



WILLMAR CITY COUNCIL MEETING

MONDAY, AUGUST 21, 2023 @ 6:30 PM

BOARD ROOM HEALTH AND HUMAN SERVICES BUILDING

2200 – 23rd STREET NE, WILLMAR MINNESOTA

AGENDA

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

Approve:

- A. City Council Minutes of August 7, 2023
- B. Work Session Summary of August 14, 2023
- C. Willmar Municipal Utilities Commission Minutes, July 10, 2023
- D. CVB Minutes of June 20, 2023
- E. Board of Zoning Appeals Minutes of May 18th, 2023
- F. Board of Zoning Appeals Minutes of August 17th, 2023
- G. Planning Commission Minutes August 2nd
- H. Planning Commission Minutes August 16th
- I. Accounts Payable Report, 08/03/23 Thru 08/16/23
- J. Project No. 2101-B Revised Final
- K. Consider Approval of an Age Friendly Community Resolution
- L. Consideration of a State 1 Day to 4 Day Temporary On-Sale Liquor License Permit - VFW 1639
- M. Church of St. Mary Lawful Gambling Application
- N. Legislative Updates to policy titled "Drug, Alcohol and Cannabis Testing Policy for Non-Commercial Drivers"

Information:

- O. Building Report July 2023
- P. Finance Report through 7/31/2023
- Q. July/August Department Director's Reports

7. Approve Consent Agenda Items

8. Items Removed from Consent Agenda
9. Open Forum (Individuals Limited to Three (3) Minutes)
10. Public Hearing:
 - A. Ordinance for Codification of Municipal Code
 - B. Ordinance Amending City Code for Minor Updates
 - C. Consider an Interim Ordinance Temporarily Prohibiting the Operation of Cannabis Businesses until January 1, 2025.
 - D. Consider an Ordinance Prohibiting the Use of Cannabis and Certain Hemp Products in Public Places
11. Regular Business
 - A. 2022 Audit Presentation
 - B. Consideration of Awarding Sale of General Obligation Improvement Bonds, Series 2023A
 - C. Introduce Ordinance Amending the Charter of the City of Willmar
 - D. Receive Testimony for Liquor License Violation
 - E. Consider a Resolution Supporting State Capital Bonding Requests
 - F. Investment Report through 6/30/2023
 - G. Authorize Advertisement for Bids: Project No. 2305, 2023 Trott Ave Regional Stormwater Improvements
 - H. Ordering 2023 Assessment Hearing
 - I. Paffrath Purchase Agreement Amendment
 - J. Set Public Hearing Date for 2nd Ave SE Easement Vacation
 - K. Introduce Ordinance and Set Public Hearing Date for General Business District Amendment
 - L. Introduce Ordinance and Set Public Hearing Date for General Business 3
12. "Community Pride" Announcements
13. Adjourn

WILLMAR CITY COUNCIL PROCEEDINGS
MUNICIPAL UTILITIES AUDITORIUM
WILLMAR, MINNESOTA

August 7, 2023
6:30 p.m.

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

Also present were City Administrator Leslie Valiant, City Operations Director Kyle Box, Police Chief Jim Felt, Finance Director Tom Odens, Public Works Director Gary Manzer, 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 Fagerlie moved to approve the agenda, as presented. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Clerk Thompson reviewed the consent agenda.

- 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 No. 2023-130 Declaring Support for the Completion of Glacial Lakes Trail**

Information:

- L. Kandiyohi County "Thank You"

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

There was no one present to speak during the Open Forum.

At 6:33 p.m. Mayor Pro Tempore Ask opened the public hearing for the proposed amendments to the city code regulating THC products. Operations Director Box presented details of the proposed amendments.

There being no one present to speak for or against the proposed amendments, Mayor Pro Tempore Ask closed the public hearing at 6:34 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. 1506 An Ordinance Amending Willmar Municipal Code, Chapter 8, Licenses, Permits and Business Regulations.** Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Nelsen left the meeting at 6:35 p.m.

Due to the length and cost of publishing the entire ordinance, Council Member Shuldes offered a motion to publish by summary **Ordinance No. 1506 An Ordinance Amending Willmar Municipal Code, Chapter 8, Licenses, Permits and Business Regulations.** Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

At 6:38 p.m. Mayor Pro Tempore Ask opened the public hearing for an ordinance regulating massage therapy businesses and massage therapists in the City of Willmar. Police Chief Felt presented pertinent details of the proposed ordinance.

There being no one present to speak for or against the proposed ordinance, Mayor Pro Tempore Ask closed the public hearing at 6:40 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. 1507 An Ordinance Regulating Massage Therapy Businesses and Massage Therapists in the City of Willmar.** Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Due to the length and cost of publishing the entire ordinance, Council Member Asmus offered a motion to publish by summary **Ordinance No. 1507 An Ordinance Regulating Massage Therapy Businesses and Massage Therapists in the City of Willmar.** Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

At 6:41 p.m. Mayor Pro Tempore Ask opened the public hearing to vacate public easements on Preserve on 24th First Addition plat. Planning and Development Services Director Walker presented pertinent details of the proposed easement vacation.

There being no one present to speak for or against the proposed vacation, Mayor Pro Tempore Ask closed the public hearing at 6:42 p.m. and opened it up for discussion from the Council.

Following discussion, Council Member Davis offered a motion to approve staff's request, with minor changes to clarify easements and legal descriptions as recommended by City Attorney Scott, and introduced **Resolution No. 2023-131 Vacating Drainage, Utility and Other Easements.** Council Member Shuldes seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Council Member Nelsen returned to the meeting.

Kandiyohi County Public Drainage Manager Loren Engelby gave a presentation on the Grass Lake Project to the Mayor and Council. This was received for information purposes only.

Planning and Development Services Director Walker presented a request to approve the MB Rail Addition-Major Subdivision with two contingencies to the plat. These contingencies would be park dedication, and adjustments proposed by MnDOT to the south property line.

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

Planning and Development Services Director Walker presented a request to approve the updated memorandum of understanding (MOU) between the City of Willmar and the Minnesota Army National Guard. It was noted the prior MOU referenced 40 acres. Circumstances have changed for the Guard, and they would like the entire 80 acres for their project. This MOU is not binding but is the first step in a lengthy process.

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

Contracted City Engineer Jared Voge presented a request to approve the airport apron expansion project change order.

Following discussion, Council Member Asmus offered a motion to approve staff's request and introduced **Resolution No. 2023-132 Authorization Accepting Change Order No. 1072823 for Airport Apron Expansion**. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Operations Director Box presented a request to approve amending the 2023 fee schedule to reflect the new license fees associated with the adoption of the Massage Therapy Ordinance.

Following discussion, Council Member Asmus offered a motion to approve staff's request and introduced **Resolution No. 2023-133 Amending Established Fees for Services, Permits, and Licenses and Establishes Rental Rates for City Equipment**. 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 introduce an ordinance for codification of the City's Municipal Code and set a public hearing for August 21, 2023. It was noted this is a routine practice recommended by the League of Minnesota Cities to be done every ten years. The process was initiated two years ago and adopting the ordinance is the final step in completing the process.

Council Member Fagerlie offered a motion to **introduce 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** and set a public hearing for August 21, 2023. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Clerk Thompson presented a request to introduce an ordinance amending city code for minor updates and set a public hearing for August 21, 2023. It was noted during the codification process, minor changes to various sections of the code were brought to staff's attention and are being addressed in this ordinance.

Council Member Shuldes offered a motion to **introduce 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**, and set public hearing for August 21, 2023. Council Member Fagerlie 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 City Code to Update to City Clerk Position, Remove Transportation of Firewood Requirement, and Change Department Terms from Leisure Services to Parks and Recreation**. Council Member Nelsen 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 interim ordinance temporarily prohibiting the operation of cannabis businesses until January 1, 2025, and set a public hearing for August 21, 2023.

Following discussion, Council Member Butterfield offered a motion to **introduce 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)** and set a public hearing for August 21, 2023. Council Member Shuldes 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 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)**. 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 prohibiting the use of cannabis and certain hemp products in public places and set a public hearing for August 21, 2023.

Following discussion, Council Member Nelsen offered a motion to **introduce an Ordinance Amending Willmar Municipal Code, Chapter 10, Offenses and Miscellaneous Provisions and Willmar Municipal Code, Chapter 11, Regulations for Use of Parks**, and set a public hearing for August 21, 2023. Council Member Fagerlie 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 10, Offenses and Miscellaneous Provisions and Willmar Municipal Code, Chapter 11, Regulations for Use of Parks**. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Pro Tempore Ask offered the following comments: tonight is Public Works Director Manzer's last Council meeting, and thanked him for his many years of dedicated service to the City.

Public Works Director Manzer expressed his thanks and gratitude to the Mayor and Council for the opportunity to work for the City for so many years.

Council Member Fagerlie offered the following comments: "Thank you" to the Rotary Club for the great Rockin' Robbins concerts again this year, and also to the Public Works Department and Police Department for their involvement in these concerts.

Council Members Fagerlie, Nelsen, Davis, Asmus, Shuldes, and O'Brien offered the following comments: all thanked Public Works Director Manzer for this dedication and years of service to the City; also acknowledging his "can do" attitude.

At 7:41 p.m. upon motion by Council Member Fagerlie and seconded by Council Member Asmus, the Council entered into closed session pursuant to Statute 13D.05, Subd. 3(c).

At 8:44 p.m. Council returned to open session.

Council Member Fagerlie offered a motion to adjourn the meeting, with Council Member Nelsen seconding the motion, which carried. The meeting adjourned at 8:44 p.m.

MAYOR

Attest:

SECRETARY TO THE COUNCIL

RESOLUTION NO. 2023-130

**RESOLUTION DECLARING SUPPORT FOR
COMPLETION OF GLACIAL LAKES TRAIL**

Motion By: Fagerlie

Second By: Asmus

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.

/s/ Douglas E. Reese
Douglas E. Reese, Mayor

ATTEST:

/s/ Judy R. Thompson
Judy R. Thompson, City Clerk

RESOLUTION NO. 2023-131

VACATING DRAINAGE, UTILITY AND OTHER EASEMENTS

Motion By: Davis

Second By: Shuldes

WHEREAS, on July 10, 2023, the City received a petition by Duinick Development, Inc. ("Petitioner") for the vacation of certain drainage, utility and other easements more particularly described below, pursuant to the requirements of Subdivision 4.A of the Willmar City Charter; and

WHEREAS, Petitioner is the sole fee owner of the following described real property situated in the City of Willmar, Kandiyohi County, Minnesota, to wit:

Lots 2, 3, 4, and 5, Block 2, The Water View Business Park, Kandiyohi County, Minnesota (the "Property"); and

WHEREAS, Petitioner seeks in its petition the vacation of drainage, utility and other easements situated in the City of Willmar, Kandiyohi County, Minnesota more particularly described as:

All drainage, utility and other easements lying on, over, under and across Lots 2, 3, 4 and 5, Block 2, The Water View Business Park, Kandiyohi County, Minnesota, previously dedicated, conveyed or granted on the recorded plat of The Water View Business Park, except that part lying within the northerly 6 feet of said Lots 2, 3, 4 and 5, Block 2, and that part lying within the easterly 6 feet of said Lot 5, Block 2

(the "Easements"); and

WHEREAS, a public hearing on the proposed vacation of the Easements was ordered by Willmar City Council on July 17, 2023, and thereafter conducted by the Willmar City Council on August 7, 2023, pursuant to Subdivision 6 of Section 9.01 of the Willmar City Charter; and

WHEREAS, the City Council of Willmar finds that it is in the best interest of the City of Willmar to vacate said Easements, subject to the terms and conditions of vacation set forth herein.

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

1. The above-described drainage, utility and other Easements situated in the City of Willmar, Kandiyohi County, Minnesota are hereby vacated, subject to the condition set forth in Paragraph 2 below.
2. The vacation of the Easements pursuant to Paragraph 1 shall be conditioned on the Petitioner (or Petitioner's successor in interest with respect to the Property) first recording a City-approved replat of the Property with new drainage, utility and other easements satisfactory to the City Engineer and Willmar Municipal Utilities shown and dedicated to the City thereon.
3. Nothing herein shall be construed as the City Council approving the vacation of any portion of the public rights-of-way identified as 24th Avenue SE or 5th Street SE the Water View Business Park plat.
4. A certified copy of this Resolution shall be provided to the Petitioner on or after the 18th day of August, 2023, provided no appeals of this Resolution are first filed with the City Clerk pursuant to Subdivision 7 of Section 9.01 of the Willmar City Charter, and thereafter filed with the Kandiyohi County Recorder upon the satisfaction of all conditions set forth herein.

Dated this 7th day of August 7, 2023.

/s/ Douglas E. Reese
MAYOR

Attest:

/s/ Judy R. Thompson
CITY CLERK

RESOLUTION NO. 2023-132

AUTHORIZATION ACCEPTING CHANGE ORDER NO. 1072823 FOR AIRPORT APRON EXPANSION

Motion By: Asmus Second By: Davis

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.

/s/ Douglas E. Reese
MAYOR

Attest:

/s/ Judy R. Thompson
CITY CLERK

RESOLUTION NO. 2023-133

**AMENDING ESTABLISHED FEES FOR SERVICES, PERMITS, AND LICENSES
AND ESTABLISHES RENTAL RATES FOR CITY EQUIPMENT**

Motion By: Asmus Second By: Davis

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 were duly adopted for the year 2023 on December 19, 2022, revised on May 1, 2023, and the same hereby ordered kept on file in the office of the City Clerk.

Dated this 7th day of August 2023

/s/ Douglas E. Reese
MAYOR

Attest:

/s/ Judy R. Thompson
CITY CLERK

WILLMAR CITY COUNCIL WORK SESSION
CITY OFFICE BUILDING, CONFERENCE ROOM NO. 1
333 SW 6TH STREET
WILLMAR MINNESOTA

August 14, 2023
6:30 p.m.

The Work Session 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, Julie Asmus, and Rick Fagerlie. Present 8, Absent 1. Council Member 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 City Clerk Judy Thompson.

There were no proposed additions or deletions to the agenda.

City Auditorium Tour The Mayor, Council, and staff toured the entire city auditorium to get a first-hand look at the overall condition of the building. Upon returning to the City Office building, discussion was held on the findings.

Following a lengthy discussion, consensus of the Council was to direct staff to search for grants/funds available to make necessary repairs/updates to the building, and contact BKV for an estimate of remodeling the building for a new city hall.

2024 Election Discussion City Clerk Thompson presented information on the various polling locations for the wards and precincts in the City, and the process currently in place.

Following discussion, consensus of the Council was to retain the current polling locations for the 2024 elections.

Work Session Calendar City Administrator Valiant presented the updated work session calendar to the Mayor and Council for the remaining year of 2023.

This item was for information only.

The work session adjourned at 8:34 p.m.

Respectfully submitted,



Judy R. Thompson
City Clerk

WILLMAR MUNICIPAL UTILITIES COMMISSION
MEETING MINUTES – AUGUST 14, 2023
11:45 AM – WMU AUDITORIUM

The Municipal Utilities Commission (MUC) met in its regular scheduled meeting on Monday, August 14, 2023, at 11:45 am in the WMU Auditorium with the following Commissioners present: Bruce DeBlieck, Dave Baumgart, Shawn Mueske, John Kennedy (arrived at 11:47 am), Patricia Elizondo, and Terrill Sieck. Absent was Commissioner Carol Laumer.

Others present at the meeting were: General Manager John Harren, Director of Administration Janell Johnson, Finance & Office Services Supervisor Andrea Prekker, Facilities & Maintenance Supervisor Kevin Marti, Information Systems Coordinator Mike Sangren, Executive Secretary Beth Mattheisen, City Councilman Michael O'Brien, City Attorney Robert Scott (via teleconference), 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 Mueske offered a resolution to approve the consent agenda as presented. Commissioner Baumgart seconded.

RESOLUTION NO. 24

“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 24, 2023, Commission meeting; and,
- ❖ Bills represented by vouchers No. 20231069 to No. 20231184 and associated wire transfers inclusive in the amount of \$3,583,840.35.

Dated this 14th day of August, 2023.

President

Attest:

Secretary

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

Finance & Office Services Supervisor Prekker reviewed with the Commission the June 2023 Financial Reports along with a recap of the June 30, 2023 Investment Portfolio, and June 2023 Cost of Power Report. The data presented included analyses of the Electric, Water, and Combined Divisions. Information contained in the reports reflects operating revenues & expenses, operating income, and retained earnings. Graphs depicting the 2022/2023 monthly year-to-date revenues, expenses, and retained earnings were also included with the financial data.

Staff Electrical Engineer Smith provided a summary of a recent power outage which subsequently effected WMU customers. On July 25th at 11:28 pm, storm-related damage caused a fault on the transmission system north of Willmar near New London. Typically storm damage is due to momentary interruptions like lightning or fallen tree branches, so power is automatically restored quickly. Unfortunately, the damage was permanent,

and crews had to be dispatched to isolate the problem before power could be restored to WMU customers. Therefore, the entire city of Willmar was without power for 56 minutes.

Facilities & Maintenance Supervisor Marti presented the July 2023 Wind Turbine Report. While both units were operational, availabilities were affected by issues with both turbines (positioning sensor and electrical faults). It was noted that the breakers ordered for the units have been received and will be installed when required. Wind turbine availabilities for the month of July were at 94.1% (Unit #3) and 67.9% (Unit #4) for a total monthly production of 160,592 kilowatt hours. The 2023 total production through July is 1,509,765 kilowatt hours.

At this time, Facilities & Maintenance Supervisor Marti presented the Commission with a video of the Power Plant Demolition Project. The video provided a full spectrum of the progression involved in the razing of the Power Plant. Marti noted that the project has essentially been completed with only the establishing of standing grass and finalization of paperwork to finish.

Director of Administration Johnson reviewed with the Commission a service agreement for consideration between Willmar Municipal Utilities and United Community Action Partnership (UCAP). This service agreement provides funding to UCAP to assist WMU's low-income residential customers in making energy efficiency upgrades. The annual agreement allows \$10,000 to be distributed by UCAP over the remainder of 2023. This money can be claimed towards required low-income spending goals under Minnesota's Conservation Improvement Program (CIP) State Statute 216B.2403. Following review, Commissioner Mueske offered a resolution to approve the 2023 Service Agreement with UCAP in the amount of \$10,000. Commissioner Baumgart seconded.

RESOLUTION NO. 25

"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the 2023 Service Agreement between Willmar Municipal Utilities and United Community Action Partnership (UCAP) to assist WMU's low-income residential customers to make energy efficiency upgrades be approved in the amount of \$10,000."

Dated this 14th day of August, 2023.

President

Attest:

Secretary

The foregoing resolution was adopted by a vote of five ayes, and zero nays with Commissioner Elizondo abstaining.

The annual WMU Facilities Tour will be held in conjunction with the upcoming MUC Meeting on August 28th. The tour will begin at 12:00 pm (immediately following regular MUC Mtg.) and will include the following sites/projects: 2024 vehicle replacements; Power Plant site/new substation/future bulk water fill station/future generation site; NEWTP Project; new facility land options; and, Willmar Substation. As in the past, City officials (Mayor, Council, Administrator and Operations Director) will be invited to participate in the tour.

A meeting of the WMU Labor Committee will be held on Friday, August 18th beginning at 12:00 pm. The focal point of discussion will be to review recent union contract negotiations and requests.

A meeting of the WMU Planning Committee will be held on Tuesday, August 29th beginning at 12:00 pm. Agenda items will include budgets, rates, and Kandiyohi County Fair Association donation request.

General Manager Harren stated that additional meetings of both the WMU Labor and Planning Committees will also be forthcoming. Tentative future Labor Committee agenda item(s) will include new building and union negotiations. Tentative future Planning Committee agenda items will include generation, new building, water treatment plant funding, and water system modeling.

It was brought to the attention of the Commission that a letter had been received by area homeowners regarding water service line insurance coverage. Although the City of Willmar has endorsed the independent insurance company, the Willmar Municipal Utilities is not involved. Any questions or concerns should be directed to the toll-free number listed in the correspondence.

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 six ayes and zero nays, and the meeting was adjourned at 12:17 pm.

Respectfully Submitted,

WILLMAR MUNICIPAL UTILITIES

Beth Mattheisen
Executive Secretary

ATTEST:

Dave Baumgart, Secretary

**Willmar Lakes Area CVB Board Meeting
EBO Board Room of the CVB/Chamber & Online Via Zoom
Tuesday, June 20, 2023, @ 12:00 Noon**

Members Present: Dave Baker, Doug Kuehnast, Sabrina Lere, Sue Steinert, Judy Thompson, Nancy Larson, Ryan Scheffler, David Feist, Asim Siddiqui, and Steve Gardner

Members Excused: Ken Warner, Audrey Nelsen, John Dahl, Dave Henle, Chad Lien, and Mike McArthur

Members Absent: Caroline Chan and Art Benson

Staff Present: Beth Fischer and Tanya Rosenau

- I. **Call to Order:** Steinert called the meeting to order at 12:06 pm.
 - a. **Additions or corrections to the agenda:** Fischer asked to add an Executive Committee Update to the agenda. It was MSC (m/Feist; s/Larson) to approve the addition to the agenda.
- II. **Approve Minutes from the May 16, 2023, Meeting:** It was MSC (m/Thompson; s/Kuehnast) to approve the minutes from the May 16, 2023, meeting.
- III. **Financial Report:** Thompson presented the financial report and reviewed the lodging tax revenues report. It was MSC (m/Kuehnast, s/Gardner) to approve the financial report as it was presented.
- IV. **2024 Budget:** Fischer shared that the Executive Committee has reviewed the 2024 budget by line item and recommends the proposed budget. Fischer went over the 2024 budget. It was MSC (m/Baker; s/Gardner) to approve the proposed budget with the change of increasing the Lodging Revenues up to \$280,000.
- V. **Executive Committee Update:** Fischer shared that the roof of the building cannot be fixed and will need to be replaced. The cost to replace it is \$64,000. TPI Hospitality has agreed to pay \$21,000. The Chamber will still need to come up with the remaining amount of \$43,000. They are asking the CVB to pay \$7,491.48 for the roof. The Executive Committee has reviewed the lease and recommends that the CVB does not pay this amount. It was MSC (m/Gardner; s/Kuehnast) to pay no more than \$2,500 towards the roof out of good faith but recognizing that this is not required, nor should it set any precedent for any future maintenance or repairs. Baker opposed. Feist abstained. The motion carries. It was recommended that the CVB needs to do our due diligence in looking at all possible office locations, as the current location is currently not meeting our needs and would need to be renovated to remain. A subcommittee was formed consisting of Benson, Kuehnast, Henle, Steinert and Lere to look at possible office locations and also to explore a potential remodel of the existing space.
- VI. **Platform Updates:**
 - a. **Bandwango Passport:** Fischer shared that the Bandwango passport is almost complete and expected to live next week. We have 46 partners included in the launch of the passport.
 - b. **Zartico:** Fischer said we have contracted with Zartico and will begin the onboarding process.
- VII. **Committee Reports/Updates:**
 - a. **Sports:** Scheffler shared that the past month has been busy with graduations, the youth baseball tournament, an MMA event, and the circus. The Willmar Soccer Association is hosting a two-day tournament the last weekend in July. He said it's a quiet end to June, but it'll pick up again in the middle of July. Fischer shared that the youth baseball tournament had 67 teams (with 7 teams being from Willmar), and they played 135 games over the 3-day weekend. They have booked again for June 7-9th 2024.
 - b. **Leisure:** No report was shared.

VIII. Affiliated Partnership Updates/Reports:

- a. **Spicer Commercial Club:** No report was shared.
- b. **New London:** No report was shared.

IX. Executive Director Report: Due to time constraints, Fischer distributed her June Executive Director Report for people to read independently.

[Kuehnast, Scheffler and Siddiqui exited the meeting]

X. Other Business:

- a. **No July Meeting Reminder:** Steinert reminded everybody there is no CVB Board meeting in July.
- b. **Word Around the Community:**
 - i. **Gardner:** Caroline Chan is the new Health & Human Services Director.
 - ii. **Thompson:** The City Council meeting has a full agenda for tonight, and it's Willmar Fests this week.
 - iii. **Steinert:** She shared that everyone can watch the KMS Saints at the parade on Saturday.
 - iv. **Larson:** Larson shared that Spicer's 4th of July Celebration will be the best one ever!
 - v. **Baker:** He shared that Melvin's Throwback event is at the end of July and should be lots of fun.
- c. **Next Meeting:** Tuesday, August 15, 2023

XI. Adjournment: Steinert adjourned the meeting at 1:25 pm.

Respectfully Submitted by,
Tanya Rosenau, Administrative Assistant
Willmar Lakes Area Convention & Visitors Bureau



City of Willmar
CONVENTION & VISITORS BUREAU
Balance Sheet as of July 31, 2023
(As of 08/04/23)

Assets

Cash	\$ 11,639.14
Bremer Wealth Money Market	62.67
Petty Cash	50.00
Investments	366,289.17
Taxes Receivable	-
Accounts Receivable	-
Prepaid Expenses	390.68
Interest Receivable	-
Total Assets	\$ 378,431.66

Liabilities

Accounts Payable	\$ -
PPP2 Loan Share from Chamber	
Unrealized Revenue - Taxes	-
Total Liabilities	-

Fund Balance

Restricted Fund Balance - Prepaid Expenses	4,095.56
Committed Fund Balance - CVB	28,193.86
Assigned Fund Balance - Petty Cash/CVB	50.00
Restricted Fund Balance - CVB	300,657.24
Restricted Fund Balance - CVB 2023 Cash Flow	45,435.00
Total Fund Balance	378,431.66

Total Liabilities & Fund Balance	\$ 378,431.66
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Lodging Tax History

	#	2015	2016	2017	2018	2019	2020	2021	2022	2023
January		\$ 12,481.92	\$ 16,072.96	\$ 15,411.55	\$ 14,438.84	\$ 14,232.85	\$ 14,148.02	\$ 7,741.02	\$ 17,530.03	\$ 19,479.44
									9 properties 476 rooms	10 properties 497 rooms
February		\$ 13,861.89	\$ 12,644.59	\$ 13,292.01	\$ 13,934.28	\$ 14,552.98	\$ 15,048.46	\$ 9,101.68	\$ 13,032.62	\$ 16,367.14
									9 properties 476 rooms	10 properties 497 rooms
March		\$ 13,268.74	\$ 11,951.98	\$ 14,443.01	\$ 14,696.50	\$ 15,673.47	\$ 9,303.62	\$ 12,363.16	\$ 16,301.29	\$ 23,116.95
									10 properties 497 rooms	10 properties 497 rooms
April		\$ 20,893.77	\$ 16,855.81	\$ 15,757.48	\$ 16,409.14	\$ 17,819.29	\$ 4,588.16	\$ 15,029.77	\$ 19,180.17	\$ 23,081.59
									10 properties 497 rooms	10 properties 497 rooms
May		\$ 27,168.41	\$ 16,576.02	\$ 15,746.72	\$ 20,539.88	\$ 20,001.25	\$ 7,314.51	\$ 17,537.08	\$ 25,997.69	\$ 24,403.07
									10 properties 497 rooms	11 properties 548 rooms
June		\$ 31,353.36	\$ 23,587.69	\$ 26,686.49	\$ 28,342.49	\$ 24,163.13	\$ 12,608.70	\$ 23,624.61	\$ 31,219.70	\$ 28,032.70
									10 properties 497 rooms	one missing
July		\$ 31,335.96	\$ 21,423.26	\$ 27,584.55	\$ 28,880.56	\$ 26,044.25	\$ 16,449.45	\$ 28,542.94	\$ 34,930.15	\$ -
									10 properties 497 rooms	
August		\$ 26,012.06	\$ 24,542.87	\$ 26,921.27	\$ 26,212.67	\$ 25,113.28	\$ 17,345.10	\$ 28,063.26	\$ 37,198.88	\$ -
									10 properties 497 rooms	
September		\$ 19,337.47	\$ 20,738.25	\$ 21,674.86	\$ 24,656.95	\$ 23,058.37	\$ 16,540.48	\$ 23,485.38	\$ 29,875.49	\$ -
									10 properties 497 rooms	
October		\$ 17,588.17	\$ 19,325.13	\$ 21,137.60	\$ 23,002.47	\$ 22,999.10	\$ 16,290.21	\$ 20,545.88	\$ 32,789.52	\$ -
									10 properties 497 rooms	
November		\$ 13,727.63	\$15,342.87	\$14,726.67	\$17,698.50	\$17,729.37	\$8,651.30	\$17,090.35	\$25,876.14	\$ -
Camping		\$14,785.45	\$15,497.95	\$15,862.70	\$16,275.30	\$15,594.25	\$13,829.45	\$17,917.95	\$15,558.85	
December		\$ 13,694.93	\$13,812.73	\$13,553.46	\$14,020.88	\$14,276.98	\$6,674.59	\$15,743.86	\$21,732.15	\$ -
									11 properties 548 rooms	
Total Lodging tax		\$ 255,509.76	\$ 228,372.11	\$ 242,798.37	\$ 259,108.46	\$ 251,258.57	\$ 158,792.05	\$ 236,786.94	\$ 321,222.68	\$ 134,480.89

**CITY OF WILLMAR
BOARD OF ZONING APPEALS MEETING
5:30 P.M. WEDNESDAY, MAY 18TH, 2023
CONFERENCE ROOM #1 - CITY OFFICE BUILDING**

Members: Christopher Frank, Dan Reigstad, and Josh Monson

AGENDA

1. Call the meeting to order.
2. Jason Dowdey Variance.
3. Christianson Bros. Const. Variance.
4. Miscellany.
5. Adjourn.

1. CALL THE MEETING TO ORDER

2. JASON DOWDEY VARIANCE FILE NO 22-01 – Attachment A

- The applicant Jason Dowdey is requesting a Variance on the property located at 1400 Grace Ave SW.
- The property is zoned Residential (R-2), minimum lot dimension is 8,000 square feet.
- Mr. Dowdey is looking to a variance to allow a below the minimum lot size requirement on the property described as follows: Lot 0 Block 5, Nursery Addition W'LY 145 FT.OF S 65.6 FT of Lot 2
- The minor subdivision was approved by the Planning Commission on 04/20/2022.
- According to Resolution 2022-074, the City Council of the City of Willmar, it was resolved that the Dowdey Addition Preliminary Plat be approved subject of obtain a variance from the 8,500 sq ft minimum lot size.
- The actual dimensions of existing lots are Lot 01: 9,742 square feet and Lot 02: approximately 7,000 square feet.
- Final lot dimensions would be Lot 01 8,371 square feet and Lot 02 8,371 square feet.

RECOMMENDATION: Considering that a variance is being requested according to Ordinance 1060 Section 9.D.3.c. of the City of Willmar, staff recommends approve the variance for the lot area as follow: Lot 01: 8,371 square feet and Lot 02: 8,371 square feet, instead of the 8.500 square feet per each lot established in the Ordinance 1060 Section 6.D.5.a for Residential District (R-2), one-family dwellings.

3. CHRISTIANSON BROS. CONST. FILE No. 23-01 – Attachment B

- The applicant Christianson Bros. Const. is requesting a Variance on the property located at 2508 3rd Ave SE
- The property is zoned Residential 2 (R-2), minimum front setback is 30 feet.

- Mr. Christianson is looking to a variance to allow a below the minimum front setback on the property described as follows: Sec 13, Twp 119 Range 35, Lot 02, Block 01, Woodberry Addition.
- The proposed front setback is 25 feet due to the elevation drop on the back half of the lot.

RECOMMENDATION: Considering that the area has been bisected by a slop in the lot, and considering that a variance is being requested according to Ordinance 1060 Section 9.D.3.c. of the City of Willmar, staff recommends approve the variance for the front setback to 25 feet, instead of the 30 feet established in the Ordinance 1060 Section 6.D.5.c for Residential District (R-2), one- and two-family dwellings.

4. MISCELLANY

5. ADJOURN

Attachment A: Existing lots



Proposed lots



This aerial map displays a commercial district in St. Louis, Missouri, with property boundaries and owner information. A yellow outline highlights a specific parcel at the intersection of 28th St and 3rd Ave SE. The map includes labels for various owners such as Nelson Leasing, Inc., Christman Properties, LLC, and Timberland, LLC. A scale bar and north arrow are also present.

Highlighted Parcel: 28th St, 3rd Ave SE. Owner: Christman Properties, LLC. Parcel Number: 28-022-0020.

Other Owners and Parcels:

- Nelson Leasing, Inc. (28-013-1150, 28-013-1151, 28-013-1152, 28-013-1153, 28-013-1154, 28-013-1155, 28-013-1156, 28-013-1157, 28-013-1158, 28-013-1159, 28-013-1160, 28-013-1161, 28-013-1162, 28-013-1163, 28-013-1164, 28-013-1165, 28-013-1166, 28-013-1167, 28-013-1168, 28-013-1169, 28-013-1170, 28-013-1171, 28-013-1172, 28-013-1173, 28-013-1174, 28-013-1175, 28-013-1176, 28-013-1177, 28-013-1178, 28-013-1179, 28-013-1180, 28-013-1181, 28-013-1182, 28-013-1183, 28-013-1184, 28-013-1185, 28-013-1186, 28-013-1187, 28-013-1188, 28-013-1189, 28-013-1190, 28-013-1191, 28-013-1192, 28-013-1193, 28-013-1194, 28-013-1195, 28-013-1196, 28-013-1197, 28-013-1198, 28-013-1199, 28-013-1200, 28-013-1201, 28-013-1202, 28-013-1203, 28-013-1204, 28-013-1205, 28-013-1206, 28-013-1207, 28-013-1208, 28-013-1209, 28-013-1210, 28-013-1211, 28-013-1212, 28-013-1213, 28-013-1214, 28-013-1215, 28-013-1216, 28-013-1217, 28-013-1218, 28-013-1219, 28-013-1220, 28-013-1221, 28-013-1222, 28-013-1223, 28-013-1224, 28-013-1225, 28-013-1226, 28-013-1227, 28-013-1228, 28-013-1229, 28-013-1230, 28-013-1231, 28-013-1232, 28-013-1233, 28-013-1234, 28-013-1235, 28-013-1236, 28-013-1237, 28-013-1238, 28-013-1239, 28-013-1240, 28-013-1241, 28-013-1242, 28-013-1243, 28-013-1244, 28-013-1245, 28-013-1246, 28-013-1247, 28-013-1248, 28-013-1249, 28-013-1250, 28-013-1251, 28-013-1252, 28-013-1253, 28-013-1254, 28-013-1255, 28-013-1256, 28-013-1257, 28-013-1258, 28-013-1259, 28-013-1260, 28-013-1261, 28-013-1262, 28-013-1263, 28-013-1264, 28-013-1265, 28-013-1266, 28-013-1267, 28-013-1268, 28-013-1269, 28-013-1270, 28-013-1271, 28-013-1272, 28-013-1273, 28-013-1274, 28-013-1275, 28-013-1276, 28-013-1277, 28-013-1278, 28-013-1279, 28-013-1280, 28-013-1281, 28-013-1282, 28-013-1283, 28-013-1284, 28-013-1285, 28-013-1286, 28-013-1287, 28-013-1288, 28-013-1289, 28-013-1290, 28-013-1291, 28-013-1292, 28-013-1293, 28-013-1294, 28-013-1295, 28-013-1296, 28-013-1297, 28-013-1298, 28-013-1299, 28-013-1300, 28-013-1301, 28-013-1302, 28-013-1303, 28-013-1304, 28-013-1305, 28-013-1306, 28-013-1307, 28-013-1308, 28-013-1309, 28-013-1310, 28-013-1311, 28-013-1312, 28-013-1313, 28-013-1314, 28-013-1315, 28-013-1316, 28-013-1317, 28-013-1318, 28-013-1319, 28-013-1320, 28-013-1321, 28-013-1322, 28-013-1323, 28-013-1324, 28-013-1325, 28-013-1326, 28-013-1327, 28-013-1328, 28-013-1329, 28-013-1330, 28-013-1331, 28-013-1332, 28-013-1333, 28-013-1334, 28-013-1335, 28-013-1336, 28-013-1337, 28-013-1338, 28-013-1339, 28-013-1340, 28-013-1341, 28-013-1342, 28-013-1343, 28-013-1344, 28-013-1345, 28-013-1346, 28-013-1347, 28-013-1348, 28-013-1349, 28-013-1350, 28-013-1351, 28-013-1352, 28-013-1353, 28-013-1354, 28-013-1355, 28-013-1356, 28-013-1357, 28-013-1358, 28-013-1359, 28-013-1360, 28-013-1361, 28-013-1362, 28-013-1363, 28-013-1364, 28-013-1365, 28-013-1366, 28-013-1367, 28-013-1368, 28-013-1369, 28-013-1370, 28-013-1371, 28-013-1372, 28-013-1373, 28-013-1374, 28-013-1375, 28-013-1376, 28-013-1377, 28-013-1378, 28-013-1379, 28-013-1380, 28-013-1381, 28-013-1382, 28-013-1383, 28-013-1384, 28-013-1385, 28-013-1386, 28-013-1387, 28-013-1388, 28-013-1389, 28-013-1390, 28-013-1391, 28-013-1392, 28-013-1393, 28-013-1394, 28-013-1395, 28-013-1396, 28-013-1397, 28-013-1398, 28-013-1399, 28-013-1400, 28-013-1401, 28-013-1402, 28-013-1403, 28-013-1404, 28-013-1405, 28-013-1406, 28-013-1407, 28-013-1408, 28-013-1409, 28-013-1410, 28-013-1411, 28-013-1412, 28-013-1413, 28-013-1414, 28-013-1415, 28-013-1416, 28-013-1417, 28-013-1418, 28-013-1419, 28-013-1420, 28-013-1421, 28-013-1422, 28-013-1423, 28-013-1424, 28-013-1425, 28-013-1426, 28-013-1427, 28-013-1428, 28-013-1429, 28-013-1430, 28-013-1431, 28-013-1432, 28-013-1433, 28-013-1434, 28-013-1435, 28-013-1436, 28-013-1437, 28-013-1438, 28-013-1439, 28-013-1440, 28-013-1441, 28-013-1442, 28-013-1443, 28-013-1444, 28-013-1445

**WILLMAR BOARD OF ZONING APPEALS
THURSDAY, MAY 18th, 2023
333 6TH STREET SW, CONFERENCE ROOM 1
MINUTES**

1. The Willmar Boarding of Zoning Appeals met on Thursday, May 18th, 2023 at 5:30pm at the City Hall

Members Present: Josh Monson, Chris Frank, Daniel Reigstad.

Others Present: Director Justice Walker, City Planner Guilherme Motta, Leslie Valiant, James Buehler, Ron Christianson, Josh Manson, Bill, Kack, Victoria, Vicki Davis, Dona, Fernando.

2. Chair Frank called for order at 5 :30pm.

3. JASON DOWDEY VARIANCE FILE NO 22-01 – VARIANCE / PUBLIC HEARING

Director Walker started telling the BZA that the applicant Jason Dowdey was not in the meeting. Chair Frank asked if someone from the public was against the variance and some public said yes. People asked what would happen if the applicant is not there. Chair Frank and Director Walker decided that proper notice was given, and that it was ok to proceed with the meeting. Chair Frank read the overview according to the agenda. He assumed the rear lot might cost less. He looked for the standard for granting the variance. Frank read the instances variance may be granted according to Ordinance 1060 Section 9.D.3.c.

Chair Frank opened the Public Hearing. Jimmy Buehler talked on behalf of some neighbors and of his family, considering that they live in a quiet neighborhood, there is respect between the neighbors and the objective of the ordinance is to control and ensure sound practices. He expressed his concerns and suggested disapproval for the variance. He mentioned a possible decrease in the properties' value. Mr. Kack was concerned about putting another building, a small home could devalue properties. Mr. Kack has a property which access is owned by Ms. Victoria who gives him access to the property. Ms. Victoria disagreed in splitting the lot in two because this is already a R1 zoning for one family housing. Director Walker responded about the setback issues considering that it is possible to build a house there and follow the setbacks. Mr. Christianson asked for the width of the lot. Mr. Fernando said they would build a small house in the lot. Ms. Victoria asked how they would put something decent there. Director Walker said they can put another building in the lot because it is R-2 zoned. Public hearing was closed at 5:51pm.

Chair Frank discussed with the commissioners about a solution. Director Walker said that it had already been discussed with Dowdey to buy more land. Mr. Monson asked when they bought the land, it was bought in 2021. Mr. Reigstad asked about the possibility of creating only one lot. The public discussed about the value of the properties.

Chair Frank called for a vote on the variance. Commissioner Reigstad voted nay, Commissioner Frank voted nay, Commissioner Monson voted nay. The motion was not approved.

4. CHRISTIANSON BROS. CONST. FILE No. 23-01 – VARIANCE / PUBLIC HEARING

Chair Frank read the overview of the variance request. Mr. Christianson said it is only 5 feet less than the 30 feet mandatory. Christianson explained the reasons he was requesting the variance. Mr. Reigstad asked if no issues with water and if it would affect the neighbors. Director Walker explained where the lot started to slope down. Public hearing is opened but nobody commented. Public hearing was closed. Chair Frank asked if anyone has different thoughts. Chair Frank read the instances variance may be granted according to Ordinance 1060 Section 9.D.3.c. Commissioners had no more comments.

Staff Recommendation: Staff recommended approving the front setback in 25 feet.

Chair Frank called for a vote. Commissioner Reigstad voted aye, Commissioner Frank voted aye, Commissioner Monson voted aye. The motion was approved.

Miscellaneous

Director Walker told that the minutes will be sent to the commissioners by e-mail for review and approval, considering the BZA doesn't have a regular meeting and the minutes need to be sent to the Council approval.

5. ADJOURN

Commissioner Reigstad motioned to adjourn. Seconded by Commissioner Monson The motion carried. With no further business, the meeting was adjourned.

Minutes presented by City Planner Guilherme Motta

**WILLMAR BOARD OF ZONING APPEALS
THURSDAY, AUGUST 17th, 2023
333 6TH STREET SW, CONFERENCE ROOM 1
MINUTES**

1. The Willmar Boarding of Zoning Appeals met on Thursday, August 17th, 2023 at 6:00pm at the City Hall.

Members Present: Josh Monson, Chris Frank, Daniel Reigstad.

Others Present: Director Justice Walker, City Planner Guilherme Motta, Daniel Tempel and Velma Pregler.

2. Chair Frank called for order at 6 :00pm. Chair Frank mentioned to be registered in minutes that minutes from the 05/18/2023 were sent and approved by e-mail and the current one will be sent for approval by e-mail to commissioners. The only item agenda is the Daniel Tempel variance.

3. DANIEL TEMPEL VARIANCE FILE NO 23-02 – VARIANCE / PUBLIC HEARING

Director Walker started reading the overview of the proposed variance according to the agenda. Public Hearing was opened at 6:02pm. Daniel Tempel introduced himself as the applicant and explained his proposal. It is because of the dedication of the road and said that half of the lot reduced the setback. He showed a picture of a building built in Mankato and said it would be an improvement for the neighborhood. The unique hardship was dedicating the street. Director Walker opened for questions and Chair Frank asked about the distance of the 27 feet and not 30 feet for the building. Mr. Tempel said it would cost more and there is 25 feet setback on the front, and it is enough to see around and provide the propose. Chair Frank asked why it has to be two lots and Mr. Tempel answered it is because he can sell the building on lot 01. Chair Frank asked if anyone had any more questions. Mrs. Pregler said she lives on 14th St corner with Elizabeth St and is wondered what is going to be built in the lot. Mr. Tempel showed again the picture and explained it will be a three-unit storage building. Chair Frank read the standards for variance according to Ordinance 1060 Public Hearing was closed at 6:12pm. Chair Frank asked for more questions. Commissioner Reigstad asked to Mrs. Pregler repeat her question and her issues was not regarding Mr. Tempel's variance request.

Staff recommended in favor of the variance approval.

Chair Frank called for a vote on the variance. Chair Frank made a motion to approve the 6 feet set back from the property line and 18 feet from the curb. Commissioner Reigstad seconded. Commissioner Reigstad voted aye, Commissioner Frank voted aye, Commissioner Monson voted aye. The motion was approved.

4. MISCELLANEOUS

Commissioner Monson presented a letter of resignation, he is moving to Spicer and will not be able to participate to the commission anymore.

Director Walker asked how the board felt about a property owner in town wanting to put a fence at Willmar Ave and he would like to apply a variance and he doesn't think that it applies a variance. He would like to put up a 6 ft fence because his concern is about the traffic. Chair Frank said it wouldn't meet the standards for a variance but he would have to look into it more for an actual answer. Director Walkers didn't think met the threshold for a requesting a variance.

5. ADJOURN

Chair Frank adjourned the meeting at 6:20pm. With no further business, the meeting was adjourned.

Minutes presented by City Planner Guilherme Motta

**CITY OF WILLMAR
BOARD OF ZONING APPEALS MEETING
6:00 P.M. THURSDAY, AUGUST 17TH, 2023
CONFERENCE ROOM #1 - CITY OFFICE BUILDING**

Members: Christopher Frank, Dan Reigstad, and Josh Monson

AGENDA

1. Call the meeting to order.
2. Approval Minutes from May 18th, 2023.
3. Daniel Tempel Variance.
4. Miscellany.
5. Adjourn.

1. CALL THE MEETING TO ORDER

2. MINUTES FROM MAY 18TH 2023. Minutes were approved by e-mail but would register approval at minutes.

3. DANIEL TEMPEL FILE NO 23-01

- The applicant Daniel Tempel is requesting a Variance on the property located at 1300 Highway 12 E, Willmar MN.
- The property is zoned General Business (GB), minimum lot dimension is 15,000 square feet and current dimension is 16,115 square feet.
- Mr. Tempel is looking to a variance to allow a below the minimum side/street setback requirement on the property Lot 2, Block 1, Tempel Properties.
- A minor subdivision was approved by the Planning Commission on 07/19/2023 which created Lots 01 and 02, and dedicated Road 14th St SE, as so a recorded easement.
- All the other setbacks would be provided, 25 feet at front, 10 feet at side and rear setback. Lot width minimum is 100 feet and provided is 105,41 feet.
- Final side/road proposed setback is 6 feet from lot line and 18 feet from the curb.

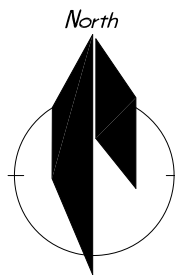
STAFF COMMENTS: The side/street setback helps maintain open space for the cars turning at the corner with a better sight line of the traffic. The construction as proposed is located in the rear, leaving a front setback of about 70 feet from the corner, allowing vehicles to turn into and cross the roadway safely. The city requested dedication of an easement located in the lot, for the 14th St SE. This dedication is what caused issues for the new construction to keep the 25 side/street setback.

RECOMMENDATION: Staff recommends approve the variance for the side/street setback as 6 feet from lot line and 18 feet from the curb.

4. MISCELLANY
5. ADJOURN

Preliminary Plat of:

TEMPEL PROPERTIES



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

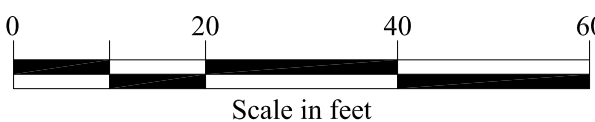
Prepared on: **June 12, 2023**

Located in: **Section 14, T119N-R35W**

Parcel ID #: **95-914-2350**

Total Area Being Platted: **46,565 sq. ft.**

Zoned: **GB - General Business**



LEGEND

- Found Iron Monument from former survey
- Bonnema Runke Stern Inc. Placed 3/4" 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)

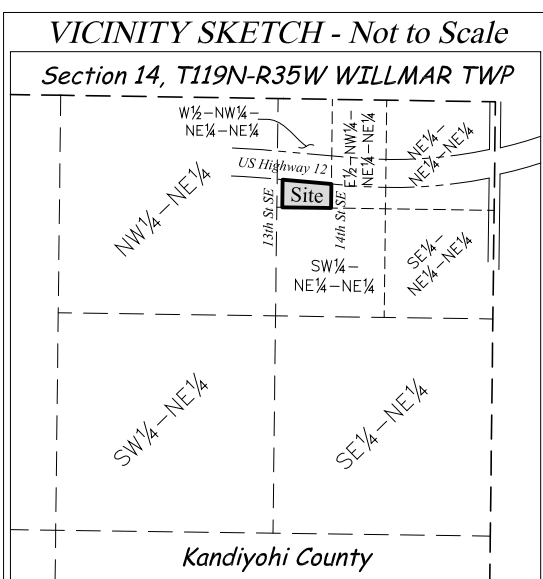
Note:

- Setbacks are shown per conversation by developer and City Staff dated June 13th, 2023
- 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 29, 2023** License No. 46169



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 (W 1/2 of NW 1/4 of NE 1/4 of NE 1/4) 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 Solverson'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."

Landowner Information

Clean Laundry, LLC

PID #95-427-0010

Landowner Information

George L. Boernma

PID #95-150-0040

Landowner Information

Divine House Inc.

PID #95-150-0060

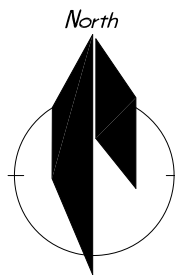
Landowner Information

Daniel & Ann Pederson

PID #95-150-0070

Preliminary Plat of:

TEMPEL PROPERTIES



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

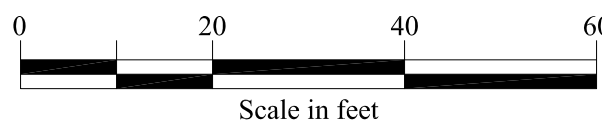
Prepared on: **June 12, 2023**

Located in: **Section 14, T119N-R35W**

Parcel ID #: **95-914-2350**

Total Area Being Platted: **46,565 sq. ft.**

Zoned: **GB - General Business**



LEGEND

- Found Iron Monument from former survey
- Bonnema Runke Stern Inc. Placed 3/4" 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)

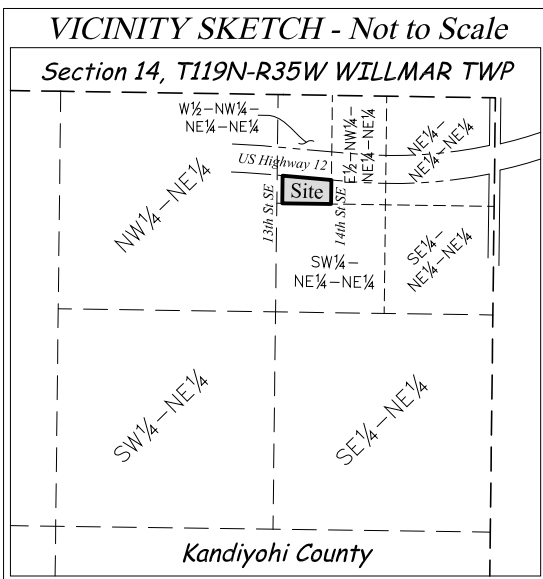
Note:

- Setbacks are shown per conversation by developer and City Staff dated June 13th, 2023
- 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 29, 2023** License No. 46169



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 (W 1/2 of NW 1/4 of NE 1/4 of NE 1/4) 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 Solverson'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."

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PID #95-150-0060

Landowner Information

Daniel & Ann Pederson

PID #95-150-0070

CITY OF WILLMAR
PLANNING COMMISSION MEETING
6:30 P.M. ON WEDNESDAY, AUGUST 2nd, 2023.
CONFERENCE ROOM #1
WILLMAR FIRE DEPARTMENT

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. Minutes from July 19th meeting.
3. Map and text amendment - changes on GB - General Business District / Final / Public Hearing.
4. Map and text amendment - creating of GB-3 - General Business District 3 / Final / Public Hearing.
5. Miscellany.
6. Adjourn.

1. MEETING CALLED TO ORDER

2. MINUTES FROM JULY 19TH MEETING

3. MAP AND TEXT AMENDMENT - CHANGES ON GB - GENERAL BUSINESS DISTRICT / FINAL / PUBLIC HEARING

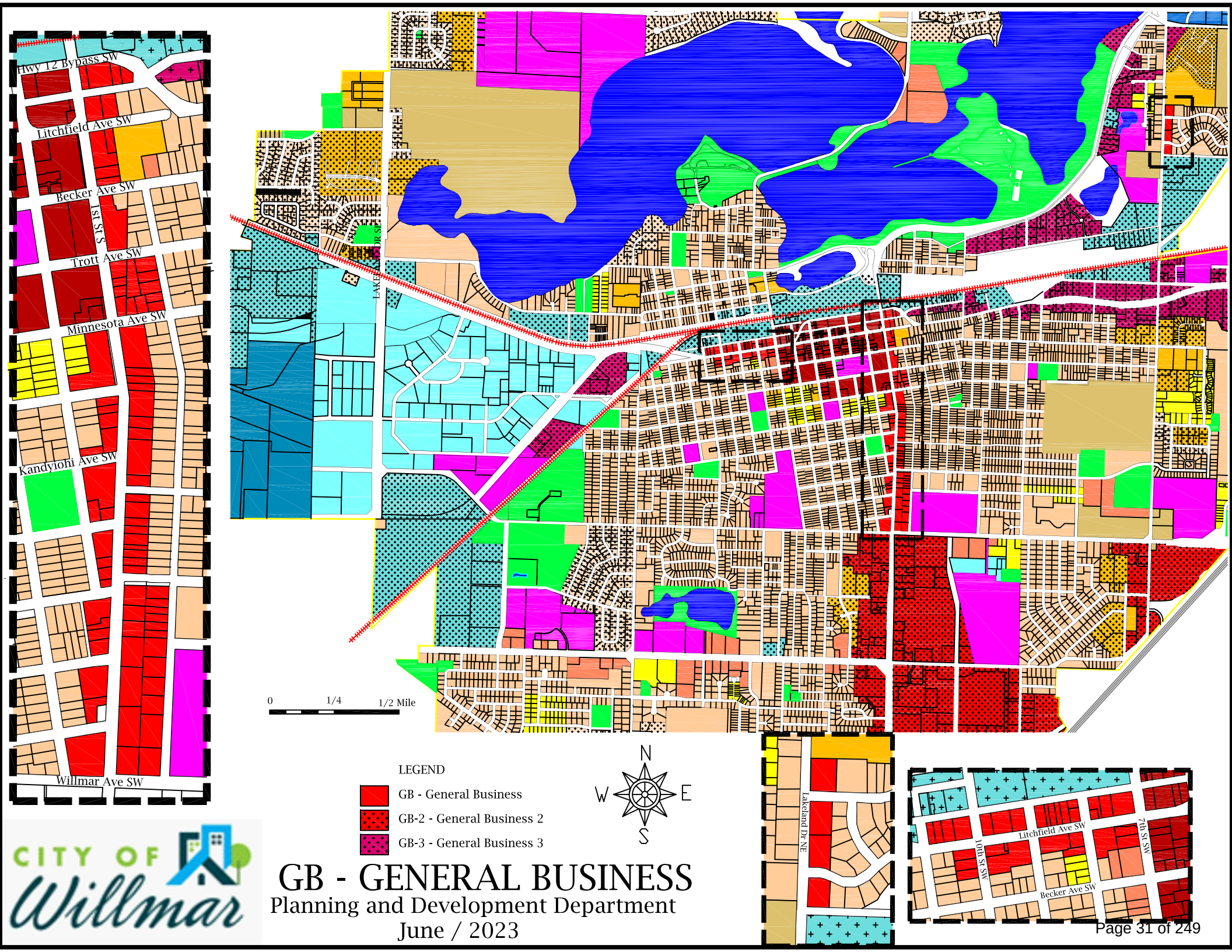
This is a city-initiated Map and Text Zoning Amendment that changes uses for the General Business District. This change is part of the split of the General Business District in 3 different zonings: GB (General Business District), for smaller related business, located on 1st Street S, between Willmar Avenue and Hwy 12. 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, as shown in the map attached to this agenda. All uses from the GB will be permitted on GB-2 and new uses will be permitted. Lot size minimum will be changed from 15,000 square feet to 25,000 square feet.

4. MAP AND TEXT AMENDMENT - CREATING GB-3 - GENERAL BUSINESS DISTRICT 3, ADAPT SIGN ORDINANCES FOR NEW ZONING / FINAL / PUBLIC HEARING

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. It is being created a third zoning district from the GB split, called 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-2. This zoning is located on certain portions of Hwy 12, close to industrial area and on north, throughout the Hwy 71. Map and Text to amend Ordinance 1060, Section 05 is attached to this Agenda as Visual. As a consequence, it is necessary to add new zoning GB-2, GB-3 and I-3 on Signs Ordinance 1060, Section 6.A.2 and 3, Section 6.D.2.c, Section 6.E.2.d, Section 6.F.2.f, Section 5.H.4 and Section 3.D.1.

5. Miscellaneous

6. Adjourn



GB - GENERAL BUSINESS

Planning and Development Department
June / 2023

ORDINANCE NO.
AN ORDINANCE AMENDING NO. 1060
KNOWN AS THE WILLMAR ZONING ORDINANCE
BY AMENDING SECTION 6 RELATING
TO ZONING DISTRICTS AND DISTRICT REGULATIONS

The City Council of City of Willmar does ordain as follows:

SECTION 6. Ordinance 1060 is hereby amended by changing the SECTION 6.I so as to read as follows:

I. GB. GENERAL BUSINESS DISTRICT

1. Permitted Uses. Only the following uses shall be permitted outright:
 - a. Alterations/tailor shops.
 - b. Appliance sales and service.
 - c. Art and photo studios, including sale of prints and photographic and supplies.
 - d. Athletic/recreation facilities.
 - ~~e. Automobile/light truck sales and service.~~
 - ~~f. Automobile/truck parts and supplies sales.~~
 - g. Bait and tackle stores.
 - h. Bakeries.
 - i. Banks/financial institutions.
 - j. Bicycle sales and service.
 - k. Broadcasting studios.
 - l. Carpet/floor covering stores.
 - m. Churches.
 - ~~n. Clothing stores.~~
 - o. Commercial day nurseries or schools.
 - ~~p. Computer/electronic equipment sales and service.~~
 - q. Drug stores/pharmacies.
 - r. Dry cleaners.
 - s. Employment agencies.
 - ~~t. Fabric stores.~~
 - ~~u. Farm supplies sales.~~
 - v. Flower shops.
 - w. Funeral homes/crematoriums.
 - x. Furniture stores.
 - y. Glass sales/service.
 - z. Hair care (barbers, beauty shops, salons, etc.)
 - aa. Hardware stores.
 - bb. Laundromats.
 - cc. Liquor sales, on and off.
 - dd. Medical/dental clinics.

~~ee. Motorcycle/snowmobile/boat sales and service.~~

ff. Museums.

~~gg. Music stores.~~

~~hh. Office supplies stores.~~

ii. Offices, business and professional.

~~jj. Parking.~~

~~kk. Pet stores.~~

11. Photo processing business.

~~mm. Photostudios, including the sale of photographic supplies.~~

nn. Printing shops.

oo. Schools and colleges.

~~pp. Shoestores.~~

~~qq. Small engines sales and service.~~

~~rr. Sporting goods stores.~~

ss. Tanning parlors.

tt. Theaters.

~~uu. Tire sales and service.~~

~~vv. Toy stores.~~

ww. Veterinary clinics.

~~xx. Video stores.~~

~~yy. Welding supply stores.~~

zz. Essential services and public uses.

aaa. Tattoo Parlors

~~aaa. Brew Pubs~~

bbb. General Retail Stores

2. Permitted Uses With Plan Review. The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

~~a. Armories, convention halls, auditoriums.~~

~~b. Building contractor shops.~~

~~c. Bus terminals.~~

- d. Businesses with drive-up facilities (If use permitted).
- e. Car washes.
- ~~f. Department stores.~~
- g. Discount stores.
- ~~h. Electrical contractors shops.~~
- ~~i. Fertilizer sales.~~
- j. Fraternal/service clubs.
- k. Hotels/motels.
- ~~l. Livestock feed sales.~~
- ~~m. Lumber yards (including misc. building materials).~~
- ~~n. Mini storage businesses.~~
- o. Multi-business buildings and complexes (if uses permitted).
- p. Housing ~~Multiple family dwelling~~ units as a secondary use in a business structure.
- ~~q. Nurseries, greenhouses.~~
- ~~r. Plastering/drywall contractors shops.~~
- ~~s. Plumbing / heating / air conditioning / refrigeration / ventilation contractors shops.~~
- t. Restaurants (including ~~nightclubs and~~ fastfoods).
- ~~u. Roofing contractors shops.~~
- v. Seasonal businesses.
- ~~w. Sheet metal contractors shops.~~
- ~~x. Sign contractors shops.~~
- y. Structures exceeding forty-five (45) feet in height (if use permitted).
- z. Supermarkets/grocery stores (including convenience stores without gas sales).
- ~~aa. Truck sales and service.~~
- ~~bb. Water conditioning contractors shops, including bottling and sales (Ordinance 1156/2002).~~
- ~~cc. Welding shops.~~
- dd. Brew Pubs and Taprooms

3. Conditional Uses. The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach there to::

- a. Adult entertainment uses, as regulated in Section 3.Q.
- b. Flammable gas/liquid sales and storage (including gas stations and convenience stores with gas sales).
- c. Planned unit developments.
- d. Recycling transfer stations.
- ~~e. Brew Pubs and Taprooms~~
- f. Multi-family dwelling structures
- g. Restaurants including Bars and Night Clubs
- h. Single-family dwelling (Single-family dwellings are not permit on 1st Street or Hwy)

- 4 . Permitted Accessory Uses. The following accessory structures or uses of land shall be permitted:
 - a . Detached storage or accessory buildings.
- 5 . Lot Area, Width, and Setback Requirements. The following standards shall be the minimum requirements for development in the "GB" District:

a. Lot Area (square feet)	15,000 10,000
b. Lot Width (feet)	100 50 to 75
c. Setbacks (feet)	
Front (r/w)	25 5*
Rear	10
Side, interior	10
Side, street (r/w)	25*
* All front or street setbacks along state/federal highways shall be a minimum of fifty (50) feet except for T.H.12 between 11 th Street Southwest and Lakeland Drive.	

EFFECTIVE DATE. This Ordinance shall be effective from and after its adoption and second publication.

This Ordinance introduced by Council Member: _____

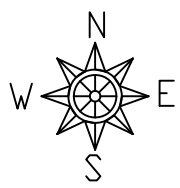
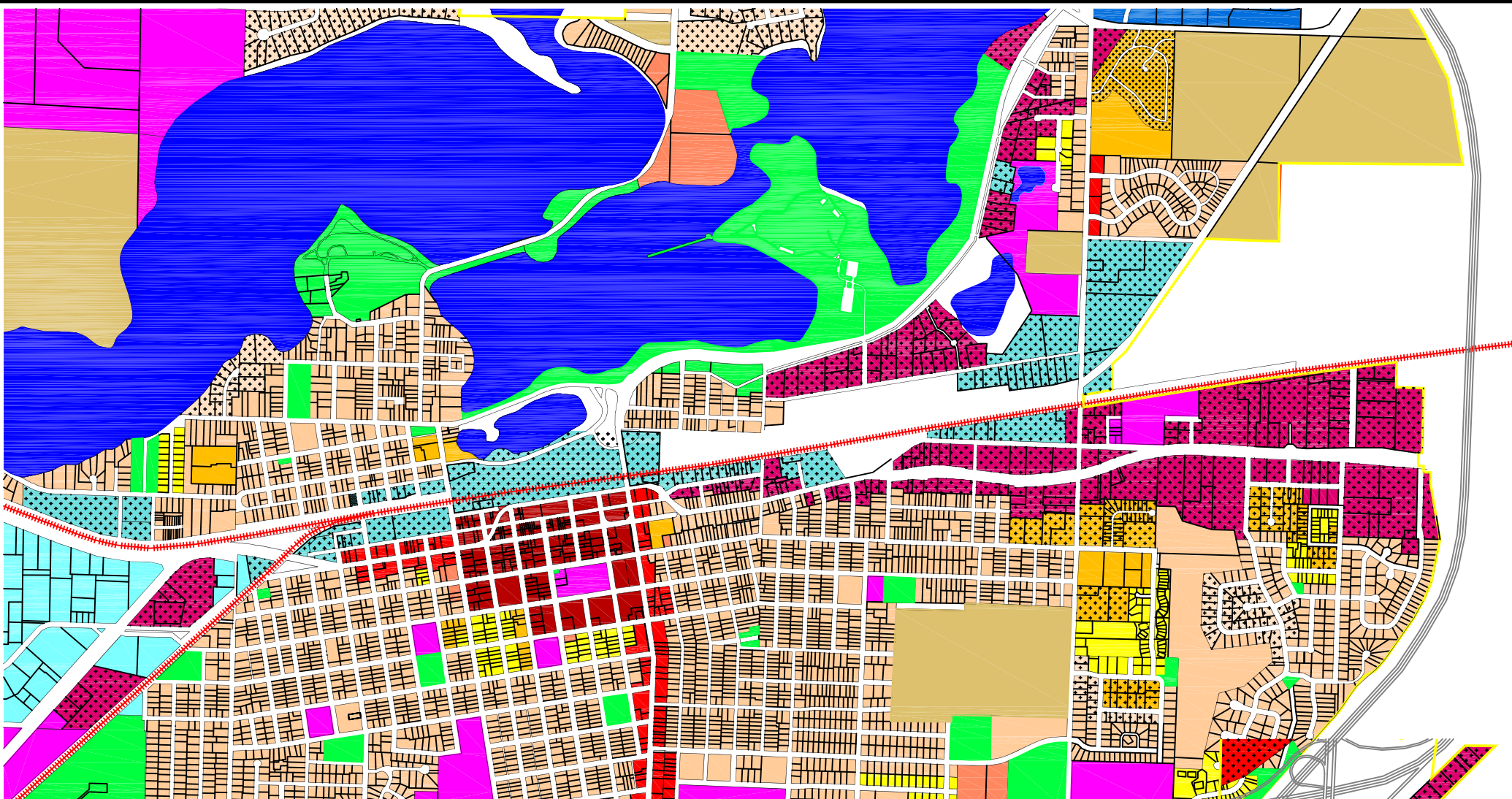
This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published



LEGEND

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



GB-3 - GENERAL BUSINESS 3

Planning and Development Department
June / 2023

ORDINANCE NO.
AN ORDINANCE AMENDING NO. 1060
KNOWN AS THE WILLMAR ZONING ORDINANCE
BY AMENDING SECTION 6 RELATING
TO ZONING DISTRICTS AND DISTRICT REGULATIONS

The City Council of City of Willmar does ordain as follows:

SECTION 6. Ordinance 1060 is hereby amended by adding a new SECTION 6.A.2.f so as to read as follows:

e. GB-3, General Business 3

SECTION 6. Ordinance 1060 is hereby amended by adding a new SECTION 6.T so as to read as follows:

T. GB-3. GENERAL BUSINESS DISTRICT 3

1. Permitted Uses. Only the following uses shall be permitted outright:
 - a. Alterations/tailor shops.
 - b. Appliance sales and service.
 - c. Art and photo studios, including sale of prints and photographic supplies and processing.
 - d. Athletic/recreation facilities.
 - e. Automobile/light truck sales and service.
 - f. Automobile/truck parts and supplies sales.
 - g. Bait and tackle stores.
 - h. Bakeries.
 - i. Banks/financial institutions.
 - j. Bicycle sales and service.
 - k. Broadcasting studios.
 - l. Carpet/floor covering stores.
 - m. Churches.
 - n. Commercial day nurseries or schools.
 - o. Drug stores/pharmacies.
 - p. Dry cleaners.
 - q. Employment agencies.
 - r. Farm supplies sales.
 - s. Flower shops.
 - t. Funeral homes/crematoriums.
 - u. Furniture stores.
 - v. Glass sales/service.
 - w. Hair care (barbers, beauty shops, salons, etc.)
 - x. Hardware stores.

- y. Laundromats.
- z. Liquor sales, on and off.
- aa. Medical/dental clinics.
- bb. Motorcycle/snowmobile/boat sales and service.
- cc. Museums.
- dd. Offices, business and professional.
- ee. Parking.
- ff. Printing shops.
- gg. Schools and colleges.
- hh. Small engines sales and service.
- ii. Tanning parlors.
- jj. Theaters.
- kk. Tire sales and service.
- ll. Veterinary clinics.
- mm. Welding supply stores.
- nn. Essential services and public uses.
- oo. Tattoo Parlors

2. Permitted Uses With Plan Review. The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

- a. Armories, convention halls, auditoriums.
- b. Automobile/light truck repair.
- c. Automobile/truck repair.
- d. Bus terminals.
- e. Businesses with drive-up facilities (if use permitted).
- f. Car washes.
- g. Department stores.
- h. Discount stores.
- i. Fertilizer sales.
- j. Fraternal / service clubs.
- k. General contractor shops
- l. Greenhouses and nurseries
- m. Hotels/motels.
- n. Housing units as a secondary use in a business structure.
- o. Livestock feed sales.
- p. Lumber yards (including misc. building materials).
- q. Mini-storage businesses.

- r. Multi-business buildings and complexes (if uses permitted).
- s. Nurseries, greenhouses.
- t. Printing Shops
- u. Restaurants and fast foods.
- v. Seasonal businesses.
- w. Small manufacturing businesses
- x. Structures exceeding forty-five (45) feet height (if use permitted).
- y. Supermarkets/grocery stores (including convenience stores w/o gas sales).
- z. Truck sales and service.
- aa. Welding shops.
- bb. Wholesale services

3. Conditional Uses. The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach there to:

- a. Adult entertainment uses, as regulated in Section 3.Q.
- b. Brewer taprooms, pubs, bars and night clubs.
- c. Flammable gas/liquid sales and storage (including gas stations and convenience stores with gas sales).
- d. Multi-family dwelling structures
- e. Planned unit developments.
- f. Recycling transfer stations.
- g. Storage facilities

4. Permitted Accessory Uses. The following accessory structures or uses of land shall be permitted:

- a. Detached storage or accessory buildings.

5. Lot Area, Width, and Setback Requirements. The following standards shall be the minimum requirements for development in the “GB-3” District:

a. Lot Area (square feet)	25.000
b. Lot Width (feet)	100
c. Setbacks (feet)	

Front (r/w)	25*
Rear	10
Side, interior	10
Side, street (r/w)	25*
* All front or street setbacks along state/federal highways shall be a minimum of fifty (50) feet except for T.H.12 between 11 th Street Southwest and Lakeland Drive.	

EFFECTIVE DATE. This Ordinance shall be effective from and after its adoption and second publication.

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

ORDINANCE NO.
AN ORDINANCE AMENDING NO. 1060
KNOWN AS THE WILLMAR ZONING ORDINANCE
BY AMENDING SECTION 6 RELATING
TO ZONING DISTRICTS AND DISTRICT REGULATIONS

The City Council of City of Willmar does ordain as follows:

SECTION 6. Ordinance 1060 is hereby amended by changing the SECTION 6.A.2, SECTION 6.A.3, SECTION 6.D.2.c, SECTION 6.E.2.d and SECTION 6.F.2.f so as to read as follows:

- A. **DISTRICT SUMMARY.** For purposes of this Ordinance, the City of Willmar is hereby divided into zoning districts which shall be designated as follows:

2. Business Districts.

- a. LB, Limited Business District.
- b. GB, General Business District.
- c. CB, Central Business District.
- d. SC, Shopping Center District.
- e. **GB-2, General Business District 2**
- f. **GB-3, General Business District 3**

3. Industrial Districts.

- g. I-1, Limited Industry District.
- h. I-2, General Industry District.
- i. **I-3, Rail Industry District**

D. **R-2, ONE- AND TWO-FAMILY RESIDENTIAL DISTRICT.**

- 2. Permitted Uses With Plan Review. The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:
 - c. Parking for adjacent LB or GB, **GB-2 and GB-3** use.

E. **R-3, LOW DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT.**

- 2. Permitted Uses With Plan Review. The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:
 - d. Parking for adjacent LB or GB, **GB-2 and GB-3** use.

F. R-4, MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT.

2. Permitted Uses With Plan Review. The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

f. Parking for adjacent LB or GB, **GB-2 and GB-3** use.

EFFECTIVE DATE. This Ordinance shall be effective from and after its adoption and second publication.

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

and Section 3.D.1.

ORDINANCE NO.

**AN ORDINANCE AMENDING NO. 1060
KNOWN AS THE WILLMAR ZONING ORDINANCE
BY AMENDING SECTION 5 RELATING
TO SIGNS**

The City Council of City of Willmar does ordain as follows:

SECTION 5. Ordinance 1060 is hereby amended by changing the SECTION 5.H.4 so as to read as follows:

4. Signs Permitted in GB – General Business, **GB2 – General Business 2, GB3 – General Business 3**, I-1 – Limited Industry, and I-2 General Industry **and I-3 Rail Park Industry** Districts.

- a. There shall be permitted in the GB – General Business, **GB2 – General Business 2, GB3 – General Business 3**, I-1 – Limited Industry, and I-2 – General Industry **and I-3 Rail Park Industry** Districts, signs as permitted under Sections 5.H.1. and 5.H.2., subject to restrictions as to use provided in this Ordinance, in addition to the signs permitted under this Subsection.
- b.

ORDINANCE NO.
AN ORDINANCE AMENDING NO. 1060
KNOWN AS THE WILLMAR ZONING ORDINANCE
BY AMENDING SECTION 3 RELATING
TO GENERAL PROVISIONS

The City Council of City of Willmar does ordain as follows:

SECTION 3. Ordinance 1060 is hereby amended by changing the SECTION 3.D.1 so as to read as follows:

D. HEIGHT.

1. Limitations. If the height of any structure exceeds the following limits, it shall require a conditional use permit:

Residential Districts (R-1, R-2, R-3)	2 stories or 35 feet
Agricultural & Multiple Family Districts (A, R-4, R-5)	3 stories or 45 feet
Business & Industrial Districts (LB, GB, GB-2, GB-3, CB, SC, I-1, I-2, I-3, T)	4 stories or 55 feet

**WILLMAR PLANNING COMMISSION
WEDNESDAY, AUGUST 2ND, 2023
515 2ND STREET SW, FIRE DEPARTMENT
MINUTES**

1. The Willmar Planning Commission met on Wednesday, August 2nd, 2023, at 6:30pm at the Fire Department

Members Present: Christopher Buzzeo, Yvon Fils-Aime, 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, Jennifer Kotila, Leslie Valiant, Larry Klein, Monica, Brian Haas, Sally Adams, Velma Pregler, Kathy Petrick, Carol Milbertson, Jenna Carlson, John Hafner, Randy Czarnetzki, Maria Montoya, Montoya, Rufino Reys, Jorge Sanchez, Alex Gallegos, Christopher Juarez.

Director Walker started telling Commissioner Fils-Aime called and will be late for the meeting and that commission can not make decisions before he attends but could start discussion if they rather.

Commissioner Dresler called for order at 6:42pm.

1. MAP AND TEXT AMENDMENT – CHANGES ON GB – GENERAL BUSINESS DISTRICT / FINAL / PUBLIC HEARING

The public hearing was opened at 6:44pm.

Commissioner Dresler opened Public Hearing and opened the floor to anyone who wishes to speak. Mr. Czarnetzki suggested Director Walker explain the changes and it would answer some attendees' questions. Director Walker explained the changes according to the agenda and showed the changes in the maps on the board. He said that the changes are intended to consider the different scales of the businesses located in the General Business District. He explained that General Business district would encourage tighter setbacks, denser development pattern, walkable area and retail options with smaller footprints. The General Business 3 in Highway 12 would be more industrial and a different scale. Director Walker explained that four lots located on Lakeland Drive is General Business but he suggested a discussion considering changing these to Residential 2 or 3. Mr. Czarnetzki asked if all areas are already General Business and if it is only the split of the district in three new one. He also asked if a house were to burned to burn down if it could be rebuilt as a house and if the current use would be guaranteed according to the zoning changes. He also asked if this would inform changes in taxes. Director Walker responded that taxation is not informed by zoning. Mrs. Monica asked about the zoning on peach color on map that is not General Business. Director Walker explained the purpose for the Section 6.T.3.h is to keep ordinance opened for new uses but according to zoning department approval and granting a Conditional Use Permit. City Planner Motta explained the uses in discussion are already General Business and it is not changing any use from residential to business. Director Walker explained that residential uses would be permitted in all General Business according to the Ordinance rules. Mr. Haas said he lives on 14th St SW and would like

to know how the changes would affect him. Director Walker said he would not be affected. Mr. Hafner asked about the setbacks and lot area, considering the existing ones and how it would be linked with a CUP. Director Walker explained CUPs travel with the property. Commissioner Fils-Aime got in the meeting at 7:10pm. Mrs. Petrick asked about the Lakeland Drive lots. Director Walker explained they would discuss changing it from General Business to Residential 2 or 3. Commissioner asked if anyone had more questions. Mr. Czarnetzki asked what the difference between the three General Business Districts levels are. Director Walker read the different uses for each Business District. Director Walker asked if more questions.

The public was closed at 7:23pm.

Commissioner Dresler asked about General Retail Stores and to be defined what is retail stores. He asked if commissioners have any question.

Staff recommended in favor of the approval for text and map amendment.

Commissioner Buzzeo motioned to approve the text and map zoning amendment, including proposal for Section 6.I.3.i., definition of general retail store to be presented to this commission, Fils-Aime seconded Commissioner Fils-Aime voted aye, Commissioner Buzzeo voted aye, Commissioner Christianson voted aye and Commissioner Dresler voted aye. The motion was approved.

2. MAP AND TEXT AMENDMENT – CREATING GB-3 – GENERAL BUSINESS DISTRICT 3, ADAPT SIGN ORDINANCES FOR NEW ZONING / FINAL / PUBLIC HEARING

The public hearing was opened at 7:30pm.

Director Walker explained the purpose for the General Business District 3 according to the agenda. Mr. Czarnetzki asked about the lot size increase. Director Walker explained that nonconforming lots would have the option to apply for a variance.

The public hearing was closed at 7:33pm.

Commissioner Buzzeo asked why not permit general retail stores and Director Walker said GB3 is skewed for industrial development. He also pointed out that more any use could take the path of a CUP. Commissioner Dresler asked if any more comments.

Staff recommended in favor of the approval for text and map amendment.

Commissioner Fils-Aime motioned to approve the text and map zoning amendment, including proposal for Section 6.T.3.h., Commissioner Buzzeo seconded. Commissioner Fils-Aime voted aye, Commissioner Buzzeo voted aye, Commissioner Christianson voted aye and Commissioner Dresler voted aye. The motion was approved.

3. Commissioner Dresler open for discussion and review of minute from July 19th approval. Commissioner Christianson motioned to approve the minute and Commissioner Fils-Aime seconded. Commissioner Fils-Aime voted aye, Commissioner Buzzeo voted aye, Commissioner Christianson voted aye, and Commissioner Dresler voted aye. The motion was approved.

4. MISCELLANNEY

A discussion regarding the four business lots located on Lakeland Drive was opened. Commissioner Christianson asked the area of the lots and Commissioner Dresler asked the height permit for construction. All commissioners are according to the change of the zoning from General Business to Residential 2.

5. ADJOURN

Commissioner Christianson motioned to adjourn at 7:46pm. It was 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

**WILLMAR PLANNING COMMISSION
WEDNESDAY, AUGUST 16th, 2023
515 2nd STREET SW, CONFERENCE ROOM 1
MINUTES**

1. The Willmar Planning Commission met on Wednesday, August 16th, 2023, at 6:30pm at the City Hall.

Members Present: Chair Jonathan Marchand, Vice Chair Kelsey Vosika, Stacy Holwerda and Yvon Fils-Aime,

Members Absent: Steve Dresler, John Christianson, and Christopher Buzzeo.

Others Present: City Planner Guilherme Motta and Jennifer Kotila.

Chair Marchand called for order at 6:30pm and started with the minutes from August 2nd review. Chair Marchand asked if any question regarding the minutes. No question were made. Commissioner Holwerda motioned to approve the minute and Commissioner Vosika seconded. Commissioner Fils-Aime voted aye, Commissioner Marchand voted aye, Commissioner Vosika voted aye, and Commissioner Holwerda voted aye. The motion was approved.

2. RAIL PARK MAJOR SUBDIVISION – PRELIMINARY AND FINAL PLAT.

City Planner Motta overviewed the project and explained engineering added a comment that the southern property boundary line be adjusted and that MnDOT will not approve the turn lane without additional right of way being shown on the plat. City Planner Motta showed the change on plat to commissioners and explained the preliminary and final plat were already approved and no other changes were made.

Staff recommended in favor of the approval for major subdivision.

Commissioner Holwerda motioned to approve the major subdivision; Commissioner Fils-Aime seconded. Commissioner Fils-Aime voted aye, Commissioner Holwerda voted aye, Commissioner Marchand voted aye, and Commissioner Vosika voted aye. The motion was approved.

3. EASEMENT VACATION.

City Planner Motta overviewed the project and explained they were requesting the vacation of an easement and a new easement is required in full perimeter by WMU. Commissioner Fils-Aime asked where the easement is located. City Planner Motta showed the changes on the preliminary plat.

Staff recommended in favor of the easement vacation.

Commissioner Vosika motioned to approve the easement vacation; Commissioner Fils-Aime seconded. Commissioner Fils-Aime voted aye, Commissioner Holwerda voted aye, Commissioner Marchand voted aye and Commissioner Vosika voted aye. The motion was approved.

4. CIP APPROVAL

City Planner Motta overviewed the comments and explained it was required by charter to approve the CIP budget. Commissioner Marchand asked why this discussion is back to the Planning Commission. Mrs. Kotila said it must be approved by unanimous for the Council and it was not.

Staff recommended in favor of the CIP Approval.

Commissioner Holwerda motioned to approve the CIP budget, Commissioner Vosila seconded. Commissioner Fils-Aime voted aye, Commissioner Holwerda voted aye, Commissioner Marchand voted aye and Commissioner Vosika voted aye. The motion was approved.

5. CHAD KOMPELIEN – MINOR SUBDIVISION / PRELIMINARY FILE 23-06

City Planner Guilherme Motta overviewed the project as in the agenda and explained this is a preliminary plat. He commented that engineering did not send the comments, but it would be made by the final plat. City Planner showed where the subdivision is located on GIS map.

6. MISCELLANEOUS

Chair Marchand asked about the Opportunities project and about the bridge situation.

7. ADJOURN

Commissioner Holwerda motioned to adjourn at 6:54pm. It was seconded by Commissioner Vosika. 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
PLANNING COMMISSION MEETING
6:30 P.M. ON WEDNESDAY, AUGUST 16th, 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. Minutes from August 2nd meeting
3. Rail Park Subdivision – Preliminary and Final Plat
4. Easement Vacation
5. CIP – Approval
6. Chad Kompelien – Minor Subdivision / Preliminary Plat
7. Miscellany
8. Adjourn

1. MEETING CALLED TO ORDER

2. MINUTES FROM AUGUST 2nd MEETING

3. RAIL PARK MAJOR SUBDIVISION – PRELIMINARY AND FINAL PLAT

Overview:

- This is a major subdivision to reorganize all the existing lots into one lot that is 145 acres.
- It is located on a new zoning district (I-3, Rail Park District).
- This would be a rail related industry district.
- MB rail will need to provide grading plans for rail construction to be approved.
- At this moment their approach is just to build the rail and allow other interested companies to build the buildings that they need. This means there will be more subdivisions associated with this property, and that as buildings come in they will be subject to the full scrutiny of plan review.
- The preliminary and final plat was already approved by Planning Commission on 06/07/2023, with no comments.
- Engineering added the comment, and we are returning the Preliminary and Final Plat for new approval: That the southern property boundary line be

adjusted. MnDOT won't approve the turn lane without additional right of way whether that be shown on the plat.

- No additional comments were added since the approval on June 7th.

Staff Recommendation: Staff recommends approval of the major subdivision.

4. EASEMENT VACATION

Overview:

- Ross Marcus is requesting the vacation of an easement that is located on his property per the Willmar City Charter requirements of section 9.01 subdivision 4.A., which requires a petition letter to be submitted for review.
- He attached a preliminary plat for the Hendrickx Addition. It is a re-plat for the two parcels owned solely by Marcus Real Estate Investments. These parcels included 95-182-2250 and 95-498-0010.
- Due to the acquisition of parcel 95-182-2250 earlier in the year of 2023, it is now the desire to vacate the easements as shown on the preliminary plat and rededicate them on the east side of 20th Street SE.

Comments:

WMU: WMU is agreeable to vacating the easement around the old Elk's property (95-182-2250) but would require a full perimeter easement around the new proposed Block 1

Staff Recommendation: Staff recommends approval of the easement vacation.

5. CIP APPROVAL

Overview

The Planning Commission is required by charter to approve the City's CIP budget in the budgeting process. Please review and approve the budget.

- We are requesting approval of the 2024-2028 City of Willmar Proposes Capital Improvement Program (CIP). Tables are annexed as visual, separated by year.

Staff Recommendation: Staff recommends approval of the CIP.

6. CHAD KOMPELIEN – MINOR SUBDIVISION / PRELIMINARY – FILE 23-06

Overview:

- Chad Kompelein is requesting a minor subdivision. He wants to take the 3 original lots and make 2 lots as shown in the preliminary plat.
- The lots are zoned as R-2.

- The lots are located on Oslo Meadows Plat, parcels number 95-604-0110, 95-604-0120 and 95-604-0130, on 19th Ave NW, Willmar MN.

Comments:

Planning and Development: P&D department checked the preliminary plat and all requirements, according to the ordinance, are provided. The lots have the minimum area and lot width. No other substantial change is being made. No park fee is required considering the lots were already platted.

Water: Willmar Utilities would ask for a utility easement for the perimeter of the new platted property lines. Each of the existing lots currently have a water service. The center area service will have to be removed by the property owner prior to sale of the new lots. The service will need to be removed out to the main line in the street to be considered completely removed. (08/07/2023)

Electric: They don't see any other issue with the electric other than easements above. (08/07/2023)

WPD: No areas of concern from the WPD aspect. (08/07/2023)

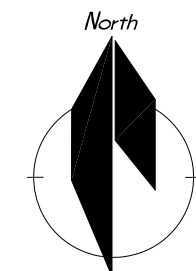
Fire Department: No issues for this point for the fire dept. (08/07/2023)

Engineering:

7. Miscellaneous

8. Adjourn

WILLMAR RAIL PARK ADDITION



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

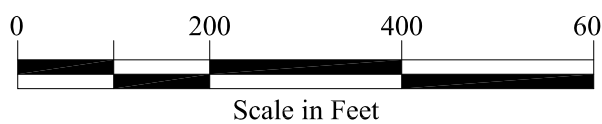
333 6th St SW

Willmar, MN 56201

Developer: Midwest & Bluegrass Rail

201 W Short St Suite 501

Lexington, KY 40507



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 Commission 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 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 _____

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 and also that part of Parcel 36 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, described as follows:

- Beginning 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 572.03 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. 4, 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. 4, on file in the office of the Kandiyohi County Recorder, a distance of 3158.09 feet to the south line of said Section 17;
- thence on a bearing of North 88 degrees 40 minutes 29 seconds East, along the south line of said Section 17 a distance of 1924.35 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 public way and 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 _____

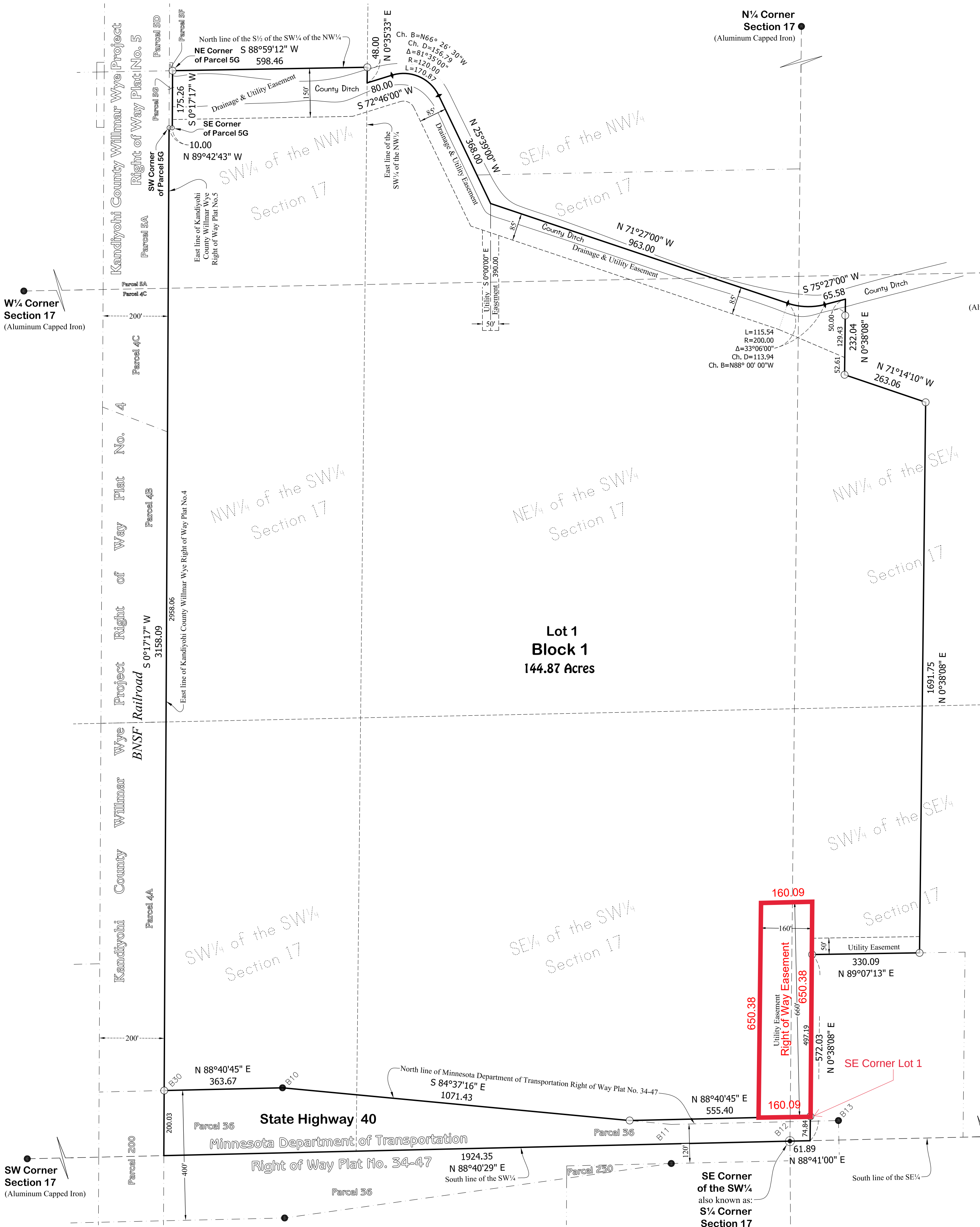
This instrument was acknowledged before me on _____ by Matthew D. Runke, Licensed Land Surveyor, Minnesota License No. 46171.

Notary Signature _____

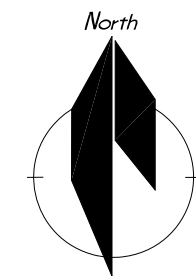
Notary Printed Name _____

Notary Public, _____ County, Minnesota

My Commission Expires _____



WILLMAR RAIL PARK ADDITION



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

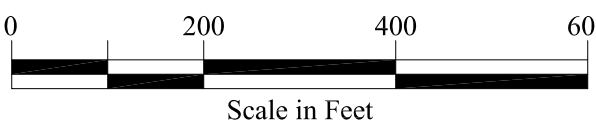
333 6th St SW

Willmar, MN 56201

Developer: Midwest & Bluegrass Rail

201 W Short St Suite 501

Lexington, KY 40507



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 Commission 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 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

DEDICATION

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- thence on a bearing of North 00 degrees 38 minutes 08 seconds East a distance of 1691.75 feet;
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- 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. 4, 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. 4, on file in the office of the Kandiyohi County Recorder, a distance of 3158.09 feet to the south line of said Section 17;
- thence on a bearing of North 88 degrees 40 minutes 29 seconds East, along the south line of said Section 17 a distance of 1924.35 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 public way and 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 _____

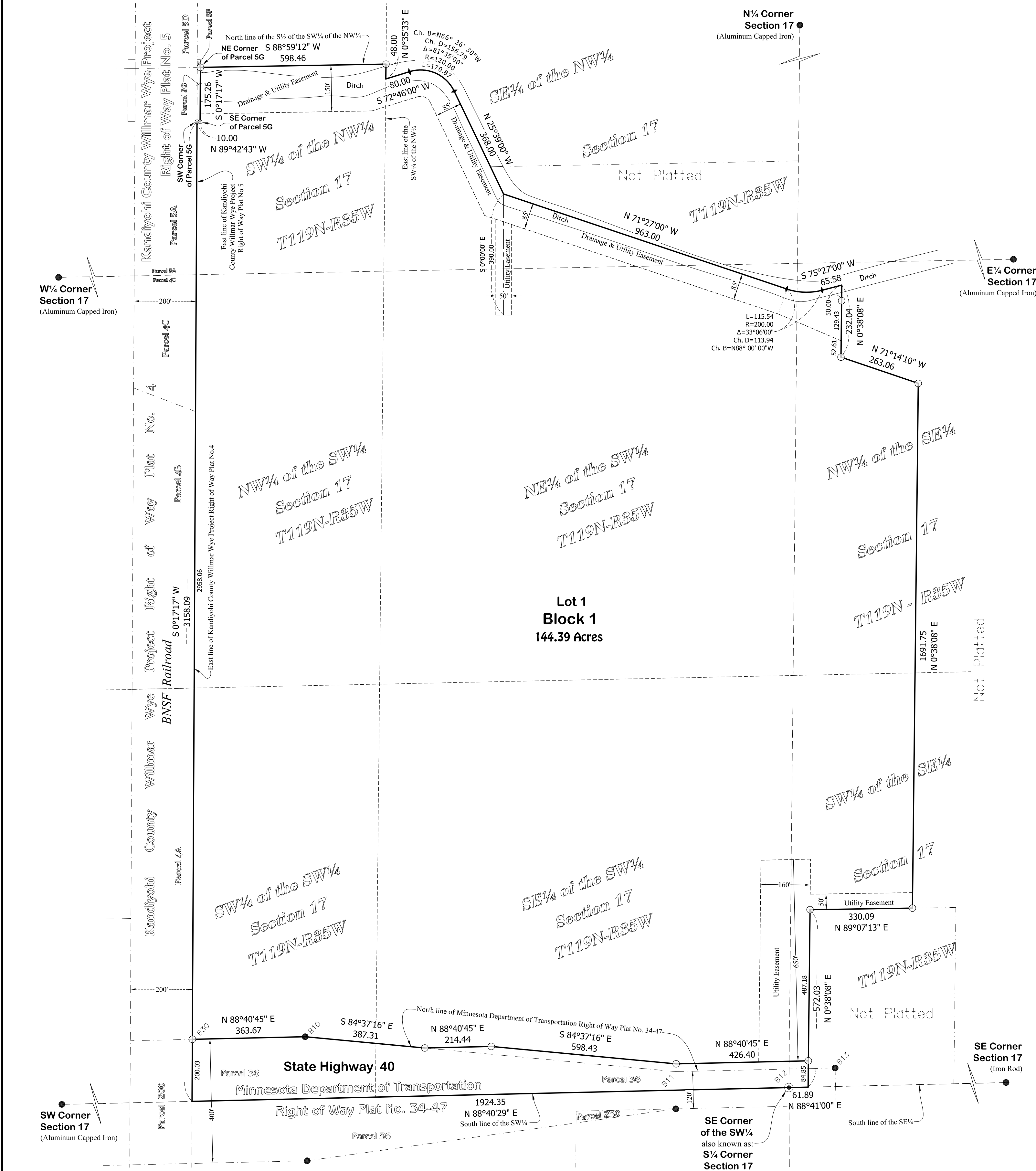
This instrument was acknowledged before me on _____ by Matthew D. Runke, Licensed Land Surveyor, Minnesota License No. 46171.

Notary Signature

Notary Printed Name

Notary Public, _____ County, Minnesota

My Commission Expires _____



Right of Way Easement

That part of Lot 1, Block 1 of the record plat entitled Willmar Rail Park Addition, on file in the office of the Kandiyohi County Recorder, described as follows:

- Beginning at the southeast corner of said Lot 1, also being the northeast corner of State Highway 40 as shown on said record plat entitled Willmar Rail Park Addition;
- thence on an assumed bearing of North 0 degrees 38 minutes 08 seconds East, along the east line of said Lot 1 and its northerly extension, a distance of 650.38 feet;
- thence on a bearing of South 88 degrees 40 minutes 45 seconds West a distance of 160.09 feet;
- thence on a bearing of South 0 degrees 38 minutes 08 seconds West a distance of 650.38 feet to the south line of said Lot 1;
- thence on a bearing of North 88 degrees 40 minutes 45 seconds East, along the south line of said Lot 1, a distance of 160.09 feet to the point of beginning;

Ross Marcus
Marcus Real Estate and Investments
2580 Highway 12 East
Willmar, MN 56201
320.212.3707
ross@marcusconstruction.com

7.17.2023

Petition Letter To: City of Willmar and Municipal Utilities Commission

To Whom It May Concern:

I am writing to you today to request the vacation of an easement that is located on my property per the Willmar City Charter requirements of section 9.01, subdivision 4, A, which requires this petition letter to be submitted for review.

Attached to this petition letter is the preliminary plat for the Hendrickx Addition as prepared by O'Malley & Kron Land Surveyors. The Hendrickx Addition is a re-plat of the two parcels owned solely by Marcus Real Estate and Investments. These parcels included 95-182-2250 and 95-498-0010.

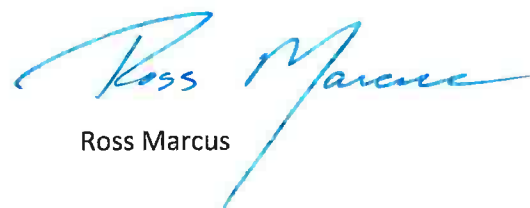
Due to the acquisition of parcel 95-182-2250 earlier in the year of 2023, it is now the desire to vacate the easements as shown on the preliminary plat and rededicate them on the east side of 20th St. SE.

I believe that vacating the easement would be beneficial to both of us. It would allow me to use my property as I see fit, and it would provide the city and the municipality with the drainage and utility easement it requires.

I would be grateful if you would consider my request. I am available to discuss this matter further at your convenience.

Thank you for your time and consideration.

Sincerely,



Ross Marcus



PRELIMINARY PLAT OF:
HENDRICKX ADDITION

LEGAL DESCRIPTION

That part of Lots 5 and 6, Block 14 of ERICKSON'S SECOND ADDITION as of public record, Kandiyohi County, Minnesota and that part of Lot 1, Block 1, MARCUS HIGHWAY 12 DEVELOPMENT as of public record, Kandiyohi County, Minnesota, described as follows: Beginning at the Southwest corner of Lot 1, Block 1 of said MARCUS HIGHWAY 12 DEVELOPMENT; thence on a bearing of N 00°10'43" E along the West line of said Lot 1, Block 1, and along the West line of said Block 14 of ERICKSON'S SECOND ADDITION, 262.89 feet to the Northwest corner of said Block 14; thence on a bearing of S 89°33'59" E along the North line of said Block 14 and its easterly extension, 156.14 feet; thence on a bearing of S 00°00'00" E, 264.57 feet to the South line of said Lot 1, Block 1, MARCUS HIGHWAY 12 DEVELOPMENT; thence on a bearing of N 88°25'36" W along last said line, 12.07 feet; thence westerly, 144.92 feet along last said line, along a curve, concave to the south, having a radius of 4680.29 feet, a delta angle of 1°46'27" and a chord bearing and distance of S 88°59'54" E, 144.92 feet to the point of beginning.

EASEMENT VACATION DESCRIPTION

That part of the 10.00 foot drainage and utility easement across Lot 1, Block 1 as dedicated on MARCUS HIGHWAY 12 DEVELOPMENT as of public record, Kandiyohi County, Minnesota, lying adjacent to the South line of Lot 5, Block 14, ERICKSON'S SECOND ADDITION as of public record, Kandiyohi County, Minnesota and lying adjacent to the West line of the East 50.00 feet of Lots 5 and 6 of Block 14 of said ERICKSON'S SECOND ADDITION.
EXCEPT the westerly 10.00 feet thereof.

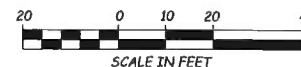
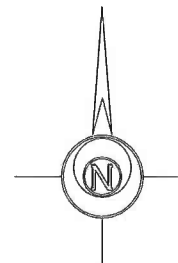
ERICKSON'S SECOND ADDITION

ADDITION

BLOCK 1

BLOCK 13

MARCUS HIGHWAY 12 DEVELOPMENT



Legend

- INDICATES IRON MONUMENT PLACED
- INDICATES IRON MONUMENT FOUND
- []— INDICATES CATCH BASIN
- V— INDICATES WATER VALVE
- H— INDICATES HYDRANT
- SM— INDICATES STORM MANHOLE
- SN— INDICATES SANITARY MANHOLE
- []— INDICATES CABLE PEDESTAL
- []— INDICATES POWER POLE
- X— INDICATES FENCE LINE
- ST— INDICATES STORM SEWER LINE
- SN— INDICATES SANITARY SEWER LINE
- []— INDICATES UNDERGROUND WATER
- OHP— INDICATES OVERHEAD POWER
- C— INDICATES UNDER GROUND CABLE
- G— INDICATES UNDER GROUND GAS

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	144.92	4680.29	1°46'27"	S 88°59'54" E	144.92

NOTE: THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

1004 2nd ST. SE
WILLMAR, MN 56201
PH. 320-235-4012

340 CHAPEL HILL RD.
COLD SPRING, MN 56320
PH. 320-685-5905

1250 HWY 15 SOUTH
HUTCHINSON, MN 55350
PH. 320-234-1223

PRELIMINARY PLAT PREPARED BY:
O'MALLEY & KRON
LAND SURVEYORS, INC.

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
BENJAMIN C. O'MALLEY
MINNESOTA REGISTRATION NO. 42300
DATE: 07-12-2023
ANY COPY OF THIS DRAWING THAT IS NOT SIGNED BY THE SURVEYOR WHO PREPARED IT SHALL BE DEEMED TO BE A PRELIMINARY COPY.

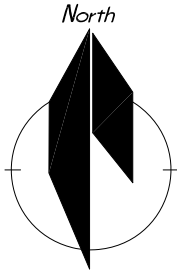
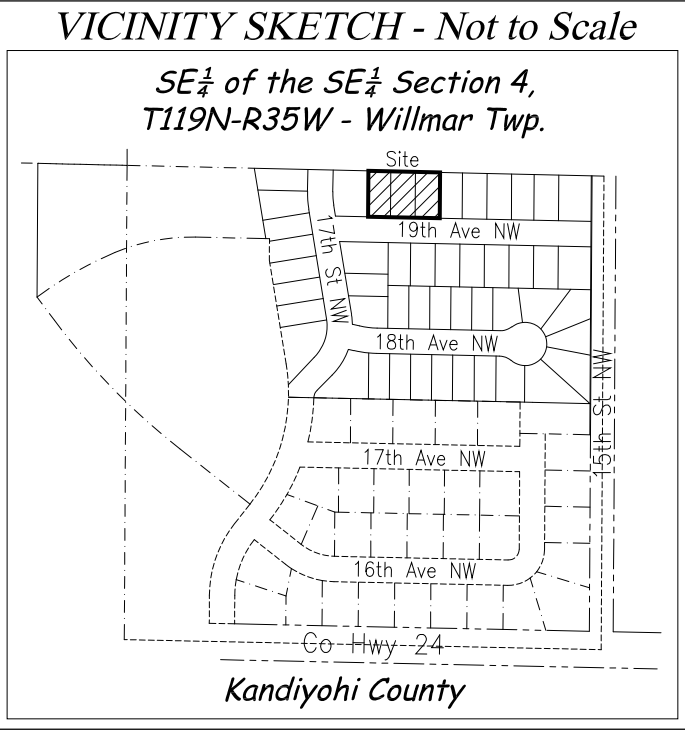
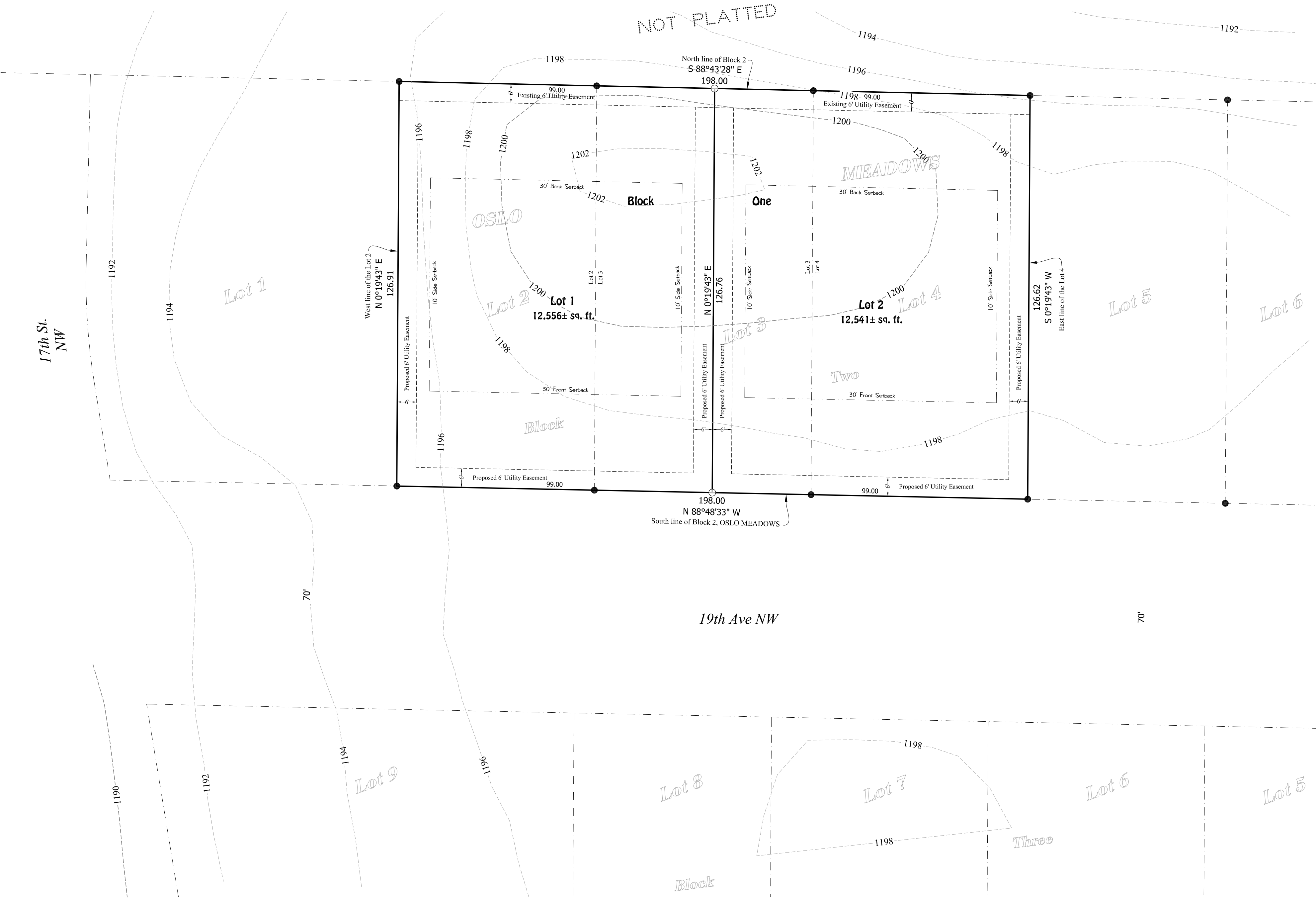
SHEET 1 OF 1

PRELIMINARY PLAT PREPARED FOR:
MARCUS CONSTRUCTION

JOB NO: 2023-368
FILE NAME: 2023-368
LOCATION: 12-119-35

Preliminary Plat of:

OSLO MEADOWS FIRST ADDITION



This drawing prepared by:

Bonnema Runke Stern Inc.

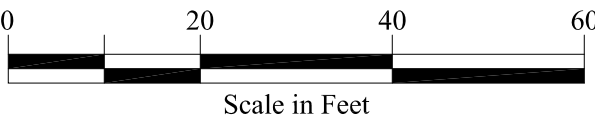
Professional Land Surveyors

4566 Hwy 71 NE - Suite 1

Willmar, MN 56201

Office (320) 231-2844

Fax (320) 231-2827



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
- Cast Iron Monument
- Approximate Right of Way Line
- Building Setback

Note:
Contours shown by Minnesota Department of Natural Resources Lidar data.

The Orientation of this bearing system is assumed. The north line of Block 2 is assumed to bear S 88°43'28" E.

Area to be Platted - 0.58 acres
Currently Zoned R-2 Residential
Preparation Date: July 20, 2023
Revised: August 9, 2023 - Added 6' Utility Easements
Located in Section 4, T119N-R35W

Owner: **Mike Kompelien Custom Homes**
PO Box 86
Willmar, MN 56201

Subdivider: **Mike Kompelien Custom Homes**
PO Box 86
Willmar, MN 56201

City Planning Commission

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

Signed by: _____
its _____

Attest by: _____
its _____

City Council

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

Signed by: _____
its _____

ATTEST: _____
its _____

I HEREBY CERTIFY THAT THIS PRELIMINARY PLAT
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 MAY 11, 2018.

Joshua M. Stern

Date **August 3, 2023**

License No. 48169

Land Description - 25096± sq. ft. (0.58 Acres) (Document No.'s 649590, 649591, 649592)

"Lot 2 Block 2 Oslo Meadows; Lot 3 Block 2 Oslo Meadows; Lot 4 Block 2 Oslo Meadows."



MINOR SUBDIVISION

MINOR SUBDIVISION CHECK LIST REQUIREMENT (SECTION 14-105)

QUALIFICATION	Provided
The subdivision results in not more than four (4) lots or parcels.	X
All utilities and easements are provided.	X
Design standards and minimum lot area and width are met. R2	X
No new or changes to current streets, utilities, or easements are required, except for the requirements in section 14-112(d)(1)&(5) of this Ordinance (municipal utility and tree planting easements).	X
The plat does not abut or contain a wetland, lake, state highway, country road or highway, or county state-aid highway.	X
No nonconformity is created or expanded	X

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	X	
IDENTIFICATION AND DESCRIPTION		
Proposed name of subdivision (check for duplicated names)	X	
Location by section, township and range or by other legal description and a survey prepared and certified by a surveyor	X	
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	X	
Graphic scale, not less than on inch to one hundred feet	X	
North point	X	
Date of preparation	X	
EXISTING CONDITIONS		
Boundary line survey, distances and angles, certified by licensed surveyor	X	
Total acreage in the subdivision computed to one hundredth of an acre	X	
Location, widths, and names of existing or platted streets or other public ways, and other public open spaces, permanent buildings and structures, easements, and section and corporate lines within the tract and to a distance of one hundred feet beyond the tract.	X	
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.	X	
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.		X
Boundary lines of adjoining platted or unplatted land within one hundred feet of the tract	X	
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	X	



determined and elevation, and other significant features superimposed on the preliminary plat.		
Any additional information as requested by the Zoning Administrator		X
PROPOSED DEVELOPMENT DESIGN		
Location and widths of alleys, pedestrian ways, and utility and drainage easements		X
Layout, number, approximate dimensions, and size of lots and the number of each block, all of which shall be clearly shown	X	
Layout of building envelopes for lots.		X
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		X
A vicinity sketch to show the relation of the plat to its surroundings	X	
Any additional information as requested by the Zoning Administrator.		X

Preliminary plat must be send to departments above for comments:

Department	Sent	Replied
Engineering	X	
Fire Department	X	X
Police	X	X
WMU (electric and water)	X	X

Planning Commission Meeting and City Council Approval

Public Hearing	Provided	N/A
Preliminary Plat approval		X
Final Plat approval by PC		
City Council Approval		
Signatures of the Final Plat (PC Chairman and secretary, City Council Mayor, City Clerk		
Applicant responsible for recording with County Recorder's office in 6 months		



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	6.I.
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, 08/03/23 Thru 08/16/23		

RECOMMENDED ACTION:

Review and Approve Accouns 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 08-03-23 Thru 08-16-23

Report Selection:

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

INCLUSIONS:

Fund & Account.		thru
Check.. Date.....	08/03/2023	thru 08/16/2023
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 Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER		CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
ACE ROLLOFFS & DISPOSAL				003696											
	69120	08/16/23	GARBAGE SERVICE-AUGUST	846.00			200/08-23		D	N	01			CLEANING AND WAS	101.43425.0338
	69120	08/16/23	GARBAGE SERVICE-AUGUST	352.50			213/08-23		D	N	01			CLEANING AND WAS	101.43425.0338
	69120	08/16/23	GARBAGE SERVICE-AUGUST	50.92			233/08-23		D	N	01			CLEANING AND WAS	101.45437.0338
	69120	08/16/23	GARBAGE SERVICE-AUGUST	186.62			234/08-23		D	N	01			CLEANING AND WAS	101.45433.0338
	69120	08/16/23	GARBAGE SERVICE-AUGUST	149.67			235/08-23		D	N	01			CLEANING AND WAS	101.45432.0338
	69120	08/16/23	GARBAGE SERVICE-AUGUST	54.02			237/08-23		D	-				CLEANING AND WAS	101.42412.0338
	69120	08/16/23	GARBAGE SERVICE-AUGUST	129.48			238/08-23		D	N	01			CLEANING AND WAS	101.41408.0338
	69120	08/16/23	GARBAGE SERVICE-AUGUST	202.64			239/08-23		D	N	01			CLEANING AND WAS	101.43425.0338
	69120	08/16/23	GARBAGE SERVICE-AUGUST	24.96			240/08-23		D	N	01			CLEANING AND WAS	651.48484.0338
	69120	08/16/23	GARBAGE SERVICE-AUGUST	320.70			241/08-23		D	N	01			CLEANING AND WAS	651.48484.0338
	69120	08/16/23	GARBAGE SERVICE-AUGUST	108.29			242/08-23		D	N	01			CLEANING AND WAS	101.45437.0338
				2,425.80		*CHECK	TOTAL								
			VENDOR TOTAL	2,425.80											
ALEX AIR APPARATUS 2 LLC				002061											
	69121	08/16/23	AED PADS	359.95			INV-48262		D	-				SAFETY PROGRAM	101.42428.0817
	69121	08/16/23	REPAIR TURNOUT PANT-LBR	301.42			INV-48288		D	-				SUBSISTENCE OF P	101.42412.0337
	69121	08/16/23	AIR QUALITY TEST	146.25			7171		D	-				PROFESSIONAL SER	101.42412.0446
				807.62		*CHECK	TOTAL								
			VENDOR TOTAL	807.62											
AMAZON CAPITAL SERVICES				003557											
	69122	08/16/23	OFFICE CHAIRS	239.98			1LGJ-FVDL-N7PT		D	-				OFFICE SUPPLIES	101.41400.0220
	69122	08/16/23	ODENS-KEYBOARD/MOUSE	43.99			1VNJ-9QLQ-LPVY		D	-				SMALL TOOLS	101.41409.0221
	69122	08/16/23	WEBCAMS	87.30			1WFM-JTPN-LC1T		D	-				SMALL TOOLS	101.41409.0221
	69122	08/16/23	BATTERIES	9.35			1YX3-9M16-WV3D		D	-				OFFICE SUPPLIES	101.41409.0220
	69122	08/16/23	CABLES&ACCESSORIES	180.49			1YX3-9M16-WV3D		D	-				SMALL TOOLS	101.41409.0221
	69122	08/16/23	VOID ANALOG ADAPTERS	188.99			14L3-1CPP-3GGC		D	-				SMALL TOOLS	101.41409.0221
				750.10		*CHECK	TOTAL								
			VENDOR TOTAL	750.10											
AMERICAN DATABANK LLC				.03189											
	69123	08/16/23	EMPLYMT BCKGRND CRED CHE	206.40			2307297		D	-				PROFESSIONAL SER	101.42411.0446
AMERICAN WELDING & GAS I				000057											
	69124	08/16/23	CYLINDER MAINTANCE	698.90			D09342242		D	-				MTCE. OF EQUIPME	101.43425.0224
	69124	08/16/23	WELDING GAS	82.80			09360828		D	-				MTCE. OF EQUIPME	101.43425.0224
	69124	08/16/23	WELDING GAS	82.80			09492907		D	-				MTCE. OF EQUIPME	101.43425.0224
				864.50		*CHECK	TOTAL								
			VENDOR TOTAL	864.50											
ASPEN MILLS				003008											
	69125	08/16/23	CSO HILTNER UNIFORM	430.15			317724		D	-				SUBSISTENCE OF P	101.42411.0227
AT&T MOBILITY				000075											
	69126	08/16/23	DELEEUEW-IPHONE	348.99			08032023		D	-				SMALL TOOLS	101.41409.0221
	69126	08/16/23	PHONE SERVICE-JULY	760.59			08032023		D	-				COMMUNICATIONS	101.41409.0330
				1,109.58		*CHECK	TOTAL								
			VENDOR TOTAL	1,109.58											

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER		CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
AUSTIN INCORPORATED 003610															
		69127	08/16/23	SEPTIC PUMPING	120.00		41611		D	-				OTHER SERVICES	230.43430.0339
		69127	08/16/23	SEPTIC PUMPING	120.00		41758		D	-				OTHER SERVICES	230.43430.0339
		69127	08/16/23	SEPTIC PUMPING	120.00		41945		D	-				OTHER SERVICES	230.43430.0339
		69127	08/16/23	SEPTIC PUMPING	120.00		42096		D	-				OTHER SERVICES	230.43430.0339
		69127	08/16/23	SEPTIC PUMPING	120.00		42354		D	-				OTHER SERVICES	230.43430.0339
		69127	08/16/23	SEPTIC PUMPING	120.00		42597		D	-				OTHER SERVICES	230.43430.0339
					720.00										
				VENDOR TOTAL	720.00										
AVENU INSIGHTS & ANALYTI 000131															
		69128	08/16/23	DATA EXPORT-TYLER TECH	5,000.00		INVB-046928		D	-				SUBSCRIPTIONS AN	219.41409.0443
BATTERY WHOLESALE INC 002860															
		69129	08/16/23	UPS BACK-UP BATTERIES	49.80		22248		D	-				MTCE. OF EQUIPME	651.48485.0224
BECKER ARENA PRODUCTS IN 000097															
		69130	08/16/23	LINES/CREASES-HOCKEY	1,630.30		609556		D	-				GENERAL SUPPLIES	101.45433.0229
BENSON LAUNDRY 003377															
		69131	08/16/23	CLEANING SUPPLIES	29.65		390188		D	-				CLEANING AND WAS	101.45433.0228
		69131	08/16/23	CLEANING SUPPLIES	29.65		391488		D	-				CLEANING AND WAS	101.45433.0228
					59.30										
				VENDOR TOTAL	59.30										
BERNICK'S PEPSI-COLA CO 000103															
		69132	08/16/23	REPAIR WATER FILTER	58.34		I43443		D	-				MTCE. OF EQUIPME	101.43425.0224
BME LAB AND SCIENCE 002850															
		69133	08/16/23	CALIBRATE LAB EQUIPMEN	1,198.00		55727		D	-				OTHER SERVICES	651.48484.0339
BSE 001980															
		69134	08/16/23	LIGHTS	103.32		926688267		D	-				GENERAL SUPPLIES	101.45435.0229
CAPITAL ONE 003647															
		69135	08/16/23	CAMP SUPPLIES	57.66		062123		D	-				GENERAL SUPPLIES	101.45432.0229
		69135	08/16/23	SOFTBALL SUPPLIES	189.92		062223		D	-				GENERAL SUPPLIES	101.45432.0229
		69135	08/16/23	DOG-PILLS	20.27		062323		D	-				GENERAL SUPPLIES	101.42411.0229
		69135	08/16/23	DOAC SUPPLIES	36.08		070723		D	-				GENERAL SUPPLIES	101.45437.0229
		69135	08/16/23	OFFICE SUPPLIES	39.52		071023		D	-				OFFICE SUPPLIES	101.45432.0220
		69135	08/16/23	BREAK ROOM SUPPLIES	68.82		071123		D	-				GENERAL SUPPLIES	651.48484.0229
		69135	08/16/23	CLEANING SUPPLIES	18.21		071323		D	-				GENERAL SUPPLIES	101.42411.0229
		69135	08/16/23	DOAC SUPPLIES	19.88		071423		D	-				GENERAL SUPPLIES	101.45437.0229
		69135	08/16/23	COFFEE	51.92		071723		D	-				SUBSISTENCE OF P	101.42411.0227
					502.28										
				VENDOR TOTAL	502.28										
CARD SERVICES 002552															
		69136	08/16/23	CONCESSION SUPPLIES	13.45		593432		D	-				GENERAL SUPPLIES	101.45433.0229

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER		CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
CARRANZA/NOE				002547											
	69137	08/16/23	INTERVIEW	03/24/2023	140.00		34		D	N	01			PROFESSIONAL SER	101.42411.0446
	69137	08/16/23	INTERVIEW	07/22/23	140.00		81		D	N	01			PROFESSIONAL SER	101.42411.0446
	69137	08/16/23	INTERVIEW	07/22/23	140.00		82		D	N	01			PROFESSIONAL SER	101.42411.0446
					420.00	*CHECK	TOTAL								
				VENDOR TOTAL	420.00										
CARTER/CLINT				.03315											
	69138	08/16/23	ICMA VIDEO WORK		187.50		080223		D	-				PROFESSIONAL SER	101.41401.0446
CENTERPOINT ENERGY				000467											
	493	08/15/23	NATURAL GAS-JULY		65.71		STMT/07-23		M	-				UTILITIES	101.41408.0332
	493	08/15/23	NATURAL GAS-JULY		74.78		STMT/07-23		M	-				UTILITIES	101.42412.0332
	493	08/15/23	NATURAL GAS-JULY		188.43		STMT/07-23		M	-				UTILITIES	101.43425.0332
	493	08/15/23	NATURAL GAS-JULY		28.05		STMT/07-23		M	-				UTILITIES	101.45001.0332
	493	08/15/23	NATURAL GAS-JULY		16.19		STMT/07-23		M	-				UTILITIES	101.45427.0332
	493	08/15/23	NATURAL GAS-JULY		29.81		STMT/07-23		M	-				UTILITIES	230.43430.0332
	493	08/15/23	NATURAL GAS-JULY		611.07		STMT/07-23		M	-				UTILITIES	651.48484.0332
	493	08/15/23	NATURAL GAS-JULY		26.00		STMT/07-23		M	-				UTILITIES	651.48485.0332
	493	08/15/23	NATURAL GAS-JULY		26.00		STMT/07-23		M	-				UTILITIES	651.48485.0332
					1,066.04	*CHECK	TOTAL								
				VENDOR TOTAL	1,066.04										
CENTRAL TIRE AND AUTO IN				000150											
	69139	08/16/23	#163717 CHECK ENGINE LGT	917.23			94351		D	-				INVENTORIES-MDSE	101.125000
	69139	08/16/23	#186883 DIAG ENGINE LGHT	371.25			94577		D	-				INVENTORIES-MDSE	101.125000
					1,288.48	*CHECK	TOTAL								
				VENDOR TOTAL	1,288.48										
CHAPPELL CENTRAL INC				000156											
	69140	08/16/23	SERVICE WRK-EXHAUST FANS	643.50			SVC-111735		D	-				MTCE. OF STRUCTU	101.43425.0225
CHARTER COMMUNICATIONS				000736											
	69141	08/16/23	INTERNET-AUGUST		189.97		0438138020223		D	-				COMMUNICATIONS	101.41409.0330
CITY LINE TOWING				003708											
	69142	08/16/23	TOWING CHARGES		238.32		23-03882		D	-				OTHER SERVICES	101.42411.0339
	69142	08/16/23	TOWING CHARGES		90.00		23-03896		D	-				OTHER SERVICES	101.42411.0339
					328.32	*CHECK	TOTAL								
				VENDOR TOTAL	328.32										
CIVICPLUS, LLC				003722											
	69143	08/16/23	MUNICODE LEGAL REVIEW	3,502.00			267992		D	N	01			PROFESSIONAL SER	101.41403.0446
CROW CHEMICAL & LIGHTING				000186											
	69144	08/16/23	CLEANING SUPPLIES		328.25		124884		D	-				CLEANING AND WAS	101.43425.0228
	69144	08/16/23	CLEANING SUPPLIES		214.75		124968		D	-				GENERAL SUPPLIES	101.43425.0229
	69144	08/16/23	CLEANING SUPPLIES		51.00		125017		D	-				GENERAL SUPPLIES	101.43425.0229
					594.00	*CHECK	TOTAL								
				VENDOR TOTAL	594.00										

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
DEFI TRAINING, LLC			003915											
	69145	08/16/23	SMEBY-DEFI TRAINING	600.00		PQ0QHZ5GA1B62		D	-				TRAVEL-CONF.-SCH	101.42411.0333
	69145	08/16/23	HANNEMAN-DEFI TRAINING	600.00		PQ0QHZ5GA1B62		D	-				TRAVEL-CONF.-SCH	101.42411.0333
				1,200.00	*CHECK	TOTAL								
			VENDOR TOTAL	1,200.00										
DEPT OF HUMAN SERVICES			002914											
	69146	08/16/23	ECPN PAYMENT-SEPTEMBE	18,378.16		00000752744		D	-				OTHER CHARGES	101.41428.0449
DICKERSON/TRAVIS			003914											
	69147	08/16/23	TRAINING	121.00		081423		D	-				TRAVEL-CONF.-SCH	101.43425.0333
DOOLEY'S PETROLEUM INC			000212											
	69148	08/16/23	3.43 GALLONS UNLEADED	20,600.58		430345		D	-				INVENTORIES-MDSE	101.125000
	69148	08/16/23	3.31 GALLONS DIESEL	6,620.00		430345		D	-				INVENTORIES-MDSE	101.125000
	69148	08/16/23	PROPANE FOR SHELTERS	74.63		529796		D	-				MOTOR FUELS AND	101.43425.0222
				27,295.21	*CHECK	TOTAL								
			VENDOR TOTAL	27,295.21										
DUININCK INC			000222											
	69149	08/16/23	EAGLE RIDGE DR ST CON	28,820.47		2101-B/EST.5		D	-				MTCE. OF OTHER I	421.48452.0336
	69149	08/16/23	ASPHALT	2,453.35		556005		D	-				MTCE. OF OTHER I	101.43425.0226
				31,273.82	*CHECK	TOTAL								
			VENDOR TOTAL	31,273.82										
ETTERMAN ENTERPRISES			001567											
	69150	08/16/23	SHOP SUPPLIES	391.82		339632		D	-				GENERAL SUPPLIES	651.48484.0229
	69150	08/16/23	BOILER DRAIN PIPE FITTIN	66.60		342841		D	-				MTCE. OF EQUIPME	651.48484.0224
	69150	08/16/23	REPAIR-AIR RELEASE	70.08		343284		D	-				MTCE. OF EQUIPME	651.48485.0224
				528.50	*CHECK	TOTAL								
			VENDOR TOTAL	528.50										
FELT			000723											
	*PETTY CASH/JIM													
	69151	08/16/23	FUEL-CASE INVESTIGATION	47.00		080923		D	-				MOTOR FUELS AND	101.42411.0222
	69151	08/16/23	MAILING HANDGUN-BCA	18.25		080923		D	-				POSTAGE	101.42411.0223
	69151	08/16/23	CAR 20 BLINKER LIGHT	9.16		080923		D	-				MTCE. OF EQUIPME	101.42411.0224
	69151	08/16/23	FUSE-SQUAD 1	6.67		080923		D	-				MTCE. OF EQUIPME	101.42411.0224
	69151	08/16/23	LUNCH-NELSON CASE INVEST	9.33		080923		D	-				SUBSISTENCE OF P	101.42411.0227
	69151	08/16/23	LUNCH-NELSON SFTWR REV	18.48		080923		D	-				SUBSISTENCE OF P	101.42411.0227
	69151	08/16/23	LUNCH-EVIDENCE REVIEW	20.00		080923		D	-				SUBSISTENCE OF P	101.42411.0227
	69151	08/16/23	LUNCH-EVIDENCE REVIEW	20.00		080923		D	-				SUBSISTENCE OF P	101.42411.0227
	69151	08/16/23	COFFEE-RETIREMENT DENNIS	21.47		080923		D	-				SUBSISTENCE OF P	101.42411.0227
	69151	08/16/23	LEMONADE-SMEBY BADGE PIN	3.23		080923		D	-				SUBSISTENCE OF P	101.42411.0227
	69151	08/16/23	LUNCH-BACKGROUND INVEST	11.21		080923		D	-				SUBSISTENCE OF P	101.42411.0227
	69151	08/16/23	EVIDENCE ROOM BAGS	24.61		080923		D	-				GENERAL SUPPLIES	101.42411.0229
	69151	08/16/23	CABLE TIES-BIKES	5.37		080923		D	-				GENERAL SUPPLIES	101.42411.0229
	69151	08/16/23	CNA TRNG SAUK RAPIDS	15.00		080923		D	-				TRAVEL-CONF.-SCH	101.42411.0333
				229.78	*CHECK	TOTAL								
			VENDOR TOTAL	229.78										

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
FELT/JAMES E			000993											
69152	08/16/23	CERT MEETING		22.74		081123		D	-				SUBSISTENCE OF P	101.42411.0227
FERGUSON ENTERPRISES INC			000810											
69153	08/16/23	PLUMBING PARTS		2.89		0231671		D	-				MTCE. OF EQUIPME	101.45432.0224
FIRST SYSTEMS TECHNOLOGY			003411											
69154	08/16/23	REPLACE-GBT FLOW METER		5,781.00		23682		D	-				MTCE. OF EQUIPME	651.48486.0334
69154	08/16/23	REPLACE-INF. FLOW METE		8,757.80		23683		D	-				MTCE. OF EQUIPME	651.48484.0334
69154	08/16/23	CAILBRATE 2 PLANT CL2		1,625.00		23692		D	-				MTCE. OF EQUIPME	651.48485.0334
69154	08/16/23	CALIBRATION GASES		990.00		23693		D	-				MTCE. OF EQUIPME	651.48484.0224
				17,153.80										
		VENDOR TOTAL		17,153.80										
						*CHECK TOTAL								
FLAHERTY & HOOD P.A.			001449											
69155	08/16/23	GEN MUN & REAL EST-JU		14,637.93		19779		D	N	01			PROFESSIONAL SER	101.41406.0446
69155	08/16/23	LABOR/EMPL. CONSULT-JU		1,972.50		19839		D	N	01			PROFESSIONAL SER	101.41406.0446
				16,610.43										
		VENDOR TOTAL		16,610.43										
						*CHECK TOTAL								
FLEETPRIDE			002973											
69156	08/16/23	FILTERS		28.01		109635429		D	-				INVENTORIES-MDSE	101.125000
FLOOR TO CEILING STORE			000274											
69157	08/16/23	SHADES-4 SEASON SHELTE		4,460.00		153939		D	-				MTCE. OF STRUCTU	101.45432.0225
69157	08/16/23	SHADES-EVENTS/REC CNTR		4,600.00		153966		D	-				MTCE. OF STRUCTU	420.45506.0225
				9,060.00										
		VENDOR TOTAL		9,060.00										
						*CHECK TOTAL								
FORUM COMMUNICATIONS COM			002269											
69158	08/16/23	EXHIBIT NOTICE PUBLIC		94.88		I2023.00076777		D	-				ADVERTISING	101.43417.0447
69158	08/16/23	PURSUANT TO ACTION		53.26		I2023.00076778		D	-				PRINTING AND PUB	101.41402.0331
69158	08/16/23	PURSUANT TO ACTION		59.92		I2023.00076779		D	-				PRINTING AND PUB	101.41402.0331
69158	08/16/23	PURSUANT TO ACTION		89.88		I2023.00076780		D	-				PRINTING AND PUB	101.41402.0331
69158	08/16/23	NOTICE OF HEARIING		74.90		I2023.00076782		D	-				PRINTING AND PUB	101.41402.0331
69158	08/16/23	CITY PRJ NO 2304-B		410.88		I2023.00076783		D	-				ADVERTISING	101.43417.0447
69158	08/16/23	PURSUANT TO ACTION		79.90		I2023.00076784		D	-				PRINTING AND PUB	101.41401.0331
69158	08/16/23	PURSUANT TO ACTION		74.90		I2023.00076785		D	-				PRINTING AND PUB	101.41401.0331
69158	08/16/23	ORD NO 1502 AN ORD AUTHO		86.56		I2023.00076786		D	-				ADVERTISING	101.43417.0447
69158	08/16/23	ORD NO 1503 AMENDING		79.90		I2023.00076787		D	-				PRINTING AND PUB	101.41402.0331
69158	08/16/23	SUMMARY PUBLICATION		41.62		I2023.00076788		D	-				PRINTING AND PUB	101.41402.0331
69158	08/16/23	SUMMARY PUBLICATION		48.26		I2023.00076789		D	-				PRINTING AND PUB	101.41402.0331
69158	08/16/23	NOTICE OF HEARING		59.92		I2023.00076790		D	-				PRINTING AND PUB	101.41402.0331
69158	08/16/23	WORLD DAY AGAINST HUMAN		175.00		MP344210723		D	-				ADVERTISING	101.42411.0447
				1,429.78										
		VENDOR TOTAL		1,429.78										
						*CHECK TOTAL								
GALLS LLC			000288											
69159	08/16/23	BADGE REPLACEMENT #3226		179.74		025091545		D	-				SUBSISTENCE OF P	101.42411.0227

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER		CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
GALLS LLC				000288											
	69159	08/16/23	CHRISTENSEN-SWAT	UNIFORM	106.70		025135187		D	-				SUBSISTENCE OF P	101.42411.0227
					286.44	*CHECK	TOTAL								
				VENDOR TOTAL	286.44										
GAME TIME				001103											
	69160	08/16/23	EQPT RPR	PLGRD-MILLERPRK	370.59		PJI-0213649		D	-				MTCE. OF OTHER I	101.43425.0226
GENERAL MAILING SERVICES				000293											
	69161	08/16/23	POSTAGE	07/24-07/28/23	51.03		67093		D	-				POSTAGE	101.41402.0223
	69161	08/16/23	POSTAGE	07/24-07/28/23	3.22		67093		D	-				POSTAGE	101.41403.0223
	69161	08/16/23	POSTAGE	07/24-07/28/23	9.93		67093		D	-				POSTAGE	101.41405.0223
	69161	08/16/23	POSTAGE	07/24-07/28/23	20.00		67093		D	-				POSTAGE	101.41408.0223
	69161	08/16/23	POSTAGE	07/24-07/28/23	0.81		67093		D	-				POSTAGE	101.41420.0223
	69161	08/16/23	POSTAGE	07/24-07/28/23	4.05		67093		D	-				POSTAGE	101.42412.0223
	69161	08/16/23	POSTAGE	07/24-07/28/23	281.07		67093		D	-				POSTAGE	651.48484.0223
	69161	08/16/23	POSTAGE	07/31-08/04/23	35.78		67158		D	-				POSTAGE	101.41402.0223
	69161	08/16/23	POSTAGE	07/31-08/04/23	13.77		67158		D	-				POSTAGE	101.41403.0223
	69161	08/16/23	POSTAGE	07/31-08/04/23	56.43		67158		D	-				POSTAGE	101.41405.0223
	69161	08/16/23	POSTAGE	07/31-08/04/23	20.00		67158		D	-				POSTAGE	101.41408.0223
	69161	08/16/23	POSTAGE	07/31-08/04/23	69.09		67158		D	-				POSTAGE	101.43425.0223
	69161	08/16/23	POSTAGE	07/31-08/04/23	0.81		67158		D	-				POSTAGE	101.45432.0223
	69161	08/16/23	POSTAGE	07/31-08/04/23	0.81		67158		D	-				POSTAGE	208.45005.0223
					566.80	*CHECK	TOTAL								
				VENDOR TOTAL	566.80										
GIRARD'S BUSINESS MACHIN				002481											
	69162	08/16/23	FOLDING MACHINE		424.48		2309CIT0295		D	-				PREPAID EXPENSES	101.128000
	69162	08/16/23	FOLDING MACHINE		141.52		2309CIT0295		D	-				MTCE. OF EQUIPME	101.41410.0334
					566.00	*CHECK	TOTAL								
				VENDOR TOTAL	566.00										
GRAINGER INC				000786											
	69163	08/16/23	LAB SUPPLIES		102.54		9774538863		D	-				SUBSISTENCE OF P	651.48484.0227
	69163	08/16/23	A/C FUSES		194.34		9779604413		D	-				MTCE. OF EQUIPME	651.48484.0224
	69163	08/16/23	GAS CANS		236.82		9791601199		D	-				SMALL TOOLS	651.48484.0221
					533.70	*CHECK	TOTAL								
				VENDOR TOTAL	533.70										
GRANITE FLUID POWER				003912											
	69164	08/16/23	#088709	GRAPPLE BUCKET	228.00		19141		D	-				INVENTORIES-MDSE	101.125000
GRAVE/MATTHEW L				003608											
	69165	08/16/23	FIRE INVESTAGTION	CLASS	179.00		080923		D	-				TRAVEL-CONF.-SCH	101.42412.0333
GREENSPRING MEDIA GROUP				001504											
	69166	08/16/23	MN MEETINGS&EVENT	ADS	1,400.00		2023-245801		D	-				OTHER CHARGES	208.45008.0449
	69166	08/16/23	MN MONTHLY AD		75.00		2023CI-5610		D	-				ADVERTISING	208.45006.0447
	69166	08/16/23	MN MONTHLY AD		75.00		2023CI-5610		D	-				OTHER CHARGES	208.45010.0449
					1,550.00	*CHECK	TOTAL								

Vendor Payment History Report
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VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
GREENSPRING MEDIA GROUP			001504											
			VENDOR TOTAL	1,550.00										
HATZINGER/MATTHEW J			003035											
	69167	08/16/23	MWOA 46TH ANNUAL CONF	648.74		080223		D	-				TRAVEL-CONF.-SCH	651.48484.0333
	69167	08/16/23	MWOA ANNUAL CONF	285.00		080723		D	-				TRAVEL-CONF.-SCH	651.48484.0333
				933.74	*CHECK	TOTAL								
			VENDOR TOTAL	933.74										
HAUG-KUBOTA LLC			002609											
	69168	08/16/23	#196189 GREASE ZERK	41.80		22546		D	-				INVENTORIES-MDSE	101.125000
HAWKINS INC			000325											
	69169	08/16/23	BLEACH	439.91		6543148		D	-				GENERAL SUPPLIES	651.48484.0229
HELIN/CATHLEEN			003918											
	69170	08/16/23	BASKETBALL CAMP	877.50		1		D	-				PROFESSIONAL SER	101.45432.0446
HIGH POINT NETWORKS INC			002299											
	69171	08/16/23	FIREWALL&EMAIL SECURIT	2,283.25		231020		D	-				SUBSCRIPTIONS AN	101.41409.0443
	69171	08/16/23	PD FILE STORAGE	259.00		231020		D	-				LICENSES AND TAX	101.41409.0445
	69171	08/16/23	ANTIVIRUS SUBSCRIP-AUG	1,128.40		231043		D	-				LICENSES AND TAX	101.41409.0445
				3,670.65	*CHECK	TOTAL								
			VENDOR TOTAL	3,670.65										
HORIZON COMMERCIAL POOL			003075											
	69172	08/16/23	CHORLINE TABLETS	4,854.28		INV50285		D	-				GENERAL SUPPLIES	101.45437.0229
HUMPHREY/JENNIFER			.03313											
	69173	08/16/23	RENTAL LIC FEE REFUND	100.00		080223		D	-				REFUNDS AND REIM	101.41428.0882
HYDRITE CHEMICAL CO			002837											
	69174	08/16/23	ANTIFOAM	2,335.00		20230000000027		D	-				GENERAL SUPPLIES	651.48484.0229
IN CONTROL INC			002486											
	69175	08/16/23	CYBERSECRUITY SERVICE	6,924.00		S-INV00808		D	-				SUBSCRIPTIONS AN	651.48484.0443
INNOVATIVE OFFICE SOLUTI			003023											
	69176	08/16/23	OFFICE SUPPLIES	417.81		IN4278391		D	-				GENERAL SUPPLIES	651.48484.0229
	69176	08/16/23	OFFICE SUPPLIES	147.18		IN4281565		D	-				OFFICE SUPPLIES	101.45432.0220
				564.99	*CHECK	TOTAL								
			VENDOR TOTAL	564.99										
INTERSTATE BEARING SYSTE			003910											
	69177	08/16/23	PLANT BELTS	1,043.78		2696394 RI		D	-				GENERAL SUPPLIES	651.48484.0229
	69177	08/16/23	HVAC BELTS	46.09		2697502 RI		D	-				MTCE. OF EQUIPME	651.48484.0224
				1,089.87	*CHECK	TOTAL								
			VENDOR TOTAL	1,089.87										

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VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
JOE RILEY CONSTRUCTION			003861											
	69178	08/16/23	ASPHALT	1,816.50		G23146		D	-				MTCE. OF OTHER I	101.43425.0226
	69178	08/16/23	ASHPALT	1,838.14		G23153		D	-				MTCE. OF OTHER I	101.43425.0226
				3,654.64	*CHECK	TOTAL								
			VENDOR TOTAL	3,654.64										
JOHNSON CNTRLS FIRE PROT			003404											
	69179	08/16/23	FIRE ALARM MONITORING	1,208.68		23674264		D	-				MTCE. OF STRUCTU	651.48484.0335
JOHNSON/JONAH			003772											
	69180	08/16/23	MILEAGE 07/06-08/14/23	44.21		081423		D	-				TRAVEL-CONF.-SCH	101.41409.0333
JUVEN/JOSHUA			003548											
	69181	08/16/23	TRAINING	82.00		081423		D	-				TRAVEL-CONF.-SCH	101.43425.0333
KANDI STEEL AND FAB			000867											
	69182	08/16/23	METAL-HANDRAIL@SWANSSON	111.12		5504		D	-				MTCE. OF STRUCTU	101.43425.0225
KANDIYOHI CO FAIR ASSOCI			001133											
	69183	08/16/23	BOOTH RENTAL FEE	250.00		080723		D	-				RENTS	804.42412.0440
KANDIYOHI CO RECORDER'S			000382											
	69184	08/16/23	RECORDING FEES	46.00		695770		D	-				PROFESSIONAL SER	101.41403.0446
KANDIYOHI CO-OP ELECTRIC			000375											
	69185	08/16/23	128238003 WELCOME TO WIL	58.73		STMT/07-23		D	-				UTILITIES	101.43425.0332
	69185	08/16/23	128238009 CO RD 23/HWY	89.00		STMT/07-23		D	-				UTILITIES	101.43425.0332
	69185	08/16/23	128238001 ELEC SERV-SEC	37.00		STMT/07-23		D	-				UTILITIES	651.48486.0332
	69185	08/16/23	187836 ELEC SERV-LIFT ST	973.00		STMT/07-23		D	-				UTILITIES	651.48487.0332
				1,157.73	*CHECK	TOTAL								
			VENDOR TOTAL	1,157.73										
KENNEDY/RILEY			003773											
	69186	08/16/23	CINCO DE MAYDO DEBRIEF	28.04		080723		D	-				SUBSISTENCE OF P	235.41402.0227
LAKESIDE PRESS			001646											
	69187	08/16/23	ENVELOPES	1,151.00		11789		D	-				OFFICE SUPPLIES	101.41410.0220
	69187	08/16/23	BUSINESS CARDS-MOTTA	25.00		11789		D	-				OFFICE SUPPLIES	101.41420.0220
	69187	08/16/23	BUSINESS CARDS-DELEEUW	37.50		11789		D	-				OFFICE SUPPLIES	101.43425.0220
				1,213.50	*CHECK	TOTAL								
			VENDOR TOTAL	1,213.50										
LEAGUE OF MN CITIES			000412											
	69188	08/16/23	OBREGON-DIVERSITY CONF	15.00		384536		D	-				TRAVEL-CONF.-SCH	101.41400.0333
	69188	08/16/23	KVEENE-CYBERSEC CONF	20.00		386581		D	-				TRAVEL-CONF.-SCH	101.41409.0333
	69188	08/16/23	JOHNSON-CYBERSEC CONF	20.00		386581		D	-				TRAVEL-CONF.-SCH	101.41409.0333
				55.00	*CHECK	TOTAL								
			VENDOR TOTAL	55.00										

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER		CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
LEAGUE OF MN CITIES INS				001189											
	69189	08/16/23	23-24	WORKER'S COMP INST	859.33		080223		D	-				EMPLOYER INSUR.	101.41400.0114
	69189	08/16/23	23-24	WORKER'S COMP INST	19.57		080223		D	-				EMPLOYER INSUR.	101.41401.0114
	69189	08/16/23	23-24	WORKER'S COMP INST	959.09		080223		D	-				EMPLOYER INSUR.	101.41402.0114
	69189	08/16/23	23-24	WORKER'S COMP INST	262.01		080223		D	-				EMPLOYER INSUR.	101.41403.0114
	69189	08/16/23	23-24	WORKER'S COMP INST	511.68		080223		D	-				EMPLOYER INSUR.	101.41405.0114
	69189	08/16/23	23-24	WORKER'S COMP INST	962.33		080223		D	-				EMPLOYER INSUR.	101.41408.0114
	69189	08/16/23	23-24	WORKER'S COMP INST	228.92		080223		D	-				EMPLOYER INSUR.	101.41409.0114
	69189	08/16/23	23-24	WORKER'S COMP INST	246.20		080223		D	-				EMPLOYER INSUR.	101.41420.0114
	69189	08/16/23	23-24	WORKER'S COMP INST	0.50	CR	080223		D	-				EMPLOYER INSUR.	101.41420.0114
	69189	08/16/23	23-24	WORKER'S COMP I	64,347.36		080223		D	-				EMPLOYER INSUR.	101.42411.0114
	69189	08/16/23	23-24	WORKER'S COMP I	15,885.16		080223		D	-				EMPLOYER INSUR.	101.42412.0114
	69189	08/16/23	23-24	WORKER'S COMP I	26,431.87		080223		D	-				EMPLOYER INSUR.	101.43425.0114
	69189	08/16/23	23-24	WORKER'S COMP INST	104.86		080223		D	-				EMPLOYER INSUR.	101.45001.0114
	69189	08/16/23	23-24	WORKER'S COMP IN	7,152.67		080223		D	-				EMPLOYER INSUR.	101.45432.0114
	69189	08/16/23	23-24	WORKER'S COMP IN	1,281.38		080223		D	-				EMPLOYER INSUR.	101.45435.0114
	69189	08/16/23	23-24	WORKER'S COMP IN	7,466.56		080223		D	-				EMPLOYER INSUR.	651.48484.0114
	69189	08/16/23	23-24	WORKER'S COMP IN	1,303.51		080223		D	-				EMPLOYER INSUR.	651.48485.0114
					128,022.00										
				VENDOR TOTAL	128,022.00										
							*CHECK TOTAL								
LINDE/BOWE				003916											
	69190	08/16/23	NREMT	REGISTRATION	9.50		081423		D	-				TRAVEL-CONF.-SCH	101.42412.0333
LITTLE CROW GUNWORKS LLC				003917											
	69191	08/16/23	FIREARMS	REPAIR-PARTS	2,080.00		W023-0195		D	-				MTCE. OF EQUIPME	101.42411.0224
	69191	08/16/23	FIREARMS	REPAIR-LABOR	1,800.00		W023-0195		D	-				MTCE. OF EQUIPME	101.42411.0334
					3,880.00										
				VENDOR TOTAL	3,880.00										
							*CHECK TOTAL								
LOCAL GOV'T INFORMATION				003226											
	69192	08/16/23	PIMS	HOSTING-AUG	2,395.00		53946		D	-				SUBSCRIPTIONS AN	101.41409.0443
LOFFLER COMPANIES				002593											
	69193	08/16/23	CONTRACT	USAGE-JULY	119.34		4430905		D	-				MTCE. OF EQUIPME	101.41405.0334
	69193	08/16/23	TELEPHONE	CHARGES	34.30		4432007		D	-				COMMUNICATIONS	208.45005.0330
					153.64										
				VENDOR TOTAL	153.64										
							*CHECK TOTAL								
M-R SIGN CO INC				000424											
	69194	08/16/23	PEDESTRAIN	CROSSING SIGN	177.72		220785		D	-				MTCE. OF OTHER I	101.43425.0226
MARCO TECHNOLOGIES LLC				000437											
	69195	08/16/23	PRINT/PAGE	COUNT	406.59		INV11502705		D	-				SUBSCRIPTIONS AN	101.41409.0443
MARCO TECHNOLOGIES LLC				001838											
	69196	08/16/23	500-0564417-000	-AUG	156.59		508200565		D	-				SUBSCRIPTIONS AN	101.41409.0443

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
MCGILLIVRAY/JOSH			003009											
	69197	08/16/23	NREMT REGISTRATION	10.50		080923		D	-				TRAVEL-CONF.-SCH	101.42412.0333
MENARDS			000449											
	69198	08/16/23	FIRE HYDRANT PAINT	140.91		63033		D	-				MTCE. OF OTHER I	101.42412.0226
	69198	08/16/23	PALLET RACK	19.96		63135		D	-				GENERAL SUPPLIES	651.48484.0229
	69198	08/16/23	MARKING PAINT	18.96		63265		D	-				GENERAL SUPPLIES	101.43425.0229
	69198	08/16/23	SHOP SUPPLIES	38.72		63288		D	-				GENERAL SUPPLIES	101.43425.0229
				218.55	*CHECK	TOTAL								
			VENDOR TOTAL	218.55										
MIKE'S SMALL ENGINE CENT			002699											
	69199	08/16/23	HELMET/CHAPS/EAR MUFF	330.94		26878		D	-				SUBSISTENCE OF P	101.43425.0227
	69199	08/16/23	STROKE OIL/BAR OIL	111.83		26878		D	-				GENERAL SUPPLIES	101.43425.0229
	69199	08/16/23	#100666 FUEL LINE FITTIN	1.96		26930		D	-				INVENTORIES-MDSE	101.125000
				444.73	*CHECK	TOTAL								
			VENDOR TOTAL	444.73										
MINI BIFF LLC			001805											
	69200	08/16/23	TOILET RENTAL	13.81		A-142263		D	M	01			RENTS	101.43425.0440
	69200	08/16/23	TOILET RENTAL	13.81		A-142264		D	M	01			RENTS	101.43425.0440
	69200	08/16/23	TOILET RENTAL	108.71		A-142320		D	M	01			RENTS	101.43425.0440
	69200	08/16/23	TOILET RENTAL	107.10		A-142433		D	M	01			RENTS	101.43425.0440
	69200	08/16/23	TOILET RENTAL	107.10		A-142434		D	M	01			RENTS	101.43425.0440
	69200	08/16/23	TOILET RENTAL	107.10		A-142452		D	M	01			RENTS	101.43425.0440
	69200	08/16/23	TOILET RENTAL	96.90		A-142619		D	M	01			RENTS	101.43425.0440
				554.53	*CHECK	TOTAL								
			VENDOR TOTAL	554.53										
MN ELEVATOR INC			000499											
	69201	08/16/23	ELEVATOR SERVICE	178.37		1031563		D	-				MTCE. OF STRUCTU	101.41408.0335
MOTOR SPORTS OF WILLMAR			000873											
	69202	08/16/23	#112949 OIL CHANGE KIT	45.99		2309785		D	-				INVENTORIES-MDSE	101.125000
MTI DISTRIBUTING CO			000539											
	69203	08/16/23	#217810 MOWER PARTS	375.43		1396879-00		D	-				INVENTORIES-MDSE	101.125000
	69203	08/16/23	#185284 CABIN FILTER	239.81		1396879-02		D	-				INVENTORIES-MDSE	101.125000
	69203	08/16/23	#100666 HYD. TANK/DECAL	968.73		1398928-00		D	-				INVENTORIES-MDSE	101.125000
				1,583.97	*CHECK	TOTAL								
			VENDOR TOTAL	1,583.97										
MUNICIPAL UTILITIES			000541											
	69204	08/16/23	UTILITIES FOR JULY	3,070.18		STMT/07-23		D	-				UTILITIES	101.41408.0332
	69204	08/16/23	UTILITIES FOR JULY	9,119.95		STMT/07-23		D	-				UTILITIES	101.43425.0332
	69204	08/16/23	UTILITIES FOR JULY	437.46		STMT/07-23		D	-				UTILITIES	101.45001.0332
	69204	08/16/23	UTILITIES FOR JULY	1,845.95		STMT/07-23		D	-				UTILITIES	101.45427.0332
	69204	08/16/23	UTILITIES FOR JULY	788.55		STMT/07-23		D	-				UTILITIES	101.45432.0332
	69204	08/16/23	UTILITIES FOR JULY	19,491.42		STMT/07-23		D	-				UTILITIES	101.45433.0332
	69204	08/16/23	UTILITIES FOR JULY	1,731.25		STMT/07-23		D	-				UTILITIES	101.45435.0332

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER		CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
MUNICIPAL UTILITIES				000541											
	69204	08/16/23	UTILITIES FOR JULY		3,258.29		STMT/07-23		D	-				UTILITIES	101.45437.0332
	69204	08/16/23	UTILITIES FOR JULY		17.01		STMT/07-23		D	-				UTILITIES	230.43430.0332
	69204	08/16/23	UTILITIES FOR JULY		838.97		STMT/07-23		D	-				UTILITIES	651.48484.0332
	69204	08/16/23	UTILITIES FOR JULY		5,493.75		STMT/07-23		D	-				UTILITIES	651.48485.0332
					46,092.78	*CHECK	TOTAL								
				VENDOR TOTAL	46,092.78										
MVTL LABORATORIES INC				000544											
	69205	08/16/23	LAB TESTING		189.20		1210140		D	-				PROFESSIONAL SER	651.48484.0446
	69205	08/16/23	LAB TESTING		58.30		1210394		D	-				PROFESSIONAL SER	651.48484.0446
	69205	08/16/23	LAB TESTING		58.30		1211342		D	-				PROFESSIONAL SER	651.48484.0446
					305.80	*CHECK	TOTAL								
				VENDOR TOTAL	305.80										
NCL OF WISCONSIN INC				001627											
	69206	08/16/23	LAB SUPPLIES		1,017.50		490790		D	-				GENERAL SUPPLIES	651.48484.0229
NCPERS GROUP LIFE INS.				003799											
	69119	08/09/23	LIFE INSURANCE-AUG		96.00		8-2023		D	-				INS. PASS THROUG	101.41428.0819
NELSON INTERNATIONAL				000568											
	69207	08/16/23	#186883 DRAG RUNS ROUGH		379.00		R101036750:02		D	-				INVENTORIES-MDSE	101.125000
	69207	08/16/23	#186883 DIAG MISS FIRE		195.58		R101036850:02		D	-				INVENTORIES-MDSE	101.125000
	69207	08/16/23	#186884 LEAF SPRINGS		2,152.66		X101116476:01		D	-				INVENTORIES-MDSE	101.125000
	69207	08/16/23	#186884 LEAF SPRINGS		641.86		X101116723:01		D	-				INVENTORIES-MDSE	101.125000
					3,369.10	*CHECK	TOTAL								
				VENDOR TOTAL	3,369.10										
NIEVES/ERIC				.03314											
	69208	08/16/23	DAMAGE DEPOSIT REFUND		100.00		080223		D	-				REFUNDS AND REIM	101.41428.0882
NORTHERN STATES SUPPLY				000585											
	69209	08/16/23	NUTS/BOLTS		9.11		10-611160		D	-				MTCE. OF EQUIPME	101.43425.0224
	69209	08/16/23	NUTS/BOLTS		7.31		10-612918		D	-				MTCE. OF EQUIPME	101.43425.0224
	69209	08/16/23	PLIERS		30.32		10-613134		D	-				SMALL TOOLS	101.43425.0221
	69209	08/16/23	WIRE		21.24		10-613135		D	-				GENERAL SUPPLIES	101.43425.0229
	69209	08/16/23	DRILL BIT		10.89		10-613165		D	-				SMALL TOOLS	101.43425.0221
	69209	08/16/23	SHOP SUPPLIES		245.52		10-613292		D	-				GENERAL SUPPLIES	101.43425.0229
	69209	08/16/23	RETURN PAINT		202.29CR		10-613294		D	-				GENERAL SUPPLIES	101.43425.0229
	69209	08/16/23	BOLTS		6.31		10-613321		D	-				SMALL TOOLS	101.45433.0221
	69209	08/16/23	PADLOCKS-OUTDOOR SIRENS		71.88		1700339		D	-				CIVIL DEFENSE	101.42428.0809
	69209	08/16/23	PAINT		118.78		1701260		D	-				GENERAL SUPPLIES	101.43425.0229
					319.07	*CHECK	TOTAL								
				VENDOR TOTAL	319.07										
OASIS AERO INC				003286											
	69210	08/16/23	HAND SOAP		101.02		5380		D	-				CLEANING AND WAS	230.43430.0228

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER		CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
OASIS AERO INC 003286															
	69210	08/16/23		AIRPORT MGMT CNTRACT-M	4,000.00		5381		D	-				PROFESSIONAL SER	230.43430.0446
	69210	08/16/23		PAPER TOWELS/TOILET	47.44		5394		D	-				CLEANING AND WAS	230.43430.0228
	69210	08/16/23		AIRPORT MGMT CNTRACT-J	4,000.00		5461		D	-				PROFESSIONAL SER	230.43430.0446
					8,148.46										
				VENDOR TOTAL	8,148.46		*CHECK TOTAL								
PERKINS LUMBER CO INC 000604															
	69211	08/16/23		FINANCE CHARGE	30.15		STMT/07-23		D	-				OTHER CHARGES	101.45432.0449
	69211	08/16/23		WOOD FOR BENCHES	77.76		2307-204186		D	-				MTCE. OF EQUIPME	101.43425.0224
	69211	08/16/23		CONCRETE MIX	59.90		2307-204413		D	-				MTCE. OF OTHER I	101.43425.0226
	69211	08/16/23		WOOD	101.98		2307-204720		D	-				MTCE. OF EQUIPME	101.43425.0224
	69211	08/16/23		CONCRETE PADS	19.98		2307-204720		D	-				MTCE. OF OTHER I	101.43425.0226
	69211	08/16/23		SCREWS	27.60		2307-205880		D	-				MTCE. OF EQUIPME	101.43425.0224
	69211	08/16/23		TREATED LUMBER	109.90		2307-206176		D	-				MTCE. OF EQUIPME	101.43425.0224
	69211	08/16/23		WOOD	124.80		2307-206298		D	-				MTCE. OF EQUIPME	101.43425.0224
	69211	08/16/23		TREATED LUMBER	124.80		2307-206539		D	-				MTCE. OF EQUIPME	101.43425.0224
	69211	08/16/23		TREATED LUMBER	66.88		2307-206547		D	-				MTCE. OF EQUIPME	101.43425.0224
	69211	08/16/23		STAKES FOR CONCRETE	78.70		2307-206554		D	-				FURNITURE AND EQ	450.45432.0552
	69211	08/16/23		TREATED LUMBERPERKINS LU	151.75		2307-206560		D	-				MTCE. OF EQUIPME	101.43425.0224
	69211	08/16/23		CONCRETE MIX	35.94		2307-206593		D	-				MTCE. OF OTHER I	101.43425.0226
					1,010.14										
				VENDOR TOTAL	1,010.14		*CHECK TOTAL								
PIONEERLAND LIBRARY SYST 000614															
	69212	08/16/23		3RD QTR OPERATIONAL	113,706.25		081423		D	-				OTHER CHARGES	101.45426.0449
PREMIUM WATERS INC 000374															
	69213	08/16/23		DRINING WATER	10.00		330549824		D	-				GENERAL SUPPLIES	101.45435.0229
QUICK SIGNS 001093															
	69214	08/16/23		PW TEAM PHOTO PRINT	20.00		180933		D	-				OFFICE SUPPLIES	101.43425.0220
	69214	08/16/23		INSPECTION TAGS	106.00		91793		D	-				GENERAL SUPPLIES	651.48484.0229
	69214	08/16/23		VENTILAITON FAILURE SIGN	49.00		91835		D	-				GENERAL SUPPLIES	651.48484.0229
					175.00										
				VENDOR TOTAL	175.00		*CHECK TOTAL								
R & R SPECIALTIES INC 000636															
	69215	08/16/23		ZAMBONI PARTS	699.85		0079456-IN		D	-				MTCE. OF EQUIPME	101.45433.0224
	69215	08/16/23		JET ICE LINE PAINT	2,142.00		0079456-IN		D	-				GENERAL SUPPLIES	101.45433.0229
					2,841.85										
				VENDOR TOTAL	2,841.85		*CHECK TOTAL								
RAILROAD MANAGEMENT CO I 002582															
	69216	08/16/23		19TH AVE SW-CO RD 47	344.67		487788		D	M	01			LICENSES AND TAX	101.43425.0445
	69216	08/16/23		LAKELAND DR SE&LITCH AVE	344.67		487789		D	M	01			LICENSES AND TAX	101.43425.0445
	69216	08/16/23		450 W WILLMAR AVE&22ND	344.67		487790		D	M	01			LICENSES AND TAX	101.43425.0445
					1,034.01										
				VENDOR TOTAL	1,034.01		*CHECK TOTAL								

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER		CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
RAMBOW INC				000639											
	69217	08/16/23	WRESTLING SHIRTS		319.80		643300		D	-				GENERAL SUPPLIES	101.45432.0229
	69217	08/16/23	WRESTLING SHIRTS		195.00		643308		D	-				GENERAL SUPPLIES	101.45432.0229
					514.80	*CHECK	TOTAL								
				VENDOR TOTAL	514.80										
REPLACE INC				003911											
	69218	08/16/23	REBRANDING PHASE 1		10,000.00		3999		D	-				PROFESSIONAL SER	101.41401.0446
ROBERT HALF				003837											
	69219	08/16/23	ACCT SERV 07/25-07/28/		1,276.50		62354868		D	M	01			PROFESSIONAL SER	101.41405.0446
	69219	08/16/23	ACCT SERV 07/31-08/04/		1,441.64		62377400		D	-				PROFESSIONAL SER	101.41405.0446
					2,718.14	*CHECK	TOTAL								
				VENDOR TOTAL	2,718.14										
RULE TIRE SHOP				000665											
	69220	08/16/23	#170560 ALIGNMENT		65.00		1-65335		D	-				INVENTORIES-MDSE	101.125000
RUNNING'S SUPPLY INC				001418											
	69221	08/16/23	DOG FOOD		74.99		5947460		D	-				SUBSISTENCE OF P	101.42411.0227
	69221	08/16/23	SHOP SUPPLIES		59.96		5947568		D	-				GENERAL SUPPLIES	101.43425.0229
	69221	08/16/23	LAB SUPPLIES		230.42		5948395		D	-				GENERAL SUPPLIES	651.48484.0229
	69221	08/16/23	TOOLS		60.98		5952048		D	-				SMALL TOOLS	651.48484.0221
	69221	08/16/23	SPARE KEYS		28.62		5953671		D	-				GENERAL SUPPLIES	101.42411.0229
	69221	08/16/23	WEED KILLER		184.98		5954231		D	-				MTCE. OF EQUIPME	101.45433.0224
	69221	08/16/23	WATER REELS PARTS		60.97		5956897		D	-				MTCE. OF EQUIPME	101.45432.0224
	69221	08/16/23	BUSHINGS		10.58		5956974		D	-				MTCE. OF EQUIPME	101.45433.0224
					711.50	*CHECK	TOTAL								
				VENDOR TOTAL	711.50										
SHERWIN WILLIAMS CO				000690											
	69222	08/16/23	PAINT		45.99		19003		D	-				MTCE. OF STRUCTU	101.45435.0225
	69222	08/16/23	PAINT		55.17		22106		D	-				MTCE. OF STRUCTU	101.45435.0225
	69222	08/16/23	FIELD PAINT		1,271.84		27881		D	-				GENERAL SUPPLIES	101.43425.0229
					1,373.00	*CHECK	TOTAL								
				VENDOR TOTAL	1,373.00										
SILVA/AMBER				003699											
	69223	08/16/23	WELLNESS PROGRAM-JULY		1,100.00		080223		D	N	01			PROFESSIONAL SER	101.41420.0446
SMITH/JORDAN				003913											
	69224	08/16/23	BASEBALL SUMMER CAMP		3,478.00		1039		D	-				PROFESSIONAL SER	101.45432.0446
SOUTH 71 VETERINARY CLIN				000699											
	69225	08/16/23	MEDICATION-MAJOR		75.06		2320073		D	-				SUBSISTENCE OF P	101.42411.0227
STACY'S NURSERY INC				000706											
	69226	08/16/23	ADMIN LANDSCAPE		50.00		21801		D	-				GENERAL SUPPLIES	651.48484.0229

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

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STERLING WATER-MINNESOTA 000188															
		69227	08/16/23	SOFTENER RENTAL-AUG	19.45		315X03509303		D	-				RENTS	101.41408.0440
		69227	08/16/23	SOFTENER SALT	58.50		315X03519906		D	-				OTHER SERVICES	230.43430.0339
		69227	08/16/23	SOFTENER SALT	95.50		315X03520003		D	-				GENERAL SUPPLIES	101.45435.0229
					173.45	*CHECK	TOTAL								
				VENDOR TOTAL	173.45										
SWANSON RENTAL LLC 003656															
		69228	08/16/23	TRAILER RENTAL	145.09		563		D	-				RENTS	101.45432.0440
TACTICAL SOLUTIONS 003040															
		69229	08/16/23	RADAR/LASER CERTS	722.00		9710		D	-				PROFESSIONAL SER	101.42411.0446
TORKELSON'S LOCK SERVICE 002583															
		69230	08/16/23	BASEBALL COMPLEX RPR-PRT	319.50		7456631		D	N	01			MTCE. OF STRUCTU	101.45432.0225
		69230	08/16/23	BASEBALL COMPLEX RPR-LBR	219.00		7456631		D	N	01			MTCE. OF STRUCTU	101.45432.0335
		69230	08/16/23	RICE PARK LOCK RPR-PRTS	40.00		7456701		D	N	01			MTCE. OF STRUCTU	101.43425.0225
		69230	08/16/23	RICE PARK LOCK RPR-LBR	93.00		7456701		D	N	01			MTCE. OF STRUCTU	101.43425.0335
					671.50	*CHECK	TOTAL								
				VENDOR TOTAL	671.50										
TWIN CITY SEED COMPANY 002949															
		69231	08/16/23	SEED & FERTILIZER	3,105.20		54808		D	-				MTCE. OF OTHER I	101.43425.0226
		69231	08/16/23	SEED & FERTILIZER	4,657.80		54808		D	-				MTCE. OF OTHER I	101.45432.0226
					7,763.00	*CHECK	TOTAL								
				VENDOR TOTAL	7,763.00										
TYLER TECHNOLOGIES, INC 003795															
		69232	08/16/23	PROJECT MANAGER	8,800.00		045-429038		D	-				SUBSCRIPTIONS AN	219.41409.0443
		69232	08/16/23	07/24-07/27/23 ERP PRO	4,900.00		045-432543		D	-				SUBSCRIPTIONS AN	219.41409.0443
		69232	08/16/23	08/04/23 ERP PROJ	700.00		045-433232		D	-				SUBSCRIPTIONS AN	219.41409.0443
					14,400.00	*CHECK	TOTAL								
				VENDOR TOTAL	14,400.00										
US BANK EQUIPMENT FINANC 003143															
		69233	08/16/23	500-0576320-000-AUG	172.70		507980381		D	-				RENTS	101.42411.0440
WALTER CURTIS COMPANY, L 003864															
		69234	08/16/23	RETIREMENT BADGES	116.00		32946		D	-				SUBSISTENCE OF P	101.42411.0227
WEST CENTRAL COMMUNICATI 000796															
		69235	08/16/23	TST PORTABLE RADIO-LBR	45.00		096371S		D	-				MTCE. OF EQUIPME	101.42412.0334
		69235	08/16/23	PAGER REPAIR-PARTS	79.53		096485S		D	-				MTCE. OF EQUIPME	101.42412.0224
		69235	08/16/23	PAGER REPAIR-LABOR	50.00		096485S		D	-				MTCE. OF EQUIPME	101.42412.0334
		69235	08/16/23	PAGER BATTERY	22.50		096542S		D	-				MTCE. OF EQUIPME	101.42412.0224
					197.03	*CHECK	TOTAL								
				VENDOR TOTAL	197.03										

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER		CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
WEST CENTRAL SANITATION				000805											
		69236	08/16/23	RECYCLING-SEPTEMBER	147.14		12848904		D	-				CLEANING AND WAS	651.48484.0338
		69236	08/16/23	RECYCLING-SEPTEMBER	102.72		12849535		D	-				CLEANING AND WAS	101.43425.0338
		69236	08/16/23	RECYCLING-SEPTEMBER	38.04		12849535		D	-				CLEANING AND WAS	101.45432.0338
		69236	08/16/23	RECYCLING-SEPTEMBER	95.66		12849535		D	-				CLEANING AND WAS	101.45433.0338
		69236	08/16/23	RECYCLING-SEPTEMBER	95.66		12849535		D	-				CLEANING AND WAS	101.45437.0338
					479.22										
						*CHECK	TOTAL								
				VENDOR TOTAL	479.22										
WEST CENTRAL TROPHIES				000808											
		69237	08/16/23	ENGRAVED GOLF MEDALS	46.56		8696		D	-				MTCE. OF OTHER I	101.45432.0226
WILLMAR CHAMBER OF COMME				000812											
		69238	08/16/23	PUBLIC POLICY-BOX	13.00		56026		D	-				SUBSISTENCE OF P	101.41400.0227
		69238	08/16/23	PUBLIC POLICY-VALIANT	13.00		56026		D	-				SUBSISTENCE OF P	101.41400.0227
		69238	08/16/23	PUBLIC POLICY-REESE	13.00		56026		D	-				SUBSISTENCE OF P	101.41401.0227
					39.00										
						*CHECK	TOTAL								
				VENDOR TOTAL	39.00										
WILLMAR NOON KIWANIS				000393											
		69239	08/16/23	QUARTERLY DUES APR-JUN	50.00		080223		D	-				SUBSCRIPTIONS AN	101.41400.0443
		69239	08/16/23	QUARTERLY MEALS APR-JUN	22.00		080223		D	-				SUBSCRIPTIONS AN	101.41400.0443
					72.00										
						*CHECK	TOTAL								
				VENDOR TOTAL	72.00										
WINDSTREAM				002100											
		69240	08/16/23	PHONE SERVICE-AUG	745.50		STMT/08-23		D	-				COMMUNICATIONS	101.41409.0330
		69240	08/16/23	PHONE SERVICE-AUG	76.60		STMT/08-23		D	-				COMMUNICATIONS	101.45433.0330
					822.10										
						*CHECK	TOTAL								
				VENDOR TOTAL	822.10										

Vendor Payment History Report
INCLUDES ONLY POSTED TRANS

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	BX	M	ACCOUNT NAME	ACCOUNT
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REPORT TOTALS:				543,814.85										
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RECORDS PRINTED - 000345

Vendor Payment History Report

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
----	-----	
101	GENERAL FUND	427,807.73
208	CONVENTION & VISITORS BUREAU	1,585.11
219	CORONAVIRUS RELIEF FUND	19,400.00
230	WILLMAR MUNICIPAL AIRPORT	8,973.78
235	WILLMAR MAIN STREET	28.04
420	LOCAL OPT SALES TAX PROJECTS	4,600.00
421	S.A.B.F. - #2021B	28,820.47
450	CAPITAL IMPROVEMENT FUND	78.70
651	WASTE TREATMENT	52,271.02
804	FIRE DEPT EXPLORER FUND	250.00
TOTAL ALL FUNDS		543,814.85

BANK RECAP:

BANK	NAME	DISBURSEMENTS
----	-----	
HERT	HERITAGE BANK	543,814.85
TOTAL ALL BANKS		543,814.85



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	6.J.
Agenda Section:	Consent Items	Originating Department:	Public Works
Resolution:	Yes	Prepared By:	Kelsi Delbosque, Administrative Assistant
Ordinance:	No	Presented By:	Jared Voge
Item:	Project No. 2101-B Revised Final		

RECOMMENDED ACTION:

Adopt the amended resolution accepting Project No. 2101-B Eagle Ridge Drive East and authorizing final payment to Duinick, Inc. in the amount of \$28,820.47.

OVERVIEW:

Following the Council Meeting on July 17th, staff noted an error in addition, totaling an additional \$3,500 in the final pay application that was approved for Project No. 2101-B Eagle Ridge Drive East reconstruction. Staff reviewed the quantities, and an updated final pay application was drafted and signed by the contractor, Interim City Engineer, and Public Works Director for final payment to Duinick, Inc. in the amount of \$28,820.47. The previous final pay application listed the amount as \$25,320.47.

BUDGETARY/FISCAL ISSUES:

The final payment, including the increase of \$3,500, is within the project budget.

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. RESOLUTION- ACCEPT PROJECT FINAL PROJECT NO. 2101-B
2. Project No. 2101-B Final Pay App

Resolution No.

A RESOLUTION ACCEPTING PROJECT NO. 2101-B AND AUTHORIZING FINAL PAYMENT.

Motion By:_____ Second By:_____

IMPROVEMENT: Project No. 2101-B: Eagle Ridge Dr E Reconstruction

CONTRACTOR:	Duininck, Inc.
DATE OF CONTRACT:	May 3, 2021
BEGIN WORK:	June 1, 2021
COMPLETE WORK:	June 14, 2023
APPROVE, ENGINEERING DEPT:	June 21, 2023

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that:

1. The said City of Willmar Eagle Ridge Dr E Project be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$1,087,587.90
CHANGE ORDER NO. 1	\$57,842.90
CHANGE ORDER NO. 2	(\$12,323.07)
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$1,133,107.73
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$1,133,107.73
Less Previous Payments	\$1,104,287.26
FINAL PAYMENT DUE CONTRACTOR:	\$28,820.47

Dated this 21st day of August, 2023

Attest:

Mayor

City Clerk

CONTRACTOR'S NO. 5 - FINAL
 PROJECT NO. 2101-B
 CONTRACTOR: DUININCK INC.
 P.O. BOX 208
 PRINSBURG, MN 56281
 CONSTRUCTION OF: STREET AND STORM

LOCATION: EAGLE RIDGE DRIVE EAST

DATE: 7/14/2023

HONORABLE MAYOR AND CITY COUNCIL
 CITY OF WILLMAR, MINNESOTA

IN ACCORDANCE WITH THE CONTRACT WITH DUININCK INC.
 I HEREWITH PRESENT THE FOLLOWING ESTIMATE

2101-B

	ITEM	UNIT	Total Units Bid	Bid Price Per Unit	Total Bid Amount	Previous Quantities	Amount Paid to Date	Quantities to Date	Quantity This App	Amount Due
1	Mobilization	LS	1.0	\$ 10,000.00	\$ 10,000.00	1.0	\$ 10,000.00	1.0	-	-
2	Salvage Casting	EA	24	\$ 50.00	\$ 1,200.00	24	\$ 1,200.00	24	-	-
3	Remove Manhole or Catch Basin	EA	10	\$ 200.00	\$ 2,000.00	10	\$ 2,000.00	10	-	-
4	Remove Curb and Gutter	LF	6620	\$ 2.50	\$ 16,550.00	6575	\$ 16,437.50	6575	-	-
5	Remove Sewer Pipe (Storm)	LF	310	\$ 5.00	\$ 1,550.00	310	\$ 1,550.00	310	-	-
6	Remove Concrete Driveway Pavement	SY	1350	\$ 8.00	\$ 10,800.00	1367	\$ 10,936.00	1367	-	-
7	Remove Bituminous Pavement	SY	13580	\$ 1.25	\$ 16,975.00	13580	\$ 16,975.00	13580	-	-
8	Geotextile Fabric Type 5	SY	15750	\$ 1.34	\$ 21,105.00	15750	\$ 21,105.00	15750	-	-
9	Common Excavation (EV) (P)	CY	10075	\$ 12.00	\$ 120,900.00	10075	\$ 120,900.00	10075	-	-
10	Select Granular Borrow	TON	9450	\$ 15.00	\$ 141,750.00	8149.08	\$ 122,236.20	8149.08	-	-
11	Select Granular Borrow	TON	500	\$ 15.00	\$ 7,500.00		\$ -		-	-
12	Subgrade Preparation	RDST	33.30	\$ 500.00	\$ 16,650.00	33.30	\$ 16,650.00	33.30	-	-
13	Street Sweeper (With Pickup Broom)	HR	10	\$ 137.00	\$ 1,370.00		\$ -		-	-
14	Aggregate Base Class 6	TON	5200	\$ 18.00	\$ 93,600.00	4857.64	\$ 87,437.52	4857.64	-	-
15	Type SP12.5 Wearing Course Mixture (3B)	TON	1700	\$ 68.00	\$ 115,600.00	1853.39	\$ 126,030.52	1853.39	-	-
16	Type SP12.5 Non Wearing Course Mixture (3B)	TON	1700	\$ 66.00	\$ 112,200.00	1557.84	\$ 102,817.44	1557.84	-	-
17	5" Perf PE Pipe Drain	LF	6800	\$ 9.00	\$ 61,200.00	6550	\$ 58,950.00	6550	-	-
18	12" RC Pipe Sewer Class II	LF	1625	\$ 42.00	\$ 68,250.00	1625	\$ 68,250.00	1625	-	-
19	18" RC Pipe Sewer Class II	LF	40	\$ 60.00	\$ 2,400.00	41	\$ 2,460.00	41	-	-
20	Connect To Existing Storm Sewer	EA	7	\$ 635.00	\$ 4,445.00	7	\$ 4,445.00	7	-	-
21	24" X 10" Reducing Saddle	EA	1	\$ 1,300.00	\$ 1,300.00	1	\$ 1,300.00	1	-	-
22	10" HDPE Pipe Sewer	LF	5	\$ 65.00	\$ 325.00		\$ -		-	-
23	12" HDPE Pipe Sewer	LF	46	\$ 49.00	\$ 2,254.00	17	\$ 833.00	17	-	-
24	18" HDPE Pipe Sewer	LF	20	\$ 56.00	\$ 1,120.00	5	\$ 280.00	5	-	-
25	24" HDPE Pipe Sewer	LF	20	\$ 65.00	\$ 1,300.00	9	\$ 585.00	9	-	-
26	Adjust Frame & Ring Casting	EA	2	\$ 450.00	\$ 900.00	2	\$ 900.00	2	-	-
27	Casting Assembly (Manhole)	EA	3	\$ 820.00	\$ 2,460.00	3	\$ 2,460.00	3	-	-
28	Casting Assembly (Catch Basin - B618 Curb)	EA	20	\$ 600.00	\$ 12,000.00	20	\$ 12,000.00	20	-	-
29	Construct Drainage Structure Design 48-4020	LF	72	\$ 400.00	\$ 28,800.00	76.65	\$ 30,660.00	76.65	-	-
30	Construct Drainage Structure Design H	LF	33	\$ 300.00	\$ 9,900.00	26.96	\$ 8,088.00	26.96	-	-
31	Concrete Curb and Gutter Design B618	LF	6620	\$ 13.25	\$ 87,715.00	6611	\$ 87,595.75	6611	-	-
32	6" Concrete Driveway Pavement	SY	1350	\$ 52.00	\$ 70,200.00	1900	\$ 98,800.00	1900	-	-
33	Traffic Control	LS	1.0	\$ 1,500.00	\$ 1,500.00	1.0	\$ 1,500.00	1.0	-	-
34	Common Topsoil Borrow	CY	400	\$ 30.00	\$ 12,000.00	302	\$ 9,060.00	394.80	92.80	\$ 2,784.00
35	Fertilizer Type 3 (P)	LB	403	\$ 0.80	\$ 322.40	403	\$ 322.40	403	-	-
36	Seed Mixture 25-151 (P)	LB	345	\$ 3.00	\$ 1,035.00	345	\$ 1,035.00	345	-	-
37	Seeding (P)	AC	1.15	\$ 700.00	\$ 805.00	1.15	\$ 805.00	1.15	-	-
38	Hydraulic Bonded Fiber Matrix (P)	LB	4025	\$ 1.10	\$ 4,427.50	4025	\$ 4,427.50	4025	-	-
39	Erosion Control Supervisor	LS	1.00	\$ 565.00	\$ 565.00	1.00	\$ 565.00	1.00	-	-
40	Storm Drain Inlet Protection	EA	20	\$ 125.00	\$ 2,500.00	10	\$ 1,250.00	10	-	-

41	Erosion Control Blanket	SY	160	\$ 3.00	\$ 480.00		\$ -		-	-
42	Salvage Casting	EA	14	\$ 50.00	\$ 700.00	14	\$ 700.00	14	-	-
43	Casting Assembly	EA	14	\$ 320.00	\$ 4,480.00	14	\$ 4,480.00	14	-	-
44	Chimney Seal	EA	14	\$ 235.00	\$ 3,290.00	14	\$ 3,290.00	14	-	-
45	Grout Catch Basin or Manhole	EA	14	\$ 250.00	\$ 3,500.00		\$ -	14	14.00	3,500.00
46	Adjust Frame & Ring Casting	EA	14	\$ 451.00	\$ 6,314.00	14	\$ 6,314.00	14	-	-
47	Adjust Valve Box	EA	6	\$ 225.00	\$ 1,350.00	6	\$ 1,350.00	6	-	-
48	Change Order No. 1	LS	1.0	\$ 57,842.90	\$ 57,842.90	1.0	\$ 57,842.90	1.0	-	-
49	Change Order No. 2	LS	1.0	\$ (12,323.07)	\$ (12,323.07)	1.0	\$ (12,323.07)	1.0	-	-
OVERALL TOTAL										\$6,284.00
(Price includes all applicable sales and use taxes)										
LESS 0% RETAINAGE										
SUBTOTAL:										\$6,284.00
RELEASE REMAINING RETAINAGE FROM PREVIOUS PAY APPLICATIONS:										
PAY REMAINING RETAINAGE FROM PAY APPLICATION 1										\$4,988.26
PAY REMAINING RETAINAGE FROM PAY APPLICATION 2										\$8,782.45
PAY REMAINING RETAINAGE FROM PAY APPLICATION 3										\$6,113.35
PAY REMAINING RETAINAGE FROM PAY APPLICATION 4										\$2,652.41
AMOUNT DUE CONTRACTOR THIS ESTIMATE:										\$28,820.47

APPROVED:
CITY ENGINEER

07/17/2023

APPROVED:
PUBLIC WORKS DIRECTOR

APPROVED:
CONTRACTOR

BUDGET NO. 421.48452.00336

CONTRACT AUTHORIZATION

ORIGINAL CONTRACT AMOUNT \$ 1,087,587.90

FINAL CONTRACT AMOUNT \$ 1,133,107.73

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

- (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
- (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and
- (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective; and
- (4) The provisions of M. S. 290.92 have been complied with and that all claims against me by reason of the Contract have been paid or satisfactorily



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	6.K.
Agenda Section:	Consent Items	Originating Department:	Administration
Resolution:	Yes	Prepared By:	Leslie Valiant, City Administrator
Ordinance:	No	Presented By:	Pablo Obregon, Director of Community Growth
Item:	Consider Approval of an Age Friendly Community Resolution		

RECOMMENDED ACTION:

Approve resolution seeking membership in the AAPA Network of Age-Friendly Communities.

OVERVIEW:

Council previously approved the resolution accepting the grant funding for the age-friendly community. This resolution is to seek membership in the AARP network of age-friendly communities. The AARP Network provides technical assistance and financial assistance as part of the age-friendly community membership.

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. AFC Resolution



RESOLUTION NO.

TO SEEK MEMBERSHIP IN THE AARP NETWORK OF AGE-FRIENDLY COMMUNITIES

Motion By: _____

Second By: _____

WHEREAS, the health and safety of residents of all ages is of highest concern to the citizens of Willmar; and

WHEREAS, as the U.S population ages and people stay healthy and active longer, communities must adapt; and

WHEREAS, planning processes including community revitalization and economic development plans should include the needs of all people regardless of age, income, physical ability, race, and other factors of older adults; and

WHEREAS, community decisions on land-use, housing, and transportation should be consistent with comprehensive plans that have been developed with public input; and

WHEREAS, members of the AARP Network of Age-Friendly Communities become part of a global network of communities that are committed to giving their older residents the opportunity to live rewarding, productive and safe lives; and

WHEREAS, membership in the Network of Age-Friendly Communities include access to financial assistance and technical enterprise; and

NOW, THEREFORE, BE IT RESOLVED that in order to ensure Willmar is a well-designed, livable community that promotes health and sustained economic growth for residents of all ages, the City of Willmar supports the planning process and requests participation in the Network of Age-Friendly Communities.

Adopted this the 21st day of August, 2023.

MAYOR

ATTEST:

CITY CLERK



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	6.L.
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 a State 1 Day to 4 Day Temporary On-Sale Liquor License Permit - VFW 1639		

RECOMMENDED ACTION:

Motion to Approve the State Application and Permit for a 1 Day to 4 Day Temporary On-Sale Liquor License, pending Police Department approval, on a Roll Call Vote

OVERVIEW:

The VFW 1639 dba Finstad-Week Post has plans to serve alcohol during an outdoor Charitable Cornhole Tournament event on September 16, 2023, in a fenced-in area of their parking lot. A State Application and Permit for a 1 Day to 4 Day Temporary On-Sale Liquor License is required to distribute or consume alcohol outside of their designated premised area.

BUDGETARY/FISCAL ISSUES:

\$100.00 application fee.

ALTERNATIVES TO CONSIDER:

Deny the serving of alcohol outside of their designated premised area.

ATTACHMENTS:

None



City of Willmar

City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	6.M.
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:	Church of St. Mary Lawful Gambling Application		

RECOMMENDED ACTION:

Approve Church of St. Mary Lawful Gambling Application

OVERVIEW:**BUDGETARY/FISCAL ISSUES:****ALTERNATIVES TO CONSIDER:****ATTACHMENTS:**

1. Church of St. Mary Lawful Gambling Application

LG240B Application to Conduct Excluded Bingo**No Fee**11/17
Page 1 of 2**ORGANIZATION INFORMATION**

Organization Name: Church of St. Mary Previous Gambling Permit Number: XB-04099-22-012

Minnesota Tax ID Number, if any: 8369099 Federal Employer ID Number (FEIN), if any: 41-0711999

Mailing Address: 713 12th Street SW

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

Name of Chief Executive Officer (CEO): Fr. Steven Verhelst

CEO Daytime Phone: 320-235-0118 CEO Email: Frsteve@ourlivingwater.org
(permit will be emailed to this email address unless otherwise indicated below)

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

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

☐ 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.
- ☐ **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 ACTIVITYHas your organization held a bingo event in the current calendar year? ☐ Yes ☒ No

If yes, list the dates when bingo was conducted: _____

The proposed bingo event will be:

- ☒ one of four or fewer bingo events held this year. Dates: Sept. 24, 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: Fr. Steven Verhelst Daytime Phone: 320-235-0118Name of premises where bingo will be conducted: Chruch of St. MaryPremises street address: 713 12th Street SWCity: Willmar If township, township name: _____ County: Kandiyohi

LG240B Application to Conduct Excluded Bingo

11/17
Page 2 of 2

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: 8-14-2023

**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: *Rev. Steven J. Chelak* Date: 8-14-2023
(Signature must be CEO's signature; designee may not sign)

Print Name: _____

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 Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	6.N.
Agenda Section:	Consent Items	Originating Department:	Human Resources
Resolution:	No	Prepared By:	LuAnn Sietsema, HR Director
Ordinance:	No	Presented By:	LuAnn Sietsema, HR Director
Item:	Legislative Updates to policy titled "Drug, Alcohol and Cannabis Testing Policy for Non-Commercial Drivers"		

RECOMMENDED ACTION:

Review Policy updates due to new cannabis legalization for recreational use in Minnesota.

OVERVIEW:

The State of Minnesota legalized the recreational use of cannabis during the legislative session 2023. Policy changes to include "cannabis" within the current Drug free Workplace policies are required.

BUDGETARY/FISCAL ISSUES:

None

ALTERNATIVES TO CONSIDER:

N/A

ATTACHMENTS:

1. Drug Alcohol Testing Policy - Non CDL with legislative updates 2023

City of Willmar, MN

Drug, and Alcohol, and Cannabis Testing and Drug-Free Workplace Act Policy for Non-Commercial Drivers (Non-DOT)

Purpose and Objectives

The City of Willmar (“City”) has a vital interest in maintaining safe, healthful, and efficient working conditions for employees, and recognizes that individuals who are impaired because of drugs and/or alcohol jeopardize the safety and health of other workers as well as themselves. The City of Willmar does not intend to intrude into the private lives of its employees, but strongly believes that a drug, ~~and~~ alcohol and cannabis-free workplace is in the best interest of employees and the public alike. Alcohol, ~~and~~ drug and cannabis abuse can cause unsatisfactory job performance, increased tardiness and absenteeism, increased accidents and workers’ compensation claims, higher insurance rates, and an increase in theft of City property. The City of Willmar’s Drug, ~~and~~ Alcohol and Cannabis Testing Non-DOT policy has been established for the purpose of providing a safe workplace for all.

City employees and applicants required to hold a commercial driver’s license by the United States Department of Transportation (“DOT”) for their job will be tested under the City’s Policy on Drug Controlled Substance and Alcohol Testing for Commercial Drivers (the “DOT Policy”). All other employees and job applicants offered employment with the City must undergo testing as described by this policy.

To ensure the policy is clearly communicated to all employees and applicants to whom offers of employment have been made, and to comply with state law, employees and applicants are required to review this policy and sign the “policy acknowledgement.” A job applicant will also acknowledge in this form that they understand that passing the drug test is a requirement of the job.

Persons Subject to Testing and Circumstances Under Which Testing May Be Required

Under this policy, the City may test any applicant to whom an offer of employment has been made and may test any employee for alcohol and/or drugs, including cannabis, under any of the following circumstances with a properly accredited or licensed testing laboratory, in accordance with Minn. Stat. § 181.953, subd. 1.

Temporary and seasonal employees are not subject to this policy with the exception of those designated by the hiring department as safety-sensitive positions.

(1) Pre-Employment Testing:

Every job applicant offered employment with the City receives the offer conditioned upon successful completion of drug test, and/or an alcohol or cannabis test, if applicable, among other conditions. The City will not request or require a job applicant to undergo cannabis testing related to “lawful consumable products” pursuant to Minn. Stat. § 181.938, including alcohol, cannabis, lower-potency hemp edibles, and hemp-derived consumer products, except with respect to the categories of positions listed below in the definition of “Drug” or if otherwise

required by state or federal law. If the job offer is withdrawn based on drug test results, the City will inform the applicant of the reasons for the withdrawal. A failure of the drug or other applicable test, a refusal to take the test, or failure to meet other conditions of the offer will result in a withdrawal of the offer of employment even if the applicant's provisional employment has begun. A negative or positive dilute test result (following a second collection), which has been confirmed, will also result in immediate withdrawal of an offer of employment to an applicant.

(2) Reasonable Suspicion Testing:

Consistent with Minn. Stat. § 181.951, subd. 3, employees will be subject to alcohol and/or drug testing, including cannabis testing, when reasonable suspicion exists to believe that the employee:

- Is under the influence of alcohol ~~or a drug~~, drugs or cannabis or;
- Has violated written work rules prohibiting the use, possession, sale or transfer of drugs, alcohol, or cannabis, while working, while on City property, or while operating City vehicles, machinery or any other type of equipment; or
- Has sustained a personal injury as defined in Minn. Stat. § 176.011, subd. 16 or has caused another employee to sustain an injury or;
- Has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

Reasonable suspicion may be based upon, but is not limited to, facts regarding appearance, behavior, speech, breath, odor, possession, proximity to or use of alcohol ~~or a drug~~, drugs or cannabis or containers or paraphernalia, poor safety record, excessive absenteeism, impairment of job performance, or any other circumstances that would cause a reasonable employer to believe that a violation of the City's policies concerning alcohol ~~or~~, drugs or cannabis may have occurred. These observations will be reflected in writing on a Reasonable Suspicion Record Form.

For off-site collection, employees will be driven to the City ~~employer~~-approved medical facility by their supervisor or a designee. For an on-site collection service, the employee will remain on site and be observed by the supervisor or designee. The medical facility or on-site collection service will take the urine or blood sample and will forward the sample to an approved laboratory for testing.

Pursuant to the requirements of the Drug-Free Workplace Act of 1988, all City employees, as a condition of continued employment, will agree to abide by the terms of this policy and must notify [Human Resources/the City Administrator] of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction. If required by law or government contract, the City will notify the appropriate federal agency of such conviction within 10 days of receiving notice from the employee.

(3) Treatment Program Testing:

In accordance with Minn. Stat. § 181.951, subd. 6., the City may request or require an employee to undergo drug ~~and alcohol~~, alcohol or cannabis testing, if the employee has been referred by the City for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program under an employee benefit plan. In such a case, the employee may be requested or required to undergo drug or alcohol testing, including cannabis testing, without prior notice during the evaluation or treatment period and for a period of up to two years following completion of any prescribed chemical dependency treatment program.

(4) Routine Physical Examination Testing:

The City may request or require an employee to undergo drug and/or alcohol testing – but not cannabis testing, except for the categories of positions listed above for which cannabis is considered a drug or unless otherwise required by state or federal law- as part of a routine physical examination. The City, in accordance with Minn. Stat. § 181.951, subd. 3, will request or require this type of testing no more than once annually, and the employee will be provided with at least two weeks' written notice that the test will be required as part of the physical examination.

(5) Random Testing:

In accordance with Minn. Stat. § 181.951, subd. 4, the City may require an employee to submit to random drug, alcohol, and cannabis testing, if the employee is in a safety-sensitive position.

Right of Refusal:

Employees and job applicants have the right to refuse to submit to an alcohol ~~or drug~~, drug or cannabis test under this policy. However, such a refusal will subject an employee to immediate termination.

If an applicant refuses to submit to applicant testing, any conditional offer of employment will be withdrawn.

Any intentional act or omission by the employee or applicant that prevents the completion of the testing process constitutes a refusal to test.

An applicant or employee who substitutes, or attempts to substitute, or alters, or attempts to alter a testing sample is considered to have refused to take a drug ~~and/or alcohol~~, alcohol, or cannabis test. In such a case, the employee is subject to immediate termination of employment, and in the case of an applicant, the job offer will be immediately withdrawn.

Refusal on Religious Grounds:

An employee or job applicant who, on religious grounds, refuses to undergo drug and/or alcohol testing, including cannabis testing, of a blood sample will not be considered to have refused testing, unless the employee or job applicant also refuses to undergo drug ~~or alcohol~~, alcohol, or cannabis testing of a urine sample.

Cost of Required Testing:

The City will pay for the cost of all drug ~~and alcohol~~, alcohol, and cannabis testing, requested or required of all job applicants and employees, except for confirmatory retests. Job applicants and

employees are responsible for paying for all costs associated with any requested confirmatory retests.

Prohibition against Drugs and Alcohol

Use and Possession of Alcohol or Drug(s):

Employees are prohibited from the use, possession, transfer, transportation, manufacture, distribution, sale, purchase, solicitation to sell or purchase, or dispensation of alcohol, drugs, including cannabis, or drug paraphernalia, while on duty; while on City premises; while operating any City vehicle, machinery, or equipment; or when performing any City business, except (1) pursuant to a valid medical prescription used as properly instructed; (2) the use of over-the-counter drugs used as intended by the manufacturer; or (3) when necessary for approved law enforcement activity.

Besides having a zero-tolerance policy for the use or possession of alcohol, illegal drugs, or misused prescription drugs on the worksite, we also prohibit the use, possession of, impairment by any cannabis or medical cannabis products (e.g., hash oils, edibles or beverages containing cannabinoids, or pills) on the worksite by a person working as an employee at the City or while “on call” and subject to return to work. Having a medical marijuana card, patient registry number, and/or cannabis prescription from a physician does not allow anyone to use, possess, or be impaired by that drug here. Likewise, the fact that cannabis may be lawfully purchased and consumed does not permit anyone to use, possess, or be impaired by them here. The federal government still classifies cannabis as an illegal drug, even though some states, including Minnesota, have decriminalized its possession and use. There is no acceptable concentration of marijuana metabolites in the blood or urine of an employee who operates our equipment or vehicles or who is on one of our worksites. Applicants and employees are still subject to being tested under our drug ~~and alcohol~~, alcohol, and cannabis testing policy.

Employees are subject to being disciplined, suspended, or terminated after testing positive for cannabis if the employee used, possessed, or was impaired by cannabis, including medical cannabis, while on the premises of the place of employment or during the hours of employment.

While Impaired ~~of by~~ Alcohol ~~or Drug(s)~~, Drugs or Cannabis:

Employees are prohibited from being under the influence of alcohol or drugs, including cannabis, or having a detectable amount of an illegal drug in the blood or urine when reporting for work; while on duty; while on the City’s premises; while operating any City vehicle, machinery, or equipment; or when performing any City business, except (1) pursuant to a valid medical prescription used as properly instructed; or (2) the use of over-the-counter drug(s) used as intended by the manufacturer.

Driving While Impaired:

A conviction of driving while impaired in a City-owned vehicle at any time during business or non-business hours, or in an employee-owned vehicle while conducting City business, may result in discipline, up to and including discharge.

Criminal Drug Convictions:

Any employee convicted of any criminal drug statute must notify their supervisor [and the City's Human Resources Division/City Administrator] in writing of such conviction no later than five days after such conviction. Within 30 days after receiving notice from an employee of a drug-related conviction, the City will take appropriate personnel action against the employee up to and including discharge, or require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program as an alternative to termination. In the event notice is not provided to the supervisor and the employee is deemed to be incapable of working safely, the employee will not be permitted to work and will be subject to disciplinary action, including dismissal from employment. In accordance with the Federal Drug-Free Workplace Act of 1988, if the City is receiving federal grants or contracts of over \$25,000, the City will notify the appropriate federal agency of such conviction within 10 days of receiving notice from the employee.

Failure to Disclose Lawful Drugs:

Employees taking a lawful drug, including prescription and over-the-counter drugs, or cannabis, which may impair their ability to perform their job responsibilities or pose a safety risk to themselves or others, must advise their supervisor of this before beginning work. It is the employee's responsibility to seek out written information from their physician or pharmacist regarding medication and any job performance impairment and relay that information to their supervisor. In the event of such a disclosure, the employee will not be authorized to perform safety-sensitive functions.

Review and Notification of Test Results

Notification of Negative Test Results:

In the case of job applicants and in accordance with Minn. Stat. § 181.953, Human Resources will notify a job applicant of a negative drug result within three days of receipt of result by the City, and the hiring process will resume. In accordance with Minn. Stat. § 181.953, subd. 3, a laboratory must report results to the City within three working days of the confirmatory test result. A "Negative Test Results Notification" form will be sent to the job applicant, and the job applicant may request a copy of the test result report from Human Resources.

In the case of current employees and in accordance with Minn. Stat. § 181.953, Human Resources will notify the employee of a negative drug and/or alcohol result within three days of receipt of result by the City. A "Negative Test Results Notification" form will be sent to the employee, and they may request a copy of the test result report from Human Resources.

Notification of Positive Test Results:

In the event of a confirmed positive blood or urine alcohol ~~and/or drug~~, drug or cannabis test result, the City will notify the employee of a positive ~~drug and/or alcohol~~ result within three days of receipt of the result. Human Resources will send to the employee or job applicant a "Positive Test Results Notification" letter containing further instructions. The employee or job applicant may contact Human Resources to request a copy of the test result report if desired. In accordance with Minn. Stat. § 181.953, subd. 3, a laboratory must report results to the City within three working days of the confirmatory test result.

Right to Provide Information after Receiving Test Results:

Within three working days after notice of a positive drug ~~or alcohol~~, alcohol, or cannabis test result on a confirmatory test, the employee or job applicant may submit information to the City to explain the positive result. In accordance with Minn. Stat. § 181.953, subd. 10, if an employee submits information either before a test or within three working days after a positive test result that explains the positive test result, (such as medications the employee is taking), the City will not take an adverse employment action based on that information unless the employee has already been under an affirmative duty to provide the information before, upon, or after hire.

Right to Confirmatory Retest:

A job applicant or employee may request a confirmatory retest of the original sample at the job applicant's or employee's own expense after notice of a positive test result on a confirmatory test. Within five working days after notice of the confirmatory test result, the job applicant or employee must notify the City in writing of the job applicant's or employee's intention to obtain a confirmatory retest. Within three working days after receipt of the notice, the City will notify the original testing laboratory that the job applicant or employee has requested the laboratory to conduct the confirmatory retest or transfer the sample to another qualified laboratory licensed to conduct the confirmatory retest. The original testing laboratory will ensure the control and custody procedures are followed during transfer of the sample to the other laboratory. In accordance with Minn. Stat. § 181.953, subd. 3, the laboratory is required to maintain all samples testing positive for a period of six months. The confirmatory retest will use the same drug and/or alcohol threshold detection levels as used in the original confirmatory test.

In the case of job applicants, if the confirmatory retest does not confirm the original positive test result, the City's job offer will be reinstated and the City will reimburse the job applicant for the actual cost of the confirmatory retest. In the case of employees, if the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test will be taken against the employee, the employee will be reinstated with any lost wages or salary for time lost pending the outcome of the confirmatory retest result, and the City will reimburse the employee for the actual cost of the confirmatory retest.

Access to Reports:

In accordance with Minn. Stat. § 181.953, subd. 10, an employee will have access to information contained in their personnel file relating to positive test results and to the testing process, including all information gathered as part of that process.

Dilute Specimens:

A negative or positive dilute test result (following a second collection) which has been confirmed will subject an employee to immediate termination.

Consequences for Employees Engaging in Prohibited Conduct

Job Applicants:

The City's conditional offer of employment will be withdrawn from any job applicant who refuses to be tested or tests positive for illegal drugs as verified by a confirmatory test.

Employees:

- No Adverse Action without Confirmatory Test. The City will not discharge, discipline, discriminate against, or request or require rehabilitation of an employee based on a positive test result from an initial screening test that has not been verified by a confirmatory test.
- Suspension Pending Test Result. The City may temporarily suspend a tested employee with or without pay, or transfer that employee to another position at the same rate of pay pending the outcome of the requested confirmatory retest, provided the City believes that it is reasonably necessary to protect the health or safety of the employee, co-employees, or the public. The employee will be asked to return home and will be provided appropriate arrangements for return transportation to their residence. In accordance with Minn. Stat. § 181.953, subd. 10, an employee who has been suspended without pay will be reinstated with back pay if the outcome of the requested confirmatory retest is negative.

Discipline and Discharge:

Confirmatory Positive Test Result:

The City will not discharge an employee for a first confirmatory positive test unless the following conditions have been met:

- The City has first given the employee an opportunity to participate in either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the City after consultation with a certified chemical use counselor or physician trained in the diagnosis and treatment of chemical dependency. Participation by the employee in any recommended substance abuse treatment program will be at the employee's own expense or pursuant to the coverage under an employee benefit plan. The certified chemical use counselor or physician trained in the diagnoses and treatment of chemical dependency will determine if the employee has followed the rehabilitation program as prescribed; and
- The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a refusal to test or positive test result on a confirmatory test after completion of the program.

Other Misconduct:

Nothing in this policy limits the right of the City to discipline or dismiss an employee on grounds other than a positive confirmatory test result, including conviction of any criminal drug statute for a violation occurring in the workplace or violation of other City personnel policies.

Emergency Call Back to Work Provisions:

If an employee is called out for a City emergency and they report to work and are suspected of being under the influence of drugs ~~or alcohol~~, alcohol, or cannabis, they will not be subject to the testing procedures of this policy, but may be subject to discipline and will not be allowed to work. Appropriate arrangements for return transportation to the employee's residence will be made. It is the sole responsibility of the employee who is under the influence of alcohol ~~and/or drugs~~, drugs, or cannabis and who is called out for a City emergency, to notify their supervisor of this information and advise if they are unable to respond to the emergency call back.

Non-Discrimination

The City of Willmar policy on work-related substance abuse is non-discriminatory in intent and application; however, in accordance with Minn. Stat., ch. 363, disability does not include conditions resulting from alcohol or other drug or cannabis abuse which prevents an employee from performing the essential functions of the job in question or constitutes a direct threat to property or the safety of individuals.

Furthermore, the City will not retaliate against any employee for asserting their rights under this policy.

City's Employee Assistance Program

The City has in place a formal employee assistance program (EAP) to assist employees in addressing serious personal or work-related problems at any time. The City's EAP provides confidential, cost-free, short-term counseling to employees and their families. Employees who may have an alcohol, cannabis, or other drug abuse problem are encouraged to seek assistance before a problem affects their employment status. Employee assistance program services are available by contacting the Human Resources Department.

Policy Contact for Additional Information

If you have any questions about this policy or the City's drug ~~and alcohol~~, alcohol, and cannabis testing procedures, you may contact your immediate supervisor, Human Resources, or the City Administrator to obtain additional information.

By this policy, the City of Willmar has established a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace and its policy of maintaining a drug-free workplace. Each City employee will receive a copy of this policy and will be required to read it.

Definitions

Alcohol: Means the intoxicating agent in beverage alcohol or any low molecular weight alcohols such as ethyl, methyl, or isopropyl alcohol. The term includes but is not limited to beer, wine, spirits, and medications such as cough syrup that contain alcohol.

Alcohol use or usage: Means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

Applicant: Means a person applying for a job with the City.

Cannabis: Means cannabis and its metabolites, including cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products.

Cannabis testing: Means analysis of a body component sample according to the standards established under one of the programs listed in Minn. Stat. § 181.953, subd.1, for the purpose of measuring the presence or absence of cannabis in the sample tested.

City: Means the City of Willmar.

City premises: Means, but is not limited to, all City job sites and work areas. For the purposes of this policy, City premises also includes any other locations or modes of transportation to and from those locations while in the course and scope of employment of the City.

City vehicle: Means any vehicle which employees are authorized to use solely for City business when used at any time; or any vehicle owned or leased by the City when used for City business.

Collection site: Means a place designated by the City where job applicants and employees present themselves for the purpose of providing a specimen of their breath, urine, and/or blood to be analyzed for the presence of drugs and alcohol.

Confirmatory test: Means a drug ~~or alcohol~~, alcohol, or cannabis test on a sample to substantiate the results of a prior drug ~~or alcohol~~, alcohol, or cannabis test on the same sample, and that uses a method of analysis allowed under one of the programs listed in Minn. Stat. § 181.953, subd. 1.

Drug: ~~Has the same meaning as~~ Includes any “controlled substance” as defined in Minn. Stat. § 152.01, subd. 4, and also includes all cannabinoids, including those that are lawfully available for public consumption that do not otherwise qualify as being a “controlled substance” as defined in Minn. Stat. § 152.01, subd. 4. Cannabis and its metabolites are considered a “drug” for positions in the following categories, regardless of the kind of testing involved: safety sensitive positions; peace officer positions; firefighter positions; positions requiring face-to-face care, training, education, supervision, counseling or medical assistance to children, vulnerable adults or patients receiving treatment, examination or emergency care for a medical, psychiatric or mental condition; positions requiring a commercial driver's license or requiring the employee to operate a motor vehicle for which state or federal law requires drug or alcohol testing; positions funded by a federal grant; or other positions for which state or federal law requires testing of a job applicant or employee.

Drug and/or alcohol testing, and drug and/or alcohol test: Means analysis of a body component sample according to the standards established under one of the programs listed in Minn. Stat. § 181.953, subd.1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" do not include cannabis or cannabis testing, unless stated otherwise.

Drug paraphernalia: Has the meaning set forth in Minn. Stat. § 152.01, subd. 18.

Employee: Means a person who performs services for compensation for the City and includes independent contractors except where specifically noted in this policy.

Initial screening test: Means a drug ~~or alcohol~~, alcohol, or cannabis test that uses a method of analysis under one of the programs listed in Minn. Stat. § 181.953, subd. 1.

Job applicant: Means a person who applies to become an employee of the City, and includes a person who has received a job offer made contingent on the person passing drug testing.

Positive test result: Means a finding of the presence of alcohol, ~~illegal~~ drugs, cannabis, or their metabolites that exceeds the cutoff levels established by the City. Minimum threshold detection levels are subject to change as determined in the City's sole discretion.

Random selection basis: Means a mechanism for selection of employees that (1) results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected, and (2) does not give ~~an employer~~ the City discretion to waive the selection of any employee selected under the mechanism.

Reasonable suspicion: Means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.

Safety-sensitive position: Means a job, including any supervisory or management position, in which an impairment caused by drug ~~or alcohol~~, alcohol, and/or cannabis usage would threaten the health or safety of any person.

Under the influence: Means (1) the employee tests positive for alcohol ~~or drugs~~, drugs, or cannabis, or (2) the employee's actions, appearance, speech, and/or bodily odors reasonably cause the City to conclude that the employee is impaired because of illegal drug use or alcohol use.



City of Willmar

City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	6.O.
Agenda Section:	Consent Items	Originating Department:	Planning and Development
Resolution:	No	Prepared By:	
Ordinance:	No	Presented By:	
Item:	Building Report July 2023		

RECOMMENDED ACTION:

OVERVIEW:

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. July 2023

Issued Dates: 7/1/2023 to 7/31/2023
 Report Name: Monthly External Permits Report
 Permit Type(s): Building, Mechanical, Plumbing

City of Willmar

Monthly External Permits Report

Printed: 8/8/2023
 Page: 1

Permit #	Issued Date	Owner and Site Address		Permit Sub-Type and Work Type	Description	Valuation	Total Permit Fee
WI032772	7/7/2023	Farm Service Elev.Co. 3939 1st Ave W	95-917-5640	Alteration Industrial Add/Alter	Foundation for Grain Handling Tower	\$5,000.00	\$167.09
WI032869	7/17/2023	Haglund/Chery G 2409 8th St SW	95-682-0340 Lot 14, Block 3 Portland Acres 2nd Addition	Reroofing Residential Add/Alter	Residential Reroof	\$6,500.00	\$33.25
WI032870	7/17/2023	Wedel/Julie R 1409 17th St SW	95-510-0130 Block 2 Molenaar's Addition	Reroofing Residential Add/Alter	Residential Reroof	\$6,750.00	\$33.38
WI032878	7/17/2023	Benson/Amber R 416 10th St SW	95-003-6850 Block 56 Willmar, Town Of (Original)	Reroofing Residential Add/Alter	Residential Reroof	\$7,500.00	\$33.75
WI032879	7/5/2023	Church Of The Nazarene 505 12th St SW	95-006-5710 Block 100 First Addition To The Town Of Willmar	Reroofing Churches/Schools	Commercial Reroof	\$30,000.00	\$409.75
WI032942	7/25/2023	Moreira/Miguel/& Delmi Y E 328 7th St NW	95-440-0010 Lake Front Addition	Addition Residential Add/Alter	Roof addition over front door	\$320.00	\$35.65
WI032962	7/10/2023	C And B, LLC 1020 Business 71 N	95-911-0550	Alteration Commercial Add/Alter	Interior Remodel	\$15,750.00	\$399.34
WI032980	7/25/2023	Kvam/Michael I/& Kwynn Bruess 2209 20th Ave SW	95-601-0030 Lot 3, Block 2 Ortenblad's Homesites	Reroofing Residential Add/Alter	Residential Reroof	\$5,000.00	\$32.50
WI032981	7/17/2023	Carlson/Myron R & Carolyn 812 10th St SW	95-590-0210 Block 2 Nyquist's North Orchard Addition	Reroofing Residential Add/Alter	Residential Reroof	\$18,900.00	\$39.45
WI032986	7/17/2023	Larson/Betty C 920 Mary Ave SE	95-056-0220 Lot 2, Block 3 Bergquist's Estates	Reroofing Residential Add/Alter	Residential Reroof	\$7,500.00	\$33.75
WI032998	7/10/2023	Ruff/James M 2604 15th St SW	95-868-0050 Lot 5, Block 1 Westwind Estates	Reroofing Residential Add/Alter	Residential Reroof	\$22,500.00	\$41.25

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Printed: 8/8/2023
 Page: 2

Permit #	Issued Date	Owner and Site Address		Permit Sub-Type and Work Type	Description	Valuation	Total Permit Fee
WI033000	7/13/2023	Pitt/Jeffrey E & Cheryl L 704 24th Ave SW	95-682-0030 Lot 3, Block 1 Portland Acres 2nd Addition	New New Single-Family Dwelling	New single family home	\$296,166.00	\$3,237.29
WI033001	7/3/2023	Pitt/Jeffrey E & Cheryl L 704 24th Ave SW	95-682-0030 Lot 3, Block 1 Portland Acres 2nd Addition	Single Family New	Plumbing for new single family home	\$0.00	\$220.00
WI033002	7/11/2023	WILLSTAR LLC 1709 1st St S	95-699-2020 Lot 3, Block 1	Alteration Commercial Add/Alter	Interior Remodel/Tenant Buildout	\$98,000.00	\$923.75
WI033003	7/5/2023	Culshaw/Julie A & Gregory R 1450 Hansen Drive SW	95-863-0430 Lot 13, Block 2 West Park 4th Addition	Reroofing Residential Add/Alter	Residential Reroof	\$20,000.00	\$40.00
WI033004	7/11/2023	Eddy/Dale J & Jean A 1230 Quincy Ave SW	95-690-0770 Lot 27, Block 4 Ramblewood Addition	Reroofing Residential Add/Alter	Residential Reroof	\$18,873.00	\$39.44
WI033005	7/7/2023	Bartz/Elden & Janice 1309 17th St SW	95-510-0030 Lot 3, Block 1 Molenaar's Addition	Reroofing Residential Add/Alter	Residential Reroof	\$7,544.00	\$33.77
WI033006	7/7/2023	Isley/Jennifer L 1304 18th St SW	95-510-0540 Lot 4, Block 4 Molenaar's Addition	Reroofing Residential Add/Alter	Residential Reroof	\$9,997.00	\$35.00
WI033007	7/5/2023	Johnson/Gregory B & Karen S 1200 Becker Ave SE	95-500-0040 Marlow's Addition	Reroofing Residential Add/Alter	Residential Reroof	\$4,300.00	\$32.15
WI033008	7/5/2023	Adam/Marlene 2610 10th St SW	95-687-0030 Lot 3, Block 1 Prairie View West	Alteration Residential Add/Alter	Bathroom remodel	\$7,600.00	\$141.05
WI033009	7/18/2023	Almendaras/Jenny Erlinda 2002 22nd St SW	95-601-0025 Lot 1, Block 2 Ortenblad's Homesites	Install Egress Window Residential Add/Alter	Egress Window	\$1,200.00	\$82.50
WI033010	7/13/2023	Pitt/Jeffrey E & Cheryl L 704 24th Ave SW	95-682-0030 Lot 3, Block 1 Portland Acres 2nd Addition	Single Family New	HVAC for new single family home	\$296,166.00	\$149.08

Issued Dates: 7/1/2023 to 7/31/2023

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Printed: 8/8/2023

Page: 3

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WI033011	7/17/2023	Reuss/Gregory 1213 18th St SW	95-510-0240 Lot 4, Block 3 Molenaar's Addition	Reroofing Residential Add/Alter	Residential Reroof	\$14,000.00	\$37.00
WI033012	7/7/2023	Chaw/Ya& Hteh Hteh Hta Rue 212 Terrace Dr SW	95-330-0070 Lot 7, Block 1 Hillside Terrace	Single Family Replace	A/C Replacement	\$6,789.00	\$51.00
WI033013	7/5/2023	Johnson/Corey J & Michelle L 908 17th St SE	95-176-0030 Lot 3, Block 1 Emerald Pond	Reroofing Residential Add/Alter	Residential Reroof	\$16,000.00	\$38.00
WI033014	7/5/2023	Emberland/Wayne & Lynette 1201 Quincy Ave SW	95-690-1080 Block 6 Ramblewood Addition	Reroofing Residential Add/Alter	Residential Reroof	\$10,836.00	\$35.42
WI033015	7/10/2023	Stanghelle/Todd J & Tricia A 1120 Florence Lane SW	95-850-0080 Block 1 West Orchard Addition	Deck Residential Add/Alter	Residential Deck	\$9,000.00	\$251.59
WI033016	7/7/2023	Serbus/Bradley J & Rose A 401 20th St NW	95-711-0030 Lot 3, Block 1 Serbus Addition	Reroofing Residential Add/Alter	Residential Reroof	\$4,000.00	\$32.00
WI033017	7/7/2023	Nonweiler/Derrick J 916 6th St SE	95-250-1740 Block 8 Glarum's Addition To Willmar	Reroofing Residential Add/Alter	Residential Reroof	\$4,000.00	\$32.00
WI033018	7/11/2023	Ulferts/Roger R & Linda L 905 19th St SE	95-176-0610 Lot 2, Block 5 Emerald Pond	Reroofing Residential Add/Alter	Residential Reroof	\$1,500.00	\$31.00
WI033019	7/7/2023	Friehl/Arnold & Ardell 1709 Richland Ave SW	95-868-0550 Lot 3, Block 5 Westwind Estates	Reroofing Residential Add/Alter	Residential Reroof	\$6,311.00	\$33.16
WI033020	7/7/2023	Meyer/Lawrence 1209 16th St SW	95-860-0120 Lot 12, Block 1 West Park 1st Addition	Reroofing Residential Add/Alter	Residential Reroof	\$5,243.00	\$32.62
WI033021	7/7/2023	Datko/Susan Marie 1014 Trott Ave SW	95-003-6890 Block 56 Willmar, Town Of (Original)	Reroofing Residential Add/Alter	Residential Reroof	\$4,567.00	\$32.28

Issued Dates: 7/1/2023 to 7/31/2023
 Report Name: Monthly External Permits Report
 Permit Type(s): Building, Mechanical, Plumbing

City of Willmar

Monthly External Permits Report

Printed: 8/8/2023
 Page: 4

Permit #	Issued Date	Owner and Site Address		Permit Sub-Type and Work Type	Description	Valuation	Total Permit Fee
WI033022	7/7/2023	Johnson/Cindy K 1029 Willmar Ave SW	95-270-0010 Lot 1 Halverson's Addition	Reroofing Residential Add/Alter	Residential Reroof	\$4,069.00	\$32.03
WI033023	7/7/2023	Capgrow Holdings Jv Sub VI LLC 2412 Williams Pkwy SW	95-715-0090 Lot 9, Block 1 Southgate Addition	Reroofing Residential Add/Alter	Residential Reroof	\$5,102.00	\$32.55
WI033024	7/7/2023	Courtney/Richard & Shari Jo 920 Meadow Lane SW	95-590-0420 Block 3 Nyquist's North Orchard Addition	Reroofing Residential Add/Alter	Residential Reroof	\$15,000.00	\$37.50
WI033025	7/7/2023	Carlson/Benjamin I 614 14th St SW	95-570-1190 Block 8 Nursery Addition	Single Family Replace	A/C Replacement	\$6,400.00	\$26.00
WI033026	7/11/2023	Wieland/Perry & Donna 1821 Olena Ave SE	95-176-0400 Lot 1, Block 4 Emerald Pond	Siding Residential Add/Alter	Residential Reside	\$14,821.00	\$57.41
WI033027	7/11/2023	Geiger Liv Trusts/Gary & Nancy 3510 Eagle Ridge Dr W	95-148-0050 Lot 5, Block 1 Eagles Landing	Reroofing Residential Add/Alter	Residential Reroof	\$18,703.00	\$39.35
WI033028	7/11/2023	Erickson/Dain/&Tracey Glein 509 24th Ave SW	95-680-1030 Block 5 Portland Acres	Reroofing Residential Add/Alter	Residential Reroof	\$10,576.00	\$35.29
WI033029	7/7/2023	Flaig/Vernon F 630 Johanna Ave SE	95-914-1860	Reroofing Residential Add/Alter	Residential Reroof	\$18,000.00	\$39.00
WI033030	7/7/2023	Skindeliien/Bradley & Suzanne 713 11th St SW	95-006-2980 Lot 11, Block 77 First Addition To The Town Of Willmar	Deck Residential Add/Alter	Residential Deck	\$3,000.00	\$124.84
WI033031	7/13/2023	Gross/Michael F & Jody L K 1210 Ella Ave NW	95-820-1360 Block 7 Thorpe & Lien's Addition	Single Family Replace	Gas Furnace & A/C Replacement	\$7,479.00	\$56.00
WI033032	7/13/2023	Depetro/William & Sharon 3030 Eagle Ridge Dr W	95-148-1630 Lot 3, Block 6 Eagles Landing	Single Family Replace	Gas Furnace Replacement	\$5,665.00	\$31.00
WI033033	7/13/2023	Hensley/Candace 2204 22nd Ave SW	95-715-0250 Lot 15, Block 2 Southgate Addition	Single Family Replace	A/C Replacement	\$5,164.00	\$26.00

City of Willmar

Monthly External Permits Report

Permit #	Issued Date	Owner and Site Address		Permit Sub-Type and Work Type	Description	Valuation	Total Permit Fee
WI033034	7/10/2023	Schmitz/Jeffrey A & Summer E 624 10th St SW	95-006-2790 Block 76 First Addition To The Town Of Willmar	Alteration Residential Add/Alter	Repair Rotten Flat roof Structure and Add Pitched Roof	\$1,500.00	\$49.50
WI033035	7/13/2023	Selseth/Kathryn/&Kerry Selseth 611 Ann St SE	95-222-0940 Lot 4, Block 6 Ferrings 2nd Addition	Drainage system Residential Add/Alter	Installation of sump and drain tile	\$11,640.00	\$193.07
WI033036	7/10/2023	Tamez/Sylvia 368 14th St SE	95-160-0030 Block 1 East Park Addition	Reroofing Residential Add/Alter	Residential Reroof	\$3,000.00	\$31.50
WI033037	7/10/2023	Thorson/Patrick J 1604 Richland Ave SW	95-868-0500 Lot 7, Block 3 Westwind Estates	Reroofing Residential Add/Alter	Residential Reroof	\$4,748.00	\$32.37
WI033038	7/11/2023	Cole/Edward & Alice M 1505 7 1/2 St SW	95-664-0520 Block 4 Perkins 4th Addition	Reroofing Residential Add/Alter	Residential Reroof	\$11,245.00	\$35.62
WI033039	7/19/2023	Lemke/Mitchell B 1232 17th St SW	95-860-0470 Lot 7, Block 3 West Park 1st Addition	Reroofing Residential Add/Alter	Residential Reroof	\$7,555.00	\$33.78
WI033040	7/19/2023	Elizondo/Patricia 324 Litchfield Ave SE	95-310-0030 Highland Addition To Willmar	Reroofing Residential Add/Alter	Residential Reroof	\$7,923.00	\$3.96
WI033041	7/11/2023	Farm-Rite Land, LLC 1515 Hwy 12 W	95-689-0030 Lot 3, Block 1 Quinn Addition	Commercial/Ind New	New Farm-Rite Building	\$0.00	\$216.00
WI033042	7/11/2023	Cc VIIi Operating LLC 400 Lakeland Dr NE	95-912-0980	Reroofing Commercial Add/Alter	Commercial Reroof	\$1,991.00	\$126.00
WI033043	7/19/2023	Alvarez/Monica Perez 1001 17th St SW	95-550-0230 Lot 23 Newberg's Subd.	Reroofing Residential Add/Alter	Residential Reroof	\$8,964.00	\$34.48
WI033044	7/11/2023	Schafer/Michael A & Jenny 2104 6th Ave SE	95-668-0500 Lot 10, Block 3 Pheasant Run	Reroofing Residential Add/Alter	Residential Reroof	\$7,455.00	\$33.73
WI033045	7/11/2023	Gilbertson/John & Karin 1409 18th St SW	95-510-0360 Lot 14, Block 3 Molenaar's Addition	Reroofing Residential Add/Alter	Residential Reroof	\$13,618.00	\$36.81

City of Willmar

Monthly External Permits Report

Permit #	Issued Date	Owner and Site Address		Permit Sub-Type and Work Type	Description	Valuation	Total Permit Fee
WI033046	7/13/2023	Mehr Assets, LLC 1901 5th St SW	95-360-0010 Lot 1 Holmgren Acres	Reroofing Residential Add/Alter	Residential Reroof/Siding	\$8,500.00	\$84.25
WI033047	7/13/2023	Christianson/Ronald & Jeanine 1912 Richland Ave SW	95-885-0500 Lot 10, Block 3 Yorktown Estates	Reroofing Residential Add/Alter	Residential Reroof	\$28,500.00	\$44.25
WI033048	7/13/2023	Christianson/John Paul 2600 5th Ave SE	95-882-0200 Lot 4, Block 3 Woodberry Addition	Reroofing Residential Add/Alter	Residential Reroof	\$20,500.00	\$40.25
WI033049	7/13/2023	Schreiber/Michael J 1305 17th St SW	95-921-5840	Reroofing Residential Add/Alter	Residential Reroof	\$7,573.00	\$33.79
WI033050	7/13/2023	Tollefson Jt Liv Trust/D & J 1400 Hansen Drive SW	95-863-0460 Block 2 West Park 4th Addition	Reroofing Residential Add/Alter	Residential Reroof	\$11,807.00	\$35.90
WI033051	7/13/2023	Conway/Trevor 2304 Country Club Dr NE	95-137-0234 Lot 8, Block 4 Country Club Terrace	Reroofing Residential Add/Alter	Residential Reroof	\$13,011.00	\$36.51
WI033052	7/13/2023	Meis/Jeremy J & Samantha M 1801 8th Ave SE	95-843-0450 Lot 5, Block 5 Welshire Addition	Reroofing Residential Add/Alter	Residential Reroof	\$11,950.00	\$35.98
WI033053	7/13/2023	Gemdahl LLC 410 11th St NW	95-009-1510 Lot 8, Block 136 Second Addition To Willmar	Reroofing Residential Add/Alter	Residential Reroof	\$8,000.00	\$34.00
WI033054	7/11/2023	Brower/Jason D & Moriah L 909 15th Ave SW	95-800-0330 Block 3 Terwisscha's Addition	Single Family Replace	A/C Replacement	\$7,132.00	\$26.00
WI033055	7/13/2023	Gemdahl LLC 705 2nd St SE	95-410-0320 Lot 2, Block 2 Johnson's Subd.	Reroofing Residential Add/Alter	Residential Reroof	\$7,000.00	\$3.50
WI033056	7/13/2023	Gemdahl LLC 609 2nd St SE	95-740-2120 Block 13 Spicer's Addition	Reroofing Residential Add/Alter	Residential Reroof	\$7,000.00	\$3.50
WI033057	7/13/2023	Walton/Sheryl D 805 19th St SE	95-843-0350 Lot 5, Block 4 Welshire Addition	Reroofing Residential Add/Alter	Residential Reroof	\$11,000.00	\$35.50

Issued Dates: 7/1/2023 to 7/31/2023
 Report Name: Monthly External Permits Report
 Permit Type(s): Building, Mechanical, Plumbing

City of Willmar

Monthly External Permits Report

Printed: 8/8/2023
 Page: 7

Permit #	Issued Date	Owner and Site Address		Permit Sub-Type and Work Type	Description	Valuation	Total Permit Fee
WI033058	7/17/2023	Vandeneinde/Robert B& Judith A 2507 9th St SW	95-867-0440 Lot 4, Block 2	Reroofing Residential Add/Alter	Residential Reroof	\$8,500.00	\$34.25
WI033059	7/17/2023	Wentzel(L)/David M & Ellin M 403 Country Club Dr NE	95-467-0310 Lot 1, Block 4	Reroofing Residential Add/Alter	Residential Reroof	\$11,900.00	\$35.95
WI033060	7/13/2023	Streich/Emily 1106 Willmar Ave SW	95-570-0320 Block 3 Nursery Addition	Addition Residential Add/Alter	4 season porch addition	\$21,653.00	\$526.04
WI033061	7/13/2023	Gertsema/Craig 2100 Gorton Ave NW	95-711-0010 Lot 1, Block 1 Serbus Addition	Reroofing Residential Add/Alter	Residential Reroof	\$20,000.00	\$40.00
WI033064	7/13/2023	Cronen/Allan M & Diane 1109 Quincy Ave SW	95-690-1110 Block 6 Ramblewood Addition	Reroofing Residential Add/Alter	Residential Reroof	\$8,000.00	\$34.00
WI033065	7/13/2023	Bohner/Jonathan & Jamie 410 12th St SW	95-006-7030 Lot 4, Block 110 First Addition To The Town Of Willmar	Single Family Replace	A/C Replacement	\$3,500.00	\$26.00
WI033066	7/11/2023	Messenbrink/Leann 401 30th St G-11 NW	95-980-1000	Single Family Replace	Water Heater Replacement	\$4,050.00	\$26.00
WI033067	7/13/2023	Carlson Liv Trust/Jeanette M 3001 Eagle Ridge Dr E	95-148-0750 Lot 6, Block 1 Eagles Landing	Reroofing Residential Add/Alter	Residential Reroof	\$21,354.00	\$40.68
WI033068	7/13/2023	Nelson/Ryan L & Melanie J 2601 6th Ave SE	95-882-0660 Lot 25, Block 4 Woodberry Addition	Reroofing Residential Add/Alter	Residential Reroof	\$21,339.00	\$40.67
WI033069	7/19/2023	Community Christian School 1300 19th Ave SW	95-922-7580	Reroofing Churches/Schools	Commercial Reroof	\$608,900.00	\$429.45
WI033070	7/21/2023	Newberg/Michael/&A Peterson 1601 9th St SE	95-671-0440 Lot 14, Block 3 Pleasant View Second Addition	Reroofing Residential Add/Alter	Residential Reroof	\$5,000.00	\$32.50
WI033071	7/21/2023	Cruz/Rachel E/& Isidro Cruz Jr 1208 Dana Dr SE	95-143-0210 Lot 1, Block 2 Dana Heights	Siding Residential Add/Alter	Residential Reside	\$10,000.00	\$55.00

Issued Dates: 7/1/2023 to 7/31/2023

Report Name: Monthly External Permits Report

Permit Type(s): Building, Mechanical, Plumbing

City of Willmar Monthly External Permits Report

Printed: 8/8/2023

Page: 8

Permit #	Issued Date	Owner and Site Address		Permit Sub-Type and Work Type	Description	Valuation	Total Permit Fee
WI033072	7/17/2023	Jbz Properties, LLC 815 3rd St SE	95-180-0100 Lot 8, Block 1 Erickson's Addition	Reroofing Residential Add/Alter	Residential Reroof	\$6,000.00	\$33.00
WI033073	7/17/2023	Hoover/Vaughn A 204 Augusta Ave SE	95-250-1000 Block 5 Glarum's Addition To Willmar	Garage Garage/Shed	New garage, foundation permitted separatley	\$16,000.00	\$245.25
WI033078	7/17/2023	Huisinga/Randall E&Lynette K 1118 5th St SW	95-790-0010 Lot 1 Swan Nelson's Addition	Reroofing Residential Add/Alter	Residential Reroof	\$1,300.00	\$31.00
WI033079	7/17/2023	Volk/Shane P & Stephanie E 1707 15th St NW	95-604-0420 Lot 23, Block 3 Oslo Meadows	Siding Residential Add/Alter	Residential Reside	\$30,000.00	\$65.00
WI033080	7/17/2023	Aasen/Mitchell B 405 23rd St SE	95-668-0770 Lot 7, Block 4 Pheasant Run	Siding Residential Add/Alter	Residential Reside	\$4,500.00	\$52.25
WI033081	7/19/2023	WILLSTAR LLC 1709 1st St S		Commercial/Ind Tenant Finish		\$15,360.00	\$161.28
WI033083	7/25/2023	Ellinger/Letitia E 1200 15th St SW	95-860-0010 Lot 1, Block 1 West Park 1st Addition	Single Family Replace	A/C Replacement	\$5,090.00	\$26.00
WI033084	7/25/2023	Schmitz/Jeffrey A & Summer E 624 10th St SW	95-006-2790 Block 76 First Addition To The Town Of Willmar	Single Family Replace	A/C Replacement	\$7,394.00	\$26.00
WI033085	7/25/2023	Kremer/Timothy & Tami M 804 24th St SE	95-668-4620 Lot 2, Block 2 Pheasant Run	Single Family Replace	A/C Replacement	\$5,761.00	\$26.00
WI033086	7/21/2023	Mort/Brian K & Connie R 2506 6th St NE	95-137-0200 Block 3 Country Club Terrace	Reroofing Residential Add/Alter	Residential Reroof	\$8,650.00	\$34.33
WI033087	7/25/2023	Dahlseid/Mark A 3013 2nd Ave NW	95-835-0640 Lot 7, Block 3 Vos Park	Reroofing Residential Add/Alter	Residential Reroof & Reside	\$56,310.00	\$108.16

Issued Dates: 7/1/2023 to 7/31/2023

Report Name: Monthly External Permits Report

Permit Type(s): Building, Mechanical, Plumbing

City of Willmar

Monthly External Permits Report

Printed: 8/8/2023

Page: 9

Permit #	Issued Date	Owner and Site Address		Permit Sub-Type and Work Type	Description	Valuation	Total Permit Fee
WI033088	7/21/2023	Obledo/Arnulfo & Lovina D 505 25th Ave SW	95-683-0610 Lot 11, Block 5 Portland Acres 3rd Addition	Reroofing Residential Add/Alter	Residential Reroof	\$11,000.00	\$35.50
WI033089	7/19/2023	Ruter/George Jr & Julia Ann 2020 6th St SW	95-340-0490 Lot 9, Block 4 Hilltop Park	Reroofing Residential Add/Alter	Residential Reroof	\$4,000.00	\$32.00
WI033090	7/21/2023	Hovland/Lyle E & Jill L 404 16th Ave NE	95-467-0430 Lot 3, Block 1	Siding Residential Add/Alter	Residential Reside	\$4,500.00	\$52.25
WI033092	7/19/2023	Vangulijk/Evan/& M Engstrom 1300 9th St SE	95-670-0060 Lot 6, Block 1 Pleasant View Addition	Reroofing Residential Add/Alter	Residential Reroof	\$8,898.00	\$34.45
WI033093	7/19/2023	Martins/John 716 16th St SW	95-042-0450 Block 1 Barnstad's Second Addition	Reroofing Residential Add/Alter	Residential Reroof	\$6,900.00	\$33.45
WI033096	7/25/2023	Reed/William 527 Ann St SE	95-222-0370 Lot 7, Block 3 Ferrings 2nd Addition	Reroofing Residential Add/Alter	Residential Reroof	\$33,500.00	\$46.75
WI033098	7/25/2023	Nay/Heh/& Celia Soe 712 9th St SW	95-006-3060 Lot 4, Block 78 First Addition To The Town Of Willmar	Single Family Replace	Gas Furnace & A/C Replacement	\$14,000.00	\$56.00
WI033101	7/25/2023	Gardner/Stephen & Mollyanne 1018 Meadow Lane SW	95-600-0050 Block 1 Orchard Hill, Nursery Add	Reroofing Residential Add/Alter	Residential Reroof	\$19,016.00	\$39.51
WI033102	7/21/2023	Bernal/Pablo A Rubio/& Manuela 1400 17th St SW	95-510-0325 Block 3 Molenaar's Addition	Reroofing Residential Add/Alter	Residential Reroof	\$5,935.00	\$32.97
WI033103	7/25/2023	Setrum/Debra L & Kim C 401 Olena Ave SE	95-250-1510 Block 7 Glarum's Addition To Willmar	Garage Garage/Shed	move in new dakota shed	\$8,423.00	\$153.96
WI033105	7/21/2023	Gomez/Nicole 613 27th Ave SW	95-684-0470 Block 4 Portland Acres	Reroofing Residential Add/Alter	Residential Reroof	\$7,160.00	\$33.58

Issued Dates: 7/1/2023 to 7/31/2023

Report Name: Monthly External Permits Report

Permit Type(s): Building, Mechanical, Plumbing

City of Willmar

Monthly External Permits Report

Printed: 8/8/2023

Page: 10

Permit #	Issued Date	Owner and Site Address	Permit Sub-Type and Work Type	Description	Valuation	Total Permit Fee
WI033106	7/21/2023	Reyes/Stella M 3209 3rd Ave NW	95-835-0540 Lot 31, Block 2 Vos Park	Reroofing Residential Add/Alter	Residential Reroof	\$7,022.00 \$33.51
WI033108	7/28/2023	Bulthuis Living Trust/Jerry 918 Litchfield Ave SE	95-520-0130 Murray's Addition	Reroofing Commercial Add/Alter	Commercial Reroof	\$15,000.00 \$232.25
WI033109	7/25/2023	Willstar LLC 1709 1st St S	Commercial/Ind Alt/Remodel	Interior Tenant Finish	\$0.00	\$91.00
WI033111	7/25/2023	Liebl/Lauri A 1913 23rd Ave SW	95-885-3060 Lot 5, Block 4 Yorktown Estates	Reroofing Residential Add/Alter	Residential Reroof	\$6,000.00 \$33.00
WI033112	7/25/2023	Ind. School Dist. #347 824 7th St SW	95-090-1200 Booth's Addition To Willmar	Alteration Churches/Schools	Kennedy School Press Box Foundation and Wind Alt.	\$49,000.00 \$590.25
WI033113	7/25/2023	Cgp Willmar Mf, LLC 2520 1st St S	95-922-7815	Alteration Commercial Add/Alter	Tenant Improvement/ Retail Store	\$146,000.00 \$1,916.46
WI033114	7/25/2023	Cgp Willmar Mf, LLC 2520 1st St S	95-922-7815	Commercial/Ind Tenant Finish	Tenant Buildout/Retail	\$0.00 \$91.00
WI033115	7/25/2023	Quinn/Michael P & Chloe M 2311 Richland Dr SW	95-696-0270 Lot 7, Block 3 Richland Acres	Reroofing Residential Add/Alter	Residential Reroof	\$10,000.00 \$35.00
WI033116	7/25/2023	Cgp Willmar Mf, LLC 2520 1st St S	95-922-7815	Commercial/Ind Tenant Finish	Tenant Buildout/ Retail	\$30,000.00 \$315.00
WI033117	7/27/2023	Evangelical Free Church 1305 19th Ave SW	95-922-7610	Reroofing Commercial Add/Alter	Commercial Reroof	\$123,015.00 \$1,068.76
WI033118	7/25/2023	Henrich/John E & Marsha A 3205 3rd Ave NW	95-835-0530 Lot 30, Block 2 Vos Park	Reroofing Residential Add/Alter	Residential Reroof	\$9,882.00 \$34.94
WI033119	7/25/2023	Foss/Brad T & Rachel 1404 17th St SW	95-510-0335 Lot 12, Block 3 Molenaar's Addition	Reroofing Residential Add/Alter	Residential Reroof	\$8,945.00 \$34.47
WI033120	7/25/2023	Stulen/Larry E & Marilyn 1412 17th St SW	95-861-0280 Lot 8, Block 2 West Park 2nd Addition	Reroofing Residential Add/Alter	Residential Reroof	\$6,000.00 \$33.00

Issued Dates: 7/1/2023 to 7/31/2023
 Report Name: Monthly External Permits Report
 Permit Type(s): Building, Mechanical, Plumbing

City of Willmar

Monthly External Permits Report

Printed: 8/8/2023
 Page: 11

Permit #	Issued Date	Owner and Site Address		Permit Sub-Type and Work Type	Description	Valuation	Total Permit Fee
WI033121	7/25/2023	Hurley/Bryan & Ashley 1005 17th St SW	95-550-0220 Newberg's Subd.	Single Family Replace	Gas Furnace & A/C Replacement	\$8,575.00	\$56.00
WI033122	7/25/2023	Prouty Properties, LLC 615 16th St SW	95-040-0315 Lot 12, Block 4 Barnstad's Addition To The City Of Willmar	Single Family Replace	A/C Replacement	\$4,500.00	\$26.00
WI033123	7/27/2023	Anderson/Haley R 505 Ann St SE	95-222-0320 Lot 2, Block 3 Ferrings 2nd Addition	Reroofing Residential Add/Alter	Residential Reroof	\$11,952.00	\$35.98
WI033124	7/27/2023	Allinder/John P & Nancy L 2208 8th Ave SE	95-668-2070 Lot 7, Block 1 Pheasant Run	Reroofing Residential Add/Alter	Residential Reroof	\$19,408.00	\$39.70
WI033125	7/27/2023	State Of Minnesota 2101 15th Ave NW	95-909-0080	Reroofing Commercial Add/Alter	Commercial Reroof	\$89,829.00	\$869.66
WI033126	7/27/2023	Johnson/Joshua A & Jennifer M 620 5th St SW	95-006-2040 Lot 6, Block 71 First Addition To The Town Of Willmar	Reroofing Residential Add/Alter	Residential Reroof	\$5,367.00	\$2.68
WI033127	7/27/2023	Thompson/Scott L & Leanne B 1004 Olena Ave SE	95-665-0460 Lot 6, Block 3 Perkins 5th Addition	Siding Residential Add/Alter	Residential Reside	\$4,500.00	\$52.25
WI033128	7/31/2023	Jackson/Sandra K & Lisa A 3033 1st Ave NW	95-616-0140 Lot 14, Block 1 Park View Estates	Single Family Replace	A/C Replacement	\$5,057.00	\$26.00
WI033129	7/31/2023	Nelson/John A 2924 Fairway Dr NE	95-212-0350 Lot 18, Block 2 Fairway Park Estates	Single Family Replace	A/C Replacement	\$5,320.00	\$26.00
WI033130	7/27/2023	Meyer/Lawrence 1209 16th St SW	95-860-0120 Lot 12, Block 1 West Park 1st Addition	Single Family Replace	Gas Furnace & A/C Replacement	\$8,275.00	\$56.00
WI033134	7/28/2023	Selseth/Kathryn/&Kerry Selseth 611 Ann St SE	95-222-0940 Lot 4, Block 6 Ferrings 2nd Addition	Alteration Residential Add/Alter	Installation of lighttoot footings and beam to stabalize sagging floor	\$5,500.00	\$115.00
WI033135	7/28/2023	Aaker/David & Ardis 623 Ann St SE	95-222-0970 Block 6 Ferrings 2nd Addition	Reroofing Residential Add/Alter	Residential Reroof	\$4,500.00	\$32.25

Issued Dates: 7/1/2023 to 7/31/2023

Report Name: Monthly External Permits Report

Permit Type(s): Building, Mechanical, Plumbing

City of Willmar Monthly External Permits Report

Printed: 8/8/2023

Page: 12

Permit #	Issued Date	Owner and Site Address		Permit Sub-Type and Work Type	Description	Valuation	Total Permit Fee
WI033139	7/31/2023	Pusillo/Helen M 424 Lakeland Dr SE	95-184-0020 Block 1 Erickson`s Third Addition	Reroofing Residential Add/Alter	Residential Reroof	\$7,500.00	\$33.75
WI033140	7/31/2023	Jp Properties Of Willmar, LLC 400 Litchfield Ave SE	95-310-0020 Highland Addition To Willmar	Single Family Replace	Ductless Split A/C	\$6,950.00	\$1.00
WI033141	7/31/2023	Yoakum/Dale G/Jr/& Susan 608 11th St SW	95-006-5530 Block 99 First Addition To The Town Of Willmar	Single Family Replace	Gas Furnace & A/C Replacement	\$10,750.00	\$56.00
WI033147	7/31/2023	Hagen/Johnathan N & Cheyenne 1217 Campbell Ave NW	95-009-0940 Lot 5, Block 131 Second Addition To Willmar	Reroofing Residential Add/Alter	Residential Reroof	\$9,609.00	\$34.80

Count: 132

Totals:

\$2,945,752.00

\$17,227.42

Year-to-Date Summary (1/1/2023 through 7/31/2023)

Count: 728

YTD Totals:

\$35,802,788.00

\$352,654.52



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	6.P.
Agenda Section:	Consent Items	Originating Department:	Finance
Resolution:	No	Prepared By:	Tom Odens, Finance Director
Ordinance:	No	Presented By:	Judy Thompson, City Clerk
Item:	Finance Report through 7/31/2023		

RECOMMENDED ACTION:

For information only

OVERVIEW:

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. 7-31-2023 General Fund
2. 7-31-2023 WTP
3. 6-30-2023 MUC



City of Willmar
General Fund
Budgetary Comparison Report
For the Period Ended July 31, 2023
(As of 08/08/2023)

	2022 Actual		2023		2023 Actual		% of 2023
	Year-To-Date		Annual Budget		Year-To-Date		Budget
<u>Revenues</u>							
General Property Taxes	\$ 6,716,243.12		\$ 8,526,561.00		\$ 4,357,938.30		51.11%
Licenses and Permits	691,420.36	*	495,310.00		319,380.06		64.48%
Intergovernmental	6,117,702.15	*	6,211,046.00		3,100,163.03		49.91%
Service Charges	974,940.16	*	1,007,651.00		613,548.45		60.89%
Fines and Forfeits	92,982.67		100,000.00		56,874.52		56.87%
Special Assessments	3,845.48	*	1,700.00		1,015.19		59.72%
Miscellaneous Revenue	854,613.38	*	851,324.00		925,872.79	*	108.76%
Other Financing Sources	2,494,902.52		2,524,792.00		1,074,821.00		42.57%
Total Revenues	\$ 17,946,649.84	*	\$ 19,718,384.00		\$ 10,449,613.34		52.99%
<u>Expenditures</u>							
City Administrator	\$ 457,058.70		\$ 672,053.00		\$ 315,054.40		46.88%
Mayor and Council	207,970.27	*	224,100.00		161,920.62		72.25%
Planning/Development Services	763,066.77		797,675.00		486,391.32		60.98%
City Clerk	242,355.04		246,111.00		144,496.13		58.71%
Assessing	121,570.00		134,938.00		139,496.00	*	103.38%
Finance Department	493,471.15		641,539.00		367,922.28		57.35%
Legal	400,065.84	*	300,000.00		184,913.78		61.64%
City Hall	180,979.53	*	166,058.00		115,675.38		69.66%
Information Technology	651,066.41		762,060.00		460,172.73		60.39%
Office Services	15,976.36		31,800.00		9,497.85		29.87%
Cultural Diversity	-		-		480.99	*	-----
Human Resources	185,668.20	*	227,849.00		101,825.90		44.69%
Elections	89,646.75		37,781.00		1,792.28		4.74%
Non-Departmental/Gen.Gov't.	1,161,671.70	*	714,968.00		357,035.13		49.94%
Sub-Total General Gov't.	4,970,566.72		4,956,932.00		2,846,674.79		57.43%
Police Department	6,229,299.35	*	5,404,330.00		3,738,619.66		69.18%
Fire Protection	878,286.13		1,012,641.00		559,290.69		55.23%
Non-Departmental/Pub.Safety	14,560.30		18,500.00		16,225.60		87.71%
Sub-Total Public Safety	7,122,145.78		6,435,471.00		4,314,135.95		67.04%
Transit System	17,500.00		20,000.00		20,000.00		100.00%
Engineering	392,316.27		871,658.00		193,250.36		22.17%
Storm Water	67,006.47		82,200.00		20,746.24		25.24%
Public Works	3,354,526.09	*	3,382,720.00		2,360,004.08		69.77%
Non-Departmental/Pub.Works	-		1,000.00		-		0.00%
Airport	-		-		-		-----
Sub-Total Streets/Highways	3,831,348.83		4,357,578.00		2,594,000.68		59.53%
WRAC	127,393.37		130,712.00		82,066.08		62.78%
Library	551,502.90		568,825.00		329,792.96		57.98%
Auditorium	52,515.88		176,500.00		37,094.48		21.02%
Non-Departmental/Culture-Recr.	89,857.36		100,000.00		65,000.00		65.00%
Parks & Recreation	746,696.00	*	896,281.00		590,553.03		65.89%
Civic Center	750,258.06	*	823,911.00		545,699.87		66.23%
Community Center	251,989.56	*	260,194.00		147,090.06		56.53%
Aquatic Center	275,577.65		311,035.00		133,922.72		43.06%
Recreation/Event Center	29,467.66		188,500.00		20,642.24		10.95%
Sub-Total Culture/Recreation	2,875,258.44		3,455,958.00		1,951,861.44		56.48%
Transfers	79,000.00	*	1,956,186.00		-		0.00%
Total Expenditures	\$ 18,878,319.77		\$ 21,162,125.00		\$ 11,706,672.86		55.32%

* Indicates Over Budget



City of Willmar
Waste Treatment Plant
Budgetary Comparison Report
For the Period Ended July 31, 2023
(As of 08/08/23)

	<u>2022 Actual</u> <u>Year-To-Date</u>	<u>2023</u> <u>Annual Budget</u>	<u>2023 Actual</u> <u>Year-To-Date</u>	<u>% of 2023</u> <u>Budget</u>
<u>Revenues</u>				
Intergovernmental	\$ 79,456.21	\$ 78,500.00	\$ 40,104.20	51.09%
Service Charges	10,107,369.10	10,101,000.00	4,986,268.39	49.36%
Miscellaneous Revenue	272,880.12	* 84,000.00	420,210.89	* 500.25%
Other Financing Sources	1,608,307.47	* -	-	-----
Total Revenues	\$ 12,068,012.90	* \$ 10,263,500.00	\$ 5,446,583.48	53.07%
<u>Expenditures</u>				
Waste Treatment - Municipal	\$ -	\$ -	\$ -	-----
Waste Treatment - Treatment	7,955,205.53	12,315,489.00	2,414,120.07	19.60%
Waste Treatment - Collections	4,796,123.77	* 4,237,929.00	239,855.47	5.66%
Waste Treatment - Biosolids	285,533.27	399,105.00	69,551.08	17.43%
Waste Treatment - Eagle Lake	13,127.88	54,650.00	15,992.16	29.26%
Total Expenditures	\$ 13,049,990.45	\$ 17,007,173.00	\$ 2,739,518.78	16.11%

* Indicates Over Budget

**WILLMAR MUNICIPAL UTILITIES
ELECTRIC DIVISION
JUNE 2023**

	Month Amount	Month Budget*	YTD Amount	YTD Budget*	Prior YTD Amount
Operating Revenues					
Residential	\$776,597	\$672,613	\$3,917,843	\$4,035,679	\$3,892,646
Commercial/Industrial	\$1,842,447	\$1,630,015	\$9,287,800	\$9,780,087	\$9,242,570
Energy Acquisition/Fuel Adj	\$0	\$0	\$0	\$0	\$0
City Franchise Fee	\$265,393	\$219,983	\$1,432,081	\$1,319,895	\$1,028,542
Transmission	\$251,506	\$237,377	\$1,332,919	\$1,424,261	\$1,350,780
Miscellaneous	\$19,377	\$72,424	\$297,306	\$434,543	\$274,438
Total Operating Revenues	\$3,155,320	\$2,832,411	\$16,267,949	\$16,994,465	\$15,788,977
Operating Expenses					
Production	\$29,655	\$27,872	\$148,318	\$167,234	\$126,802
Purchased Power	\$1,732,456	\$1,340,640	\$7,372,222	\$8,043,840	\$6,726,675
Transmission	\$410,248	\$352,718	\$2,105,644	\$2,116,308	\$1,898,554
Distribution	\$130,114	\$146,476	\$842,419	\$878,859	\$718,742
Customer Service	\$12,748	\$24,916	\$79,739	\$149,499	\$90,267
Energy Services	\$10,264	\$11,355	\$38,797	\$68,132	\$47,377
General & Administrative	\$205,866	\$215,566	\$1,268,765	\$1,293,395	\$1,150,624
Depreciation	\$176,409	\$168,051	\$1,020,217	\$1,008,303	\$995,158
Total Operating Expenses	\$2,707,760	\$2,287,595	\$12,876,121	\$13,725,568	\$11,754,199
Operating Income					
Other Income	\$97,077	\$39,154	\$620,059	\$234,925	\$243,442
Other Expense	-\$60	-\$542	-\$212	-\$3,250	-\$1,003
Net Earnings	\$97,017	\$38,612	\$619,848	\$231,675	\$242,439
Cash Payment to City	\$179,383	\$178,070	\$1,076,300	\$1,068,421	\$1,076,300
Retained Earnings	\$365,193	\$405,358	\$2,935,376	\$2,432,150	\$3,200,917

* The Monthly & YTD Budget Amounts are Annual Budget divided by 12.
Seasonal energy rates will cause actual to be different than budget during the early part of the year, but will catch up over the higher summer months.

Notes: Total Operating Revenues are about \$726,000 under our budget forecast for the year. Expenses are about \$849,000 under our budget forecast and Retained Earnings are about \$503,000 over our budget forecast.

**WILLMAR MUNICIPAL UTILITIES
WATER DIVISION
JUNE 2023**

	Month Amount	Month Budget*	YTD Amount	YTD Budget*	Prior YTD Amount
<i>Operating Revenues</i>					
Residential	\$256,149	\$207,342	\$1,139,306	\$1,244,051	\$950,386
Commercial/Industrial	\$290,510	\$213,869	\$1,318,871	\$1,283,217	\$976,634
Miscellaneous	\$3,362	\$4,683	\$40,538	\$28,100	\$28,791
Total Operating Revenues	\$550,021	\$425,895	\$2,498,715	\$2,555,367	\$1,955,810
<i>Operating Expenses</i>					
Production & Distribution	\$109,631	\$115,991	\$657,963	\$695,945	\$669,178
Customer Service	\$8,503	\$8,298	\$50,406	\$49,785	\$57,611
General & Administrative	\$51,456	\$69,752	\$367,110	\$418,513	\$353,702
Depreciation	\$29,421	\$40,296	\$178,725	\$241,775	\$149,176
Total Operating Expenses	\$199,011	\$234,336	\$1,254,204	\$1,406,018	\$1,229,668
<i>Operating Income</i>					
Other Income	\$12,675	\$3,527	\$62,620	\$21,160	\$25,084
Other Expense	\$0	-\$58,792	\$0	-\$352,750	\$0
Net Earnings	\$12,675	-\$55,265	\$62,620	-\$331,591	\$25,084
<i>Retained Earnings</i>					
	\$363,685	\$136,293	\$1,307,131	\$817,759	\$751,227

* The Monthly & YTD Budget Amounts are Annual Budget divided by 12.
Seasonal energy rates will cause actual to be different than budget during the early part of the year, but will catch up over the higher summer months.

Notes: Total Operating Revenues are about \$56,000 under our budget forecast for the year. Expenses are about \$151,000 under our budget forecast and Retained Earnings are about \$489,000 over our budget.

WILLMAR MUNICIPAL UTILITIES
ALL DIVISIONS
JUNE 2023

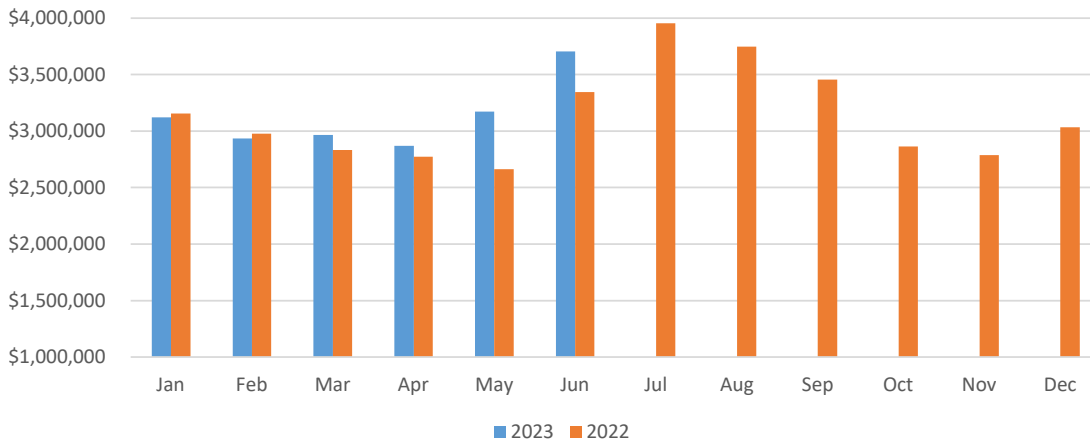
	Month Amount	Month Budget*	YTD Amount	YTD Budget*	Prior YTD Amount
Operating Revenues					
Residential	\$1,032,746	\$879,955	\$5,057,149	\$5,279,729	\$4,843,032
Commercial/Industrial	\$2,132,957	\$1,843,884	\$10,606,672	\$11,063,304	\$10,219,203
Energy Acquisition/Fuel Adj	\$0	\$0	\$0	\$0	\$0
City Franchise Fee	\$265,393	\$219,983	\$1,432,081	\$1,319,895	\$1,028,542
Transmission	\$251,506	\$237,377	\$1,332,919	\$1,424,261	\$1,350,780
Miscellaneous	\$22,739	\$77,107	\$337,844	\$462,643	\$303,229
Total Operating Revenues	\$3,705,341	\$3,258,305	\$18,766,664	\$19,549,832	\$17,744,787
Operating Expenses					
Production	\$29,655	\$27,872	\$148,318	\$167,234	\$126,802
Purchased Power	\$1,732,456	\$1,340,640	\$7,372,222	\$8,043,840	\$6,726,675
Transmission	\$410,248	\$352,718	\$2,105,644	\$2,116,308	\$1,898,554
Distribution	\$130,114	\$146,476	\$842,419	\$878,859	\$718,742
Water Production & Distribution	\$109,631	\$115,991	\$657,963	\$695,945	\$669,178
Customer Service	\$21,251	\$33,214	\$130,145	\$199,284	\$147,878
Energy Services	\$10,264	\$11,355	\$38,797	\$68,132	\$47,377
General & Administrative	\$257,321	\$285,318	\$1,635,875	\$1,711,908	\$1,504,326
Depreciation	\$205,831	\$208,346	\$1,198,942	\$1,250,078	\$1,144,334
Total Operating Expenses	\$2,906,771	\$2,521,931	\$14,130,325	\$15,131,586	\$12,983,866
Operating Income					
Other Income	\$109,751	\$42,681	\$682,680	\$256,084	\$268,526
Other Expense	-\$60	-\$59,333	-\$212	-\$356,000	-\$1,003
Net Earnings	\$109,692	-\$16,653	\$682,468	-\$99,916	\$267,523
Cash Payment to City	\$179,383	\$178,070	\$1,076,300	\$1,068,421	\$1,076,300
Retained Earnings	\$728,878	\$541,652	\$4,242,507	\$3,249,909	\$3,952,144

* The Monthly & YTD Budget Amounts are Annual Budget divided by 12.
Seasonal energy rates will cause actual to be different than budget during the early part of the year, but will catch up over the higher summer months.

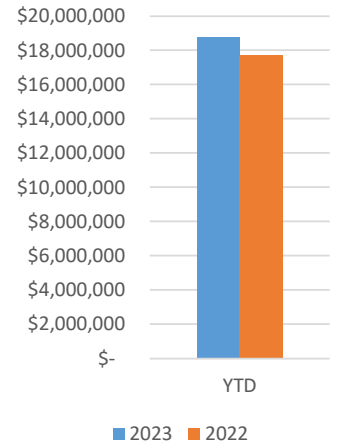
Notes: Overall, Retained Earnings are about \$992,000 over our budget forecast for the year.

**WILLMAR MUNICIPAL UTILITIES
ALL DIVISIONS
JUNE 2023**

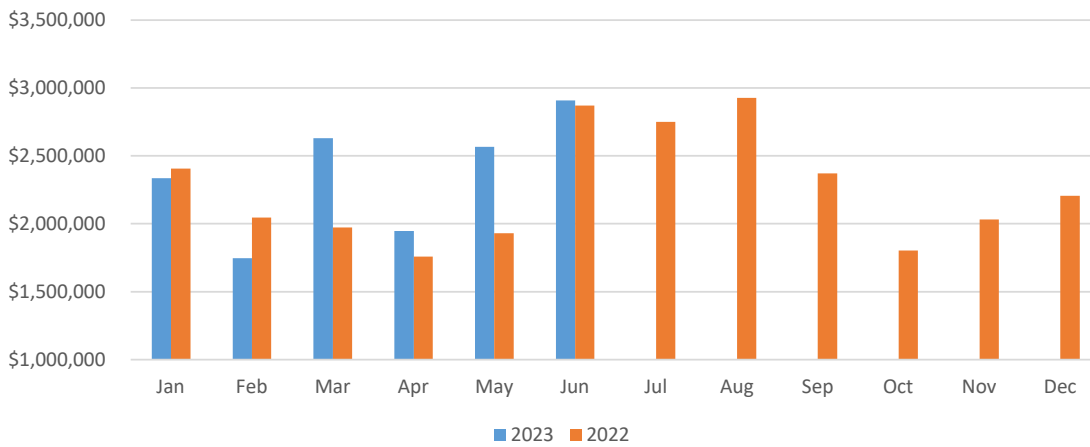
Revenues



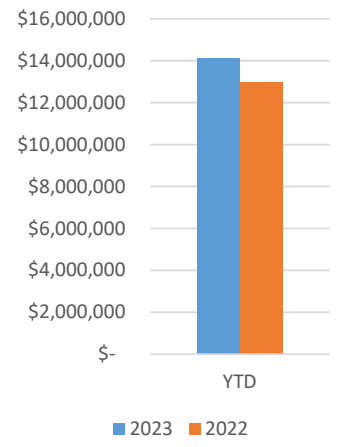
Revenues



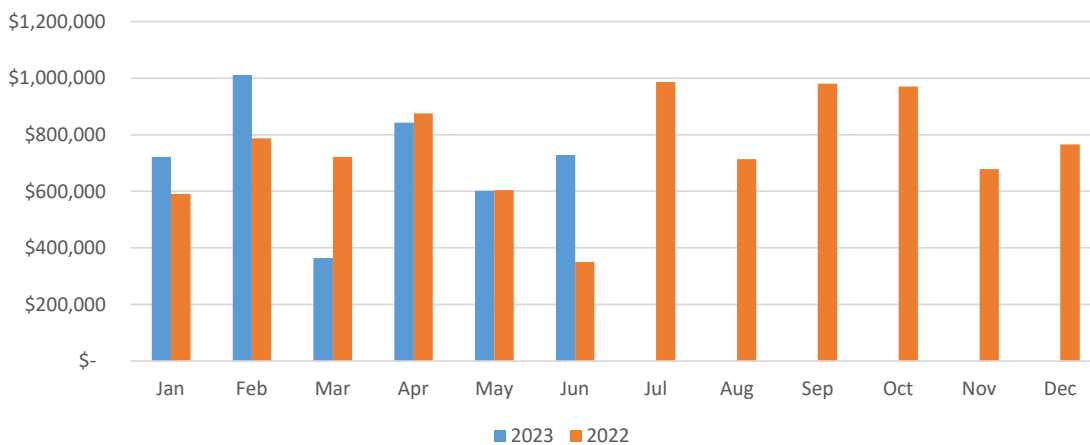
Expenses



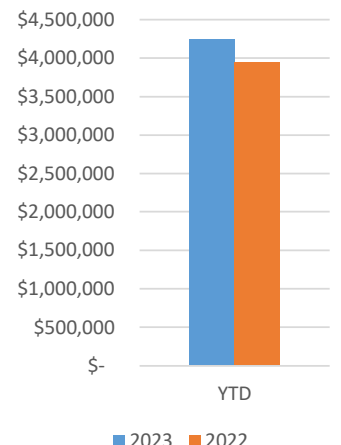
Expenses



Retained Earnings



Retained Earnings





City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	6.Q.
Agenda Section:	Consent Items	Originating Department:	Administration
Resolution:	No	Prepared By:	
Ordinance:	No	Presented By:	
Item:	July/August Department Director's Reports		

RECOMMENDED ACTION:

Information Only

OVERVIEW:

July/August Department Director's Reports

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. Community Growth Director update
2. Finance Update July - August 2023
3. Fire Department Update
4. Information Systems Departmental Update (07-2023)
5. Parks & Rec Summer Report 2023
6. Public Works Director - August Report
7. Police Department Service Statistics-July
8. Operations Director Report_July/August 2023

Pablo Obregon
Director of Community Growth-Equity and Inclusion
July Report

As the Director of Community Growth-Equity and Inclusion I want to continue to build relationships with City staff, council members, community leaders, and organizations. Most importantly, I am meeting many community folks, and neighbors who are contributing in meaningful ways to the growth of our community. Living in the city for many years, I am pleasantly surprised by the many efforts to create growth in the areas of diversity, equity, and inclusion. There are many great things happening in our community and I look forward to being a connector, so that those efforts can continue to be sustainable in creating new partnerships.

Under the direction of the City Administrator, I continue to coordinate citywide programs, education, and outreach in the areas of equity and inclusion. There have been many community engagement opportunities and I will continue to encourage educational plans, meeting facilitations, policy reviews, practices, and many other areas to achieve our city goals for the advancement of equity and inclusion.

Here is a snapshot of some of the activities I've recently taken part in:

- City Council meetings and working session
- City of Willmar Directors meetings
- Vision 2040, steering committee, and Inclusion Working Area
- Board of Directors; Minnesota Council of Non-profits
- ELEVATE Graduation Program

Working Groups: The following list are events that I have been helping lead and coordinate:

- Willmar 2023 Welcoming Week Event
- Willmar Age Friendly Communities
- Willmar International Festival
- Eco Fair/Healthy Kids Event
- Willmar Area Diversity Equity and Inclusion Network

Please let me know how I can be of support to you, and/or if you have any questions or concerns, please feel free to contact me.

With gratitude for our partnership,

Pablo Obregon



Pablo Obregon
Director of Community Growth (Equity and Inclusion)
City of Willmar, MN
E: pobregon@willmarmn.gov
DN: 320-214-5169 | M: 320-894-2346

Finance Department Departmental Update

July / August 2023

Bonding

We are rounding the final steps in the bonding process for 2023. The bond proceeds will be used to fund various improvement projects in the City. Since our hearing at the Council meeting on July 3, we have had a rating call with Moody's where we have maintained our rating at Aa3. On August 21st we will receive competitive bids for Council to consider at the regular meeting. If the bids are acceptable, we plan on getting the bond proceeds in mid-September.

Enterprise ERP Upgrade (Financial Software)

It has been an extensive process getting all our departmental data and financial data in order to convert to the new system. Staff throughout the City have been busy attending training online most weeks learning about our new enterprise ERP software. This past week we had an implementation employee from Tyler come on site to provide training, where we were able to get a lot accomplished. Our old accounts and vendors are ready to be rolled into the new system, so our training will be implementing our own data versus using practice data. Our next steps will be to set up employee and department workflow to get the system to work as it is designed to. Later this month and through September, we will have more training for staff to use the programs in their respective roles.

Audit

Our audit has been completed for the year ended 12/31/2022. Westberg Eischens was the firm to perform our audit as well as our comprehensive financial statements. The State reports were uploaded to the State of Minnesota to satisfy our reporting requirements. We thank the team at Westberg Eischens and for Carol in Finance for all the hard work in getting this completed – a lot of time and energy goes in to this annually.

Budget

Department heads have submitted their requests for their departmental requests for 2024. Finance has met with administration to begin the refinement process. We plan on a preliminary budget presentation at the September 18th Council meeting, and the Truth in Taxation taking place on December 4th. The process seems to have been delayed longer than desired with the implementation of our Tyler Technologies Enterprise ERP, but we will get it done!

Respectfully submitted,

Tom Odens

WILLMAR FIRE DEPARTMENT

MONTHLY CALLS FOR SERVICE

JULY 2023

Title	July 2022	July 2023
Alarm Activations	12	12
Building Fires	1	1
Car Fires	1	1
Cooking Fires	2	0
Grass Fires	3	1
Rail Car Fires	1	0
Carbon Monoxide Incidents	0	5
Natural Gas Leak	1	3
Car Crashes	2	6
Smoke Scares	2	0
Mutual Aid	0	1
Water Leaks	1	0
Weather Watch	1	1
Rubbish Fires	4	0
Elevator Rescues	0	1
Medical Assist	2	0
First Responder Calls	0	11

Current Month CFS: 32 First Responder Calls: 11

2023 YTD Fire Calls for Service: 189

2023 YTD First Responder Calls: 33 (Since start date of May 8, 2023)

2022 Calls For Service thru July: 212

Training:

July 6 -- Business Meeting

July 13 – Truck Rodeo & Addresses

July 20 -- Roof Ventilation & Ladder 9 Truck Operations

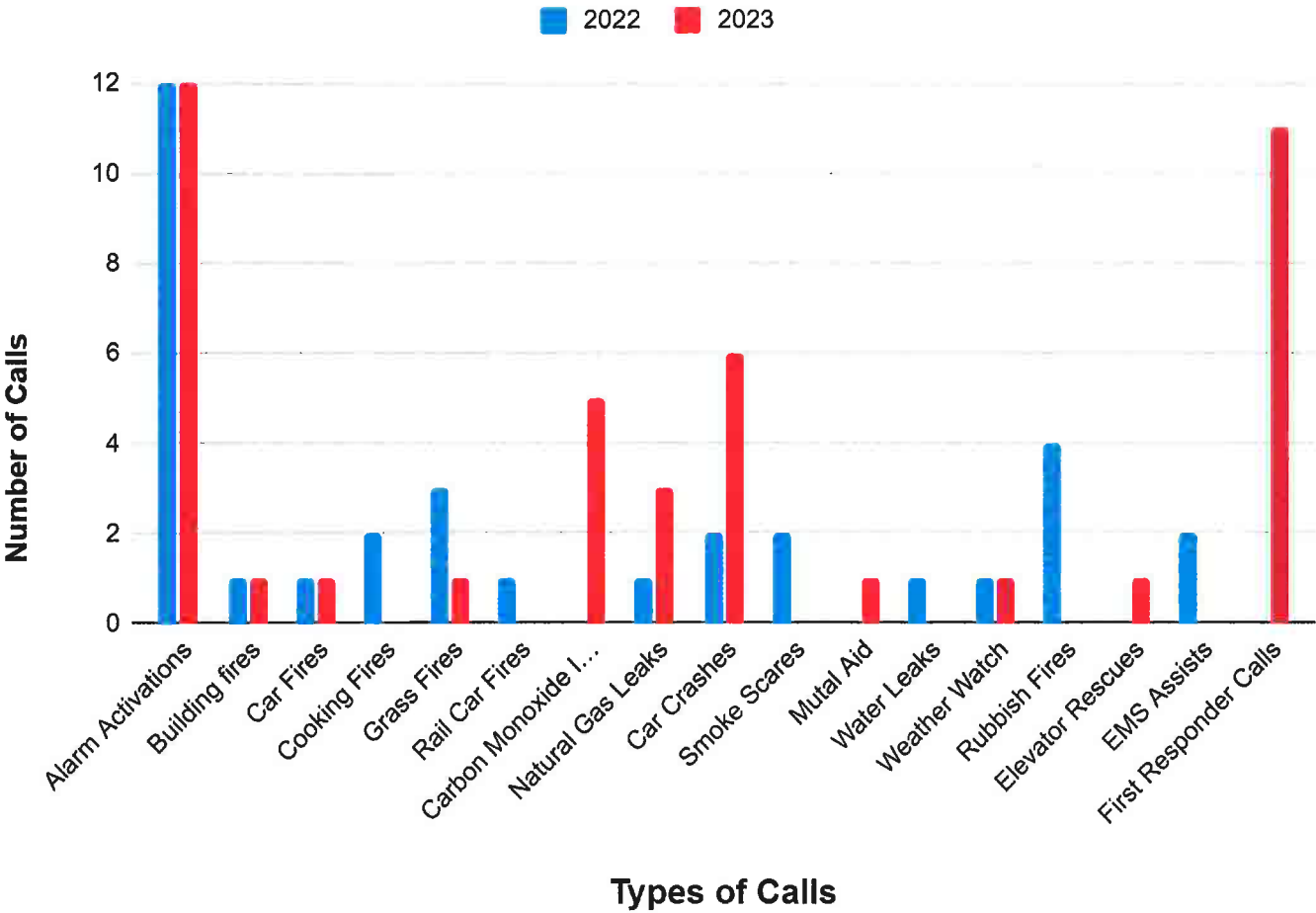
July 17 -- Technical Rescue Team training

July 27 -- Officers Meeting / Haz Mat team training

July Response Time: 6:45

YTD Response Time: 6:16

JULY 2022 & 2023 Calls for Service



Information Systems Departmental Update

July 2023

It has been quite busy in the Information Systems Department as of late. Below is an overview of some of the things we worked on during the month of July.

Police Department Evidence System

The Police Department has implemented a new evidence tracking system. We assisted in the rollout of the system by deploying the server required to host the data, and installing the software on end user computers that is required to work with the system. There were also multiple peripherals we had to set up with the system (barcode scanners, label printers, etc.). I am happy to see this system in place so the evidence team is able to transition away from hand written materials and manual data entry into the computer. This system makes their processes much more efficient and easier to manage.

Phone System

We were able to deploy new desk phones to everyone at City Hall early in July, and later to those at the Fire Department and Waste Treatment. The new phones are being used concurrently with the old phones. This gives staff the opportunity to get used to the new phones and get everything set up they need to on the new phone system. Everyone is able to use the new phones to call each other internally. This also gives us the chance to work out any issues that may come up with the new system before we fully switch over to it. City Hall, Fire Department and Waste Treatment will be fully switching over to the new phone system August 31st. During the morning of that day, our external phone service will transition to the new phone system. I am excited to make the switch as the new phone system is much easier to manage and will work well into the future. The Airport, Community Center, DOAC, Public Works and WRAC will hopefully be switched over to the new phone system completely in September. We moved the Civic Center onto the new phone system back in March.

Civic Center network connection

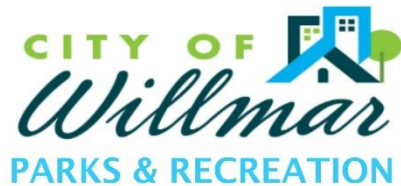
With the new network switches that were ordered earlier this year, we were able to transition the Civic Center to a faster connection back to City Hall. The connection is now 10x faster than it originally was. This building is probably the most important to have a fast connection to, as it tends to have high utilization of our Wi-Fi as many events that are hosted there are largely attended.

New Servers

I was able to get our new servers installed, and fully migrated over to. All of this was able to happen with minimal downtime. The hardware that was replaced will get a little extra lifetime out at the Waste Treatment Plant to serve as our disaster recovery setup. Should something happen to our main servers, we have the capability to run the same servers from Waste Treatment as a backup while the main servers are repaired.

Through all of this, we attended to many day-to-day items to keep everything working for staff. I am proud of all that we have done and am excited to keep working on projects. Please reach out to me if you have any questions or would like more detail on anything!

Submitted by Jonah Johnson, Information Systems Coordinator



2707 ARENA DRIVE
WILLMAR MN 56201
320-235-1454
WILLMARPARKS-REC.COM

Ryan Scheffler

Facilities

As summer is coming to an end the baseball and softball seasons have come to an end.

From June 1st- August 9th here is what the usage for the Civic Center Softball/Baseball Complex and Swanson and Auxiliary Fields

The Civic Center Softball and Baseball Complex – 124 Reservations

Swanson Complex which includes Baker, Klemmetson Field “Orange”, Yellow, Red and Green Fields- 129 Reservations.

Auxiliary Fields- Lincoln, Miller Park, Northside, Sunrise and High school Fields- 70

Total- 323 Field Requests for practices and games.

There were 64 shelter rentals in the month of July.

The turf fields had 125 field reservations between soccer, football, and rec programs.

The Civic Center was also a busy place this summer. We had Summer Ice which ended July 31st so we are in the process of doing maintenance on the Blue Line side so we can get the ice back on by Sept 4th for the Warhawks first practice. On the Cardinal Arena we have a couple of more Dry Floor Events coming up with Arnolds hosting a Combine Show, Willmar School District All Staff Meeting and Rifle and Pistol Gun Show.

The Event/ Rec Center is becoming a popular venue for Weddings and Quincenera we have had two this past month and we have three more booked for the end of August and the beginning of September.

I also have been getting all of the Fall Programs booked along with getting all the ice users schedules for the upcoming winter, so it's been a busy last month with a lot going on.

Anita Nelson

DOAC

It has been a busy summer at the Dorothy Olson Aquatic Center.

We have a total of 37 staff working throughout the summer.

Our Average daily attendance for the season is 262 patrons.

We hosted 2 movies in the pool this season with an average of 60 patrons coming to enjoy this after-hours event.

17 birthday parties were hosted at the DOAC this summer.

6 before or after-hours rentals.

Adult leagues

13 teams signed up for Men's softball league.

6 teams signed up for Church softball league.

Adaptive

10 participants signed up for Adaptive Softball

25 participants signed up for our first time doing adaptive swimming at the DOAC.

Bikes

May- 42 rentals \$65.35

June- 77 rentals \$110.05

July- 61 rentals \$74.97

August- As of 8/11/23 10 rentals

The city of Willmar and CVB will be hosting the Mayor bike ride on Friday September 15th at the 4-seasons shelter at Robbins island. I have been working alongside Beth at the CVB and Britta to get this event planned. This will bring the communities of New London, Spicer, and Willmar together for this annual event.

Summer Report for the Willmar Community Center: Britta Diem

Dates: May 30-9/1, 2023 Recap:

June:

In addition to our regular daily users for noon meals, cards, dancing, music, pool, puzzles, bingo....

- house plaques=18 people
- We applied for a few funding opportunities and received support to purchase a karaoke machine for fall for another community event night!
- Willmar Fests events kicked off throughout the month to kick-off to the summer season!
- New Community Kitchen: Kids launched---25 attended each month.
- Community Kids Summer Camp started and ran through mid-august. 45 attended this 6-week camp.
- During Willmar Fests week we hosted royalty at our "Royal" Veterans Coffee group for 55 people, Willmar Area Seniors Friday Afternoon of Dancing for 77 people. (We had the Willmar royalty attend our and everyone enjoyed it.)
- "Dogs with Dads BBQ" --We had received donation of hotdogs from Jennie-O with 35 in attendance.
- Vets group went on the Let's Go Fishing cruise! We had over 20 vets aboard for this fun afternoon of touring Green Lake!
- Senior Club Rootbeer Float Social! We served over 100 free rootbeer floats on Wednesday afternoon and had great music performance by Gig Noonan.
- Goat Yoga with baby goats from Ziemer Farms We saw about 50 yogis and 15 goats in attendance of our session.
- Sheltered Hawaiian Dance! over 60 people came out to dance.

July:

In addition to our regular daily users for noon meals, cards, dancing, music, pool, puzzles, bingo....

- The new monthly Comm Kitchen: KIDS version: we saw 25 kids join us for an afternoon of making 3 different fun, tasty treats!
- Rockin' Robbins: our lot starts filling up about 4:00 with people walking over to the island and added to offer rides over on the Trishaw bike!
- Community repairs to our Little Art Gallery boxes located around the city!
- Our second theatre camp this month here at the Community Center 20 kids learn "The Frog Prince" in just 4 short afternoons!
- Doggy's Night Out, where we saw 21 dogs and owners come through and try out an obstacle course, make a paw print memento, enjoy tasty treats, and learn some easy games to make at home! K9Oasis to offer free doggy massages, and paw balm and treats.
- Blood Drive! We had 42 appointments filled and met our goal of blood donations!

August:

In addition to our regular daily users for noon meals, cards, dancing, music, pool, puzzles, bingo....

- We wrapped up our Comm. Kitchen: KIDS, and Comm. Kids Summer Camp!
- We have been bringing the trishaw over a few Saturdays to the Robbins Island Farmers Market
- Created and developing a monthly newsletter that will be distributed throughout the community!
- Community event boating excursion on Green Lake! We have a full two boats set!
- Celebrating Nation Senior Citizen Day! "Back to the 50s!" Day Event banana split bar, 50s décor, photo booth, music and trivia!
- Special guest for our Aging Wisely program and our Community Kids Summer Camp! Some included MaryElin Macht, Chief Felt, Willmar Fest Royalty, Willmar Fire & PD, Willmar Bus, Ambulance, and Army members! Also, Rudy Vigil or WRAC-TV, Hawk Creek Animal Shelter and Lora from Stacy's Nursery
- Our Aging Wisely program has been averaging about 20-25 in attendance of the program.
- A few new users joined us this summer include two 'jam' session groups that were at Whitney Music, and now rehearse here on Monday afternoon and Monday evening! One is guitars and one is strings!
- Resumed our weekly drum circles on Wednesday with Purpose Artisans! These groups consist about 5-6 musicians and are open for the public to listen to or join in!
- We saw our reoccurring programs such as LSS Meals, SAIL exercise, Quilting groups, Sons of Norway, Barbershop, Chess Club, TOPS, Card groups, Thread Studio, Bingo nights, and Senior Days occurring throughout the summer as well! This summer we conducted 10 craft classes averaging about 15 per class!
- We also ran a few Little Art Gallery Sessions in the Community this summer at the library, as well as our monthly sessions here at the Community Center. We have total of galleries.

Private Rentals through the Summer: 26

Coming up this fall we are adding a few new items to our schedule! We will be starting a Pool Table league, hosting Karaoke Nights, and taking a twist on our annual Drive-thru and Treat event this year.

For reference of monthly, reoccurring program participation numbers & special event participation at the Community Center.

Regular Programs Participation Stats:

	<u>2022</u>	<u>2023</u>
Jan	1160	1262
Feb	1217	1531
March	1531	1830
April	1456	1479
May	1609	1824
June	1516	1736
July	1106	1314
Total		
Participants	9595	10976

Special Events Participation Stats:

	<u>2022</u>	<u>2023</u>
Jan	40	50
Feb	82	124
March	189	264
April	266	397
May	650	636
June	266	265
July	110	165
August	255	
Total		
Participants	1603	1901
# of special events	52	55

Rob Baumgarn

This past summer was one of the biggest summers we had regarding the number of programs that were offered. The department offered 36 different recreational opportunities with only 2 opportunities being cancelled due to low enrollment.

We added several new basketball, tennis, volleyball, and gymnastics opportunities for the community. We had solid numbers in our traditional programming such as T-Ball, Soccer, and Little Hitter Baseball.

As the season change to more fall programming, we are gearing up for the youth football season. Our football training camp for grades 1st-8th grade has 193 participants registered. This camp feeds right into our flag and tackle football program.

I'm pleased to announce that we have hired Devin Hatch as our new Recreation Coordinator. Devin has a strong coaching background and has experience with both youth and adult programs. We are excited to see what Devin can bring to the department.

Several park projects were completed in the past month. The new fitness pad at Sperry Park opened. Hanson Park and Bjorsell Park received new playground equipment. The berm and railing project at Klemmetson Field was completed as well.

For the past couple of weeks, Curt and I have been working with Twin City Seed to develop a turf management plan for Swansson Fields, Baker Field, Civic Center Softball/Baseball Complex, and the grass areas around the turf fields. The agronomist took several soil samples and got them tested at the U of M. The soil test results give us information on what fertilizer and seed would work best in our soils. The Public Works and Rec Staff are implementing this program this fall. This will dramatically improve our field conditions over the next couple of years.

I have been working on getting the documentation for the trailhead grant that we received. There are several preliminary forms that we must fill out and get approved before we can start the project.

Staff and I are researching the cost to develop a master bike/walking plan for the City of Willmar.

Finally, we submitted a grant request for the amphitheater project to the Greater Minnesota Regional Parks and Trails Commission. Michelle Marotzke, Eden Peterson, and members of the Roarty Club provided information to submit this grant.

PUBLIC WORKS DIRECTOR REORT – AUGUST 2023

Street Projects

We have had another busy month with our street projects. All projects are still currently on schedule as the weather has been mostly favorable for working outdoors.

Gorton Ave/18th St/20th St – There are many different aspects all going on at the same time in this area due to the phased approach. Grading of driveways and sidewalks is ongoing in phase 2. Phase 3 is continuing with underground utility work and street base construction. And phase 4 will soon begin with removal and underground utility construction.

Irene Ave/Augusta Ave/Mary Ave – Again, we have a phased approach to there is work going on in many different areas. Gravel installation along with curb/gutter and driveway construction concrete is ongoing in phase 2. Phase 3 is completing sewer and water connections. Afterwards, work will begin on gravel installation and concrete work. And phase 4 is working on watermain and sanitary sewer construction and services.

23rd St SE Area – Asphalt surfacing has been completed in all the milled and reclamation areas. 23rd street itself is scheduled to have street patches, milling and paving done towards the end of August before school begins.

Punchlist items are still being completed on the projects from last year. Items such as turf establishment, sign work, dirt work near driveways and curbs, etc. The contractors are planning to address the turf areas in late Summer/early Fall when the weather will be more conducive to growing grass.

Wastewater

The WW department continues to do an excellent job in all the work they do. The Hwy 12 Lift station, near 28th Street SW, has been decommissioned and all underground work has been completed. All other lift stations are being cleaned of debris before the cold weather arrives. They are also prepping for the fall hauling season to move and spread the solids after the harvest season. The following is a list from Superintendent Jason Lindahl and it gives a synopsis of the other work that has been done recently:

- Daily duties for plant operations.
- Submitted the monthly EDMR to the MPCA.
- JOTS billing and Hauled-in waste billings.
- Willmar Crane was on site to remove Ind. aerator 2B.
- First Systems was on site to calibrate and verify various flow meters and gas meters.
- Working on the 2024 budget.
- Planning more smoke testing in the downtown area.
- Attended MESERB annual meeting/conference.
- Reviewed draft 1 Watershed 1 Plan for South Fork Crow River and provided comments.
- Completed annual sampling for the WET test.
- Submitted semi-annual progress report for DNR Shade Tree Program Grant.
- Public Education for stormwater and wastewater on PW Department Facebook page.
- Submitted semi-annual in-kind report to Hawk Creek Watershed Project.

- MPCA conducted a Lab audit.
- Submitted Acute Whole Effluent Toxicity Test results to MPCA.
- BME Lab and Science was on site to calibrate lab equipment.

Public Works Department

The PW department is still busy with all the summertime work and projects that are ongoing. They are doing a fantastic job as always. Street patching is happening multiple times per week, and they are continuing to work on the areas that need attention. We thank the public for their patience in this massive effort. Mowing, trimming, field maintenance, concrete work, painting, splash pad and park maintenance are also continually happening throughout the summer months. The crew has also begun grinding stumps from the trees that have been removed as well. After the grindings are removed, black dirt will be filled in the holes and grass seed will be planted in those spots. The 2nd fishing pier has also been installed at Rau Park and it looks amazing. Hats off to all who were involved.

We worked with Rockin Robbins for another successful summer of concerts. Some of the aspects that we were involved with included setting up our showmobile, placing signs, putting up fencing, painting field markings, supplying cones & barricades, along with many other jobs along the way.

We continue to work on our new playground installations and sitework. Grass is coming up nicely at the new fitness court at Sperry Park. Playground installation, concrete work, and wood chip installation has been completed at Bjorsel Park. Dirt work and seeding will be done in the next couple of weeks. Hanson Park has been installed and the wood chips were delivered to our shop this week. The installation of these chips and the dirt work/seeding will also happen soon.

Having Parks & Rec take over the Aquatic Center, help with the shelters at Robbins Island and ballfields has really helped alleviate some of the workload that our department has faced over the past number of years. We are happy to partner with them and look forward to the future.

Superintendent Kyle Radunz, Foreman Paul Tinklenberg and Project Manager Curt Hein continue to lead a great team.

City Hall

My first month in this position has gone by so incredibly fast. While it has been a change for me, it has been a great change. I have a fantastic team and coworkers here at City Hall who are always happy to help. Kelsi Delbosque has been an absolute live saver for me. She is always ready to answer my endless questions and helps me out every single day.

Jordan Klavetter will be starting soon as our Building Maintenance Technician here at City Hall and we are very excited to have him. I know that he will do a great job here and at the auditorium.

Lastly, I need to mention Gary Manzer. He has taught me so much over the years. He has been a great coworker and supervisor, but most importantly, he has been a great friend. His knowledge and experience will certainly be missed here, but I am so happy for him and wish him well on his retirement.

Respectfully

Justin DeLeeuw – Public Works Director

Willmar Police Department

Monthly Calls for Service Statistics

Title	July 2022	July 2023
911 Hang Up	6	18
Abandoned Vehicles	61	29
Agency Assist	53	19
Alarm	41	21
Alcohol Offense	13	8
Animal	74	80
Assault	11	10
Burglary	2	3
Child Custody Dispute	12	5
Crash	56	62
Criminal Damage To Property	38	25
Disorderly	45	30
Domestic	45	30
Drugs	4	16
Family Service	74	59
Fight	4	12
Fraud	19	13
Gun Permits	9	14
Harassment	35	33
Information	14	9
K-9 Assist	1	1
Lost And Found	52	45
Mental Issues	7	18
Missing Person	22	17
Motorists Assist	21	9
Neighborhood Disturbance	63	55
Public Assist	155	200
School Related Incidents	0	0
Sex Crimes	6	7
Sudden Death/Bodies Found	5	3
Suicidal Person	8	5
Suspicious	87	95
Theft	52	50
Traffic Complaint	46	55
Traffic Stop	325	371
Trespass	19	22
Warrant Service	22	16

Current Month CFS:

1601

YTD Calls for Service:

9820

2022 Month CFS:

1576

(Some minimal CFS
categories not shown)

City Operations Director Report – July – August 2023

Tyler Tech: City Staff are spending a considerable amount of time on training and implementation of a new financial software program. The go-live date for financials is October 1, 2023. Supporting programs, including e-ticketing, work orders, plan review, inventory, asset management, and more, will fall in place in the coming months.

2024 Budget: The 2024 budget is in staff review and nearing completion for CIP and preliminary levy adoption.

Outdoor Fitness Court: A grand opening of the Outdoor Fitness Court was held on July 19. A special thank you to Blue Cross and Blue Shield of Minnesota, National Fitness Campaign, Local Artist Sonja Madsen, and the Willmar Parks and Recreation, Police, and Fire Departments for being in attendance and for making this event possible.

THC & Adult Use Cannabis:

THC - City Staff have worked with the City Attorney's Office on 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. This action has been acted on at the August 7 Council meeting.

Adult Use Cannabis, Moratorium - 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.

Adult Use Cannabis, Public Use - 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.

Airport: The Airport Supervisor and Fixed Base Operator Contracts are set to expire at the end of 2023. Staff and the current contract holder, Oasis Air, have worked on minor amendments to the contract that best suit both entities. The Airport Commission will receive a draft of the agreement and provide suggestions and recommendations to the Council for future action this fall.

Admin Assistant: Staff have held interviews for the Administrative Assistant to Administration and have offered the position to Abby Ahrendt. Ms. Ahrendt has accepted the position with a start date of Monday, August 14.

Rebranding: A first kickoff meeting was held in Willmar with the City's consultant, Replace. The next steps include homework for the team and identified stakeholders to complete. These items will help identify Willmar's brand identity and describe the pillars of our community.

City Hall & Community Center Project: Staff continue to meet internally and with the Mayor and Council on city hall and community center projects. Recently, staff have submitted bonding requests to Minnesota Management and Budget for Community Center and Local Improvement projects for \$10 million and \$20 million, respectively. Staff continue to do their due diligence working with intergovernmental partners to put the best version of a project forward for legislative consideration. A Resolution of support for these requests will be before the Council for consideration.

Union Negotiations: Staff continues to meet with the remaining two bargaining groups for 2023 contracts. The LELS and Public Works groups have settled three-year contracts.

Welcoming Week: City Staff are working on an employee Welcoming Week Luncheon for all employees. Welcoming Week is an annual global campaign that celebrates the work communities are doing to become more welcoming places for all. A parallel Welcoming Week community event is also in the works. Grant dollars and sponsorships are being requested from various organizations to hold the community event.



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	10.A.
Agenda Section:	Public Hearing:	Originating Department:	City Clerk
Resolution:	No	Prepared By:	Judy Thompson, City Clerk
Ordinance:	Yes	Presented By:	Judy Thompson, City Clerk
Item:	Ordinance for Codification of Municipal Code		

RECOMMENDED ACTION:

Adopt, Assign a number, and Publish the Ordinance for Codification of Municipal Code

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 Codification of Municipal Code

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 Willmar, 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: ____ Fagerlie _____

This Ordinance introduced on: ____ August 7, 2023 _____

This Ordinance published on: ____ August 12, 2023 _____

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 Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	10.B.
Agenda Section:	Public Hearing:	Originating Department:	City Clerk
Resolution:	No	Prepared By:	Judy Thompson, City Clerk
Ordinance:	Yes	Presented By:	Judy Thompson, City Clerk
Item:	Ordinance Amending City Code for Minor Updates		

RECOMMENDED ACTION:

1. Adopt, Assign a Number, and Publish Ordinance Amending City Code for Minor Updates
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 Amending City Code for Minor Updates
2. Summary Publication - 2023 Codification

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.

(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 ~~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 ~~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 parks 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.

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 21st day of August, 2023.

ATTEST:

Judy Thompson, City Clerk

Douglas E. Reese, Mayor

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

This Ordinance introduced by Council Member: Shuldes

This Ordinance introduced on: August 7, 2023

This Ordinance published on: August 12, 2023

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

SUMMARY PUBLICATION OF CITY OF WILLMAR ORDINANCE NO. [REDACTED]

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. [REDACTED] 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. [REDACTED] 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 Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	10.C.
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:	Consider an Interim Ordinance Temporarily Prohibiting the Operation of Cannabis Businesses until January 1, 2025.		

RECOMMENDED ACTION:

1. Adopt the Ordinance creating an Interim Ordinance Temporarily Prohibiting the Operation of Cannabis Business until January 1, 2025, assign a number, and publish.
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:

ALTERNATIVES TO CONSIDER:

None Recommended

ATTACHMENTS:

1. Interim Ordinance - Cannabis Businesses v1 072623
2. Summary Publication - Interim Ordinance Cannabis Businesses

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 policies 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 August 21, 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 21st day of August, 2023.

ATTEST:

Judy R. Thompson, City Clerk

Douglas E. Reese, Mayor

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

This Ordinance introduced by Council Member: Butterfield

This Ordinance introduced on: August 7, 2023

This Ordinance published on: August 12, 2023

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 Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	10.D.
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:	Consider an Ordinance Prohibiting the Use of Cannabis and Certain Hemp Products in Public Places		

RECOMMENDED ACTION:

1. Adopt the Ordinance Prohibiting the Use of Cannabis and Certain Hemp Products in Public Places, assign a number, and publish.
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. Summary Publication - Cannabis Public Use Ordinance

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.

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 21st day of August, 2023.

ATTEST:

Judy R. Thompson, City Clerk

Douglas E. Reese, Mayor

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

This Ordinance introduced by Council Member: ____ Nelsen

This Ordinance introduced on: ____ August 7, 2023

This Ordinance published on: ____ August 12, 2023

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 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 Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	11.A.
Agenda Section:	Regular Business	Originating Department:	Finance
Resolution:	No	Prepared By:	Tom Odens, Finance Director
Ordinance:	No	Presented By:	David Euerle, Westberg Eischens
Item:	2022 Audit Presentation		

RECOMMENDED ACTION:

Motion by: _____, Seconded by: _____, to adopt the 2022 Audit.

OVERVIEW:

The 2022 Audit was completed by Westberg Eischens. The attached Governance Communication Letter and overview of their audit will be presented by David Euerle, Partner at Westberg Eischens.

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. Governance Communication Letter 2022
2. 2022 Willmar Presentation

**GOVERNANCE COMMUNICATION LETTER
FOR THE YEAR ENDED
DECEMBER 31, 2022**

August 4, 2023

To the City Council
City of Willmar, Minnesota

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of City of Willmar, Minnesota for the year ended December 31, 2022. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards* and the Uniform Guidance, as well as certain information related to the planned scope and timing of our audit. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by City of Willmar, Minnesota are described in Note 1 to the financial statements. The City adopted accounting policies related to Governmental Accounting Standards Board Statement No. 87, *Leases* in 2022. The application of existing policies was not changed during 2022. We noted no transactions entered into by City of Willmar, Minnesota during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the financial statements was:

Management's estimate of the pension and OPEB liabilities are based on actuarial valuations performed by consultants specializing in those areas. We evaluated the key factors and assumptions used to develop those estimates in determining that it is reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. The attached schedule summarizes uncorrected misstatements of the financial statements. Management has determined that their effects are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

2630 1st Street S
PO Box 362
Willmar, MN 56201

phone 320.235.3727
fax 320.235.1641

515 Highway 7 E
PO Box 407
Montevideo, MN 56265

phone 320.269.7380
fax 320.269.8176

752 Prentice Street
PO Box 179
Granite Falls, MN 56241

phone 320.564.4811
fax 320.564.4812

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated August 4, 2023.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to City of Willmar, Minnesota's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as City of Willmar, Minnesota's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to management's discussion and analysis, individual schedules of revenue, expenditures and changes in fund balances – budget and actual, schedules of proportionate share of net pension liability, schedules of employer contributions, and schedule of changes in the city's total OPEB liability and related ratios, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report combining statements, individual fund statements, and the schedule of expenditures of federal awards, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

We were not engaged to report on introductory and statistical sections, which accompany the financial statements but are not RSI. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Restriction on Use

This information is intended solely for the information and use of City Council and management of City of Willmar, Minnesota and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

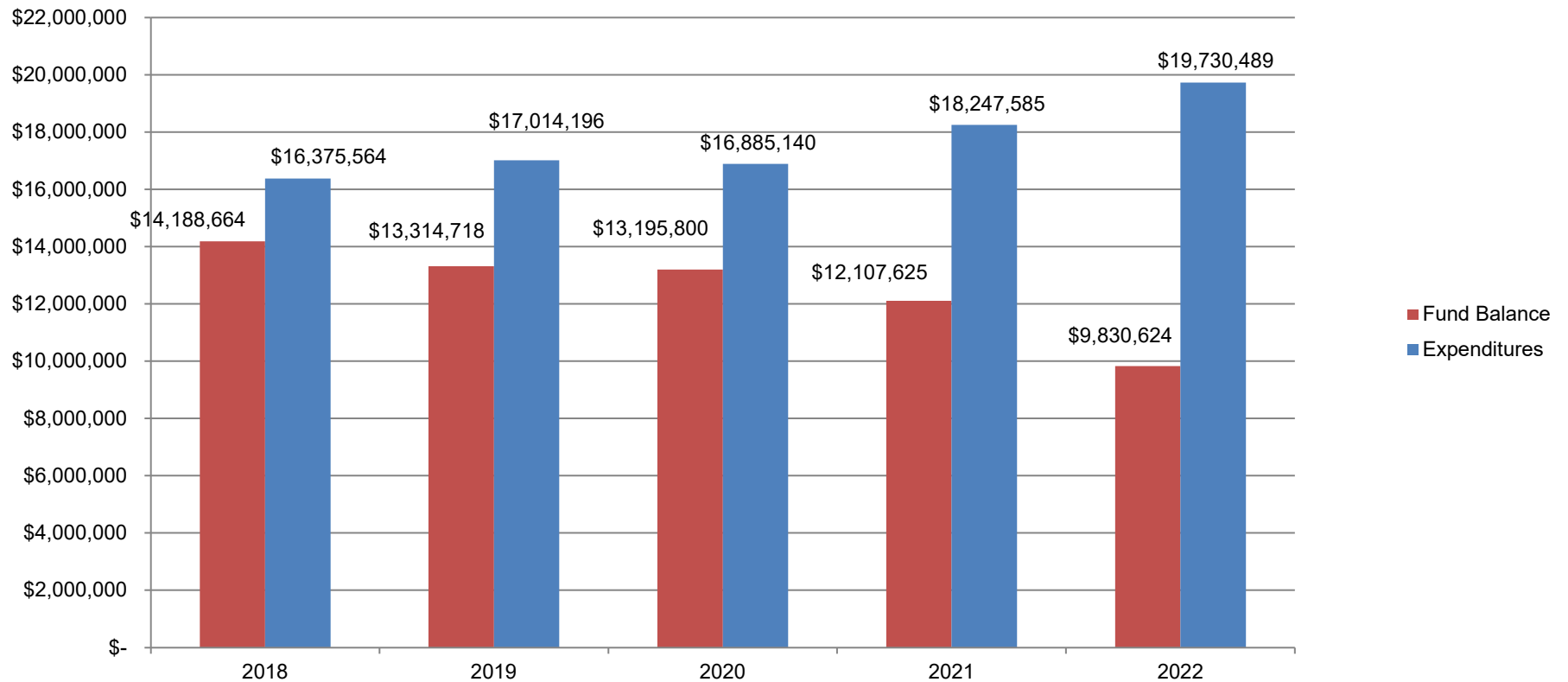
Westberg Eischens, PLLP

Westberg Eischens, PLLP
Willmar, Minnesota

**CITY OF WILLMAR, MINNESOTA
2022 PRESENTATION**

CITY OF WILLMAR, MINNESOTA

GENERAL FUND AND CAPITAL IMPROVEMENT FUND FUND BALANCE VS EXPENDITURES



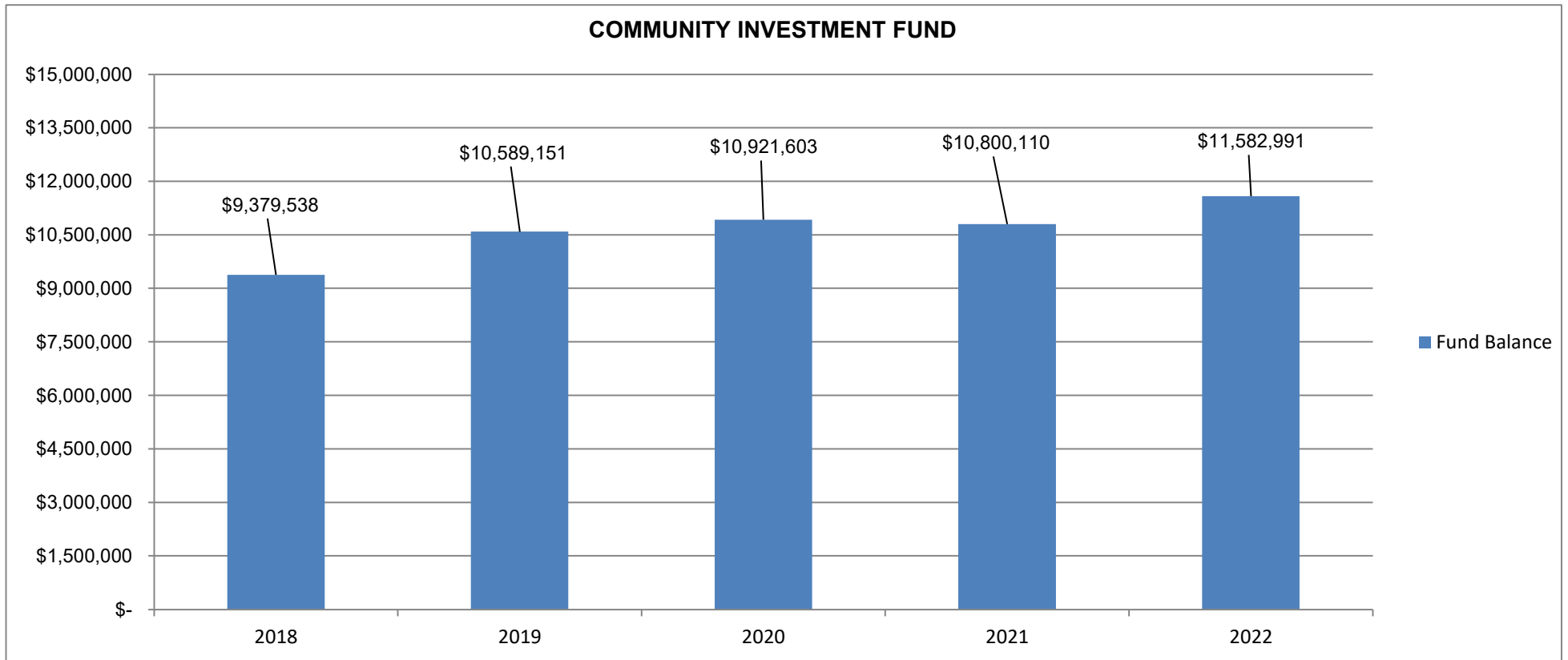
Key Points:

As planned in the budget, the total fund balance has decreased every year.

At the end of 2022, the general fund balance was approximately 44% of the 2023 budgeted expenditures.

CITY OF WILLMAR, MINNESOTA

COMMUNITY INVESTMENT FUND

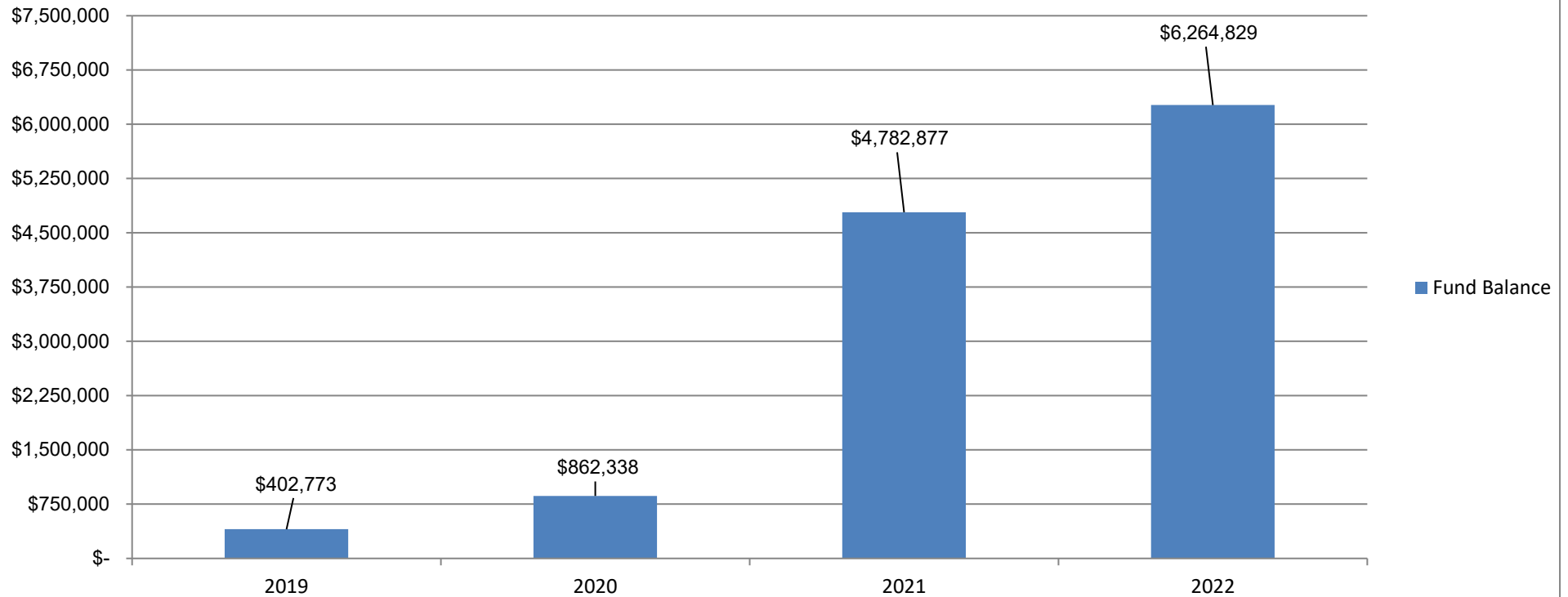


Key Points:

The fund balance increases in 2022 was due to transfers from closing out debt service funds

CITY OF WILLMAR, MINNESOTA

LOST SPECIAL REVENUE FUND



Key Points:

LOST Bond payments began in 2022. This fund transferred \$970,000 to the debt service fund.
Sales tax revenue in 2022 increased \$546,000 from the prior year.

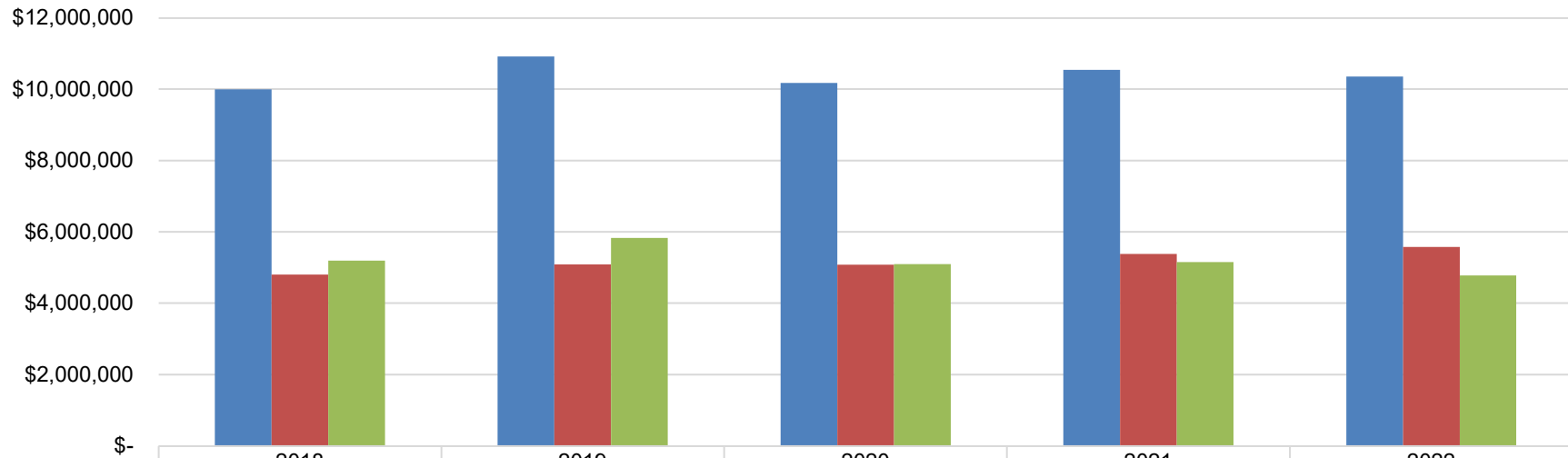
City of Willmar
Governmental Activities Outstanding Bonds

	Issue Date	Maturity	Bonds Issued	Fund	Debt Balance 12/31/2022	Fund Balance 12/31/2022	Over(Under)
Special Assessment Bonds							
Ser 2016A	10/13/2016	2/1/2027	1,600,000	316	856,000	798,314	(57,686)
Ser 2017A	11/20/2017	2/1/2028	1,100,000	397	703,000	567,069	(135,931)
Ser 2018B	6/20/2018	2/1/2029	2,930,000	318	2,140,000	318,128	(1,821,872)
Ser 2019A	10/21/2019	2/1/2030	4,740,000	319	3,900,000	1,799,491	(2,100,509)
Ser 2020A	7/29/2020	2/1/2031	1,965,000	300	1,784,000	486,280	(1,297,720)
Ser 2021B	10/7/2021	2/1/2032	2,900,000	321	2,900,000	268,582	(2,631,418)
Ser 2022A	8/17/2022	2/1/2038	5,560,000	322	<u>5,560,000</u>	<u>1,036,102</u>	<u>(4,523,898)</u>
					17,843,000	5,273,966	(12,569,034)
General Obligation							
Ser 2018A	6/20/2018	2/1/2038	2,780,000	338	2,440,000	557	(2,439,443)
Sales Tax Bonds							
Ser 2021A/Ser 2021C	2021	2/1/2033	18,210,000	320	<u>17,900,000</u>	<u>-</u>	<u>(17,900,000)</u>
					<u>\$ 38,183,000</u>	<u>\$ 5,274,523</u>	<u>\$ (32,908,477)</u>

Key Points:

5 bond funds were closed and transferred to the Community Investment fund

City of Willmar Waste Treatment Fund



Operating Rev	2018	2019	2020	2021	2022
Operating Exp	\$9,993,551	\$10,917,679	\$10,171,790	\$10,538,229	\$10,357,888
Operating Income	\$4,799,751	\$5,090,412	\$5,076,632	\$5,384,887	\$5,580,861
	\$5,193,800	\$5,827,267	\$5,095,158	\$5,153,342	\$4,777,027

Key Points:

Operating income is sufficient to cover debt payments and required replacement reserves.

Cash and investments at the end of 2022 totaled \$15.6 million and provide sufficient reserves against unexpected revenue or expense fluctuations.

Average annual debt service for 2023-2024 is \$4.7 million and increases to \$7.0 million in 2025

**City of Willmar
Investments**

	Fair Value	Investment Maturities					
		Less than 1		1-5 Years		6-10 Years	
12/31/2022	\$ 48,807,761	\$ 8,569,393	18%	\$ 39,370,878	81%	\$ 867,490	2%
12/31/2021	\$ 61,927,366	\$ 27,349,500	44%	\$ 31,112,376	50%	\$ 3,465,490	6%
12/31/2020	\$ 51,925,590	\$ 14,464,888	28%	\$ 15,639,555	30%	\$ 21,821,147	42%
12/31/2019	\$ 46,406,219	\$ 6,443,924	14%	\$ 7,891,065	17%	\$ 32,071,230	69%
12/31/2018	\$ 41,665,491	\$ 150,336	0.4%	\$ 6,680,549	16%	\$ 34,834,606	84%

Key Points:

Fair value adjustment in 2022 was a unrealized loss of \$3.1 million

City of Willmar
Summary of Budget Overages

Fund 100 General Fund

Department

Administrator	1,705
Mayor and Council	38,794
Legal	100,066
City hall	10,420
Human resources	3,719
Police Department	225,830
Public Works	81,308
Parks and Recreation	16,707
Civic Center	61,473
Community Center	38,295



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	11.B.
Agenda Section:	Regular Business	Originating Department:	Finance
Resolution:	Yes	Prepared By:	Tom Odens, Finance Director, Doug Green
Ordinance:	No	Presented By:	Doug Green, Baker Tilly
Item:	Consideration of Awarding Sale of General Obligation Improvement Bonds, Series 2023A		

RECOMMENDED ACTION:

Motion by: _____ Second By: _____, to introduce a resolution awarding the sale of \$8,995,000 General Obligation Improvement Bonds Series 2023A, fixing their form and specifications; directing their execution and delivery; and providing for their payment.

OVERVIEW:

The City is planning to take competitive bids on the issuance of \$8,995,000 General Obligation Improvement Bonds to finance improvement projects. Competitive bids will be received at 10:30 a.m. on Monday August 21st, 2023 and presented to the City Council for its consideration that evening. Bond proceeds are expected to be wired to the City sometime in September.

BUDGETARY/FISCAL ISSUES:

Incurring additional debt for the City of Willmar of an additional \$8,995,000.

ALTERNATIVES TO CONSIDER:

- a. Award sale to the successful bidder
- b. Reject all bids and rebid

ATTACHMENTS:

- 1. Willmar_Imp_2023A_AWARD_RESOLUTION

EXTRACT OF MINUTES OF A MEETING OF THE
CITY COUNCIL OF
THE CITY OF WILLMAR, MINNESOTA

HELD: August 21, 2023

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Willmar, Minnesota, was held in said City on the 21st day of August, 2023, commencing at 6:30 o'clock P.M.

The following members were present:

and the following were absent:

* * *

* * *

* * *

The Mayor announced that the next order of business was consideration of the proposals which had been received for the purchase of the City's \$8,995,000 General Obligation Improvement Bonds, Series 2023A.

The City Finance Director presented a tabulation of the proposals that had been received in the manner specified in the Terms of Proposal for the Bonds. The proposals were as set forth in **Exhibit A** attached.

After due consideration of the proposals, _____ introduced the following resolution, and moved its adoption:

RESOLUTION NO. _____

A RESOLUTION AWARDING THE SALE OF
\$8,995,000 GENERAL OBLIGATION
IMPROVEMENT BONDS, SERIES 2023A
FIXING THEIR FORM AND SPECIFICATIONS;
DIRECTING THEIR EXECUTION AND DELIVERY;
AND PROVIDING FOR THEIR PAYMENT

BE IT RESOLVED By the City Council of the City of Willmar, Kandiyohi County, Minnesota (the “City”) as follows:

Section 1. Background.

1.01 The City is authorized by Minnesota Statutes, Chapters 429 and Minnesota Statutes, Chapter 475, as amended (collectively, the “Act”) to provide financing for various public improvement projects in the City, including without limitation street and related public improvement projects included in the 2023 Improvement Projects (the “Improvements”).

1.02 The City is authorized by Minnesota Statutes, Section 475.60, subdivision 2(9) to negotiate the sale of the Bonds, it being determined that the City has retained an independent municipal advisor in connection with such sale. The actions of the City staff and the City’s municipal advisor in negotiating the sale of the Bonds are ratified and confirmed in all aspects.

Section 2. Sale of Bonds.

2.01 Authorization. It is hereby determined that it is necessary to provide financing for the Improvements and to finance those improvements through the issuance of the City’s \$8,995,000 General Obligation Improvement Bonds, Series 2023A (the “Bonds”).

2.02. Award to the Purchaser and Interest Rates. The proposal of _____, _____ (the “Purchaser”) to purchase the Bonds of the City described in the Terms of Proposal thereof is hereby found and determined to be a reasonable offer and is hereby accepted, the proposal being to purchase the Bonds at a price of \$_____ (par amount of \$8,995,000, plus a [net] premium of \$_____, less an underwriter’s discount of \$_____), for Bonds bearing interest as follows:

<u>Year of</u> <u>Maturity</u>	<u>Interest</u> <u>Rate</u>	<u>Year of</u> <u>Maturity</u>	<u>Interest</u> <u>Rate</u>
2025	%	2033	%
2026		2034	
2027		2035	
2028		2036	
2029		2037	

2030
2031
2032

2038
2039

2.03. Purchase Contract. Any amount paid by the Purchaser over the minimum purchase price shall be credited to the Debt Service Fund hereinafter created, or deposited in the Construction Fund hereinafter created, as determined by the City Finance Director upon consultation with the City's municipal advisor. The City Finance Director is directed to retain the good faith check of the Purchaser, pending completion of the sale of the Bonds. The Mayor and City Administrator are authorized to execute a contract with the Purchaser on behalf of the City, if requested by the Purchaser.

2.04. Terms and Principal Amounts of Bonds. The City will forthwith issue and sell the Bonds pursuant to the Act, in the total principal amount of \$8,995,000, originally dated the date of delivery, in fully registered form and in the denominations of \$5,000 each or any integral multiple thereof, numbered No. R-1 and upward, bearing interest as above set forth, and maturing serially on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2025	\$360,000	2033	\$615,000
2026	495,000	2034	635,000
2027	515,000	2035	660,000
2028	530,000	2036	685,000
2029	545,000	2037	710,000
2030	560,000	2038	740,000
2031	580,000	2039	770,000
2032	595,000		

As may be requested by the Purchaser, one or more term Bonds may be issued having mandatory sinking fund redemption and final maturity amounts conforming to the foregoing principal repayment schedule, and corresponding additions may be made to the provisions of the applicable Bond(s).

2.05. Optional Redemption. The City may elect on February 1, 2032, and on any day thereafter to prepay Bonds maturing 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 will determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC (as defined in Section 7 hereof) of the particular amount of such maturity to be prepaid. 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. Prepayments will be at a price of par plus accrued interest.

Section 3. Registration and Payment.

3.01. Registered Form. The Bonds will be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof is payable by check or draft issued by the Registrar described herein.

3.02. Dates; Interest Payment Dates. Each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds is payable on February 1 and August 1 of each year, commencing August 1, 2024, to the registered owners thereof of record as of the close of business on the 15th day of the immediately preceding month, whether or not that day is a business day.

3.03. Registration. The City will appoint, and will maintain, a bond registrar, transfer agent, authenticating agent and paying agent (the “Registrar”). The effect of registration and the rights and duties of the City and the Registrar with respect thereto are as follows:

(a) Register. The Registrar will keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of any Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the 15th day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bonds. When any Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner’s attorney in writing.

(d) Cancellation. All Bonds surrendered upon any transfer or exchange will be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no

liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name a Bond is at any time registered, as of the applicable record date, in the bond register as the absolute owner of such Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes, and payments so made to a registered owner or upon the owner's order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds, sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to the Registrar that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to the Registrar and as provided by law, in which both the City and the Registrar must be named as obligees. Bonds so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

(i) Redemption. In the event any of the Bonds are called for redemption, written notice thereof identifying the Bonds to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) at least 30 days prior to the redemption date to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Registrar and by publishing the notice if required by law. Failure to give notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of the proceedings for the redemption of Bonds. Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

3.04. Appointment of Initial Registrar. The City appoints U.S. Bank Trust Company, National Association, St. Paul, Minnesota, as the initial Registrar. The Mayor and the City Administrator are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting

corporation is authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon 30 days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar must deliver all cash and Bonds in its possession to the successor Registrar and deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of this Council, the City Finance Director must transmit to the Registrar money sufficient for the payment of all principal and interest then due.

3.05. Execution, Authentication and Delivery. The Bonds will be prepared under the direction of the City Finance Director and executed on behalf of the City by the signatures of the Mayor and the City Administrator, provided that all signatures may be printed, engraved or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of any Bond, that signature or facsimile will nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond will not be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been so prepared, executed and authenticated, the City Administrator will deliver the same to the Purchaser thereof upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

3.06. Form of Bonds. The Bonds will be printed or typewritten in substantially the form set forth in **Exhibit B** attached hereto.

3.07. Approving Legal Opinion. The City Administrator is authorized and directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, which will be complete except as to dating thereof and to cause the opinion to be printed on or accompany each Bond.

Section 4. Funds and Accounts; Security; Payment.

4.01. (a) Debt Service Fund. For the convenience and proper administration of the moneys to be borrowed and repaid on the Bonds and to provide adequate and specific security for the Purchaser and holders from time to time of the Bonds, there is hereby created a special fund to be designated the General Obligation Improvement Bonds, Series 2023A Debt Service Fund (the "Debt Service Fund"). The Debt Service Fund shall be administered and maintained by the Finance Director as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. Amounts in the Debt Service Fund are irrevocably pledged to the Bonds. To the Debt Service Fund hereby created, there is hereby pledged and irrevocably appropriated and there will be credited: (A) the proceeds of ad valorem property taxes herein or hereafter levied (the "Taxes"), and, subject to 4.02, the special assessments levied against the property specially benefited by the Improvements (the "Assessments"); (B) capitalized interest financed from Bond proceeds, if

any; (C) the amount over the minimum purchase price paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 2.03 hereof; and (D) all investment earnings on funds in the Debt Service Fund; and (E) any and all other moneys which are properly available and are appropriated by the City Council to the Debt Service Fund. The Debt Service Fund will be maintained in the manner herein specified until all of the Bonds and the interest thereon have been fully paid. The Finance Director will report to the City Council any current or anticipated deficiency in the Debt Service Fund in the amount necessary to pay the principal of and interest on the Bonds when due. If a payment of principal or interest on the Bonds becomes due when there is not sufficient money in the Debt Service Fund to pay the same, the City Finance Director is directed to pay such principal or interest from other funds of the City, and such fund will be reimbursed for those advances out of the proceeds of Assessments and Taxes when collected.

(b) Construction Fund. The City hereby creates the General Obligation Improvement Bonds, Series 2023A Construction Fund (the “Construction Fund”) to be administered and maintained by the Finance Director as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The proceeds of the Bonds, less the appropriations made in Section 4.01(a), together with the Assessments collected during the construction of the Improvements and any other funds appropriated for the Improvements will be deposited in a separate construction fund (the “Construction Fund”) to be used solely to defray expenses of the Improvements and the payment of principal and interest on the Bonds prior to the completion and payment of all costs of the Improvements. Any balance remaining in the Construction Fund after completion of the Improvements and payment of the costs thereof, may be used to pay the cost in whole or in part of any other improvement instituted under the Act under the direction of the City Council or may be used as provided in Minnesota Statutes, section 475.65. Thereafter, the Construction Fund is to be closed and any remaining balances therein and subsequent collections of Assessments for the Improvements and any Taxes are to be deposited in the Debt Service Fund.

4.02. Covenants. The City hereby covenants with the holders from time to time of the Bonds as follows:

(a) It is hereby determined that the Improvements will directly and indirectly benefit abutting property and other identified property, and that at least 20% of the costs of the Improvements to the City will be paid by Assessments. The City has caused or will cause the Assessments levied or to be levied against the property specially benefited by the Improvements to be promptly levied so that the first installment will be collectible not later than 2024 and will take all steps necessary to assure prompt collection, and the levy of the Assessments is hereby authorized. The City Council will cause to be taken with due diligence all further actions that are required for the construction of each Improvement financed wholly or partly from the proceeds of the Bonds, and will take all further actions necessary for the final and valid levy of the Assessments and the appropriation of any other funds needed to pay the Bonds and interest thereon when due.

(b) In the event of any current or anticipated deficiency in Assessments and Taxes, the City Council will levy additional ad valorem taxes in the amount of the current or anticipated deficiency.

(c) The City will keep complete and accurate books and records showing: receipts and disbursements in connection with the Improvements, Assessments and Taxes levied therefor and other funds appropriated for their payment, collections thereof and disbursements therefrom, monies on hand and, the balance of unpaid Assessments.

(d) The City will cause its books and records to be audited at least annually and will furnish copies of such audit reports to any interested person upon request.

4.03. Pledge of Taxes. For the purpose of paying the principal of and interest on the Bonds, there is levied a direct annual irrevocable ad valorem tax upon all of the taxable property in the City, which will be spread upon the tax rolls and collected with and as part of other general taxes of the City. The taxes will be credited to the Debt Service Fund above provided and will be in the years (being each year of collection) and amounts as set forth in **Exhibit C**. The tax levies will be irrevocable so long as any of the Bonds are outstanding and unpaid, provided that the City reserves the right to reduce the levies in the manner and to the extent permitted by Section 475.61, subdivision 3 of the Act, and the County Auditor will thereupon reduce the levy collectible during such year by the amount so certified.

4.04. Certification to County Auditor as to Debt Service Fund Amount. It is hereby determined that the estimated collections of Assessments and the foregoing Taxes will produce at least 5% in excess of the amount needed to meet when due the principal and interest payments on the Bonds.

4.05 County Auditor Certificate as to Registration. If no Certificate of Intent is filed in accordance with Section 7.04(j) of the City Charter within 15 days after adoption of this resolution, the Administrator is hereby directed to file a certified copy of this resolution with the County Auditor of Kandiyohi County, Minnesota, together with such other information as he or she shall require, and to obtain the County Auditor's certificate that the Bonds have been entered in the County Auditor's Bond Register, and the tax levy has been made as required by Section 475.63 of the Act.

4.06. General Obligation Pledge. For the prompt and full payment of the principal of and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City will be and are hereby irrevocably pledged. If the balance in the Debt Service Fund is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency will be promptly paid out of monies in the general fund of the City which are available for such purpose, and such general fund may be reimbursed with or without interest from the Debt Service Fund when a sufficient balance is available therein.

Section 5. Authentication of Transcript.

5.01. City Proceedings and Records. The officers of the City are authorized and hereby directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds, certified copies of proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds and such instruments,

including any heretofore furnished, may be deemed representations of the City as to the facts stated therein.

5.02. Certification as to Official Statement. The Mayor, City Administrator and Finance Director or any of them are authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is, as of the date thereof, a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement as it relates to the City.

5.03. Other Certificates. The Mayor, City Finance Director and City Administrator, or any of them, are hereby authorized and directed to furnish to the Purchaser at the closing such certificates as are required as a condition of sale. Unless litigation shall have been commenced and be pending questioning the Bonds or the organization of the City or incumbency of its officers, at the closing the Mayor and the City Administrator, or any of them, shall also execute and deliver to the Purchaser a suitable certificate as to absence of material litigation, and the City Administrator shall also execute and deliver a certificate as to payment for and delivery of the Bonds.

5.04. Electronic Signatures. The electronic signature of the Mayor, City Finance Director and/or the City Administrator, or any of them, to this resolution and to any certificate authorized to be executed hereunder shall be as valid as an original signature of such party and shall be effective to bind the City thereto. For purposes hereof, (i) “electronic signature” means (a) a manually signed original signature that is then transmitted by electronic means or (b) a signature obtained through DocuSign or Adobe or a similarly digitally auditable signature gathering process; and (ii) “transmitted by electronic means” means sent in the form of a facsimile or sent via the internet as a portable document format (“pdf”) or other replicating image attached to an electronic mail or internet message.

Section 6. Tax Covenants.

6.01 Tax-Exempt Bonds. The City covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees, or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the “Code”), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds. The City will comply with all requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments, and limitations on amounts invested at a yield greater than the yield on the Bonds.

6.02. Rebate. The City shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section

103 of the Code, including without limitation (1) requirements relating to temporary periods for investments, (2) limitations on amounts invested at a yield greater than the yield on the Bonds, and (3) the rebate of excess investment earnings to the United States unless the Bonds qualify for an exception to the rebate requirement under the Code and related Treasury Regulations.

6.03. Not Private Activity Bonds. The City further covenants not to use the proceeds of the Bonds or the Improvements financed by the Bonds, or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be “private activity bonds” within the meaning of Sections 103 and 141 through 150 of the Code.

6.04. Qualified Tax-Exempt Obligations. In order to qualify the Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code, the City makes the following factual statements and representations:

(a) the Bonds are not “private activity bonds” as defined in Section 141 of the Code;

(b) the City hereby designates the Bonds as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code;

(c) the reasonably anticipated amount of tax-exempt obligations (other than any private activity bonds that are not qualified 501(c)(3) bonds which will be issued by the City (and all subordinate entities of the City) during calendar year 2023 will not exceed \$10,000,000; and

(d) not more than \$10,000,000 of obligations issued by the City during calendar year 2023 have been designated for purposes of Section 265(b)(3) of the Code.

6.05. Procedural Requirements. The City will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this section.

Section 7. Book-Entry System; Limited Obligation of City.

7.01. DTC. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 2.04 hereof. Upon initial issuance, the ownership of each Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns (DTC). Except as provided in this section, all of the outstanding Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

7.02. Participants. With respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the City, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository (the “Participants”) or to any other person on behalf of which a Participant holds an interest in the

Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar,) of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The City, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this resolution. Upon delivery by DTC to the City Finance Director of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co.," will refer to such new nominee of DTC; and upon receipt of such a notice, the City Administrator will promptly deliver a copy of the same to the Registrar and Paying Agent.

7.03. Representation Letter. The City has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the "Representation Letter") which will govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bonds will agree to take all action necessary for all representations of the City in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

7.04. Transfers Outside Book-Entry System. In the event the City, by resolution of the City Council, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the City will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the City will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this Resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the City will issue and the Registrar will authenticate Bond certificates in accordance with this resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

7.05. Payments to Cede & Co. Notwithstanding any other provision of this Resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and notices with respect to the Bond will be made and given, respectively in the manner provided in DTC's Operational Arrangements, as set forth in the Representation Letter.

Section 8. Continuing Disclosure.

8.01. Execution of Continuing Disclosure Certificate. “Continuing Disclosure Certificate” means that certain Continuing Disclosure Certificate executed by the Mayor and City Administrator and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

8.02. City Compliance with Provisions of Continuing Disclosure Certificate. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this Resolution, failure of the City to comply with the Continuing Disclosure Certificate is not an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this section.

Section 9. Defeasance. When the Bonds (and all accrued interest thereon have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution to the holders of the Bonds will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The City may discharge the Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full or by depositing irrevocably in escrow, with a suitable institution qualified by law as an escrow agent for this purpose, cash or securities which are backed by the full faith and credit of the United States of America, or any other security authorized under Minnesota law for such purpose, bearing interest payable at such times and at such rates and maturing on such dates and in such amounts as shall be required and sufficient, subject to sale and/or reinvestment in like securities, to pay said obligation(s), which may include any interest payment on such Bond and/or principal amount due thereon at a stated maturity (or if irrevocable provision shall have been made for permitted prior redemption of such principal amount, at such earlier redemption date). If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

Passed and adopted this 21st day of August, 2023.

Mayor

Attest:

City Administrator

The motion for adoption of the foregoing resolution was duly seconded by Member _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
)
COUNTY OF KANDIYOHI) SS.
)
CITY OF WILLMAR)

I, the undersigned, being the duly qualified and acting City Administrator of the City of Willmar, Kandiyohi County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of the City held on Tuesday, August 21, 2023, with the original minutes on file in my office on file in my office and the extract is a full, true and correct copy of the minutes insofar as they relate to the issuance and sale of \$8,995,000 General Obligation Improvement Bonds, Series 2023A of the City.

WITNESS My hand of the City this ____ day of _____, 2023.

City Administrator
City of Willmar, Minnesota

EXHIBIT A
PROPOSALS

**EXHIBIT B
FORM OF BOND**

No. R-_____ UNITED STATES OF AMERICA \$ _____
STATE OF MINNESOTA
COUNTY OF KANDIYOHI
CITY OF WILLMAR
GENERAL OBLIGATION IMPROVEMENT
BOND SERIES 2023A

Rate	Maturity	Date of Original Issue	CUSIP
	February 1, 20_____	_____, 2023	

Registered Owner: Cede & Co.

The City of Willmar, Minnesota, a duly organized and existing municipal corporation in Kandiyohi County, Minnesota (the “City”), acknowledges itself to be indebted and for value received hereby promises to pay to the Registered Owner specified above or registered assigns, the principal sum set forth above on the Maturity Date specified above, unless called for earlier redemption, with interest thereon from the date hereof at the annual Rate specified above (calculated on the basis of a 360-day year of twelve 30-day months), payable February 1 and August 1 in each year, commencing August 1, 2024, to the person in whose name this Bond is registered at the close of business on the 15th day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by U.S. Bank Trust Company, National Association, St. Paul, Minnesota, as Registrar, Authenticating Agent, Transfer Agent and Paying Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

The City may elect on February 1, 2032, and on any date thereafter to prepay 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 will determine. If less than all Bonds of a maturity are called for redemption, the City will notify the Depository Trust Company (“DTC”) of the particular amount of such maturity to be prepaid. 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. Prepayments will be at a price of par plus accrued interest.

This Bond is one of an issue in the aggregate principal amount of \$8,995,000, all of like original issue date and tenor, except as to number, maturity date, denomination, redemption privilege, and interest rate, all issued pursuant to a resolution adopted by the City Council on

August 21, 2023 (the “Resolution”), for the purpose of providing money for various street improvements pursuant to and in full conformity with the Constitution, laws of the State of Minnesota, including Minnesota Statutes, Chapters 429 and 475 and the Charter of the City. The principal hereof and interest hereon are payable from special assessments levied against property specially benefited by local improvements and from ad valorem taxes, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the City are irrevocably pledged for payment of this Bond and the City Council has obligated itself to levy additional ad valorem taxes on all taxable property in the City in the event of any deficiency in special assessments and ad valorem taxes pledged, which additional taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

The City Council has designated the issue of Bonds of which this Bond forms a part as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”) relating to disallowance of interest expense for financial institutions and within the \$10,000,000 limit allowed by the Code for the calendar year of issue.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Registrar, by the registered owner hereof in person or by the owner’s attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner’s attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Registrar will be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the City in accordance with its terms, have been done, do exist, have happened and have been performed in regular and due form, time and manner, that prior to the issuance of this bond the City Council of the City has provided funds for the payment of principal and interest on the bonds of this issue as the same become due, but the full faith and credit of the City is pledged for their payment and additional taxes will be levied, if required for such purpose, without limitation as to the rate of amount; and that this bond, together with all other indebtedness of the City outstanding on the date of its issuance, does not exceed any constitutional, statutory or charter limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Willmar, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Mayor and City Administrator and has caused this Bond to be dated as of the date set forth below.

Dated: _____, 2023

CITY OF WILLMAR, MINNESOTA

City Administrator

Mayor

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

U.S. BANK TRUST COMPANY, NATIONAL
ASSOCIATION

By _____
Authorized Representative

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM – as tenants
in common

UNIF GIFT MIN ACT _____ Custodian _____
(Cust) (Minor)

TEN ENT – as tenants
by entireties

under Uniform Gifts or Transfers to
Minors

JT TEN – as joint tenants
with right of
survivorship and
not as tenants in
common

Act.....
(State)

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STAMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to,

or in substitution for, STAMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address: _____

(Include information for all joint owners
if this Bond is held by joint account)

Please insert social security or
other identifying number of assignee

PROVISIONS AS TO REGISTRATION

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

<u>Date of Registration</u>	<u>Registered Owner</u>	<u>Signature of Registrar</u>
_____, 2023	Cede & Co. Federal ID #13-2555119	_____

EXHIBIT C

TAX LEVY

<u>Collection Year</u>	<u>Levy Amount</u>
2024	\$
2025	
2026	
2027	
2028	
2029	
2030	
2031	
2032	
2033	
3034	
2035	
2036	
2037	
2038	

STATE OF MINNESOTA
COUNTY OF KANDIYOHI

COUNTY AUDITOR'S
CERTIFICATE AS TO
TAX LEVY AND REGISTRATION

I, the undersigned County Auditor of Kandiyohi County, Minnesota, hereby certify that a certified copy of a resolution adopted by the governing body of the City of Willmar, Minnesota, on August 21, 2023, levying taxes for the payment of \$8,995,000 General Obligation Improvement Bonds, Series 2023A, in the amount of \$8,995,000 dated September 14, 2023 has been filed in my office and said bonds have been registered on the register of obligations in my office and that such tax has been levied as required by law.

WITNESS My hand and official seal this ____ day of ____, 2023.

(SEAL)

County Auditor
Kandiyohi County, Minnesota

Deputy



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	11.C.
Agenda Section:	Regular Business	Originating Department:	City Clerk
Resolution:	No	Prepared By:	Judy Thompson, City Clerk
Ordinance:	Yes	Presented By:	Richard Engan, Charter Commission Chairman
Item:	Introduce Ordinance Amending the Charter of the City of Willmar		

RECOMMENDED ACTION:

Introduce Ordinance and set public hearing for September 18, 2023

OVERVIEW:

This ordinance addresses a request made in 2022 by the Planning Commission that its responsibilities under the charter to review capital planning documents from the city and other charter-established boards and commissions be revised in accordance with changed circumstances. The amendment would clarify that the Planning Commission is responsible only to review the City's capital improvement report, not for the report's preparation, and further clarifies that it shall review WMU and Rice Hospital Board's capital improvement reports "as applicable". While the City's lease of the hospital to Carris/CentraCare is in effect, the requirement that the Planning Commission review the hospital's capital improvement report would not be applicable.

Charter amendment ordinances are governed by Minn. Stat. § 410.12, subd. 7. Under that statute, the city council must publish notice of a public hearing on the ordinance within one month of receiving the charter commission's recommended ordinance, and then must conduct the public hearing at least two weeks but not more than one month after publishing such notice. Both requirements would be satisfied by noticing and conducting the public hearing at the council's regular meeting on September 18, 2023. The city council must then vote on the ordinance within one month after the public hearing, and the ordinance will only pass if it receives an affirmative vote of all members of the city council and is approved by the mayor, so it is important that the vote be scheduled for a meeting when all council members and the mayor will be in attendance.

BUDGETARY/FISCAL ISSUES:

N/A

ALTERNATIVES TO CONSIDER:

Do not introduce the ordinance and set hearing

ATTACHMENTS:

1. Charter Amendment Ordinance

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE CHARTER OF THE CITY OF WILLMAR

WHEREAS, Pursuant to Minn. Stat. § 410.12, subd. 7, the Charter Commission for the City of Willmar convened on July 27, 2023, and at such meeting recommended that the City Council of the City of Willmar enact a charter amendment by ordinance pursuant to which Section 4.02 of the Willmar Charter be amended to revise the Willmar Planning Commission's responsibilities to review capital improvement reports of the City of Willmar and other Charter-established boards and commissions of the City; and

WHEREAS, the City Council of the City of Willmar received the above-mentioned recommendation of the Charter Commission when it received the draft minutes of the Charter Commission's July 27, 2023 meeting at the City Council's August 7, 2023, regular meeting.

NOW THEREFORE, THE CITY OF WILLMAR HEREBY ORDAINS:

Section 1. AMENDMENT OF CHARTER SECTION 4.02. Article IV, Section 4.02 of the Willmar Charter, is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

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] ****

Section 2. EFFECTIVE DATE. Pursuant to Minn. Stat. § 410.12, subd. 7, this ordinance shall be effective 90 days after its adoption and second publication.

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

ATTEST:

Judy R. Thompson, City Clerk

Douglas E. Reese, Mayor

VOTE: ___ O'BRIEN ___ SHULDES ___ 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: _____



City of Willmar

City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	11.D.
Agenda Section:	Regular Business	Originating Department:	City Clerk
Resolution:	No	Prepared By:	Judy Thompson, City Clerk
Ordinance:	No	Presented By:	Judy Thompson, City Clerk
Item:	Receive Testimony for Liquor License Violation		

RECOMMENDED ACTION:

Receive Testimony for Liquor License Violation

OVERVIEW:

Pursuant to the Municipal Code Sec. 3-10 [Minimum penalties for violations of state or city ordinances resulting from the sale of alcoholic beverages] the last alcohol compliance check resulted in one (1) violation of an On-Sale Liquor License establishments.

1. A first violation for On-Sale Liquor License holder **Spurs Corporation dba Spurs Grill & Bar** and as such an appearance at a City Council Meeting is required to explain measures being taken to eliminate future violations.

BUDGETARY/FISCAL ISSUES:**ALTERNATIVES TO CONSIDER:****ATTACHMENTS:**

None



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	11.E.
Agenda Section:	Regular Business	Originating Department:	Administration
Resolution:	Yes	Prepared By:	Kyle Box, City Operations Director
Ordinance:	No	Presented By:	Leslie Valiant, City Administrator
Item:	Consider a Resolution Supporting State Capital Bonding Requests		

RECOMMENDED ACTION:

Approve a Resolution of Support for State Capital Improvement Projects.

OVERVIEW:

The City of Willmar is seeking support from the Council to submit a Resolution of support for two capital investment requests. Final budget requests will be submitted to Minnesota Management and Budget by October 13, 2023, for the 2024 State capital budget preparations.

The City is submitting requests for two identified projects:

1. Community Center, \$10 million
2. 2024 -2025 Infrastructure Improvement Projects, \$20 million

If the Council agrees, staff are prepared to work with Flaherty and Hood to lobby for the City of Willmar on these items.

BUDGETARY/FISCAL ISSUES:

NA

ALTERNATIVES TO CONSIDER:

None Recommended

ATTACHMENTS:

1. Resolution 2024 MMB Bonding Request

RESOLUTION NO.

RESOLUTION SUPPORTING STATE CAPITAL BONDING REQUESTS

Whereas, the City of Willmar participates in Minnesota Management and Budget's (MMB) biennial process for reviewing state capital investment requests submitted from state agencies and local units of government; and

Whereas, submitting preliminary project information is a vital component of the state capital investment process and provides needed background to the Governor and Legislators in determining state capital investments; and

Whereas, the City of Willmar will seek state funding in 2024 for capital improvements for publicly owned assets; and

Whereas, Minnesota Management and Budget requests final capital budget requests by October 13, 2023, for the 2024 State capital budget preparations; and

Whereas, City of Willmar staff has consulted with the mayor and council and consulted with intergovernmental partners to determine appropriate projects for this process; and

Whereas, this resolution reflects the priorities recommended to be submitted to MMB for consideration in the 2024 state capital investment process;

Now, Therefore, be it Resolved by The City Council of The City of Willmar:

That the City supports the following bonding projects for the 2024 legislative session.

Be it Further Resolved that the following capital investment projects are submitted to the Minnesota Management and Budget Office and that the projects are prioritized as follows:

1. Community Center, \$10 million
2. 2024 -2025 Infrastructure Improvement Projects, \$20 million

Dated this 3rd day of July 2023

MAYOR

Attest:

CITY CLERK



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	11.F.
Agenda Section:	Regular Business	Originating Department:	Finance
Resolution:	No	Prepared By:	Tom Odens, Finance Director
Ordinance:	No	Presented By:	Tom Odens, Finance Director
Item:	Investment Report through 6/30/2023		

RECOMMENDED ACTION:

OVERVIEW:

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. 6-30-2023 Investment Report
2. Dividend and Interest Received through 6-30-2023



FINANCE

City Office Building
333 SW 6th Street
Box 755
Willmar, Minnesota 56201

320-235-4984
Fax 320-235-4917
www.willmarmn.gov

INVESTMENT ACTIVITY REPORT FOR QUARTER ENDED JUNE 30, 2023

BALANCE AT PRIOR QUARTER END MARCH 31, 2023	\$ 48,275,129.23
SUMMARY OF APRIL THROUGH JUNE, 2023, TRANSACTIONS:	
(04/18/23) Transferred from UBS, Money Market	(1,031,663.65)
(04/30/23) Interest Accrued: Bremer Bank, Money Market	137.42
(04/30/23) Interest Accrued: 4M	4,194.31
(04/30/23) Interest Accrued: 4MP	4,267.41
(04/30/23) Interest Accrued: 4MC	2,148.88
(05/01/23) Matured: Bremer Wealth Management, TB-952718Q31	(405,000.00)
(05/01/23) Market Value Adjustment: Bremer Wealth Management, TB-952718Q31	1,336.50
(05/30/23) Called: Multi-Bank Securities, FHLB-3130ATYH4, 11/28/2025, 5.100%	(500,000.00)
(05/30/23) Market Value Adjustment: Multi-Bank Securities, FHLB-3130ATYH4	1,290.00
(05/31/23) Interest Accrued to 4M	4,498.74
(05/31/23) Interest Accrued to 4MP	4,564.16
(05/31/23) Interest Accrued to 4MC	2,304.91
(05/31/23) Interest Accrued to Bremer Bank Money Market	142.11
(06/06/23) Transferred from 4M	(500,000.00)
(06/06/23) Transferred from 4MP	(500,000.00)
(06/15/23) Matured: Multi-Bank Securities, FHLB-3130AT2E6, 06/15/23, 3.330%	(500,000.00)
(06/15/23) Market Value Adjustment: Multi-Bank Securities, FHLB-3130AT2E6	1,500.00
(06/16/23) Transfer to 4M Money Market	4,000,000.00
(06/30/23) 4M Money Market Interest Accrued	10,913.22
(06/30/23) 4MP Money Market Interest Accrued	2,731.29
(06/30/23) 4MC Money Market Interest Accrued	2,248.63
(06/30/23) Bremer Bank Money Market Interest Accrued	137.64
(06/30/23) Quarter-End Market Value Adjustment	(204,489.89)
JUNE 30, 2023 BALANCE	\$ 48,676,390.91

CASH/INVESTMENT PORTFOLIO AS OF JUNE 30, 2023

	<u>BANK</u>	<u>SECURITY TYPE</u>	<u>ACQUIRED DATE</u>	<u>MATURITY DATE</u>	<u>INTEREST RATE</u>	<u>PAR VALUE</u>	<u>MARKET VALUE</u>
Investments:							
1	Bremer Bank	MM	09/28/2018	N/A	1.000%	\$ 167,606.27	\$ 167,606.27
2	4M	MM	01/31/2020	N/A	5.027%	4,573,188.01	4,573,188.01
3	4M	MM	01/31/2020	N/A	5.105%	570,623.15	570,623.15
4	4M	MM	10/08/2021	N/A	5.027%	546,497.04	546,497.04
5	Multi-Bank Sec	FHLB	10/27/2022	07/27/2023	4.375%	540,000.00	539,616.60
6	Bremer Wealth	FNMA	08/25/2020	08/25/2023	0.320%	500,000.00	496,260.00
7	Wells Fargo Adv	FHLB	09/01/2020	09/01/2023	0.320%	1,636,363.64	1,621,750.89
8	Bremer Wealth	FFCB	10/13/2020	10/05/2023	0.270%	250,000.00	246,545.00
9	Wells Fargo Adv	FHMA	10/27/2020	10/27/2023	0.300%	1,000,000.00	983,280.00
10	Wells Fargo Adv	FHLMC	11/24/2020	11/24/2023	0.320%	1,000,000.00	979,420.00
11	Wells Fargo Adv	FFCB	11/30/2020	11/30/2023	0.310%	1,500,000.00	1,467,810.00
12	Wells Fargo Adv	CD	12/18/2020	12/18/2023	0.350%	245,000.00	239,421.35
13	Multi-Bank Sec	FHLB	02/28/2022	02/28/2024	1.000-2.000%	1,000,000.00	976,780.00
14	Bremer Wealth	TB	04/16/2020	04/01/2024	5.000%	200,000.00	202,642.00
15	Multi-Bank Sec	FHLMC	08/12/2022	08/12/2024	4.100%	1,500,000.00	1,471,725.00
16	Wells Fargo Adv	FHLB	12/10/2021	09/10/2024	1.000%	500,000.00	474,085.00
17	Bremer Wealth	FFCB	09/25/2020	09/24/2024	0.360%	200,000.00	187,840.00
18	Wells Fargo Adv	CD	11/25/2020	11/25/2024	0.300%	245,000.00	228,690.35
19	Multi-Bank Sec	FHLB	01/28/2022	01/28/2025	1.250%	1,000,000.00	939,190.00
20	Multi-Bank Sec	FHLB	02/28/2022	02/28/2025	1.250-5.000%	2,000,000.00	1,947,060.00
21	Multi-Bank Sec	FHLB	03/10/2022	03/10/2025	1.250-5.000%	1,000,000.00	973,430.00
22	Multi-Bank Sec	FHLB	04/14/2022	04/14/2025	2.000-4.000%	1,000,000.00	969,680.00
23	Multi-Bank Sec	FHLMC	07/25/2022	07/25/2025	4.050%	1,500,000.00	1,465,095.00
24	Multi-Bank Sec	FHLB	07/28/2022	07/28/2025	3.500-5.500%	500,000.00	492,605.00
25	Bremer Wealth	FHLMC	03/02/2021	08/12/2025	0.600%	250,000.00	228,295.00
26	Wells Fargo Adv	FHLB	01/14/2021	10/14/2025	0.200-3.500%	1,000,000.00	917,310.00
27	Wells Fargo Adv	CD	11/13/2020	11/13/2025	0.400-1.000%	245,000.00	219,020.20
28	Wells Fargo Adv	FHLB	01/29/2021	01/29/2026	0.300-1.000%	2,000,000.00	1,806,820.00
29	Wells Fargo Adv	FHLB	02/09/2021	02/09/2026	0.300-0.750%	2,000,000.00	1,799,380.00
30	Wells Fargo Adv	FHLB	03/16/2021	03/16/2026	0.500-1.000%	755,000.00	683,018.30
31	Wells Fargo Adv	FHLB	04/28/2021	04/28/2026	0.550-2.000%	1,000,000.00	926,010.00
32	Wells Fargo Adv	FHLB	04/29/2021	04/29/2026	0.600-3.000%	1,000,000.00	920,880.00
33	Wells Fargo Adv	FHLB	04/29/2021	04/29/2026	0.600-3.000%	1,000,000.00	920,880.00
34	Wells Fargo Adv	CD	05/19/2021	05/19/2026	1.000%	245,000.00	216,450.15
35	Wells Fargo Adv	FHLB	05/27/2021	05/27/2026	0.500-2.250%	505,000.00	462,080.05
36	Wells Fargo Adv	FHLB	06/15/2021	06/15/2026	0.500-3.000%	1,860,000.00	1,706,568.60
37	Wells Fargo Adv	FHLB	06/30/2021	06/30/2026	0.500-2.500%	2,000,000.00	1,827,200.00
38	Wells Fargo Adv	FHLB	06/30/2021	06/30/2026	0.650-2.000%	750,000.00	676,290.00
39	Bremer Wealth	TB	02/09/2021	07/01/2026	3.250%	450,000.00	428,265.00
40	Wells Fargo Adv	CD	07/28/2021	07/28/2026	1.000%	245,000.00	214,840.50
41	Bremer Wealth	FHLB	04/22/2021	07/29/2026	1.000%	150,000.00	134,332.50
42	Wells Fargo Adv	FHLB	07/29/2021	07/29/2026	0.550-3.000%	1,000,000.00	911,200.00
43	Wells Fargo Adv	FHLB	08/19/2021	08/19/2026	0.500-2.000%	250,000.00	226,002.50
44	Wells Fargo Adv	FHLB	10/26/2021	10/26/2026	1.200%	1,000,000.00	898,050.00
45	Wells Fargo Adv	FHLB	10/28/2021	10/28/2026	0.600-0.400%	1,000,000.00	910,920.00
46	Wells Fargo Adv	FHLB	10/28/2021	10/28/2026	0.750-4.000%	1,000,000.00	916,860.00
47	Multi-Bank Sec	CD	11/19/2021	11/19/2026	1.000-1.500%	245,000.00	213,777.20
48	Wells Fargo Adv	FHLB	11/23/2021	11/23/2026	0.750-5.000%	935,000.00	861,275.25
49	Wells Fargo Adv	FHLB	11/24/2021	11/24/2026	1.000-4.000%	1,500,000.00	1,378,710.00
50	Wells Fargo Adv	FHLB	12/15/2021	12/15/2026	1.000-3.000%	1,000,000.00	912,600.00
51	Wells Fargo Adv	FHLB	06/23/2022	06/23/2027	3.000-5.250%	1,000,000.00	965,450.00
52	Wells Fargo Adv	FHLB	07/12/2021	07/12/2027	0.500-2.000%	2,000,000.00	1,813,640.00
53	Multi-Bank Sec	FHLB	09/16/2022	09/16/2027	4.000%	500,000.00	493,570.00
54	Multi-Bank Sec	FHLB	09/20/2021	09/20/2027	0.500-1.125%	500,000.00	440,115.00
55	Wells Fargo Adv	FHLB	08/25/2021	08/25/2028	0.500-3.000%	1,000,000.00	885,740.00
TOTAL INVESTMENT						\$ 51,559,278.11	\$ 48,676,390.91

CASH/INVESTMENT PORTFOLIO AS OF JUNE 30, 2023

Page 2

Cash:	<u>BANK</u>	<u>SECURITY ACQUIRED</u> <u>TYPE</u>	<u>DATE</u>	<u>MATURITY</u> <u>DATE</u>	<u>INTEREST</u> <u>RATE</u>	<u>PAR VALUE</u>	<u>MARKET VALUE</u>
56	Heritage Bank	Jumbo Deposit Account		None	0.040%	1,942,774.76	1,942,774.76
57	Heritage Bank	Commercial Ckg		None	0.140%	1,292,732.54	1,292,732.54
58	Heritage Bank	Employee FSA Ckg		None	0.000%	7,632.14	7,632.14
59	Heritage Bank	Police Forfeiture Ckg		None	0.040%	38,816.05	38,816.05
60	Heritage Bank	Police Explorer Ckg		None	0.000%	13,658.92	13,658.92
61	Heritage Bank	Fire Dpt Explorer Ckg		None	0.000%	11,243.29	11,243.29
62	Heritage Bank	Payroll Ckg		None	0.000%	258,313.99	258,313.99
63	Bremer Wealth	Money Market		None	0.030%	20,100.50	20,100.50

TOTAL PORTFOLIO FOR MARCH 31, 2023

\$ 55,144,550.30 \$ 52,261,663.10

USTN: US Treasury Note

TB: Taxable Bond

Par Value is not equal to Purchase Amount

Total Net Market Value Increase During Quarter Ended June 30, 2023 \$ (200,363.39)

Total Capital Gain During Quarter Ended June 30, 2023 -



WILLMAR

FINANCE

City Office Building
333 SW 6th Street
Box 755
Willmar, Minnesota 56201

320-235-4984
Fax 320-235-4917
www.willmarmn.gov

2023 Interest/Dividends Received By Institution

<u>Institution</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>2023 Year-To-Date</u>	<u>2022 Year-To-Date</u>
4M	\$ 13,418.24	\$ 10,610.60	\$ 11,367.81	\$ 61,454.72	\$ 8,420.85
Bremer Bank	\$ 141.88	\$ 137.42	\$ 142.11	\$ 691.10	\$ 179.08
Bremer Wealth Management	\$ 7,315.25	\$ 1,715.25	\$ 991.11	\$ 26,358.34	\$ 41,182.25
Heritage Bank	\$ 1,779.45	\$ 2,106.34	\$ 6,914.25	\$ 16,320.08	\$ 1,887.14
Multi-Bank Securities	\$ 10,000.00	\$ 13,964.93	\$ 8,325.00	\$ 152,295.66	\$ 5,048.51
UBS	\$ 13,881.50	\$ -	\$ -	\$ 13,881.50	\$ -
Wells Fargo Advisors	\$ 17,447.89	\$ 25,288.24	\$ 38,700.35	\$ 121,981.45	\$ 86,733.44
Totals	\$ 63,984.21	\$ 53,822.78	\$ 66,440.63	\$ 392,982.85	\$ 143,451.27

Historical Interest/Dividends Received Per Quarter 2013 through 06/30/2023

<u>Year</u>	<u>1st Quarter</u>	<u>2nd Quarter</u>	<u>3rd Quarter</u>	<u>4th Quarter</u>	<u>Annual Totals</u>
2023	\$ 208,735.23	\$ 184,247.62	\$ -	\$ -	\$ 392,982.85
2022	\$ 51,425.47	\$ 92,025.80	\$ 115,301.08	\$ 158,956.69	\$ 417,709.04
2021	\$ 45,770.36	\$ 70,546.38	\$ 44,546.22	\$ 69,630.17	\$ 230,493.13
2020	\$ 251,403.43	\$ 211,548.65	\$ 101,244.27	\$ 63,649.97	\$ 627,846.32
2019	\$ 169,343.56	\$ 253,437.22	\$ 281,584.07	\$ 296,234.54	\$ 1,000,599.39
2018	\$ 174,572.53	\$ 258,322.75	\$ 180,554.87	\$ 304,728.14	\$ 918,178.29
2017	\$ 209,941.65	\$ 207,001.33	\$ 159,519.58	\$ 254,797.06	\$ 831,259.62
2016	\$ 203,419.67	\$ 243,624.43	\$ 128,705.25	\$ 203,709.56	\$ 779,458.91
2015	\$ 187,662.01	\$ 241,077.82	\$ 183,436.47	\$ 238,629.12	\$ 850,805.42
2014	\$ 196,385.66	\$ 258,307.26	\$ 182,514.61	\$ 259,763.87	\$ 896,971.40
2013	\$ 221,647.55	\$ 231,204.91	\$ 171,397.74	\$ 264,878.39	\$ 889,128.59



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	11.G.
Agenda Section:	Regular Business	Originating Department:	Public Works
Resolution:	Yes	Prepared By:	Kelsi Delbosque, Administrative Assistant
Ordinance:	No	Presented By:	Jared Voge
Item:	Authorize Advertisement for Bids: Project No. 2305, 2023 Trott Ave Regional Stormwater Improvements		

RECOMMENDED ACTION:

Adopt the resolution approving plans and specifications and authorizing advertisement for bids on Project No. 2305.

OVERVIEW:

Project No, 2305, the 2023 Trott Ave Regional Stormwater Improvements, has been designed and is ready for bidding. Council action is required for the approval of plans and specifications and to authorize advertisement for bids.

BUDGETARY/FISCAL ISSUES:

The project is to be paid from LOST funds.

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. RESOLUTION- APPROVE SPECS & ADV. FOR BIDS PROJECT NO 2305

RESOLUTION NO. _____

**A RESOLUTION APPROVING FINAL PLANS AND SPECIFICATIONS AND AUTHORIZING
PUBLICATION OF THE ADVERTISEMENT FOR BIDS FOR PROJECT NO 2305.**

Motion By: _____ Second By: _____

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 2305 for the City of Willmar;

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

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bid packages will be publicly opened and read at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 21st day of August, 2023

Mayor

Attest:

City Clerk



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	11.H.
Agenda Section:	Regular Business	Originating Department:	Public Works
Resolution:	Yes	Prepared By:	Kelsi Delbosque, Administrative Assistant
Ordinance:	No	Presented By:	Jared Voge
Item:	Ordering 2023 Assessment Hearing		

RECOMMENDED ACTION:

Adopt the resolution ordering preparation of the assessment roll and calling for the assessment hearing for Project Nos. 2301-A, 2301-C and 2303 for the 2023 Street and Other Improvements. The assessment hearing is scheduled to be held on September 18th, 2023 at 6:32 p.m.

OVERVIEW:

The City Council ordered the 2023 Street Improvement projects at the Improvement Hearing held on December 19, 2022. Bolton and Menk staff are preparing the assessable footage and the amount for each affected lot. Bids were opened for the projects on March 28th, 29th, and 30th, with the amount needed to perform the necessary improvements known. Costs must be declared and the preparation of an assessment roll ordered in accordance with the requirements of Chapter 429, State of Minnesota Statutes. Affected property owners must be notified of their assessment amount and the date of the hearing.

Project No. 2301-A Reconstruction

Gorton Avenue NW- 14th Street to 30th Street/CR 5, 18th Street NW- Gorton Avenue to South end of street, and 20th Street NW Cul-De-Sac

Project No. 2301-C Reconstruction

Irene Avenue SE- 6th Street to East end of street
Augusta Avenue SE- 5th Street to East end of street
Mary Avenue SE- 9th Street to East end of street

Project No. 2303 Overlay

23rd Street SE Area (Pheasant Run Neighborhood)

BUDGETARY/FISCAL ISSUES:

Funding sources for the projects include assessments, bond proceeds, State Aid, LOST, MUC and WWTF funds.

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. CALL FOR ASSMT HRG 2023 PROJECTS

RESOLUTION NO. _____

**DECLARING COSTS TO BE ASSESSED, ORDERING PREPARATION OF THE ASSESSMENT ROLL AND CALLING
HEARING ON ASSESSMENTS FOR CITY PROJECT NOS. 2301-A, 2301-C, AND 2303
2023 STREET AND OTHER IMPROVEMENTS.**

Motion By:_____ Second By:_____

WHEREAS, estimated costs have been calculated for the construction of Street and Other Improvements of 2023 in the City, to-wit: City Project Nos. 2301-A, 2301-C, and 2303, and;

WHEREAS, the total estimated cost of said Street and Other Improvements of 2023 is \$14,282,380.

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

1. The City Council hereby determines that the City shall pay \$11,313,110 of said cost, exclusive of the amount it may pay as a property owner, and the sum of \$2,969,270 shall be assessed against benefited property owners based upon benefits received without regard to cash valuation.
2. The Clerk, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land without regard to cash valuation as provided by law, and she shall file a copy of such assessment in her office for public inspection.
3. The Clerk shall, upon the completion of such assessment, notify the City Council thereof.
4. The Clerk shall publish notice that this City Council will meet to consider the proposed assessments on September 18, 2023, at 6:32 p.m. in the Board Room, Kandiyohi County Health & Human Services Building, 2200 23rd Street NE, Willmar, Minnesota. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
5. Such notice shall be in substantially the following form:
(on file in City Hall)
6. Said notice shall be published by the City Clerk in the official newspaper at least two weeks prior to the hearing and mailed by said Clerk to the owners of each parcel described in the assessment roll.

Dated this 21st day of August, 2023

MAYOR

ATTEST:

CITY CLERK



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	11.I.
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:	Paffrath Purchase Agreement Amendment		

RECOMMENDED ACTION:

Approve proposed amendments to the purchase agreement

OVERVIEW:

Mr. Paffrath is requesting several amendments to a previously signed purchase agreement.

1. Cost of \$1K/lot
2. Remove Tiny Home Clause
3. Remove Wetland Lot
4. Remove Timeline Clause

BUDGETARY/FISCAL ISSUES:

Instead of \$32,000 the selling price would be \$3,000

ALTERNATIVES TO CONSIDER:

The Council can say no and uphold the current agreement.

ATTACHMENTS:

1. Most Recent PA

COMMERCIAL PROPERTY PURCHASE AGREEMENT

This Commercial Property Purchase Agreement is made this ____ day of _____, 2023, by and between Justin Paffrath, hereinafter referred to as "Buyer" and the City of Willmar, a municipal corporation under the laws of Minnesota, hereinafter referred to as "Seller"

RECITALS

1. Seller is the owner of certain real estate located at Pleasant View Dr. SE in the City of Willmar, Kandiyohi County, Minnesota, as legally described on the attached Exhibit A, together with all improvements thereon (the "Property").
2. Buyer desires to acquire Seller's interest in the Property by voluntary sale.
3. Seller is willing to sell its interest in the Property "as is" without making any representations or warranties as to the condition of the Property or its suitability to Buyer's purposes.

AGREEMENT

In consideration of the mutual covenants and agreements of the parties hereto contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and Buyer hereby agree as follows:

1. Offer/Acceptance. Buyer agrees to purchase and Seller agrees to sell the Property under the terms and conditions set forth in this Agreement.
2. Purchase Price. The purchase price for the Property shall be ~~three thirty-two~~ thousand Dollars ~~(\$32,000.00)~~, ~~(\$3,000)~~ payable as follows:
 - a. One Thousand Dollars (\$1,000.00) as earnest money ("Earnest Money"), which Earnest Money shall be held by Seller, the receipt of which Seller hereby acknowledges; and
 - b. The full balance, ~~Thirty-One~~Two Thousand Dollars (~~\$231,000.00~~), in immediately available funds, to be paid on the Closing Date.
3. No Representations or Warranties. Seller agrees to quit claim the Property to Buyer on the Closing Date without making any representations or warranties about the condition of the Property, and Buyer agrees to accept the Property "as is", subject to the terms and conditions herein contained.
4. Seller's Reserved Interests; Restrictions and Covenants. Seller's conveyance of the Property to Buyer shall be subject to interests reserved to the Seller and restrictions and covenants as follows:

a. Option to Repurchase. Seller and its successors and assigns shall retain a conditional option to repurchase the Property valid for a period of two (2) years from and after the Closing Date for an amount equivalent to the Purchase Price. Seller's option shall only vest upon Buyer's failure to commence construction of a ~~tiny home~~ residential community on the Property within one (1) year after the Closing Date. For purposes of this section, construction is considered to be commenced upon the beginning of physical improvements beyond grading. Seller may, in its sole discretion and judgment, at any time after the vesting of such option and before the earlier of (i) Buyer's commencement of construction on the Property, or (ii) the expiration of Seller's option, exercise the option to repurchase as provided herein.

b. Permanent Easements. Seller and its assigns shall retain, for the use and benefit of the public, the following easement(s): INSERT

5. Closing Date. The closing shall take place at Willmar City Hall, 333 Sixth Street Southwest, Willmar, Minnesota, 56201, or at such other place as may be agreed to mutually by the parties, on a date mutually agreed to by the parties, but no later than thirty (30) days after the Inspection/Due Diligence Period described in Section 13 has expired or is waived in writing by Buyer, subject to extension for title curative matters pursuant to Section 10 (the "Closing Date"). Seller agrees to deliver possession of the Property to Buyer on the Closing Date.

6. Seller's Closing Documents. On the Closing Date, Seller shall deliver to Buyer the following:

a. Quit Claim Deed. A duly executed quit claim deed, conveying the entirety of Seller's interest in the Property to Buyer.

b. Seller's Affidavits. Seller shall provide a standard owner's affidavit and/or indemnity which may be reasonably required by the Title Company to issue an owner's policy of title insurance conforming to the requirements of Section 10 of this Agreement.

c. Well Certificate. ~~If~~ If there are wells on the Real Property, a Well Certificate in the form required by Minn. Stat. § 1031.

d. Other Affidavits. Any other affidavits or certificates that may be required under Minn. Stat. § 116.48, Subd. 6, or Sect. 115B.16 or other provisions of law.

e. Abstract. The abstract of title or the owner's duplicate certificate of title for the Real Property, if the same is in the Seller's possession.

- f. Other. Such other documents as may reasonably be required to transfer fee title to the Property to Buyer and to enable the Title Company to provide the Title Policy as required by this Agreement.
- 7. Buyer's Closing Obligations. On the Closing Date, Buyer will deliver to Seller the Purchase Price (less the Earnest Money previously paid to Seller), by check or wire.
- 8. Contingencies.
 - a. Buyer's Contingencies. The obligation of the Buyer to perform under this Purchase Agreement is contingent upon the timely occurrence or satisfaction of each of the following conditions:
 - 1. On the Closing Date, title to the Property shall be acceptable to Buyer in accordance with the provisions of Section 10.
 - 11. The Inspection Period described in Section 13, shall have expired without Buyer's termination of the Purchase Agreement.
 - m. Buyer has obtained financing or otherwise obtained funds sufficient to enable it to pay the Purchase Price.
 - 1v. The contingencies in this section are solely for the benefit of, and may at any time be waived by, the Buyer. If any approval as provided herein is not obtained by the Closing Date, this Agreement shall be null and void, and in this event Seller may retain the earnest money paid by Buyer.
 - b. Seller's Contingencies. The obligation of the Seller to perform under this Purchase Agreement is contingent upon the timely occurrence or satisfaction of each of the following conditions:
 - 1. The City Planning Commission shall review the sale and provide a recommendation on the proposed conveyance as required by City ~~Chm~~ier ~~Charter~~, Section 4.02, subd. 8.
 - 11. The Willmar City Council shall pass an ordinance authorizing the sale of the Property to Buyer consistent with the terms of this Agreement as required by Section 2.12, subdivision 1(G) of the City's Home Rule Charter.
 - m. Buyer shall have performed all of its obligations required to be performed by Buyer under this Agreement as and when required under this Agreement.

9. Prorations. Seller and Buyer agree to the following prorations and allocation of costs regarding this Agreement.
- a. Title Insurance and Closing Fee. Buyer will pay all costs of the Title Commitment and all premiums required for the issuance of the Title Policy. Buyer will pay all costs relating to the title examination of the Property. Seller and Buyer will each pay half of any closing fee imposed by the Title Company. All other costs charged by the Title Company will be prorated as is normal and customary in the county in which the Property is located.
 - b. Deed Tax. Buyer shall pay the state deed tax as required in order to convey the Property to Buyer.
 - c. Real Estate Taxes and Special Assessments. General real estate taxes and installments of special assessments payable therewith payable in the year prior to the year of Closing and all prior years will be paid by Seller. General real estate taxes and installments for special assessments payable in the year of closing shall be prorated such that Seller shall pay such portion of such taxes and assessments attributable to the period beginning on January 1 of the year in which the Closing Date takes place and continuing through and including the Closing Date and Buyer shall pay such portion of such taxes attributable to the period beginning on the first day after the Closing Date takes place. If general real estate taxes due and payable during the year in which the Closing Date takes place have not yet been determined as of the Closing Date, Buyer and Seller shall prorate based on the last tax statement available.
 - d. Recording Costs. Buyer will pay the cost of recording Seller's quit claim deed and Well Certificate, if any. Seller shall pay the cost of recording any documents necessary to perfect its own title or which release encumbrances other than Permitted Encumbrances.
 - e. Other Costs. All other operating costs of the Property will be allocated between Seller and Buyer as of the Closing Date, so that Seller pays that part of such other operating costs accruing on or before the Closing Date, and Buyer pays that part of such operating costs accruing after the Closing Date.
 - f. Attorneys' Fees. Each of the parties will pay its own attorneys', accountants', and consultants' fees.
10. Title. Seller shall quit claim the entirety of its interest in the Property to Buyer, and Buyer shall have the opportunity to satisfy itself that Seller's interest in the Property is free of encumbrances other than easements and restrictions of

record which do not materially interfere with Buyer's intended use of the Property and Permitted Exceptions as provided herein.

- a. Title Commitment. Buyer may at any time during the Inspection Period, obtain at its sole cost and expense, a title commitment ("Title Commitment") covering the Property and binding the title company ("Title Company") to issue at closing a current form ALTA Owner's Policy of Title Insurance ("Title Policy") in the full amount of the purchase price hereunder. Within thirty (30) days of the effective date of this Agreement, Seller shall deliver to Buyer one or more Abstracts of Title, if the same are in Seller's possession, covering all parcels that make up the Property.
- b. Objections. Within fifteen (15) business days after delivery of the Title Commitment to Buyer from its Title Company, Buyer may deliver to Seller such written objections as Buyer may have to the form and content contained therein. Seller shall make commercially reasonable efforts to satisfy such objections prior to the Closing Date.
- c. Buyer's Rights if Seller Fails to Cure Objections. If Seller delivers written notice to Buyer on or before the Closing Date that Seller is unable to satisfy any objection or if, for any reason, Seller is unable to convey title satisfactory to Buyer in accordance herewith, Buyer may, as Buyer's exclusive remedies, waive such objections and accept such title as Seller is able to convey or terminate this Agreement by written notice to Seller and receive a refund of the earnest money, provided that such termination notice must be delivered on or before the Closing Date.
- d. Permitted Exceptions. The following shall be deemed to be permitted exceptions:
 - (1) Building and zoning laws, ordinances, state and federal regulations; and
 - (2) The lien of real property taxes payable in the year of Closing which by the terms of this Agreement are to be paid or assumed by Buyer.
 - (3) Matters contained in any title commitment or survey which Buyer is in possession of and for which Buyer does not make any objection to or waives any objection to and proceeds to closing on the Property.

11. Operation Prior to Closing. During the period from the date of Seller's acceptance of this Agreement to the Closing Date (the "Executory Period"), Seller shall operate and maintain the Property in the ordinary course of business in

accordance with prudent, reasonable business standards, including the maintenance of adequate liability insurance and any ~~emrently~~currently-maintained insurance against loss by fire, windstorm and other hazards, casualties and contingencies, including vandalism and malicious mischief, provided, that Seller will not enter into any new leases, or renew any lease terms (other than on a month-to-month basis), or modify or terminate any lease, or accept the surrender of any leased premises, without the written consent of Buyer, which consent shall not be unreasonably withheld or delayed.

12. Damage. If, prior to the Closing Date, all or any part of the Property is substantially damaged by fire casualty, the elements or any other cause, Seller shall immediately give notice to Buyer of such fact and at Buyer's option (to be exercised within fifteen (15) days after Seller's notice), this Agreement shall terminate. In the event Buyer does not terminate this Agreement during the said fifteen (15) day period, Seller shall have the right, during the succeeding five (5) day period to terminate this Agreement by giving written notice thereof to Buyer. In the event either Buyer or Seller so terminates this Agreement, the parties will have no further obligations under this Agreement and any Earnest Money, together with any accrued interest, shall be refunded to Buyer.

13. Inspection/Due Diligence Period. Buyer shall have ~~547 (five hundred-forty-seven)~~60 days from the effective date of this Purchase Agreement, subject to a reasonable extension if necessary pursuant to Section 12.c. below (the "Inspection/Due Diligence Period"), to (i) conduct such surveys, reviews, inspections and tests of the Property as Buyer in its sole discretion deems necessary or advisable, (ii) conduct a Phase I environmental site assessment of the Property and, if recommended in the Phase I assessment, a Phase II environmental site assessment of the Property, and (iii) obtain such federal, state and local governmental approvals and permits as Buyer in its sole discretion deems necessary or advisable for Buyers proposed development and use of the ~~P~~roperty~~property~~. Such inspection/due diligence by Buyer shall include, but not necessarily be limited to, the following:

- a. Seller shall allow Buyer and its agents, upon 24 hours advance verbal or written notice from Buyer to Seller, the right of any ingress and egress over and through the Property for the purpose of inspecting and testing the same and making other observations as Buyer deems prudent, necessary or advisable, all however, at Buyer's expense. Buyer agrees to indemnify and hold Seller harmless from all expense, injury, death, or property damage or claims of any kind whatsoever arising out of or in any way incidental to Buyer's presence on the Property for the purposes aforesaid, which indemnity and hold harmless obligation of Buyer shall survive termination of this Purchase Agreement for any reason. Buyer will return the Property to its original condition after any inspections and testing.
- b. If prior to the end of the Inspection/Due Diligence Period, Buyer finds any information or conditions relating to the Prop~~e~~lty or Buyer's proposed

development and use thereof that are objectionable to Buyer in Buyer's sole discretion, Buyer shall have the right to terminate this Purchase Agreement by giving written notice of termination to Seller no later than the end of the Inspection/Due Diligence Period and in such case, any Earnest Money shall be promptly refunded to Buyer. For purposes of this Section, objectionable information or conditions means: (1) that the item or component being inspected is not fit for its intended purpose, that it is in violation of a public law, code or regulation, that it needs replacement, cleaning, repairs or service, or that it is missing essential parts; or, (2) that an environmental condition (such as for example radon, mold, well water contamination, asbestos, soil contamination, noise or vibration) exists at levels that are unacceptable to Buyer. However, an item or component is not in objectionable condition if its only imperfections are cosmetic or signs of wear and tear or diminished effectiveness associated with an item or component of its age, or because it is not new or perfect, or because it is legally nonconforming under current law.

- c. In the event that the Phase I environmental site assessment of the property conducted by Buyer recommends that a Phase II environmental site assessment of the property be completed, the parties shall agree to extend of the Inspection/Due Diligence Period as reasonably necessary to allow such Phase II environmental site assessment to be completed, and any other applicable time periods established herein shall be extended by the same amount of time as the Inspection/Due Diligence Period extension.

14. Purchase "As-Is". Subject to Buyer's right to terminate this Agreement during the Inspection/Due Diligence Period (Section 13), Buyer agrees to accept the condition of the Property, including specifically without limitation, the environmental and geological condition of the Property, in an "AS-IS" and with "ALL FAULTS" condition. Buyer's acceptance ~~of title of title~~ to the Property shall represent Buyer's acknowledgment and agreement that, except as expressly set forth in this Agreement: (i) Seller has not made any written or oral representation or warranty of any kind with respect to the Property (including without limitation express or implied warranties of title, merchantability, or fitness for a particular purpose), (ii) Buyer has not relied on any written or oral representation or warranty made by Seller, its agents or employees with respect to the condition or value of the Property, (iii) Buyer has had an adequate opportunity to inspect the condition of the Property, including without limitation, any environmental testing, and to inspect documents applicable thereto, and Buyer is relying solely on such inspection and testing, and (iv) the condition of the Property is fit for Buyer's intended use. Buyer agrees to accept all risk of Claims (including without limitation all Claims under any Environmental Law and all Claims arising at common law, in equity or under a federal, state or local statute, rule or regulation) whether past, present or future, existing or contingent, known or unknown, arising out of, resulting from or relating to the condition of the Property, known or unknown, contemplated or un contemplated, suspected or unsuspected, including

without limitation, the presence ~~of any of any~~ Hazardous Substance on the Property, whether such Hazardous Substance is located on or under the Property, or has migrated or will migrate from or to the Property.

For purposes ~~of this of this~~ Section, the following terms have the following meanings:

"Environmental Law" means the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. §9601 et seq., the Resource Conservation and Recovery Act, 42 U.S.C. §9601 et seq. the Federal Water Pollution Control Act, 33 U.S.C. §1201 et seq., the Clean Water Act, 33 U.S.C. §1321 et seq., the Clean Air Act, 42 U.S.C. §7401 et seq., the Toxic Substances Control Act, 33 U.S.C. §1251 et seq., and the Minnesota Environmental Response and Liability Act, all as amended from time to time, and any other federal, state, local or other governmental code, statute, regulation, rule, law, permit, consent, license, order or ordinance dealing with the protection of human health, safety, natural resources or the environment now existing and hereafter enacted; and

"Hazardous Substance" means any pollutant, contaminant, hazardous substance or waste, solid waste, petroleum product, distillate, or fraction, radioactive material, chemical known to cause cancer or reproductive toxicity, polychlorinated biphenyl or any other chemical, substance or material listed or identified in or regulated by any Environmental Law.

"Claim" or "Claims" means any and all liabilities, suits, claims, counterclaims, causes of action, demands, penalties, debts, obligations, promises, acts, fines, judgment, damages, consequential damages, losses, costs, and expenses of every kind (including without limitation any attorney's fees, consultant's fees, costs, remedial action costs, cleanup costs and expenses which may be related to any claims).

15. Notices. Any notice required or permitted to be given by any party upon the other is given in accordance with this Agreement ~~if it if it~~ is directed to Seller by delivering it personally to a representative ~~of Seller of Seller~~; or ~~if it if it~~ is directed to Buyer, by delivering to a representative ~~of Buyer of Buyer~~; or ~~if mailed if mailed~~ by United States registered or certified mail; return receipt requested, postage prepaid; or ~~if transmitted if transmitted~~ by facsimile copy followed by mailed notice as above required, or ~~if deposited if deposited~~ cost paid with a nationally recognized, reputable overnight courier, properly addressed as follows:

~~If~~ to Buyer: Justin Paffrath
PO Box 935
Spicer, MN 56288

If to Seller: City Administrator
City of Willmar

333 Sixth Street Southwest
Willmar, MN 56201

Notices shall be deemed effective on the earlier of the date of receipt or the date of deposit as aforesaid; provided, however, that if notice is given by deposit, that the time for response to any notice by the other party shall commence to run two (2) business days after any such deposit. Any party may change its address for the service of notice by giving advance written notice of such change to the other party, in any manner above specified.

16. Entire Agreement; Amendments. This Agreement represents the complete and final agreement of the parties and supersedes any prior or contemporaneous oral or written understanding between the parties. There are no verbal agreements that change this Agreement and no waiver of any of its terms will be effective unless in a writing executed by the parties. This Agreement may be amended only in writing, signed by both parties.

17. Binding Effect; Assignment. This Agreement shall be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns. Each party agrees to give the other party notice prior to assigning its interest in the Property or this Agreement.

18. Controlling Law. The Parties acknowledge and agree that each has been given the opportunity to independently review this Agreement with legal counsel, and/or has the requisite experience and sophistication to understand, interpret, and agree to the particular language of this Agreement. The Parties have equal bargaining power, and intend the plain meaning of the provisions of this Agreement. In the event of an ambiguity in or dispute regarding the interpretation of this Agreement, the ambiguity or dispute shall not be resolved by application of any rule that provides for interpretation against the drafter of the Agreement. This Agreement has been made under the laws of the State of Minnesota, and such laws will control its interpretation.

19. Remedies. If Buyer defaults under this Agreement and fails to cure such default within thirty (30) days after receipt of written notice from Seller identifying such default, then Seller has the right to immediately terminate this Agreement and retain the Earnest Money as liquidated damages, time being of the essence of this Agreement. The termination of this Agreement and retention of the Earnest Money will be the sole remedy available to Seller for such default by Buyer, and Buyer will not be liable for damages. If Seller defaults under this Agreement and fails to cure such default within thirty (30) days after receipt of written notice to from Buyer identifying such default, then Buyer has the right to immediately terminate this Agreement and have the Earnest Money returned to it. The termination of this Agreement will be Buyer's sole remedy for default by Seller, and Seller will not be liable for damage.

20. Counterparts. This Purchase Agreement may be executed in counterparts, each of which shall be deemed an original, and which together shall constitute a single, integrated contract.

IN WITNESS WHEREOF, the undersigned have caused this Agreement to be executed on the date above written.

BUYER:

SELLER:

CITY OF WILLMAR

By: _____

~~Marvin Calvin~~Doug E Reese, Mayor

By: _____

Leslie M. Valiant, City Administrator

**EXHIBIT A LEGAL
DESCRIPTION**

Lots 3, 2, 1 & Outlot A Block 1 Fourth Addition Pleasant View



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	11.J.
Agenda Section:	Regular Business	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:	Set Public Hearing Date for 2nd Ave SE Easement Vacation		

RECOMMENDED ACTION:

Set Public Hearing for September 5, 2023 on or after 6:30 p.m.

OVERVIEW:

- Ross Marcus is requesting the vacation of an easement that is located on parcels 95-182-2250 and 95-498-0010 per the Willmar City Charter requirements of section 9.01 subdivision 4.A., which requires a petition letter to be submitted for review.
- Attached is a preliminary plat for the Hendrickx Addition. It is a re-plat for the two parcels owned solely by Marcus Real Estate Investments. Parcels included are 95-182-2250 and 95-498-0010.
- Due to the acquisition of parcel 95-182-2250 earlier in the year of 2023, it is now the desire to vacate the easements as shown on the preliminary plat and rededicate easements on the east side of 20th Street SE.
- The Planning Commission has approved this vacation.

BUDGETARY/FISCAL ISSUES:

None

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. Vacation Visuals
2. Resolution approving Hendrickx easements vacation -Preserve on 24th phase II 080723

Right of Way Easement

That part of Lot 1, Block 1 of the record plat entitled Willmar Rail Park Addition, on file in the office of the Kandiyohi County Recorder, described as follows:

- Beginning at the southeast corner of said Lot 1, also being the northeast corner of State Highway 40 as shown on said record plat entitled Willmar Rail Park Addition;
- thence on an assumed bearing of North 0 degrees 38 minutes 08 seconds East, along the east line of said Lot 1 and its northerly extension, a distance of 650.38 feet;
- thence on a bearing of South 88 degrees 40 minutes 45 seconds West a distance of 160.09 feet;
- thence on a bearing of South 0 degrees 38 minutes 08 seconds West a distance of 650.38 feet to the south line of said Lot 1;
- thence on a bearing of North 88 degrees 40 minutes 45 seconds East, along the south line of said Lot 1, a distance of 160.09 feet to the point of beginning;

Ross Marcus
Marcus Real Estate and Investments
2580 Highway 12 East
Willmar, MN 56201
320.212.3707
ross@marcusconstruction.com

7.17.2023

Petition Letter To: City of Willmar and Municipal Utilities Commission

To Whom It May Concern:

I am writing to you today to request the vacation of an easement that is located on my property per the Willmar City Charter requirements of section 9.01, subdivision 4, A, which requires this petition letter to be submitted for review.

Attached to this petition letter is the preliminary plat for the Hendrickx Addition as prepared by O'Malley & Kron Land Surveyors. The Hendrickx Addition is a re-plat of the two parcels owned solely by Marcus Real Estate and Investments. These parcels included 95-182-2250 and 95-498-0010.

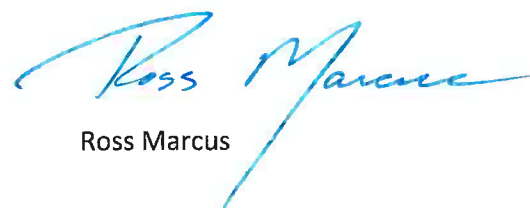
Due to the acquisition of parcel 95-182-2250 earlier in the year of 2023, it is now the desire to vacate the easements as shown on the preliminary plat and rededicate them on the east side of 20th St. SE.

I believe that vacating the easement would be beneficial to both of us. It would allow me to use my property as I see fit, and it would provide the city and the municipality with the drainage and utility easement it requires.

I would be grateful if you would consider my request. I am available to discuss this matter further at your convenience.

Thank you for your time and consideration.

Sincerely,



Ross Marcus



PRELIMINARY PLAT OF:
HENDRICKX ADDITION

LEGAL DESCRIPTION

That part of Lots 5 and 6, Block 14 of ERICKSON'S SECOND ADDITION as of public record, Kandiyohi County, Minnesota and that part of Lot 1, Block 1, MARCUS HIGHWAY 12 DEVELOPMENT as of public record, Kandiyohi County, Minnesota, described as follows: Beginning at the Southwest corner of Lot 1, Block 1 of said MARCUS HIGHWAY 12 DEVELOPMENT; thence on a bearing of N 00°10'43" E along the West line of said Lot 1, Block 1, and along the West line of said Block 14 of ERICKSON'S SECOND ADDITION, 262.89 feet to the Northwest corner of said Block 14; thence on a bearing of S 89°33'59" E along the North line of said Block 14 and its easterly extension, 156.14 feet; thence on a bearing of S 00°00'00" E, 264.57 feet to the South line of said Lot 1, Block 1, MARCUS HIGHWAY 12 DEVELOPMENT; thence on a bearing of N 88°25'36" W along last said line, 12.07 feet; thence westerly, 144.92 feet along last said line, along a curve, concave to the south, having a radius of 4680.29 feet, a delta angle of 1°46'27" and a chord bearing and distance of S 88°59'54" E, 144.92 feet to the point of beginning.

EASEMENT VACATION DESCRIPTION

That part of the 10.00 foot drainage and utility easement across Lot 1, Block 1 as dedicated on MARCUS HIGHWAY 12 DEVELOPMENT as of public record, Kandiyohi County, Minnesota, lying adjacent to the South line of Lot 5, Block 14, ERICKSON'S SECOND ADDITION as of public record, Kandiyohi County, Minnesota and lying adjacent to the West line of the East 50.00 feet of Lots 5 and 6 of Block 14 of said ERICKSON'S SECOND ADDITION.
EXCEPT the westerly 10.00 feet thereof.

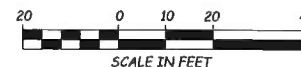
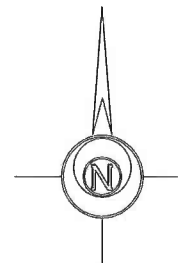
ERICKSON'S SECOND ADDITION

ADDITION

BLOCK 1

BLOCK 13

MARCUS HIGHWAY 12 DEVELOPMENT



Legend

- INDICATES IRON MONUMENT PLACED
- INDICATES IRON MONUMENT FOUND
- INDICATES CATCH BASIN
- INDICATES WATER VALVE
- INDICATES HYDRANT
- INDICATES STORM MANHOLE
- INDICATES SANITARY MANHOLE
- INDICATES CABLE PEDESTAL
- INDICATES POWER POLE
- INDICATES FENCE LINE
- INDICATES STORM SEWER LINE
- INDICATES SANITARY SEWER LINE
- INDICATES UNDERGROUND WATER
- INDICATES OVERHEAD POWER
- INDICATES UNDER GROUND CABLE
- INDICATES UNDER GROUND GAS

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	144.92	4680.29	1°46'27"	S 88°59'54" E	144.92

NOTE: THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

1004 2nd ST. SE
WILLMAR, MN 56201
PH. 320-235-4012

340 CHAPEL HILL RD.
COLD SPRING, MN 56320
PH. 320-685-5905

1250 HWY 15 SOUTH
HUTCHINSON, MN 55350
PH. 320-234-1223

PRELIMINARY PLAT PREPARED BY:
O'MALLEY & KRON
LAND SURVEYORS, INC.

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
BENJAMIN C. O'MALLEY
MINNESOTA REGISTRATION NO. 42300
DATE: 07-12-2023
ANY COPY OF THIS DRAWING THAT IS NOT SIGNED BY THE SURVEYOR WHO PREPARED IT SHALL BE DEEMED TO BE A PRELIMINARY COPY.

SHEET 1 OF 1

PRELIMINARY PLAT PREPARED FOR:
MARCUS CONSTRUCTION

JOB NO: 2023-368
FILE NAME: 2023-368
LOCATION: 12-119-35

RESOLUTION NO. _____

VACATING DRAINAGE, UTILITY AND OTHER EASEMENTS

Motion By: _____ Second By: _____

WHEREAS, on July 19th, 2023, the City received a petition by Duininck Development, Inc. ("Petitioner") for the vacation of certain drainage, utility and other easements more particularly described below, pursuant to the requirements of Subdivision 4.A of the Willmar City Charter; and

WHEREAS, Petitioner is the sole fee owner of the following described real property situated in the City of Willmar, Kandiyohi County, Minnesota, to wit:

Lots 1, Block 1, Hendrickx Addition, Kandiyohi County, Minnesota (the "Property"); and

WHEREAS, Petitioner seeks in its petition the vacation of drainage, utility and other easements situated in the City of Willmar, Kandiyohi County, Minnesota more particularly described as:

That part of lots 5 and 6, Block 14 of ERICKSON'S SECOND ADDITION as of public record, Kandiyohi County, Minnesota and that part of Lot 1, Block 1, MARCUS HIGHWAY 12 DEVELOPMENT as of public record, Kandiyohi County, Minnesota, described as follows: Beginning at the Southwest corner of Lot 1, Block 1 of said MARCUS HIGHWAY 12 DEVELOPMENT; thence on a bearing of N 00°10'43" E along the West line of said lot 1, Block 1. and along the West line of said Block 14 of ERICKSON'S SECOND ADDITION, 262.89 feet to the Northwest corner of said Block 14: thence on a bearing of S 89°33'59" E along the North line of said Block 14 and its easterly extension, 156.14 feet thence on bearing of S 00°00'00" E 264.57 feet to the South line of said Lot 1, Block 1, MARCUS HIGHWAY 12 DEVELOPMENT; thence on a bearing of N 88°25'36" W along last said line, 12.07 feet thence westerly, 144.92 feet along last said line, along a curve, concave to the south, having a radius of 4680.29 feet, a delta angle of 1°46'27", and a chord bearing and distance of S 88°59'54" E, 144.92 feet to the point of beginning.

(the "Easements"); and

The part of the 10.00 foot drainage and utility easement across Lot 1, Block 1 as: dedicated on MARCUS HIGHWAY 12 DEVELOPMENT as of public record, Kandiyohi County, Minnesota, lying adjacent to the South line of Lot 5, Block 14, ERICKSON'S SECOND ADDITION as of public record, Kandiyohi County Minnesota and lying adjacent to the west line of the East 50.00 feet of Lots 5 and 6 of Block 14 of said ERICKSON'S SECOND ADDITION.

EXCEPT the westerly 10.00 feet thereof.

WHEREAS, a public hearing on the proposed vacation of the Easements was ordered by Willmar City Council in its Resolution No. [REDACTED], dated August 21, 2023, and thereafter conducted by the Willmar City Council on September 5th, 2023, pursuant to Subdivision 6 of Section 9.01 of the Willmar City Charter; and

WHEREAS, mailed notice of the public hearing on the proposed vacation was sent to all record owners of real property located within 600 feet of the Property on _____, 2023, as evidenced by the Affidavit of Mailing attached hereto as Exhibit A, and notice of the public hearing on the proposed vacation was published in the City's official newspaper on _____, 2023 and _____, 2023, as evidenced by the Affidavit of Publication attached hereto as Exhibit B, both in satisfaction of the requirements of Subdivision 6 of Section 9.01 of the Willmar City Charter; and

WHEREAS, the City Council of Willmar finds that it is in the best interest of the City of Willmar to vacate said Easements, subject to the terms and conditions of vacation set forth herein.

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

1. The above-described drainage, utility and other Easements situated in the City of Willmar, Kandiyohi County, Minnesota are hereby vacated, subject to the condition set forth in Paragraph 2 below.
2. The vacation of the Easements pursuant to Paragraph 1 shall be conditioned on the Petitioner (or Petitioner's successor in interest with respect to the Property) first recording a City-approved replat of the Property with new drainage, utility and other easements satisfactory to the City Engineer and Willmar Municipal Utilities shown and dedicated to the City thereon.
3. Nothing herein shall be construed as the City Council approving the vacation of any portion of the public rights-of-way identified as 24th Avenue SE or 5th Street SE the Water View Business Park plat.
4. A certified copy of this Resolution shall be provided to the Petitioner on or after the 5th day of September, 2023, provided no appeals of this Resolution are first filed with the City Clerk pursuant to Subdivision 7 of Section 9.01 of the Willmar City Charter, and thereafter filed with the Kandiyohi County Recorder upon the satisfaction of all conditions set forth herein.

Dated this 5th day of September 5, 2023.

MAYOR

Attest:

CITY CLERK

EXHIBIT A
AFFIDAVIT OF MAILING

EXHIBIT B
AFFIDAVIT OF PUBLICATION



City Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	11.K.
Agenda Section:	Regular Business	Originating Department:	Planning and Development
Resolution:	No	Prepared By:	Justice Walker, Planning and Development Director
Ordinance:	Yes	Presented By:	Justice Walker, Planning and Development Director
Item:	Introduce Ordinance and Set Public Hearing Date for General Business District Amendment		

RECOMMENDED ACTION:

1. Introduce the Ordinance for General Business District Amendment and Set a Public Hearing Date for September 5th, 2023, on or after 6:30 p.m.
2. Publish the Ordinance by Summary.

OVERVIEW:

The Planning Commission and staff have been working on amendments to the texts, uses, lot dimensions, and other aspects of the district. This goes along with the larger effort to clean up the General Business district and separate it into multiple districts that align more with their existing character and trajectories. The General Business District will be reflective of a neighborhood commercial scale with a narrower scope of uses than the other general business districts.

BUDGETARY/FISCAL ISSUES:

None

ALTERNATIVES TO CONSIDER:

Not set the public hearing date

ATTACHMENTS:

1. Zoning GB final-1
2. Summary publication of GB district amendment

ORDINANCE NO.
AN ORDINANCE AMENDING NO. 1060
KNOWN AS THE WILLMAR ZONING ORDINANCE
BY AMENDING SECTION 6 RELATING
TO ZONING DISTRICTS AND DISTRICT REGULATIONS

The City Council of City of Willmar does ordain as follows:

SECTION 6. Ordinance 1060 is hereby amended by changing the SECTION 6.I so as to read as follows:

I. GB. GENERAL BUSINESS DISTRICT

1. Permitted Uses. Only the following uses shall be permitted outright:
 - a. Alterations/tailor shops.
 - b. Appliance sales and service.
 - c. Art and photo studios, including sale of prints and photographic and supplies.
 - d. Athletic/recreation facilities.
 - ~~e. Automobile/light truck sales and service.~~
 - ~~f. Automobile/truck parts and supplies sales.~~
 - g. Bait and tackle stores.
 - h. Bakeries.
 - i. Banks/financial institutions.
 - j. Bicycle sales and service.
 - k. Broadcasting studios.
 - l. Carpet/floor covering stores.
 - m. Churches.
 - ~~n. Clothing stores.~~
 - o. Commercial day nurseries or schools.
 - ~~p. Computer/electronic equipment sales and service.~~
 - q. Drug stores/pharmacies.
 - r. Dry cleaners.
 - s. Employment agencies.
 - ~~t. Fabric stores.~~
 - ~~u. Farm supplies sales.~~
 - v. Flower shops.
 - w. Funeral homes/crematoriums.
 - x. Furniture stores.
 - y. Glass sales/service.
 - z. Hair care (barbers, beauty shops, salons, etc.)
 - aa. Hardware stores.
 - bb. Laundromats.
 - cc. Liquor sales, on and off.
 - dd. Medical/dental clinics.
 - ~~ee. Motorcycle/snowmobile/boat sales and service.~~

- ff. Museums.
- ~~gg. Music stores.~~
- ~~hh. Office supplies stores.~~
- ii. Offices, business and professional.
- ~~jj. Parking.~~
- ~~kk. Pet stores.~~
- 11. Photo processing business.
- ~~mm. Photostudios, including the sale of photographic supplies.~~
- nn. Printing shops.
- oo. Schools and colleges.
- ~~pp. Shoe stores.~~
- ~~qq. Small engines sales and service.~~
- ~~rr. Sporting goods stores.~~
- ss. Tanning parlors.
- tt. Theaters.
- ~~uu. Tire sales and service.~~
- ~~vv. Toy stores.~~
- ww. Veterinary clinics.
- ~~xx. Video stores.~~
- ~~yy. Welding supply stores.~~
- zz. Essential services and public uses.
- aaa. Tattoo Parlors
- ~~aaa. Brew Pubs~~
- bbb. General Retail Stores

2. Permitted Uses With Plan Review. The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

- a. ~~Armories, convention halls, auditoriums.~~
- ~~b. Building contractor shops.~~
- ~~c. Bus terminals.~~
- d. Businesses with drive-up facilities (If use permitted).
- e. Car washes.
- ~~f. Department stores.~~
- g. Discount stores.
- ~~h. Electrical contractors shops.~~
- ~~i. Fertilizer sales.~~
- j. Fraternal/service clubs.
- k. Hotels/motels.
- ~~l. Livestock feed sales.~~
- ~~m. Lumber yards (including misc. building materials).~~
- ~~n. Mini storage businesses.~~
- o. Multi-business buildings and complexes (if uses permitted).
- p. ~~Housing Multiple-family dwelling~~ units as a secondary use in a business structure.

- ~~q. Nurseries, greenhouses.~~
- ~~r. Plastering/drywall contractors shops.~~
- ~~s. Plumbing / heating / air conditioning / refrigeration / ventilation contractors shops.~~
- t. Restaurants (including ~~nightclubs and~~ fastfoods).
- ~~u. Roofing contractors shops.~~
- v. Seasonal businesses.
- ~~w. Sheet metal contractors shops.~~
- ~~x. Sign contractors shops.~~
- y. Structures exceeding forty-five (45) feet in height (if use permitted).
- z. Supermarkets/grocery stores (including convenience stores without gas sales).
- ~~aa. Truck sales and service.~~
- ~~bb. Water conditioning contractors shops, including bottling and sales (Ordinance 1156/2002).~~
- ~~cc. Welding shops.~~
- dd. Brew Pubs and Taprooms

3. Conditional Uses. The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach there to::

- a. Adult entertainment uses, as regulated in Section 3.Q.
- ~~b. Flammable gas/liquid sales and storage (including gas stations and convenience stores with gas sales).~~
- c. Planned unit developments.
- ~~d. Recycling transfer stations.~~
- ~~e. Brew Pubs and Taprooms~~
- f. Multi-family dwelling structures
- g. Restaurants including Bars and Night Clubs
- h. Single-family dwelling (Single-family dwellings are not permitted on 1st Street or Hwy)
- i. Uses not listed on Section 6.I.1, 2 or 3 may be permitted according to Zoning Department approval and granting of a conditional use permit by the Planning Commission.

4. Permitted Accessory Uses. The following accessory structures or uses of land shall be permitted:

- a. Detached storage or accessory buildings.

5. Lot Area, Width, and Setback Requirements. The following standards shall be the minimum requirements for development in the "GB" District:

a. Lot Area (square feet)	15,000 10,000
b. Lot Width	100 50

(feet)	
c. Setbacks (feet)	
Front (r/w)	25 5*
Rear	10
Side, interior	10
Side, street (r/w)	25*
* All front or street setbacks along state/federal highways shall be a minimum of fifty (50) feet except for T.H.12 between 11 th Street Southwest and Lakeland Drive.	

EFFECTIVE DATE. This Ordinance shall be effective from and after its adoption and second publication.

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

SUMMARY PUBLICATION OF CITY OF WILLMAR ORDINANCE NO. ____

**AN ORDINANCE AMENDING ORDINANCE NO. 1060 KNOWN AS THE WILLMAR
ZONING ORDINANCE BY AMENDING SECTION 6 TO CREATE A NEW SECTION 6.I,
AMENDING THE GENERAL BUSINESS (GB) DISTRICT**

Summary: Ordinance No. ____ amends the City's Zoning Ordinance by amending the General Business (GB) zoning district and associated permitted and conditional uses and lot area, width and setback requirements within such district.

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 Council Action Request

Council Meeting Date:	August 21, 2023	Agenda Item Number:	11.L.
Agenda Section:	Regular Business	Originating Department:	Planning and Development
Resolution:	No	Prepared By:	Justice Walker, Planning and Development Director
Ordinance:	Yes	Presented By:	Justice Walker, Planning and Development Director
Item:	Introduce Ordinance and Set Public Hearing Date for General Business 3		

RECOMMENDED ACTION:

1. Introduce the Ordinance for General Business 3 and Set Public Hearing Date for September 5, 2023, on or after 6:30 p.m.
2. Publish the Ordinance by Summary

OVERVIEW:

This the creation of a new district and ordinance as part of the effort to generate General Business districts that align more with their current uses and trajectories as a district. The General Business 3 district is more industrial and provides a district for larger scale uses along the highway corridors throughout town.

BUDGETARY/FISCAL ISSUES:

None

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. Zoning GB-3 final
2. Summary publication of GB 3 district creation amendment

ORDINANCE NO.
AN ORDINANCE AMENDING NO. 1060
KNOWN AS THE WILLMAR ZONING ORDINANCE
BY AMENDING SECTION 6 RELATING
TO ZONING DISTRICTS AND DISTRICT REGULATIONS

The City Council of City of Willmar does ordain as follows:

SECTION 6. Ordinance 1060 is hereby amended by adding a new SECTION 6.T so as to read as follows:

T. GB-3. GENERAL BUSINESS DISTRICT 3

1. Permitted Uses. Only the following uses shall be permitted outright:
 - a. Alterations/tailor shops.
 - b. Appliance sales and service.
 - c. Art and photo studios, including sale of prints and photographic supplies and processing.
 - d. Athletic/recreation facilities.
 - e. Automobile/light truck sales and service.
 - f. Automobile/truck parts and supplies sales.
 - g. Bait and tackle stores.
 - h. Bakeries.
 - i. Banks/financial institutions.
 - j. Bicycle sales and service.
 - k. Broadcasting studios.
 - l. Carpet/floor covering stores.
 - m. Churches.
 - n. Commercial day nurseries or schools.
 - o. Drug stores/pharmacies.
 - p. Dry cleaners.
 - q. Employment agencies.
 - r. Farm supplies sales.
 - s. Flower shops.
 - t. Funeral homes/crematoriums.
 - u. Furniture stores.
 - v. Glass sales/service.
 - w. Hair care (barbers, beauty shops, salons, etc.)
 - x. Hardware stores.
 - y. Laundromats.
 - z. Liquor sales, on and off.

- aa. Medical/dental clinics.
- bb. Motorcycle/snowmobile/boat sales and service.
- cc. Museums.
- dd. Offices, business and professional.
- ee. Parking.
- ff. Printing shops.
- gg. Schools and colleges.
- hh. Small engines sales and service.
- ii. Tanning parlors.
- jj. Theaters.
- kk. Tire sales and service.
- ll. Veterinary clinics.
- mm. Welding supply stores.
- nn. Essential services and public uses.
- oo. Tattoo Parlors

2. Permitted Uses With Plan Review. The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

- a. Armories, convention halls, auditoriums.
- b. Automobile/light truck repair.
- c. Automobile/truck repair.
- d. Bus terminals.
- e. Businesses with drive-up facilities (if use permitted).
- f. Car washes.
- g. Department stores.
- h. Discount stores.
- i. Fertilizer sales.
- j. Fraternal / service clubs.
- k. General contractor shops
- l. Greenhouses and nurseries
- m. Hotels/motels.
- n. Housing units as a secondary use in a business structure.
- o. Livestock feed sales.
- p. Lumber yards (including misc. building materials).
- q. Mini-storage businesses.
- r. Multi-business buildings and complexes (if uses permitted).
- s. Nurseries, greenhouses.

- t. Printing Shops
 - u. Restaurants and fast foods.
 - v. Seasonal businesses.
 - w. Small manufacturing businesses
 - x. Structures exceeding forty-five (45) feet height (if use permitted).
 - y. Supermarkets/grocery stores (including convenience stores w/o gas sales).
 - z. Truck sales and service.
 - aa. Welding shops.
 - bb. Wholesale services
3. Conditional Uses. The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach there to::
- a. Adult entertainment uses, as regulated in Section 3.Q.
 - b. Brewer taprooms, pubs, bars and night clubs.
 - c. Flammable gas/liquid sales and storage (including gas stations and convenience stores with gas sales).
 - d. Multi-family dwelling structures
 - e. Planned unit developments.
 - f. Recycling transfer stations.
 - g. Storage facilities
 - h. Uses not listed on Section 6.T.1, 2 or 3 may be permitted according to Zoning Department approval and granting of a conditional use permit by the Planning Commission.
4. Permitted Accessory Uses. The following accessory structures or uses of land shall be permitted:
- a. Detached storage or accessory buildings.
5. Lot Area, Width, and Setback Requirements. The following standards shall be the minimum requirements for development in the “GB-3” District:

a. Lot Area (Square feet)	25.000
b. Lot Width (feet)	100

c. Setbacks (feet)	
Front (r/w)	25*
Rear	10
Side, interior	10
Side, street (r/w)	25*
* All front or street setbacks along state/federal highways shall be a minimum of fifty (50) feet except for T.H.12 between 11 th Street Southwest and Lakeland Drive.	

EFFECTIVE DATE. This Ordinance shall be effective from and after its adoption and second publication.

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

SUMMARY PUBLICATION OF CITY OF WILLMAR ORDINANCE NO. ____

**AN ORDINANCE AMENDING ORDINANCE NO. 1060 KNOWN AS THE WILLMAR
ZONING ORDINANCE BY AMENDING SECTION 6 TO CREATE A NEW SECTION 6.T,
CREATING A NEW GENERAL BUSINESS 3(GB 3) DISTRICT**

Summary: Ordinance No. ____ amends the City's Zoning Ordinance by creating a new General Business 3 (GB 3) zoning district and associated permitted and conditional uses and lot area, width and setback requirements within such district.

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.