### <u>IWILLMAR CITY COUNCIL PROCEEDINGS</u> <u>COUNCIL CHAMBERS</u> <u>WILLMAR MUNICIPAL UTILITIES BUILDING</u> WILLMAR, MINNESOTA

February 4, 2013 7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Pro Tempore Denis Anderson. Members present on a roll call were Council Members Denis Anderson, Bruce DeBlieck, Steve Ahmann, Rick Fagerlie, Ron Christianson, and Tim Johnson; Present 6, Absent 2 – Mayor Frank Yanish and Council Member Jim Dokken were excused from the meeting.

Also present were City Administrator Charlene Stevens, Police Chief David Wyffels, Finance Director Steve Okins, Community Education and Recreation Director Steve Brisendine, Planning and Development Services Director Bruce Peterson, Fire Chief Gary Hendrickson, City Attorney Robert Scott, and City Clerk Kevin Halliday.

Council Member Ahmann requested that the Willmar Community Education and Recreation Joint Powers Board Minutes be removed from the Consent Agenda.

Council Member Ahmann offered a motion adopting the Consent Agenda which included the following: City Council Minutes of January 22, Rice Hospital Board Minutes of January 16, Municipal Utilities Commission Minutes of January 28, Accounts Payable Report through January 30, Charter Commission Minutes of January 14, and Community/Activity Center Minutes of January 8, 2013; and Kandiyohi Area Transit Operations Board Minutes of November 27, 2012. Council Member Christianson seconded the motion, which carried.

Council Member Ahmann questioned why the amphitheater project circumvented the Public Works/Safety Committee and suggested the matter go through the Committee process. Following discussion, the Willmar Community Education/Recreation Joint Powers Board Minutes of January 25, 2013, were accepted upon motion by Council Member Ahmann, seconded by Council Member Christianson, and carried.

At 7:10 p.m. Mayor Pro Tempore Anderson opened the scheduled hearing on a request to vacate a tree planting/maintenance easement. City Administrator Stevens informed the Mayor and Council that Central Lakes Cooperative purchased property at 302 8<sup>th</sup> Street Southwest and it was discovered in the title work that the easement is not defined, so they petitioned the City to vacate the easement. It was noted that Public Works and Municipal Utilities had no issues with vacating the easement. The Planning Commission reviewed the request and was recommending the Council approve the vacation. Mayor Pro Tempore Anderson closed the hearing at 7:10 p.m.

Resolution No. 1 was introduced by Council Member Christianson, seconded by Council Member DeBlieck, reviewed by Mayor Pro Tempore Anderson, and approved on a roll call vote of Ayes 6, Noes 0.

#### RESOLUTION NO. 1

#### VACATING A PORTION OF A TREE PLANTING AND MAINTENANCE EASEMENT AND R-O-W

WHEREAS, the vacation of those portions of dedicated easement as described below was initiated by the Central Lakes Cooperative:

A strip of land 5' in width, over and across the said described property: East 100' of Lots 1 and 2 except South 10 feet of East 100 feet of Lot 2, Block 39, City of Willmar (302 8<sup>th</sup> St. SW).

WHEREAS, the proposed vacation has been approved by the Planning Commission of the City of Willmar; and

WHEREAS, published notice and mailed notice of the proposed vacation and the hearing thereon have been given as provided by Subdivision 6 of Section 9.01 of Article IX of the Willmar City Charter; and

WHEREAS, a hearing was duly held on the proposal to vacate that portion of said streets on February 4, 2013; and

WHEREAS, the City Council of Willmar finds that it is in the best interests of the City of Willmar to vacate that portion of said streets;

NOW, THEREFORE, BE IT RESOLVED, that the above described portion of dedicated streets be, and hereby is, vacated.

BE IT FURTHER RESOLVED that a certified copy of the Resolution be filed with the Kandiyohi County Recorder on or after February 11, 2013.

Dated this 4<sup>th</sup> day of February, 2013.

/s/ Denis Anderson
MAYOR PRO TEMPORE

/s/ Kevin Halliday

Attest: CITY CLERK

Fire Chief Hendrickson recited a Willmar Fire Department Oath of Office to the following Officers: Jesse Hyatt, Ross Livingood, Jim DeLeeuw and LeRoy Gabrielson. Chief Hendrickson stated that the Officers had attended 182 hours of training, which was a sacrifice for the Firefighters as well as their families. Each Firefighter offered a brief, verbal resume of their family and employer.

Mayor Pro Tempore Anderson acknowledged three individuals who had signed up to address the City Council during its scheduled Open Forum. Dennis Johnson, Security Coin and Pawn, stated that out of 21,172 transactions in the last seven years, there were only six problems. Mr. Johnson felt the Automated Pawn System (APS) was okay, but concerned about fairness.

Liz Christenson speaking as a community representative, but employee of Security Coin and Pawn, stated that the business helps people in need, with some families living paycheck to paycheck, and acts as a referral resource to the community. Many clients have been a victim of theft and others come in looking for their items and build relationships.

John Sullivan spoke concerning the Labor Relations Committee and the City Administrator Ordinance, which he felt had items to be corrected.

The Labor Relations Committee Report for January 23, 2013, was presented to the Council by Council Member Ahmann. There were four items for Council consideration.

<u>Item No. 1</u> John Sullivan questioned if the Committee had enough time to review the materials prior to the discussion for the organizational analysis. Mr. Sullivan suggested that the Council consider having a workshop as an alternative.

<u>Item No. 2</u> City Administrator Stevens reviewed with the Committee responses to the RFPs issued for an Organizational Analysis and Compensation and Classification Study. Ms. Stevens stated that three responses had been received for the organizational study and three responses had also been received for the compensation and classification study.

Ms. Stevens noted that for the organizational study, the two most qualified responses came from Springsted and Brimeyer-Fursman and that the costs were comparable from the two firms. Ms. Stevens noted that Springsted had greater familiarity with the City, as well as the WMU and Kandiyohi County, but that Brimeyer Fursman was a well-qualified firm and might offer a fresh perspective.

After discussion, the Committee was recommending the Council engage Brimeyer-Fursman of Maplewood, Minnesota to perform an organizational analysis of the City of Willmar for the price of \$22,500 plus travel expenses. Council Member Ahmann moved to approve the recommendation of the Labor Relations Committee with Council Member Johnson seconding the motion, which carried. Council Members Fagerlie and Christianson voted "No."

The Committee went on to discuss the Compensation and Classification Study. City Administrator Stevens reviewed the two most qualified proposals, one from Springsted Inc. and one from Public Sector Personnel Consultants. Ms. Stevens recommended Springsted based upon a lower cost of \$12,500 and due to their familiarity with the existing compensation system of the City and the City's pay equity situation, specifically how that is impacted by the WMU and Rice Hospital.

A motion was made to engage Public Sector Personnel Consultants in the amount of \$15,000, which failed for the lack of a second. A motion was made to engage Springsted Inc., in the amount of \$12,500, which failed for lack of a second.

After further discussion, it was agreed to table the Compensation and Classification Study and discuss further at the next Committee meeting.

Item No. 3 The Committee reviewed information provided by the City Administrator comparing the current City Administrator Ordinance to the model ordinance suggested by the League of Minnesota Cities. Council Member Anderson noted that the City of Willmar ordinance follows the League of Minnesota Cities guidelines and recommended no changes at this time.

The Committee discussed the recommendation to create a City Attorney ordinance, rather than continue with the current practice of utilizing a contract to define the duties. Council Member Johnson stated that he was comfortable with the current arrangement of duties defined by contract.

After further discussion, it was agreed to ask the City Attorney to draft a general ordinance for review by the Committee and consideration of a public hearing. Council Member Ahmann offered a motion that the City Attorney draft a general Ordinance regarding the duties of the City Attorney. Council Member Fagerlie seconded the motion, which carried.

Item No. 4 Council Member Ahmann asked about the status of the adoption of the Rules of Order. Ms. Stevens stated that she, along with City Clerk Halliday, were meeting with an individual to provide training on the Rules of Order and having received no negative feedback from the City Council, working under the assumption that the Standard Code of Parliamentary Procedure was what the Council wished to consider adopting at the March meeting.

Mayor Yanish questioned the value of the Compensation and Classification Study. Ms. Stevens stated that the suggestion had come from a citizen and the Labor Relations Committee had agreed with issuing the RFPs. Ms. Stevens also reviewed the stated objectives for the Compensation Study and stated that it was hard to predict the outcome of the study because the purpose was, in fact, to provide an assessment and information on the current pay structure and how it relates to the various marketplaces, which would allow the City to develop a long-term strategy. This item was for information only.

The Labor Relations Committee Report for January 23, 2013, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Fagerlie, and carried.

The Finance Committee Report for January 28, 2013, was presented to the Council by Council

Member Johnson. There were four items for Council consideration.

<u>Item No. 1</u> It was acknowledged that no one present wished to address the Committee.

Item No. 2 Staff presented to the Committee information regarding the recent rate study completed by Springsted, Inc. for the Wastewater Treatment Plant. The study indicates an increase in rates is necessary to fund current debt service as well as operational costs. The Committee discussed concerns raised by Eagle Lake representatives regarding proposed rate increases. Following discussion, it was the consensus of the Committee for Staff to proceed with the proposed rates as presented. This matter was for information only.

Item No. 3 The Committee reviewed the proposed Fund Balance Policy. Staff explained the purpose of the policy is to establish specific guidelines for the level of fund balances available for current and future spending in the governmental funds. It addresses minimum fund balances as well as sets a stabilization amount for use in emergency situations. U.S. Generally Accepted Accounting Principles (GAAP) is requiring a formal policy be adopted by the City Council and that this policy by reviewed annually. The Committee was recommending the Council pass a Resolution approving the City of Willmar's Fund Balance Policy as presented.

Resolution No. 2 was introduced by Council Member Johnson, seconded by Council Member Fagerlie, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 6, Noes 0.

#### **RESOLUTION NO. 2**

BE IT RESOLVED by the Willmar City Council that the Fund Balance Policy, establishing specific guidelines for the level of fund balances available for current and future spending, be adopted as presented.

Dated this 4<sup>th</sup> day of February, 2013.

/s/ Denis Anderson
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 Chair Anderson informed the Committee that Rice Memorial Hospital's Payment In Lieu of Taxes Agreement expired December 31, 2012. Initial meetings with Rice representatives will occur within the coming weeks to discuss renewal. This matter was for information only.

The Finance Committee Report for January 28, 2013, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Fagerlie, and carried.

The Public Works/Safety Committee Report for January 29, 2013, was presented to the Council by Council Member Christianson. There were five items for Council consideration.

<u>Item No. 1</u> The Committee received from Staff the Improvement Report for 2013 Projects, which included four categories of improvements. The categories were reconstruction, overlay, new construction, and miscellaneous such as trails, quiet zones, and sidewalks. The Committee discussed the project schedule and briefly reviewed several of the projects.

The Committee was recommending the Council receive the report and set the Improvement Hearing for February 19, 2013. Resolution No. 3 was introduced by Council Member Christianson, seconded by Council Member Ahmann, reviewed by Mayor Pro Tempore Anderson, and approved on a roll call vote of Ayes 6, Noes 0.

#### RESOLUTION NO. 3

#### RECEIVING PRELIMINARY REPORT AND CALLING PUBLIC HEARING ON YEAR 2013 IMPROVEMENT PROJECTS

#### WHEREAS:

- 1. The City Council deems it necessary and expedient that the City of Willmar, Minnesota, construct certain improvements to-wit: grading, gravel base, bituminous paving, curb and gutter, sidewalk, signal systems, sanitary sewer, storm sewer, water main, sump pump drain tile, service lines, railroad quiet zone(s), Downtown to Robbins Island Trail Connection, in the City as described in and in accordance with the preliminary plans and report prepared by the City Engineer.
- 2. The Council has been advised by the City Engineer that said Year 2013 Improvement Projects contained in the Preliminary Report are feasible and should best be made as proposed, and the City Engineer's report to this effect has heretofore been received by the Council, and filed with the Clerk-Treasurer; and
- 3. The statute provides that no such improvements shall be made until the Council shall have held a public hearing on such improvements following mailed notice and two publications thereof in the official newspaper stating time and place of the hearing, the general nature of the improvement, the estimated costs thereof and the area proposed to be assessed, in accordance with the law;

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

- 1. A public hearing will be held at the time and place set forth in the Notice of Hearing hereto attached to consider said proposed improvements.
- 2. The nature of the improvements, the estimated cost of each major portion thereof, and the areas proposed to be assessed therefore are described in the form of Notice of Hearing hereto attached.
- 3. The notice of said public hearing shall be in substantially the form contained in the notice hereto attached.
- 4. The Clerk-Treasurer is hereby authorized and directed to cause notice of said hearing to be given two publications in the official newspaper. Said publications shall be one week apart, and at least three days shall elapse between the last publication and the hearing. Not less than ten days before the hearing the Clerk-Treasurer shall mail notice of the hearing to the owner of each parcel of land within the area proposed to be assessed as described in the notice. For the purpose of giving such mailed notice, owners shall be those shown to be such on the records of the County Auditor or, if the tax statements in the County are mailed by the County Treasurer, on the records of the County Treasurer. As to properties not listed on the records of the County Auditor or the County Treasurer, the Clerk-Treasurer shall ascertain such ownership by any practicable means and give mailed notice to such owners.

