

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

July 7, 2008
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, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, Community Education and Recreation Director Steve Brisendine, City Clerk Kevin Halliday, Assistant Engineer Holly Wilson, and Senior Technician Lynden Wittman.

Additions to the Agenda included the sale of 2008 Improvement Bonds and discussion of the Charter Commission. Item No. 14 was covered in the Finance Committee Report and removed from the Agenda.

Council Member Gardner offered a motion adopting the Consent Agenda which included the following: City Council Minutes of June 16, Rice Hospital Board Minutes of June 20, Municipal Utilities Commission Minutes of June 30, Planning Commission Minutes of June 25, Building Inspection Report for June, Police Commission Minutes of February 26, Zoning Appeals Board Minutes of June 16, and Community Education and Recreation Board Minutes of June 28, 2008; Exempt Permit Application, Willmar Hockey Association; and Mayoral appointment of Larry Brown, Zoning Appeals Board, and reappointment of Duane Bock, Community Education and Recreation Board. Council Member Reese seconded the motion, which carried.

At 7:02 p.m. Mayor Heitke opened a hearing on an Ordinance Authorizing the Housing and Redevelopment Authority in and for the City of Willmar, Minnesota to Exercise, on Behalf of the City of Willmar, the Powers Conferred by Minnesota Statutes, Section 264C.01 to 462.10. City Administrator Schmit presented details of the proposed Ordinance, and Tom Doran, representing GEAC/Copperleaf, was present to explain the project and answer questions. Mr. Doran provided information regarding GEAC's involvement with various projects throughout the State. Mr. Schmit provided additional information from Piper Jaffray regarding GEAC's financial performance on previous projects, noting that Piper Jaffray reported no financial difficulties. Doug DuWayne, representing Bethesda Nursing Care Center, was present to discuss details of a proposed Bethesda project and requested that the City Council include a 90-day window so that Bethesda might access conduit financing in the event the Copperleaf Project failed to follow through. Mayor Heitke closed the hearing at 7:31 p.m.

Council Member Gardner moved to table the Ordinance with Council Member Christianson seconding the motion, which failed on a roll call vote of Ayes 4, Noes 4 – Council Members Christianson, Anderson, Fagerlie, and DeBlieck voting "No." Mayor Heitke cast the deciding no vote.

Council Member Reese offered a motion to adopt, assign a number, and order final publication of the Ordinance Authorizing the Housing and Redevelopment Authority in and for the City of Willmar, Minnesota to Exercise, on Behalf of the City of Willmar, the Powers Conferred by Minnesota Statutes, Section 264C.01 to 462.10. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Gardner moved to amend the Resolution Reciting a Proposal for a Housing Finance Program stating that the Copperleaf financing be completed within 90 days. Council Member Christianson seconded the motion, which carried,

Resolution No. 1 was introduced by Council Member Gardner, seconded by Council Member DeBlicek, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

RESOLUTION RECITING A PROPOSAL FOR A HOUSING FINANCE PROGRAM TO FINANCE
A MULTIFAMILY HOUSING PROJECT AND GIVING PRELIMINARY APPROVAL TO THE
PROJECT AND THE ISSUANCE OF REVENUE BONDS PURSUANT TO MINNESOTA LAW
(COPPERLEAF SENIOR LIVING COMMUNITY PROJECT)

(For Resolution in its entirety, see City Council Minutes file date
July 7, 2008, located in the City Clerk's Office)

At 8:11 p.m. Mayor Heitke opened the hearing on special assessments for 2008 Improvement Projects continued from June 16, 2008. City Clerk Halliday presented details of an improper notice submitted to Yash, Inc., property owners of the Americlnn Motel, which was corrected for the continued hearing. Jim Ruff asked the Council to reclassify the improvements on 15th Street SW from new construction to reconstruction and subsequently filed an appeal of the proposed street and sewer assessments following Council action. No other property owner appeared before the Council, and Mayor Heitke closed the hearing at 8:17 p.m.

Following discussion, Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 1 – Council Member Christianson voted “No.”

