

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

February 5, 2007  
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 DeBlieck, Denis Anderson, Cindy Swenson, Rick Fagerlie, Jim Dokken, and Steven Gardner; Present 9, Absent 0.

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 Steven Okins, Planning and Development Services Director Bruce Peterson, and City Clerk Kevin Halliday.

Council Member Christianson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of January 22, Municipal Utilities Commission Minutes of January 22, Planning Commission Minutes of January 24, and Building Inspection Report for January, 2007; and Mayoral appointments – Municipal Utilities Commission, Dave Baker; Pioneerland Library Board, Ken Ohl; Planning Commission, Renae Rahn and Wayne Stoneberg; Zoning Appeals Board, Eileen Huberty. Council Member DeBlieck seconded the motion, which carried.

At 7:05 p.m. Mayor Heitke opened a hearing on an Ordinance Establishing Fees Charged by the City of Willmar. City Attorney Ronning presented details of the proposed Ordinance. Chad Kompelien, representing West Central Builders Association, appeared before the Mayor and Council to voice objections to the proposed increase in building permit fees. After hearing from all those who wished to be heard, Mayor Heitke closed the hearing at 7:32 p.m.

Council Member Gardner offered a motion to adopt, assign a number, and order final publication of the Ordinance Establishing Fees Charged by the City of Willmar. Council Member DeBlieck seconded the motion, which carried.

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

The Finance Committee Report for January 29, 2007, was presented to the Mayor and Council by Council Member Anderson. There were seven items for Council consideration.

Item No. 1 Pursuant to a December, 2006, liquor compliance check conducted by the Willmar Police Department, staff presented to the Committee the list of retail liquor establishments that violated Municipal Code Sec. 3-2 Selling or Giving Intoxicating Liquor to Persons to Whom Sale is Prohibited. City Clerk Halliday reviewed the history of violations per establishment which included: 1) the American Legion having its first violation and Manager Darwin Asmus was present to discuss measures being taken to avoid future violations; 2) Pizza Hut having its third violation whereby they received a 10-day suspension and paid a \$1,500 fine; 3) Gerry's Liquor having its third violation whereby they received a 10-day suspension and paid a \$1,500 fine, and 4) Vannandy's Night Club receiving its fourth violation and as such the revocation was in order by Municipal Code Section 3-10

Subdivision b 4. Vannandy's Night Club owners Ricardo Lopez and Marcela Diaz appealed the revocation order and were present to present supporting information to allow Vannandy's to continue operation.

Upon hearing the testimony of Mr. Lopez, two Vannandy's staff members and Police Officer Bridget Coit, the Committee was recommending the Council deny the appeal by Vannandy's Night Club and call for the revocation of the on-sale liquor license.

City Attorney Ronning presented to the Mayor and Council his Findings of Fact regarding the appeal of Vanandy's Bar and Night club contesting the revocation of an On-Sale Liquor License. Following discussion, Council Member Anderson moved to approve the recommendation of the Finance Committee to revoke Vannandy's Night Club's On-Sale Liquor License and adopt the Findings of Fact. Council Member Gardner seconded the motion, which carried.

Item No. 2 Staff informed the Committee that \$18,000 was budgeted in 2006 under Elections Other Charges for the City's share of maintenance costs of Kandiyohi County's election equipment but was not expended by December 31, 2006. It is anticipated that the County will be submitting these charges to the City for payment in 2007. In order to cover these charges, authorization was being requested to move the \$18,000 originally budgeted in 2006 to the 2007 budget for Elections Other Charges.

The Committee was recommending the Council adopt a resolution to appropriate \$18,000 for Elections Other Charges. Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 1

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the Election Department General Fund Budget as follows:

Increase:	Other Services	\$18,000.00
Decrease:	Fund Balances	\$18,000.00

Dated this 5<sup>th</sup> day of February, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 3 Staff reported to the Committee that special assessments are outstanding on a tax-forfeited parcel that has been purchased recently. When tax-forfeited parcels were sold in the past, outstanding special assessments were never fully recovered. It is being recommended that the amount certified but uncollected at the time of tax forfeiture be reestablished when the parcel is sold.

The Committee was recommending the Council consider a motion to set a public hearing for February 20, 2007 to reassess the special assessments on the tax-forfeited parcel recently purchased and to follow this process for future tax-forfeited property sold with outstanding special

assessments. Council Member Anderson moved to approve the recommendation of the Finance Committee, with Council Member Gardner seconding the motion, which carried.

Item No. 4 Laurie Ortega, Willmar Public Library, appeared before the Committee requesting \$44,407 from the City of Willmar to fund the shortfall anticipated for 2007. She stated that if this amount would not be funded, beginning February 12, 2007, the Library would have to close on Fridays.

Mary Huesing representing Willmar Friends of the Library spoke in support of the request for increased funding. John Houlahan, Pioneerland Library System Director, explained to the Committee that any action taken by the State legislature in 2007 will not alleviate the Library's funding problems. Willmar would only receive a small percentage of the allocation established by the legislature.

Mayor Les Heitke expressed concerns about the substantial increase in the Library's request over the previous year. Of the \$44,407 shortfall, \$17,000 is an entirely new expense levied by Pioneerland Library Systems to the Willmar Library.

The Committee was recommending the Council direct staff to find a funding source for \$17,000 to ensure that the Library stays open with its regular hours through June, 2007, by which time the State legislature will have completed its session. Council Member Anderson moved to approve the recommendation of the Finance Committee, with Council Member Gardner seconding the motion, which carried.

Item No. 5 Staff informed the Committee that Kandiyohi County is requesting the City consider waiving the building permit fees associated with the construction of the maintenance facility on Technology Drive and to reduce by 50 percent any required plan review fees. It was being recommended that these fees not be waived or reduced and that a policy should be set not to waive fees in the future per Minnesota Statute 16B.71.

The Committee was recommending the Council deny Kandiyohi County's request to waive the building permit fees and to reduce the plan review fees, and to establish a policy to not waive fees in the future per M.S. 16B.71. Council Member Anderson moved to approve the recommendation of the Finance Committee, with Council Member Gardner seconding the motion, which carried.

Item No. 6 The Committee acknowledged receipt of the following reports: November Rice Hospital, December Rice Trust, 4<sup>th</sup> Quarter Rice Trust, Annual Rice Trust, 12/31/2006 Investments, 4<sup>th</sup> Quarter Investments, 2006 Interest Earnings, 12/31/2006 CVB, and 12/31/2006 WRAC-8. This matter was for information only.

Item No. 7 Staff recommended to the Committee that a public hearing be called for February 20, 2007, for the 2007A bond issue per the bond schedule previously approved by the Council. This would be the first of two bond issues anticipated for 2007. The Committee was recommending the Council adopt a resolution to set an ordinance hearing for February 20, 2007, for the 2007A bond issue.

Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

RESOLUTION CALL FOR PUBLIC HEARING ON AN ORDINANCE AUTHORIZING  
THE ISSUANCE OF \$3,285,000 GENERAL OLIGATION IMPROVEMENT BONDS,  
SERIES 2007A AND LEVYING TAXES FOR THE PAYMENT THEREOF

(For Resolution in its entirety, see City Council Proceedings file dated  
February 5, 2007, located in the City Clerk's Office)

The Finance Committee Report for January 29, 2007, 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 January 30, 2007, was presented to the Mayor and Council by Council Member Reese. There were five items for Council consideration.

Item No. 1 Rob Baumgarn of Willmar Community Education and Recreation presented a request for use of an air cannon during Ridgewater Football Games at Kennedy School. Staff and the Committee discussed the use of the cannon and possible violations of the City's ordinance and/or the issuance of a permit. The matter was referred to the City Attorney to be brought back to Committee after further research. This matter was for information only.

Item No. 2 The Committee considered an Improvement Report for the proposed 2007 projects. The report included four segments of residential streets to be reconstructed and three areas for mill and overlay. Major new construction included 5<sup>th</sup> Street SE from 600 feet south of Willmar Avenue to 19<sup>th</sup> Avenue (referred to as the Mall Road), the construction of Willmar Avenue SW from TH 40 to County Road 47 (new alignment across the former airport). The new construction would also include street lighting. No formal response has been received from developers for other areas of new development. Miscellaneous work includes demolition and runway reclamation at the old airport, two areas of walk paths, crack sealing, seal coating, and airport taxi-lane widening. The total estimated cost of the projects included in the Improvement Report is \$4,136,500.

The Committee was recommending the Council approve the Improvement Report and order an Improvement Hearing for 7:02 p.m., February 20, 2007. Resolution No. 3 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

RECEIVING PRELIMINARY REPORT AND CALLING PUBLIC HEARING ON  
YEAR 2007 IMPROVEMENT PROJECTS

WHEREAS:

1. The City Council deems it necessary and expedient that the City of Willmar, Minnesota, construct certain improvements to-wit: grading, gravel base, bituminous paving, curb and gutter, sidewalk, signal systems, street lighting, sanitary sewer, storm sewer, water main, sump pump drain tile, and service lines in the City as described in and in accordance with the preliminary plans and report prepared by the City Engineer.

2. The Council has been advised by the City Engineer that said Year 2007 Improvement Projects contained in the Preliminary Report are feasible and should best be made as proposed, and the City Engineer's report to this effect has heretofore been received by the Council, and filed with the Clerk-Treasurer; and

3. The statute provides that no such improvements shall be made until the Council shall have held a public hearing on such improvements following mailed notice and two publications thereof in the official newspaper stating time and place of the hearing, the general nature of the improvement, the estimated costs thereof and the area proposed to be assessed, in accordance with the law;

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

1. A public hearing will be held at the time and place set forth in the Notice of Hearing hereto attached to consider said proposed improvements.

2. The nature of the improvements, the estimated cost of each major portion thereof, and the areas proposed to be assessed therefore are described in the form of Notice of Hearing hereto attached (on file in the City Clerk's Office).

3. The notice of said public hearing shall be in substantially the form contained in the notice hereto attached.

4. The Clerk-Treasurer is hereby authorized and directed to cause notice of said hearing to be given two publications in the official newspaper. Said publications shall be one week apart, and at least three days shall elapse between the last publication and the hearing. Not less than ten days before the hearing the Clerk-Treasurer shall mail notice of the hearing to the owner of each parcel of land within the area proposed to be assessed as described in the notice. For the purpose of giving such mailed notice, owners shall be those shown to be such on the records of the County Auditor or, if the tax statements in the County are mailed by the County Treasurer, on the records of the County Treasurer. As to properties not listed on the records of the County Auditor or the County Treasurer, the Clerk-Treasurer shall ascertain such ownership by any practicable means and give mailed notice to such owners.

Dated this 5<sup>th</sup> day of February, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Committee also reviewed the Preliminary Budget for the projects included in the report and was recommending the Council approve the Budget as presented. Resolution No. 4 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

PRELIMINARY 2007 IMPROVEMENT BUDGET  
ESTIMATED TOTAL COST \$4,136,500

PERSONNEL SERVICES		RECEIVABLES	
Overtime Reg. Employees	\$1,000.00	Property Owners	\$605,500.00
Salaries Temp. Employees	4,000.00	City (MUC)	117,500.00

Employer Pension Contr.	<u>1,500.00</u>	State (State Aid)	215,000.00
TOTAL	<u>\$6,500.00</u>	City (CIF)	231,000.00
		City (LOST)	2,037,300.00
SUPPLIES		City (WWTP)	313,700.00
Office Supplies	\$1,500.00	Developer (Mall Road)	391,500.00
Small Tools	2,000.00	City (Utility fee)	<u>225,000.00</u>
Motor Fuels & Lubricants	1,000.00	TOTAL	<u>\$4,136,500.00</u>
Postage	2,000.00		
Mtce. of Other Improvements	2,000.00	FINANCING	
General Supplies	<u>2,500.00</u>	Bonds (2007-B)	\$1,455,000.00
TOTAL	<u>\$11,000.00</u>	State	215,000.00
		City (WWTP)	311,700.00
OTHER SERVICES		City (LOST)	2,037,300.00
Printing & Publishing	\$4,000.00	City (MUC)	<u>117,500.00</u>
Mtce. of Other Impr.	3,088,000.00	TOTAL	<u>\$4,136,500.00</u>
Other Services (Proj. 11, 12, conting.)	<u>700,000.00</u>		
TOTAL:	<u>\$3,792,000.00</u>		
		02 (C.R. 5)	240,000
OTHER CHARGES		07 (Lighting)	95,000
Insurance & Bonds	\$2,000.00	08 (Seal Coat)	30,000
Prof. Serv.	100,000.00	09 (Mall Road)	685,000
Adm. OH (Transfer)	175,000.00	10 (Willmar Ave.)	935,800
Other Charges	<u>50,000.00</u>	11 (Walk Path)	70,000
TOTAL	<u>\$327,000.00</u>	12 (Airport Demo)	450,000
			Line 36
			Line 36
			Line 36
			Line 36
			Line 39
			Line 39
GRAND TOTAL	<u>\$4,136,500.00</u>		

Dated this 5<sup>th</sup> day of February, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 3 The Committee reviewed bid results for Project No. 0703 – Water View Business Street Improvements. Three bids were received with the low bidder being Duinick Bros. Inc. of Prinsburg, MN at \$1,144,205.40. The engineer's estimate for the project is \$1,380,000. It is the consulting engineer's and staffs' recommendation to award the contract to the low bidder.

The Committee was recommending the Council award the contract for Project No. 0703 to Duinick Bros. Inc. and authorize the Mayor and City Administrator to enter into a contract on behalf of the City. Resolution No. 5 was introduced by Council Member Reese, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Duinick Bros., Inc. of Prinsburg, Minnesota for Project No. 0703 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 \$1,144,205.40.

Dated this 5<sup>th</sup> day of February, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Committee also reviewed bid results for Project No. 0704 –19<sup>th</sup> Avenue SE Street Improvements. Seven bids were received with the low bidder being Duinick Bros. Inc. of Prinsburg, MN at \$828,096.30. The engineer's estimate for the project is \$865,000.00. It was noted there are assessments included in this project, and the hearing will be held in conjunction with the 2007 Improvements yet to be bid.

The Committee was recommending the Council award the contract for Project No. 0704 to Duinick Bros. Inc. and authorize the Mayor and City Administrator to enter into a contract on behalf of the City. Resolution No. 6 was introduced by Council Member Reese, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 6

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Duinick Bros., Inc. of Prinsburg, Minnesota for Project No. 0704 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 \$828,096.30.

Dated this 5<sup>th</sup> day of February, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 The Committee was informed by Staff that plans and specifications have been prepared by SEH, the consulting engineer, for the signal system at the intersection of 19th Avenue SE and 5<sup>th</sup> Street SE. Staff recommended approval of the plans and specifications as received, and a March 21, bid opening date with an April 2, 2007, award date was recommended. The estimated cost of the signal is \$236,000 and is state aid eligible.

The Committee was recommending the Council approve the plans and specifications for Project 0705 and authorize advertisement for bids. Resolution No. 7 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 7

WHEREAS the Consulting Engineer for the City of Willmar has presented to the City Council plans and specifications for Project No. 0705 (Signal System Installation) for the City of Willmar;

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

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:00 p.m. on the 21st day of March, 2007, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 5<sup>th</sup> day of February, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 Staff informed the Committee that in response to requirements of the Federal Clean Water Act, the Environmental Protection Agency (EPA) has established "Phase II" regulations that will require public owners or operators of small "municipal separate storm sewer systems" (MS4s) such as Willmar to obtain permits in order to legally discharge storm water to our lakes and streams. This permit program has been delegated to Minnesota Pollution Control Agency (MPCA) to develop and enforce permit provisions. MPCA's goal for the Phase II MS4 permit program is "to restore and maintain the chemical, physical, and biological integrity of waters of the state through management and treatment of urban storm water runoff."

MPCA has mandated that the City of Willmar must obtain an MS4 permit by February 15, 2007. This permit is to include a "Storm Water Pollution Prevention Program" (SWPPP) that describes how Willmar intends to manage storm water within its corporate boundaries.

Staff requested approval of the Storm Water Pollution Prevention Program and its application to meet the February 15, 2007, deadline. The Committee was recommending the Council approve the City of Willmar's Storm Water Pollution Prevention Program as presented and authorize its submittal along with the application to the Minnesota Pollution Control Agency. 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 8, Noes 0.

#### RESOLUTION NO. 8

RESOLUTION DOCUMENTING THE CITY OF WILLMAR'S INTENT TO IMPLEMENT THEIR STORM WATER MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT AND FILE FOR APPLICATION TO THE MINNESOTA POLLUTION CONTROL AGENCY (MPCA).

WHEREAS, MS4s outside of urbanized areas that have been designated by the Minnesota Pollution Control Agency (MPCA) for permit coverage under Minn. R. ch 7090 are required to obtain a NPDES/SDS stormwater permit. MS4s designated by rule are cities and townships with a population of at least 10,000; and cities and townships with a population of at least 5,000 and discharging or the potential to discharge to valuable or polluted waters. These designated MS4s are required to obtain permit coverage by February 15, 2007; and

WHEREAS, the City of Willmar has been designated by the MPCA to obtain an MS4 permit;  
and

WHEREAS the City of Willmar has prepared an MS4 - Storm Water Pollution Prevention

Program (SWPPP).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Willmar to approve the prepared MS4 - SWPPP, submit the MS4 Permit Application to MPCA, and begin implementation of the MS4 - SWPPP upon written acceptance from MPCA.

Dated this 5<sup>th</sup> day of February, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Public Works/Safety Committee Report for January 30, 2007, 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 Fagerlie, and carried.

The Community Development Committee Report for February 1, 2007, was presented to the Mayor and Council by Council Member DeBlieck. There were four items for Council consideration.

Item No. 1 The Committee reviewed a status report prepared by staff on the auto recycling facility that was denied operations at the intersection of Trott Avenue and Hwy. 40. The Committee had requested an update as there was some confusion over the action taken by the City and the response by the business and property owners. Staff reported that the vehicles had been removed from the site and that, from a land use perspective, it was deemed to be a closed case. This matter was for information only.

Item No. 2 The Committee reviewed recently introduced bills for a statewide smoking ban. The bills are House File 305 and Senate File 238. Staff also presented information from other communities regarding their efforts to enact full or partial smoking bans. Because of the activity at the State Legislature regarding the issue, it was a consensus of the Committee to wait and see what the legislature does with a statewide smoking ban before proceeding at the local level. This matter was for information only.

Item No. 3 Staff presented to the Committee an update on several problem properties which have been dealt with in the past. The status of those properties has not changed significantly in that the property owners have still not repaired them to a condition that warrants reoccupying the structures.

The Committee discussed the concept of having a housing task force to review existing policy and ordinances. This was an idea that came out of the recent staff and council retreat. It was decided to hold off on this action until the report is received from the retreat facilitator. It was suggested that staff work to better educate realtors on the responsibilities of home ownership so they have this information to pass on to their clients. Staff agreed that a session could be held with the realtors, or an informational brochure could be prepared for distribution at closing that would deal with issues such as property maintenance, off-street parking, garbage, exterior storage and snow removal. Staff offered to do the same for landlords and property managers when their rental properties are relicensed under the City's inspection program. This matter was for information only.

Item No. 4 Staff provided updates on the following projects: Industrial Park expansion, Minn West Technology Campus development, 5<sup>th</sup> Street SE connection, and the 16-bed mental health facility. This matter was for information only.

The Community Development Committee Report for February 1, 2007, was 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.

Planning and Development Services Director Peterson informed the Mayor and Council that the City has received a request from Chad Monson that assessments against his property abutting Highway 12 SE and 25<sup>th</sup> Street SE be reapportioned due to the sale of a northern portion of the property. As the entire parcel has benefited from the 25<sup>th</sup> Street SE improvements, the assessments must be reapportioned equitably. Resolution No. 9 was introduced by Council Christianson, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 9

WHEREAS, a request for reapportionment of special assessments has been filed with the City of Willmar, said request being signed by all the parties having an interest in the following-described property: See Attachment A (on file in the City Clerk's Office)

Parcel No. 95-913-1260; to wit: Chad Monson

WHEREAS, the above have waived notice of hearing on said reapportionment; and

WHEREAS, The City Council of the City of Willmar is in agreement that the special assessments totaling \$114,565.60 placed against the above-described parcel be hereby reapportioned as herein described:

<u>Parcel No.</u>	<u>Legal Description</u>	<u>Amount</u>
95- -	See Attachment B (on file in Clerk's Office)	\$36,660.99
95-913-1260	See Attachment C (on file in Clerks' Office)	\$77,904.61

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willmar, pursuant to the request of the above that the special assessments on the above-described property be and they hereby are reapportioned as provided in the request of the above named, and BE IT FURTHER RESOLVED that the reapportionment be recorded in the records of the City of Willmar and the Kandiyohi County Auditor effective for taxes and assessments due and payable on tax statements issued in the year 2008 and thereafter

Dated this 5<sup>th</sup> day of February, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Council Member Gardner presented to the Mayor and Council for consideration a Resolution

requesting the Minnesota Legislature to pass a comprehensive transportation funding package that permanently increases dedicated funding for transportation. Following discussion, Resolution No. 10 was introduced by Council Member Gardner, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 4, Noes 4 – Council Members Christianson, Swenson, Dokken and Fagerlie voted “No”, with Mayor Heitke casting the deciding affirmative vote.

RESOLUTION NO. 10

REQUESTING COMPREHENSIVE ROAD AND TRANSIT FUNDING IN 2007

(For Resolution in its entirety, see City Council Proceedings file dated February 5, 2007, located in the City Clerk’s Office)

City Administrator Schmit presented the 2007 City of Willmar Planning Retreat Report to the Mayor and Council for consideration. Following discussion, Council Member Reese moved to adopt the Report including established goals and objectives. Council Member DeBlieck seconding the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance, February 12; Public Works/Safety, February 13; Labor Relations, February 14; and Community Development, February 15, 2007.

There being no further business to come before the Council, the meeting adjourned at 9:05 p.m. upon motion by Council Member Anderson, seconded by Council Member Gardner, and carried.

Attest:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
SECRETARY TO THE COUNCIL