

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

June 17, 2013
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Frank Yanish. Members present on a roll call were Mayor Yanish, Council Members Denis Anderson, Ron Christianson, Steve Ahmann, Audrey Nelsen, Tim Johnson, Jim Dokken, and Rick Fagerlie; Present 8, Absent 1 – Council Bruce DeBlieck was 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 Anderson informed the Council he had an announcement regarding the July 1, 2013, Council meeting; and Mayor Yanish stated he had an announcement regarding the Organizational Study.

Council Member Anderson offered a motion adopting the Consent Agenda which included the following: City Council Work Session Minutes of June 3, City Council Minutes of June 3, Municipal Utilities Commission Minutes of June 10, Planning Commission Minutes of June 12, Accounts Payable Report through June 12, and Building Inspection Report for May, 2013. Council Member Christianson seconded the motion, which carried.

At 7:02 p.m. Mayor Yanish opened the annual 2013 Storm Water Permit/Pollution Prevention Program. Jared Voge of Bolten and Menk explained the purpose of the hearing was to provide an update on the status of compliance with the MS4 Permit conditions. The City inspected and inventoried ponds and wetlands, conducted erosion and sediment control site inspections, 5,100 CY of sediment was removed from City streets and 113 of the total 424 outfalls were inspected. Follow discussion, Council Member Anderson moved to accept the 2013 Storm Water Permit/Pollution Prevention Program report with Council Member Dokken seconding the motion, which carried. The hearing closed at 7:10 p.m.

At 7:10 p.m. Mayor Yanish opened the hearing on an Ordinance Amending Chapter 16, Utilities, Article IV, Rates and Charges, Division 3, Sewer Service. Kathy Aho, Springsted Inc., presented details of the rate increase and the reasons for the change. The last rate review and increase was in 2008 and the City now incurs a net operating loss of \$700,000. Estimated revenue projections were based on the current 6,310 accounts and 8,575 meters. Ms. Aho stated the Eagle Lake sewer rates were incorrectly published and she presented the correct figures.

Dan Cole, Jennie-O Turkey Store expressed concern about the cost increase, yet understood the proposed needs, but noted in the 2012 report that JOTS has paid enough to cover their costs for the industrial side of the treatment plant. He requested the Council keep this under consideration for the industrial users' rate.

Loren Schultz, 901 Irene Avenue SW, expressed concern of rainwater infiltration and noted many gallons of rainwater flow into the system and get treated. He encouraged the Council to take steps to eliminate the storm water overload. Upon hearing all those who wished to be heard, Mayor Yanish closed the hearing at 7:39 p.m.

Council Member Anderson moved to amend the Eagle Lake rates as presented with Council Member Fagerlie seconding the motion, which carried. Council Member Anderson offered a motion to adopt, assign a number, and order final publication of the Ordinance Amending Chapter 16, Utilities, Article IV, Rates and Charges, Division 3, Sewer Service. Council Member Christianson seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

The Mayor and Council considered a Resolution accepting the offer of the Minnesota Public Facilities Authority to Purchase a \$1,886,812 General Obligation Sewer Revenue Note. Ms. Aho explained the details of the City's application for a loan from the Minnesota PFA to provide financing pursuant to Minnesota Statutes for the acquisition and construction of sewer pipe and associated structures relating to the Western Interceptor Project. Following discussion, Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member Christianson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 1

RESOLUTION ACCEPTING THE OFFER OF THE MINNESOTA PUBLIC FACILITIES
AUTHORITY TO PURCHASE \$1,886,812 GENERAL OBLIGATION SEWER REVENUE NOTE,
SERIES 2013B, PROVIDING FOR ITS ISSUANCE AND AUTHORIZING EXECUTION OF A
BOND PURCHASE AND PROJECT LOAN AGREEMENT FOR THE NOTE

(For Resolution in its entirety, see City Council proceedings file dated
June 17, 2013, located in the City Clerk's Office)

Mayor Yanish acknowledged that no one had signed up to address the City Council during its scheduled Open Forum.

The Finance Committee Report for June 10, 2013, was presented to the Mayor and Council by Council Member Anderson. There were nine items for Council consideration.

Item No. 1 There was no one present wished to address the Committee.

Item No. 2 Bill Fenske, CFO of Rice Hospital, presented the 2012 Financial Report, which reflects an increase in net assets of \$4,061,904 as of December 31st. Mr. Fenske also discussed the April 30, 2013, Financial Report reflecting a net loss of \$1,205,613. Volumes are down so far in 2013, including outpatient services. It was noted that the debt service coverage ratio is still good. Mike Schramm, CEO of Rice Hospital, discussed efforts being undertaken to improve Rice Home Medical as well as efforts to recruit more specialized physicians for the hospital, as well as monitoring the decrease in demand for hospital services. This matter was received for information only.

Item No. 3 Ryan McCormick, of the Willmar Public Library, presented a request for disbursement of \$12,000 from the Library Capital Reserve Fund for the purchase of 12 tables for the multipurpose room. It was noted there are over 200 groups that utilize the multipurpose room in a year so they are well used. He briefly described the new, high-quality, tables which would be easier to set up and take down and would include electrical outlets and data ports. This cost is eligible to be paid from the Library Reserve Fund which was established from the prior local option sales tax program that funded the Library's construction.

The Committee was recommending the Council introduce a resolution allocating \$12,000 from the Library Reserve Fund for the purchase of tables for the multipurpose room. Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Johnson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the 2013 Library Reserve Fund Budget as follows:

Increase:	2013 Capital Expenditures – Tables	\$12,000.00
-----------	------------------------------------	-------------

Dated this 17th day of June, 2013.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 HRA Executive Director Bengtson presented the Administrative Contract for the current Willmar SCDP Program. This contract formally authorizes the Willmar HRA to administer the SCDP Program on behalf of the City of Willmar. The Committee was recommending the Council introduce a Resolution approving the Administrative Contract for the Willmar SCDP Program and authorize the Mayor and the City Administrator to execute said contract.

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

RESOLUTION NO. 4

APPROVING ADMINISTRATIVE CONTRACT FOR
WILLMAR COMPREHENSIVE SMALL CITIES DEVELOPMENT PROGRAM

WHEREAS, the Housing and Redevelopment Authority In and For the City of Willmar, Minnesota, submitted an application on behalf of the City of Willmar, Minnesota for the Willmar Comprehensive Small Cities Development Program under the Small Cities Development Program administered by the Minnesota Department of Employment and Economic Development;

WHEREAS, the City of Willmar has been notified of funding approval of the application by the Department of Employment and Economic Development;

NOW THEREFORE BE IT RESOLVED that the City of Willmar, Minnesota hereby approves the Administrative Contract By and Between the City of Willmar, Minnesota, and the Housing and Redevelopment Authority In and For the City of Willmar, Minnesota attached hereto as Exhibit A (on file in the City Clerk's Office); and

BE IT FURTHER RESOLVED that the Mayor and the City Administrator of the City of Willmar, Minnesota are hereby authorized to execute said agreement.

Dated this 17th day of June, 2013.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Ms. Bengtson then presented the City of Willmar Section 3 Plan which gives preference to low- and very-low income persons or businesses working on HUD-funded projects. This plan is required by HUD to administer the SCDP Program. The Committee was recommending the Council introduce a resolution adopting the Section 3 Plan as presented.

Resolution No. 5 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 5

CITY OF WILLMAR SECTION 3 PLAN

WHEREAS, The City of Willmar is a recipient of the HUD Small Cities Development Program to fund home owner rehabilitation, rental rehabilitation and commercial rehabilitation; and

WHEREAS, the Department of Housing and Urban Development requires its grantees to have a plan in place to direct employment and other opportunities created by the financial assistance received by the City towards low and very low income persons with incomes less than 80 percent of area median income particularly those who are recipients of government assistance for housing;

NOW, THEREFORE, BE IT RESOLVED that the City of Willmar, Minnesota, hereby adopts the Section 3 Plan for the City of Willmar as attached hereto (on file in the City Clerk's Office).

Dated this 17th day of June, 2013.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 6 City Clerk Kevin Halliday reported to the Committee that he had discussed interest rates for short-term investments with Bremer Bank. The current interest rate received on the City's Flex Gold Savings account at Heritage Bank is .10 percent. The annual yield proposed currently by Bremer Bank is .55 percent, less bank and administrative fees which could net to approximately .25 percent. It was Staff's recommendation to proceed with transferring some of the City's short-term investments from Heritage Bank to Bremer Bank. The consensus of the Committee was that Heritage Bank should be contacted to determine if they would provide a counter offer.

The Committee was recommending to the Council that the City Clerk-Treasurer be authorized to open a new account at Bremer Bank for short-term investments, subject to Heritage Bank providing a counter offer. City Clerk Halliday reported that Heritage Bank stated that they would match the Bremer Bank offer. Following discussion to keep all funds at Heritage Bank, no action was necessary.

Item No. 7 Administrator Stevens explained to the Committee that Mid-Minnesota Development has been leasing office space in the basement of City Hall for many years with the existing lease expiring May 31, 2013. The current rent is \$1,350/month and is proposed to be increased \$50/month for the first year and each year thereafter on a three-year lease.

The Committee was recommending the Council authorize the Mayor and City Administrator to execute a three-year lease with Mid-Minnesota Development effective June 1, 2013. Council Member Anderson moved to approve the recommendation of Finance Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 8 The Committee received the April 30, 2013, General Fund Financial Report. This matter was taken for information only.

Item No. 9 Chair Anderson reminded Committee members to provide the Mayor with budget requests by the end of June. This matter was for information only.

The Finance Committee Report for June 10, 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 Christianson, and carried.

The Public Works/Safety Committee Report for June 11, 2013, was presented to the Mayor and Council by Council Member Christianson. There were six items for Council consideration.

Item No. 1 The Council requested an update on various studies and information the City has obtained over time relating to storm water issues. Jared Voge, Interim City Engineer of Bolton and Menk, was asked to review the documents and prepare a summary for the Committee. The memo presented at the meeting summarized the City's drainage concerns and what projects have incrementally been completed to reduce flooding. Mr. Voge noted the areas the City is experiencing flooding issues at are the same areas where flooding occurred in the 1950's. The Watershed Management Plan completed by Barr Engineering analyzed the entire City storm sewer system and identified areas of inadequate storm sewer capacity.

It is evident the outlet elevation to the southeast does not provide for reducing the tailwater conditions created by the elevation of Lake Wakanda. A document prepared by Vern Carlson, PE, in February, 2013 addresses four potential improvement options. The first option consists of lowering Lake Wakanda which would increase capacity of County Ditch 23A. This would require 100 percent of the affected property owners to sign off before the DNR would consider this option. This would also result in the loss of wetland that would need to be justified and mitigated. The second option considers bypassing or re-aligning County Ditch 23A, but this option must adhere to Minnesota Statute 103.E and would take many years and significant analysis and permitting. Option three partially bypasses Grass Lake similar to the second option with the same Statute requirements. The fourth option consists of the utilization of Grass Lake as a detention basin with a pumping system to control the water elevation.

Mr. Voge analyzed all the completed reports and it was agreed that the tailwater condition is the driving force behind the underperformance of the City's storm sewer system. It does not allow runoff to be conveyed through the City system in an efficient manner and begins to pond in localized areas throughout the City. Given these considerations, Option Number 4 presented in Vern Carlson's memo should be further analyzed. This option seems to be the most viable.

Joe Ridler, Chairman of the Storm Water Task Force, informed the Committee that the area northeast of Willmar is 90 feet higher than the City and contributes a great deal of water to the drainage system. This matter was for information only.

Item No. 2 A request by Arnold's of Willmar to allow the extension of municipal water service to their property outside the City limits for the purpose of providing water for a fire sprinkler system was referred back to the Committee for consideration. Current policy does not provide for the extension of municipal utilities beyond the City limits and the comprehensive plan urban growth boundaries adopted by the City does not include annexation in this area. Comments from the City Engineering staff and Willmar Municipal Utilities were received for consideration. The item was referred back to Staff for further discussion with Arnold's of Willmar of possible annexation. This matter was for information only.

Item No. 3 Bruce Peterson, Director of Planning and Development Services, updated the Committee on the MinnWest Lift Station/Lakeland Drive Sewer Project. The project is currently designed to 30 percent by Bollig Inc. The estimated costs to complete the project in its entirety are exceeding the financing. Various alternatives are being explored to make sure the necessary infrastructure improvements are completed. The alternative of elimination of lift stations showed no savings. During the design process, there were indications that the piping may only be utilized at 30-35 percent capacity, which has led Staff to proceed with having 9,000 LF of sanitary sewer televised to look at the condition of the pipe. If the piping is in good condition and of adequate size, this may postpone the reconstruction of the gravity sewer and Lakeland Drive. Design continues for the lift

station and force main. This matter was for information only.

Item No. 4 Police Chief Wyffels presented proposed changes to the current Dangerous Weapons Ordinance, Article III to include extending the time limit on the permits from 60 to 180 days and adding arrows shot from a bow, cross-bow or similar device as a dangerous weapon. Lengthening the time to 180 days would allow a person to only have to obtain one permit for a growing season, saving both resident and Staff time of processing two more permits.

The Committee was recommending the Council authorize Staff to draft the ordinance changes to include the extension to 180 days and also the addition of arrows as dangerous weapons. Council Member Christianson moved to approve the recommendation of the Public Works/Safety Committee with Council Member Nelsen seconding the motion, which carried.

Chief Wyffels updated the Committee on the number of calls and jail census and wanted to remind citizens not to blow lawn clippings into the street.

Item No. 5 The Committee was informed that subsequent to the City receiving a court order to remove the house at 201 Havana Street NE, the garage has fallen into a state of major disrepair and is the target of graffiti. Staff is proposing adoption of a resolution for order of garage repair or removal. Cost to the City would be the demolishing and removal of the garage should the property owner choose to ignore the directive.

The Committee was recommending the Council authorize the resolution ordering the repair or removal of hazardous conditions at the garage at 201 Havana Street NE. Resolution No. 6 was introduced by Council Member Christianson, seconded by Council Member Nelsen, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 6

RESOLUTION ORDERING THE REPAIR OR REMOVAL OF HAZARDOUS CONDITIONS LOCATED AT 201 HAVANA STREET NE

WHEREAS, the residential structure located at 201 Havana Street NE (the "subject property") in the City of Willmar, Minnesota (the "City") was destroyed by fire on or about February 28, 2011;

WHEREAS, after declaring the residential structure to be a hazardous building, ordering its removal, and enforcing the order in the Kandiyohi County District Court, the City removed the residential structure from the subject property;

WHEREAS, the residential structure located at 201 Havana Street NE in the City was served by a detached garage that was not damaged in the fire to the same extent as the residence and did not constitute a hazardous building at the time the City Council ordered the residential structure's removal;

WHEREAS, the garage has and has now become a threat to the public health, deteriorated and has been targeted with graffiti safety and welfare of the community and now constitutes a hazardous building pursuant to Minn. Stat. §§ 463.15 and 463.261; and

WHEREAS, the conditions listed above are more fully documented in the photographs attached to this Resolution as Exhibit A.

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

1. That pursuant to the foregoing findings and pursuant to Minn. Stat. §§ 463.15 and 463.261, the City Council orders the record owners of the hazardous building (the garage on the subject property) to raze the hazardous building, remove its footings and restore the site of the structure pursuant to Minnesota Rules Chapter 1300, Section 1300.0180.
2. That the work described in Paragraph 1 be completed within 30 days of the date that this Order is served on the property owner. The work must be completed in compliance with all applicable codes and regulations and performed pursuant to proper permits from the City.
3. That a motion for summary enforcement of this order will be made to the District Court of Kandiyohi County in which the hazardous building is situated unless the corrective action listed in Paragraph 1 is taken, or unless an answer is filed within the time specified in Minn. Stat. § 463.18, which is 20 days.
4. That in accordance with Minn. Stat. § 463.24, the owner must remove all personal property and/or fixtures that will reasonably interfere with the work within 20 days. If the property and/or fixtures are not removed and the City enforces this order, the City may sell personal property, fixtures and/or salvage materials at a public auction after three days posted notice.
5. That if the City must take actions to enforce this order, all enforcement costs will be specially assessed against the subject property and collected in accordance with Minn. Stat. §§ 463.22, 463.21, and 463.161.
6. That the city attorney is authorized to serve this order on the record owner of the subject property and all lien-holders of record.
7. That the city attorney is authorized to proceed with the enforcement of this order as provided in Minn. Stat. §§ 463.15 and 4463.261.

Dated this 17th day of June, 2013.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 6 The Committee was informed of the deteriorating condition of the wading pool at Rice Park. The pool has been filled three times this year and the water has all leaked out. The walls are crumbling and various cracks are present. At Staff's discretion, the pool will no longer be used. Review of the area for future land use will be conducted through park planning and capital improvements. This matter was for information only.

The Public Works/Safety Committee Report for June 11, 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 Anderson, and carried.

The Mayor and Council considered an Ordinance establishing an On-Sale Brewer Taproom Liquor License category. City Clerk Halliday presented a request to create a new category of liquor licenses to accommodate retail venue of breweries/brew pubs in the City. Upon Council Member inquiries of the possibility of also selling off-sale growlers (64 oz. container of fresh beer), City Attorney Scott offered to conduct additional research. Following discussion, it was the consensus of the Council to refer the matter back to the Public Works/Safety Committee.

Council Member Anderson requested to be excused from the July 1, 2013, City Council meeting.

Mayor Yanish informed the Council that there would be a special meeting of the Council on June 24, 2013. Richard Fursman, Brimeyer-Fursman, will present part two of the organizational study.

Announcements for Council Committee meeting dates were as follows: Special City Council, June 24; Public Works/Safety, June 25; Labor Relations, June 26; and Community Development, June 27, 2013.

There being no further business to come before the Council, the meeting adjourned at 8:40 p.m. upon motion by Council Member Anderson, seconded by Council Member Fagerlie, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL

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

June 24, 2013
4:45 p.m.

The special meeting of the Willmar City Council was called to order by the Honorable Mayor Frank Yanish. Members present on a roll call were Mayor Yanish, Council Members Denis Anderson, Ron Christianson, Audrey Nelsen, Jim Dokken, Rick Fagerlie and Bruce DeBlicke; Present 7, Absent 2 – Steve Ahmann was excused from the meeting, and Council Member Tim Johnson arrived at 4:48 p.m.

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

Consultant Richard Fursman of Brimeyer Fursman presented the final report on the City's organizational study. In mid-May, the Council received and reviewed the preliminary draft that recommended a reorganizational option dealing primarily with external services. External services are defined as services consistently delivered by City employees to most of Willmar's population. Services include Public Works, Wastewater Treatment, Police, Fire, Engineering and Planning. The Council has not acted on the recommendation.

In his final report, Mr. Fursman recommended an option for dealing with internal services. He defined internal services as services primarily delivered by City employees to augment the efforts of services delivered to the public. The services include Information Technology, Finance and Clerk's duties. Currently, those three areas have been relatively stable compared with changes being experienced with external services. Mr. Fursman recommended the City establish a "three-department" model, which would involve creating a Human Resources department, eliminating the City Clerk-Treasurer department, and making permanent the current information technology reporting structure in which the IT department reports directly to the City Administrator. The model does not predict adding employees with the acknowledgement that additional staff may need to be added to the Finance Department to handle the City Clerk-Treasurer workload. The new Human Resources Director would be in charge of hiring and employee maintenance. The Finance Director would absorb many of the functions of the City Clerk-Treasurer while relinquishing human resources duties, and would be responsible for financial management, accounting, treasury and clerk functions. The new position of Communications Director would be responsible for computer and technology services, the website, WRAC public access television and official City records.

Mr. Fursman said he first addressed the need for hiring a City Engineer in his preliminary report in May because the absence of an Engineer is "causing so much pain in the City right now." The position has been held open for months until a decision is reached on the organizational study. Mr. Fursman said the City desperately needs a City Engineer and Engineering Technician. The Engineer would not be in charge of Public Works, as the position is now, but would become part of a six-member team that includes Planning and Zoning, Wastewater Treatment, Public Works, and Facilities Maintenance, all reporting to a Community Services Director. Council Member Christianson stated he supports the hiring of an Engineer and Assistant Engineer but was of the opinion the City Engineer should continue to be in charge of Public Works as the system has worked in the past. Mr. Fursman recommended funneling human resources duties from among the various departments into one HR position, stating he saw no benefit to HR collaboration with other governmental entities because many of the functions were not compatible. Council Member Johnson questioned why there's always a reason why collaboration was not possible and suggested a long-term goal should be looking at ways to standardize some functions or make them more compatible and eliminate some duplicate services.

The report said HR functions are at capacity with Rice Hospital, Willmar School District, and the County. None of the three has the capacity to contract with the City, and the only viable HR partner is the Municipal Utilities. Also, the types of benefit packages and the policies governing employees would require the County to re-tool and hire additional staff. The City would not realize the full benefit of the HR position if the person was housed at the County, the report said. The costs to contract with the County would be just as high to the City as hiring its own HR director.

The report says human resources management is currently shared by all departments, but mostly divided among the Administrator, Finance Director and Clerk-Treasurer. The current system is confusing and time-consuming for any employee needing information for HR-related questions. Mr. Fursman highly recommends that all "shrinkage" in employee numbers occur through attrition (including early retirement) or reassignment; otherwise, a negative impact on employee morale would be likely.

Council Member DeBlieck asked if the final report on the organizational review would be referred to a committee or lay on the table. City Administrator Stevens stated the Council can decide how to move forward with the report. Council Members Nelsen and Anderson said the issue was big enough to involve the entire Council and the Council should schedule another work session and come to some conclusions. Council Member Nelsen offered a motion to hold another Council work session on the organizational report. Council Member DeBlieck seconded the motion, which carried.

There being no further business to come before the Council, the meeting adjourned at 6:01 p.m. upon motion by Council Member Christianson, seconded by Council Member Johnson, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL

RICE MEMORIAL HOSPITAL

BOARD OF DIRECTORS

JUNE 19, 2013

FOR COUNCIL
INFORMATION

PRESENT: David Anfinson, President; Steve Cederstrom, Vice President; Jenna Fischer, Secretary; Dr. Michael Gardner, Treasurer; and Directors Eric Weiberg, Dr. Lachlan Smith, and Dr. Douglas Allen

ADMINISTRATIVE STAFF: Michael Schramm, CEO; Bill Fenske, Teri Beyer, Wendy Ulferts, Dale Hustedt, Dr. Ken Flowe, Sandy Roelofs

GUESTS: Dr. Fred Hund, Shirley Carter, Jessica Vagle, Nancy Loge, Jim Tusa, Nicole Holwerda, Katherine Claussen, Brad Hanson

Call to Order/Minutes: President Anfinson called the meeting to order at 5:33 p.m. **ACTION:** A motion was made by Director Gardner, seconded by Director Allen, and carried that the minutes of the May 15, 2013 meeting be approved as written.

Patient Experience: Teri Beyer reviewed a patient experience involving a Pediatric speech therapy patient. Through a grant given by the Rice Health Foundation to the Speech Therapy Department, they are now able to provide these patients with an I-Pad which is used as part of their speech therapy treatment/care. This particular Pediatric patient has made great strides through the work of our Speech Therapists as well as use of the I-Pad. Special thanks was also given to the Rice Health Foundation.

Quality Report - Jessica Vagle – Director of Inpatient Adult Health & Care Management: The Board viewed a display that was developed by Hospital staff for the Hospital's Quality Fair held in February, in regard to Reducing Avoidable Readmissions Effectively (RARE). They also viewed a video that the Hospital's RARE Team put together based on the Minnesota Hospital Association's RARE "pillow" theme.

Board Education: 2012 Annual Safety Reports were presented to the Board by Hospital Staff in regard to the following information:

- A. Clinical Safety - Wendy Ulferts: 1) Safety Survey. 2) Response Rates. 3) 2012 Clinical Safety Action Plan Wrap Up. 4) 2013 Safety Action Plan.
- B. Infection Prevention and Control – Nancy Loge: 1) Update provided on Clostridium difficile (C. diff). 2) Hospital Associated number of C. diff (2010-2012). 3) Catheter-associated urinary tract infections (CAUTI). 4) Mandates for CAUTI prevention. 5) Large focus is being made on prevention. 6) Rice Hospital data for the period 2011 through first quarter, 2013. 7) Focus on prompt removal. 8) Tuberculosis Screening. 9) Respiratory protection program. 10) Hand hygiene.
- C. Rice Home Medical (RHM) – Jim Tusa: 1) History/background on RHM. 2) Safety Committee focus at RHM. 3) Emergency preparedness.
- D. Rice Care Center – Nicole Holwerda: 1) Safety and workflow/staff education. 2) Employee injuries. 3) Influenza rates. 4) Therapy Suites. 5) Long Term Care. 6) Construction concerns.
- E. Employee Health – Katherine Claussen: 1) Influenza rates. 2) Employee injuries/incidents. 3) Most frequent employee injuries. 4) Workers Compensation claims.
- F. Environmental Safety Committee (ESC) – Brad Hanson: 1) Purpose of ESC. 2) Seven areas of responsibility for the ESC identified by the Joint Commission. 3) 2012 Highlights. 4) 2013 Goals/Future projects.

Financial Report: Bill Fenske reviewed the Hospital's financial reports for the period ending April 30, 2013 in regard to the following: A) April was another negative month in terms of financial performance compared to budget and in terms of actual performance. B) Rice generated a loss of \$315,000 from operations in April compared to budgeted Operating Income of \$151,000. C) The primary contributing factor for this month's loss was the write-offs of receivables at Home Medical which accounted for \$280,000 of the deficit. The write-offs related to three main areas: 1) Prior errors and adjustments on old accounts. 2) Lack of documentation and medical necessity. 3) Timely filings. Additional write-offs are anticipated as the receivables continue to be analyzed and cleaned up. D) Rice was also informed during a meeting

with representatives from Blue Cross & Blue Shield of Minnesota, that the Hospital was being underpaid by them primarily due to a pilot project Rice participated in for the period October, 2012 through May 31, 2013. This amount will be reflected in the May financial reports.

Medical Staff Report: Dr. Fred Hund, Chief of Staff, reviewed the May 28, 2013 Medical Staff Executive and Credentials Committee meetings in regard to: A) Dr. Lucio Minces, Internist & Infectious Disease Specialist, has been a great addition/asset to the Hospital, its patients and the Medical Staff. B) He further reviewed and discussed the importance of the Hospital's RARE program (Reducing Avoidable Readmissions Effectively). C) Dr. Carlos Franco Palacios, M.D., will be joining the Hospital's Medical Staff in early July and will be working in the areas of Nephrology and the Hospitalist Department. D) Dr. Dennis Peterson, Family Practice Medical Center, has resigned from the Hospital's Medical Staff in order to accept a teaching position in St. Cloud. **ACTION: A motion was made by Director Fischer, seconded by Director Cederstrom, and carried that the minutes of the May 28, 2013 Executive and Credentials Committee meetings be approved, and that the following appointments to the Medical Staff of Rice Memorial Hospital be approved as presented and recommended:** **INITIAL APPLICATIONS:** **Active Staff:** Ryan Davis, D.O., Family Practice/Department of Family Practice and Emergency Medicine/Department of Emergency Medicine, Affiliated Community Medical Center (ACMC), Willmar, MN. Expected start date: 7/1/13. Carlos Franco Palacios, M.D., Nephrology/Department of Internal Medicine, ACMC, Willmar, MN. Expected start date: 7/1/13. Jonathan Haas, M.D., Orthopedics/Department of Surgery, ACMC, Willmar, MN. Expected start date: 7/1/13. **REAPPOINTMENT APPLICATIONS:** **Active Staff:** Kristel Arcilla, D.O., Family Practice/Department of Family Practice, Family Practice Medical Center (FPMC), Willmar, MN. Ahsan Bhatti, M.D., Gastroenterology/Department of Internal Medicine, ACMC, Willmar, MN. Anjali Dahiya, M.D., Hospitalist, Department of Internal Medicine, ACMC, Willmar, MN. Emily McDevitt, D.O., Family Practice, Department of Family Practice, ACMC, Willmar, MN. **Affiliate Staff:** Bernard Erickson, M.D., Interventional Cardiology/Department of Internal Medicine, CentraCare Clinic River Campus, St. Cloud, MN. Bhanuprakash Kolla, M.D., Psychiatry, Department of Psychiatry, ACMC, Willmar, MN. Daniel Thompson, M.D., Radiology/Department of Radiology, Suburban Radiologic Consultants, Bloomington, MN. **Allied Health Staff:** Heather Boyle, ST, Surgical Assistant/Department of Surgery, Willmar Medical Services, Willmar, MN. **Responsible Physician:** Dr. Lachlan Smith. Joel Jasa, PA-C, Physician Assistant/Department of Surgery, ACMC, Willmar, MN. **Responsible Physician:** Dr. Daniel Lister.

