

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

October 6, 2008  
7:00 p.m.

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

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

The Council requested that the Special City Council Minutes of September 17, 2008, be removed from the Consent Agenda.

Council Member Anderson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of September 15, Board of Canvass Minutes of September 17, City Council Work Session Minutes of October 1, Planning Commission Minutes of September 17, Municipal Utilities Commission Minutes of September 22, Rice Hospital Board Minutes of September 24, Building Inspection Report for September, 2008, Police Commission Minutes of August 21, Kandiyohi Area Transit Board Minutes of August 26, Senior Citizens Minutes of September 3 and 10, and Community Education and Recreation Board Minutes of September 26, 2008. Council Member Gardner seconded the motion, which carried.

Council Member Gardner noted that his name was incorrectly listed as making a second to a motion in the September 17, 2008, Special City Council Minutes. The Special City Council Minutes of September 17, 2008, were approved as amended upon motion by Council Member Gardner, seconded by Council Member Dokken, and carried.

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

The Finance Committee Report for September 22, 2008, was presented to the Mayor and Council by Council Member Anderson. There were five items for Council consideration.

Item No. 1 Finance Director Okins reviewed with the Committee revenues listed in the Mayor's Proposed 2009 Budget which includes the City's General Fund, various Special Revenue Funds, Debt Service Funds, an Enterprise Fund, and Internal Service Funds. The amount shown for current property taxes is derived from the State formula that determines the maximum levy allowed. The Sales/Use Tax revenue will be used in the Local Option Sales Tax fund which was established for completing the Civic Center/Blue Line Center Connection, Bike Path, acquiring 65 acres along North Highway 71, and Industrial Park Relocation/Development. The Delinquent Property Taxes amount is based on historical trends and the Tax Increment amount is for three remaining districts of Phoenix on 5<sup>th</sup>, Lakewood BK, and Relco. The Franchise Fee is the amount estimated to be received in cable franchise fees for WRAC-8 Special Revenue Fund. The Hotel/Motel Tax (Lodging Tax) is used by the Convention & Visitors Bureau Special Revenue Fund. The Special Assessments amount is dedicated to Debt Service Funds for bond principal and interest payments. The Licenses/Permits line item is revenue in the General Fund. The Local Government Aid amount is also based on a formula established by the State. The majority of Other State/Federal Aids are for Police Department, PERA, Airport, and Shared Highway User. Service Charges include the Waste Treatment Plant, Civic Center, Leisure Services, Public Safety, etc. Fines/Forfeits revenue is from court fines, traffic violations, towing fees, parking tickets, and administrative citations. Miscellaneous Revenue consists mostly of interest earnings. Other Financing

Sources are the intergovernmental transfers from Rice Hospital and MUC. The Fund Balance is carry-over funding from previous years for capital purchases. This matter was for information only.

Item No. 2 The Willmar Design Center presentation will be rescheduled for a future Finance Committee meeting. This matter was for information only.

Item No. 3 The Committee was informed by Staff that \$1,516.05 is being donated to the City of Willmar from the Miner T. Wareberg Estate to be used to help complete projects in the Bremer Room at the Senior Citizens Center. The projects include a coffee bar, paint, and flooring. The Committee was recommending the Council introduce a Resolution accepting this donation from the Miner T. Wareberg Estate in the amount of \$1,516.05 and send a letter of appreciation.

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

#### RESOLUTION NO. 1

WHEREAS, the Wareberg Estate has donated to the City of Willmar \$1,516.05 to be used towards projects in the Bremer Room at the Senior Citizens Community Center.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota, that the City accept the \$1,516.05 donation and that the City Administrator be directed to express the community's appreciation.

Dated this 6<sup>th</sup> day of October, 2008.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 The Committee was informed by Staff that \$1,000.00 was previously donated to and accepted by the City from the Senior Citizens Club for the purchase of supplies for the Meal Site and Senior Center Special Events. Staff is now requesting to appropriate this \$1,000 from the Senior Center Donation Revenue Budget into the Senior Center Supplies Expenditures Budget. The Committee was recommending the Council introduce a resolution appropriating \$1,000 from Senior Center Donation Revenue to Senior Center Supplies Expenditures.

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

#### RESOLUTION NO. 2

BE IT RESOLVED by the City Council of the City of Willmar that the Finance Director be directed to appropriate \$1,000.00 from the Senior Center Donation Revenue to the Senior Center Supplies Expenditures.

Dated this 6<sup>th</sup> day of October, 2008.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 The Committee reviewed the following reports: August CVB, August WRAC-8, August Local Option Sales Tax, and August Investments.

City Clerk Halliday noted that the Cable Franchise Fee is being challenged nationally which, if the City loses that revenue, would have a major impact on the City's Government Access Channel as well as employee positions at WRAC-8. The Committee will be updated with any developments in this matter at future meetings.

City Clerk Halliday reported to the Committee on the status of the City's investment portfolio and the effects of the recent activity in the economic market. The City has approximately 50 percent of its \$46 million portfolio in Fannie Mae and Freddie Mac investments. Both of these investment organizations are currently under conservatorship. The City also has \$988,473.33 invested through Wells Fargo in Commoloco commercial paper whose ultimate parent is American International Group Inc. (AIG) who gave the US Government an 80 percent stake in return for an \$85 billion dollar loan. Further discussion on this issue will be included in future meetings. This matter was for information only. Currently Commoloco is not prepaying their discounted paper.

The Finance Committee Report for September 22, 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 Gardner, and carried.

The Community Development Committee Report for September 29, 2008, was presented to the Council by Council Member DeBlieck. There were four items for Council consideration.

Item No. 1 The Committee discussed the need for a policy to deal with building permit refunds. A State of Minnesota departmental procedures audit identified the lack of a refund policy as a deficiency for the City. Staff recommended that a policy be adopted that would refund 75% of the permit fee. The City of Willmar would still retain the plan review fee and state surcharge. Furthermore, the request would have to come from the permit applicant and be presented in a written request.

The Committee was recommending the Council approve a permit refund policy that would refund 75% of the permit fee, but would have the City retain 100% of the plan review fee and state surcharge. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Anderson seconding the motion, which carried.

Item No. 2 The Committee discussed a proposal by staff to adopt a policy for the submittal of similar plans. There is a chapter of Minnesota Rules that deals with reduced plan review fees for similar plans. That information is detailed in Attachment B. The Committee was recommending to the Council that subparagraphs 5 and 6 of Minnesota Rules Chapter 1300 be approved as policy to allow for reduced plan review fees for similar plans. 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 Staff updated the Committee on the status of the Comprehensive Plan. It was noted that a second work session had taken place recently and a second draft is anticipated to be available in the near future. When the Planning Commission is satisfied with the final draft the information will be posted on the website and public meetings will be scheduled to discuss the plan. Following the public meetings, the Planning Commission will have a document prepared for submittal to the Council as the recommended plan for adoption. At that point it will be up to the City Council to conduct a public hearing prior to adopting the plan. This matter was for information only.

Item No. 4 Staff provided an update to the Committee on efforts to revise ordinances to reflect the recommendations of the Housing Task Force. Those revisions should be completed within the next couple of weeks. This matter was for information only.

The Community Development Committee Report for September 29, 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 Gardner, and carried.

The Public Works/Safety Committee Report for September 30, 2008, was presented to the

Council by Mayor Pro Tempore Reese. There were nine items for Council consideration.

Item No. 1 Craig Aurand, Mayor for the City of Kandiyohi, addressed the Committee concerning the possibility of the City of Kandiyohi connecting to Willmar's wastewater treatment system. The City of Kandiyohi's current wastewater treatment plant is approaching its useful life and they are exploring options for future treatment. Kandiyohi has contacted the County's Green Lake Sanitary Sewer District and is also exploring the City of Willmar's willingness to investigate the feasibility of connecting into its system.

Staff informed the Committee that prior to designing the new treatment facility, surrounding communities were contacted and no indications of connecting into the system were expressed. The philosophy of extending the system territory and cost, taking into consideration that additional flow would shorten the life span of the new system, would be important factors to be considered.

The Committee was recommending the Council approve the concept of system sharing while encouraging the community of Kandiyohi to continue researching the feasibility of connecting to Willmar's system. Mayor Pro Tempore Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Dokken seconding the motion, which carried.

Item No. 2 Loren Engelby of the Kandiyohi Soil and Water Conservation District appeared before the Committee to present a status report on the restoration of Grass Lake. The project is a joint venture of the City of Willmar, Kandiyohi County, the Soil and Water Conservation District and the State of Minnesota with a total estimated cost of \$6.5 million.

The project began its initial planning in 1994 and has changed considerably in time. The land acquisition process is near completion with several perpetual easements and smaller parcels left to acquire. The project entails the re-routing of County Ditch 23A high flows around the western and southern sides of Grass Lake in a 12-15 foot ditch, construction of a lift station to pump "first-flush" stormwater runoff from Willmar into Grass Lake, construction of a treatment pond for the pumped water, diversion of the 7,000-acre Peach Creek watershed in the Grass Lake basin and construction of a dam and water control structure at the outlet.

Barr Engineering was retained as the consulting engineer for the project, and to date has completed approximately 20 scenarios of different storm events and their effects. From these scenarios it is estimated that with installation of the storm water pond, the total suspended solids would be reduced 60% and total phosphorus by 40%. When coupled with the establishment of Grass Lake, the figures are estimated to be a 95% reduction of total suspended solids and 60% total phosphorus. The next step in the Grass Lake Project is for the agencies involved to meet and determine if each can receive the benefits they expect. This matter was for information only

Item No. 3 Police Chief Kulset presented an example of a Social Host Ordinance from the City of Chaska for the Committee's consideration. The ordinance would prohibit any person hosting an event or gathering from allowing consumption of or possession with the intent to consume alcohol to persons less than 21 years of age by holding them criminally responsible.

The Committee was recommending the Council direct staff to draft a Social Host Ordinance to be brought back for review. Mayor Pro Tempore Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Dokken seconding the motion, which carried.

Item No. 4 Staff was directed to develop a policy for street closure requests for approval by the Council. Requirements of the draft policy were reviewed by the Committee and included the application for a street closure permit from the City Clerk a minimum of three weeks prior to the event. There is no cost for the permit if received within that time otherwise a \$50 fee is applicable.

Street closures may be conducted on low-volume residential streets, dead-end streets, or cul-de-sacs only, and all residents living on the street or block where the event is planned shall be notified. If

barricades are needed, a \$50 damage deposit is required and refundable upon their return in undamaged condition.

A minimum 20-foot aisle must be maintained in the street to permit passage of emergency vehicles unless so granted by the City Council for a city-wide event. Adult supervision must be maintained at all times during the event and the City is not responsible for damages or injuries incurred as a result of the event.

The Committee was recommending the Council adopt the Street Closure Policy as presented by staff. Mayor Pro Tempore Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlieck seconding the motion. Council Member Gardner moved to table the issue with no second. The motion carried. Council Member Christianson voted no.

Item No. 5 Staff informed the Committee that the path project along North Business 71, which had a bid opening date set for October, 2008, was postponed due to correspondence received from the Minnesota Historical Society recommending an archaeological survey be completed. The path is to be constructed by June 30, 2009, in order to receive grant funding. Staff is contacting the Historical Society to see if a survey done by the Willmar Regional Treatment Center will satisfy the requirement. This matter was for information only.

Item No. 6 The Committee reviewed Airport fuel piping quotes. Upon inspection of the fuel system this past summer several items were slated for repair. The first is the replacement of the steel piping on both fuel tanks with stainless steel to avoid contamination of fuel samples. Also the installation of another hand pump used solely for testing Avgas samples and repair of the jet fuel static reel to ground aircraft during refueling was suggested. Two quotes were received with the low quote being that Determan Brownie Inc. in the amount of \$6,236.00.

The Committee was recommending the Council authorize the City to enter into an agreement with Determan Brownie, Inc. and the Finance Director to re-designate \$6,236.00 to cover the expenses. Resolution No. 3 was introduced by Mayor Pro Tempore Reese, seconded by Council Member Fagerlie, and carried on a roll call vote of Ayes 8, Noes 0.

### RESOLUTION NO. 3

BE IT RESOLVED by the City Council of the City of Willmar to authorize the City Administrator to enter into an agreement on behalf of the City and the Finance Director to amend the Airport Capital Improvement Fund Budget as follows:

Increase:	2008 Fuel Piping Changes	\$6,236.00
Decrease:	2007 Security Camera	\$6,236.00

Dated this 6th day of October, 2008.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 7 Rhonda Rae of Donohue and Associates briefed the committee on the activities related to the relocation of the Wastewater Treatment Plant during September. Work continued on the sewer utility rates and JOTS permit. The status of the grants continued to be monitored and Donohue worked with staff to gather all past invoices for submittal for the first pay request to PFA for the Clean Water Revolving Fund Loan. In construction, preconstruction conferences were held and the notice to proceed was issued for all three of the conveyance systems projects. Weidema has started construction of Project No. 0814-D4. The contract for Project 0812-C was awarded to Graham Construction Services and a notice to proceed issued. This matter was for information only.

Item No. 8 Staff presented a request to re-appropriate money from the 2007 Capital Outlay Program to the 2008 Budget to replace existing lighting in both the Blue Line and Cardinal Arenas. The amount designated is \$45,000. Several quotes were received with the low quote being from Willmar Electric Service in the amount of \$40,840.00. The Committee was recommending the Council introduce a resolution accepting the quote of Willmar Electric Service in the amount of \$40,840.00, authorize the Mayor and City Administrator to enter into an agreement on behalf of the City, and direct the Finance Director to amend the Civic Center Capital Improvement Fund Budget. Resolution No. 4 was introduced by Mayor Pro Tempore Reese, seconded by Council Member Fagerlie, and carried on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Mayor and City Administrator to enter into an agreement with Willmar Electric Service, Inc. and the Finance Director to amend the Capital Improvement Fund Budget as follows:

Increase:	2008 Lighting (BLC & CC)	\$45,000.00
Decrease:	2007 Lighting (BLC & CC)	\$45,000.00

Dated this 6th day of October, 2008.

\_\_\_\_\_  
/s/ Doug Reese  
MAYOR PRO TEMPORE

\_\_\_\_\_  
/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 9 The committee discussed racing issues at the fairgrounds, the number of service calls to the Police Department and the status of the Airport Commission. These items were for information only.

The Public Works/Safety Committee Report for September 30, 2008, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Mayor Pro Tempore Reese, seconded by Council Member Fagerlie, and carried.

City Clerk Halliday informed the Council that in accordance to Minnesota Statutes it is necessary to pass a Resolution appointing Election Judges for the November 4, 2008, General Election. Resolution No. 5 was introduced by Council Member Anderson, seconded by Council Member Dokken, read by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

BE IT RESOLVED, that the individuals listed below be appointed as Judges to work at the General Election in the City of Willmar on November 4, 2008:

WARD ONE	Precinct One:	Pat Morse, Head Judge Stanza Haagenson Cheryl Retrum Verle Watson Maria Aranda Eugene Kerfeld
	Precinct Two:	Ramona Berg-Perry, Head Judge Ione Nichols Ardell Engwall Sally McAdams Samuela Heyer Ruth Trevino
	Precinct Three:	Willmar Schultz, Head Judge

		Owen Heuring JoAnn Jagt Charles Belton Lynn Shuldes Evelyn Paulson
WARD TWO	Precinct One:	Mary Louise Wallin, Head Judge Beverly Chambers Helen Chambers Mary Ann Cotton Marjorie Carlson Daisy Score
	Precinct Two:	Dan Reigstad, Head Judge Joyce Malvin Beverly Ledeboer Suzanne Nelson Patrick Curry Linda Dilly
	Precinct Three:	George Berg, Head Judge Marilyn Hanson Doris Doerhofer Mary Lorentzen Donna Hillenbrand Alice VanOrt
WARD THREE	Precinct One:	Donald Jacobson, Head Judge Mavis Hagert Iona Andreen Ruby Bernhagen Harriet Levy Robert Huesing
	Precinct Two:	Ardel Stiles, Head Judge Marlys Boeder Duane Bock J. Marie Engwall Diane Plowman Elaine Curry
	Precinct Three:	Laural Rieckman, Head Judge Juna Halstrom Shirley Jensen Stephen Enockson Jon Winge George Brecheisen
WARD FOUR	Precinct One:	Neil Cofer, Head Judge Mavis Willroth Evangelin Bass David Rogers Joey Werder Jill Lara
	Precinct Two:	Marsha Butterfield, Head Judge Ruby Freeberg Kent Larson Arlene Syverson Esther Floren Mary Heusing

Precinct Three:

Connie Heath, Head Judge  
Francis Yule  
Suzanne Rogers  
Marv Kray  
Sherwood Mellom

Absentee Judges:

Daniel Pederson  
Ardell Engwall

Dated this 6<sup>th</sup> day of October, 2008.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

City Clerk Halliday informed the Council that the Willmar Municipal Utilities Commission has requested the City Clerk-Treasurer certify unpaid utility charges of various properties as a lien on the real property. According to City Code a hearing was offered to property owners to object to the charges, and the WMU received no requests for appearance. Following discussion, Resolution No. 6 was introduced by Council Member DeBlieck, seconded by Council Member Fagerlie, read by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 6

WHEREAS, Section 16-127 of the Willmar City Code states that such unpaid utility bills represent a lien on the real property receiving utility services; and

WHEREAS, the Willmar Municipal Utilities Commission has offered the owner the right to request an appearance before the Commission to make objections to payment; and

WHEREAS, the Willmar Municipal Utilities Commission has adopted Resolution No. 40 on September 22, 2008, requesting the Willmar City Clerk-Treasurer to certify the unpaid utility charges as a lien on the real property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the amount of the unpaid utility charges totaling \$6,086.96 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 2009 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 utility charges be certified against the real property as follows:

- |    |   |          |
|----|---|----------|
| 1. | Parcel No. 95-003-0230<br>Located at 811 Lake Avenue NW;<br>Described as Block 2, Town of Willmar, E 75 FT. OF LOT 11 & 12  | \$681.39 |
| 2. | Parcel No. 95-820-0810<br>Located at 545 9 <sup>th</sup> Street NW<br>Described as Section 10, Township 119, Range 35, Block 5, Thorpe & Lien's Addition<br>LOT 1 of LOTS 1 & 2                       | \$265.08 |
| 3. | Parcel No. 95-820-1000<br>Located at 521 9 <sup>th</sup> Street NW<br>Described as Section 10, Township 119, Range 35, Block 5, Thorpe & Lien's Addition<br>THE S 50FT OF N 150FT OF E 218FT OF LOT 4 | \$426.51 |



4. Parcel No. 95-009-0610 \$489.16  
Located at 420 13<sup>th</sup> Street NW  
Described as Section 15, Township 119, Range 35, Block 128, Second Addition to Willmar, LOT 12 & 13 EXC THE S 4FT OF LOT 12
5. Parcel No. 95-003-6450 \$377.80  
Located at 412 7<sup>th</sup> Street SW  
Described as Section 15, Township 119, Range 35, Block 53, Town of Willmar, LOT 4
6. Parcel No. 95-006-0080 \$145.55  
Located at 525 11<sup>th</sup> Street SW  
Described as Section 14, Township 119, Range 35, Block 57, First Addition to the Town of Willmar, LOT 8
7. Parcel No. 95-006-6890 \$592.52  
Located at 318 12<sup>th</sup> Street SW  
Described as Section 15, Township 119, Range 35, Block 109, First Addition to the Town of Willmar, LOT 5
8. Parcel No. 95-006-7360 \$172.01  
Located at 622 12<sup>th</sup> Street SW  
Described as Section 15, Township 119, Range 35, Block 112, First Addition to the Town of Willmar, LOT 6
9. Parcel No. 95-220-0540 \$1,211.12  
Located at 206 Bernard Street SE  
Described as Section 14, Township 119, Range 35, Block 5, Ferring's Addition, S1/2 OF LOT 3, S1/2 OF E1/2 OF LOT 2
10. Parcel No. 95-222-1070 \$307.41  
Located at 616 Charlotte Street SE  
Described as Section 14, Township 119, Range 35, Block 6, Ferrings 2<sup>nd</sup> Addition, LOT 17
11. Parcel No. 95-630-0540 \$533.45  
Located at 305 Litchfield Avenue SE  
Described as Section 14, Township 119, Range 35, Block 3, Paulson & Sunde's Subd of Lot D Eastern Addition, LOT 14
12. Parcel No. 95-750-0450 \$262.54  
Located at 1421 7<sup>th</sup> Street SW  
Described as Section 22, Township 119, Range 35, Sub-Div. N1/2 OF NE1/4 N'LY 87FT OF LOT 21, EXC. E'LY 175FT THEREOF
13. Parcel No. 95-135-1010 \$622.42  
Located at 1216 26<sup>th</sup> Street NW  
Described as Section 09, Township 119, Range 35, Block 5, College View, LOT 21

Dated this 6<sup>th</sup> day of October, 2008.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

City Clerk Halliday presented to the Council a list of property owners who have made application for agricultural land exemptions and have met criteria contained in the City's Assessment Policy.

Following discussion, Resolution No. 7 was introduced by Council Member Christianson, seconded by Council Member Gardner, read by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 7

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: (Complete list of property owners and descriptions are on file in the City Clerk's Office)

Dated this 6<sup>th</sup> day of October, 2008.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Planning and Development Services Director Peterson informed the Council of a request from Chad Monson that assessments against in the soon-to-be developed Terraplane Estates (south of Landmark Business Park) be reapportioned to the newly-created lots. It was noted a condition of final plat approval was that the assessments be paid in full or reapportioned. Following discussion, Resolution No. 8 was introduced by Council Member Gardner, seconded by Council Member Swenson, read by Mayor Pro Tempore Reese, and carried on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 8

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: Outlot B, Landmark Business Park.; Parcel No. 95-468-0170; 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 \$50,385.52 placed against the above-described parcel be hereby reapportioned as herein described: (Parcel Number, Legal Description and Dollar Amount on file in the City Clerk's Office).

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 2009 and thereafter.

Dated this 6<sup>th</sup> day of October, 2008.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Announcements for Council Committee meeting dates were as follows: Finance, October 13; Public Works/Safety, October 14; and Labor Relations, October 15, 2008.

The Council considered a recommendation from Mayor Heitke to appoint Dennis Anfinson to the Police Civil Service Commission. Council Member Dokken moved to approve of the appointment as presented with Council Member Gardner seconding the motion, which carried.

Council Member DeBlieck announced the Willmar Municipal Utilities' Public Power Dinner is to be held on October 7, 2008 from 4:00 p.m. to 8:30 p.m. at the Willmar Civic Center Arena.

There being no further business to come before the Council, the meeting adjourned at 8:19 p.m. upon motion by Council Member Christianson, seconded by Council Member DeBlieck, and carried.

Attest:

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MAYOR PRO TEMPORE

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SECRETARY TO THE COUNCIL