

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

March 15, 2010  
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by Mayor Pro Tempore Douglas Reese. Members present on a roll call were Council Members Douglas Reese, Ron Christianson, Bruce DeBlieck, Denis Anderson, Steve Ahmann, Rick Fagerlie, and Tim Johnson; Present 7, Absent 2 – Mayor Les Heitke and Jim Dokken were excused from the meeting.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Police Chief Jim Kulset, Fire Chief Marv Calvin, Public Works Director Mel Odens, Finance Director Steve Okins, Community Education and Recreation Director Steve Brisendine, Planning and Development Services Director Bruce Peterson, and City Clerk Kevin Halliday.

Additions to the Agenda included consideration of Willmar Design Center liquor license.

The Council requested Municipal Utilities and Planning Commission minutes be removed from the Consent Agenda.

Council Member Anderson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of March 1, Building Inspection Report for February, Housing and Redevelopment Authority Minutes of February 9 and 25, Community Education and Recreation Board Minutes February 26, Design Center Board Minutes of March 20, 2010, and Minnesota Lawful Gambling Application – Willmar Fests, Inc. Council Member Ahmann seconded the motion, which carried.

Council Member Christianson inquired as to the reasoning for the proposal to hire an additional electrical engineer. It was hoped that Manager Gomm would address that issue in his presentation to the Council scheduled for later in the meeting. The Municipal Utilities Commission Minutes of March 8, 2010, were approved as presented upon motion by Council Member Christianson, seconded by Council Member Anderson, and carried.

Council Member Christianson requested that the zoning map be referred to the Community Development Committee for consideration. The Planning Commission Minutes of March 10, 2010, were approved as presented upon motion by Council Member Christianson, seconded by Council Member Anderson, and carried.

At 7:05 p.m. Mayor Pro Tempore Reese opened a hearing on the 2010 Street and Other Improvement Projects. Public Works Director Odens presented to the Council the details of the individual streets proposed for reconstruction, overlay, new construction, water main replacement, street lighting, and miscellaneous work. The following individuals spoke concerning the proposed improvements: Gary Gilman, 500 NW 34<sup>th</sup> Street; Grace Mejdric, 1403 12<sup>th</sup> Street SE; David Lanning, 804 26<sup>th</sup> Avenue SW; Arlen Sjerven, 1324 23<sup>rd</sup> Street SW; Laura Carlson, 809 26<sup>th</sup> Avenue SW; and Laura Becker, 1010 Kandiyohi Avenue SW. Upon hearing all those who wished to be heard, Mayor Pro Tempore Reese closed the hearing at 7:46 p.m.

Following discussion, Resolution No. 1 was introduced by Council Member Christianson, seconded by Council Member Ahmann, reviewed by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 1

ORDERING 2010 STREET AND OTHER IMPROVEMENTS  
(AND DIRECTING PREPARATION OF FINAL PLANS AND SPECIFICATIONS)

WHEREAS, after due Notice of Public Hearing on the construction of street and other improvements for the City of Willmar, Minnesota, hearing on said improvements was duly held and the Council heard all persons desiring to be heard on the matter and fully considered the same.

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

1. It is advisable, expedient, and necessary that said improvements as described in the Notice of Hearing thereon be constructed, and the same are hereby ordered made.
2. The improvements described in said Notice of Hearing are hereby designated and shall be known as 2010 Street and Other Improvements.
3. The City's Engineer is hereby directed to prepare final plans and specifications for said improvements.
4. The City Council shall let the contract for all or part of the work for said improvements or order all or part of the work done by day labor or otherwise as authorized by Minnesota Statutes, Section 429.041, Subdivision 2, within one year of the date of this resolution ordering said improvements.

Dated this 15<sup>th</sup> day of March, 2010.

/s/ Douglas Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Mayor Pro Tempore Reese called for a recess at 8:20 p.m. and reconvened the meeting at 8:27 p.m.

At 8:27 p.m. Mayor Pro Tempore Reese opened a hearing on an Ordinance Amending Ordinance No. 1060 Known as the Willmar Zoning Ordinance by Amending Section 5.3.1.a. Related to Electronic Signs. Planning and Development Services Director Peterson explained the Ordinance amends the existing sign regulations regarding electron signs to all animation, but prohibit rapid animation as not to distract or mimic any emergency vehicles. There being no one present to speak for or against the proposed Ordinance, Mayor Pro Tempore Reese closed the hearing at 8:28 p.m.

Council Member Anderson offered a motion to adopt, assign a number, and order final publication of the Ordinance Amending Ordinance No. 1060 Known as the Willmar Zoning Ordinance by Amending Section 5.3.1.a. Related to Electronic Signs. Council Member DeBlicek seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Mayor Pro Tempore Reese announced that the Willmar Municipal Utilities General Manager was not in attendance and the report on wind turbines would be rescheduled.

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

The Finance Committee Report for March 8, 2010, was presented to the Council by Council Member Anderson. There were nine items for Council consideration.

Item No. 1 Bill Fenske, Rice Memorial Hospital, reviewed with the Committee the financial report for the year ended December 31, 2009. Rice had a net profit of \$684,636 compared to \$230,169 in 2008. Net Assets also increased over 2008 by \$814,750. This matter was for information only.

Item No. 2 Staff reviewed with the Committee the current Intergovernmental Transfer Agreements with Rice Hospital and Willmar Municipal Utilities. The Hospital's agreement incorporates a formula of .40% (40/100 of 1%) of the prior year net assets to determine the annual amount for the following year. The minimum amount of the annual transfer payment would not be less than \$200,000. The MUC agreement incorporates a formula of 4.80% of the audited net worth, not to exceed a 4% increase in the amount of the annual intergovernmental transfer payment of the previous year.

The Committee was recommending the Council extend the current Intergovernmental Transfer Agreements with Rice Hospital and Willmar Municipal Utilities for another 3-year term through 2012. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 3 The Committee considered a proposed fire protection contract with Willmar Township. The state-wide formula used to calculate the amount due from the Township is based on information from the previous year which includes the number of firefighter hours and market values of the area covered in Willmar Township.

The Committee was recommending the Council pass a Resolution authorizing the Mayor and City Administrator to execute the agreement as presented in the amount of \$24,889.30. Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Pro Tempore Reese, 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, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into an Agreement for 2009 Fire Department Services with the Township of Willmar.

Dated this 15<sup>th</sup> day of March, 2010.

/s/ Douglas Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 City Administrator Schmit explained to the Committee that as a result of discussions with the employee bargaining groups, it was agreed to reevaluate employer contributions for safety glasses. The Personnel Policy, first established in 1987, provides that the employer will furnish safety glasses as required. The current employer contribution is \$100.

The Committee was recommending the Council increase the maximum authorization for the employer contribution for safety glasses to \$250. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 5 Staff informed the Committee that the United States Environmental Protection Agency has awarded a State and Tribal Assistance Grant (STAG) to the City for the Waste Treatment Plant Project in the amount of \$291,000 to be used for Design Services. The Committee was recommending the Council accept the EPA Grant as presented and to authorize the City Administrator to execute the agreement.

Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Pro Tempore Reese and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

WHEREAS, the United States Environmental Protection Agency has awarded a State and Tribal Assistance Grant to the City of Willmar for the Waste Water Treatment Plant Project in the amount of \$291,000. The total project budget cost is \$529,090 of which EPA agree to cost share 55 percent of all approved project budget cost incurred.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota, that the City accept the grant and direct the City Administrator to sign the acceptance documents.

Dated this 15<sup>th</sup> day of March, 2010.

/s/ Douglas Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 6 Staff provided the Committee with copies of the proposed revised Waste Treatment Plant Project Budget. While the total budget remains at \$86,218,712, the breakdown of the funding sources has been revised to reflect the STAG grant awarded in the amount of \$291,000. In the Design Engineering portion, the amount under PFA Bonds has been reduced and the Federal STAG Grant has been increased by this amount.

The Committee was recommending the Council to introduce a Resolution amending the Waste Treatment Plant Project Budget as presented. Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 4

WASTEWATER TREATMENT RELOCATION BUDGET SUMMARY

(For Resolution in its entirety, see City Council Proceedings file dated  
March 15, 2010, located in the City Clerk's Office)

Item No. 7 The Committee discussed the Utility Replacement Fee currently being collected. Staff explained that this fee is distributed among street infrastructure, water, sanitary sewer, and storm water. Approximately \$400,000 is collected annually of which \$100,000 is earmarked for storm water improvement. This matter was for information only.

Item No. 8 Staff informed the Committee that the City is waiting for the State Legislature to act on the Governor's Budget which includes LGA cuts for 2010. In the interim, the City is keeping expenditures to a minimum for 2010, as was done in 2009. The Committee requested a monthly update on the LGA status and City budget cuts. This matter was for information only.

Item No. 9 The Committee reviewed the following January, 2010, reports: Rice Trust and Rice Hospital. This matter was for information only.

The Finance Committee Report for March 8, 2010, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Fagerlie, and carried.

The Public Works/Safety Committee Report for March 9, 2010, was presented to the Council by Mayor Pro Tempore Reese. There were eight items for Council consideration.

Item No. 1 Staff informed the Committee that in 2009, the Fire Department received a grant to fund the purchase of Self-Contained Breathing Apparatus (SCBA) upgrades. In February 2010, two

bids were received. After reviewing the bids, the low bid of Metro Fire was found to contain an error and the second bid came in over budget. It is Staff's recommendation to reject the bids and rebid the project.

The Committee was recommending the Council reject both bids and authorize Staff to rebid the equipment. Mayor Pro Tempore Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Christianson seconding the motion, which carried.

Item No. 2 Donohue staff presented Unanticipated Allowance No. 9 to WWTP Project No. 0812-C, the Wastewater Treatment Facility. The allowance contains two items. Item No. 1 is the installation of 1.5 inches of wearing course asphalt at the site in the amount of \$76,246.58. This item was removed by addendum prior to bidding due to budget concerns. Item No. 2 is a telephone system upgrade from Level 4 to Level 6 in the amount of \$8,691.68. At the time of bid, the phone systems were Level 4 and now 1 ½ years later a Level 6 is recommended. This item allows the phone systems in the new and old treatment facilities to be compatible and sets the stage for a future upgrade of the City's overall communication system. The total amount of unanticipated allowances for 0812-C comes to \$407,145.16 leaving a remaining balance of \$92,854.84.

The Committee was recommending the Council approve Allowance Modification No. 9 to Project No. 0812-C in the amount of \$84,938.26. Resolution No. 5 was introduced by Mayor Pro Tempore Reese, seconded by Council Member Christianson, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 5

WHEREAS, the City of Willmar entered into Contract No. 0812-C with Graham Construction Services, Inc. for the construction of a new Wastewater Treatment Facility (WWTF); and

WHEREAS, Change Order No. 1 and Change Order No. 2 decreasing the amount by \$397,788 and \$10,000 respectively have been previously authorized; and

WHEREAS, the above contract has a contingency allowance of \$500,000 in Specification Section 01210 Part 1 – GENERAL 1.02 Specific Allowances; and

WHEREAS, Unanticipated Allowance No. 1 increasing the amount by \$17,191.77, Unanticipated Allowance No. 2 increasing the amount by \$75,775.90, Unanticipated Allowance No. 3 increasing the amount by \$60,801.00, Unanticipated Allowance No. 4 increasing the amount by \$30,889.28, Unanticipated Allowance No. 5 increasing the amount by \$3,696.40, Unanticipated Allowance No. 6 increasing the amount by \$108,184.00, Unanticipated Allowance No. 7 increasing the amount by \$23,891.04, and Unanticipated Allowance No. 8 increasing the amount by \$1,777.51 out of a \$500,000 allowance have been previously authorized; and

WHEREAS, it is recommended to approve Unanticipated Allowance No. 9 which contains the following: Item 1: Install 1.5 inches of Wearing Course Asphalt on New Wastewater Treatment Facility Site Binder Course Paved Roads; Item 2: Telephone System Upgrade from Level 4 to Level 6.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that:

1. Additional work is hereby authorized as Owner Unanticipated Cost Allowance No. 9 for \$84,938.26.
2. Funding for additional work is covered within Contract No. 0812-C Specification Section 01210 Part 1-GENERAL 1.02 Specific Allowances reducing the owner Unanticipated Cost Allowance from \$177,793.10 to \$92,854.84.
3. As specified in the above contract prior to final payment, an appropriate Change Order will be issued and the Contract Price shall be adjusted.

Dated this 15<sup>th</sup> day of March, 2010.

/s/ Douglas Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 3 Rhonda Rae of Donohue and Associates briefed the Committee on activities for the month of February related to the Wastewater Treatment Plant Relocation Project. Program management activities included meeting with City Staff regarding funding and finance issues, submittal of Pay Request 4 for the 30-year loan to the Public Facilities Authority for the Clean Water Revolving Fund, and Pay Request No. 5 for the Public Facilities Authority for American Recovery and Reinvestment Act (ARRA). The informational packet for the 111<sup>th</sup> Congress with Don Roecker was updated and work continues for funding opportunities.

Donohue attended mediation with City staff and legal counsel on the Wallace Janssen property. The Commissioner's Hearing scheduled for March 3, 2010, for the Groothuis property was cancelled since the parties have been negotiating and making progress.

A detailed update on the percent complete for all structures including mechanical and electrical percentages was presented on construction-related activities for the conveyance system, wastewater treatment facilities, as well as the February budget summary. Details and a map of the construction are contained in the monthly report. Basically 92% complete on all structures, 82% complete on mechanical, and 75% complete on electrical. This matter was for information only.

Item No. 4 The Committee considered two items related to Project No. 0805 – Westwind Estates Third Addition. The project was let in July, 2008, to Kuechle Underground and includes the street improvements for the Westwind Estates Third Addition. The first item for consideration was Change Order No. 2, which consists of temporary seeding, borrow for subgrade, and borrow for topsoil for an amount of \$10,368.18. The second item for consideration is final payment to Kuechle Underground in the amount of \$58,716.89 consisting of bituminous disincentive, final adjusting quantities, items from Change Order No. 2, plus the 5% retainage.

The Committee was recommending the Council approve Change Order No. 2 and accept Project No. 0805 issuing final payment to Kuechle Underground. Resolution No. 6 was introduced by Mayor Pro Tempore Reese, seconded by Council Member Christianson, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 6

WHEREAS, a contract has been awarded to Kuechle Underground, Inc. of Kimball, Minnesota, on August 12, 2008 in the amount of \$650,950.20 for Project No. 0805 (Westwind Estates 3<sup>rd</sup> Addition); and

WHEREAS, Change Order No. 1 increasing the amount by \$13,124.99 has previously been authorized; and

WHEREAS, it is desired to add additional work to the above contract.

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

1. Additional work is herewith authorized to be added to the above contract estimated by the consulting engineer to be \$10,368.18.
2. Funding for the additional work is from within the Public Works Budget.

Dated this 15<sup>th</sup> day of March, 2010.

/s/ Douglas Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 7 was introduced by Mayor Pro Tempore Reese, seconded by Council Member Anderson, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 7

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

IMPROVEMENT: Project No. 0805 – Westwind Estates Third Addition  
CONTRACTOR: Kuechle Underground, Inc.  
DATE OF CONTRACT: August 12, 2008  
BEGIN WORK: September 22, 2008  
COMPLETE WORK: October 29, 2009  
APPROVE, CITY ENGINEER: March 9, 2010

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

1. The said City of Willmar Project No. 0805 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$650,950.20
Change Order Nos. 1 and 2	\$23,493.17
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$674,443.37
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$674,443.37
Less Previous Payments	\$615,726.48
FINAL PAYMENT DUE CONTRACTOR:	\$58,716.89

Dated this 15<sup>th</sup> day of March, 2010.

/s/ Douglas Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 Staff informed the Committee that subsequent to a petroleum release at the Food-n-Fuel on County Road 5 just north of Highway 12, Summit Envirosolutions contacted the City. By request of the MPCA, Summit is seeking permission from the City to install a permanent monitoring well in the southern end of Vos Park. The well will stay in place until the MPCA grants closure for the project, at which time the well materials will be removed and sealed. This will all be done at no cost to the City.

The Committee was recommending the Council authorize installation of the monitoring well in Vos Park and the City Administrator to sign the Right-of-Entry Agreement on behalf of the City. Mayor Pro Tempore Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Christianson seconding the motion, which carried.

Item No. 6 The Committee was informed by Staff that West Central Builders Association is holding a three-day show at the Civic Center March 26-28, 2010. On March 26, the Association has plans to offer free alcohol to their members after closing hours. This requires a Civic Center Special Event Permit and the Kandi Entertainment Center has applied for the permit and plans to dispense the liquor with an on-site employee.

The Committee was recommending the Council approve the Civic Center Special Event Permit as presented. Mayor Pro Tempore Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlieck seconding the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Item No. 7 Staff informed the Committee that Mn/DOT has requested the City consider an amendment to the Master Partnership Agreement currently in place that covers services. The current agreement does not contain any language for emergency services such as may be rendered during a spring flood. Mn/DOT is requesting the agreement be upgraded by this amendment to allow Mn/DOT to be eligible for reimbursement through FEMA funds in the future.

The Committee was recommending the Council approve the amendment to the Master Contract No. 92221 and authorize the Mayor and City Administrator to sign on behalf of the City. Resolution No. 8 was introduced by Mayor Pro Tempore Reese, seconded by Council Member Christianson, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 8

WHEREAS, the City of Willmar entered into a State of Minnesota Professional and Technical Services Master Contract No. 92221 with the Minnesota Department of Transportation; and

WHEREAS, the original master contract did not contain language for Emergency Services;

THEREFORE BE IT RESOLVED:

1. That the City of Willmar approve the amendment to Master Contract No. 92221 as presented to the Council: and
2. That the proper City officers are authorized to execute such amendments thereto.

Dated this 15<sup>th</sup> day of March, 2010.

/s/ Douglas Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 8 The Committee received the Storm Water Task Force Minutes of January 26, February 23, 2010, along with the Airport Commission Minutes of December 9, 2009, January 6 and March 3, 2010. These were for information only.

The Public Works/Safety Committee Report for March 11, 2010, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Mayor Tempore Reese, seconded by Council Member Fagerlie, and carried.

The Community Development Committee Report for March 15, 2010, was presented to the Council by Council Member DeBlieck. There were seven items for Council consideration.

Item No. 1 Bruce Gomm and Bart Murphy of Willmar Municipal Utilities appeared before the Committee to present an update on the hot water heating system. Willmar has had steam or hot water heating for nearly 100 years and the conversion to the hot water system occurred in the early 1980's.



There are currently 250 hot water heating customers, 150 of these are residential and 100 are commercial/institutional. The residential customers are down from a peak of 300. Revenue from the hot water heating system is generated as follows: 14% residential and 86% commercial/institutional. The system remains in good condition and operates well. The steady price of coal has lent stability to hot water heating pricing. There have only been two price increases in 28 years. Currently the price is slightly higher than that of heating with natural gas. The system has capacity for expansion when demand dictates.

The Committee discussed demand and options for expansion, primarily as it would impact industrial users. This matter was for information only.

Item No. 2 Mr. Gomm told the Committee that the expiration of the Great River Energy contract in 2015 has caused Willmar Municipal Utilities (WMU) to investigate alternative sources of electric power. New emission controls at the power plant will enable them to increase the coal power capacity. Options to increase generating capacity include burning biomass and developing solar energy production. They are also considering purchasing power from a proposed local wind farm. Solar energy, due to its high capital cost, is very expensive to develop (two to three times the cost of coal power). Dave Opsahl from WMU provided information about solar projects in Minnesota and how they are keeping an eye on those projects to see if they can put together a viable Willmar project. WMU is in the early stages of discussion and planning for a 50 kilowatt solar project. This matter was for information only.

Item No. 3 The Committee was informed that the WMU has completed a space needs study and facilities plan. Deficiencies were noted in inventory storage and office operations. They have explored several options for relocation or expansion. A preference was expressed for the operations to remain at or near the current locations. A request to the City for the vacation of Pacific Avenue between 7<sup>th</sup>-10<sup>th</sup> streets is forthcoming. This matter was for information only.

Item No. 4 Staff provided an update on the land release for the former airport. Environmental Assessment revisions have been completed, and with appendices have been sent to the FAA. It is anticipated that the formal 30 day review period will begin later in March. This matter was for information only.

Item No. 5 Staff brought the Council up to date on the status of the terminal building historical designation. It appears there are no options left for the City to pursue to avoid preserving the buildings. The next step will be for City staff, FAA representatives, the Minnesota Preservation Alliance, and representatives for Bergh's Fabricating to meet and negotiate the terms of the preservation easement. Staff said that the Berghs needed to be at the table to protect their interests under the existing purchase agreement. This matter was for information only.

Item No. 6 Staff explained to the Committee that they were still trying to determine the status of a proposed land swap for the church building. Conflicting reports have been received and Staff are in the process of determining what the actual status is. If the proposed land swap has fallen through, Staff will work with the City Attorney to proceed with the removal of the structure. This matter was for information only.

Item No. 7 The Committee reviewed a request submitted by John Sullivan to amend the Zoning Ordinance. The request expressed concern with sections of the Ordinance that deal with appeals and conditional use permits. The Committee was recommending the Council refer the request to Staff and the Planning Commission. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Christianson seconding the motion, which carried.

The Community Development Committee Report for March 11, 2010, be approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member DeBlieck, seconded by Council Member Christianson, and carried.

Announcements for Council Committee meeting dates were as follows: Finance, March 29; Public Works/Safety, March 30, and Community Development, April 1, 2010.

City Clerk Halliday presented to the Council a request from the Willmar Design Center for a temporary liquor license for the Esther Peterson Concert on March 27, 2010, at the Barn Theatre. Following discussion, Council Member Fagerlie moved to approve of the temporary liquor license contingent upon subsequent approval of documents by the Police Chief and City Attorney. Council Member DeBlieck seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

City Clerk Halliday presented to the Council the 2009 City Clerk-Treasurer Department annual report. Following a question and answer period, the report was ordered placed on file in the City Clerk's Office.

Community Education and Recreation Director Brisendine presented to the Council the 2009 Community Education and Recreation Department annual report. Following a question and answer period, the report was ordered placed on file in the City Clerk's Office.

There being no further business to come before the Council, the meeting adjourned at 9:59 p.m. upon motion by Council Member Anderson, seconded by Council Member Ahmann, and carried.

Attest:

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MAYOR PRO TEMPORE

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SECRETARY TO THE COUNCIL