RESOLUTION NO. 2

ADOPTING ASSESSMENT ROLL

WHEREAS, pursuant to notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for 2008 Street and Other Improvements, and has amended such proposed assessment as it deems just;

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

1. Such proposed assessment, the sum of \$905,912.55, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein is hereby found to be benefited by the proposed improvement listed as Projects 0801 and 0804.
2. Such assessments shall be as follows:
 - A. The assessments shall be payable in equal annual installments extending over a period of ten (10) years, the first of said installments to be payable with general taxes for the year 2009, collectible with such taxes during the year 2009.
 - B. To the first installment shall be added interest at the rate of five and seventy-five hundredths (5.75) percent per annum on the entire principal amount of the assessment from the date of the bond sale, approximately July 7, 2008, until December 31, 2009. To each subsequent installment, when due there shall be added interest for one year at said rate on the unpaid principal amount of the assessment.
 - C. The owner of any property so assessed may at any time prior to the certification of the assessment or the first installment thereof to the County Auditor (Treasurer), pay the whole of the principal amount of the assessment on such property with interest accrued to the date of payment to the City Clerk-Treasurer, except that no interest shall be charged if the entire assessment is paid by October 31, 2008, and such property owner may at any time prior to November 15 of any year pay to the City Clerk-Treasurer the entire principal amount.

3. The City Clerk-Treasurer shall forthwith transmit a certified duplicate copy of this assessment to the County Auditor to be extended on the tax list of the County.

Dated this 7th day of July, 2008.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Cameron Macht, Regional Analyst with the Minnesota Department of Employment and Economic Development, presented to the Mayor and Council information on the regional trends of demographic and economic data. Mr. Macht presented Kandiyohi County retail sales information, comparisons to other areas, and population growth trends. Following discussion, Mayor Heitke thanked Mr. Macht for the presentation, and this matter was received for information only.

Mayor Heitke recognized Kathy Aho, Springsted Incorporated, who presented details of the negotiated sale of the \$1,530,000 General Obligation Improvement Bonds, Series 2008A. RBC Capital Markets was the low bidder with a 3.8060 percent interest rate. Following discussion, Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

ACCEPTING OFFER ON THE SALE OF \$1,530,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2008A, PROVIDING FOR THEIR ISSUANCE AND LEVYING A TAX FOR THE PAYMENT THEREOF

(For Resolution in its entirety, see City Council minutes file dated
July 7, 2008, located in the City Clerk's Office)

The Finance Committee Report for June 23, 2008, was presented to the Mayor and Council by Council Member Anderson. There were four items for Council consideration.

Item No. 1 City Clerk Halliday explained to the Committee that Moss & Barnett provided legal services regarding the review of a proposed transfer from Bishop Communications, which includes En-Tel Communications, to Iowa Telecommunications, Inc. The City submitted an invoice to En-Tel for reimbursement of these legal services in the amount of \$6,483.00. En-Tel raised concerns that the cost of these services could be negotiated. City Attorney Ronning has determined that nothing in the franchise document would allow the City to negotiate or reduce the cost, however En-Tel would be free to negotiate with Moss & Barnett and/or negotiate partial or complete payment of fees by the transferee. This matter was for information only.

Item No. 2 Kathy Aho of Springsted, Incorporated, presented to the Committee a proposed financing plan for the new Waste Water Treatment Project. The total project budget is estimated at \$88,177,900. Funding in place to date includes \$477,900 from a State and Tribal Assistance Grant (STAG) and \$500,000 from City of Willmar funds. Proposed financing for the remaining \$87,200,000 includes approximately \$2,000,000 from a Total Maximum Daily Load (TMDL) Grant, \$7,000,000 from a Wastewater Infrastructure Fund (WIF) Loan and \$78,200,000 from a Clean Water Revolving Fund (CWRF) Loan. There is a potential to receive federal funds up to \$15,000,000 which would reduce the CWRF Loan.

The City must submit another application to the State of Minnesota for the TMDL Grant by the end of July. While this is a competitive application process, Willmar's current ranking assures funding will be received. The WIF loan through the State of Minnesota is G.O. Bond backed and would have a 0% interest rate. The CWRF loan through the State of Minnesota's Public Facilities Authority would have

G.O. Bonds pledged for security. By utilizing this option, the City would save over \$1,000,000 through discounted interest rates, reduced issuance costs and ongoing administrative costs. This loan also offers the ability to selectively prepay if federal funds are received.

Following discussion, the Committee was recommending the Council introduce a Resolution approving the TMDL Grant Application for submittal to the State of Minnesota. 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 8, Noes 0.

RESOLUTION NO. 4

Minnesota Public Facilities Authority TMDL Grant Application Resolution

RESOLUTION AUTHORIZING THE CITY OF WILLMAR TO SUBMIT A TOTAL DAILY MAXIMUM LOAN (TMDL) GRANT APPLICATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY (PFA) AND TO AUTHORIZE CITY OFFICIALS TO EXECUTE A GRANT AGREEMENT ON BEHALF OF THE CITY OF WILLMAR FOR THE WASTEWATER COLLECTION AND TREATMENT FACILITIES PROJECT

WHEREAS, under the provisions contained in Minnesota Statutes 446A.073 (2005, and amended by MN Laws 2006, Chapter 251, Section 21, Subdivision 9) the TMDL grant program was created and funds appropriated; and

WHEREAS, a TMDL study has been approved by the U.S. Environmental Protection Agency and the Minnesota Pollution Control Agency has determined that Wastewater Treatment Facility Improvements are necessary to meet the waste load reductions required by the TMDL, and

BE IT RESOLVED that the City of Willmar has the legal authority to apply for the grant, and the financial, technical, and managerial capacity to ensure proper construction, operation and maintenance of the project for its design life.

BE IT FURTHER RESOLVED, that upon approval of its application by the PFA, City of Willmar may enter into an agreement with the PFA for the above referenced project, and that City of Willmar certifies that it will comply with all applicable laws and regulations as stated in all contract agreements described in the Compliance listing of the grant application.

NOW, THEREFORE BE IT FURTHER RESOLVED, that Mayor and City Clerk, or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the TMDL project on behalf of the City of Willmar.

Dated this 7th day of July, 2008.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Committee was recommending the Council introduce a Resolution adopting an Ordinance to set the bond sale for \$87,200,000 and set a public hearing for July 21, 2008. Resolution No. 5 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. 5

RESOLUTION CALLING FOR PUBLIC HEARING ON AN ORDINANCE
AUTHORIZING THE ISSUANCE OF A \$87,200,000 GENERAL OBLIGATION
WASTE WATER REVENUE NOTE OF 2008

(For Resolution in its entirety, see City Council minutes file dated July 7, 2008, located in the City Clerk's Office)

The Committee was recommending the Council introduce a resolution authorizing Staff to set the Public Facilities Authority loan rate at the appropriate time. Resolution No. 6 was introduced by Council Member Anderson, seconded by Council Member Gardner, 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, Minnesota, that the City Administrator be authorized to set the Waste Water Treatment Plant loan interest rate through the Public Facilities Authority following Project approval.

Dated this 7th day of July, 2008.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 City Administrator Schmit reviewed the draft Conduit Financing Policy with the Committee. Topics included application fees to be charged versus annual administrative fees, requesting financial information about the non-profit organization and/or compensation of its board members, and limiting the types of projects allowed. Committee Members provided Mr. Schmit with suggestions which he will review for incorporation into a revision to this draft policy. This matter was for information only

Item No. 4 The Committee reviewed the following reports: Local Option Sales Tax Financial, WRAC-8, and CVB. This matter was for information only.

The Finance Committee Report for July 23, 2008, 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 June 24, 2008, was presented to the Mayor and Council by Council Member Reese. There were nine items for Council consideration.

Item No. 1 This consideration of closing 9th Street SW was referred back to Committee so that a representative of the Christian Reformed Church could be present to answer questions. This matter was for information only as the Church has withdrawn its request.

Item No. 2 Beverly Dougherty and Andy Bjur addressed the Committee with a request to again apply for a \$175,000 transportation grant to add to the trail system at the corner of Ella Avenue NW and the 1st Street Bridge. Last year's grant application was denied, but there are indicators this year of success due to less submittals and money availability. The focus of the grant application is to connect the Glacial Lakes Trail to downtown Willmar. In order to submit the application, they requested the Committee approve the concept of "island hopping" as the means by which pedestrians cross Ella Avenue. If the grant is awarded to the City and the Committee so decides, the opportunity to research other crossings such as an underground tunnel would be allowed. It was noted the City would be required to provide a 20% local match.

Following a review of the concept and safety concerns, the Committee was recommending the Council approve the concept and submittal of the grant application with final design subject to approval of the Committee. 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

BE IT RESOLVED, by the City Council of the City of Willmar to support the concept provided by Willmar Design Center and authorize submittal of a transportation grant application to add to the trail system at the corner of Ella Avenue NW and the 1st Street Bridge with the final design subject to approve of the Council.

Dated this 7th day of July, 2008.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 The Committee raised the question as to whether or not Willmar would be hosting an Air Show in 2008. Information was presented to the Committee for review to include costs and planning. In years past, the Experimental Aircraft Association (EAA) has played an active role in organizing the event. With the current price of fuel and based upon contacts with the EAA Chapter, it is Staff's recommendation to postpone the fly-in event for this year so as to plan and budget accordingly for 2009. It was the consensus of the Committee to host the event every-other year. This matter was for information only.

Item No. 4 A Staff report addressing storm water concerns in the neighborhood of 10th Street and Kandiyohi Avenue SW was presented to the Mayor and Council. The report was a directive from the January 7, 2008, Council meeting to evaluate the issue of high water levels during heavy rainfall events. The report listed 14 alternatives that were evaluated and the assessment criteria used by staff. Categories for criteria determination consisted of costs for design, construction and maintenance, safety concerns, public perception, impact at intersection, city-wide impact, constructability within 1-3 years, and probability of implementation.

Staff briefly explained each of the alternatives and any steps that would need to be taken. The Committee discussed options at length and opened up the meeting to questions from the public in attendance.

It was determined that at least 6 of the 14 options are viable and could be accomplished over time and a seventh option being the reestablishment of Grass Lake was suggested by Chairman Reese. The seven improvements were identified as: #4) parallel pipe installation at Kennedy School, #9) re-establish some of the 190 acre watershed area to its original drainage to the west with the Willmar Avenue reconstruction in 2009, #10) installation of a detention area near Trott Avenue SW and the railroad, #11) clean out Ditch 23A ½ mile downstream of the bypass, #12) extension of the 96" pipe westerly in Willmar Avenue when the County reconstructs it in 2009, and two items not specifically identified and numbered in the report which are the re-establishment of Grass Lake and use of the abandoned force main from the existing Wastewater Treatment Facility for storage capacity. It was the consensus of the Committee to accept the report with the identification of those seven items. This matter was for information only.

Item No. 5 An ordinance pertaining to graffiti was directed by the City Council to be drafted by the City Attorney and referred to Committee for consideration. The draft ordinance defines acts of graffiti and materials prohibited for possession; holds parents responsible for removal or payment for removal if the person is under 18 years old; and may require the private property owner to remove or correct the graffiti. Any violation is a misdemeanor and punishable in accordance with State law.

The Committee discussed the ordinance and its intent and was recommending to the Council that it be introduced a hearing. Council Member Reese moved to introduce the Ordinance Pertaining to Graffiti in the City of Willmar and schedule a public hearing on July 21, 2008. Council Member DeBlieck seconded the motion, which carried.

Item No. 6 The Committee was informed that the City will be opening bids for Project No. 0803 which is the extension of 5th Street SE from Cashwise Foods to 19th Avenue SW. An assessment hearing for the project costs needs to be held prior to award of bid. The Committee was recommending the Council call for an Assessment Hearing to be held August 4, 2008.

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

CALLING HEARING ON ASSESSMENTS FOR PROJECT NO. 0803
5th STREET SE AND OTHER IMPROVEMENTS

WHEREAS, the City Clerk-Treasurer with the assistance of the City Engineer has prepared an assessment roll for Project No. 0803 and said proposed assessment roll is on file with the Clerk-Treasurer and open to public inspection.

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

1. The Clerk-Treasurer shall publish notice that this City Council will meet to consider the proposed assessments on August 4, 2008, at 7:01 p.m. in the Council Chambers, Municipal Utilities Building, 700 West Litchfield Avenue, Willmar, Minnesota.
2. Said notice shall also be mailed to the owners of each parcel of property described in the assessment roll.
3. Such notice shall be in substantially the following form: (On file in the City Clerk's Office)
4. Said notice shall be published by the City Clerk-Treasurer in the official newspaper at least two weeks prior to the hearing and mailed by said Clerk-Treasurer to the owners of each parcel described in the assessment roll.

Dated this 7th day of July, 2008.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 7 Staff informed the Committee about a previous agreement for the repayment of funds invested into the old airport by the State of Minnesota. The agreed upon value of \$824,380 was to be repaid to the State of Minnesota, Office of Aeronautics by 2012. However, Rep. Juhnke helped pass legislation which allows the City to utilize those funds towards the State share of Capital projects at the new airport. With an unintended funding shortfall, the Office of Aeronautics is asking the City to consider beginning the repayment process by allowing the State to credit the annual maintenance grant towards the repayment amount. Staff is recommending the City deny the request.

The Committee was recommending the Council direct Staff to contact the Office of Aeronautics with the denial. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 8 The Committee considered a request from Staff for permission to apply for a grant from the Bureau of Justice Assistance to supplement funding of salaries, overtime, equipment and training for the Gang Enforcement Team over a two-year period. The grant is in the amount of \$134,152.00, and no local match is required.

The Committee was recommending the Council authorize Staff to submit the grant application. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Christianson seconding the motion, which carried.

Item No. 9 Council Member DeBlieck inquired as to the status of the Quiet Zone projects and briefly discussed concepts for realignment of the 7th Street and Ella Avenue NW intersection at the time the County reconstructs the radio station road. This matter was for information only.

The Public Works/Safety Committee Report for June 24, 2008, 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 June 26, 2008, was presented to the Mayor and Council by Council Member DeBlieck. There were five items for Council consideration.

Item No. 1 The Committee discussed a letter from Dorothy Gaffaney, HRA Director, explaining the PILOT program. Questions had been raised by Council Member Dokken relative to the PILOT program and the emerging markets housing initiative which the HRA is working on. The information was received for information and will be put on a future agenda when Mr. Dokken can be present.

Item No. 2 David Herzer appeared before the Committee to request that the Council consider an ordinance which would allow dogs at outdoor food and beverage establishments. Restaurants wishing to allow dogs would be required to obtain a permit from the City. State statute sets forth the permitting process and minimum requirements for compliance. The Committee discussed the licensing process and additional requirements for access to dining facilities by dogs and their owners.

The Committee was recommending to the Council that the City Attorney be directed to draft an ordinance regulating dogs at outdoor food and beverage establishments. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Swenson seconding the motion, which carried.

Item No. 3 The Committee discussed employment information generated by the State of Minnesota and presented by Staff. It was acknowledged that local employment was in a fairly healthy condition. This matter was for information only.

Item No. 4 The Committee was informed that Staff and the Planning Commission had met recently with a representative from Mid Minnesota Development Commission to finalize various sections of the Plan. It is anticipated that a draft of the Plan will be available for Planning Commission review in late July, at which time it will be transmitted to the Council via Committee for official action. This matter was for information only.

Item No. 5 Staff informed the Committee that the Planning Commission was currently working on the revised findings of fact. Once the Commission has completed their work, the revised application, process and findings of fact will be submitted to the Committee for review prior to any ordinance introduction. This matter was for information only.

The Community Development Committee Report for June 26, 2008, 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 Fagerlie, and carried.

Planning and Development Services Director Peterson presented to the Mayor and Council for consideration an Ordinance to Exchange Land with Mr. Harlan Rohner. Mr. Peterson explained that in 2007 the Council gave preliminary approval to an exchange of land with Mr. Rohner for right-of-way to construct CSAH #47 and this Ordinance authorizes and details that exchange. Following discussion, Council Member Reese offered a motion to introduce the Ordinance Authorizing the Exchange of Land

Owned by the City of Willmar and set a hearing for July 21, 2008. Council Member Christianson seconded the motion, which carried.

Planning and Development Services Director Peterson presented to the Mayor and Council for consideration an Ordinance to Exchange Land with the Kandiyohi Power Cooperative. Mr. Peterson explained that in order to provide a 20-foot easement for the extension of the trail along North Business 71, the KPC is requiring the City to deed a commensurate amount of property to them and this Ordinance authorizes and details that transaction. Following discussion, Council Member Reese offered a motion to introduce the Ordinance Authorizing the Exchange of Land Owned by the City of Willmar and set a hearing for July 21, 2008. Council Member Christianson seconded the motion, which carried.

Council Member DeBlieck offered a motion to refer the Charter Commission to the Labor Relations Committee for discussion. Council Member Christianson seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Public Works/Safety, July 15; Labor Relations, July 16; and Community Development, July 17, 2008.

City Administrator Schmit presented to the Mayor and Council bid tabulations for Project No. 0804 (Landmark Business Park) and Project No. 0801 (2008 Street Improvements) and noted Vreeman Construction and Chad Monson Excavating were the respective low bidders. Following discussion, Resolution No. 9 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 9

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Vreeman Construction Co., Inc. of Willmar, Minnesota for Project No. 0804 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 \$251,478.40.

Dated this 7th day of July, 2008.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 10 was introduced by Council Member Fagerlie, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, 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 Chad Monson Excavating, LLC. of Willmar, Minnesota for Project No. 0801 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 \$1,045,302.70.

Dated this 7th day of July, 2008.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Council Member Reese requested to be excused from the July 21, 2008, City Council meeting.

There being no further business to come before the Council, the meeting adjourned at 10:00 p.m. upon motion by Council Member Reese, seconded by Council Member Gardner, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL