

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

September 5, 2006  
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Doug Reese, Ron Christianson, Bruce DeBlicke, Denis Anderson, Rick Fagerlie, Jim Dokken, and Steven Gardner; Present 8, Absent 1 - Cindy Swenson.

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

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

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of August 21, and Zoning Appeals Board Minutes of August 28, 2006. Council Member Anderson seconded the motion, which carried.

The Council discussed the Planning Commission item relating to City-owned property in Pleasant View Third Addition. Also discussed, at length, was the Skaug Auto Salvage/Reduction Yard Plan Review. Council Member Gardner presented a proposed Resolution regarding plan review standards and the proposed use as a junkyard, and moved to introduce Resolution No. 1. Council Member Anderson seconded the motion. Following additional discussion, Council Member Gardner amended his motion to change the words "conditional use" to "permit application". Council Member Anderson seconded the motion which carried. The Resolution as amended was approved on a roll call vote of Ayes 5, Noes 2 – Council Members Reese and Dokken voted "No."

**RESOLUTION NO. 1**

WHEREAS, the City Council of the City of Willmar, Minnesota, makes the following findings of fact: In the matter of the application of Doug Skaug, Cambridge, Minnesota, File 06-13, the City Council finds:

1. The proposed application does not meet plan review standard 9.E.3.a.3., in that the use will impede the normal and orderly development and improvement of other property in the neighborhood, and
2. The proposed application does not meet plan review standard 9.E.3.a.6., in that the use does not compliment neighborhood characteristics of the district in which it is located, and
3. The proposed use is most accurately defined as a junkyard, and not a recycling center, as defined by the Zoning Ordinance, therefore,

BE IT RESOLVED that the City Council of the City of Willmar, Minnesota overrules the decision of the City Planning Commission, and denies the application herein described.

Dated this 5<sup>th</sup> day of September, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Planning Commission Minutes of August 23, 2006, were then approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Gardner, seconded by Council Member Christianson, and carried.

The Council discussed the Municipal Utilities Commission item relating to compensation for Commissioners. Council Member DeBlieck moved to veto Resolution 37 with Council Member Fagerlie seconding the motion, which carried. The Municipal Utilities Commission Minutes of August 28, 2006, were approved and ordered placed on file in the City Clerk's Office upon motion by Council Member DeBlieck, seconded by Council Member Dokken, and carried.

Mayor Heitke recognized Kathy Aho, President of Springsted Incorporated, who presented details of the negotiated sale of the \$1,950,000 General Obligation Improvement Bonds, Series 2005A. UMB Bank N.A. was the low bidder with a 3.8559 percent interest rate. Following discussion, Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

ACCEPTING OFFER ON THE SALE OF \$1,950,000 GENERAL OBLIGATION  
IMPROVEMENT BONDS, SERIES 2006A, PROVIDING FOR THEIR ISSUANCE  
AND LEVYING A TAX FOR THE PAYMENT THEREOF

(For Resolution in its entirety, see City Council proceedings file dated  
September 5, 2006, located in the City Clerk's Office)

Ms. Aho informed the Mayor and Council that Cronin & Company, Inc./Citigroup was the low bidder of the \$6,850,000 General Obligation Temporary Wastewater Bonds, Series 2006B with a 3.8080 percent interest rate. Following discussion, Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

ACCEPTING OFFER ON THE SALE OF \$6,850,000 GENERAL OBLIGATION  
TEMPORARY WASTEWATER BONDS, SERIES 2006B, PROVIDING FOR THEIR  
ISSUANCE

(For Resolution in its entirety, see City Council proceedings file dated  
September 5, 2006, located in the City Clerk's Office)

Tom Ososki, Urban Designer for the Willmar Design Center, presented to the Mayor and Council the Downtown Willmar Vision detailing four action strategies under consideration. The actions of the Willmar Design Center for 2006 and 2007 were listed as well as the "ten Design Principles" used to promote a more holistic approach to City buildings. This matter was for information only.

Mayor Heitke recognized several individuals who had signed up to address the City Council during its scheduled Open Forum. Bill Graves expressed concerns regarding costs associated to relocate his hangar to the new Municipal Airport. Trudie and Harold McAdams, Eleanor Nelson, John Vermont, Stephanie Jaspersen, and Art Baker expressed concerns regarding the conditions of houses in their Litchfield/Becker Avenue Southeast neighborhood.

The Finance Committee Report for August 28, 2006, was presented to the Mayor and Council by Council Member Anderson. There were five recommendations for Council consideration.

Item No. 1 The Committee received a request from Willmar Fests for an additional contribution of \$4,000 to offset the deficit they are experiencing. During the 2006 Festival, inclement weather on Saturday had a negative effect on outdoor events that included a beach party and two concerts. Further, donations were down from last year.

Following discussion, the Committee was recommending the Council direct staff to review the 2006 Budget and transfer up to \$4,000 from another line item to fund this request. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Dokken seconding the motion, which carried.

Item No. 2 Finance Director Okins presented the City's list of funds to the Committee and explained the various groups, including the general fund, special revenue funds, debt service funds, capital projects funds, the enterprise fund which is for the waste treatment plant, internal services funds, and trust/agency funds. The list of fund balances from the 2005 Financial Statement was also reviewed with the Committee. This matter was for information only.

Item No. 3 Staff presented information to the Committee regarding various street financing possibilities. Current funding is provided by interest earnings from the Community Investment Fund to offset assessments to property owners. This fund was established by ordinance several years ago with restricted use. Options to fund additional street work would include increasing the Tax Levy, instituting the Minnegasco Franchise Fee, establishing Public Works/Infrastructure Reserve Funds, additional assessments to property owners, introducing a Wheelage Tax, and/or charging Transportation/Utilities Fees.

The Committee's extensive discussion stressed the issue of accelerating the street program. The preferred options available for this purpose seem to include increasing the tax levy, establishing the Minnegasco franchise fee and/or increasing the utility replacement fee. The Committee also discussed the possibility of repairing only streets in the 20 and under classification. This item was for information only.

Item No. 4 The Committee reviewed the 2007 Budget and the Mayor's proposed tax levy. In an attempt to obtain additional funding for street improvements, the Committee discussed increasing the Mayor's proposed tax levy of \$2,606,995 by \$200,000. This additional amount would be earmarked for street improvements only.

The Committee was recommending the Council introduce a resolution setting the preliminary tax levy for 2007 at \$2,806,995. The increase over the mayor's proposed levy would be applied to the City's portion of the total funding for streets. Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 4

BE IT RESOLVED by the City Council of the City of Willmar, Kandiyohi County, Minnesota, that the following sums of money be levied for the current year collectable in 2007, upon the taxable property in said City of Willmar for the following purposes:

General Fund	<u>\$2,806,995.00</u>
	\$2,806,995.00

BE IT RESOLVED, that there is a sufficient sum of money in the Debt Service Funds of the City, together with the above Debt Service Fund Tax Levy, to pay principal and interest in 2006 on all outstanding bond issues, and the deferred annual tax levies previously certified to the County Auditor are hereby canceled;

FURTHER, pursuant to a request by the Housing and Redevelopment Authority in and for the City of Willmar, for authorization to levy a special tax to be included as part of its fiscal year 2007 - 2008 Budget;

BE IT RESOLVED that the City Council of the City of Willmar, Minnesota, hereby authorizes the Housing and Redevelopment Authority to levy a special tax in the amount of \$129,776.00 pursuant to the powers vested under the Minnesota Statutes.

The City Clerk is hereby instructed to transmit a certified copy of this Resolution to the County Auditor of Kandiyohi County, Minnesota.

Dated this 5<sup>th</sup> day of September, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Committee further recommended the Council introduce a resolution targeting street reconstruction to those streets with a classification of 20 and below. Resolution No. 5 was introduced by Council Member Anderson, seconded by Council Member Dokken, and carried.

RESOLUTION NO. 5

BE IT RESOLVED by the Willmar City Council that the City target street reconstruction to those streets with a classification of 20 and below.

Dated this 5<sup>th</sup> day of September, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 Finance Director Okins informed the Committee that public hearings have been set for the County and the School. The City's Truth-In-Taxation Hearing is set for December 4, with December 18, 2006, set for a follow-up hearing if necessary.

The Finance Committee Report for August 28, 2006, 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 August 29, 2006, was presented to the Mayor and Council by Council Member Reese. There were seven items for Council consideration.

Item No. 1 The matter of the Airport name change was referred to a later Committee meeting due to the fact that the matter has not been discussed by the Airport Commission. This matter was for information only.

Item No. 2 The Committee considered a request from Bethel Church to close Becker Avenue SW between 4<sup>th</sup> and 5<sup>th</sup> Streets on Sunday, September 10, 2006 from 11:00 a.m.-2:00 p.m. for a Rally Day Picnic. The Committee was recommending the Council allow the street closure as requested. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Anderson seconding the motion, which carried.