Dated this 4<sup>th</sup> day of February, 2013.

<u>/s/ C</u>	<u>Denis Ar</u>	nderson	
MAYC	OR PRO	TEMPORE	

/s/ Kevin Halliday
Attest: CITY CLERK

<u>Item No. 2</u> The Committee briefly discussed the 2003 Transportation Plan, specifically as it relates to identified issues and projects. There was general agreement that a significant portion of the plan has been accomplished. The need for a new or revised plan was discussed. The Committee was informed that the Capital Improvement Program shows funding for a revised transportation plan in 2015. That schedule will be maintained unless some significant transportation issue arises that requires immediate attention. This matter was for information only.

Item No. 3 Fire Chief Hendrickson presented a proposal to change the way the City charges for false alarms. The current ordinance charges \$250.00 for false alarms, with five false alarms allowed per year without charge. The new ordinance proposes a \$500.00 charge per false alarm and would require fire alarm systems to be registered. Charges would be waived for the owner providing evidence of system servicing and repair. The new proposal also allows discretion by the Fire Chief in assessing charges. The Committee discussed implementation of the ordinance and how to best involve the current owners of fire alarm systems.

Following discussion, the Committee was recommending the Council Introduce the Ordinance Amending Willmar Code Chapter 8, Licenses, Permits and Business Regulations for a public hearing on March 4, 2013. Council Member Christianson moved to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlieck seconded the motion.

Council Member Ahmann moved to amend the fee to \$350 with a graduated increase of \$150 if warranted. The motion died for the lack of a second. The original motion then carried.

Item No. 4 Police Chief Wyffels informed the Committee that he was in the process of reviewing multiple ordinances that assess fines for violations, so the fine amounts would be available for the E-charging process. The fine amounts will be aggregated into a database for use in E-ticketing or E-charging. This matter was for information only.

<u>Item No. 5</u> Staff informed the Committee that the process would soon begin to acquire the easement for the Willmar Avenue Quiet Zone. The issue of easement acquisition will be taken to the Planning Commission at their next meeting in keeping with Charter requirements.

Council Member Ahmann raised the issue of the possibility of widening ditches to increase storm water storage. The matter was referred to Bolton & Menk for more information regarding the City's legal authority and capacity for doing so. This matter was for information only.

The Public Works/Safety Committee Report for January 29, 2013, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Christianson, seconded by Council Member Ahmann, and carried.

The Council considered an Amending Ordinance to the Willmar City Charter. City Clerk Halliday informed the Council that the Willmar Charter Commission has completed their work on City Charter Section 2.08 and asks that the Council call for a public hearing on the Ordinance. Council Member Christianson offered a motion to introduce the Ordinance Amending the Charter, Section 2.08, and schedule a public hearing on March 4, 2013. Council Member Fagerlie seconded the motion, which carried.

Following discussion of the February 12, Ward Four Special Election, Council Member Ahmann moved to schedule a Board of Canvass meeting for February 15, 2013, at 3:00 p.m. in Conference Room #1 at the City Office Building. Council Member Christianson seconded the motion, which carried.

Due to President's Day holiday, Council Member Christianson moved to schedule the second Council meeting of the month to February 19, 2013. Council Member Fagerlie seconded the motion, which carried.

Announcements for Council Committee meeting	dates were as follows:	Public Works/Safety.
February 11, and Labor Relations, February 13, 2013.		,

There being no further business to come before the Council, the meeting adjourned at 8:27 p.m. upon motion by Council Member Ahmann, seconded by Council Member Christianson, and carried.

Attest:	MAYOR PRO TEMPORE	
SECRETARY TO THE COUNCIL	·	

SUBJECT TO FINAL APPROVAL OF THE MUNICIPAL UTILITIES COMMISSION

#### WILLMAR MUNICIPAL UTILITIES MINUTES MUNICIPAL UTILITIES AUDITORIUM FEBRUARY 11, 2013

The Municipal Utilities Commission met in its regular meeting on Monday, February 11, 2013 at 11:45 a.m. in the Municipal Utilities Auditorium with the following Commissioners present: Steve Salzer, Matt Schrupp, Jerry Gesch, Dan Holtz, Carol Laumer, Jeff Nagle and Joe Gimse.

Others present at the meeting were: General Manager Wesley Hompe, Manager of Electric Services Jeff Kimpling, Director of Water/Heating Bart Murphy, Power Supply Broker Chris Carlson, Director of Finance Tim Hunstad, Director of Electric Production Jon Folkedahl, Customer Service Supervisor Stacy Stien, City Councilman Bruce DeBlieck, City Attorney Robert Scott (via teleconference), Mayor Frank Yanish and WC Tribune Journalist David Little.

Commission President Salzer opened the meeting by requesting a resolution to approve the Consent Agenda. Commissioner Laumer offered a resolution to approve the Consent Agenda as presented. Commissioner Schrupp seconded.

#### RESOLUTION NO. 5

"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 January 28, 2013 Commission meetings; and,
- ❖ Bills represented by vouchers No. 130201 to No. 130276 inclusive in the amount of \$53,688.00 with a MISO credit in the amount of \$100,142.07, an Absaloka Coal payment in the amount of \$79,075.30, and an AB Hydrometer payment of \$12,476.00.

Dated this 11th day of February, 2013.

ATTEST: named		President
Secretary		

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

At this time, the Commission was presented with two reports compiled from data for the year ending December 31, 2012. Director of Finance Hunstad presented the Commission with the WMU 2012 Financial Statement. It was noted that these are preliminary numbers and are subject to audit approval. Customer Service Supervisor Stien reviewed with the Commission the 2012 Second Half Bad Debt Write Off List. She noted that the accounts identified on this listing have had no activity for three months past the final due date. Efforts continue to collect on these accounts through collection agencies and the lien process. These reports were for information only.

General Manager Hompe informed the Commission that representatives from the accounting firm of Conway Deuth & Schmiesing will be here this week to begin the process of conducting the audit of the 2012 financial statements and reports for the Willmar Municipal Utilities.

General Manager Hompe presented the Commission with a status report regarding the reimbursement for mutual aid provided during the relief effort following Hurricane Sandy. WMU Linemen Dick Thynes and Casey Jenny participated in the effort to assist in the restoration of power to the Long Island, NY area. To date, WMU has received 75% payment of the total amount due for the relief effort supplied by WMU.

General Manager Hompe along with Customer Service Supervisor Stien reported on their recent attendance at the DistribuTECH Conference & Exhibition held in San Diego, CA. Among the presentations and exhibitions of interest were various meter reading systems displaying their capabilities. (Note: WMU is in the process of updating or replacing their current meter reading system.)

General Manager Hompe reminded the Commissioners of a number of upcoming meetings/conferences to note. These events include: 1) WMU Planning Committee meeting (Feb. 12th @ 10:00 a.m.), 2) MMUA Legislative Conference (Feb. 13-15); 3) WMU Labor Committee teleconference w/Frank Madden (Feb. 19th @ 2:00 p.m.); 4) MRES Risk Management Workshop (Feb. 27); and 5) APPA Legislative Conference (March 11-13). Anyone interested in attending is asked to contact Beth Mattheisen.

General Manager Hompe reminded the Commission that the second installment of the four-part Electric Utility 101 webinar series presented by APPA will be held on Tuesday, February  $12^{th}$  beginning at 1:00 p.m. This segment will focus on substations in the electric industry. This webinar will be held in the WMU Auditorium.

There being no further business to come before the Commission, Commissioner Nagel made a motion to adjourn the meeting. Commissioner Laumer seconded the motion, and the meeting was adjourned by a vote of seven ayes and zero nays

Respectfully Submitted,

WILLMAR MUNICPAL UTILITIES

ATTEST:	and the second s	Manager of Electric Services

Jerry Gesch, Secretary

#### WILLMAR PLANNING COMMISSION CITY OF WILLMAR, MN WEDNESDAY, FEBRUARY 13, 2013

#### MINUTES

- 1. The Willmar Planning Commission met on Wednesday, February 13, 2013, at 7:00 p.m. at the Willmar City Offices Conference Room #2.
  - \*\* Members Present: Mark Klema, Charles Oakes, Gary Geiger, Scott Thaden, Bob Poe, and Nick Davis.
  - \*\* Members Absent: Andrew Engan, Randy Czarnetski, and Virgilio Aguirre Jr.
  - \*\* Others Present: Bethany Hardy, John Hafner, Tom Torgerson, Kathy Aamott, and Megan Sauer- Planner.
- 2. <u>MINUTES</u>: The minutes of the January 9, 2013 meeting were approved as presented.
- 3. TEXT AMENDMENT APPEALS- FILE NO. 13-01: The public hearing opened at 7:02 p.m. Staff presented the Planning Commission initiated text amendment of Zoning Ordinance 1060 Section 9.C.1 regarding appeals. The text amendment is to clarify the appeal process in regards to actions of the Planning Commission, as per state statute any appeal of their decision would go directly to District Court, not to the Board of Zoning Appeals. In the past it was interpreted to be an action of the Zoning Administrator to carry out the Planning Commissions orders and which case that could be appeals to the Zoning Board of Appeals.

No on appeared for or against the request and the public hearing closed at 7:05 p.m.

The Commission discussed the matter of the Board of Zoning Appeals and that they do still deal with variance requests and any appeal of the enforcement of the Ordinance by the Zoning Administrator.

Mr. Geiger made a motion, seconded by Mr. Thaden, to approve the text amendment and to forward it onto the City Council for a public hearing and Ordinance adoption.

The motion carried.

4. <u>WILLMAR LEGACY PROPERTIES PLAN REVIEW CONDITION DISCUSSION-FILE NO. 12-10</u>: John Hafner of Cities Edge Architects, and Tom Torgerson of Torgerson properties, discussed an issue with carrying out one of the Planning Commissions conditions on Willmar Legacy Properties project plan approval from the November 14, 2012 meeting. Specifically condition E. the property owner shall receive easements or permission/permits to drain pits onto abutting property. Mr. Hafner explained that they have been working diligently to meet all the conditions of the

approval. However, condition letter E has been difficult as one of the abutting property owners has of a yet to agree to a drainage easement. The project is very complex with a multitude of scheduling processes for vendors, renters, multiple franchises etc. the entire project is scheduled to commence on April 1, 2013. Bids are out for submittal. Mr. Torgerson explained that they are concerned this one condition will affect the entire project timeframe. Mr. Hafner talked about the existing stormwater on site, and that the footprint of impervious surface will not increase and may decrease a bit with the additional green space. They have stormwater improvements planned for the site including stormwater pits that will greatly slow down the water runoff to the west. Historically the property has drained as it currently does for the last 42 years, and an easement of prescription is a legally viable option albeit a slow process.

Staff explained that the interim City Engineer Jared Voge P.E. of Bolton and Menk, received the stormwater calculation documentation the previous day and will have comments regarding the matter soon.

Mr. Torgerson stated the property to the west is undeveloped and drains west to the ditch, the owner was not concerned about the possible easements or water runoffs effect on his property. They merely couldn't come to an agreement for the easement.

The Commission talked about the condition really being a matter of trying to be a good neighbor the easement would cover something that has historically been occurring for decades. It was not meant to be a detriment to the project.

Mr. Oakes made a motion, seconded by Mr. Poe, to rescind condition letter E. from the plan review contingent upon the interim City Engineers review of the drainage calculations.

The motion carried.

5. <u>MINNWEST TECHNOLOGY CAMPUS-BILL CHUKUSKE INSURANCE</u>
SERVICES PLAN REVIEW- FILE NO. 13-01: Steve Salzer presented the plan review request for Bill Chukuske Insurance Services at the MinnWest Technology Campus on property legally described as follows: Unit 5, MinnWest Technology Campus, CIC #40 A Planned Community (1700 Technology Dr. NE). The space will be a 213 sq. ft. satellite office for Mr. Chukuske.

The Planning Commission discussed the Technology Zoning District and reviewed the permitted uses as they relate to technology. Offices, business and professional does cover the request. Mr. Salzer added that the campus is currently not making a profit and getting more spaces filled is crucial to the success of the overall plan.

Mr. Oakes made a motion, seconded by Mr. Davis to approve the plan review with the following condition:

A. The use shall meet all applicable, local, state, and federal laws and regulations.

The Planning Commission reviewed and made affirmative findings of fact in Zoning Ordinance Section 9.E.4.a.1-7.

The motion carried with Mr. Geiger abstaining.

6. MINNWEST TECHNOLOGY CAMPUS- KKLN 94.1 THE LOON PLAN REVIEW-FILE NO. 13-02: Steve Salzer of MinnWest Technology Campus presented a plan review request for KKLN 94.1 The Loon radio station to operate out of property legally described as follows: Unit 14, MinnWest Technology Campus, CIC #40 First Supplemental (1721 Technology Dr. NE). Mr. Salzer explained that they would be operating the radio station out of the third floor and they'd have a Satellite Dish and small antenna to place in an appropriate location. Again this would be a way to fill space, to broadcast from the campus help with promotion of events and growth to add to the synergy of the campus.

The Commission talked about the uniqueness of MinnWest Technology Campus and the reuse of the old State Hospital properties compared to similar sites across the state that are set to be bulldozed. The Commission fully supports their endeavors.

Mr. Oakes made a motion, seconded by Mr. Geiger, to approve the plan review with the following condition:

A. The use shall meet all applicable, local, state, and federal laws and regulations.

The Planning Commission reviewed and made affirmative findings of fact in Zoning Ordinance Section 9.E.4.a.1-7.

The motion carried.

7. WAL-MART STORE COLOR CONDITION DISCUSSION: Staff presented a request to change the color of the Wal-Mart Store at 700 19<sup>th</sup> Ave. SE from the current blue and tan to sand/brown scheme. Staff explained that at the October 12, 2005 Planning Commission meeting the Commission approved the Wal-Mart plan review with the condition of the blue and tan color scheme. The City received some remodel and exterior upgrade plans from Wal-Mart with their new logo/franchise color which includes new paint and signage on the exterior.

Mr. Geiger made a motion, seconded by Mr. Davis, to rescind the color condition letter L. from the plan approval.

The motion carried.

8. <u>CITY LAND ACQUISITION FROM BNSF</u>: Staff presented a land acquisition request to allow the Willmar Ave. SW realignment over the BNSF tracks to County Road 5 that is slated for 2013 projects. There is a 100' by 100' piece of track that the road will go over and the City needs to acquire from BNSF. Per the City Charter, the Planning Commission has to approve all City land acquisitions.

Mr. Thaden made a motion, seconded by Mr. Geiger, to approve the land acquisition.

The motion carried with Mr. Klema abstaining.

ZONING ORDINANCE/MAP UPDATE: Staff presented a draft of the current Zoning 9. Map; it updates the adopted map from 2004 depicting all map amendments made since that time. Staff should have a copy for each Commissioner by next meeting.

Staff also distributed a rough draft of Section 3. General Provisions of the Zoning Ordinance re-write. As well as the general provisions of four other similar sized out state communities Zoning Ordinances for the Commission to compare and contrast. Staff pointed out some areas of discussion such as outbuildings and exterior storage to be prepared to discuss at the next meeting.

- MISCELLANY: Mr. Klema shared with the Commission that he attended a Technical 10. Advisory Committee meeting for the downtown parking study being conducted by SRF on behalf of Rice Hospital. They will be analyzing downtown parking needs now and into the future. The Committee will be meeting again in about a month, and he encouraged the Commission to let himself or Mr. Geiger know of any parking comments they have. This is an action step of the Downtown Plan adopted by Council last year coming to fruition.
- There being no further business to come before the Commission, the meeting adjourned 11. at 8:07 p.m.

Respectfully submitted,

Megan M. Sauer, AICP

Planner/Airport Manager

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ACS FINANCIAL SYSTEM 02/12/2013 14:23:34	VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AFFORDABLE PUMPING SERVI 35549 02/12/13 SEPTIC PUMPING	AMERICAN SNIPER ASSN 35545 02/07/13 REFERENCE MATERIALS 35545 02/07/13 LANGE-MEMBERSHIP DUES	VENDOR TOTAL	ANDERSON LAW OFFICES 002954 35550 02/12/13 PROFESSIONAL SERVICES	ANNUAL OUTDOORS 35551 02/12/13 SNOW REMOVAL	ARNOLD'S OF WILLMAR INC 000068 35552 02/12/13 GENERATOR PARTS	ASTLEFORD INTERNATIONAL 002527 35553 02/12/13 2013 INT'L 7400 35553 02/12/13 2013 INT'L 7400	VENDOR TOTAL	BAKER ELECTRIC SERVICES 35554 02/12/13 REPL. BROKEN OUTLET 35554 02/12/13 REPL. BROKEN OUTLET	VENDOR TOTAL	BATTERY WHOLESALE INC 35555 02/12/13 BATTERY	BLUE TARP FINANCIAL 35556 02/12/13 L.S. HOOKS	BOLTON & MENK INC 35557 02/12/13 INTERIM CITY ENG SERVICE	BREWER BANK 35558 02/12/13 2011 HOSP REV BOND-I 35558 02/12/13 2011 HOSP REV BOND-P	VENDOR TOTAL	BSE 35559 02/12/13 BULBS FOR RUNWAY LTS 35559 02/12/13 LIGHT BULBS FOR BLDG

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	I ACCOUNT NAME ACCOUNT	MTCE. OF STRUCTU 101.43425.0225 MTCE. OF STRUCTU 101.43425.0225 MTCE. OF STRUCTU 101.45427.0225	GENERAL SUPPLIES 101.45432.0229	OFFICE SUPPLIES 101.41402.0220 OFFICE SUPPLIES 101.41404.0220 OFFICE SUPPLIES 101.41404.0220 OFFICE SUPPLIES 101.41405.0220 OFFICE SUPPLIES 101.41409.0220 OFFICE SUPPLIES 101.43417.0220 OFFICE SUPPLIES 101.43417.0220 OFFICE SUPPLIES 101.43425.0220 OFFICE SUPPLIES 651.48484.0220 OFFICE SUPPLIES 651.48484.0220	MTCE. OF EQUIPME 651.48485.0224	SMALL TOOLS 101.42411.0221 SMALL TOOLS 101.42411.0221 GENERAL SUPPLIES 101.42411.0229 GENERAL SUPPLIES 101.42411.0229	REFUNDS AND REIM 101.41428.0882	UTILITIES 651.48484.0332 UTILITIES 101.45437.0332 UTILITIES 101.43425.0332	MOTOR FUELS AND 651.48484.0222
	F S 9 BX M	NNN	Ŋ		ž O	ZZZZ	N	ZZZ	N
INCLUDES ONLY POSTED TRANS	CLAIM INVOICE PO#	905169910 905176522 905191743 *CHECK TOTAL	.95122921	193040 193040 193040 193040 193040 193040 193040 193040 193040 193040 193040	919149	STWT/1-13 STWT/1-13 STWT/1-13 STWT/1-13 *CHECK TOTAL	013113	6048932/1-13 6072309/1-13 6093527/1-13 *CHECK TOTAL	35497
-1	AMOUNT	331.53 291.18 237.01 1,124.54	67.33	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	32.95	. 961.89 109.00 287.22 55.30 1,413.41	FEE 10.00	1,024.28 45.96 12.82 1,083.06	808.24
	VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	BSE 001980 35559 02/12/13 LIGHT BULBS FOR BLDG 35559 02/12/13 LIGHT BULBS FOR BLDG 35559 02/12/13 LIGHT BULBS FOR BLDG VENDOR TOTAL	BSN SPORTS INC 35560 02/12/13 BASKETBALL SCORE BOOKS	BUSINESSWARE SOLUTIONS 35561 02/12/13 PRINT/PAGE COUNT	C D & T INC AUTO PARTS 000145 35562 02/12/13 BEARINGS FOR L.S. PUMP	CARDMEMBER SERVICE 35563 02/12/13 3 TV MONITORS FOR LIBR. 35563 02/12/13 KEURIG COFFEE BREWER 35563 02/12/13 CHEMICAL MUNITIONS BAG 35563 02/12/13 GUN RACK SUPPLIES VENDOR TOTAL	CARR SR/JOHN 35564 02/12/13 OVERCHARGE ON TOWING FE	CENTERPOINT ENERGY 35565 02/12/13 NATURAL GAS CHARGES 35565 02/12/13 NATURAL GAS CHARGES 35565 02/12/13 NATURAL GAS CHARGES VENDOR TOTAL	CENTRAL LAKES COOPERATIV 001259 35566 02/12/13 MOTOR OIL

ACS FINANCIAL SYSTEM 02/12/2013 14:23:34	Vendor	dor Payments INCLUDES ONLY	nts History Report NNLY POSTED TRANS		TD .	CITY OF WILI GL540R-V07.20 PAGE
VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE PO#	FS9BX	M ACCOUNT NAME	ACCOUNT
CENTURION TECHNOLOGIES 002955 35567 02/12/13 ANNUAL MTCE FEE-2014 35567 02/12/13 ANNUAL MTCE FEE-2013 VENDOR TOTAL	27.00 28.00 55.00 55.00	*CHECK 1	100903-RM 100903-RM TOTAL	DD ZZ	PREPAID EXPENSES MTCE. OF EQUIPME	101.128000 101.41409.0334
CHAMBERLAIN OIL CO 000154 35568 02/12/13 DRUM RETURN 35568 02/12/13 BRAKE CLEANER 35568 02/12/13 OIL 35568 02/12/13 DRUM RETURN VENDOR TOTAL	40.00CR 1,812.76 1,612.75 2,122.51 2,122.51	*CHECK 1	107153 107153 108480 108480 TOTAL	DDDD	INVENTORIES-MDSE MTCE, OF EQUIPME INVENTORIES-MDSE INVENTORIES-MDSE	101.125000 101.43425.0224 101.125000 101.125000
CHAPPELL CENTRAL INC 000156 35569 02/12/13 REPL. 4 THERMOSTATS 35569 02/12/13 REPL. 4 THERMOSTATS 35569 02/12/13 REPL. BAD ZONE VALVE 35569 02/12/13 REPL. BAD ZONE VALVE VENDOR TOTAL	163.71 233.71 166.13 662.34 622.34	*CHECK	00052892 00052892 00052893 00052893 TOTAL	ABAB ZZZZ	MICE. OF STRUCTU MICE. OF STRUCTU MICE. OF STRUCTU MICE. OF STRUCTU	101.41408.0225 1101.41408.0335 1101.41408.0225 1101.41408.0335
CHARTER COMMUNICATIONS 35570 02/12/13 MONTHLY PHONE SERVICE 35570 02/12/13 MONTHLY PHONE SERVICE 35570 02/12/13 MONTHLY PHONE SERVICE VENDOR TOTAL	48.15 45.29 155.07 248.51 248.51	*CHECK	0594/1-13 0594/12-12 5168/2-13 TOTAL	NNN	COMMUNICATIONS COMMUNICATIONS COMMUNICATIONS	101.41409.0330 101.41409.0330 101.41409.0330
CHILDREN'S FOUNDATION .01922 35571 02/12/13 BIKE RIDE PROCEEDS	452.96		092612	, U	OTHER CHARGES	208.45011.0449
CIT TECHNOLOGY FIN SERV 002556 35572 02/12/13 COPIER LEASE AGRWT	169.93		22789878	D	RENTS	101.41405.0440
CONCORDE BANK 35573 02/12/13 2011 HOSP REV BOND-I 35573 02/12/13 2011 HOSP REV BOND-P VENDOR TOTAL	2,086.75 3,600.00 5,686.75 5,686.75	*CHECK	020113 020113 TOTAL	NN NN	INTEREST BONDS	350.47402.0444 350.47402.0660
COPIER BUSINESS SOLUTION 001934 35574 02/12/13 COPIER MTCE CHARGE	56.51		218432	D N	MTCE, OF EQUIPME	I 101.42412.0334
CROW CHEMICAL & LIGHTING 000186 35575 02/12/13 SUPPLIES	56.11		401380	NO	GENERAL SUPPLIES	8 651.48484.0229
DAN'S SHOP INC 35576 02/12/13 FILTERS	10.12		58309	И	INVENTORIES-MDSE	3 101.125000

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VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION AMOU	UNT CLAIM	INVOICE PO#	FS9BX	M ACCOUNT NAME ACCOUNT
DELL MARKETING LP 35577 02/12/13 REPL. BATTERY CARTRIDGE 208.		XJ3126J12	N N	MTCE. OF EQUIPME 101.41409.0224
DEPT OF HUMAN SERVICES 000009 1,295.	00	00000118575	D N	
DEPT OF HUMAN SERVICES 002914 35579 02/12/13 #22 RICE CARE CENTER- 15,576.	.15	00000120966	N N	OTHER CHARGES 101.41428.0449
DIAMOND VOGEL PAINT CENT 000205 35580 02/12/13 PAINT FOR BLDG 35580 02/12/13 PAINTING SUPPLIES 12. 35580 02/12/13 PAINT FOR BLDG	. 47 . 42 . 57.	821052640 821052643 821052674	ZZZ	MTCE. OF STRUCTU 101.43425.0225 GENERAL SUPPLIES 101.43425.0229 MTCE. OF STRUCTU 101.43425.0225
VENDOR TOTAL 134.	A) BE).	LOIAD		
DOMINO'S PIZZA 35581 02/12/13 FIRE CALL-306 LITCHFIELD 118.	54	0019448	N D	TRAVEL-CONFSCH 101.42412.0333
DONOHUE & ASSOCIATES 35582 02/12/13 WESTERN COLLECTOR SEW 13,880.	93	11678-26	D N	CONTRACTS PAYABL 651.207000
DOOLEY'S PETROLEUM INC 000212 35583 02/12/13 163 GALLONS UNLEADED 495. 35583 02/12/13 150 GALLONS UNLEADED 456.	.68 .15 *CHECK	265706 265707 TOTAL	NN NN	MOTOR FUELS AND 651.48484.0222 MOTOR FUELS AND 651.48485.0222
VENDOR TOTAL 951				
DOOLEY'S PETROLEUM INC 35546 02/07/13 4,001 GALLONS UNLEADE 13,515.37 35546 02/07/13 3,994 GALLONS DIESEL 13,451.78	37	624791 ·624791	ZZ DD	INVENTORIES-MDSE 101.125000 INVENTORIES-MDSE 101.125000
VENDOR TOTAL 26,967.		IOIAL :		
000222 35584 02/12/13 PAVING/CURB & GUTTER 61,110	60	1201-B/EST. 6	N Q	MTCE. OF OTHER I 412.48451.0336
ED DAVIS BUSINESS MACHIN 000229 35585 02/12/13 OFFICE SUPPLIES 276 35585 02/12/13 NOTARY STAMP	. 83 . 115 . + Catalogy	121206 121443	NN DD	OFFICE SUPPLIES 741.48001.0220 GENERAL SUPPLIES 101.41403.0229
# <#				
ED'S SERVICE CENTER & SA 000231 35586 02/12/13 TOWING CHARGES 964	.00	STMT/1-13	D	OTHER SERVICES 101.42411.0339
ERIC'S AVIATION SERVICES 002998 35587 02/12/13 ON SITE MGWT SERV-FEB 6,333	.33	STMT/2-13	N N	PROFESSIONAL SER 230.43430.0446

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E AND NUMBER DATE DESCRIPTION  LLING SERVICES 000293  (22/12/13 POSTAGE 01/14 - 01/18/12 02/12/13 POSTAGE 01/14 - 01/18/12 NENDOR TOTAL  WCC OFFICERS A 000302  NC O2/12/13 HVAC MOTORS  NC O2/12/13 HVAC MOTORS  O2/12/13 FIRE HOSE END  VENDOR TOTAL  O2/12/13 FERRIC CHLORIDE  O2/12/13 FERRIC CHLORIDE	AMOUNT 111.55 180.400 115.00 2.400 1.100 0.910 0	CLAIM INVOICE  8412 8412 8412 8412 8412 8412 8412 841	#Od	M O ZZZZZZZZZ Z Z ZZ Z O QQQQQQQQQQ A	M ACCOUNT NAME POSTAGE	ACCOUNT  101.41404.0223 101.41408.0223 101.41428.0223 101.41428.0223 101.42412.0223 101.42412.0223 101.43425.0223 101.43425.0223 101.43425.0223 101.43426.0223 651.48484.0224 PME 651.48484.0224 PME 651.48484.0224 PME 651.48484.0224 PME 651.48484.02224 SCH 101.41400.0220
HEKLIAGE BANN. 35603 02/12/13 2011 HOSP REV BOND-I 12, 35603 02/12/13 2011 HOSP REV BOND-P 21, 33, VENDOR TOTAL.	,521.56 ,400.00 ,921.56	020113 020113 *CHECK TOTAL		NN N	INTEREST BONDS	350.47402.0444 350.47402.0660
HILLYARD FLOOR CARE SUPP 000333 35604 02/12/13 GYM FLOOR FINISH	68.27	600548498		N N	CLEANING AND WA	WAS 101.45427.0228

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VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM INVOICE	PO#	FS9BXM	ACCOUNT NAME	ACCOUNT	
HILLYARD FLOOR CARE SUPP 000333 35604 02/12/13 CLEANING SUPPLIES	06.9	600554009		N D	CLEANING AND WAS	101.45433.0228	
VENDOR TOTAL	875.26						
HUMANE SOCIETY OF KANDIY 002907 35605 02/12/13 ANIMAL CARE SERV-1ST Q 35605 02/12/13 ANNUAL PAYMENT	10,000.00	3521 3521 3522		D D	OTHER SERVICES CIVIC PROMOTION	101.42411.0339 101.45428.0812	
VENDOR TOTAL	0.00						
HYDRITE CHEMICAL CO 002837 35606 02/12/13 MAGNESIUM HYDROXIDE	9,071.40	. 01562499		N N	GENERAL SUPPLIES	651.48484.0229	
JOFFER/RON . 35607 02/12/13 SEWER REPLACEMENT	937.35	233345		D	MTCE. OF OTHER I	651.48485.0336	
K M FIRE PUMP SPECIALIST 35608 02/12/13 #070455-INST. SGNL MSTR 35608 02/12/13 #070455-INST. SGNL MSTR 35608 02/12/13 #991481 REPAIR-PARTS 35608 02/12/13 #991481 REPAIR-LABOR	281 187 935 ,162	5810 5810 5813 5813		DDDD MMMM 0770	MTCE. OF EQUIPME MTCE. OF EQUIPME MTCE. OF EQUIPME MTCE. OF	101.42412.0224 101.42412.0334 101.42412.0224 101.42412.0334	
VENDOR TOTAL							
KANDIYOHI CO AUDITOR 000376 35609 02/12/13 REPAIR LIEN-CO DITCH 1	0 153.04	021313		N Q	MTCE. OF OTHER I	651.48485.0336	
KANDIYOHI CO RECORDER'S 000382 35610 02/12/13 RECORDING FEES 35610 02/12/13 RECORDING FEES	46.00 9.00	607452 607891		NN OO	PROFESSIONAL SER PROFESSIONAL SER	101.41401.0446 101.41401.0446	
VENDOR TOTAL	.0.	*CHECK TOTAL					
KANDIYOHI CO RECYCLING A 002296 35611 02/12/13 LAMP RECYCLING 35611 02/12/13 LAMP RECYCLING	16.00	012813		ZZ QQ	CLEANING AND WAS	101.43425.0338 101.45427.0338	
VENDOR TOTAL	0.0	*CHECK TOTAL					
KANDIYOHI CO SHERIFF'S D 001507 35612 02/12/13 EQUIFAX CHECKS	10.71	ਜ		N O	PROFESSIONAL SER	101.42411.0446	
KANDIYOHI CO TREASURER 000385 35544 02/01/13 #132486-LICENSE 35544 02/01/13 #132487-LICENSE 35544 02/01/13 #132486-TAX 35544 02/01/13 #132487-TAX	52.75 52.75 3,603.11 3,278.10	013113 013113 013113 013113		ZZZZ	LICENSES AND TAX LICENSES AND TAX MACHINERY AND AU MACHINERY AND AU	101.43425.0445 101.43425.0445 450.43425.0553 450.43425.0553	
VENDOR TOTAL		*CHECK TOTAL					

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	M ACCOUNT NAME ACCOUNT	GENERAL SUPPLIES 101.45433.0229	INTEREST 350.47402.0444 BONDS 350.47402.0660	TRAVEL-CONFSCH 101.42411.0333	TRAVEL-CONFSCH 101.42411.0333 TRAVEL-CONFSCH 101.42411.0333	EMPLOYER INSUR. 101.41400.0114 EMPLOYER INSUR. 101.41402.0114 EMPLOYER INSUR. 101.41402.0114 EMPLOYER INSUR. 101.41403.0114 EMPLOYER INSUR. 101.41404.0114 EMPLOYER INSUR. 101.41404.0114 EMPLOYER INSUR. 101.41409.0114 EMPLOYER INSUR. 101.41409.0114 EMPLOYER INSUR. 101.41409.0114 EMPLOYER INSUR. 101.41409.0114 EMPLOYER INSUR. 101.424.0114 EMPLOYER INSUR. 101.4242.0114 EMPLOYER INSUR. 101.42432.0114 EMPLOYER INSUR. 101.42432.0114 EMPLOYER INSUR. 101.42432.0114 EMPLOYER INSUR. 101.45432.0114 EMPLOYER INSUR. 101.45433.0114 EMPLOYER INSUR. 101.45433.0114 EMPLOYER INSUR. 101.45433.0114 EMPLOYER INSUR. 101.45435.0114 EMPLOYER INSUR. 651.48485.0114	ACCOUNTS RECEIVA 101.120000 EMPLOYER INSUR. 101.41400.0114 EMPLOYER INSUR. 101.41402.0114 EMPLOYER INSUR. 101.41403.0114
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4	AMOUNT	1,303.33	3,130.13 5,300.00 8,430.13 8,430.13	64.64	. 20.00 20.00 40.00	262.59 15.35 2443.65 233.65 2233.65 202.22 301.72 301.72 301.72 82.06 82.06 82.06 82.06 18,414.71 6,836.18 178.00 178.463.75 1781.66 4,471.02 4,437.25 10.339.31	XY 77.05 XY 43.31 XY 43.75 XY 17.50
	VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	KRISS PREMIUM PRODUCTS I 002122 35613 02/12/13 COOLING TOWER TREATMEN	LAKE REGION BANK 35614 02/12/13 2011 HOSP REV BOND-I 35614 02/12/13 2011 HOSP REV BOND-P VENDOR TOTAL	LAPATKA/ANTHONY J 35615 02/12/13 MJOA TRAINING	LEAGUE OF MN CITIES 35616 02/12/13 WYFFELS-WORKSHOP REGIS 35616 02/12/13 WYFFELS-WORKSHOP REGIS VENDOR TOTAL	LEAGUE OF MN CITIES INS  35617 02/12/13 WORKER'S COMP PREMIUM	LINCOLN FINANCIAL GROUP 35547 02/07/13 LIFE INSURANCE-FEBRUARY 35547 02/07/13 LIFE INSURANCE-FEBRUARY 35547 02/07/13 LIFE INSURANCE-FEBRUARY 35547 02/07/13 LIFE INSURANCE-FEBRUARY

	M ACCOUNT NAME ACCOUNT	EMPLOYER INSUR. 101.41404.0114 EMPLOYER INSUR. 101.41406.0114 EMPLOYER INSUR. 101.41409.0114 EMPLOYER INSUR. 101.41409.0114 INS. PASS THROUG 101.41428.0114 EMPLOYER INSUR. 101.42421.0114 EMPLOYER INSUR. 101.42411.0114 EMPLOYER INSUR. 101.43417.0114 EMPLOYER INSUR. 101.43425.0114 EMPLOYER INSUR. 101.43437.0114 EMPLOYER INSUR. 101.45437.0114 EMPLOYER INSUR. 101.45437.0114 EMPLOYER INSUR. 651.48484.0114 EMPLOYER INSUR. 651.48485.0114	MTCE. OF STRUCTU 101.45433.0225 MTCE. OF STRUCTU 101.45433.0335	MTCE. OF STRUCTU 101.45433.0225 MTCE. OF STRUCTU 101.45433.0225 MTCE. OF STRUCTU 101.45433.0225 MTCE. OF STRUCTU 101.45433.0225 MTCE. OF OTHER I 651.48484.0226 GENERAL SUPPLIES 651.48486.0229 MTCE. OF OTHER I 651.48484.0226 MTCE. OF STRUCTU 101.45433.0225	SUBSISTENCE OF P 101.42412.0227	MTCE. OF EQUIPME 101.43425.0224 MTCE. OF EQUIPME 101.43425.0334 SMALL TOOLS MTCE. OF EQUIPME 101.43425.0221 MTCE. OF EQUIPME 101.43425.0224 MTCE. OF EQUIPME 101.43425.0224 MTCE. OF EQUIPME 101.43425.0334
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=	AMOUNT	26.25 26.25 26.25 26.25 30.6.25 17.50 17.50 17.50 37.5	184.20 85.00 269.20 269.20	212 495.44 226.28 1099.34 151.93 151.33 152.34 152.34 152.34 152.34 152.34	494.20	213.86 4718.50 475.55 32.92 15.00
	VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	LINCOLN FINANCIAL GROUP  35547 02/07/13 LIFE INSURANCE-FEBRUARY	MAGNUSON SHEET METAL INC 001121 35618 02/12/13 FURNACE REPAIR-PARTS 35618 02/12/13 FURNACE REPAIR-LABOR VENDOR TOTAL	MENARDS 35619 02/12/13 BLDG MTCE-MATERIALS 35619 02/12/13 BLDG MTCE-MATERIALS 35619 02/12/13 WALL REPAIR MATERIALS 35619 02/12/13 WALL REPAIR MATERIALS 35619 02/12/13 BLDG MTCE-MATERIALS 35619 02/12/13 BLDG MTCE-MATERIALS 35619 02/12/13 HOLDING FIXTURE 35619 02/12/13 HLDNG FIXTURE UV BULBS 35619 02/12/13 HLDNG FIXTURE UV BULBS 35619 02/12/13 BLDG MTCE-MATERIALS VENDOR TOTAL	MES - MIDAM 35620 02/12/13 FIREFIGHTER GLOVES	MIKE'S SMALL ENGINE CENT 002699 35621 02/12/13 STIHL SAW REPAIR-PARTS 35621 02/12/13 STIHL SAW REPAIR-LABOR 35621 02/12/13 STIHL 16" CHAIN SAW 35621 02/12/13 RECOIL ROPE FOR SAW 35621 02/12/13 RECOIL ROPE FOR SAW

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INCLUDES ONLY POSTED TRANS	CLAIM INVOICE	3880751 3880802 3880802 3880809 3880809 *CHECK TOTAL	1298/2-13 1298/2-13 1300/2-13 1301/2-13 1301/2-13 1302/2-13 1304/2-13 1306/2-13 1306/2-13	ABR0063769I	267818	4400105079	5400081778	
CHARLES CONTRACTOR CON	ATE DESCRIPTION	SMALL ENGINE CENT 002699  5621 02/12/13 STIHL SAW REPAIR-LABOR 20.00 5621 02/12/13 STIHL SAW REPAIR-PARTS 28.96 5621 02/12/13 STIHL SAW REPAIR-LABOR 52.00 5621 02/12/13 STIHL SAW REPAIR-LABOR 65.00 5621 02/12/13 STIHL SAW REPAIR-LABOR 65.00 5621 02/12/13 STIHL SAW REPAIR-LABOR 1,031.82	ANITATION  2 02/12/13 GARBAGE SERVICE-FEBRUARY 3 03/12/13 GARBAGE SERVICE-FEBRUARY 4 0.67 6 12/13 GARBAGE SERVICE-FEBRUARY 4 0.67 6 12/13 GARBAGE SERVICE-FEBRUARY 4 0.67 6 12/13 GARBAGE SERVICE-FEBRUARY 4 0.67 6 12/12/13 GARBAGE SERVICE-FEBRUARY 6 0.3 48	OF LABOR & INDUS 23 02/12/13 AIR COMP. INSPECTION 10.00	BLEVATOR INC 35624 02/12/13 ELEVATOR SERVICE 143.01	POLLUTION CONTROL AGE 001064 35625 02/12/13 NPDES PERMIT FEE 14,350.00	SALT INC 626 02/12/13 ROAD SALT 3,745.34	CONSTRUCTION   CONS

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# Vendor Payments History Report INCLUDES ONLY POSTED TRANS

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101.42411.0220 101.42411.0220 651.48484.0446 651.48484.0446 651.48484.0446 651.48484.0221 651.48484.0229 741.48001.0220 741.48001.0220 101.43425.0226 PROFESSIONAL SER 101.41408.0446 PROFESSIONAL SER 101.45427.0446 651.48484.0227 101.42412.0330 651.48485.0332 OF EQUIPME 101.43425.0224 ACCOUNT SER SER SER Н д SMALL TOOLS GENERAL SUPPLIES SUPPLIES SUPPLIES SUPPLIES SUPPLIES OF. OTHER COMMUNICATIONS PROFESSIONAL PROFESSIONAL PROFESSIONAL M ACCOUNT NAME SUBSISTENCE UTILITIES Q OFFICE OFFICE OFFICE OFFICE MICE. MICE. BX ZZ ZZ Z σ z ZZZ ZZ z ZZ z z А ДΩ А Д ДД ДД А AA ß А AAA ĪΨ P0# 540327-0 546636-0 TOTAL 8929927 8937645 TOTAL 316495 316495 TOTAL INVOICE 640776 641479 642341 TOTAL 367679 145806 596641 15661 1/13TOTAL \*CHECK TOTAL \*CHECK \*CHECK \*CHECK \*CHECK CLAIM \*CHECK 385.82 774.43 1,160.25 1,160.25 41.68 83.36 83.36 265.95 21.35 287.30 287.30 3,612.74 67,246.19 67,246.19 39.00 39.00 117.00 78.08 138.64 216.72 216.72 130.69 125.00 42.32 1,867.00 AMOUNT PERKINS LUMBER CO INC 000604 35633 02/12/13 LUMBER FOR PICNIC TABLES PRO II 001968 35634 02/12/13 PROFESSIONAL SERVICES 35634 02/12/13 PROFESSIONAL SERVICES 000541 FOR JANUARY LABORATORIES INC 000544 35628 02/12/13 PROFESSIONAL SERVICES 35628 02/12/13 PROFESSIONAL SERVICES 35628 02/12/13 PROFESSIONAL SERVICES NELSON INTERNATIONAL 000568 35630 02/12/13 #088709-AIR COUPLERS 000608 MARCUS-SAFETY BOOTS PENGUIN MANAGEMENT INC 003007 35632 02/12/13 E-DISPATCH SERVICE 000635 OFFICE SUPPLIES OFFICE SUPPLIES OF WISCONSIN INC 35629 02/12/13 PIPET-MOTORIZED 35629 02/12/13 LAB SUPPLIES NORTHERN BUSINESS PRODUC 002322 35631 02/12/13 OFFICE SUPPLIES 35631 02/12/13 OFFICE SUPPLIES VENDOR TOTAL VENDOR TOTAL VENDOR TOTAL VENDOR TOTAL VENDOR TOTAL VENDOR TOTAL VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION MUNICIPAL UTILITIES 35627 02/12/13 UTILITIES QUILL CORPORATION 35636 02/12/13 35636 02/12/13 PETERSON SHOE STORE 35635 02/12/13 PEST MVTL NCL

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Vendor Payments History Report INCLUDES ONLY POSTED TRANS

AMOUNT CLAIM INVOICE PO# F S 9 BX M ACCOUNT NAME ACCOUNT	190.11 0051589 D N MTCE. OF EQUIPME 101.45433.0224	20.30 017099 D N GENERAL SUPPLIES 101.41409.0229	675.45 88419278 D N RENTS 741.48001.0440	5.34 3070135 D N MTCE. OF STRUCTU 101.45433.0225 10.99 3076974 D N SUBSISTENCE OF P 651.48484.0227 3079256 D N GENERAL SUPPLIES 651.48484.0229 3079256 D N WTCE. OF OTHER I 101.43425.0226 D N WTCE. OF OTHER I 101.45433.0229 11.75 3081732 D N WTCE. OF STRUCTU 101.45433.0225 30833107 D N WTCE. OF STRUCTU 101.45433.0225 55.63 30833881 D N SWALL TOOLS 651.48484.0221 532.72 *CHECK TOTAL	255.14 STWT/1-13 D N MOTOR FUELS AND 101.41402.0222 40.47 STWT/1-13 D N MOTOR FUELS AND 101.42411.0222 160.43 STWT/1-13 D N MOTOR FUELS AND 101.42412.0222 STWT/1-13 D N MOTOR FUELS AND 101.42412.0222 STWT/1-13 D N MOTOR FUELS AND 101.42417.0222 KTS 17.53 STWT/1-13 D N MOTOR FUELS AND 101.43417.0224 NS 6,216.36 STWT/1-13 D N MOTOR FUELS AND 101.43425.0222 STWT/1-13 D N MOTOR FUELS AND 101.43425.0222 STWT/1-13 D N MOTOR FUELS AND 101.43425.0222 L 429.30 STWT/1-13 D N MOTOR FUELS AND 101.43425.0222 STWT/1-13 D N MOTOR FUELS AND 101.43425.0222 L 429.30 STWT/1-13 D N MOTOR FUELS AND 101.43425.0222 L 429.30 STWT/1-13 D N MOTOR FUELS AND 101.43425.0222 L 7335.67 *CHECK TOTAL D N MOTOR FUELS AND 651.48485.0222	137.30 020113 D N TRAVEL-CONFSCH 101.41409.0333	TONS 800.00 52009078 D N TRAVEL-CONFSCH 101.42411.0333 100.00 52009078 D N SUBSCRIPTIONS AN 101.42411.0443
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STATEWIDE DISTRIBUTING I 000718 35643 02/12/13 CONCESSION SUPPLIES	255.70		095876	Д	GENERAL SUI	SUPPLIES 10	1.45433.0229
SURPLUS WAREHOUSE INC 000728 35644 02/12/13 A/C, HUMIDIFIER DISPOSAL 35644 02/12/13 SMALL TOOLS 35644 02/12/13 GLOVES		F %C47	113012 121212 121212 170121	DOO	CLEANING AND SMALL TOOLS SUBSISTENCE O	WAS 1 6 F P 6	01.45427.0338 51.48484.0221 51.48484.0227
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THOMPSON/JUDY 35645 02/12/13 2013 MAAO MBRSHP DUES	80.00		020113	N O	SUBSCRIPTIONS	ONS AN 10	01.41404.0443
TIRES PLUS 35646 02/12/13 REMOVE/INST. TIRE-PARTS 35646 02/12/13 REMOVE/INST. TIRE-LABOR 35646 02/12/13 REMOVE/INST. TIRE-PARTS 35646 02/12/13 REMOVE/INST. TIRE-PARTS	4.04.00 800.00 800.00	1 45 E	231874 231874 231885 231885	OOOO	MICE. OF EMTCE. OF EMTCE. OF EMTCE. OF EMTCE.	EQUIPME 101 EQUIPME 101 EQUIPME 101 EQUIPME 101	)1.42411.0224 )1.42411.0334 )1.42411.0224 )1.42411.0334
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UNIFORMS UNLIMITED 35647 02/12/13 TASER POWER MAG	48.70		149265	N O	MTCE. OF E	EQUIPME 10	01.42411.0224
US BANK 35648 02/12/13 #147 GO IMP BOND-SC 35648 02/12/13 #148 GO IMP BOND-SC 35648 02/12/13 #149 GO IMP BOND-SC	431.25 431.25 402.50		3315296 3315426 3315647	DOD	OTHER CHARGES OTHER CHARGES OTHER CHARGES	GES 330. GES 330. GES 330.	04.47100.0449 30.43430.0449 05.47100.0449
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VAN'S ELECTRIC LLC 35649 02/12/13 PARTS-POLYMER MIXER	25.50		502	D Z	MTCE. OF E	EQUIPME 69	51.48484.0224
VENENGA/JAMES A 35650 02/12/13 FUEL REIMBURSEMENT 35650 02/12/13 DARE CONFERENCE	13.00	10 PHO	175 175 175	D N	MOTOR FUELS TRAVEL-CONF	AND 1	01.42411.0222 01.42411.0333
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WEST CENTRAL COMMUNICATI 000796 35652 02/12/13 PAGER BATTERY	18.17		0747158	D Z	MICE. OF	equipme 6	651.48484.0224

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WEST CENTRAL TRIBUNE 000807 35653 02/12/13 SPECIAL ELECTION NOTICE 35653 02/12/13 NOTICE PUBLISHED 35653 02/12/13 NOTICE PUBLISHED 35653 02/12/13 NOTICE PUBLISHED 35653 02/12/13 NOTICE PUBLISHED 35653 02/12/13 SPECIAL ELECTION BALLOT VENDOR TOTAL 1,	157.00 157.00 157.00 157.00 885.50 1,250.70	CHECK I	CL03048319 CL03048719 CL03048853 CL03048958 CL03049103 DI03092154			PRINTING AND PUB	101.41424.0331 101.41424.0331 101.41424.0331 101.41401.0331 101.41424.0331 101.41424.0331	
WILLMAR FORKLIFT INC 35654 02/12/13 EQUIPMENT RENTAL	203.06		27796		D N	RENTS	101.45427.0440	
MINDSTREAM 35655 02/12/13 MONTHLY SERVICE-JAN	45.06 381.28 39.08 3.08 235.48 125.96 79.59CR 137.37 1,121.64	*CHECK 1	STMT / 1 - 13 STMT / 1 - 13			COMMUNICATIONS COMMUNICATIONS COMMUNICATIONS COMMUNICATIONS COMMUNICATIONS COMMUNICATIONS COMMUNICATIONS COMMUNICATIONS	101.41406.0330 101.41411.0330 101.42411.0330 101.45423.0330 101.45435.0330 101.45435.0330 230.43430.0330 230.43430.0330	
WITMER PUBLIC SFTY GROUP .01970 35656 02/12/13 FIRE HELMETS	25.87		E1045570		N O	SUBSISTENCE OF 1	P 101.42412.0227	

Vendor Payments History Report INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION

REPORT TOTALS:

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AMOUNT

931,057.31

CLAIM INVOICE

PO#

F S 9 BX M ACCOUNT NAME

ACCOUNT

RECORDS PRINTED - 000326

DESCRIPTION

FUND

FUND RECAP:

# Vendor Payments History Report

193,347.17 10,338.60 10,338.60 402.50 402.50 402.50 61,110.09 372,751.27 112,736.09 13,736.09

GENERAL FUND
CONVENTION & VISITORS BUREAU
WILLMAR MUNICIPAL AIRPORT
D.S. - 2004 BOND
D.S. - 2005 BOND
D.S. - 2005 BOND
RICE HOSPITAL DEBT SERVICE
S.A.B.F. - #2012
C.P. - WASTE TREATMENT
CAPITAL IMPROVEMENT
CAPITAL IMPROVEMENT
CAPITAL IMPROVEMENT
OFFICE SERVICES

## DISBURSEMENTS

931,057.31 931,057.31

GL060S-V07.20 RECAPPAGE GL540R

DISBURSEMENTS

931,057.31

TOTAL ALL FUNDS

BANK RECAP:

NAME BANK HERITAGE BANK HERT

TOTAL ALL BANKS

#### Application for Appointment to

#### City Board/Committee/Commission

	olease number in order of choice – Applications are kept on file for two years)
	Airport Commission (meets monthly)
***************************************	Community Education & Recreation Advisory Board (meets monthly)
·	City/County Economic Development Operations Board (meets monthly)
X	Housing and Redevelopment Authority (meets monthly)
	Municipal Utilities Commission (meets bi-monthly)
	Pioneerland Library System Board (meets monthly)
	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)
	Zoning Appeals Board (meets monthly)
	Ad hoc Task Forces (will be posted and will meet on an as-needed basis)
	Applicant Information
Name:	Kerry Johnson Date of Application: 1-31-2013
	3306 Eagle Ridge DR W Phone No. 320-296-8917 be a resident of the City of Willmar)
Email:	Kerry.Johnson@capitalone.com
What prompted	you to make application for a citizen committee? <u>Was on the Board – able to serve again</u>
Briefly tell us wh	ny you want to serve on this Board/Committee/Commission:
I would	like to finish my original term.
List any spe Board/Committe	cial background or experience you have which would be helpful to this ee/Commission:
20 year	rs in the financial industry. Served as a board member for the Chamber and Kandiyohi Area
Trancit	

List your educational background: AA	from Ridgewater
List any social, fraternal, patriotic, government serving on:	ntal, or service organizations, which you have or currently are
None	
If you are employed, please provide the name a	and address of your employer and your position:
Please return completed application to:	Mayor's Office 333 SW 6 <sup>th</sup> Street Willmar, MN 56201
Or fax completed forms to:	(320) 235-4917

#### **LG220 Application for Exempt Permit**

An exempt permit may be issued to a nonprofit organization that: - conducts lawful gambling on five or fewer days, and - awards less than \$50,000 in prizes during a calendar year.	If application po	e (non refundable) osted or received:
If total prize value for the year will be \$1,500 or less, contact	less than 30 days	more than 30 days
the licensing specialist assigned to your county.	before the event	before the event
	\$100	\$50
ORGANIZATION INFORMATION		•
Organization name Willmar Fests, Inc.	Previous gambling per $-33503 = 12 - 001$	
Minnesota tax ID number, if any Federal employer ID number (FEIN), $41-1653995$	if any	-
Type of nonprofit organization. Check one.		
FraternalReligiousVeteransX_Other no	nprofit organization	
Mailing address City State PO Box 755 Willmar MN		County Indiyohi
Name of chief executive officer [CEO]  Kevin Halliday  Daytime phone number 320-214-5166	r E-mail add	ress
Kevin Halliday 320-214-5166  NONPROFIT STATUS	khalliday@wil	Imarmn.gov
		***
Attach a copy of ONE of the following for proof of nonprofit status.		•
Nonprofit Articles of Incorporation OR a current Certificate of Don't have a copy? This certificate must be obtained each year from Secretary of State, Business Services Div., 60 Empire Drive, Suite 1 Phone: 651-296-2803	n:	3
X IRS income tax exemption [501(c)] letter in your organization Don't have a copy? To obtain a copy of your federal income tax exemption IRS at 877-829-5500.		ganization officer contact
IRS - Affiliate of national, statewide, or international parent not of the state of	of <b>both</b> of the following organization with a g	ng: roup ruling, and
GAMBLING PREMISES INFORMATION		
Name of premises where the gambling event will be conducted. For raffles, Robbins Island City Park	list the site where the	drawing will take place.
Address [do not use PO box] City or township	Zip code	County
	6201 K	andiyohi
Date[s] of activity. For raffles, indicate the date of the drawing.  June 22, 2013		
Check each type of gambling activity that your organization will conduct.		
· Bingo* X Raffle Paddlewheels* Pull-tab	s*Tipboar	ds*
*Gambling equipment for bingo paper, paddlewheels, pull-tabs, and licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo may be borrowed from another organization authorized to conduct bing	hard cards and bingo	ained from a distributor number selection devices
To find a licensed distributor, go to www.gcb.state.mn.us and click o the WHO'S WHO? LIST OF LICENSEES, or call 651-639-4000.	n <i>Distributors</i> under	

#### LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT

# CITY APPROVAL for a gambling premises located within city limits The application is acknowledged with no waiting period. The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days [60 days for a 1st class city]. The application is denied. Print city name Signature of city personne Signature of city personne Title City Clark Treasurer Date 2-1-2013

#### COUNTY APPROVAL for a gambling premises located in a township

The application is acknowledged with no waiting period.
The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days.
The application is denied.
Print county name
Signature of county personnel
Title Date
TOWNSHIP. If required by the county.  On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits.  [A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.166.]
Print township name
Signature of township officer

#### CHIEF EXECUTIVE OFFICER'S SIGNATURE

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief executive officer's signature\_

Print name KEVIN HALLIDAY

#### REQUIREMENTS

#### Complete a separate application for:

- all gambling conducted on two or more consecutive days, or
- all gambling conducted on one day.
   Only one application is required if one or more raffl

Only one application is required if one or more raffle drawings are conducted on the same day

#### Send application with:

- \_\_ a copy of your proof of nonprofit status, and
- application fee (non refundable). Make check payable to "State of Minnesota."

**To:** Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113

#### Financial report and recordkeeping required

A financial report form and instructions will be sent with your permit, or use the online fill-in form available at www.gcb.state.mn.us.

Within 30 days of the event date, complete and return the financial report form to the Gambling Control Board.

#### Questions?

Call the Licensing Section of the Gambling Control Board at 651-639-4000.

This form will be made available in alternative format (i.e. large print, Braille) upon request.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board.

All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney

General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

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# City of Willmar, Minnesota Building Inspection Report

	)	a a			From	From 01/01/2013 To 01/31/2013	01/31/2013
No.	Date	Owner and Address	Legal Description	Use	Permit For	Value	Total Fee
21265	1/4/2013	MIKE WHELAN 519 8TH Street SW	95-006-0480 L 9; B 60 FIRST ADDITION	Garage/Shed Garage	RESIDENTIAL DETACHED GARAGE	\$32,639.36	\$606.77
21292	21292 1/7/2013	ROBERTS PROPERTIES DESIGN ENVIRONMENT 417/421 BENSON Avenue SE	95-630-0080 L 5-6; B 4 PAULSON'S/SUNDE'S ADDN	Commercial Add/Alter Commercial/Alteration	INTER OFFICE REMODEL	\$110,000.00	\$1,601.46
21299	21299 1/15/2013	TERESA DOCKEN 2708 14TH Avenue NW	95-135-0170 L 17; B 1 COLLEGE VIEW ADDITION	Residential Add/Alter Addition	RESIDENTIAL ADDITION	\$28,625.52	\$554.36
21309	21309 1/4/2013	BECHTOLD FAMILY TRUST ST. CLOUD O.H. DOOR 1301 HIGHWAY 12 E	95-914-1110 L ; B S 14; T 119N; R 35W	Commercial Add/Alter Commercial/Alteration	CONSTRUCT LOADING DOCK/ REMODEL BLDG	\$200,000.00	\$2,388.96
21311	21311 1/17/2013	VERIZON WIRELESS 201 28TH Avenue SW	95-794-0400 L 1; B 1 T & M 2ND ADDITION	Commercial Add/Alter Commercial/Alteration	INSTALL NEW ANTENNA AND EQUIPTMENT	\$18,000.00	\$442.21
21313	21313 1/4/2013	JOHN MARTHALER 1520 8TH Street SW	95-922-6420 L ; B 22 1/4; S 119N; T 35W; R	Residential Add/Alter Alteration	INSTALL NEW STRUCTURAL HEADER	\$275.00	\$29.54

Ž	Date	Owner and Address					207 F
21315	7	MIKE BLASKOWSKI 514 3RD Street SE	1594 Description 95-740-0940 L 4 & PT OF 5; B 7 SPICER'S ADDITION	Use Residential Add/Alter Residential/Alteration	Permit For INTERIOR DRAINTILE	value \$4,166.00	1 otal Fee \$141.73
21316	1/23/2013	SAM MODDERMAN 501 17TH Avenue SW	95-700-0360 L 6; B 3 SCANDIA TERRACE ADDITIO	Residential Add/Alter Residential/Alteration	REBUILD 12' X 24' DECK	\$6,500.00	\$177.90
21317	1/9/2013	HEFFRON PROPERTIES LLC 539 PACIFIC Avenue SW	95-003-2310 L 10-12; B 22 ORIGINAL CITY	Commercial Add/Alter Commercial/Alteration	INSTALL 90 MINUTE FIRE DOOR IN CORRIDOR	\$1,800.00	\$94.54
21318	1/9/2013	STEPHEN PIRSCH 904 TROTT Avenue SW	95-003-6740 L 7, PTS. OF 6; B 55 ORIGINAL CITY	Residential Add/Alter Residential/Alteration	REPAIR FIRE DAMAGE TO ROOF AND WALLS	\$41,718.77	\$724.71
21319	21319 1/9/2013	DAVID NEIMEYER 701 5TH Street SW	95-006-3830 L 14; B 83 FIRST ADDITION	Residential Add/Alter Residential/Alteration	INSTALL NEW 5/12 PITCH ROOF OVER EXISTING	\$6,500.00	\$177.90
21323	21323 1/15/2013	JOE VANDER ARK 1021 13TH Street SW	95-570-0460 L 5 OF SUBDIV; B 3 NURSERY ADDITION	Residential Add/Alter Residential/Alteration	INSTALL BSMT. BATHROOM	\$2,600.00	\$105.95
21325	21325 1/18/2013	JAMES JOHNSON 626 9TH Street SW	95-006-2650 L 7 & PT OF 6; B 75 FIRST ADDITION	Residential Add/Alter Residential/Alteration	REMODEL BSMT.	\$4,000.00	\$124.65
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No. Date	Owner and Address	Legal Description	Use	Permit For	Value	Total Fee
21326 1/25/2013	WILLMAR TEN JOHANNES AGENCY 1303 1ST Street S #4	95-923-8530 L ; B S 23; T 119N; R 35W	Commercial Add/Alter Commercial/Alteration	NEW TENANT FINISH	\$15,000.00	\$378.34
21327 1/25/2013	JAN LAHR 1020 15TH Street SW	95-042-0270 L PT OF 8; B 1 BARNSTAD'S 2ND ADDITION	Residential Add/Alter Drainage system	INTERIOR DRAINTILE	\$4,635.00	\$141.97
21332 1/30/2013	RICE HOSPITAL CITY OF WILLMAR 301 BECKER Avenue SW	95-003-5970 L ; B 48-49 & PT OF VACANT ORIGINAL CITY	Commercial Add/Alter Commercial/Alteration	CONSTRUCT 4 OFFICES IN MED LIBRARY	\$32,310.00	\$712.05
21334 1/31/2013	HEFFRON PROPERTIES, LLC 539 PACIFIC Avenue SW	95-003-2310 L 10 - 12; B 22 ORIGINAL CITY	Commercial Add/Alter Commercial/Alteration	COMBINE 4 APT.	\$20,000.00	\$483.96
Current Year Current Month Totals Previous Year Current Month Valua	Current Year Current Month Totals Previous Year Current Month Valuation Current YTD Valuation From 01/01/2013 To 01/31/2013		17		\$528,769.65 \$942,038.64 \$528.769.65	\$8,887.00
Previous YTD Valuation	ation				\$942,038.64	

#### **MINUTES**

#### WILLMAR POLICE COMMISSION

Monday, February 4, 2013

The annual mandatory meeting of the Willmar Police Civil Service Commission was held on Monday, February 4, 2013, at 3:45 p.m., at the Willmar Law Enforcement Center.

Members present were: Vice President Lowell Fostervold, Secretary Dennis Anfinson, and Commissioner Cassie Akerson. Police Chief David Wyffels was also present.

The meeting was called to order by Vice President Fostervold.

A motion was made by Akerson, seconded by Commissioner Anfinson, to approve the January 9, 2013 minutes as submitted. **Motion carried**.

Election of officers was held. Lourdez Schwab had resigned from her position in September, 2012 with Mayor Frank Yanish appointing Cassie Akerson to the open police commissioner position. Discussion was held about the normal rotation of officers and the current positions held by Commissioner Fostervold and Commissioner Anfinson.

For the position of President, Commissioner Anfinson made a motion to nominate Commissioner Lowell Fostervold which was seconded by Commissioner Akerson. **Motion carried**. The vote carried unanimously.

For the position of Vice-President, Commissioner Fostervold made a motion to nominate Commissioner Dennis Anfinson which was seconded by Commissioner Akerson. **Motion carried**. The vote carried unanimously.

For the position of Secretary, Commissioner Fostervold made a motion to nominate Commissioner Cassie Akerson which was seconded by Commissioner Anfinson. **Motion carried**. The vote carried unanimously.

The Commissioners held a discussion on the review of the current Police Civil Service Rules and Regulations. After discussion it was agreed upon that no changes should be made at this time.

Chief Wyffels did provide input as to a recent request made by Officer Neubauer that was affected by the current Rules and Regulations. The affected rule related to the officer's request to live beyond the imposed thirty minute response time currently required by all officers. The Commission was in full agreement that the thirty minute regulation was necessary considering the nature of the employee's job which is responding to emergency situations and did not believe the regulation should be changed.

#### Miscellaneous

Chief Wyffels announced that Officer Benjamin Hanneman started his first day on the job today. General discussion was held regarding the number of officers currently within the Department.

Chief Wyffels noted that with the addition of Officer Hanneman the Willmar Police Department now had 32 sworn officers. Chief Wyffels also advised the Commission that Officer Dorn was currently on a leave of absence for approximately four months.

Chief Wyffels advised the Commission of the offer made by Duininck's Corporation to support the canine program. Discussion was held on the value of the canine program, community interest, etc. Commission members were given full information on the program including the history of the canine unit within the Willmar Police Department.

There being no further business, a motion to adjourn was made by Commissioner Anfinson, seconded by Commissioner Akerson. Meeting was adjourned at 4:45 pm.

/sae



### CITY OF WILLMAR, MINNESOTA

CITY COUNCIL ACTION

Date: February 19, 2013 REQUEST FOR COMMITTEE ACTION ] Approved ☐ Denied Agenda Item Number: 9 ☐ Tabled Amended Meeting Date: February 11, 2013 Other Attachments: ☐ Yes ☒ No Originating Department: Public Works Action Requested: Review Draff EIW and Facilities Plan for Lakeland Drive Interceptor/MinnWest Lift Station Project and recommend submittal of approved EIW and Facilities Plan to the Minnesota Pollution Control Agency. Guiding Principle: PFA Facility Plan and MPCA EIW Requirements Introduction: An EIW and Facility Plan are required by the Minnesota Pollution Control Agency for the Lakeland Drive Interceptor Project. Draft copies of each document have been provided to City staff for input and review and any revisions have been incorporated into the document. Final copies will include the input from the Council and the public. Background/Justification: The Lakeland Drive Interceptor Facility Plan Amendment provides updates to the 2006 Comprehensive Collection System Plan for the portion of the collection system served by the Lakeland Drive Interceptor. The Amendment includes updates to the service area and system capacity needs for the State Hospital Lift Station and the Lakeland Drive Interceptor, recommended alternatives and associated costs, and a preliminary project schedule. Numerous figures and tables are also included as part of the amendment. The EIW provides a project description, project purpose, beneficiaries, and impacts to wildlife, water resources, water and the environment resulting from this project. Fiscal Impact: None Alternatives: None Staff Recommendation: For information/review purposes only. Reviewed by: Signature: Preparer: Paul Jurek, P.E., Bollig Inc Comments:



### CITY OF WILLMAR, MINNESOTA

CITY COUNCIL ACTION

	REQUEST FOR CO		ACTION	<b>Date:</b> <u>February 19, 2013</u>
	Agenda Item Numb	er:	_	Approved Denied
	Meeting Date:N	NA		☐ Amended ☐ Tabled ☐ Other
	Attachments: Ye	s 🛚 No		
Originating Department:	Engineering C	P		
Action Requested: Order	Improvements and Pr	eparation	of Plans ar	nd Specifications
Guiding Principle: M.S. 42	9.031 subd. 1(b)			·
Introduction: As required to Improvements.	by State Statute, a pub	olic hearin	g is being h	neld for the 2013 Street and Other
	ewing and explaining			treet and Other Improvements has been ement, estimated costs, and to obtain
	ents, state aid and bon			include monies from the Willmar imated total cost for the 2013
Alternatives: 1. Amend the 3. Consider no improvement		st 2	2. Approve	the list as presented
Staff Recommendation: Operated.	rdering Improvements	and Dire	cting Prepa	ration of Plans and Specifications as
Reviewed by: Lynden Wit	tman, Senior Enginee	ring Tech	nician	
Preparer: Janell Sommers,	Engineering Secretary	Sig	nature:	man Withman
Comments:				

#### PUBLIC WORKS/SAFETY COMMITTEE REPORT 13-03 CITY OF WILLMAR MONDAY, FEBRUARY 11, 2013

A meeting of the Public Works/Safety Committee was called to order at 4:45 p.m. on Monday, February 11, 2013, by Acting Chairman Bruce DeBlieck at the City Office Building. Members present were: Council Members Tom Johnson and Jim Dokken substituting for Ron Christianson and the Vacant Ward 4 position. Also present were: Mayor Frank Yanish; Charlene Stevens, City Administrator; Gary Hendrickson, Fire Chief; Paul Jurek, Bollig Inc.; David Little, "West Central Tribune" and Janell Sommers, Recording Secretary.

#### 1. PUBLIC COMMENTS (FOR INFORMATION ONLY):

There were no public comments offered at this time.

## 2. <u>LAKELAND DRIVE INTERCEPTOR FACILITY PLAN AND EIW</u> PRESENTATION (FOR INFORMATION ONLY):

Paul Jurek of Bollig Inc. presented the Facility Plan and Environmental Information Worksheet for the Lakeland Drive Interceptor Project. Both documents will be presented to the Minnesota Pollution Control Agency for review after the public hearing is held and public comments are received. Both documents are a prerequisite for PFA funding and qualify the City for placement on the priority list.

The plan proposes resizing the lift station on the MinnWest Technology Campus to allow for future expansion of the surrounding area. The interceptor line is proposed to be replaced in conjunction with the reconstruction of Lakeland Drive from the lift station south to Willmar Avenue. The size of the pipe will be increased to allow for added capacity. Two alternates are proposed, with the preferred being No. 2 at a lessor cost and less disturbance to the urban area surrounding Lakeland Drive.

## 3. CONSIDERATION OF ORDINANCE AMENDING CHAPTER 13, ARTICLE III (MOTION):

City Administrator Stevens presented an amendment to the ordinance governing the removal of snow, dirt, and rubbish from public sidewalks. The recommendation is to change 12 hours to 24 hours in Section 1(b) to be consistent with the remainder of the ordinance. A motion was made by Council Member Johnson, seconded by Council Member Dokken and seconded for the following

#### RECOMMENDATION:

To introduce the ordinance amendment for hearing on March 4, 2013. (Motion)

#### 4. <u>MISCELLANEOUS</u>:

Council Member DeBlieck wanted to thank the Public Works Department for their fine job on snow removal.

There being no further business to come before the committee, the meeting adjourned at 5:08 p.m.

Respectfully submitted:

Charlene Stevens City Administrator

Janell Sommers Recording Secretary



CITY COUNCIL ACTION

	REQUEST FOR COMMIT		Date: February	19, 2013
	Agenda Item Number: _		Approved	☐ Denied
	Meeting Date: Februar	v 11, 2013	☐ Amended ☐ Other	☐ Tabled
	Attachments:  Yes	⊠ No		
			and the second s	A description of the state of t
Originating Department:	Public Works			
Action Requested: Review and recommend submittal of ap	Draft EIW and Facilities Plan proved EIW and Facilities Pla	for Lakeland Dri n to the Minneso	ve Interceptor/MinnWes ta Pollution Control Age	t Lift Station Project ncy.
Guiding Principle: PFA Fa	cility Plan and MPCA EIW Re	equirements		
Introduction: An EIW and Facility Plan are required by the Minnesota Pollution Control Agency for the Lakeland Drive Interceptor Project. Draft copies of each document have been provided to City staff for input and review and any revisions have been incorporated into the document. Final copies will include the input from the Council and the public.				
Background/Justification: Comprehensive Collection System The Amendment includes update the Lakeland Drive Interceptor, Numerous figures and tables are	em Plan for the portion of the less to the service area and system are and system and services and alternatives and also included as part of the a	collection system stem capacity ned d associated cos amendment.	served by the Lakeland eds for the State Hospita ts, and a preliminary pro	d Drive Interceptor. al Lift Station and oject schedule.
The EIW provides a project des the environment resulting from t		eficiaries, and imp	pacts to wildlife, water re	sources, water and
Fiscal Impact: None				
Alternatives: None	·			
Staff Recommendation:	For information/review purpor	ses only.		
Reviewed by:				
Preparer: Paul Jurek, P.E., B	ollig Inc	Signature:	an Dendre	
Comments:				

## AN ORDINANCE AMENDING CHAPTER 13, STREETS, SIDEWALKS AND OTHER PUBLIC PROPERTY, ARTICLE III, SIDEWALKS, SECTION 70, REMOVAL OF SNOW, DIRT AND RUBBISH

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

- Section 1. <u>AMENDMENT OF MUNICIPAL CODE SECTION 13-70</u>. Willmar Municipal Code Section 13-70 is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):
  - (b) Removal by owner. The owner and the occupant of any property adjacent to a public sidewalk shall use due diligence to keep such walk safe for pedestrians. No such owner or occupant shall allow snow, ice dirt or rubbish to remain on the walk longer than twelve (12) twenty-four (24) hours after its deposit thereon.

Section 2. EFFECTIVE DATE. This ordinance shall be effective from and after its adoption and second publication.

Passed by the City Council of the City of Willmar this \_\_\_ day of \_\_\_\_\_\_\_, 2013.

ATTEST:

Kevin Halliday, City Clerk Frank Yanish, Mayor

VOTE: \_\_\_ AHMANN \_\_ ANDERSON \_\_ CHRISTIANSON \_\_\_ DEBLIECK \_\_ DOKKEN \_\_ FAGERLIE \_\_\_ JOHNSON \_\_\_ This Ordinance introduced by Council Member: \_\_\_\_ This Ordinance published on: \_\_\_\_ This Ordinance given a hearing on: \_\_\_\_ This Ordinance adopted on: \_\_\_\_\_ This Ordinance adopted on: \_\_\_\_\_\_ This Ordinance adopted on: \_\_\_\_\_ This Ordinance adopted on: \_\_\_\_\_\_ This Ordinance adopted on: \_\_\_\_\_\_\_ This Ordinance adopted on: \_\_\_\_\_\_\_\_ This Ordinance adopted on: \_\_\_\_\_\_\_\_ This Ordinance adopted on: \_\_\_\_\_\_\_\_\_ This Ordinance adopted

This Ordinance published on:

#### LABOR RELATIONS COMMITTEE

#### MINUTES

The Labor Relations Committee of the Willmar City Council met on Wednesday, February 13, 2013, in Conference Room #1 at the City Office Building.

Steve Ahmann		Chair
Jim Dokken		Member
Denis Anderson		Member
Tim Johnson		Council Member
Charlene Stevens		City Administrator
	Jim Dokken Denis Anderson Tim Johnson	Jim Dokken  Denis Anderson  Tim Johnson

Others present included Mayor Frank Yanish, Council Member Elected Audrey Nelsen, Wayne Nelson, Ken Warner, David Baker, City Clerk Kevin Halliday, Finance Director Steve Okins, City Assessor Pat Ericson, City Assessor Judy Thompson and John Sullivan.

#### Item No. 1 Call Meeting to Order and Public Comment

Mr. Wayne Nelson addressed the Committee on behalf of Move Willmar Forward. Mr. Nelson commended and thanked the Council for moving forward to address adoption of a code of parliamentary procedure for the City Council, full participation by the Council in the Vision 2040 initiative, engaging in an organizational study of the City and for considering a conflict of interest policy. Mr. Nelson also stated that the group remains willing to contribute \$5,000 towards the cost of the organizational study for the City.

Chair Ahmann thanked Mr. Nelson for coming and stated his opinion that the \$5,000 contribution was not necessary.

The others members also thanked Mr. Nelson for coming.

Mr. John Sullivan, 508 13<sup>th</sup> Street, apologized to the City Administrator for his previous statement regarding the timeliness of materials sent to the City Council for meetings.

#### <u>Item No. 2</u> Consideration of Employee Vacancies: Appraiser II and Accounting Clerk.

City Administrator Stevens described the two vacancies before the Council for their consideration and the history of the vacancies.

City Clerk Halliday expanded on the vacancy in the Assessing Department, including the previous unsuccessful attempts to fill the position internally.

The Committee Members had questions regarding the timeframe for training, as well as the certifications necessary and the future possibility of working with the County on a consolidated department.

Following further discussion, it was moved by Council Member Anderson and seconded by Council Member Dokken, to advertise for the position of Appraiser II. The motion carried.

Finance Director Okins reviewed the staffing needs in the Finance Department as it related to the vacancy of the payroll clerk. Mr. Okins stated he would continue to explore options, but the position also filled other rolls in the department.

Council Member Anderson and Johnson inquired as to the options for outsourcing payroll.

After further discussion, it was moved by Council Member Dokken, seconded by Council Member Johnson, to advertise for the position of Accounting Clerk. The motion carried.

#### <u>Item No. 3</u> Conflict of Interest Policy.

Ms. Stevens reviewed the history for the Conflict of Interest Policy, stating it had been a goal of Chair Ahmann's and was first discussed in December. Ms. Stevens stated that two policies were before the Committee, one to revise existing Personnel Policy 2.9 which applies to employees and a new policy that would apply to elected and appointed officials.

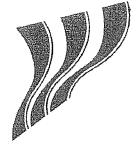
Chair Ahmann stated his feeling that the adoption of a policy would add greater transparency for the public, as well as guidance for elected and appointed officials.

After some discussion, Council Member Anderson made a motion to amend and adopt Personnel Policy 2.9 as drafted by the City Attorney. Council Member Dokken seconded the motion and it carried.

Council Member Anderson made a motion to adopt a Conflict of Interest Policy for Elected and Appointed Officials as drafted by the City Attorney. Council Member Dokken seconded the motion and it carried.

There being no further business to come before the Committee, the meeting adjourned at 5:40 p.m. on a motion by Council Member Anderson\_seconded by Council Member Johnson, and carried.

Charlene Stevens, City Administrator



## CITY OF WILLMAR, MINNESOTA REQUEST FOR COMMITTEE ACTION

Agenda Item Number: 13 Meeting

#### CITY COUNCIL ACTION

Date: February 19, 2013

Approved Amended Other	☐ Denied ☐ Tabled	

	Date: February 19, 2013  Attachments: X Yes	No	Amended Other	Tabled
Originating Department:	City Clerk-Treasurer			
Action Requested: Motion	on to Set Hearing Date			
Guiding Principle: Munic	cipal Code Section 3-114			
Agenda Item: Consideration	n of Persons Eligible for Liquor	License		,
Background/Justification:				
the same owner. This is an a amendment will facilitate the	City Attorney to draft an ordinal control of the upcoming taurant & Bar and 2) Hurricane	ota law but a conflict g remodeling project	with the current Munic	cipal Code. This
Fiscal Impact: None				
Alternatives: Stay With Curr	rent Policy			
		010		

Staff Recommendation: Set a Hearing Date for March 4, 2013

Preparer: City Clerk-Treasurer

Signature:



## AN ORDINANCE AMENDING CHAPTER 3, ALCOHOLIC BEVERAGES, ARTICLE III ON-PREMISES CONSUMPTION, DIVISION 2, LICENSE, SECTION 114, PERSONS ELIGIBLE FOR LICENSE

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

- Section 1. <u>AMENDMENT OF MUNICIPAL CODE SECTION 3-114.</u> Willmar Municipal Code Section 3-114 is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):
  - (a) No license shall be granted to or held by any person:
    - (6) Who is directly or indirectly interested in any other establishment in the city to which either an on-sale or off-sale license has been issued. No person shall own an interest, as defined in subsection (c) of this section, in more than one (1) establishment or business for which either an on-sale or off-sale license has been granted to any person, or any person who owns an interest in a business or establishment licensed under this division.
    - (76) Who, if a corporation, does not have a manager who is eligible under the provisions of this section.
    - (87) Who is the spouse of a person ineligible for a license under the provisions of subsection (3), (5) or (6) of this section or who, in the judgment of the city council, is not the real party in interest or beneficial owner of the business operated or to be operated under the license.

Section 2. <u>EFFECTIVE DATE.</u> This ordinance shall be effective from and after its adoption and second publication.

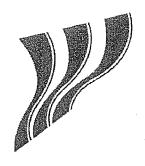
Passed by the City	Council of the Cit	y of Willmar this day of	, 2013.
ATTEST:			
Kevin Halliday, Ci	ty Clerk	Frank Yanish, Mayor	
VOTE: DEBLIECK	_ AHMANN DOKKEN	ANDERSON CHRISTIANSON FAGERLIE JOHNSON	

This Ordinance introduced by Council Member:
This Ordinance introduced on
This Ordinance introduced on:
This Ordinance published on:
This Ordinance given a hearing on:
This Ordinance adopted on:
This Ordinance published on:
This Ordinance published on:



CITY	COUNCIL	<b>ACTION</b>
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	CITY OF WILLMAR, MII REQUEST FOR COMMIT		Date: February 19, 2013
	Agenda Item Number: 🚶	4	Approved Denied
	Meeting Date: February	•	☐ Amended ☐ Tabled ☐ Other
	Attachments:Yes _	_ No	
P			
Originating Department:	City Clerk-Treasurer	·	
Action Requested: Motion	ı for approval or denial		
Guiding Principle: Willma	ar Municipal Code Section 3	-5	
Agenda Item: Consideration	of Civic Center Arena Spec	cial Event by O	n-Sale Liquor License Holder Permit
Curling Bonspiel. On March Center Arena Special Event F	8, 9, and 10, 2013, the Wi Permit is required to distribut	llmar Curling C e or consume a	Villmar Curling Club who will hold a 3 day blub has plans to serve alcohol. A Civic alcohol on the Civic Center grounds. The mployee listed as Tara Bonnema.
Fiscal Impact: \$100			
Alternatives: None			
Staff Recommendation: App	orove the Permit on a roll ca	all vote	
Reviewed by: Community Ed	ducation & Recreation Board	d (approval on	1/25/2013)
Preparer: City Clerk-Treasur	-er	Signature:	Hallidai
Comments:		6	



#### CITY OF WILLMAR, MINNESOTA REQUEST FOR COMMITTEE ACTION

Agenda Item Number: 15 Meeting Date: 2-19-13 Attachments: Yes No

CITY COUNC	CIL ACTION
☐ Approved ☐ Amended ☐ Other	☐ Denied ☐ Tabled

ating Department:
ating Department:

Planning and Development

Services

Action Requested: Introduction of an Ordinance to Amend Section 9 of the Zoning Ordinance 1060 relating

to Appeals.

**Guiding Principle:** State Statutes 462.357, 462.359, 462.354

Introduction: The text amendment is initiated by the Planning Commission to further clarify Appeals in the Zoning Ordinance.

Background/Justification: The rewording of the stipulation is to further clarify Section 9.C.1.regarding the Board of Zoning Appeals hearing appeals of actions/enforcement of the Zoning Administrator. An appeal of an action by the Planning Commission goes to District Court, as outlined in State Statute. The only exception to the rule is conditional use permits, which action the by Planning Commission can be overturned by the City Council with a 6/8 vote. In the past an appeal of a Planning Commission action enforced by the Zoning Administrator was interpreted to go to the Board of Zoning Appeals prior to appealing to District Court.

Fiscal Imp	act: N/A
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**Alternatives:** Leave the wording as is, but interpret it as described above.

Staff Recommendation: Staff recommends that the Council introduce the Ordinance for a hearing at the March 4, 2013 Council meeting.

Reviewed by: Megan M. Sauer, AICP, Planner/Airport Manager

Preparer: Megan M. Sauer, AICP, Planner/Airport

Manager

Signature: Megan Maner

Comments:

|--|

# AN ORDINANCE AMENDING NO. 1060 KNOWN AS THE WILLMAR ZONING ORDINANCE BY AMENDING SECTION 9 RELATING TO APPEALS

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

SECTION 9. Ordinance 1060 is hereby amended by changing Section 9.C.1. so to read as follows:

#### C. APPEALS

1. Authority. The Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this Ordinance. Any appeal of a decision by the Planning Commission on a Conditional Use Permit, Rezone, or Text Amendment shall be filed directly with the District Court except that in the case of a Planning Commission's denial of a Conditional Use Permit application, no appeal to the District Court shall be made without first applying to the City Council for reconsideration of the decision pursuant to section 9.E.5 of Ordinance 1060.

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

This Ordinance introduced by Council Member:

This Ordinance introduced on:

This Ordinance published on:

This Ordinance given a hearing on:

This Ordinance adopted on:

This Ordinance published on: