks and Recreation Board to renew the lease agreement with the Willmar Stingers.

ISSUES: None

FINANCIAL IMPACT: The City will receive \$450 per game in 2020. (\$350 per game on Saturdays/Sundays - 35 home games per season). The game rental will increase \$10.00 per game per season for the next 10 years. The Willmar Stingers will clean the facility after each Stingers home game which will save the City roughly \$7,000 per season. We will then exchange the advertising rights, office space, storage and concession stand for them to clean the grounds.

ALTERNATIVES:

1. Adjust rental rates

RECOMMENDED MOTION: It is the recommendation from the Parks and Recreation Board to renew the lease agreement with the Willmar Stingers.

REVIEWED BY: Ike Holland, City Administrator

COUNCIL MEETING DATE: June 3rd, 2019

LEASE AGREEMENT

City of Willmar, Minnesota, a Minnesota Municipal Corporation
(hereinafter referred to as "Owner")

-and-

Willmar Baseball, LLC (hereinafter referred to as the "Lessee")
and Northwoods League, Inc. (hereinafter referred to as "NWL") which operates a summer collegiate
baseball league known as the Northwoods League (hereinafter referred to as the "League")

The parties agree as follows:

1. Subject to the terms and conditions set forth in this lease agreement ("Agreement"), Owner leases to Lessee the premises known as Baker Diamond-Taunton Stadium (hereinafter referred to as the "Facility") and all portions thereof, including but not limited to space for a concessions area, an office trailer and open storage under grand stands (hereinafter referred to collectively as the "Office and Storage Areas") during the times referenced during the term of this Agreement, for the purpose of Lessee's participation in the League and playing League games at the Facility.

Term

2. The term of this Agreement shall begin on August 25, 2019 and expire on August 25, 2029, unless earlier terminated herein.

Renewal

3. Should Lessee desire to renew this Agreement, Owner agrees to negotiate in good faith with the Lessee for such a renewal or extension of this Agreement between August 25- November 30, 2029, in order that any such renewal or extension may be finally agreed to and executed by the parties in writing prior to December 31, 2029.

Rent

4. The rent payable by the Lessee to Owner for the Facility shall be as follows:
 - (a) Games Played Monday through Friday: \$450 per game in 2020. The rental amount shall increase each subsequent year by \$10 per game.
 - (b) Games Played on Saturday or Sunday: \$350 per game in 2020. The weekend games rental amounts shall increase each subsequent year by \$10 per game.
5. A 40 game schedule, including 36 League regular season and 4 League playoff games will be reserved for the Lessee, in addition if the facility is available the Lessee may schedule up to 3 exhibition games at the lease rate.
6. Payment shall be made on the 5th day of the subsequent month. Lessee agrees to pay interest at a rate of 1.5 percent per month (18 percent per annum) (not to exceed the maximum

amount allowed by law), on all past due balances due to the City. Lessee agrees to pay any collection costs, including but not limited to court costs, collection fees and attorneys' fees.

7. The rent for a League All Star Game and a League All Star Game Home Run Derby Contest shall be at the same rate as regular season games, each payable on or before August 1.

Use of Field

8. The Lessee shall have the exclusive right to use the Facility for the purpose of playing summer collegiate league baseball games or other events on the dates and times so designated pursuant to this Paragraph.
9. The Lessee shall have the right to use the Facility for purposes of conducting four (4) non-baseball related special events, programs, or special effects (hereinafter referred to collectively as the "Special Events") per year during the term of this Agreement at no additional rental costs. Such Special Events shall require prior approval by the Parks and Recreation Director to ensure they are not in conflict with any other Parks and Recreation activities, games or tournaments. In the event the Special Events require Owner's staff to provide assistance above their normal daily duties or outside their normal working hours, the Owner may charge Lessee a reasonable fee to cover such assistance. The Lessee may be granted permission to use the Facility for purposes of conducting additional Special Events beyond the initial four Special Events on a case-by-case basis at the reasonable discretion of the Parks and Recreation Director.
10. The League regular season shall be no more than 36 regular season games and 4 playoff games. The Lessee may also use the facility for a League All Star Game and Home Run Derby, which shall not be included in the forty (40) regular season and playoff games. Three exhibition games presented by Lessee shall also be permitted if the Facility is available, subject to the reasonable approval of Owner. Owner will submit to the Lessee and League 60 potential game dates for play at the Facility by October 1 of each year of this Agreement for League scheduling purposes. NWL shall thereafter submit to Owner its final schedule for regular season games to take place at the Facility for the upcoming season on or before [January 31] of any year of this Agreement, and thereafter changes to the regular season schedule shall require Owner's approval, which must not unreasonably be withheld. In the event Lessee is required by the League or NWL to play more than 36 home games in a season, the Owner and Lessee agree to amend this Agreement accordingly.
11. The Lessee shall have access to, and have full responsibility for, the Facility for infield and batting practice three and one-half hours prior to game time and have use of the facility for at least 1 hour following the conclusion of games. The Lessee shall have full responsibility for Facility preparation, including field and restrooms, for all Saturday and Sunday games.

12. The Owner reserves the right to determine the playability of the field. Decisions on usage will be made in a timely manner with consultation of NWL and Lessee on the playability of the field but the final determination will be by the Owner. To the greatest extent possible, the Owner shall not make a final determination of the playability of the field before 4 p.m. on game days.
 - (a) The Owner will ready the Facility for use during adverse weather days. Once the game has begun any use of products (Diamond Dry) to keep the field playable will be billed to the Lessee at a rate of \$13 per bag of product.
 - (b) Owner shall have full rights to use the Facility at times other than those designated for exclusive Lessee use pursuant to Paragraph 8.

Maintenance

13. During the term of this Agreement, Owner or its contract designee shall be responsible to maintain the Facility in good repair and condition. Maintenance shall include, but not be limited to, the following:
 - (a) Marking and maintenance of field for Lessee games. Owner will provide maintenance of the field prior to 4:30 p.m. on game nights (or two and one-half hours prior to game time if not a 7:00 p.m. start), and its employees or designee will be responsible for the marking of fields for games occurring Monday through Friday. The Lessee shall be responsible for providing the marking of fields for games on Saturdays and Sundays.
 - (b) Owner shall have sole discretion and authority to reasonably determine the adequacy of playable conditions of the field prior to the start of any League game.
 - (c) Cleaning of restrooms. The Owner shall be responsible for cleaning the restrooms Monday through Friday. The Lessee shall be responsible for cleaning the restrooms located at the Facility after each League game held on Fridays and Saturdays at the Facility. When responsible for bathroom cleaning, Lessee must complete its cleaning responsibilities by 12:00 p.m. the day following the League home game. In the event the Facility will be used earlier than 12:00 p.m. the day following a League home game, the Owner shall inform the Lessee of such event so Lessee may complete its cleaning responsibilities prior to the event starting.
 - (d) Cleaning of bleachers and grounds. The Lessee will be responsible for cleaning the bleachers and the grounds located at the Facility at the conclusion of every League home game. Cleaning of the bleachers and grounds includes blowing the debris out of the bleachers and picking up and throwing away all trash not located in trash receptacles. The Lessee must complete its cleaning responsibilities by 12:00 p.m. the day following each League home game. In the event the Facility will be used earlier than 12:00 p.m. the day

following a home game, the Owner shall inform the Lessee of such event so Lessee may complete its cleaning responsibilities prior to the event starting.

- (e) Garbage pickup will be completed by the Owner in a timely manner not to exceed one week. If additional trash receptacles are needed, they are the responsibility of the Lessee. Containers located at other facilities shall not be relocated.
14. The Lessee will be responsible for paying the Owner the cost of staffing when the following maintenance events occur:
 - (a) In the event the Owner is required to provide field maintenance after 3:30 p.m. Monday through Friday in connection with a League game.
 - (b) In the event the Owner is required to provide field maintenance at any time on Saturdays or Sundays in connection with a League game.
 15. The parties recognize that circumstances may infrequently arise when the field at the Facility is wet or otherwise requires enhanced preparation and maintenance to be playable and the Lessee is unable to postpone or reschedule a League game. Owner shall ensure that staff will be available to provide such enhanced preparation and maintenance of the Facility for use in such a League game that cannot be postponed or rescheduled when these circumstances exist. If the staff provided by Owner provides Facility preparation or maintenance services after 3:30 p.m. Monday through Friday, or anytime on a Saturday or Sunday, the Lessee shall be responsible for paying the Owner the actual cost incurred by Owner in providing such staffing.
 16. Owner shall be responsible to maintain the mechanical and structural portions of the Facility, including capital repair or replacement, repairs to or replacement of electrical equipment, structural repairs to the walls, ceilings, bleachers, major painting, major renovation or replacement of the Facility structure or roof systems.
 17. Any Lessee furnishings shall be maintained by the Lessee.

Improvements and Renovations

18. Improvements or renovations to the Facility desired by the Lessee must be approved in advance in writing by Owner and shall be at the Lessee's expense unless Owner specifically agrees to assume the same. All such improvements (except personal property, business and trade fixtures, equipment and furniture covered by Paragraph 38) shall become the property of Owner. No work may begin on any approved project until all necessary building permits are secured. All construction shall conform to state law and the Willmar City Code. Lessee agrees that not less than thirty days prior to commencement of any construction, Lessee will provide Owner with sufficient proof of required insurance, including worker's compensation coverage. Such proof of insurance must be approved by Owner before Lessee may commence construction of any approved project.

Damage or Destruction of Facility

19. If the Facility shall be damaged by fire or other casualty covered by Owner's insurance, the damage to the Facility shall be repaired by Owner with reasonable diligence at its expense except that repairs to alterations, additions or improvements made by the Lessee shall be performed by Owner, or others acceptable to Owner, at the expense of the Lessee, and the Lessee shall, at its own expense, make all repairs and replacements of property that belongs to the Lessee.

Facility Rendered Untenable

20. Requirements:

- (a) If the Facility is rendered untenable by fire or other casualty, the term of this Agreement shall immediately terminate and the Lessee shall vacate the Facility and surrender all rights to usage of the same to Owner.
- (b) Upon termination of this Agreement under the provisions of this clause, the Lessee's liability for rent shall cease as of the day following the casualty, however, Lessee shall be responsible for and pay Owner for League games played prior to the termination date.
- (c) Owner shall not be liable for any damage or loss, including any economic loss suffered by the Lessee, as a result of temporary closure of the Facility, permanent closure of the Facility pursuant to this clause, or for closure for any other reason whatsoever.

Insurance

21. Required Insurance.

- (a) The Lessee shall maintain at Lessee's expense and keep in force during the term of this Agreement, the following insurance coverages in at least the listed minimum amounts:
 - i. Worker's Compensation coverage in statutorily required amounts.
 - ii. Employers Liability coverage in limits of One Hundred Thousand Dollars (\$100,000.00) each accident, \$100,000 Disease per each employee, \$500,000 Disease per policy limit.
 - iii. Comprehensive General Liability coverage in limits of not less than Two Million Dollars (\$2,000,000.00) per occurrence for personal bodily injury and death, and limits of Two Million Dollars (\$2,000,000.00) for leased premises damages liability or Lessee shall maintain commercial general liability (CGL), and if necessary commercial umbrella insurance, with a combined limit of not less than Two Million Dollars (\$2,000,000.00) each occurrence. Such liability insurance shall additionally cover:
 - 1. The CGL insurance shall cover public liability arising from premises, operations, independent contractors, products-completed operations, personal injury and advertising injury, and contractually assumed liability.

2. Independent contractors—protective contingent liability.
 3. Personal injury.
 4. Owned, non-owned, and hired vehicle coverage on all vehicles operating on premises known as Baker Diamond-Taunton Stadium.
 5. Contractual liability covering the indemnity obligations set forth herein.
 6. Dram Shop liability, if applicable under Paragraph 31.
- (b) All policies listed above shall be written on an “occurrence” form (“claims made” and “modified occurrence” forms are not acceptable) and shall apply on a “per occurrence” basis.
- (c) With the exception of the Worker’s Compensation policies, all policies listed above shall insure the defense and indemnity obligations assumed by the Lessee under this Agreement and shall name Owner and NWL as an additional insured under the policy.
- (d) All policies listed above shall contain a provision that coverages afforded thereunder shall not be canceled or non-renewed, nor shall coverage limits be reduced by endorsement, without thirty (30) days prior written notice to Owner and NWL (or such shorter period required by law, if any).

Indemnification

22. The Lessee agrees that it shall indemnify and hold harmless Owner, its employees or agents against all expenses, liability, losses, damages, costs, claims, judgments or proceedings of any kind whatsoever that may arise against Owner, its employees or agents resulting from or arising out of the use of the Facility by the Lessee, or any activities of the Lessee, its subcontractors, agents, guests, patrons, sub lessees or licensees or employees under this Agreement. Any damage to premises caused by the Lessee or its employees, agents, guests, patrons, subleases, shall be paid by the Lessee.

Willmar Not Liable for Injury to Lessee or NWL

23. Owner shall not be responsible for any injury to persons or damage to property of the Lessee, NWL, or their agents, employees, customers or invitees as to any of their property while in the Facility, regardless of the cause of such injury or damage unless such injury or damage arises from the negligence or omission of Owner.

Taxes

24. In addition to the rent above stated, the Lessee shall be responsible for the payment of all sales and use taxes, which may be applicable to its use and operation of the Facility.

Utilities

25. Utilities (water, sewer, electric and weekly trash pick-up) charges shall be the responsibility of Owner. Any business telephone installation costs and use shall be the responsibility of the Lessee.

Concession Stand Operations

26. Notwithstanding any other provisions contained in this Agreement, during the term of this Agreement the Lessee shall have the exclusive right to operate all concessions at the Facility, whether (i) on its own behalf during its exclusive use of the Facility for the League games, (ii) the listed events of Ridgewater College, Willmar High School, American Legion, VFW & Willmar Rail games, or (iii) any other events held at the Facility whatsoever, whether staffed by Lessee's personnel or by way of concession agreement with an outside vendor or sponsor under Lessee's direction and control (hereinafter, Lessee, outside vendor or sponsor, as applicable, referred to as the "Concession Stand Operator"). [For avoidance of doubt, no third party may provide concession services at the Facility whatsoever during the term of this Agreement unless expressly agreed in writing by Lessee.] Concession Stand Operator shall operate concessions one half hour prior to game time through the completion of each scheduled game. The Lessee shall be granted exclusive use of the concession stand and storage area including the use of the commercial refrigerator, three compartment sink with hot water, cleaning closet and all counters and storage space, throughout the entire term of this Agreement—not just during the times of the Lessee's exclusive use of the Facility for League games. Storage area does not include the restrooms attached to the concession stand.
27. Concession Stand Operator will be allowed full control of menu and pricing. Concession Stand Operator will apply for and maintain the necessary City of Willmar, Kandiyohi County and the State of Minnesota Licenses needed to conduct food and beverage sales. Concession Stand Operator will be responsible for any damages to concession facility above and beyond normal wear and tear, clean the concession area in accordance to accepted health practices.
28. Concession Stand Operator shall control all revenues and expenditures with accepted cash practices including removal of money daily from Facility so as not to encourage theft or vandalism activities.
29. In exchange for the maintenance provided pursuant to Paragraph 13 of this Agreement, the Lessee shall be granted the right to use the Concession Stand for no additional rental fees.
30. For any liquor sales conducted on the premises, the Lessee shall obtain the necessary liquor license. The Lessee shall not allow the consumption of any alcoholic beverages in the Facility, except in accordance with such liquor license and subject to all conditions thereof and applicable Willmar ordinances. Tobacco products may not be advertised, sold or used at the Facility.

31. The Lessee agrees that it will, at all times when it is engaged in liquor sales on the premises, maintain in full force and effect a “dram shop” insurance policy meeting the requirements of the State of Minnesota for an on-sale intoxicating liquor license, written by a company licensed to do business in the State of Minnesota, and shall name the City an additional insured on the policy.
32. Liquor advertisement within the concession area only may be displayed during League games and shall be removed at the conclusion of the game. The Lessee will be responsible for securing all liquor containers immediately at the conclusion of a game and prior to Facility use by any other baseball program.
33. Any required equipment installation to the concession area will be made at Lessee expense and must meet all applicable State/County Health Department requirements, but shall be the property of the Owner.

Office Space and Storage

34. In exchange for the maintenance provided pursuant to Paragraph 13 of this Agreement, the Lessee shall be granted the right to use the Office and Storage Areas for no additional rental fees.

Advertising Signage

35. The Lessee shall be granted the exclusive right to sell and install advertisement signs on the fences, railings and foul poles of Baker Field /Taunton Stadium. Any other signage proposed to be located on other parts of the Facility shall require prior approval by Owner and such approval shall not be unreasonably withheld.
 - (a) In exchange for the maintenance provided pursuant to Paragraph 13 of this Agreement, the Lessee shall be granted advertising rights pursuant to Paragraphs 32 and 35 for no additional advertising fees.
 - (b) The Lessee is responsible for the installation, maintenance, and removal of the signs.
 - (c) Any modifications made to the fence for support of advertisement signs must be approved by Owner and will be at the Lessee’s expense.
 - (d) At termination of this Agreement, the Lessee shall remove all such sign installations and return the site and area to its prior status or secure Owner’s consent to leave the signs in place. Any repair or removal of advertising not completed at termination of this Agreement conducted by Owner or its’ agents shall be reimbursed by the Lessee.
 - (e) The parties agree that Owner, in permitting Lessee to sell and install advertising signs at the Facility, is not creating a forum for public speech protected by the United States or Minnesota constitutions. In furtherance of Owner’s objectives of minimizing chances of abuse, appearance of favoritism, and risk of imposing on a captive audience, Owner hereby

reserves the right to reject any banner, sign, or other advertising media that it deems inappropriate or offensive, and expressly prohibits the display of political signage in any portion of the Facility or its grounds. This prohibition includes any materials endorsing or promoting or otherwise related to candidates for political office or political parties.

Scoreboard and Sound System

36. Owner shall provide the existing scoreboard and sound system at the Facility for use by the Lessee. Any modifications to or improvement of the sound system shall be at the Lessee's expense, and all modifications or improvements must remain in the Facility at the termination of this Agreement and shall become the property of Owner at no cost, with the exception of the "Instant Replay" sound effects system, which remains at all times the property the Lessee.

Entry upon Event of Default

37. If the rent is not paid when due, or in case of breach or non-observance of or non-performance by the Lessee of any of the provisions of this Agreement (hereinafter an "Event of Default"), and if the Event of Default continues for 10 days after written notice thereof to the Lessee and NWL, and if NWL does not proceed with its right to assume the Lessee's rights and responsibilities under this Agreement pursuant to Paragraph 44 of this Agreement, then, in every such case, Owner in addition to any other remedy it has at equity, this contract or by law may, at its option, cancel this Agreement and re-enter and take possession of the Facility or any part thereof by force if necessary without any previous notice of intention to re-enter and may remove all persons and property therefrom, and may use such force and assistance in making such removal as Owner may deem advisable and such re-entry shall not operate as a waiver of satisfaction in whole or in part of any right, claim or demand arising out of or connected with any breach or violation by the Lessee of any covenant or agreement on its part to be performed.

Removal of Lessee's Property

38. All articles of personal property and all business and trade fixtures, equipment and furniture owned by the Lessee or installed by the Lessee in the Facility at the Lessee's expense shall remain the property of the Lessee except as provided in Paragraph 36, and may be removed by the Lessee at any time during the term of this Agreement, provided that the Lessee, at its own expense, shall repair any damage to the Facility caused by such removal or by the original installation and provided that there shall be no unpaid rent due Owner from the Lessee.

No Representation

39. The Lessee agrees that it has leased the Facility after examining the same and that no representations, warranties or conditions have been made other than those expressed herein,

and that no agreement collateral hereto shall be binding upon Owner unless it be made in writing and signed on behalf of Owner.

Security

40. The Lessee shall be responsible for the security and control of, ingress and egress to the Facility during and at the conclusion of all League games and other Lessee events at the Facility during the term of this Agreement.

Right of Entry to Make Repairs

41. The Lessee agrees that Owner shall have the right to enter the Facility at all reasonable times to examine the same and make such repairs, alterations, improvements or additions as Owner may deem necessary or desirable or as Owner may be required to make by law or in order to repair and maintain the Facility. Owner will exercise reasonable diligence so as to minimize the disturbance or interruption of the Lessee's operations. Renovation or repair shall be scheduled to minimize conflict with the Northwoods League game schedule.

American Legion, VFW, Willmar Baseball Association Baseball Preserved

42. The parties recognize, understand and agree that the Willmar American Legion Post, the Willmar VFW Post, and the Willmar Baseball Association have for many years maintained youth baseball teams and amateur baseball teams and will continue to maintain such teams. Subject to the terms and conditions set forth herein, the parties understand and agree that this baseball contract is not an exclusive contract, but coexists with the right of Owner to permit the utilization of Baker Field/Taunton Stadium as a baseball park for the Willmar American Legion Post, the Willmar VFW team, and the Willmar Baseball Association teams in accordance with their needs and requirements. Subject to the procedures set forth in Paragraph 10, the Lessee agrees that it will work with the other teams to arrive at a reasonable schedule, which shall be reduced to writing. Under the schedule, the American Legion Post, the VFW teams, and the Willmar Baseball Association teams will have the right to the utilization and use of Baker Field/Taunton Stadium. In the event of any rescheduling conflict due to postponements, cancellations or rainouts of League games, rescheduled games must be agreed to by Owner.

Facility Close Down

43. The Lessee agrees that Owner shall have the right to terminate the Facility power supply after September 15 of each lease year. Lessee shall remove its personal property by said date and shall acknowledge that the care and custody of concession items stored at Facility shall be the sole responsibility of Lessee, holding the Owner harmless from any loss of personal property that may benefit by said power supply.

NWL's Option to Cure Events of Default

44. Upon Lessee's failure to cure an Event of Default pursuant to Paragraph 37, the Owner shall provide NWL with a Notice of Lessee's Failure to Cure an Event of Default. Upon receiving the Notice of Lessee's Failure to Cure an Event of Default, NWL shall have the right at its option to cure or remedy, or commence good faith efforts to cure or remedy, such Event of Default and assume Lessee's rights and obligations under this Agreement within ten days of its receipt of such notice. In such event, NWL shall become entitled to the benefit of each right conferred upon the Lessee herein and shall be subject to each of the restrictions and all of the obligations of the Lessee set forth in this Agreement.

General Terms and Conditions

45. Voluntary and Knowing Action. By executing this Agreement, the parties state that they have carefully read this Agreement and understand fully the contents thereof; that in executing this Agreement they voluntarily accept all terms described in this Agreement without duress, coercion, undue influence, or otherwise, and that they intend to be legally bound thereby.
46. Authorized Signatories. The parties to this Agreement each represent and warrant to the other that (1) the persons signing this Agreement are authorized signatories for the entities represented, and (2) no further approvals, actions or ratifications are needed for the full enforceability of this Agreement against it; each party indemnifies and holds the other harmless against any breach of the foregoing representation and warranty.
47. No Waiver. The failure of Owner to insist upon strict performance of any covenant or condition in this Agreement or to exercise any right or option hereunder shall not be construed to or operate as a waiver or relinquishment of the future right to enforce any such covenant, condition or option and no waiver shall be inferred from or implied by anything done or omitted by Owner save only an express waiver in writing. The acceptance of any rent or the performance of any obligation hereunder by a person other than the Lessee or NWL shall not be construed as an admission or acceptance by Owner of any right, title or interest of such person as a sub-tenant, assignee, transferee or otherwise in the place and stead of Owner.
48. Assignment. This Agreement may not be assigned, transferred or conveyed without the express consent of Owner.
49. Modifications/Amendment. Any alterations, variations, modifications, amendments or waivers of the provisions of this Agreement shall only be valid when they have been reduced to writing, and signed by authorized representative of the Lessee and Owner.
50. Records—Availability and Retention. Pursuant to Minn. Stat. § 16C.05, subd. 5, the Lessee agrees that Owner, the State Auditor, or any of their duly authorized representatives at any

time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of Owner and involve transactions relating to this Agreement. The Lessee agrees to maintain these records for a period of six years from the date of termination of this Agreement.

51. Data Practices. The parties to this Agreement acknowledge that this Agreement is subject to the requirements of Minnesota's Government Data Practices Act, Minnesota Statutes, Section 13.01 *et seq.*
52. Compliance with Laws. The Lessee shall abide by all Federal, State and local laws, statutes, ordinances, rules and regulations now in effect or hereinafter adopted pertaining to this Agreement or to the facilities, programs and staff for which the Lessee is responsible.
53. Non-Discrimination. The provisions of any applicable law or ordinance relating to civil rights and discrimination shall be considered part of this Agreement as if fully set forth herein.
54. Interest by City Officials. No elected official, officer, or employee of Owner shall during his or her tenure or employment and for one year thereafter, have any interest, direct or indirect, in this Agreement or the proceeds thereof.
55. Severability. The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provision. Any invalid or unenforceable provision shall be deemed severed from this Agreement to the extent of its invalidity or unenforceability, and this Agreement shall be construed and enforced as if the Agreement did not contain that particular provision to the extent of its invalidity or unenforceability.
56. Entire Agreement. These terms and conditions constitute the entire Agreement between the parties hereto regarding the subject matter hereof. All discussions and negotiations are deemed merged in this Agreement.
57. Minnesota Law Governs. The laws of the State of Minnesota shall apply and bind the parties in any and all questions pertaining to the Agreement.
58. Terms Binding on Successors and Assigns. All of the terms, covenants and agreements herein contained shall be binding upon and shall inure to the benefit of the heirs, successors and assigns of NWL, Lessee and Owner.

[Signature Page to follow]

Signed by Owner this _____ day of _____, 20_____.

The City of Willmar

By _____

Mayor

By _____

City Administrator

Signed by the Lessee this _____ day of _____, 20_____.

Willmar Baseball, LLC

By _____

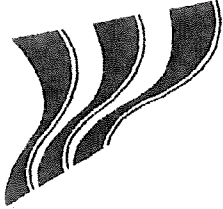
It's _____

Signed by NWL this _____ day of _____, 20_____.

Northwoods League, Inc.

By _____

It's _____



WILLMAR

City Office Building
333 SW 6th Street
Willmar, MN 56201
Main Number 320-235-4913
Fax Number 320-235-4917

CITY COUNCIL AGENDA REPORT

To: Mayor and City Council	Date: May 23rd 2019
From: Rob Baumgarn, Parks and Recreation Director	Subject: Wild Oar Rentals at Robbins Island

AGENDA ITEM: Wild Oar Rentals at Robbins Island

INTRODUCTION/REQUEST: This request is to approve the agreement with the Wild Oar to use space at Robbins Island for “water craft” rental equipment and to sell prepackaged food.

HISTORY: The Wild Oar has been pursuing to utilize Robbins Island for rentals/concessions for a couple of years. Staff has been working with the owners to finalize the agreement. This agreement has been approved by the council but was never been finalized by the owner- insurance certificate never was received.

CURRENT CIRCUMSTANCE: Staff is working with owner to finalize the agreement.

RECOMMENDATION: It is the recommendation of staff to approve the agreement with Wild Oar but staff is recommending the Wild Oar present information to the Parks and Recreation Board at the next board meeting (June 19th-1:30 Willmar Civic Center)

ISSUES: Do we do a multi or single year lease?

FINANCIAL IMPACT: Rental fee of \$20.00 ~~per~~ season.

650 @ month

ALTERNATIVES:

1. Don't approve the agreement
2. Seek additional rental fees

RECOMMENDED MOTION:

REVIEWED BY: Ike Holland, City Administrator

COUNCIL MEETING DATE: June 3rd, 2019



Summary Business Plan

Purpose: To start an aquatic equipment rental business at Robbins Island Park in the City of Willmar.

Rational:

- * To begin a business which will add to the employment base in the City
- * To add an amenity for tourism and increase tourism spending in the City
- * Overall Community Development and Economic Development Tool for the City

Business: This business would rent a space at the Robbins Island Park in Willmar from the City. The Business would have individuals sign a waiver holding both the Business and the City of Willmar harmless for any liability issues.

The business would rent paddleboards (SUP's), kayaks and the like. Life jackets would be required to be worn and provided by the business. Persons under 18 years of age would not be allowed to rent equipment.

The business would not be open on rainy days or days when lightening is present.

The business would not be open on days when significant wind is present so as not to endanger customers.

The business would host a website and Facebook page for weather related updates etc.

Rental rates would have to be determined for the equipment. Prepackaged food and beverages would be available for purchase.

Similar Relationships and arrangements:

- * City rents the Bill Taunton Stadium to the Stingers Baseball Team
- * City rents buildings at the Robbins Island Park for occasions
- * City rents space for events at the Willmar Civic Center
- * City rents the Willmar Civic Center to the Willmar Hockey Association and the Willmar Warhawks
- * City rents an open space on 19th Ave SE to the Little Crow Archers
 - * City rents the Willmar Community Center for events and activities
 - * City rents Dorothy Olson Aquatic Center to Bar Path Crossfit

Contact Information:

Staci Tegels Nelson

404 23rd St SE Willmar MN 56201

320.220.1002

stacitegelsnelson@live.com

RESOLUTION NO. ____

**RESOLUTION AUTHORIZING THE AGREEMENT WITH WILD OAR FOR THE ROBBINS ISLAND
EQUIUPMENT/CONCESSION RENTAL PROJECT**

Motion By: _____

Second By: _____

BE IT RESOLVED by the City Council of the City of Willmar to approve a use of public property agreement with Wild Oar for the Robbins Island Equipment/Concession Rental Project.

Dated this 6th of June, 2019

MAYOR

Attest:

CITY CLERK

LICENSE AGREEMENT TO USE PUBLIC PARK PROPERTY

This License Agreement (“License” or “Agreement”) is entered into by and between the City of Willmar, a municipal corporation under the laws of the State of Minnesota (“City” or “Licensor”), and Wild Oar Rentals, a Minnesota company (“Licensee”).

WHEREAS, the City owns Robbins Island Park and Recreation Area, a 55-acre parcel of real property owned, maintained and operated for public recreational use by the City located on Business Highway 71 North in the City of Willmar, Minnesota (Kandiyohi County Parcel I.D. No. 95-911-0920) (“Robbins Island”); and

WHEREAS, The City is authorized to contract with public and private entities in the conduct of its functions;

WHEREAS, Licensee proposes to engage in the business of aquatic sports equipment rentals from a mobile facility to be located on City property at Robbins Island; and

WHEREAS, The City has determined that contracting with a private recreational equipment concessionaire in Robbins Island has broad public benefit that, among other things activates the park, provides park revenue, enhances park security, and sustains park assets;

WHEREAS, the City is willing to permit such use, subject to the terms, covenants, and conditions contained herein.

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement, the parties agree as follows:

1. LICENSE. The City shall grant to Licensee and Licensee’s subcontractors a terminable nonexclusive license to locate a mobile aquatic sports equipment rental facility on those portions of the City’s property at Robbins Island as depicted on Exhibit A attached hereto (“Licensed Premises”) for the purposes of engaging in the business of aquatic sports equipment rentals pursuant to the proposal attached hereto as Exhibit B, subject to the following conditions:
 - a. Licensee’s right to use any part of the Licensed Premises shall be for the limited purpose of locating temporary mobile facilities thereon for the storage of aquatic sports equipment, including kayaks and paddle boards and similar recreational water craft (“water craft”), paddles, life preservers and related equipment, and sale of prepackaged food and non-alcoholic beverages, for a limited term each year commencing May 1 and ending November 1 (the “period of allowed use”). At all other times of the calendar other than the period of allowed use, Licensee shall have no right to use the Licensed Premises and shall remove the water craft, temporary storage facilities and all of its other property from the Licensed Premises.

- b. The temporary facilities located on the Licensed Premises at all times during the period of allowed use specified herein shall be secured to the Licensed Premises such that they cannot be removed or become dislodged through vandalism, theft or for any other reason including bad weather. No more than 20 water craft may be stored on the Licensed Premises during the period of allowed use during the term of this Agreement and all water craft and other equipment or property on the Licensed Premises, which are not in immediate use, must be placed on the temporary storage facilities and be properly secured to prevent vandalism, theft or becoming dislodged therefrom for any reason other than for the immediate use of a water craft by a properly authorized and permitted person.
 - c. During period of allowed use during the term of this Agreement, the Licensee shall assume all managerial responsibilities and duties with respect to the aquatic sports equipment rental business to be conducted by Licensee on the Licensed Premises.
 - d. No part of the Licensed Premises shall be used for the sale, service or consumption of alcoholic beverages.
 - e. Licensee shall not rent any aquatic sports equipment when lightening, strong wind or other inclement weather makes use of such equipment unsafe.
 - f. Licensee shall not rent any aquatic sports equipment to individuals under 18 years of age.
 - g. Licensee shall take all necessary precautions to protect and preserve the City's improvements at Robbins Island and within the Licensed Premises during any activities within or use of the Licensed Premises as contemplated in this License.
 - h. Licensee shall take all necessary precautions to avoid creating unsafe or unsanitary conditions during any activities within or use of the Licensed Premises as contemplated in this License.
 - i. Licensee shall protect the root growth of all trees and shrubbery located at Robbins Island and within the Licensed Premises.
 - j. Licensee shall maintain access to all properties and public rights-of-way during the term of this License, including emergency vehicle access.
 - k. Licensee shall not conduct any business or locate any property outside of the area specified in Exhibit A attached hereto.
2. TERM. This License shall be for a term commencing on the date of the last signatory to this Agreement and terminating on December 31, 2019, unless sooner terminated as hereinafter provided.

This License may also be terminated at any time by Licensee by written notice to the City. Such notice shall be given at least 15 days in advance of the effective date of such termination and shall be delivered either personally or by certified mail to the City Administrator at the City's main offices (333 South 6th Street, Willmar, MN 56201).

Upon termination of this Agreement, Licensee shall remove the mobile equipment rental facility and all equipment or other personal property located on the Licensed Premises.

3. **TERMINATION.** If at any time Licensee defaults upon or breaches a material term of this Agreement, then this Agreement may be declared null and void, at the option of the City, immediately upon the City's provision of written notice of the same to Licensee. The Licensor, in addition to all other rights or remedies it may have, may allow Licensee to cure the default specifying the action required to cure and that Licensee's failure to cure the default within 15 days of written notice thereof, will result in the immediate right to terminate this License Agreement. In the event of termination, Licensor may remove all persons and property from the Licensed Premises; such property may be removed and stored in a public warehouse or elsewhere at the cost of and for the account of the Licensee. Should the Licensor at any time terminate this License Agreement for any breach or default, in addition to any other remedy it may have, the Licensor may recover from the Licensee all damages incurred by reason of such breach, including the cost of recovering the Licensed Premises and any other payments and/or costs to be made by or which are attributable to the Licensee as provided in this License Agreement. Failure of the Licensee to remove its property within 21 days of written notification shall constitute a waiver of their right and the items may then be disposed of or used at the discretion of the City.
4. **LICENSE FEE.** Licensee shall pay the City a license fee of \$50.00 per month for each month during the period of allowed use during the term of this Agreement, which shall be due and payable to the City on the 15th day of each such month.
5. **CONDITION OF PREMISES NOT WARRANTED.** The City does not warrant that the Licensed Premises is suitable for the purposes for which it is permitted to be used under this License. The City shall have no responsibility with regard to any failure of or damage to Licensee's property within the Licensed Premises during the term of this License. Licensee understands and acknowledges that this Agreement grants it only a terminable license to use the Licensed Premises, and does not confer any permanent property rights with respect to Robbins Island or the Licensed Premises upon Licensee.
6. **WAIVER AND ASSUMPTION OF RISK.** The Licensee knows, understands and acknowledges the risks and hazards associated with using the Licensed Premises and hereby assumes any and all risks and hazards associated therewith. The Licensee hereby irrevocably waives any and all claims against the Licensor or any of its officials, employees or agents for any bodily injury (including death), loss or property damage incurred by the Licensee as a result of using the Licensed Premises or any of Licensee's activities related thereto and hereby irrevocably releases and discharges the Licensor and any of its officials, employees or agents from any and all claims of liability.

7. INSPECTION. Licensee shall make the Licensed Premises and Licensee's property thereon available to the City and its authorized agents or representatives, and all others authorized by law, for inspection at all reasonable times during the term of this License. The City may order the immediate cessation of any activities that exceed the scope of the proposal attached hereto as Exhibit B or otherwise poses a serious threat to the life, health, safety or welfare of the public.
8. IMPROVEMENTS AND ALTERATIONS. The Licensee shall not be permitted to make any improvements or alterations to the Licensed Premises without the prior written consent of the Licensor. The Licensee shall at all times maintain the Licensed Premises, and any allowed improvements made thereto, in a good and safe condition.

Prior to the use of the Licensed Premises for the permitted purpose herein stated and prior to placing any improvements on or making any improvements to the Licensed Premises to accommodate the permitted purpose, the Licensee shall present specific plans and specifications to the City Administrator of the Licensor, or his designated representative, for his approval. If approved, that fact shall be noted on the plans and specifications submitted which shall then be filed with the City Administrator of the Licensor. Plans and specifications shall be sufficiently detailed to show the materials to be used, shape and size of the improvement(s), safety features, lighting, the presence of utilities which may be affected by the work, and such other or different information as the Licensor may require.

9. INDEMNIFICATION. Licensee shall indemnify, protect, save, hold harmless and insure the City, and its respective officers, directors, employees and members and agents, from and against any and all claims and demands for, or litigation with respect to, all damages, including expenses, reasonable attorneys' fees, and costs of alternative dispute resolution, which may arise out of or be caused by Licensee or its agents, employees, contractors, with respect to Licensee's use of the Licensed Premises or its location of Licensee's property thereon. Licensee shall defend City against the foregoing, or litigation in connection with the foregoing, at Licensee's expense, with counsel reasonably acceptable to the City. The City, at its expense, shall have the right to participate in the defense of any Claims or litigation and shall have the right to approve any settlement, which approval shall not be unreasonably withheld. The indemnification provision of this Section shall not apply to damages or other losses proximately caused by or resulting from the gross negligence or willful misconduct of the City. All indemnification obligations shall survive termination, expiration or cancellation of this License.
10. INSURANCE. At all times throughout the term of this License, Licensee shall maintain at a minimum the following insurance coverage from financially solvent insurance carriers approved by the City:
 - a. Statutory worker's compensation coverage;
 - b. Commercial General Liability Insurance - \$2,000,000 combined single limit, written on an occurrence basis, insuring Licensee against claims for bodily injury,

death or property damage arising out of its general business activities (including automobile or vehicle use), and including endorsements to include contractual liability;

- c. Any other insurance coverages required by state or federal laws or regulations applicable to Licensee.

Licensee must cause certificate(s) of insurance evidencing the required coverages to be provided to the Public Works Director 30 days prior to the Commencement Date and every annual anniversary date thereof. The issuer of the certificate of insurance must provide the City ten days' written notice, by certified mail, prior to cancellation, non-renewal, or material change in the insurance policy(ies).

All insurance required by this License must be primary insurance and not in excess of or contributing with other insurance which Licensee or its designee may carry. All policies, excluding worker's compensation policies, must name the City as an additional insured. The applicable insurance policies required by this Lease, must apply separately to City as if separate policies had been issued to Licensee and the City.

The amounts of all required insurance policies must not be deemed a limitation of Licensee's covenant to indemnify City, and if Licensee or City becomes liable in an amount in excess of the amount(s) of said policies, then Licensee must indemnify City from the whole thereof, except in the event of negligent or willful misconduct on the part of City, its officers, or employees.

If Licensee fails to give such certificate of insurance to the City within ten days after execution of this Agreement, this License shall be null and void. If Licensee fails to maintain a policy of insurance as required by the City for the term of this Agreement, the City may immediately revoke this License and require the Licensee to restore the Licensed Premises to its preexisting condition or better.

11. ATTORNEYS' FEES. If any action at law or in equity shall be brought by Licensor to recover any payments and/or costs to be made by Licensee under this License Agreement or on account of any breach of this License Agreement by Licensee or for the recovery of the possession of the Licensed Premises, Licensor shall be entitled to recover from Licensee reasonable attorney's fees, the amount of which shall be fixed by the Court and shall be made a part of any judgment or decree rendered.
12. RESTORATION OF LICENSED PREMISES TO ORIGINAL CONDITION. On termination of this License Agreement for any cause, the Licensee shall, at Licensee's expense, restore the Licensed Premises to the condition they were originally in at the inception of this License Agreement, excepting reasonable wear and tear.
13. MECHANIC'S LIENS. The Licensee hereby covenants and agrees that the Licensee will not permit or allow any mechanic's or materialman's liens to be placed on the Licensor's interest in the Licensed Premises during the term hereof for labor performed or material supplied in connection with any work or improvements performed or caused to be

performed by the Licensee. Notwithstanding the previous sentence, however, in the event any such lien shall be so placed on the Licensor's interest, the Licensee shall take all steps necessary to see that it is removed within thirty (30) days of its being filed; provided, however, that the Licensee may contest any such lien provided the Licensee first provides adequate security protecting the Licensor against such lien.

14. GENERAL TERMS.

- a. AUTHORIZED SIGNATORIES. The parties each represent and warrant to the other that (1) the persons signing this Agreement are authorized signatories for the entities represented, and (2) no further approvals, actions or ratifications are needed for the full enforceability of this Agreement against it; each party indemnifies and holds the other harmless against any breach of the foregoing representation and warranty.
- b. ASSIGNMENT. This Agreement may not be assigned by either party without the written consent of the other party.
- c. COMPLIANCE WITH LAWS. Licensee shall abide by all Federal, State and local laws, statutes, ordinances, rules and regulations now in effect or hereinafter adopted pertaining to this Agreement or to the facilities, improvements, programs and staff for which Licensee is responsible.
- d. DATA PRACTICES; RECORDS—AVAILABILITY AND RETENTION. The parties acknowledge that this Agreement is subject to the requirements of Minnesota's Government Data Practices Act, Minnesota Statutes, Section 13.01 *et seq.* and the audit and records retention requirements of Minn. Stat. § 16C.05, subd. 5.
- e. NO WAIVER. Any party's failure in any one or more instances to insist upon strict performance of any of the terms and conditions of this Agreement or to exercise any right herein conferred shall not be construed as a waiver or relinquishment of that right or of that party's right to assert or rely upon the terms and conditions of this Agreement. Any express waiver of a term of this Agreement shall not be binding and effective unless made in writing and properly executed by the waiving party.
- f. ENTIRE AGREEMENT. These terms and conditions constitute the entire agreement between the parties regarding the subject matter hereof. All discussions and negotiations are deemed merged in this Agreement.
- g. RECORDING. This Agreement shall not be recorded by either party.

[Signature page to follow]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the date first above mentioned.

LICENSOR: CITY OF WILLMAR

LICENSEE: _____

By: _____
Marvin Calvin, Its Mayor

By: _____
Its: _____

By: _____
Isaac Holland, Its City Administrator

By: _____
Its: _____

EXHIBIT A

Depiction of the Licensed Premises at Robbins Island Park and Recreation Area

EXHIBIT B

Licensee's Aquatic Sports Equipment Rental Proposal

Google Maps Wild Oar Building



Imagery ©2018 Google, Map data ©2018 Google 100 ft

Arrive on time with notifications



Get reminders when it's time to leave for your next destination.

[Learn more](#)

✕ NO THANKS

✓ TURN ON



Set a home address



Set a work address

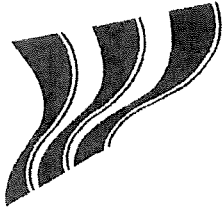
Updated just now



Light traffic in this area

Typical conditions





WILLMAR

City Office Building
333 SW 6th Street
Willmar, MN 56201
Main Number 320-235-4913
Fax Number 320-235-4917

CITY COUNCIL AGENDA REPORT

To: Mayor and City Council	Date: May 23rd 2019
From: Rob Baumgarn, Parks and Recreation Director	Subject: Glacial Ridge Curling Club- Amendment

AGENDA ITEM: Glacial Ridge Curling Club- Amendment

INTRODUCTION/REQUEST: The Glacial Ridge Curling Club is requesting to amend their agreement with the City to include language that is described in the amendment.

HISTORY: The club has been curling in the Blue Line Arena for many years. They are working towards building their own Curling facility next to the Blue Line Arena.

CURRENT CIRCUMSTANCE: The club is currently fundraising for this project. Also work on grants to create more funding for the facility.

RECOMMENDATION: It's the recommendation from the Parks and Recreation Board to amend the lease agreement with the city.

ISSUES: The first amendment: After doing a bit of fund raising, some of the possible large donors wanted to see a rendering of the proposed facility. (GRC is requesting to change the verbiage so an architect can be hired, paid for by the curling club and approved by the City Council. GRC has received bids from various architects that will be presented next month at this Board meeting.)

The second part of the amendment: donations – several larger companies have stated they would be interested in donating fixtures, concrete, etc. Section 1.11 – “First Donation” (delete “the amount of \$1,320,000 (calculated to be” will read as follow: First Donation means a one time lump sum cash donation in an amount equal to 60 percent of the lowest responsible bid pursuant to Section 5.2.2 to be made by GRC to the City pursuant to Section 4.1.1.)

FINANCIAL IMPACT:

ALTERNATIVES:

- 1. Don't amend the agreement

RECOMMENDED MOTION:

REVIEWED BY: Ike Holland, City Administrator

COUNCIL MEETING DATE: June 3rd, 2019

FIRST AMENDMENT TO

CURLING CENTER BUILD-TO-SUIT LEASE AGREEMENT

THIS FIRST AMENDMENT TO CURLING CENTER BUILD-TO-SUIT LEASE AGREEMENT (the “Amendment”), is entered into as of this ___ day of _____, 2019, by and among the **CITY OF WILLMAR**, a municipal corporation under the laws of the State of Minnesota (the “City”), and **GLACIAL RIDGE CURLING**, a Minnesota nonprofit organization formed pursuant to Minn. Stat. § 317A (“GRC”); (individually, the City and GRC may be referred to as a “Party”; collectively, as the “Parties”).

PREAMBLE

WHEREAS, the Parties entered into that certain Curling Center Build-to-Suit Lease Agreement (the “Agreement”) on August 23, 2018, under which the City agreed to design, construct and thereafter lease to GRC a dedicated curling facility to be funded primarily by donations made by GRC to the City on the terms and conditions set forth in the Agreement; and

WHEREAS, the Parties have determined that it is in their best interests to revise certain obligations set forth in the Agreement.

NOW, THEREFORE, in consideration of the premises and mutual covenants and conditions contained herein, the Parties agree that the Agreement is amended as follows:

1. Article One is hereby amended to include new Sections 1.27 and 1.28 as follows:

1.27 “*Design Professionals*” means the architect, together with such other professional consultants as required or convenient to successfully complete the architectural and engineering design of the Project, to be retained by the City in consultation with GRC pursuant to Section 5.1.1 to complete the Final Design.

1.28 “*Design Services Donation*” means a one-time lump sum cash donation to be made by GRC to the City in an amount equal to the total amount of the prices quoted in the signed proposal(s) for professional design services required in Section 5.1.1, plus five percent.

2. Section 1.11 is hereby amended as follows:

“*First Donation*” means a one-time lump sum cash donation in the an amount of \$1,320,000.00 (calculated to be equal to 60 percent of GRC’s maximum anticipated Fundraising Obligation) the lowest responsible bid pursuant to Section 5.2.2, to be made by GRC to the City pursuant to Section 4.1.1.

3. Section 4.1.1 is hereby amended as follows:

First Donation: GRC shall make its First Donation to the City ~~as soon as reasonably practical following GRC’s raising sufficient funds therefore, but in no event later than the date which is four years after the Effective Date~~ 30 days after the competitive bids for the

Project are due to be submitted to the City pursuant to Section 5.2.1. GRC's failure to make its First Donation by such date will constitute a Default Event and permit the City to proceed with terminating this Agreement pursuant to Section 11.1 of this Agreement.

4. Section 5.1.1 is hereby amended as follows:

Conditions Precedent: The City's obligations to ~~select a design professional~~ retain the Design Professionals or otherwise commence work to design the Project under this Section 5.1 shall be subject to the conditions precedent that the City first ~~receives~~ (1) receives a signed proposal from each firm proposed by GRC to be selected by the City as the Design Professionals, which proposal(s) shall be attached to the Agreement as Exhibit G, and which shall contain such information describing the services to be performed as reasonably required by the City and the price to be charged for such services; (2) determines, in its sole discretion, that the firm(s) proposed by GRC to be selected by the City as the Design Professionals is fully qualified and capable designing the Project to a high standard of quality; and (3) receives GRC's First Donation Design Services Donation, in full.

5. Section 5.1.2 is hereby deleted in its entirety and replaced with the following:

Design Professionals Engagement: Upon satisfaction of the conditions precedent pursuant to Section 5.1.1, the City shall retain the Design Professionals to timely complete the architectural and engineering design of the Project pursuant to the signed proposal(s) for professional design services attached to the Agreement as Exhibit G, by entering into a contract(s) for professional services with the Design Professionals in a form satisfactory to the City.

6. Section 5.1.3 is hereby amended as follows:

Final Design: Upon satisfaction of the conditions precedent pursuant to Section 5.1.1 and the City's engagement of the Design Professionals pursuant to Section 5.1.2, the City shall exercise all reasonable diligence to ~~cause complete~~ to be completed the architectural and engineering design of the Project as soon as practicable thereafter. The City shall provide GRC copies of any concept drawings, schematics, and plans for the Curling Center for GRC's review and comment. Upon receipt of such documents, GRC shall consult and cooperate with the City and the City's consultants and provide any comments or requests it may have regarding the same. The City shall take GRC's comments and requests into consideration in developing the design documents, and the Parties shall mutually agree on the Final Design. To the extent the City incurs expenses in connection with the architectural and engineering design of the Project in excess of the amount of GRC's Design Services Donation, the City shall invoice GRC for all such reasonable expenses and GRC shall pay such invoiced amounts to the City no later than 30 days after GRC's receipt of said invoice.

7. Section 5.2 is hereby amended as follows:

Project Construction: Upon (1) the Parties' written agreement on the date or schedule of dates on which GRC shall make its Second Donation to the City in accordance with

Section 4.1.2, and (2) GRC's payment of any invoice(s) issued by the City pursuant to Section 5.1.3, the City shall enter into a contract with a general contractor and thereby cause the Project to be constructed in accordance with the Final Design, pursuant to the following requirements:

8. Section 5.2.4 is hereby amended as follows:

Conditions Precedent: The City's obligations to award the contract(s) for construction of the Project and to cause the Project to be constructed under this Section 5.2 shall be subject to the conditions precedent that (i) the City shall have first received, in full, GRC's Design Services Donation pursuant to Section 5.1.1 and First Donation pursuant to Section 4.1.1; (ii) the Parties have agreed on the Final Design in accordance with Section 5.1.3; (iii) the Parties have first agreed, in writing, on the itemization of the City-requested components included in the Final design in accordance with Section 5.1.5; (iv) the City have first received GRC's approval of the lowest responsible bid pursuant to Section 5.2.3; ~~and~~ (v) that the Parties have first agreed, in writing, on the date or schedule of dates on which GRC shall make its Second Donation to the City in accordance with Section 4.1.2; and (vi) the City shall have first received GRC's payment(s), in full, of any amount(s) invoiced by the City pursuant to Section 5.1.3.

9. All other provisions of the Agreement shall remain in full force and effect.

[Signature page to follow]

IN TESTIMONY WHEREOF, the Parties have executed and entered into this Amendment effective as of the date first above written.

GLACIAL RIDGE CURLING

By: _____

Don Nelson, President

Date: _____

CITY OF WILLMAR

By: _____

Marvin Calvin, Mayor

Date: _____

ATTEST:

Isaac Holland, City Administrator

Date: _____



WILLMAR

City Office Building
333 SW 6th Street
Willmar, MN 56201
Main Number 320-235-4913
Fax Number 320-235-4917

CITY COUNCIL AGENDA REPORT

To: Mayor and City Council	Date: May 23, 2019
From: Steven B. Okins, Finance Director	Subject: Local Option Sales Tax

AGENDA ITEM: Local Option Sales Tax

INTRODUCTION/REQUEST: Due to desire to Implement the Local Option Sales Tax as soon as possible, preferably by October 1, 2019, and the time required to give proper notification to the State Department of Revenue. The Ordinance being proposed and the Public Hearing required, the Ordinance would need to be introduced at the June 3rd Council meeting with the Hearing held no later then the June 17th City Council Meeting.

HISTORY: Since the Invest in Willmar promoted and was successful in passing a referendum to implement a Local Option Sales Tax of ½ of 1 percent for the City of Willmar at the last general election. And since the Invest in Willmar Task Force would recommend the implementation of the Tax as soon as fiscally possible to fund the projects as listed in Council Resolution No. 18-89 dated July16, 2018. The State Department of Revenue requirements are as follows: The City is required to file a Certificate of Approval of Special Law by the Governing Body form with the Secretary of State. And send in a notification of intent Letter to the Commissioner of Revenue at least 90 days in advance of the tax begin date. In order for the City to be able to meet these requirements, per City Charter, it needs to introduce an Ordinance and Set a public Hearing.

CURRENT CIRCUMSTANCE: The City Attorney has prepared an Ordinance for the Committee's review and would recommend that the Committee recommend that the City Council introduce the Ordinance at the June 3rd City Council meeting and set a Public Hearing for June 17th to gather public input for the implementation of ½ of 1 percent sales tax to take effect on October 1, 2019.

RECOMMENDATION: Introduce an Ordinance and set a Public Hearing to Implement a Local Option Sales Tax of ½ of 1 percent

ISSUES: If not introduced and Ordinance passed before July 1, the first Implementation Date would have to be January 1, 2020 instead of October 1, 2019.

FINANCIAL IMPACT: Delay of incurring costs for the projects included in the attached Resolution of the City Council

ALTERNATIVES:

1. Delay introduction of Ordinance and Public Hearing
2. Don't introduce or Implant Tax

RECOMMENDED MOTION: Introduce the Ordinance and set a Public Hearing for June 17th at 7:10 p.m.

REVIEWED BY: Steven B. Okins, Finance Director and Ike Holland, City Administrator

FINANCE COMMITTEE DATE: May 23rd, 2019

COUNCIL MEETING DATE: June 3, 2019

CITY OF WILLMAR
RESOLUTION NO. _____

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLMAR,
MINNESOTA APPROVING LAWS OF MINNESOTA, 2019, FIRST SPECIAL SESSION,
CHAPTER 6, ARTICLE 6, SECTION 32

WHEREAS, the 2019 first special session of the Minnesota Legislature passed and the Governor signed into law Laws of Minnesota for 2019, First Special Session, Chapter 6, Article 6, Section 32 (the “Special Legislation”) which authorizes the City of Willmar, Minnesota, (the “City”) to impose by ordinance a sales and use tax of up to one-half of one percent and an excise tax of up to \$20 per motor vehicle (collectively, the “taxes”) to pay for the cost of collecting and administering the taxes and to pay for all or part of the costs of the planning, design, and construction of a new recreation center and auditorium, new softball/baseball and multipurpose athletic fields, infrastructure improvements at Robbins Island Regional Park, spectator amenities and a new playground area at Swanson Field, stormwater management infrastructure improvements, and a replacement community center as more fully described in Resolution No. 18-89, adopted by the Willmar City Council on July 16, 2018; and

WHEREAS, the Special Legislation requires local approval in accordance with Minnesota Statutes, Section 645.021 before the Special Legislation may take effect; and

WHEREAS, the Willmar City Council desires the Special Legislation to become effective; and

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

1. Laws of Minnesota for 2019, First Special Session, Chapter 6, Article 6, Section 32 is hereby approved.
2. The City Clerk is hereby directed to submit the appropriate certificate and a copy of this Resolution to the Secretary of State of the State of Minnesota.

Adopted by the City Council of the City of Willmar on June 3, 2019.

Approved:

Mayor

Attested:

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WILLMAR, MINNESOTA ADOPTING A SALES AND
USE TAX AND A MOTOR VEHICLE EXCISE TAX

The City Council of the City of Willmar hereby ordains as follows:

Section 1. ADOPTION OF MUNICIPAL CODE CHAPTER 5, ARTICLE IV. Chapter 5 of the Wilmar Municipal Code is hereby amended by adding a new Article IV, to read in its entirety as follows:

Article IV. – SALES, USE AND MOTOR VEHICLE EXCISE TAX

Sec. 5-67. – Authority.

- (a) At the general election held November 6, 2018, the voters of the City of Willmar approved the imposition of a one-half of one percent sales and use tax and a \$20.00 motor vehicle excise tax to pay for the cost of collecting and administering the taxes and to pay for certain costs related to the funding of certain designated projects, as defined in Section 6-68.
- (b) The legislature has by Laws of Minnesota for 2019, First Special Session, Chapter 6, Article 6, Section 32, authorized the City to impose an additional sales, use and motor vehicle excise tax within the City to provide revenues to pay for the cost of collecting and administering the taxes and to pay for certain costs related to the funding of the designated projects, as defined in Section 6-68. The City approved the act in accordance with applicable law.

Sec. 5-68. – Definitions.

The words, terms and phrases used in this Article shall have the meaning ascribed to them in Minnesota Statutes, Section 297A.01, except where the context clearly indicates otherwise. In addition, the following definitions shall apply:

- (a) “Act” shall mean Laws of Minnesota for 2019, First Special Session, Chapter 6, Article 6, Section 32, as amended.
- (b) “City” shall mean the City of Willmar.
- (c) “Commissioner” shall mean the Commissioner of Revenue for the State of Minnesota, acting under the authority of an agreement entered into between the City and the State of Minnesota pursuant to the Act, or such other person designated to administer and collect the Willmar Sales and Use Tax.

- (d) “Designated projects” shall mean the planning, design, and construction of the projects listed in this subparagraph (d) in a total amount not to exceed \$30 million, plus the costs related to the issuance and paying debt service on bonds for these projects, subject to the limits that may be spent on each individual project as follows:
- (1) \$2,000,000 for a community center replacement;
 - (2) \$6,000,000 for new athletic fields;
 - (3) \$3,000,000 for infrastructure improvements at Robbins Island Regional Park;
 - (4) \$2,000,000 for a new playground and spectator amenities at Swanson Field Regional Park;
 - (5) \$7,000,000 for stormwater management infrastructure improvements, and
 - (6) \$10,000,000 for a new recreation and event center.
- (e) “Motor vehicle” shall have the meaning given to it by Minnesota Statutes, Section 297B.01, Subd. 11.
- (f) “Motor vehicle excise tax” shall mean the \$20.00 per vehicle tax imposed and collected pursuant to this Article.
- (g) “Retailer” or any like term shall mean any retailer having or maintaining with the City, directly or by a subsidiary or an affiliate, an office, place of distribution, sales or sample room or place, warehouse or other place of business, or having any representative, including an affiliate, agent, sales person, canvasser or solicitor operating in the City under the authority of the retailer or its subsidiary, for any purpose, including the repairing, selling delivering, installing, or soliciting of order of the retailer’s goods or services, or the leasing of tangible personal property located in the City, whether the place of business or agent, representative, affiliate, sales person, canvasser, or solicitor, is located in the City permanently or temporarily, or whether or not the retailer or subsidiary is authorized to do business within the City.
- (h) “Willmar Sales and Use Tax” shall mean the sales and use tax imposed and collected pursuant to this Article.

Sec. 5-69. –Sales and Use Tax.

Except as otherwise provided in this Article, there is hereby imposed an additional excise tax in the amount of one-half of one percent on the gross receipts from sales at retail and the storage, use, distribution or consumption of goods or services which are taxable, pursuant to Minnesota Statutes, Chapter 297A and occur within the City of Willmar. The imposition, administration, collection and enforcement of this tax shall be governed by the provisions of Minnesota Statutes, Section 297A.99.

Sec. 5-70. –Separate Statement; Collection from Purchaser; Advertising No Tax; Minimum Uniform Tax Collection Methods.

The Willmar Sales and Use Tax shall be stated and charged separately from the sales price or charge for service insofar as practical and should be a debt from the purchaser to the seller recoverable at law in the same manner as other debts. In computing the tax to be collected as a result of any transaction, any amount of tax less than one-half of one cent may be disregarded and amounts of tax less than one-half of one cent may be disregarded and amounts of tax one-half cent or more may be considered an additional cent. If the sales price of any sale at retail in ninety-nine cents or less, no tax shall be collected.

Sec. 5-71. –Exemption Certificates.

A fully completed exemption certificate taken from a purchaser to the effect that the property purchased is for resale or that the sale is otherwise exempt from the application of the tax imposed by this chapter will conclusively relieve the retailer from collecting and remitting the tax to the extent the seller is also relieved of liability for the sales and use tax under Minnesota Statutes, Section 297A.665. A person who has obtained from the Commissioner an exemption certificate pursuant to the Minnesota Statutes, Section 297A.72 may use such exemption certificate for the purposes of the sales tax imposed by the City.

Sec. 5-72. –Presumption of Purpose of Sale.

For the purpose of the proper administration and enforcement of Section 5-69 of this Article, it shall be presumed that all retail sales for delivery in the City are for storage, use, or other consumption in the City until the contrary is established.

Sec. 5-73. –Collection of Sales and Use Tax at Time of Sale.

- (a) Any retailer making deliveries within the City, any retailer maintaining a place of business in the City, or any other retailer otherwise doing business within the City, upon making sales of any items described in Section 5-69 which are not exempted from the sales tax imposed under that section and which are to be delivered or caused to be delivered within the City to the purchaser, shall at the

time of making such sales collect the sales and use tax from the purchaser. The tax collected by such retailer shall be remitted to the Commissioner on behalf of the City.

- (b) Any retailer required to collect the Willmar Sales and Use Tax and remit such tax to the Commissioner pursuant to this section shall register with the Commissioner and provide such other information as the Commissioner may require.

Sec. 5-74. –Agent of Retailer.

When in the opinion of the Commissioner it is necessary for the efficient administration of the tax, the Commissioner may regard any salesman, representative, trucker, peddler or canvasser as the agent of the dealer, distributor, supervisor, employer or other person under whom such salesman, representative, trucker, peddler or canvasser operated or from whom the tangible property is being sold is obtained, and may regard the dealer, distributor, supervisor, employer or other person as a retailer for the purposes of this Article.

Sec. 5-75. –Motor Vehicle Excise Tax.

There is hereby imposed an additional excise tax in the amount of \$20.00 per vehicle on the sale of new and used motor vehicles by any person engaged within the City in the business of selling motor vehicles at retail. The excise tax shall be stated and charged separately and collected by the Retailer and remitted monthly to the Willmar City Clerk. Each retail seller of motor vehicles shall complete and submit with each monthly payment of the excise tax such forms as may be required by the City Clerk. Except to the extent that they may be inconsistent herewith, all provisions of this Article shall also apply to the motor vehicle excise tax. The motor vehicle excise tax collected each month by a retail seller of vehicles shall be remitted to the City Clerk on or before the 15th day of the following month.

Sec. 5-76. –Collection and Enforcement.

The Willmar Sales and Use Tax imposed by the City pursuant to this Article shall be subject to the same interests, penalties, and other rules as are applicable to the State general sales tax imposed by Minnesota Statutes Chapters 270C, 289A and 297A. The Willmar Sales and Use Tax imposed by the City pursuant to this Article may be collected by the State on behalf of the City as provided by an appropriate agreement with the Minnesota Commissioner of Revenue. The Willmar Sales and Use Tax imposed by the City pursuant to this Article shall expire at the earlier of (1) 13 years after the tax is first imposed, or (2) when the City Council determines that \$30,000,000 has been received from the tax to pay for the designated projects, plus an amount sufficient to pay the costs related to the issuance and paying debt service on the bonds. Any funds remaining after payment of all such costs and retirement or redemption of the bonds shall be placed in the

general fund of the City. The Willmar Sales and Use Tax imposed by the City pursuant to this Article may expire at any earlier time if the City Council so determines by ordinance.

Sec. 5-77. –Tax Clearance; Issuance of Licenses.

The City may not issue or renew a license for the conduct of trade or business in the City if the Commissioner notifies the City that the applicant for such license owes delinquent Willmar Sales and Use Taxes as provided in this Article, or penalties or interest due on such taxes. For the purposes of this section, the following terms have the following meanings:

- (a) Willmar Sales and Use Taxes include sales and use tax as provided in this Article including all penalties and interest due on said sales and use taxes.
- (b) Delinquent taxes do not include a tax liability if:
 - (1) an administrative or court action which contests the amount or validity of the liability has been filed or served;
 - (2) the appeal period to contest the tax liability has not expired; or
 - (3) the applicant has entered into a payment agreement and is current with the payments.
- (c) Applicant means an individual if the license is issued to or in the name of an individual or the corporation, partnership or other entity if the license is issued to or in the name of a corporation, partnership or other entity.
- (d) A copy of the notice of delinquent taxes given to the City shall also be sent to the applicant taxpayer. In the case of renewal of a license, if the applicant requests a hearing in writing, within thirty (30) days of the receipt of the notice of delinquent taxes, then a contested case hearing shall be held by the Commissioner under the same procedures as provided in Minnesota Statutes, Section 270C.72 for the State sales and use tax imposed under Minnesota Statutes, Chapter 297A, provided that if a hearing must be held on the State sales and use tax, the hearings may be combined.

Sec. 5-78. –Effective Date; Transitional Sales.

Except as otherwise provided herein, the Willmar Sales and Use Tax authorized by this Article shall apply to sales made on or after October 1, 2019 and shall be in addition to all other taxes now in effect. The Willmar Sales and Use Tax is governed by Minnesota Statutes, Chapter 297A regarding sales that occur during the transition.

Secs. 5-79-5-87. –Reserved.

Section 2. EFFECTIVE DATE. This ordinance shall take effect after its adoption and second publication.

Passed by the City Council of the City of Willmar this ___ day of _____, 2019.

ATTEST:

Judy Thompson, City Clerk

Marvin Calvin, Mayor

VOTE: ___ ALVARADO ___ ASMUS ___ DAVIS ___ FAGERLIE
 ___ MUESKE ___ NELSEN ___ PLOWMAN ___ SCHWANTES

INSTRUCTIONS

- Include the chapter number in the *Laws of Minnesota* that is to be approved on the Certificate of Approval form **and** in the resolution that approves the special law.
- Return the completed **originally signed** Certificate of Approval form **with a photo copy** of the resolution that approved the special law to:

Election Division
Secretary of State
180 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd
St Paul, MN 55155-1299

- If you have any questions please contact Nancy Breems at 651/215-1440.

RESOLUTION NO. 18-89

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA
APPROVING THE PROPOSED LOCAL SALES, USE AND EXCISE TAX AND AUTHORIZING AN ELECTION
THEREON DURING THE 2018 GENERAL ELECTION

Motion By: Mueske Second By: Asmus

WHEREAS, Minnesota Statutes, Section 297A.99, provides the City of Willmar with authority to impose a local sales tax if that tax is approved by the voters at a general election and the State Legislature approves the local sales tax by passing a special law; and

WHEREAS, that statute also requires that in order to seek legislative approval for the local sales tax, the City Council must adopt a resolution indicating its approval of the tax and outlining the details of the proposed local sales tax; and

WHEREAS, the City of Willmar serves as a regional center of economic, employment, cultural and recreational opportunities for Kandiyohi County and a broad and substantial portion of West Central Minnesota, and attracts visitors from this broader region to its parks, trails, recreational and cultural facilities and abundant natural amenities; and

WHEREAS, there exist significant opportunities and needs to enhance the region's current recreational and cultural facilities and infrastructure, and thereby promote the public health and welfare of the broader Willmar community; and

WHEREAS, the City convened a study group comprised of elected officials, city staff and citizen and organizational stakeholders in a series of nine meetings conducted throughout the winter and spring of 2018 to study the current state of the City's Civic Center complex, and identified needed improvements to continue satisfying and keep up with the regional demands of Kandiyohi County and West Central Minnesota for enhanced recreational and athletic facilities and opportunities; and

WHEREAS, the City retained a consultant to evaluate the current City's Civic Center complex and identify and develop a master plan for incorporating new and enhanced recreational and athletic facilities pursuant to the needs identified by the Civic Center study group.

WHEREAS, the Invest in Willmar Committee, a grass roots community organization dedicated to raising awareness of and improving the City's regional amenities and facilities, has led a community dialogue and engaged stakeholders, including the City's Civic Center study group and the consultant assisting in developing a master plan for the Civic Center complex, regarding the need for enhancements and improvements to the City's recreational and cultural facilities and infrastructure, and has presented the results of its efforts to the City Council at public work sessions on June 18, 2018 and July 2, 2018; and

WHEREAS, after careful thought, consideration and deliberation, the City Council wishes to enact a local sales, use and excise tax on items that are taxable by the State in order to raise revenues to fund the following public capital improvements, acquisitions and betterments identified as needs by the Invest in Willmar Committee, working in coordination with the City's Civic Center study group and the consultant assisting in developing a master plan for the Civic Center complex, as a means of substantially improving the region's current recreational and cultural facilities, opportunities and infrastructure:

New Recreation Center / Event Center	\$10,000,000
New softball/baseball and multipurpose athletic fields	\$ 6,000,000
Infrastructure improvements at Robins Island Regional Park	\$ 3,000,000
Spectator amenities and new playground area at Swanson Field	\$ 2,000,000
Stormwater management infrastructure improvements	\$ 7,000,000
Replacement Community Center	\$ 2,000,000

WHEREAS, the proposed local sales use and excise tax will raise enough revenue over an estimated 13 year period to fund \$30 million dollars (\$30,000,000) in new capital improvements and betterments plus associated costs for debt service on any bonds issued to finance or refinance such capital improvements, and will improve the public health and welfare by advancing the community's recreational and cultural facilities and infrastructure through the investment in the acquisition and betterment of the aforementioned regional assets and amenities; and

WHEREAS, the City Council wishes to approve the proposed local sales, use and excise tax and place the proposed tax on the ballot for the 2018 General Election.

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

1. The local sales, use and excise tax described herein is approved, subject to voter consent and authority from the Minnesota state legislature. The local sales and use tax will be used exclusively to fund the planning, design, and construction of the following capital improvements:

New Recreation Center / Event Center	\$10,000,000
New softball/baseball and multipurpose athletic fields	\$ 6,000,000
Infrastructure improvements at Robins Island Regional Park	\$ 3,000,000
Spectator amenities and new playground area at Swanson Field	\$ 2,000,000
Stormwater management infrastructure improvements	\$ 7,000,000
Replacement Community Center	\$ 2,000,000

2. The local sales and use tax will amount to one-half of one percent (0.5%) on the purchase of items and services in the City that are taxable by the State. The purchase of a motor vehicle will be exempt from this sales tax, except that an excise tax of \$20 will be collected per each retail sale of a motor vehicle in the City. The City anticipates that the total amount generated by the local sales tax will fund 30 million dollars (\$30,000,000) in new capital improvements and betterments plus associated costs for debt service on any bonds issued to finance or refinance such capital improvements, and that the tax will last for a period of 13 years; however, the tax may be retired earlier if the costs of the capital improvements and associated debt service have been paid from revenues collected over a shorter period.
3. The City Clerk is hereby directed by the City Council to follow the notification and election procedures applicable to placing the local sales tax on the ballot for the 2018 General Election in order to seek the approval of the proposed sales and use tax by the voters of the City.
4. The City Clerk is hereby directed to notify the County Auditor of the ballot question by the deadline outlined in Minnesota Statutes, Section 205.16, Subdivision 4, and submit the title and question for inclusion on the 2018 General Election Ballot in substantially the following form:

SALES TAX REFERENDUM QUESTION

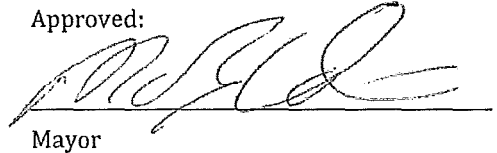
Should the City of Willmar impose a one-half percent (1/2 %) local sales and use tax and a \$20.00 excise tax on retail sales of motor vehicles for the purposes of funding a community center, recreation/athletic fields, Robbins Island Regional Park amenities, Swansson Field Regional Park improvements, a recreation/event center and stormwater improvements? The estimated amount of sales, use and excise taxes projected to be collected over a thirteen (13) year period would fund \$30 million in improvements plus associated costs for debt service.

5. The City Clerk is hereby directed to follow all other requirements for submitting a ballot question and conducting an election, including the general notice and publication deadlines for the election and the ballot.

6. If the voters approve the local sales tax in the 2018 General Election, the City Council hereby authorizes City officials to seek the support of the State Legislature to approve the local sales tax and enact a special law allowing the City to impose the tax.

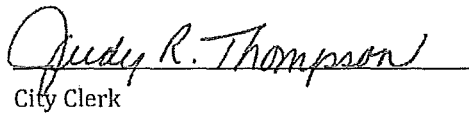
Adopted by the City Council of the City of Willmar on July 16, 2018.

Approved:

A handwritten signature in black ink, appearing to be "M. J. J.", written over a horizontal line.

Mayor

Attested:

A handwritten signature in black ink, "Judy R. Thompson", written over a horizontal line.

City Clerk

OFFICIAL
ELECTION BALLOT

CITY OF WILLMAR
KANDIYOHI COUNTY
MINNESOTA

LOCAL OPTION SALES TAX	
<input type="radio"/> YES	Should the City of Willmar impose a one-half percent (1/2 %) local sales and use tax and a \$20.00 excise tax on retail sales of motor vehicles for the purposes of funding a community center, recreation/athletic fields, Robbins Island Regional Park amenities, Swansson Field Regional Park improvements, a recreation/event center and stormwater improvements? The estimated amount of sales, use and excise taxes projected to be collected over a thirteen (13) year period would fund \$30 million in improvements plus associated costs for debt service.
<input type="radio"/> NO	

INSTRUCTION TO VOTERS:

If you wish to vote in favor of the above proposition, fill in the oval next to the word "YES". If you wish to vote against the above proposition, fill in the oval next to the word "NO".

(NOTE: On the back of each ballot shall be printed the words "Official Ballot", the date of the election and lines for the initials of the judges.)

Steve Okins

From: Steve Okins
Sent: Tuesday, May 21, 2019 11:08 AM
To: rtscott@flaherty-hood.com
Cc: Ike Holland
Subject: FW: Wilmar Local Tax Revenue Account
Attachments: Sample NOI Cover Letter.docx

Tracking:	Recipient	Delivery
	rtscott@flaherty-hood.com	
	Ike Holland	Delivered: 5/21/2019 11:08 AM

Would you be able to do a draft Ordinance similar to the one city had for the previous Sales tax that would satisfy the requirement? And send to me for my file, so when the Legislature ends the special session, the City can proceed right away.

From: Sisterman, Josh (MDOR) [mailto:josh.sisterman@state.mn.us]
Sent: Tuesday, May 21, 2019 10:54 AM
To: Steve Okins
Subject: RE: Wilmar Local Tax Revenue Account

Good Morning Steve,

Here are the two documents that we had talked about. The first is the link to a PDF that needs to be sent into the Secretary of State. The second is I attached a sample letter of intent that is sent to the Commissioner of Revenue.

https://www.sos.state.mn.us/media/1998/certificate_of_approval_of_special_law.pdf

I guess the city will also have to pass a city ordinance as well. The legislature this year was talking that an ordinance will have to be passed once they do pass a tax bill authorizing Wilmar to begin their tax. That wasn't in our initial discussions that you and I had but Wilmar will have to pass that ordinance once the tax bill is signed in order to begin your tax.

We are still waiting for the tax bill to be finalized hopefully this week. If there is anything else that is added in the tax bill that the city would have to do I will let you know. Right now it doesn't look like it but there can always be changes that are made prior to them passing the bill.

If you have any additional questions feel free to let me know.

Thank you,

Josh Sisterman, Project Team Lead
Sales and Use Tax Division
Local Government Services Unit

Minnesota Department of Revenue
Office: 651-556-6168
www.revenue.state.mn.us

Working together to fund Minnesota's future.



From: Steve Okins <sokins@willmarmn.gov>
Sent: Monday, May 20, 2019 3:30 PM
To: Sisterman, Josh (MDOR) <josh.sisterman@state.mn.us>
Subject: RE: Wilmar Local Tax Revenue Account

Could you send me the required forms the would have to be completed by the City? I would like them both for the Secretary of State and Commissioner of Revenue.

From: Sisterman, Josh (MDOR) [mailto:josh.sisterman@state.mn.us]
Sent: Thursday, March 21, 2019 4:06 PM
To: Steve Okins
Subject: RE: Wilmar Local Tax Revenue Account

Hi Steve,

Per our conversation today, once the legislature passes the bill for your city, below are the next steps you will need to take in order for the Department to begin implementing the tax.

1. File a Certificate of Approval of Special Law by Governing Body form with the Secretary of State.
2. Send in a notification of intent letter to the Commissioner of Revenue at least 90 days in advance of the tax begin date.
 - a. The tax effective date must begin on the first day of a quarter.

When the time comes, we can send you a sample copy of the notification letter that needs to be sent to the Commissioner here.

If you have any additional questions feel free to let me know.

Thank you,

Josh Sisterman, Project Team Lead
Sales and Use Tax Division
Local Government Services Unit

Minnesota Department of Revenue
Office: 651-556-6168
www.revenue.state.mn.us

Working together to fund Minnesota's future.

XX/XX/XXXX

Attn: Cynthia Bauerly
Commissioner of Revenue
Mail Station 7100
St. Paul, MN 55146

Dear Ms. Bauerly,

The City of Willmar plans to enact the local area Sales and use tax on October, 1, 2019 as authorized by MN Statute 297A.993. I have enclosed copies of the:

- a. Authorizing resolution
- b. Affidavit of publication for the public hearing
- c. Minutes of the board meeting approving the resolution

Thank you for your assistance. Please let me know if you have any questions/concerns.

Sincerely,

**CERTIFICATE OF APPROVAL OF SPECIAL LAW
BY GOVERNING BODY**

(Pursuant to Minnesota Statutes, 645.02 and 645.021)

STATE OF MINNESOTA

County of _____

TO THE SECRETARY OF STATE OF MINNESOTA:

PLEASE TAKE NOTICE, That the undersigned chief clerical officer of the

DOES HEREBY CERTIFY, that in compliance with the provisions of Laws, 20 _____,

Chapter _____ requiring approval by a majority* of the governing body of said local governmental unit before it becomes effective, the _____

(designate governing body)

at a meeting duly held on the _____ day of _____ 20_____, by resolution _____

_____ did approve said Laws, 20_____, Chapter _____
(if other than resolution, specify)

by a _____ majority vote* of all of the members thereof (Ayes _____; Noes _____;

Absent or not voting _____) and the following additional steps, if any required by statute or charter were taken:

A copy of the resolution is hereto annexed and made a part of this certificate by reference.

Signed: _____

(Official designation of officer)

(This form prescribed by the Attorney General and furnished by the Secretary of State as required in Minnesota Statutes 645.021.)

*If extraordinary majority is required by the special law, insert fraction or percentage here.

Please see reverse side for instructions for completing this form.

INSTRUCTIONS

- Include the chapter number in the *Laws of Minnesota* that is to be approved on the Certificate of Approval form **and** in the resolution that approves the special law.
- Return the completed **originally signed** Certificate of Approval form **with a photo copy** of the resolution that approved the special law to:

Election Division
Secretary of State
180 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd
St Paul, MN 55155-1299

- If you have any questions please contact Nancy Breems at 651/215-1440.

ORDINANCE NO. 1224

AN ORDINANCE ADOPTING A SALES AND USE TAX AND A MOTOR VEHICLE EXCISE TAX FOR THE CITY OF WILLMAR.

The City Council of the City of Willmar does ordain as follows:

SECTION 1. ORDINANCE ADOPTED.

There is hereby adopted an ordinance of the City of Willmar titled City of Willmar Municipal Sales and Use Tax and Motor Vehicle Excise Tax. A copy of such ordinance shall be marked OFFICIAL COPY and shall be filed as a part of the official records of the City of Willmar in the Office of the City Clerk.

SECTION 2. STATUTORY AUTHORIZATION.

This Ordinance is authorized by laws of Minnesota for 2005, First Special Session, Chapter 3, Article 5, Section 42.

SECTION 3. CHARTER AUTHORIZATION.

This Ordinance is authorized by Section 2.12. Subd. 2(B) of Article II of the Charter of the City of Willmar.

SECTION 4. COPIES.

The City Clerk shall provide a sufficient quantity of the Ordinance providing for the City of Willmar Municipal Sales and Use Tax and Motor Vehicle Excise Tax for general distribution to the public at no charge to any person requesting it.

SECTION 5. PRIMA FACIE EVIDENCE.

The City of Willmar Sales and Use Tax Ordinance and Motor Vehicle Excise Tax shall be prima facie evidence of the law of the City of Willmar.

SECTION 6. EFFECTIVE DATE.

This Ordinance and the provisions of the City of Willmar Municipal Sales and Use Tax and Motor Vehicle Excise Tax and Motor Vehicle Excise Tax Ordinance shall be effective after its adoption and second publication.

This Ordinance introduced by Councilman:	<u>Anderson</u>
This Ordinance introduced on:	<u>August 15, 2005</u>
This Ordinance published on:	<u>August 27, 2005</u>
This Ordinance given a hearing on:	<u>September 6, 2005</u>
This Ordinance adopted on:	<u>September 6, 2005</u>
This Ordinance published on:	<u>September 9, 2005</u>

ORDINANCE NO. 1224

AN ORDINANCE ADOPTING A SALES AND USE TAX AND A MOTOR VEHICLE EXCISE TAX FOR THE CITY OF WILLMAR.

The City Council of the City of Willmar does ordain as follows:

SECTION 1. AUTHORITY.

The Minnesota legislature has, by laws of Minnesota for 2005, First Special Session, Chapter 3, Article 5, Section 42, authorized the City of Willmar to impose an additional sales and use tax, and a motor vehicle excise tax within the City to provide revenues to pay certain costs related to the acquisition, construction and improvement of the Airport/Industrial Park, hiking and biking trails, connection of the Blue Line Building to the Civic Center and purchase of that part of the Willmar Regional Treatment Center campus lying Westerly of T.H. #71, including securing and paying debt service on bonds. The City of Willmar approved the Act in accordance with applicable law.

SECTION 2. DEFINITIONS.

The words, terms and phrases used in this Ordinance shall have the meaning ascribed to them in Minnesota Statutes, Chapter 297A, except where the context clearly indicates otherwise. In addition, the following definitions shall apply:

- a. Act means laws of Minnesota for 2005, First Special Session, Chapter 3, Article 5, Section 42, as amended;
- b. City means the City of Willmar;
- c. Commissioner means the Commissioner of Revenue for the state of Minnesota acting under the authority of an agreement entered into between the City and the state of Minnesota pursuant to the Act, or such other person or entity designated to administer and collect the Willmar Sales and Use Tax;
- d. Willmar Sales and Use Tax means the sales and use tax imposed and collected pursuant to this Ordinance;
- e. Ordinance means this ordinance in its present form and as subsequently codified in the Willmar City Code;
- f. Retailer maintaining a place of business in the City or any like term shall mean any retailer having or maintaining within the City, directly or by a subsidiary, an office, place of distribution, sales or sample room or place, warehouse or other place of business, or having any representative, agent, sales person, canvasser or solicitor operating in the City under the authority of the Retailer or its subsidiary, for any purpose, including the repairing, selling, delivering, installing, or soliciting of orders of the Retailer's goods or services, or the leasing of tangible personal property located in the City, whether the place of business or agent, representative, sales person, canvasser, or solicitor, is located in the City permanently or temporarily, or whether or not the Retailer or subsidiary is authorized to do business within the City.

- g. Motor vehicle has the meaning given to it by Minnesota Statute Section 297B.01, Subd. 5.
- h. Motor vehicle excise tax means the \$20.00 per vehicle tax imposed and collected pursuant to this Ordinance.

SECTION 3. SALES AND USE TAX.

Except as otherwise provided in this Ordinance, there is hereby imposed an additional excise tax in the amount of one-half of one percent on the gross receipts from the sales at retail, and the storage, use, distribution or consumption of goods or services which are taxable, pursuant to Minnesota Statutes, Chapter 297A and occur within the City of Willmar. The imposition, administration, collection and enforcement of this tax shall be governed by the provisions of Minnesota Statute Section 297A.99.

SECTION 4. SEPARATE STATEMENT; COLLECTION FROM PURCHASER; ADVERTISING NO TAX; MINIMUM UNIFORM TAX COLLECTION METHODS.

The Willmar Sales and Use Tax shall be stated and charged separately from the sales price or charge for service insofar as practical, and should be a debt from the purchaser to the seller recoverable at law in the same manner as other debts. In computing the tax to be collected as a result of any transaction, any amount of tax less than one-half of one cent may be disregarded and amounts of tax one-half cent or more may be considered an additional cent. If the sales price of any sale at Retail is ninety-nine cents or less, no tax shall be collected.

SECTION 5. EXEMPTION CERTIFICATES.

A fully completed exemption certificate taken from a purchaser to the effect that the property purchased is for resale or that the sale is otherwise exempt from the application of the tax imposed by this Ordinance will conclusively relieve the Retailer from collecting and remitting the tax. A person who has obtained from the Commissioner an exemption certificate pursuant to Minnesota Statute Section 297A.11 may use such exemption certificate for the purposes of the sales tax imposed by the City.

SECTION 6. PRESUMPTION OF PURPOSE OF SALE.

For the purpose of the proper administration and enforcement of Section 3 of this Ordinance, it shall be presumed that all retail sales for delivery in the City are for storage, use, or other consumption in the City until the contrary is established.

SECTION 7. COLLECTION OF SALES AND USE TAX AT TIME OF SALE.

- a. Any Retailer making deliveries within the City, any Retailer maintaining a place of business in the City, or any other Retailer otherwise doing business within the City, upon making sales of any items described in Section 3 which are not exempted from the sales tax imposed under that section and which are to be delivered or caused to be delivered within the City to the purchaser, shall at the time of making such sales collect the Sales and Use Tax from the purchaser. The tax collected by such retailer shall be remitted to the Commissioner on behalf of the City.

- b. Any Retailer required to collect the Willmar Sales and Use Tax and remit such tax to the Commissioner pursuant to this section shall register with the Commissioner and provide such other information as the Commissioner may require.

SECTION 8. AGENT OF RETAILER.

When in the opinion of the Commissioner it is necessary for the efficient administration of the tax, the Commissioner may regard any salesman, representative, trucker, peddler, or canvasser as the agent of the dealer, distributor, supervisor, employer or other person under whom such salesman, representative, trucker, peddler or canvasser operated or from whom the tangible property is being sold is obtained, and may regard the dealer, distributor, supervisor, employer or other person as a Retailer for the purposes of this Ordinance.

SECTION 9. MOTOR VEHICLE EXCISE TAX.

There is hereby imposed an additional excise tax in the amount of \$20.00/vehicle on the sale of new and used motor vehicles by any person engaged within the City in the business of selling motor vehicles at retail. The excise tax shall be stated and charged separately and collected by the Retailer and remitted monthly to the Willmar City Clerk. Each retail seller of motor vehicles shall complete and submit with each monthly payment of the excise tax such forms as may be required by the City Clerk. Except to the extent that they may be inconsistent herewith, all provisions of this Ordinance shall also apply to the motor vehicle excise tax. The motor vehicle excise tax collected each month by a retail seller of vehicles shall be remitted to the City Clerk on or before the 15th day of the following month.

SECTION 10. EFFECTIVE DATE, TRANSITIONAL SALES.

Except as otherwise provided herein, the Willmar Sales and Use Tax authorized by this Ordinance shall apply to sales made on or after **January 1, 1998**, and shall be in addition to all other taxes now in effect. The Willmar Sales and Use Tax shall not apply to the following:

- a. The gross receipts from retail sales or leases of tangible personal property made pursuant to a bona fide written contract which unconditionally vests the rights and obligations of the parties thereto, provided that such contracts were enforceable prior to **January 1, 2006**, and that delivery of the tangible personal property subject thereto is made on or before **February 28, 2006**.
- b. The gross receipts from retail sales made pursuant to bona fide lump sum or fixed price construction contract which unconditionally vests the rights and obligations of the parties thereto and which does not make provision for allocation of future taxes, provided that such contract was enforceable prior to **January 1, 2006**, and the delivery of the tangible personal property used in performing such construction contract is made before **January 1, 2007**.
- c. Payments made prior to **January 1, 2006**, for contracts to provide taxable services, provided that such contracts were enforceable prior to **January 1, 1998**, however, the Willmar Sales and Use Tax shall apply to payments made pursuant to such contracts to provide services on and after **February 1, 2006**.

- d. Utility bills that include charges for services for any date before **January 1, 2006**, however, the Willmar Sales and Use Tax shall apply to all utility bills for services provided after **January 1, 2006**.

SECTION 11. COLLECTION AND ENFORCEMENT.

The Willmar Sales and Use Tax imposed by the City pursuant to this Ordinance shall be subject to the same interests, penalties, and other rules as are applicable to the State general sales and use tax imposed by Minnesota Statutes Chapters 270C, 289A and 297A. The Willmar Sales and Use Tax imposed by the City pursuant to this Ordinance may be collected by the State on behalf of the City as provided by an appropriate agreement with the Minnesota Commissioner of Revenue.

SECTION 12. TAX CLEARANCE ISSUANCE OF LICENSES.

The City may not issue or renew a license for the conduct of a trade or business in the City if the Commissioner notifies the City that the applicant for such license owes delinquent Willmar Sales and Use Taxes as provided in this Ordinance, or penalties or interest due on such taxes. For the purposes of this Section 12, the following terms have the following meanings:

- a. Willmar Sales and Use Taxes include sales and use tax as provided in this Ordinance. Penalties and interest are penalties and interest due on taxes included in this definition.
- b. Delinquent taxes do not include a tax liability if:
 - i. in administrative or court action which contests the amount of validity or the liability has been filed or served;
 - ii. the appeal period to contest tax liability has not expired; or
 - iii. the applicant has entered into a payment agreement and is current with the payments.
- c. Applicant means an individual if the license is issued to or in the name of an individual or the corporation, partnership, or other entity if the license is issued to or in the name of a corporation, partnership or other entity.

A copy of the notice of delinquent taxes given to the City shall also be sent to the applicant taxpayer. In the case of renewal of a license, if the applicant requests a hearing in writing, within thirty (30) days of the receipt of the notice of delinquent taxes, then a contested case hearing shall be held by the Commissioner under the same procedures as provided in Minnesota Statutes, Section 270C.72 for the State sales and use tax imposed under Minnesota Statutes, Chapter 297A, provided that if a hearing must be held on the State sales and use tax, hearings may be combined.

This Ordinance introduced by Councilman: Anderson
 This Ordinance introduced on: August 15, 2005
 This Ordinance published on: August 27, 2005
 This Ordinance given a hearing on: September 6, 2005
 This Ordinance adopted on: September 6, 2005
 This Ordinance published on: September 9, 2005

ORDINANCE NO. 1097

AN ORDINANCE ADOPTING A SALES AND USE TAX AND A MOTOR VEHICLE EXCISE TAX FOR THE CITY OF WILLMAR.

The City Council of the City of Willmar does ordain as follows:

SECTION 1. ORDINANCE ADOPTED.

There is hereby adopted an ordinance of the City of Willmar titled City of Willmar Municipal Sales and Use Tax and Motor Vehicle Excise Tax. A copy of such ordinance shall be marked OFFICIAL COPY and shall be filed as a part of the official records of the City of Willmar in the Office of the City Clerk.

SECTION 2. STATUTORY AUTHORIZATION.

This Ordinance is authorized by Article VII, Section 41, of Chapter 231 of Laws of 1997.

SECTION 3. CHARTER AUTHORIZATION.

This Ordinance is authorized by Section 2.12 Subd. 2(B) of Article II of the Charter of the City of Willmar.

SECTION 4. COPIES.

The City Clerk shall provide a sufficient quantity of the Ordinance providing for the City of Willmar Municipal Sales and Use Tax and Motor Vehicle Excise Tax for general distribution to the public at no charge to any person requesting it.

SECTION 5. PRIMA FACIE EVIDENCE.

The City of Willmar Sales and Use Tax Ordinance and Motor Vehicle Excise Tax shall be prima facie evidence of the law of the City of Willmar.

SECTION 6. EFFECTIVE DATE.

This Ordinance and the provisions of the City of Willmar Municipal Sales and Use Tax and Motor Vehicle Excise Tax Ordinance shall be effective after its adoption and second publication.

This Ordinance introduced by Councilman Reese .
This Ordinance introduced on September 17, 1997 .
This Ordinance published on September 23, 1997 .
This Ordinance given a hearing on October 1, 1997 .
This Ordinance adopted on October 1, 1997 .
This Ordinance published on October 8, 1997 .

ORDINANCE NO. 1097

AN ORDINANCE ADOPTING A SALES AND USE TAX AND A MOTOR VEHICLE EXCISE TAX FOR THE CITY OF WILLMAR.

The City Council of the City of Willmar does ordain as follows:

SECTION 1. AUTHORITY.

The Minnesota legislature has, by laws of Minnesota for 1997, Chapter 231, Article 7, Section 41, authorized the City of Willmar to impose an additional sales and use tax, and a motor vehicle excise tax within the City to provide revenues to pay certain costs related to the acquisition, construction and improvement of public library facilities, including securing and paying debt service on bonds. The City of Willmar approved the Act in accordance with applicable law.

SECTION 2. DEFINITIONS

The words, terms and phrases used in this Ordinance shall have the meaning ascribed to them in Minnesota Statutes, Section 297A.01, except where the context clearly indicates otherwise. In addition, the following definitions shall apply:

- a. Act means laws of Minnesota for 1997, Chapter 231, Article 7, Section 41, as amended;
- b. City means the City of Willmar;
- c. Commissioner means the Commissioner of Revenue for the State of Minnesota acting under the authority of an agreement entered into between the City and the State of Minnesota pursuant to the Act, or such other person or entity designated to administer and collect the Willmar Sales and Use Tax;
- d. Willmar Sales and Use Tax means the sales and use tax imposed and collected pursuant to this Ordinance;
- e. Ordinance means this ordinance in its present form and as subsequently codified in the Willmar City Code;
- f. Retailer maintaining a place of business in the City or any like term shall mean any retailer having or maintaining within the City, directly or by a subsidiary, an office, place of distribution, sales or sample room or place, warehouse or other place of business, or having any representative, agent, sales person, canvasser or solicitor operating in the City under the authority of the Retailer or its subsidiary, for any purpose, including

the repairing, selling, delivering, installing, or soliciting of orders of the Retailer's goods or services, or the leasing of tangible personal property located in the City, whether the place of business or agent, representative, sales person, canvasser, or solicitor, is located in the City permanently or temporarily, or whether or not the Retailer or subsidiary is authorized to do business within the City.

- g. Motor vehicle has the meaning given to it by Minnesota Statute Section 297B.01, Subd. 5.
- h. Motor vehicle excise tax means the \$20.00 per vehicle tax imposed and collected pursuant to this Ordinance.

SECTION 3. SALES AND USE TAX.

Except as otherwise provided in this Ordinance, there is hereby imposed an additional excise tax in the amount of one-half of one percent on the gross receipts from the sales at retail, and the storage, use, distribution or consumption of goods or services which are taxable, pursuant to Minnesota Statutes, Chapter 297A and occur within the City of Willmar. The imposition, administration, collection and enforcement of this tax shall be governed by the provisions of Minnesota Statute Section 297A.48.

SECTION 4. SEPARATE STATEMENT; COLLECTION FROM PURCHASER; ADVERTISING NO TAX; MINIMUM UNIFORM TAX COLLECTION METHODS.

The Willmar Sales and Use Tax shall be stated and charged separately from the sales price or charge for service insofar as practical, and should be a debt from the purchaser to the seller recoverable at law in the same manner as other debts. In computing the tax to be collected as a result of any transaction, any amount of tax less than one-half of one cent may be disregarded and amounts of tax one-half cent or more may be considered an additional cent. If the sales price of any sale at Retail is ninety-nine cents or less, no tax shall be collected.

SECTION 5. EXEMPTION CERTIFICATES.

An exemption certificate taken in good faith from a purchaser to the effect that the property purchased is for resale or that the sale is otherwise exempt from the application of the tax imposed by this Ordinance will conclusively relieve the Retailer from collecting and remitting the tax. A person who has obtained from the Commissioner an exemption certificate pursuant to Minnesota Statute Section 297A.11 may use such exemption certificate for the purposes of the sales tax imposed by the City.

SECTION 6. PRESUMPTION OF PURPOSE OF SALE.

For the purpose of the proper administration and enforcement

of Section 3 of this Ordinance, it shall be presumed that all retail sales for delivery in the City are for storage, use, or other consumption in the City until the contrary is established.

SECTION 7. COLLECTION OF SALES AND USE TAX AT TIME OF SALE.

- a. Any Retailer making deliveries within the City, any Retailer maintaining a place of business in the City, or any other Retailer otherwise doing business within the City, upon making sales or any items described in Section 3 which are not exempted from the sales tax imposed under that section and which are to be delivered or caused to be delivered within the City to the purchaser, shall at the time of making such sales collect the Sales and Use Tax from the purchaser. The tax collected by such retailer shall be remitted to the Commissioner on behalf of the City.
- b. Any Retailer required to collect the Willmar Sales and Use Tax and remit such tax to the Commissioner pursuant to this section shall register with the Commissioner and provide such other information as the Commissioner may require.

SECTION 8. AGENT OF RETAILER.

When in the opinion of the Commissioner it is necessary for the efficient administration of the tax, the Commissioner may regard any salesman, representative, trucker, peddler, or canvasser as the agent of the dealer, distributor, supervisor, employer or other person under whom such salesman, representative, trucker, peddler or canvasser operated or from whom the tangible property is being sold is obtained, and may regard the dealer, distributor, supervisor, employer or other person as a Retailer for the purposes of this Ordinance.

SECTION 9. MOTOR VEHICLE EXCISE TAX.

There is hereby imposed an additional excise tax in the amount of \$20.00/vehicle on the sale of new and used motor vehicles by any person engaged within the City in the business of selling motor vehicles at retail. The excise tax shall be stated and charged separately and collected by the Retailer and remitted monthly to the Willmar City Clerk. Each retail seller of motor vehicles shall complete and submit with each monthly payment of the excise tax such forms as may be required by the City Clerk. Except to the extent that they may be inconsistent herewith, all provisions of this Ordinance shall also apply to the motor vehicle excise tax. The motor vehicle excise tax collected each month by a retail seller of vehicles shall be remitted to the City Clerk on or before the 15th day of the following month.

SECTION 10. EFFECTIVE DATE, TRANSITIONAL SALES.

Except as otherwise provided herein, the Willmar Sales and Use

Tax authorized by this Ordinance shall apply to sales made on or after January 1, 1998, and shall be in addition to all other taxes now in effect. The Willmar Sales and Use Tax shall not apply to the following:

- a. The gross receipts from retail sales or leases of tangible personal property made pursuant to a bona fide written contract which unconditionally vests the rights and obligations of the parties thereto, provided that such contracts were enforceable prior to January 1, 1998, and that delivery of the tangible personal property subject thereto is made on or before February 28, 1998.
- b. The gross receipts from retail sales made pursuant to bona fide lump sum or fixed price construction contract which unconditionally vests the rights and obligations of the parties thereto and which does not make provision for allocation of future taxes, provided that such contract was enforceable prior to January 1, 1998, and the delivery of the tangible personal property used in performing such construction contract is made before January 1, 1999.
- c. Payments made prior to January 1, 1998, for contracts to provide taxable services, provided that such contracts were enforceable prior to January 1, 1998, however, the Willmar Sales and Use Tax shall apply to payments made pursuant to such contracts to provide services on and after February 1, 1998.
- d. Utility bills that include charges for services for any date before January 1, 1998, however, the Willmar Sales and Use Tax shall apply to all utility bills for services provided after January 1, 1998.

SECTION 11. COLLECTION AND ENFORCEMENT.

The Willmar Sales and Use Tax imposed by the City pursuant to this Ordinance shall be subject to the same interests, penalties, and other rules as are applicable to the State general sales and use tax imposed by Minnesota Statutes Chapter 289A and 297A. The Willmar Sales and Use Tax imposed by the City pursuant to this Ordinance may be collected by the State on behalf of the City as provided by an appropriate agreement with the Minnesota Commissioner of Revenue.

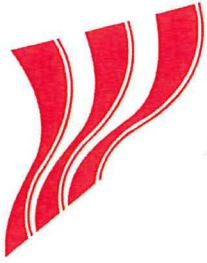
SECTION 12. TAX CLEARANCE ISSUANCE OF LICENSES.

The City may not issue or renew a license for the conduct of a trade or business in the City if the Commissioner notifies the City that the applicant for such license owes delinquent Willmar Sales and Use Taxes as provided in this Ordinance, or penalties or interest due on such taxes. For the purposes of this Section 11, the following terms have the following meanings:

- a. Willmar Sales and Use Taxes include sales and use tax as provided in this Ordinance. Penalties and interest are penalties and interest due on taxes included in this definition.
- b. Delinquent taxes do not include a tax liability if:
 - i. in administrative or court action which contests the amount of validity or the liability has been filed or served;
 - ii. the appeal period to contest tax liability has not expired; or
 - iii. the applicant has entered into a payment agreement and is current with the payments.
- c. Applicant means an individual if the license is issued to or in the name of an individual or the corporation, partnership, or other entity if the license is issued to or in the name of a corporation, partnership or other entity.

A copy of the notice of delinquent taxes given to the City shall also be sent to the applicant taxpayer. In the case of renewal of a license, if the applicant requests a hearing in writing, within thirty (30) days of the receipt of the notice of delinquent taxes, then a contested case hearing shall be held by the Commissioner under the same procedures as provided in Minnesota Statutes, Section 270.72 for the State sales and use tax imposed under Minnesota Statutes, Chapter 297A, provided that if a hearing must be held on the State sales and use tax, hearings may be combined.

This Ordinance introduced by Councilman Reese .
 This Ordinance introduced on September 17, 1997 .
 This Ordinance published on September 23, 1997 .
 This Ordinance given a hearing on October 1, 1997 .
 This Ordinance adopted on October 1, 1997 .
 This Ordinance published on October 8, 1997 .



WILLMAR

**City Office Building
333 SW 6th Street
Willmar, MN 56201
Main Number 320-235-4913
Fax Number 320-235-4917**

CITY COUNCIL AGENDA REPORT

To: Mayor and City Council	Date: June 3, 2019
From: Judy R. Thompson City Clerk	Subject: Civic Center Special Event Liquor License Permit-Bike MS: Bike Across Minnesota

AGENDA ITEM: Civic Center Special Event Liquor License Permit-Bike MS: Bike Across Minnesota

INTRODUCTION/REQUEST: Approve the Civic Center Arena Special Event by On-Sale Liquor License Holder Permit

HISTORY: The Civic Center has rented space to the Bike MS: Bike Across Minnesota organization who will hold a bike ride July 21 through July 26, 2019, with plans to serve alcohol on July 21, 2019. A Civic Center Arena Special Event Permit is required to distribute or consume alcohol on the Civic Center grounds for this event. The Torgerson Properties, Inc. dba Green Mill Willmar has applied for this permit with on-site employee listed as Laurie Varpness.

CURRENT CIRCUMSTANCE: N/A

RECOMMENDATION: Approve the Civic Center Arena Special Event by an On-Sale Liquor License Holder Permit

ISSUES: N/A

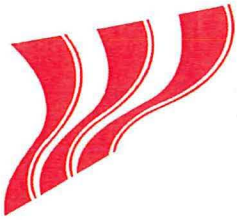
FINANCIAL IMPACT: \$100.00

ALTERNATIVE: Deny the serving of alcohol during the Bike MS: Bike Across Minnesota event.

RECOMMENDED MOTION: Approve the Civic Center Arena Special Event by an On-Sale Liquor License Holder Permit on a Roll Call vote.

REVIEWED BY: Ike Holland, City Administrator

COUNCIL MEETING DATE: June 3, 2019 **CONSENT AGENDA** X **AGENDA**



WILLMAR

City Office Building
333 SW 6th Street
Willmar, MN 56201
Main Number 320-235-4913
Fax Number 320-235-4917

CITY COUNCIL AGENDA REPORT

To: Mayor and City Council	Date: June 3, 2019
From: Sean E. Christensen, PE Public Works Director	Subject: South 1st Street Watermain Replacement

AGENDA ITEM: South 1st Street Watermain Replacement

HISTORY:

The south 1st Street watermain was installed in 1977 and is a ductal iron watermain, which is subject to corrosive properties in the poor soil conditions of the area. It is in very poor condition and has experienced numerous leaks.

CURRENT CIRCUMSTANCE:

Portions of the watermain are currently out of service due to leaks and is affecting the ability to provide water service to a restaurant and motel. Engineering staff worked in conjunction with MUC to put specifications together and solicit quotes. Quotes were opened on May 28th with three received; Duininck, Inc. in the amount of \$198,500, Crow River Construction in the amount of \$146,402.50 and Land Pride Construction in the amount of \$143,581.

RECOMMENDATION:

Award the project to Land Pride Construction in the amount of \$143,581.00 and authorize signatures on the South 1st Street Watermain project contract.

FINANCIAL IMPACT:

The City portion of the project is \$40,905.01 including engineering. MUC's portion of the project is \$124,213.14.

REVIEWED BY: Ike Holland, City Administrator

COUNCIL MEETING DATE: June 3, 2019

Resolution No. _____

**A RESOLUTION AWARDING THE SOUTH 1ST STREET WATERMAIN REPLACEMENT IN THE AMOUNT OF
\$143,581.00**

Motion By: _____ Second By: _____

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Land Pride Construction for the South 1st Street watermain replacement is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$143,581.00.

Dated this 3rd day of June, 2019

Mayor

Attest:

City Clerk

**CITY OF WILLMAR
REPLACE WATERMAIN SOUTH 1ST STREET
QUOTE TABULATION**

**Quotes Close: May 28, 2019
4:00 p.m.**

<u>BIDDER</u>	<u>TOTAL</u>
Land Pride Construction	\$143,581.00
Duininck, Inc.	\$198,500.00
Crow River Construction	\$146,402.50



WILLMAR

Human Resource Director
City Office Building
333 SW 6th Street
Willmar, MN 56201
Main Number 320-235-4913
Fax Number 320-235-4917

CITY COUNCIL AGENDA REPORT

To: Mayor and City Council	Date: June 3, 2019
From: Samantha Beckman, Human Resource Director	Subject: Interim City Administrator Recommendation

AGENDA ITEM: Consideration of Interim City Administrator Recommendation.

INTRODUCTION/REQUEST: Our current Administrator is resigning and his last day is June 18, 2019.

HISTORY: The Labor Committee has discussed job requirements, project lists, compensation, and conducted interviews and reference checks.

CURRENT CIRCUMSTANCE: The opening received 9 applicants mostly from Minnesota. The Interview Committee interviewed two applicants and recommends Brian Gramentz for hire. Brian came recommended by the League of MN Cities and has served as a City Administrator and City Manager in the past. He also has a Master’s Degree in Public Administration and a combined 34 years’ of experience as a City Administrator and/or Manager. He most recently served as the City Manager with the city of New Ulm for 17 years. He has extensive experience with LOST and their related projects (Community Center, Fieldhouse, Arena, Gymnastics area, Day care facilities, etc.).

RECOMMENDATION: Approve Brian Gramentz for hire as the Interim City Administrator.

ISSUES: None

FINANCIAL IMPACT: Contract being drafted by Flaherty & Hood.

RECOMMENDED MOTION: Approve Brian Gramentz for hire as the Interim City Administrator.

REVIEWED BY: Ike Holland, City Administrator

LABOR COMMITTEE DATE: June 3, 2019

COUNCIL MEETING DATE: June 3, 2019 Regular Agenda Consent Agenda

Education:

- Master's in Public Administration, Mankato State University, Mankato, Minnesota
- Bachelor of Science in Public Administration with Minor in Economics, Mankato State University, Mankato, Minnesota
- High School Diploma, Springfield High School, Springfield, Minnesota

Employment History:

- June 2001 to November 2018: City Manager with the City of New Ulm, Minnesota, population 13,500 Ending salary \$130,686, approx. \$65 million budget, +200 employees
- January 1996 to May 2001: City Administrator with the City of Hudson, Wisconsin, population 8,000, Ending Salary: \$60,000, approx. \$18 million budget, 75 employees
- July 1995 to December 1995: Government Consulting Services, Owner
- January 1988 to July 1995: City Manager with the City of Sioux Center, Iowa, population 6,000 Ending salary \$60,000, approx. \$13 million budget, 49 employees
- January 1985 to December 1987: City Administrator with the City of Winsted, Minnesota, population 1,600, Ending salary \$29,500, approx. 4 million budget, 10 employees
- June 1981 to December 1984: City Administrator/Clerk/Treasurer with the City of Eagle Lake, Minnesota, Population 1,400, Ending Salary \$21,000, approx. 2 million budget, 5 employees
- January 1977 to March 1981: Miscellaneous part-time positions while attending Mankato State University, Mankato, Minnesota, only pertinent position was as Assistant Planner (Intern) Region Nine Development Corporation
- February 1974 to August 1977: United States Air Force, Electronic Technician-Radar, Primary assignment location: MacDill AFB, Tampa, Florida, Honorable Discharge

Pertinent Work Experience:

City Government: I have worked in 5 communities in three states over the past 37 years. While each city and state are unique, I have found that the management duties remain basically the same. I have spent time in each State Capitol, getting our messages across to the elected and appointed state officials as well as attending local organization meetings to explain municipal activities and obtain public feedback.

Services and Utilities: I have experience with most all services a community provides (Administration, Street, Police, Fire, Parks and Recreation, Library, Airport, Engineering, Water, Wastewater, Housing, and Community Access), as well as electric and gas utilities. The New Ulm Electric and Water departments operate a steam district to maximize operational efficiencies and add revenue.

Development/Redevelopment: I just finished a project with a developer to clean up a New Ulm Brownfield for a 35-unit apartment to be constructed in the downtown business district on land previously used for commercial and residential use. A DEED grant was secured to assist in the clean-up efforts.

Another redevelopment project was in Sioux Center, Iowa where 2.5 downtown city blocks were demolished and a new, city owned enclosed mall was constructed to replace a majority of the retail buildings in the community's commercial district and to bring in desired retailers to the community. Project cost was \$6.5 million.

I lead the negotiation efforts of the City of New Ulm to acquire 44 acres to expand the Airport Industrial Park for future development needs.

I lead City of New Ulm efforts to acquire a 30-acre parcel adjacent to the municipal airport for the development of a \$42 million MN National Guard Battalion Headquarters Armory and Field Maintenance Shop project scheduled for 2020-2022.

Management: As City Manager, I was the principal administrative officer to handle the preparation of City agendas, advised the elected officials on issue options, prepared and presented the annual budget to both City Council and Public Utility Commission, experience with governmental accounting, responsible for insurance/liability issues, participated in Emergency Management roles with all required FEMA coursework completed and certificates obtained.

I implemented a succession planning program in New Ulm for both the City and Public Utility staff. While there was some resistance, a majority of the departments successfully implemented the program and should see positive results in the near future as position openings occur.

I have worked with four unions in Hudson, Wisconsin and three in New Ulm, Minnesota. In New Ulm I lead the City and Public Utility negotiation teams. I have successfully negotiated numerous contracts over 17 years that were ratified by the City Council, Public Utility Commission and the unions.