Item No. 3 The Committee considered a request from the Fire Department for permission to apply for, accept, and expend a \$2,000 grant through the Hometown Heroes Grant. This program is offered by Wal-Mart and provides funding for local emergency responders and various safety programs. Upon receipt of the grant funds, the Fire Department will purchase fire prevention materials in both English and Spanish to be distributed throughout the community.

The Committee was recommending the Council approve the grant application request as presented. Resolution No. 6 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 6

BE IT RESOLVED, by the City Council of the City of Willmar to support staff's submittal of a grant application to Wal-Mart for the Hometown Heroes Grant requesting financial support for purchase of fire prevention materials and adjusting the budget accordingly.

Dated this 5<sup>th</sup> day of September, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 The Committee discussed the possible need for a jake-brake ordinance. Staff felt prior to the City Attorney preparing an ordinance for adoption, input was needed from the City Council to determine the exact type of ordinance. Staff presented information received from the League of Minnesota Cities relating to the implementation of a Vehicle Noise Ordinance rather than specifically jake braking. The Committee discussed the material at length before a motion was made and seconded to authorize the City Attorney to draft a Vehicle Noise Ordinance following the recommendation of the League of Minnesota Cities. Upon a roll call vote of two yes and two no, this item is being brought before the City Council with no recommendation.

Mayor Heitke recognized Gawin Kooistra who urged the Council to consider safety issues prior to passing an ordinance prohibiting the use of jake breaking. Following discussion, Council Member Anderson moved to refer the matter back to Committee to review a draft Vehicle Noise Ordinance. Council Member Dokken seconded the motion, which carried.

Item No. 5 Correspondence from Chad Monson Excavating, contractor for Project 0601, was reviewed by the Committee. The contractor is requesting an extension for the paving of 16<sup>th</sup> Avenue and 5<sup>th</sup> Street SW from 17 days to not more than 45 days. The request is due to the asphalt plant being out of the area until the end of September or first part of October.

This particular request for an extension falls under the section in the contract specifications that state once a street is opened up the contractor has 17 working days to have it paved. Based upon this specification and additional water main work, these particular streets are required to be paved by September 15, 2006. Staff noted these particular streets are the area where the water main breaks had occurred and the contractor was authorized by Change Order No. 1 to add them to the contract. The current substantial completion date for Project No. 0601 is November 1, 2006.

The Committee was recommending the Council allow extension of the street completion date to not more than 45 days. Resolution No. 7 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call date of Ayes 5, Noes 2 – Council Members Reese and Christianson voted “No.”

Item No. 6 Construction inspection services for the Airport Apron Expansion Project were brought back to Committee. At a prior meeting it was discussed that City staff would perform the inspection of the project. Since that time it has been determined that the Federal Aviation Administration has criteria that must be followed in order to receive their funding. A portion of the criteria includes a statement of capability and experience in inspection and soil testing. Because of the criteria and the current workload of City staff, a scope of services was obtained from HNTB to perform the administration and observation services. The proposal would become part of the original agreement and known as Phase 6f on an hourly basis with a not-to-exceed amount of \$17,000 and funded by Entitlement Dollars.

The Committee was recommending the Council approve the proposal for inspection services as presented, authorize the Mayor and City Administrator to sign on behalf of the City, and amend the budget as presented. Resolution No. 8 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 8

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 of the City of Willmar are hereby authorized to enter into a contract amendment to supplement the agreement between the City of Willmar and HNTB Corporation. The supplement includes the addition of Phase 6-f for construction administration and observation services for the Airport Apron Expansion for the work that will be accomplished by Duinick Bros., Inc. at the new municipal airport.

BE IT FURTHER RESOLVED, the contract amount for Phase 6f is on an hourly basis and not to exceed \$17,000.00.

Dated this 5<sup>th</sup> day of September, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 9 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 9

OTHER SERVICES:		RECEIVABLES:	
Other Services	<u>\$99,219.00</u>	Federal (Design NE)	\$ 29,000.00
Total:	\$99,219.00	City (PIR/LOST/GRANT)	21,531.00
OTHER CHARGES:		Federal (Construction NE)	67,469.00
Prof. Services	<u>\$29,000.00</u>	City (Federal NE)	4,961.00
Total:	\$29,000.00	Other (FBO)	<u>5,258.00</u>
		Total:	\$128,219.00
GRAND TOTAL:		FINANCING:	
	\$128,219.00	Federal	\$ 96,469.00
		City	26,492.00
		Other (FBO)	<u>5,258.00</u>
		Total:	\$128,219.00

Dated this 5<sup>th</sup> day of September, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 7 The Committee discussed Water View Business Park projects. Craig Holmes, Donohue and Associates, briefed the Committee on the WWTP Interceptor Project No. 0609. This project is the first segment of the proposed interceptor that will be carrying wastewater from the existing facility to the new WWTP Facility. It was noted that bids were opened and reviewed on September 5, 2006, and the apparent low bidder was S. J. Louis Construction, Inc. Mr. Holmes stated he has contacted the low bidder to discuss the project noting that the City intends to apply for a revolving fund loan from the State of Minnesota and the bidder must make efforts to include women and minority business enterprises in the project. Mr. Holmes recommended a conditional award to S. J. Louis Construction, Inc. pursuant to the contractor's response to the revolving fund loan efforts.

Resolution No. 10 was introduced by Council Member Reese, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 10

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of S. J. Louis Construction, Inc. of Waite Park, Minnesota for Project No. 0609 is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$574,584.00.

Dated this 5<sup>th</sup> day of September, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

The Committee was informed that due to staff workload and consistency with the rest of the project construction, Donohue and Associates was asked to provide a proposal for construction inspection and staking services for the interceptor project. Mr. Holmes explained the proposal and using Estimated Allowance Dollars that are included in their original agreement. Following discussion, the Committee was recommending the Council authorize Donohue and Associates to revise their scope of services for the WWTP Relocation Project contract to include construction inspection and staking services for Project No. 0609. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Christianson seconding the motion, which carried.

The Committee discussed Project No. 0603, which was designed by Bolton and Menk and involves the construction of the utility improvements for the new Water View Business Park development. It was noted that bids were opened and reviewed on September 5, 2006, and S. J. Louis Construction, Inc was the apparent low bidder.

Jason VerSteege, DBI, appeared before the Council and requested the decision to award the bid be delayed for two weeks to allow the developer (DBI) to consider their options. Mr. VerSteege noted that the delay would have no adverse affect on construction since the interceptor project (Project 0609) would precede this project.

Following discussion, Resolution No. 11 was introduced by Council Member Gardner, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 1 – Council Member Anderson voted “No.”

RESOLUTION NO. 11

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of S. J. Louis Construction, Inc. of Waite Park, Minnesota for Project No. 0603 is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$1,323,113.40.

Dated this 5<sup>th</sup> day of September, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Committee was informed that Bolton and Menk was asked to provide a proposal to perform the construction inspection for this project. It was noted the services would be funded through the 15 percent engineering already in the project budget. This matter was referred back to the Public Works/Safety Committee for further discussion and was for information only.

Item No. 8 The Committee reviewed several items which were for information only.

The Committee discussed taking traffic counts prior to the opening of the interchange onto Willmar Avenue to see the actual impact the new roadway has. It was noted that the County currently has East Willmar Avenue closed for ramp work.



The Committee discussed recent phone calls received from the public regarding the increase in noise from train whistles. It was noted that now approximately 38-41 trains arrive in Willmar each day. This issue has been discussed by the Community Development Committee and the possibility of including funding in the 2007 budget has been recommended.

Ardel Stiles of 1408 SE 9<sup>th</sup> Street attended the meeting to make the Committee aware of storm water issues in her residential area. After discussing the situation, it was the consensus of the Committee to ask the Mayor to consider placing funding in the 2007 budget for professional services to study specific storm water problem areas.

Airport Manager Galvan briefed the Committee on the status of the relocation of the airport hangars and availability of space for airplanes after the current airport is closed.

The Committee acknowledged the arrival of the statue dedicated to the Civilian Conservation Corp (CCC) workers which was donated to the City and placed on City property near the Flags of Honor.

The Public Works/Safety Committee Report for August 29, 2006, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese, seconded by Council Member Christianson, and carried.

The Labor Relations Committee Report for August 30, 2006, was presented to the Mayor and Council by Council Member Fagerlie. There were three items for Council consideration.

Item No. 1 Bob Bonawitz, President of the MUC, and General Manager Nitchals met with the Committee to discuss a proposal to compensate Commissioners. Correspondence from City Attorney Ronning explaining that the City Charter does not allow compensation for city boards and commissions was reviewed by the Committee. Mr. Bonawitz indicated to the Committee that the MUC would withdraw their resolution and requested that the Charter Commission be reactivated to study the issue of compensation for City boards and commissions.

Committee Members discussed other areas of concern they would like the Charter Commission to review, i.e. the length of Board and Commission terms and the number of Board and Commission members as well as the compensation issue.

The Committee was recommending the Council begin the process to re-activate the City Charter Commission be done to review, at a minimum, the three items listed above. Following discussion with the City Attorney regarding the use of ordinances unanimously adopted by the Council instead of re-activating the Charter Commission, Council Member Gardner moved to table the matter. The motion died for the lack of a second. Council Member Fagerlie moved to deny the Committee's recommendation with Council Member Dokken seconding the motion, which carried.

Item No. 2 MUC members requested comments from the Committee in regards to compensation of the future General Manager of the Willmar Utilities. The present salary is approximately \$100,000, and the Commission wanted some flexibility to move above the level if necessary. It was recognized by the Committee that this may have to be done to hire the best qualified applicant. This matter was for information only.

Item No. 3 The Committee meeting was closed for the purpose of discussing 2007 employment contract guidelines with Mr. Madden for the City proper, Rice Hospital and MUC. The meeting was then reopened.

The Labor Relations Committee Report for August 30, 2006, 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 Dokken, and carried.

The Mayor and Council conducted a hearing to consider special assessments for unpaid weed/grass mowing. City Clerk Halliday presented to the Mayor and Council a list of individuals who have unpaid weed and/or grass charges and was recommending these charges be certified against the real property. Following discussion, Resolution No. 12 was introduced by Council Member Reese, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

### RESOLUTION NO. 12

WHEREAS, Section 9-41 of the Willmar City Code states that such unpaid weed or grass mowing bills represent a lien of the real property receiving mowing services; and

WHEREAS, THE City Council of the City of Willmar has offered the owner his right to request an appearance before the Council to make objections to payment;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the amount of the unpaid weed / grass mowing charges totaling \$1,355.00 be certified to the County Auditor to be extended on the tax rolls of such real property in the same manner as other taxes for collecting in 2007 and collected by the County Treasurer, and paid to the City Clerk-Treasurer along with other taxes; and

BE IT FURTHER RESOLVED that the unpaid weed or grass charges be certified against the real property as follows:

1. Parcel No. 95-820-1140 \$120.00  
Located at 1009 Olaf Avenue NW; and  
Described as THORPE & LIEN'S ADDITION PART OF LOT 1:COM. 112 1/2'E.OF NW COR. OF LOT 1, TH.S.151'9" IN, TH. E 90', N.151'9", TH. W.90' TO BEG.
2. Parcel No. 95-280-0090 \$435.00  
Located at 825 5<sup>th</sup> Street SW; and  
Described as HANSON'S ADDITION TO WILLMAR LOT 8 EXC E 55 FT S 1/2 OF LOT 9 EXC E 55 FT
3. Parcel No. 95-630-0780 \$ 70.00  
Located at 409 Litchfield Avenue SE; and  
Described as PAULSON & SUNDE'S SUBD OF LOT D EASTERN AD E.4' OF LOT 17; LOT 18
4. Parcel No. 95-003-0150 \$120.00  
Located at 313 8<sup>TH</sup> Street NW; and  
Described as WILLMAR, TOWN OF (ORIGINAL)
5. Parcel No. 95-310-0030 \$ 95.00  
Located at 324 Litchfield Avenue SE; and

Described as HIGHLAND ADDITION TO WILLMAR LOT 4, W'LY 37.8 FT OF LOT 3

6. Parcel No. 95-872-0170 \$405.00  
Located at 2701 4<sup>th</sup> Avenue SW; and  
Described as WILLMAR INDUSTRIAL PARK 2ND ADDITION
7. Parcel No. 95-003-0280 \$110.00  
Located at 311 9<sup>th</sup> Street NW; and  
Described as WILLMAR, TOWN OF (ORIGINAL) LOTS 3 & 4

Dated this 5<sup>th</sup> day of September, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

City Clerk Halliday informed the Mayor and Council the City has received permit applications from two individuals to keep fowl in a fenced area on their property. Following discussion, Council Member Reese offered a motion to deny the permit applications as presented. Council Member Christianson seconded the motion, which carried.

The Mayor and Council considered a Resolution listing property owners who have made application for agricultural land exemptions and have met the criteria contained in the City's Assessment Policy. Resolution No. 13 was introduced by Council Member Christianson, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

### RESOLUTION NO. 13

WHEREAS, the City Council of the City of Willmar, Minnesota, did order the installation of certain street and other improvements made under Projects No. 0501, 9301 and 9101, and certain sewer and water main improvements made under Projects No. 9701, 9303, 9202, 9002, 7402, and 6905.

WHEREAS, Section W of the City of Willmar Comprehensive Assessment Policy allows the City to temporarily exempt from assessments certain lands currently used for agriculture purposes; and

WHEREAS, certain property owners have made application to the City for delayed payment of taxes on special assessments and have met the criteria contained in the Comprehensive Assessment Policy for said deferment;

NOW, THEREFORE, BE IT RESOLVED by the Willmar City Council that special assessments as hereinafter designated be certified to the County and deferred until such property is developed or upon approval of the final plat, and that no interest be charged until such time.

BE IT FURTHER RESOLVED that upon development or plat approval that tapping fee shall be based on the project year bid price per front foot or unit, or on the current year costs at the time of connection/platting, whichever is greater:

- |  |  |   |  |
|--|--|---|--|
| 1.   | Virgil Hawkinson ETAL<br>c/o Gayle Hawkinson-Pagle<br>11772 Indian Beach Rd.<br>Spicer | 95-924-0020<br>Project 9202<br>Project 9101<br>Project 9002<br>Project 0501 | \$13,005.00<br>51,455.70<br>35,340.00<br>61,137.01 |
| Section 24, Township 119, Range 35<br>That part of the Northwest Quarter of Northwest Quarter lying Northwesterly of Highway right-of way, except the South 125 feet of North 175 feet of West 133 feet, except part platted into Kandiyohi County State Aid Highway No. 23 right-of-way Plat No.1. (29.22 acres)  |  |   |  |
| 2.   | Virgil Hawkinson ETAL<br>c/o Gayle Hawkinson-Pagel<br>1772 Indian Beach Rd.<br>Spicer  | 95-913-0040<br>Project 9202<br>Project 9002<br>Project 0501                 | \$12,095.00<br>8,255.00<br>31,715.79               |
| Section 13, Township 119, Range 35<br>Southwest Quarter of Southwest Quarter, except the South 685 feet of West 468.8 feet of Southwest Quarter of Southwest Quarter, and except part for plat of Pheasant Run. (32 acres)   |  |   |  |
| 3.   | Gesch Properties LLC c/o LeAnn Isaacson<br>10785 46 <sup>th</sup> Place N<br>Plymouth  | 95-914-2610<br>Project 9002<br>Project 9303<br>Project 0501                 | \$39,731.66<br>22,360.66<br>77,504.80              |
| Section 14, Township 119, Range 35<br>South 610 feet of Northeast Quarter except West 393.61 feet; Southeast Quarter except South 914.88 feet of West 1085 feet and except part platted as Bergquists Estates, Perkins 5 <sup>th</sup> Addition and Gesch Park except that part of the South Half of Northeast Quarter described as follows: Commencing 715 feet South and 393.61 feet East of Northwest Corner of Southwest Quarter Northeast Quarter, Thence East to Southwest Corner of Lot 7, Block 7 Erickson's Third Addition, Thence South 70 feet, Thence West to East Line of Welch's Addition, Thence North 70 feet to part of beginning and except part platted into Gesch YMCA Addition. (99.10 Acres) |  |   |  |
| 4.   | Mildred Thorpe<br>1301 SW 8th Street<br>Willmar  | 95-908-0130<br>Project 6905<br>Project 7402                                 | \$ 2,460.00<br>3,517.00                            |
| Section 8, Township 119, Range 35<br>West 309.7 feet of East 929.2 feet of North 400 feet of South 470 feet and West 854.2 feet of East 929.2 feet of North 300 feet of South 770 feet of Southeast Quarter of Northeast Quarter. (5.88 acres)   |  |   |  |
| 5.   | Jean Langsjoen-Hogan Trust<br>and Carter Family Trust<br>1455 Hansen Dr SW<br>Willmar  | 95-903-0010<br>Project 0501   | \$93,012.00  |
| Section 3, Township 119, Range 35<br>Southeast Quarter of Southwest Quarter and Southwest Quarter of Southwest Quarter except the Southerly 350' of the Westerly 233' of Southwest Quarter of Southwest Quarter and except parts platted as Northwood Estates and Northwood Estates Second Addition. (64.13 acres)   |  |   |  |

