WILLMAR CITY COUNCIL MEETING

MONDAY, AUGUST 7, 2023 @ 6:30 PM

Willmar Municipal Utilities, Auditorium

700 Litchfield Ave SW, Willmar, Minnesota 56201

AGENDA

1. Call Meeting to Order
2. Roll Call
3. Pledge of Allegiance
4. Proposed Additions or Deletions to Agenda
5. Consent Items

   Approve:

   A. City Council Minutes of July 17, 2023
   B. City Council Work Session Minutes of July 10, 2023
   C. Planning Commission Minutes from June 21st
   D. Planning Commission "Draft" Minutes from July 19th
   E. Willmar Charter Commission "Draft" Minutes of July 27, 2023
   F. Willmar Municipal Utilities Commission Minutes of July 24, 2023
   G. Accounts Payable Report, 07-13-23 Thru 08-02-23
   H. Pennock Lions Club Lawful Gambling Application
   I. Knights of Columbus Lawful Gambling Application
   J. Consideration of Sale of THC Product License- SuperValu Inc. dba Cub Food #1607
   K. Resolution Declaring Support for the Completion of Glacial Lakes Trail

   Information:

   L. Kandiyohi County "Thank You"
6. Approve Consent Agenda Items
7. Items Removed from Consent Agenda
8. Open Forum (Individuals Limited to Three (3) Minutes)
9. Public Hearing:

   A. Ordinance Amending Willmar Municipal Code, Chapter 8, Licenses, Permits, and Business Regulations (THC)
   B. Consider an Ordinance Regulating Massage Therapy Businesses and Massage Therapists in the City of Willmar
   C. Public Hearing to Vacate Public Easements on Preserve on 24th First Addition Plat

10. Regular Business
    A. Grass Lake Presentation
    B. MB Rail Park Addition Major Subdivision
    C. Updated Memorandum of Understanding (MOU), Minnesota Army National Guard
    D. Airport Apron Expansion Project Change Order
    E. Consider a Resolution Amending the Fee Schedule
    F. Introduction of an Ordinance for Codification of Municipal Code
    G. Introduction of an Ordinance Amending City Code for Minor Updates
    H. Introduction of an Interim Ordinance Temporarily Prohibiting the Operation of Cannabis Businesses until January 1, 2025.
    I. Introduction of an Ordinance Prohibiting the Use of Cannabis and Certain Hemp Products in Public Places
11. "Community Pride" Announcements
12. Adjourn to Closed Session
    A. Closed Session Under MN Statute 13D.05 Subd.3
13. Adjourn

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM
HEALTH AND HUMAN SERVICES BUILDING
WILLMAR, MINNESOTA

July 17, 2023
6:30 p.m.

The regular meeting of the Willmar City Council was called to order by Mayor Douglas Reese. Members present on a roll call were Mayor Douglas Reese, Council Members Justin Ask, Audrey Nelsen, Vicki Davis, Carl Shuldes, Michael O'Brien, Thomas Butterfield, Julie Asmus, and Rick Fagerlie. Present 9, Absent 0.

Also present were City Administrator Leslie Valiant, City Operations Director Kyle Box, Police Chief Jim Felt, Finance Director Tom Odens, Retiring Public Works Director Gary Manzer, Public Works Director Justin DeLeeuw, Planning and Development Services Director Justice Walker, Community Growth Director Pablo Obregon, City Clerk Judy Thompson and City Attorney Robert Scott.

There were no additions or deletions to the agenda.

Council Member Ask moved to approve the agenda, as presented. Council Member Fagerlie seconded the motion, which carried unanimously.

City Clerk Thompson reviewed the consent agenda.

A. City Council Minutes of July 3, 2023
B. Willmar Charter Commission "Draft" Minutes of May 30, 2023
C. Willmar Municipal Utilities Commission Minutes, July 10, 2023
D. **Resolution No. 2023-122 Regional Park or Trail Designation Application with Greater Minnesota Parks and Trails Commission**
E. Agreement Between Minnesota Department of Revenue and Willmar for Collection of Local Sales and Use Tax
F. **Resolution No. 2023-123 2024 - 2025 Humane Society Agreement**
G. Accounts Payable Report, 06/28/23 Thru 07/12/23
H. West Central Ducks Unlimited Lawful Gambling Application

Information:

Building Report June 2023

Council Member Ask offered a motion to approve the consent agenda. Council Member Shuldes seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Ron Christianson, Willmar, addressed the Mayor and Council during the Open Forum and spoke in favor of City Hall and Community Center remaining at their current sites.

At 6:38 p.m. Mayor Reese opened the public hearing for the Authorizing the Issuance of Up To $9,450,000 General Improvement Bonds, Series 2023A. Finance Director Odens presented the pertinent information.

There being no one present to speak for or against the proposed sale, Mayor Reese closed the public hearing at 6:40 p.m. and opened it up for discussion from the Council.

Following discussion, Council Member Shuldes offered a motion to adopt, assign a number, and publish **Ordinance No. 1502 Authorizing the Issuance of Up to $9,450,000 General Obligation Improvement Bonds, Series 2023A and the Levying of Taxes to Secure Payment Therefor.** Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Resolution No. 2023-124 Providing for the Competitive Negotiated Sale of $9,450,000 General Obligation Improvement Bonds, Series 2023A was introduced by Council Member Asmus. Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 6:44 p.m. Mayor Reese opened the public hearing for the Bethesda rezone request to rezone property from Agriculture (AG) to Limited Business (LB). Planning and Development Services Director Walker presented the pertinent information.

There being no one present to speak for or against the proposed rezoning, Mayor Reese closed the public hearing at 6:46 p.m. and opened it up for discussion from the Council.

Following discussion, Council Member Asmus offered a motion to adopt, assign a number, and publish **Ordinance No. 1503 Amending the Willmar Zoning Ordinance.** Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 6:47 p.m. Mayor Reese opened the public hearing for the creation of the Industrial 3 (I-3) Zoning District. Planning and Development Services Director Walker presented the pertinent information.

There being no one present to speak for or against the proposed district, Mayor Reese closed the public hearing at 6:49 p.m. and opened it up for discussion from the Council.

Following discussion, Council Member Shuldes offered a motion to adopt, assign a number, and publish **Ordinance No. 1504 An Ordinance Amending Ordinance No. 1060 Known as the Willmar Zoning Ordinance by Amending Section 6 to Create a New Section 6.S. Creating a New Industrial-3 (I-3) Zoning District.** Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Due to the length and cost of publishing the entire ordinance, Council Member Shuldes offered a motion to publish by summary **Ordinance No. 1504 An Ordinance Amending Ordinance No. 1060 Known as the Willmar Zoning Ordinance by Amending Section 6 to Create a New Section 6.S. Creating a New Industrial-3 (I-3) Zoning District.** Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 6:51 p.m. Mayor Reese opened the public hearing for the proposed rezoning of property from Agricultural (AG) to Industrial 3 (I-3) for the future Willmar Rail Park. Planning and Development Services Director Walker presented the pertinent information.

There being no one present to speak for or against the proposed rezoning, Mayor Reese closed the public hearing at 6:52 p.m. and opened it up for discussion from the Council.

Following discussion, Council Member Asmus offered a motion to adopt, assign a number, and publish **Ordinance No. 1505 An Ordinance Amending Ordinance No. 1060 Known as the Willmar Zoning Ordinance by Amending the Official Zoning Map to Rezone Property from Agriculture (AG) to Industrial -3 (I-3).** Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Due to the length and cost of publishing the entire ordinance, Council Member Ask offered a motion to publish by summary **Ordinance No. 1505 An Ordinance Amending Ordinance No. 1060 Known as the Willmar Zoning Ordinance by Amending the Official Zoning Map to Rezone Property from Agriculture (AG) to Industrial–3 (I-3).** Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Administrator Valiant and Willmar Municipal Utilities General Manager John Harren presented a request to approve Willmar Municipal Utilities pursuing a stand-alone site for future operations.

Following discussion, Council Member Nelsen offered a motion to approve staff's request. Council Member Asmus seconded the motion, which carried unanimously.

City Operations Director Box presented a request to reject the alternate bid for demolition of the City Auditorium from Landwehr Construction, Inc.

Following discussion, Council Member Shuldes offered a motion to approve staff's request. Council Member Nelsen seconded the motion, which carried unanimously.

City Operations Director Box presented a request to approve conducting public tours of the City Auditorium on Monday, August 14, and Thursday, August 17. The intent of the tours would be to provide up-to-date information on the building, including the ongoing maintenance and facility needs needed to make the building functional and compliant, while continuing to pay tribute to the historical nature of the building.

Following discussion, Council Member Shuldes offered a motion to approve staff's request. Council Member Davis seconded the motion, which carried unanimously.

City Administrator Valiant presented a request to approve a settlement agreement between BNSF Railway Corporation, Kandiyohi County, and the City of Willmar. It was noted this agreement is in regard to the Willmar Wye Project.

Following discussion, **Resolution No. 2023-125 A Resolution Entering into Settlement Agreement Between City of Willmar, BNSF Railway, and Kandiyohi County** was introduced by Council Member Fagerlie. Council Member Butterfield seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Contracted City Engineer Jared Voge presented a request to approve and adopt the 10-year capital improvement plan for future improvement project planning.

Following discussion, Council Member Asmus offered a motion to approve staff's request. Council Member Fagerlie seconded the motion, which carried unanimously.

Planning and Development Services Director Walker presented a request to receive direction from Council in regard to a request from Justin Paffrath to have the purchase price of four lots he is purchasing from the City reduced. The original purchase price was set at $32,000. Mr. Paffrath is seeking the amount be lowered to accommodate the costs he would incur to develop the site, due to results of soil borings performed on the site.

Following a lengthy discussion, Council Member Ask offered a motion to table this item and continue discussion in a closed session following the meeting this evening. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 6, Noes 2. Council Members Butterfield and O'Brien voted "no".

Police Chief Felt presented a request to introduce an ordinance regulating massage therapy businesses and massage therapists in the City of Willmar and set a public hearing for August 7, 2023.

Following discussion, Council Member Asmus offered a motion to **introduce an Ordinance Amending Willmar Municipal Code, Chapter 8, Licenses, Permits and Business Regulations,** and set a public hearing for August 7, 2023, at 6:30 p.m. or as soon thereafter as possible. Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Due to the length and cost of publishing the entire ordinance, Council Member Asmus offered a motion to publish by summary **an Ordinance Amending Willmar Municipal Code, Chapter 8, Licenses, Permits and Business Regulations.** Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Operations Director Box presented a request to introduce an ordinance amending Willmar Municipal Code, Chapter 8, Licenses, Permits, and Business Regulations (THC) and set a public hearing for August 7, 2023.

Following discussion, Council Member Fagerlie offered a motion to **introduce an Ordinance Amending Willmar Municipal Code, Chapter 8, Licenses, Permits and Business Regulations,** and set a public hearing for August 7, 2023, at 6:30 p.m. or as soon thereafter as possible. Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Due to the length and cost of publishing the entire ordinance, Council Member Fagerlie offered a motion to publish by summary **an Ordinance Amending Willmar Municipal Code, Chapter 8, Licenses, Permits and Business Regulations.** Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Operations Director Box informed the Council that staff are preparing for adult-use cannabis consumption, registration, and zoning ordinances. It was noted personal consumption becomes legal on August 1, 2023; however, retail sales will not become effective until the Office of Cannabis Management begins to issue licenses, which is anticipated to be fully on-line in mid to late 2024. Mr. Box presented a few options to bring back to Council at future meetings.

Following discussion, consensus of the Council was to move toward a moratorium until January 1, 2025. This item was received for information purposes only.

Information Systems Coordinator Jonah Johnson presented three requests to use ARPA funds for the following: 1) to approve the one-time purchase of door security solution from Electrical Production Services; 2) to approve the one-time purchase of data wiring from Backes Technology Services, and; 3) to approve the one-time purchase of audio/visual solution from Audio Video Extremes.

Following discussion, **Resolution No. 2023-126 Authorizing Execution of a Contract with Electrical Production Services** was introduced by Council Member Ask. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Resolution No. 2023-127 Authorizing Execution of a Contract with Backes Technology Services was introduced by Council Member Ask. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Resolution No. 2023-128 Authorizing Execution of a Contract with Audio Video Extremes was introduced by Council Member Asmus. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Finance Director Odens presented a review of the financial report as of June 30, 2023.

Following discussion, Council Member Fagerlie offered a motion to approve the financial report, as presented. Council Member Shuldes seconded the motion which carried unanimously.

Planning and Development Services Director Walker presented a request to set a public hearing for August 7, 2023, to vacate public easements on the plat of Preserve on 24th First Addition.

Following discussion, Council Member Asmus offered a motion to approve staff's request. Council Member Butterfield seconded the motion, which carried unanimously.

Planning and Development Director Walker presented a request to approve consulting services from FiberMyCommunity (Roger Timmerman) for project review for the OAF Network and approve public town hall meetings to educate citizens of the City's broadband project.

Following discussion, **Resolution No. 2023-129 A Resolution That the City of Willmar Will Hire FiberMyCommunity for Project Review of the Hometown Fiber Proposal** was introduced by Council Member Asmus. Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Clerk Thompson presented a request to approve the sale of THC product license to Everest Liquor LLC dba Westside Liquor, located at 1600 Highway 12 East.

Following discussion, Council Member Shuldes offered a motion to approve staff's request. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 2. Council Members O'Brien and Butterfield voted "no".

City Clerk Thompson presented a request to approve a city park special event by on-sale liquor license holder permit for Torgerson Properties, Inc. dba Green Mill-Willmar to serve alcohol on July 28, 2023, for an event to be held at Guri Shelter on Robbins Island.

Following discussion, Council Member Fagerlie offered a motion to approve staff's request. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Clerk Thompson presented a request to approve a state application and permit for a 1-Day to 4-Day Temporary On-Sale Liquor License Permit for Kandiyohi County Fair Association to serve alcohol at the Kandiyohi County Fair from August 9 – 12, 2023.

Council Member Fagerlie offered a motion to approve staff's request. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Clerk Thompson presented a request to approve a state application and permit for a 1-Day to 4-Day Temporary On-Sale Liquor License Permit for Foxhole Brewhouse, Inc. dba Foxhole Brewhouse to sell alcohol during a social event on Saturday, August 19, 2023.

Council Member Fagerlie offered a motion to approve staff's request. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Reese offered the following comments: the third Rockin' Robbins concert is tomorrow night.

Council Member O'Brien offered the following comments: he would like to request Council make a decision on the J.C. Penney site for a new city hall/community center location sooner rather than later.

Council Member Asmus offered the following comments: Wednesday, August 19, at 10:00 a.m. there will be a ribbon cutting ceremony for the BCBS fitness court located at Sperry Park.

Mayor Reese asked Council their thoughts on Council Member O'Brien's comment. Council Member Ask asked that this item be placed on the August 7, 2023, Council agenda to allow community to speak one last time on this issue. Consensus of the Council was in agreement with Council Member Ask's request to place on the August 7th Council agenda.

City Attorney Scott recommended the Paffrath item be tabled until August 7, 2023, to allow for further review of the purchase agreement in place, and possibility of addressing in open session versus closed session.

Developer Justin Paffrath addressed the Mayor and Council and stated a lot of developers doing entry level housing would not be able to build without TIF, HRA, or special funding options available to them due to the costs involved.

Council Member Asmus offered a motion to table the closed session until the August 7, 2023, Council meeting. Council Member Ask seconded the motion, which carried unanimously.

Council Member Nelsen offered a motion to adjourn the meeting, with Council Member Ask seconding the motion, which carried. The meeting adjourned at 8:39 p.m.

_____
MAYOR

Attest:

_____
SECRETARY TO THE COUNCIL

RESOLUTION NO. 2023-122

RESOLUTION SUPPORTING REGIONAL PARK OR TRAIL DESIGNATION APPLICATION IN GREATER MINNESOTA:

Motion By: Ask Second By: Shuldes

BE IT RESOLVED that as lead applicant, has the authority to act as legal public sponsor for the application described in the *Request for Designation as a Regional Park or Trail in Greater Minnesota.* we formally support and authorize the applicant's submission on behalf of the partnership.

BE IT FURTHER RESOLVED that as lead applicant and joint applicant(s)/partner(s) we are fully aware of the information provided in the application and associated responsibilities, including long-term commitments as defined in the application and related master plan and supporting information as submitted.

BE IT FURTHER RESOLVED that should Robbins Island receive formal designation as a regional park or trail in Greater Minnesota by the Commission, as the lead applicant or joint applicant(s)/partner(s)*we* have the legal authority to enter into a formal designation, and funding agreements with the Commission for the referenced park or trail.

BE IT FURTHER RESOLVED that the listed applicant and joint applicant(s)/partner(s) certify they will comply with all applicable laws and regulations associated with regional designation and any future grant funding for their respective portions of any project.

I CERTIFY THAT the above resolution was adopted by the listed lead applicant and joint applicant(s)/partner(s) Board or Council.

Dated this 17th day of July 2023

/s/ Douglas E. Reese
MAYOR

Attest:

/s/ Judy R. Thompson
CITY CLERK

RESOLUTION NO. 2023-123

A RESOLUTION APPROVING THE HUMANE SOCIETY AGREEMENT FOR 2024 AND 2025

Motion By: Ask Second By: Shuldes

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the terms with The Humane Society of Kandiyohi and Meeker Counties 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 Society for the terms and consideration of the contract in the amount of $46,410 for 2024 and $48,034 for 2025.

Dated this 17th day of July, 2023

/s/ Douglas E. Reese
Mayor

Attest:

/s/ Judy R. Thompson
City Clerk

RESOLUTION NO. 2023-124

RESOLUTION PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF $9,450,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2023A

Motion By: Asmus Second By: O'Brien

A. WHEREAS, the City Council of the City of Willmar, Minnesota, has heretofore determined that it is necessary and expedient to issue its $9,450,000 General Obligation Improvement Bonds, Series 2023A (the "Bonds") to finance various public improvement projects in the City; and

B. WHEREAS, the City has retained Baker Tilly Municipal Advisors, LLC ("Baker Tilly MA"), as its independent municipal advisor and is therefore authorized to sell these obligations by a competitive negotiated sale in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9); and

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

1. Authorization; Findings. The City Council hereby authorizes Baker Tilly MA to solicit bids for the competitive negotiated sale of the Bonds.

2. Meeting; Bid Opening. This City Council shall meet at the time and place specified in the Terms of Proposal attached hereto as **Exhibit A** for the purpose of considering sealed bids for, and awarding the sale of, the Bonds. The Clerk, or designee, shall open bids at the time and place specified in such Terms of Proposal.

3. Terms of Proposal. The terms and conditions of the Bonds and the negotiation thereof are fully set forth in the "Terms of Proposal" attached hereto as **Exhibit A** and hereby approved and made a part hereof.

4. Official Statement. In connection with said competitive negotiated sale, the Clerk and other officers or employees of the City are hereby authorized to cooperate with Baker Tilly MA and participate in the preparation of an official statement for the Bonds, and to execute and deliver it on behalf of the City upon its completion.

The motion for the adoption of the foregoing resolution was duly seconded by Member O'Brien and, after full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof: Council Member Justin Ask, Audrey Nelsen, Vicki Davis, Carl Shuldes, Michael O'Brien, Thomas Butterfield, Julie Asmus, and Rick Fagerlie

and the following voted against the same: None

Whereupon said resolution was declared duly passed and adopted this 17th day of July, 2023.

/s/ Douglas E. Reese
MAYOR

ATTEST:

/s/ Judy R. Thompson
CITY CLERK

EXHIBIT A

THE CITY HAS AUTHORIZED BAKER TILLY MUNICIPAL ADVISORS, LLC TO NEGOTIATE THIS ISSUE ON ITS BEHALF. PROPOSALS WILL BE RECEIVED ON THE FOLLOWING BASIS:

TERMS OF PROPOSAL

$9,450,000*

CITY OF WILLMAR, MINNESOTA

GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2023A

(BOOK ENTRY ONLY)

Proposals for the above-referenced obligations (the "Bonds") will be received by the City of Willmar, Minnesota (the "City") on Monday, August 21, 2023 (the "Sale Date") until 10:00 A.M., Central Time (the "Sale Time") at the offices of Baker Tilly Municipal Advisors, LLC ("Baker Tilly MA"), 30 East 7th Street, Suite 3025, Saint Paul, MN 55101, after which time proposals will be opened and tabulated. Consideration for award of the Bonds will be by the City Council at its meeting commencing at 6:00 P.M., Central Time, of the same day.

SUBMISSION OF PROPOSALS

Baker Tilly MA will assume no liability for the inability of a bidder or its proposal to reach Baker Tilly MA prior to the Sale Time, and neither the City nor Baker Tilly MA shall be responsible for any failure, misdirection or error in the means of transmission selected by any bidder. All bidders are advised that each proposal shall be deemed to constitute a contract between the bidder and the City to purchase the Bonds regardless of the manner in which the proposal is submitted.

(a) ***Sealed Bidding.*** Completed, signed proposals may be submitted to Baker Tilly MA by email to bids@bakertilly.com, and must be received prior to the Sale Time.

OR

(b) ***Electronic Bidding.*** Proposals may also be received via PARITY®. For purposes of the electronic bidding process, the time as maintained by PARITY® shall constitute the official time with respect to all proposals submitted to PARITY®. *Each bidder shall be solely responsible for making necessary arrangements to access PARITY® for purposes of submitting its electronic proposal in a timely manner and in compliance with the requirements of the*

Terms of Proposal. Neither the City, its agents, nor PARITY® shall have any duty or obligation to undertake registration to bid for any prospective bidder or to provide or ensure electronic access to any qualified prospective bidder, and neither the City, its agents, nor PARITY® shall be responsible for a bidder's failure to register to bid or for any failure in the proper operation of, or have any liability for any delays or interruptions of or any damages caused by the services of PARITY®. The City is using the services of PARITY® solely as a communication mechanism to conduct the electronic bidding for the Bonds, and PARITY® is not an agent of the City.

If any provisions of this Terms of Proposal conflict with information provided by PARITY®, this Terms of Proposal shall control. Further information about PARITY®, including any fee charged, may be obtained from:

PARITY®, 1359 Broadway, 2nd Floor, New York, New York 10018
Customer Support: (212) 849-5000

DETAILS OF THE BONDS

The Bonds will be dated as of the date of delivery and will bear interest payable on February 1 and August 1 of each year, commencing August 1, 2024. Interest will be computed on the basis of a 360-day year of twelve 30-day months.

The Bonds will mature February 1 the years and amounts* as follows:

2025	$380,000
2026	$520,000
2027	$540,000
2028	$555,000
2029	$575,000
2030	$590,000
2031	$610,000
2032	$625,000
2033	$645,000
2034	$670,000
2035	$690,000
2036	$720,000
2037	$745,000
2038	$775,000
2039	$810,000

*The City reserves the right, after proposals are opened and prior to award, to increase or reduce the principal amount of the Bonds or the amount of any maturity or maturities in multiples of $5,000. In the event the amount of any maturity is modified, the aggregate purchase price will be adjusted to result in the same gross spread per $1,000 of Bonds as that of the original proposal. Gross spread for this purpose is the differential between the price paid to the City for the new issue and the prices at which the proposal indicates the securities will be initially offered to the investing public.

BOOK ENTRY SYSTEM

The Bonds will be issued by means of a book entry system with no physical distribution of Bonds made to the public. The Bonds will be issued in fully registered form and one Bond, representing the aggregate principal amount of the Bonds maturing in each year, will be registered in the name of Cede & Co. as nominee of The Depository Trust Company ("DTC"), New York, New York, which will act as securities depository for the Bonds. Individual purchases of the Bonds may be made in the principal amount of $5,000 or any multiple thereof of a single maturity through book entries made on the books and records of DTC and its participants. Principal and interest are payable by the registrar to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants will be the responsibility of such participants and other nominees of beneficial owners. The lowest bidder (the "Purchaser"), as a condition of delivery of the Bonds, will be required to deposit the Bonds with DTC.

REGISTRAR/PAYING AGENT

U.S. Bank Trust Company, National Association, Saint Paul, Minnesota will serve as Registrar/Paying Agent (the "Registrar") for the Bonds, and shall be subject to applicable regulations of the Securities and Exchange Commission. The City will pay for the services of the registrar/paying agent.

OPTIONAL REDEMPTION

The City may elect on February 1, 2032, and on any day thereafter, to redeem Bonds due on or after February 1, 2033. Redemption may be in whole or in part and if in part at the option of the City and in such manner as the City shall determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC of the particular amount of such maturity to be redeemed. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All redemptions shall be at a price of par plus accrued interest.

SECURITY AND PURPOSE

The Bonds will be general obligations of the City for which the City will pledge its full faith and credit and power to levy direct general ad valorem taxes. In addition, the City will pledge special assessments from benefited properties for repayment of a portion of the Bonds. The proceeds of the Bonds will be used to finance various improvements within the City.

BANK QUALIFIED TAX-EXEMPT OBLIGATIONS

The City will designate the Bonds as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

BIDDING PARAMETERS

Proposals shall be for not less than $9,355,500 plus accrued interest, if any, on the total principal amount of the Bonds. Rates shall be in integral multiples of 1/100 or 1/8 of 1%. The initial price to the public for each maturity as stated on the proposal must be 98.0% or greater.

Proposals for the Bonds may contain a maturity schedule providing for a combination of serial bonds and term bonds. All term bonds shall be subject to mandatory sinking fund redemption at a price of par plus accrued interest to the date of redemption scheduled to conform to the maturity schedule set forth herein. In order to designate term bonds, the proposal must specify "Years of Term Maturities" in the spaces provided on the proposal form.

No proposal can be withdrawn or amended after the time set for receiving proposals on the Sale Date unless the meeting of the City scheduled for award of the Bonds is adjourned, recessed, or continued to another date without award of the Bonds having been made. Bonds of the same maturity shall bear a single rate from the date of the Bonds to the date of maturity. No conditional proposals will be accepted.

ESTABLISHMENT OF ISSUE PRICE

In order to provide the City with information necessary for compliance with Section 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations promulgated thereunder (collectively, the "Code"), the Purchaser will be required to assist the City in establishing the issue price of the Bonds and shall complete, execute, and deliver to the City prior to the closing date, a written certification in a form acceptable to the Purchaser, the City, and Bond Counsel (the "Issue Price Certificate") containing the following for each maturity of the Bonds (and, if different interest rates apply within a maturity, to each separate CUSIP number within that maturity): (i) the interest rate; (ii) the reasonably expected initial offering price to the "public" (as said term is defined in Treasury Regulation Section 1.148-1(f) (the "Regulation")) or the sale price; and (iii) pricing wires or equivalent communications supporting such offering or sale price. Any action to be taken or documentation to be received by the City pursuant hereto may be taken or received on behalf of the City by Baker Tilly MA.

The City intends that the sale of the Bonds pursuant to this Terms of Proposal shall constitute a "competitive sale" as defined in the Regulation based on the following:

(i) the City shall cause this Terms of Proposal to be disseminated to potential bidders in a manner that is reasonably designed to reach potential bidders;
(ii) all bidders shall have an equal opportunity to submit a bid;
(iii) the City reasonably expects that it will receive bids from at least three bidders that have established industry reputations for underwriting municipal bonds such as the Bonds; and
(iv) the City anticipates awarding the sale of the Bonds to the bidder who provides a proposal with the lowest true interest cost, as set forth in this Terms of Proposal (See "AWARD" herein).

Any bid submitted pursuant to this Terms of Proposal shall be considered a firm offer for the purchase of the Bonds, as specified in the proposal. The Purchaser shall constitute an "underwriter" as said term is defined in the Regulation. By submitting its proposal, the Purchaser confirms that it shall require any agreement among underwriters, a selling group agreement, or other agreement to which it is a party relating to the initial sale of the Bonds, to include provisions requiring compliance with the provisions of the Code and the Regulation regarding the initial sale of the Bonds.

If all of the requirements of a "competitive sale" are not satisfied, the City shall advise the Purchaser of such fact prior to the time of award of the sale of the Bonds to the Purchaser. **In such event, any proposal submitted will not be subject to cancellation or withdrawal.** Within twenty-four (24) hours of the notice of award of the sale of the Bonds, the Purchaser shall advise the City and Baker Tilly MA if 10% of any maturity of the Bonds (and, if different interest rates apply within a maturity, to each separate CUSIP number within that maturity) has been sold to the public and the price at which it was sold. The City will treat such sale price as the "issue price" for such maturity, applied on a maturity-by-maturity basis. The City will not require the Purchaser to comply with that portion of the Regulation

commonly described as the "hold-the-offering-price" requirement for the remaining maturities, but the Purchaser may elect such option. If the Purchaser exercises such option, the City will apply the initial offering price to the public provided in the proposal as the issue price for such maturities. If the Purchaser does not exercise that option, it shall thereafter promptly provide the City and Baker Tilly MA the prices at which 10% of such maturities are sold to the public; provided such determination shall be made and the City and Baker Tilly MA notified of such prices whether or not the closing date has occurred, until the 10% test has been satisfied as to each maturity of the Bonds or until all of the Bonds of a maturity have been sold.

GOOD FAITH DEPOSIT

To have its proposal considered for award, the Purchaser is required to submit a good faith deposit via wire transfer to the City in the amount of $94,500 (the "Deposit") no later than 1:00 P.M., Central Time on the Sale Date. The Purchaser shall be solely responsible for the timely delivery of its Deposit, and neither the City nor Baker Tilly MA have any liability for delays in the receipt of the Deposit. If the Deposit is not received by the specified time, the City may, at its sole discretion, reject the proposal of the lowest bidder, direct the second lowest bidder to submit a Deposit, and thereafter award the sale to such bidder.

A Deposit will be considered timely delivered to the City upon submission of a federal wire reference number by the specified time. Wire transfer instructions will be available from Baker Tilly MA following the receipt and tabulation of proposals. The successful bidder must send an e-mail including the following information: (i) the federal reference number and time released; (ii) the amount of the wire transfer; and (iii) the issue to which it applies.

Once an award has been made, the Deposit received from the Purchaser will be retained by the City and no interest will accrue to the Purchaser. The amount of the Deposit will be deducted at settlement from the purchase price. In the event the Purchaser fails to comply with the accepted proposal, said amount will be retained by the City.

AWARD

The Bonds will be awarded on the basis of the lowest interest rate to be determined on a true interest cost (TIC) basis calculated on the proposal prior to any adjustment made by the City. The City's computation of the interest rate of each proposal, in accordance with customary practice, will be controlling.

The City will reserve the right to: (i) waive non-substantive informalities of any proposal or of matters relating to the receipt of proposals and award of the Bonds, (ii) reject all proposals without cause, and (iii) reject any proposal that the City determines to have failed to comply with the terms herein.

BOND INSURANCE AT PURCHASER'S OPTION

The City has **not** applied for or pre-approved a commitment for any policy of municipal bond insurance with respect to the Bonds. If the Bonds qualify for municipal bond insurance and a bidder desires to purchase a policy, such indication, the maturities to be insured, and the name of the desired insurer must be set forth on the bidder's proposal. The City specifically reserves the right to reject any bid specifying municipal bond insurance, even though such bid may result in the lowest TIC to the City. All costs associated with the issuance and administration of such policy and associated ratings and expenses (other than any independent rating requested by the City) shall be paid by the successful bidder. Failure of the municipal bond insurer to issue the policy after the award of the Bonds shall not constitute cause for failure or refusal by the successful bidder to accept delivery of the Bonds.

CUSIP NUMBERS

If the Bonds qualify for the assignment of CUSIP numbers such numbers will be printed on the Bonds; however, neither the failure to print such numbers on any Bond nor any error with respect thereto will constitute cause for failure or refusal by the Purchaser to accept delivery of the Bonds. Baker Tilly MA will apply for CUSIP numbers pursuant to Rule G-34 implemented by the Municipal Securities Rulemaking Board. The CUSIP Service Bureau charge for the assignment of CUSIP identification numbers shall be paid by the Purchaser.

SETTLEMENT

On or about September 14, 2023, the Bonds will be delivered without cost to the Purchaser through DTC in New York, New York. Delivery will be subject to receipt by the Purchaser of an approving legal opinion of Kennedy & Graven, Chartered of Minneapolis, Minnesota, and of customary closing papers, including a no-litigation certificate. On the date of settlement, payment for the Bonds shall be made in federal, or equivalent, funds that shall be received at the offices of the City or its designee not later than 12:00 Noon, Central Time. Unless compliance with the terms of payment for the Bonds has been made impossible by action of the City, or its agents, the Purchaser shall be liable to the City for any loss suffered by the City by reason of the Purchaser's non-compliance with said terms for payment.

CONTINUING DISCLOSURE

In accordance with SEC Rule 15c2-12(b)(5), the City will undertake, pursuant to the resolution awarding sale of the Bonds, to provide annual reports and notices of certain events. A description of this undertaking is set forth in the Official Statement. The Purchaser's obligation to purchase the Bonds will be conditioned upon receiving evidence of this undertaking at or prior to delivery of the Bonds.

OFFICIAL STATEMENT

The City has authorized the preparation of a Preliminary Official Statement containing pertinent information relative to the Bonds, and said Preliminary Official Statement has been deemed final by the City as of the date thereof within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. For an electronic copy of the Preliminary Official Statement or for any additional information prior to sale, any prospective purchaser is referred to the Municipal Advisor to the City, Baker Tilly Municipal Advisors, LLC, by telephone (651) 223-3000, or by email bids@bakertilly.com. The Preliminary Official Statement will also be made available at https://bondcalendar.bakertilly.com/.

A Final Official Statement (as that term is defined in Rule 15c2-12) will be prepared, specifying the maturity dates, principal amounts, and interest rates of the Bonds, together with any other information required by law. By awarding the Bonds to the Purchaser, the City agrees that, no more than seven business days after the date of such award, it shall provide to the Purchaser an electronic copy of the Final Official Statement. The City designates the Purchaser as its agent for purposes of distributing the Final Official Statement to each syndicate member, if applicable. The Purchaser agrees that if its proposal is accepted by the City, (i) it shall accept designation and (ii) it shall enter into a contractual relationship with its syndicate members for purposes of assuring the receipt of the Final Official Statement by each such syndicate member.

Dated July 17, 2023

BY ORDER OF THE CITY COUNCIL

/s/ Leslie Valiant
City Administrator

RESOLUTION NO. 2023-125

RESOLUTION ENTERING INTO SETTLEMENT AGREEMENT BETWEEN CITY OF WILLMAR, BNSF RAILWAY, AND KANDIYOHI COUNTY

Motion By: Fagerlie Second By: Butterfield

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 enter into the Settlement Agreement between the City of Willmar, BNSF Railway Company, Kandiyohi County, Kandiyohi County.

Dated this 17th day of July, 2023.

/s/ Douglas E. Reese
MAYOR

Attest:

/s/ Judy R. Thompson
CITY CLERK

RESOLUTION NO. 2023-126

RESOLUTION AUTHORIZING EXECUTION OF
A CONTRACT WITH ELECTRICAL PRODUCTION SERVICES

Motion By: Ask Second By: Davis

BE IT RESOLVED by the City Council of the City of Willmar that the quote from Electrical Production Services for a door security solution in the amount of $123,994.00 is accepted.

BE IT FURTHER RESOLVED THAT the City Council of the City of Willmar authorize the use of American Rescue Plan Act (ARPA) funds for this one-time purchase for long-lasting improvements to city infrastructure.

The Mayor and City Administrator are authorized to execute this agreement and any amendments on behalf of the City of Willmar.

Dated this 17th day of July 2023

/s/Douglas E. Reese
MAYOR

Attest:

/s/ Judy R. Thompson
CITY CLERK

RESOLUTION NO. 2023-127

RESOLUTION AUTHORIZING EXECUTION OF
A CONTRACT WITH BACKES TECHNOLOGY SERVICES

Motion By: Ask Second By: Davis

BE IT RESOLVED by the City Council of the City of Willmar that the quote from Backes Technology Services for data wiring in the amount of $13,893.97 is accepted.

BE IT FURTHER RESOLVED THAT the City Council of the City of Willmar authorize the use of American Rescue Plan Act (ARPA) funds for this one-time purchase for long-lasting improvements to city infrastructure.

The Mayor and City Administrator are authorized to execute this agreement and any amendments on behalf of the City of Willmar.

Dated this 17th day of July 2023

/s/ Douglas E. Reese
MAYOR

Attest:

/s/ Judy R. Thompson
CITY CLERK

RESOLUTION NO. 2023-128

RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH AUDIO VIDEO EXTREMES

Motion By: Asmus Second By: Fagerlie

BE IT RESOLVED by the City Council of the City of Willmar that the quote from Audio Video Extremes for an audio/visual solution in the amount of $14,994.63 is accepted.

BE IT FURTHER RESOLVED THAT the City Council of the City of Willmar authorize the use of American Rescue Plan Act (ARPA) funds for this one-time purchase for long-lasting improvements to city infrastructure.

The Mayor and City Administrator are authorized to execute this agreement and any amendments on behalf of the City of Willmar.

Dated this 17th day of July 2023

/s/ Douglas E. Reese
MAYOR

ATTEST:

/s/ Judy R. Thompson
CITY CLERK

RESOLUTION NO. 2023-129

A RESOLUTION THAT THE CITY OF WILLMAR WILL HIRE FIBERMYCOMMUNITY FOR PROJECT REVIEW OF THE HOMETOWN FIBER PROPOSAL.

Motion By: Asmus Second By: Fagerlie

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the City of Willmar will hire FiberMyCommunity for project review of the Hometown Fiber proposal, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into a contract with FiberMyCommunity.

Dated this 17th day of July, 2023

/s/ Douglas E. Reese
MAYOR

ATTEST:

/s/ Judy R. Thompson
CITY CLERK

WILLMAR CITY COUNCIL WORK SESSION PROCEEDINGS
CIVIC CENTER 2707 ARENA DRIVE - WILLMAR, MN 56201

July 10, 2023
6:30 PM

The work session of the Willmar City Council was called to order by Mayor Doug Reese. Members present on a roll call were Mayor Doug Reese, Councilmembers Rick Fagerlie, Audrey Nelsen, Julie Asmus, Justin Ask, Vicki Davis, Carl Shuldes, and Michael O'Brien. Present 8, Absent 1. Councilmember Thomas Butterfield was excused from the meeting.

Also present were City Administrator Leslie Valiant; City Operations Director Kyle Box; Community Growth Director Pablo Obregon; and Human Resource Director LuAnn Sietsema.

There were no additions or deletions to the agenda.

The Mayor and Council conducted an open discussion on the next steps for a City Hall and Community Center Project(s). The discussion consisted of the pros and cons of each site, including the existing community center location, City Hall/ City Auditorium, and JC Penny's building.

Staff asked the Mayor and Council what additional information is needed to move forward with a site selection. An updated tax impact was requested and will be provided at the next regular council meeting.

There was a consensus from the Council to add an agenda item to the next regular meeting to decide whether the city would pursue a joint location with Willmar Municipal Utilities.

City Administrator Leslie Valiant mentioned two additional locations for council consideration; Block 50 and Skylark Mall.

At 7:47 PM, a Motion was made by Fagerlie, Seconded by Nelsen, to adjourn into closed session pursuant to Minnesota Statute 13D.03, subd. 1. The motion carried 8 ayes, 0 noes.

At 8:41 PM, the Council came back into open session.

At 8:42 PM, Mayor Reese Adjourned the meeting.

_____
Mayor

Attest

_____
Secretary to the Council

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	5.C.
Agenda Section:	Consent Items	**Originating Department:**	Planning and Development
Resolution:	No	**Prepared By:**	Justice Walker, Planning and Development Director
Ordinance:	No	**Presented By:**	Justice Walker, Planning and Development Director
Item:	Planning Commission Minutes from June 21st		

RECOMMENDED ACTION:

OVERVIEW:

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:
1. 06-21 Minutes
2. VISUALS 06-21

WILLMAR PLANNING COMMISSION
WEDNESDAY, JUNE 21st, 2023
333 6TH STREET SW, CONFERENCE ROOM 1
MINUTES

1. The Willmar Planning Commission met on Wednesday, June 21st, 2023, at 6:30pm at the City Hall

   Members Present: Yvon Fils-Aime, Christopher Buzzeo. John Christianson and Steve Dresler.

   Members Absent:. Chair Jonathan Marchand, Stacy Holwerda and Vice Chair Kelsey Vosika.

   Others Present: Director Justice Walker, City Planner Guilherme Motta, Aaron Backman, Mike Bowman, Hojn Hafner, Jennifer Kotila, Matt Runke, Troy Lederson.

2. Commissioner Dresler called for order at 6:33pm. Commissioners reviewed minutes from June 7th. Commissioner Buzzeo asked for changes in the last line of item 4. Commissioner Buzzeo motioned to approve with the correction, and Commissioner Fils-Aime seconded. All members present voted aye to approve. The motion was approved.

3. **BETHESDA MAP AMENDMENT AG TO LB – PUBLIC HEARING (FILE 23-06).**

Director Walker gave an overview of the project and read the staff recommendation according to the agenda.

The public hearing was opened at 6:36pm.
Commissioner Dresler asked if anyone would comment on the map amendment, and nobody commented.
Public Hearing closed at 6:36pm.

Commissioner Dresler asked for commissioner comments. Director Walker explained the location, that it is contiguous to north Limited Business zoning district and justified why this is the best zoning to be amended considering that in R1, R2 and R3 there are limited density limits, and it would be necessary a PUD prior to final approval. He also explained that the PUD would give flexibility on the project. Mr. Lederson explained this is a similar development to other Bethesda projects. Commissioner Buzzeo confirmed it would be 210 units. Commissioner Dresler asked for more questions.

Staff recommended in favor of the approval for the Map Amendment.

Commissioner Christianson motioned to approve the Map Amendment, and Commissioner Fils-Aime seconded. Commissioner Fils-Aime voted aye, Commissioner Buzzeo voted aye, Commissioner Dresler voted aye and Commissioner Christianson voted aye. The motion was approved.

4. RAIL PARK, MAJOR SUBDIVISION – FINAL (FILE 23-03)

Director Walker gave an overview of the project according to the agenda and comments provided. He showed data necessary for preliminary and final plat approval and checked with commissioners if it was provided.

The public hearing was opened at 6:47pm.

Commissioner Dresler asked if anyone would comment on the project.

Mr. Backman introduced the final plat showing the utilities and easements available.

The public was closed at 6:49pm.

Commissioner Buzzeo read the overview project to clarify why it would be necessary to approve the plat now when new subdivisions were imminent in the future. Director Walker explained that the current subdivision is conceptual and to unify the several lots into only one lot. This would give prospective tenants a blank slate for development. Other subdivisions would be necessary according to the new developments interested in locating in the Rail Park. At that point utilities would be necessary and required. Commissioner Buzzeo asked why the cost to extend utilities were not on the developer for this subdivision. Mr. Backman said that water service is part of the agreement made by the city and the developer and it would be consolidated. Commissioner Buzzeo asked about the signatures on the final plat, that would be provided after council approval and final mylar signature would be requested. Commissioner Dresler asked for more questions. With no further questions, Commissioner Dresler asked for a motion.

Commissioner Fils-Aime motioned to approve Rail Park Major Subdivision; Commissioner Buzzeo seconded. Commissioner Christianson voted aye, Commissioner Fils-Aime voted aye, Commissioner Buzzeo voted aye, and Commissioner Dresler voted aye. The motion was approved.

5. PEP'S BAR AND RESTAURANT, PLAN REVIEW – PRELIMINARY (FILE 23-06)

Director Walker gave an overview of the project according to the agenda. He explained that there is no alteration in the exteriors and only interior remodeling. Mr. Hafner said they agree with staff comments. Mr Bowman explained it is a social dining club and cocktail establishment for members only, for 62 people inside and the goal is to continue with construction of the kitchen and bathrooms and installing a sprinkler system. Commissioner Buzzeo asked for location and confirmed if it is only interior remodeling and Mr. Walker showed location on GIS. Commissioner Dresler asked about the current use, it is a studio and garage. Director Walker explained why it is a Plan Review process and shall be approved for the Planning Commission. Commissioner Dresler asked about parking issues and the architect Mr. Hafner responded they have at least 30 stalls already paved and that the occupancy is based on square footage. Commissioner Dresler asked for more questions and finished the discussion.

6. MISCELLANNY

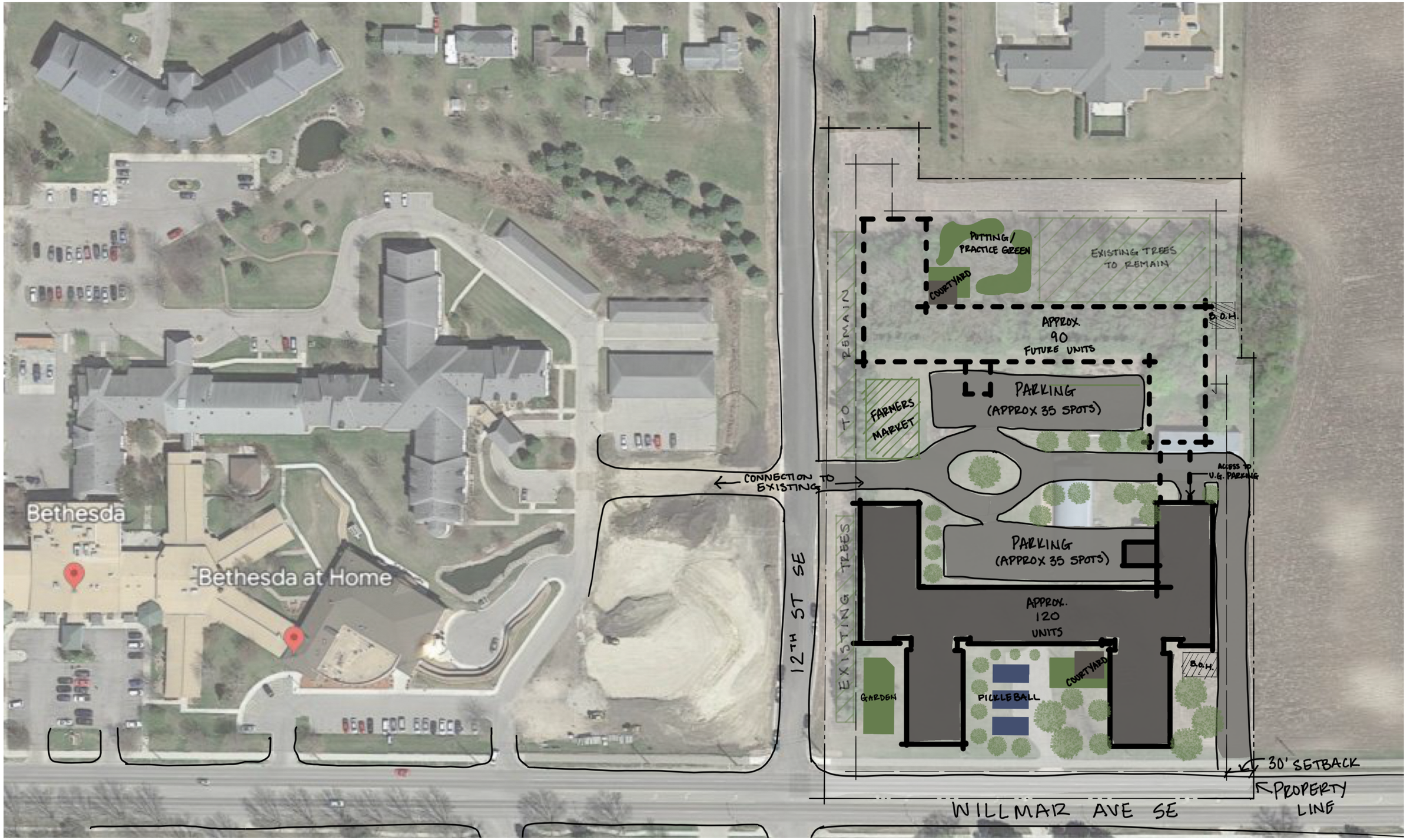
1. Director Walker explained this is a city-initiated Map and Text Zoning Amendment that changes uses for the General Business District. This change is part of the split of the General Business District in 3 different zonings. The General Business District would keep in general retails, neighborhood businesses in a more walkable and neighbor environment, according to uses specified on the new uses table and new lot size and setbacks. GB-2 (General Business District 2) was already approved by this Planning Commission on 05-17 meeting. The changes have occurred in the General Business (GB) zoning located throughout the 1st Street S, south Willmar Ave. The third zoning district created from the GB split is the GB-3 (General Business District 3). This zoning is a more industrial related business, located on areas that already have the tendency for industrial uses, but not as heavy as the one located in I-1 and I-3. This zoning is located on certain portions of Hwy 12, close to industrial area and on north, throughout the Hwy 71.

2. Director Walker broached the topic of short-term rentals. He stated that he has seen an uptick in inquiries over the last few months. He said they discussed this at the council meeting and it was decided to work on an ordinance that would be discussed and later brought to the Planning Commission.

7. ADJOURN

Commissioner Buzzeo motioned to adjourn at 7:21pm. Seconded by Commissioner Fils-Aime. All members present aye. The motion carried. With no further business, the meeting was adjourned.

Minutes presented by City Planner Guilherme Motta



pope DESIGN GROUP

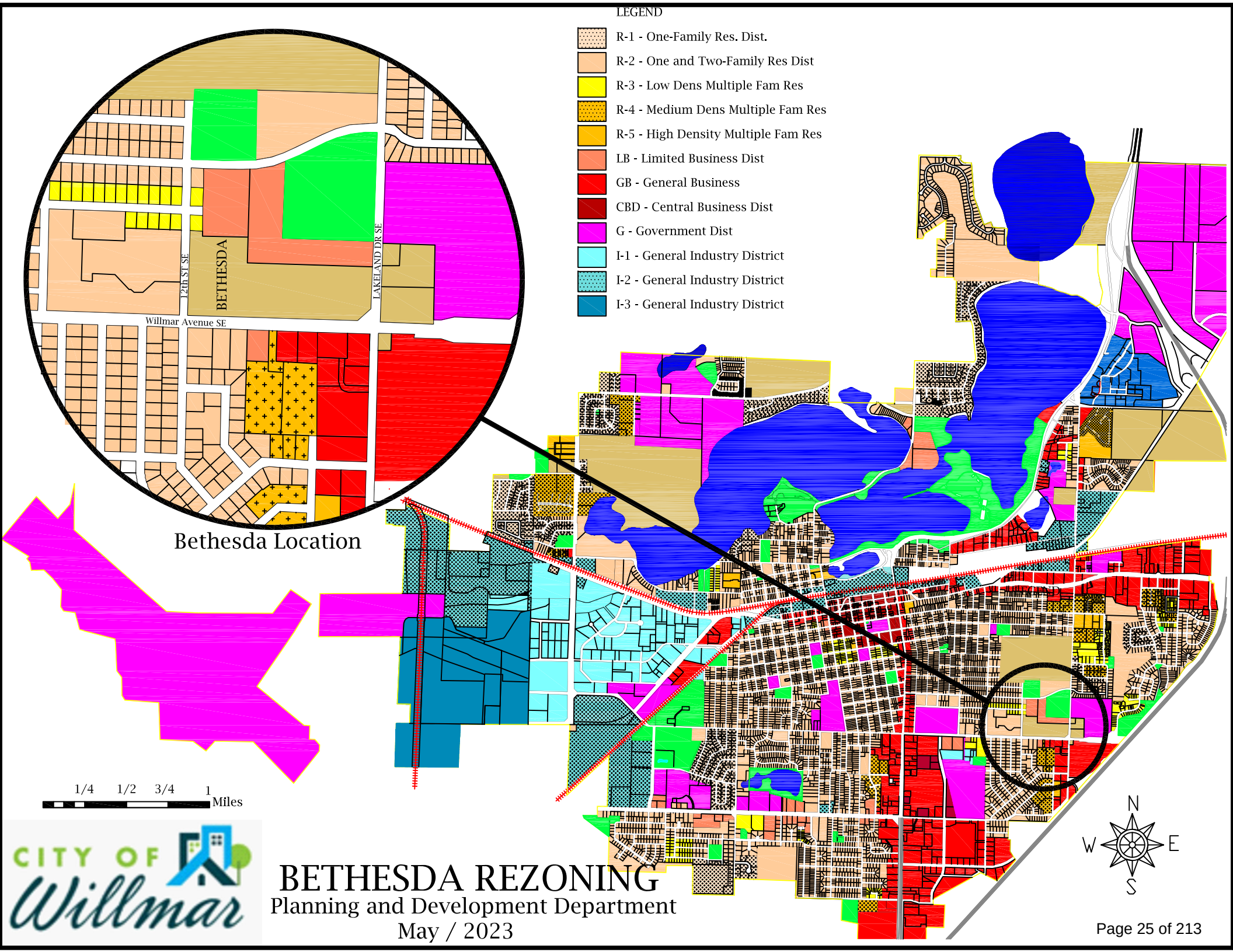
Bethesda - Willmar Site Master Plan | Schematic Site Plan

WILLMAR, MN | 06.05.2023 | 12739-23085

0 50 100 200

N

Bethesda



CITY OF Willmar

BETHESDA REZONING

Planning and Development Department

May / 2023

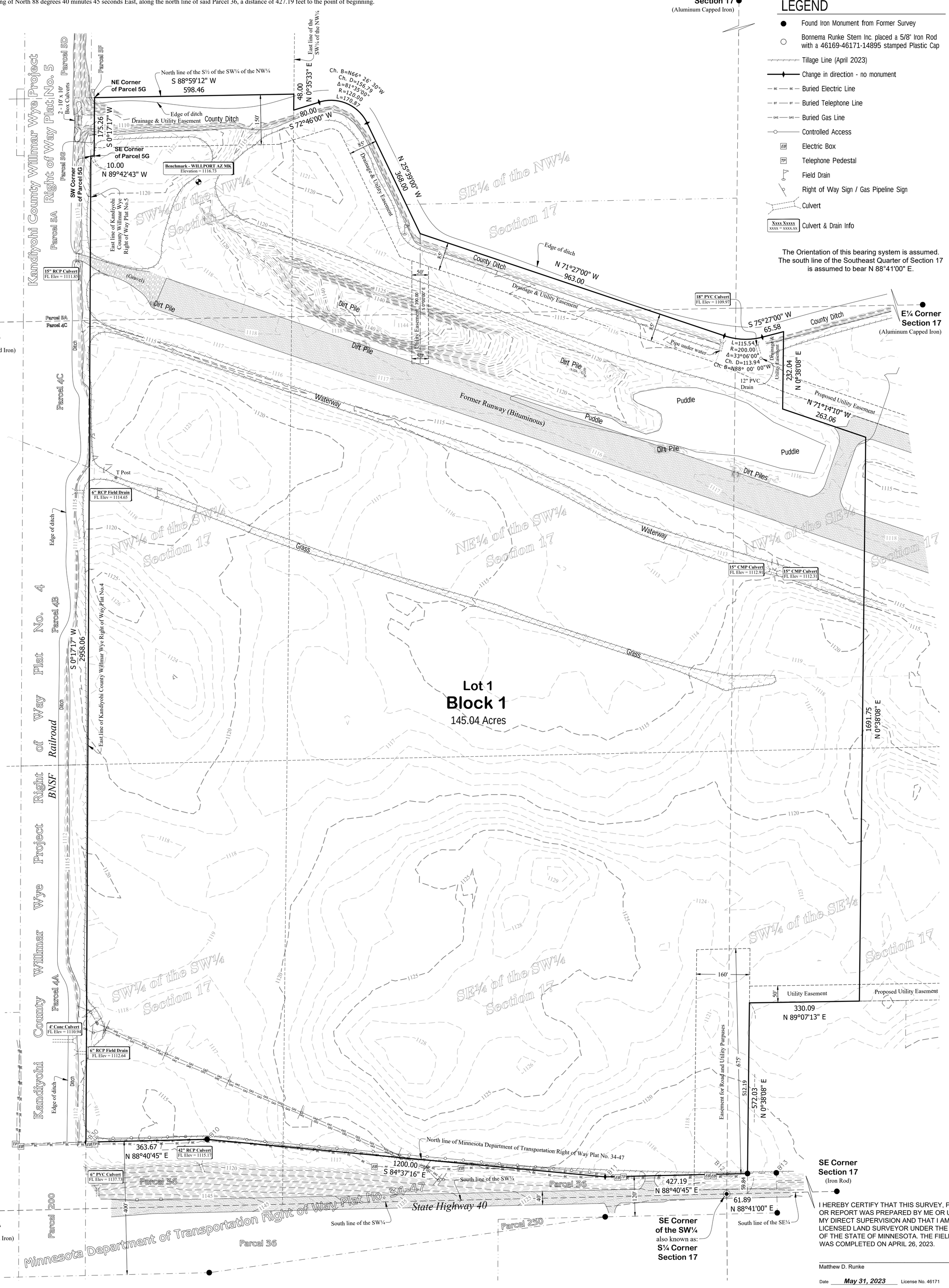
Preliminary Plat of:

WILLMAR RAIL PARK ADDITION

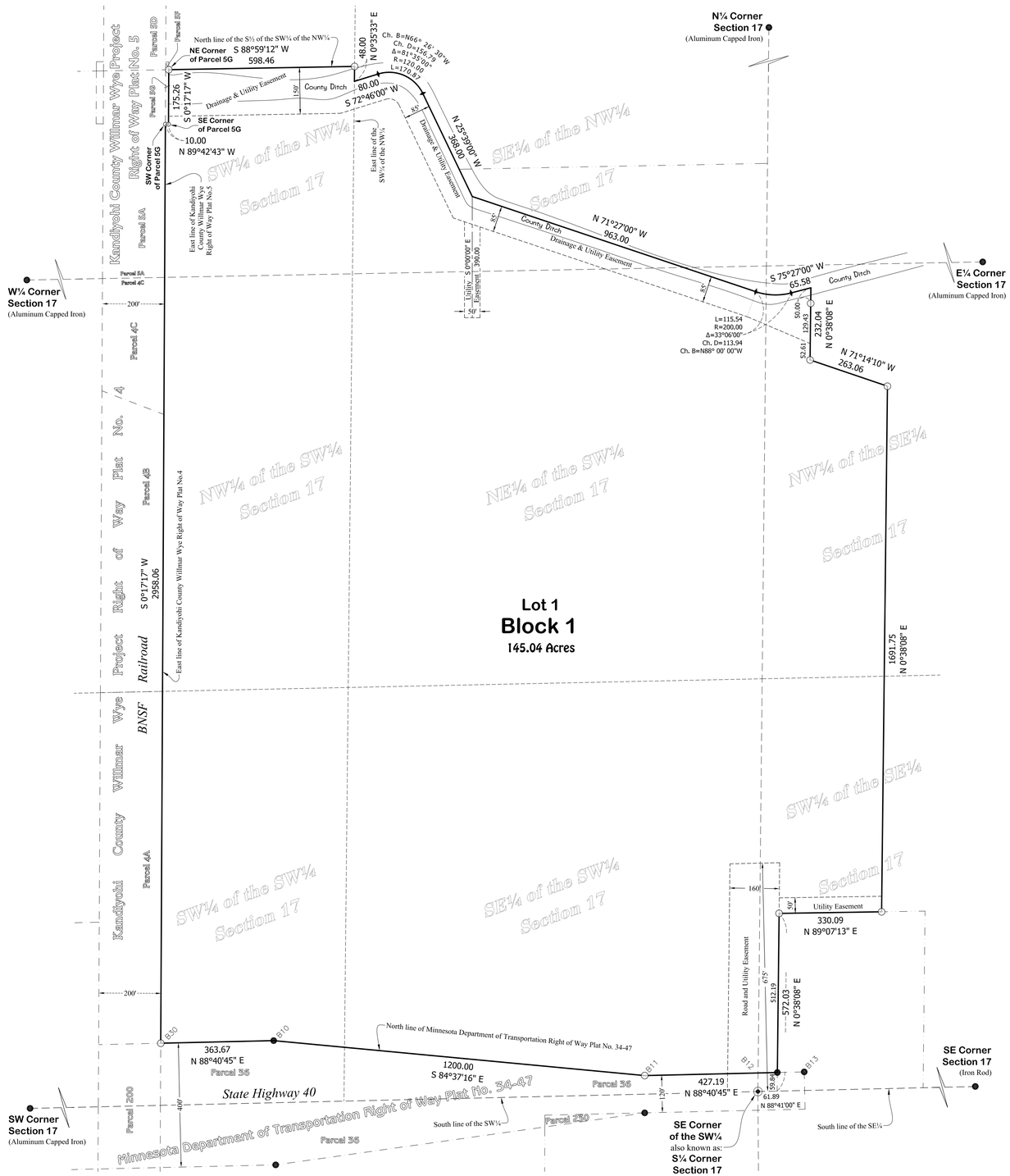
Land Description - 145.04 Acres

That part of the Southwest Quarter and also that part of the South Half of the Northwest Quarter, and also that part of the West Half of the Southeast Quarter, all in Section 17, Township 119 North, Range 35 West of the Fifth Principal Meridian, Kandiyohi County, Minnesota described as follows:

- Commencing at the southeast corner of said Southwest Quarter;
- thence on an assumed bearing of North 88 degrees 41 minutes 00 seconds East, along the south line of said Section 17, a distance of 61.89 feet;
- thence on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 59.84 feet to the north line of the record plat entitled MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47, on file in the office of the Kandiyohi County Recorder, which is the point of beginning of the land to be described;
- thence continuing on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 512.19 feet;
- thence on a bearing of North 89 degrees 07 minutes 13 seconds East a distance of 330.09 feet;
- thence on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 1691.75 feet;
- thence on a bearing of North 71 degrees 14 minutes 10 seconds West a distance of 263.06 feet;
- thence on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 232.04 feet to a point in the ditch;
- thence on a bearing of South 75 degrees 27 minutes 00 seconds West a distance of 65.58 feet to a point in the ditch;
- thence westerly, along a tangential curve, concave to the north, which has a radius of 200.00 feet, a central angle of 33 degrees 06 minutes 00 seconds, and an arc distance of 115.54 feet to a point in the ditch;
- thence on a bearing of North 71 degrees 27 minutes 00 seconds West, tangent to last said curve, a distance of 963.00 feet to a point in the ditch;
- thence on a bearing of North 25 degrees 39 minutes 00 seconds West a distance of 368.00 feet to a point in the ditch;
- thence northwesterly, along a tangential curve, concave to the southwest, which has a radius of 120.00 feet, a central angle of 81 degrees 35 minutes 00 seconds, and an arc distance of 170.87 feet to a point in the ditch;
- thence on a bearing of South 72 degrees 46 minutes 00 seconds West, tangent to last said curve, a distance of 80.00 feet to the east line of the Southwest Quarter of the Northwest Quarter of said Section 17;
- thence on a bearing of North 00 degrees 35 minutes 33 seconds East, along the east line of said Southwest Quarter of the Northwest Quarter, a distance of 48.00 feet to the north line of the South Half of said Southwest Quarter of the Northwest Quarter;
- thence on a bearing of South 88 degrees 59 minutes 12 seconds West, along the north line of the South Half of said Southwest Quarter of the Northwest Quarter, a distance of 598.46 feet to the northeast corner of Parcel 5G of the record plat entitled KANDIYOHI COUNTY WILLMAR WYE PROJECT RIGHT OF WAY PLAT NO. 5, on file in the office of the Kandiyohi County Recorder;
- thence on a bearing of South 00 degrees 17 minutes 17 seconds West, along the east line of said Parcel 5G, a distance of 175.26 feet to the southeast corner of said Parcel 5G;
- thence on a bearing of North 89 degrees 42 minutes 43 seconds West, along the south line of said Parcel 5G, a distance of 10.00 feet to the southwest corner of said Parcel 5G;
- thence on a bearing of South 00 degrees 17 minutes 17 seconds West, along the east line of said record plat entitled KANDIYOHI COUNTY WILLMAR WYE PROJECT RIGHT OF WAY PLAT NO. 5, and also along the east line of the record plat entitled KANDIYOHI COUNTY WILLMAR WYE PROJECT RIGHT OF WAY PLAT NO. 4, on file in the office of the Kandiyohi County Recorder, a distance of 2958.06 feet to Point B30, as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47;
- thence on a bearing of North 88 degrees 40 minutes 45 seconds East, along the north line of Parcel 36 as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47, a distance of 363.67 feet to Point B10, as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47;
- thence on a bearing of South 84 degrees 37 minutes 16 seconds East, along the north line of said Parcel 36, a distance of 1200.00 feet to Point B11, as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47;
- thence on a bearing of North 88 degrees 40 minutes 45 seconds East, along the north line of said Parcel 36, a distance of 427.19 feet to the point of beginning.



WILLMAR RAIL PARK ADDITION



DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Willmar, a Minnesota Municipality, owners and proprietors of the following described property:

That part of the Southwest Quarter and also that part of the South Half of the Northwest Quarter, and also that part of the West Half of the Southeast Quarter, all in Section 17, Township 119 North, Range 35 West of the Fifth Principal Meridian, Kandiyohi County, Minnesota described as follows:

- Commencing at the southeast corner of said Southwest Quarter;
- thence on an assumed bearing of North 88 degrees 41 minutes 00 seconds East, along the south line of said Section 17, a distance of 61.89 feet;
- thence on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 59.84 feet to the north line of the record plat entitled MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47, on file in the office of the Kandiyohi County Recorder, which is the point of beginning of the land to be described;
- thence continuing on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 512.19 feet;
- thence on a bearing of North 89 degrees 07 minutes 13 seconds East a distance of 330.09 feet;
- thence on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 1691.75 feet;
- thence on a bearing of North 71 degrees 14 minutes 10 seconds West a distance of 263.06 feet;
- thence on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 232.04 feet to a point in the ditch;
- thence on a bearing of South 75 degrees 27 minutes 00 seconds West a distance of 65.58 feet to a point in the ditch;
- thence westerly, along a tangential curve, concave to the north, which has a radius of 200.00 feet, a central angle of 33 degrees 06 minutes 00 seconds, and an arc distance of 115.54 feet to a point in the ditch;
- thence on a bearing of North 71 degrees 27 minutes 00 seconds West, tangent to last said curve, a distance of 963.00 feet to a point in the ditch;
- thence on a bearing of North 25 degrees 39 minutes 00 seconds West a distance of 368.00 feet to a point in the ditch;
- thence northwesterly, along a tangential curve, concave to the southwest, which has a radius of 120.00 feet, a central angle of 81 degrees 35 minutes 00 seconds, and an arc distance of 170.87 feet to a point in the ditch;
- thence on a bearing of South 72 degrees 46 minutes 00 seconds West, tangent to last said curve, a distance of 80.00 feet to the east line of the Southwest Quarter of the Northwest Quarter of said Section 17;
- thence on a bearing of North 00 degrees 35 minutes 33 seconds East, along the east line of said Southwest Quarter of the Northwest Quarter, a distance of 48.00 feet to the north line of the South Half of said Southwest Quarter of the Northwest Quarter;
- thence on a bearing of South 88 degrees 59 minutes 12 seconds West, along the north line of the South Half of said Southwest Quarter of the Northwest Quarter, a distance of 598.46 feet to the northeast corner of Parcel 5G of the record plat entitled KANDIYOHI COUNTY WILLMAR WYE PROJECT RIGHT OF WAY PLAT NO. 5, on file in the office of the Kandiyohi County Recorder;
- thence on a bearing of South 00 degrees 17 minutes 17 seconds West, along the east line of said Parcel 5G, a distance of 175.26 feet to the southeast corner of said Parcel 5G;
- thence on a bearing of North 89 degrees 42 minutes 43 seconds West, along the south line of said Parcel 5G, a distance of 10.00 feet to the southwest corner of said Parcel 5G;
- thence on a bearing of South 00 degrees 17 minutes 17 seconds West, along the east line of said record plat entitled KANDIYOHI COUNTY WILLMAR WYE PROJECT RIGHT OF WAY PLAT NO. 5, and also along the east line of the record plat entitled KANDIYOHI COUNTY WILLMAR WYE PROJECT RIGHT OF WAY PLAT NO. 4, on file in the office of the Kandiyohi County Recorder, a distance of 2958.06 feet to Point B30, as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47;
- thence on a bearing of North 88 degrees 40 minutes 45 seconds East, along the north line of Parcel 36 as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47, a distance of 363.67 feet to Point B10, as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47;
- thence on a bearing of South 84 degrees 37 minutes 16 seconds East, along the north line of said Parcel 36, a distance of 1200.00 feet to Point B11, as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47;
- thence on a bearing of North 88 degrees 40 minutes 45 seconds East, along the north line of said Parcel 36, a distance of 427.19 feet to the point of beginning.

Has caused the same to be surveyed and platted as WILLMAR RAIL PARK ADDITION and does hereby dedicate to the public for public use the drainage and utility easements as created by this plat.

In witness whereof said City of Willmar, a Minnesota Municipality, has caused these presents to be signed by its proper officers this _____ day of _____, 20____

By: _____ By: _____

Its: _____ Its: _____

STATE OF MINNESOTA

COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____ by _____, its _____ and _____, its _____ of the City of Willmar, a Minnesota Municipality, on behalf of the Municipality.

_____
Notary Signature

_____
Notary Printed Name
Notary Public, _____ County, Minnesota
My Commission Expires _____

LAND SURVEYOR

I Matthew D. Runke do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wetlands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 2023.

_____
Matthew D. Runke, Licensed Land Surveyor
Minnesota License No. 46171

STATE OF MINNESOTA

COUNTY OF _____

This instrument was acknowledged before me on _____ by Matthew D. Runke, Licensed Land Surveyor, Minnesota License No. 46171.

_____
Notary Signature

_____
Notary Printed Name
Notary Public, _____ County, Minnesota
My Commission Expires _____

North

This drawing prepared by:

Bonnema Runke Stern Inc.
Professional Land Surveyors
4566 Hwy 71 NE - Suite 1
Willmar, MN 56201
Office (320) 231-2844
Fax (320) 231-2827

Owner: City of Willmar
333 6th St SW
Willmar, MN 56201

Developer: Midwest & Bluegrass Rail
201 W Short St Suite 501
Lexington, KY 40507

0 200 400 600
Scale in Feet

LEGEND

- ● Found Iron Monument from Former Survey
- ○ Bonnema Runke Stern Inc. placed a 5/8" Iron Rod with a 46169-46171-14895 stamped Plastic Cap

The Orientation of this bearing system is assumed. The south line of the Southeast Quarter of Section 17 is assumed to bear N 88°41'00" E.

City Planning Commission

Approved by the Planning Comission of the City of Willmar this_____ day of _____ 20_____.

Signed by:_____
Chair

Attest by: _____
Secretary

City Council

Approved by the City of Willmar, Minnesota this _____ day of _____ 20_____.

Signed by:_____
Mayor

ATTEST: _____
City Clerk

City Engineer

Approved by the City Engineer, City of Willmar this _____ day of _____ 20_____.

_____
City Engineer

Attorney

I, _____, Licensed Attorney, State of Minnesota, do hereby certify that the owners as indicated hereon represent all ownership interest in the land encompassed by this plat.

_____
Attorney

County Auditor/Treasurer

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and and transfer entered this ____ day of _____, 20____.

_____
Kandiyohi County Auditor / Treasurer

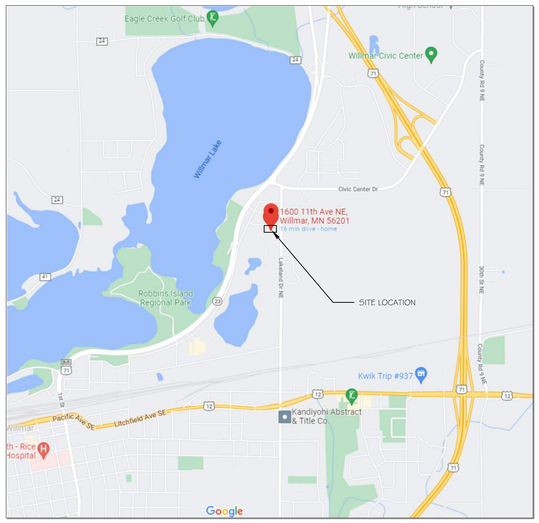
County Recorder

I hereby certify that this instrument was filed for record in the office of the County Recorder in and for Kandiyohi County, Minnesota on this _____ day of _____, 20____, at _____ o'clock ___M., as Folder No._____, and as Document No. _____.

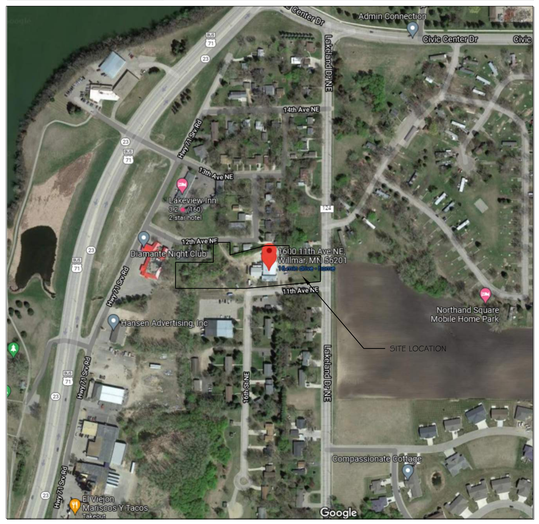
_____
Kandiyohi County Recorder

© Copyright 2022 - Cities Edge, LLC. - All Rights Reserved
DRAWN BY: SMB CHECKED BY: JDH

VICINITY MAP



AERIAL VIEW OF SITE



PEP'S BAR & RESTAURANT

KANDIYOHI COUNTY

WILLMAR, MINNESOTA

1600 11TH AVENUE NE

GENERAL LOCATION

SHEET INDEX

GENERAL

G001 COVER SHEET
G002 CODE DATA
G003 ADA DATA

ARCHITECTURAL

A001 ARCHITECTURAL SITE PLAN
A101 FLOOR PLANS

PROJECT INFORMATION

OWNER/DEVELOPER:
STEVE PEPPIN
1600 11TH AVENUE NE
WILLMAR, MN 56201
PH: 612-499-0419
EMAIL:

ARCHITECT:
CITIES EDGE ARCHITECTS
1017 EAST HIGHWAY 12
WILLMAR, MN 56201
PH: 612-817-0231
CONTACT: JOHN HAFNER
EMAIL: jhafner@citiesedgearchitects.com

CITIES EDGE ARCHITECTS
1017 East Highway 12 | Willmar, MN 56201
612-817-0231 | CitiesEdgeArchitects.com

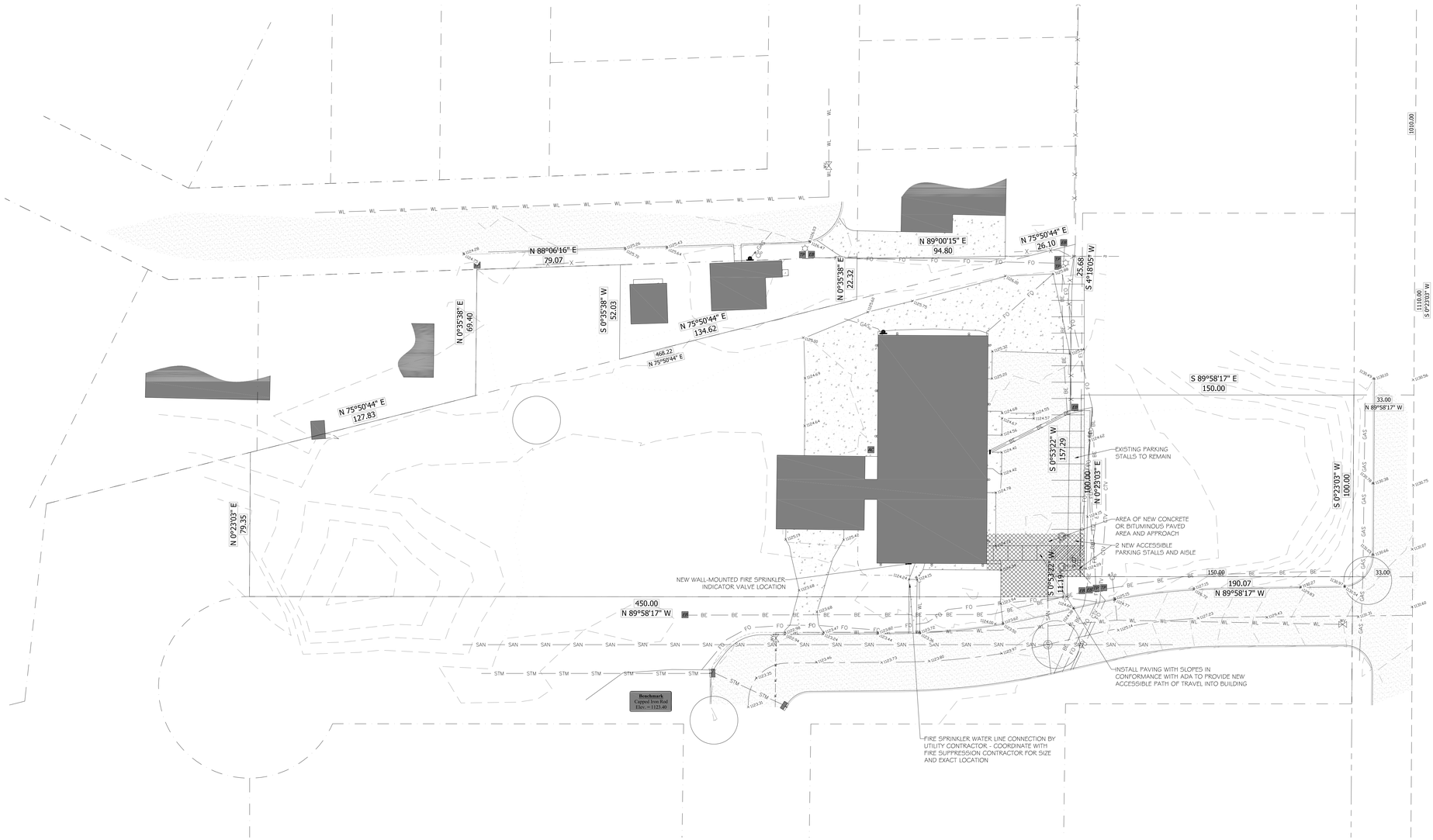
Certification # Seal:

PRELIMINARY
FOR REVIEW PURPOSES ONLY

MARK	DATE	DESCRIPTION
	6/6/2023	PLANNING COMMISSION REVIEW
	5/11/2022	RE-SUBMITTAL FOR PERMITTING
	11/17/2021	RE-SUBMITTAL FOR PERMITTING

DATE ISSUED: 10/12/2021
ISSUE PHASE: PERMITTING
PROJECT TITLE: PEP'S BAR & RESTAURANT
PROJECT OWNER: STEVE PEPPIN
PROJECT LOCATION: WILLMAR, MN
SHEET TITLE: COVER SHEET
SCALE: AS NOTED
PROJECT NUMBER: 21-021
SHEET NUMBER: G001

© Copyright 2023 - Cities Edge, LLC. - All Rights Reserved
DRAWN BY: SMB CHECKED BY: JDH

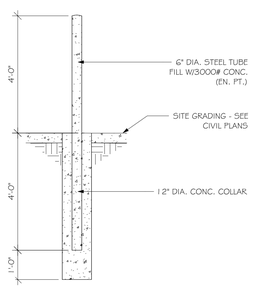


PROVIDE PARKING AS NECESSARY FOR OCCUPANT LOAD

1 PROPOSED SITE PLAN

1" = 25'-0"

INDICATES SHIELDED WALL-MOUNTED
(1) LED LIGHT FOR EXTERIOR ILLUMINATION



2 TYP. BOLLARD DETAIL

1/2" = 1'-0"

CITIES EDGE ARCHITECTS
1017 East Highway 12 | Willmar, MN 56201
612-817-0231 | CitiesEdgeArchitects.com

Certification # Seal:

PRELIMINARY
FOR REVIEW PURPOSES ONLY

MARK	DATE	DESCRIPTION
	6/6/2023	PLANNING COMMISSION REVIEW
	5/11/2022	RE-SUBMITTAL FOR PERMITTING
	11/17/2021	RE-SUBMITTAL FOR PERMITTING

DATE ISSUED: 10/12/2021
ISSUE PHASE: PERMITTING

PROJECT TITLE:
PEP'S BAR & RESTAURANT

PROJECT OWNER:
STEVE PEPPIN

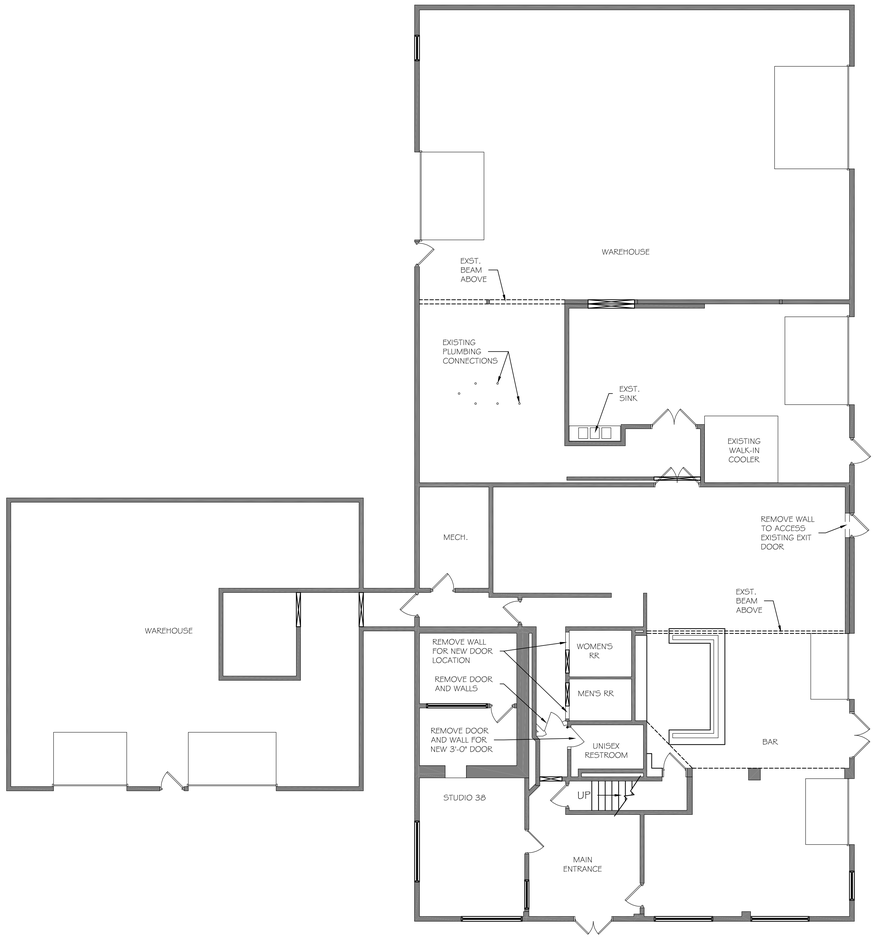
PROJECT LOCATION:
WILLMAR, MN

SHEET TITLE:
PROPOSED SITE PLAN

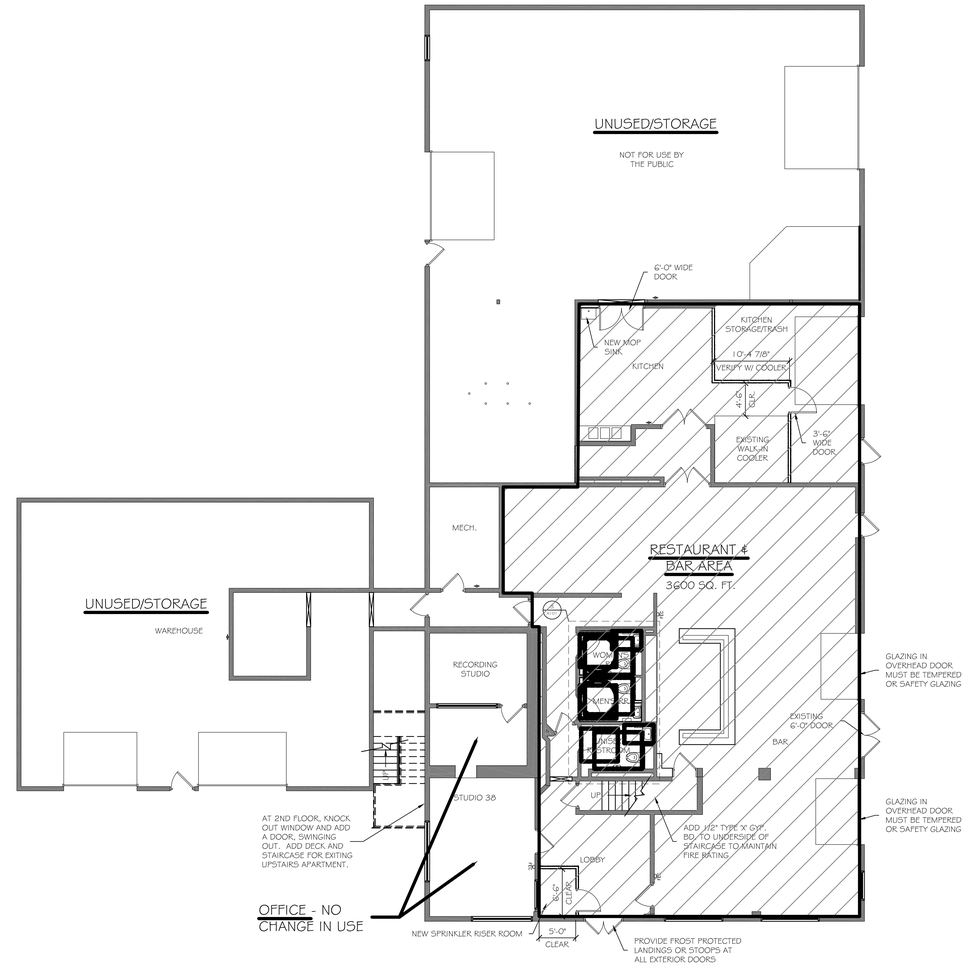
SCALE:
AS NOTED

PROJECT NUMBER: 21-021
SHEET NUMBER: A001

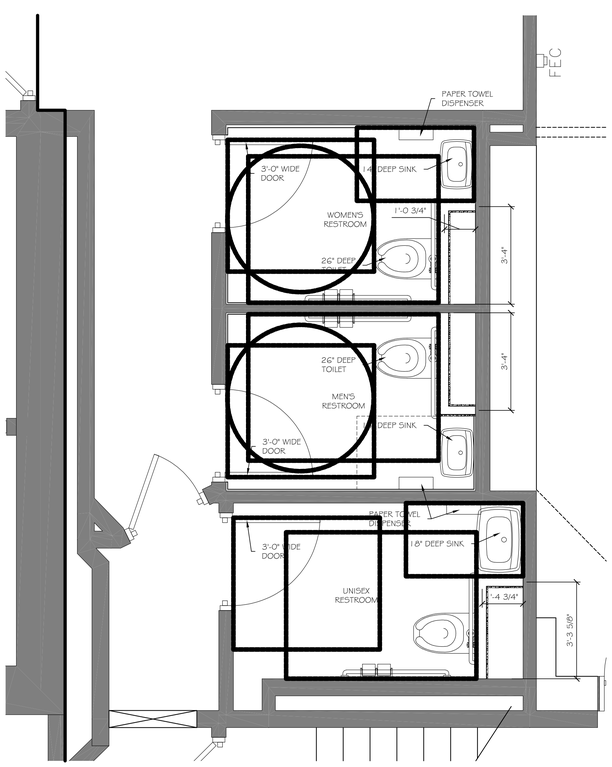
© Copyright 2023 - Cities Edge, LLC. - All Rights Reserved
DRAWN BY: SMB CHECKED BY: JDH



1 DEMO PLAN
1/8"=1'-0"



2 FLOOR PLAN
1/8"=1'-0"



3 ENLARGED BAR RESTROOMS PLAN
1/2"=1'-0"

4 ELEVATION OF NEW DECK FOR APARTMENT EXIT
NOT TO SCALE

CITIES EDGE ARCHITECTS
1017 East Highway 12 | Willmar, MN 56201
612-817-0231 | CitiesEdgeArchitects.com

Certification & Seal:

PRELIMINARY
FOR REVIEW PURPOSES ONLY

MARK	DATE	DESCRIPTION
	6/6/2023	PLANNING COMMISSION REVIEW
	5/11/2022	RE-SUBMITTAL FOR PERMITTING
	11/17/2021	RE-SUBMITTAL FOR PERMITTING

DATE ISSUED: 10/12/2021
ISSUE PHASE: PERMITTING

PROJECT TITLE:
PEP'S BAR & RESTAURANT

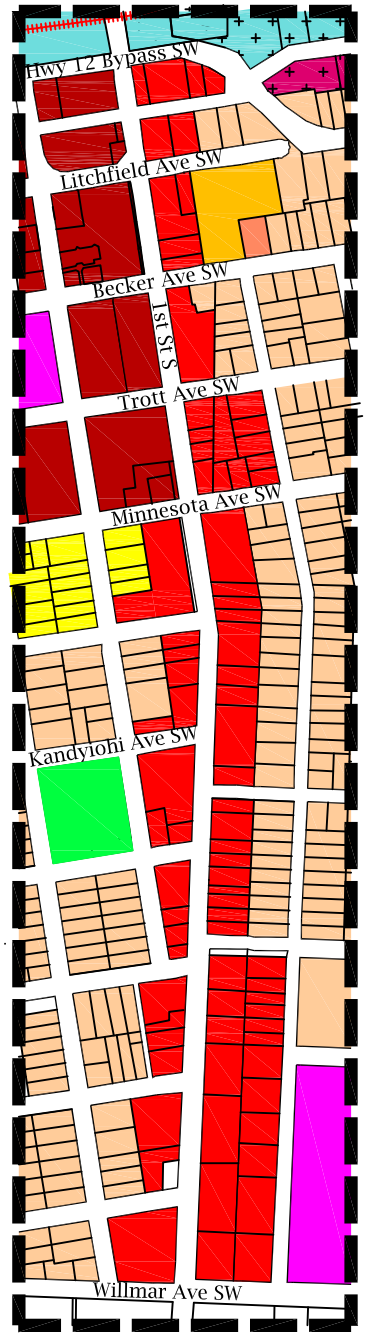
PROJECT OWNER:
STEVE PEPPIN

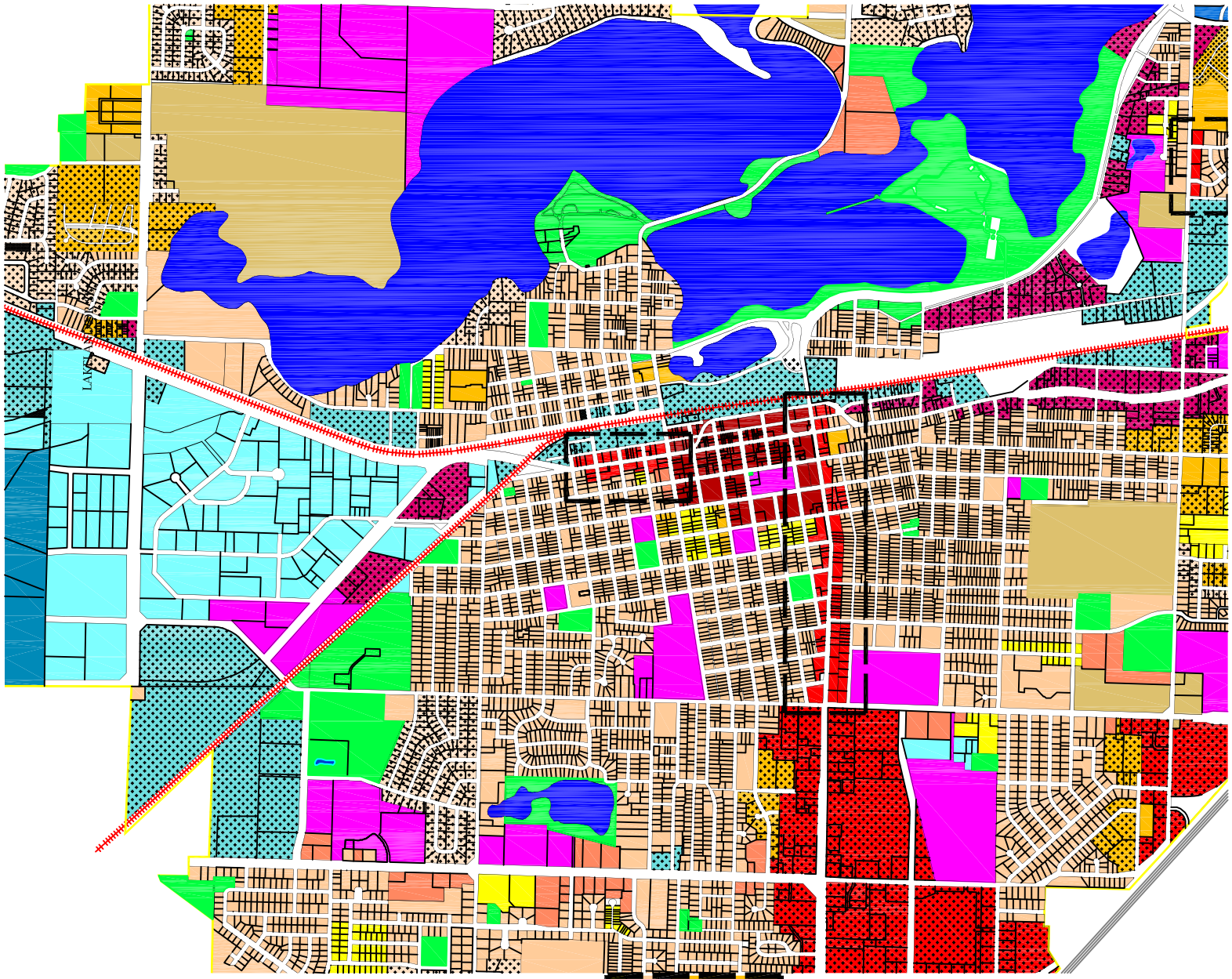
PROJECT LOCATION:
WILLMAR, MN

SHEET TITLE:
FLOOR PLANS

SCALE:
AS NOTED

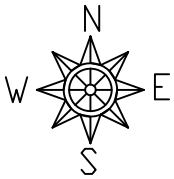
PROJECT NUMBER: 21-021
SHEET NUMBER: A101

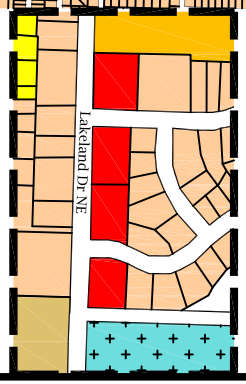


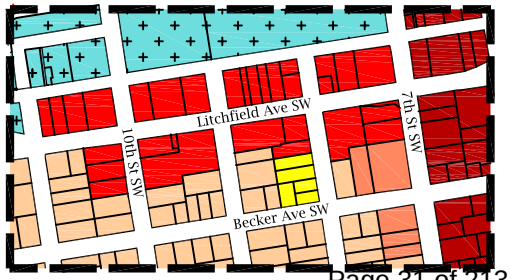


LEGEND

- GB - General Business
- GB-2 - General Business 2
- GB-3 - General Business 3



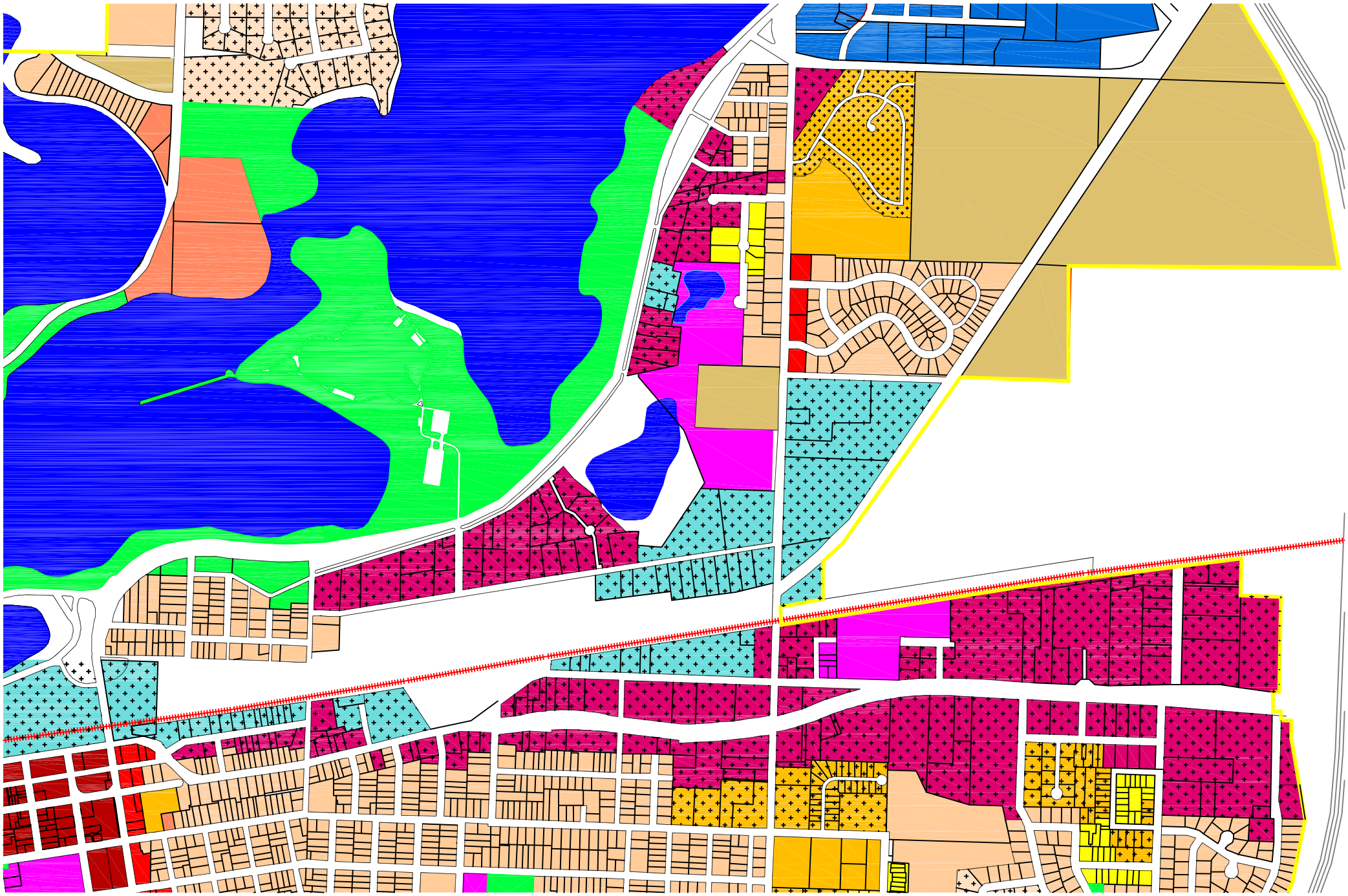




GB - GENERAL BUSINESS

Planning and Development Department

May / 2023



GB-3 - GENERAL BUSINESS 3

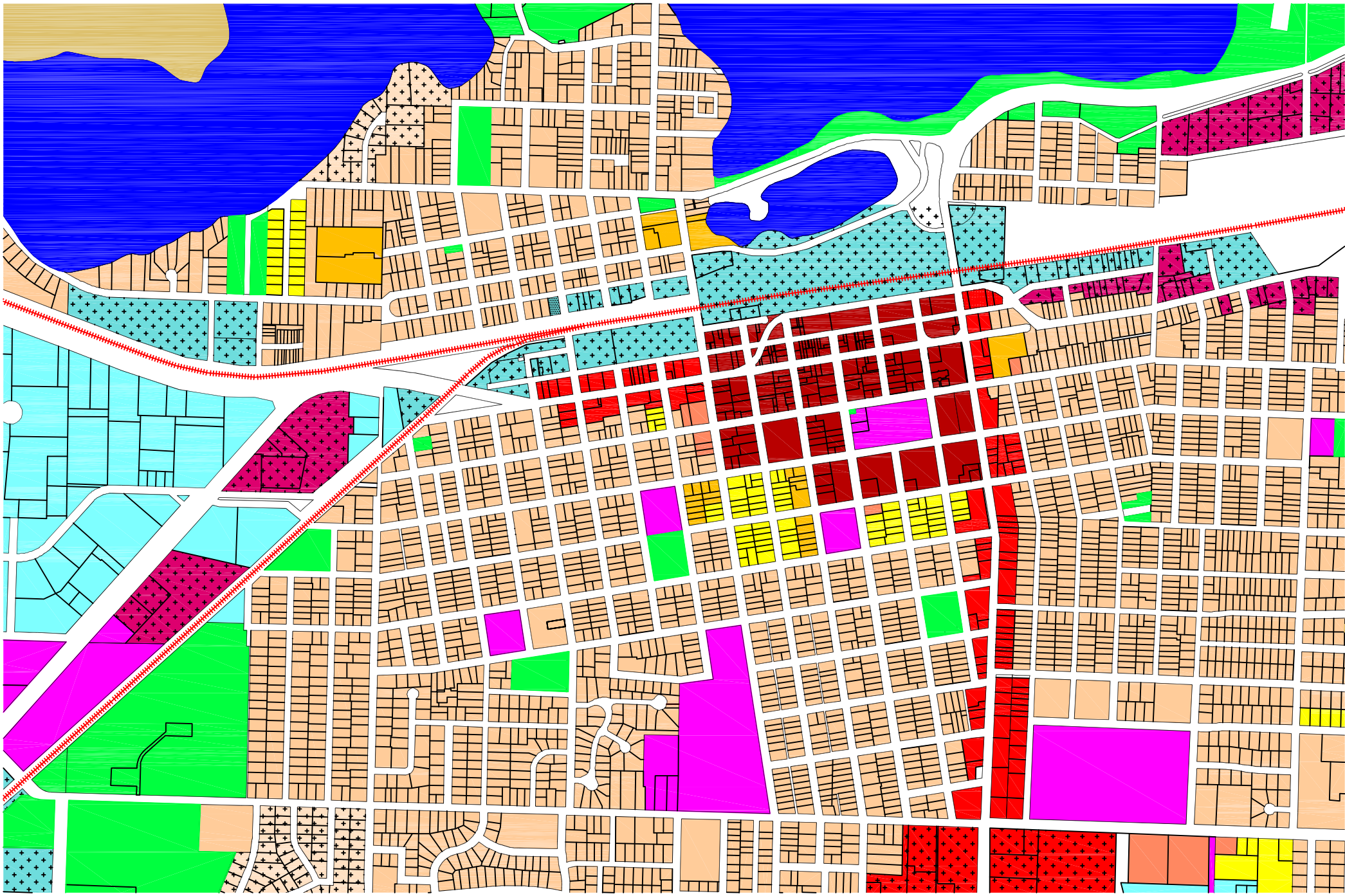
Planning and Development Department

May / 2023

LEGEND

- GB - General Business
- GB-2 - General Business 2
- GB-3 - General Business 3

N W E S



CITY OF Willmar

GB-3 - GENERAL BUSINESS 3

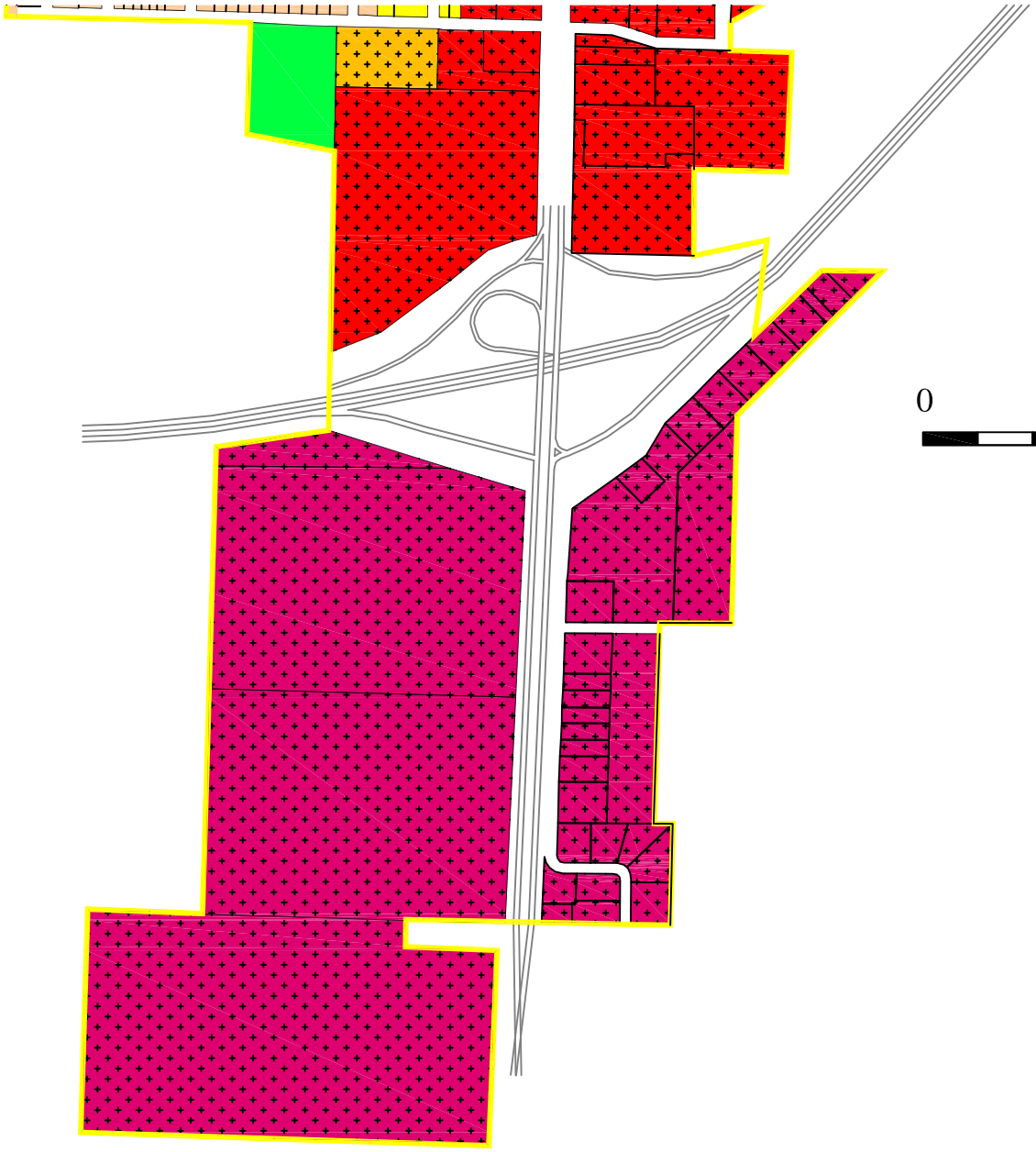
Planning and Development Department

May / 2023

LEGEND

- GB - General Business
- GB-2 - General Business 2
- GB-3 - General Business 3

N W E S



0 1/4 1/2 Mile

GB-3 - GENERAL BUSINESS 3

Planning and Development Department

June / 2023

LEGEND

- GB - General Business
- GB-2 - General Business 2
- GB-3 - General Business 3

N W E S

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	5.D.
Agenda Section:	Consent Items	**Originating Department:**	Planning and Development
Resolution:	No	**Prepared By:**	
Ordinance:	No	**Presented By:**	
Item:	Planning Commission "Draft" Minutes from July 19th		

RECOMMENDED ACTION:

OVERVIEW:

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:
1. 07.19 Agenda
2. PC Visuals 07-19
3. 07-19 Minutes

CITY OF WILLMAR
PLANNING COMMISSION MEETING
6:30 P.M. ON WEDNESDAY, JULY 19th, 2023.
CONFERENCE ROOM #1
WILLMAR CITY HALL

Chair: Jonathan Marchand
Vice Chair: Kelsey Vosika
Members: Steve Dresler, Stacy Holwerda, Yvon Fils-Aime, John Christianson and Christopher Buzzeo.

AGENDA

1. Meeting Called to Order
2. Canceled meeting on July 5th
3. Les Schwab Tires Center, Subdivision – Final Plat
4. Daniel Tempel, Minor Subdivision – Final Plat
5. Pep's Bar and Restaurant – Plan Review - Final
6. Miscellany
7. Adjourn

****

1. **MEETING CALLED TO ORDER**

2. **CANCELLED MEETING ON JULY 5TH.**

3. **LES SCHWAB TIRES CENTER, SUBDIVISION (23-02) – FINAL PLAT**

Overview:

- On 05/01/2023 Trent Karel requested a minor subdivision to support developing the Les Schwab Tire Center building at 1st St S, parcel 95-504-0010.
- The land is being subdivided (minor subdivision) due to:
    - Result in less than 4 lots or parcels,
    - All utilities and easements are provided,
    - They comply with the design standards and minimum lot area and width
    - No new or changes to current street, utilities, easements, and
    - The plat does not abut or contain a wetland, lake, state, highway, county road or county-aid highway.
- Buildable area will be about 11,763 sq ft.
- The preliminary plat was presented to Planning Commission on 05/17/2023, with no comments.

Comments on Final Plat:

Fire Department: They are good at this point. (06/05/2023)

WPD: No areas of concern from the WPD aspect. (06/05/2023)

WMU Electrical: They are good to go with the electric service that's already in place and will put a quote together when they are ready for it for labor and materials, no other comments. (06/05/2023)

WMU Water: As this is just a plat and not construction, they have no comments. They need the easements on all property lines for the utilities. (06/05/2023)

Engineering:

1. The applicant shall obtain all necessary regulatory agency permits/approvals and provide verification to the City of Willmar for our files prior to construction.
2. The Preliminary Plat shall be signed by a Land Surveyor licensed in the State of Minnesota.
3. The Preliminary Plat shall identify the larger lot from which the proposed lot is being subdivided.
4. The Preliminary Plat shall include drainage and utility easements around the perimeter of the proposed parcel.
5. The Final Plat shall identify the larger lot from which the proposed lot is being subdivided.
6. The Final Plat shall include drainage and utility easements around the perimeter of the proposed parcel.
7. The applicant shall submit a grading plan for the review of the City of Willmar.
8. Tha applicant shall submit utility plans for the review of the City of Willmar.
9. The applicant shall submit paving, signage, and striping plans for the review of the City of Willmar.
10. The applicant shall submit construction details for the review of the City of Willmar.
11. The applicant shall submit a Stormwater Pollution Prevention Plan for the review of the City of Willmar.
12. The stormwater management plan shall be subject to the review of the civil construction documents.
13. The proposed impervious surface calculations shall be provided for the Schwab site.
14. The applicant shall enter into a stormwater maintenance agreement for the private stormwater facility i.e., the existing Menards Pond.
15. The applicant shall provide the city a copy of the executed agreement between Menards and the Les Schwab property such that the existing pond capacity will not be decreased.
16. The applicant shall provide storm sewer sizing calculations.
17. The stormwater management report shall be updated for clarity. The report refers to "development", "area" or "site" multiple times, but it is not clear if the reference is to the entirety of the original site with Menards included, or just the remainder open grassed lot. Additionally, clarification shall be provided as to whether the references are to pre-Menards, post-Menards, or future.
18. The stormwater management report states that "the modeled wet sedimentation basin volume is 191,664 cu . ft. (141,933 cu. Ft. from Menards 2S and 49,711 cu. Ft. from 1S)." The applicant shall clarify what volume (Live, Dead, or Both) is being referred to and how it was determined.
19. The applicant shall submit a lighting plan for the review of the City of Willmar.
20. All construction shall be in accordance with the City of Willmar Standards.

21. A pre-construction meeting shall be held prior to any construction at the site.
They recommend that the construction plan information requested above be provided for review prior to a Building Permit being issued for the site. They further recommend that the Preliminary and Final Plats be revised to incorporate the above-mentioned comments and be re-submitted for review.

Staff Recommendation: Staff recommends approve the minor subdivision. The plat provides all the requirements for the final plat approval.

4. **DANIEL TEMPEL, MINOR SUBDIVISION (23-05) – FINAL PLAT**

Overview:

- On 06/14/2023 Daniel Tempel requested to split a lot in two. It is a minor subdivision.
- Preliminary were overviewed by Planning Commission on 06/07/2023.
- The area is located on Parcel 95-914-2350, zoned General Business District.
- In the new lot they intend to build a three units storage building.

Comments on Final Plat:

Fire Department: No comments from the Fire Department. (06/15/2023)

WPD: No WPD concerns noted. (06/20/2023)

WMU Electric: I need to keep the easement we have existing and need to have 5 feet on each side of the new property line splitting the two lots. (06/14/2023)

WMU Water: Water service for 1300 HWY 12, 351 1#th ST SW, and 1309 all have water service located through the new lot. There would need to be provisions for those water services to exist on the new plat property or the services moved to exist on the correct lot for each at the property owner's expense. WMU does not allow the service line on to be located on adjacent properties by policy. (06/15/2023)

Engineering: They have reviewed the Preliminary and Final Plat which was submitted via e-mail 6/14/2023. They have the following comments:
1. Drainage and utility easements shall be provided around the perimeter of the proposed lots.
2. 14th Street SE should be dedicated on the plat.
3. The preliminary plat shall be signed by a Land Surveyor licensed in the State of Minnesota.
4. A gap appears to exist between the proposed plat and the plat to the south and should be verified.
They recommend that the Preliminary and Final Plat be approved contingent on the above-reference comments and other comments submitted by city staff, the Planning Commission, and the City Council. (06/27/2023)

Staff Recommendation: Staff recommends approve the minor subdivision. The plat provides all the requirements for the final plat approval. To construct current project applicant will need a variance or follow the setbacks.

5. **PEP'S BAR AND RESTAURANT PLAN REVIEW (23-06) - FINAL**

Overview:

- On 05/29/2023 Stephen Peppin requested a plan review to continue remodeling of interior to build out a kitchen and a bathroom for Bar and Restaurant use.
- The proposed building is located at 1600 11th Ave NE, Willmar and zoned as GB – General Business.
- Preliminary plan was presented with comments on 06/21/2023 Planning Commission Meeting.

Comments on Site Plan:

Fire Department: Until they have actual building plans, they have no concerns at this point (06/22/2023)

WPD: Nothing further from WPD on this. (06/22/2032)

WMU Electric: They are good to go with the current electrical service to the building, any changes to there service would be at the expense of the owner. (06/22/2023)

WMU Water: They have no comments for the building. The building has an existing water service and it is sized to accommodate the new theme. (06/22/2023)

Engineering: They have no comments since there is no work proposed exterior of the building.

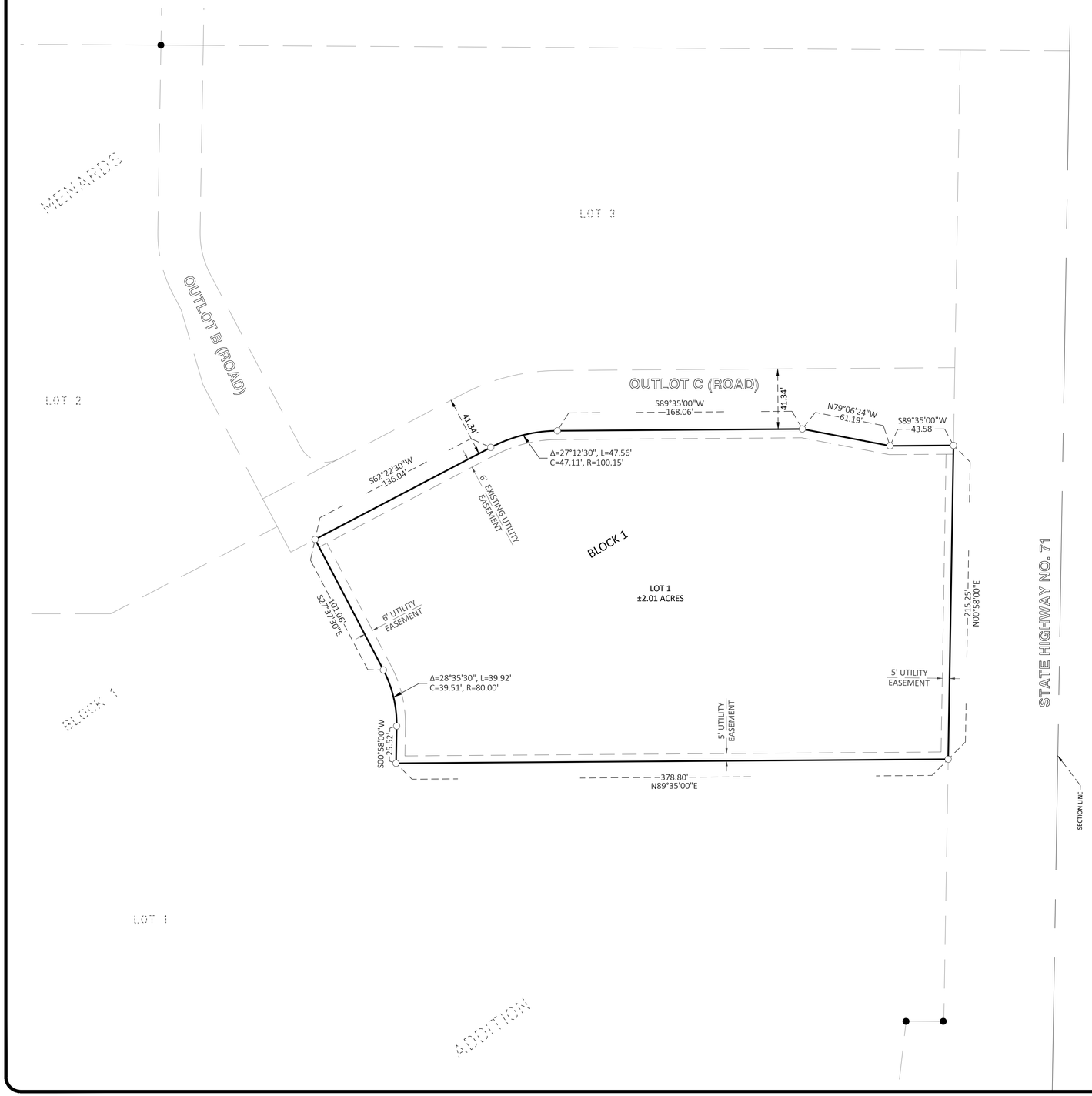
Staff Recommendation: Staff recommends approve the Plan Review. The plat provides all the requirements for the final plan review approval.

6. **Miscellaneous**

1. Parking lot maintenance ordinance text amendment.

7. **Adjourn**

CENTERPOINTE ADDITION



N

40 0 40 80

Scale Feet

LEGEND

FOUND IRON MONUMENT FROM FORMER SURVEY

HOUSTON ENGINEERING, INC. SET 1/2" BY 18" IRON PIPE WITH A 44867 STAMPED PLASTIC CAP

EXISTING LOT LINES

PLAT BOUNDARY

ok

Owner/Subdivider:
Menard, Inc.
5101 Menard Dr
Eau Claire, WI 54703

Surveyor:
James A. Schlieman
MN RLS No. 44867
Houston Engineering, Inc.
1401 21st Ave N
Fargo, ND 58102

ok

Date of Preparation: June 13, 2023 ok

Located in the Northeast Quarter of Section 27, Township 119 North, Range 35 West, Kandiyohi County, Minnesota.

The Bearing Orientation System is based off of the Minnesota Department of Transportation Kandiyohi County Coordinate System.

DATA REQUIRED FOR FINAL PLATS (SECTION 14-108)

FILLING	Provided	N/A
REQUIRED DATA		
Name of subdivision, which shall not duplicate or too closely approximate the name of any plat recorded in the County.	OK	
Location by section, township, range, county and state, and including descriptive boundaries of the subdivision.	OK	
The location of existing and placed monuments installed after the completion of site grading shall be shown and described on the final plat. Locations of such monuments shall be shown in reference to existing official monuments, including true angles and distances to such reference points or monuments. Permanent plat monuments shall be placed at each corner of every block or portion of a block, points of curvature and points of tangency on street lines, and at each angle point on the boundary of the subdivision. Plat monuments shall be durable magnetic markers. In situations where conditions prohibit the placing of markers in the locations prescribed above, offset markers will be permitted.	OK	
Location of lots, streets, public highways, alleys, parks and other features, with accurate dimensions in feet and decimals of feet, with the length of radii and/or arcs of all curves, and with all other information necessary to reproduce the plat on the ground. Dimensions shall be shown from all angle points and points of curve to lot lines.	OK	
Lots and blocks shall be numbered clearly.	OK	
The exact locations, widths, and names of all streets to be dedicated.		N/A
Location and width of all easements to be dedicated.	OK	
Boundary lines and description of boundary lines of any areas other than streets and alleys which are to be dedicated or reserved for public use.		N/A
Name and address of developer and surveyor making the plat.	OK	
Graphic scale on plat ("Scale in Feet"), date and north point.	OK	
Statement dedicating all easements.	OK	
Statement dedicating all streets, alleys and other public areas not previously dedicated		N/A
REQUIRED CERTIFICATION		
Notarized certification by owner, and by any mortgage holder of record, of the adoption of the plat and streets/easements not heretofore dedicated to public use are hereby so dedicated.	OK	
Notarized certification by registered land surveyor, to the effect that the plat represents a survey made by him and that monuments and markers shown therein exist as located and that all dimensional and geodetic details are correct.	OK	
Certification showing that all taxes and special assessments due on the property have been paid in full.	OK	
Space for certificates of approval to be filled in by the signatures of the Chairman and Secretary of the Planning Commission, the Mayor, City Clerk, and City Engineer. The form of approval by the Planning Commission as in page 18 Sec14-108.	OK	

HOUSTON engineering, inc.

Sheet 1 of 2
Project No. 11277-0007

CENTERPOINTE ADDITION

DEDICATION
KNOW ALL PERSONS BY THESE PRESENTS: That Menard, Inc., a Wisconsin corporation, owner of the following described property:

That part of Lot 1, Block 1, Menards Addition to the City of Willmar, Kandiyohi County, Minnesota, described as follows:

ok

Beginning at the northeast corner of said Lot 1; thence South 89°35'00" West, along the northerly line of said Lot 1, for a distance of 43.58 feet; thence North 79°06'24" West, along the northerly line of said Lot 1, for a distance of 61.19 feet; thence South 89°35'00" West, along the northerly line of said Lot 1, for a distance 168.06 feet to point of tangential curve to the left, having a radius of 100.15 feet; thence westerly, along said curve and along the northerly line of said Lot 1, for a distance of 47.56 feet, through a central angle of 27°12'30"; thence South 62°22'30" West, along the northerly line of said Lot 1, for a distance of 136.04 feet; thence South 27°37'30" East for a distance of 101.06 feet to a point of tangential curve to the right, having a radius of 80.00 feet; thence southerly, along said curve, for a distance of 39.92 feet, through a central angle of 28°35'30"; thence South 00°58'00" West for a distance of 25.52 feet; thence North 89°35'00" East for a distance of 378.80 feet to a point of intersection with the easterly line of said Lot 1; thence North 00°58'00" East, along the easterly line of said Lot 1, for a distance of 215.25 feet to the point of beginning.

Has caused the same to be surveyed and platted as CENTERPOINTE ADDITION and does hereby dedicate to the public for public use the utility easements as created by this plat.

In witness whereof said Menard, Inc., a Wisconsin corporation, has caused these presents to be signed by its proper officer this _____ day of _____, 20_____.

Signed: Menard, Inc., a Wisconsin corporation ok

By _____, Its _____

STATE OF _____

COUNTY OF _____

This instrument was acknowledged before me on this _____ day _____, 20____ by _____, its _____ of Menard, Inc., a Wisconsin corporation.

_____
Notary Signature

_____
Notary Printed Name
Notary Public, _____ County, State of _____
My commission expires _____

LAND SURVEYOR
I James A. Schlieman do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wetlands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20_____. ok

_____
James A. Schlieman, Licensed Land Surveyor
Minnesota License No. 44867

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me on _____ by James A. Schlieman, Licensed Land Surveyor, Minnesota License No. 44867.

_____
Notary Signature

_____
Notary Printed Name
Notary Public, _____ County, State of _____
My commission expires _____

City Planning Commission
Approved by the Planning Commission of the City of Willmar this _____day of _____ 20_____.

Signed: _____,
its_____

Attest: _____,
its_____

City Council
Approved by the City of Willmar this _____day of _____ 20_____.

Signed: _____,
its_____

Attest: _____,
its_____

City Engineer
Approved by the City Engineer, City of Willmar this _____day of _____ 20_____.

_____
Willmar City Engineer

Attorney
I hereby certify that the proper evidence of title has been presented to me and that all parties with an interest in said property have been included in the execution of the above instrument. Dated this _____ day of _____, 20_____.

_____
Attorney

County Auditor/Treasurer
TAX STATEMENT
I hereby certify that all taxes for 20_____ on the land described herein are paid; and no delinquent taxes are due and transfer entered this _____ day of _____, 20_____.

_____
Kandiyohi County Auditor/Treasurer

County Recorder
I hereby certify that this instrument was filed for record in the office of the County Recorder in Kandiyohi County, Minnesota on this _____ day of _____, 20_____, at _____ o'clock ___.M., as Folder No. _____, and as Document No. _____.

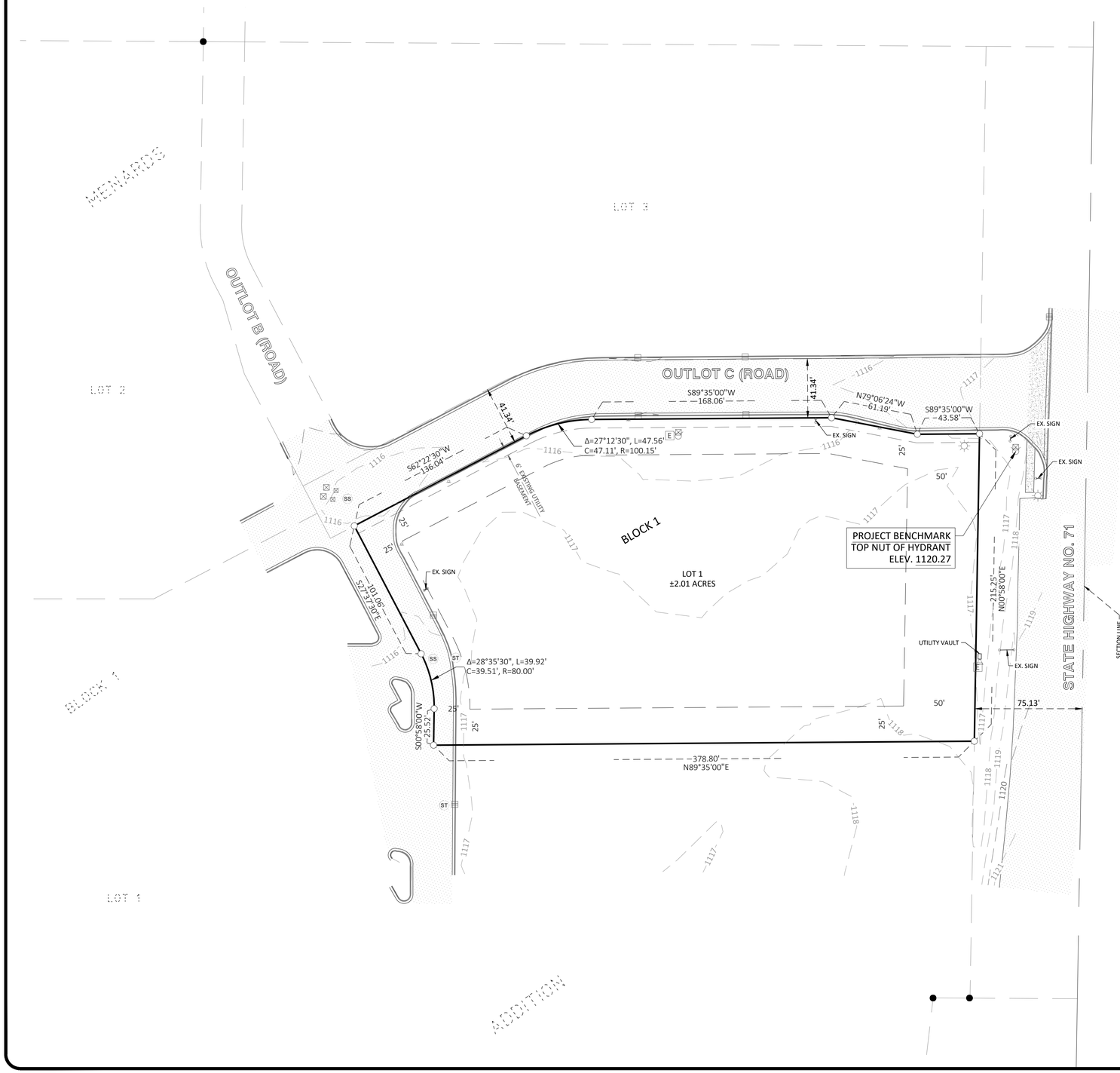
_____
Kandiyohi County Recorder

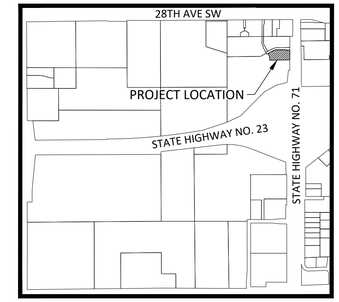
HOUSTON engineering, inc.

Sheet 2 of 2
Project No. 11277-0007

PRELIMINARY PLAT OF:

CENTERPOINTE ADDITION





VICINITY MAP

NOT TO SCALE

N

40 0 40 80

Scale Feet

LEGEND

- FOUND IRON MONUMENT FROM FORMER SURVEY
- HOUSTON ENGINEERING, INC. SET 1/2" BY 18" IRON PIPE WITH A 44867 STAMPED PLASTIC CAP
- EXISTING LOT LINES
- PROPOSED PLAT BOUNDARY
- SETBACKS
- STANDARD CURB & GUTTER
- STORM INLET
- SANITARY MANHOLE
- STORM MANHOLE
- FIRE HYDRANT
- GATE VALVE
- LIGHT POLE
- TELEPHONE RISER
- ELECTRICAL BOX
- SIGN
- CONCRETE
- ASPHALT

DATA REQUIRED FOR PRELIMINARY PLATS (SECTION 14-107)

FILING	Provided	N/A
Application, fees, 8 small and 1 digital Preliminary plat or 3 large, 5 small and 1 digital		
IDENTIFICATION AND DESCRIPTION		
Proposed name of subdivision (check for duplicated names)	OK	
Location by section, township and range or by other legal description and a survey prepared and certified by a surveyor	OK	
Names and addresses of the owner and subdivider having control of the lands included in the minor or major subdivision, the designer of the plat, and the surveyor	OK	
Graphic scale, not less than on inch to one hundred feet	OK	
North point	OK	
Date of preparation	OK	
EXISTING CONDITIONS		
Boundary line survey, distances and angles, certified by licensed surveyor	OK	
Total acreage in the subdivision computed to one hundredth of an acre	OK	
Location, widths, and names of existing or platted streets or other public ways, and other publi8c open spaces, permanent buildings and structures, easements, and section and corporate lines within the tract and to a distance of one hundred feed beyond the tract.	OK	
If it is a re-arrangement or a replat of any former plat, the lot and block arrangement of the original plat along with its original name shall be indicated by dotted or dashed lines. Any revised or vacated roadways of the original plat shall be indicated.	OK	
For major subdivision only, the location and size of existing paved streets, railroads, sewers, water mains. Quarried gravel pits, culverts, or other underground facilities within the tract. Also such data as grades, invert elevations and location of catch basins, manholes and hydrants.		N/A
Boundary lines of adjoining platted or unplatted land within one hundred feet of the tract	OK	
Topography at contour intervals not greater than 2ft, water courses, marshes, rock outcrops, Ordinary High Water level (OHW) on water bodies that the DNR has determined and elevation, and other significant features superimposed on the preliminary plat.	OK	
Any additional information as requested by the Zoning Administrator		
PROPOSED DEVELOPMENT DESIGN		
Location and widths of alleys, pedestrian ways, and utility and drainage easements	OK	
Layout, number, approximate dimensions, and size of lots and the number of each block, all of which shall be clearly shown	OK	
Layout of building envelopes for lots.	OK	
Location and size of the proposed parks, playgrounds, churches, or school sites or other special uses of land to be considered for the dedication to public use, or to be reserved by deed or covenant for the use of all property owners in the subdivision and any conditions of such dedication or reservation	OK	
A vicinity sketch to show the relation of the plat to its surroundings	OK	
Any additional information as requested by the Zoning Administrator.		

NOTES:

ELEVATION DATUM:
ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).

EXISTING LAND DESCRIPTION:
That part of Lot 1, Block 1, Menards Addition, to the City of Willmar, Kandiyohi County, Minnesota, described as follows:

Beginning at the northeast corner of said Lot 1; thence South 89°35'00" West, along the northerly line of said Lot 1, for a distance of 43.58 feet; thence North 79°06'24" West, along the northerly line of said Lot 1, for a distance of 61.19 feet; thence South 89°35'00" West, along the northerly line of said Lot 1, for a distance 168.06 feet to point of tangential curve to the left, having a radius of 100.15 feet; thence westerly, along said curve and along the northerly line of said Lot 1, for a distance of 47.56 feet, through a central angle of 27°12'30"; thence South 62°22'30" West, along the northerly line of said Lot 1, for a distance of 136.04 feet; thence South 27°37'30" East for a distance of 101.06 feet to a point of tangential curve to the right, having a radius of 80.00 feet; thence southerly, along said curve, for a distance of 39.92 feet, through a central angle of 28°35'30"; thence South 00°58'00" West for a distance of 25.52 feet; thence North 89°35'00" East for a distance of 378.80 feet to the easterly line of said Lot 1; thence North 00°58'00" East, along the easterly line of said Lot 1, for a distance of 215.25 feet to the point of beginning.

CONTOURS SHOWN ARE AT 1' INTERVALS AND DERIVED FROM A FIELD SURVEY DATED NOVEMBER 7 & 8, 2022.

The Bearing Orientation System is based off of the Minnesota Department of Transportation Kandiyohi County Coordinate System.

Developer:
Menard, Inc.
5101 Menard Dr
Eau Claire, WI 54703

Surveyor:
James A. Schlieman
MN RLS No. 44867
Houston Engineering, Inc.
1401 21st Ave N
Fargo, ND 58102

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

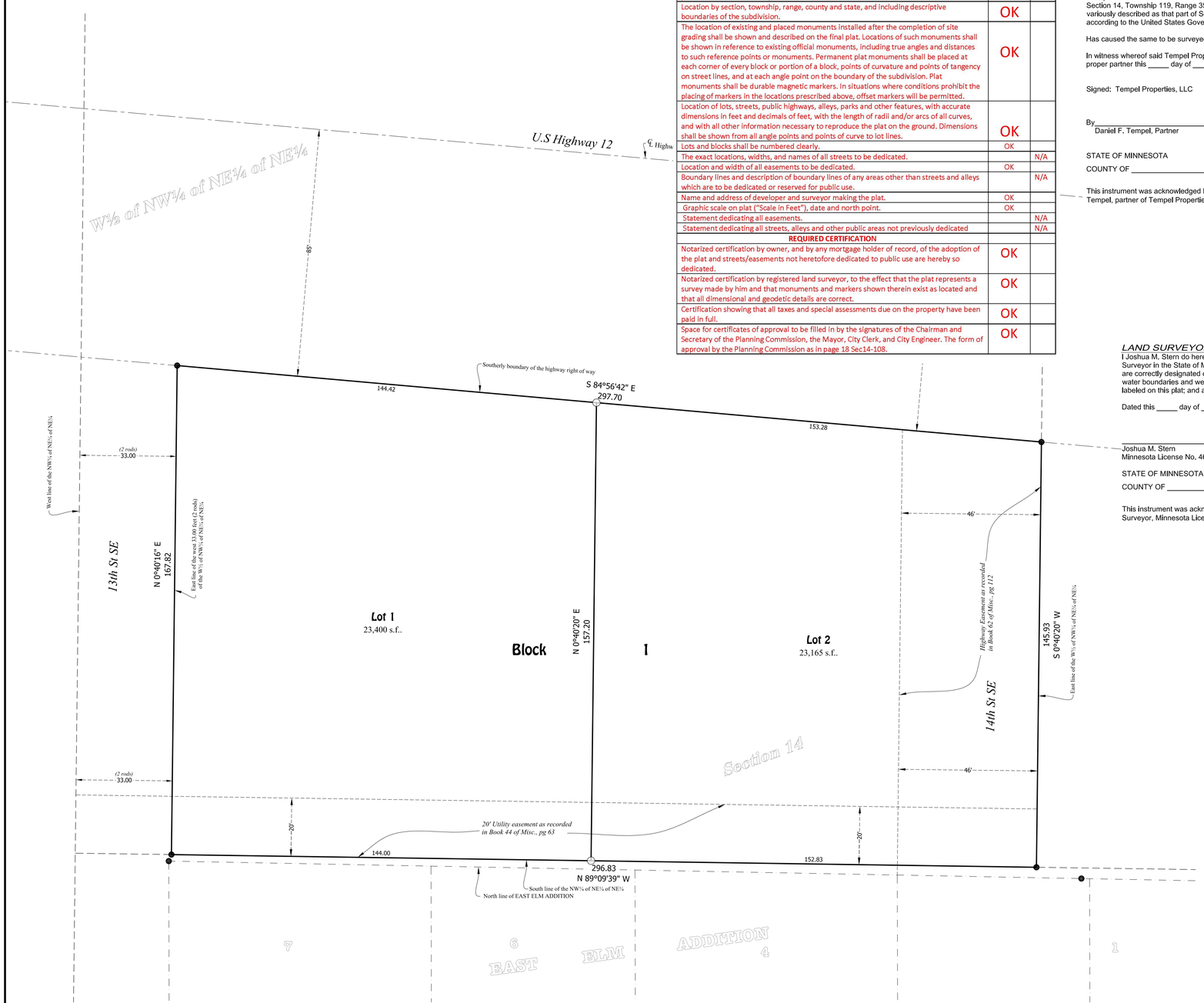
James A. Schlieman
MN. Lic. No. 44867

05-01-2023
Date

HOUSTON engineering, inc.

Sheet 1 of 1
Project No. 11277-0007

TEMPEL PROPERTIES



DATA REQUIRED FOR FINAL PLATS (SECTION 14-108)

FILLING	Provided	N/A
REQUIRED DATA		
Name of subdivision, which shall not duplicate or too closely approximate the name of any plat recorded in the County.	OK	
Location by section, township, range, county and state, and including descriptive boundaries of the subdivision.	OK	
The location of existing and placed monuments installed after the completion of site grading shall be shown and described on the final plat. Locations of such monuments shall be shown in reference to existing official monuments, including true angles and distances to such reference points or monuments. Permanent plat monuments shall be placed at each corner of every block or portion of a block, points of curvature and points of tangency on street lines, and at each angle point on the boundary of the subdivision. Plat monuments shall be durable magnetic markers. In situations where conditions prohibit the placing of markers in the locations prescribed above, offset markers will be permitted.	OK	
Location of lots, streets, public highways, alleys, parks and other features, with accurate dimensions in feet and decimals of feet, with the length of radii and/or arcs of all curves, and with all other information necessary to reproduce the plat on the ground. Dimensions shall be shown from all angle points and points of curve to lot lines.	OK	
Lots and blocks shall be numbered clearly.	OK	
The exact locations, widths, and names of all streets to be dedicated.		N/A
Location and width of all easements to be dedicated.	OK	
Boundary lines and description of boundary lines of any areas other than streets and alleys which are to be dedicated or reserved for public use.		N/A
Name and address of developer and surveyor making the plat.	OK	
Graphic scale on plat ("Scale in Feet"), date and north point.	OK	
Statement dedicating all easements.		N/A
Statement dedicating all streets, alleys and other public areas not previously dedicated		N/A
REQUIRED CERTIFICATION		
Notarized certification by owner, and by any mortgage holder of record, of the adoption of the plat and streets/easements not heretofore dedicated to public use are hereby so dedicated.	OK	
Notarized certification by registered land surveyor, to the effect that the plat represents a survey made by him and that monuments and markers shown therein exist as located and that all dimensional and geodetic details are correct.	OK	
Certification showing that all taxes and special assessments due on the property have been paid in full.	OK	
Space for certificates of approval to be filled in by the signatures of the Chairman and Secretary of the Planning Commission, the Mayor, City Clerk, and City Engineer. The form of approval by the Planning Commission as in page 18 Sec14-108.	OK	

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: That Tempel Properties, LLC, a Minnesota Limited Liability Company, fee owner of the following described property:

That part of the West Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter (W½ of NW¼ of NE¼ of NE¼) of Section 14, Township 119, Range 35, lying South of U.S. Highway No. 12, excepting the West 2 rods thereof, said premises being variously described as that part of Solvorson's Outlot to the City of Willmar lying South of U.S. Highway No. 12 as presently constituted, according to the United States Government Survey thereof, Kandiyohi County, Minnesota.

Has caused the same to be surveyed and platted as TEMPEL PROPERTIES.

In witness whereof said Tempel Properties, LLC, a Minnesota Limited Liability Company, has caused these present to be signed by its proper partner this _____ day of _____, 20____.

Signed: Tempel Properties, LLC

By_____
Daniel F. Tempel, Partner

STATE OF MINNESOTA

COUNTY OF _____

This instrument was acknowledged before me on this _____ day of _____, 20_____ by Daniel F. Tempel, partner of Tempel Properties, LLC, a Minnesota Limited Liability Company, on behalf of the company.

_____
Notary Signature

_____
Notary Printed Name
Notary Public, _____ County, Minnesota
My Commission Expires _____

LAND SURVEYOR

I Joshua M. Stern do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wetlands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

_____
Joshua M. Stern
Minnesota License No. 46169

STATE OF MINNESOTA

COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____, by Joshua M. Stern, Licensed Land Surveyor, Minnesota License No. 46169.

_____
Notary Signature

_____
Notary Printed Name
Notary Public, Kandiyohi County, Minnesota
My Commission Expires _____

City Planning Commission

Approved by the Planning Commission of the City of Willmar this ____ day of _____ 20 ____.

Signed:_____
Chair

ATTEST: _____
Secretary

City Council

Approved by the City of Willmar, Minnesota this ____ day of _____ 20 ____.

Signed:_____
Mayor

ATTEST:_____
City Clerk

City Engineer

Approved by the City Engineer of the City of Willmar

Dated this ____ day of _____ 20 ____.

_____
Willmar City Engineer

North

This drawing prepared by:

Bonnema Runke Stern Inc.
Professional Land Surveyors
4566 Hwy 71 NE - Suite 1
Willmar, MN 56201
Office (320) 231-2844 Fax (320) 231-2827

Developer/Owner: ***Tempel Properties, LLC***
PO Box 226
Willmar, MN 56201

Prepared on: ***June 12, 2023***
Located in: ***Section 14, T119N-R35W***
Parcel ID #: ***95-914-2350***
Total Area Being Platted: ***46,565 sq. ft.***
Zoned: ***GB - General Business***

0 20 40 60
Scale in feet

LEGEND

- Found Iron Monument from former survey
- Bonnema Runke Stern Inc. Placed Capped Iron Monument
- Approximate Right of Way Line

The Orientation of this bearing system is assumed. The east line of the West Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter is assumed to bear S 0°40'20" W.

Elevation Datum:
The Elevation Datum used for this survey is the North American Vertical Datum of 1988 (NAVD 88)

MnDOT Geodetic Control Point
3404 F = 1147.32 (NAVD 88)

Attorney

I hereby certify that the proper evidence of title has been presented to me and that all parties with an interest in said property have been included in the execution of the above instrument. Dated this ____ day of _____, 20____.

_____
Attorney

County Auditor/Treasurer

TAX STATEMENT
I hereby certify that all taxes for 20____ on the land described herein are paid; and no delinquent taxes are due and transfer entered this ____ day of _____, 20 ____.

_____
Kandiyohi County Auditor / Treasurer

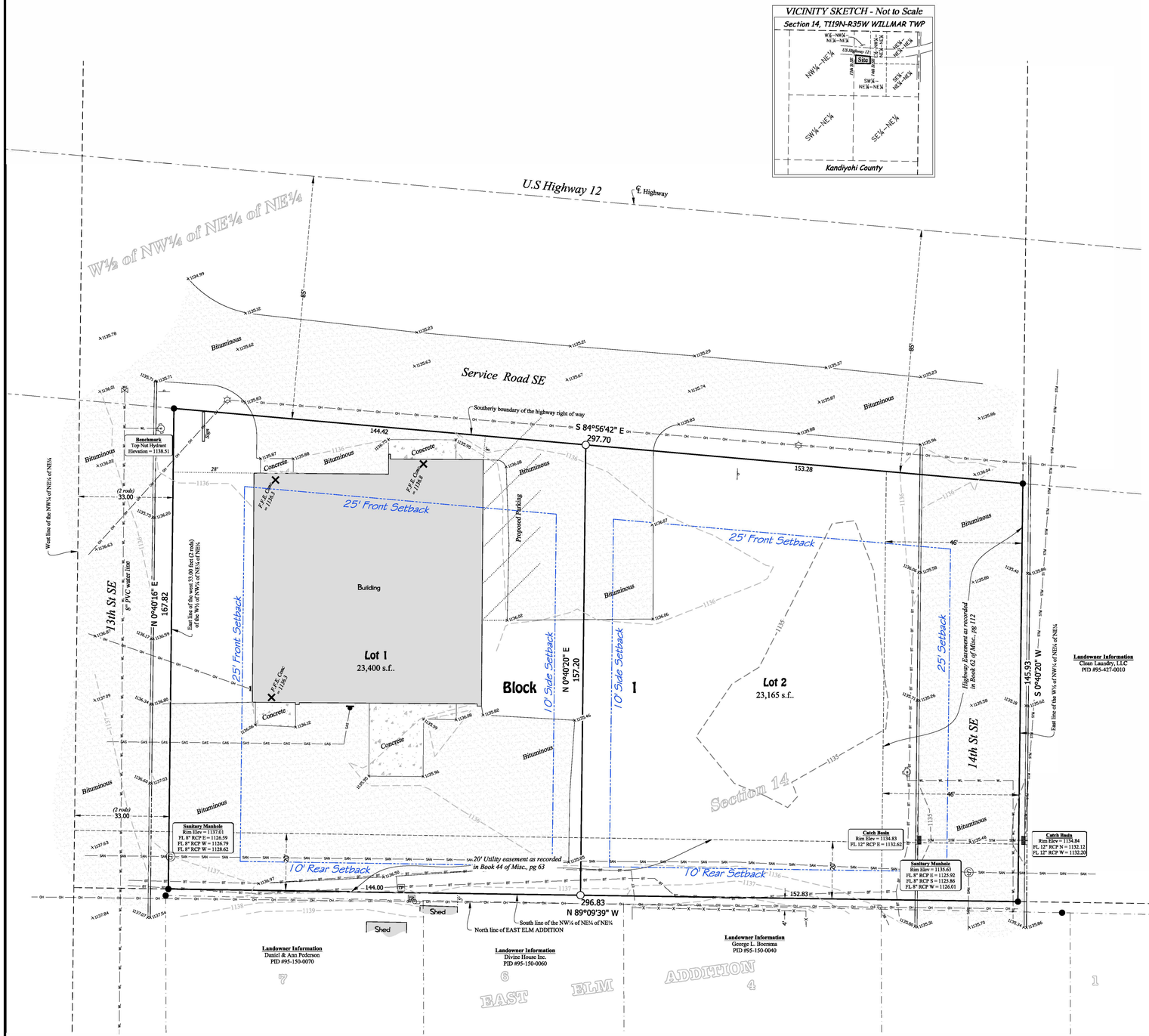
County Recorder

I hereby certify that this instrument was filed for record in the office of the County Recorder in and for Kandiyohi County, Minnesota on this ____ day of _____, 20____, at ____ o'clock ___.M., as Folder No. _____, and as Document No. _____.

_____
Kandiyohi County Recorder

Preliminary Plat of:

TEMPEL PROPERTIES



DATA REQUIRED FOR PRELIMINARY PLATS (SECTION 14-107)

FILING	Provided	N/A
Application, fees, 8 small and 1 digital Preliminary plat or 3 large, 5 small and 1 digital		
IDENTIFICATION AND DESCRIPTION		
Proposed name of subdivision (check for duplicated names)	OK	
Location by section, township and range or by other legal description and a survey prepared and certified by a surveyor	OK	
Names and addresses of the owner and subdivider having control of the lands included in the minor or major subdivision, the designer of the plat, and the surveyor	OK	
Graphic scale, not less than on inch to one hundred feet	OK	
North point	OK	
Date of preparation	OK	
EXISTING CONDITIONS		
Boundary line survey, distances and angles, certified by licensed surveyor	OK	
Total acreage in the subdivision computed to one hundredth of an acre	OK	
Location, widths, and names of existing or platted streets or other public ways, and other publi8c open spaces, permanent buildings and structures, easements, and section and corporate lines within the tract and to a distance of one hundred feed beyond the tract.	OK	
If it is a re-arrangement or a replat of any former plat, the lot and block arrangement of the original plat along with its original name shall be indicated by dotted or dashed lines. Any revised or vacated roadways of the original plat shall be indicated.	OK	
For major subdivision only, the location and size of existing paved streets, railroads, sewers, water mains. Quarried gravel pits, culverts, or other underground facilities within the tract. Also such data as grades, invert elevations and location of catch basins, manholes and hydrants.		N/A
Boundary lines of adjoining platted or unplatted land within one hundred feet of the tract	OK	
Topography at contour intervals not greater than 2ft, water courses, marshes, rock outcrops, Ordinary High Water level (OHW) on water bodies that the DNR has determined and elevation, and other significant features superimposed on the preliminary plat.	OK	
Any additional information as requested by the Zoning Administrator		
PROPOSED DEVELOPMENT DESIGN		
Location and widths of alleys, pedestrian ways, and utility and drainage easements	OK	
Layout, number, approximate dimensions, and size of lots and the number of each block, all of which shall be clearly shown	OK	
Layout of building envelopes for lots.	OK	
Location and size of the proposed parks, playgrounds, churches, or school sites or other special uses of land to be considered for the dedication to public use, or to be reserved by deed or covenant for the use of all property owners in the subdivision and any conditions of such dedication or reservation	OK	
A vicinity sketch to show the relation of the plat to its surroundings	OK	
Any additional information as requested by the Zoning Administrator.		

Land Description - 1.1 Acres
As described in Document No. 686523

"That part of the West Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter (W½ of NW¼ of NE¼ of NE¼) of Section 14, Township 119, Range 35, lying South of U.S. Highway No. 12, excepting the West 2 rods thereof, said premises being variously described as that part of Solvorson's Outlot to the City of Willmar lying South of U.S. Highway No. 12 as presently constituted, according to the United States Government Survey thereof, Kandiyohi County, Minnesota."

North

This drawing prepared by:

Bonnema Runke Stern Inc.
Professional Land Surveyors
4566 Hwy 71 NE - Suite 1
Willmar, MN 56201
Office (320) 231-2844 Fax (320) 231-2827

Developer/Owner: ***Tempel Properties, LLC***
PO Box 226
Willmar, MN 56201

Prepared on: ***June 12, 2023***
Located in: ***Section 14, T119N-R35W***
Parcel ID #: ***95-914-2350***
Total Area Being Platted: ***46,565 sq. ft.***
Zoned: ***GB - General Business***

0 20 40 60
Scale in feet

LEGEND

- Found Iron Monument from former survey
- Bonnema Runke Stern Inc. Placed ⅝" x 18" Rebar Capped Iron Monument
- Bollard
- Catch Basin
- Electric Meter
- Fire Hydrant
- Gas Meter
- Light Pole
- Manhole - Sanitary
- Sign
- Telephone Pedestal
- Utility Pole
- Water Gate Valve
- Approximate Right of Way Line
- Curb & Gutter
- Curb Cuts
- Fence
- Overhead Utility
- Sanitary Sewer
- Storm Sewer
- Gas Line
- Underground Telephone

The Orientation of this bearing system is assumed. The east line of the West Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter is assumed to bear S 0°40'20" W.

Elevation Datum:
The Elevation Datum used for this survey is the North American Vertical Datum of 1988 (NAVD 88)

MnDOT Geodetic Control Point
3404 F = 1147.32 (NAVD 88)

Note:
1.) Setbacks are shown per conversation by developer and City Staff dated June 13th, 2023
2.) 14th Street SE is not being dedicated per conversation by developer and City Staff dated June 13, 2023.

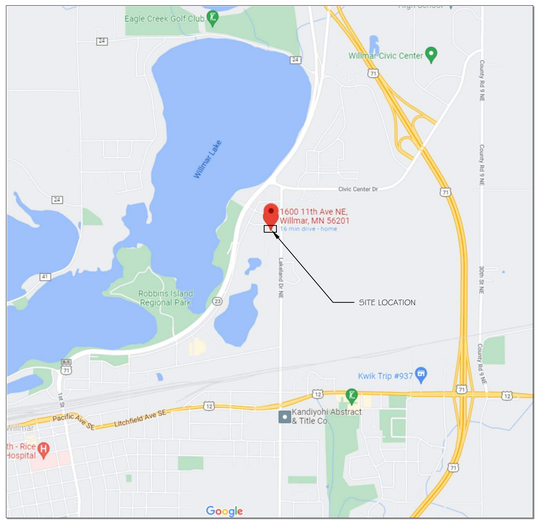
I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. THE FIELD WORK WAS COMPLETED ON APRIL 22, 2022.

Joshua M. Stern

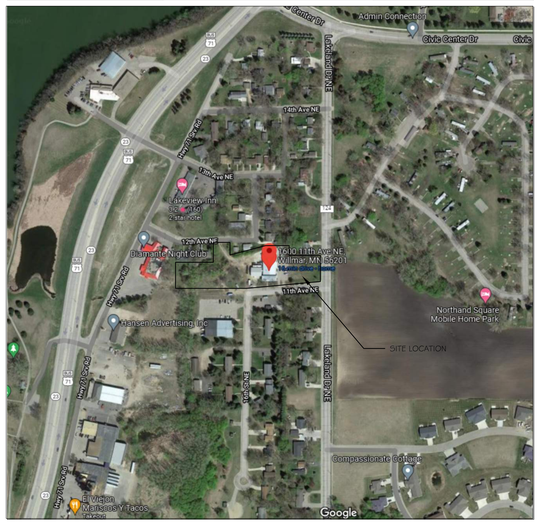
Date ***June 13, 2023*** License No. 46169

© Copyright 2022 - Cities Edge, LLC. - All Rights Reserved
DRAWN BY: SMB CHECKED BY: JDH

VICINITY MAP



AERIAL VIEW OF SITE



PEP'S BAR & RESTAURANT

KANDIYOHI COUNTY

WILLMAR, MINNESOTA

1600 11TH AVENUE NE

GENERAL LOCATION

SHEET INDEX

GENERAL

G001 COVER SHEET
G002 CODE DATA
G003 ADA DATA

ARCHITECTURAL

A001 ARCHITECTURAL SITE PLAN
A101 FLOOR PLANS

PROJECT INFORMATION

OWNER/DEVELOPER:
STEVE PEPPIN
1600 11TH AVENUE NE
WILLMAR, MN 56201
PH: 612-499-0419
EMAIL:

ARCHITECT:
CITIES EDGE ARCHITECTS
1017 EAST HIGHWAY 12
WILLMAR, MN 56201
PH: 612-817-0231
CONTACT: JOHN HAFNER
EMAIL: jhafner@citiesedgearchitects.com

CITIES EDGE ARCHITECTS
1017 East Highway 12 | Willmar, MN 56201
612-817-0231 | CitiesEdgeArchitects.com

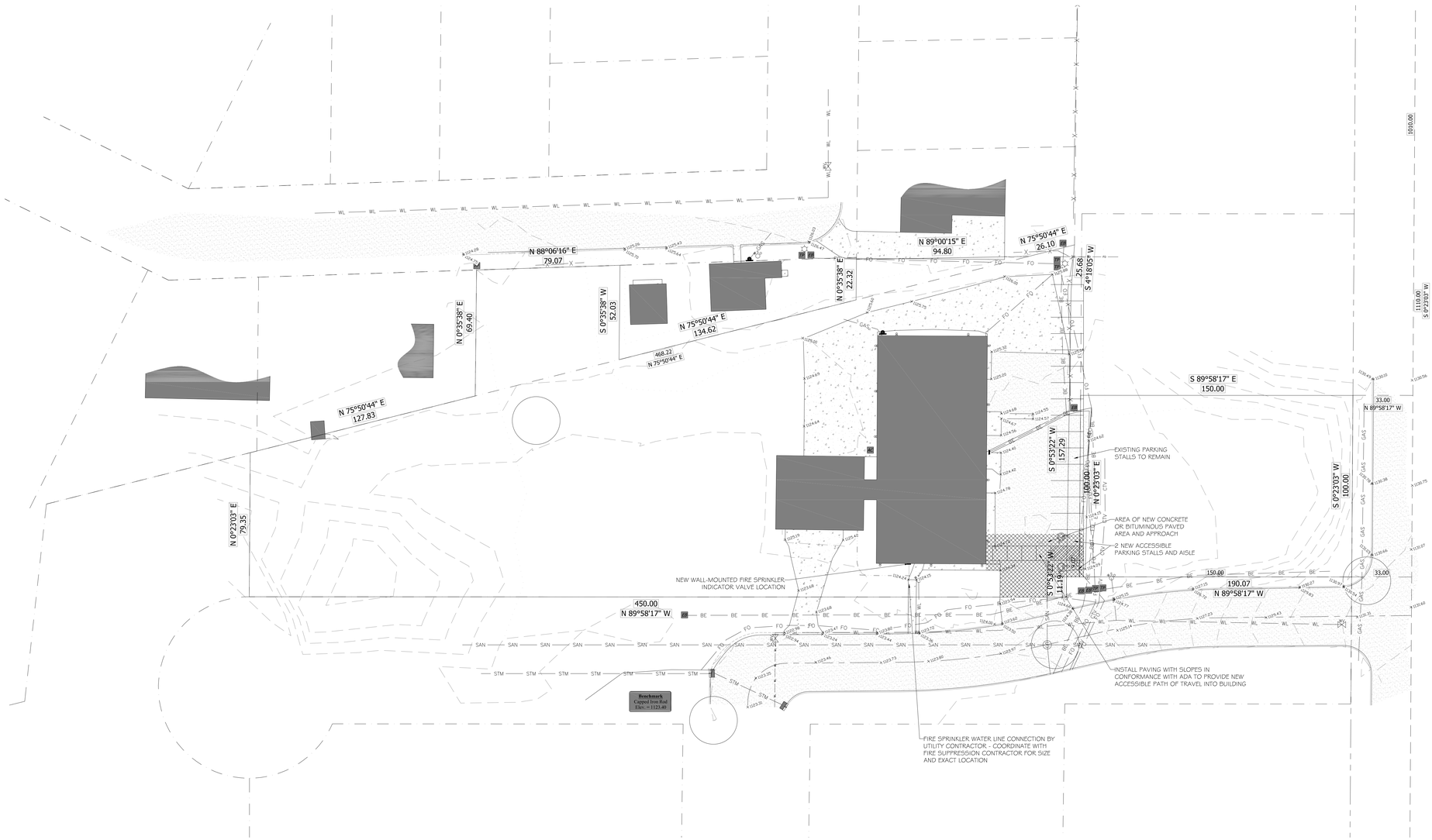
Certification # Seal:

PRELIMINARY
FOR REVIEW PURPOSES ONLY

MARK	DATE	DESCRIPTION
	6/6/2023	PLANNING COMMISSION REVIEW
	5/11/2022	RE-SUBMITTAL FOR PERMITTING
	11/17/2021	RE-SUBMITTAL FOR PERMITTING

DATE ISSUED: 10/12/2021
ISSUE PHASE: PERMITTING
PROJECT TITLE: PEP'S BAR & RESTAURANT
PROJECT OWNER: STEVE PEPPIN
PROJECT LOCATION: WILLMAR, MN
SHEET TITLE: COVER SHEET
SCALE: AS NOTED
PROJECT NUMBER: 21-021
SHEET NUMBER: G001

© Copyright 2023 - Cities Edge, LLC. - All Rights Reserved
DRAWN BY: SMB CHECKED BY: JDH

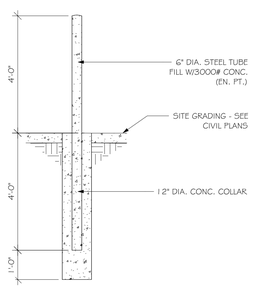


PROVIDE PARKING AS NECESSARY FOR OCCUPANT LOAD

1 PROPOSED SITE PLAN

1" = 25'-0"

INDICATES SHIELDED WALL-MOUNTED
(1) LED LIGHT FOR EXTERIOR ILLUMINATION



2 TYP. BOLLARD DETAIL

1/2" = 1'-0"

CITIES EDGE ARCHITECTS
1017 East Highway 12 | Willmar, MN 56201
612-817-0231 | CitiesEdgeArchitects.com

Certification # Seal:

PRELIMINARY
FOR REVIEW PURPOSES ONLY

MARK	DATE	DESCRIPTION
	6/6/2023	PLANNING COMMISSION REVIEW
	5/11/2022	RE-SUBMITTAL FOR PERMITTING
	11/17/2021	RE-SUBMITTAL FOR PERMITTING

DATE ISSUED: 10/12/2021
ISSUE PHASE: PERMITTING

PROJECT TITLE:
PEP'S BAR & RESTAURANT

PROJECT OWNER:
STEVE PEPPIN

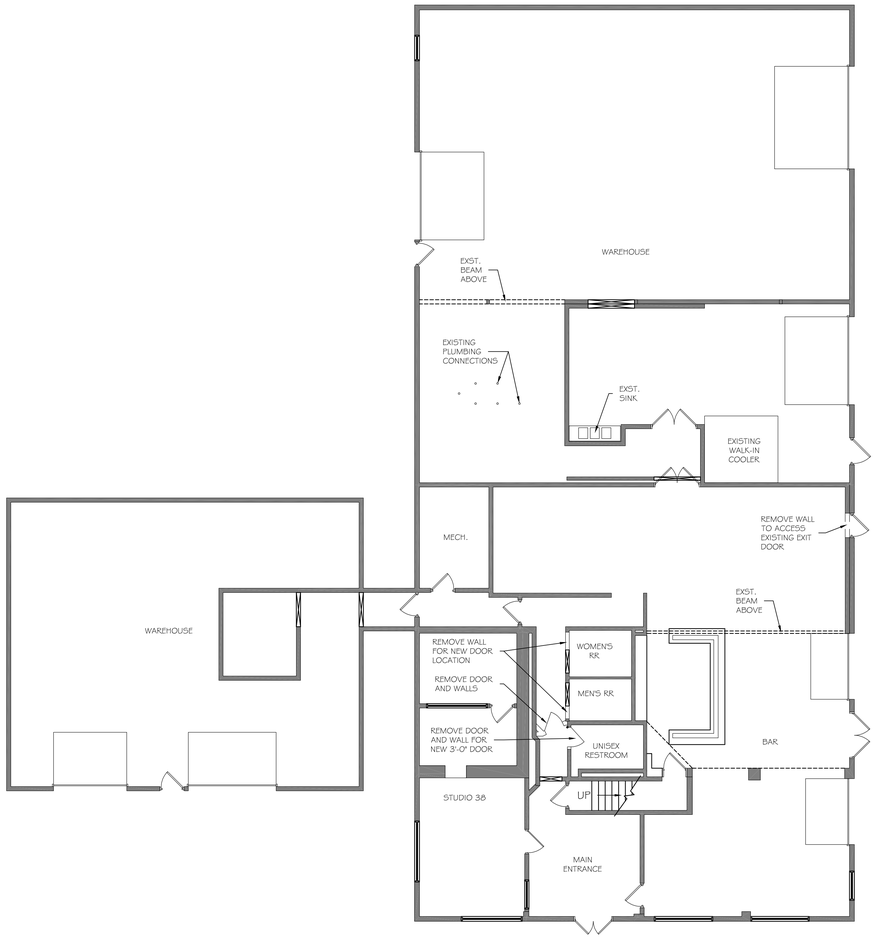
PROJECT LOCATION:
WILLMAR, MN

SHEET TITLE:
PROPOSED SITE PLAN

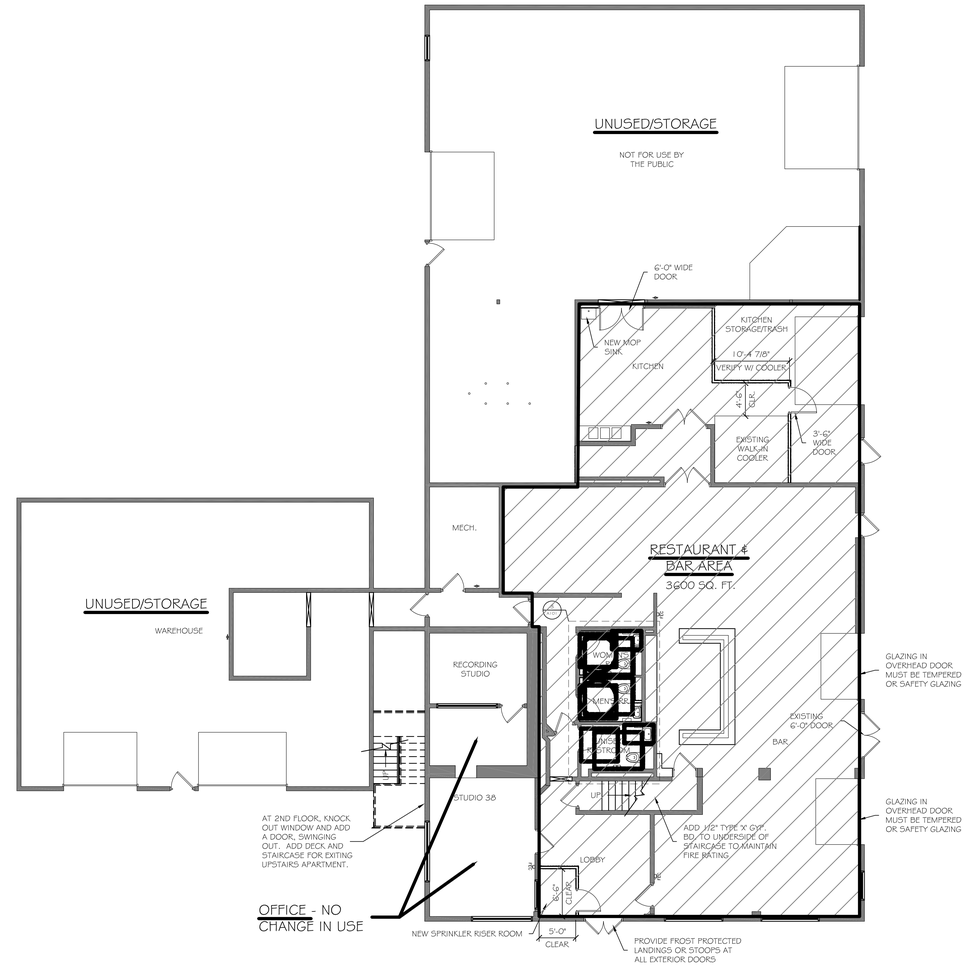
SCALE:
AS NOTED

PROJECT NUMBER: 21-021
SHEET NUMBER: A001

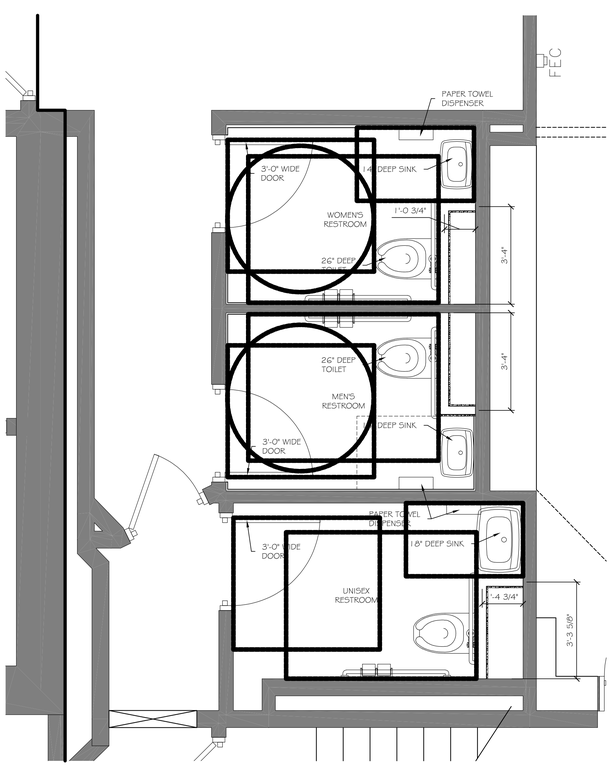
© Copyright 2023 - Cities Edge, LLC. - All Rights Reserved
DRAWN BY: SMB CHECKED BY: JDH



1 DEMO PLAN
1/8"=1'-0"



2 FLOOR PLAN
1/8"=1'-0"



3 ENLARGED BAR RESTROOMS PLAN
1/2"=1'-0"

4 ELEVATION OF NEW DECK FOR APARTMENT EXIT
NOT TO SCALE

CITIES EDGE ARCHITECTS
1017 East Highway 12 | Willmar, MN 56201
612-817-0231 | CitiesEdgeArchitects.com

Certification & Seal:

PRELIMINARY
FOR REVIEW PURPOSES ONLY

MARK	DATE	DESCRIPTION
	6/6/2023	PLANNING COMMISSION REVIEW
	5/11/2022	RE-SUBMITTAL FOR PERMITTING
	11/17/2021	RE-SUBMITTAL FOR PERMITTING

DATE ISSUED: 10/12/2021
ISSUE PHASE: PERMITTING

PROJECT TITLE:
PEP'S BAR & RESTAURANT

PROJECT OWNER:
STEVE PEPPIN

PROJECT LOCATION:
WILLMAR, MN

SHEET TITLE:
FLOOR PLANS

SCALE:
AS NOTED

PROJECT NUMBER: 21-021
SHEET NUMBER: A101

WILLMAR PLANNING COMMISSION
WEDNESDAY, JULY 19TH, 2023
333 6TH STREET SW, CONFERENCE ROOM 1
MINUTES

1. The Willmar Planning Commission met on Wednesday, July 19th, 2023, at 6:30pm at the City Hall

   Members Present: Vice Chair Kelsey Vosika, Christopher Buzzeo, Yvon Fils-Aime and Stacy Holwerda

   Members Absent: Chair Jonathan Marchand, John Christianson and Steve Dresler.

   Others Present: Director Justice Walker, City Planner Guilherme Motta, Daniel Tempel, Jennifer Kotila, Mike Bowman, Steve Peppin and Trent Karel.

2. Vice Chair Vosika called for order at 6:32pm.
   Vice Chair Vosika added 06/21/23 agenda to approval and mentioned the meeting on 07/05/23 were canceled. Commissioners reviewed minutes from June 21st. Commissioner Buzzeo asked why the public hearing was opened and closed at 6:36pm. Director Walker explained that it was opened at 6:36pm and nobody was there to talk, and the hearing was closed. Commissioner Fils-Aime motioned to approve, and Commissioner Holwerda seconded.
   All members present voted aye to approve the minutes. The motion was approved.

3. LES SCHWAB TIRES CENTER, SUBDIVISION (23-02) – FINAL PLAT.

Director Walker gave an overview of the project and read the staff recommendation according to the agenda. He clarified that 1st St is owned by the City and that the comments sent by staff need to be provided prior to construction permit. Vice Chair Vosika asked for commissioners comments.

Staff recommended in favor of the approval for referred Minor Subdivision.

Commissioner Holwerda motioned to approve Minor Subdivision, and Commissioner Fils-Aime seconded. Commissioner Fils-Aime voted aye, Commissioner Buzzeo voted aye, Commissioner Holwerda voted aye and Commissioner Vosika voted aye. The motion was approved.

4. DANIEL TEMPEL, MINOR SUBDIVISION (23-05) – FINAL PLAT

Director Walker gave an overview of the project according to the agenda and comments provided. He located the lot on GIS. Mr Tempel commented about the dedication of the road and the issue with the side setback. He explains that all other setbacks are fine to be followed but he would apply for a variance for the side setback as he is dedicating part of his lot to the road. Commissioner Buzzeo asked if this approval will mandate him to request variance.

Director Walker explained that no, he can follow the setbacks or if he wants he can request a variance for the side setbacks.

Staff recommended in favor of the approval for the Minor Subdivision.

Commissioner Buzzeo motioned to approve Minor Subdivision; Commissioner Fils-Aime seconded. Commissioner Holwerda voted aye, Commissioner Vosika voted aye, Commissioner Buzzeo voted aye, and Commissioner Fils-Aime voted aye. The motion was approved.

5. PEP'S BAR AND RESTAURANT, PLAN REVIEW – FINAL PLAT (FILE 23-06)

Director Walker gave an overview of the project according to the agenda. Vice Chair Vosika askes for comments. Nobody had comments.

Staff recommended in favor of the approval for referred Plan Review.

Commissioner Fils-Aime motioned to approve Plan Review; Commissioner Holwerda seconded. Commissioner Holwerda voted aye, Commissioner Vosika voted aye, Commissioner Buzzeo voted aye, and Commissioner Fils-Aime voted aye. The motion was approved.

6. MISCELLANNY

1. Parking lot maintenance ordinance text amendment. Director Walker explained they have received a lot of calls regarding to commercial parking lot issues. Commissioner Buzzeo asked how the city enforces residential maintenance for their parking lots. Commissioner Fils-Aime commented that city can send a letter enforcing the maintenance. Commissioner mentioned about an area without owner that is not well maintained close to the mall. Commissioner Buzzeo asked how to enforce it. They accorded that conceptually it is a good idea but how to enforce is an issue. Staff agreed to report back.

2. Director Walker showed a city owned lot, zoned as a Park which is being considered for development. He located the area and told it is for senior housing. Commissioner Buzzer mentioned the issues with stormwater. Commissioner Holwerda raised concerns about proximity to the baseball stadium.

7. ADJOURN

Commissioner Holwerda motioned to adjourn at 7:16pm. Seconded by Commissioner Fils-Aime. All members present aye. The motion carried. With no further business, the meeting was adjourned.

Minutes presented by City Planner Guilherme Motta

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	5.E.
Agenda Section:	Consent Items	**Originating Department:**	City Clerk
Resolution:	No	**Prepared By:**	Judy Thompson, City Clerk
Ordinance:	No	**Presented By:**	Judy Thompson, City Clerk
Item:	Willmar Charter Commission "Draft" Minutes of July 27, 2023		

RECOMMENDED ACTION:

OVERVIEW:

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. Willmar Charter Commission "Draft" Minutes of July 27, 2023

Willmar Charter Commission "DRAFT"
Minutes of Meeting
City Office Building
Willmar, Minnesota

July 27, 2023

The Willmar Charter Commission was called to order by Chairman Richard Engan. Members present were Richard Falk, Richard Engan, Dan Reigstad, Karla Tinklenberg, Kelly Welch and Suzanne Napgezek. Present 6, Absent 3. Luke Geiger, John Soderholm and Ruth Trageser were excused from the meeting.

Also in attendance was City Clerk Judy Thompson, and Mayor Douglas Reese.

Item 1 Call Meeting to Order
Chairman Engan called the meeting to order at 1:30 p.m.

Item 2 Approve Minutes of May 30, 2023
Commissioner Welch moved to approve the minutes of May 30, 2023, as printed. Commissioner Tinklenberg seconded the motion which carried.

Item 3 Consideration of Revision to Article IV, Section 4.02, Subdivision 4(City Attorney Comments)
Chairman Engan stated that this is the Article that was brought to City Council and rejected. The City Attorney's response to the Charter Commission's desire to amend Article IV, Section 4.02, Subdivision 4 with a new revision significantly defining the roll of the Planning Commission has been received and sent to the Commissioner's for review prior to the meeting today.

The proposed amendment, as received from Attorney Scott, would read as follows:

> **Section 4.02.-The Planning Commission.**
> [Subdivisions 1 through 3 omitted]
> Subdivision 4. Recommended capital improvements. The Commission shall ~~prepare and submit annually to the Council and to the and Municipal Utilities Commission where appropriate, a recommended capital improvements report which shall contain~~ review the City of Willmar's, and as applicable, the Municipal Utilities Commission's and Rice Memorial Hospital Board's recommended capital improvements report(s) containing recommended capital improvements which ~~in the opinion of the Commission~~ are necessary or desirable in the forthcoming five (5) year period. The report shall include estimated budget requirements for such improvements, and it may contain a priority list and an arrangement of such improvements with respect to the year they are recommended to begin. The Commission shall submit a response to the body that prepared the report stating whether, in the opinion of the Commission, the recommended capital improvements are necessary or desirable in the forthcoming five (5) year period, provided that in the event that the Commission shall have failed to act thereon within a period of sixty (60) days after the adoption of the motion or resolution submitting or referring it to the Commission, the report shall be deemed to have been approved by the Commission as submitted.
> [Subdivisions 5 through 9 omitted]

Commissioner Welch moved to approve the recommended amendment verbiage as provided by Attorney Scott, and direct City Clerk Thompson to place the proposed ordinance amendment on the Council Agenda. Commissioner Reigstad seconded the motion. Following discussion, Commissioner Falk called for question, which carried unanimously.

Commissioner Falk moved to approve August 21, 2023, to introduce the recommended amendment to the City Council and September 18, 2023, for the Public Hearing. Commissioner Napgezek seconded the motion, which carried unanimously.

Item 4 Other Business
Following a discussion on sections of the Charter that need to be better clarified, Commissioner Tinklenberg moved to request a review and interpretation from City Attorney Scott concerning Section 8.06. Commissioner Napgezek seconded the motion, which carried.

The Commission directed City Clerk Thompson to question the City Administrator concerning changes in rates and how the franchise fee is determined in the Charter Franchise agreement and report back to the Commission.

Commissioner Falk left the meeting at 2:29 p.m.

Chairman Engan asked the Commissioners to review the Willmar City Charter and bring items that need to be discussed to the next meeting.

Item 5 Adjourn
With no other business to come before the Commission, Commissioner Reigstad offered a motion to adjourn the meeting. Commissioner Napgezek seconded the motion, which carried. The meeting adjourned at 2:35 p.m.

Respectfully Submitted,

Dan Reigstad
Secretary

WILLMAR MUNICIPAL UTILITIES COMMISSION
MEETING MINUTES – JULY 24, 2023
11:45 AM – WMU AUDITORIUM

The Municipal Utilities Commission (MUC) met in its regular scheduled meeting on Monday, July 24, 2023, at 11:45 am in the WMU Auditorium with the following Commissioners present: Bruce DeBlieck, Dave Baumgart, Carol Laumer, Terrill Sieck, and Patricia Elizondo. Absent were Commissioners Shawn Mueske and John Kennedy.

Others present at the meeting were: General Manager John Harren, Director of Administration Janell Johnson, Finance & Office Services Supervisor Andrea Prekker, Information Systems Coordinator Mike Sangren, Executive Secretary Beth Mattheisen, Staff Electrical Engineer Jeron Smith, City Attorney Robert Scott (via teleconference), City Councilman Michael O'Brien, and WC Tribune Journalist Jennifer Kotila.

The meeting opened by reciting the Pledge of Allegiance. Commission President DeBlieck continued by asking if any revisions were needed to the presented agenda. There being none, a resolution to approve the consent agenda was requested. Following review and discussion, Commissioner Laumer offered a resolution to approve the consent agenda as presented. Commissioner Baumgart seconded.

RESOLUTION NO. 23

"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the consent agenda be approved as presented which includes:

- Minutes from the July 10, 2023, Commission meeting; and,
- Bills represented by vouchers No. 20230850 to No. 20230908 and associated wire transfers inclusive in the amount of $2,541,166.79.

Dated this 24th day of July, 2023.

_____
President

Attest:

_____
Secretary

The foregoing resolution was adopted by a vote of five ayes and zero nays.

Staff Electrical Engineer Smith presented the Commission with an overview of the Infrastructure Investment and Jobs Act (IIJA) grant funding. IIJA is a federal grant program that provides much needed funding to update and improve our country's infrastructure. Although most of that funding was originally dedicated to roadway and bridge reconstructions, there are some funds available for other types of infrastructure programs. The IIJA provides $973 billion over the course of 5 years (2022 through 2026). The bill also includes $550 billion in new investments for power and energy, public lands, environmental remediation, broadband and resilience, and all transportation modes. Minnesota's allocation of funds is estimated at $6.8 billion. Smith provided a summary of the grant application process.

Willmar has completed the lengthy IIJA grant application process in the past to no avail. To improve funding opportunities, WMU has joined a state project team consisting of MMUA, MREA, MN Dept. of Commerce, Power System Engineering, and STAR Energy Services. By collaborating with these entities on state projects, prospects for grant funding assistance increase. A summary of the next steps in the process was presented.

Staff Electrical Engineer Smith continued by presenting capital improvement summaries and cost estimates for the projects included in the IIJA grant funding application. WMU's five projects included are: RTU Improvements ($170,000), Relay Improvements ($1,026,000), SCADA Replacement ($326,000), VAR Correction ($187,000), and Underground Conversion($2,506,000). Total cost estimate of the projects is $4,294,000 with IIJA grant funding 50%. WMU's portion of the total cost is estimated at $2,147,000. It was further noted that with or without the IIJA funding assistance, completion of these capital projects would be required in the future.

Staff Electrical Engineer Smith presented the 2022 NERC Compliance Year-End Review. This summary included an overview of the activities for compliance with the North American Electric Reliability Corp. (NERC) and enforcement by the Midwest Reliability Organization (MRO). NERC is a non-profit regulatory authority whose mission is to assure the reliability and security of the bulk power system in North America. Due to WMU's ownership at the Willmar Substation and Priam Substation, WMU is registered and actively monitored as a Transmission Owner and subject to NERC compliance regulations. Compliance Standards along with additional compliance activities and a 2023 preview were reviewed.

General Manager Harren informed the Commission of actions items taken by the City Council at their July 17th meeting. First, the Council approved WMU to proceed with the process to acquire property for a new stand-alone facility. Previously, the City had requested WMU to delay the process until May 15th to allow additional time for the City to explore options for their own facility project. WMU complied with the request. Due to the current uncertainty of the City's own site selection, WMU will move forward with the process to purchase state-owned property previously established as the 1st choice site selection. The second item of interest was the approval of the City's 10-Year Street Capital Improvement Plan. This plan will impact WMU's construction and water budgetary requirements for the ten-year span which may include rate increases as warranted.

General Manager Harren informed the Commission that meetings of both the WMU Labor and Planning Committees will also be forthcoming. A Planning Committee meeting is scheduled for Tuesday, August 29th with the main focus to be a review of the proposed 2024 WMU Budget. Tentative future Labor Committee agenda item(s) will include new building, union negotiations, and Juneteenth holiday. Tentative future Planning Committee agenda items will include new building, water treatment plant funding, new generation, and rates.

For information: Upcoming 2023 events to note include:

- MMUA Summer Conference: August 21-23 (Duluth)

There being no further business to come before the Commission, Commissioner DeBlieck offered a motion to adjourn. Commissioner Baumgart seconded the motion which carried by a vote of five ayes and zero nays, and the meeting was adjourned at 12:21 pm.

Respectfully Submitted,

WILLMAR MUNICPAL UTILITIES

_____

Beth Mattheisen
Executive Secretary

ATTEST:

_____

Dave Baumgart, Secretary

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	5.G.
Agenda Section:	Consent Items	**Originating Department:**	Finance
Resolution:	No	**Prepared By:**	Carol Cunningham, Assistant Finance Director
Ordinance:	No	**Presented By:**	Judy Thompson, City Clerk
Item:	Accounts Payable Report, 07-13-23 Thru 08-02-23		

RECOMMENDED ACTION:
Review and Approve Accounts Payable Listing.

OVERVIEW:
Departmental submission of Invoices to be included on the Accounts Payable Listing.

BUDGETARY/FISCAL ISSUES:
Reduction of Departmental Budgets by amounts approved.

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:
1. Vendor Pymt History Report 07-13-23 Thru 08-02-23

Report Selection:

Optional Report Title.....INCLUDES ONLY POSTED TRANS

INCLUSIONS:

Fund & Account.		thru	
Check.. Date.....	07/13/2023	thru	08/02/2023
Source Codes.....		thru	
Journal Entry Dates.....		thru	
Journal Entry Ids.....		thru	
Check.. Number.....		thru	
Project.....		thru	
Vendor.....		thru	
Invoice.....		thru	
Purchase Order.....		thru	
Bank.....		thru	
Payment Method...			
Totals Only?.....	N		
1099 Vendors Only?.....			
Lower Dollars Limit.....			
Create Excel file & Download	N		

Run Instructions:

Jobq	Banner	Copies	Form	Printer	Hold	Space	LPI	Lines	CPI	CP	SP	RT
L		01		MNWIPRT01	Y	S	6	066	10			

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
AB VACUUM CENTER 000008													
68943	08/02/23	VACUUM	617.02		000240		D	N	01			SMALL TOOLS	651.48484.0221
ACCESSORIES 4 TRUCKS UNL 000329													
68944	08/02/23	FLOOR MATS-SQUAD 38	132.99		061825		D	-				GENERAL SUPPLIES	101.42411.0229
ACCOUNTS RECEIVABLE 003900													
68945	08/02/23	LAB TESTING	975.00		E000079		D	-				PROFESSIONAL SER	651.48484.0446
ACE ROLLOFFS & DISPOSAL 003696													
68946	08/02/23	GARBAGE SERVICE-JULY	101.84		233/07-23		D	N	01			CLEANING AND WAS	101.45432.0338
68946	08/02/23	GARBAGE SERVICE-JULY	540.39		234/07-23		D	N	01			CLEANING AND WAS	101.45433.0338
68946	08/02/23	GARBAGE SERVICE-JULY	302.99		235/07-23		D	N	01			CLEANING AND WAS	101.45432.0338
68946	08/02/23	GARBAGE SERVICE-JULY	52.70		237/07-23		D	N	01			CLEANING AND WAS	101.42412.0338
68946	08/02/23	GARBAGE SERVICE-JULY	24.35		240/07-23		D	N	01			CLEANING AND WAS	651.48484.0338
68946	08/02/23	GARBAGE SERVICE-JULY	209.71		241/07-23		D	N	01			CLEANING AND WAS	651.48484.0338
68946	08/02/23	GARBAGE SERVICE-JULY	341.80		242/07-23		D	N	01			CLEANING AND WAS	101.45437.0338
			1,573.78	*CHECK TOTAL									
		VENDOR TOTAL	1,573.78										
AFLAC 003800													
68942	07/26/23	ACCIDENT INS-JUL	31.07		7-2023		D	-				INS. PASS THROUG	101.41428.0819
68942	07/26/23	CANCER INS-JUL	245.87		7-2023		D	-				INS. PASS THROUG	101.41428.0819
68942	07/26/23	SHORT TERM DSBLTY-JUL	373.23		7-2023		D	-				INS. PASS THROUG	101.41428.0819
			650.17	*CHECK TOTAL									
		VENDOR TOTAL	650.17										
AMAZON CAPITAL SERVICES 003557													
68947	08/02/23	EQUIPMENT-SQUADS	76.45		1KXR-Y4NR-6QJX		D	-				SMALL TOOLS	101.42411.0221
68947	08/02/23	FIBER JUMPER	10.49		1NVM-JVDH-6P67		D	-				SMALL TOOLS	101.41409.0221
68947	08/02/23	MAGNET CLIPS	4.95		1T1X-4V16-XDLW		D	-				OFFICE SUPPLIES	101.42411.0220
68947	08/02/23	FIBER JUMPER/CABLE TONER	78.64		1YDJ-WVWX-WRPR		D	-				SMALL TOOLS	101.41409.0221
68947	08/02/23	REPLACEMENT PANTS	35.98		11F4-G3Q9-RHV6		D	-				SUBSISTENCE OF P	101.42411.0227
68947	08/02/23	CAR WASHING SUPPLIES	17.99		11F4-G3Q9-RHV6		D	-				GENERAL SUPPLIES	101.42411.0229
68947	08/02/23	WIRELESS KEY/MIC-PD	55.98		13QH-TLRR-1N11		D	-				SMALL TOOLS	101.41409.0221
68947	08/02/23	FIBER JUMPERS	180.18		13R1-LXMD-9FNV		D	-				SMALL TOOLS	101.41409.0221
68947	08/02/23	UNBRELLAS	34.99		14P7-44PH-4TN4		D	-				GENERAL SUPPLIES	101.42411.0229
68947	08/02/23	MEMORY CARD	8.54		1977-JWRH-DCR7		D	-				GENERAL SUPPLIES	101.42411.0229
			504.19	*CHECK TOTAL									
		VENDOR TOTAL	504.19										
AMERICAN WELDING & GAS I 000057													
68948	08/02/23	WELDING GAS	235.40		09451731		D	-				GENERAL SUPPLIES	101.43425.0229
68948	08/02/23	WELDING GLOVES	36.22		09451736		D	-				SUBSISTENCE OF P	101.43425.0227
68948	08/02/23	FIRE EXTINGUISHER	89.18		09457134		D	-				SMALL TOOLS	101.42411.0221
			360.80	*CHECK TOTAL									
		VENDOR TOTAL	360.80										

VENDOR NAME AND NUMBER													
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
ARAMARK		000051											
68949	08/02/23	UNIFORM RENTAL	133.01		2560126925			D	-			RENTS	101.43425.0440
68949	08/02/23	UNIFORM RENTAL	9.70		2560126934			D	-			RENTS	101.42412.0440
68949	08/02/23	UNIFORM RENTAL	192.16		2560129462			D	-			RENTS	101.43425.0440
68949	08/02/23	UNIFORM RENTAL	17.42		2560129468			D	-			RENTS	101.42412.0440
68949	08/02/23	UNIFORM RENTAL	133.01		2560131758			D	-			RENTS	101.43425.0440
68949	08/02/23	UNIFORM RENTAL	8.87		2560131786			D	-			RENTS	101.42412.0440
68949	08/02/23	UNIFORM RENTAL	119.14		2560134305			D	-			RENTS	101.43425.0440
68949	08/02/23	UNIFORM RENTAL	8.87		2560134311			D	-			RENTS	101.42412.0440
68949	08/02/23	UNIFORM RENTAL	131.74		2560136694			D	-			RENTS	101.43425.0440
68949	08/02/23	UNIFORM RENTAL	9.95		2560136703			D	-			RENTS	101.42412.0440
68949	08/02/23	UNIFORM RENTAL	118.04		2560139347			D	-			RENTS	101.43425.0440
68949	08/02/23	UNIFORM RENTAL	8.87		2560139353			D	-			RENTS	101.42412.0440
68949	08/02/23	UNIFORM RENTAL	121.24		2560141573			D	-			RENTS	101.43425.0440
68949	08/02/23	UNIFORM RENTAL	10.21		2560141583			D	-			RENTS	101.42412.0440
68949	08/02/23	UNIFORM RENTAL	105.26		2560144011			D	-			RENTS	101.43425.0440
68949	08/02/23	UNIFORM RENTAL	10.21		2560144017			D	-			RENTS	101.42412.0440
68949	08/02/23	UNIFORM RENTAL	120.61		2560146347			D	-			RENTS	101.43425.0440
68949	08/02/23	UNIFORM RENTAL	10.21		2560146356			D	-			RENTS	101.42412.0440
			1,268.52	*CHECK TOTAL									
		VENDOR TOTAL	1,268.52										
ATWATER FORD INC		000073											
68950	08/02/23	SQUAD 2-SOFTWARE UPDATE	453.40		101321			D	-			MTCE. OF EQUIPME	101.42411.0224
68950	08/02/23	SQUAD 2-SOFTWARE UPDATE	224.00		101321			D	-			MTCE. OF EQUIPME	101.42411.0334
			677.40	*CHECK TOTAL									
		VENDOR TOTAL	677.40										
AUDIO VIDEO EXTREMES		003898											
68951	08/02/23	CIP IS	11,995.70		2653			D	-			FURNITURE AND EQ	219.41409.0552
AVENU INSIGHTS & ANALYTI		000131											
68952	08/02/23	CHECK SIGNATURE CHANGE	350.00		INVB-046262			D	-			PROFESSIONAL SER	101.41409.0446
68952	08/02/23	AS400 HOSTING-JULY	2,869.18		INVB-046807			D	-			SUBSCRIPTIONS AN	101.41409.0443
			3,219.18	*CHECK TOTAL									
		VENDOR TOTAL	3,219.18										
B & H		002418											
68953	08/02/23	DSLR CAMERA LENS	545.21		214893339			D	-			SMALL TOOLS	101.41409.0221
68953	08/02/23	DSLR CAMERA LENS	231.36		214893339			D	-			MTCE. OF EQUIPME	101.41409.0224
68953	08/02/23	DSLR CAMERA LENS	157.74		214893339			D	-			GENERAL SUPPLIES	101.41409.0229
			934.31	*CHECK TOTAL									
		VENDOR TOTAL	934.31										
BAKER GRAPHICS INC		000917											
68954	08/02/23	STICKERS	319.20		22873			D	-			GENERAL SUPPLIES	101.42411.0229
BAKER TILLY MUNICIPAL AD		003482											
68955	08/02/23	2022A ISSUANCE FEES	23,463.28		BTMA20764			D	-			PROFESSIONAL SER	422.48451.0446

VENDOR NAME AND NUMBER													
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
BATTERY WHOLESALE INC 002860													
68956	08/02/23	FIRE ALARM PANELS	206.96		221419WIL			D	-			MTCE. OF EQUIPME	651.48484.0224
68956	08/02/23	MN WEST GEN BATTERY	109.99		221544WIL			D	-			MTCE. OF EQUIPME	651.48485.0224
68956	08/02/23	AED BATTERIES	38.20		221853WIL			D	-			CIVIL DEFENSE	101.42428.0809
			355.15	*CHECK TOTAL									
		VENDOR TOTAL	355.15										
BECKER/DALE 003505													
68957	08/02/23	SAFETY BOOTS	160.00		071723			D	N	01		SUBSISTENCE OF P	101.43425.0227
BENSON LAUNDRY 003377													
68958	08/02/23	CLEANING SUPPLIES	56.40		386880			D	-			CLEANING AND WAS	101.45433.0228
68958	08/02/23	CLEANING SUPPLIES	56.40		387549			D	-			CLEANING AND WAS	101.45433.0228
68958	08/02/23	CLEANING SUPPLIES	56.40		388217			D	-			CLEANING AND WAS	101.45433.0228
68958	08/02/23	CLEANING SUPPLIES	56.40		388892			D	-			CLEANING AND WAS	101.45433.0228
68958	08/02/23	CLEANING SUPPLIES	56.40		390206			D	-			CLEANING AND WAS	101.45433.0228
			282.00	*CHECK TOTAL									
		VENDOR TOTAL	282.00										
BERGGREN/JARED 003901													
68959	08/02/23	BASKTEBALL CAMP	696.00		054			D	-			PROFESSIONAL SER	101.45432.0446
BERNICK'S PEPSI-COLA CO 000103													
68960	08/02/23	CONCCESION SUPPLIES	1,896.12		ST59576			D	-			GENERAL SUPPLIES	101.45432.0229
BOARMAN KROOS PFISTER 001126													
68961	08/02/23	PROFESSIONAL SERVICES	975.00		58626			D	-			PROFESSIONAL SER	101.41408.0446
68961	08/02/23	PROFESSIONAL SERVICES	6,089.53		60633			D	-			PROFESSIONAL SER	101.41408.0446
68961	08/02/23	PROFESSIONAL SERVICES	10,972.00		62055			D	-			PROFESSIONAL SER	101.41408.0446
			18,036.53	*CHECK TOTAL									
		VENDOR TOTAL	18,036.53										
BOLTON & MENK INC 001010													
68962	08/02/23	13TH ST SW/GRACE ACE S	7,737.00		0316593			D	-			PROFESSIONAL SER	423.48452.0446
68962	08/02/23	13TH ST SW MILL&OVERLA	3,702.00		0316594			D	-			PROFESSIONAL SER	422.48452.0446
68962	08/02/23	PROF SERVICE 05/26-06/	7,586.50		0316601			D	-			PROFESSIONAL SER	101.43417.0446
68962	08/02/23	PROF SERVICE 05/26-06/	7,234.50		0316601			D	-			PROFESSIONAL SER	421.48452.0446
68962	08/02/23	PROF SERVICE 05/26-06/23	715.00		0316601			D	-			PROFESSIONAL SER	421.48453.0446
68962	08/02/23	2023 SEALCOAT IMPROV	4,754.00		0316602			D	-			PROFESSIONAL SER	101.43417.0446
68962	08/02/23	23RD ST SE AREA IMPRO	39,402.50		0316603			D	-			PROFESSIONAL SER	423.48453.0446
68962	08/02/23	6TH ST SW RECONSTRUCTI	1,931.50		0316604			D	-			PROFESSIONAL SER	422.48451.0446
68962	08/02/23	AUGUSTA AVE SW&IRENE	62,495.50		0316606			D	-			PROFESSIONAL SER	423.48455.0446
68962	08/02/23	REIMBURSABLE EXPENSE	2,499.75		0316606			D	-			PROFESSIONAL SER	423.48455.0446
68962	08/02/23	BLOCK 22 PARKING&SUNRI	4,374.00		0316607			D	-			PROFESSIONAL SER	423.48454.0446
68962	08/02/23	CHARLOTTE ST SW RECON	2,818.50		0316609			D	-			PROFESSIONAL SER	422.48456.0446
68962	08/02/23	REIMBURSABLE EXPENSE	1,142.90		0316609			D	-			PROFESSIONAL SER	422.48456.0446
68962	08/02/23	GORTON AVE NW IMPROV	74,989.00		0316611			D	-			PROFESSIONAL SER	423.48451.0446
68962	08/02/23	REIMBURABLE EXPENSE	2,827.00		0316611			D	-			PROFESSIONAL SER	423.48451.0446

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
BOLTON & MENK INC 001010														
	68962	08/02/23	HWY 12 LIFT STATION	24,657.25		0316612			D	-			PROFESSIONAL SER	651.48484.0446
	68962	08/02/23	REIMBURSABLE EXPENSE	1,488.30		0316612			D	-			PROFESSIONAL SER	651.48484.0446
	68962	08/02/23	IND. DR SERV RD RECONS	3,251.00		0316613			D	-			PROFESSIONAL SER	422.48457.0446
	68962	08/02/23	REIMBURSABLE EXPENSE	914.65		0316613			D	-			PROFESSIONAL SER	422.48457.0446
	68962	08/02/23	PROF SERVICES 6/27-7/2	5,890.00		0316614			D	-			PROFESSIONAL SER	101.43417.0446
	68962	08/02/23	LITCHFIELD AVE MILL/OV	3,298.00		0316615			D	-			PROFESSIONAL SER	422.48453.0446
	68962	08/02/23	PARKING LOT RECONSTUC	2,694.00		0316616			D	-			PROFESSIONAL SER	422.48458.0446
				266,402.85	*CHECK TOTAL									
			VENDOR TOTAL	266,402.85										
BONNIE'S SEWING STUDIO 003793														
	68963	08/02/23	STUDIO CLASS	90.00		100			D	-			PROFESSIONAL SER	101.45432.0446
BRAD'S PLUMBING 001896														
	68964	08/02/23	WOMENS BR RPR-PARTS	73.93		5003			D	-			MTCE. OF EQUIPME	101.45432.0224
	68964	08/02/23	WOMENS BR RPR-LABOR	330.00		5003			D	-			MTCE. OF EQUIPME	101.45432.0334
				403.93	*CHECK TOTAL									
			VENDOR TOTAL	403.93										
BRAUN INTERTEC CORPORATI 000117														
	68965	08/02/23	PROF SERVICE 06/09/202	3,555.00		B2301984			D	-			PROFESSIONAL SER	101.43417.0446
BSE 001980														
	68966	08/02/23	POOL-ELECTRICAL PARTS	19.36		926540331			D	-			MTCE. OF STRUCTU	101.45437.0225
	68966	08/02/23	POOL-ELECTRIAL PARTS	27.39		926556884			D	-			MTCE. OF STRUCTU	101.45437.0225
	68966	08/02/23	FUSES-CIVIC CENTER	15.70		926584449			D	-			MTCE. OF EQUIPME	101.45433.0224
				62.45	*CHECK TOTAL									
			VENDOR TOTAL	62.45										
CANON FINANCIAL SERVICES 002336														
	68967	08/02/23	COPIER LEASE-JULY	98.56		30911417			D	-			RENTS	101.41405.0440
CAPITAL ONE 003647														
	68968	08/02/23	DOAC SUPPLIES	102.88		051323			D	-			GENERAL SUPPLIES	101.45432.0229
	68968	08/02/23	FIREARMS SUPPLIES	31.84		051923			D	-			GENERAL SUPPLIES	101.42411.0229
	68968	08/02/23	KEY CHAINS/KEY HOLDERS	16.09		052323			D	-			GENERAL SUPPLIES	101.42411.0229
	68968	08/02/23	REC SUPPLIES	57.32		052323			D	-			GENERAL SUPPLIES	101.45432.0229
	68968	08/02/23	CONCESSION SUPPLIES	35.84		052323			D	-			GENERAL SUPPLIES	101.45433.0229
	68968	08/02/23	BACKPACKS	35.81		052423			D	-			GENERAL SUPPLIES	101.45432.0229
	68968	08/02/23	SWIM DIAPERS	29.91		060123			D	-			GENERAL SUPPLIES	101.45435.0229
	68968	08/02/23	BUNGEE CARDS	17.22		060123			D	-			SMALL TOOLS	101.45437.0221
	68968	08/02/23	PIC FRAMES/STOCK PAPER	22.82		060223			D	-			OFFICE SUPPLIES	101.42412.0220
	68968	08/02/23	PENS	19.94		060523			D	-			GENERAL SUPPLIES	101.45432.0229
	68968	08/02/23	TOTES	5.09		060623			D	-			GENERAL SUPPLIES	101.42412.0229
	68968	08/02/23	PICTURE FRAME	13.96		060723			D	-			OFFICE SUPPLIES	101.42412.0220
	68968	08/02/23	REC SUPPLIES	196.33		060823			D	-			GENERAL SUPPLIES	101.45432.0229
	68968	08/02/23	BREAKROOM SUPPLIES	66.05		061323			D	-			GENERAL SUPPLIES	651.48484.0229
				651.10	*CHECK TOTAL									
			VENDOR TOTAL	651.10										

VENDOR NAME AND NUMBER

CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
CARDMEMBER SERVICE 002365													
68939	07/18/23	DIRECTORS MEETING-MEAL	53.48		STMT/06-23			D	-			SUBSISTENCE OF P	101.41400.0227
68939	07/18/23	LODGING-LEAGUE MN CONF	245.89		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.41400.0333
68939	07/18/23	LODGING-LEAGUE MN CONF	245.89		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.41400.0333
68939	07/18/23	LODGING VALIANT-CONF	824.94		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.41400.0333
68939	07/18/23	PARKING @ DECC	10.00		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.41400.0333
68939	07/18/23	LODGING BOX-LMC CONF	824.94		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.41400.0333
68939	07/18/23	B.S-PERSONAL EXPENSE	1,036.42		STMT/06-23			D	-			OTHER SERVICES	101.41400.0339
68939	07/18/23	B.S-PERSONAL EXPENSE	609.88		STMT/06-23			D	-			OTHER SERVICES	101.41400.0339
68939	07/18/23	MCFOA ANNUAL MEMBERSHIP	50.00		STMT/06-23			D	-			SUBSCRIPTIONS AN	101.41400.0443
68939	07/18/23	AD-ADMIN ASSIST	418.78		STMT/06-23			D	-			ADVERTISING	101.41400.0447
68939	07/18/23	AD-ADMIN ASSIT	241.40		STMT/06-23			D	-			ADVERTISING	101.41400.0447
68939	07/18/23	AD-ADMIN ASSIT	222.36		STMT/06-23			D	-			ADVERTISING	101.41400.0447
68939	07/18/23	LODGING-LEAGUE MN CONF	245.89		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.41401.0333
68939	07/18/23	LODGING-LEAGUE MN CONF	245.89		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.41401.0333
68939	07/18/23	LODGING REESE-LEAGUE CON	549.96		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.41401.0333
68939	07/18/23	LODGING ASMUS-LEAGUE CON	549.96		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.41401.0333
68939	07/18/23	KEY-CLERK FILE CABINET	150.00		STMT/06-23			D	-			PROFESSIONAL SER	101.41403.0446
68939	07/18/23	COFFEE GROUNDS	51.84		STMT/06-23			D	-			OFFICE SUPPLIES	101.41408.0220
68939	07/18/23	NETWORK SWITCHES	719.56		STMT/06-23			D	-			SMALL TOOLS	101.41409.0221
68939	07/18/23	RAIL KIT-QNAP	91.80		STMT/06-23			D	-			SMALL TOOLS	101.41409.0221
68939	07/18/23	ITGLUE SUBSCRIPTION	950.00		STMT/06-23			D	-			SUBSCRIPTIONS AN	101.41409.0443
68939	07/18/23	NUMBER PORT-SIP.US	20.66		STMT/06-23			D	-			SUBSCRIPTIONS AN	101.41409.0443
68939	07/18/23	EXAVAULT SUBSCRIPTION	100.00		STMT/06-23			D	-			SUBSCRIPTIONS AN	101.41409.0443
68939	07/18/23	CVC PHONE SERVICE	166.58		STMT/06-23			D	-			SUBSCRIPTIONS AN	101.41409.0443
68939	07/18/23	CRASHPLAN SUBSCRIPTION	29.97		STMT/06-23			D	-			SUBSCRIPTIONS AN	101.41409.0443
68939	07/18/23	ITGLUE SUBSCRIPTION-JUNE	95.00		STMT/06-23			D	-			SUBSCRIPTIONS AN	101.41409.0443
68939	07/18/23	LUNCH-CONSULT W/MARK.G	59.92		STMT/06-23			D	-			SUBSISTENCE OF P	101.41420.0227
68939	07/18/23	LMC RACE EQUITY TRNG	30.00		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.41420.0333
68939	07/18/23	SHRM MEMBERSHIP	244.00		STMT/06-23			D	-			SUBSCRIPTIONS AN	101.41420.0443
68939	07/18/23	WELLNESS PROGRAM SNACKS	369.30		STMT/06-23			D	-			PROFESSIONAL SER	101.41420.0446
68939	07/18/23	SAMPLE NAME TAGS-WPD	13.00		STMT/06-23			D	-			SUBSISTENCE OF P	101.42411.0227
68939	07/18/23	DRINKS-CERT MEETING	61.62		STMT/06-23			D	-			SUBSISTENCE OF P	101.42411.0227
68939	07/18/23	COFFEE WITH COPS	33.43		STMT/06-23			D	-			SUBSISTENCE OF P	101.42411.0227
68939	07/18/23	SWAT MEDICAL BACKPACKS	385.58		STMT/06-23			D	-			GENERAL SUPPLIES	101.42411.0229
68939	07/18/23	CREDIT-CHRISTENSEN TRNG	950.00CR		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.42411.0333
68939	07/18/23	HOLME&NELSON TRNG	398.00		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.42411.0333
68939	07/18/23	BASIC SWAT TRNG-CHRISTEN	950.00		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.42411.0333
68939	07/18/23	ST SURVIVAL TRNG-LUEDERS	169.50		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.42411.0333
68939	07/18/23	FLATTEN&LIEBL TRNG LODGE	108.66		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.42411.0333
68939	07/18/23	ANDERSON&HANNEMAN LODGE	108.66		STMT/06-23			D	-			TRAVEL-CONF.-SCH	101.42411.0333
68939	07/18/23	DRONE FAA REGISTRATION	5.00		STMT/06-23			D	-			LICENSES AND TAX	101.42411.0445
68939	07/18/23	BODY ARMOR PLATES	551.59		STMT/06-23			D	-			SMALL TOOLS	101.42412.0221
68939	07/18/23	HAZ MAT EQUIPMENT	1,443.72		STMT/06-23			D	-			SMALL TOOLS	101.42412.0221
68939	07/18/23	TRT EQUIPMENT	686.09		STMT/06-23			D	-			SMALL TOOLS	101.42412.0221
68939	07/18/23	FIRE HYDRANT PAINT	160.10		STMT/06-23			D	-			MTCE. OF OTHER I	101.42412.0226
68939	07/18/23	CLEANING SUPPLIES	40.04		STMT/06-23			D	-			GENERAL SUPPLIES	101.42412.0229
68939	07/18/23	AED BATTERY&PADS	302.92		STMT/06-23			D	-			MTCE. OF EQUIPME	101.43425.0224
68939	07/18/23	RESTROOM SIGNS	65.60		STMT/06-23			D	-			MTCE. OF STRUCTU	101.43425.0225
68939	07/18/23	PARADE CANDY	211.77		STMT/06-23			D	-			GENERAL SUPPLIES	101.43425.0229

VENDOR NAME AND NUMBER

CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
CARDMEMBER SERVICE		002365							
68939	07/18/23	FUEL SYSTEM SUBSCRIPTION	95.00		STMT/06-23		D -	SUBSCRIPTIONS AN	101.43425.0443
68939	07/18/23	COFFEE&ROLLS-PW INTERV	33.50		STMT/06-23		D -	ADVERTISING	101.43425.0447
68939	07/18/23	LODGING-PW INTERVIEWEE	203.57		STMT/06-23		D -	ADVERTISING	101.43425.0447
68939	07/18/23	COFFEE&ROLLS-PW INTERV	44.67		STMT/06-23		D -	ADVERTISING	101.43425.0447
68939	07/18/23	EMPLOYEE TRANING MEAL	93.71		STMT/06-23		D -	SUBSISTENCE OF P	101.45432.0227
68939	07/18/23	REC SUPPLIES	26.95		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	GAMES ON DECK	58.24		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	ADULT LEAGUES	16.49		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	ADULT LEAGUES	9.70		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	FLAG FOOTBALL	190.94		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	LITTLE HITTERS BASEBALL	215.70		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	EMPLOYEE LUNCH	146.61		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	SPORTS SAMPLER	62.54		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	BASEBALLS	488.64		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	12U BASEBALL	129.44		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	SUMMER PROGRAM EQUIP	49.60		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	SUMMER PROGRAM EQUIP	2,745.38		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	SUMMER PROGRAM EQUIP	305.94		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	BASEBALLS	283.44		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	ADAPTIVE TRACK&FIELD	45.23		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	REC BIKE SHIRTS	51.00		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	CRAFTS	112.41		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	REC SOFTBALLS	490.55		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	REC SOFTBALLS	569.85		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	REC BATS	401.16		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	REC BASEBALLS	450.72		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	REC BASKETBALLS	20.52		STMT/06-23		D -	GENERAL SUPPLIES	101.45432.0229
68939	07/18/23	PRIME MEMBERSHIP	16.17		STMT/06-23		D -	SUBSCRIPTIONS AN	101.45432.0443
68939	07/18/23	AD-RECREATION COORDINAT	258.95		STMT/06-23		D -	ADVERTISING	101.45432.0447
68939	07/18/23	AD-RECREATION COORDINAT	196.83		STMT/06-23		D -	ADVERTISING	101.45432.0447
68939	07/18/23	DOG BAGS	15.95		STMT/06-23		D -	GENERAL SUPPLIES	101.45435.0229
68939	07/18/23	FRAMES	51.55		STMT/06-23		D -	GENERAL SUPPLIES	101.45435.0229
68939	07/18/23	CK CAMP	62.28		STMT/06-23		D -	GENERAL SUPPLIES	101.45435.0229
68939	07/18/23	DOGS NIGHT OUT STICKERS	6.46		STMT/06-23		D -	GENERAL SUPPLIES	101.45435.0229
68939	07/18/23	DOG PAW PADS	27.17		STMT/06-23		D -	GENERAL SUPPLIES	101.45435.0229
68939	07/18/23	50'S PARTY SUPPLIES	134.91		STMT/06-23		D -	GENERAL SUPPLIES	101.45435.0229
68939	07/18/23	CHEF HATS	39.95		STMT/06-23		D -	GENERAL SUPPLIES	101.45435.0229
68939	07/18/23	BINGO/CAMP ITEMS	60.02		STMT/06-23		D -	GENERAL SUPPLIES	101.45435.0229
68939	07/18/23	GLOW PARTY SUPPLIES	95.53		STMT/06-23		D -	GENERAL SUPPLIES	101.45435.0229
68939	07/18/23	BALLONS	32.35		STMT/06-23		D -	GENERAL SUPPLIES	101.45435.0229
68939	07/18/23	BACKDROP	27.39		STMT/06-23		D -	GENERAL SUPPLIES	101.45435.0229
68939	07/18/23	BACKDROP	32.43		STMT/06-23		D -	GENERAL SUPPLIES	101.45435.0229
68939	07/18/23	AD	15.00		STMT/06-23		D -	ADVERTISING	101.45435.0447
68939	07/18/23	AD	15.00		STMT/06-23		D -	ADVERTISING	101.45435.0447
68939	07/18/23	AD	2.66		STMT/06-23		D -	ADVERTISING	101.45435.0447
68939	07/18/23	ICE PACKS	77.28		STMT/06-23		D -	GENERAL SUPPLIES	101.45437.0229
68939	07/18/23	CONCESSION SUPPLIES	15.08		STMT/06-23		D -	GENERAL SUPPLIES	101.45437.0229
68939	07/18/23	DOAC SUPPLIES	55.67		STMT/06-23		D -	GENERAL SUPPLIES	101.45437.0229
68939	07/18/23	DOMAIN PURCHASE	20.00		STMT/06-23		D -	SUBSCRIPTIONS AN	235.41402.0443

VENDOR NAME AND NUMBER													
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
CARDMEMBER SERVICE		002365											
68939	07/18/23	GENERATOR PRO SUBSCRIPT	119.88		STMT/06-23			D	-			SUBSCRIPTIONS AN	235.41402.0443
68939	07/18/23	PELICAN SPARROW SUBSCRIP	168.00		STMT/06-23			D	-			SUBSCRIPTIONS AN	235.41402.0443
68939	07/18/23	FRGN FEE	2.39		STMT/06-23			D	-			SUBSCRIPTIONS AN	235.41402.0443
68939	07/18/23	EVENT PROMO&AD	49.11		STMT/06-23			D	-			ADVERTISING	235.41402.0447
68939	07/18/23	REFUND-HOLDING PW TRUCK	500.00CR		STMT/06-23			D	-			MACHINERY AND AU	450.43425.0553
68939	07/18/23	WINDOW RACK INSTALLATION	474.63		STMT/06-23			D	-			MACHINERY AND AU	450.43425.0553
68939	07/18/23	RUNNING BOARDS	323.57		STMT/06-23			D	-			MACHINERY AND AU	450.43425.0553
68939	07/18/23	ARROW BOARD LIGHT BAR	553.39		STMT/06-23			D	-			MACHINERY AND AU	450.43425.0553
68939	07/18/23	50 GAL ALUM TANK	1,081.24		STMT/06-23			D	-			MACHINERY AND AU	450.43425.0553
68939	07/18/23	PUMP TANK ON 2024 TRUCK	473.87		STMT/06-23			D	-			MACHINERY AND AU	450.43425.0553
68939	07/18/23	SMOKE DETECTORS	70.76		STMT/06-23			D	-			MTCE. OF STRUCTU	651.48484.0225
68939	07/18/23	WTP EMERGENCY SCADA	24.95		STMT/06-23			D	-			COMMUNICATIONS	651.48485.0330
68939	07/18/23	TAX REFUND	72.94CR		STMT/06-23			D	-			SMALL TOOLS	800.42411.0221
68939	07/18/23	BULLET RESISTANT SHIELDS	999.11		STMT/06-23			D	-			SMALL TOOLS	800.42411.0221
			26,567.68	*CHECK TOTAL									
		VENDOR TOTAL	26,567.68										
CARRANZA/NOE		002547											
68969	08/02/23	INTERVIEW 06/04/23	140.00		56			D	N	01		PROFESSIONAL SER	101.42411.0446
68969	08/02/23	INTERPRETED 06/03/23	140.00		61			D	N	01		PROFESSIONAL SER	101.42411.0446
68969	08/02/23	INTERVIEW 06/21/23	210.00		64			D	N	01		PROFESSIONAL SER	101.42411.0446
68969	08/02/23	INTERVIEW 06/21/23	140.00		65			D	N	01		PROFESSIONAL SER	101.42411.0446
68969	08/02/23	INTERVIEW 07/05/23	140.00		70			D	N	01		PROFESSIONAL SER	101.42411.0446
68969	08/02/23	INTERVIEW 07/01/23	140.00		71			D	N	01		PROFESSIONAL SER	101.42411.0446
68969	08/02/23	INTERPRETED 06/25/23	140.00		72			D	N	01		PROFESSIONAL SER	101.42411.0446
68969	08/02/23	INTERVIEW 07/06/2023	140.00		74			D	N	01		PROFESSIONAL SER	101.42411.0446
68969	08/02/23	INTERVIEW 07/15/2023	140.00		77			D	N	01		PROFESSIONAL SER	101.42411.0446
			1,330.00	*CHECK TOTAL									
		VENDOR TOTAL	1,330.00										
CARRIS HEALTH - RICE HOS		001166											
68970	08/02/23	DRAW CHARGE 23004958	37.96		18534			D	-			PROFESSIONAL SER	101.42411.0446
CENTERPOINT ENERGY		000467											
491	07/19/23	NATURAL GAS-JUNE	15.00		STMT/06-23			M	-			UTILITIES	101.43425.0332
491	07/19/23	NATURAL GAS-JUNE	15.00		STMT/06-23			M	-			UTILITIES	101.43425.0332
491	07/19/23	NATURAL GAS-JUNE	15.00		STMT/06-23			M	-			UTILITIES	101.43425.0332
491	07/19/23	NATURAL GAS-JUNE	360.41		STMT/06-23			M	-			UTILITIES	101.45433.0332
491	07/19/23	NATURAL GAS-JUNE	1,545.53		STMT/06-23			M	-			UTILITIES	101.45433.0332
491	07/19/23	NATURAL GAS-JUNE	72.60		STMT/06-23			M	-			UTILITIES	101.45435.0332
491	07/19/23	NATURAL GAS-JUNE	1,590.69		STMT/06-23			M	-			UTILITIES	101.45437.0332
491	07/19/23	NATURAL GAS-JUNE	73.29		STMT/06-23			M	-			UTILITIES	651.48484.0332
			3,687.52	*CHECK TOTAL									
		VENDOR TOTAL	3,687.52										
CENTRACARE		003390											
68971	08/02/23	JONES-DRUG TESTING	25.00		719171550			D	-			SUBSISTENCE OF P	101.43425.0337

VENDOR NAME AND NUMBER													
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
CENTRACARE 003390													
68971	08/02/23	SCHUELER-DRUG TESTING	60.00		719171639		D	-				SUBSISTENCE OF P	651.48484.0337
68971	08/02/23	WOG-DRUG TESTING	25.00		719171661		D	-				SUBSISTENCE OF P	101.43425.0337
68971	08/02/23	CARRUTHERS-DRUG TESTING	60.00		719215002		D	-				SUBSISTENCE OF P	101.43425.0337
			170.00	*CHECK TOTAL									
		VENDOR TOTAL	170.00										
CENTRAL LAKES MENTAL HEA 003851													
68972	08/02/23	MENTAL HEALTH SERVICES	4,480.00		073123		D	-				PROFESSIONAL SER	101.42411.0446
CENTRAL LAKES REST. SUPP 002049													
68973	08/02/23	OUTDOOR GRILL	1,508.05		WILLMAR BAL		D	-				SMALL TOOLS	101.45432.0221
68973	08/02/23	OUTDOOR GRILL	1,508.06		WILLMAR BAL		D	-				SMALL TOOLS	899.45432.0221
68973	08/02/23	FREEZER	2,293.00		9198		D	-				SMALL TOOLS	101.45432.0221
			5,309.11	*CHECK TOTAL									
		VENDOR TOTAL	5,309.11										
CENTRAL MN SCREEN PRINTI 003908													
68974	08/02/23	CERT T-SHIRTS	1,120.00		1103		D	-				SUBSISTENCE OF P	803.42411.0227
CHAMBERLAIN OIL CO 000154													
68975	08/02/23	OIL	2,735.06		441950-00		D	-				INVENTORIES-MDSE	101.125000
68975	08/02/23	SHOP SUPPLIES	123.22		441950-00		D	-				GENERAL SUPPLIES	101.43425.0229
			2,858.28	*CHECK TOTAL									
		VENDOR TOTAL	2,858.28										
CHAPPELL CENTRAL INC 000156													
68976	08/02/23	ROUTINE MAINTANCE ON A/C	198.00		SVC-111777		D	-				MTCE. OF EQUIPME	651.48484.0334
68976	08/02/23	SERVICE A/C UNIT	148.50		SVC-111778		D	-				MTCE. OF EQUIPME	651.48485.0334
68976	08/02/23	SRV-LIEBERT UNIT PARTS	14.71		SVC-111779		D	-				MTCE. OF EQUIPME	651.48485.0224
68976	08/02/23	SRV-LIEBERT UNIT LABOR	247.50		SVC-111779		D	-				MTCE. OF EQUIPME	651.48485.0334
68976	08/02/23	CLEANED CONDENSER-LBR	148.50		SVC-111780		D	-				MTCE. OF EQUIPME	651.48485.0334
68976	08/02/23	MAINTENANCE HVAC-LABOR	198.00		SVC-111781		D	-				MTCE. OF EQUIPME	651.48485.0334
68976	08/02/23	SERVICE A/C UNIT	148.50		SVC-111782		D	-				MTCE. OF EQUIPME	651.48485.0334
			1,103.71	*CHECK TOTAL									
		VENDOR TOTAL	1,103.71										
CHARTER COMMUNICATIONS 000736													
68977	08/02/23	PHONE-JULY	52.67		0009126072223		D	-				COMMUNICATIONS	101.41409.0330
68977	08/02/23	INTERNET-JULY	189.97		0438138070223		D	-				COMMUNICATIONS	101.41409.0330
			242.64	*CHECK TOTAL									
		VENDOR TOTAL	242.64										
CHRISTENSEN/LINDA .03305													
68978	08/02/23	DAMAGE DEPOSIT REFUND	100.00		071923		D	-				REFUNDS AND REIM	101.41428.0882
CINTAS CORPORATION 001708													
68979	08/02/23	FIRST AID SUPPLIES	216.48		5166194101		D	-				GENERAL SUPPLIES	101.45433.0229

VENDOR NAME AND NUMBER													
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
CITY LINE TOWING 003708													
68980	08/02/23	TOWING CHARGES	90.00		23-03812		D	-				OTHER SERVICES	101.42411.0339
CIVICPLUS, LLC 003722													
68981	08/02/23	MUNICODE LEGAL REVIEW	4,018.00		267986		D	N	01			PROFESSIONAL SER	101.41403.0446
CODE 4 SERVICES INC 002984													
68982	08/02/23	INSTLN EQUIP-SQUAD #5	16,776.21		8294		D	-				MACHINERY AND AU	450.42411.0553
68982	08/02/23	RADAR SYSTEM-SQUAD 5	3,280.00		8344		D	-				SMALL TOOLS	101.42411.0221
			20,056.21	*CHECK TOTAL									
		VENDOR TOTAL	20,056.21										
COMMERCIAL REFRIGERATION 003672													
68983	08/02/23	MOTORIZED BALL VALVE	252.00		46230		D	-				MTCE. OF EQUIPME	101.45433.0224
68983	08/02/23	COMPRESSOR RPR-PARTS	429.50		49111		D	-				MTCE. OF EQUIPME	101.45433.0224
68983	08/02/23	COMPRESSOR RPR-LABOR	910.00		49111		D	-				MTCE. OF EQUIPME	101.45433.0334
			1,591.50	*CHECK TOTAL									
		VENDOR TOTAL	1,591.50										
COORDINATED BUSINESS SYS 003677													
68984	08/02/23	MANAGED PRINT SERVICES	123.26		INV315085		D	-				OFFICE SUPPLIES	208.45005.0220
68984	08/02/23	MANAGED PRINT SERVICES	24.95		INV315088		D	-				SUBSCRIPTIONS AN	101.41409.0443
			148.21	*CHECK TOTAL									
		VENDOR TOTAL	148.21										
CROOKS/ANGELA .03300													
68985	08/02/23	SHELTER RENTAL REFUND	110.00		071223		D	-				REFUNDS AND REIM	101.41428.0882
CROW CHEMICAL & LIGHTING 000186													
68986	08/02/23	CLEANING SUPPLIES	79.90		124745		D	-				CLEANING AND WAS	101.43425.0228
68986	08/02/23	CLEANING SUPPLIES	165.21		124774		D	-				GENERAL SUPPLIES	101.43425.0229
68986	08/02/23	CLEANING SUPPLIES	384.30		124792		D	-				GENERAL SUPPLIES	101.43425.0229
68986	08/02/23	CLEANING SUPPLIES	282.40		124830		D	-				GENERAL SUPPLIES	651.48484.0229
68986	08/02/23	CLEANING SUPPLIES	291.30		124934		D	-				GENERAL SUPPLIES	101.43425.0229
68986	08/02/23	CLEANING SUPPLIES	91.50		124950		D	-				CLEANING AND WAS	101.43425.0228
			1,294.61	*CHECK TOTAL									
		VENDOR TOTAL	1,294.61										
CROW RIVER READY MIX 003648													
68987	08/02/23	CONCRETE-SIDEWALKS	851.61		4984		D	-				MTCE. OF OTHER I	101.43425.0226
68987	08/02/23	CONCRETE	1,017.92		5993		D	-				MTCE. OF OTHER I	101.43425.0226
			1,869.53	*CHECK TOTAL									
		VENDOR TOTAL	1,869.53										
D. ERVASTI SALES CO 002899													
68988	08/02/23	DIAMOND DRY CHALK	1,396.00		15716		D	-				GENERAL SUPPLIES	101.45432.0229
68988	08/02/23	RAKE&STEAMLINER CHALKE	1,198.88		15717		D	-				SMALL TOOLS	101.43425.0221
68988	08/02/23	DIAMOND DRY CHALK CLA	10,041.00		15717		D	-				MTCE. OF OTHER I	101.43425.0226
68988	08/02/23	BASE PLUGS	191.32		15717		D	-				GENERAL SUPPLIES	101.43425.0229
			12,827.20	*CHECK TOTAL									

VENDOR NAME AND NUMBER												
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
D. ERVASTI SALES CO		002899											
		VENDOR TOTAL	12,827.20										
DESIGN ELECTRIC INC		000203											
68989	08/02/23	SIGNAL REPAIR-PARTS	20.00		19839		D	-				MTCE. OF EQUIPME	101.43417.0224
68989	08/02/23	SIGNAL REPAIR-LABOR	356.00		19839		D	-				MTCE. OF EQUIPME	101.43417.0334
			376.00	*CHECK TOTAL									
		VENDOR TOTAL	376.00										
DIANE'S SEWING STUDIO		003902											
68990	08/02/23	STUDIO CLASS	90.00		101		D	-				PROFESSIONAL SER	101.45432.0446
DOOLEY'S PETROLEUM INC		000212											
68991	08/02/23	PROPANE FOR SHELTERS	957.08		416279		D	-				UTILITIES	101.43425.0332
68991	08/02/23	3.07 GALLONS UNLEADED	18,423.07		419733		D	-				INVENTORIES-MDSE	101.125000
68991	08/02/23	2.760 GALLONS DIESEL	5,520.00		419733		D	-				INVENTORIES-MDSE	101.125000
68991	08/02/23	PLANT GAS	4,977.01		511237		D	-				MOTOR FUELS AND	651.48484.0222
			29,877.16	*CHECK TOTAL									
		VENDOR TOTAL	29,877.16										
DUININCK CONCRETE		000151											
68992	08/02/23	CONCRETE FOOTINGS	148.50		119750		D	-				MTCE. OF OTHER I	101.43425.0226
DUININCK INC		000222											
68993	08/02/23	23RD ST SE AREA IMPR	178,666.69		APPL #1		D	-				MTCE. OF OTHER I	423.48453.0336
68993	08/02/23	23RD ST SE AREA IMPR	506,975.18		APPL #2		D	-				MTCE. OF OTHER I	423.48453.0336
68993	08/02/23	IRENE AVE SE/AUG AVE	731,504.85		APPL #2		D	-				MTCE. OF OTHER I	423.48455.0336
68993	08/02/23	GORTON AVE AREA IMPR	838,209.79		APPL #3		D	-				MTCE. OF OTHER I	423.48451.0336
68993	08/02/23	7TH STR PARKING LOT IM	3,672.94		APPL #5		D	-				MTCE. OF OTHER I	422.48458.0336
68993	08/02/23	13TH STR/LITCHF AVE S	62,621.04		APPL #6		D	-				MTCE. OF OTHER I	422.48452.0336
68993	08/02/23	E.L #3 DRIVEWAY	14,864.65		116451		D	-				MTCE. OF OTHER I	651.48487.0336
68993	08/02/23	ASPHALT	1,100.00		555666		D	-				MTCE. OF OTHER I	101.43425.0226
68993	08/02/23	ASPHALT	773.18		555868		D	-				MTCE. OF OTHER I	101.43425.0226
			2,338,388.32	*CHECK TOTAL									
		VENDOR TOTAL	2,338,388.32										
DYNAMIC RESOURCES, INC.		003856											
68994	08/02/23	FITNESS PAD	16,250.00		93652		D	-				FURNITURE AND EQ	450.45432.0552
EAGLE CREEK GOLF CLUB		003909											
68995	08/02/23	LITTLE CARDINAL GOLF	500.00		43		D	-				RENTS	101.45432.0440
EKREN/ARLENE		.03311											
68996	08/02/23	REIM-SANITARY SEWER LI	1,500.00		072823		D	-				MTCE. OF OTHER I	651.48485.0336
ELECTRIC MOTOR COMPANY		003288											
68997	08/02/23	ALUMINUM COUPLER	15.89		SAL-WLM-1456		D	-				MTCE. OF EQUIPME	101.45432.0224
68997	08/02/23	COUPLER/FEM THREAD	21.89		SAL-WLM-1458		D	-				MTCE. OF EQUIPME	101.45432.0224
			37.78	*CHECK TOTAL									
		VENDOR TOTAL	37.78										

VENDOR NAME AND NUMBER												
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
ELECTRICAL PRODUCTION SE 003906													
68998	08/02/23	CIP IS DOOR SECURITY	56,000.00		21073		D	-				FURNITURE AND EQ	219.41409.0552
FANCY COATS 002172													
68999	08/02/23	BOARDING K-9 07/06-07/09	84.00		073123		D	-				PROFESSIONAL SER	101.42411.0446
FARM-RITE EQUIPMENT 003002													
69000	08/02/23	#142781 OIL FILTERS	114.82		P45632		D	-				INVENTORIES-MDSE	101.125000
69000	08/02/23	#142781 RING QUAD	24.10		P45643		D	-				INVENTORIES-MDSE	101.125000
69000	08/02/23	#142781 HYDRAULIC FLUID	73.77		P45649		D	-				INVENTORIES-MDSE	101.125000
69000	08/02/23	BRACKET-TOOL KIT	38.03		P45874		D	-				MTCE. OF EQUIPME	101.45433.0224
69000	08/02/23	#233288 OIL	202.94		P45876		D	-				INVENTORIES-MDSE	101.125000
69000	08/02/23	PIN FOR TOOLCAT	29.29		P45900		D	-				MTCE. OF EQUIPME	651.48484.0224
69000	08/02/23	#142781 STEERING SET	175.49		W12735		D	-				INVENTORIES-MDSE	101.125000
			658.44	*CHECK TOTAL									
		VENDOR TOTAL	658.44										
FERGUSON ENTERPRISES INC 000810													
69001	08/02/23	RETURN	112.95CR		CM987123		D	-				MTCE. OF STRUCTU	101.45433.0225
69001	08/02/23	4 SEASON SHELTER RPR	462.13		0183750		D	-				MTCE. OF STRUCTU	101.45432.0225
69001	08/02/23	TOOL RENTAL	40.00		0185034		D	-				RENTS	101.45433.0440
			389.18	*CHECK TOTAL									
		VENDOR TOTAL	389.18										
FIRST CHOICE FOOD & BEVE 000775													
69002	08/02/23	CONCESSION SUPPLIES	1,000.48		2107:033989		D	-				GENERAL SUPPLIES	101.45432.0229
FIRST SYSTEMS TECHNOLOGY 003411													
69003	08/02/23	INSTALL CHLORINE METER-P	350.00		23640		D	-				MTCE. OF EQUIPME	651.48484.0224
69003	08/02/23	INSTALL CHLORINE METER	9,057.50		23640		D	-				OTHER SERVICES	651.48484.0339
69003	08/02/23	TROUBLESHOOT BIO-S TANK	475.00		23644		D	-				MTCE. OF EQUIPME	651.48486.0334
69003	08/02/23	RPR-LEL MOTORS	9,927.80		23648		D	-				OTHER SERVICES	651.48484.0339
69003	08/02/23	RPR-DITCH D.O. MOTORS	3,875.00		23649		D	-				MTCE. OF EQUIPME	651.48484.0334
69003	08/02/23	CALIBRATE D.O. METERS	1,500.00		23657		D	-				OTHER SERVICES	651.48484.0339
69003	08/02/23	INSTALL D.O. METERS	3,980.00		23667		D	-				MTCE. OF EQUIPME	651.48484.0334
69003	08/02/23	CALIBRATE GBT METETS	1,050.00		23674		D	-				OTHER SERVICES	651.48486.0339
			30,215.30	*CHECK TOTAL									
		VENDOR TOTAL	30,215.30										
FLAHERTY & HOOD P.A. 001449													
69004	08/02/23	GEN MUN & REAL EST-JU	10,998.93		19619		D	N	01			PROFESSIONAL SER	101.41406.0446
69004	08/02/23	LABOR/EMPL. CONSULT-JUNE	875.00		19691		D	N	01			PROFESSIONAL SER	101.41406.0446
			11,873.93	*CHECK TOTAL									
		VENDOR TOTAL	11,873.93										
FLEETPRIDE 002973													
69005	08/02/23	FILTERS	39.74		109157673		D	-				INVENTORIES-MDSE	101.125000
69005	08/02/23	CORE KIT/BRAKE KIT	235.98		109161254		D	-				INVENTORIES-MDSE	101.125000

VENDOR NAME AND NUMBER													
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
FLEETPRIDE		002973											
69005	08/02/23	RETURN-CORE KIT	112.00CR		109227912			D	-			INVENTORIES-MDSE	101.125000
69005	08/02/23	FILTERS	124.89		109295469			D	-			INVENTORIES-MDSE	101.125000
69005	08/02/23	FILTER	6.47		109467605			D	-			INVENTORIES-MDSE	101.125000
69005	08/02/23	FILTERS	60.48		109510360			D	-			INVENTORIES-MDSE	101.125000
69005	08/02/23	FILTERS	29.85		109533790			D	-			INVENTORIES-MDSE	101.125000
69005	08/02/23	FILTERS	40.32		109559859			D	-			INVENTORIES-MDSE	101.125000
			425.73	*CHECK TOTAL									
		VENDOR TOTAL	425.73										
GALLS LLC		000288											
69006	08/02/23	SPARE CLASS C PANTS	91.31		024952992			D	-			SUBSISTENCE OF P	101.42412.0227
GATEWOOD ELECTRIC INC		000387											
69007	08/02/23	DOAC-ELECTRCAL PARTS	483.26		9972			D	-			MTCE. OF STRUCTU	101.45437.0225
69007	08/02/23	DOAC-ELECTRCAL LABOR	870.00		9972			D	-			MTCE. OF STRUCTU	101.45437.0335
			1,353.26	*CHECK TOTAL									
		VENDOR TOTAL	1,353.26										
GENERAL MAILING SERVICES		000293											
69008	08/02/23	POSTAGE 06/19-06/23/23	662.15		66708			D	-			POSTAGE	101.41402.0223
69008	08/02/23	POSTAGE 06/19-06/23/23	1.56		66708			D	-			POSTAGE	101.41403.0223
69008	08/02/23	POSTAGE 06/19-06/23/23	101.16		66708			D	-			POSTAGE	101.41405.0223
69008	08/02/23	POSTAGE 06/19-06/23/23	20.00		66708			D	-			POSTAGE	101.41408.0223
69008	08/02/23	POSTAGE 06/19-06/23/23	2.34		66708			D	-			POSTAGE	101.42412.0223
69008	08/02/23	POSTAGE 06/19-06/23/23	10.19		66708			D	-			POSTAGE	101.43425.0223
69008	08/02/23	POSTAGE 06/26-06/30/23	28.41		66822			D	-			POSTAGE	101.41402.0223
69008	08/02/23	POSTAGE 06/26-06/30/23	6.51		66822			D	-			POSTAGE	101.41403.0223
69008	08/02/23	POSTAGE 06/26-06/30/23	38.22		66822			D	-			POSTAGE	101.41405.0223
69008	08/02/23	POSTAGE 06/26-06/30/23	20.00		66822			D	-			POSTAGE	101.41408.0223
69008	08/02/23	POSTAGE 06/26-06/30/23	2.34		66822			D	-			POSTAGE	101.42412.0223
69008	08/02/23	POSTAGE 06/26-06/30/23	29.01		66822			D	-			POSTAGE	101.43425.0223
69008	08/02/23	POSTAGE 07/03-07/07/23	18.72		66891			D	-			POSTAGE	101.41402.0223
69008	08/02/23	POSTAGE 07/03-07/07/23	0.78		66891			D	-			POSTAGE	101.41403.0223
69008	08/02/23	POSTAGE 07/03-07/07/23	123.11		66891			D	-			POSTAGE	101.41405.0223
69008	08/02/23	POSTAGE 07/03-07/07/23	20.00		66891			D	-			POSTAGE	101.41408.0223
69008	08/02/23	POSTAGE 07/03-07/07/23	3.12		66891			D	-			POSTAGE	101.42412.0223
69008	08/02/23	POSTAGE	30.06		66945			D	-			POSTAGE	101.41402.0223
69008	08/02/23	POSTAGE	11.08		66945			D	-			POSTAGE	651.48484.0223
69008	08/02/23	POSTAGE	163.96		66992			D	-			POSTAGE	101.42411.0223
69008	08/02/23	POSTAGE 07/10-07/14/23	688.61		67007			D	-			POSTAGE	101.41402.0223
69008	08/02/23	POSTAGE 07/10-07/14/23	2.41		67007			D	-			POSTAGE	101.41403.0223
69008	08/02/23	POSTAGE 07/10-07/14/23	3.24		67007			D	-			POSTAGE	101.41405.0223
69008	08/02/23	POSTAGE 07/10-07/14/23	20.00		67007			D	-			POSTAGE	101.41408.0223
69008	08/02/23	POSTAGE 07/10-07/14/23	0.81		67007			D	-			POSTAGE	101.42412.0223
69008	08/02/23	POSTAGE 07/10-07/14/23	9.86		67007			D	-			POSTAGE	101.43425.0223
69008	08/02/23	POSTAGE 07/17-07/21/23	26.33		67048			D	-			POSTAGE	101.41402.0223
69008	08/02/23	POSTAGE 07/17-07/21/23	10.73		67048			D	-			POSTAGE	101.41403.0223
69008	08/02/23	POSTAGE 07/17-07/21/23	158.63		67048			D	-			POSTAGE	101.41405.0223
69008	08/02/23	POSTAGE 07/17-07/21/23	20.00		67048			D	-			POSTAGE	101.41408.0223

VENDOR NAME AND NUMBER												
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
GENERAL MAILING SERVICES 000293													
69008	08/02/23	POSTAGE 07/17-07/21/23	0.81		67048		D	-				POSTAGE	101.41420.0223
69008	08/02/23	POSTAGE 07/17-07/21/23	1.62		67048		D	-				POSTAGE	101.42412.0223
69008	08/02/23	POSTAGE 07/17-07/21/23	20.08		67048		D	-				POSTAGE	101.43425.0223
			2,255.85	*CHECK TOTAL									
		VENDOR TOTAL	2,255.85										
GIS MIDWEST 002798													
69009	08/02/23	GIS MAPS	140.00		23-046-GIS		D	-				PRINTING AND PUB	101.41424.0331
GRAINGER INC 000786													
69010	08/02/23	EAR PLUGS	178.42		9763540854		D	-				GENERAL SUPPLIES	651.48484.0229
69010	08/02/23	SCREEN REPAIR	54.15		9764592342		D	-				MTCE. OF EQUIPME	651.48484.0224
69010	08/02/23	AIR FILTERS	860.28		9767094775		D	-				GENERAL SUPPLIES	101.45433.0229
			1,092.85	*CHECK TOTAL									
		VENDOR TOTAL	1,092.85										
GREELEY/WALKER 003894													
69011	08/02/23	SAFETY BOOTS	50.00		071723		D	-				SUBSISTENCE OF P	101.43425.0227
GRONHOVD/TARA .03309													
69012	08/02/23	DAMAGE DEPOSIT REFUND	100.00		072623		D	-				REFUNDS AND REIM	101.41428.0882
HANSON *PETTY CASH/FRANK 003184													
69013	08/02/23	LAKE REGION MTG-CYRUS	45.00		071923		D	-				TRAVEL-CONF.-SCH	101.42412.0333
69013	08/02/23	KANDI CHEIFS MTG-BROOTEN	48.00		071923		D	-				TRAVEL-CONF.-SCH	101.42412.0333
			93.00	*CHECK TOTAL									
		VENDOR TOTAL	93.00										
HAUG-KUBOTA LLC 002609													
69014	08/02/23	MOWER PARTS	11.22		22383		D	-				MTCE. OF EQUIPME	101.43425.0224
69014	08/02/23	#234680 TIE ROD	154.70		22433		D	-				INVENTORIES-MDSE	101.125000
			165.92	*CHECK TOTAL									
		VENDOR TOTAL	165.92										
HAWKINS INC 000325													
69015	08/02/23	FERRIC CHLORIDE	12,117.68		6518836		D	-				GENERAL SUPPLIES	651.48484.0229
69015	08/02/23	FERRIC CHLORIDE	12,163.13		6529233		D	-				GENERAL SUPPLIES	651.48484.0229
			24,280.81	*CHECK TOTAL									
		VENDOR TOTAL	24,280.81										
HIGH POINT NETWORKS INC 002299													
69016	08/02/23	ANTIVIRUS SUBSCRIP-JUL	1,110.20		229652		D	-				LICENSES AND TAX	101.41409.0445
HILLYARD\HUTCHINSON 000333													
69017	08/02/23	FLOOR SCRUBBER MAINT	234.33		70053265		D	-				MTCE. OF EQUIPME	101.43425.0224
69017	08/02/23	CLEANING SUPPLIES	56.48		700551828		D	-				MTCE. OF EQUIPME	101.43425.0224
69017	08/02/23	CLEANING SUPPLIES	295.00		700551828		D	-				MTCE. OF EQUIPME	101.43425.0334
			585.81	*CHECK TOTAL									
		VENDOR TOTAL	585.81										

VENDOR NAME AND NUMBER												
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
HORIZON COMMERCIAL POOL 003075													
69018	08/02/23	POOL CHEMICALS	1,229.58		INV46628		D	-				GENERAL SUPPLIES	101.45437.0229
69018	08/02/23	DOAC PARTS-CONTROLLER	362.92		INV46628		D	-				GENERAL SUPPLIES	101.45437.0229
69018	08/02/23	POOL CHEMICALS	421.64		INV46692		D	-				GENERAL SUPPLIES	101.45437.0229
69018	08/02/23	ACID FEEDER PARTS	182.72		INV48041		D	-				MTCE. OF EQUIPME	101.45437.0224
			2,196.86	*CHECK TOTAL									
		VENDOR TOTAL	2,196.86										
IN CONTROL INC 002486													
69019	08/02/23	EL #6 CELL UPGRADE	15,946.00		S-INV00758		D	-				OTHER SERVICES	651.48487.0339
INDERMARK/KRISTI .03306													
69020	08/02/23	DAMAGE DEPOSIT REFUND	100.00		071923		D	-				REFUNDS AND REIM	101.41428.0882
INNOVATIVE OFFICE SOLUTI 003023													
69021	08/02/23	TRASH BAGS	38.56		IN4211633		D	-				GENERAL SUPPLIES	101.42412.0229
69021	08/02/23	OFFICE SUPPLIES	194.73		IN4256885		D	-				OFFICE SUPPLIES	101.45432.0220
69021	08/02/23	OFFICE SUPPLIES	52.92		IN4263062		D	-				OFFICE SUPPLIES	101.42411.0220
69021	08/02/23	OFFICE SUPPLIES	10.89		IN4264739		D	-				OFFICE SUPPLIES	101.42411.0220
69021	08/02/23	OFFICE SUPPLIES	61.72		IN4265986		D	-				OFFICE SUPPLIES	101.43425.0220
69021	08/02/23	OFFICE SUPPLIES	92.16		IN4273394		D	-				OFFICE SUPPLIES	101.41410.0220
69021	08/02/23	OFFICE SUPPLIES	203.73		IN4274653		D	-				OFFICE SUPPLIES	101.41405.0220
69021	08/02/23	OFFICE SUPPLIES	104.48		IN4275562		D	-				OFFICE SUPPLIES	651.48484.0220
			759.19	*CHECK TOTAL									
		VENDOR TOTAL	759.19										
JOHANNECK WTR CONDITIONI 003355													
69022	08/02/23	COOLER RENTAL	1.00		CR1711-3-144		D	-				RENTS	651.48484.0440
69022	08/02/23	COOLER RENTAL	2.00		CR1711-3-156		D	-				RENTS	651.48484.0440
69022	08/02/23	COOLER RENTAL	46.00		ER1801-3-067		D	-				RENTS	101.41408.0440
69022	08/02/23	DRINKING WATER	18.00		109572		D	-				GENERAL SUPPLIES	651.48484.0229
69022	08/02/23	DRINKING WATER	25.00		109575		D	-				GENERAL SUPPLIES	651.48484.0229
69022	08/02/23	DRINKING WATER	46.00		109793		D	-				GENERAL SUPPLIES	651.48484.0229
69022	08/02/23	DRINKING WATER	25.00		110121		D	-				GENERAL SUPPLIES	651.48484.0229
69022	08/02/23	DRINKING WATER	39.00		110368		D	-				GENERAL SUPPLIES	651.48484.0229
			202.00	*CHECK TOTAL									
		VENDOR TOTAL	202.00										
KANDI STEEL AND FAB 000867													
69023	08/02/23	WELDING-RPR TRAILER	180.00		5380		D	-				MTCE. OF EQUIPME	101.45433.0224
KANDIYOHI CO & CITY OF W 001465													
69024	08/02/23	BNSF CERT-INDUSTRIAL P	3,385.00		072823		D	-				PROFESSIONAL SER	205.41402.0446
KANDIYOHI CO AUDITOR 000376													
69025	08/02/23	LANDFILL CHARGES-JUNE	84.00		495053		D	-				MTCE. OF EQUIPME	101.43425.0224
69025	08/02/23	LANDFILL CHARGES-JUNE	126.00		495054		D	-				CLEANING AND WAS	101.42411.0338
69025	08/02/23	LANDFILL CHARGES-JUNE	66.45		496405		D	-				CLEANING AND WAS	101.43425.0228

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
KANDIYOHI CO AUDITOR 000376													
69025	08/02/23	LANDFILL CHARGES-JUNE	16.96		497090			D	-			CLEANING AND WAS	101.43425.0228
			293.41	*CHECK TOTAL									
		VENDOR TOTAL	293.41										
KANDIYOHI CO RECYCLING A 002296													
69026	08/02/23	LAMP RECYCLING	18.50		879			D	-			CLEANING AND WAS	101.41408.0338
KANDIYOHI CO-OP ELECTRIC 000375													
68940	07/18/23	128238003 WELCOME TO WIL	59.82		STMT/06-23			D	-			UTILITIES	101.43425.0332
68940	07/18/23	128238009 CO RD 23/HWY	95.00		STMT/06-23			D	-			UTILITIES	101.43425.0332
68940	07/18/23	128238001 ELEC SERV-SEC	38.00		STMT/06-23			D	-			UTILITIES	651.48486.0332
68940	07/18/23	187836 ELEC SERV-LIFT S	986.00		STMT/06-23			D	-			UTILITIES	651.48487.0332
			1,178.82	*CHECK TOTAL									
		VENDOR TOTAL	1,178.82										
KNOTT/TYLER .03312													
69027	08/02/23	REIM-SOFTBALL PYMNT	440.00		073123			D	-			REFUNDS AND REIM	101.41428.0882
LAKE COUNTRY FIREPLACE & 003248													
69028	08/02/23	STRAW BLANKET-SPERRY PRK	81.23		105551			D	-			MTCE. OF OTHER I	101.43425.0226
LAND PRIDE CONSTRUCTION 003149													
69029	08/02/23	DITCH CONCRETE BLOCK	6,989.00		2304			D	-			MTCE. OF OTHER I	101.43418.0336
LARCOM/JOSHUA 003750													
69030	08/02/23	MILEAGE 07/19/2023	62.88		072823			D	-			TRAVEL-CONF.-SCH	101.41402.0333
LIFELOC TECHNOLOGIES INC 000978													
69031	08/02/23	PORTABLE BREATH TESTER	1,514.52		348668			D	-			SMALL TOOLS	101.42411.0221
69031	08/02/23	PORTABLE BREATH TESTER	1,490.00		382763			D	-			SMALL TOOLS	101.42411.0221
			3,004.52	*CHECK TOTAL									
		VENDOR TOTAL	3,004.52										
LITTLE CROW SPORTS CENTE 003899													
69032	08/02/23	PONTOON MOTOR	7,990.00		072623			D	-			MACHINERY AND AU	450.43425.0553
LLOYD SECURITY INC 003376													
69033	08/02/23	2023 FIRE MONITORING	719.40		169924			D	-			SUBSCRIPTIONS AN	101.45433.0443
69033	08/02/23	2024 FIRE MONITORING	59.95		169925			D	-			PREPAID EXPENSES	101.128000
69033	08/02/23	2023 FIRE MONITORING	659.45		169925			D	-			SUBSCRIPTIONS AN	101.45433.0443
69033	08/02/23	FIRE ALARM MTCE-PARTS	637.00		171020			D	-			MTCE. OF EQUIPME	101.45433.0224
69033	08/02/23	FIRE ALARM MTCE-LABOR	1,002.00		171020			D	-			MTCE. OF EQUIPME	101.45433.0334
69033	08/02/23	2024 FIRE MONITORING	15.30		171021			D	-			PREPAID EXPENSES	101.128000
69033	08/02/23	2023 FIRE MONITORING	91.70		171021			D	-			SUBSCRIPTIONS AN	101.45433.0443
			3,184.80	*CHECK TOTAL									
		VENDOR TOTAL	3,184.80										

VENDOR NAME AND NUMBER												
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
LOCAL GOV'T INFORMATION 003226													
69034	08/02/23	PIMS HOSTING-MAY	2,395.00		53771		D	-				SUBSCRIPTIONS AN	101.41409.0443
69034	08/02/23	PIMS HOSTING-JUNE	2,395.00		53830		D	-				SUBSCRIPTIONS AN	101.41409.0443
69034	08/02/23	PIMS HOSTING-JULY	2,395.00		53888		D	-				SUBSCRIPTIONS AN	101.41409.0443
			7,185.00	*CHECK TOTAL									
		VENDOR TOTAL	7,185.00										
LOCATORS & SUPPLIES INC 002162													
69035	08/02/23	SAFETY VESTS	442.70		0308138-IN		D	-				SUBSISTENCE OF P	101.43425.0227
LOFFLER COMPANIES 002593													
69036	08/02/23	TELEPHONE CHARGES	34.30		4408304		D	-				COMMUNICATIONS	208.45005.0330
MACQUEEN EQUIPMENT INC 000427													
69037	08/02/23	SPACE SCBA FACEPIECE LEN	971.45		P17481		D	-				SUBSISTENCE OF P	101.42412.0227
69037	08/02/23	SCBA PARTS	37.00		P17605		D	-				MTCE. OF EQUIPME	101.42412.0224
69037	08/02/23	#201663 SIDE BROOM PRTS	979.68		P51151		D	-				INVENTORIES-MDSE	101.125000
69037	08/02/23	#201663 SIDE BROOM RPR	2,502.38		W12374		D	-				INVENTORIES-MDSE	101.125000
			4,490.51	*CHECK TOTAL									
		VENDOR TOTAL	4,490.51										
MARCO TECHNOLOGIES LLC 000437													
69038	08/02/23	PRINT/PAGE COUNT	406.59		INV11407352		D	-				SUBSCRIPTIONS AN	101.41409.0443
MARCO TECHNOLOGIES LLC 001838													
69039	08/02/23	500-0564417-000-JULY	156.59		505932459		D	-				SUBSCRIPTIONS AN	101.41409.0443
69039	08/02/23	500-0565502-000-AUG	483.08		506853241		D	-				RENTS	101.45432.0440
69039	08/02/23	500-0611665-000-AUG	166.04		507260305		D	-				SUBSCRIPTIONS AN	101.41409.0443
69039	08/02/23	500-0623211-000-AUG	205.01		507260511		D	-				SUBSCRIPTIONS AN	101.41409.0443
			1,010.72	*CHECK TOTAL									
		VENDOR TOTAL	1,010.72										
MARTINEZ GEOSPATIAL, INC 003897													
69040	08/02/23	LASER SCANNING&IMAGERY	5,500.00		11289		D	-				PROFESSIONAL SER	101.45427.0446
MENARDS 000449													
69041	08/02/23	ORANGE FENCE-ROCKIN ROBB	249.95		60062		D	-				SMALL TOOLS	101.43425.0221
69041	08/02/23	TOOLS	116.21		60601		D	-				SMALL TOOLS	101.45433.0221
69041	08/02/23	RETURN-PAINT CUP	42.56CR		60601		D	-				SMALL TOOLS	101.45433.0221
69041	08/02/23	MULCH	139.04		60985		D	-				MTCE. OF OTHER I	101.45433.0226
69041	08/02/23	WASP SPRAY	31.76		61057		D	-				GENERAL SUPPLIES	101.45437.0229
69041	08/02/23	SPRAY PAINT/BRAKE CLEAN	90.82		61391		D	-				GENERAL SUPPLIES	651.48484.0229
69041	08/02/23	HOSES	81.94		61409		D	-				GENERAL SUPPLIES	101.45432.0229
69041	08/02/23	ORANGE FENCE-ROCKIN ROBB	149.97		61674		D	-				GENERAL SUPPLIES	101.43425.0229
69041	08/02/23	LAB SUPPLIES	251.28		61821		D	-				GENERAL SUPPLIES	651.48484.0229
69041	08/02/23	SCREWS	59.98		62012		D	-				MTCE. OF EQUIPME	101.43425.0224
69041	08/02/23	BLASTER PENETRANT	18.95		62078		D	-				GENERAL SUPPLIES	651.48484.0229
69041	08/02/23	CARPET GLUE	22.16		62081		D	-				GENERAL SUPPLIES	101.43425.0229

VENDOR NAME AND NUMBER													
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
MENARDS		000449											
69041	08/02/23	WATER REEL-PARTS	39.96		62104		D	-				MTCE. OF EQUIPME	101.45432.0224
69041	08/02/23	SPRINKLER SUPPLIES	220.95		62116		D	-				GENERAL SUPPLIES	101.45433.0229
69041	08/02/23	BOILER DRAIN SUPPLIES	75.27		62273		D	-				GENERAL SUPPLIES	651.48484.0229
69041	08/02/23	PLUMBING SUPPLIES	11.20		62290		D	-				GENERAL SUPPLIES	651.48484.0229
69041	08/02/23	TAPE MEASURES/SPRINKLERS	108.07		62455		D	-				SMALL TOOLS	101.45433.0221
69041	08/02/23	LAB/SHOP SUPPLIES	26.95		62710		D	-				GENERAL SUPPLIES	651.48484.0229
			1,651.90	*CHECK TOTAL									
		VENDOR TOTAL	1,651.90										
MESERB		002201											
69042	08/02/23	2024 MEMBERSHIP DUES	3,509.50		072523		D	-				PREPAID EXPENSES	651.128000
69042	08/02/23	SIETSEMA-CONF REGIS	150.00		072523		D	-				TRAVEL-CONF.-SCH	651.48484.0333
69042	08/02/23	2023 MEMBERSHIP DUES	3,509.50		072523		D	-				SUBSCRIPTIONS AN	651.48484.0443
			7,169.00	*CHECK TOTAL									
		VENDOR TOTAL	7,169.00										
METRO SALES INC		003016											
69043	08/02/23	CNTRCT USAGE 04/19-07/18	196.89		INV2323534		D	-				OFFICE SUPPLIES	101.42411.0220
MIDWEST SCHOOL OF DIVING		003907											
69044	08/02/23	CHRISTENSEN-DIVE GEAR	3,890.00		07252023A1		D	-				SMALL TOOLS	101.42411.0221
69044	08/02/23	CHRISTENSEN-DIVE GEAR	1,375.00		07252023A2		D	-				SMALL TOOLS	101.42411.0221
69044	08/02/23	VAN DYKEN-DIVE GEAR	3,890.00		07252023A4		D	-				SMALL TOOLS	101.42411.0221
69044	08/02/23	VAN DYKEN-DIVE GEAR	1,375.00		07252023A5		D	-				SMALL TOOLS	101.42411.0221
			10,530.00	*CHECK TOTAL									
		VENDOR TOTAL	10,530.00										
MIKE'S SMALL ENGINE CENT		002699											
69045	08/02/23	WEED WHIP STRING	19.98		26562		D	-				GENERAL SUPPLIES	651.48484.0229
69045	08/02/23	TRIMMER LINE	47.98		26671		D	-				MTCE. OF EQUIPME	101.45433.0224
			67.96	*CHECK TOTAL									
		VENDOR TOTAL	67.96										
MINI BIFF LLC		001805											
69046	08/02/23	TOILET RENTAL	96.90		A-141674		D	M	01			RENTS	101.43425.0440
69046	08/02/23	TOILET RENTAL	214.20		A-141700		D	M	01			RENTS	101.45432.0440
69046	08/02/23	TOILET RENTAL	107.10		A-141970		D	M	01			RENTS	101.45432.0440
69046	08/02/23	TOILET RENTAL	107.10		A-142133		D	M	01			RENTS	101.43425.0440
69046	08/02/23	TOILET RENTAL	107.10		A-142141		D	M	01			RENTS	101.43425.0440
69046	08/02/23	TOILET RENTAL	107.10		A-142143		D	M	01			RENTS	101.43425.0440
69046	08/02/23	TOILET RENTAL	107.10		A-142158		D	M	01			RENTS	101.43425.0440
69046	08/02/23	TOILET RENTAL	107.10		A-142163		D	M	01			RENTS	101.43425.0440
69046	08/02/23	TOILET RENTAL	107.10		A-142204		D	M	01			RENTS	101.43425.0440
			1,060.80	*CHECK TOTAL									
		VENDOR TOTAL	1,060.80										
MINNESOTA GOVERNMENT FIN		003904											
69047	08/02/23	ODENS-MNGFOA MEMERSHIP	70.00		072423		D	-				SUBSCRIPTIONS AN	101.41405.0443

VENDOR NAME AND NUMBER

CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
MN DEPT OF LABOR & INDUS 000522													
69048	08/02/23	SURCHARGE PYMNT-JUNE	4,666.32		072823		D	-				OTHER CHARGES	101.41402.0449
MN DEPT OF REVENUE 000492													
490	07/18/23	DIESEL FULE TAX-JUNE	33.26		STMT/06-23		M	-				SALES TAX PAYABL	101.206000
490	07/18/23	SALES TAX-JUNE	3,141.00		STMT/06-23		M	-				SALES TAX PAYABL	101.206000
490	07/18/23	SALES TAX-JUNE	0.94CR		STMT/06-23		M	-				OFFICE SUPPLIES	101.41400.0220
490	07/18/23	SALES TAX-JUNE	4.26CR		STMT/06-23		M	-				SUBSISTENCE OF P	101.41400.0227
490	07/18/23	SALES TAX-JUNE	0.70CR		STMT/06-23		M	-				SUBSISTENCE OF P	101.41400.0227
490	07/18/23	SALES TAX-JUNE	0.87CR		STMT/06-23		M	-				AWARDS AND INDEM	101.41400.0442
490	07/18/23	SALES TAX-JUNE	1.26CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.41420.0229
490	07/18/23	SALES TAX-JUNE	3.65CR		STMT/06-23		M	-				PROFESSIONAL SER	101.41420.0446
490	07/18/23	SALES TAX-JUNE	6.78CR		STMT/06-23		M	-				SMALL TOOLS	101.42411.0221
490	07/18/23	SALES TAX-JUNE	5.37CR		STMT/06-23		M	-				SUBSISTENCE OF P	101.42411.0227
490	07/18/23	SALES TAX-JUNE	6.45CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.42411.0229
490	07/18/23	SALES TAX-JUNE	23.39CR		STMT/06-23		M	-				SMALL TOOLS	101.42412.0221
490	07/18/23	SALES TAX-JUNE	96.63CR		STMT/06-23		M	-				SUBSISTENCE OF P	101.42412.0227
490	07/18/23	SALES TAX-JUNE	3.70CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.42412.0229
490	07/18/23	SALES TAX-JUNE	1.51CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.42412.0229
490	07/18/23	SALES TAX-JUNE	5.20CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.42412.0229
490	07/18/23	DIESEL FULE TAX-JUNE	122.83		STMT/06-23		M	-				MOTOR FUELS AND	101.43425.0222
490	07/18/23	DIESEL FULE TAX-JUNE	93.28		STMT/06-23		M	-				MOTOR FUELS AND	101.43425.0222
490	07/18/23	SALES TAX-JUNE	28.97CR		STMT/06-23		M	-				MTCE. OF EQUIPME	101.43425.0224
490	07/18/23	SALES TAX-JUNE	5.69CR		STMT/06-23		M	-				MTCE. OF STRUCTU	101.43425.0225
490	07/18/23	SALES TAX-JUNE	1.80CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.43425.0229
490	07/18/23	SALES TAX-JUNE	4.86CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.43425.0229
490	07/18/23	SALES TAX-JUNE	2.25CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.43425.0229
490	07/18/23	SALES TAX-JUNE	126.00CR		STMT/06-23		M	-				SMALL TOOLS	101.45432.0221
490	07/18/23	SALES TAX-JUNE	11.69CR		STMT/06-23		M	-				MTCE. OF STRUCTU	101.45432.0225
490	07/18/23	SALES TAX-JUNE	0.62CR		STMT/06-23		M	-				MTCE. OF STRUCTU	101.45432.0225
490	07/18/23	SALES TAX-JUNE	4.25CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45432.0229
490	07/18/23	SALES TAX-JUNE	15.60CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45432.0229
490	07/18/23	SALES TAX-JUNE	4.56CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45432.0229
490	07/18/23	SALES TAX-JUNE	3.15CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45432.0229
490	07/18/23	SALES TAX-JUNE	10.14CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45432.0229
490	07/18/23	SALES TAX-JUNE	11.48CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45432.0229
490	07/18/23	SALES TAX-JUNE	5.67CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45432.0229
490	07/18/23	SALES TAX-JUNE	1.18CR		STMT/06-23		M	-				SUBSCRIPTIONS AN	101.45432.0443
490	07/18/23	DIESEL FULE TAX-JUNE	9.21		STMT/06-23		M	-				MOTOR FUELS AND	101.45433.0222
490	07/18/23	SALES TAX-JUNE	108.61CR		STMT/06-23		M	-				MTCE. OF STRUCTU	101.45433.0225
490	07/18/23	SALES TAX-JUNE	5.98CR		STMT/06-23		M	-				OFFICE SUPPLIES	101.45435.0220
490	07/18/23	SALES TAX-JUNE	0.47CR		STMT/06-23		M	-				OFFICE SUPPLIES	101.45435.0220
490	07/18/23	SALES TAX-JUNE	10.10CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45435.0229
490	07/18/23	SALES TAX-JUNE	7.94CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45435.0229
490	07/18/23	SALES TAX-JUNE	5.90CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45435.0229
490	07/18/23	SALES TAX-JUNE	5.35CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45435.0229
490	07/18/23	SALES TAX-JUNE	3.15CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45435.0229
490	07/18/23	SALES TAX-JUNE	2.13CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45435.0229
490	07/18/23	SALES TAX-JUNE	3.38CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45435.0229
490	07/18/23	SALES TAX-JUNE	5.91CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45435.0229

VENDOR NAME AND NUMBER												
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
MN DEPT OF REVENUE		000492											
490	07/18/23	SALES TAX-JUNE	1.74CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45435.0229
490	07/18/23	SALES TAX-JUNE	1.53CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45435.0229
490	07/18/23	SALES TAX-JUNE	3.79CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45435.0229
490	07/18/23	SALES TAX-JUNE	6.40CR		STMT/06-23		M	-				GENERAL SUPPLIES	101.45435.0229
490	07/18/23	DIESEL FULE TAX-JUNE	1.70		STMT/06-23		M	-				MOTOR FUELS AND	651.48484.0222
490	07/18/23	DIESEL FULE TAX-JUNE	34.69		STMT/06-23		M	-				MOTOR FUELS AND	651.48485.0222
			2,864.97	*CHECK TOTAL									
		VENDOR TOTAL	2,864.97										
MN PUBLIC FACILITIES AUT		000496											
69049	08/02/23	MPFA-07-0043-R-FY09-	368,486.63		071023		D	-				INTEREST	651.48484.0444
69049	08/02/23	MPFA-09-0005-R-FY10-IN	8,515.37		071023		D	-				INTEREST	651.48484.0444
69049	08/02/23	MPFA-09-0043-R-FY10-	328,072.80		071023		D	-				INTEREST	651.48484.0444
69049	08/02/23	MPFA-09-0044-R-FY13-IN	7,834.28		071023		D	-				INTEREST	651.48484.0444
69049	08/02/23	MPFA-09-0050-R-FY15-IN	8,845.00		071023		D	-				INTEREST	651.48484.0444
69049	08/02/23	MPFA-CWRF-L-010-FY17-I	3,767.40		071023		D	-				INTEREST	651.48484.0444
69049	08/02/23	MPFA-CWRF-L-033-FY19-I	6,915.42		071023		D	-				INTEREST	651.48484.0444
69049	08/02/23	MPFA-07-0043-R-FY0	1,997,000.00		071023		D	-				BONDS	651.48484.0660
69049	08/02/23	MPFA-09-0005-R-FY10-P	92,000.00		071023		D	-				BONDS	651.48484.0660
69049	08/02/23	MPFA-09-0043-R-FY10-	883,000.00		071023		D	-				BONDS	651.48484.0660
69049	08/02/23	MPFA-09-0044-R-FY13-P	63,000.00		071023		D	-				BONDS	651.48484.0660
69049	08/02/23	MPFA-09-0050-R-FY15-	140,000.00		071023		D	-				BONDS	651.48484.0660
69049	08/02/23	MPFA-CWRF-L-010-FY17-	49,000.00		071023		D	-				BONDS	651.48484.0660
69049	08/02/23	MPFA-CWRF-L-033-FY19-	71,000.00		071023		D	-				BONDS	651.48484.0660
			4,027,436.90	*CHECK TOTAL									
		VENDOR TOTAL	4,027,436.90										
MN UC FUND		000524											
69050	08/02/23	UNEMPLOYMENT BENEFITS	102.17		07977283/07-23		D	-				RE-EMPLOYMENT IN	101.41428.0815
MN\WI PLAYGROUND		003213											
69051	08/02/23	HANSON PARK EQUIP INS	22,480.00		2023305		D	-				FURNITURE AND EQ	450.45432.0552
69051	08/02/23	BJORSELL PARK EQUIP I	22,480.00		2023306		D	-				FURNITURE AND EQ	450.45432.0552
			44,960.00	*CHECK TOTAL									
		VENDOR TOTAL	44,960.00										
MR. CLEAN WILLMAR CLEANI		003756											
69052	08/02/23	CLEANING SERVICE-MAY	2,100.00		STMT/05-23		D	-				PROFESSIONAL SER	101.45432.0446
69052	08/02/23	CLEANING SERVICE-JUNE	2,730.00		STMT/06-30		D	-				PROFESSIONAL SER	101.45432.0446
			4,830.00	*CHECK TOTAL									
		VENDOR TOTAL	4,830.00										
MTI DISTRIBUTING CO		000539											
69053	08/02/23	#185284 SEAL KITS&LABO	1,084.05		1391848-00		D	-				INVENTORIES-MDSE	101.125000
69053	08/02/23	SPRINKLER HEADS	1,553.34		1395612-00		D	-				MTCE. OF OTHER I	101.43425.0226
69053	08/02/23	PARTS-IRRIGATION REPAIRS	268.36		1395616-00		D	-				MTCE. OF OTHER I	101.43425.0226
			2,905.75	*CHECK TOTAL									
		VENDOR TOTAL	2,905.75										

VENDOR NAME AND NUMBER												
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
MUNICIPAL EMERGENCY SERV 000197													
69054	08/02/23	TURNOUT GEAR	123,711.00		IN1899357		D	-				SUBSISTENCE OF P	219.42412.0227
MUNICIPAL UTILITIES 000541													
69055	08/02/23	UTILITES FOR JULY	1,021.20		STMT/07-23		D	-				UTILITIES	101.42412.0332
69055	08/02/23	UTILITES FOR JULY	6,680.04		STMT/07-23		D	-				UTILITIES	101.43425.0332
69055	08/02/23	UTILITES FOR JULY	2,366.19		STMT/07-23		D	-				UTILITIES	230.43430.0332
69055	08/02/23	UTILITES FOR JULY	59,504.71		STMT/07-23		D	-				UTILITIES	651.48484.0332
69055	08/02/23	UTILITES FOR JULY	254.07		STMT/07-23		D	-				UTILITIES	651.48485.0332
			69,826.21	*CHECK TOTAL									
		VENDOR TOTAL	69,826.21										
MUNICIPAL UTILITIES 002393													
69056	08/02/23	01/15/23 TAX STTLMT-DEL	316.67		072023		D	-				DUE TO COMPONENT	295.210001
69056	08/02/23	POLE HIT-BJORSELL PRK	1,100.00		2339		D	-				MTCE. OF OTHER I	101.43425.0226
69056	08/02/23	POLE HIT-BJORSELL PRK	1,622.48		2339		D	-				MTCE. OF OTHER I	101.43425.0336
			3,039.15	*CHECK TOTAL									
		VENDOR TOTAL	3,039.15										
MVTL LABORATORIES INC 000544													
69057	08/02/23	LAB TESTING	58.30		1206777		D	-				PROFESSIONAL SER	651.48484.0446
69057	08/02/23	LAB TESTING	58.30		1207857		D	-				PROFESSIONAL SER	651.48484.0446
69057	08/02/23	LAB TESTING	702.90		1209129		D	-				PROFESSIONAL SER	651.48484.0446
			819.50	*CHECK TOTAL									
		VENDOR TOTAL	819.50										
MVTV WIRELESS 003372													
69058	08/02/23	AIRPORT INTERNET-AUG	162.95		11699-20230801		D	-				COMMUNICATIONS	101.41409.0330
NELSON INTERNATIONAL 000568													
69059	08/02/23	#118382 PLOW TRUCK RP	15,656.90		R101036092:01		D	-				INSURANCE DEDUCT	101.41428.0822
69059	08/02/23	#118382 PLOW TRUCK RPR	7,150.00		R101036092:01		D	-				INSURANCE DEDUCT	101.41428.0822
69059	08/02/23	#118382 TIRE AND RIM	1,042.50		R101036092:02		D	-				INVENTORIES-MDSE	101.125000
69059	08/02/23	BRAKE KITS/CORE KITS	204.19		X101115740:01		D	-				INVENTORIES-MDSE	101.125000
69059	08/02/23	RETURN-CORE KIT	50.00CR		X101115897:01		D	-				INVENTORIES-MDSE	101.125000
69059	08/02/23	#186884 BRAKE PARTS/SEAL	667.78		X101116192:01		D	-				INVENTORIES-MDSE	101.125000
69059	08/02/23	#186884 AXLE NUT	76.51		X101116497:01		D	-				INVENTORIES-MDSE	101.125000
69059	08/02/23	RETUNR-BRAKE PARTS	90.00CR		X101116499:01		D	-				INVENTORIES-MDSE	101.125000
			24,657.88	*CHECK TOTAL									
		VENDOR TOTAL	24,657.88										
NIEMEYER/DARIN 002677													
69060	08/02/23	SAFETY BOOTS	172.00		071023		D	-				SUBSISTENCE OF P	101.43425.0227
NORTHERN STATES SUPPLY 000585													
69061	08/02/23	RATCHET	32.68		10-612398		D	-				SMALL TOOLS	101.45437.0221
69061	08/02/23	NUTS&BOLTS	16.97		10-612398		D	-				MTCE. OF EQUIPME	101.45437.0224
69061	08/02/23	ZIPTIES/MARKERS	25.89		10-612548		D	-				GENERAL SUPPLIES	101.43425.0229

VENDOR NAME AND NUMBER												
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
NORTHERN STATES SUPPLY 000585													
69061	08/02/23	NUTS&BOLTS	1.47		10-612711		D	-				MTCE. OF EQUIPME	101.45437.0224
69061	08/02/23	EXTRA PARTS	26.04		10-612792		D	-				MTCE. OF EQUIPME	101.45433.0224
69061	08/02/23	BOLTS	11.07		10-612876		D	-				MTCE. OF EQUIPME	101.43425.0224
69061	08/02/23	ALLEN WRENCH	3.25		10-612923		D	-				SMALL TOOLS	101.43425.0221
69061	08/02/23	WASHERS	15.17		10-613041		D	-				MTCE. OF EQUIPME	101.45437.0224
			132.54	*CHECK TOTAL									
		VENDOR TOTAL	132.54										
OXYGEN SERVICE COMPANY 002223													
69062	08/02/23	WELDER CART	4,139.87		0006805102-00		D	-				SMALL TOOLS	101.43425.0221
69062	08/02/23	SHOP SUPPLIES	122.98		0006814424-00		D	-				GENERAL SUPPLIES	101.43425.0229
69062	08/02/23	LEAD FOR WELDER	378.01		0008647276		D	-				SMALL TOOLS	101.43425.0221
			4,640.86	*CHECK TOTAL									
		VENDOR TOTAL	4,640.86										
PAPER & THREADS LLC 002895													
69063	08/02/23	EXPLORER CLOTHING	260.50		071223		D	-				SUBSISTENCE OF P	101.42411.0227
69063	08/02/23	EXPLORER UNIFORMS	22.50		072423		D	-				SUBSISTENCE OF P	101.42411.0227
			283.00	*CHECK TOTAL									
		VENDOR TOTAL	283.00										
PERKINS LUMBER CO INC 000604													
69064	08/02/23	POLY-CONCRETE	41.99		2306-W99830		D	-				MTCE. OF OTHER I	101.45432.0226
69064	08/02/23	SAW BLADES	28.48		2306-200122		D	-				SMALL TOOLS	101.43425.0221
69064	08/02/23	POLY/WOOD STAKES	92.96		2306-200122		D	-				MTCE. OF OTHER I	101.43425.0226
69064	08/02/23	WOOD	249.95		2306-200123		D	-				MTCE. OF OTHER I	101.43425.0226
69064	08/02/23	RETURN-SAW BLADE	14.99CR		2306-200570		D	-				SMALL TOOLS	101.43425.0221
69064	08/02/23	CHALK	13.08		2306-200719		D	-				SMALL TOOLS	101.43425.0221
69064	08/02/23	WOOD	8.99		2306-201566		D	-				MTCE. OF OTHER I	101.43425.0226
69064	08/02/23	REPAIR ARCHERY TARGETS	18.64		2306-202368		D	-				MTCE. OF EQUIPME	101.43425.0224
69064	08/02/23	DOAC-CHAIRS REPLACEMEN	1,493.82		2306-202528		D	-				MTCE. OF EQUIPME	101.45437.0224
69064	08/02/23	UTILITY KNIFE	1.99		2306-202587		D	-				SMALL TOOLS	101.43425.0221
69064	08/02/23	WOOD	74.85		2306-202587		D	-				MTCE. OF OTHER I	101.43425.0226
			2,009.76	*CHECK TOTAL									
		VENDOR TOTAL	2,009.76										
PEST PRO II 001968													
69065	08/02/23	PEST CONTROLL SERVICE	38.00		39065		D	-				PROFESSIONAL SER	101.45435.0446
POE/BOBBY 003896													
69066	08/02/23	SAFETY BOOTS	229.49		071223		D	-				SUBSISTENCE OF P	101.45432.0227
POHLMEIER/RICH 003531													
69067	08/02/23	YOUTH SOFTBALL CAMP	600.00		072023		D	N	01			PROFESSIONAL SER	101.45432.0446
PREMIUM WATERS INC 000374													
69068	08/02/23	SERVICE CHARGES	91.24		STMT/06-23		D	-				GENERAL SUPPLIES	101.45432.0229

VENDOR NAME AND NUMBER													
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
PREMIUM WATERS INC		000374											
69068	08/02/23	DRINKING WATER	79.99		330543322		D	-				GENERAL SUPPLIES	101.45001.0229
69068	08/02/23	DRINKING WATER	10.00		330544925		D	-				GENERAL SUPPLIES	101.45435.0229
69068	08/02/23	DRINKING WATER	61.49		330546920		D	-				GENERAL SUPPLIES	101.45437.0229
69068	08/02/23	DRINKING WATER	21.99		330547646		D	-				GENERAL SUPPLIES	101.45435.0229
69068	08/02/23	DRINKING WATER	41.24		330547910		D	-				GENERAL SUPPLIES	101.45437.0229
69068	08/02/23	DRINKGING WATER	41.24		33054816		D	-				GENERAL SUPPLIES	101.45437.0229
69068	08/02/23	DRINKING WATER	69.74		330548842		D	-				GENERAL SUPPLIES	101.45437.0229
			416.93	*CHECK TOTAL									
		VENDOR TOTAL	416.93										
PRO WATER SOLUTIONS		003529											
69069	08/02/23	SOFTENER SALT	110.50		5822		D	-				GENERAL SUPPLIES	101.45432.0229
69069	08/02/23	SOFTENER SALT	416.50		5936		D	-				GENERAL SUPPLIES	101.45433.0229
			527.00	*CHECK TOTAL									
		VENDOR TOTAL	527.00										
QUICK SIGNS		001093											
69070	08/02/23	SIGNS-SOFTBALL FIELDS	468.00		180753		D	-				GENERAL SUPPLIES	101.45432.0229
69070	08/02/23	SIGNS FOR PARKS	168.50		180800		D	-				GENERAL SUPPLIES	101.45432.0229
69070	08/02/23	FITNESS CENTER SIGNS	100.00		180857		D	-				SUBSISTENCE OF P	101.45432.0227
			736.50	*CHECK TOTAL									
		VENDOR TOTAL	736.50										
QUIMBY/LISA		.01700											
69071	08/02/23	DAMAGE DEPOSIT REFUND	100.00		071923		D	-				REFUNDS AND REIM	101.41428.0882
RAMBOW INC		000639											
69072	08/02/23	YTH FOOTBALL PANTS-RPL	1,100.00		643177		D	-				MTCE. OF EQUIPME	101.45432.0224
69072	08/02/23	YTH FOOTBALL JERSEYS	700.00		643178		D	-				MTCE. OF EQUIPME	101.45432.0224
69072	08/02/23	YTH FOOTBALL JERSEYS	5,000.00		643178		D	-				MTCE. OF EQUIPME	899.45432.0224
69072	08/02/23	SOFTBALL T-SHIRTS	314.16		643245		D	-				GENERAL SUPPLIES	101.45432.0229
69072	08/02/23	YOUTH BASKETBALL CAMP	294.00		643271		D	-				GENERAL SUPPLIES	101.45432.0229
69072	08/02/23	YTH FOOTBALL MOUTH GUARD	140.00		643310		D	-				GENERAL SUPPLIES	101.45432.0229
69072	08/02/23	YTH T-BALL SHIRTS	599.95		643962		D	-				GENERAL SUPPLIES	101.45432.0229
69072	08/02/23	BASEBALL T-SHIRTS	582.54		643963		D	-				GENERAL SUPPLIES	101.45432.0229
69072	08/02/23	YTH KINDERBALL T-SHIRTS	405.08		643964		D	-				GENERAL SUPPLIES	101.45432.0229
69072	08/02/23	YTH SOCCER T-SHIRTS	872.02		643967		D	-				GENERAL SUPPLIES	101.45432.0229
69072	08/02/23	ADULT LEAGUE SHIRTS	741.00		644036		D	-				GENERAL SUPPLIES	101.45432.0229
69072	08/02/23	SOFTBALL JERESYS	600.00		644069		D	-				GENERAL SUPPLIES	101.45432.0229
			11,348.75	*CHECK TOTAL									
		VENDOR TOTAL	11,348.75										
REACH MEDIA NETWORK		003663											
69073	08/02/23	REACH MEDIA-TV'S	300.00		84523		D	-				SUBSCRIPTIONS AN	101.45433.0443
REIMAN/BLAKE		003895											
69074	08/02/23	SAFETY BOOTS	212.49		071723		D	-				SUBSISTENCE OF P	101.43425.0227

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
RETHOS		003905											
69075	08/02/23	2023 MAIN ST MEMBERSHIP	500.00		202363		D	-				SUBSCRIPTIONS AN	101.41402.0443
69075	08/02/23	2023 MAIN ST MEMBERSHI	2,000.00		202363		D	-				SUBSCRIPTIONS AN	235.41402.0443
			2,500.00	*CHECK TOTAL									
		VENDOR TOTAL	2,500.00										
RILEY BROS CONSTRUCTION		000653											
69076	08/02/23	BLOCK 22 PARKING&SUN	179,633.27		APPL #2		D	-				MTCE. OF OTHER I	423.48454.0336
69076	08/02/23	2ND ST SE CONSTUCTION	82,830.50		2101-A/EST.7		D	-				MTCE. OF OTHER I	421.48452.0336
			262,463.77	*CHECK TOTAL									
		VENDOR TOTAL	262,463.77										
RINDFLEISCH/STEVE		003653											
69077	08/02/23	WILLMAR VB CAMP	4,900.00		47		D	N	01			PROFESSIONAL SER	101.45432.0446
ROBERT HALF		003837											
69078	08/02/23	ACCT SERV 07/03-07/07/	1,069.50		62261275		D	-				PROFESSIONAL SER	101.41405.0446
69078	08/02/23	ACCT SERV 07/10-07/14/	1,345.96		62294059		D	-				PROFESSIONAL SER	101.41405.0446
69078	08/02/23	ACCT SERV 07/17-07/21/	1,449.00		62315243		D	-				PROFESSIONAL SER	101.41405.0446
			3,864.46	*CHECK TOTAL									
		VENDOR TOTAL	3,864.46										
ROSENBAUER MINNESOTA LLC		003062											
69079	08/02/23	SEAT BELT SENSORS	662.99		SONJ14		D	-				MTCE. OF EQUIPME	101.42412.0224
RS AMERICAS INC		003867											
69080	08/02/23	REPLACE LCD DISPLAY	422.26		9017937663		D	-				MTCE. OF EQUIPME	651.48484.0224
69080	08/02/23	PLANT SURGE PROTECTOR	2,126.62		9017970057		D	-				MTCE. OF EQUIPME	651.48484.0224
			2,548.88	*CHECK TOTAL									
		VENDOR TOTAL	2,548.88										
RULE TIRE SHOP		000665											
69081	08/02/23	#910140 TIRES	888.00		1-64985		D	-				INVENTORIES-MDSE	101.125000
69081	08/02/23	#148179 TIRES	820.00		1-65029		D	-				INVENTORIES-MDSE	101.125000
			1,708.00	*CHECK TOTAL									
		VENDOR TOTAL	1,708.00										
RUNNING'S SUPPLY INC		001418											
69082	08/02/23	LAB SUPPLIES	73.47		5918782		D	-				GENERAL SUPPLIES	651.48484.0229
69082	08/02/23	WEED KILLER	59.98		5919628		D	-				GENERAL SUPPLIES	651.48484.0229
69082	08/02/23	#189679 SEAT COVER	69.99		5922691		D	-				INVENTORIES-MDSE	101.125000
69082	08/02/23	SHOP SUPPLIES	6.99		5922691		D	-				GENERAL SUPPLIES	101.43425.0229
69082	08/02/23	RACHET STRAPS/TIE DOWNS	55.86		5923088		D	-				SMALL TOOLS	101.43425.0221
69082	08/02/23	WATER VAC PUMP	75.71		5923906		D	-				MTCE. OF EQUIPME	101.45433.0224
69082	08/02/23	FITTINGS	68.53		5929099		D	-				SMALL TOOLS	101.45433.0221
69082	08/02/23	LAB SUPPLIES	55.97		5931132		D	-				GENERAL SUPPLIES	651.48484.0229
69082	08/02/23	PARADE CANDY	263.19		5936973		D	-				GENERAL SUPPLIES	101.43425.0229
69082	08/02/23	#241220/#206575 PARTS	194.94		5937115		D	-				INVENTORIES-MDSE	101.125000

VENDOR NAME AND NUMBER													
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
RUNNING'S SUPPLY INC 001418													
69082	08/02/23	START PISTOL-TRNG	117.98		5937165		D	-				SMALL TOOLS	101.42411.0221
69082	08/02/23	FITTINGS	83.47		5937534		D	-				MTCE. OF EQUIPME	101.45433.0224
69082	08/02/23	TILE MARKERS/BALL MOUNT	138.31		5941590		D	-				GENERAL SUPPLIES	651.48484.0229
69082	08/02/23	#111111 TUBE	7.91		5943069		D	-				INVENTORIES-MDSE	101.125000
69082	08/02/23	LOCK	4.77		5943219		D	-				GENERAL SUPPLIES	101.45435.0229
			1,277.07	*CHECK TOTAL									
		VENDOR TOTAL	1,277.07										
SARGENT/JUDY .03308													
69083	08/02/23	DAMAGE DEPOSIT REFUND	100.00		072623		D	-				REFUNDS AND REIM	101.41428.0882
SERVICE CENTER/CITY OF W 000685													
69084	08/02/23	EQUIPMENT PARTS	25.03		STMT/05-23		D	-				MTCE. OF EQUIPME	101.42412.0224
69084	08/02/23	EQUIPMENT PARTS	539.22		STMT/05-23		D	-				MTCE. OF EQUIPME	101.43425.0224
69084	08/02/23	89.88 GALLONS UNLEADED	273.44		STMT/06-23		D	-				MOTOR FUELS AND	101.41402.0222
69084	08/02/23	2505.40 GALLONS UNLEAD	7,749.53		STMT/06-23		D	-				MOTOR FUELS AND	101.42411.0222
69084	08/02/23	EQUIPMENT REPAIR-PARTS	1,355.48		STMT/06-23		D	-				MTCE. OF EQUIPME	101.42411.0224
69084	08/02/23	122.28 GALLONS DIESEL	322.42		STMT/06-23		D	-				MOTOR FUELS AND	101.42412.0222
69084	08/02/23	165.60 GALLONS UNLEADED	511.43		STMT/06-23		D	-				MOTOR FUELS AND	101.42412.0222
69084	08/02/23	1690.13 GALLONS DIESEL	4,760.90		STMT/06-23		D	-				MOTOR FUELS AND	101.43425.0222
69084	08/02/23	1086.20 GALLONS UNLEAD	3,332.03		STMT/06-23		D	-				MOTOR FUELS AND	101.43425.0222
69084	08/02/23	EQUIPMENT REPAIR-PARTS	6,826.97		STMT/06-23		D	-				MTCE. OF EQUIPME	101.43425.0224
69084	08/02/23	EQUIPMENT REPAIR-PARTS	2,332.39		STMT/06-23		D	-				MTCE. OF EQUIPME	101.43425.0224
69084	08/02/23	EQUIPMENT REPAIR-PARTS	24.04		STMT/06-23		D	-				MTCE. OF EQUIPME	101.45432.0224
69084	08/02/23	99.79 GALLONS DIESEL	294.38		STMT/06-23		D	-				MOTOR FUELS AND	101.45433.0222
69084	08/02/23	173.60 GALLONS UNLEADED	532.50		STMT/06-23		D	-				MOTOR FUELS AND	101.45433.0222
69084	08/02/23	EQUIPMENT REPAIR-PARTS	60.88		STMT/06-23		D	-				SMALL TOOLS	651.48484.0221
69084	08/02/23	120.56 GALLONS DIESEL	334.25		STMT/06-23		D	-				MOTOR FUELS AND	651.48484.0222
69084	08/02/23	79.10 GALLONS UNLEADED	246.56		STMT/06-23		D	-				MOTOR FUELS AND	651.48484.0222
			29,521.45	*CHECK TOTAL									
		VENDOR TOTAL	29,521.45										
SHERWIN WILLIAMS CO 000690													
69085	08/02/23	PAINT SPRAY GUN	250.00		04096		D	-				MTCE. OF EQUIPME	101.43425.0224
69085	08/02/23	PAINT SUPPLIES	21.77		04096		D	-				GENERAL SUPPLIES	101.43425.0229
69085	08/02/23	PAINT-SKATE PARK	240.32		04930		D	-				MTCE. OF STRUCTU	101.43425.0225
69085	08/02/23	PAINT SUPPLIES	75.43		04930		D	-				GENERAL SUPPLIES	101.43425.0229
69085	08/02/23	PAINT	53.96		06299		D	-				MTCE. OF STRUCTU	101.45435.0225
69085	08/02/23	PAINT-HILLTOP PARK	236.34		06893		D	-				MTCE. OF STRUCTU	101.43425.0225
69085	08/02/23	PAINT	27.28		10291		D	-				MTCE. OF STRUCTU	101.45435.0225
69085	08/02/23	PAINT	219.50		14335		D	-				GENERAL SUPPLIES	101.43425.0229
69085	08/02/23	PAINT	27.88		14996		D	-				MTCE. OF STRUCTU	101.45435.0225
			1,152.48	*CHECK TOTAL									
		VENDOR TOTAL	1,152.48										
SHULDES/CARL 003885													
68941	07/18/23	LEAGUE ON MN CONF-MEAL	135.00		062823		D	-				SUBSISTENCE OF P	101.41401.0227
68941	07/18/23	LEAGUE ON MN CONF-MILE	1,102.66		062823		D	-				TRAVEL-CONF.-SCH	101.41401.0333
			1,237.66	*CHECK TOTAL									

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
SHULDES/CARL 003885													
		VENDOR TOTAL	1,237.66										
SIR LINES-A-LOT LLC 003780													
69086	08/02/23	PAVEMENT MARKINGS	24,177.60		H23-0543-001		D	-				MTCE. OF OTHER I	101.43425.0336
SOUTH 71 VETERINARY CLIN 000699													
69087	08/02/23	ANIMAL CARE SERVICE	551.72		2317034		D	-				PROFESSIONAL SER	101.42411.0446
69087	08/02/23	ANIMAL CARE SERVICE	451.67		2317845		D	-				PROFESSIONAL SER	101.42411.0446
69087	08/02/23	ANIMAL CARE SERVICE	94.94		2318245		D	-				PROFESSIONAL SER	101.42411.0446
			1,098.33	*CHECK TOTAL									
		VENDOR TOTAL	1,098.33										
STACY'S NURSERY INC 000706													
69088	08/02/23	GRASS SEED	137.99		071723		D	-				GENERAL SUPPLIES	101.43425.0229
69088	08/02/23	SOD-EVENT/REC CENTER	345.94		21705		D	-				MTCE. OF STRUCTU	420.45506.0225
			483.93	*CHECK TOTAL									
		VENDOR TOTAL	483.93										
STEINBEISSER AUTO REPAIR 003256													
69089	08/02/23	#228483 CHECK ENGINE LGH	36.93		16969		D	-				INVENTORIES-MDSE	101.125000
SUMMIT FIRE PROTECTION 002555													
69090	08/02/23	FIRE ALARM SYSTEM REPAIR	267.50		15001781		D	-				MTCE. OF STRUCTU	101.43425.0335
69090	08/02/23	SPRINKLER SYSTEM INSPECT	270.00		150031937		D	-				MTCE. OF STRUCTU	101.41408.0335
			537.50	*CHECK TOTAL									
		VENDOR TOTAL	537.50										
SURPLUS WAREHOUSE INC 000728													
69091	08/02/23	#06Q394 TRAILER JACK	99.99		073123		D	-				INVENTORIES-MDSE	101.125000
69091	08/02/23	CASTERS	19.96		073123		D	-				GENERAL SUPPLIES	101.43425.0229
69091	08/02/23	CASTERS	79.84		073123		D	-				GENERAL SUPPLIES	101.43425.0229
69091	08/02/23	SOCKET SET ADAPTER	289.98		073123		D	-				SMALL TOOLS	651.48484.0221
			489.77	*CHECK TOTAL									
		VENDOR TOTAL	489.77										
SWANSON RENTAL LLC 003656													
69092	08/02/23	TRAILER RENTAL	145.09		544		D	-				RENTS	101.45432.0440
SYSCO WESTERN MINNESOTA 000161													
69093	08/02/23	CONCESSION SUPPLIES	663.63		253427095		D	-				GENERAL SUPPLIES	101.45437.0229
TECH CHECK,LLC 003801													
69094	08/02/23	PATCH CORDS	241.60		52408		D	-				MTCE. OF STRUCTU	101.41409.0225
TEMPLER/THOMAS 001406													
69095	08/02/23	MWOA ANNUAL CONFERENCE	821.17		073123		D	-				TRAVEL-CONF.-SCH	651.48484.0333

VENDOR NAME AND NUMBER													
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
TOM'S BACKHOE SERVICE, I 003757													
69096	08/02/23	HWY 12 LIFT STATION	670,948.38		APPL #6		D	-				MTCE. OF OTHER I	432.48485.0336
TORKELSON'S LOCK SERVICE 002583													
69097	08/02/23	LOCK REPAIR-CITY HALL	73.00		5656711		D	N	01			MTCE. OF STRUCTU	101.41408.0335
TRAFFIC CONTROL CORPORAT 001471													
69098	08/02/23	TRAFFIC SIGNAL REPAIR	900.00		144734		D	-				MTCE. OF OTHER I	101.43417.0336
TREE-N-TURF SERVICES 001583													
69099	08/02/23	WEED/FEED FOR FEILDS	1,359.90		128877		D	-				MTCE. OF OTHER I	101.45432.0226
TWIN CITY SEED COMPANY 002949													
69100	08/02/23	GRASS SEED&FERTILIZER	1,697.50		54583		D	-				GENERAL SUPPLIES	101.43425.0229
TYLER TECHNOLOGIES, INC 003795													
69101	08/02/23	07/05/23 ERP PROJ	700.00		045-429638		D	-				SUBSCRIPTIONS AN	219.41409.0443
69101	08/02/23	07/11-07/13/23 ERP PRO	3,500.00		045-430770		D	-				SUBSCRIPTIONS AN	219.41409.0443
69101	08/02/23	PROJECT MANAGER	83.33		130-137412		D	-				SUBSCRIPTIONS AN	219.41409.0443
69101	08/02/23	PROJECT MANAGER	83.33		130-138347		D	-				SUBSCRIPTIONS AN	219.41409.0443
			4,366.66	*CHECK TOTAL									
		VENDOR TOTAL	4,366.66										
UNCOMMON USA INC 001286													
69102	08/02/23	FLAGS	340.00		1248062-IN		D	-				GENERAL SUPPLIES	101.43425.0229
US BANK 002302													
492	07/28/23	#169 2018B GO IMP BD-	27,262.50		072823		M	-				INTEREST	318.47100.0444
492	07/28/23	#174 2021C REC FIELDS	98,437.50		072823		M	-				INTEREST	320.45502.0444
492	07/28/23	#172 2021A GO ROBB IS	31,975.00		072823		M	-				INTEREST	320.45503.0444
492	07/28/23	#172 2021A GO SWANSSO	21,406.25		072823		M	-				INTEREST	320.45504.0444
492	07/28/23	#174 2021C GO REC/EV	164,062.50		072823		M	-				INTEREST	320.45506.0444
492	07/28/23	#173 2021B GO IMP BON	60,625.00		072823		M	-				INTEREST	321.47100.0444
492	07/28/23	#175 2022 GO IMP BON	176,954.54		072823		M	-				INTEREST	322.45502.0444
492	07/28/23	#168 2018A GO BOND-IN	37,196.25		072823		M	-				INTEREST	338.47200.0444
			617,919.54	*CHECK TOTAL									
		VENDOR TOTAL	617,919.54										
US BANK EQUIPMENT FINANC 003143													
69103	08/02/23	500-0576320-000-JULY	172.70		505645382		D	-				RENTS	101.42411.0440
69103	08/02/23	500-0664928-000-AUG	751.80		506817253		D	-				RENTS	101.41410.0440
			924.50	*CHECK TOTAL									
		VENDOR TOTAL	924.50										
UTILITYLOGIC 003783													
69104	08/02/23	GAS METER REPAIR-PARTS	606.27		14124		D	-				MTCE. OF EQUIPME	651.48484.0224
69104	08/02/23	GAS METER REPAIR-LABOR	125.00		14124		D	-				MTCE. OF EQUIPME	651.48484.0334
			731.27	*CHECK TOTAL									
		VENDOR TOTAL	731.27										

VENDOR NAME AND NUMBER													
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
VELA/LIZ		.03310											
69105	08/02/23	REIM-SANITARY SEWER LI	1,500.00		072823			D	-			MTCE. OF OTHER I	651.48485.0336
VERIZON WIRELESS		002915											
69106	08/02/23	ODENS-IPHONE	349.99		9939175225			D	-			SMALL TOOLS	101.41409.0221
69106	08/02/23	CELL PHONE USE-JULY	2,687.88		9939175225			D	-			COMMUNICATIONS	101.41409.0330
69106	08/02/23	EAGLE LAKE #4	40.01		9939175225			D	-			COMMUNICATIONS	651.48487.0330
			3,077.88	*CHECK TOTAL									
		VENDOR TOTAL	3,077.88										
VIGIL/RUDY		000951											
69107	08/02/23	MACTA STATE CONF	283.56		072623			D	-			TRAVEL-CONF.-SCH	101.45001.0333
VIKING COCA-COLA BOTTLIN		000777											
69108	08/02/23	CONCESSION SUPPLIES	177.25		3153348			D	-			GENERAL SUPPLIES	101.45433.0229
69108	08/02/23	CONCESSION SUPPLIES	2,916.50		3168553			D	-			GENERAL SUPPLIES	101.45437.0229
69108	08/02/23	CONSESSION SUPPLIES	303.60		3183194			D	-			GENERAL SUPPLIES	101.45437.0229
69108	08/02/23	CONCESSION SUPPLIES	294.75		3189916			D	-			GENERAL SUPPLIES	101.45437.0229
69108	08/02/23	CONCESSION SUPPLIES	346.50		3191745			D	-			GENERAL SUPPLIES	101.45433.0229
			4,038.60	*CHECK TOTAL									
		VENDOR TOTAL	4,038.60										
VOSS PLUMBING & HEATING		002559											
69109	08/02/23	INDUST DRIVE SERV RD	103,940.39		APPL #3			D	-			MTCE. OF OTHER I	422.48457.0336
69109	08/02/23	INDUST DRIVE SERV RD	40,167.31		APPL #4			D	-			MTCE. OF OTHER I	422.48457.0336
69109	08/02/23	6TH ST SW RECONSTUCTI	96,436.99		APPL #8			D	-			MTCE. OF OTHER I	422.48451.0336
			240,544.69	*CHECK TOTAL									
		VENDOR TOTAL	240,544.69										
VULCAN INDUSTRIES INC		002906											
69110	08/02/23	PRESS PAN GASKETS	217.50		23360-17806			D	-			MTCE. OF EQUIPME	651.48484.0224
WEBSEDGE LIMITED		003903											
69111	08/02/23	WILLMAR VIDEO PRODUCT	24,300.00		INV-20221631			D	-			PROFESSIONAL SER	101.41401.0446
WEST CENTRAL COMMUNICATI		000796											
69112	08/02/23	REPL 2 LOST PAGERS FF	1,102.00		096272S			D	-			REFUNDS AND REIM	101.41428.0882
69112	08/02/23	CHECK RADIO-PARTS	81.95		096336S			D	-			MTCE. OF EQUIPME	101.42411.0224
69112	08/02/23	CHECK RADIO-LABOR	187.50		096336S			D	-			MTCE. OF EQUIPME	101.42411.0334
			1,371.45	*CHECK TOTAL									
		VENDOR TOTAL	1,371.45										
WEST CENTRAL SANITATION		000805											
69113	08/02/23	RECYCLING-AUGUST	51.13		12820170			D	-			CLEANING AND WAS	101.41408.0338
69113	08/02/23	RECYCLING-AUGUST	103.06		12821413			D	-			CLEANING AND WAS	651.48484.0338
69113	08/02/23	RECYCLING-AUGUST	102.26		12822047			D	-			CLEANING AND WAS	101.43425.0338
69113	08/02/23	RECYCLING-AUGUST	37.89		12822047			D	-			CLEANING AND WAS	101.45432.0338
69113	08/02/23	RECYCLING-AUGUST	95.26		12822047			D	-			CLEANING AND WAS	101.45433.0338
69113	08/02/23	RECYCLING-AUGUST	235.12		12822047			D	-			CLEANING AND WAS	101.45435.0338
			624.72	*CHECK TOTAL									

VENDOR NAME AND NUMBER													
CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
WEST CENTRAL SANITATION 000805													
		VENDOR TOTAL	624.72										
WILLMAR AUTO VALUE 002689													
69114	08/02/23	SHOP SUPPLIES	10.33		22486653		D	-				GENERAL SUPPLIES	101.43425.0229
69114	08/02/23	#204887 GEAR OIL	15.99		22487037		D	-				INVENTORIES-MDSE	101.125000
69114	08/02/23	SHOP SUPPLIES	34.90		22487159		D	-				GENERAL SUPPLIES	101.43425.0229
69114	08/02/23	#95K495 MOTOR FLUSHER	9.99		22487204		D	-				INVENTORIES-MDSE	101.125000
69114	08/02/23	#183429 VALVE STEM	20.11		22487697		D	-				INVENTORIES-MDSE	101.125000
69114	08/02/23	#185284 FREON	26.99		22488366		D	-				INVENTORIES-MDSE	101.125000
69114	08/02/23	GAUGES	288.88		22488366		D	-				SMALL TOOLS	101.43425.0221
69114	08/02/23	#111111 AIR FILTER	35.20		22489215		D	-				INVENTORIES-MDSE	101.125000
69114	08/02/23	OIL FILTER	17.62		22489279		D	-				MTCE. OF EQUIPME	651.48484.0224
69114	08/02/23	SPARK PLUG	3.49		22489508		D	-				INVENTORIES-MDSE	101.125000
69114	08/02/23	#170559 BRAKE PADS	147.99		22490102		D	-				INVENTORIES-MDSE	101.125000
69114	08/02/23	#170560 A/C COMPRESSOR	427.99		22490245		D	-				INVENTORIES-MDSE	101.125000
69114	08/02/23	#170560 OIL	12.99		22490255		D	-				INVENTORIES-MDSE	101.125000
			1,052.47	*CHECK TOTAL									
		VENDOR TOTAL	1,052.47										
WILLMAR CHAMBER OF COMME 000812													
69115	08/02/23	OFFICE SUPPLIES	54.01		55868		D	-				OFFICE SUPPLIES	208.45005.0220
69115	08/02/23	OFFICE 365 SUBSCRIPTION	7.54		55868		D	-				COMMUNICATIONS	208.45005.0330
69115	08/02/23	TELEPHONE CHARGES	14.00		55868		D	-				COMMUNICATIONS	208.45005.0330
69115	08/02/23	LODGING-MACVB CONF	277.14		55868		D	-				TRAVEL-CONF.-SCH	208.45005.0333
69115	08/02/23	LEISURE COMM LUNCH	94.40		55868		D	-				TRAVEL-CONF.-SCH	208.45005.0333
69115	08/02/23	MAILCHIMP-NEWSLETTER SUB	20.00		55868		D	-				SUBSCRIPTIONS AN	208.45005.0443
69115	08/02/23	EXECUTIVE COMM LUNCH	53.48		55868		D	-				OTHER CHARGES	208.45005.0449
69115	08/02/23	RETURN-CHAIRS FARMFEST	107.85CR		55868		D	-				TRAVEL-CONF.-SCH	208.45006.0333
69115	08/02/23	REMARKABLE NOTEBOOK SUB	2.99		55868		D	-				OTHER CHARGES	208.45008.0449
69115	08/02/23	FRGN FEE-REMARK NOTEBOOK	0.05		55868		D	-				OTHER CHARGES	208.45008.0449
69115	08/02/23	TEN17 MEDIA/SOCIAL AD	1,700.00		55868		D	-				OTHER CHARGES	208.45010.0449
69115	08/02/23	GOOGLE ADVERTISING	333.52		55868		D	-				OTHER CHARGES	208.45010.0449
69115	08/02/23	INK PADS	10.77		55868		D	-				OTHER CHARGES	208.45010.0449
69115	08/02/23	ROOF REPAIR	2,500.00		55907		D	-				BUILDINGS AND ST	208.45005.0551
69115	08/02/23	2023-2024 LEADER DONAT	1,000.00		55909		D	-				CIVIC PROMOTION	101.45428.0812
			5,960.05	*CHECK TOTAL									
		VENDOR TOTAL	5,960.05										
WINDSTREAM 002100													
69116	08/02/23	PHONE SERVICE-JUNE	722.11		STMT/06-23		D	-				COMMUNICATIONS	101.41409.0330
69116	08/02/23	PHONE SERVICE-JULY	75.44		STMT/07-23		D	-				COMMUNICATIONS	101.45433.0330
			797.55	*CHECK TOTAL									
		VENDOR TOTAL	797.55										
YANKEE HILL MACHINE CO I 003604													
69117	08/02/23	MARKSMEN RIFLE SUPPLIES	949.76		104567		D	-				SMALL TOOLS	101.42411.0221

VENDOR NAME AND NUMBER

CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
100 YARD CLUB 003522													
69118	08/02/23	FOOTBALL CAMP 6/26-7/2	8,064.00		505			D	-			PROFESSIONAL SER	101.45432.0446

VENDOR NAME AND NUMBER

CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT

REPORT TOTALS: 9,297,977.69

RECORDS PRINTED - 000795

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
101	GENERAL FUND	405,794.59
205	INDUSTRIAL DEVELOPMENT	3,385.00
208	CONVENTION & VISITORS BUREAU	5,117.61
219	CORONAVIRUS RELIEF FUND	196,073.36
230	WILLMAR MUNICIPAL AIRPORT	2,366.19
235	WILLMAR MAIN STREET	2,359.38
295	COMMUNITY INVESTMENT	316.67
318	D.S. - 2018B BOND	27,262.50
320	LOCAL OPTION SALES TAX DEBT	315,881.25
321	D.S. - 2021B BOND	60,625.00
322	D.S. - 2022A BOND	176,954.54
338	D.S.-R22 REFRIGERATION 2018A	37,196.25
420	LOCAL OPT SALES TAX PROJECTS	345.94
421	S.A.B.F. - #2021B	90,780.00
422	S.A.B.F. - 2022A	350,054.50
423	S.A.B.F. - 2023A	2,629,314.53
432	C.P. - WASTE TREATMENT	670,948.38
450	CAPITAL IMPROVEMENT FUND	88,382.91
651	WASTE TREATMENT	4,226,264.86
800	LAW ENFORCEMENT FORFEITURE	926.17
803	COMM EMERGENCY RESPONSE TEAM	1,120.00
899	DONATION FUND (AGENCY)	6,508.06
TOTAL ALL FUNDS		9,297,977.69

BANK RECAP:

BANK	NAME	DISBURSEMENTS
HERT	HERITAGE BANK	9,297,977.69
TOTAL ALL BANKS		9,297,977.69

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	5.H.
Agenda Section:	Consent Items	**Originating Department:**	City Clerk
Resolution:	No	**Prepared By:**	Judy Thompson, City Clerk
Ordinance:	No	**Presented By:**	Judy Thompson, City Clerk
Item:	Pennock Lions Club Lawful Gambling Application		

RECOMMENDED ACTION:
Approve Pennock Lions Club Lawful Gambling Application

OVERVIEW:

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:
1. Pennock Lions Club Lawful Gambling Application

MINNESOTA LAWFUL GAMBLING

LG240B Application to Conduct Excluded Bingo

No Fee

ORGANIZATION INFORMATION

Organization Name: Pennock Lions Club

Previous Gambling Permit Number: XB 36324

Minnesota Tax ID Number, if any: 41-1436178

Federal Employer ID Number (FEIN), if any:

Mailing Address: Po Box 281

City: Pennock State: MN Zip: 56279 County: Kandiyohi

Name of Chief Executive Officer (CEO): Bruce Luepke

CEO Daytime Phone: 3209051382 CEO Email:

(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): mbowman@pioneer-heritage.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

[X] Fraternal [ ] Religious [ ] Veterans [ ] Other Nonprofit Organization

Attach a copy of at least one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

[ ] **Current calendar year Certificate of Good Standing**
Don't have a copy? This certificate must be obtained each year from:

MN Secretary of State, Business Services Division
60 Empire Drive, Suite 100
St. Paul, MN 55103

Secretary of State website, phone numbers:
www.sos.state.mn.us
651-296-2803, or toll free 1-877-551-6767

[ ] **Internal Revenue Service-IRS income tax exemption 501(c) letter in your organization's name**
Don't have a copy? Obtain a copy of your federal income tax exempt letter by having an organization officer contact the IRS at 877-829-5500.

[X] **Internal Revenue Service-Affiliate of national, statewide, or international parent nonprofit organization (charter)**
If your organization falls under a parent organization, attach copies of both of the following:
1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

EXCLUDED BINGO ACTIVITY

Has your organization held a bingo event in the current calendar year? [ ] Yes [X] No

If yes, list the dates when bingo was conducted:

The proposed bingo event will be:

[X] one of four or fewer bingo events held this year. Dates: August 9, 10, 11, + 12, 2023

-OR-

[ ] conducted on up to 12 consecutive days in connection with a:

[ ] county fair Dates:

[ ] civic celebration Dates:

[ ] Minnesota State Fair Dates:

Person in charge of bingo event: Mackenzie Bowman Daytime Phone: 3209051382

Name of premises where bingo will be conducted: Kandiyohi County Fair Grounds

Premises street address: 801 Seventh St. NW

City: Willmar If township, township name: County: Kandiyohi

LG240B Application to Conduct Excluded Bingo

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

CITY APPROVAL
for a gambling premises located within city limits

On behalf of the city, I approve this application for excluded bingo activity at the premises located within the city's jurisdiction.

Print City Name: City of Willmar

Signature of City Personnel: Judy R. Thompson

Title: City Clerk Date: 7-24-2023

The city or county must sign before submitting application to the Gambling Control Board.

COUNTY APPROVAL
for a gambling premises located in a township

On behalf of the county, I approve this application for excluded bingo activity at the premises located within the county's jurisdiction.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)
On behalf of the township, I acknowledge that the organization is applying for excluded bingo activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes, Section 349.213.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge.

Chief Executive Officer's Signature: Bruce Luepke Date: 7-21-23
(Signature must be CEO's signature; designee may not sign)

Print Name: Bruce Luepke

MAIL OR FAX APPLICATION & ATTACHMENTS

Mail or fax application and a copy of your proof of nonprofit status to:

Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113
Fax: 651-639-4032

An excluded bingo permit will be mailed to your organization. Your organization must keep its bingo records for 3-1/2 years.

Questions?
Call a Licensing Specialist at 651-539-1900.

Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. Otherwise, bingo hard cards, bingo paper, and bingo number selection devices must be obtained from a distributor licensed by the Minnesota Gambling Control Board. To find a licensed distributor, go to ***www.mn.gov/gcb*** and click on ***Distributors*** under the ***LIST OF LICENSEES*** tab, or call 651-539-1900.

This form will be made available in alternative format (i.e. large print, braille) upon request.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

An equal opportunity employer

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	5.I.
Agenda Section:	Consent Items	**Originating Department:**	City Clerk
Resolution:	No	**Prepared By:**	Judy Thompson, City Clerk
Ordinance:	No	**Presented By:**	Judy Thompson, City Clerk
Item:	Knights of Columbus Lawful Gambling Application		

RECOMMENDED ACTION:
Approve Knights of Columbus Lawful Gambling Application

OVERVIEW:

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:
1. Knights of Columbus Lawful Gambling Application

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than $50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be $1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **$100**; otherwise the fee is **$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: Knights of Columbus Council 2764

Previous Gambling Permit Number: X- 30005-23-014

Minnesota Tax ID Number, if any: Group 0188

Federal Employer ID Number (FEIN), if any: 23-7543133

Mailing Address: 1900 6th ST SW

City: Willmar State: MN Zip: 56201 County: Kandiyohi

Name of Chief Executive Officer (CEO): Kevin J. Savchuk

CEO Daytime Phone: 320-262-0820 CEO Email: savchuklen@yahoo.com

(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): same

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

- [x] Fraternal
- [ ] Religious
- [ ] Veterans
- [ ] Other Nonprofit Organization

Attach a copy of <u>one</u> of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

- [ ] **A current calendar year Certificate of Good Standing**
  Don't have a copy? Obtain this certificate from:
  MN Secretary of State, Business Services Division
  60 Empire Drive, Suite 100
  St. Paul, MN 55103

  Secretary of State website, phone numbers:
  www.sos.state.mn.us
  651-296-2803, or toll free 1-877-551-6767

- [ ] **IRS income tax exemption (501(c)) letter in your organization's name**
  Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

- [x] **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
  If your organization falls under a parent organization, attach copies of <u>both</u> of the following:
  1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
  2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Elks in Willmar, MN.

Physical Address (do not use P.O. box): 222 20th ST SE

Check one:

- [x] City: Willmar, MN Zip: 56201 County: Kandiyohi
- [ ] Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): June 11, 2024

Check each type of gambling activity that your organization will conduct:

- [ ] Bingo
- [ ] Paddlewheels
- [ ] Pull-Tabs
- [ ] Tipboards
- [x] Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to ***www.mn.gov/gcb*** and click on ***Distributors*** under the ***List of Licensees*** tab, or call 651-539-1900.

LG220 Application for Exempt Permit

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

CITY APPROVAL for a gambling premises located within city limits

- [x] The application is acknowledged with no waiting period.
- [ ] The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- [ ] The application is denied.

Print City Name: City of Willmar

Signature of City Personnel: Judy R. Thompson

Title: City Clerk Date: 7-26-2023

The city or county must sign before submitting application to the Gambling Control Board.

COUNTY APPROVAL for a gambling premises located in a township

- [ ] The application is acknowledged with no waiting period.
- [ ] The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
- [ ] The application is denied.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)
On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: Kevin J. Savchuk Date: 7-20-2023
(Signature must be CEO's signature; designee may not sign)

Print Name: Kevin J. Savchuk

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:
A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

____ a copy of your proof of nonprofit status; and

____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **$100**; otherwise the fee is **$150**. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions?
Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format (i.e. large print, braille) upon request.

An equal opportunity employer

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	5.J.
Agenda Section:	Consent Items	**Originating Department:**	City Clerk
Resolution:	No	**Prepared By:**	Judy Thompson, City Clerk
Ordinance:	No	**Presented By:**	Judy Thompson, City Clerk
Item:	Consideration of Sale of THC Product License- SuperValu Inc. dba Cub Food #1607		

RECOMMENDED ACTION:
Approve the Sale of THC Product License on a Roll Call Vote

OVERVIEW:
On September 19, 2022, the City Council Adopted Ordinance No. 1487 regulating the sale of tetrahydrocannabinol products in the City of Willmar. During the 2023 Regular Session, Minnesota Legislature enacted Section 340A.412, Sub. 14 to include Exclusive Liquor Store sales. Below is an establishment that has submitted a license application for approval.

SuperValu Inc. dba Cub Foods #1607, located at 2201 South 1st Street, has submitted a Sale of THC Products License application with plans to sell THC products.

BUDGETARY/FISCAL ISSUES:
$2,000.00 Annual License Fee

ALTERNATIVES TO CONSIDER:
Deny the approval of the requested license application.

ATTACHMENTS:
None

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	5.K.
Agenda Section:	Consent Items	**Originating Department:**	Administration
Resolution:	Yes	**Prepared By:**	Leslie Valiant, City Administrator
Ordinance:	No	**Presented By:**	Leslie Valiant, City Administrator
Item:	Resolution Declaring Support for the Completion of Glacial Lakes Trail		

RECOMMENDED ACTION:
Approve resolution declaring support for the completion of Glacial Lakes Trail

OVERVIEW:
Paynesville Area Joint Trails Board requests that the City of Willmar support the completion of the Glacial Lakes State Trail. The Glacial Lakes State Trail is a 37.5 mile trail located on a former Burlington Northern railroad grade from Willmar to Cold Spring. Twenty-two miles is paved and wheelchair accessible between Willmar and Paynesville. Another 7.5 miles is paved between Roscoe and Cold Spring. However, the section between Paynesville and Roscoe is not paved. The cities and towns along the trail provide access points, rest stops, and other services for trail users.

Many lakes in the area are year-round tourist destinations. The Paynesville Area Joint Trails Boards believes that the completion of the trail section between Paynesville and Roscoe will further enhance recreational opportunities for local residents and tourists.

BUDGETARY/FISCAL ISSUES:
None

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:
1. Glacial Lakes Trail - Request for Support
2. RESOLUTION.GLACIAL.LAKES.TRAIL.2023 VF

Paynesville Area Joint Trails Board

City of Paynesville ● Paynesville Township

June 29, 2023

Leslie Valiant - City Administrator
City of Willmar
333 Southwest 6th Street
Willmar, MN 56201

The Rocori Construction Trail Board and the Paynesville Area Joint Trails Board is leading an effort for all the Communities on the Glacial Lakes State Trail to have the seven miles of unfinished trail, referred to as the "Significant 7", to be completed by the Department of Natural Resources (DNR).

The Glacial Lakes State Trail is a 37.5-mile trail located on a former Burlington Northern Railroad grade and goes from Cold Spring to Willmar. Twenty-two miles of the trail is paved and wheelchair accessible between Willmar and Paynesville with another 7.5 miles paved between Roscoe and Cold Spring. However, the section between Paynesville and Roscoe is not paved. The cities and towns along the trail provide access points, rest stops, and other services to trail users.

The many lakes in the area are a year-round tourist destination. We believe completion of the trail section between Paynesville and Roscoe will further enhance recreational opportunities for local residents and tourists. In order to show the DNR support along the entire corridor, we are asking for the attached Resolution to be considered and passed, with a copy to be sent to Tariq Al-Rifai, City Administrator, City of Paynesville 221 Washburne Ave., Paynesville, MN 56362. If you have any questions or want someone to attend a Council meeting where the Resolution is discussed, please call Tariq on (320) 243-3714 Ext. 227.

It was always the intention to construct a trail connecting St. Cloud to Willmar. We will need to work together to make this happen. Thank you in advance for your support.

Sincerely,

Kevin Mooney
Chair
Rocori Trail Construction Board

Mark Dingmann
Chair
Paynesville Area
Joint Trails Board

229 Broadway Street East
Rockville, MN 56369

221 Washburne Avenue
Paynesville, MN 56362

RESOLUTION DECLARING SUPPORT FOR
COMPLETION OF GLACIAL LAKES TRAIL

WHEREAS, the State of Minnesota features varied geographical features and supports an active population; and

WHEREAS, various trails have been constructed throughout the State of Minnesota to allow residents and visitors to walk, bike, or otherwise utilize the trails to experience Minnesota's scenic environment, exercise, and spend time with their families; and

WHEREAS, the ROCORI Trail Construction Board and the State of Minnesota, Department of Natural Resources (DNR) have developed the Glacial Lakes State Trail, which current stretches between the City of Willmar to west of Paynesville and from the City of Roscoe to the City of Rockville; and

WHEREAS, the Glacial Lakes State Trail is undeveloped between the City of Paynesville and the City of Roscoe such that the City of Paynesville essentially serves as the eastern terminus of the Glacial Lakes State Trail and the City of Roscoe serves as the western terminus of the Glacial Lakes State Trail; and

WHEREAS, development of the Glacial Lakes State Trail between Paynesville and Roscoe would allow residents and tourists greater access to communities along the Glacial Lakes Trail and connect all of the cities served by this trail through non-automotive means; and

WHEREAS, the undeveloped trail between the cities of Paynesville and Roscoe is situated upon a former Burlington Northern Railroad grade and it is believed the trail could be paved with minimal additional soil preparation, which was always the intended goal.

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

The city of Willmar supports the development of the Glacial Lakes Trail between the City of Paynesville and the City of Roscoe and asks the Minnesota Department of Natural Resources to devote funding towards the development of this section of trail in order to encourage use of the trail by residents of the State of Minnesota and tourists visiting the area and to allow an additional connection between the Koronis Recreational Trail and the Glacial Lakes State Trail.

ADOPTED BY City Council of Willmar, Minnesota, this 7th day of August 2023.

_____
Douglas E. Reese, Mayor

ATTEST:

_____
Judy R. Thompson, City Clerk

Health and Human Services Building
Suite 2020
2200 23rd Street NE, Willmar, MN 56201-9423
Phone 320-231-6215 Fax 320-231-7899

July 13, 2023

Leslie M. Valiant
Administrator
City of Willmar
333 SW 6th St, PO Box 755
Willmar, MN 56201

Greetings,

As you have probably read and heard, Kandiyohi County was successful in our application for a Railroad Crossing Elimination Grant. This is a new funding opportunity through the Infrastructure Investment and Jobs Act (IIJA), resulting in an approximately $4.8 million for the construction of a bridge over the BNSF railroad that will connect our county road 5 with county road 55.

As you may recall, the county has committed a like amount to construct this important piece of infrastructure. This bridge will improve safety, reduce driver confusion when attempting to access TH Hwy 23, and create freight movement efficiencies for the movement of goods and produce across the state.

Your support was critical to the success of this application. The grant reviewers, along with our delegation in Washington DC recognized the importance to economic development and freight movement. It was important for the decision makers to hear from those that have first-hand knowledge of the needs.

Thank you for taking the time and effort to demonstrate your support.

Kandiyohi County Board of Commissioners

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	9.A.
Agenda Section:	Public Hearing:	**Originating Department:**	Administration
Resolution:	No	**Prepared By:**	Kyle Box, City Operations Director
Ordinance:	Yes	**Presented By:**	Kyle Box, City Operations Director
Item:	Ordinance Amending Willmar Municipal Code, Chapter 8, Licenses, Permits, and Business Regulations (THC)		

RECOMMENDED ACTION:
1. Adopt the Ordinance Amending Willmar Municipal Code, Chapter 8, Licenses, Permits, and Business Regulations, Assign a number, and Publish.
2. Publish the Ordinance by Summary

OVERVIEW:
City Staff are recommending amendments to the city code regulating THC products. These amendments will bring the ordinance in compliance with state statute following the enactment by the Minnesota Legislature of 2023 Session Laws, Chapter 63, Article 7, which amended Minnesota Statutes, Section 151.72, including changes in the law transferring product and testing standards authority to the Minnesota Department of Health; permitting the sale of THC products at exclusive liquor stores; clarifying age verification procedures; requiring certain storage of THC products at retail locations; and addressing certain violations and prosecution.

BUDGETARY/FISCAL ISSUES:
NA

ALTERNATIVES TO CONSIDER:
None Recommended
ATTACHMENTS:
1. THC Licensing Ordinance_Temporary Regulation Amendment
2. Summary publication of THC Licensing Ordinance Amendments

ORDINANCE NO. _____

AN ORDINANCE AMENDING WILLMAR MUNICIPAL CODE, CHAPTER 8, LICENSES, PERMITS AND BUSINESS REGULATIONS

The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF MUNICIPAL CODE SECTION 8-301. Chapter 8, Article IX, of the Willmar Municipal Code is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 8-301. – Purpose, Findings and Intent.

The purpose of this Section is to regulate the sale of legalized adult-use of any product that contains tetrahydrocannabinol and that meets the requirements to be sold for human or animal consumption under Minn. Stat. § 151.72 ("THC Products") for the following reasons:

* * * *

(d) State law requires THC product retailers to check the identification of purchasers to verify that they are at least 21 years of age (Minn. Stat.§ 151.72, ~~subd. 3(c)~~subd. 3(d)), comply with certain packaging and labeling requirements to protect children and youth *(Id.,* subd. 5), and meet certain potency and serving size requirements *(Id.,* subd. ~~S~~5a).

(e) State law authorizes the ~~Board of Pharmacy~~ Minnesota Department of Health to adopt product and testing standards in part to curb the illegal sale and distribution of THC products and ensure the safety and compliance of commercially available THC products in the state of Minnesota.

* * * *

Section 2. AMENDMENT OF MUNICIPAL CODE SECTION 8-302. Chapter 8, Article IX, of the Willmar Municipal Code is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 8-302. – Definitions.

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The following words, terms, and phrases, when used in

this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * * *

~~*Exclusive Liquor Store.* An establishment that meets the definition of exclusive liquor store in Minnesota Statutes, section 340A.101, subdivision 10.~~

* * * *

Section 3. AMENDMENT OF MUNICIPAL CODE SECTION 8-303. Chapter 8, Article IX, of the Willmar Municipal Code is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 8-303. – License.

* * * *

(e) *Term*. All licenses issued under this article shall be valid until December 31 of the year of issue <u>or until the Minnesota Office of Cannabis Management issues a license to the person, business or entity, whichever comes first</u>.

* * * *

Section 4. AMENDMENT OF MUNICIPAL CODE SECTION 8-306. Chapter 8, Article IX, of the Willmar Municipal Code is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 8-306. – Ineligibility and Basis for Denial of License.

(a) *Ineligibility.*

* * * *

~~(2) *Exclusive Liquor Store.* No license shall be issued to an exclusive liquor store as defined in Minnesota Statutes, section 340A.101, subdivision 10.~~

* * * *

Section 5. AMENDMENT OF MUNICIPAL CODE SECTION 8-307. Chapter 8, Article IX, of the Willmar Municipal Code is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 8-307. – Prohibited Acts.

* * * *

(b) *Legal Age; Verification.* ~~No person shall sell any licensed product to any person under the age of 21. Licensees shall verify by means of government issued photographic identification that the purchaser is at least 21 years of age. Verification is not required for a person over the age of 30. That the person appeared to be 30 years of age or older does not constitute a defense to a violation of this subsection.~~ Prior to initiating a sale or otherwise providing THC product to an individual, an employee of a retailer must verify that the individual is at least 21 years of age.

(1) Proof of age may be established only by one of the following:

(a) a valid driver's license or identification card issued by Minnesota, another state, or a province of Canada and including the photograph and date of birth of the licensed person;

(b) a valid Tribal identification card as defined in section Minnesota Statute 171.072, paragraph (b);

(c) a valid passport issued by the United States;

(d) a valid instructional permit issued under section Minnesota Statute 171.05 to a person of legal age to purchase THC products, which includes a photograph and the date of birth of the person issued the permit; or

(e) in the case of a foreign national, by a valid passport.

(2) A registered retailer may seize a form of identification listed under paragraph (1) if the registered retailer has reasonable grounds to believe that the form of identification has been altered or falsified or is being used to violate any law. A registered retailer that seizes a form of identification as authorized under this paragraph must deliver it to a law enforcement agency within 24 hours of seizing it.

* * * *

(g) *Hours and Days of Sale.* No sale of THC products may be made between 10:00 p.m.~~,~~ and 8:00 a.m. Monday through

~~Sunday~~ Saturday. No sale of THC products may be made before 10 a.m. or after 10 p.m. Sundays.

Section 6. AMENDMENT OF MUNICIPAL CODE SECTION 8-308. Chapter 8, Article IX, of the Willmar Municipal Code is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 8-308. – Additional Requirements.

(a) *Storage.* All licensed products, other than products that are intended to be consumed as a beverage, must be displayed behind a checkout counter where the public is not permitted or in a locked case.~~shall either be stored behind a counter or other area not freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public.~~

* * * *

Section 7. AMENDMENT OF MUNICIPAL CODE SECTION 8-311. Chapter 8, Article IX, of the Willmar Municipal Code is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 8-311. – Violations and Penalty.

* * * *

(c) *Misdemeanor Prosecution.* Any person who sells or offers to sell any licensed product in violation of this article shall be guilty of a misdemeanor. Nothing in this section shall prohibit the City from seeking prosecution as a misdemeanor for any alleged violation of this article. Nothing in this section shall prohibit prosecution of any violation under Minn. Stat. § 151.72, subd. 7.

Section 8. AMENDMENT OF MUNICIPAL CODE SECTION 8-312. Chapter 8, Article IX, of the Willmar Municipal Code is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 8-312. – Exceptions and Defenses.

Nothing in this article shall prevent the providing of licensed products to a person under the age of 21 as part of a lawfully recognized religious, spiritual, or cultural ceremony. ~~It shall be an affirmative defense to the violation of this article for a person to have reasonably relied on proof of age as described by state law in Minn. Stat. § 340A.503, subd. 6.~~ It shall

be an affirmative defense to the violation of this article if a person proves by a preponderance of the evidence that the person reasonably and in good faith relied on proof of age as described in Sec. 8-307(b) and Minn. Stat. § 151.72, subd. 5c.

Section 9. EFFECTIVE DATE. This ordinance shall be effective from and after its adoption and second publication.

Passed by the City Council of the City of Willmar this ___ day of _____, 2023.

ATTEST:

_____ _____

Judy Thompson, City Clerk Douglas E. Reese, Mayor

VOTE: ____ SHULDES ____ O'BRIEN ____ DAVIS ____ ASMUS
____ FAGERLIE ____ ASK ____ BUTTERFIELD ____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

SUMMARY PUBLICATION OF CITY OF WILLMAR ORDINANCE NO. ___

AN ORDINANCE AMENDING WILLMAR MUNICIPAL CODE, CHAPTER 8, LICENSES, PERMITS AND BUSINESS REGULATIONS

Summary: Ordinance No. ___ makes several amendments in Chapter 8 of the Willmar Municipal Code, regulating Tetrahydrocannabinol Products, by amending sections of the Municipal Code to bring the ordinance in compliance with state statute following the enactment by the Minnesota Legislature of 2023 Session Laws, Chapter 63, Article 7, which amended Minnesota Statutes, Section 151.72, including changes in the law transferring product and testing standards authority to the Minnesota Department of Health; permitting the sale of THC products at exclusive liquor stores; clarifying age verification procedures; requiring certain storage of THC products at retail locations; and addressing certain violations and prosecution.

The complete text of Ordinance No. ___ may be obtained at no charge at City Hall (333 6th Street Southwest, Willmar, MN 56201), or from the City's website at www.willmarmn.gov.

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	9.B.
Agenda Section:	Public Hearing:	**Originating Department:**	Police Department
Resolution:	No	**Prepared By:**	Kyle Box, City Operations Director
Ordinance:	Yes	**Presented By:**	Jim Felt, Police Chief
Item:	Consider an Ordinance Regulating Massage Therapy Businesses and Massage Therapists in the City of Willmar		

RECOMMENDED ACTION:
1. Adopt the Ordinance Regulating Massage Therapy Businesses and Massage Therapists, Assign a number, and Publish.
2. Publish the Ordinance by Summary

OVERVIEW:
The purpose of this ordinance is to prohibit massage businesses and services to the public except those licensed as massage therapy businesses and massage therapists pursuant to this Article. The licensing regulations prescribed herein are necessary to protect the profession and reputation of legitimate massage therapy businesses, to ensure physical facilities are clean, well maintained, and safe, to prevent criminal activity, and to protect the health, safety, and general welfare of the community. This amendment creates a new article, Article X, within Chapter 8 of the Willmar Municipal Code

BUDGETARY/FISCAL ISSUES:
NA

ALTERNATIVES TO CONSIDER:
None Recommended
ATTACHMENTS:
1. Massage therapy business licensing DRAFT ordinance (v7) 110622
2. Draft massage therapy business licensing ordinance_CLEAN
3. Summary publication of Massage Therapy Businesses Amendments

ORDINANCE NO. _____

AN ORDINANCE REGULATING MASSAGE THERAPY BUSINESSES AND MASSAGE THERAPISTS IN THE CITY OF WILLMAR

The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF MUNICIPAL CODE, CHAPTER 8, LICENSES, PERMITS AND BUSINESS REGULATIONS. Chapter 8 of the Willmar Municipal Code is hereby amended by adding a new Article X, Massage Therapy Business and Massage Therapist Licenses, regulating massage therapy businesses and massage therapists in the City of Willmar, as follows:

ARTICLE ~~I~~X. – MASSAGE THERAPY BUSINESS AND MASSAGE THERAPIST LICENSES

DIVISION 1. – GENERALLY.

Sec. 8-~~301~~321. – Purpose.

The purpose of this ordinance is to prohibit massage businesses and services to the public except those licensed as massage therapy businesses and massage therapists pursuant to this Article. The licensing regulations prescribed herein are necessary to protect the profession and reputation of legitimate massage therapy businesses, to ensure physical facilities are clean, well maintained and safe, to prevent criminal activity, and to protect the health, safety, and general welfare of the community. The purpose of this Article is not to impose restrictions or limitations on the freedom of protected speech or expression.

Sec. 8-~~302~~322. – Findings of the city council.

The City Council of the City of Willmar makes the following findings regarding the need to license massage therapy businesses and massage therapists and to prohibit all other types of massage businesses and services to the public:

(a) Persons who have bona fide and standardized training in therapeutic massage, health, and hygiene can provide a legitimate and necessary service to the general public.

(b) Health and sanitation regulations governing massage therapy businesses and massage therapists can minimize the risk of the spread of communicable diseases and can promote overall health and sanitation.

(c) License qualifications for the restrictions on massage therapy businesses and massage therapists can minimize the risk that such businesses and persons will facilitate prostitution and other criminal activity in the community.

(d) Massage services provided by persons with no specialized and standardized training in massage can endanger citizens by facilitating the spread of

communicable diseases, by exposing citizens to unhealthy and unsanitary conditions, and by increasing the risk of personal injury.

(e) Massage businesses which employ persons with no specialized and standardized training can tax city law enforcement services because such businesses are more likely to be operated as fronts for prostitution and other criminal activity than operations established by persons with specialized and standardized training.

(f) The training of professional massage therapists at accredited institutions is an important means of ensuring the fullest protection of the public health, safety, and welfare.

Sec. 8-~~303~~323. – Definitions.

Unless specifically defined below, words or phrases used in this ordinance must be interpreted according to common usage and so as to give this ordinance its most reasonable application. For the purpose of this Article, certain words and terms are hereby defined as follows:

(a) *Accredited Institution* means an educational institution holding accredited status approved by the United States Department of Education, a regional accrediting agency approved by the United States Department of Education, the Minnesota Office of Higher Education or the state agency having jurisdiction over the educational institution.

(b) *Issuing Authority* means the City Clerk or his or her designee.

(c) *Massage Therapist* means a person who practices or administers therapeutic massage to another for a fee or other consideration paid either directly or indirectly. A person licensed as a medical doctor, chiropractor, osteopath, podiatrist, licensed nurse, physical therapist, athletic coach, director or trainer, beautician (cosmetologist) or barber who confined his or her treatment to the scalp, face, and neck or the lower leg and feet in the case of a pedicure shall not be deemed to be a massage therapist.

(d) *Massage Therapy or Therapeutic Massage* means scientific health care or health maintenance techniques or procedures carried out by a massage therapist involving any method of applying pressure on, or friction against, or the rubbing, stroking, kneading, tapping, pounding, vibrating, stimulating, stretching, or rolling of the external parts of the human body with the hands or with the aid of any mechanical or electrical apparatus, or other appliances or devices, with or without such supplementary aids as rubbing alcohol, liniment, antiseptic, oil, powder, cream, lotion, ointment, or other similar preparation,

for the purpose of easing mental and physical tension, the breaking up of fatty tissues, relaxing muscles, or alleviating muscle spasms, and the improvement of circulation through the body.

(e) *Massage Therapy Business* means any enterprise, establishment, or operation, whether under control of an individual or legal entity, providing or offering to provide massage therapy services within the city for a fee or other consideration paid either directly or indirectly, that:

(1) Has one or more massage therapists, other than the owner, employed or contracted to provide massage therapy services for the massage therapy business; or

(2) Is located in a fixed location in a nonresidential district within the city wherein massage therapy services are provided. Any health or medical facility, office, or clinic operated by state licensed medical professional(s) or any health or medical-related business operated by state-licensed medical professionals which provides therapeutic massage services to its patients shall not be deemed to be a massage therapy business.

(f) *Person* means any individual, firm, association, partnership, corporation, joint venture, or combination of individuals.

DIVISION 2. – LICENSES.

Sec. 8-~~304~~324. – License required.

(a) *Massage Therapist License.* It shall be unlawful for any person to practice, administer, or provide or offer to provide therapeutic massage services within the city without a license therefore issued by the city pursuant to this Article.

(b) *Massage Therapy Business License.* It shall be unlawful for any person or entity to operate a massage therapy business within the city without first having obtained a license from the city pursuant to this Article. The owner/operator of a massage therapy business need not be licensed as a massage therapist if he or she does not at any time practice, administer or engage in massage therapy.

Sec. 8-~~305~~325. – Exceptions.

This Article shall not apply to, and no massage therapist license or massage therapy business license shall be required for, any of the following:

(a) Health care offices, clinics or facilities owned by the state or any of its agencies or political subdivisions.

(b) Persons duly licensed or registered in this state to practice medicine, surgery, osteopath, chiropractic, physical therapy, podiatry or registered nurses provided the massage is administered in the regular course of the medical

business as it prepares the patient for a medical procedure or complements a medical procedure previously performed on the patient and is not provided as part of a separate and distinct massage business.

(c) Persons duly licensed by this State as beauty culturists or barbers, who do not give or hold themselves out as giving massages or other services, other than those customarily given in such shops and places of business for beautification only. Massages customarily given by beauty culturists will be limited to the areas of head, neck and shoulders; hand and lower arms to the elbow; foot and ankle, and for barbers, to areas of the head, neck and shoulders.

(d) Hospitals, clinics, nursing homes, hospices, or group homes established for the hospitalization or care of human beings provided the massage is administered only to the residents or patients of the facility as part of their care and not provided as part of a separate and distinct massage business.

(e) Persons working as employees of or solely under the direction and control of a medical professional duly licensed under Minnesota Statutes, Chapters 147-147F and 148-148F, as the same may be amended from time to time.

(f) Persons working as employees of or solely under the direction and control of a health care office, clinic or facility owned by the state or any of its agencies or political subdivisions.

(g) Persons working as athletic coaches, directors and trainers as employees of or solely under the direction and control of public or private schools.

(h) Accredited institutions and students of accredited institutions which provide an accredited program of study or course work in massage therapy, provided that the massage is provided during and as a part of the course or clinical component of the institution's program or course work, the students are identified to the public as students of massage therapy, and the students are supervised by an instructor while performing the massage.

(i) Persons providing temporary massage services, such as "chair massage" provided that all of the following requirements are met:

(1) The massage is provided in a place of business where the massage can easily be seen by employees and visitors.

(2) Massages are offered at the place of business no more than ten (10) days per calendar year;

(3) Each recipient of a massage remains in an upright position during the massage, either in a seated or standing position; and

(4) Each recipient of a massage remains fully clothed in the normal daytime attire worn when he/she enters the place of business and does not remove any clothing, except outerwear, such as a coat or jacket.

Sec. 8-~~306~~326. – License application.

(a) *Massage Therapy Business License Application*. An application for a massage therapy business license, on a form supplied by the city, shall be filed, along with all required fees, with the issuing authority, and shall include the following information:

(1) *All Applicants*.

a. Whether the applicant is an individual, corporation, partnership or other form of organization.

b. Full name, address, date and place of birth, and telephone number of the applicant, all owners and operators, including the designated on-site manager or agent of the applicant.

c. The name of the business if the business is to be operated under a name or designation other than the name of the applicant, together with a certified copy of the certificate required by Minnesota Statutes, Sections 333.01 and 333.02, as the same may be amended.

d. The full name, address, date and place of birth, and telephone number of the natural person, designated by the applicant as the massage therapy business's on-site manager or agent, who shall be a resident as of the date of application of the State of Minnesota, along with the notarized consent of such person to take full responsibility for the conduct of the licensed business and serve as agent for service of notices and other process relating to such license.

e. The applicant shall produce at the time of filing the application the applicant's proof of identification which may be established only by one of the following:

1. A valid driver's license or identification card issued by Minnesota, or another state, or a province of Canada, and including the photograph and date of birth of the licensed person;

2. A valid military identification card issued by the United States Department of Defense;

3. A valid passport issued by the United States or, in the case of a foreign national, by another nation.

For purposes of proof of identification, the "applicant" shall mean the natural person signing the application for a massage therapy business license and, if a different person, the on-site manager or agent listed in subparagraph (a)(1)(d) of this Section.

f. The type, name, location and dates of every business or occupation the applicant has been engaged in during the preceding ten (10) years.

g. Whether the applicant is currently licensed in other communities to perform massage therapy or operate a massage therapy business, and if so, a list of all such communities.

h. Whether the applicant or any individual owning at least a five percent interest therein also owns an interest, as an individual or as part of a corporation, partnership, association, establishment, business or firm, in a license from any licensing authority for a massage-related business or to provide massage-related services that was revoked, suspended or denied by such licensing authority within the ten (10) years preceding the date the license application is submitted to the issuing authority pursuant to the requirements of this Section, and if so, the name of such licensing authority and date of such revocation, suspension or denial.

i. Whether the applicant or any individual owning at least a five percent interest therein, or the applicant's appointed on-site manager, has ever been convicted of any crime, or violation of any ordinance other than a minor traffic offense, and if so, the time, place, date(s) and offense(s) for which convictions were had.

j. Proof of Workers' Compensation Insurance as required by Minnesota law and other insurance coverage as required by this Article.

k. Such other information as the city may reasonably require.

(2) *Individuals.*

a. Full name, address, date and place of birth, and telephone number of the applicant.

b. Whether the applicant has ever used or been known by a name other than the applicant's name, and if so, the name or names and information concerning dates and places where used. This includes commonly used nicknames.

c. Whether the applicant is a citizen of the United States or has the legal authority work in the United States.

d. Street addresses at which the applicant has lived during the preceding ten (10) years and dates at which the applicant resided at each such address.

e. Names, addresses and date of the applicant's and on-site manager's or agent's employers for the preceding ten (10) years.

f. Whether the applicant has ever been engaged providing massage therapy services or operating a massage therapy business. If so, the applicant shall furnish information as to the name, place, dates and length of time of the involvement of all such operations.

g. Such other information as the city may reasonably require.

(3) *Partnerships.*

a. The full name(s), address(es), date and place of birth, and financial interest of all general partners and all of the information concerning each general partner that is required of individual applicants in subparagraph (a)(2) of this Section.

b. The full name(s), address(es), date and place of birth and telephone number of the managing partner(s) and the interest of each managing partner in the business.

c. A copy of the partnership agreement.

d. Such other information as the city may reasonably require.

(4) *Corporations and Other Organizations.*

a. The name of the corporation or organization, and if incorporated, the state of incorporation.

b. A copy of the certificate of incorporation. If the applicant is a foreign corporation, a certificate of authority as required by Minnesota Statutes Section 303.06, as the same may be amended, shall be included.

c. The name of the manager(s), proprietor(s) or other agents in responsible for the operations of the business and all of the information concerning each such manager, proprietor, or agent that is required of applicants in subsection (a)(2) of this Section.

d. A list of all persons who own at least a five percent interest in the corporation or organization or who are officers of said corporation or organization, together with their addresses and all the

information concerning such persons as is required of applicants in subsection (a)(2) of this Section.

e. Such other information as the city may reasonably require.

(5) *Premises Information*.

a. The address and legal description of the premises where the massage therapy business is to be located, if proposed to have a fixed location in which the services are provided, together with a plan of the area showing dimensions, location of buildings, street access and parking facilities.

b. Plans and specifications showing the interior and exterior design of the establishment; including space allocation and utilization, equipment layout, room finishes, and specifications of all massage equipment.

c. The current status of the premises and establishment, including whether they are existing, planned, or under construction/renovation.

d. The floor number, street number, suite number(s) and rooms where the massage services are to be conducted.

e. Whether all real estate and personal property taxes that are due and payable for the premises where the massage therapy business will be located have been paid, and if not paid, the years and amounts that are unpaid.

f. Such other information as the city may reasonably require.

(b) *Massage Therapist License Application*. An application for a massage therapist license, on a form supplied by the city, shall be filed, along with all required fees, with the issuing authority, and shall include the following information:

(1) The applicant's full name, current address, and telephone number.

(2) The applicant's current employer.

(3) The applicant's employers for the previous five (5) years, including the employer's name, address and dates of employment.

(4) The applicant's addresses for the previous five (5) years and dates at which the applicant resided at such addresses.

(5) The applicant's date of birth, weight, height, color of eyes and color of hair.

(6) Proof of identification, which may be established only by one of the following:

a. A valid driver's license or identification card issued by Minnesota, or another state, or a province of Canada, and including the photograph and date of birth of the licensed person;

b. A valid military identification card issued by the United States Department of Defense;

c. A valid passport issued by the United States or, in the case of a foreign national, by another nation.

(7) Whether the applicant is a citizen of the United States or has the legal authority work in the United States.

(8) Whether the applicant has ever used or been known by a name other than the applicant's name, and if so, the name or names and information concerning dates and places where used. This includes commonly used nicknames.

(9) Proof of insurance coverage as required by this Article.

(10) Whether the applicant has ever been convicted of any crime, or violation of any ordinance other than a minor traffic offense, and if so, the time, place, date(s) and offense(s) for which convictions were had.

(11) Whether the applicant has had an interest in, as an individual or as part of a corporation, partnership, association, establishment, business or firm, a massage license that was denied, revoked or suspended within the last ten (10) years of the date the license application is submitted to the Issuing Authority, and if so, the name of such licensing authority and date of such revocation, suspension or denial.

(12) The names, resident and business addresses and contact information of two individuals of good moral character and not related to the applicant or financially interested in the premises of the business, who may be referred to as the applicant's character.

(13) Whether the applicant has ever been the subject of an investigation, public or private, criminal or non-criminal, in any way related to massage therapy.

(14) One of the following:

a. Proof of successful completion of a minimum of 500 hours of therapeutic massage training/course work that includes subjects of anatomy, physiology, hygiene, ethics, massage theory and

research, and massage practice from an accredited institution or program; or

b. A diploma or certificate of graduation from a comprehensive massage therapy program consisting of the course work stated in subparagraph (b)(14)(a) of this Section issued to the applicant from an accredited institution or an accredited program; or

c. Proof of passing the National Certification Exam offered by the National Certification Board for Therapeutic Massage and Bodywork or proof of passing the Federation of State Massage Therapy Boards (FSMTB) Massage and Bodywork Licensing Examination (MBLEx); or

d. Proof of having completed at least ~~350~~ 500 hours of therapeutic massage training/course work that includes subjects of anatomy, physiology, hygiene, ethics, massage theory and research and definitions, of this Article, and has practiced massage therapy in the City of Willmar, for compensation, for at least five years immediately preceding the date of the application. This form of eligibility will be accepted until January 1, 2021.

(15) Such other information as the city may reasonably require.

(c) *Background Investigation*. The applicant shall submit with the completed application form an executed release of information authorizing the Chief of Police to obtain any information pertaining to the applicant's character or criminal history, which may be deemed confidential, private or privileged by the laws of the United States or of any state. The applicant will also submit additional information that may be required by the Planning Office, Health and Inspections Department, Police Chief and City Attorney. No person will make false statements in an application.

(d) *Review and Investigation Fee*. At the time of each initial application, the applicant will pay in full a review and investigation fee. Review and investigation fees will be determined by the city council and included in the city's Fee Schedule. Where a new application is filed as a result of incorporation by an existing licensee and the ownership control and interest in the license are unchanged, no additional license fee will be required. The review and investigation fee will not be refunded.

(e) *License Fee and License Year*. The annual license fee for the massage therapy business license and massage therapist license will be in the amount set forth in the city's Fee Schedule. A separate license will be obtained for each place of business. Licenses are valid from January 1 to December 31 in the year the

license is issued, unless revoked. Renewal application for the license must be made on or before December 1, prior to the next license term.

(f) *Administrative Review*. Upon the filing of a new application for a license under this Article, together with the documents required to accompany the license, the issuing authority will coordinate the city's review of the application by city departments as necessary to determine whether the application satisfies the requirements of this Article, the city's zoning ordinance and comprehensive plan, and all requirements of the city and State relating to health and sanitation and building safety. The issuing authority shall approve or deny the application within 45 days of receipt of the complete license application. Upon the filing of a renewal application, the city will respond within a reasonable period of time.

Sec. 8-~~307~~327. – New construction and alterations of existing structures.

(a) *Final Plans Reviewed*. Where a license to operate a massage therapy business is granted for premises on which new construction or alteration of existing structures is to occur, the applicant shall submit a set of detailed final plans showing interior and exterior design, including a site map and building layout. These plans shall be certified by a registered architect or engineer and submitted to the Building Inspections Division. The Building Inspections shall certify to the issuing authority that the final plans are or are not in conformance with the preliminary plans included in the application, and if not, whether such deviations from the preliminary plans are acceptable. The issuing authority shall then communicate either the city's approval of the final plans to the licensee or any changes to the final plans required by the Building Official.

(b) *Certificate of Occupancy Required*. For premises on which new construction or alteration of existing structures is to occur, no license to operate a massage therapy business will be issued until a certificate of occupancy is issued by the city for such premises in accordance with the application and plans reviewed by the issuing authority. Prior to issuance of the certificate of occupancy, the Building Official shall certify to the issuing authority that construction was or was not in compliance with the final plans. Where the construction is found not to be in accordance with the final plans, the Building Official will state all significant deviations.

(c) *Review of Deviations*. Where the certification to the issuing authority indicates that construction was not in accordance with the final plans, the issuing authority shall not issue the license, but will return the application, together with the final plans and a statement of deviations, unless all such deviations are independently approved by the city.

Sec. 8-~~308~~328. –License eligibility.

(a) *Massage Therapy Business License*. The issuing authority shall not issue a massage therapy business license to an applicant, or once issued, any such license may be revoked, under any of the following circumstances:

(1) The applicant, any person who owns at least a five percent financial interest in the business, the appointed on-site manager or agent, or other person responsible for the operation of the business, is not 18 years of age or older at the time the application is submitted to the issuing authority.

(2) The applicant, any person who owns at least a five percent financial interest in the business, the appointed on-site manager or agent, or other person responsible for the operation of the business, has been convicted of, or was charged with, but convicted of a lesser charge of a crime, or is under a stay of adjudication from a charge involving a violation of any massage therapy-related regulation, any prostitution-related offense, criminal sexual conduct, indecent exposure, surreptitious intrusion, disorderly house as defined by Minnesota Statutes, theft, felony drug offense, any crime of violence as defined by Minnesota Statutes, or any other similar crime or offense within five years of the date of application, and ~~who~~ has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties and responsibilities of a licensee as prescribed by Minnesota Statutes, Section 364.03, subd. 3, as the same may be amended.

(3) The applicant, any person who owns at least a five percent financial interest in the business, the appointed on-site manager or agent, or other person responsible for the operation of the business, or the spouse of any such person, has had an interest in, as an individual or as part of a corporation, partnership, association, establishment, business or firm, a massage license that was denied, revoked or suspended within the last ten (10) years preceding the date the license application is submitted to the issuing authority.

(4) The applicant, any person who owns at least a five percent financial interest in the business, the appointed on-site manager or agent, or other person responsible for the operation of the business, is not of good moral character or repute.

(5) The applicant failed to identify the full name, address and date and place of birth of the natural person designated by the applicant as the massage therapy business's on-site manager or agent, along with the notarized written consent of such a person to take full responsibility for the conduct of the licensed premises and operation and serve as the agent for service of notices and other process related to the license.

(6) The appointed on-site manager or agent is not a citizen of the United States or a resident alien and is legally prohibited from working in the United States.

(7) The appointed on-site manager or agent is not a resident of the State of Minnesota on the date the license application is submitted to the issuing authority.

(8) The applicant provided false, misleading or misrepresented information in the application submitted to the issuing authority.

(9) The applicant is not the real party in interest of the business.

(10) The applicant, any person who owns at least a five percent financial interest in the business, the appointed on-site manager or agent, or other person responsible for the operation of the business, has knowingly misrepresented or falsified information on a license application within the preceding ten (10) years preceding the date of the application.

(11) The applicant or license holder has violated any of the regulations or requirements contained in Section 8-309 or any other provisions of this Article or any other city ordinance or state or federal law or regulation directly related to the occupation or business licensed under this Article as defined by Minnesota Statutes, Section 364.03, subd. 2, as the same may be amended, including all laws or regulations relating to health and sanitation laws and building safety, or has otherwise operated a massage therapy business or performed message therapy services in such a manner as to constitute a breach of the peace, or to constitute a menace to the health, safety or general welfare of the community. The charging of a violation or conviction is not required for non-renewal, suspension or revocation of a license.

(12) The applicant has been denied a license under this Article within the preceding twelve (12) months.

(13) The applicant, any person who owns at least a five percent financial interest in the business, the appointed on-site manager or agent, or other person responsible for the operation of the business, has engaged in fraud, misrepresentation or false statement made in the course of carrying on the occupation or business licensed under this Article.

(14) The premises of a business licensed under this Article subject to final plan review pursuant to Section 8-307 has experienced a material variation from the actual plan and design of the premises from the plans approved thereunder.

(15) The proposed fixed location or premises in which the massage therapy business proposes to provide massage therapy services is in conflict with the Willmar Zoning Code or the Comprehensive Plan.

(16) The massage therapy business is proposed to be operated on premises on which property taxes, assessments, or other financial claims by the state, county, school district, or city that are due, delinquent and unpaid, provided the applicant or other entity in which the applicant has an interest has the legal duty to pay said taxes, assessments, or claims.

(b) *Massage Therapist Licenses*. The issuing authority shall not issue a massage therapist license to an applicant, or once issued, any such license may be revoked, under any of the following circumstances:

(1) The applicant is not 18 years of age or older at the time the application is submitted to the issuing authority.

(2) The applicant has been convicted of, or was charged with, but convicted of a lesser charge of a crime, or is under a stay of adjudication from a charge involving a violation of any massage therapy-related regulation, any prostitution-related offense, criminal sexual conduct, indecent exposure, surreptitious intrusion, disorderly house as defined by Minnesota Statutes, theft, felony drug offense, any crime of violence as defined by Minnesota Statutes, or any other similar crime or offense within five years of the date of application, and who has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties and responsibilities of a licensee as prescribed by Minnesota Statutes, Section 364.03, subd. 3, as the same may be amended.

(3) The applicant has had an interest in, individually or as part of a corporation, partnership, association, establishment, business or firm, a massage license that was denied, revoked or suspended within the ten (10) years preceding the date the license application is submitted to the issuing authority.

(4) The applicant is not a citizen of the United States or a resident alien, and is legally prohibited from working in the United States.

(5) The applicant is not of good moral character or repute.

(6) The applicant provided false, misleading or misrepresented information on the application.

(7) The applicant has knowingly misrepresented or falsified information on a license application within the preceding ten (10) years.

(8) The applicant has violated any of the regulations or requirements contained in Section 8-309 or any other provisions of this Article or any

other city ordinance or state or federal law or regulation directly related to the occupation or business licensed under this Article as defined by Minnesota Statutes, Section 364.03, subd. 2, as the same may be amended, including all laws or regulations relating to health and sanitation laws and building safety, or has otherwise performed message therapy services in such a manner as to constitute a breach of the peace, or to constitute a menace to the health, safety or general welfare of the community. The charging of a violation or conviction is not required for non-renewal, suspension or revocation of a license.

(9) The applicant is not affiliated with, employed by, or does not own an interest in a massage therapy business licensed by the city.

(10) The applicant has not earned or did not provide:

a. Proof of successful completion of a minimum of ~~500 350~~500 hours of therapeutic massage training/course work that includes subjects of anatomy, physiology, hygiene, ethics, massage theory and research, and massage practice from an accredited institution or program; or

b. A diploma or certificate of graduation from a comprehensive massage therapy program consisting of the course work stated above in subparagraph (b)(10) of this Section issued to the applicant from an accredited institution or an accredited program; or

c. Proof of passing the National Certification Exam offered by the National Certification Board for Therapeutic Massage and Bodywork or proof of passing the Federation of State Massage Therapy Boards (FSMTB) Massage and Bodywork Licensing Examination (MBLEx); or

d. Proof of having completed at least 100 hours of therapeutic massage training/course work that includes subjects of anatomy, physiology, hygiene, ethics, massage theory and research and definitions, of this Article, and has practiced massage therapy in the city, for compensation, for at least five years immediately preceding the date of the application. This form of eligibility will be accepted until January 31, ~~2021~~2023.

(11) The applicant has been denied a license under this Article within the preceding twelve (12) months.

DIVISION 3. – REGULATIONS.

Sec. 8-~~309~~329. –Restrictions and regulations.

(a) When performing a massage, the massage therapist must require that the person who is receiving the massage have their breasts, buttocks, intergluteal cleft (buttocks crease), anus and genitals covered with clothing or a non-transparent material at all times. The massage therapist must have his or her breasts, buttocks, anus and genitals covered with clothing at all times.

(b) A massage therapist must not intentionally touch or offer to touch the penis, scrotum, mons veneris, vulva, or vaginal area of a person.

(c) Each license will be issued to the applicant only, and if issued for a fixed location or premises, only for such location or premises as identified on the license. No license may be transferred to another person or place. Massage therapy business licenses shall terminate upon any change in officers or ownership interests of the licensee, unless the change is approved by the council in which case the license shall only continue in force until the end of the license term.

(d) Only massage therapists who are licensed by the city shall practice or provide therapeutic massage services for licensed massage therapy businesses or within licensed massage therapy business premises as identified in the license.

(e) Each massage therapy business shall maintain in effect during the license period general liability insurance providing minimum coverage of $1,000,000 combined single limit per occurrence. Each massage therapist shall maintain in effect during the license period professional liability insurance for the practice of massage providing minimum coverage of $1,000,000. The licensee shall keep a current certificate documenting such insurance policies on file with the issuing authority at all times during the license period, which certificate(s) must state that no cancellation of such policy may be effective except upon 30 days' written notice to the city. Failure to maintain current documentation of the insurance policies required herein is grounds for immediate suspension and/or revocation of the license.

(f) If a licensed massage therapy business's on-site manager or agent ceases to be located at the licensed premises or ceases to act in such capacity, the licensee shall appoint a successor and promptly inform the issuing authority of such appointment and submit the documentation required in Section 8-306(a)(1)(d) for such successor.

(g) No customers or patrons will be allowed to enter the licensed premises after 9:00 p.m. and before 6:00 a.m. daily. Customers or patrons will not be allowed to remain upon the licensed premises after 9:30 p.m. and before 6:00 a.m. daily.

(h) All massage therapy businesses shall post their rates for service in a prominent place in the entrance or lobby of the business.

(i) Current massage license issued by the City of Willmar must be displayed in the front entry or corridor of the facility.

(j) Credentials of all massage therapists must be maintained and available on any site where massage therapy services are performed.

(k) All massage therapy businesses shall maintain with the issuing authority a current list of all employees of such licensed premises which includes all massage therapists licensed under this Article.

(l) All places where massage therapy services are performed shall provide single-service disposable paper or clean linens to cover the table, chair, furniture, or area on which the patron receives the massage.

(m) The massage therapist must wash his/her hands and arms with water and soap, antibacterial scrubs, alcohol or other disinfectants prior to and following each massage service performed.

(n) Massage tables, chairs and other furniture on which massages are performed, must have surfaces that can be readily laundered and / or disinfected after each massage. These surfaces must be disinfected or changed following each massage performed. All modalities shall be performed on a raised massage therapy table, chair or massage therapy technique specific device.

(o) Rooms must be adequately illuminated to allow for adequate cleaning purposes.

(p) All places where massage therapy services are performed shall be maintained in good repair and in a sanitary condition and must take reasonable steps to prevent the spread of infections and communicable diseases on the premises.

(q) Massage therapists must be in good health, without skin infections, and wear clean clothing when performing massage services.

(r) Massage therapy businesses shall not contain, nor allow the use by any person, sleeping quarters or living spaces of any kind intended for habitation, including, but not limited to beds, cots or mattresses. Sleeping or living quarters must be physically separated from all places where massage therapy services are performed.

(s) All massage therapy services must be performed within a building with a valid certificate of occupancy and not in or upon any vacant lot, lot, motor vehicle, trailer, tent or railroad car, including but not limited to structures not meant for human habitation.

(t) Toilet rooms for employees and patrons are adequate and conveniently located.

(u) All massage therapy services shall be performed on a raised massage therapy table or chair; no bed, mattress or other similar type equipment shall be allowed onsite except for a technique specific mat for therapists specifically trained in

those techniques. No modality may be performed that requires a massage therapist to stand on the massage therapy table or chair unless necessary due to size ratio of massage therapist/client.

(v) Doors on massage therapy rooms shall not be locked or capable of being locked. Locks, latches or other devices intended to secure a door so as to prevent it from being opened by any person from either side of the door with or without a key cannot be present on any doors of rooms intended for massage therapy. One-room office/therapy studios may be exempted from this provision upon written application; however, such doors must be capable of being opened from the therapy area without the use of a key.

(w) Massage therapy businesses shall not contain nor allow the use by any person of sleeping quarters or living spaces of any kind intended for habitation, including but not limited to beds, cots, or mattresses. Home-based enterprises shall not contain nor allow the use by any person of sleeping quarters or living spaces of any kind intended for habitation, including but not limited to beds, cots, or mattresses in any area where massage therapy services are performed.

(x) No beer, liquor, narcotic drug, or controlled substance, as such terms are defined by Minnesota Statutes or the City Code, other than drugs which may be purchased over the counter, without a prescription, or those for which the individual has a prescription, shall be used or ingested or be present during any massage therapy session.

Sec. 8-~~310~~330. – Inspection by city officers and identification of employees.

Premises under which massage therapy services are being delivered, including licensed premises under a licensed massage therapy business, if any, shall be open to unannounced inspection by any public health, building, zoning, code or police officer during business hours to determine whether such business and premises are in compliance with this Article. All persons, as a condition to being issued a license under this Article, consent to such inspection by such officers. It is unlawful for any licensee or agent or employee of a licensee to hinder or prevent a city inspecting officer from making such inspection. Any person engaged in providing services in any licensed premises will identify themselves giving their true legal name and correct address upon demand by any police officer.

Sec. 8-~~311~~331. – Advertising.

Any advertising by a licensee or representative of the licensee of any potential unlawful, misleading, sexually explicit, obscene or erotic conduct at the licensed business or premises shall be prohibited.

Sec. 8-~~312~~332. – Responsible for conduct.

A licensee under this Article shall be responsible for all acts and conduct attributable to and in connection with massage therapy services provided by the licensee or occurring on the premises of the massage therapy business. The act of any employee or agent of the licensee shall be deemed to be the act of the licensee.

Sec. 8-~~313~~333. – Non-renewal, suspension or revocation of license.

Suspension, revocation, or non-renewal of any license issues pursuant to this Article shall be administered pursuant to Article X of this Chapter. In the event of multiple massage therapy business locations, any license suspension or revocation shall apply to all such locations within the city.

Sec. 8-~~314~~334. – Immediate suspension of license.

Notwithstanding anything to the contrary in this Chapter, the issuing authority or his or her designee may immediately suspend a license, if the licensee, or any person working on behalf of the licensee, is determined to be conducting business in an unlawful manner, any manner that constitutes a substantial hazard to the health, safety or general welfare of the public, or after repeated complaints received regarding unlawful conduct of the business practices or method of solicitation. The licensee will be given notice of the immediate suspension on site. The suspension will take place immediately. The licensee may request a hearing before the city council to review such suspension pursuant to Section 8-352.

Sec. 8-~~315~~335. – Ability to reapply after revocation.

The holder of a massage therapy business license or massage therapist license may not reapply for a new license for a period of ten (10) years following revocation of such license under this Article.

Sec. 8-~~316~~336. – Severability.

If any section, subsection, sentence, clause, or phrase of this Article is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Article. The city council hereby declares that it would have adopted the section in each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Secs. 8-~~317~~337.—8-350. – Reserved.

Section 2. EFFECTIVE DATE. This ordinance shall be effective from and after _____, 2023.

Passed by the City Council of the City of Willmar this ___ day of _____, 202~~2~~3.

ATTEST: ____

_____ _____

Judy Thompson, City Clerk Marvin Calvin, Mayor

VOTE: _____ ~~PLOWMAN~~SHULDES _____ O'BRIEN _____ DAVIS _____ ASMUS
_____ FAGERLIE _____ ASK _____ BUTTERFIELD _____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

ORDINANCE NO. _____

AN ORDINANCE REGULATING MASSAGE THERAPY BUSINESSES AND MASSAGE THERAPISTS IN THE CITY OF WILLMAR

The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF MUNICIPAL CODE, CHAPTER 8, LICENSES, PERMITS AND BUSINESS REGULATIONS. Chapter 8 of the Willmar Municipal Code is hereby amended by adding a new Article X, Massage Therapy Business and Massage Therapist Licenses, regulating massage therapy businesses and massage therapists in the City of Willmar, as follows:

ARTICLE X. – MASSAGE THERAPY BUSINESS AND MASSAGE THERAPIST LICENSES

DIVISION 1. – GENERALLY.

Sec. 8-321. – Purpose.

The purpose of this ordinance is to prohibit massage businesses and services to the public except those licensed as massage therapy businesses and massage therapists pursuant to this Article. The licensing regulations prescribed herein are necessary to protect the profession and reputation of legitimate massage therapy businesses, to ensure physical facilities are clean, well maintained and safe, to prevent criminal activity, and to protect the health, safety, and general welfare of the community. The purpose of this Article is not to impose restrictions or limitations on the freedom of protected speech or expression.

Sec. 8-322. – Findings of the city council.

The City Council of the City of Willmar makes the following findings regarding the need to license massage therapy businesses and massage therapists and to prohibit all other types of massage businesses and services to the public:

(a) Persons who have bona fide and standardized training in therapeutic massage, health, and hygiene can provide a legitimate and necessary service to the general public.

(b) Health and sanitation regulations governing massage therapy businesses and massage therapists can minimize the risk of the spread of communicable diseases and can promote overall health and sanitation.

(c) License qualifications for the restrictions on massage therapy businesses and massage therapists can minimize the risk that such businesses and persons will facilitate prostitution and other criminal activity in the community.

(d) Massage services provided by persons with no specialized and standardized training in massage can endanger citizens by facilitating the spread of

communicable diseases, by exposing citizens to unhealthy and unsanitary conditions, and by increasing the risk of personal injury.

(e) Massage businesses which employ persons with no specialized and standardized training can tax city law enforcement services because such businesses are more likely to be operated as fronts for prostitution and other criminal activity than operations established by persons with specialized and standardized training.

(f) The training of professional massage therapists at accredited institutions is an important means of ensuring the fullest protection of the public health, safety, and welfare.

Sec. 8-323. – Definitions.

Unless specifically defined below, words or phrases used in this ordinance must be interpreted according to common usage and so as to give this ordinance its most reasonable application. For the purpose of this Article, certain words and terms are hereby defined as follows:

(a) *Accredited Institution* means an educational institution holding accredited status approved by the United States Department of Education, a regional accrediting agency approved by the United States Department of Education, the Minnesota Office of Higher Education or the state agency having jurisdiction over the educational institution.

(b) *Issuing Authority* means the City Clerk or his or her designee.

(c) *Massage Therapist* means a person who practices or administers therapeutic massage to another for a fee or other consideration paid either directly or indirectly. A person licensed as a medical doctor, chiropractor, osteopath, podiatrist, licensed nurse, physical therapist, athletic coach, director or trainer, beautician (cosmetologist) or barber who confined his or her treatment to the scalp, face, and neck or the lower leg and feet in the case of a pedicure shall not be deemed to be a massage therapist.

(d) *Massage Therapy or Therapeutic Massage* means scientific health care or health maintenance techniques or procedures carried out by a massage therapist involving any method of applying pressure on, or friction against, or the rubbing, stroking, kneading, tapping, pounding, vibrating, stimulating, stretching, or rolling of the external parts of the human body with the hands or with the aid of any mechanical or electrical apparatus, or other appliances or devices, with or without such supplementary aids as rubbing alcohol, liniment, antiseptic, oil, powder, cream, lotion, ointment, or other similar preparation, for the purpose of easing mental and physical tension, the breaking up of fatty tissues, relaxing muscles, or alleviating muscle spasms, and the improvement of circulation through the body.

(e) *Massage Therapy Business* means any enterprise, establishment, or operation, whether under control of an individual or legal entity, providing or offering to provide massage therapy services within the city for a fee or other consideration paid either directly or indirectly, that:

(1) Has one or more massage therapists, other than the owner, employed or contracted to provide massage therapy services for the massage therapy business; or

(2) Is located in a fixed location in a nonresidential district within the city wherein massage therapy services are provided. Any health or medical facility, office, or clinic operated by state licensed medical professional(s) or any health or medical-related business operated by state-licensed medical professionals which provides therapeutic massage services to its patients shall not be deemed to be a massage therapy business.

(f) *Person* means any individual, firm, association, partnership, corporation, joint venture, or combination of individuals.

DIVISION 2. – LICENSES.

Sec. 8-324. – License required.

(a) *Massage Therapist License.* It shall be unlawful for any person to practice, administer, or provide or offer to provide therapeutic massage services within the city without a license therefore issued by the city pursuant to this Article.

(b) *Massage Therapy Business License.* It shall be unlawful for any person or entity to operate a massage therapy business within the city without first having obtained a license from the city pursuant to this Article. The owner/operator of a massage therapy business need not be licensed as a massage therapist if he or she does not at any time practice, administer or engage in massage therapy.

Sec. 8-325. – Exceptions.

This Article shall not apply to, and no massage therapist license or massage therapy business license shall be required for, any of the following:

(a) Health care offices, clinics or facilities owned by the state or any of its agencies or political subdivisions.

(b) Persons duly licensed or registered in this state to practice medicine, surgery, osteopath, chiropractic, physical therapy, podiatry or registered nurses provided the massage is administered in the regular course of the medical business as it prepares the patient for a medical procedure or complements a medical procedure previously performed on the patient and is not provided as part of a separate and distinct massage business.

(c) Persons duly licensed by this State as beauty culturists or barbers, who do not give or hold themselves out as giving massages or other services, other than those customarily given in such shops and places of business for beautification only. Massages customarily given by beauty culturists will be limited to the areas of head, neck and shoulders; hand and lower arms to the elbow; foot and ankle, and for barbers, to areas of the head, neck and shoulders.

(d) Hospitals, clinics, nursing homes, hospices, or group homes established for the hospitalization or care of human beings provided the massage is administered only to the residents or patients of the facility as part of their care and not provided as part of a separate and distinct massage business.

(e) Persons working as employees of or solely under the direction and control of a medical professional duly licensed under Minnesota Statutes, Chapters 147-147F and 148-148F, as the same may be amended from time to time.

(f) Persons working as employees of or solely under the direction and control of a health care office, clinic or facility owned by the state or any of its agencies or political subdivisions.

(g) Persons working as athletic coaches, directors and trainers as employees of or solely under the direction and control of public or private schools.

(h) Accredited institutions and students of accredited institutions which provide an accredited program of study or course work in massage therapy, provided that the massage is provided during and as a part of the course or clinical component of the institution's program or course work, the students are identified to the public as students of massage therapy, and the students are supervised by an instructor while performing the massage.

(i) Persons providing temporary massage services, such as "chair massage" provided that all of the following requirements are met:

(1) The massage is provided in a place of business where the massage can easily be seen by employees and visitors.

(2) Massages are offered at the place of business no more than ten (10) days per calendar year;

(3) Each recipient of a massage remains in an upright position during the massage, either in a seated or standing position; and

(4) Each recipient of a massage remains fully clothed in the normal daytime attire worn when he/she enters the place of business and does not remove any clothing, except outerwear, such as a coat or jacket.

Sec. 8-326. – License application.

(a) *Massage Therapy Business License Application*. An application for a massage therapy business license, on a form supplied by the city, shall be filed, along with all required fees, with the issuing authority, and shall include the following information:

(1) *All Applicants*.

a. Whether the applicant is an individual, corporation, partnership or other form of organization.

b. Full name, address, date and place of birth, and telephone number of the applicant, all owners and operators, including the designated on-site manager or agent of the applicant.

c. The name of the business if the business is to be operated under a name or designation other than the name of the applicant, together with a certified copy of the certificate required by Minnesota Statutes, Sections 333.01 and 333.02, as the same may be amended.

d. The full name, address, date and place of birth, and telephone number of the natural person, designated by the applicant as the massage therapy business's on-site manager or agent, who shall be a resident as of the date of application of the State of Minnesota, along with the notarized consent of such person to take full responsibility for the conduct of the licensed business and serve as agent for service of notices and other process relating to such license.

e. The applicant shall produce at the time of filing the application the applicant's proof of identification which may be established only by one of the following:

1. A valid driver's license or identification card issued by Minnesota, or another state, or a province of Canada, and including the photograph and date of birth of the licensed person;

2. A valid military identification card issued by the United States Department of Defense;

3. A valid passport issued by the United States or, in the case of a foreign national, by another nation.

For purposes of proof of identification, the "applicant" shall mean the natural person signing the application for a massage therapy business license and, if a different person, the on-site manager or agent listed in subparagraph (a)(1)(d) of this Section.

f. The type, name, location and dates of every business or occupation the applicant has been engaged in during the preceding ten (10) years.

g. Whether the applicant is currently licensed in other communities to perform massage therapy or operate a massage therapy business, and if so, a list of all such communities.

h. Whether the applicant or any individual owning at least a five percent interest therein also owns an interest, as an individual or as part of a corporation, partnership, association, establishment, business or firm, in a license from any licensing authority for a massage-related business or to provide massage-related services that was revoked, suspended or denied by such licensing authority within the ten (10) years preceding the date the license application is submitted to the issuing authority pursuant to the requirements of this Section, and if so, the name of such licensing authority and date of such revocation, suspension or denial.

i. Whether the applicant or any individual owning at least a five percent interest therein, or the applicant's appointed on-site manager, has ever been convicted of any crime, or violation of any ordinance other than a minor traffic offense, and if so, the time, place, date(s) and offense(s) for which convictions were had.

j. Proof of Workers' Compensation Insurance as required by Minnesota law and other insurance coverage as required by this Article.

k. Such other information as the city may reasonably require.

(2) *Individuals.*

a. Full name, address, date and place of birth, and telephone number of the applicant.

b. Whether the applicant has ever used or been known by a name other than the applicant's name, and if so, the name or names and information concerning dates and places where used. This includes commonly used nicknames.

c. Whether the applicant is a citizen of the United States or has the legal authority work in the United States.

d. Street addresses at which the applicant has lived during the preceding ten (10) years and dates at which the applicant resided at each such address.

e. Names, addresses and date of the applicant's and on-site manager's or agent's employers for the preceding ten (10) years.

f. Whether the applicant has ever been engaged providing massage therapy services or operating a massage therapy business. If so, the applicant shall furnish information as to the name, place, dates and length of time of the involvement of all such operations.

g. Such other information as the city may reasonably require.

(3) *Partnerships.*

a. The full name(s), address(es), date and place of birth, and financial interest of all general partners and all of the information concerning each general partner that is required of individual applicants in subparagraph (a)(2) of this Section.

b. The full name(s), address(es), date and place of birth and telephone number of the managing partner(s) and the interest of each managing partner in the business.

c. A copy of the partnership agreement.

d. Such other information as the city may reasonably require.

(4) *Corporations and Other Organizations.*

a. The name of the corporation or organization, and if incorporated, the state of incorporation.

b. A copy of the certificate of incorporation. If the applicant is a foreign corporation, a certificate of authority as required by Minnesota Statutes Section 303.06, as the same may be amended, shall be included.

c. The name of the manager(s), proprietor(s) or other agents in responsible for the operations of the business and all of the information concerning each such manager, proprietor, or agent that is required of applicants in subsection (a)(2) of this Section.

d. A list of all persons who own at least a five percent interest in the corporation or organization or who are officers of said corporation or organization, together with their addresses and all the information concerning such persons as is required of applicants in subsection (a)(2) of this Section.

e. Such other information as the city may reasonably require.

(5) *Premises Information*.

a. The address and legal description of the premises where the massage therapy business is to be located, if proposed to have a fixed location in which the services are provided, together with a plan of the area showing dimensions, location of buildings, street access and parking facilities.

b. Plans and specifications showing the interior and exterior design of the establishment; including space allocation and utilization, equipment layout, room finishes, and specifications of all massage equipment.

c. The current status of the premises and establishment, including whether they are existing, planned, or under construction/renovation.

d. The floor number, street number, suite number(s) and rooms where the massage services are to be conducted.

e. Whether all real estate and personal property taxes that are due and payable for the premises where the massage therapy business will be located have been paid, and if not paid, the years and amounts that are unpaid.

f. Such other information as the city may reasonably require.

(b) *Massage Therapist License Application*. An application for a massage therapist license, on a form supplied by the city, shall be filed, along with all required fees, with the issuing authority, and shall include the following information:

(1) The applicant's full name, current address, and telephone number.

(2) The applicant's current employer.

(3) The applicant's employers for the previous five (5) years, including the employer's name, address and dates of employment.

(4) The applicant's addresses for the previous five (5) years and dates at which the applicant resided at such addresses.

(5) The applicant's date of birth, weight, height, color of eyes and color of hair.

(6) Proof of identification, which may be established only by one of the following:

a. A valid driver's license or identification card issued by Minnesota, or another state, or a province of Canada, and including the photograph and date of birth of the licensed person;

b. A valid military identification card issued by the United States Department of Defense;

c. A valid passport issued by the United States or, in the case of a foreign national, by another nation.

(7) Whether the applicant is a citizen of the United States or has the legal authority work in the United States.

(8) Whether the applicant has ever used or been known by a name other than the applicant's name, and if so, the name or names and information concerning dates and places where used. This includes commonly used nicknames.

(9) Proof of insurance coverage as required by this Article.

(10) Whether the applicant has ever been convicted of any crime, or violation of any ordinance other than a minor traffic offense, and if so, the time, place, date(s) and offense(s) for which convictions were had.

(11) Whether the applicant has had an interest in, as an individual or as part of a corporation, partnership, association, establishment, business or firm, a massage license that was denied, revoked or suspended within the last ten (10) years of the date the license application is submitted to the Issuing Authority, and if so, the name of such licensing authority and date of such revocation, suspension or denial.

(12) The names, resident and business addresses and contact information of two individuals of good moral character and not related to the applicant or financially interested in the premises of the business, who may be referred to as the applicant's character.

(13) Whether the applicant has ever been the subject of an investigation, public or private, criminal or non-criminal, in any way related to massage therapy.

(14) One of the following:

a. Proof of successful completion of a minimum of 500 hours of therapeutic massage training/course work that includes subjects of anatomy, physiology, hygiene, ethics, massage theory and research, and massage practice from an accredited institution or program; or

b. A diploma or certificate of graduation from a comprehensive massage therapy program consisting of the course work stated in subparagraph (b)(14)(a) of this Section issued to the applicant from an accredited institution or an accredited program; or

c. Proof of passing the National Certification Exam offered by the National Certification Board for Therapeutic Massage and Bodywork or proof of passing the Federation of State Massage Therapy Boards (FSMTB) Massage and Bodywork Licensing Examination (MBLEx); or

d. Proof of having completed at least 500 hours of therapeutic massage training/course work that includes subjects of anatomy, physiology, hygiene, ethics, massage theory and research and definitions, of this Article, and has practiced massage therapy in the City of Willmar, for compensation, for at least five years immediately preceding the date of the application. This form of eligibility will be accepted until January 1, 2021.

(15) Such other information as the city may reasonably require.

(c) *Background Investigation*. The applicant shall submit with the completed application form an executed release of information authorizing the Chief of Police to obtain any information pertaining to the applicant's character or criminal history, which may be deemed confidential, private or privileged by the laws of the United States or of any state. The applicant will also submit additional information that may be required by the Planning Office, Health and Inspections Department, Police Chief and City Attorney. No person will make false statements in an application.

(d) *Review and Investigation Fee*. At the time of each initial application, the applicant will pay in full a review and investigation fee. Review and investigation fees will be determined by the city council and included in the city's Fee Schedule. Where a new application is filed as a result of incorporation by an existing licensee and the ownership control and interest in the license are unchanged, no additional license fee will be required. The review and investigation fee will not be refunded.

(e) *License Fee and License Year*. The annual license fee for the massage therapy business license and massage therapist license will be in the amount set forth in the city's Fee Schedule. A separate license will be obtained for each place of business. Licenses are valid from January 1 to December 31 in the year the license is issued, unless revoked. Renewal application for the license must be made on or before December 1, prior to the next license term.

(f) *Administrative Review*. Upon the filing of a new application for a license under this Article, together with the documents required to accompany the license, the issuing authority will coordinate the city's review of the application by city departments as necessary to determine whether the application satisfies the requirements of this Article, the city's zoning ordinance and comprehensive plan, and all requirements of the city and State relating to health and sanitation and

building safety. The issuing authority shall approve or deny the application within 45 days of receipt of the complete license application. Upon the filing of a renewal application, the city will respond within a reasonable period of time.

Sec. 8-327. – New construction and alterations of existing structures.

(a) *Final Plans Reviewed*. Where a license to operate a massage therapy business is granted for premises on which new construction or alteration of existing structures is to occur, the applicant shall submit a set of detailed final plans showing interior and exterior design, including a site map and building layout. These plans shall be certified by a registered architect or engineer and submitted to the Building Inspections Division. The Building Inspections shall certify to the issuing authority that the final plans are or are not in conformance with the preliminary plans included in the application, and if not, whether such deviations from the preliminary plans are acceptable. The issuing authority shall then communicate either the city's approval of the final plans to the licensee or any changes to the final plans required by the Building Official.

(b) *Certificate of Occupancy Required*. For premises on which new construction or alteration of existing structures is to occur, no license to operate a massage therapy business will be issued until a certificate of occupancy is issued by the city for such premises in accordance with the application and plans reviewed by the issuing authority. Prior to issuance of the certificate of occupancy, the Building Official shall certify to the issuing authority that construction was or was not in compliance with the final plans. Where the construction is found not to be in accordance with the final plans, the Building Official will state all significant deviations.

(c) *Review of Deviations*. Where the certification to the issuing authority indicates that construction was not in accordance with the final plans, the issuing authority shall not issue the license, but will return the application, together with the final plans and a statement of deviations, unless all such deviations are independently approved by the city.

Sec. 8-328. –License eligibility.

(a) *Massage Therapy Business License*. The issuing authority shall not issue a massage therapy business license to an applicant, or once issued, any such license may be revoked, under any of the following circumstances:

(1) The applicant, any person who owns at least a five percent financial interest in the business, the appointed on-site manager or agent, or other person responsible for the operation of the business, is not 18 years of age or older at the time the application is submitted to the issuing authority.

(2) The applicant, any person who owns at least a five percent financial interest in the business, the appointed on-site manager or agent, or other person responsible for the operation of the business, has been convicted of, or was charged with, but convicted of a lesser charge of a crime, or is under a stay of adjudication from a charge involving a violation of any massage therapy-related regulation, any prostitution-related offense, criminal sexual conduct, indecent exposure, surreptitious intrusion, disorderly house as defined by Minnesota Statutes, theft, felony drug offense, any crime of violence as defined by Minnesota Statutes, or any other similar crime or offense within five years of the date of application, and has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties and responsibilities of a licensee as prescribed by Minnesota Statutes, Section 364.03, subd. 3, as the same may be amended.

(3) The applicant, any person who owns at least a five percent financial interest in the business, the appointed on-site manager or agent, or other person responsible for the operation of the business, or the spouse of any such person, has had an interest in, as an individual or as part of a corporation, partnership, association, establishment, business or firm, a massage license that was denied, revoked or suspended within the last ten (10) years preceding the date the license application is submitted to the issuing authority.

(4) The applicant, any person who owns at least a five percent financial interest in the business, the appointed on-site manager or agent, or other person responsible for the operation of the business, is not of good moral character or repute.

(5) The applicant failed to identify the full name, address and date and place of birth of the natural person designated by the applicant as the massage therapy business's on-site manager or agent, along with the notarized written consent of such a person to take full responsibility for the conduct of the licensed premises and operation and serve as the agent for service of notices and other process related to the license.

(6) The appointed on-site manager or agent is not a citizen of the United States or a resident alien and is legally prohibited from working in the United States.

(7) The appointed on-site manager or agent is not a resident of the State of Minnesota on the date the license application is submitted to the issuing authority.

(8) The applicant provided false, misleading or misrepresented information in the application submitted to the issuing authority.

(9) The applicant is not the real party in interest of the business.

(10) The applicant, any person who owns at least a five percent financial interest in the business, the appointed on-site manager or agent, or other person responsible for the operation of the business, has knowingly misrepresented or falsified information on a license application within the preceding ten (10) years preceding the date of the application.

(11) The applicant or license holder has violated any of the regulations or requirements contained in Section 8-309 or any other provisions of this Article or any other city ordinance or state or federal law or regulation directly related to the occupation or business licensed under this Article as defined by Minnesota Statutes, Section 364.03, subd. 2, as the same may be amended, including all laws or regulations relating to health and sanitation laws and building safety, or has otherwise operated a massage therapy business or performed message therapy services in such a manner as to constitute a breach of the peace, or to constitute a menace to the health, safety or general welfare of the community. The charging of a violation or conviction is not required for non-renewal, suspension or revocation of a license.

(12) The applicant has been denied a license under this Article within the preceding twelve (12) months.

(13) The applicant, any person who owns at least a five percent financial interest in the business, the appointed on-site manager or agent, or other person responsible for the operation of the business, has engaged in fraud, misrepresentation or false statement made in the course of carrying on the occupation or business licensed under this Article.

(14) The premises of a business licensed under this Article subject to final plan review pursuant to Section 8-307 has experienced a material variation from the actual plan and design of the premises from the plans approved thereunder.

(15) The proposed fixed location or premises in which the massage therapy business proposes to provide massage therapy services is in conflict with the Willmar Zoning Code or the Comprehensive Plan.

(16) The massage therapy business is proposed to be operated on premises on which property taxes, assessments, or other financial claims by the state, county, school district, or city that are due, delinquent and unpaid, provided the applicant or other entity in which the applicant has an interest has the legal duty to pay said taxes, assessments, or claims.

(b) *Massage Therapist Licenses*. The issuing authority shall not issue a massage therapist license to an applicant, or once issued, any such license may be revoked, under any of the following circumstances:

(1) The applicant is not 18 years of age or older at the time the application is submitted to the issuing authority.

(2) The applicant has been convicted of, or was charged with, but convicted of a lesser charge of a crime, or is under a stay of adjudication from a charge involving a violation of any massage therapy-related regulation, any prostitution-related offense, criminal sexual conduct, indecent exposure, surreptitious intrusion, disorderly house as defined by Minnesota Statutes, theft, felony drug offense, any crime of violence as defined by Minnesota Statutes, or any other similar crime or offense within five years of the date of application, and who has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties and responsibilities of a licensee as prescribed by Minnesota Statutes, Section 364.03, subd. 3, as the same may be amended.

(3) The applicant has had an interest in, individually or as part of a corporation, partnership, association, establishment, business or firm, a massage license that was denied, revoked or suspended within the ten (10) years preceding the date the license application is submitted to the issuing authority.

(4) The applicant is not a citizen of the United States or a resident alien, and is legally prohibited from working in the United States.

(5) The applicant is not of good moral character or repute.

(6) The applicant provided false, misleading or misrepresented information on the application.

(7) The applicant has knowingly misrepresented or falsified information on a license application within the preceding ten (10) years.

(8) The applicant has violated any of the regulations or requirements contained in Section 8-309 or any other provisions of this Article or any other city ordinance or state or federal law or regulation directly related to the occupation or business licensed under this Article as defined by Minnesota Statutes, Section 364.03, subd. 2, as the same may be amended, including all laws or regulations relating to health and sanitation laws and building safety, or has otherwise performed message therapy services in such a manner as to constitute a breach of the peace, or to constitute a menace to the health, safety or general welfare of the community. The charging of a violation or conviction is not required for non-renewal, suspension or revocation of a license.

(9) The applicant is not affiliated with, employed by, or does not own an interest in a massage therapy business licensed by the city.

(10) The applicant has not earned or did not provide:

a. Proof of successful completion of a minimum of 500 hours of therapeutic massage training/course work that includes subjects of anatomy, physiology, hygiene, ethics, massage theory and research, and massage practice from an accredited institution or program; or

b. A diploma or certificate of graduation from a comprehensive massage therapy program consisting of the course work stated above in subparagraph (b)(10) of this Section issued to the applicant from an accredited institution or an accredited program; or

c. Proof of passing the National Certification Exam offered by the National Certification Board for Therapeutic Massage and Bodywork or proof of passing the Federation of State Massage Therapy Boards (FSMTB) Massage and Bodywork Licensing Examination (MBLEx); or

d. Proof of having completed at least 100 hours of therapeutic massage training/course work that includes subjects of anatomy, physiology, hygiene, ethics, massage theory and research and definitions, of this Article, and has practiced massage therapy in the city, for compensation, for at least five years immediately preceding the date of the application. This form of eligibility will be accepted until January 31, 2023.

(11) The applicant has been denied a license under this Article within the preceding twelve (12) months.

DIVISION 3. – REGULATIONS.

Sec. 8-329. –Restrictions and regulations.

(a) When performing a massage, the massage therapist must require that the person who is receiving the massage have their breasts, buttocks, intergluteal cleft (buttocks crease), anus and genitals covered with clothing or a non-transparent material at all times. The massage therapist must have his or her breasts, buttocks, anus and genitals covered with clothing at all times.

(b) A massage therapist must not intentionally touch or offer to touch the penis, scrotum, mons veneris, vulva, or vaginal area of a person.

(c) Each license will be issued to the applicant only, and if issued for a fixed location or premises, only for such location or premises as identified on the license. No license may be transferred to another person or place. Massage therapy business licenses shall terminate upon any change in officers or ownership interests of the licensee, unless the change is approved by the council in which case the license shall only continue in force until the end of the license term.

(d) Only massage therapists who are licensed by the city shall practice or provide therapeutic massage services for licensed massage therapy businesses or within licensed massage therapy business premises as identified in the license.

(e) Each massage therapy business shall maintain in effect during the license period general liability insurance providing minimum coverage of $1,000,000 combined single limit per occurrence. Each massage therapist shall maintain in effect during the license period professional liability insurance for the practice of massage providing minimum coverage of $1,000,000. The licensee shall keep a current certificate documenting such insurance policies on file with the issuing authority at all times during the license period, which certificate(s) must state that no cancellation of such policy may be effective except upon 30 days' written notice to the city. Failure to maintain current documentation of the insurance policies required herein is grounds for immediate suspension and/or revocation of the license.

(f) If a licensed massage therapy business's on-site manager or agent ceases to be located at the licensed premises or ceases to act in such capacity, the licensee shall appoint a successor and promptly inform the issuing authority of such appointment and submit the documentation required in Section 8-306(a)(1)(d) for such successor.

(g) No customers or patrons will be allowed to enter the licensed premises after 9:00 p.m. and before 6:00 a.m. daily. Customers or patrons will not be allowed to remain upon the licensed premises after 9:30 p.m. and before 6:00 a.m. daily.

(h) All massage therapy businesses shall post their rates for service in a prominent place in the entrance or lobby of the business.

(i) Current massage license issued by the City of Willmar must be displayed in the front entry or corridor of the facility.

(j) Credentials of all massage therapists must be maintained and available on any site where massage therapy services are performed.

(k) All massage therapy businesses shall maintain with the issuing authority a current list of all employees of such licensed premises which includes all massage therapists licensed under this Article.

(l) All places where massage therapy services are performed shall provide single-service disposable paper or clean linens to cover the table, chair, furniture, or area on which the patron receives the massage.

(m) The massage therapist must wash his/her hands and arms with water and soap, antibacterial scrubs, alcohol or other disinfectants prior to and following each massage service performed.

(n) Massage tables, chairs and other furniture on which massages are performed, must have surfaces that can be readily laundered and / or disinfected after each massage. These surfaces must be disinfected or changed following each massage performed. All modalities shall be performed on a raised massage therapy table, chair or massage therapy technique specific device.

(o) Rooms must be adequately illuminated to allow for adequate cleaning purposes.

(p) All places where massage therapy services are performed shall be maintained in good repair and in a sanitary condition and must take reasonable steps to prevent the spread of infections and communicable diseases on the premises.

(q) Massage therapists must be in good health, without skin infections, and wear clean clothing when performing massage services.

(r) Massage therapy businesses shall not contain, nor allow the use by any person, sleeping quarters or living spaces of any kind intended for habitation, including, but not limited to beds, cots or mattresses. Sleeping or living quarters must be physically separated from all places where massage therapy services are performed.

(s) All massage therapy services must be performed within a building with a valid certificate of occupancy and not in or upon any vacant lot, lot, motor vehicle, trailer, tent or railroad car, including but not limited to structures not meant for human habitation.

(t) Toilet rooms for employees and patrons are adequate and conveniently located.

(u) All massage therapy services shall be performed on a raised massage therapy table or chair; no bed, mattress or other similar type equipment shall be allowed onsite except for a technique specific mat for therapists specifically trained in those techniques. No modality may be performed that requires a massage therapist to stand on the massage therapy table or chair unless necessary due to size ratio of massage therapist/client.

(v) Doors on massage therapy rooms shall not be locked or capable of being locked. Locks, latches or other devices intended to secure a door so as to prevent it from being opened by any person from either side of the door with or without a key cannot be present on any doors of rooms intended for massage therapy. One-room office/therapy studios may be exempted from this provision upon written

application; however, such doors must be capable of being opened from the therapy area without the use of a key.

(w) Massage therapy businesses shall not contain nor allow the use by any person of sleeping quarters or living spaces of any kind intended for habitation, including but not limited to beds, cots, or mattresses. Home-based enterprises shall not contain nor allow the use by any person of sleeping quarters or living spaces of any kind intended for habitation, including but not limited to beds, cots, or mattresses in any area where massage therapy services are performed.

(x) No beer, liquor, narcotic drug, or controlled substance, as such terms are defined by Minnesota Statutes or the City Code, other than drugs which may be purchased over the counter, without a prescription, or those for which the individual has a prescription, shall be used or ingested or be present during any massage therapy session.

Sec. 8-330. – Inspection by city officers and identification of employees.

Premises under which massage therapy services are being delivered, including licensed premises under a licensed massage therapy business, if any, shall be open to unannounced inspection by any public health, building, zoning, code or police officer during business hours to determine whether such business and premises are in compliance with this Article. All persons, as a condition to being issued a license under this Article, consent to such inspection by such officers. It is unlawful for any licensee or agent or employee of a licensee to hinder or prevent a city inspecting officer from making such inspection. Any person engaged in providing services in any licensed premises will identify themselves giving their true legal name and correct address upon demand by any police officer.

Sec. 8-331. – Advertising.

Any advertising by a licensee or representative of the licensee of any potential unlawful, misleading, sexually explicit, obscene or erotic conduct at the licensed business or premises shall be prohibited.

Sec. 8-332. – Responsible for conduct.

A licensee under this Article shall be responsible for all acts and conduct attributable to and in connection with massage therapy services provided by the licensee or occurring on the premises of the massage therapy business. The act of any employee or agent of the licensee shall be deemed to be the act of the licensee.

Sec. 8-333. – Non-renewal, suspension or revocation of license.

Suspension, revocation, or non-renewal of any license issues pursuant to this Article shall be administered pursuant to Article X of this Chapter. In the event of multiple massage therapy business locations, any license suspension or revocation shall apply to all such locations within the city.

Sec. 8-334. – Immediate suspension of license.

Notwithstanding anything to the contrary in this Chapter, the issuing authority or his or her designee may immediately suspend a license, if the licensee, or any person working on behalf of the licensee, is determined to be conducting business in an unlawful manner, any manner that constitutes a substantial hazard to the health, safety or general welfare of the public, or after repeated complaints received regarding unlawful conduct of the business practices or method of solicitation. The licensee will be given notice of the immediate suspension on site. The suspension will take place immediately. The licensee may request a hearing before the city council to review such suspension pursuant to Section 8-352.

Sec. 8-335. – Ability to reapply after revocation.

The holder of a massage therapy business license or massage therapist license may not reapply for a new license for a period of ten (10) years following revocation of such license under this Article.

Sec. 8-336. – Severability.

If any section, subsection, sentence, clause, or phrase of this Article is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Article. The city council hereby declares that it would have adopted the section in each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Secs. 8-337.—8-350. – Reserved.

Section 2. EFFECTIVE DATE. This ordinance shall be effective from and after _____, 2023.

Passed by the City Council of the City of Willmar this ___ day of _____, 2023.

ATTEST:

_____ _____

Judy Thompson, City Clerk Douglas Reese, Mayor

VOTE: ____ SHULDES ____ O'BRIEN ____ DAVIS ____ ASMUS
____ FAGERLIE ____ ASK ____ BUTTERFIELD ____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

SUMMARY PUBLICATION OF CITY OF WILLMAR ORDINANCE NO. ___

AN ORDINANCE AMENDING WILLMAR MUNICIPAL CODE, CHAPTER 8, LICENSES, PERMITS AND BUSINESS REGULATIONS

Summary: Ordinance No. ___ makes several amendments in Chapter 8 of the Willmar Municipal Code, regulating Massage Therapy Businesses and Massage Therapists by amending sections of the Municipal Code. The purpose of this ordinance is to prohibit massage businesses and services to the public except those licensed as massage therapy businesses and massage therapists pursuant to this Article. The licensing regulations prescribed herein are necessary to protect the profession and reputation of legitimate massage therapy businesses, to ensure physical facilities are clean, well maintained and safe, to prevent criminal activity, and to protect the health, safety, and general welfare of the community. The purpose of this Article is not to impose restrictions or limitations on the freedom of protected speech or expression.

The complete text of Ordinance No. ___ may be obtained at no charge at City Hall (333 6th Street Southwest, Willmar, MN 56201), or from the City's website at www.willmarmn.gov.

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	9.C.
Agenda Section:	Public Hearing:	**Originating Department:**	Planning and Development
Resolution:	Yes	**Prepared By:**	Justice Walker, Planning and Development Director
Ordinance:	No	**Presented By:**	Justice Walker, Planning and Development Director
Item:	Public Hearing to Vacate Public Easements on Preserve on 24th First Addition Plat		

RECOMMENDED ACTION:
Staff recommends vacating the old public easements.

OVERVIEW:
When this property was subdivided, WMU requested easements along lot lines for the purpose of providing services on the site for future development. Kuepers will be combining these lots for their apartment complex project, creating an issue of abandoned easements. The attorney for the Kuepers project is requesting a formal vacation from these easements. A public hearing is required to formally vacate easements.

For information purposes: The City of Willmar does not have a formal process for vacating easements, and no fee is established to process these requests. Staff will be working with City Attorney Scott to formalize this process and establish a fee to be added to the fee schedule.

BUDGETARY/FISCAL ISSUES:
None

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:
1. 2023 Duinincks Prelim FINAL PLAT - Preserve on 24th First Add - 2023-06-19
2. 2023 Duinincks PRELIM PLAT - Preserve on 24th First Add - 2023-06-19
3. Blanket utility Easement - Kuepers

PRESERVE ON 24TH FIRST ADDITION

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: That The Preserve on 24th of Willmar Phase Two, LLC, a Minnesota limited liability company, as owner of the following described property:

Lots 2, 3, 4, 5, Block 2, THE WATER VIEW BUSINESS PARK.

Has caused the same to be surveyed and platted as PRESERVE ON 24TH FIRST ADDITION, and does hereby dedicate to the public for public use the utility easements as created by this plat.

In witness whereof said The Preserve on 24th of Willmar Phase Two, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper partner this ____ day of _____ 20 __

Signed: The Preserve on 24th of Willmar Phase Two, LLC

By_____
Steven Kuepers, Chief Manager

STATE OF MINNESOTA
COUNTY OF_____

This Instrument was acknowledged before me this____ day of _____ 20___ by Steven Kuepers, Chief Manager of The Preserve on 24th of Willmar Phase Two, LLC, a Minnesota limited liability company, on behalf of the company.

_____
Notary Signature

_____
Notary Printed Name
Notary Public, _____ County, Minnesota
My Commission Expires _____

Land Surveyor

I Joshua M. Stern do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of _____ 20 ____

_____
Joshua M. Stern, Licensed Land Surveyor
Minnesota License No. 46169

STATE OF MINNESOTA
COUNTY OF KANDIYOHI

This instrument was acknowledged by me this ____ day of _____ 20___, by Joshua M. Stern, Licensed Land Surveyor, Minnesota License No. 46169.

_____
Notary Signature

_____
Notary Printed Name
Notary Public, Kandiyohi County, Minnesota
My Commission Expires_____

City Planning Commission

Approved by the Planning Commission of the City of Willmar, this____ day of _____ 20_____.

Signed:_____
Chair

ATTEST: _____
Secretary

City Council

Approved by the City of Willmar, Minnesota this _____ day of _____ 20____.

Signed:_____
Mayor

ATTEST: _____
City Clerk

City Engineer

Approved by the City Engineer of the City of Willmar
Dated this _____ day of _____ 20____

_____
Willmar City Engineer

Attorney

I, _____, Licensed Attorney, State of Minnesota, do hereby certify that the owners as indicated hereon represent all ownership interest in the land encompassed by this plat

_____
Attorney

County Auditor/Treasurer

TAX STATEMENT
I hereby certify that all taxes for 20 ___ on the land described herein are paid; and no delinquent taxes are due and transfer entered this _____ day of _____ 20____ .

_____
Kandiyohi County Auditor / Treasurer

County Recorder

I hereby certify that this instrument was filed for record in the office of the County Recorder in and for Kandiyohi County, Minnesota on this _____ day of _____, 20___, at _____ o'clock __.M., as Folder No._____, and as Document No. _____.

_____
Kandiyohi County Recorder

This drawing prepared by:

Bonnema Runke Stern Inc.
Professional Land Surveyors
4566 Hwy 71 NE - Suite 1
Willmar, MN 56201
Office (320) 231-2844 Fax (320) 231-2827
Website: www.brssurveys.com
Email: joshs@brssurveys.com

Developer: ***The Preserve on 24th of Willmar Phase Two, LLC***
17018 Commercial Park Road
Brainerd, MN 56401

Current Owner: ***Duininck Development Inc.***
P.O. Box 208
Prinsburg, MN 56401

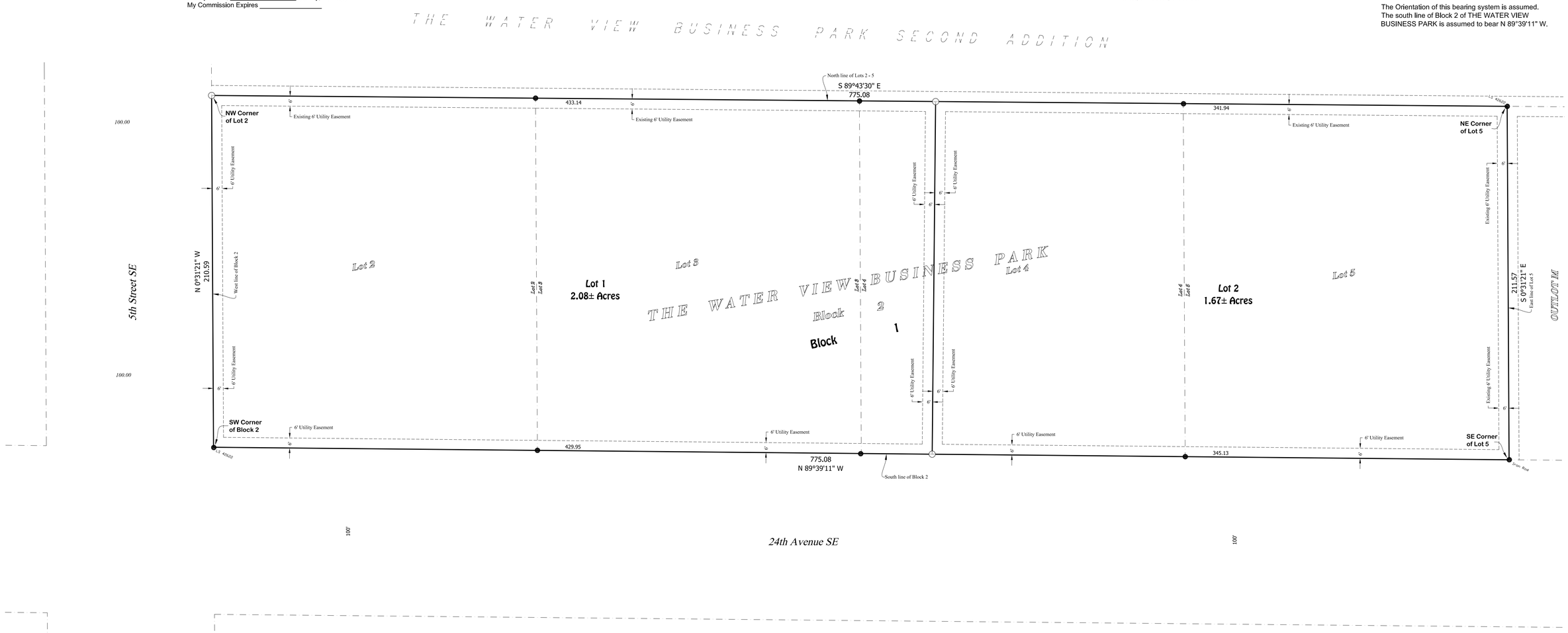
Prepared on: ***05-02-2023***
Located in: ***Section 23, T119N-R35W***
Parcel ID #'s ***95-841-0110, 95-841-0120, 95-841-0130 and 95-841-0140***

0 30 60 90
Scale in feet

LEGEND

- ● Found Iron Monument from former survey
- ○ Bonnema Runke Stern Inc. Placed 5/8" x 18" rebar Capped Iron Monument

The Orientation of this bearing system is assumed. The south line of Block 2 of THE WATER VIEW BUSINESS PARK is assumed to bear N 89°39'11" W.



Preliminary Plat of:

PRESERVE ON 24TH FIRST ADDITION

North

This drawing prepared by:

Bonnema Runke Stern Inc.

Professional Land Surveyors

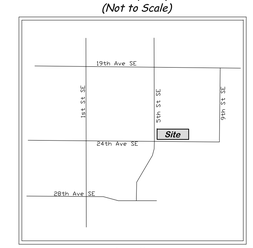
4566 Hwy 71 NE - Suite 1
Willmar, MN 56201
Office (320) 231-2844 Fax (320) 231-2827
Website: www.brssurveys.com
Email: joshs@brssurveys.com

Developer: ***The Preserve on 24th of Willmar Phase Two, LLC***
17018 Commercial Park Road
Brainerd, MN 56401

Current Owner: ***Duininck Development Inc.***
P.O. Box 208
Prinsburg, MN 56401

Prepared on: ***05-02-2023***
Located in: ***Section 23, T119N-R35W***
Parcel ID #'s ***95-841-0110, 95-841-0120, 95-841-0130 and 95-841-0140***

Vicinity Map
(Not to Scale)



City of Willmar, MN

0 30 60 90
Scale in feet

The Orientation of this bearing system is assumed. The south line of Block 2 of THE WATER VIEW BUSINESS PARK is assumed to bear N 89°39'11" W.

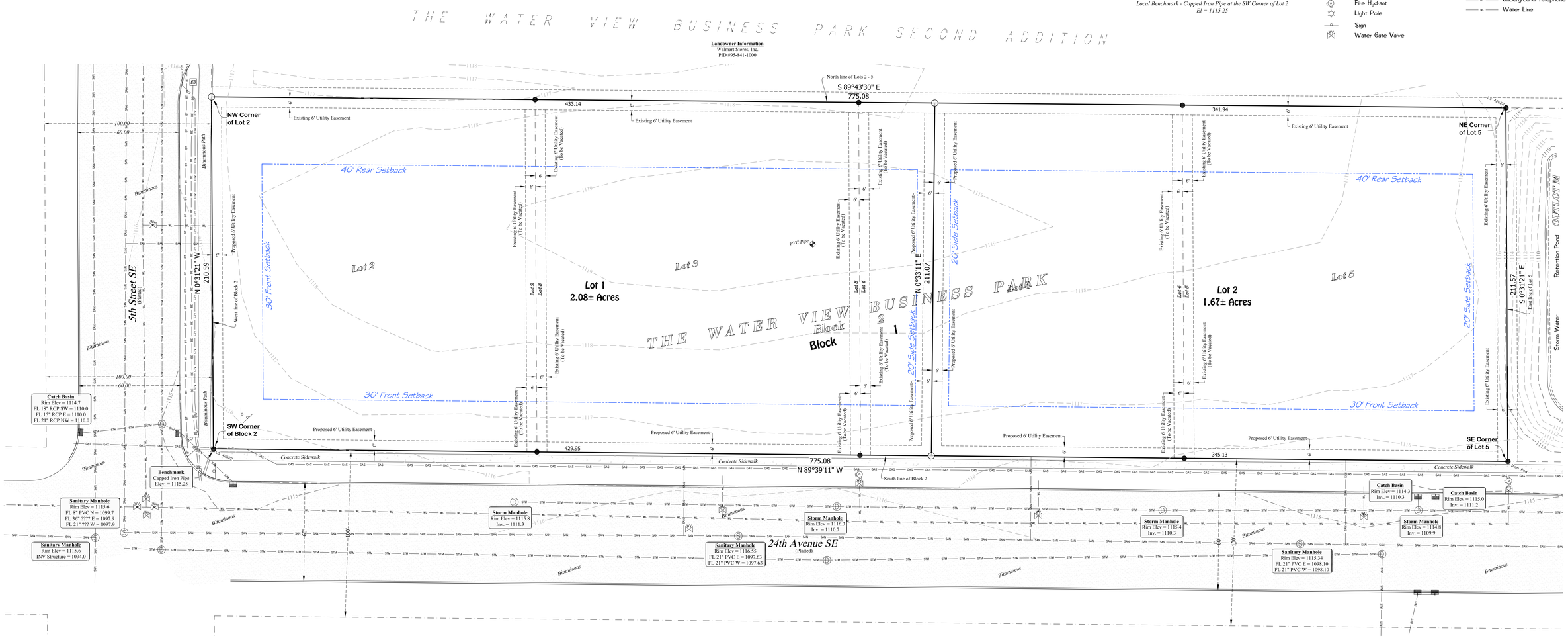
Elevation Datum:
The Elevation Datum used for this survey is the North American Vertical Datum of 1988 (NAVD 88)

MnDOT Geodetic Control Point
3404 F = 1147.32 (NAVD 88)

Local Benchmark - Capped Iron Pipe at the SW Corner of Lot 2
El = 1115.25

LEGEND

- Found Iron Monument from former survey
- Bonnema Runke Stern Inc. Placed 3/8" × 18" rebar Capped Iron Monument
- Catch Basins
- Electric Box
- Fire Hydrant
- Light Pole
- Sign
- Water Gate Valve
- Curb & Gutter
- Gas Line
- Sanitary Sewer
- Storm Sewer
- Underground Cable TV
- Underground Electric
- Underground Telephone
- Water Line



RESOLUTION NO.

WHEREAS, the City of Willmar is desirous of vacating those portions of the "blanket" utility easements described on Exhibit "A" attached hereto, which encumber the plats of Preserve on 24th First Addition; and -

WHEREAS, the City no longer has a use for the utility easements above described or, where a utility easement is required, the fee owner. will grant a replacement easement; and

WHEREAS, it appears to be in the best interests of the City to vacate said utility easements subject to the terms of this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the above-described utility easements be and they hereby are vacated subject to the condition hereinafter established;

BE IT FURTHER RESOLVED that this Resolution shall be effective as to that portion of each easement described on Exhibit "A" attached hereto, encumbering the plats of Preserve on 24th First Addition, only after a certificate signed by the Willmar City Clerk or Zoning Administrator and the Manager or Assistant Manager of the Willmar Municipal Utilities Commission is filed in the Kandiyohi County Recorder's Office certifying

a. that a replacement easement has been received by the City, or

b. that no replacement easement is required by the City.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the Kandiyohi County Recorder.

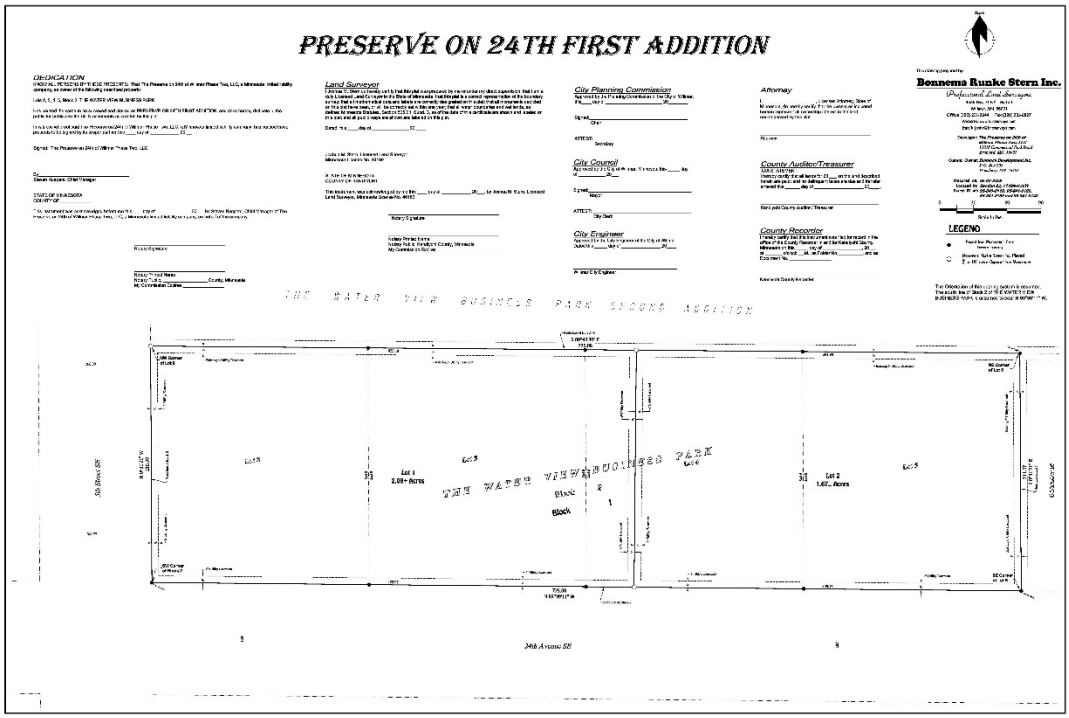
Dated this ____ day of _____, 2023

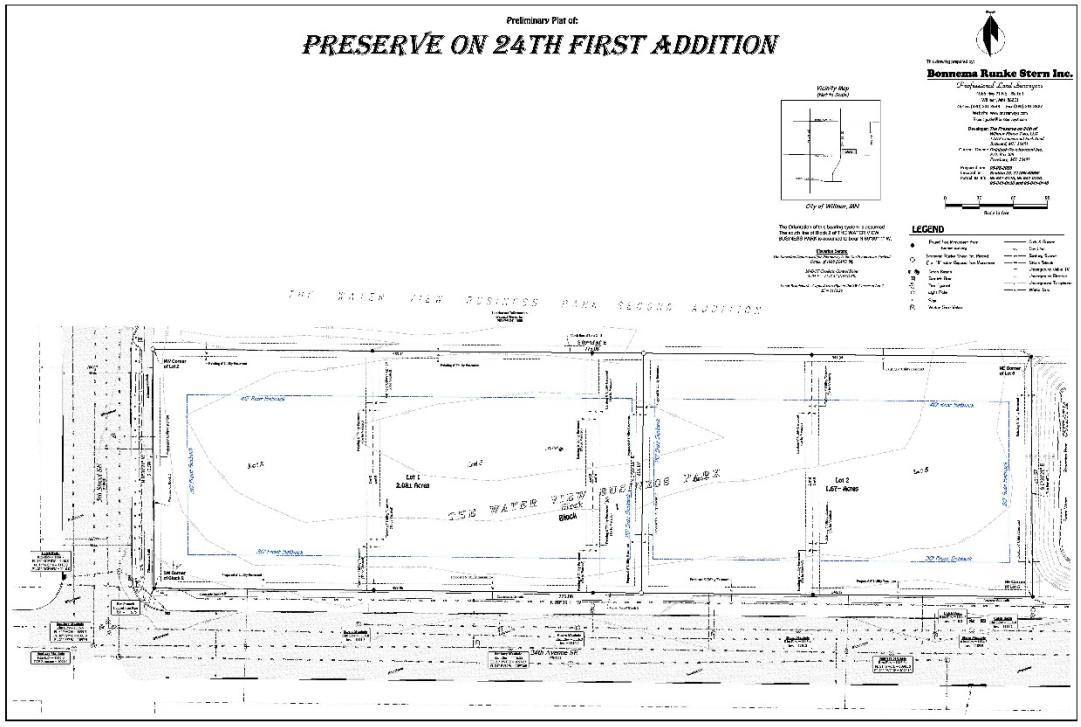
_____
Mayor

Attest:

_____
City Clerk

EXHIBIT A:


PRESERVE ON 24TH FIRST ADDITION
DEDICATION
Land Surveyor
City Planning Commission
Attorney
Bonnema Runke Stern Inc.
City Council
County Auditor/Treasurer
City Engineer
County Recorder
LEGEND
THE WATER VIEW BUSINESS PARK SECOND ADDITION
Lot 1
2.09+ Acres
THE WATER VIEW BUSINESS PARK
Block
Lot 2
1.62+ Acres
24th Avenue SE


Preliminary Plat of:
PRESERVE ON 24TH FIRST ADDITION
Bonnema Runke Stern Inc.
Vicinity Map
City of Willmar, MN
LEGEND
THE WATER VIEW BUSINESS PARK SECOND ADDITION
Lot 1
2.09± Acres
THE WATER VIEW BUSINESS PARK
Block
Lot 2
1.62± Acres
24th Avenue SE

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	10.A.
Agenda Section:	Regular Business	**Originating Department:**	Administration
Resolution:	No	**Prepared By:**	Kyle Box, City Operations Director
Ordinance:	No	**Presented By:**	Loren Engelby, Kandiyohi County Public Drainage Manager
Item:	Grass Lake Presentation		

RECOMMENDED ACTION:
Information Only

OVERVIEW:
Kandiyohi County Public Drainage Manager Loren Engelby will give a presentation on the Grass Lake Project.

BUDGETARY/FISCAL ISSUES:
NA

ALTERNATIVES TO CONSIDER:
NA

ATTACHMENTS:
None

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	10.B.
Agenda Section:	Regular Business	**Originating Department:**	Planning and Development
Resolution:	No	**Prepared By:**	Justice Walker, Planning and Development Director
Ordinance:	No	**Presented By:**	Justice Walker, Planning and Development Director
Item:	MB Rail Park Addition Major Subdivision		

RECOMMENDED ACTION:
Staff recommends the approval of the MB Rail Addition- Major Subdivision

OVERVIEW:

- This is a major subdivision to reorganize all the existing lots into one lot, which is 145 acres.
- The area will have a new zoning district (I-3, Industrial 3).
- This would be a rail-related industry district.
- MB Rail will need to provide grading plans to approve rail construction.
- Currently, the approach is to build the rail and allow other interested companies to construct the necessary buildings. This means more subdivisions will be associated with this property, and as buildings come in, they will be subject to the full scrutiny of plan review.
- The preliminary plat was presented to the Planning Commission on 05/17/2023 with no comments.
- A public hearing was held on June 21st, 2023, at the Planning Commission
- The Planning Commission approved this on June 21st, 2023.

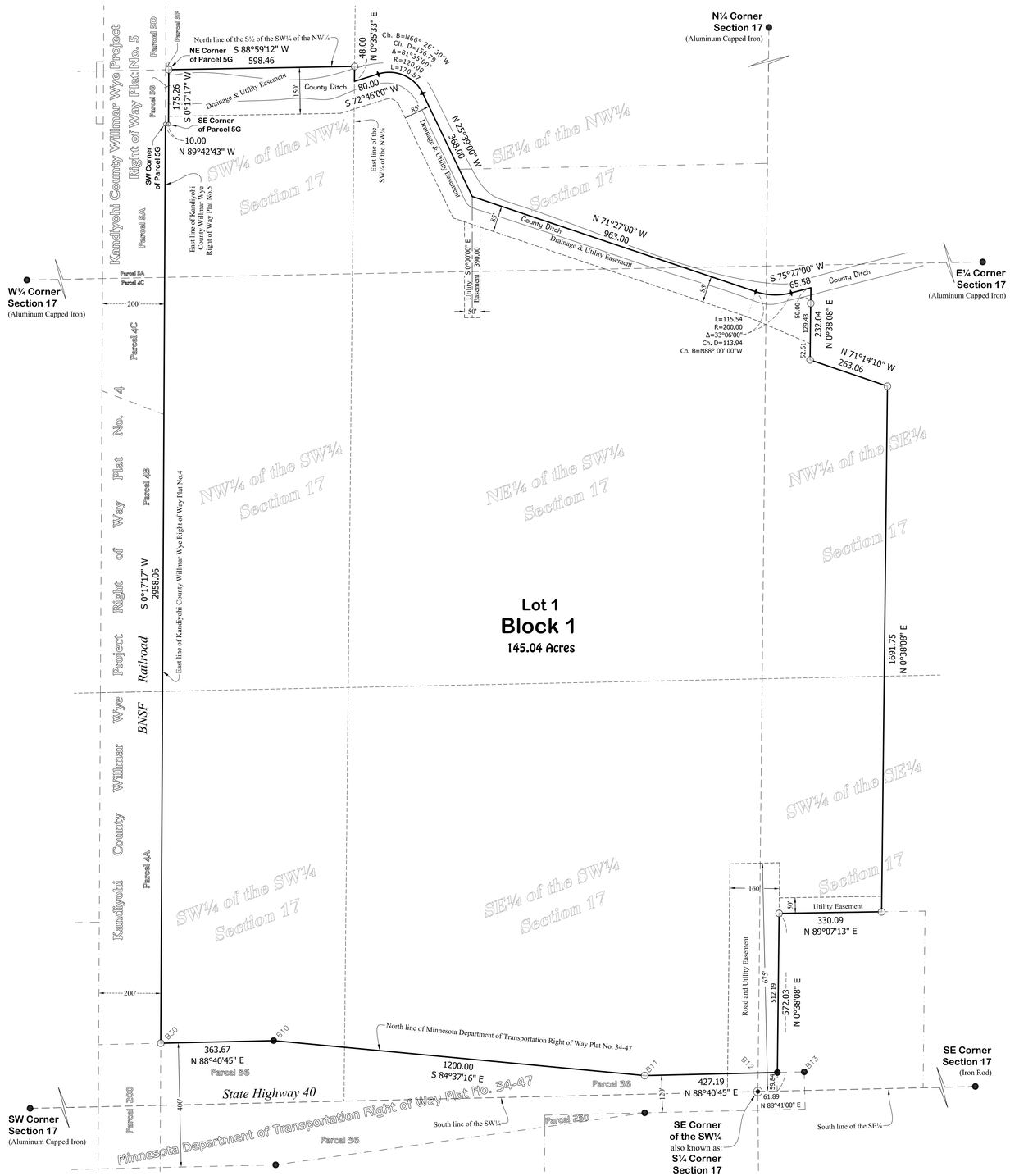
BUDGETARY/FISCAL ISSUES:
MB Rail still needs to pay the park dedication fees of $46,400. 4% of the sale price.

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:
1. Willmar Rail Park Addition - Final Plat

2. Willmar Rail Park Addition - Prelim Plat

WILLMAR RAIL PARK ADDITION



DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Willmar, a Minnesota Municipality, owners and proprietors of the following described property:

That part of the Southwest Quarter and also that part of the South Half of the Northwest Quarter, and also that part of the West Half of the Southeast Quarter, all in Section 17, Township 119 North, Range 35 West of the Fifth Principal Meridian, Kandiyohi County, Minnesota described as follows:

- Commencing at the southeast corner of said Southwest Quarter;
- thence on an assumed bearing of North 88 degrees 41 minutes 00 seconds East, along the south line of said Section 17, a distance of 61.89 feet;
- thence on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 59.84 feet to the north line of the record plat entitled MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47, on file in the office of the Kandiyohi County Recorder, which is the point of beginning of the land to be described;
- thence continuing on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 512.19 feet;
- thence on a bearing of North 89 degrees 07 minutes 13 seconds East a distance of 330.09 feet;
- thence on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 1691.75 feet;
- thence on a bearing of North 71 degrees 14 minutes 10 seconds West a distance of 263.06 feet;
- thence on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 232.04 feet to a point in the ditch;
- thence on a bearing of South 75 degrees 27 minutes 00 seconds West a distance of 65.58 feet to a point in the ditch;
- thence westerly, along a tangential curve, concave to the north, which has a radius of 200.00 feet, a central angle of 33 degrees 06 minutes 00 seconds, and an arc distance of 115.54 feet to a point in the ditch;
- thence on a bearing of North 71 degrees 27 minutes 00 seconds West, tangent to last said curve, a distance of 963.00 feet to a point in the ditch;
- thence on a bearing of North 25 degrees 39 minutes 00 seconds West a distance of 368.00 feet to a point in the ditch;
- thence northwesterly, along a tangential curve, concave to the southwest, which has a radius of 120.00 feet, a central angle of 81 degrees 35 minutes 00 seconds, and an arc distance of 170.87 feet to a point in the ditch;
- thence on a bearing of South 72 degrees 46 minutes 00 seconds West, tangent to last said curve, a distance of 80.00 feet to the east line of the Southwest Quarter of the Northwest Quarter of said Section 17;
- thence on a bearing of North 00 degrees 35 minutes 33 seconds East, along the east line of said Southwest Quarter of the Northwest Quarter, a distance of 48.00 feet to the north line of the South Half of said Southwest Quarter of the Northwest Quarter;
- thence on a bearing of South 88 degrees 59 minutes 12 seconds West, along the north line of the South Half of said Southwest Quarter of the Northwest Quarter, a distance of 598.46 feet to the northeast corner of Parcel 5G of the record plat entitled KANDIYOHI COUNTY WILLMAR WYE PROJECT RIGHT OF WAY PLAT NO. 5, on file in the office of the Kandiyohi County Recorder;
- thence on a bearing of South 00 degrees 17 minutes 17 seconds West, along the east line of said Parcel 5G, a distance of 175.26 feet to the southeast corner of said Parcel 5G;
- thence on a bearing of North 89 degrees 42 minutes 43 seconds West, along the south line of said Parcel 5G, a distance of 10.00 feet to the southwest corner of said Parcel 5G;
- thence on a bearing of South 00 degrees 17 minutes 17 seconds West, along the east line of said record plat entitled KANDIYOHI COUNTY WILLMAR WYE PROJECT RIGHT OF WAY PLAT NO. 5, and also along the east line of the record plat entitled KANDIYOHI COUNTY WILLMAR WYE PROJECT RIGHT OF WAY PLAT NO. 4, on file in the office of the Kandiyohi County Recorder, a distance of 2958.06 feet to Point B30, as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47;
- thence on a bearing of North 88 degrees 40 minutes 45 seconds East, along the north line of Parcel 36 as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47, a distance of 363.67 feet to Point B10, as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47;
- thence on a bearing of South 84 degrees 37 minutes 16 seconds East, along the north line of said Parcel 36, a distance of 1200.00 feet to Point B11, as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47;
- thence on a bearing of North 88 degrees 40 minutes 45 seconds East, along the north line of said Parcel 36, a distance of 427.19 feet to the point of beginning.

Has caused the same to be surveyed and platted as WILLMAR RAIL PARK ADDITION and does hereby dedicate to the public for public use the drainage and utility easements as created by this plat.

In witness whereof said City of Willmar, a Minnesota Municipality, has caused these presents to be signed by its proper officers this _____ day of _____, 20____

By: _____ By: _____

Its: _____ Its: _____

STATE OF MINNESOTA

COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____ by _____, its _____ and _____, its _____ of the City of Willmar, a Minnesota Municipality, on behalf of the Municipality.

_____
Notary Signature

_____
Notary Printed Name
Notary Public, _____ County, Minnesota
My Commission Expires _____

LAND SURVEYOR

I Matthew D. Runke do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wetlands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 2023.

_____
Matthew D. Runke, Licensed Land Surveyor
Minnesota License No. 46171

STATE OF MINNESOTA

COUNTY OF _____

This instrument was acknowledged before me on _____ by Matthew D. Runke, Licensed Land Surveyor, Minnesota License No. 46171.

_____
Notary Signature

_____
Notary Printed Name
Notary Public, _____ County, Minnesota
My Commission Expires _____

North

This drawing prepared by:

Bonnema Runke Stern Inc.
Professional Land Surveyors
4566 Hwy 71 NE - Suite 1
Willmar, MN 56201
Office (320) 231-2844
Fax (320) 231-2827

Owner: City of Willmar
333 6th St SW
Willmar, MN 56201

Developer: Midwest & Bluegrass Rail
201 W Short St Suite 501
Lexington, KY 40507

0 200 400 600
Scale in Feet

LEGEND

- ● Found Iron Monument from Former Survey
- ○ Bonnema Runke Stern Inc. placed a 5/8" Iron Rod with a 46169-46171-14895 stamped Plastic Cap

The Orientation of this bearing system is assumed. The south line of the Southeast Quarter of Section 17 is assumed to bear N 88°41'00" E.

City Planning Commission

Approved by the Planning Comission of the City of Willmar this_____ day of _____ 20_____.

Signed by:_____
Chair

Attest by: _____
Secretary

City Council

Approved by the City of Willmar, Minnesota this _____ day of _____ 20_____.

Signed by:_____
Mayor

ATTEST: _____
City Clerk

City Engineer

Approved by the City Engineer, City of Willmar this _____ day of _____ 20_____.

_____
City Engineer

Attorney

I, _____, Licensed Attorney, State of Minnesota, do hereby certify that the owners as indicated hereon represent all ownership interest in the land encompassed by this plat.

_____
Attorney

County Auditor/Treasurer

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and and transfer entered this ____ day of _____, 20____.

_____
Kandiyohi County Auditor / Treasurer

County Recorder

I hereby certify that this instrument was filed for record in the office of the County Recorder in and for Kandiyohi County, Minnesota on this _____ day of _____, 20____, at _____ o'clock ___M., as Folder No._____, and as Document No. _____.

_____
Kandiyohi County Recorder

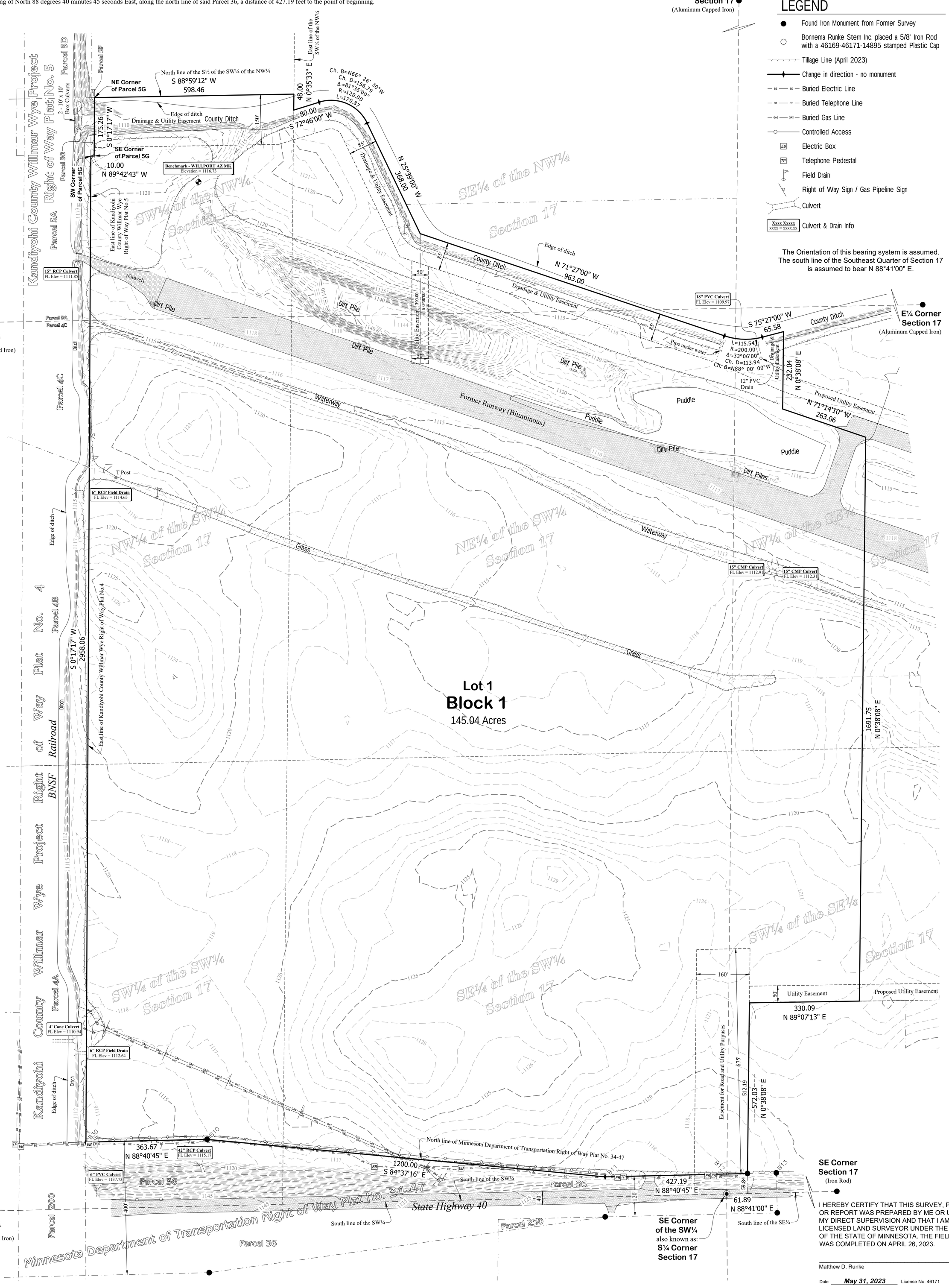
Preliminary Plat of:

WILLMAR RAIL PARK ADDITION

Land Description - 145.04 Acres

That part of the Southwest Quarter and also that part of the South Half of the Northwest Quarter, and also that part of the West Half of the Southeast Quarter, all in Section 17, Township 119 North, Range 35 West of the Fifth Principal Meridian, Kandiyohi County, Minnesota described as follows:

- Commencing at the southeast corner of said Southwest Quarter;
- thence on an assumed bearing of North 88 degrees 41 minutes 00 seconds East, along the south line of said Section 17, a distance of 61.89 feet;
- thence on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 59.84 feet to the north line of the record plat entitled MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47, on file in the office of the Kandiyohi County Recorder, which is the point of beginning of the land to be described;
- thence continuing on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 512.19 feet;
- thence on a bearing of North 89 degrees 07 minutes 13 seconds East a distance of 330.09 feet;
- thence on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 1691.75 feet;
- thence on a bearing of North 71 degrees 14 minutes 10 seconds West a distance of 263.06 feet;
- thence on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 232.04 feet to a point in the ditch;
- thence on a bearing of South 75 degrees 27 minutes 00 seconds West a distance of 65.58 feet to a point in the ditch;
- thence westerly, along a tangential curve, concave to the north, which has a radius of 200.00 feet, a central angle of 33 degrees 06 minutes 00 seconds, and an arc distance of 115.54 feet to a point in the ditch;
- thence on a bearing of North 71 degrees 27 minutes 00 seconds West, tangent to last said curve, a distance of 963.00 feet to a point in the ditch;
- thence on a bearing of North 25 degrees 39 minutes 00 seconds West a distance of 368.00 feet to a point in the ditch;
- thence northwesterly, along a tangential curve, concave to the southwest, which has a radius of 120.00 feet, a central angle of 81 degrees 35 minutes 00 seconds, and an arc distance of 170.87 feet to a point in the ditch;
- thence on a bearing of South 72 degrees 46 minutes 00 seconds West, tangent to last said curve, a distance of 80.00 feet to the east line of the Southwest Quarter of the Northwest Quarter of said Section 17;
- thence on a bearing of North 00 degrees 35 minutes 33 seconds East, along the east line of said Southwest Quarter of the Northwest Quarter, a distance of 48.00 feet to the north line of the South Half of said Southwest Quarter of the Northwest Quarter;
- thence on a bearing of South 88 degrees 59 minutes 12 seconds West, along the north line of the South Half of said Southwest Quarter of the Northwest Quarter, a distance of 598.46 feet to the northeast corner of Parcel 5G of the record plat entitled KANDIYOHI COUNTY WILLMAR WYE PROJECT RIGHT OF WAY PLAT NO. 5, on file in the office of the Kandiyohi County Recorder;
- thence on a bearing of South 00 degrees 17 minutes 17 seconds West, along the east line of said Parcel 5G, a distance of 175.26 feet to the southeast corner of said Parcel 5G;
- thence on a bearing of North 89 degrees 42 minutes 43 seconds West, along the south line of said Parcel 5G, a distance of 10.00 feet to the southwest corner of said Parcel 5G;
- thence on a bearing of South 00 degrees 17 minutes 17 seconds West, along the east line of said record plat entitled KANDIYOHI COUNTY WILLMAR WYE PROJECT RIGHT OF WAY PLAT NO. 5, and also along the east line of the record plat entitled KANDIYOHI COUNTY WILLMAR WYE PROJECT RIGHT OF WAY PLAT NO. 4, on file in the office of the Kandiyohi County Recorder, a distance of 2958.06 feet to Point B30, as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47;
- thence on a bearing of North 88 degrees 40 minutes 45 seconds East, along the north line of Parcel 36 as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47, a distance of 363.67 feet to Point B10, as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47;
- thence on a bearing of South 84 degrees 37 minutes 16 seconds East, along the north line of said Parcel 36, a distance of 1200.00 feet to Point B11, as shown on said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-47;
- thence on a bearing of North 88 degrees 40 minutes 45 seconds East, along the north line of said Parcel 36, a distance of 427.19 feet to the point of beginning.



City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	10.C.
Agenda Section:	Regular Business	**Originating Department:**	Planning and Development
Resolution:	No	**Prepared By:**	Justice Walker, Planning and Development Director
Ordinance:	No	**Presented By:**	Justice Walker, Planning and Development Director
Item:	Updated Memorandum of Understanding (MOU), Minnesota Army National Guard		

RECOMMENDED ACTION:
To Approve the Updated Memorandum of Understanding between the City of Willmar and the Minnesota Army National Guard.

OVERVIEW:
The Minnesota Army National Guard (MNARNG) approached the City about possibly acquiring city land to relocate their facilities within the next fifteen years. It is common for communities to assist in the acquisition or provide the land required to support MNARNG. MNARNG has estimated that a new facility would need approximately 80 acres. Typically, Letters of Intent are signed without Council approval because LOIs do not obligate the City, but this is a unique situation for several reasons: 1) The Guard would like the land to be free, 2) this project is several years out unless circumstances change.

Council approved an older version of this MOU that referenced 40 acres. This MOU was updated to reflect new changes. Circumstances have changed for the Guard, and they would like the entire 80 acres for their project. This MOU is not binding, but it is the first step in a lengthy process.

BUDGETARY/FISCAL ISSUES:
Budgetary Issues:

- The city would incur survey costs.
- Loss of 80 acres of taxable property.
- Gain a large Readiness Center (Armory) for local disaster relief center in the event of natural or man-made disasters.
- Acquire approximately 6 acres of land across from Robbins Island.

ALTERNATIVES TO CONSIDER:
Council could deny this request to preserve 80 acres for future development.

ATTACHMENTS:
1. MOU_City_of_Willmar_MDMA
2. City Property Cty Rd 55

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
CITY OF WILLMAR, MINNESOTA
AND THE
MINNESOTA ARMY NATIONAL GUARD
FOR LAND TO SUPPORT CONSTRUCTION AND OPERATION OF READINESS CENTERS AND OTHER ASSOCIATED STRUCTURES

ARTICLE I – PURPOSE

This Memorandum of Understanding (MOU) is entered into by and between the City of Willmar, Minnesota (City) and the Minnesota Army National Guard (MNARNG) in its Federal Title 32 United States Code status. The purpose of the MOU is for unimpeded access and use of land owned by the City to support the construction and operation of facilities required to support the Minnesota Army National Guard.

ARTICLE II – BACKGROUND

It is generally preferred to build MNARNG facilities on non-Federal land owned by the MNARNG except where there is a large training area requirement such as Camp Ripley Training Center. It is the business practice of the MNARNG as well as most States to provide land for the construction of National Guard facilities so they can retain the facilities as fully owned State property after twenty-five (25) years of intended use.
MNARNG traditionally relies on local communities to assist in the acquisition or provide the land required to support MNARNG military construction projects. MNARNG facilities are considered community facilities as well as local disaster relief centers in the event of natural or man-made disasters. The facility is an asset to the community as well as the MNARNG.
It is the intent of the MNARNG to replace the current Willmar Readiness Center (Armory) and the field maintenance shop (FMS) in the next fifteen (15) years with a new readiness center and/or field maintenance shop. Due to the programmed size of the readiness center or FMS and security requirements, MNARNG requires a new land parcel to support construction of the facility. The land size of the current readiness center will not support the new facility. The new facility will require approximately 80 acres of land.

ARTICLE III – UNDERSTANDING OF THE PARTIES

A. City of Willmar, Minnesota
1. As the City land inventory allows, provide to MNARNG land for the construction and operation of readiness centers, armed force reserve centers, other National Guard facilities, or State agency structures.
2. As the City land inventory allows, provide to MNARNG land with adequate access to major arterial roads and civil infrastructure (utilities and feeder road network).
3. Based on City land management practices and location, pursue title free of any encumbrances where practicable as this is the preferred real estate instrument of MNARNG to support construction and operation of readiness centers, armed force reserve centers, other National Guard facilities, or State agency structures.
4. As reasonably possible, make available to MNARNG copies of any environmental assessments, environmental baseline surveys, environmental impact studies,

environmental condition of property reports and other environmental studies conducted on property to be deeded to MNARNG.
5. Land offered by City for transfer must be reasonably clear of environmental hazards and outside the one-hundred (100) year flood plain or meet future flood plain requirements published by the Department of Defense, the US Army, or National Guard Bureau.
6. Exhibit A "City Property Cty Rd 55" provides a preliminary/proposed land tract for use by MNARNG but does not limit City from providing other available land options to MNARNG.
7. Within two (2) years of projected construction, or by the year 2036, of the new facility (FYDP 2038), the City shall survey the property and provide a land survey, complete with property legal description to MNARNG.

B. Minnesota Army National Guard
1. In consideration for the land tract in Exhibit A "City Property Cty Rd 55" or other available options, MNARNG, within its authority and in compliance with all Local, State and Federal laws, shall offer first right of refusal of the current Willmar Readiness Center (Armory) land and real property structures to the City upon completion and occupation of the new readiness center. MNARNG owns the current property and real property structures with no revisionary clauses in the deed.
2. Consider disposal/demolition of unwanted, dilapidated, or structurally unsound real property structures on land prior to revisionary deed to the City; or make secondary agreement to dispose after revisionary deed.
3. As appropriate, enter into deed for land with City to support the long-range construction plan (military construction plan) requirements of the MNARNG. Upon execution of the deed, appropriately maintain the land before and after construction of new facilities.
4. Allow City to access the land for recreational purposes after the completion of a deed until ninety (90) days before construction commences. City will be responsible to maintain the recreational portion of the land without cost to MNARNG if it chooses to use the recreational area.
5. City is not expected to contribute to the cost of the construction of the facilities on the deeded land. However, assistance in providing utility and road network improvements up to the property line is encouraged.
6. Responsible for maintaining the environmental condition of the property and enacting any clean-up measures necessary due to environmental issue caused by MNARNG.
7. Allow reasonable access by City officials for inspections as required.
8. Keep City reasonably informed of military construction projects on property.

ARTICLE IV – GENERAL PROVISIONS
A. Points of Contact: The following points of contact will be used by the Parties to communicate in the implementation of this MOU. Each party may change its point of contact upon notice to the other Party.
1. For CITY:
a. Primary: Doug E Reese, Mayor
333 6th St SW
Willmar, MN 56201

b. Secondary: Leslie M Valiant, City Administrator
333 6th St SW
Willmar, MN 56201
(320) 214-5160

2. For MNARNG:
a. Primary: MAJ Adam Riedel
Construction & Facilities Management Officer
(320) 616-2602

b. Secondary: MAJ Mike Thompson
Deputy Construction & Facilities Management Officer
(320) 616-2607

B. Funds and Human Resources: This MOU does not document nor provide for the exchange of funds or human resources between the Parties nor does it make any commitment of funds or resources. Any exchange of funds or manpower between the Parties must be made by separate agreement and under specific statutory authority; this MOU does not provide such authority. This MOU neither authorizes, nor intends to obligate the Parties to expend, exchange, or reimburse funds, services, or supplies, or transfer or receive anything of value. Further, no provision of this MOU will be interpreted to require obligation or payment of funds in violation of 31 U.S.C. § 1341.

C. Enforcement: Nothing in this MOU may be construed to obligate CITY to any current or future expenditure of resources. Each Party will handle its own activities and use its own resources, including the expenditure of its own funds, in pursuing the objectives enumerated in this MOU. Each Party will carry out its separate activities in a coordinated and mutually beneficial manner, as consistent with any applicable laws, regulations or policies. Nothing in this MOU is intended to alter, limit, or expand the Parties' statutory or regulatory authorities. Nothing in this MOU is intended to create any substantive or procedural right or benefit enforceable at law by any party.
D. This MOU in no way restricts CITY or MNARNG from participating in similar activities or arrangements with other public or private agencies, organizations or individuals. Nothing in this MOU shall be construed as affording MNARNG any preferential treatment, exclusive rights or privileges.
E. Modification of MOU: This MOU may only be modified by the written mutual agreement of the Parties, duly signed by their authorized representatives. This MOU will be reviewed annually or on around the anniversary of its effective date.
F. Disputes: Any disputes relating to this MOU will, subject to any applicable law, Executive order, directive, or instruction, be resolved by consultation between the Parties.
G. Termination: This MOU may be terminated in writing at will by either Party.
H. Transferability: This MOU is not transferable except with the written mutual consent of the Parties.
I. Entire Understanding: It is expressly understood and agreed that this MOU embodies the entire understanding between the Parties regarding the MOU's subject matter.
J. Severability: Nothing in this MOU is intended to conflict with current law, regulation, or policies. If a term of this MOU is inconsistent with such authority or policy, then that term shall be invalid, but the remaining terms and conditions of this MOU shall remain in full force and effect.
K. Effective Date: This MOU takes effect beginning on the day after the last Party signs.
L. Expiration Date: Indefinite.

APPROVED:
For the CITY OF WILLMAR, MINNESOTA

By: _____ Its: _____

DATE: _____

For MINNESOTA ARMY NATIONAL GUARD

By: _____ Its: _____

DATE: _____

City Owned Property, Approximately 80 Acres

7/13/2022, 2:58:45 PM

1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Railroad
Township Roads
US
State
Township
County Gravel
County
County
County Gravel
County
US & State Highways
US
State
City Limits
Lines
Labels

City of Willmar
This is not an Official map or survey

City Owned Property, Approximately 80 Acres

7/13/2022, 2:58:45 PM

1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Railroad
Township Roads
US
State
Township
County Gravel
County
County
County Gravel
County
US & State Highways
US
State
City Limits
Lines
Labels

City of Willmar
This is not an Official map or survey

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	10.D.
Agenda Section:	Regular Business	**Originating Department:**	Administration
Resolution:	Yes	**Prepared By:**	Leslie Valiant, City Administrator
Ordinance:	No	**Presented By:**	Jared Voge, City Engineer-Bolton & Menk, Inc.
Item:	Airport Apron Expansion Project Change Order		

RECOMMENDED ACTION:
Approve airport apron change order

OVERVIEW:
The Willmar Municipal Airport has undergone an expansion of the airport apron. The apron expands to the Jet A fuel system. The request is to relocate the electrical panel for the Jet A Fuel System, drainage improvements, and excavation below subgrade to remove frost susceptible material. The FAA has reviewed and approved the change order as required by the FAA.

Total cost of the change order is $53,830.25. Willmar's cost share of the change is $3,694.82.

BUDGETARY/FISCAL ISSUES:
$3,694.82 - Airport CIP Fund

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:
1. Resolution Airport Jet Fuel Change Order
2. BDH_AIP_16_22_Changer_Order_No.1_072823

RESOLUTION NO. _____

AUTHORIZATION ACCEPTING CHANGE ORDER NO. 1072823 FOR AIRPORT APRON EXPANSION

Motion By:_____ Second By:_____

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, approves DBH_AIP_16_22 Change Order No. 1 072823 for the relocation of the Jet A Fuel System electrical panel, drainage improvements, and excavation below subgrade to remove frost susceptible material. Willmar's share of the $53,830.25 change order is $3,694.82.

Dated this 7th day of August 2023.

_____
MAYOR

Attest:

_____
CITY CLERK

CHANGE ORDER

No. 1

APRON EXPANSION
WILLMAR MUNICIPAL AIRPORT (BDH)

DATE OF ISSUANCE JULY 14, 2023

OWNER WILLMAR, MN — Contract No. FAA AIP 3-27-0115-016/017-2022

CONTRACTOR KRAEMER TRUCKING & EXCAVATING INC. — ENGINEER SILAS PARMAR, P.E.

You are directed to make the following changes in the Contract Documents.

Description: Remove and relocate electrical panel for existing Jet A fuel system.

Construct 60" manhole, install 48-LF of 36" RC Pipe, and remove and reinstall existing 36" RC Apron to connect drainage appurtenances.

Excavation below subgrade to remove frost susceptible material and replace with granular subbase.

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price $1,031,809.60	Original Contract Times Working Days: 40
Net changes from previous Change Orders No. 0 to No. 1 $ 0.00	Net changes from previous Change Orders No. to No. Working Days: 0
Contract Price Prior to this Change Order $1,031,809.60	Contract Times prior to this Change Order Working Days: 40
Net Increase of this Change Order $ 53,830.25	Net Increase (decrease) of this Change Order Working Days: 0
Contract Price with all approved Change Orders **$ 1,085,639.85**	Contract Times with all approved Change Orders Working Days: 40

RECOMMENDED:	APPROVED:	ACCEPTED:
By: Silas Parmar	By:	By: Jeff Kraemer
Silas Parmar, P.E., Bolton & Menk	Leslie Valiant City of Willmar, MN	Jeff Kraemer Kraemer Trucking & Excavating
Date: July 14, 2023	Date:	Date: 07/27/2023

CHANGE ORDER

No. 1

APRON EXPANSION
WILLMAR MUNICIPAL AIRPORT (BDH)

DATE OF ISSUANCE JULY 14, 2023

OWNER WILLMAR, MN — Contract No. FAA AIP 3-27-0115-016/017-2022

CONTRACTOR KRAEMER TRUCKING & EXCAVATING INC. — ENGINEER SILAS PARMAR, P.E.

You are directed to make the following changes in the Contract Documents.

Description: Remove and relocate electrical panel for existing Jet A fuel system.

Construct 60" manhole, install 48-LF of 36" RC Pipe, and remove and reinstall existing 36" RC Apron to connect drainage appurtenances.

Excavation below subgrade to remove frost susceptible material and replace with granular subbase.

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price $1,031,809.60	Original Contract Times Working Days: 40
Net changes from previous Change Orders No. 0 to No. 1 $ 0.00	Net changes from previous Change Orders No. to No. Working Days: 0
Contract Price Prior to this Change Order $1,031,809.60	Contract Times prior to this Change Order Working Days: 40
Net Increase of this Change Order $ 53,830.25	Net Increase (decrease) of this Change Order Working Days: 0
Contract Price with all approved Change Orders **$ 1,085,639.85**	Contract Times with all approved Change Orders Working Days: 40

RECOMMENDED:	APPROVED:	ACCEPTED:
By: Silas Parmar	By:_____	By:_____
Silas Parmar, P.E., Bolton & Menk	Leslie Valiant City of Willmar, MN	Jeff Kraemer Kraemer Trucking & Excavating
Date: July 14, 2023	Date:_____	Date:_____

CHANGE ORDER

No. 1

APRON EXPANSION
WILLMAR MUNICIPAL AIRPORT (BDH)

DATE OF ISSUANCE JULY 14, 2023

OWNER WILLMAR, MN — Contract No. FAA AIP 3-27-0115-016/017-2022

CONTRACTOR KRAEMER TRUCKING & EXCAVATING INC. — ENGINEER SILAS PARMAR, P.E.

1. **HAS THIS CHANGE ORDER BEEN DISCUSSED WITH FAA OFFICIALS?**
   Preliminary discussion of this Change Order occurred via telephone with Peter Kelly, FAA, on October 5, 2022.

2. **BRIEF DESCRIPTION OF THE PROPOSED CONTRACT CHANGE(S) AND LOCATION(S).**
   Remove and relocate electrical panel for existing Jet A Fuel System which was encountered buried under the proposed Apron Expansion project limits.

   Construct 60" manhole, install 48-LF of 36" RC Pipe, and remove and reinstall existing 36" RC Apron to connect drainage appurtenances. Complete grading and site restoration for area to drain.

   Remove frost susceptible material encountered at the excavation limit for the proposed Apron Expansion and replace with granular subbase material.

3. **REASON(S) FOR THE CHANGE(S).**
   During construction, the electrical panel for the Jet A fuel system was encountered under the proposed excavation limits for the Apron Expansion. The panel provides power and communication to the Jet A fuel system. With the panel within the pavement limit and the importance of having access for maintenance moving forward, the panel needs to be relocated outside of future pavement.

   During construction it was determined the existing 21" and 36" RC Pipe networks which outlet just beyond the proposed 36" RC Pipe network being installed for the proposed Apron Expansion should be connected with a 60" drainage structure to ensure surface drainage has an outlet beyond the pavement and into the existing ditch network running northwest.

   During excavation for the pavement section subgrade, frost susceptible material was encountered in the southwest location of the proposed Apron Expansion. The contractor attempted to disc and dry the saturated clay subgrade material no avail, therefore it was determined that removal and replacement with granular subbase should be completed.

4. **JUSTIFICATIONS FOR UNIT PRICES OR TOTAL COST.**
   The proposed cost for the RC Pipe, RC Apron, Drainage Structure, Turf Restoration, and Geotexitle Fabric were compared to existing unit prices for bid items of the same or similar items. The installation time is estimated to be five days. The proposed cost were within reason of the originally bid item unit prices and understanding a rush order for the drainage appurtenance items would be required, the City finds this portion of the Change Order cost to be reasonable.

   The proposed cost to relocate the Jet A fuel system electrical panel is $25,964. To complete this work, the City provided contact information for Sands Electrical, an electrical contractor located in Willmar who has previously completed fuel system repairs for the airport. Sands Electric reviewed the project and estimated construction time of 10 days to relocate the electrical panel. Work would include removing the existing panel and providing temporary power and communication to keep the existing system operational while re-installing the panel in the final location. Once the panel is installed, connections to the new location would be completed and systems setup and testing to ensure the fuel system was operational. The City finds this portion of the Change Order cost to be reasonable.

The Contractor agreed to honor their original bid price for P-152 Unclassified Excavation and P-154 Subbase for the proposed excavation below subgrade correction work.

5. CONSEQUENCES OF CHANGE ORDER ATTACHMENT.

Without relocating the Jet A fuel system electrical panel, the panel will interfere with the proposed Apron Expansion area. This would lead to functionality issues with the pavement and fuel system as the ability to maintenance would be restricted.

If the 60" drainage structure is not constructed to tie in the existing and proposed drainage appurtenances, surface drainage will backup on the proposed Apron Expansion and cause operational issues for pilots.

If frost susceptible material encountered below subgrade is not removed, this material will freeze during winter months and ultimately cause structural issues with the proposed concrete pavement for the Apron Expansion.

This Change Order will not have any effect on construction administration cost or construction time.

6. CONFORMANCE TO AIP STANDARDS AND REGULATIONS.

The proposed electrical removals and relocations will adhere to FAA Specification L-108 Underground Power Cable for Airports.

The proposed drainage appurtenances improvements will adhere to MnDOT Specifications 2501 Pipe Culverts and 2506 Manholes and Catch Basin.

The proposed excavation below subgrade will adhere to FAA Specifications P-152 Unclassified Excavation and backfill material will adhere to P-154 Subbase.

CHANGE ORDER NO. 1

APRON EXPANSION
WILLMAR MUNICIPAL AIRPORT (BDH)
WILLMAR, MN
FAA AIP NO. 3-27-0115-016/017-2022 / SP NO. A3401-70/72

					Engineer's Estimate		Kraemer Trucking & Excavating Quote	
Item No.	**Spec. No.**	**Item**	**Estimated Quantity**	**Unit**	**Unit Price**	**Total Amount**	**Unit Price**	**Total Amount**
CHANGE ORDER NO. 1: EXCAVATION BELOW SUBGRADE; DRAINAGE APPURTANCES; JET A FUEL SYSTEM ELECTRICAL PANEL RELOCATION								
1	2108.504	GEOTEXTILE FABRIC TYPE 3	500	SQ YD	$3.50	$1,750.00	$3.30	$1,650.00
2	2501.502	RELOCATE 36" RC PIPE APRON	1	EACH	$2,000.00	$2,000.00	$1,990.00	$1,990.00
3	2501.503	36" RC PIPE CULVERT CLASS V	48	LF	$110.00	$5,280.00	$138.00	$6,624.00
4	2506.502	DRAINAGE STRUCTURE, 60"	1	EACH	$6,000.00	$6,000.00	$7,221.00	$7,221.00
5	2575.508	TURF RESTORATION	1	ACRE	$5,000.00	$5,000.00	$5,000.00	$5,000.00
6	P-152-4.1	UNCLASSIFIED EXCAVATION	175	CU YD	$15.75	$2,756.25	$15.75	$2,756.25
7	P-154-5.1	SUBBASE COURSE	175	CU YD	$15.00	$2,625.00	$15.00	$2,625.00
8	L-108	REMOVE AND RELOCATE ELECTRICAL PANEL FOR JET A FUEL SYSTEM	1	LUMP SUM	$20,000.00	$20,000.00	$25,964.00	$25,964.00
					CHANGE ORDER NO. 1 TOTAL:	**$45,411.25**		**$53,830.25**

Silas Parmar

From: Schrader, Mark R (FAA) <Mark.R.Schrader@faa.gov>
Sent: Thursday, July 20, 2023 11:14 AM
To: Silas Parmar
Cc: Leslie Valiant; Boerner, Daniel (DOT); Eric Rudningen - Oasis Aero Inc (erudningen@tds.net)
Subject: RE: BDH AIP 16/17-22 Change Order Request

Good morning Silas,

I've reviewed the request for Change Order No. 1 for Willmar's Apron Construction project and approve the expenses as eligible for AIP or BIL funding.

Thank you,

Mark Schrader
Program Manager
Dakota-Minnesota Airports District Office
2301 University Drive, Bld 23B
Bismarck, ND 58504
(701) 323-7384

From: Silas Parmar <Silas.Parmar@bolton-menk.com>
Sent: Friday, July 14, 2023 10:12 AM
To: Schrader, Mark R (FAA) <Mark.R.Schrader@faa.gov>
Cc: Leslie Valiant <lvaliant@willmarmn.gov>; Boerner, Daniel (DOT) <dan.boerner@state.mn.us>; Eric Rudningen - Oasis Aero Inc (erudningen@tds.net) <erudningen@tds.net>
Subject: BDH AIP 16/17-22 Change Order Request

Hi Mark,

Attached for your review and approval is Change Order No.1 for the AIP 3-27-0115-16/17-2022 Apron Construction project at the Willmar Municipal Airport.

This change order is for excavation below subgrade, Jet A fuel system electrical panel relocation, and drainage improvements.

Please let me know if you have any questions or comments. Thanks.

Silas Parmar P.E. **(MN,IA)**
Principal Aviation Engineer
Bolton & Menk, Inc.
silas.parmar@bolton-menk.com
Mobile: 612-987-0138
Bolton-Menk.com

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	10.E.
Agenda Section:	Regular Business	**Originating Department:**	Administration
Resolution:	Yes	**Prepared By:**	Kyle Box, City Operations Director
Ordinance:	No	**Presented By:**	Jim Felt, Police Chief
Item:	Consider a Resolution Amending the Fee Schedule		

RECOMMENDED ACTION:
That the Council approve the Resolution amending the 2023 Fee Schedule

OVERVIEW:
This revision to the fee schedule is a result of the Council's adoption of the Message Therapy Ordinance. Both the business and the individual massage therapist would need to apply for and receive a license. For example, a business would apply for a business license, and each massage therapist that works for that licensed business would apply for an individual license. The business license would ensure that facility and sanitary requirements are met.

BUDGETARY/FISCAL ISSUES:
Business License: $200.00/ Annual
Individual License: $50.00/ Annual

ALTERNATIVES TO CONSIDER:
If the related Ordinance is not passed, then there is no requirement to amend the fee schedule.
ATTACHMENTS:
1. Resolution - 2023 Fee Schedule_Amendment
2. Fee Schedule 2023_08_07 Amendments

RESOLUTION NO.
AMENDING ESTABLISHED FEES FOR SERVICES, PERMITS, AND LICENSES AND ESTABLISHES RENTAL RATES FOR CITY EQUIPMENT

Motion By: _____ Second By: _____

WHEREAS, the City Council of the City of Willmar duly establishes fees for service, sets fees for permits and licenses, and establishes rental rates for City equipment.

NOW, THEREFORE, BE IT RESOLVED that the listed fees are duly adopted for the year 2023 and the same hereby ordered kept on file in the office of the City Clerk.

Dated this 7th day of August 2023

_____
MAYOR

Attest:

_____
CITY CLERK

2023 Fee Schedule

Adopted: **12/19/2022**

Revised: **5/1/2023**

8/7/2023

City Clerk	**Charge/ Rate**		
Liquor License Investigation Fee:			
Sole Proprietor	$	125.00	
Partnership	$	150.00	
Corporation	$	300.00	
Limited Liability Company	$	150.00	
Liquor Licenses:			
On-Sale Intoxicating Liquor	$	4,000.00	Annual
Off-Sale Intoxicating Liquor	$	950.00	Annual
Club On-Sale Intoxicating Liquor	$	300.00	Annual
On-Sale Wine	$	200.00	Annual
On-Sale Sunday	$	200.00	Annual
On-Sale 3.2% Intoxicating Liquor	$	150.00	Annual
Temporary On-Sale Intoxicating Liquor	$	100.00	Annual
On-Sale Taproom	$	150.00	Annual
Off-Sale Taproom	$	150.00	Annual
Off-Sale Brewpub	$	150.00	Annual
City Park Special Event - Intoxicating Liquor	$	100.00	Event
Civic Center Special Event - Intoxicating Liquor	$	100.00	Event
Community Festival Event - Intoxicating Liquor	$	100.00	Event
Miscellaneous:			
Café - Restaurant, Bowing Alley, Taxi Cab	$	30.00	Annual
Carnival, Circus, Exhibition	$	30.00	Day
Cat & Dog	$	3.00	Annual
	$	7.50	Annual
Dance, Parade, Run/Walk/Special Event, Street Fair	$	30.00	Event
Dumpster, Service Parking	$	30.00	Month
Fireworks Indoor Display	$	50.00	Event
Fireworks Outdoor Display	$	30.00	Event
Fireworks Sales & Storage	$	100.00	Event
Mobile Food Unit	$	50.00	Event
	$	150.00	Annual
Pawnbrokers	$	150.00	Annual
Street Closure	$	50.00	Event
Theatre	$	300.00	Annual
Tetrahydrocannabinol (THC)	$	2,000.00	Annual
Massage Therapy Business	$	200.00	Annual

Massage Therapy Individual	$	50.00	Annual	

Administrative Fees:

Chapter 9, Article I, Section 9-3				
Nuisance Abatement	$	75.00	Event	
Removal of Weed/ Grass Nuisance	$	75.00	Event	
Removal of Infected Trees	$	75.00	Event	
Payment for Current Services	$	75.00	Event	
Labor	All Labor rates will be calculated at the employee's wage and benefit rates unless otherwise identified.			

Public Works

Maintenance Trucks:				
1/2 -3/4 Ton Truck	$	17.00	Hour	
1 Ton Truck	$	18.00	Hour	
1 Ton Truck - Plow	$	27.00	Hour	
1 Ton Truck - Watetank	$	27.00	Hour	
3-5 Ton Tuck	$	35.00	Hour	
3-5 Ton Truck - Plow/ Sander	$	41.00	Hour	
3-5 Ton Truck - Plow/ Sander/ Wing	$	55.00	Hour	
Heavy Equipment:				
2-3 CY Loaders	$	82.00	Hour	
Loader/Plow/Wing	$	102.00	Hour	
Loader/Snow Blower	$	122.00	Hour	
Motor Grader	$	96.00	Hour	
Motor Grader/ One-Way Plow	$	102.00	Hour	
Motor Grader/ One-Way Plow/ Wing	$	115.00	Hour	
40-50 HP Tractor	$	21.00	Hour	
40-50 HP Tractor/ Attachments	$	35.00	Hour	
MT Trackless/ Blower/ Mower	$	61.00	Hour	
90 HP Tractor/ 22' Flail Mower	$	55.00	Hour	
30-40 HP Unit Mower/ Blower/ Sweeper	$	35.00	Hour	
Skid-Loader	$	35.00	Hour	
Skid-Loader/ Attachments	$	50.00	Hour	
Snowplowing Sidewalks	$	1.00	Linear Foot	Plus Labor and Equipment
Specialty Equipment:				
Air Conveyance Unit	$	55.00	Hour	
Elgin Sweeper (4 CY)	$	70.00	Hour	
Hydraulic Sewer Cleaner	$	68.00	Hour	
Paint Sprayer	$	9.00	Hour	
Paint Sprayer and 1 Ton Truck	$	27.00	Hour	
50' Bucket Truck	$	70.00	Hour	

30' Bucket Truck	$	41.00	Hour	
Brush Chipper	$	29.00	Hour	
Tamper	$	9.00	Hour	
Bituminous Distributor and Truck (Less Material)	$	50.00	Hour	
Bituminous Roller	$	55.00	Hour	
Grass and Leaf Pickup Broom	$	29.00	Hour	
Chain Saws	$	10.00	Hour	
Trailers	$	12.00	Hour	
Over Seeder	$	29.00	Hour	
Turf Pro	$	29.00	Hour	
Gator and sprayer	$	27.00	Hour	
Generator	$	9.00	Hour	
Trash Pumps	$	9.00	Hour	
Utility Vehicle with Crane Hoist	$	42.00	Hour	
Air Compressor	$	42.00	Hour	
Materials:				
Winter Sand Mixed with Salt	$	55.00	Cubic Yard	
Gravel	$	20.00	Ton	
Bituminous Cold Mix	$	105.00	Ton	
Chalk Dust - 50lb.	$	8.00	Bag	
Diamond Dry - 50lb.	$	13.00	Bag	
Bituminous Repair (Including Labor and Equipment)	$	55.00	Cubic Yard	
Labor:				
Regular	Contract Rate + 53%			
Overtime	Contract Rate + 53%			
Permits:				
Excavation/ R.O.W	$	125.00	R.O.W Crossing	
Deposit	$	3,000.00	Site/Project	If project exceeds $10,000
Bond	$	25,000.00	Site/Project	If project exceeds $10,000
Access Fees:				
Industrial Park Storm Pond	$	835.00	Acre	
Radio Station Drive Lift Station	$	595.00	Acre	
Abbot Drive Lift Station	$	895.00	Acre	
Wastewater Treatment:				
5,000 Gallon Tanker with Hydraulic Boom	$	30.00	Hour	
Portable Lab Sampler	$	5.00	Hour	
Airport:				
Conference Room	$	40.00	Event	

	$	-	Airport Related Events	

Parks & Recreation

Ball Fields:				
Baseball/ Softball Fields	$	50.00	Game	
	$	250.00	Day	
Lights for Ball Fields	$	25.00	Day	
Baker Field	$	300.00	Day	
Orange Field	$	250.00	Day	
Picnic Area - Taunton Stadium	$	75.00	Day	
Shelters:				
Four Season	$	140.00	Day	
Enclosed Park Shelters	$	120.00	Day	
Open Shelter (No Electricity)	$	40.00	Day	
Damage Deposit	$	100.00		
Equipment				
Bleachers - 7 High	$	100.00	Day	Plus Labor
Picnic Tables (12 Maximum)	$	10.00	Table/ Day	
Barricades	$	2.00	Day	
	$	20.00		Minimum Charge for Hauling Barricades
Showmobile:				
Willmar Events - Nonprofit	$	215.00	Day	Plus Labor
Willmar Events	$	500.00	Day	Plus Labor
Damage Deposit	$	200.00		
Staff Expenses	$80.00 - $280.00			
Aquatic Center				
Season Passes				
Individual	$	90.00	Season	
Family of Two	$	130.00	Season	
Family of Three	$	140.00	Season	
Family of Four	$	150.00	Season	
Family of Five	$	160.00	Season	
Family of Six	$	170.00	Season	
Additional Members	$	15.00	Season	
Daily Admission	$	3.00	Day	
Observers	$	3.00	Day	
Group Admissions	$	2.50	Day	
Discount Coupons:				
10 Coupons	$	25.00		
20 Coupons	$	40.00		
Pool Rental	$	100.00		Plus Labor

City Auditorium

Gym Rental	$	100.00	Hour	Not to Exceed $300 per day min two hours
Staffing	$	30.00	Hour	
Stage	$	20.00	Hour	

Civic Center

Cardinal Arena Dry Floor	$	580.00	Day	Plus services
Cardinal Arena Ice Rental	$	155.00	Hour	
Blue Line Arena Dry Floor	$	400.00	Day	Plus services
Blue Line Arena Ice Rental	$	155.00	Hour	
Staffing	$	30.00	Hour	

Community Center

Burlington Northern Room	$	125.00	Day	
Selvig Room	$	125.00	Day	
Sunshine Room	$	75.00	Day	
Reynolds Room			Day	
Staffing	$	30.00	Hour	

Events and Recreation Center

Meeting Room A	$	25.00	Day	
Meeting Room B	$	25.00	Day	
Meeting Room A/ B Combined	$	40.00	Day	
Community Room	$	60.00	Day	
Outdoor Court Yard Area	$	50.00	Day	
Kitchen Area	$	50.00	Day	
Dry Floor Space/ Gym	$	100.00	Hour	Not to exceed $300 per day min 2 hours
Staffing	$	30.00	Hour	
Turf Fields	$	100.00	Hour	$400 max

Fire Department

				Each Additional Hour	
First Line Pumper - 5251, 5257	$	300.00	Hour	$	200.00
Tanker/ Pumper - 5276	$	300.00	Hour	$	200.00
Ladder Trucks - 5298, 5299	$	500.00	Hour	$	400.00
Grass Rig- 5285	$	150.00	Hour	$	100.00
Support Vehicles - 5296, 5297,5294,5295,5293	$	75.00	Hour	$	50.00
Trailer	$	75.00	Hour	$	50.00
Fire Watch/ Standby	$	25.00	Hour		
Training Room Rental	$	50.00	Hour		
Fire Alarm Permit	$	30.00	Three Years		
Fire Alarm Permit Renewal	$	30.00	Three Years		
Alarm Malfunction	$	500.00			

Bottling Filling Fees				
2216 PSI Air Tank	$	5.00	Bottle	
3000 PSI Air Tank	$	10.00	Bottle	
4500 PSI Air Tank	$	15.00	Bottle	
5000 - 6000 PSI Air Tank	$	25.00	Bottle	
Fire Reports	$	0.25	Page	

Police Department

Off Duty Police Officers	$	70.00	Hour	
Computer Forensic/ Video Redaction/ Specialized IT Services	$	60.00	Hour	
Off Duty Community Services Officer	$	30.00	Hour	

Planning and Development

Zoning				
Conditional Use Permit	$	275.00		Plus County Recorder fee $46.00)
Variance	$	275.00		Plus County Recorder fee $46.00)
Appeal	$	275.00		Plus County Recorder fee $46.00)
Rezoning	$	275.00		
Text Amendment	$	275.00		
Subdivision/Platting	$	25.00	Per lot	$300.00 minimum
Re-plats	$	25.00	Per lot	$325.00 minimum
Sign Permits: (online application available)				
Sign/Special Sign	$	40.00	0-20 sq. ft.	
	$	50.00	20-50 sq. ft.	
	$	50.00	20-50 sq. ft.	
	$	60.00	50-100 sq. ft.	
	$	70.00	100 + sq. ft.	
Temporary sign deposit (refunded after removal)	$	100.00		

Building Inspection	Building Permit Applications are subject to Minnesota State Surcharge per Minnesota Statute			
Building Permit Application				
Total Valuation:				
$1.00 to $500.00	$	21.00		
$501.00 to $2,000.00	$21.00 for the first $500.00 plus $2.75 for each additional $100.00, or fraction thereof, to and including $2,000.00			

$2,001.00 to $25,000.00	$62.25 for the first $2,000.00 plus $12.50 for each additi-onal $1,000.-00, or fraction thereof, to and including $25,000
$25,001.00 to $50,000.00	$349.75 for the first $25,000.00 plus $9.00 for each addit-ional $1,000.00, or fraction thereof, to and including $50,000
$50,001.00 to $100,000.00	$574.75 for the first $50,000.00 plus $6.25 for each addit-ional $1,000.00, or fraction thereof, to and including $100,000
$100,001.00 to $500,000.00	$887.25 for the first $100,000.00 plus $5.00 for each addit- ional $1,000.00, or fraction thereof, to and including $500,000
$500,001.00 to $1,000,000	$2,887.25 for the first $500,000.00 plus $4.25 for each additional $1,000.00, or fraction thereof, to and including $1,000,000
$1,000,001.00 and up	$5,012.25 for the first $1,000,000.00 plus $2.75 for each additional $1,000.00, or fraction thereof

Inspection and Fees:

Inspection outside of normal buisness hours	$	140.00	Hour*	
Reinspection fees assess under provisions of Section 108.8	$	140.00	Hour*	
Inspections for which no fee is specifically indicated	$	140.00	Hour*	Minimum Charge 1/2 Hour
Additional plan review required by changes, additions or revisions to plans	$	140.00	Hour*	
For use of outside consultants for plan checking and inspections, or both	Actual Costs		**	

*Or the total hourly cost to the City whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

**Actual costs include administrative and overhead costs

Plan Review	65% of building permit fee		
Residentail Reroof	$	30.00	Permit
Residential Reside	$	50.00	Permit

Building Removal (Demo)			
Garage / Shed 200 sq. ft. +	$	30.00	Permit
Single Family Dwellings	$	75.00	Permit
Mobile Homes	$	75.00	Permit
Commercial/ Industial	$	150.00	Permit

Mechanical Permits			
Water Heater	$	26.00	Permit
Furnace	$	31.00	Permit

Air Conditioner	$	26.00	Permit

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	10.F.
Agenda Section:	Regular Business	**Originating Department:**	City Clerk
Resolution:	No	**Prepared By:**	Judy Thompson, City Clerk
Ordinance:	Yes	**Presented By:**	Judy Thompson, City Clerk
Item:	Introduction of an Ordinance for Codification of Municipal Code		

RECOMMENDED ACTION:
Motion to Introduce Ordinance and set a public hearing for August 21, 2023 on or after 6:30 pm.

OVERVIEW:
Codification of the City of Willmar Municipal Code is a routine practice recommended by the League of Minnesota Cities to be done every 10 years, and carried out in coordination with the codification service, Municode/Civic Plus, used by the City and is not altering the substance of the city's ordinances. We initiated the process two years ago and adopting the ordinance is the final step in completing the process.

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:
1. ORDINANCE - Recodification Adopting Ord--Willmar MN (v2-rts edits) 071723

ORDINANCE NO. _____

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF WILLMAR, MINNESOTA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

The City Council of the City of Willmar hereby ordains as follows:

Section 1. The Code entitled the "Code of Ordinances of the City of Wilmar, Minnesota," published by Municode, consisting of chapters 1 through 17, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before February 6, 2023, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine up to the maximum amount permitted or required by state law. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city council may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the city council to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after February 6, 2023, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 9. EFFECTIVE DATE. This ordinance shall be effective from and after its adoption and second publication.

Passed by the City Council of the City of Willmar this ___ day of _____, 2023.

ATTEST:

_____ _____

Judy Thompson, City Clerk Douglas E. Reese, Mayor

VOTE: ____ SHULDES ____ O'BRIEN ____ DAVIS ____ ASMUS
____ FAGERLIE ____ ASK ____ BUTTERFIELD ____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

Certificate of Adoption

I hereby certify that the foregoing is a true copy of the ordinance passed at the regular meeting of the city council, held on the _____day of _____, ____.

_____
City Clerk

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	10.G.
Agenda Section:	Regular Business	**Originating Department:**	City Clerk
Resolution:	No	**Prepared By:**	Judy Thompson, City Clerk
Ordinance:	Yes	**Presented By:**	Judy Thompson, City Clerk
Item:	Introduction of an Ordinance Amending City Code for Minor Updates		

RECOMMENDED ACTION:

1. Introduce Ordinance and set public hearing for August 21, 2023
2. Publish by Summary

OVERVIEW:
In the codification process, minor changes to various sections of the City of Willmar Municipal Code were brought to our attention and are being addressed in this ordinance

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:
1. Ordinance - Codification update v4 080223
2. 2023 Codification Summary Publication 080223

ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY CODE TO UPDATE TO CITY CLERK POSITION, REMOVE TRANSPORTATION OF FIREWOOD REQUIREMENT, AND CHANGE DEPARTMENT TERMS FROM LEISURE SERVICES TO PARKS AND RECREATION

The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF MUNICIPAL CODE, CHAPTER 8, LICENSES, PERMITS AND BUSINESS REGULATIONS. Chapter 8 of the Willmar Municipal Code is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 8-2. - Permit for sales from public street or sidewalk.

****

(c) *Application.* Any person desiring to engage in or make retail sales upon public streets or sidewalks within the city shall file an application for a permit for that purpose with the city clerk~~-treasurer~~, which application shall state the full name and residence of the applicant, the full name and residence of the person by whom employed or for whom acting, the kind of items or services which he proposes to sell, and the time during which such sales will be attempted. The application shall be on a form approved by the city council and shall identify all vehicles which will be used in the sales regulated by this section.

(d) *Approval*. Upon the filing of the application, the city clerk~~-treasurer~~ shall present the application to the city council at its next regular meeting. The city council shall, in considering the application, impose such conditions as it determines are required to provide for the health, safety and protection of persons and property.

****

(f) *Fee.* The fee charged for each permit shall be set from time to time by resolution of the council, which resolution shall remain on file with the city clerk~~-treasurer~~. The city council may waive the requirement for the payment of a fee.

****

Sec. 8-41. - License.

****

(b) *Application; fee.* Any person desiring a license under this section shall apply to the city clerk~~-treasurer~~ therefor upon such application form as shall be required by the city council, and shall pay to the city clerk~~-treasurer~~ for such license, for each and every

alley, whether designated as a bowling alley or as a box ball alley, and for each and every billiard or pool table, and for each and every other table whereon games are played, the sum which is on file in the office of the city clerk~~-treasurer~~.

(c) ~~*Granting; denial.* Each application made under the provisions of this section shall be reviewed and approved or rejected by the city council. In considering each application, the granting of any license shall rest in the sound discretion of the city council. If the city council disapproves any application, it shall, by resolution, set forth the facts and circumstances considered in disapproving the application.~~

~~(d)~~ *Issuance; term.* Upon approval by the city council of the application for the issuance of a license under this section, the city clerk~~-treasurer~~ shall issue under his hand and the corporate seal of the city a license to the persons applying therefor, for the term of one (1) year from and after the day of issuance.

(d~~e~~)*Transfer.* Upon cause shown and upon the payment of an amount as kept on file in the office of the city clerk~~-treasurer~~, such license may be transferred to another person for the balance of the license year. The transfer of a license shall be issued only after action of the city council, passed by a majority vote, authorizing the transfer for the reasons stated in the application for transfer.

****

Sec. 8-73. - License—Generally.

****

(b) *Application.* Applications for all licenses except theatre or opera house licenses shall be made to the city clerk~~-treasurer~~. Upon payment of the required fee, the clerk~~-treasurer~~ is authorized to issue a license to the applicant under his/her hand and seal, stating in the license the kind of entertainment to be given, the length of time the entertainment is to run or the number of performances to be given, and the place where the entertainment is to be given.

(c) *Fee.* The fees to be paid for such licenses shall be in the amount kept on file in the office of the city clerk~~-treasurer~~.

****

Sec. 8-74. - Same—Theatres, opera houses.

****

(b) *Issuance.* The city council may grant such license, and thereupon, the city clerk~~-treasurer~~, upon payment of the required fee, is authorized to issue a license to the

applicant under his hand and seal, stating in the license the general character of the performance to be given and describing the place or building covered by the license.

****

(d) *Fee.* The fee to be paid for theatre and opera house licenses shall be in an amount as kept on file in the office of the city clerk~~-treasurer~~.

(e) *Additional license required for live performances.*

****

(2) Application for a license for the exhibition, showing or performance of live talent at any duly licensed theatre, motion picture house or opera house shall be made in writing to the city clerk~~-treasurer~~ by the owner, manager or lessee of the theatre. Such application shall set forth generally the character of the live talent performance to be given and contain a description of the place or building for which such license is desired.

(3) The fee to be paid for such license shall be in an amount as kept on file at the office of the city clerk~~-treasurer~~. On payment of the required fee, the city clerk~~-treasurer~~ shall issue the license to the applicant, subject to the provisions of this division.

****

Sec. 8-92. - License.

****

(b) *Application.* Applications for licenses shall be made to the city clerk~~-treasurer~~ in writing, giving full and complete details in regard to:

****

(8) The name of the group, body or organization, if any, which sponsors the attraction or exhibition or for whose benefit it is to be given. Such application shall be accompanied by the required license fee. ~~It shall be the duty of the city clerk-treasurer to present such application to the city council at its next regular or special meeting and the application shall then be considered by the city council and acted upon.~~

(c) *Fees.* The license fee to be paid for each class of attraction shall be in the amount kept on file in the office of the city clerk~~-treasurer~~.

****

Sec. 8-142. - License—Generally.

****

(b) *Application.* Application for a license shall be made to the city clerk~~-treasurer~~ on a form to be approved by him. Such application shall state the name and place of residence of the applicant and the location at which it is intended to conduct the business. The application shall be accompanied by the license fee provided for in this section. Every such application shall be filed with the city clerk~~-treasurer, who shall thereupon present such application to the city council~~.

(c) *Fee.* The annual license fee shall be in an amount as kept on file in the office of the city clerk~~-treasurer~~.

****

(e) *Granting; denial.*

****

(3) If the application is granted by the council, the city clerk~~-treasurer~~ shall thereupon issue such license, providing the required fee has been paid therefor.

****

Sec. 8-143. - Same—Grounds for revocation.

Every license issued under this division shall be issued subject to the following conditions, the violation of any one (1) of which shall be sufficient grounds for revocation of the license and sufficient grounds for refusal to again license such person:

(1) No intoxicating liquor shall be possessed for sale on any licensed premises, nor shall intoxicating liquor be sold on the premises in violation of state law or in violation of any ordinance of the city. No ~~nonintoxicating~~3.2% malt liquor shall be sold on the premises in violation of any state law or in violation of any ordinance of the city. No person in an intoxicated condition shall be permitted on the premises. No intoxicating liquor shall be drunk, mixed, consumed or prepared for consumption on such premises, and no spiking of malt liquor, soft drinks, or any other liquid or beverage, by adding with or to the beverage any alcohol or other intoxicating liquor, shall be permitted, allowed or suffered on the premises. Restaurants licensed to sell intoxicating liquor shall be exempt from the provisions of this subsection, but restaurants so licensed shall comply with all other state laws and ordinances pertaining to the sale of intoxicating liquors.

****

Sec. 8-206. - Redemption period.

Any person pledging, pawning or depositing an item for security must have a minimum of ~~ninety (90)~~ sixty (60) days from the date of that transaction to redeem the item before it may be forfeited and sold. During the sixty ~~ninety~~-day holding period, items may not be removed from the licensed location. Licensees are prohibited from redeeming any item to anyone other than the person to whom the receipt was issued, or to any person identified in a written and notarized authorization to redeem the property identified in the receipt, or to a person identified in writing by the pledger at the time of the initial transaction and signed by the pledger, or with approval by the chief of police or chief's designee. Written authorization for release of property to persons other than the original pledger must be maintained along with the original transaction record in accordance with section 8-203.

****

Sec. 8-262. - Sales to minors.

No person shall sell or give away any cigarettes, cigarette papers or cigarette wrappers to any person below the age of ~~eighteen (18)~~ twenty-one (21) years.

Section 2. AMENDMENT OF MUNICIPAL CODE, CHAPTER 9 – NUISANCES. Chapter 9, Section 9-67, Transporting firewood, of the Willmar Municipal Code is hereby deleted in its entirety.

Section 3. AMENDMENT OF MUNICIPAL CODE, CHAPTER 11 PARKS AND RECREATION. Chapter 11 of the Willmar Municipal Code is hereby amended by as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 11-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Board means the park and ~~leisure services~~ recreation board of the city.

Department means the Willmar Park and ~~Leisure Services~~ Recreation Department.

Director means the chief administrative officer of the department.

Park means any playfield, playground, swimming pool, ice skating rink, open area, building or parts thereof, or other facility, and the materials and equipment therein owned, leased or in use by the department.

****

Sec. 11-26. - Established.

Pursuant to section 4.03 of the charter of the city, as amended, there is established a park and ~~leisure services~~ recreation board.

Sec. 11-27. - Officers.

(a) *Selection.* As soon as is possible after its appointment, the park and ~~leisure services~~ recreation board shall meet to organize and to select a ~~president~~ Chair~~,~~ and a ~~v~~ Vice-~~president~~ Chair ~~and a secretary~~, and to adopt such rules and regulations as may be necessary to enable it to perform its duties and functions in an efficient and orderly manner. Officers shall be selected annually thereafter. All of the officers shall be chosen from among the members of the board.

(b) *Powers; duties.*

(1) The ~~president~~ Chair shall preside at all meetings of the board.

(2) The ~~v~~Vice-~~president~~ Chair shall perform the duties of the president in the case of the president's absence or disability.

(3) ~~The secretary~~ Department staff shall keep a complete record of the minutes of each meeting and of all proceedings of the board. ~~Copies of such records, concerning any matter, thing, act, deed or record of the board, shall be filed in the office of the city clerk-treasurer.~~

(4) The board may prescribe such additional powers and duties for its officers as may be consistent with the provisions of this chapter and the charter of the city.

(c) *Vacancies.* Vacancies in any of the offices shall be filled as in the original manner of selection of officers, and for the unexpired term of the vacating officer.

Sec. 11-28. - Removal of members.

The city council shall have the power to remove any member of the park and ~~leisure services~~ recreation board for cause, neglect, or inattention to duty.

Sec. 11-29. - Powers; duties.

Under the control and authority of the city council, the park and ~~leisure services~~ recreation board shall:

(1) Serve in an advisory capacity to the city council on matters concerning the operation and maintenance of all public parks, public ~~bathing houses~~ restrooms and beaches, and all other property within the city used, occupied or operated by the city for purposes of public recreation;

(2) Adopt rules for its meetings and the transaction of its business, and rules governing the use by the public of the park and ~~leisure services~~ recreation facilities of the city, subject to confirmation and approval of the city council;

(3) Have the power to appoint such public-spirited citizens of the city upon committees to work with the board and city council in other advisory capacities as may seem necessary and expedient to the efficient and orderly planning and execution of the park and ~~leisure services~~ recreation program of the city.

****

Sec. 11-46. - Required.

Permits for special events and uses in park and ~~leisure services~~ recreation areas shall be obtained by application to the City Clerk's office~~director~~ in accordance with the procedure set out in this article. Permits shall be requested on all events with over two hundred (200) attendees, exclusive of those sponsored by the park and ~~leisure services~~ recreation department and the city.

Sec. 11-47. - Application.

A person seeking issuance of a permit under this article shall file a written application on a form supplied by the park~~s~~ and ~~leisure services~~ recreation department stating:

****

Sec. 11-48. - Insurance.

For gatherings of more than two hundred (200) persons or for any gathering where a fee or donation is being requested, the applicant for a permit under this article shall be required to carry and maintain public liability insurance, with the city as a named insured, providing insurance coverage for bodily injury, death and property damage occurring in connection with applicant's use of the park or ~~leisure services~~ recreation facilities and land. Such insurance shall provide coverage in amounts at least equal to the city's maximum liability limits as provided by state law.

****

Sec. 11-68. - Reservation required for certain functions.

No person shall hold or attempt to hold any meeting, assembly, demonstration, celebration, parade, rally, religious worship, or any sponsored entertainment or social, recreational or athletic function without first obtaining a reservation from the ~~director~~ department~~t~~.

****

Sec. 11-72. - Use of Robbins Island Park, swimming at public beaches prohibited during certain hours.

It is unlawful for any person to be within the area of Robbins Island Park or to be swimming from any public swimming beach within the city between the hours of 10 p.m. and 6 a.m., unless authorized by the ~~director~~ department.

Sec. 11-73. - Musical concerts; playing of amplified instruments; communications systems.

No person shall conduct any musical concert, play upon any amplified instrument, or set up or use any communication system in a park without first obtaining an official permit from the ~~director~~ department.

Sec. 11-74. - Erecting buildings, tents or other structures; running utility lines.

No person shall construct or erect any building, tent or structure of whatever kind in any park, whether permanent or temporary in character, or run or string any public service utility into, upon or across any park, without first having obtained an official permit from the ~~director~~ department.

****

Sec. 11-88. - Alcoholic beverages.

No person shall bring within, sell, give away, possess or drink ~~intoxicating or nonintoxicating~~ alcoholic beverages at any time in any park except as provided in this section.

****

Section 4. EFFECTIVE DATE. This ordinance shall be effective from and after its adoption and second publication.

Passed by the City Council of the City of Willmar this ___ day of _____, 2023.

ATTEST:

_____ _____

Judy Thompson, City Clerk Doug Reese, Mayor

VOTE: ____ SCHULDES ____ O'BRIEN ____ DAVIS ____ ASMUS
____ FAGERLIE ____ ASK ____ BUTTERFIELD ____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

SUMMARY PUBLICATION OF CITY OF WILLMAR ORDINANCE NO. ___

AN ORDINANCE AMENDING CITY CODE TO UPDATE TO CITY CLERK POSITION, REMOVE TRANSPORTATION OF FIREWOOD REQUIREMENT, AND CHANGE DEPARTMENT TERMS FROM LEISURE SERVICES TO PARKS AND RECREATION PURSUANT TO MINNESOTA STATUTES SECTION 331A.01, Subd. 10

Summary: Ordinance No. ___ as adopted by the Willmar City Council on _____, 2023, as authorized by Minn. Stat. § 331A.01, Subd. 10.

This Ordinance changes the city clerk treasurer position to city clerk; changes the license requirement to no 3.2% malt liquor instead of nonintoxicating malt liquor sold on the premises; changes the security redemption period from 90 to 60 days; changes the age of sale for cigarettes from 18 to 21; removes the transportation of firewood ordinance; and changes references from the park and leisure services department to park and recreation department.

The complete text of Ordinance No. ___ may be obtained at no charge at City Hall (333 6th Street Southwest, Willmar, MN 56201), or from the City's website at www.willmarmn.gov.

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	10.H.
Agenda Section:	Regular Business	**Originating Department:**	Administration
Resolution:	No	**Prepared By:**	Kyle Box, City Operations Director
Ordinance:	Yes	**Presented By:**	Kyle Box, City Operations Director
Item:	Introduction of an Interim Ordinance Temporarily Prohibiting the Operation of Cannabis Businesses until January 1, 2025.		

RECOMMENDED ACTION:
1. Introduce the Ordinance and set a public hearing for August 21, 2023, at or after 6:30 PM
2. Publish the Ordinance by Summary

OVERVIEW:
The Minnesota Legislature has enacted 2023 Session Laws, Chapter 63, including Minnesota Statutes, Chapter 342, entitled "Regulation of Adult-Use Cannabis." The Cannabis Law authorizes a local unit of government to adopt an interim ordinance that may regulate, restrict, or prohibit the operation of a cannabis business within its jurisdiction until January 1, 2025, if the local unit of government is conducting studies or has authorized a study or has held or has scheduled a hearing to consider adoption or amendment of reasonable restrictions on the time, place, and manner of the operation of a cannabis business. The City, as a local unit of government, may adopt this interim Ordinance after holding a public hearing before final adoption. The City proposes holding a public hearing at its next regular meeting on August 21, 2023, at 6:30 PM. The Cannabis Law authorizes this interim Ordinance to continue until January 1, 2025.

The purpose and intent of this Ordinance are to temporarily prohibit the registration and operation of cannabis businesses within the City for the purpose of researching, studying, and considering the impacts and potential impacts of cannabis businesses in order to determine the necessary or appropriate reasonable restrictions and/or regulations in the City Code on the time, place, and manner of the operation of cannabis businesses in the City, as well as to consult with the newly established Office of Cannabis Management on a model ordinance, policies, and standardized forms for the registration of Cannabis Businesses.

BUDGETARY/FISCAL ISSUES:
NA

ALTERNATIVES TO CONSIDER:
None Recommended
ATTACHMENTS:
1. Interim Ordinance - Cannabis Businesses v1 072623
2. Interim Ordinance Cannabis Businesses - Summary Publication 072723

ORDINANCE NO. _____

AN INTERIM ORDINANCE TEMPORARILY PROHIBITING THE OPERATION OF CANNABIS BUSINESSES IN THE CITY OF WILLMAR UNTIL JANUARY 1, 2025, AND ESTABLISHING A STUDY PERIOD PURSUANT TO MINNESOTA STATUTES SECTION 342.13(e)

The City Council of the City of Willmar hereby ordains as follows:

Section 1. PREAMBLE AND FINDINGS. The city council makes the following findings:

A. The Minnesota Legislature has enacted 2023 Session Laws, Chapter 63, including Minnesota Statutes, Chapter 342, entitled "Regulation of Adult-Use Cannabis" and generally effective July 1, 2023, (hereinafter the "Cannabis Law"), thereby, among many other provisions, regulating the retail sale of cannabis, cannabis products, and certain hemp products, and establishing the Office of Cannabis Management, which will provide licensing and regulation of cannabis businesses, including cannabis businesses engaged in the retail sale of the aforementioned products.

B. The Cannabis Law provides that local units of government: (1) shall register certain cannabis businesses making retail sales to customers or patients; (2) may adopt reasonable restrictions on the time, place, and manner of the operation of cannabis businesses; (3) may prohibit the operation of a cannabis business within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field; and (4) may by ordinance limit the number of certain cannabis businesses based on its population.

C. The Cannabis Law directs the Office of Cannabis Management to work with local units of government to: (1) develop model ordinances for reasonable restrictions on the time, place, and manner of the operation of a cannabis business; (2) develop standardized forms and procedures for the issuance of a retail registration; and (3) develop model policies and procedures for the performance of compliance checks local units of government are required to conduct.

D. The Cannabis Law authorizes a local unit of government to adopt an interim ordinance which may regulate, restrict, or prohibit the operation of a cannabis business within its jurisdiction until January 1, 2025, if the local unit of government is conducting studies or has authorized a study or has held or has scheduled a hearing for the purpose of considering adoption or amendment of reasonable restrictions on the time, place, and manner of the operation of a cannabis business.

E. The City Council of the City of Willmar (the "City") finds there is a need to study the adoption of reasonable restrictions on the time, place, and manner of the operation of cannabis businesses in the City, including through zoning ordinances.

F. The City Council further finds that the City must consider future recommendations of the Office of Cannabis Management regarding licensing, registration, and reasonable restrictions to be imposed on cannabis businesses in the City, and the model ordinances and polices to be developed by the Office of Cannabis Management.

G. This interim ordinance prohibiting the operation of cannabis businesses in the City will ensure that any ordinance changes and adoption of reasonable restrictions on the time, place, and manner of the operation of cannabis businesses will be carefully considered and evaluated while protecting the public health, safety and welfare during the moratorium period defined and established herein.

H. The City, as a local unit of government, may adopt this interim ordinance after holding a public hearing prior to final adoption. The City held a public hearing on _____, 2023, after at least ten days published notice. The Cannabis Law specifically authorizes this interim ordinance to continue until January 1, 2025.

Section 2. DEFINITIONS. For purposes of this Ordinance, the following terms having the meaning given to them in this section:

Cannabis Businesses means any of the businesses as provided under Minn. Stat. § 342.01, subd. 14, and shall not mean any business engaged only in the sale of edible cannabinoid products.

Cannabis Law means 2023 Session Laws, Chapter 63, Article 1, enacting Minnesota Statutes, Chapter 342, entitled "Regulation of Adult-Use Cannabis."

City means the City of Willmar.

Edible cannabinoid product means any product as defined under Minn. Stat. § 151.72, subd. 1(f), and which conforms to all other requirements for retail and consumption of such products under Minn. Stat. § 151.72.

Ordinance means this interim ordinance, which is adopted pursuant to Minn. Stat. § 342.13(e).

Section 3. PURPOSE AND INTENT. The purpose and intent of this Ordinance is to prohibit the registration and operation of Cannabis Businesses within the City for the purpose of researching, studying, and considering the impacts and potential impacts of the above-referenced Cannabis Businesses in order to determine the necessary or appropriate reasonable restrictions and/or regulations in City Code on the time, place, and manner of the operation of Cannabis Businesses in the City, as well as to consult with the newly established Office of Cannabis Management on a model ordinance, policies, and standardized forms for the registration of Cannabis Businesses.

Section 4. MORATORIUM DECLARATION. For the duration stated herein and until the City has studied and adopted any reasonable restrictions and/or regulations in City Code on the

time, place, and manner of the operation of Cannabis Businesses related to the aforementioned purpose, intent and findings of this Ordinance, the City shall not register any Cannabis Businesses in the City and no business, person, or entity may operate a Cannabis Business within the City. The City shall not accept, process, or act on any license application or registration request, site plan, building permit, zoning request, or other approval, including any requested confirmation, certification, approval, or other request from the Office of Cannabis Management or other governmental entity requesting City review of any application or proposal for a Cannabis Business.

Section 5. STUDY AUTHORIZED. During the period of this moratorium, the Council hereby authorizes and directs City staff to conduct a study to help determine the need for reasonable restrictions and/or regulations in City Code on the time, place, and manner of the operation of Cannabis Businesses that may need to be adopted as authorized under Minn. Stat. § 342.13(e) to protect the public's health, safety and welfare related to the aforementioned purpose, intent and findings. The Council hereby directs City staff to study the impacts and effects of the operation of Cannabis Businesses within the City for the purpose of determining the adequacy and effectiveness of current regulations and to study and consider the model ordinances and policies promulgated by the Office of Cannabis Management for possible inclusion in City Code. Upon completion of the study, the Council, together with such boards and commissions as the Council deems appropriate, or as may be required by law or City Code, will consider the advisability of adopting new ordinances or amending its current ordinances.

Section 6. DURATION. This Ordinance shall expire, without further City Council action, on January 1, 2025; or it may be repealed earlier if the Council determines that no further study is necessary, that no further action is necessary, and/or any reasonable restrictions and/or regulations in City Code on the time, place, and manner of the operation of Cannabis Businesses within the City have been adopted by the City Council and are effective.

Section 7. VIOLATION AND PENALTY. During the term of this moratorium, it is a violation of this Ordinance for any business, person, or entity to operate a Cannabis Business within the City. A violation of this Ordinance shall be deemed a misdemeanor.

Section 8. ENFORCEMENT. Any business, person, or entity in violation of this Ordinance shall be subject to any enforcement actions authorized in City of Willmar City Code, including without limitation, criminal prosecution and/or civil penalties and fines. The City may also enforce this Ordinance by mandamus, injunctive relief, or other appropriate civil remedy. A violation of this Ordinance may result in the City reporting the violation to the Office of Cannabis Management if such violation is relevant to Office of Cannabis Management licensing. The City Council hereby authorizes the City Administrator, in consultation with the City Attorney, to initiate any legal action deemed necessary to secure compliance with this Ordinance.

Section 9. EXCEPTIONS. The moratorium imposed by this Ordinance does not apply to: (1) the continued operation of a business as part of the Medical Cannabis Program administered by the Minnesota Department of Health that was lawfully operating within the City prior to July 1, 2023; (2) the lawful sale of edible cannabinoid products in compliance with Minn. Stat.

§ 151.72; or (3) sales of edible cannabinoid products at an exclusive liquor store in accordance with Minn. Stat. § 340A.412, subdivision 14. Nothing in this Article exempts a business, person, or entity that is selling edible cannabinoid products from having to comply with all requirements and prohibitions of applicable laws and ordinances.

Section 9. SEPARABILITY. Every section, provision, or part of this Ordinance is declared separable from every other section, provision or part; and if any section, provision, or part thereof or action taken hereunder shall be held invalid, it shall not affect any other section, provision, or part.

Section 11. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final adoption and publication.

Passed by the City Council of the City of Willmar this ___ day of _____, 2023.

ATTEST:

_____ _____

Judy Thompson, City Clerk Douglas E. Reese, Mayor

VOTE: ____ SHULDES ____ O'BRIEN ____ DAVIS ____ ASMUS
____ FAGERLIE ____ ASK ____ BUTTERFIELD ____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

SUMMARY PUBLICATION OF CITY OF WILLMAR ORDINANCE NO. ___

AN INTERIM ORDINANCE TEMPORARILY PROHIBITING THE OPERATION OF CANNABIS BUSINESSES IN THE CITY OF WILLMAR UNTIL JANUARY 1, 2025, AND ESTABLISHING A STUDY PERIOD PURSUANT TO MINNESOTA STATUTES SECTION 342.13(e)

Summary: Ordinance No. ___ as adopted by the Willmar City Council on _____, 2023, as authorized by Minn. Stat. § 342.13(e).

This Ordinance prohibits the operation of cannabis businesses in the City of Willmar until January 1, 2025, unless sooner repealed, in order that the City of Willmar may study the regulation and operation of such businesses and establish reasonable restrictions and/or regulations on the same consistent with Minnesota Statutes, Chapter 342. Until January 1, 2025, no business, person or entity shall operate a cannabis business within the City of Willmar.

The complete text of Ordinance No. ___ may be obtained at no charge at City Hall (333 6th Street Southwest, Willmar, MN 56201), or from the City's website at www.willmarmn.gov.

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	10.I.
Agenda Section:	Regular Business	**Originating Department:**	Administration
Resolution:	No	**Prepared By:**	Kyle Box, City Operations Director
Ordinance:	Yes	**Presented By:**	Kyle Box, City Operations Director
Item:	Introduction of an Ordinance Prohibiting the Use of Cannabis and Certain Hemp Products in Public Places		

RECOMMENDED ACTION:

1. Introduce the Ordinance and Call for a Public Hearing on Monday, August 21, 2023, at or after 6:30 PM
2. Publish the Ordinance by Summary

OVERVIEW:
The proposed Ordinance would create a new section in Willmar's Municipal Code to prohibit the use of cannabis and certain hemp products in public places as defined in the proposed Ordinance. A public place is considered any property owned, managed, or controlled by the City and any building or outdoor space that is open to the public with or without an admission fee, including, but not limited to, any street, highway, sidewalk, alley, park, school grounds, public areas, and public buildings, places of amusement or entertainment or refreshment, vacant or parking lot, or other areas ordinarily used by or available to the public though not as a matter of right.

Public Place shall not mean (1) a private residence, including the person's curtilage or yard; (2) private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or (3) the premises of an establishment or event licensed to permit on-site consumption.

BUDGETARY/FISCAL ISSUES:
NA

ALTERNATIVES TO CONSIDER:
None Recommended

ATTACHMENTS:

1. Cannabis Public Use Ordinance
2. Cannabis Public Use Ordinance Summary Publication

ORDINANCE NO. _____

AN ORDINANCE AMENDING WILLMAR MUNICIPAL CODE, CHAPTER 10, OFFENSES AND MISCELLANEOUS PROVISIONS AND WILLMAR MUNICIPAL CODE, CHAPTER 11, REGULATIONS FOR USE OF PARKS

The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF MUNICIPAL CODE CHAPTER 10, OFFENSES AND MISCELLANEOUS PROVISIONS. Chapter 10, Article I, of the Willmar Municipal Code is hereby amended by adding a new Section 10-3 Public Use of Cannabis and Certain Hemp Products, to prohibit the public use of cannabis and certain hemp products, as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 10-3 Public Use of Cannabis and Certain Hemp Products.

(a) *Definitions*. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, unless the context clearly indicates a different meaning.

Cannabis Flower, Cannabis Products, Hemp-Derived Consumer Products, and Lower-Potency Hemp Edibles shall have the meanings ascribed to them in M.S.A. § 342.01.

Public Place shall mean any property owned, managed, or controlled by the City and any building or outdoor space that is open to the public with or without an admission fee, including, but not limited to, any street, highway, sidewalk, alley, park, school grounds, public areas and public buildings, places of amusement or entertainment or refreshment, vacant or parking lot, or other area ordinarily used by or available to the public though not as a matter of right. Public Place shall not mean (1) a private residence, including the person's curtilage or yard; (2) private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or (3) the premises of an establishment or event licensed to permit on-site consumption.

(b) *Prohibited*. It is unlawful for any person to use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place.

(c) *Penalty*. Any person violating the terms of this section shall be guilty of a petty misdemeanor.

Section 2. AMENDMENT OF MUNICIPAL CODE CHAPTER 11, PARKS AND RECREATION. Chapter 11, Article IV, of the Willmar Municipal Code is hereby amended by adding a new Section 11-94 Use of Cannabis and Certain Hemp Products, to prohibit the public use of cannabis and certain hemp products in parks, as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 11-94. Use of Cannabis and Certain Hemp Products.

No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products, as defined in Minn. Stat. § 342.01, in any park. Notwithstanding section 11-2, a violation of this section shall be a petty misdemeanor.

Cross reference – Public Use of Cannabis and Certain Hemp Products, § 10-3.

Passed by the City Council of the City of Willmar this ___ day of _____, 2023.

ATTEST:

_____ _____

Judy Thompson, City Clerk Doug Reese, Mayor

VOTE: ____ SHULDES ____ O'BRIEN ____ DAVIS ____ ASMUS
____ FAGERLIE ____ ASK ____ BUTTERFIELD ____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

Section 3. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final adoption and publication.

Passed by the City Council of the City of Willmar this ___ day of _____, 2023.

SUMMARY PUBLICATION OF CITY OF WILLMAR ORDINANCE NO. ___

AN ORDINANCE AMENDING WILLMAR MUNICIPAL CODE, CHAPTER 10, OFFENSES AND MISCELLANEOUS PROVISIONS AND WILLMAR MUNICIPAL CODE, CHAPTER 11, REGULATIONS FOR USE OF PARKS BY PROHIBITING THE PUBLIC USE OF CANNABIS AND CERTAIN HEMP PRODUCTS

Summary: Ordinance No. ___ as adopted by the Willmar City Council on _____, 2023, amends the City's Offenses and Miscellaneous Provisions under Chapter 10 and the City's Regulations for Use of Parks under Chapter 11 by prohibiting the use of cannabis and certain hemp products in a public place within the City of Willmar.

The complete text of Ordinance No. ___ may be obtained at no charge at City Hall (333 6th Street Southwest, Willmar, MN 56201), or from the City's website at www.willmarmn.gov.

City of Willmar

City Council Action Request

Council Meeting Date:	August 7, 2023	**Agenda Item Number:**	12.A.
Agenda Section:	Adjourn to Closed Session	**Originating Department:**	Planning and Development
Resolution:	No	**Prepared By:**	Justice Walker, Planning and Development Director
Ordinance:	No	**Presented By:**	Justice Walker, Planning and Development Director
Item:	Closed Session Under MN Statute 13D.05 Subd.3		

RECOMMENDED ACTION:
Adjourn into Closed Session to discuss real property.

OVERVIEW:
The City Council will discuss in closed session the following real property located on the listed parcel IDs:

- 95-672-1070
- 95-672-1000
- 95-672-1010
- 95-672-1020

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:
None