CEO Report – Mike Schramm:

- A. Employee Engagement Survey: Hospital Staff across the entire organization participated in an Employee Engagement Survey earlier this year. The primary purpose for the survey was to review areas where we, as an organization are doing well, and also identify areas for improvement. The survey was conducted through the Informed Decisions Group. The results of the survey were presented to the Executive Team by Informed Decisions which have also been presented to the Department Directors. The results will then be shared by the Directors with their staff, and each Department will then be responsible for developing an action plan in an effort to make improvements in the areas identified by the survey process.
- B. Building Project Update: A) Rice Care Center (RCC): 1) The State site inspection of the East Wing of the Care Center will take place on July 8. 2) A tour of the Care Center will be planned for the Board in the near future. 3) Work continues on the construction documents for Project F. B) Rice Home Medical (RHM): 1) Progress is being made on the Redwood Falls store project. 2) The Willmar store project is about one week behind schedule. 3) Planning also continues for the Alexandria store. C) Willmar Medical Services (WMS): 1) The Imaging Services remodeling project is underway with internal demolition taking place as well as moving some departments to a temporary location that are affected by the project. 2) Willmar Surgery Center: The planning process for this project continues. The scope of the project has grown along with the estimated costs for the project. The project has been placed on hold in order to address issues raised by the Committee. 3) Perkins+Will has been engaged to assist with addressing current and long-term space needs for the Hospital. Meetings have been held with Hospital Directors in order to review and discuss space needs for their departments/the Hospital.
- C. Financial Performance Improvement: 1) Short term and long term financial performance plans were discussed at length with the Finance Committee at its June 6 meeting. 2) A recent initiative included a presentation to

Department Directors on the Surviving on Medicare project. The project gives a direction and focus for opportunities for cost savings. 3) Directors have been instructed to find a 2% reduction of costs (from actual, not budget) for their areas to implement in the short term (6 to 18 months). 4) Review of Hospital service lines continues. An overall assessment of mental health services was recently completed and this information will be brought to the Board for review and discussion.

- D. Medical Staff/Physician Recruitment: 1) Work continues on updating the Hospital's Medical Staff development plan which speaks to recruitment, types of specialties needed, and services being provided in the community/region. Further information on the plan will be brought to the Board for review and discussion. 2) Dr. Jonathan Haas, Orthopedic Surgeon, will join the Hospital's Medical Staff on July 1. 3) Dr. Carlos Franco Palacios, Nephrologist/Hospitalist will join the Hospital's Medical Staff on July 1. 4) Dr. Jessica Baitani, Hospitalist, will be leaving Rice's Hospitalist Department in the Fall. 5) Dr. Michael Bateman, Pediatrician, will also be leaving ACMC/the Hospital's Medical Staff in the near future. Physician recruitment efforts continue in these areas. 6) A meeting was recently held with CentraCare representatives in regard to Cardiology Services/the placement of a full-time Cardiologist in Willmar. 7) Dr. Ewa Wysokinska, Medical Oncologist, will be joining the Cancer Center/Hospital Medical Staff in January, 2014.
- E. Blue Cross/Blue Shield (BCBS): Rice did participate in a BCBS pilot project relative to expanding the numbers of DRG's and the methodology behind how the Hospital is paid for these services. A meeting was recently held with BCBS representatives in an effort to better understand how we are performing as an organization.
- F. Minnesota Hospital Association (MHA)/Legislative Update: CEO Schramm reported on the MHA Region meeting he attended last week and provided an update/summary to the Board on the 2012/2013 legislative session.

New Business:

- A. **Anesthesia & Sleep Lab Services Joint Venture:** CEO Schramm reviewed a memo to the Board requesting a resolution be passed to enhance the WMS joint venture to include anesthesia and sleep lab services. This is an initiative that the Hospital has been working on for many months with ACMC in terms of enhancing anesthesia services within the community. The proposed initiative would result in Rice including inpatient and outpatient professional CCRNA services performed at Rice, outpatient anesthesia facility fees performed at Rice, and all Sleep Lab facility fees performed at Rice to be transferred to WMS much like Oncology and Imaging Services are currently being transferred. ACMC will be including all anesthesia physician professional services performed at Rice and the Willmar Surgery Center, all Sleep Lab physician professional services performed for patients at Rice, plus all CRNA professional services performed at the Surgery Center. The net contribution by each party is \$1.4 million of net income (3 year total). Additional information reviewed included: 1) Overview of the ownership of WMS whereby profits are split 50/50. 2) The legal and beneficial ownership of the service lines. 3) The anesthesia service relationships between the organizations. 4) The goal of combining these services is multi-faceted including: a) Enhancement of services through quality initiatives. b) Enhanced patient and surgeon satisfaction and service. c) Enhanced utilization of equipment, supply, and human resources. d) The lowering of healthcare costs in the community. **ACTION: A motion was made by Director Smith, seconded by Director Gardner and carried that the proposed resolution (see attachment) authorizing and directing the Rice Memorial Hospital Chief Executive Officer to execute any and all agreements memorializing the addition of anesthesia and sleep-related services to Willmar Medical Services be approved as presented and recommended; and that said agreements be effective July 1, 2013.**
- B. **HIPAA Annual Report:** Teri Beyer reviewed the 2012 Privacy and Security Activity annual report for Rice Memorial Hospital. She reviewed highlights from the report in regard to: 1) Staff education. 2) Business associate agreements. 3) Administrative safeguards. 4) Accountings of disclosures. 5) Physical safeguards. 6) Amendments to records. 7) Technical safeguards. 8) Privacy complaints. 9) Audit activity. 10) Notice of privacy practices. **ACTION: A motion was made by Director Weiberg, seconded by Director Allen and carried that the 2012 Privacy and Security Activity Report for Rice Memorial Hospital be approved as presented.**

Other Business:

- A. **Medical Staff Appointment:** Discussion was held on the approval of an additional appointment to the Medical Staff of Rice Memorial Hospital whose application process has been approved by the Medical Staff's Credentials Committee and brought to the Board of Directors for approval since he will begin working in the Hospital's Emergency Services Department on June 30, 2013. **ACTION: A motion was made by Director Allen, seconded by Director Cederstrom and carried that Jayme Van Beek, D.O., be granted provisional Affiliate Staff privileges in the Department of Emergency Medicine at Rice Memorial Hospital.**

- B. **Rice Health Foundation:** Shirley Carter thanked the Hospital Board, Physicians and Employees for their generous gifts to the Foundation's Capital Campaign for the Rice Care Center. To date approximately \$1.36 million has been raised for the Care Center's building project. The Employee Campaign whose focus was also on the Care Center's building project raised approximately \$201,000 from the Hospital staff.

- C. **Board Education:** Discussion was held on continuing education opportunities for the Hospital Board members. Board members were informed of the upcoming Minnesota Hospital Association's 2013 Summer Trustee Conference which will be held on July 12-14 at the Arrowwood Resort & Conference Center in Alexandria, MN. The MHA Board certification process was reviewed for the Board. Information will also be provided to the Board on additional Trustee continuing education opportunities available through the American Hospital Association, Governance Institute and Estes Park Institute.

Hospital Committee Reports:

- A. Ethics Committee: Director Fischer was in attendance at the June 3 Ethics Committee meeting. Review and discussion was held at the meeting in regard to an ethics case study involving a Rice Hospital inpatient.

- B. Finance Committee: In attendance at the June 6 meeting were Directors Gardner, Allen, Anfinson, Weiberg and Fischer. Discussion was held on: 1) April 30, 2013 financial statements. 2) RCC Construction Project. 3) Hospital's Financial Performance Improvement plans. 4) FTE's/staffing levels. 5) Investment policies and strategies. 6) Analysis of Rice's debt capacity.

- C. Hospital Board Executive Committee meetings were held on June 12 and 17. In attendance were Directors Anfinson, Cederstrom and Gardner.

- D. Medical Staff Meetings: Dr. Smith attended both the May 28 and June 18 Medical Staff Executive Committee meetings. Dr. Smith also attended the Cancer Committee meeting held on June 7.

Adjournment: There being no further business, the meeting was adjourned at 8:11 p.m.

Submitted by:

Jenna Fischer, Secretary

Sr

**RESOLUTIONS OF THE BOARD OF DIRECTORS OF
RICE MEMORIAL HOSPITAL**

RECITALS:

A. The Board of Directors has determined that it is in the best interests of Rice Memorial Hospital (“Hospital”) to expand its collaboration with Affiliated Community Medical Centers, P.A. (“ACMC”) through Willmar Medical Services, LLP (“WMS”).

B. The expansion of WMS will involve certain anesthesia and sleep-related services, will involve certain equal contributions of intangible value by Hospital and ACMC (\$1.4 million) to WMS and will be memorialized in certain agreements, the substance of which have been summarized for the consideration of the Board of Directors by Hospital officers.

NOW, THEREFORE, in consideration of the foregoing recitals:

1. BE IT RESOLVED, that, subject to any necessary approvals of the Willmar City Council, the Chief Executive Officer (“CEO”) of the Hospital be, and hereby is, authorized and directed to finalize and execute agreements memorializing the addition of anesthesia and sleep-related services to WMS.

2. RESOLVED FURTHER, that all actions taken to date by the CEO of the Hospital in connection with the expansion of the WMS be, and hereby are, ratified and affirmed.

3. RESOLVED FURTHER, that the CEO of the Hospital be, and hereby is, authorized and directed to execute such further documents, obtain such consents and approvals, and notify such governmental and regulatory authorities, as may be necessary or desirable in connection with these resolutions.

Dated: July 1, 2013

There are four documents that Rice will need to sign to include the following:

Contract	Parties	Purpose
CRNA Professional Services Agreement	Rice Memorial Hospital & Willmar Medical Services	Assignment of net collections, expenses, and services performed by Rice CRNAs to WMS
Professional Anesthesia Agreement	Willmar Medical Services and Rice Memorial Hospital	Provisions of professional anesthesia services that were assigned to WMS and then provided back to Rice Hospital
First Amendment to Limited Liability Partnership Agreement of WMS	Rice Memorial Hospital and ACMC	Amend the partnership agreement to include the new services
Contribution Agreement	Rice Memorial Hospital to WMS	Contribution of net income flows including equipment from Rice to WMS

WILLMAR MUNICIPAL UTILITIES MINUTES
MUNICIPAL UTILITIES AUDITORIUM
JUNE 24, 2013

The Municipal Utilities Commission met in its regular meeting on Monday, June 24, 2013 at 11:45 a.m. in the Municipal Utilities Auditorium with the following Commissioners present: Steve Salzer, Matt Schrupp, Jerry Gesch, Carol Laumer, and Jeff Nagel. Absent were Commissioners Dan Holtz 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, Director of Finance Tim Hunstad, Director of Electric Production Jon Folkedahl, Customer Service Supervisor Stacy Stien, Power Supply Broker Chris Carlson, IS Manager Mike Sangren, Councilmen Bruce DeBlieck & Jim Dokken, and City Attorney Robert Scott (via teleconference).

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

RESOLUTION NO. 26

"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 June 10, 2013 Commission meeting; and,
- ❖ Bills represented by vouchers No. 131031 to No. 131179 inclusive in the amount of \$1,872,337.34 with a MISO charge in the amount of \$65,604.58 and an Absaloka Coal payment in the amount of \$26,263.20.

Dated this 24th day of June, 2013.

President

ATTEST:

Secretary

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

General Manager Hompe reviewed with the Commission minutes from the June 12th WMU Planning Committee meeting. Old business updates were given on the following topics: 1) communications continue with consultant Bob Jablon on the Interconnection Agreement with Xcel; 2) Rollie Hill of 10 10 Energy, Inc., has been advising Staff on strategies related to purchased power markets and software options available; and, 3) a proposal is being created for submission and consideration by Great River Energy (GRE).

New business to come before the WMU Planning Committee included the status of the coal unloading system proposal. Due to safety issues concerning the current system, it was being recommended by the Planning Committee to continue forward with the proposed coal unloading system as discussed.

The second item of new business to be discussed by the Planning Committee was to review the RFP's received for a software project manager for the conversion of the current computer system. Four vendors were evaluated by Staff for consideration. The evaluations were based on experience in similar systems, their experience with municipal utilities, and the cost. Staff was recommending engaging PSE as the project manager for the computer conversion project.

Following discussion, Commissioner Schrupp offered a motion to approve the minutes from the June 12th WMU Planning Committee meeting as presented. Commissioner Nagel seconded the motion which carried by a vote of five ayes and zero nays.

Director of Finance Hunstad and IS Coordinator Sangren continued discussion with the Commission on the proposal submitted by Power System Engineering, Inc., of Madison, WI, to perform the duties of project manager for the Administrative Systems Conversion Project. Following an assessment of the existing system and its processes, PSE will work with WMU Staff to develop a conceptual plan and procession to complete a total upgrade of the current computer/software system for the WMU. The total charges for the project manager portion of the Administrative Systems Conversion Project (Phase I) is in an amount not to exceed \$42,700. Following discussion, Commissioner Schrupp offered a resolution to approve the agreement with PSE to serve as project manager for the Administrative Systems Conversion Project. Commissioner Laumer seconded.

RESOLUTION NO. 27

"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that Power System Engineering, Inc., of Madison, Wisconsin, be engaged to perform the duties of system manager for the Administrative Systems Conversion Project in an amount not to exceed \$42,700 (Phase I)."

Dated this 24th day of June, 2013.

President

ATTEST:

Secretary

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

A number of statistical reports were presented for discussion and review. Director of Finance Hunstad reviewed with the Commission data from the May 2013 Financial Report and the May 31, 2013 Investment Report. Power Supply Broker Carlson presented the Commission with an analysis of 2013 WPPI activities (nuclear energy). These were for information only.

At this time, General Manager Hompe along with Commissioner Gesch and Councilman DeBlieck presented the Commission with a recap of their recent attendance at the APPA National Conference. Among the topics of interest discussed at the conference were: nuclear energy, disaster preparation & recovery, technological planning, federal & state mandates, environmental regulations (i.e. coal fired plants), gas availability & pricing, smart grid, and management in the workforce.

Director of Water/Heating Murphy gave a brief update on the status of the college water tower project (interior & exterior renovations).

Power Production Supervisor Folkedahl informed the Commission of recent intermittent activity involving Wind Turbine Generator #4. He noted that a high voltage switch is scheduled to be replaced on June 26th with crews from both WMU and DeWind anticipating to have the generator back on line by Thursday, June 27th.

General Manager Hompe reminded the Commissioners of an upcoming meeting/conference to note. This event would be:

1. MMUA Summer Conference – August 19-21 (Madden's Resort – Brainerd)

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

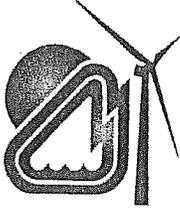
Respectfully Submitted,

WILLMAR MUNICIPAL UTILITIES

Jeff Kimpling
Manager of Electric Services

ATTEST:

Jerry Gesch, Secretary



WILLMAR MUNICIPAL UTILITIES

WMU Planning Committee Minutes Wednesday, June 12, 2013 – 9:30 a.m. WMU Conference Room

Present: Dan Holtz (Chair), Jerry Gesch, Jeff Nagel, Wesley Hompe, Tim Hunstad, Mike Sangren, Jon Folkedahl and Chris Carlson.

Old Business:

- Interconnection Agreement with Xcel: In communications with consultant Bob Jablon. Upon completion of all necessary revisions to the agreement, it will be presented to the WMU Planning Committee for their recommendation. It would next go before the Commission for approval. Estimated completion could be 2014.
- Purchase Power activities:
 1. Consulting firm 10 10 Energy Inc. (Rollie Hill) has been advising Staff on purchase power markets & software options available. This was for information only.
 2. GRE proposal being created for submission and consideration.
 3. SAIC task list: Market/load forecast data update is required from WMU including markets related to gas, electric, coal, carbon, etc. Requested a price from SAIC to update the necessary data required.

New Business:

- Coal unloading system proposal:

Pictures were viewed of a similar coal unloading system constructed in 2011 (fall) at NDSU . A similar pivoting device mounted on a structure above the coal cars is the current option being considered. Staff noted that WMU has the financial summary & complete set of design drawings of NDSU's project. Complete budgeted amount for the coal unloading project is \$280,000. Because safety issues concerning the current system are a major component for consideration, it was the consensus of the Committee to proceed with the project.

Recommendation: Confirmed by Planning Committee to continue forward with the proposed coal unloading system as discussed.
- RFP responses received for software project manager for the computer system upgrade:

Staff gave a presentation to the Planning Committee regarding the computer system conversion project. Eleven vendors were sent Request for Proposals (RFP) for the computer system conversion. Four vendors were evaluated by Staff for consideration. The evaluations were based on experience in these types of systems, their experience in municipal utilities, and cost.

Staff was recommending engaging PSE as the project manager for the administrative systems conversion project. PSE had a fixed-labor fee along with that they had conducted multiple similar projects.

Recommendation: Following further discussion, Commissioner Holtz offered a motion to approve engaging PSE to serve as project manager for the system conversion project, Phase I. Commissioner Gesch seconded the motion which carried by a vote of three ayes and zero nays.

Commissioner Nagel left the meeting at 10:45 a.m.

Adjournment:

Following discussion, Commissioner Holtz offered a motion to adjourn the meeting of the WMU Planning Committee at 11:05 a.m. Commissioner Gesch seconded the motion which carried by a vote of two ayes and zero nays.

**WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, JUNE 26, 2013**

MINUTES

1. The Willmar Planning Commission met on Wednesday, June 26, 2013, at 7:00 p.m. at the Willmar Fire Hall-Training Room.

** Members Present: Mark Klema, Gary Geiger, Scott Thaden, Bob Poe, and Margaret Fleck.

** Members Absent: Charles Oakes, Andrew Engan, Nick Davis, and Randy Czarnetzki

** Others Present: Brian DePrez, Zach Mahboub, Abdi, Bruce D. Peterson-Director of Planning and Development Services, and Megan DeSchepper- Planner.

2. MINUTES: The minutes of the June 12, 2013 meeting were approved as presented.

3. CASEY'S GENERAL STORE CONDITIONAL USE PERMIT- FILE NO. 13-01: The public hearing opened at 7: 01 p.m. Brian DePrez representing Casey's General Stores, presented a conditional use permit request to operate a convenience store with gas sales on property legally described as the W 200' of E 487' of N. 398.16' of NE ¼ of NW ¼ (2300 Hwy. 12 E.). Mr. DePrez explained that they are proposing a brick/eifs building that will fit into the commercial area architecturally. There will be two accesses to the site, one via 23rd St. SE and one on Oxford Dr. SE. Mr. DePrez anticipates that delivery trucks will solely use the 23rd St. SE access. There will be fuel sales, convenience items, pizza etc. similar to the other Casey's General Store on 19th Ave. SW.

No one appeared to speak for or against the request and the public hearing closed at 7:08 p.m.

Staff comments were reviewed and discussed (see Attachment A and B).

The Commission talked about screening along the rear of the property with plantings or a fence to act as a buffer to adjacent residential properties. They discussed the parking setback not being met on the east and west sides of the property, but commented that the setback could be met without losing parking or safe traffic flow on site. As the site is being redeveloped some of the existing utility service lines will have to be relocated or abandoned at the cost of the developer.

Mr. Thaden made a motion, seconded by Mr. Geiger, to approve the conditional use permit with the following conditions:

- A. Transformer and wires shall be as per MUC comments.
- B. Water line valves and abandonment shall be as per MUC comments.

- C. Fire hydrant removal and new location shall be as per the Fire Chief/Marshal's comments.
- D. All 13 comments from the Interim City Engineer shall be met prior to issuance of a building permit.
- E. The parking setback shall be met on the east (10' from property line) and west (15' from r-o-w) side of the property.
- F. Fencing or plantings shall be added along the rear of the property to act as a buffer/screening to the adjacent residential area.
- G. Plantings/landscaping shall be added to the front (north) portion of the property.
- H. The use shall meet all applicable local, state, and federal laws and regulations at all times.

The Planning Commission reviewed and made affirmative findings of fact in Zoning Ordinance Section 9.E.3.a.1-7.

The motion carried.

4. DARYEEL CHILD CARE CENTER CONDITIONAL USE PERMIT-FILE NO. 13-02:
 The public hearing opened at 7:26 p.m. Zach Mahboub presented the request for a conditional use permit to operate a daycare on property legally described as: All of Block 135, Second Addition to Willmar (1112 Lake Ave. NW). The three western rooms (old classrooms/daycare rooms from the previous uses) will be used for the daycare. They currently have interest for about 8 children, but hope to get up to 15 or 20 children. The state license for the size of the facility would be up to 59 children. The portion of the building is sprinkled and code compliant for the proposed use. At the start up they will have one to two staff persons depending on the number of children.

No one appeared to speak for or against the request and the public hearing closed at 7:31 p.m.

The Planning Commission reviewed and discussed staff comments (see Attachment A).

The Commission discussed the hours of operation and that often time's parents run late etc. and suggested extending the hours to 7 p.m. The Planning Commission also talked about not restricting the daycare any further than the state license does. The Commission inquired about pick up and drop off traffic. Mr. Mahboub stated it will be at varied times so should not be a volume issue.

Mr. Thaden made a motion, seconded by Geiger, to approve the conditional use permit for a daycare with the following conditions:

- A. The hours of operation shall be Monday through Friday 6 a.m. to 7 p.m.
- B. The maximum number of children allowed at the daycare shall be as per the State license.
- C. The use shall meet all applicable local, state, and federal laws and regulations at all times.

The Planning Commission reviewed and made affirmative findings of fact in Zoning Ordinance Section 9.E.3.a.1-7.

The motion carried.

5. There being no further business to come before the Commission, the meeting adjourned at 7:42 p.m.

Respectfully submitted,



Megan M. DeSchepper, AICP
Planner/Airport Manager

PLANNING COMMISSION-JUNE 26, 2013

STAFF COMMENTS

1. CASEY'S GENERAL STORE CONDITIONAL USE PERMIT-FILE NO. 13-01:

- The applicant is Casey's Retail Company, Ankeny, IA.
- The applicant has a purchase agreement on the property to operate a convenience store with gas sales on property legally described as the W 200' of E 487' of N. 398.16' of NE ¼ of NW ¼ (2300 Hwy. 12 E.).
- The property is zoned GB (General Business) and the use is permitted with a conditional use permit.
- The property is accessed via 23rd St. SE and Oxford Dr. SE. The proposed Oxford Dr. SE access is new, and the existing northerly access will be shifted further south and the southerly most access will be removed.
- The building setbacks exceed minimum distances. However, the parking setback on the east side of the property is at 5' whereas the Zoning Ordinance requires a 10' separation of green space in regards to parking areas. And the setback of the parking area on the west side is at 9' whereas it's supposed to be 15' off of r-o-w.
- Sign approval and permitting is done ancillary from Planning Commission review.
- The building façade will fit in with other architecture of commercial buildings in the area.
- Provided parking exceeds Ordinance requirements.
- A landscaping plan with only grass and some trees around rear and side depicted was submitted.
- Screening or fencing of a minimum of 75% opacity shall be added to the plan along the rear of the property to buffer the residential properties to the south.

MUC Electrical Comments: Jeff Kimpling of MUC depicted on the site plan where transformer and underground wires would be placed, and portion of existing wire to be abandoned (drawings will be supplied to applicant).

MUC Water Comments: Bart Murphy of MUC depicted on the site plan where the existing line in by Hwy. 12 to plug existing tee and remove unused line. Also install curb valve on private property per drawing (drawings will be supplied to applicant).

Fire Chief/Marshal Comments: Comments depicted of hydrant removal to new location, new site depicted on drawing (drawings will be supplied to applicant).

Interim City Engineer Comments: See Attachment B, comments 1-13.

RECOMMENDATION: Approve the conditional use permit with the following conditions:

- A. Transformer and wires shall be as per MUC Comments.
- B. Water line valves and abandonment shall be as per MUC Comments.
- C. Fire hydrant removal and new location shall be as per the Fire Chief/Marshal's Comments.

- D. All 13 comments from the Interim City Engineer shall be met prior to issuance of a building permit.
- E. The parking setback shall be met on the east and west side of the property.
- F. Fencing or screening shall be added along the rear of the property to act as a buffer to the adjacent residential area.
- G. Plantings/landscaping shall be added to the front/north side of the property.
- H. The use shall meet all applicable local, state, and federal laws and regulations at all times.

2. DARYEEL CHILD CARE CENTER CONDITIONAL USE PERMIT- FILE NO. 13-02:

- The applicant is Daryeel Child Care Center, Willmar, MN.
- The applicant is requesting a conditional use permit to operate a daycare on property owned by the Islamic Society of Willmar on property legally described as: All of Block 135, Second Addition to Willmar (112 Lake Ave. NW).
- The three rooms (old classrooms) on the northwest side of the property will be used for daycare purposes.
- The applicant may have up to 25 children (PC limit #?)
- Onsite parking is adequate as the majority of traffic will be temporary in nature to drop off or pick up children.
- They plan on having one to two staff people starting up.
- No additional playground or fences are planned.
- Hours of operation would be Monday through Friday 6 a.m. to 6 p.m.
- Sprinkled portion of the building and alarmed, no building code issues.

RECOMMENDATION: Approve the conditional use permit for a daycare with the following conditions:

- A. The use shall meet all applicable local, state, and federal laws and regulations at all times.
- B. The conditional use permit is for a 25 child day care, if the daycare expands an amendment to the conditional use permit shall be required.



BOLTON & MENK, INC.

Consulting Engineers & Surveyors

2040 Highway 12 East • Willmar, MN 56201-5818

Phone (320) 231-3956 • Fax (320) 231-9710

www.bolton-menk.com

June 17, 2013

Megan DeSchepper, Planner/Airport Manager
City of Willmar
333 6th Street Southwest
P.O. Box 755
Willmar, MN 56201

RE: Casey's General Store - 23rd Street SE & US Hwy 12
City of Willmar
Project No.: W18.105587

Dear Megan:

I have reviewed the site plan submitted for the above referenced project dated April 3, 2013 with the latest revision dated May 29, 2013 and have the following comments:

1. The applicant shall submit a stormwater management plan complete with pre- and post-development drainage areas and calculations for review and approval.
2. The application shall submit a Stormwater Pollution Prevention Plan for the review and approval of the City Engineering Department.
3. The applicant shall be responsible for obtaining an NPDES Phase II Construction Stormwater Permit. A copy of the permit shall be submitted to the City for our files.
4. The applicant shall submit utility plans for the review and approval of the Willmar Municipal Utilities and the Engineering Department.
5. The sanitary sewer service for the site is shown connecting to a private sanitary sewer manhole. The applicant shall obtain permission for the connection from the private owner. Correspondence between applicant and the sanitary sewer systems owner regarding the acceptability of the connection shall be submitted to the City of Willmar for our files.
6. Additional information regarding the abandonment of the existing sanitary sewer service located north of the proposed canopy shall be provided in the utility plans. If the existing sanitary sewer service will not be utilized, it shall be bulkheaded within the manhole.
7. Clean outs shall be installed on the proposed sanitary sewer service at all bends. Clean out spacing shall not exceed 75-feet.
8. Tracer wire, #12 AWG, green coated, shall be installed on the proposed sanitary sewer service and shall be brought to the surface at all cleanout locations.

H:\WILL\W18105587\1_Corres\DeSchepper.ltr.061713.doc



Casey's General Store 23rd Street SE & US Hwy 12

June 17, 2013

Page 2

9. The proposed site plan shall be submitted to Mn/DOT to review since the site is adjacent to Mn/DOT right of way.
10. The application shall be responsible for the cost of all repairs required to 23rd Street SE as a result of construction.
11. Willmar Municipal Utilities shall be provided with the opportunity to review the construction plans prior to a building permit being issued for the site to ensure that all proposed gate valves, water services, and fire hydrants comply with their requirements.
12. The site accesses shall be a maximum of 32-feet in width.
13. All construction shall be in accordance with the City of Willmar standards.

I recommend that as part of the Conditional Use Permit Application and prior to a building permit being issued, that the above requested information be submitted for review and approval of the City of Willmar.

If you have any questions on the above please call.

Sincerely,

BOLTON & MENK, INC.

Jared Vogt, P.E.
Interim City Engineer

JAV/kg

VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
AFFORDABLE PUMPING SERVI 36701 06/26/13 SEPTIC PUMPING 002404	330.00		21563		D N	CLEANING AND WAS	230.43430.0338
AMERICAN WELDING & GAS I 36702 06/26/13 FIRE EXT. REFILL 000057	18.58		02238248		D N	MTCE. OF EQUIPME	101.43425.0334
36702 06/26/13 FIRE EXT. INSPECTION	15.00		02249433		D N	MTCE. OF EQUIPME	101.43425.0334
36702 06/26/13 HINGE	14.19		02251767		D N	MTCE. OF STRUCTU	101.45433.0225
36702 06/26/13 CYLINDER RENTAL	596.36		02257179		D N	RENTS	101.43425.0440
36702 06/26/13 CYLINDER RENTAL	12.92		02263713		D N	RENTS	101.43425.0440
36702 06/26/13 CYLINDER RENTAL	12.92		02264015		D N	RENTS	101.43425.0440
	669.97		*CHECK TOTAL				
	669.97						
VENDOR TOTAL							
AMERLEPRIDE LINEN & APPAR 36703 06/26/13 TOWEL SERVICE 000051	27.46		2200375890		D N	CLEANING AND WAS	101.43425.0338
36703 06/26/13 TOWEL SERVICE	27.46		2200380938		D N	CLEANING AND WAS	101.43425.0338
	54.92		*CHECK TOTAL				
	54.92						
VENDOR TOTAL							
APPERT'S FOOD SERVICE 36704 06/26/13 CONCESSION SUPPLIES 002526	1,690.00		1945177		D N	GENERAL SUPPLIES	101.45437.0229
36704 06/26/13 CONCESSION SUPPLIES	9.00		1945513		D N	GENERAL SUPPLIES	101.45437.0229
36704 06/26/13 CONCESSION SUPPLIES	439.80		1948717		D N	GENERAL SUPPLIES	101.45437.0229
	2,138.80		*CHECK TOTAL				
	2,138.80						
VENDOR TOTAL							
BANKS/ERIC 36699 06/19/13 CANDY-WLMR FEST PARADE 00808	150.00		061813		D N	GENERAL SUPPLIES	101.41401.0229
36699 06/19/13 CANDY-WLMR FEST PARADE	100.00		061813		D N	GENERAL SUPPLIES	101.45432.0229
	250.00		*CHECK TOTAL				
	250.00						
VENDOR TOTAL							
BATTERY WHOLESALE INC 36705 06/26/13 L.S. UPS BATTERIES 002860	206.43		15271		D N	MTCE. OF EQUIPME	651.48485.0224
36705 06/26/13 L.S. UPS BATTERIES	24.26		15288		D N	MTCE. OF EQUIPME	651.48485.0224
	230.69		*CHECK TOTAL				
	230.69						
VENDOR TOTAL							
BERNICK'S PEPSI-COLA CO 36706 06/26/13 OFFICE COFFEE 000103	39.48		3459		D N	GENERAL SUPPLIES	101.43425.0229
BLESS AUTOMOTIVE INC 36707 06/26/13 SIGN DEPOSIT REFUND 01447	100.00		2013-08		D N	DEPOSITS-SIGN PE	101.230001
BOLLIG INC 36708 06/26/13 PROFESSIONAL SERVICES 002999	2,581.25		2383		D N	OTHER SERVICES	413.48451.0339
BOLTON & MENK INC 36709 06/26/13 INTERIM CITY ENG SERVICE 001010	450.00		0156661		D N	PROFESSIONAL SER	101.41402.0446

VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
CARRANZA/NOE 36714 06/26/13 PROFESSIONAL SERVICES 002547	50.00		061313		D N	PROFESSIONAL SER	101.42411.0446
CENTERPOINT ENERGY 36715 06/26/13 NATURAL GAS CHARGES 000467	12.82		6007936/6-13		D N	UTILITIES	230.43430.0332
36715 06/26/13 NATURAL GAS CHARGES	98.73		6007939/6-13		D N	UTILITIES	101.43425.0332
36715 06/26/13 NATURAL GAS CHARGES	79.61		6061271/6-13		D N	UTILITIES	101.45433.0332
36715 06/26/13 NATURAL GAS CHARGES	89.90		6084836/6-13		D N	UTILITIES	101.45435.0332
36715 06/26/13 NATURAL GAS CHARGES	155.13		6085332/6-13		D N	UTILITIES	101.45433.0332
36715 06/26/13 NATURAL GAS CHARGES	76.11		6102725/6-13		D N	UTILITIES	101.42412.0332
36715 06/26/13 NATURAL GAS CHARGES	60.33		6725927/6-13		D N	UTILITIES	230.43430.0332
36715 06/26/13 NATURAL GAS CHARGES	12.82		7177865/6-13		D N	UTILITIES	230.43430.0332
36715 06/26/13 NATURAL GAS CHARGES	87.45		8503501/6-13		D N	UTILITIES	651.48485.0332
36715 06/26/13 NATURAL GAS CHARGES	157.57		8512023/6-13		D N	UTILITIES	651.48485.0332
36715 06/26/13 NATURAL GAS CHARGES	577.57		8795475/6-13		D N	UTILITIES	651.48484.0332
VENDOR TOTAL	1,408.09		*CHECK TOTAL				
CHAPPELL CENTRAL INC 36716 06/26/13 WATER HEATER MICE-LABOR 000156	95.00		00054029		D N	MICE. OF STRUCTU	101.45435.0335
36716 06/26/13 CHECKED A/C OIL PUMP	306.78		00054036		D N	MICE. OF STRUCTU	101.41408.0225
36716 06/26/13 CHECKED A/C OIL PUMP	237.50		00054036		D N	MICE. OF STRUCTU	101.41408.0335
36716 06/26/13 A/C MICE-PARTS	184.15		00054038		D N	MICE. OF STRUCTU	101.45427.0225
36716 06/26/13 A/C MICE-LABOR	332.50		00054038		D N	MICE. OF STRUCTU	101.45427.0335
36716 06/26/13 A/C REPAIR-PARTS	138.00		00054040		D N	MICE. OF STRUCTU	101.45427.0225
36716 06/26/13 A/C REPAIR-LABOR	285.00		00054040		D N	MICE. OF STRUCTU	101.45427.0335
36716 06/26/13 CHECKED AIR HNDLR VALVE	127.02		00054060		D N	MICE. OF STRUCTU	101.45427.0225
36716 06/26/13 CHECKED AIR HNDLR VALVE	190.00		00054060		D N	MICE. OF STRUCTU	101.45427.0335
VENDOR TOTAL	1,895.95		*CHECK TOTAL				
CHARTER COMMUNICATIONS 36717 06/26/13 MONTHLY PHONE SERVICE 000736	122.23		1136/6-13		D N	COMMUNICATIONS	101.41409.0330
36717 06/26/13 MONTHLY PHONE SERVICE	156.92		2191/6-13		D N	COMMUNICATIONS	101.41409.0330
VENDOR TOTAL	279.15		*CHECK TOTAL				
COALITION OF GREATER MN 36718 06/26/13 STEVENS-SEMINAR REGIS. 001335	60.00		061713		D N	TRAVEL-CONF.-SCH	101.41400.0333
CODE 4 SERVICES LLC 36719 06/26/13 CAR 8 VEHICLE UP-FIT 002984	2,664.39		1045		D N	MACHINERY AND AU	450.42411.0553
COLEPAPERS INC 36720 06/26/13 2 BABY CHANGING TABLES 000170	634.41		8868882		D N	SMALL TOOLS	101.45437.0221
CULLIGAN STERLING-WATER 36721 06/26/13 SOFTENER RENTAL 000188	32.28		112508-9/5-13		D N	RENTS	101.45435.0440

VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9	BX M	ACCOUNT NAME	ACCOUNT
DAN'S SHOP INC 36722 06/26/13 FILTERS 36722 06/26/13 FILTERS VENDOR TOTAL	24.24 7.75 31.99 31.99		59947 59948 *CHECK TOTAL		D N D N		INVENTORIES-MDSE INVENTORIES-MDSE	101.125000 101.125000
DELTA DENTAL OF MINNESOTA 36723 06/26/13 DENTAL INSURANCE-JUL	26.55		5168181		D N		RETIRED EMPLOYEE	101.41428.0818
DEPT OF HUMAN SERVICES 36724 06/26/13 CLEANING SERVICES	67.50		00000143013		D N		CLEANING AND WAS	101.45435.0338
DIAMOND VOGEL PAINT CENT 36725 06/26/13 FIELD MARKING PAINT 36725 06/26/13 TRAFFIC PAINT 36725 06/26/13 TRAFFIC PAINT 36725 06/26/13 TRAFFIC PAINT VENDOR TOTAL	481.90 648.95 61.99 710.93 1,903.77 1,903.77		821053580 821053590 821053594 821053598 *CHECK TOTAL		D N D N D N D N		GENERAL SUPPLIES GENERAL SUPPLIES GENERAL SUPPLIES GENERAL SUPPLIES	101.43425.0229 101.43425.0229 101.43425.0229 101.43425.0229
DOBRANSKY JR/R. PETE 36726 06/26/13 TALKING HANDS TRAINING	9.00		527		D N		TRAVEL-CONF.-SCH	101.42411.0333
DOOLEY'S PETROLEUM INC 36696 05/13/13 3,994 GALLONS UNLEADE 36696 05/13/13 3,999.9 GALLONS DIESE VENDOR TOTAL	14,054.81 12,412.63 26,467.44 26,467.44		299009 299009 *CHECK TOTAL		D N D N		INVENTORIES-MDSE INVENTORIES-MDSE	101.125000 101.125000
DUININCK INC 36727 06/26/13 KANDIYOHI AVE SW IMP	118,576.15		1301A-EST. 1		D N		MTCE. OF OTHER I	413.48451.0336
ENGAN ASSOCIATES P.A. 36728 06/26/13 PROFESSIONAL SERVICES	2,508.39		296.13-1		D N		PROFESSIONAL SER	101.45432.0446
ENVIRONMENTAL TOXICITY C 36729 06/26/13 PROFESSIONAL SERVICES	775.00		13-104		D N		PROFESSIONAL SER	651.48484.0446
ERIC'S AVIATION SERVICES 36730 06/26/13 ON SITE MGMT SERV-JUL	6,333.33		STWMT/7-13		D N		PROFESSIONAL SER	230.43430.0446
ERICKSON ENGINEERING 36731 06/26/13 PROFESSIONAL SERVICES	2,521.00		10349		D N		PROFESSIONAL SER	413.48454.0446
EXPRESSIONS BY DEBORAH 36732 06/26/13 FLWR BSKTS FOR DOWNTOW	3,200.00		062613		D N		PROFESSIONAL SER	101.41401.0446
FASTENAL COMPANY 36733 06/26/13 PLANT SUPPLIES	37.65		MNWIL105505		D N		GENERAL SUPPLIES	651.48484.0229

Vendor Payments History Report
INCLUDED ONLY POSTED TRANS

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	EX	M	ACCOUNT NAME	ACCOUNT
GENERAL MAILING SERVICES														
36740	06/26/13	05/27	POSTAGE	104.70	617			D	N	N			POSTAGE	101.41403.0223
36740	06/26/13	05/27	POSTAGE	0.56	617			D	N	N			POSTAGE	101.41404.0223
36740	06/26/13	05/27	POSTAGE	1.12	617			D	N	N			POSTAGE	101.41405.0223
36740	06/26/13	05/27	POSTAGE	15.00	617			D	N	N			POSTAGE	101.41408.0223
36740	06/26/13	05/27	POSTAGE	1.68	617			D	N	N			POSTAGE	101.42411.0223
36740	06/26/13	05/27	POSTAGE	2.99	617			D	N	N			POSTAGE	101.42412.0223
36740	06/26/13	05/27	POSTAGE	1.12	617			D	N	N			POSTAGE	101.43417.0223
36740	06/26/13	05/27	POSTAGE	194.60	617			D	N	N			POSTAGE	101.43425.0223
36740	06/26/13	05/27	POSTAGE	3.35	617			D	N	N			POSTAGE	101.45432.0223
36740	06/26/13	05/27	POSTAGE	0.56	617			D	N	N			POSTAGE	101.45433.0223
36740	06/26/13	05/27	POSTAGE	2.24	617			D	N	N			POSTAGE	208.45005.0223
36740	06/26/13	05/27	POSTAGE	0.56	617			D	N	N			POSTAGE	230.43430.0223
36740	06/26/13	05/27	POSTAGE	2.24	617			D	N	N			POSTAGE	651.48484.0223
36740	06/26/13	06/03	POSTAGE	33.47	693			D	N	N			POSTAGE	101.41401.0223
36740	06/26/13	06/03	POSTAGE	41.28	693			D	N	N			POSTAGE	101.41402.0223
36740	06/26/13	06/03	POSTAGE	83.34	693			D	N	N			POSTAGE	101.41403.0223
36740	06/26/13	06/03	POSTAGE	0.56	693			D	N	N			POSTAGE	101.41404.0223
36740	06/26/13	06/03	POSTAGE	2.49	693			D	N	N			POSTAGE	101.41405.0223
36740	06/26/13	06/03	POSTAGE	15.00	693			D	N	N			POSTAGE	101.41408.0223
36740	06/26/13	06/03	POSTAGE	0.56	693			D	N	N			POSTAGE	101.42411.0223
36740	06/26/13	06/03	POSTAGE	1.68	693			D	N	N			POSTAGE	101.42412.0223
36740	06/26/13	06/03	POSTAGE	2.94	693			D	N	N			POSTAGE	101.43417.0223
36740	06/26/13	06/03	POSTAGE	49.00	693			D	N	N			POSTAGE	101.43425.0223
36740	06/26/13	06/03	POSTAGE	14.55	693			D	N	N			POSTAGE	101.45433.0223
36740	06/26/13	06/03	POSTAGE	4.17	693			D	N	N			POSTAGE	230.43430.0223
36740	06/26/13	06/10	POSTAGE	88.40	722			D	N	N			POSTAGE	651.48484.0223
36740	06/26/13	06/10	POSTAGE	81.28	722			D	N	N			POSTAGE	101.41401.0223
36740	06/26/13	06/10	POSTAGE	4.73	722			D	N	N			POSTAGE	101.41402.0223
36740	06/26/13	06/10	POSTAGE	0.56	722			D	N	N			POSTAGE	101.41403.0223
36740	06/26/13	06/10	POSTAGE	1.68	722			D	N	N			POSTAGE	101.41404.0223
36740	06/26/13	06/10	POSTAGE	15.00	722			D	N	N			POSTAGE	101.41405.0223
36740	06/26/13	06/10	POSTAGE	1.68	722			D	N	N			POSTAGE	101.41408.0223
36740	06/26/13	06/10	POSTAGE	9.72	722			D	N	N			POSTAGE	101.41409.0223
36740	06/26/13	06/10	POSTAGE	0.56	722			D	N	N			POSTAGE	101.42412.0223
36740	06/26/13	06/10	POSTAGE	80.93	722			D	N	N			POSTAGE	101.43417.0223
36740	06/26/13	06/10	POSTAGE	3.92	722			D	N	N			POSTAGE	101.43425.0223
36740	06/26/13	06/10	POSTAGE	2.19	722			D	N	N			POSTAGE	208.45005.0223
36740	06/26/13	06/17	POSTAGE	41.75	751			D	N	N			POSTAGE	651.48484.0223
36740	06/26/13	06/17	POSTAGE	41.78	751			D	N	N			POSTAGE	101.41401.0223
36740	06/26/13	06/17	POSTAGE	107.46	751			D	N	N			POSTAGE	101.41402.0223
36740	06/26/13	06/17	POSTAGE	0.56	751			D	N	N			POSTAGE	101.41403.0223
36740	06/26/13	06/17	POSTAGE	1.12	751			D	N	N			POSTAGE	101.41404.0223
36740	06/26/13	06/17	POSTAGE	15.00	751			D	N	N			POSTAGE	101.41405.0223
36740	06/26/13	06/17	POSTAGE	0.56	751			D	N	N			POSTAGE	101.41408.0223
36740	06/26/13	06/17	POSTAGE	5.83	751			D	N	N			POSTAGE	101.42411.0223
36740	06/26/13	06/17	POSTAGE	0.81	751			D	N	N			POSTAGE	101.42412.0223
36740	06/26/13	06/17	POSTAGE		751			D	N	N			POSTAGE	101.43417.0223

VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
GENERAL MAILING SERVICES 000293 36740 06/26/13 POSTAGE 06/17 - 06/21/13 57.82 36740 06/26/13 POSTAGE 06/17 - 06/21/13 4.98 1,302.97 VENDOR TOTAL		751 751 *CHECK TOTAL		D N D N	POSTAGE POSTAGE	101.43425.0223 651.48484.0223
HALL/DAY *ASSESSING/KEY 000319 36741 06/26/13 TO REIMBURSE PETTY CASH 62.25 36741 06/26/13 TO REIMBURSE PETTY CASH 21.55 83.80 VENDOR TOTAL		062613 062613 *CHECK TOTAL		D N D N	LICENSES AND TAX SAFETY PROGRAM	101.42411.0445 101.42428.0817
HANSON SILO COMPANY 36742 06/26/13 PAINT-SELVIG FOUNTAIN .00573 347.35		0000005415		D N	MTCE. OF OTHER I	101.43425.0226
HAUG IMPLEMENT CO - JOHN 000324 36743 06/26/13 GREASE 32.38 36743 06/26/13 CARB. REPAIR-PARTS 54.63 87.01 VENDOR TOTAL		130706 131015 *CHECK TOTAL		D N D N	MOTOR FUELS AND INVENTORIES-MDSE	101.45433.0222 101.125000
HENDRICKSON *PETTY CASH/ 002975 36744 06/26/13 TO REIMBURSE PETTY CASH 2.00 36744 06/26/13 TO REIMBURSE PETTY CASH 10.00 12.00 VENDOR TOTAL		062613 062613 *CHECK TOTAL		D N D N	SMALL TOOLS TRAVEL-CONF. -SCH	101.42412.0221 101.42412.0333
HERITAGE BANK 000001 36697 06/13/13 INVESTMENT 2,443,000.00 36697 06/13/13 INVESTMENT 16,000.00 36697 06/13/13 INVESTMENT 1,000.00 36697 06/13/13 INVESTMENT 123,000.00 36697 06/13/13 INVESTMENT 482,000.00 36697 06/13/13 INVESTMENT 1,000.00 36697 06/13/13 INVESTMENT 73,000.00 36697 06/13/13 INVESTMENT 132,000.00 36697 06/13/13 INVESTMENT 8,000.00 36697 06/13/13 INVESTMENT 14,000.00 36697 06/13/13 INVESTMENT 631,000.00 36697 06/13/13 INVESTMENT 87,000.00 36697 06/13/13 INVESTMENT 481,000.00 4,493,000.00 VENDOR TOTAL		061313 061313 061313 061313 061313 061313 061313 061313 061313 061313 061313 061313 061313 061313 061313 061313 *CHECK TOTAL		D N D N	INVESTMENTS INVESTMENTS INVESTMENTS INVESTMENTS INVESTMENTS INVESTMENTS INVESTMENTS INVESTMENTS INVESTMENTS INVESTMENTS INVESTMENTS INVESTMENTS INVESTMENTS INVESTMENTS INVESTMENTS INVESTMENTS	101.109000 205.109000 234.109000 306.109000 307.109000 308.109000 309.109000 310.109000 311.109000 312.109000 313.109000 327.109000 330.109000 350.109000
HUSKY FARM EQUIPMENT 000066 36745 06/26/13 HONEYWAGON PARTS 1,039.88		225274		D N	MTCE. OF EQUIPME	651.48486.0224

Vendor Payments History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 EX M	ACCOUNT NAME	ACCOUNT
HYDRITE CHEMICAL CO 36746 06/26/13 ANTI FOAM 002837	871.20		01603120		D N	GENERAL SUPPLIES	651.48484.0229
INNOVATIVE OFFICE SOLUTI 36747 06/26/13 LAMINATED POUCHES 003023	21.36		IN0299539		D N	OFFICE SUPPLIES	101.42412.0220
36747 06/26/13 MAGNETS	3.25		IN0301746		D N	OFFICE SUPPLIES	101.42412.0220
36747 06/26/13 SHARPIE MARKERS	4.83		IN0304072		D N	OFFICE SUPPLIES	101.42412.0220
VENDOR TOTAL	29.44	*CHECK TOTAL					
J & J DUST CONTROL 36748 06/26/13 DUST CNTL APPLICATION 003025	1,830.40		153		D N	MTCE. OF OTHER I	101.43425.0336
J & N TACTICAL 36749 06/26/13 SWAT FLASH BANG POLE .02015	806.91		1300140		D N	SMALL TOOLS	101.42411.0221
JEFFERSON FIRE & SAFETY 36750 06/26/13 BADGES/COLLAR BRASS 002193	267.20		197694		D N	SUBSISTENCE OF P	101.42412.0227
KANDIYOHI CO ATTORNEY 36751 06/26/13 SALE-FORFEITURE VEHICL 001842	1,485.00		061413		D N	OTHER SERVICES	101.41428.0339
KANDIYOHI CO AUDITOR 36752 06/26/13 RESID. PRPTY FIELD CARDS 000376	610.44		061213		D N	OFFICE SUPPLIES	101.41404.0220
36752 06/26/13 LONG DISTANCE CHARGES	114.56		062113		D N	COMMUNICATIONS	101.42411.0330
36752 06/26/13 FUNDS REC'D IN ERROR	49.10		062613		D N	REFUNDS AND REIM	101.41428.0882
36752 06/26/13 AIR CARDS APR-JUN	1,014.00		070113		D N	COMMUNICATIONS	101.42411.0330
VENDOR TOTAL	1,788.10	*CHECK TOTAL					
KANDIYOHI CO SHERIFF'S D 36753 06/26/13 GUN RANGE SUPPLIES 001507	1,270.00		062013		D N	GENERAL SUPPLIES	101.42411.0229
KANDIYOHI CO-OP ELECTRIC 36754 06/26/13 WELCOME TO WILLMAR SIGN 000375	88.00		STMT/6-13		D N	UTILITIES	101.43425.0332
36754 06/26/13 WELCOME TO WILLMAR SIGN	49.01		STMT/6-13		D N	UTILITIES	101.43425.0332
36754 06/26/13 CO RD 23/HWY 71 BYPASS	96.00		STMT/6-13		D N	UTILITIES	101.43425.0332
36754 06/26/13 ELEC SERV-LIFT STATIONS	745.00		STMT/6-13		D N	UTILITIES	651.48485.0332
36754 06/26/13 ABBOTT DR LIFT STATION	70.00		STMT/6-13		D N	UTILITIES	651.48485.0332
36754 06/26/13 ELEC SERV-SECURITY LIGHT	35.00		STMT/6-13		D N	UTILITIES	651.48486.0332
VENDOR TOTAL	1,083.01	*CHECK TOTAL					
KVAM FARMS/PHILLIP 36755 06/26/13 REFUND RENT OVERPAYMENT .00500	100.00		061713		D N	REFUNDS AND REIM	651.48485.0882
LEAGUE OF MN CITIES 36756 06/26/13 OKINS-CONFERENCE REGIS. .000412	295.00		181838		D N	TRAVEL-CONF.-SCH	101.41405.0333

VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM INVOICE	PO#	F S 9 EX M	ACCOUNT NAME	ACCOUNT
LIFELOC TECHNOLOGIES INC 000978 36757 06/26/13 INTOXILYZER MOUTH PIECE	85.50	0164600		D N	GENERAL SUPPLIES	101.42411.0229
LITTLE FALLS MACHINE INC 000928 36758 06/26/13 PLOW/WING REPAIR PARTS 4,017.34		00051442		D N	MTCE. OF EQUIPME	101.43425.0224
LOU'S GLOVES INC .01997 36759 06/26/13 DISPOSABLE GLOVES	87.00	003248		D N	GENERAL SUPPLIES	651.48484.0229
MACQUEEN EQUIPMENT INC 000427 36760 06/26/13 2013 STREET SWEEPER 168,166.74		1130073		D N	MACHINERY AND AU	450.43425.0553
36760 06/26/13 #130012-STRIP ROOM 1,374.11		2133707		D N	MTCE. OF EQUIPME	101.43425.0224
36760 06/26/13 #05622D-WARRANTY CREDI 1,058.06CR		9059		D N	MTCE. OF EQUIPME	101.43425.0224
	168,482.79	*CHECK TOTAL				
VENDOR TOTAL	168,482.79					
MADDEN, GALANTER, HANSEN 000429 36761 06/26/13 PROFESSIONAL SERVICES 149.45		060113		D N	LABOR NEGOTIATOR	101.41428.0806
36761 06/26/13 PROFESSIONAL SERVICES 481.59		060113		D N	LABOR NEGOTIATOR	101.41428.0806
	631.04	*CHECK TOTAL				
VENDOR TOTAL	631.04					
MADISON NATIONAL LIFE 002249 36762 06/26/13 LTD PREMIUM-AUGUST 48.42		205		D N	EMPLOYER INSUR.	101.41400.0114
36762 06/26/13 LTD PREMIUM-AUGUST 87.58		205		D N	EMPLOYER INSUR.	101.41402.0114
36762 06/26/13 LTD PREMIUM-AUGUST 34.59		205		D N	EMPLOYER INSUR.	101.41403.0114
36762 06/26/13 LTD PREMIUM-AUGUST 32.48		205		D N	EMPLOYER INSUR.	101.41404.0114
36762 06/26/13 LTD PREMIUM-AUGUST 49.92		205		D N	EMPLOYER INSUR.	101.41405.0114
36762 06/26/13 LTD PREMIUM-AUGUST 8.19		205		D N	EMPLOYER INSUR.	101.41408.0114
36762 06/26/13 LTD PREMIUM-AUGUST 41.80		205		D N	EMPLOYER INSUR.	101.41409.0114
36762 06/26/13 LTD PREMIUM-AUGUST 1.71		205		D N	EMPLOYER INSUR.	101.41424.0114
36762 06/26/13 LTD PREMIUM-AUGUST 584.36		205		D N	EMPLOYER INSUR.	101.42411.0114
36762 06/26/13 LTD PREMIUM-AUGUST 19.88		205		D N	EMPLOYER INSUR.	101.42412.0114
36762 06/26/13 LTD PREMIUM-AUGUST 34.06		205		D N	EMPLOYER INSUR.	101.43417.0114
36762 06/26/13 LTD PREMIUM-AUGUST 269.10		205		D N	EMPLOYER INSUR.	101.43425.0114
36762 06/26/13 LTD PREMIUM-AUGUST 13.68		205		D N	EMPLOYER INSUR.	101.45432.0114
36762 06/26/13 LTD PREMIUM-AUGUST 42.44		205		D N	EMPLOYER INSUR.	101.45433.0114
36762 06/26/13 LTD PREMIUM-AUGUST 9.76		205		D N	EMPLOYER INSUR.	101.45435.0114
36762 06/26/13 LTD PREMIUM-AUGUST 9.80		205		D N	EMPLOYER INSUR.	101.45437.0114
36762 06/26/13 LTD PREMIUM-AUGUST 122.42		205		D N	EMPLOYER INSUR.	651.48484.0114
36762 06/26/13 LTD PREMIUM-AUGUST 13.09		205		D N	EMPLOYER INSUR.	651.48485.0114
36762 06/26/13 LTD PREMIUM-AUGUST 13.68		205		D N	EMPLOYER INSUR.	651.48486.0114
	1,436.96	*CHECK TOTAL				
VENDOR TOTAL	1,436.96					
MAGNUSON SHEET METAL INC 001121 36763 06/26/13 SERVICED A/C UNITS-LABOR 75.00		121242		D N	MTCE. OF STRUCTU	101.42412.0335

Vendor Payments History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
MCFOA 36764 06/26/13 MEMBERSHIP DUES 001460	17.50		062413		D N	PREPAID EXPENSES	101.128000
36764 06/26/13 MEMBERSHIP DUES	17.50		062413		D N	SUBSCRIPTIONS AN	101.41403.0443
VENDOR TOTAL	35.00	*CHECK TOTAL					
MENARDS 000449							
36765 06/26/13 RESTROOM REPAIR-PARTS	46.61		24053		D N	MTCE. OF STRUCTU	101.43425.0225
36765 06/26/13 SELVIG FOUNTAIN-PARTS	3.61		24471		D N	MTCE. OF OTHER I	101.43425.0226
36765 06/26/13 PAINT FOR CONDUIT	5.34		24952		D N	MTCE. OF STRUCTU	651.48484.0225
VENDOR TOTAL	55.56	*CHECK TOTAL					
METRO FIRE 000450							
36766 06/26/13 RETURNED HELMET	312.20CR		46749		D N	SUBSISTENCE OF P	101.42412.0227
36766 06/26/13 HELMET	257.73		47295		D N	SUBSISTENCE OF P	101.42412.0227
36766 06/26/13 LEATHER FRONT	59.48		47364		D N	SUBSISTENCE OF P	101.42412.0227
VENDOR TOTAL	5.01	*CHECK TOTAL					
METRO FIRE 000450							
36766 06/26/13 RETURNED HELMET	312.20CR		46749		D N	SUBSISTENCE OF P	101.42412.0227
36766 06/26/13 HELMET	257.73		47295		D N	SUBSISTENCE OF P	101.42412.0227
36766 06/26/13 LEATHER FRONT	59.48		47364		D N	SUBSISTENCE OF P	101.42412.0227
VENDOR TOTAL	5.01	*CHECK TOTAL					
MINNEAPOLIS FINANCE DEPA 000466							
36767 06/26/13 PROFESSIONAL SERVICES	231.30		4004130004035		D N	PROFESSIONAL SER	101.42411.0446
MN DEPT OF REVENUE 000492							
188 06/19/13 SALES TAX-MAY	449.00		STMT/5-13		M N	SALES TAX PAYABL	101.206000
188 06/19/13 USE TAX-MAY	204.54		STMT/5-13		M N	SALES TAX PAYABL	101.206000
188 06/19/13 USE TAX-MAY	5.90		STMT/5-13		M N	GENERAL SUPPLIES	101.41409.0229
188 06/19/13 USE TAX-MAY	65.83		STMT/5-13		M N	SMALL TOOLS	101.42411.0221
188 06/19/13 USE TAX-MAY	2.47		STMT/5-13		M N	MTCE. OF EQUIPME	101.42411.0224
188 06/19/13 USE TAX-MAY	19.27		STMT/5-13		M N	GENERAL SUPPLIES	101.42411.0229
188 06/19/13 DIESEL FUEL TAX-MAY	65.34		STMT/5-13		M N	MOTOR FUELS AND	101.43425.0222
188 06/19/13 USE TAX-MAY	108.81		STMT/5-13		M N	MOTOR FUELS AND	101.43425.0222
188 06/19/13 USE TAX-MAY	3.74		STMT/5-13		M N	MOTOR FUELS AND	101.43425.0222
188 06/19/13 USE TAX-MAY	2.44		STMT/5-13		M N	MOTOR FUELS AND	101.45433.0222
188 06/19/13 USE TAX-MAY	76.18		STMT/5-13		M N	MOTOR FUELS AND	230.43430.0222
188 06/19/13 USE TAX-MAY	4.40		STMT/5-13		M N	OTHER IMPROVEMEN	450.43425.0554
188 06/19/13 USE TAX-MAY	1,372.00		STMT/5-13		M N	MTCE. OF EQUIPME	651.48484.0224
188 06/19/13 USE TAX-MAY	27.95		STMT/5-13		M N	GENERAL SUPPLIES	651.48484.0229
188 06/19/13 DIESEL FUEL TAX-MAY	47.80		STMT/5-13		M N	SMALL TOOLS	651.48485.0221
188 06/19/13 DIESEL FUEL TAX-MAY	121.13		STMT/5-13		M N	MOTOR FUELS AND	651.48485.0222
188 06/19/13 USE TAX-MAY	43.53CR		STMT/5-13		M N	MOTOR FUELS AND	651.48486.0222
VENDOR TOTAL	2,533.27	*CHECK TOTAL					
MN DEPT OF TRANSPORTATIO 000497							
36768 06/26/13 MATERIAL SAMPLE TESTS	587.41		P00001753		D N	OTHER SERVICES	412.48451.0339
MN POLLUTION CONTROL AGE 000512							
36769 06/26/13 HATZINGER-SEMINAR REGIS.	300.00		062613		D N	TRAVEL-CONF.-SCH	651.48484.0333

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	B	X	M	ACCOUNT NAME	ACCOUNT	
OFFICE SERVICES 000589																
36777	06/26/13	06/26/13	OFFICE SUPPLIES-MAY	49.69		STMT/5-13		D	N					OFFICE SUPPLIES	101.41401.0220	
36777	06/26/13	06/26/13	PHOTO COPIES-MAY	158.22		STMT/5-13		D	N					OFFICE SUPPLIES	101.41401.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	413.55		STMT/5-13		D	N					OFFICE SUPPLIES	101.41401.0220	
36777	05/26/13	05/26/13	OFFICE SUPPLIES-MAY	19.85		STMT/5-13		D	N					OFFICE SUPPLIES	101.41402.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	41.47		STMT/5-13		D	N					OFFICE SUPPLIES	101.41402.0220	
36777	05/26/13	05/26/13	OFFICE SUPPLIES-MAY	28.39		STMT/5-13		D	N					OFFICE SUPPLIES	101.41403.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	35.97		STMT/5-13		D	N					OFFICE SUPPLIES	101.41403.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	84.53		STMT/5-13		D	N					OFFICE SUPPLIES	101.41403.0220	
36777	05/26/13	05/26/13	OFFICE SUPPLIES-MAY	22.18		STMT/5-13		D	N					OFFICE SUPPLIES	101.41404.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	24.67		STMT/5-13		D	N					OFFICE SUPPLIES	101.41404.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	58.73		STMT/5-13		D	N					OFFICE SUPPLIES	101.41404.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	45.16		STMT/5-13		D	N					OFFICE SUPPLIES	101.41404.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	0.77		STMT/5-13		D	N					OFFICE SUPPLIES	101.41405.0220	
36777	05/26/13	05/26/13	OFFICE SUPPLIES-MAY	0.45		STMT/5-13		D	N					OFFICE SUPPLIES	101.41405.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	0.16		STMT/5-13		D	N					OFFICE SUPPLIES	101.41405.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	10.08		STMT/5-13		D	N					OFFICE SUPPLIES	101.41409.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	9.30		STMT/5-13		D	N					OFFICE SUPPLIES	101.41409.0220	
36777	05/26/13	05/26/13	OFFICE SUPPLIES-MAY	14.85		STMT/5-13		D	N					OFFICE SUPPLIES	101.41409.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	52.43		STMT/5-13		D	N					OFFICE SUPPLIES	101.43417.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	99.45		STMT/5-13		D	N					OFFICE SUPPLIES	101.43417.0220	
36777	05/26/13	05/26/13	OFFICE SUPPLIES-MAY	3.50		STMT/5-13		D	N					OFFICE SUPPLIES	101.43417.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	5.93		STMT/5-13		D	N					OFFICE SUPPLIES	101.43417.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	13.05		STMT/5-13		D	N					OFFICE SUPPLIES	101.43425.0220	
36777	05/26/13	05/26/13	OFFICE SUPPLIES-MAY	5.99		STMT/5-13		D	N					OFFICE SUPPLIES	101.43425.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	26.43		STMT/5-13		D	N					OFFICE SUPPLIES	101.43425.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	27.00		STMT/5-13		D	N					OFFICE SUPPLIES	101.45432.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	1.55		STMT/5-13		D	N					OFFICE SUPPLIES	101.45432.0220	
36777	05/26/13	05/26/13	OFFICE SUPPLIES-MAY	0.30		STMT/5-13		D	N					OFFICE SUPPLIES	410.48451.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	0.13		STMT/5-13		D	N					OFFICE SUPPLIES	651.48484.0220	
36777	05/26/13	05/26/13	PHOTO COPIES-MAY	3.15		STMT/5-13		D	N					OFFICE SUPPLIES	651.48484.0220	
VENDOR TOTAL				1,263.28		*CHECK TOTAL										
PAT'S SIGNS & GRAPHICS 002543																
36778	05/26/13	05/26/13	DECALS FOR AUCTION SIGN	73.44		5135		D	N					OTHER SERVICES	101.41428.0339	
PETERSON SHOE STORE 000608																
36779	05/26/13	05/26/13	FAGERSTROM-SAFETY BOOTS	125.00		148555		D	N					SUBSISTENCE OF P	101.43425.0227	
36779	05/26/13	05/26/13	BROWER-SAFETY BOOTS	125.00		148556		D	N					SUBSISTENCE OF P	101.43425.0227	
36779	05/26/13	05/26/13	DAHL-SAFETY BOOTS	375.00		148767		D	N					SUBSISTENCE OF P	101.43425.0227	
VENDOR TOTAL				375.00		*CHECK TOTAL										
PRC ACTION 001782																
36780	06/26/13	06/26/13	CSO UNIFORMS	449.98		10687		D	N					SUBSISTENCE OF P	101.42411.0227	
QUICK SIGNS 001093																
36781	06/26/13	06/26/13	PLASTIC LTRS FOR SIGN	389.00		168997		D	N					MTCE. OF OTHER I	230.43430.0336	

VENDOR NAME AND NUMBER CHECK# DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9	BX M	ACCOUNT NAME	ACCOUNT
RICOH USA INC 36782 06/26/13	002101 COPIER LEASE AGRMT	675.45		89273237		D	N	RENTS	741.48001.0440
RULE TIRE SHOP 36783 06/26/13	000665 TRACTOR TIRE	65.54		60584		D	N	MTCE. OF EQUIPME	101.45433.0224
36783 06/26/13	TIRES	571.51		61111		D	N	INVENTORIES-MDSE	101.125000
36783 06/26/13	#985577-TIRES	168.86		61771		D	N	MTCE. OF EQUIPME	101.43425.0224
	VENDOR TOTAL	805.91		*CHECK TOTAL					
SERVICE CENTER/CITY OF W	000685								
36784 06/26/13	GAS-95.6 GALLONS	331.51		STMT/5-13		D	N	MOTOR FUELS AND	101.41402.0222
36784 06/26/13	GAS-30.4 GALLONS	101.54		STMT/5-13		D	N	MOTOR FUELS AND	101.41408.0222
36784 06/26/13	GAS-1891.2 GALLONS	6,407.90		STMT/5-13		D	N	MOTOR FUELS AND	101.42411.0222
36784 06/26/13	DIESEL-135.3 GALLONS	419.43		STMT/5-13		D	N	MOTOR FUELS AND	101.42412.0222
36784 06/26/13	GAS-104.6 GALLONS	353.68		STMT/5-13		D	N	MOTOR FUELS AND	101.42412.0222
36784 06/26/13	GAS-81 GALLONS	270.54		STMT/5-13		D	N	MOTOR FUELS AND	101.43417.0222
36784 06/26/13	GAS-914.9 GALLONS	4,054.30		STMT/5-13		D	N	MOTOR FUELS AND	101.43425.0222
36784 06/26/13	DIESEL-35.3 GALLONS	3,068.16		STMT/5-13		D	N	MOTOR FUELS AND	101.43425.0222
36784 06/26/13	GAS-61.7 GALLONS	112.03		STMT/5-13		D	N	MOTOR FUELS AND	101.45433.0222
36784 06/26/13	DIESEL-24.1 GALLONS	226.85		STMT/5-13		D	N	MOTOR FUELS AND	101.45433.0222
36784 06/26/13	DIESEL-169.4 GALLONS	74.71		STMT/5-13		D	N	MOTOR FUELS AND	230.43430.0222
	VENDOR TOTAL	527.38		*CHECK TOTAL					651.48485.0222
		15,948.03							
SHERWIN WILLIAMS CO	000690								
36785 06/26/13	PAINT FOR PICNIC TABLES	247.78		8630-9		D	N	MTCE. OF OTHER I	101.43425.0226
SHORT ELLIOT HENDRICKSON	001987								
36786 06/26/13	MISC TRAFFIC SERVICES	2,345.89		268978		D	N	PROFESSIONAL SER	101.43417.0446
SPRINGSTED INCORPORATED	000705								
36787 06/26/13	PROFESSIONAL SERVICES	2,750.00		R03370		D	N	PROFESSIONAL SER	307.47100.0446
ST CROIX RECREATION CO I	000673								
36788 06/26/13	PLAY EQUIP REPAIR-PARTS	169.93		17712		D	N	MTCE. OF OTHER I	101.43425.0226
STATEWIDE DISTRIBUTING I	000718								
36789 06/26/13	CLEANING SUPPLIES	29.93		096609		D	N	CLEANING AND WAS	230.43430.0228
36789 06/26/13	CLEANING SUPPLIES	40.08		096633		D	N	CLEANING AND WAS	651.48484.0228
	VENDOR TOTAL	70.01		*CHECK TOTAL					
		70.01							
STEIN'S INC	000720								
36790 06/26/13	CLEANING SUPPLIES	362.26		672356		D	N	CLEANING AND WAS	101.43425.0228
SW - WEST CNTRL SERVICES	000892								
36700 06/19/13	HEALTH INSURANCE-JULY	4,061.00		C265		D	N	EMPLOYER INSUR.	101.41400.0114

Vendor Payments History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9	BX M	ACCOUNT NAME	ACCOUNT
SW - WEST CNTRL SERVICES 36700 06/19/13 HEALTH INSURANCE-JULY 000892	5,303.50		C265		D N		EMPLOYER INSUR.	101.41402.0114
36700 06/19/13 HEALTH INSURANCE-JULY	3,244.29		C265		D N		EMPLOYER INSUR.	101.41403.0114
36700 06/19/13 HEALTH INSURANCE-JULY	3,392.50		C265		D N		EMPLOYER INSUR.	101.41404.0114
36700 06/19/13 HEALTH INSURANCE-JULY	5,489.00		C265		D N		EMPLOYER INSUR.	101.41405.0114
36700 06/19/13 HEALTH INSURANCE-JULY	1,428.00		C265		D N		EMPLOYER INSUR.	101.41408.0114
36700 06/19/13 HEALTH INSURANCE-JULY	4,886.50		C265		D N		EMPLOYER INSUR.	101.41409.0114
36700 06/19/13 HEALTH INSURANCE-JULY	214.21		C265		D N		EMPLOYER INSUR.	101.41424.0114
36700 06/19/13 HEALTH INSURANCE-JULY	5,942.00		C265		D N		RETIRED EMPLOYEE	101.41428.0818
36700 06/19/13 HEALTH INSURANCE-JULY	30,003.10		C265		D N		INS. PASS THROUGH	101.41428.0819
36700 06/19/13 HEALTH INSURANCE-JULY	45,536.50		C265		D N		EMPLOYER INSUR.	101.42411.0114
36700 06/19/13 HEALTH INSURANCE-JULY	4,723.90		C265		D N		EMPLOYER INSUR.	101.42412.0114
36700 06/19/13 HEALTH INSURANCE-JULY	4,172.50		C265		D N		EMPLOYER INSUR.	101.43417.0114
36700 06/19/13 HEALTH INSURANCE-JULY	22,658.50		C265		D N		EMPLOYER INSUR.	101.43425.0114
36700 06/19/13 HEALTH INSURANCE-JULY	7,666.60		C265		D N		EMPLOYER INSUR.	101.43425.0114
36700 06/19/13 HEALTH INSURANCE-JULY	5,501.50		C265		D N		EMPLOYER INSUR.	101.45432.0114
36700 06/19/13 HEALTH INSURANCE-JULY	454.80		C265		D N		EMPLOYER INSUR.	101.45433.0114
36700 06/19/13 HEALTH INSURANCE-JULY	865.60		C265		D N		EMPLOYER INSUR.	101.45435.0114
36700 06/19/13 HEALTH INSURANCE-JULY	10,355.50		C265		D N		EMPLOYER INSUR.	101.45437.0114
36700 06/19/13 HEALTH INSURANCE-JULY	1,428.00		C265		D N		EMPLOYER INSUR.	101.45437.0114
36700 06/19/13 HEALTH INSURANCE-JULY	1,428.00		C265		D N		EMPLOYER INSUR.	651.48484.0114
36700 06/19/13 HEALTH INSURANCE-JULY	1,428.00		C265		D N		EMPLOYER INSUR.	651.48485.0114
VENDOR TOTAL	161,855.50		*CHECK TOTAL		D N		EMPLOYER INSUR.	651.48486.0114
SYN-TECH SYSTEMS 36791 06/26/13 REPROGRAMMED FUEL PUMPS .02016	75.00		83620		D N		MTCE. OF OTHER I	230.43430.0336
TDS METROCOM 36792 06/26/13 MONTHLY SERVICE 000758	231.92		242		D N		COMMUNICATIONS	101.42412.0330
36792 06/26/13 MONTHLY SERVICE	49.16		242		D N		COMMUNICATIONS	101.43425.0330
VENDOR TOTAL	281.08		*CHECK TOTAL		D N			
THE LOON 36793 06/26/13 REFUND OVERPAYMENT .02017	270.00		062113		D N		REFUNDS AND REIM	101.41428.0882
TOSHIBA FINANCIAL SERVIC 36794 06/25/13 COPIER LEASE AGRMT 000218	120.77		062613		D N		RENTS	101.42412.0440
TRI-MOR ELECTRIC INC 36795 06/26/13 REPL. PUMP BRNGS-PARTS 000754	12.00		39325		D M 07		MTCE. OF OTHER I	101.45437.0226
36795 06/26/13 REPL. PUMP BRNGS-LABOR	55.00		39325		D M 07		MTCE. OF OTHER I	101.45437.0226
VENDOR TOTAL	67.00		*CHECK TOTAL		D N			
UNCOMMON USA INC 36796 06/26/13 US FLAGS 001286	91.70		690866		D N		GENERAL SUPPLIES	101.45433.0229
36796 06/26/13 US FLAGS	555.75		691183		D N		GENERAL SUPPLIES	101.43425.0229
VENDOR TOTAL	647.45		*CHECK TOTAL		D N			

VENDOR NAME AND NUMBER CHECK# DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
US BANK	002302							
36797 06/26/13	#147 2004 GO IMP BOND-	7,900.00		062113		D N	INTEREST	304.47100.0444
36797 06/26/13	#149 2005 GO IMP BOND	18,453.75		062113		D N	INTEREST	305.47100.0444
36797 06/26/13	#151 2006 GO IMP BOND	14,916.25		062113		D N	INTEREST	306.47100.0444
36797 06/26/13	#148 2004 GO IMP BOND	21,246.25		062113		D N	INTEREST	330.43430.0444
	VENDOR TOTAL	62,516.25		*CHECK TOTAL				
		62,516.25						
WAL-MART COMMUNITY	000789							
36798 06/26/13	DONUTS-SAFETY TRAINING	7.50		052113		D N	SAFETY PROGRAM	101.42428.0817
36798 06/26/13	INTERGENERATIONAL PRGRM	43.16		052113		D N	GENERAL SUPPLIES	101.45435.0229
36798 06/26/13	POOL SUPPLIES	38.51		052113		D N	GENERAL SUPPLIES	101.45437.0229
36798 06/26/13	INTERGENERATIONAL PRGRM	10.56		052213		D N	GENERAL SUPPLIES	101.45435.0229
36798 06/26/13	SHOP VAC FILTERS	24.52		052813		D N	GENERAL SUPPLIES	101.42411.0229
36798 06/26/13	DAIRY DAYS SUPPLIES	56.97		053113		D N	GENERAL SUPPLIES	101.45432.0229
36798 06/26/13	BATTERIES	42.19		060413		D N	GENERAL SUPPLIES	101.42411.0229
36798 06/26/13	AIR PUMP/SUPPLIES	55.77		060513		D N	GENERAL SUPPLIES	651.48484.0229
36798 06/26/13	VIDEO CARDS FOR SQUADS	174.76		060813		D N	MTCE. OF EQUIPME	101.42411.0224
36798 06/26/13	COFFEE	40.98		061013		D N	SUBSISTENCE OF P	101.42411.0227
36798 06/26/13	OFFICE SUPPLIES	21.08		061213		D N	OFFICE SUPPLIES	651.48484.0220
36798 06/26/13	LAB/PLANT SUPPLIES	31.41		061313		D N	GENERAL SUPPLIES	651.48484.0229
	VENDOR TOTAL	547.41		*CHECK TOTAL				
		547.41						
WEST CENTRAL INDUSTRIES	000801							
36799 06/26/13	LAWN MAINTENANCE	79.09		00038268		D N	MTCE. OF OTHER I	101.45437.0336
WEST CENTRAL PRINTING	000803							
36800 06/26/13	DAILY REPORTS/FORMS	421.96		16990		D N	OFFICE SUPPLIES	101.42411.0220
WEST CENTRAL SANITATION	000805							
36801 06/26/13	GARBAGE SERVICE-JUNE	27.58		6806100/6-13		D N	CLEANING AND WAS	230.43430.0338
WEST CENTRAL TRIBUNE	000807							
36802 06/26/13	AD FOR BIDS-PROJ. 1302A	444.60		CL03052275		D N	ADVERTISING	413.48452.0447
36802 06/26/13	AD FOR BIDS-4TH AVE IMP.	296.40		CL03052286		D N	ADVERTISING	413.48452.0447
36802 06/26/13	AD FOR BIDS-PROJ. 1304	524.40		CL03052365		D N	ADVERTISING	413.48454.0447
36802 06/26/13	ORDINANCE PUBLISHED	62.70		CL03052757		D N	PRINTING AND PUB	101.41401.0331
36802 06/26/13	ORDINANCE PUBLISHED	65.55		CL03053118		D N	PRINTING AND PUB	101.41401.0331
36802 06/26/13	NOTICE PUBLISHED	65.55		CL03053119		D N	PRINTING AND PUB	101.41401.0331
36802 06/26/13	NOTICE PUBLISHED	22.80		CL03053260		D N	PRINTING AND PUB	101.41401.0331
36802 06/26/13	NOTICE PUBLISHED	19.95		CL03053318		D N	PRINTING AND PUB	101.41401.0331
36802 06/26/13	ORDINANCE PUBLISHED	467.40		DI03103654		D N	PRINTING AND PUB	101.41401.0331
36802 06/26/13	ORDINANCE PUBLISHED	376.20		DI03103686		D N	PRINTING AND PUB	101.41401.0331
36802 06/26/13	REFUND SHELTER DEPOSIT	50.00		061913		D N	DEPOSITS	101.230000
36802 06/26/13	ANNUAL SUBSCRIPTION	86.64		177822549/13		D N	PREPAID EXPENSES	101.128000
36802 06/26/13	ANNUAL SUBSCRIPTION	86.64		177822549/13		D N	SUBSCRIPTIONS AN	101.41408.0443
	VENDOR TOTAL	2,568.83		*CHECK TOTAL				
		2,568.83						

Vendor Payments History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
WILLMAR DESIGN CENTER 36803 06/26/13 EXPENSE REIMBURSEMENT 002348	2,514.71		061913		D N	DOWNTOWN ITEMS	101.41428.0820
WILLMAR ELECTRIC SERVICE 36804 06/26/13 SIGNAL REPAIR-PARTS 000816	139.93		22992		D N	MICE. OF OTHER I	101.43425.0226
36804 06/26/13 SIGNAL REPAIR-LABOR	82.56		23032		D N	MICE. OF OTHER I	101.43425.0336
VENDOR TOTAL	222.49		*CHECK TOTAL				
WILLMAR FIRE ASSOCIATION 36805 06/26/13 RESSTITUTION DISTRIBUTI 000818	1,500.00		062613		D N	REFUNDS AND REIM	101.42428.0882
WYFFELS *PETTY CASH/DAV 000723							
36806 06/26/13 TO REIMBURSE PETTY CASH	38.45		062613		D N	POSTAGE	101.42411.0223
36806 06/26/13 TO REIMBURSE PETTY CASH	121.09		062613		D N	SUBSISTENCE OF P	101.42411.0227
36806 06/26/13 TO REIMBURSE PETTY CASH	52.14		062613		D N	GENERAL SUPPLIES	101.42411.0229
VENDOR TOTAL	211.68		*CHECK TOTAL				
WYFFELS POLICE CHIEF/DA 002851 36807 06/26/13 SALE-FORFEITURE VEHICL 3,465.00			062613		D N	OTHER SERVICES	101.41428.0339
ZEE MEDICAL SERVICE 000839 36808 06/26/13 FIRST AID SUPPLIES	173.01		54169456		D N	SUBSISTENCE OF P	101.41408.0227

ACS FINANCIAL SYSTEM
06/26/2013 15:41:09

CITY OF WILLMAR
GL540R-V07.23 PAGE 17

Vendor Payments History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER
CHECK# DATE DESCRIPTION

AMOUNT CLAIM INVOICE PO# F S 9 BX M ACCOUNT NAME ACCOUNT

REPORT TOTALS:
5,171,462.12

RECORDS PRINTED - 000426

ACS FINANCIAL SYSTEM
06/26/2013 15:41:09

Vendor Payments History Report

CITY OF WILLMAR
GL060S-V07.23 RECAPPAGE
GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
101	GENERAL FUND	
205	INDUSTRIAL DEVELOPMENT	2,698,902.88
208	CONVENTION & VISITORS BUREAU	16,000.00
230	WILLMAR MUNICIPAL AIRPORT	6.16
234	LIBRARY IMPROVEMENT RESERVE	7,534.05
304	D.S. - 2004 BOND	1,000.00
305	D.S. - 2005 BOND	7,900.00
306	D.S. - 2006 BOND	18,453.75
307	D.S. - 2007A BOND	137,916.25
308	D.S. - 2008 BOND	484,750.00
309	D.S. - 2009 BOND	1,000.00
310	D.S. - 2010 BOND	1,000.00
311	D.S. - 2011 BOND	73,000.00
312	D.S. - 2012 BOND	132,000.00
313	D.S. - 2013 BOND	8,000.00
327	D.S. - 2007B BOND	14,000.00
330	D.S. - 2004C BOND AIRPORT	631,000.00
350	RICE HOSPITAL DEBT SERVICE	108,246.25
410	S.A.B.F. - #2010	481,000.00
412	S.A.B.F. - #2012	1.55
413	S.A.B.F. - #2013	587.41
450	CAPITAL IMPROVEMENT FUND	146,528.54
651	WASTE TREATMENT	170,907.31
741	OFFICE SERVICES	31,052.52
	TOTAL ALL FUNDS	5,171,462.12

BANK RECAP:

BANK NAME	DISBURSEMENTS
HERT HERITAGE BANK	5,171,462.12
TOTAL ALL BANKS	5,171,462.12

Willmar Lakes Area CVB Board Meeting
EBO Room of the Chamber/CVB
Tuesday, May 21, 2013 @ 12:00 Noon

Members Present: Denny Baker, Roger Imdieke, David Feist, Ken Warner, Sue Steinert, Janet Demuth, Ron Fake, Kevin Madsen and Audrey Nelson

Members Excused: Jim Butterfield, Don Asche, Kevin Halliday, Dave Pederson, and Ron Erpelding

Members Absent: Shawna Adams and Asim Siddiqui

Staff Present: Beth Fischer and Tanya Rosenau

Guests Present: Kaitlan Bloomquist and Lori Tostenson

- I. **Call to Order:** Steinert called the meeting to order at 12:14 pm.
 - a. **Additions or corrections to the agenda:** There were no additions or corrections.
 - b. **Welcome to Tanya Rosenau:** Fischer welcomed Rosenau and self-introductions were done.

- II. **Willmar Fests Ambassador Presentation:** Steinert welcomed Bloomquist, International Princess, and Tostenson to the Board meeting. Bloomquist gave a little history of Willmar Fests, went over the many events that take place, talked about the T.I.A.R.A. Project, and stated that they rose over \$1200.00 for the T.I.A.R.A. Project organization they are working with at the Willmar Fests Kickoff Gala. Tostenson thanked the CVB for being contacts for Willmar Fests and informed the committee that the Ambassadors are selling buttons and raffle tickets to raise money. A copy of the entire presentation is available upon request.

- III. **Approve Minutes from the April 16, 2013 Meeting:** It was MSC (m/Baker; s/Warner) to approve the minutes from the April 16, 2013 meeting.

- IV. **Financial Report:** Fischer presented the financial report and reviewed the lodging tax revenues report. It was MSC (m/Baker, s/Erpelding) to approve the financial report as presented.

- V. **Committee Reports & Requests:**
 - a. **Sports Committee:** No new business to report.
 - b. **Special Events Committee:** Baker shared the committee reviewed and approved two applications for funding. One is for the Willmar Fests Men's Softball Tournament in the amount of \$500.00 and the other one is for New London's Fine Art Festival for \$750.00. He noted that they are both in their 3rd year of requests and that they both need to start looking for alternate sources of funding.
 - c. **Meetings & Conventions Committee:** Feist stated that they met and discussed the MSAE Expo on June 6th that Fischer and Drodofsky are going to. The theme for the expo is "Lights, Camera, Interaction" and they are doing a twist with "Lights, Camera, We're Taking Action". They will be doing flashlights for a giveaway and they are looking for photos that are relevant to the changes coming up at the Conference Center. He said they also discussed sales calls on groups that haven't been here in a while. They decided to divide up the list between committee members for making cold calls to get convention leads.

- d. **Visitor Guide Committee:** Steinert stated they sent out e-mails to City Clerks asking for editorial content and pictures from each town. They want to get a fresh look to the guide. They will also do a social media campaign to get community members' input on what their favorite things are in the area.
- e. **Leisure Travel Committee:** Fischer stated that they met at County Park #7 and talked about upcoming outdoor events. She also reported that Iron Warriors will be holding their 2014 event in Atwater and it will be based outside of The Handlebar Restaurant. Paddle on the Crow River is June 1st and is being put on by the Watershed District and Prairie Woods Environmental Learning Center. The event is small now, but they are hoping for the event to grow in future years. It is \$10.00 for admission. She also noted that they traded ads with the West Central Tribune for their Summer Fun Guide.
- f. **Executive Committee:** No new business to report.

VI. Affiliated Partnership Updates/Reports:

- a. **Community Marketing Coalition Update:** Warner stated that they met on May 1st and had a presentation from Scott Hondl from The Johnson Group. They took information from the S.W.A.T. analysis and prepared a marketing plan for the group. They are checking to see what the best fit would be while being consistent. They will be discussing if they will have a PR person to take care of the website and social media. The person would make sure they are up to date on events and that the website is current. They will meet again on June 5th and will hopefully make some final decisions. Key businesses will be invited in on the new look and to get a buy in.

- VII. Executive Director Report:** Fischer handed out a copy of her report and commented that there is a lot going on in the next few months, while highlighting some of the bigger events. She informed everyone that there was an ad put in the West Central Tribune Summer Fun Guide, an ad put in the Midwest Meetings Summer Issue, and that they contracted ad space with meetingpages.com. She also went over the many proposals and conferences that have been awarded to us and what she is currently bidding on. A complete copy of the Executive Director's Report is available upon request from the CVB office.

VIII. Other Business:

- a. **Word Around the Community:**
 - i. **Feist** – Feist stated that the renovations on the Comfort Inn are underway.
 - ii. **Nelson** – Nelson informed everyone that Madsen received the Distinguished Service Award at the City Council meeting. The award recognizes people and businesses that provide job opportunities for people with disabilities.
 - iii. **Warner** – Warner informed everyone that the entertainment for the Red Carpet Event will be Nicholas David, the 3rd place finalist from "The Voice."
 - iv. **Steinert** – Steinert stated that the Super 8 is busy with Comfort Inn being closed.
 - v. **Fischer** – Fischer stated that this Friday is the New London Arts and Culture Alliance Event where you can buy a pottery bowl from a local artist and they will fill it up with ice cream. The event is 5-8pm at the greenwater garage + gallery.
 - vi. **Imdieke** – Imdieke shared that the Community Health and Wellness expo was well attended. The NL-S 5K run had 170 runners and the 1K walk for kids had many people as well. Also, Fischer added the NL-S Robotics team took 2nd place at state.

- vii. **Fake** – Fake shared that the renovations at O’Neil’s are underway and changes are taking place at Papa’s Pizza.
- viii. **Madsen** – Madsen noted that the arena boards are being retrofitted. The dry floor events have went very well and right now they are in pre-Sonshine mode.

b. Other:

IX. Adjournment: Steinert adjourned the meeting at 1:00pm.

Respectfully Submitted by,

Tanya Rosenau, Administrative Assistant

Willmar Lakes Area Convention & Visitors Bureau

CVB Executive Director's Report – June 2013

- June 19-22: Valdres Stevne
- June 19-22: Willmar Fests
- June 21-22: Willmar Fests Tennis Tournament
- June 22: Willmar Fests Softball Tournament
- June 22: Foot Lake 4
- June 29-30: Green Lake Sailing Regatta
- June 30: Thrivent Financial Volleyball Tournament
- July 3: Johnny Holm Street Dance in Spicer
- July 13-14: Buckingham Blitz in Raymond
- July 17-20: Sonshine Music Festival
- July 18-21: New London Water Days
- July 19: Mayor's Bike Ride
- August 7-10: Kandiyohi County Fair
- August 7-10: New London to New Brighton Antique Car Run (Pre-Tours 7-9)
- August 10: Green Lake Kids Tri
- August 11: Green Lake Triathlon
- August 16-17: BAM Bike Tour
- August 16-17: New London Fine Art Festival
- August 17: New London Music Festival
- August 18: Willmar Lakes Area Biking for Babies Bike Ride
- August 30-Sept 2: MN Parks and Trails Council of MN Labor Day Weekend Bike Ride

Advertising:

- Submitted Tennis Tournament Ad to West Central Tribune.
- Submitted Tennis Tournament Ad to Lakes Area Review.
- Submitted Tournament Listing to Let's Play Hockey.
- Submitted B2B article to West Central Tribune.
- Met with Pioneer Public TV to discuss advertising opportunities.

Proposals/Conference Assistance:

- Submitted bid to host the 2015 MN Postmasters Convention.
- Met with 7th District GOP Convention organizers on multiple occasions to discuss details for March 2014 Convention.
- Met with Iron Warriors to discuss the details for the IWMC Central Region Conference that has been booked for June 2014. The Motorcycle Club will base their conference out of Willmar. Participants will ride throughout the area on daily rides and there will be activities planned at The Handle Bar Restaurant in Atwater for the group. We prepared a flyer that the local organizers took to their National Convention to promote the event.
- Assisted the Parks & Trails Council of MN with a variety of different items for the Labor Day Weekend Bike Ride. We are currently working to secure several volunteers for each day of the ride.
- Provided registration assistance and name badges for the Entrepreneurship Summit, hosted by Ridgewater College at MinnWest Technology Campus.
- Assisted BAM organizer with variety of different items for the August event, including finding luggage handlers for their group.

- Assisted the Willmar Hockey Association with setting the tournaments for 2013-2014. Prepared tournament listing information and submitted to Let's Play Hockey.
- Working with Valdres Samband on final details for their June Stevne. We will be providing welcome bags and registration assistance.
- Provided welcome bags for the BNSF Convention.
- Continue to work with Bank Tour Group Operator to finalize details for August 2013 bus trip to the area. The group will visit stops in Willmar, Spicer and New London.
- Assisted several groups with facility arrangements for smaller day meetings and completed a variety of sales calls.

Misc:

- Attended MSAE (Midwest Society of Association Executives) Expo. This was a great event and we secured several great leads and connections for future convention business.
- Met with Lakeside Press to discuss details for 2014 Visitor Guide.
- Participated in a Vision 2040 Focus Group
- Attended several different meetings. Some of those attended include the Community Marketing Coalition meeting, Public Policy, Biking for Babies Bike Ride, Willmar Fests meetings and a parade meeting for the 4th of July in Spicer.
- Continue to market the Willmar Lakes Area via Facebook, Twitter as well as through weekly fishing reports.

**BOARD OF ZONING APPEALS
CITY OF WILLMAR, MN
MONDAY, JUNE 17, 2013**

MINUTES

1. The Willmar Board of Zoning Appeals met on Monday, June 17, 2013 at 5:00 p.m. at the City Office Building.

** Members Present: Ross Magnuson, Larry Brown, Beverly Dougherty, and Joe Hartmann.

** Members Absent: Mark Suedbeck.

** Others Present: Nathan Doscher, and Megan M. DeSchepper- Planner.

2. REORGANIZATION: Mr. Brown made a motion, seconded by Ms. Dougherty to nominate Mr. Magnuson as Chair.

The motion carried.

Mr. Magnuson made a motion, seconded by Mr. Hartmann, to nominate Mr. Brown as Vice Chair.

The motion carried.

3. DOSCHER GARAGE SETBACK VARIANCE- FILE NO. 13-01: The public hearing opened at 5:01 p.m. Nathan Doscher presented his request for a garage setback of 1' from the side (south) and rear (west) property line on property described as Lot 9, Harris subdivision of Willmar (628 Oak Lane NW). Mr. Doscher explained that he would remove the existing single stall garage which is 1' off the side (south) property line and shed behind it and build a two stall garage 1' off the side and rear. Mr. Doscher stated that he'd like the garage as deep as possible on the lot to allow a drive lane/clearance into the garage without hitting the existing deck behind the house.

No one appeared to speak for or against the request, and the public hearing closed at 5:09 p.m.

Staff comments were reviewed and discussed (see Attachment A).

The Board talked about the tight fit of narrow older lots in the community. They talked about the existing setback of the garage and that the new garage would be no nearer the side line than it currently is.

Ms. Dougherty made a motion, seconded by Mr. Brown, to approve the 1' side (south) and rear (west) setback as requested.

The reasoning the Board gave for approving the variance was that the setback would match the setback of the garage that has been on the site for decades. They stated it would be difficult to access the garage and meet the setbacks. On the tight older smaller lots the allowances are warranted.

The motion carried.

4. MISCELLANY: Staff reviewed the amendment to the Zoning Ordinance last year regarding variance standards and further explained State Statute changes. The definition of practical difficulties was discussed.
5. There being no further business to come before the Commission, the meeting adjourned at 5:22 p.m.

Respectfully submitted,



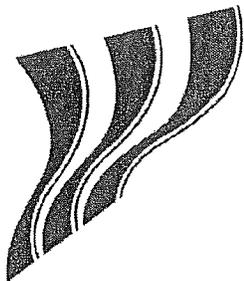
Megan M. DeSchepper, AICP
Planner/Airport Manager

BOARD OF ZONING APPEALS- JUNE 17, 2013

STAFF COMMENTS

1. DOSCHER GARAGE SETBACK VARIANCE- FILE NO. 13-01:

- The applicant is Nathan Doscher, Willmar, MN.
 - The applicant is requesting to allow construction of a new detached garage at a 1' setback from the side (south) and rear (west) property line on property described as: Lot 9, Harris Subdivision of Willmar (628 Oak Lane NW.).
 - The Zoning Ordinance stipulates residential detached accessory structures shall be setback a minimum of 5' from the property line.
 - The current one stall detached garage is approximately 1' to 2' from the property side (south) property line. Mr. Doscher proposes removing the existing garage.
- RECOMMENDATION: Review variance standards in Section 9.D.3.a.1-4 to see if there are practicable difficulties, reasonableness, uniqueness, and essential character.



CITY OF WILLMAR, MINNESOTA
REQUEST FOR COMMITTEE ACTION

Agenda Item Number: 7

Meeting Date:

Attachments: Yes No

CITY COUNCIL ACTION

Date:

- Approved Denied
 Amended Tabled
 Other

Originating Department: City Administrator

Agenda Item: GreenStep Cities Update

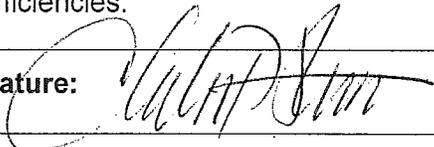
Recommended Action: Receive Report for information only.

Background/Summary: At the League of Minnesota Cities Annual Conference held last week the City of Willmar was recognized for completing step two of the GreenStep Cities program. Andrew Bjur represented Willmar at the Conference and will present the Council with an update on Willmar's GreenStep Cities efforts.

Alternatives:

Financial Considerations: Cost savings due to improved efficiencies.

Preparer: Charlene Stevens, City Administrator

Signature: 

Comments:

EXTRACT OF MINUTES OF A MEETING OF THE
CITY COUNCIL OF THE CITY OF
WILLMAR, MINNESOTA

HELD: July 1, 2013

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Willmar, Kandiyohi County, Minnesota, was duly called and held at the Municipal Utilities Building in said City on Monday, the 1st day of July, 2013, at 7:00 P.M., for the purpose of awarding the sale of, \$1,950,000 General Obligation Improvement Bonds, Series 2013A of the City.

The following members were present:

and the following were absent:

Councilmember _____ introduced the following resolution and moved its

adoption:

RESOLUTION ACCEPTING OFFER ON THE
SALE OF \$1,950,000 GENERAL OBLIGATION IMPROVEMENT
BONDS, SERIES 2013A, PROVIDING FOR THEIR ISSUANCE
AND LEVYING A TAX FOR THE PAYMENT THEREOF

A. WHEREAS, the City Council of the City of Willmar, Minnesota (the "City"), has heretofore determined and declared that it is necessary and expedient to issue \$1,950,000 General Obligation Improvement Bonds, Series 2013A of the City, pursuant to Minnesota Statutes, Chapters 429 and 475, to finance the construction of various street improvement projects in the City (the "Improvements"); and

B. WHEREAS, on May 6, 2013, the City Council adopted a resolution calling a public hearing on an Ordinance entitled "An Ordinance Authorizing the Issuance of \$1,950,000 General Obligation Improvement Bonds, Series 2013A, and Levying of Taxes to Secure the Payment Thereof" (the "Ordinance"); and

C. WHEREAS, a public hearing on the adoption of the Ordinance was held on May 20, 2013, and, following the public hearing the City Council adopted the Ordinance; and

D. WHEREAS, the construction of the improvement projects to be financed by the Bonds have heretofore been ordered; and

E. WHEREAS, offers to purchase the Bonds were solicited on behalf of the City by Springsted Incorporated, an independent financial consultant, and therefore the City

is authorized to negotiate the sale of the Bonds without compliance with the public sale requirements of Chapter 475; and

F. WHEREAS, the following offers were received, opened and recorded at the offices of Springsted Incorporated at 10:00 a.m., this same day:

<u>Bidder</u>	<u>Interest Rate</u>	<u>Net Interest Cost</u>
(see attached)		

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

1. Acceptance of Offer. The offer of _____ located in _____ (the "Purchaser"), to purchase \$1,950,000 General Obligation Improvement Bonds, Series 2013A of the City (the "Bonds", or individually a "Bond"), in accordance with the terms of proposal, at the rates of interest hereinafter set forth, and to pay therefor the sum of \$_____, plus interest accrued to settlement, is hereby found, determined and declared to be the most favorable offer received and is hereby accepted, and the Bonds are hereby awarded to the Purchaser. The Finance Director is directed to retain the deposit of said Purchaser and to forthwith return to the others making offers their good faith deposits.

2. Terms of Bonds.

(a) Title; Original Issue Date; Denominations; Maturities. The Bonds shall be titled "General Obligation Improvement Bonds, Series 2013A", shall be dated the date of original issue and shall be issued forthwith on or after such date as fully registered bonds. The Bonds shall be numbered from R-1 upward in the denomination of \$5,000 each or in any integral multiple thereof of a single maturity. The Bonds shall mature on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2015	\$210,000	2020	\$195,000
2016	200,000	2021	190,000
2017	200,000	2022	190,000
2018	195,000	2023	190,000
2019	195,000	2024	185,000

As may be requested by the Purchaser, one or more term Bonds may be issued having mandatory sinking fund redemption and final maturity amounts conforming to the foregoing principal repayment schedule, and corresponding additions may be made to the provisions of the applicable Bond(s).

(b) Book Entry Only System. The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York or any of its successors or successors to its functions hereunder (the "Depository") will act as securities depository for the Bonds, and to this end:

(i) The Bonds shall be initially issued and, so long as they remain in book entry form only (the "Book Entry Only Period"), shall at all times be in the form of a separate single fully registered Bond for each maturity of the Bonds; and for purposes of complying with this requirement under paragraphs 5 (with respect to optional redemption) and 10 (with respect to registration, transfer, and exchange) Authorized Denominations for any Bond shall be deemed to be limited during the Book Entry Only Period to the outstanding principal amount of that Bond.

(ii) Upon initial issuance, ownership of the Bonds shall be registered in a bond register maintained by U.S. Bank National Association, in St. Paul, Minnesota (the "Bond Registrar") in the name of CEDE & CO., as the nominee (it or any nominee of the existing or a successor Depository, the "Nominee").

(iii) With respect to the Bonds neither the City nor the Bond Registrar shall have any responsibility or obligation to any broker, dealer, bank, or any other financial institution for which the Depository holds Bonds as securities depository (the "Participant") or the person for which a Participant holds an interest in the Bonds shown on the books and records of the Participant (the "Beneficial Owner"). Without limiting the immediately preceding sentence, neither the City, nor the Bond Registrar, shall have any such responsibility or obligation with respect to (A) the accuracy of the records of the Depository, the Nominee or any Participant with respect to any ownership interest in the Bonds, or (B) the delivery to any Participant, any Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or (C) the payment to any Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the principal of or premium, if any, or interest on the Bonds, or (D) the consent given or other action taken by the Depository as the Registered Holder of any Bonds (the "Holder"). For purposes of securing the vote or consent of any Holder under this Resolution, the City may, however, rely upon an omnibus proxy under which the Depository assigns its consenting or voting rights to certain Participants to whose accounts the Bonds are credited on the record date identified in a listing attached to the omnibus proxy.

(iv) The City and the Bond Registrar may treat as and deem the Depository to be the absolute owner of the Bonds for the purpose of payment of the principal of and premium, if any, and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to the Bonds, for the purpose of obtaining any consent or other action to be taken by Holders for the purpose of registering transfers with respect to such Bonds, and for all purpose whatsoever. The Bond Registrar, as paying agent hereunder, shall pay all principal of and premium, if any, and interest on the Bonds only to or upon the Holder of the Holders of the Bonds as shown on the bond register, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid.

(v) Upon delivery by the Depository to the Bond Registrar of written notice to the effect that the Depository has determined to substitute a new Nominee in place of the existing Nominee, and subject to the transfer provisions in paragraph 10 hereof (with respect to registration, transfer and exchange), references to the Nominee hereunder shall refer to such new Nominee.

(vi) So long as any Bond is registered in the name of a Nominee, all payments with respect to the principal of and premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, by the Bond Registrar or City, as the case may be, to the Depository as provided in the Letter of Representations, to the Depository required by the Depository as a condition to its acting as book-entry Depository for the Bonds (said Letter of Representations, together with any replacement thereof or amendment or substitute thereto, including any standard procedures or policies referenced therein or applicable thereto respecting the procedures and other matters relating to the Depository's role as book-entry Depository for the Bonds, collectively hereinafter referred to as the "Letter of Representations").

(c) Letter of Representations. The provisions in the Letter of Representations are incorporated herein by reference and made a part of the resolution, and if and to the extent any such provisions are inconsistent with the other provisions of this resolution, the provisions in the Letter of Representations shall control.

3. Purpose. The Bonds shall provide funds to finance the construction of various street improvement projects in the City (the "Improvements"). The total cost of the Improvements, which shall include all costs enumerated in Minnesota Statutes, Section 475.65, is estimated to be at least equal to the amount of the Bonds. Work on the Improvements shall proceed with due diligence to completion. The City covenants that it shall do all things and perform all acts required of it to assure that work on the Improvements proceeds with due diligence to completion and that any and all permits and studies required under law for the Improvements are obtained.

4. Interest. The Bonds shall bear interest payable semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing February 1, 2014, calculated on the basis of a 360-day year of twelve 30-day months, at the respective rates per annum set forth opposite the maturity years as follows:

<u>Year</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Interest Rate</u>
2015		2020	
2016		2021	
2017		2022	
2018		2023	
2019		2024	

5. Optional Redemption. All Bonds of this issue maturing in the years 2023 and thereafter, shall be subject to redemption and prepayment at the option of the City on February 1, 2022, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and the principal amounts within each maturity to be redeemed shall be determined by the City; and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest shall cease to accrue from and after the redemption date. Mailed notice of

redemption shall be given to the paying agent and to each affected registered holder of the Bonds.

To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar prior to giving notice of redemption shall assign to each Bond having a common maturity date a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers so assigned to such Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of each such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the City or Bond Registrar so requires, a written instrument of transfer in form satisfactory to the City and Bond Registrar duly executed by the holder thereof or his, her or its attorney duly authorized in writing) and the City shall execute (if necessary) and the Bond Registrar shall authenticate and deliver to the holder of such Bond, without service charge, a new Bond or Bonds of the same series having the same stated maturity and interest rate and of any Authorized Denomination or Denominations, as requested by such holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

6. Bond Registrar. U.S. Bank National Association, in St. Paul, Minnesota, is appointed to act as bond registrar and transfer agent with respect to the Bonds (the "Bond Registrar"), and shall do so unless and until a successor Bond Registrar is duly appointed, all pursuant to any contract the City and Bond Registrar shall execute which is consistent herewith. The Bond Registrar shall also serve as paying agent unless and until a successor paying agent is duly appointed. Principal and interest on the Bonds shall be paid to the registered holders (or record holders) of the Bonds in the manner set forth in the form of Bond and paragraph 12 of this resolution (with respect to interest payment and record date).

7. Form of Bond. The Bonds, together with the Bond Registrar's Certificate of Authentication, the form of Assignment and the registration information thereon, shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA
KANDIYOHI COUNTY
CITY OF WILLMAR

R- _____

\$ _____

GENERAL OBLIGATION IMPROVEMENT
BOND, SERIES 2013A

<u>INTEREST</u> <u>RATE</u>	<u>MATURITY</u> <u>DATE</u>	<u>DATE OF</u> <u>ORIGINAL ISSUE</u>	<u>CUSIP</u>
%	February 1, 20__	July 15, 2013	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

KNOW ALL PERSONS BY THESE PRESENTS that the City of Willmar, Kandiyohi County, Minnesota (the "Issuer"), certifies that it is indebted and for value received promises to pay to the registered owner specified above, or registered assigns, in the manner hereinafter set forth, the principal amount specified above, on the maturity date specified above, unless called for earlier redemption, and to pay interest thereon semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing February 1, 2014, at the rate per annum specified above (calculated on the basis of a 360-day year of twelve 30-day months) until the principal sum is paid or has been provided for. This Bond will bear interest from the most recent Interest Payment Date to which interest has been paid or, if no interest has been paid, from the date of original issue hereof. The principal of and premium, if any, on this Bond are payable upon presentation and surrender hereof at the principal office of U.S. Bank National Association, in St. Paul, Minnesota (the "Bond Registrar"), acting as paying agent, or any successor paying agent duly appointed by the Issuer. Interest on this Bond will be paid on each Interest Payment Date by check or draft mailed to the person in whose name this Bond is registered (the "Holder" or "Bondholder") on the registration books of the Issuer maintained by the Bond Registrar and at the address appearing thereon at the close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any interest not so timely paid shall cease to be payable to the person who is the Holder hereof as of the Regular Record Date, and shall be payable to the person who is the Holder hereof at the close of business on a date (the "Special Record Date") fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest. Notice of the Special Record Date shall be given to Bondholders not less than ten days prior to the Special Record Date. The principal of and premium, if any, and interest on this Bond are payable in lawful money of the United States of America. So long as this Bond is registered in the name of the Depository or its Nominee as provided in the Resolution hereinafter described, and as those

terms are defined therein, payment of principal of, premium, if any, and interest on this Bond and notice with respect thereto shall be made as provided in the Letter of Representations, as defined in the Resolution, and surrender of this Bond shall not be required for payment of the redemption price upon a partial redemption of this Bond. Until termination of the book-entry only system pursuant to the Resolution, Bonds may only be registered in the name of the Depository or its Nominee.

Optional Redemption. All Bonds of this issue maturing in the years 2023 and thereafter, are subject to redemption and prepayment at the option of the Issuer on February 1, 2022, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and the principal amounts within each maturity to be redeemed shall be determined by the Issuer; and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the paying agent and to each affected Holder of the Bonds.

Selection of Bonds for Redemption; Partial Redemption. To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar shall assign to each Bond having a common maturity date, a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers assigned to the Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the Issuer or the Bond Registrar so requires, a written instrument of transfer in form satisfactory to the Issuer and the Bond Registrar duly executed by the Holder thereof or his, her or its attorney duly authorized in writing) and the Issuer shall execute (if necessary) and the Bond Registrar shall authenticate and deliver to the Holder of such Bond, without service charge, a new Bond or Bonds of the same series having the same stated maturity and interest rate and of any Authorized Denomination or Denominations, as requested by such Holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

Issuance; Purpose; General Obligation. This Bond is one of an issue in the total principal amount of \$1,950,000, all of like date of original issue and tenor, except as to number, maturity, interest rate, denomination and redemption privilege, which Bond has been issued pursuant to and in full conformity with the Constitution, Charter of the Issuer and laws of the State of Minnesota and pursuant to a resolution adopted by the City Council of the Issuer on July 1, 2013 (the "Resolution"), for the purpose of providing money to finance the construction of various street improvement projects in the City. This Bond is payable out of the General Obligation Improvement Bonds, Series 2013A Fund of the Issuer. This Bond constitutes a general obligation of the Issuer, and to provide moneys for the prompt and full

payment of its principal, premium, if any, and interest when the same become due, the full faith and credit and taxing powers of the Issuer have been and are hereby irrevocably pledged.

Denominations; Exchange; Resolution. The Bonds are issuable solely as fully registered bonds in the denominations of \$5,000 and integral multiples thereof of a single maturity and are exchangeable for fully registered Bonds of other authorized denominations in equal aggregate principal amounts at the principal office of the Bond Registrar, but only in the manner and subject to the limitations provided in the Resolution. Reference is hereby made to the Resolution for a description of the rights and duties of the Bond Registrar. Copies of the Resolution are on file in the principal office of the Bond Registrar.

Transfer. This Bond is transferable by the Holder in person or by his, her or its attorney duly authorized in writing at the principal office of the Bond Registrar upon presentation and surrender hereof to the Bond Registrar, all subject to the terms and conditions provided in the Resolution and to reasonable regulations of the Issuer contained in any agreement with the Bond Registrar. Thereupon the Issuer shall execute and the Bond Registrar shall authenticate and deliver, in exchange for this Bond, one or more new fully registered Bonds in the name of the transferee (but not registered in blank or to "bearer" or similar designation), of an authorized denomination or denominations, in aggregate principal amount equal to the principal amount of this Bond, of the same maturity and bearing interest at the same rate.

Fees upon Transfer or Loss. The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of this Bond and any legal or unusual costs regarding transfers and lost Bonds.

Treatment of Registered Owners. The Issuer and Bond Registrar may treat the person in whose name this Bond is registered as the owner hereof for the purpose of receiving payment as herein provided (except as otherwise provided herein with respect to the Record Date) and for all other purposes, whether or not this Bond shall be overdue, and neither the Issuer nor the Bond Registrar shall be affected by notice to the contrary.

Authentication. This Bond shall not be valid or become obligatory for any purpose or be entitled to any security unless the Certificate of Authentication hereon shall have been executed by the Bond Registrar.

Qualified Tax-Exempt Obligation. This Bond has been designated by the Issuer as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution, and laws of the State of Minnesota and Charter of the Issuer to be done, to happen and to be performed, precedent to and in the issuance of this Bond, have been done, have happened and have been performed, in regular and due form, time and manner as required by law, and that this Bond, together with all other debts of the Issuer outstanding on the date of original issue hereof and the date of its issuance and delivery to the

original purchaser, does not exceed any constitutional, statutory or charter limitation of indebtedness.

IN WITNESS WHEREOF, the City of Willmar, Kandiyohi County, Minnesota, by its City Council has caused this Bond to be executed on its behalf by the facsimile signatures of its Mayor and its City Clerk, the corporate seal of the Issuer having been intentionally omitted as permitted by law.

Date of Registration:

Registrable by: U.S. Bank National Association
St. Paul, Minnesota

Payable at: U.S. Bank National Association
St. Paul, Minnesota

CITY OF WILLMAR
KANDIYOHI COUNTY, MINNESOTA

/s/ Facsimile

Mayor

/s/ Facsimile

Clerk

BOND REGISTRAR'S
CERTIFICATE OF
AUTHENTICATION

This Bond is one of the Bonds
described in the Resolution
mentioned within.

U.S. Bank National Association
St. Paul, Minnesota
Bond Registrar

By _____
Authorized Signature

ABBREVIATIONS

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with right of survivorship and not as tenants in common

UTMA - _____ as custodian for _____

(Cust)

(Minor)

under the _____ Uniform Transfers to Minors Act

(State)

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and does hereby irrevocably constitute and appoint _____ attorney to transfer the Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Notice: _____
The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

Signature(s) must be guaranteed by a national bank or trust company or by a brokerage firm having a membership in one of the major stock exchanges or any other "Eligible Guarantor Institution" as defined in 17 CFR 240.17 Ad-15(a)(2).

The Bond Registrar will not effect transfer of this Bond unless the information concerning the transferee requested below is provided.

Name and Address: _____

8. Execution; Temporary Bonds. The Bonds shall be printed (or, at the request of the Purchaser, typewritten) shall be executed on behalf of the City by the signatures of its Mayor and Clerk and be sealed with the seal of the City; provided, however, that the seal of the City may be a printed (or, at the request of the Purchaser, photocopied) facsimile; and provided further that both of such signatures may be printed (or, at the request of the Purchaser, photocopied) facsimiles and the corporate seal may be omitted on the Bonds as permitted by law. In the event of disability or resignation or other absence of either such officer, the Bonds may be signed by the manual or facsimile signature of that officer who may act on behalf of such absent or disabled officer. In case either such officer whose signature or facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery. The City may elect to deliver, in lieu of printed definitive bonds, one or more typewritten temporary bonds in substantially the form set forth above, with such changes as may be necessary to reflect more than one maturity in a single temporary bond. The temporary bonds may be executed with photocopied facsimile signatures of the Mayor and Clerk. Such temporary bonds shall, upon the printing of the definitive bonds and the execution thereof, be exchanged therefor and canceled.

9. Authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this resolution unless a Certificate of Authentication on such Bond, substantially in the form hereinabove set forth, shall have been duly executed by an authorized representative of the Bond Registrar. Certificates of Authentication on different Bonds need not be signed by the same person. The Bond Registrar shall authenticate the signatures of officers of the City on each Bond by execution of the Certificate of Authentication on the Bond and by inserting as the date of registration in the space provided the date on which the Bond is authenticated, except that for purposes of delivering the original Bonds to the Purchaser, the Bond Registrar shall insert as a date of registration the date of original issue. The Certificate of Authentication so executed on each Bond shall be conclusive evidence that it has been authenticated and delivered under this resolution.

10. Registration; Transfer; Exchange. The City will cause to be kept at the principal office of the Bond Registrar a bond register in which, subject to such reasonable regulations as the Bond Registrar may prescribe, the Bond Registrar shall provide for the registration of Bonds and the registration of transfers of Bonds entitled to be registered or transferred as herein provided.

Upon surrender for transfer of any Bond at the principal office of the Bond Registrar, the City shall execute (if necessary), and the Bond Registrar shall authenticate, insert the date of registration (as provided in paragraph 9 with respect to authentication) of, and deliver, in the name of the designated transferee or transferees, one or more new Bonds of any authorized denomination or denominations of a like aggregate principal amount, having the same stated maturity and interest rate, as requested by the transferor; provided, however, that no Bond may be registered in blank or in the name of "bearer" or similar designation.

At the option of the Holder, Bonds may be exchanged for Bonds of any authorized denomination or denominations of a like aggregate principal amount and stated maturity, upon surrender of the Bonds to be exchanged at the principal office of the Bond

Registrar. Whenever any Bonds are so surrendered for exchange, the City shall execute (if necessary), and the Bond Registrar shall authenticate, insert the date of registration of, and deliver the Bonds which the Holder making the exchange is entitled to receive.

All Bonds surrendered upon any exchange or transfer provided for in this resolution shall be promptly canceled by the Bond Registrar and thereafter disposed of as directed by the City.

All Bonds delivered in exchange for or upon transfer of Bonds shall be valid general obligations of the City evidencing the same debt, and entitled to the same benefits under this resolution, as the Bonds surrendered for such exchange or transfer.

Every Bond presented or surrendered for transfer or exchange shall be duly endorsed or be accompanied by a written instrument of transfer, in form satisfactory to the Bond Registrar, duly executed by the Holder thereof or his, her or its attorney duly authorized in writing.

The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of any Bond and any legal or unusual costs regarding transfers and lost Bonds.

Transfers shall also be subject to reasonable regulations of the City contained in any agreement with the Bond Registrar, including regulations which permit the Bond Registrar to close its transfer books between record dates and payment dates. The Administrator is hereby authorized to negotiate and execute the terms of said agreement.

11. Rights Upon Transfer or Exchange. Each Bond delivered upon transfer of or in exchange for or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

12. Interest Payment; Record Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered (the "Holder") on the registration books of the City maintained by the Bond Registrar and at the address appearing thereon at the close of business on the fifteenth (15th) day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any such interest not so timely paid shall cease to be payable to the person who is the Holder thereof as of the Regular Record Date, and shall be payable to the person who is the Holder thereof at the close of business on a date (the "Special Record Date") fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest. Notice of the Special Record Date shall be given by the Bond Registrar to the Holders not less than ten (10) days prior to the Special Record Date.

13. Treatment of Registered Owner. The City and Bond Registrar may treat the person in whose name any Bond is registered as the owner of such Bond for the purpose of receiving payment of principal of and premium, if any, and interest (subject to the payment provisions in paragraph 12 above with respect to interest payment and record date) on, such Bond and for all other purposes whatsoever whether or not such Bond shall be overdue, and neither the City nor the Bond Registrar shall be affected by notice to the contrary.

14. Delivery; Application of Proceeds. The Bonds when so prepared and executed shall be delivered by the Finance Director to the Purchaser upon receipt of the purchase price, and the Purchaser shall not be obliged to see to the proper application thereof.

15. Fund and Accounts. There is hereby created a special fund to be designated the "General Obligation Improvement Bonds, Series 2013A Fund" (the "Fund") to be administered and maintained by the Finance Director as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The Fund shall be maintained in the manner herein specified until all of the Bonds and the interest thereon have been fully paid. There shall be maintained in the Fund two (2) separate accounts, to be designated the "Construction Account" and "Debt Service Account", respectively.

(a) Construction Account. To the Construction Account there shall be credited the proceeds of the sale of the Bonds, less accrued interest received thereon, and less any amount paid for the Bonds in excess of \$_____, plus any special assessments levied with respect to the Improvements and collected prior to completion of the Improvements and payment of the costs thereof from the Construction Account there shall be paid all costs and expenses of making the Improvements listed in paragraph 16 (with respect to assessments), including the cost of any construction contracts heretofore let and all other costs incurred and to be incurred of the kind authorized in Minnesota Statutes, Section 475.65; and the moneys in said account shall be used for no other purpose except as otherwise provided by law; provided that the proceeds of the Bonds may also be used to the extent necessary to pay interest on the Bonds due prior to the anticipated date of commencement of the collection of taxes or special assessments herein levied or covenanted to be levied; and provided further that if upon completion of the Improvements there shall remain any unexpended balance in the Construction Account, the balance (other than any special assessments) may be transferred by the Council to the fund of any other improvement instituted pursuant to Minnesota Statutes, Chapter 429, and provided further that any special assessments credited to the Construction Account shall only be applied towards payment of the costs of the Improvements upon adoption of a resolution by the City Council determining that the application of the special assessments for such purpose will not cause the City to no longer be in compliance with Minnesota Statutes, Section 475.61, Subdivision 1.

(b) Debt Service Account. There are hereby irrevocably appropriated and pledged to, and there shall be credited to, the Debt Service Account: (a) all collections of special assessments herein covenanted to be levied with respect to the Improvements and either initially credited to the Construction Account and not already spent as permitted above and required to pay any principal and interest due on the Bonds or collected subsequent to the completion of the Improvements and payment of the costs thereof; (b) all accrued interest received upon delivery of the Bonds; (c) all funds paid for the Bonds in excess of \$_____; (d) all collections of taxes herein or hereafter levied for the payment of the Bonds and interest thereon; (e) all funds remaining in the Construction Account after completion of the Improvements and payment of the costs thereof, not so transferred to the account of another improvement; (f) all investment earnings on funds held in the Debt Service Account; and (g) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Debt Service Account, including but not limited to prepaid assessments or other available funds sufficient to pay interest due on the Bonds on February 1, 2014. The Debt Service Account shall be used

solely to pay the principal and interest and any premiums for redemption of the Bonds and any other general obligation bonds of the City hereafter issued by the City and made payable from said account as provided by law.

(c) No portion of the proceeds of the Bonds shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (1) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds were issued and (2) in addition to the above in an amount not greater than the lesser of five percent (5%) of the proceeds of the Bonds or \$100,000. To this effect any special assessments against benefitted properties are also pledged to the Debt Service Account, in excess of amounts which under then-applicable federal arbitrage regulations may be invested without regard to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by said arbitrage regulations on such investments after taking into account any applicable "temporary periods" or "minor portion" made available under the federal arbitrage regulations. Money in the Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended (the "Code").

16. Assessments. It is hereby determined that no less than 20% of the cost to the City of each Improvement financed hereunder within the meaning of Minnesota Statutes, Section 475.58, Subdivision 1(3), shall be paid by special assessments to be heretofore levied against every assessable lot, piece and parcel of land benefitted by any of the Improvements. The City hereby covenants and agrees that it will let all construction contracts not heretofore let within one (1) year after ordering each Improvement financed hereunder unless the resolution ordering the Improvement specifies a different time limit for the letting of construction contracts. The City hereby further covenants and agrees that it will do and perform as soon as they may be done all acts and things necessary for the final and valid levy of such special assessments, and in the event that any such assessment be at any time held invalid with respect to any lot, piece or parcel of land due to any error, defect, or irregularity in any action or proceedings taken or to be taken by the City or the City Council or any of the City officers or employees, either in the making of the assessments or in the performance of any condition precedent thereto, the City and the City Council will forthwith do all further acts and take all further proceedings as may be required by law to make the assessments a valid and binding lien upon such property.

At the time the assessments are in fact levied the City Council shall, based on the then-current estimated collections of the assessments, make any adjustments in any ad valorem taxes required to be levied in order to assure that the City continues to be in compliance with Minnesota Statutes, Section 475.61, Subdivision 1.

17. Tax Levy; Coverage Test. To provide moneys for payment of the principal and interest on the Bonds there is hereby levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City of the years and in the amounts as follows:

Year of Tax
Levy

Year of Tax
Collection

Amount

See Exhibit A attached hereto

The tax levies are such that if collected in full they, together with estimated collections of special assessments and other revenues herein pledged for the payment of the Bonds, will produce at least 5% in excess of the amount needed to meet when due the principal and interest payments on the Bonds. The tax levies shall be irrevocable so long as any of the Bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

18. General Obligation Pledge. For the prompt and full payment of the principal and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City shall be and are hereby irrevocably pledged. If the balance in the Debt Service Account is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency shall be promptly paid out of any other funds of the City which are available for such purpose, and such other funds may be reimbursed with or without interest from the Debt Service Account when a sufficient balance is available therein.

19. Certificate of Registration and Tax Levy. If no Certificate of Intent is filed in accordance with Section 7.04(j) of the City Charter within 15 days after adoption of this resolution, the Clerk is hereby directed to file a certified copy of this resolution with the County Auditor of Kandiyohi County, Minnesota, together with such other information as he or she shall require, and to obtain the County Auditor's certificate that the Bonds have been entered in the County Auditor's Bond Register, and the tax levy required by law has been made.

20. Records and Bonds. The officers of the City are hereby authorized and directed to prepare and furnish to the Purchaser, and to the attorneys approving the legality of the issuance of the Bonds, certified copies of all proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other affidavits, certificates and information as are required to show the facts relating to the legality and marketability of the Bonds as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the City as to the facts recited therein.

21. Defeasance. When all Bonds have been discharged as provided in this paragraph, all pledges, covenants and other rights granted by this resolution to the registered holders of the Bonds shall, to the extent permitted by law, cease. The City may discharge its obligations with respect to any Bonds which are due on any date by irrevocably depositing with the Bond Registrar on or before that date a sum sufficient for the payment thereof in full; or if any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Bond Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit. The City may also at any time discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action,

by depositing irrevocably in escrow, with a suitable banking institution qualified by law as an escrow agent for this purpose, cash or securities described in Minnesota Statutes, Section 475.67, Subdivision 8, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, subject to sale and/or reinvestment, to pay all amounts to become due thereon to maturity or, if notice of redemption as herein required has been duly provided for, to such earlier redemption date.

22. Negative Covenant as to Use of Proceeds and Improvements. The City hereby covenants not to use the proceeds of the Bonds or to use the Improvements, or to cause or permit them to be used, or to enter into any deferred payment arrangements for the cost of the Improvements, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

23. Tax-Exempt Status of the Bonds; Rebate. The City shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Bonds, including without limitation (1) requirements relating to temporary periods for investments, (2) limitations on amounts invested at a yield greater than the yield on the Bonds, and (3) the rebate of excess investment earnings to the United States.

24. Compliance with Reimbursement Bond Regulations. The provisions of this paragraph are intended to establish and provide for the City's compliance with United States Treasury Regulations Section 1.150-2 (the "Reimbursement Regulations") applicable to the "reimbursement proceeds" of the Bonds, being those portions thereof which will be used by the City to reimburse itself for any expenditure which the City paid or will have paid prior to the Closing Date (a "Reimbursement Expenditure"). The City hereby certifies and/or covenants as follows:

(a) Not later than 60 days after the date of payment of a Reimbursement Expenditure, the City (or person designated to do so on behalf of the City) has made or will have made a written declaration of the City's official intent (a "Declaration") which effectively (i) states the City's reasonable expectation to reimburse itself for the payment of the Reimbursement Expenditure out of the proceeds of a subsequent borrowing; (ii) gives a general and functional description of the property, project or program to which the Declaration relates and for which the Reimbursement Expenditure is paid, or identifies a specific fund or account of the City and the general functional purpose thereof from which the Reimbursement Expenditure was to be paid (collectively the "Project"); and (iii) states the maximum principal amount of debt expected to be issued by the City for the purpose of financing the Project; provided, however, that no such Declaration shall necessarily have been made with respect to: (i) "preliminary expenditures" for the Project, defined in the Reimbursement Regulations to include engineering or architectural, surveying and soil testing expenses and similar prefatory costs, which in the aggregate do not exceed 20% of the "issue price" of the Bonds, and (ii) a de minimis amount of Reimbursement Expenditures not in excess of the lesser of \$100,000 or 5% of the proceeds of the Bonds.

(b) Each Reimbursement Expenditure is a capital expenditure or a cost of issuance of the Bonds or any of the other types of expenditures described in Section 1.150-2(d)(3) of the Reimbursement Regulations.

(c) The “reimbursement allocation” described in the Reimbursement Regulations for each Reimbursement Expenditure shall and will be made forthwith following (but not prior to) the issuance of the Bonds and in all events within the period ending on the date which is the later of three years after payment of the Reimbursement Expenditure or one year after the date on which the Project to which the Reimbursement Expenditure relates is first placed in service.

(d) Each such reimbursement allocation will be made in a writing that evidences the City’s use of Bond proceeds to reimburse the Reimbursement Expenditure and, if made within 30 days after the Bonds are issued, shall be treated as made on the day the Bonds are issued.

Provided, however, that the City may take action contrary to any of the foregoing covenants in this paragraph 24 upon receipt of an opinion of its Bond Counsel for the Bonds stating in effect that such action will not impair the tax-exempt status of the Bonds.

25. Continuing Disclosure. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this Resolution, failure of the County to comply with the Continuing Disclosure Certificate is not to be considered an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this section.

The Mayor and Clerk of the City, or any other officer of the City authorized to act in their place (the “Officers”) are hereby authorized and directed to execute on behalf of the City the Continuing Disclosure Certificate in substantially the form presented to the City Council subject to such modifications thereof or additions thereto as are (i) consistent with the requirements under the Rule, (ii) required by the Purchaser of the Bonds, and (iii) acceptable to the Officers.

26. Designation of Qualified Tax-Exempt Obligations. In order to qualify the Bonds as “qualified tax exempt obligations” within the meaning of Section 265(b)(3) of the Code, the City hereby makes the following factual statements and representations:

(a) the Bonds are issued after August 7, 1986.

(b) the Bonds are not “private activity bonds” as defined in Section 141 of the Code;

(c) the City hereby designates the Bonds as “qualified tax exempt obligations” for purposes of Section 265(b)(3) of the Code;

(d) the reasonably anticipated amount of tax exempt obligations which will be issued by the City (and all entities treated as one issuer with the City, and all subordinate entities whose obligations are treated as issued by the City) during this calendar year 2013 will not exceed \$10,000,000;

(e) not more than \$10,000,000 of obligations issued by the City during this calendar year 2013 have been designated for purposes of Section 265(b)(3) of the Code; and

(f) the aggregate face amount of the Bonds does not exceed \$10,000,000.

The City shall use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designation made by this paragraph.

27. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

28. Headings. Headings in this resolution are included for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof.

The motion for the adoption of the foregoing resolution was duly seconded by member _____ and, after a full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA
COUNTY OF KANDIYOHI
CITY OF WILLMAR

I, the undersigned, being the duly qualified and acting Clerk-Treasurer of the City of Willmar, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated, insofar as such minutes relate to authorizing the issuance of \$1,950,000 General Obligation Improvement Bonds, Series 2013A of said City.

WITNESS my hand this day of _____, 2013.

Clerk-Treasurer

EXHIBIT A

Tax Levy

PUBLIC WORKS/SAFETY COMMITTEE REPORT 13-10
CITY OF WILLMAR
TUESDAY, JUNE 25, 2013

A meeting of the Public Works/Safety Committee was called to order at 4:47 p.m. on Tuesday, June 25, 2013, by Chairman Ron Christianson at the City Office Building. Members present were: Council Members Audrey Nelsen, Bruce DeBlieck, and Steve Ahmann. Also present were: Mayor Frank Yanish; Council Members Jim Dokken and Tim Johnson; Bruce Peterson, Planning and Development Services Director; Dave Wyffels, Police Chief; Jared Voge, Interim City Engineer; Barry Glienke, Bolton and Menk; Adam Arvidson; Treeline; David Little, "West Central Tribune" and Janell Sommers, Recording Secretary.

1. ACCEPT BID AND AWARD CONTRACT FOR WILLMAR AVENUE SW IMPROVEMENTS:

Bids were opened on June 18, 2013 for the improvements to Willmar Avenue SW between 22nd Street SW and CSAH 5. The project includes a new railroad crossing with a quiet zone. One bid was received from Duininck Inc. in the amount of \$1,068,195.47, which is approximately 11% above the engineer's estimate. It appears the unit prices received for aggregate base, bituminous and storm sewer have increased 10 to 20 percent since bids were received earlier this year. Funding sources for the project include State Aid Funds from both the City and Kandiyohi County and Local Option Sales Tax. It was the recommendation of Jarod Voge, Interim City Engineer, to award the bid to Duininck Inc. A motion was made by Council Member Ahmann, seconded by Council Member DeBlieck, and passed for the following

RECOMMENDATION:

Accept the bid of Duininck Inc. in the amount of \$1,068,195.47, and authorize the Mayor and City Administrator to enter into an agreement on behalf of the City. (Resolution)

2. ACCEPT BID AND AWARD CONTRACT FOR 4TH AVENUE SW IMPROVEMENTS:

On June 18, the City also opened bids for improvements to 4th Avenue SW in Industrial Park. As requested by the City Council, the project includes a base bid and bid alternates for concrete and bituminous surfacing. The low bidder out of four was Kuechle Underground of Kimball, MN at a base bid plus Alternate "A" (concrete) at \$513,618.02 and Alternate "B" (bituminous) at \$491,395.92. Their bid was below engineer's estimate. The life cycle cost based on the unit prices received is approximately equal for concrete and bituminous pavement and Mr. Voge stated this street would be a good location to try concrete paving.

A motion was made by Council Member Ahmann, seconded by Council Member DeBlieck, and passed for the following

RECOMMENDATION:

Accept the base bid and Alternate "A" from Kuechle Underground in the amount of \$513,618.02, and authorize the Mayor and City Administrator to enter into an agreement on behalf of the City. (Resolution)

3. SUMP PUMP INSPECTION UPDATE (FOR INFORMATION ONLY):

In June of 2011, a contract was executed with Bolton and Menk to perform sump pump inspections in two different areas of the City, Ortenblad and Country Club Drive. Barry Glienke, the Project Manager for the Sump Pump Inspection Program, was before the committee to give the final report. A total of 581 units were inspected. The inspections resulted in 70 new winter discharge permits at \$50.00/year, increasing revenue by \$3,500.00.

Mr. Glienke stated he also reviewed the City's current ordinance and it was found to be up-to-date with recent law. The \$10.00 per month charge for a winter discharge permit was found to be an adequate amount to cover the costs of treating the water, as discharge is much less during these months. The final report was received for information only.

4. DOWNTOWN GATEWAYS PRESENTATION:

Adam Arvidson of Treeline came before the committee to present the preferred concept, based on community feedback, for downtown gateways. Illustrative views of the three gateways were reviewed and included a mixture of three effects from the preliminary concepts, linear, columnar, and pavement change. A concept of using the "rail" fencing, a blue column representing "water" that possibly would be more transparent and glow at night, along with pavement color changes was shown to the committee. The committee discussed the design at length. Mr. Arvidson also presented a preliminary cost estimate to give the committee a broad idea for funding. The issue of how the fencing may affect the ingress/egress of businesses in the gateway was brought up and it was noted these issues would be discussed in the final design phase of the project.

A motion was made by Council Member DeBlieck, seconded by Council Member Ahmann, and passed for the following

RECOMMENDATION:

Approve the concept as presented and initiate plans for funding and final design. (Motion)

5. SPERRYVILLE LIFT STATION EASEMENT:

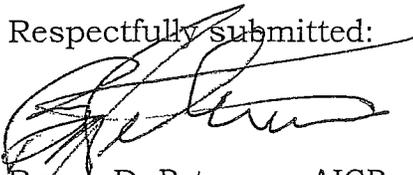
Planning and Development Services Director Peterson presented a request to purchase an easement from Wanda Stallman in the amount of \$2,875.00. The Sperryville Lift Station is scheduled to be replaced this summer, and the design includes relocating the lift station farther to the west with abandonment of the former structure. The amount of compensation is based on the assessed value, plus damages. Formal approval has been made by the Planning Commission and an easement drafted for the property owner. A motion was made by Council Member Ahmann, seconded by Council Member Nelson and passed for the following

RECOMMENDATION:

Approve the easement in the amount of \$2,875.00 and authorize the Mayor and City Administrator to execute the document. (Resolution)

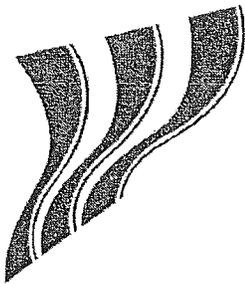
There being no further business to come before the committee, the meeting adjourned at 6:07 p.m.

Respectfully submitted:



Bruce D. Peterson, AICP
Director of Planning & Development Services

Janell Sommers
Recording Secretary



CITY OF WILLMAR, MINNESOTA
REQUEST FOR COMMITTEE ACTION

Agenda Item Number: 2

Meeting Date: June 25, 2013

Attachments: X Yes No

CITY COUNCIL ACTION

Date: July 1, 2013

- Approved Denied
 Amended Tabled
 Other

Originating Department: Engineering

Action Requested: Accept the bid and award the Contract to Duininck, Inc. for the 2013 Willmar Avenue Improvements, Project No. 1302-A.

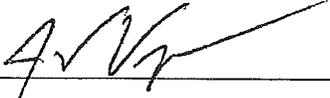
Recommended Action: Accept the bid and award the Contract to Duininck, Inc. in the amount of \$1,068,195.47 for the project.

Background/Summary: The City Council authorized advertisement for bids for the project at the May 20, 2013 Council Meeting. The project includes improvements to Willmar Avenue between 22nd Street SW and CSAH 5. The improvements consist of a new railroad crossing with improvements to accommodate a Quiet Zone. The bid received is approximately 11% above the Engineer's Estimate. Based on the unit prices received for the project, the costs associated with aggregate base class 5, bituminous, and storm sewer have increased 10 to 20 percent since bids were received earlier this year.

Alternatives: 1. Reject the bid
2. Delay the award of the project until a future date

Financial Considerations: The funding associated with the project includes State Aid Funds, Kandiyohi County State Aid Funds, and Local Option Sales Tax Funds.

Preparer: Jared Voge, P.E., Interim City Engineer

Signature: 

Comments:

BID TABULATION

PROJECT: 2013 WILLMAR AVENUE IMPROVEMENTS
CITY OF WILLMAR, MN

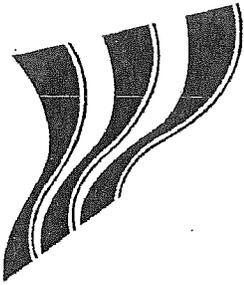
DATE: June 18, 2013
TIME: 1:00 p.m.

PROJECT NO. W18.105961 / S.A.P. 34-623-027 / S.A.P. 175-080-005

BIDDERS	TOTAL AMOUNT BID	BID BOND	ADDENDUM 1 & 2
1. Chad Monson Excavating, LLC Willmar, MN			
2. Civil Ag Group St. James, MN 56081			
3. Duininck, Inc. Prinsburg, MN	\$1,068,195.47	X	X
4. Quam Construction Company, Inc. Willmar, MN			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			



Bolton & Menk, Inc.
CONSULTING ENGINEERS & SURVEYORS
Mankato – Fairmont – Sleepy Eye – Burnsville – Willmar – Chaska – Ramsey
Maplewood – Baxter – Rochester, MN; Spencer – Ames, IA



CITY OF WILLMAR, MINNESOTA
REQUEST FOR COMMITTEE ACTION

Agenda Item Number: 3
Meeting Date: June 24, 2013
Attachments: X Yes No

CITY COUNCIL ACTION

Date: July 1, 2013

- Approved Denied
 Amended Tabled
 Other

Originating Department: Engineering

Action Requested: Accept Bids and Award Contract to Kuechle Underground, Inc. for the 4th Avenue SW Improvements, Project No. 1302-B. The bid totals are as follows:

Base Bid + Alternate A: \$513,618.02
Base Bid + Alternate B: \$491,395.92

Recommended Action: Accept Bids and Award Contract to Kuechle Underground, Inc. for Base Bid and the selected alternate, in the amount of:

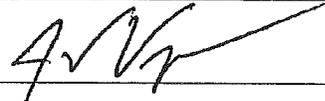
Base Bid + Alternate A: \$513,618.02
Base Bid + Alternate B: \$491,395.92

Background/Summary: The City Council authorized advertisement for bids for the project at the May 20, 2013 Council Meeting. As requested by Council, the project includes a base bid and bid alternates for concrete surfacing – Alternate A and bituminous surfacing – Alternate B. The low bid received is 12%, 7%, and 7% below the Engineer's Estimate for the base bid, Alternate A and Alternate B respectively. The life cycle cost based on the unit prices received is approximately equal for concrete and bituminous pavement.

Alternatives: 1. Reject Bids
2. Delay the award of the project until a future date

Financial Considerations: The funding associated with the project is from Local Option Sales Tax monies.

Preparer: Jared Voge, P.E., Interim City Engineer

Signature: 

Comments:

BID TABULATION

PROJECT: 4TH AVENUE SW IMPROVEMENTS - 2013
CITY OF WILLMAR, MN

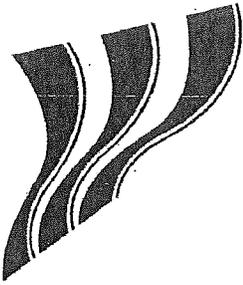
DATE: June 18, 2013
TIME: 1:15 p.m.

PROJECT NO. W18.105962

BIDDERS	BASE BID	BASE BID + ALTERNATE A	BASE BID + ALTERNATE B	BID BOND	ADDENDUM
1. Chad Monson Excavating, LLC Willmar, MN					
2. Civil Ag Group St. James, MN 56081					
3. Duininck, Inc. Prinsburg, MN	\$354,203.75	\$545,900.17	\$507,138.87	X	X
4. Geislinger & Sons Watkins, MN					
5. Kuechle Underground Inc. Kimball, MN	\$338,891.92	\$513,618.02	\$491,395.92	X	X
5. Quam Construction Company, Inc. Willmar, MN	\$349,999.45	\$544,694.65	No Bid	X	X
7. Voss Plumbing & Heating/Voss Concrete & Masonry Paynesville, MN	\$381,158.00	\$557,128.00	\$524,423.00	X	X
3.					
9.					
10					
11.					
12.					



Bolton & Menk, Inc.
CONSULTING ENGINEERS & SURVEYORS
Mankato – Fairmont – Sleepy Eye – Burnsville – Willmar – Chaska – Ramsey
Maplewood – Baxter – Rochester, MN; Spencer – Ames, IA



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

Agenda Item Number: 4

Meeting Date: June 25, 2013

Attachments: Yes No

CITY COUNCIL ACTION

Date: July 1, 2013

- Approved Denied
 Amended Tabled
 Other

Originating Department: **Planning & Development Services**

Agenda Item: **Sump Pump Inspection Program Report**

Recommended Action: **Receive for information only.**

Background/Summary: Bolton and Menk was engaged to conduct a sump pump inspection/compliance program. The summary report is attached.

Alternatives: NA

Financial Considerations: The City conservatively saves over \$8,600/year due to control of the subject area discharge and the required permits.

Preparer: Bruce D. Peterson, AICP

Signature:

Comments:



BOLTON & MENK, INC.

Consulting Engineers & Surveyors

2040 Highway 12 East • Willmar, MN 56201-5818

Phone (320) 231-3956 • Fax (320) 231-9710

www.bolton-menk.com

MEMORANDUM

Date: June 5, 2013
To: Colleen Thompson, Superintendent
From: Barry Glienke, PE
Project Manager
Subject: Sump Pump Inspection Project
Willmar, MN
BMI Proj No: W14.103612

The Sump Pump Inspection Program consisted of two different areas of town, Ortenblad and Country Club Drive areas. During the summer and fall of 2011 and winter of 2013, 100% of the 581 units in the study area have been inspected. The original scope of the project was to inspect approximately 540 residents. The following is a breakdown of the actual results of each area inspected.

Ortenblad 318 units inspected

Country Club Drive – 263 units inspected

- North Phase 177 units inspected
- South Phase 86 units inspected

The City of Willmar allows by ordinance the discharge of sump pumps into the sanitary sewer during the months of November, December, January, February and March. This is allowed through a permit obtained from City Hall and this permit requires a \$50 yearly fee (\$10/month). This fee is imposed to cover the cost of treating the excess clear water discharged into the sanitary sewer system during those months. Outside discharge of the sump pump during those months may not be feasible and may cause safety concerns with freezing. During the course of the inspections about 70 new winter discharge permits were issued by the City in these project areas.

The City's current ordinance was reviewed for this project and was found to be up to date with recent case law. The latest legal judgment regarding these inspections required the city to allow the resident the option of hiring a licensed plumber to complete the inspection in lieu of allowing an agent of the City to enter the property. The City of Willmar's ordinance currently allows for this.



Colleen Thompson

6/5/13

Page 2

Based on the 2011 sewer budget, it costs the City of Willmar about \$2.83/1,000 gallons to treat their wastewater. This is based on the budgeted O&M expenses of \$4,636,283 and the City treating 1,637,714,000 gallons of sewage. It is very difficult for us to track the amount of illegal connections that were corrected through this project, since many residents may have corrected the issue prior to inspection. The one thing we can track is the amount of new winter discharge permits that were issued by the City. Through this process the City issued 70 new permits at \$50/year, in these areas, which is an additional \$3,500 a year in revenue, but more importantly these residents are no longer discharging into the sanitary sewer during the spring, summer and fall.

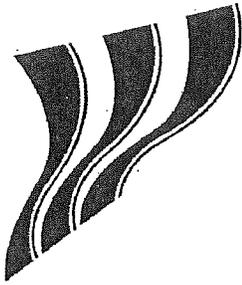
Each time a sump pump turns on it discharges about 9 gallons of water, during the spring it would not be uncommon for the pump to cycle every 30 minutes. Resulting in a discharge of about 430 gallon/day or 13,000 gallons/month, 26,000 gallons/60 days. The actual cost saving based on the \$2.83/1000 gallon figure over just those two months for the 70 new permits is about \$5,150. Again this is just based on the current O&M costs. This does not include additional capital cost to cover larger facility capacities or shortened life span of mechanical parts in the collection and treatment system due to increased use.

The \$10/month winter discharge fee seems to be reasonable. Based on the numbers above a resident would need to discharge 3,533 gallons per month at \$2.83/1000gal for the City to 'lose' money. The 3,533 gallons equates to the sump pump running 402 times a month, 13.33 times a day or once every 108 minutes. In the months of November through March in a normal year this would not happen.

A very conservative estimate of annual saving is \$8,650/year (\$3,500 + \$5,150). Again these numbers are based on the new winter discharge permits, 12.2% of the properties in the study area, applied for the permit. For the most part these areas of town are 'newer', built before it was required by the building code for the footing tile to be brought inside into a sump pit. This was a change from the past practice in the 60's, 70's and 80's to connect the footing tile line directly to the sewer service. If the City of Willmar continues with the program into the older part of the City the winter discharge permit success rate is expected to fall as more and more residents do not have sump pumps in the older parts of town.

A sump pump inspection program such as the one the City has completed is the most economical process for the rest of the community. The areas of town that may not have sump pumps can be tested through smoke testing or dye water testing, which are more labor and time intensive. With that in mind it is recommended to inspect all buildings for a proper sump pump connection first. Areas where some buildings do have sump pumps and some buildings do not, further testing would be needed such as, smoke testing and dye testing. These can be done in those more specific areas more economically.

Please do not hesitate to let me know if you have any questions or comments.



CITY OF WILLMAR, MINNESOTA
REQUEST FOR COMMITTEE ACTION

Agenda Item Number: 6

Meeting Date: June 25, 2013

Attachments: Yes No

CITY COUNCIL ACTION

Date: July 1, 2013

- Approved Denied
 Amended Tabled
 Other

Originating Department: **Planning & Development Services**

Agenda Item: **Downtown Gateways Presentation**

Recommended Action: **Approve the presented concept and initiate planning for funding, final design, and construction.**

Background/Summary: **Adam Arvidson will present a preferred concept for downtown gateways based on community feedback.**

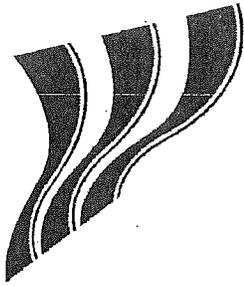
Alternatives: **1. Not approve the concept
2. Take no action**

Financial Considerations: **Gateways construction comes at an unknown cost. Cost estimates need to be developed for inclusion in the Capital Improvement Program.**

Preparer: **Bruce D. Peterson, AICP**

Signature:

Comments:



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

Agenda Item Number: _____

Meeting Date: June 25, 2013

Attachments: Yes No

CITY COUNCIL ACTION

Date: July 1, 2013

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

Originating Department: Planning & Development Services

Agenda Item: Sperryville Lift Station Easement

Recommended Action: Approve the easement for property owned by Wanda Stallman in the amount of \$2,875.00.

Background/Summary: It is necessary to obtain an easement for the relocation of the Sperryville lift station. An easement and amount have been negotiated.

Alternatives:

1. Approve the easement
2. Look at another location
3. Do nothing

Financial Considerations: The Sperryville lift station was budgeted for in the 2013 CIP.

Preparer: Bruce D. Peterson, AICP

Signature:

Comments:

(Top 3 inches reserved for recording data)

PERMANENT UTILITY EASEMENT AGREEMENT

This Agreement is made this ____ day of _____, 2013 by and between Wanda M. Stallman, 204 High Ave NE, Willmar, MN 56201 (hereinafter "Grantor"), and the City of Willmar, a Minnesota Municipal Corporation, 333 6th Street SW, Willmar, Minnesota 56201 (hereinafter "Grantee").

AGREEMENT

That for good and valuable consideration paid this date by Grantee to Grantor, the receipt and sufficiency of which is hereby acknowledged, the Grantor and Grantee do hereby agree as follows:

1. Permanent Utility Easement. The undersigned Grantor hereby grants and conveys to the Grantee a Permanent Easement, free and clear of all encumbrances, for utility purposes on, over, under and across the South 15.00 feet of Lot 6, Block 7, SPERRY's ADDITION to the City of Willmar as of public record, Kandiyohi County, Minnesota.

The above-described easement area shall be referred to hereinafter as the "Permanent Easement Area."

2. Scope of Permanent Utility Easement. This permanent utility easement includes the perpetual right for Grantee to construct, reconstruct, repair, improve, install, replace, enlarge, operate, service, inspect and maintain underground sanitary sewer lines, including related facilities such as manholes, cleanouts, lift stations and discharge lines, and such other below ground utility improvements the City may elect, within the Permanent Easement Area, and to make excavations and to grade as it may find reasonably necessary for such purposes. The Grantee shall have the right to trim and remove all trees and bushes, which may interfere with the exercise of the Grantee's rights pursuant to this Agreement.
3. Map of Permanent Easement Area. The Permanent Easement Area described above is shown on Exhibit A, which is attached hereto and incorporated herein by reference.

4. Grantor's Covenants. The Grantor states and hereby covenants that the Grantor is the lawful owner of the above-described real estate, is lawfully seized and possessed of said real estate, and that the Grantor has good and lawful right to grant the Permanent Utility Easement described herein.
5. Grantee's Access to Permanent Easement Area. The Grantee shall have the right of ingress and egress to and from the Permanent Utility Easement area by such route as shall occasion the least practical damage and inconvenience to the Grantor.
6. Obligations of Grantor. The Grantor shall not erect, construct or locate in the Permanent Utility Easement area any new structure or object or allow, take or authorize any other action that would in any way interfere with the Grantee's rights as identified herein, prevent the Grantee's reasonable access to the Permanent Utility Easement area, or prevent the public's full enjoyment of the rights granted hereunder, without the written consent of the Grantee.
7. Obligations of Grantee. The Grantee shall restore any and all disturbed areas within the Permanent Easement area back to as close to original condition as is reasonably practicable given the rights granted hereunder.
8. General Provisions.
 - a. The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.
 - b. This Agreement shall be recorded at the time of its execution with the understanding that the Grantee has complete and absolute sole ownership, use and control of the public utility facilities constructed in the Permanent Utility Easement area in accordance with the grant of rights conveyed herein.

IN WITNESS WHEREOF, the parties have hereunto executed this document the day and year first above written.

[Signature pages to follow]

GRANTEE:

CITY OF WILLMAR, MINNESOTA:

By: _____
Frank Yanish, Its Mayor

ATTEST:

By: _____
Charlene Stevens, Its City Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF KANDIYOHI)

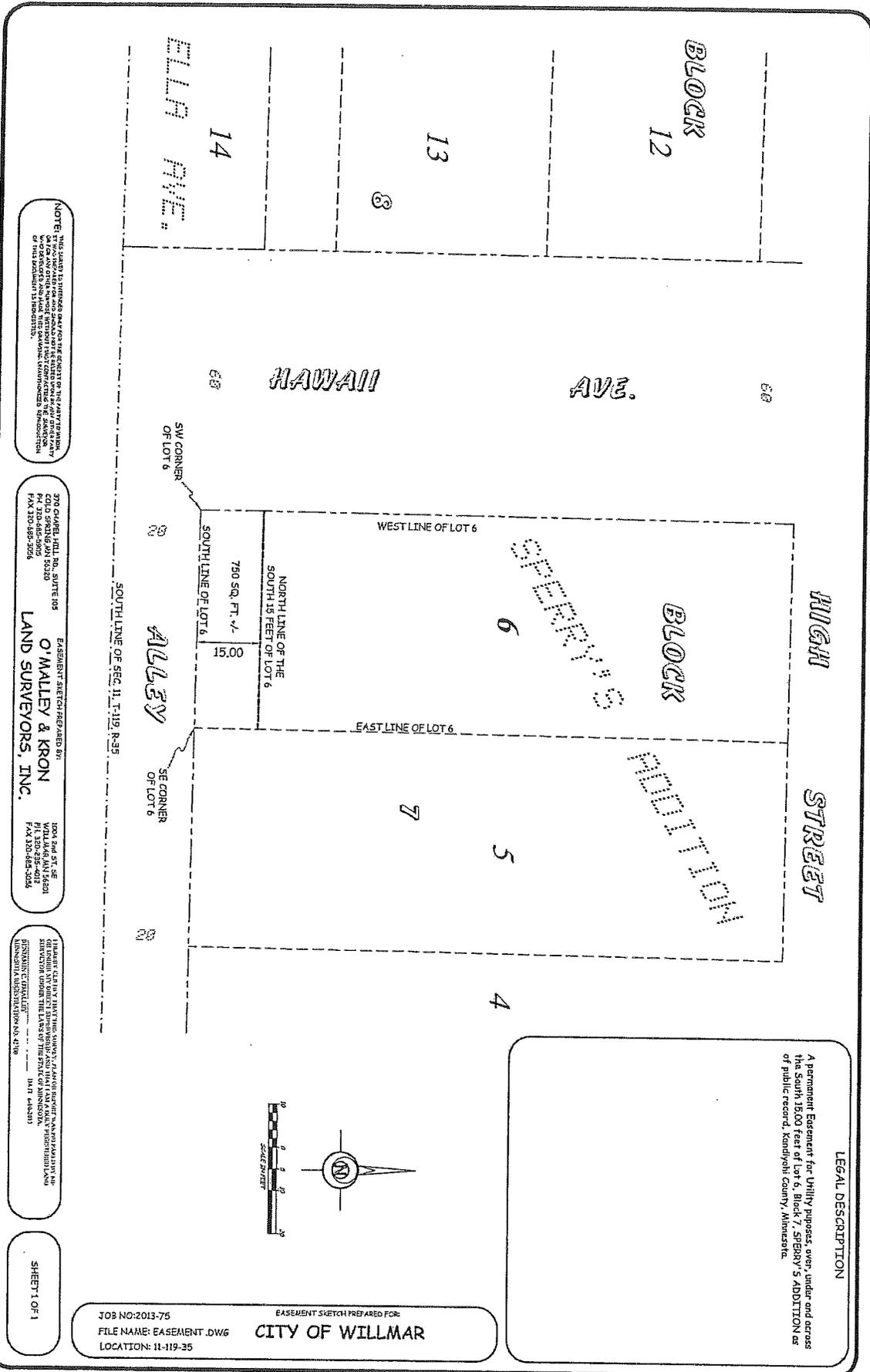
The foregoing instrument was acknowledged before me this ____ day of _____, 2013, by Frank Yanish, as Mayor, and Charlene Stevens, as City Administrator, for and on behalf of the City of Willmar, Minnesota, Grantee.

Notary Public

THIS INSTRUMENT DRAFTED BY:

FLAHERTY & HOOD, P.A.
525 Park Street, Suite 470
St. Paul, MN 55103
(651) 225-8840

EXHIBIT A



NOTE: THIS SURVEY IS INTENDED TO SHOW THE PROPERTY OF THE CITY OF WILLMAR. IT IS NOT A GUARANTEE OF TITLE AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY UNRECORDED INTERESTS OR ENCUMBRANCES.

201 CORNELIUS HILL RD., SUITE 105
 O'ALLEY & KRON
 LAND SURVEYORS, INC.
 PH 320-485-3096
 FAX 320-485-3096

201 CORNELIUS HILL RD., SUITE 105
 O'ALLEY & KRON
 LAND SURVEYORS, INC.
 PH 320-485-3096
 FAX 320-485-3096

THE STATE OF MINNESOTA HAS THE HONOR OF BEING THE FIRST STATE TO ADOPT THE METRIC SYSTEM OF MEASUREMENT. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY UNRECORDED INTERESTS OR ENCUMBRANCES.

SHEET 1 OF 1

JOB NO: 2013-75
 FILE NAME: EASEMENT.DWG
 LOCATION: 11-119-35
 EASEMENT SKETCH PREPARED FOR:
CITY OF WILLMAR

LEGAL DESCRIPTION
 A Permanent Easement for Utility purposes, over, under and across the South 1500 Feet of Lot 6, Block 7, Sweeney's Addition as of public record, Kandiyohi County, Minnesota.

LABOR RELATIONS COMMITTEE

MINUTES

The Labor Relations Committee of the Willmar City Council met on Wednesday, June 26, 2013, in Conference Room #1 at the City Office Building.

Present:	Steve Ahmann	.....	Chair
	Jim Dokken	.....	Member
	Bruce DeBlieck	.....	Member
	Ron Christianson	.....	Member
	Charlene Stevens	.....	City Administrator

Others present included Mayor Frank Yanish, Council Member Tim Johnson and Labor Attorney Frank Madden.

Item No. 1 The meeting was called to order Council Member Ahmann at 4:45 p.m.

Item No. 2 Chair Ahmann asked if there was any public comment. Council Member Dokken referenced an article regarding meeting minutes and questioned whether minutes of closed sessions should be available. Attorney Madden explained the exceptions within the Open Meetings Law for closed sessions. Council Member DeBlieck stated that the City otherwise has minutes appropriately approved by the City Council and signed by the Mayor and City Clerk.

Item No. 3 Closed Session Pursuant to Minn. Stat. §13D.03 to Discuss Labor Negotiation Strategies.

Council Member Christensen made a motion, seconded by Council Member Dokken, to go into closed session pursuant to Minn. Stat. §13D.03 to Discuss Labor Negotiation Strategies. The motion carried and the meeting was closed at 4:52 p.m.

The meeting was reopened at 5:35 p.m. upon motion by Council Member Christianson, seconded by Council Member Dokken, and carried.

Item No. 4 Consideration of LELS Employment Contract.

Chair Ahmann and Attorney Madden reviewed the proposed terms of the contract settlement with LELS. Attorney Madden noted that LELS had met earlier in the day and approved the attached contract terms which were arrived at in mediation conducted on June 18, 2013.

Council Member Christianson made a motion, seconded by Council Member DeBlieck to approve the contract settlement with LELS as outlined by Attorney Madden and attached. The motion carried.

Item No 5: Old Business

Council Member Christianson asked about electronic agendas. Administrator Stevens responded that Council Members DeBlieck and Johnson had agreed to test a system and it was hoped that would begin with the 2nd Council Meeting in July.

Chair Ahmann asked if a date had been set for the retreat. Ms. Stevens responded that one had not yet been set, but she would be contacting Council Members to determine potential dates.

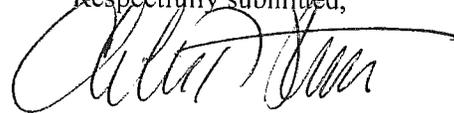
Chair Ahmann also asked about a nepotism policy. Ms. Stevens responded the City does have a policy and is also attempting to update personnel policies as time and staffing allows.

Item No. 6: New Business

There were no items.

There being no further business, the meeting was adjourned at 5:40 p.m. on a motion by Council Member Christianson, seconded by Council Member Dokken, and carried

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Charlene Stevens", written in black ink.

Charlene Stevens,
City Administrator

PROPOSED TENTATIVE AGREEMENT

**CITY OF WILLMAR
and
LAW ENFORCEMENT LABOR SERVICES, INC.**

1. Article 34 – Duration

1/1/13 through 12/31/14.

2. Wages – Exhibit A

2013 1.5% general wage increase

2014 2.0% general wage increase

3. Article 18 – Insurance

18.1 The Employer agrees to provide, at the Employer's expense, for all employees under this Agreement, an insurance program for hospitalization and major medical coverage comparable with the plan under existence, with the option of dependent coverage. If the employee chooses dependent coverage, the Employer shall pay the following toward the cost of dependent coverage:

A. ~~The Employer will contribute up to ninety (90%) percent of the cost of the monthly premium for dependent coverage under the basic plan. Any additional costs shall be paid by the employee through payroll deduction. For 2012, the Employer will contribute \$1,302 per month of the cost of the monthly premium for family coverage under the basic plan. Any additional cost shall be paid by the employee through payroll deduction. For 2013, and annually thereafter, Tthe Employer will contribute up to fifty (50%) percent of the increase in cost of the monthly premium for dependent coverage under the basic plan. Any additional cost shall be paid by the employee through payroll deduction. The formula for calculation of fifty (50%) percent of the increase in cost of the monthly premium for family coverage under the basic plan shall be as follows:~~

The total new family premium cost (currently for 2012 \$1,539) minus the total new single premium cost (currently for 2012 \$549) equals dependent coverage cost. The difference in the new total dependent cost minus the cost of the previous year dependent coverage cost shall be divided by two and added to the Employee contribution toward dependent coverage from the previous year.

B. During the term of this agreement, Employer reserves the right to reopen this article to provide compliance with the Affordable Care Act.

4. Article 19 – Uniform Allowance

2013 Increase by \$25.

2014 Increase by \$25.

5. Article 25 – Compensation Schedule

2013 Increase Specialist pay by \$25 per month.

6. Other Items

A. Article 7 – Grievance Procedure

7.4 Add new Step 2 providing appeal to City Administrator between current Step 1, Department Head and current Step 2, Employee Relations Committee.

B. Article 27 – Parenting Leave

27.1.1 (Second sentence) The leave shall commence on the date requested by the employee and shall continue up to the maximum duration provided by FMLA ~~four (4) months~~.

C. Article 32 – Savings Clause

32.1 (Add) Federal and State Administrative Agencies.

D. Article 11 – Vacation

(New) Employees who have accumulated a total of at least 120 vacation hours may cash in 40 hours of vacation one time per year when using 40 consecutive hours of vacation as long as the employee retains a minimum of 40 hours of vacation. In order to receive payment for 40 hours of vacation pay, the employee must notify the Employer of the desire to exercise this option no later than November 1st of the calendar year. The Employer will verify that the employee has the appropriate balance of vacation time and has taken 40 consecutive hours of vacation or has 40 consecutive hours of vacation time scheduled and approved for the remainder of the calendar year (November 1 through December 31). The Employer will issue all vacation pay with the first regular payroll after receipt of the employee request.

**COMMUNITY DEVELOPMENT COMMITTEE
CITY OF WILLMAR, MINNESOTA
THURSDAY, JUNE 27, 2013**

MINUTES

The Community Development Committee of the Willmar City Council met on Thursday, June 27 2013, in Conference Room No.1 at the City Office Building. Chair Fagerlie called the meeting to order at 4:45pm.

Present:

Rick Fagerlie	Chair
Bruce DeBlicek	Council Member
Tim Johnson	Council Member
Jim Dokken	Council Member
Bruce Peterson	Director of Planning and Development Services

Others present: Frank Yanish – Mayor, Audrey Nelsen – Council Member, Megan DeSchepper – Planner, Stephen Deleski, and Roger Olson

1. PUBLIC COMMENTS (FOR INFORMATION ONLY)

There were no public comments.

2. GARBAGE/WASTE DISPOSAL (MOTION)

Due to a number of recent complaints regarding garbage storage and collection in the Central Business District, staff researched a variety of other regional centers to find out how they handled garbage and waste. Megan DeSchepper, City Planner reported briefly on the following cities:

Worthington - They employ a neighborhood service officer that can write citations for garbage. Appeals are heard by a hearing officer.

Brainerd – Administrative citations are issued to the owners of properties where violations occur. They also use an administrative hearing officer to hear appeals.

Hutchinson and Faribault– Their ordinances allow the city to abate the offense and assess costs against the property for those cases where it is a threat to health or safety.

The question was asked, “how can enforcement be done easier and more successfully?” Staff stated that under the current ordinances it is a challenge, as exterior storage violations are petty misdemeanors, though violations of the Municipal Code are misdemeanors.

Stephen Deleski of West Central Printing said he believes the biggest problems are the frequency of collection and the size of containers. Animal and produce waste should be double bagged and should be picked up daily, according to the Municipal

Code. He said that if collection frequency was increased, the size of the containers could be reduced.

Roger Olson, from Diamond Vogel Paints, said he sees the garbage pile up across the street in the alley and in the lot behind the store. He has been corresponding with their corporate office to discuss relocating the store. The big issues seem to be the smell during the summer months and the fact that it piles up and blows around in the winter.

Council member Johnson suggested that the Community Service Officers doing downtown parking enforcement also enforce the City's garbage ordinances. He suggested that a task force be created to review and revise the ordinance and enforcement procedures.

Council member Dokken said the City needs to get some results so the downtown is cleaner and the Downtown Plan can be implemented.

It was suggested that the following topics be considered by a task force:

- Container size
- Screening of containers
- Bagging of waste
- Frequency of pickup
- CSO enforcement

A motion was made by Council member DeBlieck, seconded by Council member Johnson and passed for the following:

RECOMMENDATION: That Mayor Yanish appoint a task force to study the garbage issue and offer recommendations for improved storage and collection.

3. RESIDENTIAL ZONING ENFORCEMENT (FOR INFORMATION ONLY)

A brief analysis of zoning enforcement procedures was presented and reviewed by the Committee (See Attachment). Staff noted that it was a difficult process and that it took a lot of time to get compliance with some properties. The Council acknowledged that there were a number of areas of the community where these violations seem to be more prevalent. Staff said that a meeting was to be held the next day with the City Administrator, Police Chief and City Attorney to discuss the enforcement process for most neighborhood zoning violations. The Committee decided to wait until the Council meeting and get a report from staff regarding the outcome of that meeting.

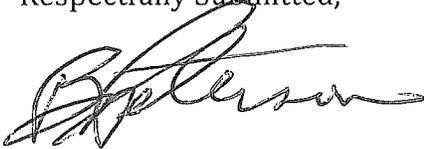
4. RULE TIRE (FOR INFORMATION ONLY)

Staff was asked about the status of the Rule Tire Building. The response was that Habitat for Humanity had decided that they were not interested in purchasing or acquiring any of the property. They seem to be content to use the one building at the

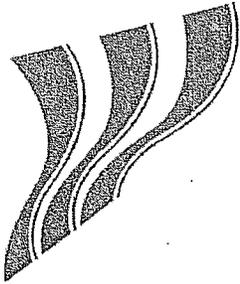
south end of the property. The Committee discussed the various possible outcomes if the City chooses not to accept the property as a gift. The most likely option would be to declare it as an unsafe building and order its removal. In that case, the City would probably end up removing the building and assessing it against the property owner or placing a lien on the property. It was suggested that it might be in the City's best interest to pursue the property as a gift. Staff told the Committee the owners of the property seemed to withdraw their offer to pay the delinquent property taxes. It was a consensus of the Committee that staff pursue the acquisition of the property as a gift, and that the delinquent tax matter be negotiated. Staff said they would try to negotiate an agreement in principle and bring a proposal back to the Committee for review and consideration.

5. There being no further business to come before the Committee, the meeting adjourned at 6:20pm.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "B. Peterson".

Bruce Peterson, AICP
Director of Planning and Development Services



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

Agenda Item Number: 2

Meeting Date: June 27, 2013

Attachments: Yes No

CITY COUNCIL ACTION

Date: _____

- | | |
|-----------------------------------|---------------------------------|
| <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: Garbage/Waste Disposal

Recommended Action: To be determined

Background/Summary: The City continues to receive complaints about garbage and waste collection/disposal primarily in the Central Business District. The Committee will discuss the current Municipal Code and rental ordinance standards for garbage collection. Downtown business owners may be present to participate in the discussion.

Alternatives: 1. Make changes to the City's regulatory devices to address new issues
2. To leave the ordinances/codes as is.

Financial Considerations: Changing the ordinances has no major financial impact on the City, as long as a reasonable means of enforcement is part of those changes. Changes to collection and disposal requirements could have a financial impact on businesses.

Preparer: Bruce D. Peterson

Signature:

Comments:

Willmar, Minnesota, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 12 - SOLID WASTE >> ARTICLE II. - DISPOSAL OF GARBAGE AND RUBBISH >>

ARTICLE II. - DISPOSAL OF GARBAGE AND RUBBISH

Sec. 12-26. - Definitions.

Sec. 12-27. - Storage of garbage.

Sec. 12-28. - Storage of rubbish.

Sec. 12-29. - Frequency of removal.

Sec. 12-30. - Hauling.

Sec. 12-31. - Disposal at county landfill.

Secs. 12-32—12-45. - Reserved.

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:



Garbage means:

- (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.

(Code 1978, §§ 1025.01, 1025.02)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 12-27. - Storage of garbage.



- (a) All garbage shall be 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 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.
- (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.

(Code 1978, §§ 1025.03, 1025.12; Ord. No. 1149, § 1, 10-17-01)

Sec. 12-28. - 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.

(Code 1978, § 1025.04)

Sec. 12-29. - Frequency of removal.



- (a) Garbage containers shall be emptied and the contents thereof removed as often as such receptacles become full, in the case of private residences and dwelling houses, at intervals of not more than two (2) weeks; and in the case of boardinghouses, tenement houses and flats, at intervals of not more than one (1) week. In the case of hotels, restaurants, stores, 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.
- (b) All rubbish shall be removed at such intervals of frequency as to prevent the rubbish from becoming rotten and offensive to smell.

(Code 1978, § 1025.06)

Sec. 12-30. - Hauling.

- (a) Except as otherwise provided herein, garbage shall be hauled and delivered only in the containers in which it is required in section 12-27 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.

(Code 1978, § 1025.05)

Sec. 12-31. - 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.

(Code 1978, § 1025.05)

Secs. 12-32—12-45. - Reserved.

SECTION III

RESPONSIBILITIES OF OWNERS AND OCCUPANTS

3.01 No owner or other person shall occupy or let to another person any rental unit unless it and the premises are clean, sanitary, fit for human occupancy, and comply with all applicable legal requirements of the State of Minnesota and the City of Willmar, Minnesota.

3.02 Every owner of a rental unit containing two (2) or more dwelling units shall maintain in a clean and sanitary condition the shared or public area of the dwelling and premises thereof.

3.03 Every occupant of a rental unit shall maintain in a clean and sanitary condition that part or those parts of the rental unit and premises thereof that he occupies and controls.

3.04 Every occupant of a rental unit shall store and dispose of all his rubbish in a clean, sanitary, and safe manner.

3.05 Every occupant of a rental unit shall store and dispose of all his garbage, refuse, and any other organic waste which might provide food for insects and/or rodents in a clean, sanitary, and safe manner. All garbage cans and refuse containers shall be ratproof, insectproof, watertight, structurally strong to withstand handling stress, easily filled, emptied, and cleaned; shall be provided with tight-fitting covers or similar closures; and shall be maintained at all times in a clean, sanitary condition. Plastic bags may be used as garbage and refuse container liners, but shall not be used without the container for on-site storage of garbage or refuse.

3.06 The total capacity of all provided garbage and/or refuse cans and bulk storage containers shall be sufficient to meet the needs of the occupants of the dwelling.

3.07 Every owner of rental units containing three (3) or more dwelling units shall supply facilities or refuse containers for the sanitary and safe storage and/or disposal of rubbish and garbage. In the case of single or two (2) family dwellings, it shall be the responsibility of each occupant to furnish such facilities or refuse containers.

3.08 The owner of a rental unit shall be responsible for providing and hanging all screens and double or storm doors and windows whenever the same are required under the provisions of this Ordinance or any rule or regulation adopted pursuant thereto, except where there is a written agreement between the owner and occupant. In the absence of such an agreement, maintenance, or

replacement of screens, storm doors, and windows, once installed in any one (1) season becomes the responsibility of the occupant.

The occupant's responsibility shall be exclusive to his or her dwelling unit.

3.09 Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of insects and/or rats on the premises; and every occupant of a dwelling unit in a dwelling containing more than one (1) dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Notwithstanding the foregoing provisions of this subsection, whenever infestation is caused by failure of the owner to maintain a dwelling in a ratproof or reasonably insect-proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two (2) or more of the dwelling units in any dwelling, or in the shared or public parts of any dwelling containing two (2) or more dwelling units, extermination thereof shall be the responsibility of the owner.



3.10 No occupant of a dwelling or dwelling unit shall accumulate rubbish, boxes, lumber, scrap metal, or any other materials in such a manner that may provide a rat harborage in or about any dwelling or dwelling unit.

3.11 No owner of a dwelling containing three (3) or more dwelling units shall accumulate or permit the accumulation of rubbish, boxes, lumber, scrap metal, or any other materials in such a manner that may provide a rat harborage in or about the shared or public areas of a dwelling or its premises.



3.12 No owner or occupant of a dwelling or dwelling unit shall store, place, or allow to accumulate any materials which may serve as food for rats in a site accessible to rats.

3.13 Every occupant of a dwelling unit shall keep all supplied fixtures and facilities therein in a clean, sanitary, and operable condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

3.14 In every dwelling unit and/or rooming unit when the control of the supplied heat is the responsibility of a person other than the occupant, a temperature of at least 65 degrees Fahrenheit shall be maintained in all habitable rooms, bathroom, and water closet compartments at a distance of thirty-six (36) inches above the floor level.

3.15 Every owner of a dwelling or dwelling unit shall provide and maintain the dwelling or dwelling unit free from hazards to health due to the presence of toxic substances, e.g. lead-based paint, as determined by the Appropriate Authority.

Chapter 9

NUISANCES*

- Art. I. In General, §§ 9-1—9-25
Art. II. Deposit of Foul or Offensive Materials, §§ 9-26—9-40
Art. III. Weeds, §§ 9-41—9-60
Art. IV. Tree Diseases and Pests, §§ 9-61—9-85
Art. V. Noise, §§ 9-86—9-110
Art. VI. Graffiti, §§ 9-111—9-117

ARTICLE I. IN GENERAL

Sec. 9-1. Definition.

A nuisance is a thing, act, occupation, or use of property which:

- (1) Unnecessarily annoys, injures or endangers the safety, health, comfort or repose of the public.
 - (2) Offends public decency.
 - (3) Unlawfully interferes with, obstructs or tends to obstruct or render dangerous for passage a lake, navigable river, bay, stream, canal or basin, or a public park, square, street, alley or highway.
 - (4) In any way renders the public insecure in life or in use of property.
- (Code 1978, § 1410.01)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 9-2. Penalty for violation of chapter.

(a) Any person who fails to comply with any reasonable order made under the provisions of this chapter shall, upon conviction thereof, be deemed guilty of a misdemeanor and shall be punished pursuant to section 1-15.

(b) Any person who knowingly causes or creates a nuisance or permits any nuisance to be created or placed upon or remain upon any premises owned or occupied by him shall, upon conviction thereof, be deemed guilty of a misdemeanor and shall be punished pursuant to section 1-15.

(Code 1978, § 1410.09)

***Cross references**—Alcoholic beverages, ch. 3; dogs or cats which run at large are declared nuisances, § 4-26; dumping of trash or littering parks prohibited, § 11-85.

State law references—Local public health act, M.S.A. § 145A.01 et seq.; nuisances, M.S.A. § 561.01 et seq.

Sec. 9-3. Abatement.

(a) *Notice to terminate nuisance; time for compliance.* Unless a different procedure is specifically required whenever, upon investigation, in the judgment of the city engineer or chief of police, a public nuisance is being maintained or exists within the city and within the respective fields of supervision as set forth in this article, they shall notify the person, in writing, who is maintaining the public nuisance, and require him to terminate the nuisance and to remove such conditions or remedy such defect. The written notice shall be served on the person committing or maintaining the nuisance at a time at the discretion of the head of the department serving the notice. The maximum time for removal of the nuisance after service of the notice shall not in any event exceed thirty (30) days, but the time may be decreased at the discretion of the head of the department serving the notice.

(b) *Legal proceedings.* The city engineer or chief of police shall have the right, when an order has not been complied with, to take such legal proceedings as may be necessary in the name of the city to abate and enjoin the further continuation of the public nuisance.

(c) *Removal of conditions by city.* The city engineer and chief of police shall also have the right, when an order has not been complied with, to cause the public nuisance to be removed and to remove such conditions or remedy such defect on the premises as may constitute a public nuisance, through the employment of city labor. The cost of such removal or remedial measures shall be assessed by action of the city council against the property, under such terms and conditions as the city council may require.

(Code 1978, § 1410.08)

Sec. 9-4. Duties of chief of police.

It shall be the duty of the chief of police to inspect premises, conditions and circumstances within the city and take all necessary precautions to prevent the commission and maintenance of public nuisances affecting morals and decency. The police department shall at all times assist the city engineer in detecting and preventing the commission or maintenance of public nuisances within the city of any nature, as defined in this chapter and by the laws of the state. (Code 1978, § 1410.07)

Sec. 9-5. Duties of city engineer.

It shall be the duty of the city engineer, aided by the police department, to inspect premises within the city and take such steps as are reasonably necessary to prevent the commission and maintenance of public nuisances affecting peace and safety as defined in section 9-8. (Code 1978, § 1410.06)

Sec. 9-6. Duties, authority of building inspector.

It shall be the duty of the building inspector to inspect premises within the city and to take such necessary precautions as may be required to prevent the commission and maintenance of public nuisances. Whenever in the judgment of the building inspector a nuisance exists, the

building inspector shall be authorized to give notice in the same manner as provided under section 9-3, and if the nuisance is not abated within the time limits set forth therein, the building inspector shall refer the matter to the city engineer or chief of police for appropriate action under section 9-3.
(Code 1978, § 1410.05)

Sec. 9-7. Nuisances affecting health.

The following are hereby declared to be nuisances affecting health:

- (1) All decayed or unwholesome food offered for sale to the public.
- (2) All diseased animals running at large.
- (3) All ponds, pools, holes or excavations containing stagnant water.
- (4) Milk that is produced by cows that have not been tested and found free of tuberculosis and Bangs' disease within the year previous to the offering of such milk for sale to the public as provided by ordinance.
- (5) Carcasses of animals not buried or destroyed within twenty-four (24) hours after death.
- (6) Accumulations of manure, rubbish, garbage and junk; also bottles, papers or cans on public property, except bottles, papers, cans or other material to be recycled may be placed in the public right-of-way under the following conditions:
 - a. Such materials may be placed in the public right-of-way only for pickup by a company or agency authorized by the state or a political subdivision to be engaged in pickup for recycling.
 - b. All materials must be properly bagged or packaged as directed by the agency or company engaged in the pickup service and in the container provided by the pickup service.
 - c. No materials may be placed in the public right-of-way more than twenty-four (24) hours before the scheduled pickup.
 - d. All materials must be placed to the backside of the curb.
 - e. Ownership of the designated recyclable materials set out for collection shall be vested in the collector and transporter of recyclable materials designated by Kandiyohi County. It shall be unlawful and an offense against this section for any person, firm or corporation other than the owner, lessee or occupant of a residential dwelling, to pick up such materials for his/her own use.
- (7) Privy vaults and garbage cans which are not fly-tight.
- (8) The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, creamery or industrial wastes, or other substances.
- (9) Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities.
- (10) Offensive trades and businesses, as defined by state law, not licensed by the city as provided by law.



- (11) All public exposure of persons having contagious disease.
- (12) The use of common drinking cups or roller towels so designed that the same portion of the towel is repeatedly used by many people.
- (13) The distribution of samples of medicines or drugs, unless such samples are placed in the hands of an adult person.
- * (14) All other acts, commission of acts, occupations and uses of property which are deemed by the city to be a menace to the health of the inhabitants of the city or any considerable number thereof.

(Code 1978, § 1410.02; Ord. No. 999, § 1, 5-1-91)

Sec. 9-8. Nuisances affecting peace and safety.

The following are declared to be nuisances affecting public peace and safety:

- (1) All trees, hedges, billboards, or other obstructions which prevent persons from having a clear view of traffic approaching an intersection from cross streets in sufficient time to bring a motor vehicle driven at a reasonable rate of speed to a full stop before the intersection is reached.
- (2) All limbs of trees which are less than eight (8) feet above the surface of the public sidewalk or nine (9) feet above the surface of any street.
- (3) All wires which are strung less than fifteen (15) feet above the surface of the public sidewalk or roadway.
- (4) All buildings, walls and other structures which have been damaged by fire, decay or otherwise to an extent exceeding one-half their original value, and which are so situated as to endanger the safety of the public.
- (5) All explosives, inflammable liquids and other dangerous substances stored in any manner or in any amount other than that provided by ordinance.
- (6) All use or display of fireworks except as provided by ordinance.
- (7) All unnecessary noises and annoying vibrations.
- (8) All buildings and all alterations to buildings made or erected within the fire limits, as established by ordinance, in violation of the ordinance with regard to the manner and materials of construction; also, all buildings made or erected in violation of the building code.
- (9) Obstructions and excavations affecting the ordinary use by the public of streets, alleys, sidewalks or public grounds, except under such conditions as are permitted by ordinance.
- (10) All uncovered and unprotected excavations, holes, basements, cisterns or wells where stagnant water may be permitted to stand or which might prove dangerous to children or others upon the property.

*No decision
made until
needs to
conform to
code.*

- (11) Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free use of the streets or sidewalks, unless permission for such use on the public street or sidewalk has been granted by the city council.
 - (12) All hanging signs, awnings and other similar structures over the streets or sidewalks so situated as to endanger public safety, or which are not constructed and maintained as provided by ordinance.
 - (13) The allowing of rainwater or water produced from melted snow and ice to run from any building or structure directly or by downspout upon a sidewalk.
 - (14) All barbed wire fences which are located within fifteen (15) feet of any public sidewalk.
 - (15) All dangerous unguarded machinery in any public place or so situated or operated on private property as to attract the public.
 - (16) The disposal of or the throwing away of lighted cigarettes or cigars.
 - (17) The burning of any material before 1:00 p.m. or after 9:00 p.m. on any day. The burning of rubber, garbage or any material offensive to smell or which tends to create excessive smudge or smoke is expressly forbidden at any time. The burning of any material except leaves must be in an approved incinerator, which is a container constructed of a noncombustible material where neither the container nor the cover thereof has openings of more than one (1) inch in diameter. It shall be the duty of the city fire marshal, as well as the other city officers referred to in this chapter, to inspect premises, conditions and circumstances surrounding complaints or violations of this subsection and to make his report thereon to the city engineer or chief of police.
 - (18) All other conditions or things which are liable to cause injury to the person or property of any person.
- (Code 1978, § 1410.03)

Secs. 9-9—9-25. Reserved.

ARTICLE II. DEPOSIT OF FOUL OR OFFENSIVE MATERIALS*

Sec. 9-26. Deposit on public property.

No person shall throw or deposit or cause to be thrown or deposited manure, offal, garbage, filth, ashes or any decayed, ill-smelling, offensive, nauseous, unwholesome or noisome substance, liquid or thing in or upon any street, sidewalk, alley, park, public square or public place within the city.

(Code 1978, § 1015.01)

Cross reference—Streets, sidewalks and other property, ch. 13.

***Cross reference**—Dumping of trash or littering parks prohibited, § 11-85.

Sec. 9-27. Deposit on private property.

No person shall throw or deposit or cause to be thrown or deposited manure, offal, garbage, filth, ashes or any decayed, ill-smelling, offensive, nauseous, unwholesome or noisome substance, liquid or thing upon any private property, lot or tract of land within the city; provided, however, that owners or lessees of barns or stables may throw or deposit manure from a barn or stable upon the property upon which the barn or stable is situated, but no such owner or lessee of a barn or stable shall suffer or permit manure to accumulate or to be thrown or deposited from such barn or stable upon the property upon which the barn or stable is situated for a longer period of time than two (2) weeks without removing the manure.

(Code 1978, § 1015.02)

Secs. 9-28—9-40. Reserved.

ARTICLE III. WEEDS**Sec. 9-41. Generally.**

Any weeds or grass, whether noxious as defined by law or not, upon any lot or parcel of land outside the traveled portion of any street or alley in the city, growing to a greater height than seven (7) inches, or which have gone or are about to go to seed, are declared a nuisance; the owner and the occupant shall abate or prevent such nuisance on such property and on land outside the traveled portion of the street or alley abutting on such property.

(Code 1978, §§ 610.01, 610.03, subd. 1; Ord. No. 1135, § 1, 5-3-00)

Editor's note—The provisions of section 9-41 shall not apply to any area required to remain in its natural state by the Shoreland Management Ordinance.

Sec. 9-42. Notice to remove.

When the owner and occupant permit a weed or grass nuisance to exist in violation of section 9-41, the weed inspector or designated representative shall serve notice upon the owner of the property, if he resides in the city and can be found therein, or upon the occupant or other person in charge of the property in other cases, by registered mail or by personal service, ordering such owner, occupant or person in charge of the property to have such weeds or grass removed within five (5) days after receipt of the notice, stating that, in case of noncompliance, such work will be performed by the city or its agents and the cost thereof made a special assessment against the property concerned. When no owner or occupant can be found, notice shall be mailed to the owner as shown in the records of the city assessor by certified mail return receipt.

(Code 1978, § 610.03, subd. 2; Ord. No. 986, § 1, 10-3-90; Ord. No. 1054, § 4, 4-20-94; Ord. No. 1135, § 2, 5-3-00)

SECTION III

RESPONSIBILITIES OF OWNERS AND OCCUPANTS

3.01 No owner or other person shall occupy or let to another person any rental unit unless it and the premises are clean, sanitary, fit for human occupancy, and comply with all applicable legal requirements of the State of Minnesota and the City of Willmar, Minnesota.

3.02 Every owner of a rental unit containing two (2) or more dwelling units shall maintain in a clean and sanitary condition the shared or public area of the dwelling and premises thereof.

3.03 Every occupant of a rental unit shall maintain in a clean and sanitary condition that part or those parts of the rental unit and premises thereof that he occupies and controls.

3.04 Every occupant of a rental unit shall store and dispose of all his rubbish in a clean, sanitary, and safe manner.

3.05 Every occupant of a rental unit shall store and dispose of all his garbage, refuse, and any other organic waste which might provide food for insects and/or rodents in a clean, sanitary, and safe manner. All garbage cans and refuse containers shall be ratproof, insectproof, watertight, structurally strong to withstand handling stress, easily filled, emptied, and cleaned; shall be provided with tight-fitting covers or similar closures; and shall be maintained at all times in a clean, sanitary condition. Plastic bags may be used as garbage and refuse container liners, but shall not be used without the container for on-site storage of garbage or refuse.

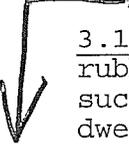
3.06 The total capacity of all provided garbage and/or refuse cans and bulk storage containers shall be sufficient to meet the needs of the occupants of the dwelling.

3.07 Every owner of rental units containing three (3) or more dwelling units shall supply facilities or refuse containers for the sanitary and safe storage and/or disposal of rubbish and garbage. In the case of single or two (2) family dwellings, it shall be the responsibility of each occupant to furnish such facilities or refuse containers.

3.08 The owner of a rental unit shall be responsible for providing and hanging all screens and double or storm doors and windows whenever the same are required under the provisions of this Ordinance or any rule or regulation adopted pursuant thereto, except where there is a written agreement between the owner and occupant. In the absence of such an agreement, maintenance, or

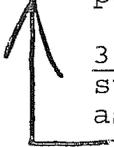
replacement of screens, storm doors, and windows, once installed in any one (1) season becomes the responsibility of the occupant. The occupant's responsibility shall be exclusive to his or her dwelling unit.

3.09 Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of insects and/or rats on the premises; and every occupant of a dwelling unit in a dwelling containing more than one (1) dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Notwithstanding the foregoing provisions of this subsection, whenever infestation is caused by failure of the owner to maintain a dwelling in a ratproof or reasonably insect-proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two (2) or more of the dwelling units in any dwelling, or in the shared or public parts of any dwelling containing two (2) or more dwelling units, extermination thereof shall be the responsibility of the owner.



3.10 No occupant of a dwelling or dwelling unit shall accumulate rubbish, boxes, lumber, scrap metal, or any other materials in such a manner that may provide a rat harborage in or about any dwelling or dwelling unit.

3.11 No owner of a dwelling containing three (3) or more dwelling units shall accumulate or permit the accumulation of rubbish, boxes, lumber, scrap metal, or any other materials in such a manner that may provide a rat harborage in or about the shared or public areas of a dwelling or its premises.



3.12 No owner or occupant of a dwelling or dwelling unit shall store, place, or allow to accumulate any materials which may serve as food for rats in a site accessible to rats.

3.13 Every occupant of a dwelling unit shall keep all supplied fixtures and facilities therein in a clean, sanitary, and operable condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

3.14 In every dwelling unit and/or rooming unit when the control of the supplied heat is the responsibility of a person other than the occupant, a temperature of at least 65 degrees Fahrenheit shall be maintained in all habitable rooms, bathroom, and water closet compartments at a distance of thirty-six (36) inches above the floor level.

3.15 Every owner of a dwelling or dwelling unit shall provide and maintain the dwelling or dwelling unit free from hazards to health due to the presence of toxic substances, e.g. lead-based paint, as determined by the Appropriate Authority.

Willmar, Minnesota, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 12 - SOLID WASTE >> ARTICLE II. - DISPOSAL OF GARBAGE AND RUBBISH >>

ARTICLE II. - DISPOSAL OF GARBAGE AND RUBBISH

Sec. 12-26. - Definitions.

Sec. 12-27. - Storage of garbage.

Sec. 12-28. - Storage of rubbish.

Sec. 12-29. - Frequency of removal.

Sec. 12-30. - Hauling.

Sec. 12-31. - Disposal at county landfill.

Secs. 12-32—12-45. - Reserved.

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:



Garbage means:

- (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.

(Code 1978, §§ 1025.01, 1025.02)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 12-27. - Storage of garbage.



- (a) All garbage shall be 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 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.
- (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.

(Code 1978, §§ 1025.03, 1025.12; Ord. No. 1149, § 1, 10-17-01)

Sec. 12-28. - 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.

(Code 1978, § 1025.04)

Sec. 12-29. - Frequency of removal.



- (a) Garbage containers shall be emptied and the contents thereof removed as often as such receptacles become full, in the case of private residences and dwelling houses, at intervals of not more than two (2) weeks; and in the case of boardinghouses, tenement houses and flats, at intervals of not more than one (1) week. In the case of hotels, restaurants, stores, 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.
- (b) All rubbish shall be removed at such intervals of frequency as to prevent the rubbish from becoming rotten and offensive to smell.

(Code 1978, § 1025.06)

Sec. 12-30. - Hauling.

- (a) Except as otherwise provided herein, garbage shall be hauled and delivered only in the containers in which it is required in section 12-27 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.

(Code 1978, § 1025.05)

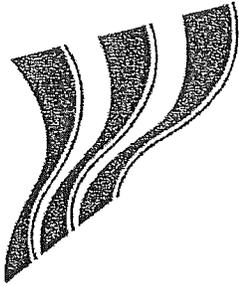
Sec. 12-31. - Disposal at county landfill.

ARTICLE II. - DISPOSAL OF GARBAGE AND RUBBISH

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

(Code 1978, § 1025.05)

Secs. 12-32—12-45. - Reserved.



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

Agenda Item Number: 3

Meeting Date: June 27, 2013

Attachments: Yes No

CITY COUNCIL ACTION

Date: _____

- Approved Denied
 Amended Tabled
 Other

Originating Department: Planning and Development Services

Agenda Item: Residential Zoning Enforcement

Recommended Action: To be determined

Background/Summary: Committee requested that staff summarize activities and procedures used to enforce zoning and property maintenance standards in the residential districts (see attachment).

Alternatives: 1. Change residential zoning and maintenance standards
2. Leave as is

Financial Considerations: Changing the residential zoning and maintenance standards would have a cost to the City from increased enforcement and prosecution.

Preparer: Bruce D. Peterson

Signature: 

Comments:

RESIDENTIAL ZONING ENFORCEMENT

Zoning enforcement is handled by the City Planner, Building Official, and Building Inspector. Exterior storage violations include items such as garbage, furniture, unlicensed vehicles, appliances, and improper off-street vehicle parking. Exterior storage is regulated by the Zoning Ordinance. The process of zoning enforcement often starts with a complaint regarding a property. Staff views the property from the street (or abutting property), writes out a high visibility community enhancement form (lists violations, Ordinance requirements, timeframe for compliance, and violations/penalties). Staff attempts to personally notify the homeowner or tenant if home (or leaves the notice in the door) and mails a copy to the homeowner of record (and rental manager). Staff returns to the property after the allotted time to check for compliance. If in compliance, no further action is taken; if violations remain, photos are taken and a copy of the photos and violation notice are submitted to the Police Department for ticketing. A court date is set, and the City Attorney handles the prosecution of the offense.

This process has worked fairly well; the biggest issues are with rental properties that have absentee landlords and repeat violations. Foreclosed properties have also been a problem, as it takes so long to locate anyone responsible for the property maintenance etc. In years past, staff would take a proactive stance and do sweeps of neighborhoods in spring/summer/fall writing up visible violations. Due to job responsibility shifts and work load, zoning enforcement has been on a complaint basis only.

Citizen, as well as staff, frustrations with the process are the drawn out timeframe, and limited power for cleanup of property. Staff can notify and talk to violators, but penalties for violations are up to the courts. Zoning violations tied up the court system with the misdemeanor violation. In 2011 the Kandiyohi County court system asked the City to revise the Zoning Ordinance so first violations of the Ordinance would be a petty misdemeanor and any subsequent violations a misdemeanor. The court system was inundated, and this was to alleviate warrants out for people for garbage violations, which the court system considers a petty misdemeanor issue. This change, however, did nothing to speed up the process or orders for cleanup. Often staff/citizens wait for the matter to go through the court system and the violator is let off easy or with a minor fine, sometimes the property owner is not even ordered to clean up the violation. Staff's only recourse is to write the property up again and start the process all over. One solution could be the City Attorney requesting judges to take zoning violation cases more seriously and require abatement/stiffer fines. Better communication between staff and the City Attorney is needed for staff to track court action.

Staff has researched other communities to see ways to improve the process. Some communities have a section to deal with repeat offenders. There are certain properties that staff becomes quite familiar with as they consistently violate ordinances, then clean up the property for a few weeks or months, only to slowly go back to old habits. Cities with ordinances for repeat offenders cite the matter once in a calendar year and any subsequent violations can be forwarded onto the court system without going through the notification paperwork process. Violators get an initial warning and education on the laws, and any violation after that results in immediate prosecution.

Another process to consider would be an administrative citation. Similar to a parking ticket, a fine ticket could be issued for violators that have not abated a zoning violation. This would hit the violators in the pocket immediately, and be a faster way for them to go to court if not paid. The funds could possibly be put in a special fund to help with cleanup efforts on foreclosed properties that the city ends up dealing with and assessing the property for.

Another tool staff uses to deal with zoning violations includes door hanger notices on garbage cans. Similar to door hanger notices for power termination, the notice is left on garbage cans that get left at the curb for weeks instead of only being put out on pick up day. The reminder works most of the time, those that ignore the notice then get a full high vis citation.

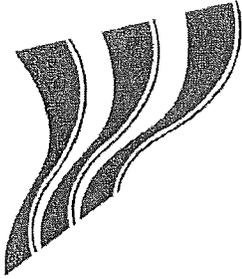
Staff uses an issue tracker (computer program created by IT), where a complaint is logged and staff can make notations on the process. These are private logs, as per State Statute zoning complaints are confidential. It's a good way to keep track of multiple violations and where they are in the notification/abatement process.

There also is an exterior maintenance ordinance that has only ever been used on a complaint basis, with minimal success. It's a minimum standards code, so the exterior surface (i.e. paint) has to get pretty bad to exceed the 20% peeling required for a citation. Many times the complaints that we do get find the properties aren't bad enough to warrant a citation. Neighbors don't understand that we are limited in our power. A piece of plywood over a broken out window technically is not a violation of any code except the rental code, and it keeps the weather out. To have this Ordinance be more effective, the Ordinance would need to be amended to meet a higher standard than the minimums that are currently set.

Overall, a majority of properties are well maintained and kept up. However, the ones that are being neglected seem to be getting worse. There is a lack of personal pride and sense of ownership in rental properties, and absentee landlords are always an issue. The minimum codes and drawn out legal processes do not meet the standard or look citizens want for the neighborhoods. Staff is stuck in the middle of neighborhood disputes and difficult to deal with property owners, tenants etc. Some property owners think staff is being petty when written up, but on the other hand, the person calling in the complaint thinks we should have the violation taken care of immediately and doesn't recognize the legal paper work process. Neighbors tattle on one another or think they are being picked on so they retaliate.

One property gets cleaned up and another 15 need attention. It's a never ending cycle, with new landlords buying out old slumlords but to continue on the same path. If staff had more power, whether it be fines or even a cleanup fund to cover garbage bills or cans of paint, it would help. Some communities even have neighborhood groups that keep an eye on neighborhoods and assist with notifications and documentation. Neighbors don't know their neighbors anymore; people don't approach each other about the stack of tires in the yard that's an eye sore or an appliance in the back yard. Perhaps some grass roots efforts would help. Staff will continue their diligent efforts, but it's up to the Council to set new policy if they wish to see a different standard for neighborhoods.

PDS Staff



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

Agenda Item Number: 13

Meeting Date:

Attachments: Yes No **X**

CITY COUNCIL ACTION

Date: July 1, 2013

- Approved Denied
 Amended Tabled
 Other

Originating Department: City Clerk-Treasurer

Agenda Item: Consideration of a 1 To 4 Day Temporary On-Sale Liquor License

Recommended Action: Motion to Approve

Background/Summary:

FOE Aerie 2334 dba Willmar Fraternal Order of Eagles, a current Club On-Sale Liquor License holder, is requesting authorization to host outdoor liquor sales / consumption on their rear parking lot which will be fenced in. This event is a picnic for members, family, and guests only. A State approved 1 to 4 Day Temporary On-Sale Liquor License is required to hold this event on July 14, 2013.

Prior permit approved with no concerns from the Willmar Police Department

Alternatives: Deny

Financial Considerations: \$100 Application Fee

Preparer: City Clerk-Treasurer

Signature:

Comments: