

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

May 2, 2016
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Audrey Nelsen, Ron Christianson, Rick Fagerlie, Shawn Mueske, Andrew Plowman and Tim Johnson. Council Members Denis Anderson and Steve Ahmann were excused from the meeting. Present 7, Absent 2.

Also present were City Administrator Larry Kruse, City Clerk Kevin Halliday, Community Education and Recreation Director Steve Brisendine, Public Works Director Sean Christensen, Police Chief Jim Felt, Fire Chief Frank Hanson, Planning and Development Services Director Bruce Peterson, and City Attorney Robert Scott.

There were no additions or deletions to the agenda.

Council Member Fagerlie offered a motion to adopt the Consent Agenda which included the following items: City Council Minutes of April 18, Labor/City Council Minutes of April 27, Willmar Municipal Utilities Board Minutes of April 25, Rice Hospital Board Minutes of April 20, Accounts Payable Report through April 27, Human Rights Commission Minutes of March 15, Willmar Lakes Area CVB Board Minutes of March 15, Central Community Transit Minutes of March 22 and CER Joint Powers Board Minutes of April 22, 2016. Council Member Mueske seconded the motion which carried.

At 7:01 p.m. Mayor Calvin opened the hearing to consider the rezone of Erickson Land Co. parcels from Agricultural to General Business and One and Two-Family Residential. Planning and Development Services Director Bruce Peterson informed the Council Erickson Land Co. wishes to expand two existing parcels for development of an assisted-living facility that requires larger lots to meet setback requirements. Erickson Land Co. is combining existing lots with land they own to the north with a replat. The land to the north is zoned AG and thus to be combined with the existing parcels in Trentwood Estates and rezoned to the current zoning of the lots GB and R-2 respectively. The rezoning was approved by the Planning Commission. It is staff's recommendation to adopt, assign a number and publish the ordinance.

There was no one to speak for or against the Ordinance for Rezoning. Mayor Calvin closed the hearing at 7:02 p.m. and opened it up for discussion by the Council. Council Member Christianson offered a motion to adopt, assign a number and order final publication of the Ordinance for Rezoning. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

At 7:04 p.m. Mayor Calvin opened the hearing on a Zoning Ordinance Text Amendment. Planning and Development Services Director Bruce Peterson explained the text amendment began with staff and later the Planning Commission formed a subcommittee which included some downtown business people and residents who put together a draft ordinance which would directly impact Central Business District design standards. The standards address building placement, general design of buildings, scales, materials, entrances, windows, architectural projections, awnings and design review. Also included are specifics on landscaping, parking, storm water and signs. The Planning Commission conducted a public hearing and subsequently approved the ordinance text amendment and recommends it be adopted by the Council.

There being no one to speak for or against the text amendment to the Zoning Ordinance, Mayor Calvin closed the hearing at 7:05 p.m. Council Member Christianson offered a motion to adopt, assign a number and order final publication of the Zoning Ordinance Text Amendment. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

No one signed up to speak during the Open Forum.

The Finance Committee Report for April 25, 2016 was presented to the Mayor and Council by Council Member Johnson. There were seven items for consideration.

Item No. 1 There were no comments from the public.

Item No. 2 Staff explained to the Committee that, per Council direction, the recently adopted Purchasing Policy is again being brought to the Committee with the intent to continue discussion for clarification of sections within the adopted policy document. There was some concern by Council Members about when capital purchases need to be presented to the Council for approval.

The Committee was recommending the Council introduce a resolution to revise the Purchasing Policy as follows: under "Spending Not Requiring Council Action" in the first sentence strike "unless the project, in aggregate, was previously approved by the City Council", in the second sentence change "unbudgeted" to "capital" and to strike bullet #5 "Items that were previously approved by the Council". Further, to include the requirement that monthly reports for all capital expenditures reflecting amounts budgeted in the current year CIP, items and amounts not budgeted in the CIP, amounts actually expended, year to date expended, and date put in service shall be provided to the Council by the City Administrator.

Resolution No. 1 was introduced by Council Member Johnson, seconded by Council Member Plowman, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 1

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the Purchasing Policy of the City of Willmar be revised under the "Spending Not Requiring Council Action" section as follows:

In the first sentence, strike "unless the project, in aggregate, was previously approved by the City Council", in the second sentence change "unbudgeted" to "capital", and to strike bullet #5 "Items that were previously approved by the Council".

BE IT FURTHER RESOLVED that the required monthly report to the Council by the City Administrator include all capital expenditures reflecting amounts budgeted in the current year CIP, items and amounts not budgeted in the CIP, amounts actually expended, year to date expended amounts, and the date put in service.

Dated this 2nd day of May, 2016.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 3 Staff explained to the Committee that it has been some time since the City has adjusted its compensation rates for reimbursement of meals in its Travel Policy. The current rates of \$7.00 for breakfast, \$9.00 for lunch, and \$14.00 for dinner have been in place since April, 1999. Staff is proposing to increase these amounts to \$10.00 for breakfast, \$12.00 for lunch, and \$18.00 for dinner to more accurately reflect reasonable costs. Council Members raised the option of setting meal reimbursement rates to follow those rates established for State of Minnesota employees which according to a quick search are currently \$9.00 for breakfast, \$11.00 for lunch, and \$16.00 for dinner. The Committee was recommending the Council introduce a resolution amending compensation rates for reimbursement of meals in the Travel Policy to follow those rates established for State of Minnesota employees.

Resolution No. 2 was introduced by Council Member Johnson, seconded by Council Member Fagerlie. Council Member Mueske offered a friendly amendment to the motion to adjust the policy to include higher meal rates in metro cities according to the state published higher meal rates. The resolution was reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 5, Noes 1. Council Member Christianson cast the “no” vote.

RESOLUTION NO. 2

WHEREAS, the City of Willmar has a Travel Policy establishing compensation rates for reimbursement of meals; and

WHEREAS, the current meal reimbursement rates have been in existence since April, 1999;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the compensation rates for reimbursement of meals in the Travel Policy be established to follow the same rates in effect for the State of Minnesota employees which would revise the City of Willmar rates effective May 3, 2016, as follows:

	<u>From</u>	<u>To</u>
Breakfast	\$ 7.00	\$ 9.00
Lunch	\$ 9.00	\$11.00
Dinner	\$14.00	\$16.00

BE IT FURTHER RESOLVED that the above rates will follow established State of Minnesota meal reimbursement rates as they may change in the future, and

BE IT FURTHER RESOLVED that the State Meal Reimbursement Rates in High Cost Metropolitan Areas be used.

Dated this 2nd day of May, 2016.

/s/ Marv Calvin _____
Mayor

/s/ Kevin Halliday _____
Attest: City Clerk

Item No. 4 Staff reported to the Committee that Wastewater staff solicited quotes for the purchase of a honey wagon in accordance with the 2016 Capital Improvements Program. Quotes were received from Boss Supply of Janesville, Inc. in the amount of \$78,500 and Dairyland Supply, Inc. in the amount of \$75,335. The honey wagon is used in the field to inject bio-solids as required by our land application program. The current unit was purchased in 2001 and was deferred from the ten-year replacement schedule to 2016. It is a key component to the bio-solids program and, as it has aged, the tank is starting to corrode from the inside out as well as needing wheel spindles, bearings, wheel hubs and a rebuild of the pump. Staff recommended purchase of the Nuhn 6000 Honey Wagon Slurry Tank from Dairyland Supply, Inc. less trade-in of the current unit of \$16,000 for a net cost of \$59,335. The Committee’s recommendation to the Council was to introduce a resolution to approve the purchase of the Nuhn 6000 Honey Wagon Slurry Tank from Dairyland Supply, Inc. in the amount of \$59,335 as presented.

Resolution No. 3 was introduced by Council Member Johnson, seconded by Council Member Fagerlie, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 3

BE IT RESOLVED by the City Council of the City of Willmar to authorize the purchase of one Nuhn 6000 Honey Wagon Slurry Tank from Dairyland Supply, Inc., in the amount of \$75,335 less \$16,000 trade-in of the current unit for a net cost of \$59,335 and that funds to be utilized for this purchase are per the 2016 Capital Improvement Program.

Dated this 2nd day of May, 2016.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 5 Staff presented to the Committee the preliminary budget for the Fairgrounds Lift Station Project which is identified in the 2016 Improvement Projects as needing replacement. The lift station is located at 908 Park Avenue on the south side of the Fairgrounds and is a custom dry pit station constructed in 1931. Bolton & Menk, Inc. was awarded the design engineering and construction related services contract for this project on March 21, 2016. Staff has prepared the preliminary construction budget for the Fairgrounds Lift Station estimated at \$640,000. Funding for the project will be through a Public Facilities Authority (PFA) loan. The Committee was recommending the Council approve the Fairgrounds Lift Station Project Preliminary Budget as presented.

Resolution No. 4 was introduced by Council Member Johnson, seconded by Council Member Mueske, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 4
FAIRGROUNDS LIFT STATION

OTHER SERVICES:		RECEIVABLES:	
Mtce. of Other Impr.	\$500,000.00	WTP - Rates	<u>\$640,000.00</u>
Other Services	<u>\$50,000.00</u>	TOTAL	\$650,000.00
TOTAL	\$550,000.00		
OTHER CHARGES:		FINANCING:	
Prof. Serv.	<u>\$90,000.00</u>	PFA Loan	<u>\$640,000.00</u>
TOTAL	\$90,000.00	TOTAL	\$640,000.00
GRAND TOTAL	\$640,000.00		

Dated this 2nd day of May, 2016.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 6 Intent to Reimburse for Costs. Staff explained to the Committee that prior to incurring costs on the 2016 Street Improvement Projects, it is necessary per bond regulations under the Internal Revenue Code that the Council adopts a Resolution of Intent to Reimburse. This will ensure the City will be reimbursed for project costs after the date of the resolution. The Committee was recommending the Council adopt a resolution establishing procedures relating to compliance with reimbursement bond regulations under the Internal Revenue Code for the 2016 Street Improvement Projects.

Resolution No. 5 was introduced by Council Member Johnson, seconded by Council Member Mueske, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 5

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

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

1. Recitals.

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

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

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

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

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

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

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

C. Care shall be taken so that the City, or its authorized representatives under this Resolution,

not make Declarations in cases where the City doesn't reasonably expect to issue reimbursement bonds to finance the subject project costs, and the City officials are hereby authorized to consult with bond counsel to the City concerning the requirements of the Regulations and their application in particular circumstances.

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

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

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

Dated this 2nd day of May, 2016.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Budget. Staff presented to the Committee the budget for the 2016 Improvement Projects totaling \$2,869,200. It was noted that Council action is required to approve the budgets outlining the estimated cost and funding sources for the projects. Estimated bond financing for these improvements is \$1,600,000. It was the Committee's recommendation the Council adopt a resolution to approve the 2016 Improvement Projects Budget for a total of \$2,869,200 as presented.

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

RESOLUTION NO. 6
2016 IMPROVEMENTS BUDGET

OTHER SERVICES:		RECEIVABLES:	
Mtce. of Other Impr.	\$2,280,430.00	Assessments Property Owners	\$906,938.00
Other Services	<u>\$228,043.00</u>	Community Investment	\$693,062.00
TOTAL	\$2,508,473.00	General	\$397,000.00
		State Aid	\$679,300.00
		WTP	\$40,000.00
OTHER CHARGES:		MUC	\$52,900.00
Prof. Serv.	\$342,065.00	Kandiyohi County	<u>\$100,000.00</u>
Other Chargers	<u>\$18,662.00</u>	TOTAL	\$2,869,200.00
TOTAL	\$360,727.00		
		FINANCING:	
		General	\$397,000.00
		Bonds	\$1,600,000.00
		State Aid	\$679,300.00
		WTP	\$40,000.00
		MUC	\$52,900.00
		Kandiyohi County	<u>\$100,000.00</u>
		TOTAL	\$2,869,200.00
GRAND TOTAL	\$2,869,200.00	GRAND TOTAL	\$2,869,200.00

Dated this 2nd day of May, 2016

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No.7 The Committee received the following reports: Quarter End 03/31/16 Investment Activity, Quarter End 03/31/16 Interest Activity, Quarter End 03/31/16 Cash/Investment Portfolio, Quarter End 03/31/16 Ten-Year Historical Interest Received Per Quarter, Quarter End 03/31/16 Ten-Year Historical Investment Balances Per Quarter, and 03/31/16 Rice Trust Fund. Staff explained to the Committee the restrictions attached to the various City funds which dictate how those funds may be used. This matter was received by the Council for information only.

The Finance Committee Report for April 25, 2016, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Johnson, seconded by Council Member Fagerlie, which carried.

The Community Development Committee Report for April 28, 2016 was presented to the Mayor and Council by Council Member Fagerlie. There were six items for consideration.

Item No. 1 Ron Davis addressed the Committee regarding the Sex Offender Housing Ordinance. He requested that the Council move forward and adopt an Ordinance. He suggested that to determine the appropriate distance for "safe zones" the Council either make the decision or ask the stakeholders for input. He also suggested that the Ordinance include a standard limiting how close together sex offenders are permitted to reside. The Council received this item for information only.

Item No.2 Staff outlined the mandated Backflow/Cross Connection Program. Primary responsibility to administer the program lies with the Willmar Municipal Utilities as the purveyor of water. The program requires all backflow valves and cross connections be inspected and maintained on an annual basis and will apply to all properties. The Council asked several questions regarding City Staff involvement in the process, length of time to bring the program up to speed, and asked for examples of where cross connections have posed problems in other cities. Building Official Randy Kardell was able to cite several examples where products such as embalming fluid and pesticides have been introduced into the potable water supply due to faulty backflow prevention devices. It was the recommendation of the Committee to the Council that the City initiate the mandated Municipal Backflow/Cross Connection Program and direct Willmar Municipal Utilities to implement the program as the purveyor of water. Council Member Fagerlie moved the recommendation of the Committee. Council Member Nelsen seconded the motion.

Council Member Christianson stated he was not in favor of the Council implementing the program. Staff was asked to report on the nature of the mandates the council is facing and the consequence for saying "no." Council Member Plowman asked the City Attorney what ramifications there would be in this case if the City did not implement this program. City Attorney Robert Scott will report back to the Council.

Council Member Christianson moved to table the initiation of the mandated Municipal Backflow/Cross Connection Program until the City Attorney can report back to Council. Council Member Plowman seconded the motion. Upon a roll call vote, the motion to table the program was tied with a 3-3 vote. Mayor Calvin broke the tie voting "yes" to table the motion.

Item No. 3 Staff informed the Committee that May was Building Safety Month. To recognize Building Safety Month, staff is doing some public service announcements to explain the value of building codes and the inspections process. Additionally, it was requested that a proclamation be read by the Mayor to proclaim May as Building Safety Month, and to recognize the work done by local code enforcement personnel to maintain public health and safety.

The Committee was recommending to the Council that the Mayor issue the proclamation as submitted. It was at this time that Mayor Calvin read the Building Safety Month Proclamation.

Item No. 4 The Committee renewed discussion of the possibility of reestablishing the local option sales tax. Public comments were solicited. Loren Schultz spoke to the Committee and said he favored a sales tax increase rather than a property tax increase. He would like to see the money used for drainage and infrastructure projects.

City Administrator Kruse led the Committee through a PowerPoint presentation which covered the City's past use of sales tax and the statutory requirements for the local option sales tax process. It is estimated that a local .5% tax would generate approximately \$2.2 million annually. Projects eligible for a local option sales tax must be of regional significance.

A list of potential projects was reviewed and discussed. High priority projects as identified by staff were Civic Center refrigeration system improvements, Swansson Field lighting, and a new Community Center. A calendar for pursuing a local option sales tax was presented and discussed. Additional Council priorities in the past had been expressed as the field house, transportation projects, and Becker Avenue plan implementation. It was noted that the idea of a local option sales tax was advanced by the Council at the past retreat. Since then, staff has met with a number of community stakeholders and quantified projects and impacts. A list of project cost estimates was presented and reviewed. The total costs of all projects recommended by staff were approximately \$19.5 million dollars. The Committee discussed the public process and how to best identify projects with a broad range of benefits.

Council Member Plowman offered that his priorities for sales tax projects would be street improvements, municipal building improvements, new community center, and recreation facilities/opportunities. Council Member Nelson said the City should pursue a local option sales tax, but do it for the right reasons. She was not sure how streets and buildings can be shown to serve a regional purpose. Administrator Kruse said that some latitude exists for the Council in determining project eligibility. Council Member Johnson said his three priorities would be Swansson Field lighting, Civic Center refrigeration, and street improvements. Council Member Fagerlie said his priorities were a community center/field house complex, Civic Center refrigeration, and street improvements. Council Member Nelson said she needed more community input on specific projects, but suggested the local option sales tax should be enacted.

The Committee was recommending to the Council that the City pursue a one half cent Local Option Sales Tax, with eligible projects to be determined. Council Member Fagerlie moved the recommendation of the Committee. Council Member Nelsen seconded the motion.

At this time Council Member Christianson read an email he received from Chris Peterson of 419 12th Street NW stating his opposition to the Local Option Sales Tax.

Roll call on the motion was taken with it passing with 5 Ayes and 1 No. Council Member Christianson cast the "no" vote.

The Committee's recommendation to the Council was to direct staff to find ways to include the community in the project selection process. A motion was made by Council member Fagerlie, seconded by Council member Nelsen to direct staff to gather public input on projects of regional significance and local option sales tax funding. The motion carried with Council member Christianson voting no.

Council Member Fagerlie motioned to take the Sex Offender Housing Ordinance off the table. Council Member Christianson seconded the motion, which carried.

Mayor Calvin called a recess to the meeting at 8:28 p.m. At 8:31 p.m. the Council reconvened.

Item No. 5 Council Member Johnson reopened discussion of the Sex Offender Housing Ordinance. He presented a revised ordinance that would further regulate residency for sex offenders. Under the amendment, sex offenders would be prohibited from living within 500 feet of each other. The 500 foot standard is similar to the separation distance required from specific facilities that attract and deal with youth. There was a suggestion that the separation distance from youth facilities and distance between sex offenders to be set at 1,000 feet, as opposed to 500 feet as stated in the previous draft.

The Committee was recommending to the Council that the revised sex offender housing ordinance be considered for a public hearing with a new designated separation distance of 1,000 feet and with the inclusion of language to restrict the density of sex offenders to reflect the facility separation distance of 1,000 feet. Council Member Fagerlie moved the recommendation of the Committee to approve the new designated distance of 1,000 feet of separation and to set a public hearing for the proposed Sex Offender Ordinance for June 6, 2016. Council Member Johnson seconded the motion, which carried.

Item No. 6 Staff provided updates on a number of projects; among them being residential, commercial, and industrial projects, as well as a brief update on the railroad wye project. This was received by the Council for information only.

The Community Development Committee Report for April 28, 2016, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Fagerlie, seconded by Council Member Johnson, which carried.

City Administrator Larry Kruse presented a proposed ordinance abolishing the City Assessor's Office within the City Clerk's Department. He explained the County is ready to accept these duties and the cost is reasonable. The hearing would allow the public and employees to speak to the Council. The goal is to transfer the assessing duties to the County effective July 5, 2016. Council Member Fagerlie made a motion to set a hearing to consider an ordinance abolishing the Assessing Department for May 16, 2016. Council Member Johnson seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance, 4:45 p.m. at City Hall May 9; Public Works/Safety, 4:45 p.m. at City Hall, May 10; Labor Relations/Full Council, 4:45 p.m. at City Hall, May 11; Community Development, 4:45 p.m. at Council Chambers, May 12, 2016.

Mayor Calvin stated the filing dates for City Council positions will open on May 17th and run through May 31st. Also the Mayor's Prayer Breakfast will be held on May 5th and thanked everyone who has committed to attend.

Council Member Christianson offered a motion to adjourn the meeting with Council Member Mueske seconding the motion, with carried. The meeting adjourned at 8:55 p.m.

Attest:

MAYOR

SECRETARY TO THE COUNCIL