

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

Agenda Item Number: _____

Meeting Date: February 27, 2014

Attachments: Yes No

CITY COUNCIL ACTION

Date: March 3, 2014

- | | |
|-----------------------------------|---------------------------------|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Denied |
| <input type="checkbox"/> Amended | <input type="checkbox"/> Tabled |
| <input type="checkbox"/> Other | |

Originating Department: Planning and Development Services

Agenda Item: Jennie-O Turkey Store Purchase Agreement and Option for Industrial Property.

Recommended Action: To approve the purchase agreement and option with Jennie-O Turkey Store.

Background/Summary: With the recent vacation of a portion of former Highway 40, the City has been working with Jennie-O Turkey Store to transfer ownership of properties for their proposed 2014 corporate office expansion project. The purchase agreement and options terms proposed are based on an analysis of Industrial Park property values and the City's adopted land write-down policy.

Alternatives:

1. Approve the transactions as proposed.
2. Refer back to staff for additional consideration.
3. Not move forward with the transfer of property.

Financial Considerations: The financial considerations for this project are very slight for the City, as the original property was either right-of-way (dedicated to the State of Minnesota) that has since been turned back to the City, or was property purchased with airport grant money years ago for part of the airport and Public Works material storage lot.

Preparer: Bruce D. Peterson, AICP
Director of Planning and Development Services

Signature:

Comments:

February 20, 2014

WILLMAR INDUSTRIAL PARK THIRD ADDITION
(JOTS Projects)

Outlot B - 240,202 sq. ft. @ .65/sq. ft.* = \$156,131
Lot 1, Block 5 - 91,045 sq. ft. @ .90/sq. ft.* = \$81,941
\$238,072

Lot 1, Block 3 - 1,305,320 sq. ft. @ 1.10 sq. ft.* = \$1,435,852

Estimated market value of JOTS project building, parking, and misc. = \$4.0 million (by City Assessor)

Estimated number of employees to be added at the Willmar Avenue site = 90 (by JOTS)

Land pricing credits (as per policy)
\$4 million EMV = 4x\$25,000 = \$100,000
90 jobs = 90x\$10,000 = \$900,000
\$1,000,000

The total calculated cost for the three parcels is \$1,673,924. In their proposal, JOTS offered \$1.25/ sq. ft. for Lot 1, Block 5 and Lot 1, Block 3 for a total of \$1,745,456, with the conveyance of the right-of-way (Outlot B) at no cost.

*based on Holmgren Appraisal of September 2013

JOTS Projects (continued)

RECOMMENDATION:

Phase I Project Purchase Agreement

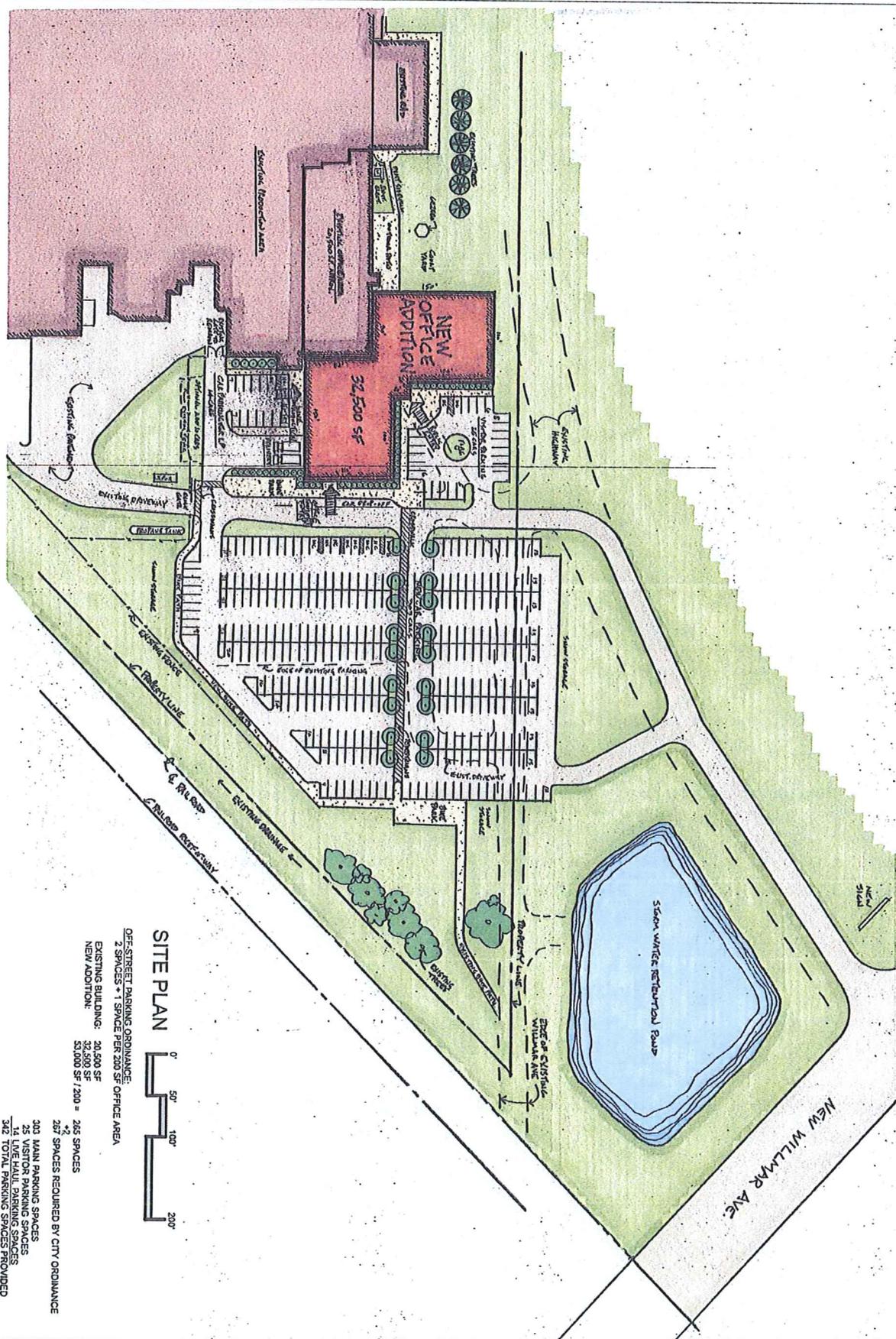
\$238,072 purchase price
-\$1,000,000 credits
-\$761,928 carry over to Option for Phase II

Purchase agreement to be written at a price of \$0 for Phase I, based on the application of land write-down credits.

Phase II Option

Option for Phase II to be written in the amount of \$1,435,852, less the \$761,928 purchase credit balance, for an amount due of \$673,924. Option recognizes that the price can be further written down based on the market value of Phase II improvements and additional employment. Term of the option to be 15 years. Any development agreement to include the provision that JOTS waives its right to contest Assessor's calculated market value. The wage floor for Phase II, jobs will be based on market conditions or State law.

The actual calculated payment for the option property will reflect actual market value increases and employment increases from both phases of the JOTS projects.



SITE PLAN

0' 50' 100' 200'

OFF-STREET PARKING ORDINANCE:
 2 SPACES + 1 SPACE PER 200 SF OFFICE AREA

EXISTING BUILDING: 20,500 SF
 NEW ADDITION: 32,500 SF
 53,000 SF / 200 = 265 SPACES

267 SPACES REQUIRED BY CITY ORDINANCE

203 MAIN PARKING SPACES
 25 VISITOR PARKING SPACES
 14 LIVE MAINT. PARKING SPACES
 342 TOTAL PARKING SPACES PROVIDED

P1	PROGRAM DIAGRAM	10/17/12
	OFFICE STUDY FOR: JENNIE-O TURKEY STORE	

NO.	DATE	REVISION
1	6/7/12	LOPME

efa Evans
Frelmuth
Architects, LLC

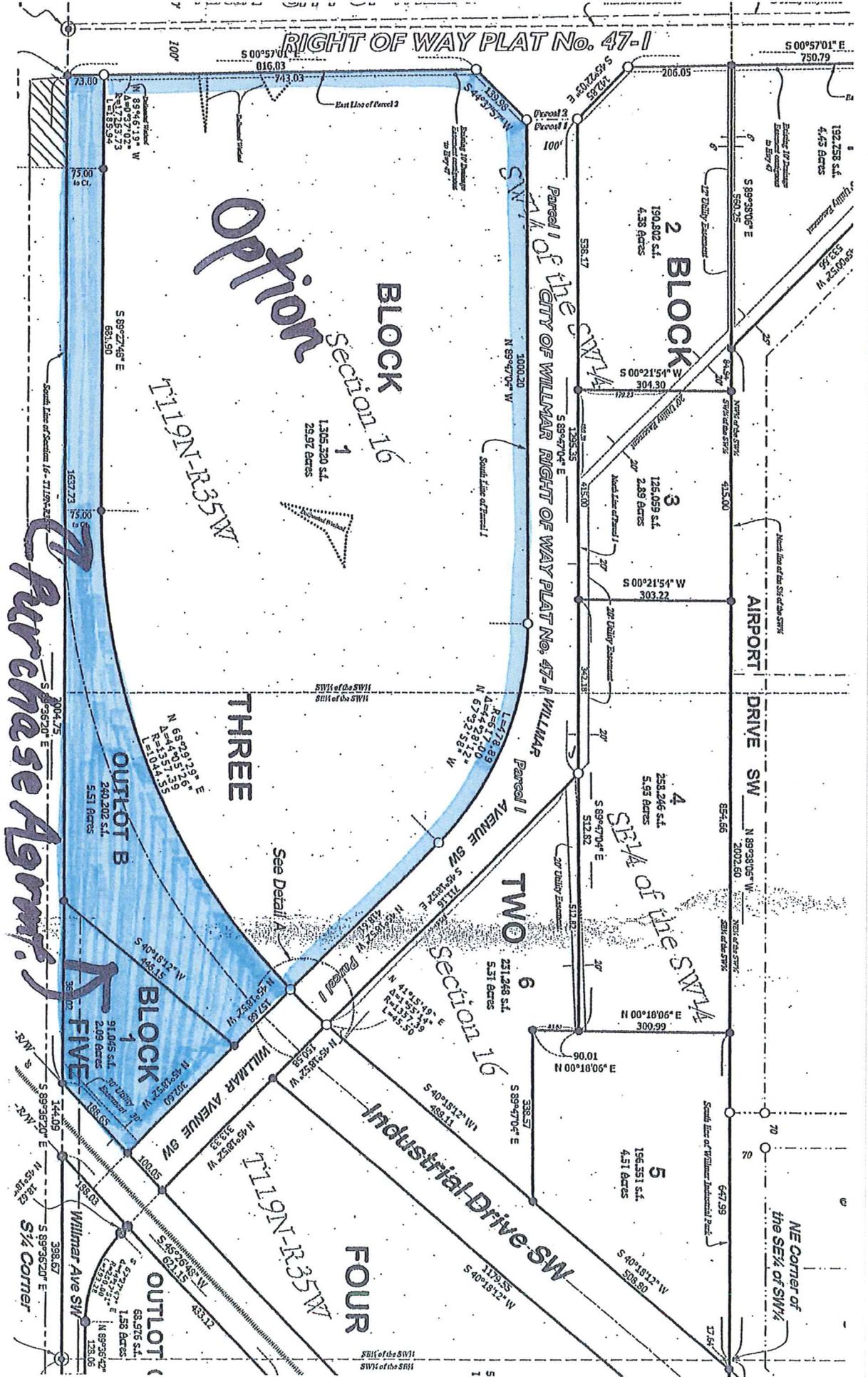
1973 Stone Place, Suite 950, Rockwood, MN 55117
 office: 651.771.1800 fax: 651.771.8929

100% GREEN ARCHITECTURE, INC.

Jennie O
TURKEY STORE

100% GREEN ARCHITECTURE, LLC
 OFFICE: 651.771.1800
 FAX: 651.771.8929
 100% GREEN ARCHITECTURE, INC.

RIGHT OF WAY PLAT No. 47-1



Option
BLOCK
Section 16

2 BLOCK

3

4

TWO

6

5

THREE

OUTLOT B

FIVE

OUTLOT

FOUR

Purchase Agmt.

SE 1/4 of the SW 1/4

NE Corner of the SE 1/4 of the SW 1/4

S 1/2 of the SW 1/4
SW 1/4 of the SW 1/4

City of Willmar Business Subsidy Policy

This Policy is adopted for purposes of the business subsidies act (the "Act"), which is Minnesota Statutes, Section 116J.993 through 116J.995. Terms used in this Policy are intended to have the same meanings as used in the Act, and this Policy shall apply only with respect to subsidies granted under the Act if and to the extent required thereby.

While it is recognized that the creation of good paying jobs is a desirable goal which benefits the Willmar community, it must also be recognized that not all projects assisted with subsidies derive their public purposes and importance solely by virtue of job creation. In addition, the imposition of high job creation requirements and high wage levels may be unrealistic and counter-productive in the face of larger economic forces and the financial and competitive circumstances of an individual business.

The granting of subsidies shall be guided by the following principles and criteria:

1. Each project shall be evaluated based on its perceived importance and benefit to the community from all perspectives deemed relevant, including created or retained employment positions, where applicable.
2. The Act now provides that, after public hearing thereon, if the creation or retention of jobs is determined not to be a goal of a business subsidy, the wage and job goals may be set at zero. Where creation or retention of jobs is a goal, the specific number of jobs to be created or retained shall be stated in the subsidy agreement. Where creation of new jobs is required, those jobs shall have a wage floor of \$12.00 per hour.
3. The specific minimum requirements under Section 116J.994, Subdivision 2, of the Act that a recipient must meet in return for the business subsidy shall be, where applicable:
 1. The retention of existing jobs,
 2. The creation of the specified number of new jobs at or exceeding the wage floor, and/or
 - Where the subsidy relates to the acquisition of personal property or the acquisition and/or physical development of real property, the substantial completion of the acquisition or development thereof.
 - Where applicable, the foregoing shall also be the stated measurable, specific and tangible goals for the subsidy under the related subsidy agreement, as provided in Section 116J.994, Subdivision 3(3), of the Act.

4. It is recognized that a particular project which does not include as a goal the creation or retention of jobs may nonetheless be worthy of support and subsidy in respect of other perceived benefits.
5. In cases where the objective is the retention of existing jobs, the recipient of the subsidy shall be required to provide reasonably specific and demonstrable evidence of the job loss, absent the subsidy.
6. Subject to the wage floor, where applicable, the setting of wage and job goals must be sensitive to prevailing wage rates, local economic conditions, external economic forces over which neither the grantor nor the recipient of the subsidy has control, the individual financial resources of the recipient and the competitive environment in which the recipient's business exists.
7. Because it is not possible to anticipate every type of project which may in its context and time present desirable community building or preservation goals and objectives, the governing body must retain the right in its discretion to approve projects and subsidies which may vary from the principles and criteria of this Policy, as may be permitted by but subject to the procedural and other requirements of the Act.
8. As provided in the Act, deviations from the criteria of this Policy are permitted by documenting in writing the reasons for the deviation and attaching a copy of the document to the next annual report to the Minnesota Department of Employment and Economic Development (DEED).
9. The terms of this policy, including the setting of the wage floor, shall be reviewed on a bi-annual basis.

This Policy is intended to conform to the requirements of the Act, including the year 2000 amendments thereto. A copy of this Policy (and any amendments hereto) shall be submitted along with the first annual report to DEED following its adoption.

Adopted by: The City Council of the City of Willmar, Minnesota
Date of Adoption: March 15, 2004
Date of Public Hearing: March 15, 2004

Wage floor amended to \$11.00 per hour as per Council action on April 16, 2007
Wage floor amended to \$12.00 per hour as per Council action on May 6, 2013

Willmar Industrial Land Pricing Write-Down Policy

1. **Purpose**

The purpose of the land write-down policy is to stimulate and assist economic development projects by reducing the sale price of City-owned (industrial) properties, based on an established formula of price credits for job creation and tax base enhancement.

2. **Impacted Properties**

This policy shall apply to the sale of any and all City-owned industrial properties. These properties will most likely be located in one of the phases of the Willmar Industrial Park.

3. **Qualifying Buyers/Projects**

To be eligible for a land write-down, a qualifying business shall be either a permitted or conditional use as listed in the appropriate zoning district of the Willmar Zoning Ordinance. Any approval of a land write-down shall be conditioned on land use approval.

4. **Calculating the Write-Down**

Any land write-down shall use as its basis the asking/listing price for the property as calculated and offered by the City.

- A. Employment credit: A qualifying project shall be credited \$10,000 off the listing price per job created. Job creation goals shall be stated and included in a formal agreement between the buyer and the City.
- B. Tax base credit: A qualifying project shall be credited \$25,000 off the listing price per million dollars of estimated market value created as determined by the office of the City Assessor. Tax base creation goals shall be stated and included in a formal agreement between the buyer and the City.

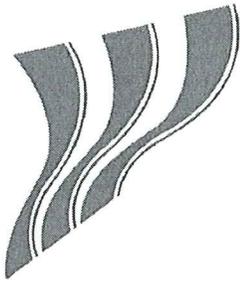
In no instance shall the amount of the land write-down credited to the buyer exceed the stated price of the property being acquired.

5. **Relationship to Minnesota Statutes**

Any land write-down shall be authorized by and in full compliance with applicable Minnesota Statutes, including but not limited to Minn. Stat. Chs. 169 and 116J.

6. **Land Write Down/Business Subsidy Process Costs**

The buyer/write-down recipient shall be responsible for payment of all real estate commissions and legal/administrative costs incurred by the City in the transaction.



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CITY COUNCIL ACTION

Date: March 3, 2014

- Approved Denied
 Amended Tabled
 Other

Originating Department: Planning and Development Services

Agenda Item: Consideration of Municipal Code Amendments/Solid Waste Issues

Recommended Action: To introduce the proposed ordinance for a hearing at the March 17, 2014 meeting.

Background/Summary: The City Council appointed a Solid Waste Task Force to work on a variety of solid waste/garbage issues in the City of Willmar. The Task Force has met for several months and proposes those changes as detailed in the attached ordinance. The ordinance has been prepared by the City Attorney and reflects the changes recommended by the task force.

Alternatives:

1. To introduce the ordinance as proposed.
2. To refer the matter back to the task force for additional changes.
3. To leave the Municipal Code as is.

Financial Considerations: The changes to the ordinance have limited financial impact on the City, with the exception of staff time and how solid waste issues are dealt with by staff and the Council.

Preparer: Bruce D. Peterson, AICP
Director of Planning and Development Services

Signature:

Comments:

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 6.5, HOUSING, ARTICLE II, RENTAL HOUSING, DIVISION 2, STANDARDS, SECTION 6.5-46, RESPONSIBILITIES OF OWNERS AND OCCUPANTS AND CHAPTER 12, SOLID WASTE, ARTICLE II, DISPOSAL OF GARBAGE AND RUBBISH

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

Section 1. AMENDMENT OF MUNICIPAL CODE SECTION 6.5-46. Chapter 6.5, Article II, Division 2, Section 6.5-46 of the Willmar Municipal Code is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 6.5-46. - Responsibilities of owners and occupants.

- (g) Every owner of rental housing shall supply facilities or refuse containers for the sanitary and safe storage and/or disposal of rubbish and garbage. The owner shall ensure that such facilities and containers are emptied and the contents thereof removed as often as they become full or the contents thereof cause a noxious odor or otherwise become offensive to the senses, but under no circumstances less frequently than once every week for any rental unit located in the Central Business Zoning District (CBD), any multiple dwelling located in any zoning district, or any premises containing a rental unit and a commercial or industrial use in any zoning district.

Section 2. AMENDMENT OF MUNICIPAL CODE Chapter 12, Article II. Chapter 12, Article II of the Willmar Municipal Code is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 12-26. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Dumpster means a unit that is intended to be used primarily for the disposal of waste material, and that has a capacity larger than 100 gallons.

Garbage means: animal and vegetable waste materials and all other putrescible waste material, whether resulting from the

handling, preparation, cooking, service and consumption of food or otherwise, excluding yard waste.

- (1) ~~The refuse animal or vegetable matter, or both, from kitchens, pantries and dining rooms of hotels, restaurants, boardinghouses, tenement houses, flats and dwelling houses;~~
- (2) ~~The animal refuse from slaughterhouses and butcher shops; and~~
- (3) ~~The refuse fruit and vegetable matter from stores and fruit houses.~~

Rubbish means paper, boxes, cartons, house sweepings, tin cans, bottles, junk, automobiles, machinery, metals, tires, inner tubes, and any other article or debris that creates an unsightly appearance.

Waste container means any container utilized for the storage of waste material, excluding dumpsters.

Waste material means garbage, rubbish and any other article or item that is generated from residential, commercial, industrial, agricultural or community activities and is discarded due to its worthlessness or offensiveness.

Yard waste means grass clippings, leaves or vegetable or garden matter which can be biologically decomposed resulting in an innocuous final product, but excludes brush, bushes, branches, trees, or similar large material.

Sec. 12-27. - Waste storage and disposal in general.

- (a) Every owner of property, together with every occupant of a residential dwelling and every manager or occupant of a multiple unit residential dwelling or commercial or industrial establishment, shall be responsible for ensuring that the waste generated at such property is stored and disposed of in compliance with the requirements of this Article.
- (b) It shall be illegal for any person to dispose of any waste material generated by that person or on property owned or occupied by such person on the property of another or into any waste storage facility owned and maintained by another without such other person's permission. It shall be illegal and constitute a theft of public services for any person to dispose of any waste material generated by that person or on property owned or occupied by such person into a public

trash receptacle or other public waste storage facility except as expressly permitted by this Article.

Sec. 12-2728 - Storage of garbage.

(a) All garbage accumulated on any property in the city shall be drained of liquids, bagged, and deposited, kept and stored, by every householder or occupant of any dwelling house, boardinghouse, flat, apartment, store, restaurant, hotel, or any other place of business, in a waste container that meets the requirements of section 12-30. fly and water-tight containers of sufficient size to receive all garbage which may accumulate between times of collection and disposal thereof. Each such container shall be provided with a bail or handles and a tight-fitting cover. The container shall be kept at such place on the premises as to be convenient for the garbage collector, and not in close proximity to the buildings or premises of others. All garbage from commercial and industrial uses concerning food and/or produce products, including hotels, restaurants, grocery stores, butcher shops, food processing facilities and fruit houses shall be double bagged prior to being deposited into such a waste container.

(b) No person shall deposit or permit to be deposited any garbage or garbage containers at any place nearer [to] the street or thoroughfare adjacent to the front lot line of any property than that portion of the dwelling or structure located nearest the street or thoroughfare, except as follows: Garbage or garbage containers may be placed on the boulevard or area adjacent to a public street after 8:00 p.m. on the day immediately preceding the day for scheduled garbage pickup at that location. Garbage containers and any garbage not removed by the garbage collector shall be removed from the area adjacent to the street before 8:00 p.m. on the day of the scheduled garbage pickup for that location.

Sec. 12-2829. - Storage of rubbish.

All rubbish shall be stored, deposited and kept in such a manner that the rubbish is not blown around or scattered by the wind, and at such a place that the rubbish will not be in close proximity to the buildings or property of others.

Sec. 12-30. - Waste Containers.

- (a) All waste containers utilized for the storage of garbage in the city shall be clean, rust-resistant, water-tight, non-absorbent and washable, and shall be equipped with a tight-fitting cover, which shall remain securely closed at all times when waste is not being deposited therein. Waste containers shall be of sufficient size to receive all garbage which may accumulate between times of collection and disposal thereof, subject to the requirements of paragraph (b) of this section.

- (b) Dumpsters may not be used or located in areas within the city's R-1 (One Family Residential) and R-2 (One and Two Family Residential) zoning districts, except as permitted in advance by the Planning and Development Services Department on a temporary basis not to exceed 14 days for construction debris when a building permit has been issued for the property, for general debris resulting from a large scale cleaning project, or following a transfer of possession of the property. In all other areas within the city dumpsters may be used provided they comply with the requirements of paragraph (a) of this section.

Sec. 12-2931. - ~~Frequency of removal~~ Disposal of Waste.

- (a) Garbage containers shall be emptied and the contents thereof removed as often as such receptacles become full or the contents thereof cause a noxious odor or otherwise become offensive to the senses, but under no circumstances less frequently than once each week for one family detached residential, multi-family residential, commercial or industrial uses, and at more frequent intervals if the city orders that it is necessary to protect the public health,; in the case of, private residences and dwelling houses, at intervals of not more than two (2) weeks; and other uses in the case of boardinghouses, tenement houses and flats, at intervals of not more than one (1) week. In the case of commercial and industrial uses concerning food and/or produce products, including hotels, restaurants, grocery stores, butcher shops, food processing facilities and fruit houses, garbage shall be removed daily from April 1 in each year to November 1 in each year, while from November 1 in one year to April 1 of the following year garbage shall be removed as often as the garbage containers become full otherwise required herein. In the case of multiple unit commercial or industrial rental property, the

property owner shall be responsible for arranging for the garbage removal service for the entire facility.

- (b) All rubbish shall be removed at such intervals of frequency as to prevent the rubbish from becoming rotten and cause a noxious odor or otherwise become offensive to the senses ~~offensive to smell.~~

Sec. 12-3032. - Hauling.

- (a) Except as otherwise provided herein, garbage shall be hauled and delivered only in the containers in which it is required in section 12-2728 to be deposited, kept and stored.
- (b) Rubbish shall be hauled and delivered only in such a manner that it is not blown around or scattered by the wind.

Sec. 12-3133. - Disposal at county landfill.

Any person may dispose of either garbage or rubbish by hauling and delivering it to the sanitary landfill facility provided by the county.

Sec. 12-34. - Public Nuisance.

The accumulation, storage or disposal of waste in violation of this Article is a public nuisance and may be abated by the procedure established in Sec. 9-3 independent of the administrative citation procedure established in Sec. 12-35, and the actual expenses incurred by the city in abating such violations may be assessed against the property upon which the violation occurred pursuant to Sec. 12-38.

Sec. 12-35. - Administrative Enforcement.

The intent of this Section is to gain compliance with this Article prior to any formal criminal or civil court action. The hearing process provided for in this Section shall be in addition to any other legal or equitable remedy available to the City for City Code violations, except that if a determination is made by the Community Development Committee pursuant to the hearing process detailed in Section 12-36 that a violation did not occur, the City may not then proceed with criminal prosecution for the same act or conduct.

- (a) Orders to correct; administrative citations. Upon the reasonable belief that a violation of this article has occurred, the City's Planning and Development Services Director or the Director's designee shall serve on the violator an order to correct the violation. The order to correct the violation shall require compliance within not less than three and not more than seven days. If compliance is not achieved within the time specified in the order to correct, or if the violation subject to the order occurs at a property that was found to have violated this Article at any time in the preceding three months, the official is authorized to issue an administrative citation stating the date, time, and nature of the offense, the name of the official issuing the citation, the amount of the scheduled civil fine, and the manner for paying the fine or appealing the citation by requesting an administrative conference. The citation shall be presented in person or by mail to the person responsible for the violation.
- (b) Civil fines. A person responsible violating this article may be subject to a civil fine in an amount not to exceed the amount of the maximum fine allowed if each ordinance violation had been prosecuted as a misdemeanor.
- (c) Payment of civil fine; request for administrative conference.
- (1) The person responsible for the violation must either pay the scheduled civil fine to the City Clerk's Office or request a conference with the Planning and Development Services Department Director within 20 calendar days after issuance of the administrative citation. This administrative conference will be with the Planning and Development Services Director and his or her designee who has reviewed the underlying facts of the violation, the history of prior violations, the impact of the violation on adjoining properties, and any information provided by the person responsible for the violation. Based upon those facts, the Planning and Development Services staff will determine if any settlement options may, consistent with the public health, welfare and safety, be offered to the person responsible for the violation as an alternative to the payment of the entire amount of the fine. This conference shall take place within 20 calendar days of the Department's receiving the request. If a settlement

cannot be reached at the administrative conference, the person responsible for the violation may, at the conclusion of the conference, either pay the fine or appeal the same to the Community Development Committee pursuant to Section 12-36. A request for an administrative conference must be made to the Planning and Development Services Department by mail or telephone. Only the Planning and Development Services Director and his or her designee have authority to dismiss the citation and/or waive the scheduled civil fine during the administrative conference. Failure to pay the fine or request an administrative conference within 20 calendar days of the date of the citation shall be deemed an admission of the charges set forth therein.

(2) The person responsible for the violation may not appeal a fine to the Community Development Committee pursuant to Sec. 12-36 without first having timely requested an administrative conference with the Planning and Development Services Department. Failure to attend the administrative conference as scheduled shall be deemed an admission of the charges set forth in the administrative citation.

(d) *Fee for late payment of civil fine.*

(1) A late payment fee of 10% of the civil fine amount shall be imposed if the person responsible for the violation fails to pay the civil fine within 20 calendar days after issuance of the administrative citation or fails to timely request an administrative conference pursuant to this Article.

(2) If a civil fine is not paid within the time specified and no request for an administrative conference is timely received, the nonpayment of the civil fine shall constitute a personal obligation of the violator that may be collected by any appropriate legal means.

Sec. 12-36. - Appeals.

(a) Any person aggrieved by a decision of the Planning and Development Services Department pursuant to Sec. 12-35 may appeal such decision to the Community Development Committee of the City Council by submitting a written notice of appeal to the City Administrator within 14 days after the date the Planning and Development Services

Department's decision was issued. Upon conclusion of an administrative conference under Sec. 12-35, the Planning and Development Services staff shall prepare a summary of the conference and shall state the decision reached. Such summary and statement shall become a part of public record.

- (b) The Community Development Committee, upon receipt of an appeal, shall set a time and place for a hearing and shall advise the applicant in writing by mail, postage prepaid to address of applicant, of such time and place, at least seven (7) days prior to the date of the hearing. At such a hearing the appellant shall be given an opportunity to be heard and to show cause why such notice or order should be modified, extended, or withdrawn.
- (c) The Community Development Committee shall hear any evidence provided by the appellant and Planning and Development Services Department staff, respectively, and shall issue a decision in writing to sustain, modify, or withdraw the order or citation. In modifying or withdrawing any order or citation, the committee shall consider whether the conduct or conditions documented by the Planning and Development Services Department staff constituted a violation of this Article and whether the Planning and Development Services Department staff complied with all procedural requirements of this Article.

Sec. 12-37. - Judicial Review.

An aggrieved party may obtain judicial review of the decision of the Community Development Committee by petitioning the Minnesota Court of Appeals for a writ of certiorari pursuant to Minn. Stat. § 606.01.

Sec. 12-38 - Assessments of Civil Fines, Late Fees and Abatement Expenses.

- (a) Charges Subject to Assessment. Unpaid civil fines imposed for violations of this Article, together with late fees thereon, and any expenses incurred by the city in abating the violations, may be assessed against:
 - (1) property which was the subject matter or related to the subject matter of the civil fines; or

(2) property which was the location of an activity, proposed use, delivery of city service, or other circumstance which resulted in the civil fine.

(b) Prior Voluntary Payment. Prior to any assessment for unpaid fines, the City Clerk or the Clerk's designee shall seek voluntary payment of the fines by notifying the owner of the property in writing of the fine imposed.

(c) Assessment Procedure. On or before the first day of October of each year, the unpaid civil fine and late fees, including the administrative charge due under subdivision (d) of this Section, together with the actual expenses incurred by the city in abating the violation and interest thereon at the maximum lawful rate permitted under Minnesota Statutes, Chapter 429, to be charged against said lot or parcel of land, together with a description of the premises and the name of the supposed owner, shall be certified to the County Auditor and shall be collected in the same manner as taxes and/or special assessments against the premises. The charge shall be a perpetual lien on the premises until paid. Prior to the certification to the County Auditor, the owner shall be given written notice of the proposed assessment and have the right to a hearing before the City Council to determine the propriety of the charge(s) to be assessed.

(d) Administrative Charge for Assessment. An administrative charge of \$25.00 shall be due upon the mailing of the notice of the proposed assessment.

Secs. ~~12-3239~~—12-45. - Reserved.

Section 3. 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 _____, 2014.

ATTEST:

Kevin Halliday, City Clerk

Frank Yanish, Mayor

VOTE: ____ AHMANN ____ ANDERSON ____ CHRISTIANSON
____ DEBLIECK ____ DOKKEN ____ FAGERLIE ____ JOHNSON ____ NELSEN

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: _____