

**WILLMAR CITY COUNCIL MEETING**  
**TUESDAY, JANUARY 3, 2012, 7:00 P.M.**  
**COUNCIL CHAMBERS, WILLMAR MUNICIPAL UTILITIES**  
**700 WEST LITCHFIELD AVENUE, WILLMAR, MINNESOTA**

**AGENDA**

1. Call Meeting to Order
2. Roll Call
3. Pledge of Allegiance
4. Proposed Additions or Deletions to Agenda
5. Consent Items:
  - Approve:
    - A. City Council Minutes of December 19, 2011
    - B. Rice Hospital Board Minutes of December 14, 2011
    - C. Municipal Utilities Commission Minutes of December 27, 2011
    - D. Accounts Payable through November 30, 2011
  - Accept:
    - E. Convention/Visitors Bureau Board Minutes of October 18, and November 22, 2011
    - F. Mayoral Appointments: Zoning Appeals Board – Luis Estrada  
Planning Commission – Bob Poe and Virgilio Aguirre Jr.
6. Items Removed from Consent Agenda
7. Scheduled Hearings:
  - 7:02 p.m.: Ordinance Authorizing Issuance of G. O. Hospital Revenue Refunding Bonds, Series 2012A
  - 7:03 p.m.: Ordinance Rezoning Certain Property from R-4, Medium Density Multi-Family Residential to R-3, Low Density Multi-Family Residential
8. Willmar City Council Open Forum
9. Remove from the Table: Ordinance Amending the Charter of the City of Willmar
10. Consideration of Resolution Appointing a Responsible Authority
11. Announcement of Council Committee Meeting Dates
12. Miscellany:
  - A.
  - B.
  - C.
13. Adjourn

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

December 19, 2011  
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Frank Yanish. Members present on a roll call were Mayor Yanish, Council Members Doug Reese, Ron Christianson, Bruce DeBlieck, Denis Anderson, Steve Ahmann, Jim Dokken, and Tim Johnson; Present 8, Absent 1 - Rick Fagerlie was excused from the meeting.

Also present were City Administrator Charlene Stevens, City Attorney Richard Ronning, Police Chief David Wyffels, Fire Chief Mary Calvin, Public Works Director Holly Wilson, Finance Director Steve Okins, Community Education and Recreation Director Steve Brisendine, Planning and Development Services Director Bruce Peterson, and City Clerk Kevin Halliday.

Mayor Yanish announced that he would be moving the Open Forum to the beginning of the Agenda, and removing the resignation of Doug Lindblad and an appointment to the Planning Commission from the Consent Agenda.

Mayor Yanish acknowledged several individuals who had signed up to address the City Council during its scheduled Open Forum. Bob Bonawitz urged the Council to exercise its authority, citing City code of ordinances, to veto the Municipal Utilities Commission's decision to remove Bruce Gomm from his duties as General Manager. He stated the Council should select an unbiased party to perform the pending investigation and that the Utilities Commission should not be involved in the selection process. The investigation should look at the General Manager, staff members and the individual and collective members of the Commission. Mr. Bonawitz concluded his remarks by urging the Council to make sure Mr. Gomm remains in the position of General Manager.

Jerry Gesch addressed the Council stating the solar project, recently rejected by the Utilities Commission, is a wonderful project, a demonstration project for the company and would give Willmar a lot of exposure. Mr. Gesch urged the Council to participate in the proposal.

Jim Loslaben, Vice President of tenKsolar, spoke of solar production at the wind turbine site and encouraged the City Council to enter into a nonbinding letter-of-intent to take advantage of Federal dollars available until year-end for solar projects. City Attorney Ronning advised the Council that no authority exists in the City Charter to bypass the Utilities Commission on this matter and enter into an agreement. Mayor Yanish suggested that the matter be placed back on the Utilities Commission agenda for the December 27, 2011, meeting.

Council Member DeBlieck requested that the Municipal Utilities Commission Minutes of December 12, 2011, be removed from the Consent Agenda.

Council Member Christianson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of December 5, Planning Commission Minutes of December 14, Accounts Payable Report through December 14, Building Inspection Report for November, Housing and Redevelopment Authority Minutes of November 8, Community/Activity Center Minutes of December 6, and Community Education/Recreation Joint Powers Board Minutes of December 9; Exempt Permit Applications for West Central Ducks Unlimited (Willmar American Legion and Oaks at Eagle Creek); Mayoral Reappointments: Municipal Utilities Commission, Matt Schrupp and Dan Holtz; and Rice Hospital Board, Eric Weiber; and Mayoral Appointments: Municipal Utilities Commission, Carol Laumer and Willmar Lakes Area CVB, Shawna Adams. Council Member Anderson seconded the motion, which carried.

The Willmar Municipal Utilities Commission Minutes of December 12, 2011, were discussed with Council Member DeBlieck stating he had confidence in the Commission and their decision to place the General Manager on an administrative leave with pay. Council Member Reese said the Utilities is a big part of the City and supported the recommendation that an outside firm conduct the evaluation. Council Member Ahmann expressed his appreciation to the Commissioners. Council Member DeBlieck explained that the tenKsolar project is a worthwhile project, but the Commission felt it should not be done at this time. Council Member DeBlieck moved that the Municipal Utilities Commission Minutes for December 12, 2011, be approved as presented with Council Member Christianson seconding the motion, which carried.

At 7:35 p.m. Mayor Yanish opened a hearing on an Ordinance Amending the Charter of the City of Willmar. Shawn Mueske, Charter Commission Chair, reviewed some of the proposed changes and stated the Commission tried to stay out of the politics and thoroughly debated the changes. Mr. Mueske explained that the overriding power of the Council was amended to require six votes placing an equal threshold on all overrides throughout the Charter. Upon hearing from all those who wished to be heard, Mayor Yanish closed the hearing at 7:37 p.m.

Council Member Anderson offered a motion to adopt, assign a number, and order final publication of the Ordinance Amending the Charter of the City of Willmar. Council Member Ahmann seconded the motion. It was noted that all eight Council Members must be present to approve changes to the Charter, and Council Member Anderson moved to table the Ordinance. Council Member Ahmann seconded the motion, which carried.

The Mayor and Council considered a Resolution Calling for a Public Hearing on an Ordinance Authorizing the Issuance of General Obligation Hospital Revenue Refunding Bonds, Series 2012A. Finance Director Okins informed the Council that the City has determined that significant savings exist by refunding the General Obligation Hospital Revenue Bonds, Series 2002. In order to finance said refunding, it is necessary to issue General Obligation Hospital Revenue Refunding Bonds, Series 2012A.

Resolution No. 1, Calling for a Public Hearing on Ordinance Authorizing the Issuance of General Obligation Hospital Revenue Refunding Bonds, Series 2012A, was introduced by Council Member Christianson, seconded by Council Member Johnson, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 1

#### RESOLUTION CALLING FOR A PUBLIC HEARING ON ORDINANCE AUTORIZING THE ISSUANCE OF GENERAL OBLIGATION HOSPITAL REVENUE REFUNDING BONDS, SERIES 2012A

(For Resolution in its entirety, see City Council Proceedings dated  
December 19, 2011, located in the City Clerk's Office)

The Finance Committee Report for December 12, 2011, was presented to the Mayor and Council by Council Member Anderson. There were seven items for Council consideration.

Item No. 1 Chair Anderson acknowledged that no one was present to address comments to the Committee.

Item No. 2 Pursuant to a November, 2011, liquor compliance check conducted by the Willmar Police Department, Staff presented to the Committee the list of retail liquor establishments that violated Municipal Code Sec. 3-2 Selling or Giving Intoxicating Liquor to Persons to Whom Sale is Prohibited. The Golden Place and Sunray Spirits incurred their first violation for which representatives were present to explain measures being taken to eliminate future violations, including enrolling all employees in compliance check training programs annually. A second violation was issued to Kandi Entertainment Center in the amount of \$1,000 and a third violation was issued to Gerry's Liquors in the amount of \$2,000. City Clerk Halliday informed the Committed that both establishments paid their fines in full by the designated deadline. This matter was for information only.

Item No. 3 Chairman Anderson recognized Municipal Utilities Commissioner Doug Lindblad who explained to the Committee that due to the current General Manager being placed on administrative leave, Larry Heinen and Wes Hompe have been appointed interim managers and would be presenting the proposed 2012 Budget at this time. They reviewed Operating Revenues, which include the approved 7% increase in electrical rates, and Operating Expenses, noting that power transmission costs have increased in 2011 and will continue to do so in 2012. Some of the Capital Improvements include power plant upgrades, purchasing six leased diesel units, ongoing underground conversion projects, meter replacement as needed, vehicle replacements, and office reroofing. Estimated Retained Earnings at the end of 2012 is projected to be \$1,178,200. The report was received for information only.

Item No. 4 Public Works Director Wilson presented to the Committee the proposed Preliminary Western Interceptor Budget Amendment reallocating \$40,030 to come from the Storm Water Fund instead of the Local Option Sales Tax Fund. This revision is required because LOST funds cannot be used for the portion of this project located outside the city limits.

The Committee was recommending the Council pass a resolution amending the Preliminary Western Interceptor Budget as presented. Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Christianson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

PRELIMINARY WESTERN INTERCEPTOR BUDGET

OTHER SERVICES		RECEIVABLES	
Mtce. of Other Impr.	<u>\$3,998,979.00</u>	LOST	\$1,453,656.00
TOTAL	\$3,998,979.00	Temp Bond	\$3,479,423.00
		Storm Water Fund	\$ <u>40,030.00</u>
OTHER CHARGES		TOTAL	\$4,973,109.00
Prof. Serv.	\$515,481.00		
Other Charges	<u>\$199,949.00</u>	FINANCING	
TOTAL	\$715,430.00	LOST	\$1,453,656.00
		Temp Bond	\$3,479,423.00
CAPITAL OUTLAY		Storm Water Fund	\$ <u>40,030.00</u>
Land and Legal	<u>\$258,700.00</u>	TOTAL	\$4,973,109.00
TOTAL	\$258,700.00		
		GRAND TOTAL	\$4,973,109.00
GRAND TOTAL	\$4,973,109.00		

Dated this 19<sup>th</sup> day of December, 2011.

/s/ Frank Yanish

MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 5 The Committee considered a request from Staff to advance \$9,620 of \$10,000 designated in the 2012 City Hall Capital Budget to 2011 Capital Budget to complete various necessary repairs to the heating system at City Hall. Following discussion, the Committee was recommending the Council pass a resolution to advance \$9,620 from the 2012 City Hall Capital Budget to 2011 as presented.

Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Christianson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to make the following changes to the 2011 and 2012 Capital Budgets:

Increase:	2011 City Hall Roof	\$9,620.00
Decrease:	2012 City Hall Roof	\$9,620.00

Dated this 19<sup>th</sup> day of December, 2011.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 6 The Committee considered a request from Staff to appropriate \$13,280 from the Storm Water Fund for cleaning out approximately 1,660 feet of open ditch in the Pleasant View area at a cost of \$5,600, and for excavation of the Ortenblad Pond bottom to remove sediment, repair the washout and place rip rap with fabric at the outlet at a cost of \$7,680. The Committee was recommending the Council pass a resolution appropriating \$13,280 from the Storm Water Fund for the two projects as presented.

Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Christianson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 4

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to make the following changes to the Surface Water Improvement Budgets:

Increase:	Storm Water Projects - Other Services	\$13,280.00
Decrease:	Fund Reserves	\$13,280.00

Dated this 19<sup>th</sup> day of December, 2011.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 7 Staff reported to the Committee that Rice Hospital is looking at refinancing its 2002 Bond and provided a preliminary timetable for the proposed issuance of General Obligation Hospital Revenue Refunding Bonds in 2012. This matter was for information only.

The Finance Committee Report for December 12, 2011, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Christianson, and carried.

The Public Works/Safety Committee Report for December 13, 2011, was presented to the Mayor and Council by Council Member Reese. There were five items for Council consideration.

Item No. 1 Staff informed the Committee that Requests for Proposals were received by the City for construction-related services associated with the Western Interceptor Project. Public Works Director Wilson explained the process the evaluation committee used to review each proposal based on three technical categories: firm experience, project team, and project approach. The Committee then

evaluated the price proposals to come up with a total score for each successful proposer. Staff is recommending accepting the proposal of Donohue and Associates in an amount of \$171,630.00 based on the evaluation.

The Committee was recommending the Council accept the proposal of Donohue and Associates and authorize the Mayor and City Administrator to enter into an agreement on behalf of the City. Resolution No. 5 was introduced by Council Member Reese, seconded by Council Member DeBlicek, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 5

Whereas the City of Willmar desires to retain a firm to provide construction-related engineering services associated with the Western Interceptor Project; and

Whereas a proposal has been made by, and an agreement prepared to retain, the firm of Donohue and Associates of Willmar, Minnesota in a not-to-exceed amount of \$171,630.00 for said services;

Now therefore be it resolved by the City Council of the City of Willmar that said agreement be approved and that City Administrator be authorized to execute the same.

Dated this 19<sup>th</sup> day of December, 2011.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 2 The Committee considered a proposed agreement with the FBO for airport operations. The compensation in the agreement remains the same as the previous year. Some changes include the removal of the maintenance of the heating system, water heater and softener which is to be done by Staff. Added are the weekly logging of the number of planes and prior City approval of any major repairs in excess of \$500.

The Committee was recommending the Council approve the Airport Operations Agreement as presented and authorize the Mayor and City Administrator to enter into an agreement. Resolution No. 6 was introduced by Council Member Reese, seconded by Council Member Christianson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 6

Whereas the City of Willmar desires to retain a firm to provide on-site airport management and maintenance for the City of Willmar; and

Whereas a proposal has been made by, and an agreement prepared to retain Maximum Cruise Aviation, LLC for a not-to-exceed amount of \$20,000.00 for the year 2012 for said services;

Now therefore be it resolved by the City Council of the City of Willmar that said agreement be approved and that the Mayor and City Administrator be authorized to execute the same.

Dated this 19<sup>th</sup> day of December, 2011.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 3 Staff informed the Committee that they have been in contact with State representatives to determine the need for an agreement with the State of Minnesota and reported it has to be in place in order to receive any federal funding for projects. The City can sign the agreement at this time to streamline the funding process or has the opportunity to enter into the agreement should a federal project arise.

The Committee was recommending the Council accept the agency agreement pending approval of the City Attorney and authorize the Mayor and City Administrator to sign on behalf of the City. Following discussion, it was the consensus of the Council to defer this matter to the next Public Works/ Safety Committee meeting.

Item No. 4 The Committee received from Staff a final acceptance and payment to Duinick Inc. for Project No. 1001, the reconstruction of various streets in the 2010 Street Reconstruction Improvements Project. All the required paperwork has been received and final quantities agreed upon by City Staff and the contractor. The payment consists of the final adjusted quantities as constructed and the 5% retainage in the amount of \$212,222.55. Staff noted the final amount included deductions for both bituminous disincentive and working day penalties.

The Committee was recommending the Council accept Project No. 1001 and issue final payment to Duinick Inc. as presented. Resolution No. 7 was introduced by Council Member Reese, seconded by Council Member DeBlick, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 7

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

IMPROVEMENT: Project No. 1001 - 2010 Street Improvements  
 CONTRACTOR: Duinick, Inc.  
 DATE OF CONTRACT: June 11, 2010  
 BEGIN WORK: July 16, 2010  
 COMPLETE WORK: June 4, 2011  
 APPROVE, CITY ENGINEER: December 12, 2011

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

1. The said City of Willmar Project No. 1001 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$1,684,877.52
Change Order (None)	\$0.00
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$1,684,877.52
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$1,668,133.58
Less Previous Payments, Disincentives, and Penalties	\$1,455,911.03
FINAL PAYMENT DUE CONTRACTOR:	\$ 212,222.55

Dated this 19<sup>th</sup> day of December, 2011.

/s/ Frank Yanish  
 MAYOR

/s/ Kevin Halliday  
 Attest: CITY CLERK

Item No. 5 Public Works Director Wilson informed the Committee that the City has again been approached by a group of property owners who live outside the City limits on or near 8<sup>th</sup> Street NE. Several of them have been experiencing problems with their septic system and have requested discussions with Staff regarding the availability to hook up to City sewer. This matter was for information only.

The Public Works/Safety Committee Report for December 13, 2011, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese, seconded by Council Member Christianson, and carried.

The Labor Relations Committee Report for December 14, 2011, was presented to the Mayor and Council by Council Member Ahmann. There were three items for Council consideration.

Item No. 1 The meeting was closed discuss employment contract negotiations and then reopened.

Item No. 2 City Administrator Stevens provided the Committee with information regarding the total hours of maintenance and custodial service needed to service the City's buildings. City Administrator Stevens requested that the Committee approve the hiring of a Building Maintenance position at a Grade 3 consistent with the two existing positions of Grade 3 and Grade 4. Ms. Stevens stated that if the position was not filled, the City would need to consider changing and/or eliminating some services such as set up and take down for activities at the Community Center and/or City Auditorium.

The Committee discussed contracting out for custodial services and/or assigning other employees to provide the services. Council Member Anderson stated that it had been examined before and three positions were needed. The Committee was recommending to the Council to approve the hiring of a Building Maintenance Position Grade 3. Council Member Ahmann moved to approve the recommendation of the Labor Relations, with Council Member Anderson seconding the motion. Following discussion, the motion failed on a roll call vote of Ayes 3, Noes 4 - Council Members Ahmann, Christianson, Dokken and Johnson voted "no."

Item No. 3 City Administrator Stevens provided the Committee with proposed amendments to the City's Personnel Policy regarding business-related vehicle operations, stating that the policy was out of date. The Labor Relations Committee was recommending approval of the changes. Following discussion, Council Member Ahmann moved to approve the recommendation of the Labor Relations Committee with Council Member Christianson seconding the motion, which carried.

The Labor Relations Committee Report for December 14, 2011, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Ahmann, seconded by Council Member Anderson, and carried.

The Community Development Committee Report for December 15, 2011, was presented to the Mayor and Council by Council Member Dokken. There were seven items for Council consideration.

Item No. 1 There were no public comments offered at this meeting.

Item No. 2 Staff presented the Committee with the most recent inspection memo for rehab work at the John's Supper Club Building, noting that little progress is being made. Committee discussion focused on the validity of the outstanding building permit, timeline to complete the unfinished work, and penalties for non-compliance. Staff recommended that Mr. Kidrowski be required to submit a construction schedule if another extension to the agreement completion date is granted.

Following discussion the Committee was recommending the Council grant a 90-day extension to the agreement for rehabilitation, contingent upon Mr. Kidrowski submitting a construction schedule to the City by December 30, 2011. Further, it is the intent of the Council to pursue penalties if the work is not completed by March 31, 2012.

The Committee asked Staff to research consequences for failure to complete construction, such

as negating the building permit, charging for special inspections, issuing demolition orders, and/or financial penalties.

Paul Kidrowski addressed the Mayor and Council stating that plenty of preparatory work was completed in the lower levels.

Following discussion, Council Member Dokken moved to approve the recommendation of the Community Development Committee to grant a 90-day extension to the agreement, with Council Member Ahmann seconding the motion, which carried. Council Member Reese voted "No."

Item No. 3 The Committee received an update from Staff on the five downtown planning meetings held December 6 through 8, 2011. There was one community-wide meeting held with 60 individuals in attendance, and four stakeholder meetings that included over 75 additional persons interested in the downtown. Valuable input was received at the meetings, and that information will be the basis for plan elements to be developed over the next several weeks. This matter was for information only.

Item No. 4 Staff presented to the Committee a mock-up of a marketing piece being developed for the former terminal building and site. The marketing piece will be sent to realtors, architects, aviation groups, and historical groups. It will also be marketed on the internet on a variety of websites. This matter was for information only.

Item No. 5 The Committee discussed a fire-damaged structure located at 201 Havana Street NW. The property was destroyed in a fire last February and continues to exist in a hazardous condition. Staff had asked the Committee to declare the building as unsafe or dangerous under the building code. Under that scenario, the property owner would be required to rehabilitate or demolish the building within a 30-day period. Failure to do so would typically result in the City pursuing an action in the courts for title to the real estate. One quote for demolition had been received, and that quote seemed very high. Rather than move forward at this time with the declaration, the Committee requested that Staff get more quotes and bring the matter back to the next meeting. This matter was for information only.

Item No. 6 The Committee considered a request from the Willmar HRA to adopt a resolution approving a grant application for the HOME rental rehabilitation program. Following discussion, the Committee was recommending the Council adopt the resolution approving the grant application and authorizing the HRA to administer the program within the City of Willmar.

Resolution No. 8 was introduced by Council Member Dokken, seconded by Council Member DeBlieck, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 8

##### Willmar Housing and Redevelopment Authority Application to Minnesota Housing Finance Agency Rental Rehabilitation Deferred Loan Program

WHEREAS, the Housing and Redevelopment Authority In and For the City of Willmar, Minnesota has applied to the Minnesota Housing Finance Agency to be an administrator of the Rental Rehabilitation Deferred Loan Pilot Program (RRDL) for Kandiyohi County and McLeod County excluding the City of Hutchinson;

WHEREAS, the RRDL Program provides rental property owners 0% deferred loans for a maximum of \$300,000 with a maximum term of 15 years to make repairs maintaining rental housing units in safe, sanitary and decent condition;

WHEREAS it is necessary as part of the application process for the Willmar Housing and Redevelopment Authority to receive approval of the Willmar City Council to allow the HRA to administer the program in the City of Willmar;

WHEREAS, it is necessary as part of the application process for the Willmar Housing and Redevelopment Authority to receive approval of the Willmar City Council to allow the HRA to administer the program in the City of Willmar;

WHEREAS the HRA has been a previous administrator for Minnesota Housing Finance Agency Rental Rehab Programs;

NOW, THEREFORE, LET IT BE RESOLVED the Willmar City Council acknowledges the HRA's application to the Minnesota Housing Finance Agency and agrees the HRA administer the program within the City of Willmar.

Dated this 19<sup>th</sup> day of December, 2011.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 7 Staff presented to the Committee proposed resolutions calling for the decertification of the City's final two tax increment financing districts. Those two districts are the Phoenix on Fifth condominium housing district and the Lakewood BK Properties economic development district. It was noted that there are no outstanding financial issues with the two districts. Following discussion, the Committee was recommending the Council adopt two resolutions calling for the dissolution of the Phoenix on Fifth and Lakewood BK Properties districts.

Resolution No. 9 was introduced by Council Member Dokken, seconded by Council Member Ahmann, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 9

#### RESOLUTION DISSOLVING TAX INCREMENT FINANCING DISTRICT (PHOENIX ON FIFTH)

WHEREAS, in July 1988 the City of Willmar established the Phoenix on Fifth Tax Increment Financing District and adopted a plan therefor; and

WHEREAS, all of the capital and administrative costs of the tax increment financing district which were set forth in the plan have been paid or provided for; and

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

1. The City Council hereby finds, determines and declares to dissolve the Phoenix on Fifth Tax Increment Financing District as of December 19, 2011.
2. Any excess tax increments held in the Tax Increment Financing District Tax Increment Account shall be returned to County Auditor of Kandiyohi County for distribution of the affected tax jurisdictions in accordance with Minnesota Statutes, Section 469.176 Subd. 2.
3. The City Administrator is hereby directed to send a copy of this resolution to the County Auditor of Kandiyohi County and to take all other steps which are necessary to dissolve the Tax Increment Financing District and to distribute the excess tax increments.

Dated this 19<sup>th</sup> day of December 2011.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 10 was introduced by Council Member Dokken, seconded by Council Member Ahmann, reviewed by Mayor Yanish, and approved on a roll call vote of ayes 7, Noes 0.

RESOLUTION NO. 10

RESOLUTION DISSOLVING TAX INCREMENT FINANCING  
DISTRICT (LAKEWOOD BK PROPERTIES)

WHEREAS, in April 2001 the City of Willmar established the Lakewood BK Properties Tax Increment Financing District and adopted a plan therefor; and

WHEREAS, all of the capital and administrative costs of the tax increment financing district which were set forth in the plan have been paid or provided for; and

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

4. The City Council hereby finds, determines and declares to dissolve the Lakewood Properties BK Properties Tax Increment Financing District as of December 19, 2011.
5. Any excess tax increments held in the Tax Increment Financing District Tax Increment Account shall be returned to County Auditor of Kandiyohi County for distribution of the affected tax jurisdictions in accordance with Minnesota Statutes, Section 469.176 Subd. 2.
6. The City Administrator is hereby directed to send a copy of this resolution to the County Auditor of Kandiyohi County and to take all other steps which are necessary to dissolve the Tax Increment Financing District and to distribute the excess tax increments.

Dated this 19<sup>th</sup> day of December 2011.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Community Development Committee Report for December 15, 2011, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Dokken, seconded by Council Member Christianson, and carried.

The Mayor and Council considered a Civic Center Arena Special Event Permit by On-Sale Liquor License Holder. City Clerk Halliday explained that the Civic Center has rented space to the Willmar Curling Club who will hold a three-day New Year's Bonspiel and plans to serve alcohol and a Special Event Permit is required. The Baker's Eagle Creek Eatery LLC has applied for the permit with an on-site employee. Following discussion, Council Member DeBlieck moved to approve the Civic Center Arena Special Event Permit as presented with Council Member Johnson seconding the motion, which carried.

City Clerk Halliday presented to the Mayor and Council the following establishments requesting renewal of current Sunday Liquor Licenses: On-Sale - Austin F. Hanscom Post 167, Applebee's Neighborhood Grill & Bar, El Tapatio Mexican Restaurant, Holiday Inn/Green Mill, Grizzly's Grill N'

Saloon, Kandi Entertainment Center, Oaks at Eagle Creek, and Finstad-Week Post 1639; and Club On-Sale - Willmar Fraternal Order of Eagles and Willmar Elks Lodge. Council Member Reese moved to approve the Liquor Licenses as presented with Council Member Johnson seconding the motion, which carried.

The Mayor and Council considered an Ordinance to Rezone Certain Lands from R-4 to R-3. Planning and Development Services Director Peterson presented details of the proposed rezoning of several blocks south of the Central Business initiated by the Planning Commission. The rezoning will allow single family, duplexes, tri-plexes, and four-plexes as legal permitted uses to make financing and resale more feasible for the existing single family homes. The Planning Commission has held a hearing and approved the request. Council Member Christianson offered a motion to introduce an Ordinance Amending Municipal Ordinance No. 1060 and schedule a public hearing for January 3, 2012. Council Member Dokken seconded the motion, which carried.

There being no further business to come before the Council, the meeting adjourned at 8:57 p.m. upon motion by Council Member Christianson, seconded by Council Member Dokken, and carried.

Attest:

\_\_\_\_\_  
MAYOR

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

RICE MEMORIAL HOSPITAL

BOARD OF DIRECTORS

DECEMBER 14, 2011

**PRESENT:** David Anfinson, President; Steve Cederstrom, Vice President; Dr. Robert Kruger, Secretary; Dr. Michael Gardner, Treasurer; and Directors Jenna Fischer, Eric Weiberg and Wayne Larson

**ADMINISTRATIVE STAFF:** Michael Schramm, Bill Fenske, Teri Beyer, Dale Hustedt, Wendy Ulferts, Sandy Roelofs

**GUESTS:** Dr. Lee Cafferty, Jim Dokken

**Call To Order/Minutes:** President Anfinson called the meeting to order at 5:30 pm. A motion was made by Director Gardner, seconded by Director Cederstrom, and carried that the minutes of the November 9, 2011 meeting be approved as written.

**Quality Report:** 1) Positive patient experience: a) Teri Beyer reviewed positive comments received by a Social Worker at Rice Care Center regarding the new Therapy Suites. b) She also reviewed correspondence from a patient to Rice's Director of Perioperative Services in regard to the care/services received in the Hospital's Surgical Services Department. 2) Joint Commission Survey report: The Joint Commission Survey team was at Rice Hospital during the week of December 5<sup>th</sup> which included a Physician Surveyor, Nurse Surveyor, Engineer, and Hospice Surveyor. Results of the survey were reviewed and discussed which included four direct findings for the Hospital and three for the Hospice Program and need to be responded to within 45 days of the survey. The Hospital also had six indirect findings impacting patient care and the Hospice Program seven. The final report was received this week from the Joint Commission and the Team will begin to work on corrective actions beginning next week. The survey went well and the Hospital was awarded a three-year accreditation. The next survey will most likely not occur until 2014, but the survey team can come back to the Hospital again anytime after 18 months. President Anfinson commended Teri Beyer and the administrative staff for all of the work done in preparation for the Hospital's Joint Commission survey and the outcome received.

**Financial Report:** Bill Fenske reviewed information from the October 31, 2011 financial reports in regard to the following: 1) October was a positive month in terms of operating performance compared to the budget and last year. 2) Overall net operating income was \$593,000 compared to budgeted operating income of \$28,000 and prior year loss of \$344,000. 3) Patient revenues were 9.7% greater than budget for the month. 4) Other operating revenues are greater than budget due to higher profitability in September at Willmar Medical Services. 5) Expenses were \$228,000 less than budget. 6) Year to date, the overall net operating income was \$3.7 million compared to budgeted operating income of \$417,000 and last year's operating loss of \$1.2 million.

**Medical Staff Report – Dr. Lee Cafferty:** 1) Joint Commission Survey: Dr. Cafferty commended and thanked President Anfinson for his participation in the survey process as well as information he provided about the Board of Directors and the culture of the Hospital. 2) Executive Committee Minutes: a) Clinical Information System Update: i) Epic Training: Training schedules have been finalized and physicians notified regarding sign-up for the six-hour training sessions. Dr. Lachlan Smith sought the Executive Committee's support and endorsement of the Epic physician training. A motion was made by Director Gardner, seconded by Director Fischer and carried that the minutes of the November 22, 2011 Medical Staff Executive and Credentials Committee meetings be approved as presented, and that the following applications to the Medical Staff of Rice Memorial Hospital be approved as follows: **INITIAL APPLICATIONS:** **Locum Tenens Staff:** **Johanna Leuchter, M.D.** – Emergency Medicine/Department of Emergency Medicine. Medical Doctor Associates, Norcross, GA. Temporary privileges granted for start date: 9/25/2011. **Ralph (Skip) Powell, M.D.** – Emergency Medicine/Department of Emergency Medicine. Emergency Physicians, P.A., Minnetonka, MN. Temporary Privileges granted for start date: 10/2/2011. **Temporary Privileges:** **Erica Salaman, M.D.** – Emergency

Medicine/Department of Emergency Medicine. Physician Jobs, Norcross, GA. Temporary Privileges granted for start date: 11/3/2011. Affiliate Staff: Bruce Keppen, M.D. – Pain Management/Department of Anesthesiology. Affiliated Community Medical Centers, Willmar, MN. Expected start date: 12/1/2011. Allied Health Staff: Morales, Holly PA-C – Physician Assistant/Department of Emergency Services. Renville County Hospital and Clinics, Olivia, MN. Temporary privileges granted for start date: 9/21/2011. Say Thao, PA-C – Physician Assistant/Department of Surgery. St. Cloud Orthopedic Associates, Sartell, MN. Responsible Physician: Christopher Widstrom, M.D. Temporary Privileges for Non-Staff Physician/Practitioner: Kevin Switzer, M.D. – Family Practice/Department of Family Practice. Family Practice Medical Center, Willmar, MN. Temporary privileges granted for one day only on 11/12/2011.

REAPPOINTMENT APPLICATIONS: Active Staff: Norris Anderson, M.D. – Family Practice/Department of Family Practice. Affiliated Community Medical Center, Willmar, MN. Stan Antkowiak, M.D. – Ob-Gyn/Department of Obstetrics-Gynecology. Affiliated Community Medical Center, Willmar, MN. Michael Bateman, D.O. – Pediatrician/Department of Pediatrics. Affiliated Community Medical Center, Willmar, MN. Steven Bell, M.D. – Surgeon/Department of Surgery. Affiliated Community Medical Center, Willmar, MN. Glenn Buchanan, M.D. – Ob-Gyn/Department of Obstetrics-Gynecology. Affiliated Community Medical Center, Willmar, MN. Lee Cafferty, M.D. – Pathology/Department of Pathology. Minnesota Pathologists Chartered, Willmar, MN. Kathryn Duevel, M.D. – Ob-Gyn/Department of Obstetrics-Gynecology. Affiliated Community Medical Center, Willmar, MN. Sheila Gemar, M.D. – Urology/Department of Surgery. Affiliated Community Medical Center, Willmar, MN. Michael Hodapp, M.D. – Pediatrics/Department of Pediatrics. Affiliated Community Medical Center, Willmar, MN. Robert Hodapp, M.D. – Family Practice/Department of Family Practice. Affiliated Community Medical Center, Willmar, MN. Patricia Hoeft, M.D. – Pathology/Department of Pathology. Minnesota Pathologists Chartered, Willmar, MN. Ronald Holmgren, M.D. – Family Practice/Department of Family Practice. Affiliated Community Medical Center, Willmar, MN. James Hughes, D.D.S. – Oral Surgeon/Department of Surgery. Oral-Facial Surgery, P.A., Willmar, MN. Merlin Nelson, M.D. – Neurology/Department of Internal Medicine. Affiliated Community Medical Center, Willmar, MN. Daniel Scott, M.D. – Psychiatry/Department of Psychiatry. Rice Institute for Counseling and Education, Willmar, MN. Affiliate Staff: Jeffrey Fischer, M.D. – Ophthalmologist/Department of Surgery. Family Eye Center, Willmar, MN. Michael Frost, M.D. – Pediatric Neurology/Department of Internal Medicine. Minnesota Epilepsy Group, P.A., St. Paul, MN. John Kosiak, M.D. – Radiation Oncology/Department of Internal Medicine. North Radiation Therapy, Robbinsdale, MN. Eric Lewis, M.D. – Dermatology/Department of Internal Medicine. Stevens Community Medical Center, Morris, MN. Linda Wilmarth, M.D. – Radiation Oncology/Department of Internal Medicine. Minneapolis Radiation Oncology, Edina, MN. Allied Health Staff: Cathleen Janitschke, CRNA – Nurse Anesthetist/Department of Anesthesiology. Rice Memorial Hospital, Willmar, MN. Wayne Janitschke, CRNA – Nurse Anesthetist/Department of Anesthesiology. Rice Memorial Hospital, Willmar, MN.

#### CEO Report – Mike Schramm:

1. Joint Commission Survey: Mr. Schramm further spoke to the Hospital's recent Joint Commission survey/process and stated that the Executive Team and Directors spent a great deal of time with staff in preparation for the survey and all did a tremendous job. The overall report was very favorable which speaks to the quality of Rice's Management Team, Physicians and staff.
2. Epic Clinical Information System (CIS) Update: a) Work continues in preparation for the CIS's scheduled "go live" date of February 1, 2012. b) Staff training is currently underway and we are also in the process of scheduling training for all physicians. c) Integration of the Epic system with the Laboratory and Radiology systems will also need to take place. d) Discussions have been held with the Medical Staff Executive Committee in regard to physician concerns with the new CIS. e) Wendy Ulferts commended the Hospital staff for their dedication to learning the new system and working additional hours in order to care for our patients during this training process.

3. Rice Health Foundation: Shirley Carter has been selected as the new Executive Director of the Rice Health Foundation. She will be joining our staff in early March.
4. Board/Medical Staff Education: a) Mr. Schramm stated that he met with Drs. Ronald Holmgren and Tony Amon this week. As a result of this meeting, an educational session will be planned for early in 2012 and will be jointly sponsored by ACMC, FPMC and the Hospital. All Board Members and members of the Medical Staff will be invited to attend. Topics for the session will include information on Health Care Reform and Accountable Care Organizations. b) He also informed the Board about a new initiative that Rice will be moving forward with and that is the implementation of the "Well Clicks" program which is a consumer/patient portal and will be accessible through Rice's website. Medical Staff information will be available through this system as well.
5. Recruitment: a) Recruitment efforts continue for the Chief Medical Officer position at Rice. b) An agreement was recently signed with a new Emergency Services Department (ESD) Physician who will join the Hospital staff in early March. Recruitment efforts continue for an additional ESD physician. c) Recruitment efforts also continue in the area of Orthopedics.
6. Space Planning is currently underway at Rice for the departments of Imaging Services, Laboratory and Emergency Services.
7. Interventional Radiology (IR): Continuing to work on putting the necessary capabilities into place in the Imaging Department for IR services. Also working with Suburban Radiology in regard to equipment/technology upgrades in order to provide these services at Rice.
8. Palliative Care Program: Discussions will be held in the future with the Board in regard to providing this service for our patients and their families. This program is currently not funded by Medicare which is one of the challenges we face with this program.

#### New Business:

1. Physician Recruitment Summary: Mr. Schramm distributed and reviewed a physician recruitment expense summary for 2011 in regard to the following: a) Recruitment Policy previously approved by the Board. b) The Hospital provides significant support for the recruitment of physicians for the Hospital, ACMC and FPMC. c) The Medical Staff development plan is a large part of the Hospital's Growth Plan, and work continues on reviewing physician specialties, needs, etc. d) Prior year commitments - \$122,317.34. e) Pathology recruitment - \$25,000. f) Other: i) Recruitment firms - \$36,000. ii) Orthopedic production guarantee - \$85,126. iii) All other: \$7,080.47. g) 2011 recruitment expense - \$275,523.81. h) Total budgeted recruitment expenses for 2011 - \$256,400. i) The 2012 budget for physician recruitment expense is approximately \$275,000.
2. 2012 Election of Officers: President Anfinson presented the proposed slate of officers to the Board of Directors which is done on an annual basis. He stated that all of the current officers were willing to serve an additional year in their current office. **A motion was made by Director Larson, seconded by Director Fischer, and carried that the proposed slate of officers for 2012 be approved as presented: President, David Anfinson; Vice President, Steve Cederstrom; Secretary, Robert Kruger, M.D.; and Treasurer, Michael Gardner, DDS.**
3. Resolution for Bond Refunding: Discussions have been ongoing regarding refinancing the outstanding bonds as part of the Hospital's building project completed in 2006. Discussions have been held with the underwriting firms who advised the Hospital to pursue the refunding/refinancing process in early 2012. Conversations have also taken place with City officials and the City's financial advisors on timing and the overall process of refinancing the bonds. A proposed resolution was reviewed with the Board requesting that the City Council of the City of Willmar issue its General Obligation Hospital Revenue Refunding Bonds, Series 2012A. **A motion was made by Director Cederstrom, seconded by Director Larson and carried that the proposed Bond Refunding resolution be approved as presented.**
4. Audit Engagement Letter: Darryn McGarvey and James Mann from the Hospital's current auditing firm, LarsonAllen met with the Board Members who currently serve on the Finance Committee. Based on that conversation, the Finance Committee has recommended that the Hospital engage the audit firm of LarsonAllen,

in order to conduct its 2011 audit. A motion was made by Director Fischer, seconded by Director Weiberg and carried that the letter of engagement for Rice Memorial Hospital's 2011 audit services be signed with the firm of LarsonAllen.

**Old Business:**

1. Trustee Conference: The Board of Directors were reminded of the upcoming Minnesota Hospital Association Trustee Conference in Plymouth, MN on January 6-8. The deadline for registration is December 22.

**Committee Reports:**

1. The Finance Committee met on December 2, and reviewed the October 31 financial statements as well as reviewed and discussed the Hospital's 2011 audit process. In attendance were Directors Gardner, Weiberg, Anfinson, Larson and Fischer.
2. Ethics Committee: The Committee met on December 5. In attendance were Directors Fischer and Kruger. Discussion was held in regard to emergency MA/funding no longer being made available to Dialysis patients, effective January, 2012.
3. Cancer Committee: Directors Larson and Kruger were in attendance at the December 2 Cancer Committee meeting. Topics discussed included: a) The Walt's Car Wash Cancer Center fund raising event which was held in October and generated funds in the amount of approximately \$13,000. The monies are used for Willmar Regional Cancer Center (WRCC) patient expenses including lodging, wigs, gas expense, etc. b) One of the Cancer Center's patients was able to enroll in an experimental drug program since the WRCC has an internal review board which was one of the participation requirements.
4. Medical Staff Executive Committee Meeting: Director Kruger was in attendance at the November 22 meeting which was previously reviewed by Dr. Cafferty.
5. Rice Health Foundation: Director Gardner stated that the Foundation Board will be meeting on December 15.
6. City Council Report: Councilman Dokken reviewed the following information for the Board: a) He extended congratulations to the Hospital and its Administration on its recent Joint Commission survey outcome. b) At the December 5 City Council meeting both the Hospital and City budgets were approved. c) Meetings were recently held at Bethel Lutheran Church in regard to downtown development, which the Hospital is a huge part of. d) Discussions will be held at the December 14 Labor Relations Committee meeting in regard to contracts.
7. Board Terms: It was announced that Director Weiberg has been reappointed by the Mayor to serve another term; and that the final terms for Directors Larson and Kruger will expire effective December 31, 2012.

**Adjournment:** There being no further business, the meeting was adjourned at 6:57 p.m.

Submitted by:

Dr. Robert Kruger

Secretary

sr

EXTRACT OF MINUTES OF A MEETING OF  
THE RICE MEMORIAL HOSPITAL BOARD OF THE  
CITY OF WILLMAR, MINNESOTA

HELD: December 14, 2011

Pursuant to due call and notice thereof, a regular or special meeting of the Rice Memorial Hospital Board of the City of Willmar, Minnesota, was called and held at the Rice Memorial Hospital on December 14, 2011, at 5:30 clock P.M.

The following members were present: *David Anfinson, Steve Cederstrom, Dr. Michael Gardner, Dr. Robert Kruger, Eric Weiberg, Jenna Fischer, and Wayne Larson.*

and the following were absent: *None.*

Member Steve Cederstrom introduced the following resolution and moved its adoption:

RESOLUTION REQUESTING THE CITY COUNCIL OF THE  
CITY OF WILLMAR TO ISSUE ITS  
GENERAL OBLIGATION HOSPITAL REVENUE  
REFUNDING BONDS, SERIES 2012A

WHEREAS, the City of Willmar, Minnesota (the "City") has issued heretofore General Obligation Hospital Revenue Bonds, Series 2002 (Rice Memorial Hospital Project) (the "Prior Bonds") to finance the acquisition and betterment, including expansion and renovation, of the Rice Memorial Hospital (the "Hospital"); and

WHEREAS, the Rice Memorial Hospital Board has determined that it is in the best interests of the City and the Hospital to refund the Prior Bonds; and

WHEREAS, prior to refunding the Prior Bonds it is necessary for the City Council to call for a public hearing on an ordinance authorizing the issuance of general obligation hospital revenue refunding bonds (the "Ordinance").

NOW, THEREFORE, BE IT RESOLVED by the Rice Memorial Hospital Board of the City of Willmar, Kandiyohi County, Minnesota, as follows:

1. The Board hereby requests that the City Council of the City of Willmar call for a public hearing on, and consider, an ordinance authorizing the issuance of general obligation hospital revenue refunding bonds in an amount not to exceed \$47,000,000 (the "Bonds") to refund the Prior Bonds.

The motion for the adoption of the foregoing resolution was duly seconded by member Wayne Larson and, after full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

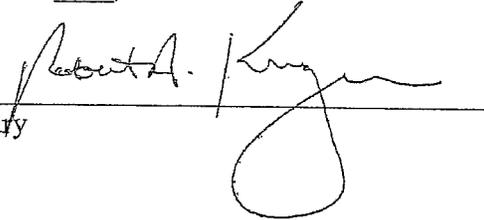
Whereupon the resolution was declared duly passed and adopted.

STATE OF MINNESOTA  
COUNTY OF KANDIYOHI  
CITY OF WILLMAR

I, the undersigned, being the duly qualified and acting Secretary of the Rice Memorial Hospital Board of the City of Willmar, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original minutes on file and of record in my office and that the same is a full, true and correct transcript of minutes of a meeting of the Rice Memorial Hospital Board duly held on the date therein indicated, insofar as the same relates to a request to the City Council of the City of Willmar to call a public hearing on an ordinance on the issuance of its general obligation hospital revenue refunding bonds.

WITNESS my hand as such Secretary on December 14, 2011.

Secretary

A handwritten signature in black ink, appearing to read "Robert A. Kruger", is written over a horizontal line. The signature is cursive and extends to the right of the line.

**WILLMAR MUNICIPAL UTILITIES MINUTES**  
**MUNICIPAL UTILITIES AUDITORIUM**  
**DECEMBER 27, 2011**

The Municipal Utilities Commission met in its regular scheduled meeting Tuesday, December 27, 2011, at 11:45 a.m. in the Municipal Utilities Auditorium with the following Commissioners present: Doug Lindblad, Dave Baker, Marv Kray, Steve Salzer, Jerry Gesch, Matt Schrupp, and Dan Holtz.

Others present at the meeting were: City Attorney Rich Ronning, Interim Co-Manager Wes Hompe, Interim Co-Manager Larry Heinen, Manager of Electric Services Jeff Kimpling, Director of Water/Heating Bart Murphy, Power Supply Broker Chris Carlson, Director of Electrical Production Jon Folkedahl, Mayor Frank Yanish, City Administrator Charlene Stevens, City Councilmen Bruce DeBlieck, Ron Christianson & Jim Dokken, 2012 Commission member Carol Laumer, WC Tribune Journalist David Little, Bob Bonawitz, solar project participants Joel Cannon & Jim Loslaben, and Bruce Gomm.

Upon reviewing the Consent Agenda, Commissioner Baker made a request to insert item 2.a. requesting action to investigate the Bruce Gomm matter. Following the addition by Commissioner Baker, Commission President Lindblad requested a resolution to approve the Consent Agenda. Commissioner Salzer offered a resolution to approve the Consent Agenda. Commissioner Holtz seconded.

**RESOLUTION NO. 49**

"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 December 12, 2011 Commission meeting; and,
- ❖ Bills represented by vouchers No. 112247 to No. 112345 inclusive in the amount of \$1,972,177.06, with a MISO credit in the amount of \$14,233.35."

Dated this 27<sup>th</sup> day of December 2011.

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

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

President Lindblad opened the continued discussion regarding the proposed solar energy project by introducing Jim Loslaben and Joel Cannon from tenKsolar. They reviewed and updated the Commission on the non-binding agreement that they were requesting to be signed by WMU prior to the end of 2011 so that they could begin the process of preparing paperwork with the federal government to receive a federal grant for this project. They explained that signing this non-binding agreement would not commit either party into a contract. The contract phase will only come about if the federal grant is approved and both parties later agreed to enter into a contract to purchase and construct the solar system. The proposed letter of intent has been reviewed by City Attorney Ronning and some changes were made to the document. Following their presentation, a motion was made by Commissioner Gesch to sign the letter of intent with tenKsolar as modified by Attorney Ronning. Commissioner Kray seconded the motion. A discussion then continued between Commission members and tenKsolar representatives on several areas of the proposal including: tenKsolar's experience building projects of this size; the costs and pay-back figures presented; the error in reporting this project will supply power for 2,100 homes; and, the need for this project as a portion of our renewable energy portfolio. The Commission then recognized Bruce Gomm who spoke in favor of the project. Mr. Gomm indicated the EPA has inquired about renewable energy projects that the WMU has in progress and specifically the solar project. Following discussion a vote was taken on the motion. The results were one aye and six nays, with the motion failing. Commission members thanked the tenKsolar personnel and others involved for their work on this project.

Commissioner Baker discussed with the Commission the action required to initiate the investigation concerning the Bruce Gomm matter. Baker informed the Commission that he has been in contact with the League of Minnesota Cities (LMC), and they have moved forward with hiring of an independent investigator to investigate the matter. LMC is WMU's insurance provider, and has been in contact with City Attorney Ronning. LMC has retained the Quinlivan Law Firm of St. Cloud to conduct the investigation. Payment for these services will be paid by LMC on behalf of the WMU. Quinlivan Law Firm has indicated that the process should take approximately two weeks to complete. Following discussion, Commissioner Baker made a motion to affirm the action of the League of Minnesota Cities to retain Quinlivan Law Firm to investigate the matter concerning Bruce Gomm. Commissioner Schrupp seconded the motion which carried by a vote of seven ayes and zero nays.

Commissioner Baker opened discussion with the Commission regarding the possible hiring of an outside firm to conduct an evaluation of the current management and organizational structure of the Willmar Municipal Utilities. Baker indicated that three firms had been contacted to submit proposals to conduct this evaluation. The companies and proposals offered were from Springsted Inc., McCarthy Consulting, and Schulte Associates. It was the consensus of the Commission to have members further review the proposals and to determine their course of action at the next MUC meeting.

Co-Interim Manager Heinen reviewed with the Commission the November 2011 Budget Report and the December 22, 2011 Investment Report. Heinen noted that concerning the Budget Report, electric sales were continuing to remain flat, water sales showed a 4.5% decrease (greatly due to consumer conservation initiatives), and heat sales increased by 6.8%. Concerning the revenue portion of the Budget, electric showed an increase of 3.6%, water increased by 6%, and heating increased 4.9%. This was for information only.

The finalized copy of the 2012 WMU Budget was distributed at this time. (The Budget had been previously approved at the December 12<sup>th</sup> MUC meeting.)

At this time, Commissioner Lindblad presented Commissioner Kray with a plaque of recognition and appreciation for his years of service and dedication while serving as a member of the Willmar Municipal Utilities. Thank you Marv for a job well done!

Co-Interim Manager Heinen and WMU Labor Committee members (Commissioners Baker, Schrupp & Kray) reviewed with the Commission the minutes from the December 13<sup>th</sup> Labor Committee Meeting. An item of interest addressed was the Director of Finance position. It was noted that this position opening has been temporarily suspended, with the intention of filling the position later in 2012.

Co-Interim Manager Hompe and WMU Planning Committee members (including Commissioners Gesch, Holtz & Salzer) reviewed with the Commission the minutes from the December 13<sup>th</sup> Planning Committee Meeting. The first topic addressed was the continuation of discussion meeting WMU's future power supply needs. The present power supply contract with Great River Energy (GRE) will expire in 2015. With this in mind, a decision must be made in the near future as to which direction the WMU should proceed with to assist in meeting the energy needs of the citizens of Willmar. Among the power supply options available to WMU would be to purchase power through either Heartland Consumers Power District, CMMPA (Power Coalition Group), GRE, or a combination of parts on all proposals. The Manitoba-Hydro Project was also reviewed. Following discussion, it was the consensus of the Committee to instruct Staff to contact the Elk River Utilities to determine their interest in the same project. A joint study would be advantageous with MISO concerning transmission line capacities for the project.

The next item of interest discussed by the WMU Planning Committee was the option of joining CMMPA as a participating member. Dues for WMU to join would be \$2,500/month with a five-year obligation. Among the advantages of joining CMMPA would be to have a vote on the CMMPA Board and also to assist in power supply scheduling (WMU is currently assisted by Avant Energy). No decision was made at this time.

The WMU Planning Committee also made a request to Staff to compile an itemized listing of all membership dues paid by WMU in 2011. Staff presented the requested list to the Commission. Commissioner Holtz requested that additional information be included in the dues listing explaining the reasons for belonging to each individual organization.

Interim Co-Manager Heinen has received a request from the Community Marketing Coalition to continue our annual participation in their organization at a cost of \$2000 for the year 2012. Following discussion, Commission Salzer offered a resolution to approve the participation in the Community Marketing Coalition for the year 2012 at a cost of \$2,000. Commissioner Schrupp seconded.

#### **RESOLUTION NO. 50**

"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that authorization be given to continue participation in the Community Marketing Coalition for the year 2012 at a cost of \$2,000."

Dated this 27<sup>th</sup> day of December 2011.

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

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

Commissioner Baker informed the Commission that the WMU Labor Committee has agreed to compensate Interim Co-Managers Heinen & Hompe with a 15% increase in salary while holding these positions. Following discussion, Commissioner Baker offered a resolution to increase the salaries of the Interim Co-Managers by 15% while holding these positions. Commissioner Schrupp seconded.

**RESOLUTION NO. 51**

“BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the current salaries of Interim Co-Manager Larry Heinen and Interim Co-Manager Wes Hompe include a 15% wage increase while holding these positions.”

Dated this 27<sup>th</sup> day of December 2011.

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

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

At this time, Commission President Lindblad introduced Carol Laumer. The Willmar City Council has ratified Ms. Laumer's appointment to serve on the Municipal Utilities Commission beginning in 2012. Welcome aboard, Ms. Laumer!

Commissioner Lindblad reminded the Commission of the MMUA Winter Legislative Conference slated for February 8-10, 2012 (Bloomington). All interested parties are asked to contact Beth Mattheisen.

As a means of record retention, the Commissioner Baker discussed with the Commission the possible need to audio record all future Commission meetings. It was noted that audio equipment is already present in the auditorium, and the WMU would only have to purchase a digital recorder. The voice recordings would also be placed on the WMU website. Following discussion, Commissioner Baker made a motion to authorize the audio recording of all Commission meetings beginning in 2012. Commissioner Kray seconded the motion which carried by a vote of seven ayes and zero nays.

With no other business to come before the Commission, Commissioner Schrupp made a motion to adjourn the meeting. Commissioner Holtz seconded the motion, and the meeting was adjourned by a vote of seven ayes and zero nays.

Respectfully submitted,

WILLMAR MUNICIPAL UTILITIES

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Jeff Kimpling  
Manager of Electric Services

ATTEST:

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Marv Kray, Secretary

Vendor Payments 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
ALEXANDRIA TECHNICAL COL 000037 31850 12/23/11 SWAT TEAM TRAINING	250.00	00063541		D N	TRAVEL-CONF.-SCH	101.42411.0333
AMERIPRIDE LINEN & APPAR 000051 31851 12/23/11 TOWEL SERVICE	26.72	2200187080		D N	CLEANING AND WAS	101.43425.0338
31851 12/23/11 TOWEL SERVICE	27.50	2200192189		D N	CLEANING AND WAS	101.43425.0338
VENDOR TOTAL	54.22	*CHECK TOTAL				
ANDERSON/MICHAEL 001828 31852 12/23/11 SWAT TRAINING	9.00	113		D N	TRAVEL-CONF.-SCH	101.42411.0333
BATTERY WHOLESALIE INC 002860 31853 12/23/11 BATTERY	100.22	5850		D N	INVENTORIES-MDSE	101.125000
BECKER ARENA PRODUCTS IN 000097 31854 12/23/11 BOARD GASKET PARTS	292.41	00087197		D N	MTCE. OF EQUIPME	101.45433.0224
BENNETT OFFICE TECHNOLOG 000099 31855 12/23/11 OFFICE SUPPLIES	50.11	155047		D N	OFFICE SUPPLIES	651.48474.0220
31855 12/23/11 OFFICE SUPPLIES	33.41	155047		D N	OFFICE SUPPLIES	651.48474.0220
31855 12/23/11 OFFICE SUPPLIES	52.64	155208		D N	OFFICE SUPPLIES	651.48474.0220
31855 12/23/11 OFFICE SUPPLIES	35.10	155208		D N	OFFICE SUPPLIES	651.48474.0220
31855 12/23/11 OFFICE SUPPLIES	15.84	155370		D N	OFFICE SUPPLIES	651.48474.0220
31855 12/23/11 OFFICE SUPPLIES	10.56	155370		D N	OFFICE SUPPLIES	651.48474.0220
VENDOR TOTAL	197.66	*CHECK TOTAL				
BERNICK'S PERSI-COLA CO 000103 31856 12/23/11 CONCESSION SUPPLIES	255.54	5150		D N	GENERAL SUPPLIES	101.45433.0229
31856 12/23/11 OFFICE COFFEE	39.48	9905		D N	GENERAL SUPPLIES	101.43425.0229
VENDOR TOTAL	295.02	*CHECK TOTAL				
BRAD'S PLUMBING 001896 31857 12/23/11 BACKFLOW PREVENTER INSP.	144.00	1989		D N	MTCE. OF EQUIPME	651.48474.0334
31857 12/23/11 BACKFLOW PREVENTER INSP.	96.00	1989		D N	MTCE. OF EQUIPME	651.48474.0334
VENDOR TOTAL	240.00	*CHECK TOTAL				
BSE 001980 31858 12/23/11 LIGHT BULBS FOR BLDG	286.03	903304796		D N	MTCE. OF STRUCTU	651.48474.0225
31858 12/23/11 LIGHT BULBS FOR BLDG	190.68	903304796		D N	MTCE. OF STRUCTU	651.48474.0225
31858 12/23/11 ELECTRICAL PARTS	116.73	903314341		D N	MTCE. OF OTHER I	651.48474.0226
31858 12/23/11 ELECTRICAL PARTS	77.82	903314341		D N	MTCE. OF OTHER I	651.48474.0226
31858 12/23/11 MINN-WEST L.S. PARTS	149.11	903320408		D N	MTCE. OF STRUCTU	651.48474.0225
31858 12/23/11 LIGHT BULBS FOR BLDG	541.86	903333639		D N	MTCE. OF STRUCTU	101.43425.0225
31858 12/23/11 LIGHT BULBS FOR BLDG	61.00	9033340280		D N	MTCE. OF STRUCTU	651.48474.0225

VENDOR NAME AND NUMBER CHECK# DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
BSE								
31858 12/23/11	001980 LIGHT BULBS FOR BLDG	724.77		903342212		D N	MTCE. OF STRUCTU	651.48474.0225
31858 12/23/11	IVERSON PARK L.S. PARTS	8.34		903347591		D N	MTCE. OF OTHER I	651.48476.0226
	VENDOR TOTAL	2,156.34	*CHECK	TOTAL				
		2,156.34						
BUSINESSWARE SOLUTIONS	002776							
31859 12/23/11	FIREWALL SUPPORT	519.41		175321		D N	PREPAID EXPENSES	101.128000
C D & T INC AUTO PARTS	000145							
31860 12/23/11	SUPPLIES	6.40		910966		D N	GENERAL SUPPLIES	101.43425.0229
31860 12/23/11	HYDRAULIC HOSES	95.11		911171		D N	INVENTORIES-MDSE	101.125000
31860 12/23/11	DOOR JAM SWITCH	9.57		911258		D N	MTCE. OF EQUIPME	101.42412.0224
	VENDOR TOTAL	111.08	*CHECK	TOTAL				
		111.08						
CANON FINANCIAL SERVICES	002336							
31861 12/23/11	COPIER LEASE AGRMT	26.59		11498914		D N	RENTS	101.43425.0440
CARRANZA/NOE	002547							
31862 12/23/11	PROFESSIONAL SERVICES	90.00		120911		D M 07	PROFESSIONAL SER	101.42411.0446
31862 12/23/11	PROFESSIONAL SERVICES	67.50		121911		D M 07	PROFESSIONAL SER	101.42411.0446
31862 12/23/11	PROFESSIONAL SERVICES	45.00		121911		D M 07	PROFESSIONAL SER	101.42411.0446
	VENDOR TOTAL	202.50	*CHECK	TOTAL				
		202.50						
CATCO PARTS SERVICE	000144							
31863 12/23/11	HYDRAULIC FITTINGS	72.14		12-72999		D N	INVENTORIES-MDSE	101.125000
CHAPPELL CENTRAL INC	000156							
31864 12/23/11	CHECKED FAN-LABOR	95.00		00047401		D N	MTCE. OF STRUCTU	101.41408.0335
31864 12/23/11	REPL. PRESSURE GAUGE/PMP	95.76		00047402		D N	MTCE. OF STRUCTU	101.41408.0325
31864 12/23/11	REPL. PRESSURE GAUGE/PMP	142.50		00047402		D N	MTCE. OF STRUCTU	101.41408.0335
	VENDOR TOTAL	333.26	*CHECK	TOTAL				
		333.26						
CITY OF WILLMAR-ICE AREN	000163							
31865 12/23/11	ICE TIME RENTAL	2,630.00		750-1		D N	RENTS	101.45432.0440
31865 12/23/11	ICE TIME RENTAL	330.00		751-1		D N	RENTS	101.45432.0440
31865 12/23/11	ICE TIME RENTAL	1,100.00		752-1		D N	RENTS	101.45432.0440
31865 12/23/11	ICE TIME RENTAL	330.00		753-1		D N	RENTS	101.45432.0440
	VENDOR TOTAL	4,390.00	*CHECK	TOTAL				
		4,390.00						
CONTINENTAL RESEARCH COR	000178							
31866 12/23/11	CLEANING SUPPLIES	135.64		362781-CRC-1		D N	CLEANING AND WAS	651.48474.0228
31866 12/23/11	CLEANING SUPPLIES	90.43		362781-CRC-1		D N	CLEANING AND WAS	651.48475.0228
	VENDOR TOTAL	226.07	*CHECK	TOTAL				
		226.07						

VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 B X M	ACCOUNT NAME	ACCOUNT
CROW CHEMICAL & LIGHTING 31867 12/23/11 000186 31867 12/23/11 SOAP 31867 12/23/11 SOAP VENDOR TOTAL	48.48 32.32 80.80 80.80	*CHECK TOTAL	400335 400335 TOTAL		D N D N	CLEANING AND WAS CLEANING AND WAS	651.48474.0228 651.48475.0228
DAN'S SHOP INC 31868 12/23/11 002212 FILTERS	38.14		52367		D N	INVENTORIES-MDSE	101.125000
DAVY LABORATORIES 31869 12/23/11 .01797 SUITABILITY TESTING 31869 12/23/11 SUITABILITY TESTING 31869 12/23/11 SUITABILITY TESTING VENDOR TOTAL	101.69 67.79 169.48 169.48	*CHECK TOTAL	1120249 1120249 TOTAL		D N D N	PROFESSIONAL SER PROFESSIONAL SER	651.48474.0446 651.48475.0446
DELTA DENTAL OF MINNESOTA 31870 12/23/11 002867 DENTAL INSURANCE-JAN	52.90		4750475		D N	PREPAID EXPENSES	101.128000
DEPT OF HUMAN SERVICES 31871 12/23/11 000009 CLEANING SERVICES 31871 12/23/11 CLEANING SERVICES VENDOR TOTAL	90.00 1,406.00 1,496.00 1,496.00	*CHECK TOTAL	00000048326 00000048335 TOTAL		D N D N	CLEANING AND WAS CLEANING AND WAS	101.45435.0338 101.45433.0338
DIAMOND VOGEL PAINT CENT 31872 12/23/11 000205 PAINT-THIN ICE SIGNS	102.02		49654		D N	MTCE. OF OTHER I	101.43425.0226
DOBRANSKY JR/R. PETE 31873 12/23/11 001771 SWAT TRAINING	8.86		117		D N	TRAVEL-CONF. -SCH	101.42411.0333
DOOLEY'S PETROLEUM INC 31874 12/23/11 000212 199 GALLONS UNLEADED 31874 12/23/11 199 GALLONS UNLEADED VENDOR TOTAL	392.95 261.96 654.91 654.91	*CHECK TOTAL	263378 263378 TOTAL		D N D N	MOTOR FUELS AND MOTOR FUELS AND	651.48474.0222 651.48475.0222
DOOLEY'S PETROLEUM INC 31875 12/23/11 002163 4,000 GALLONS UNLEADED 31875 12/23/11 4,000 GALLONS DIESEL VENDOR TOTAL	11,940.00 13,276.00 25,216.00 25,216.00	*CHECK TOTAL	585419 585420 TOTAL		D N D N	INVENTORIES-MDSE INVENTORIES-MDSE	101.125000 101.125000
ED DAVIS BUSINESS MACHIN 31876 12/23/11 000229 OFFICE SUPPLIES 31876 12/23/11 OFFICE SUPPLIES VENDOR TOTAL	55.56 37.04 92.60 92.60	*CHECK TOTAL	111108 111108 TOTAL		D N D N	OFFICE SUPPLIES OFFICE SUPPLIES	651.48474.0220 651.48475.0220

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VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 B X M	ACCOUNT NAME	ACCOUNT
ERICKSON/SCOTT 31877 12/23/11 SWAT TRAINING 002176	9.00		112		D N	TRAVEL-CONF.-SCH	101.42411.0333
ETTERMAN ENTERPRISES 31878 12/23/11 PIPE WRENCH 001567	180.52		178085		D M 07	SMALL TOOLS	651.48474.0221
31878 12/23/11 PIPE WRENCH	120.35		178085		D M 07	SMALL TOOLS	651.48474.0221
VENDOR TOTAL	300.87	*CHECK TOTAL					
EVANS/JASON 31879 12/23/11 SWAT TRAINING 002177	9.00		116		D N	TRAVEL-CONF.-SCH	101.42411.0333
FARNAM'S GENUINE PARTS 31880 12/23/11 RADIATOR CAP 000249	4.34		637346		D N	INVENTORIES-MDSE	101.125000
31880 12/23/11 DISC BRAKE PADS	74.17		637368		D N	INVENTORIES-MDSE	101.125000
31880 12/23/11 DISC BRAKE PADS	73.16		638343		D N	INVENTORIES-MDSE	101.125000
VENDOR TOTAL	151.67	*CHECK TOTAL					
FISHER SCIENTIFIC 31881 12/23/11 LAB INCUBATOR 000269	442.34		5767605		D N	SMALL TOOLS	651.48474.0221
31881 12/23/11 LAB INCUBATOR	294.89		5767605		D N	SMALL TOOLS	651.48474.0221
VENDOR TOTAL	737.23	*CHECK TOTAL					
G & K SERVICES 31882 12/23/11 CLEANING SERVICES 002465	49.00		1007863105		D N	CLEANING AND WAS	101.43430.0338
31882 12/23/11 CLEANING SERVICES	49.00		1007872901		D N	CLEANING AND WAS	101.43430.0338
VENDOR TOTAL	98.00	*CHECK TOTAL					
G & S STAFFING SERVICES 31883 12/23/11 TEMP PERSONNEL 000286	131.36		26978		D N	SALARIES-TEMP. E	101.45435.0112
31883 12/23/11 TEMP PERSONNEL	139.57		26997		D N	SALARIES-TEMP. E	101.45435.0112
31883 12/23/11 TEMP PERSONNEL	135.47		27016		D N	SALARIES-TEMP. E	101.45435.0112
VENDOR TOTAL	406.40	*CHECK TOTAL					
GOLDFEAF PLASTICS INC 31884 12/23/11 PLEXIGLASS REPL. SHEET 000300	1,068.56		127041		D N	GENERAL SUPPLIES	101.45433.0229
GRAINGER INC 31885 12/23/11 CLEANING SUPPLIES 000786	66.17		9704273656		D N	CLEANING AND WAS	651.48474.0228
31885 12/23/11 CLEANING SUPPLIES	44.11		9704273656		D N	CLEANING AND WAS	651.48474.0228
VENDOR TOTAL	110.28	*CHECK TOTAL					
GRANITE LEDGE ELECTRICAL 31886 12/23/11 LOOP DETECTOR REPAIR 002216	10,822.40		M11252		D N	PROFESSIONAL SER	101.43417.0446

VENDOR NAME AND NUMBER CHECK# DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9	BX M	ACCOUNT NAME	ACCOUNT
HALLIDAY *PETTY CASH/KE 000318									
31887 12/23/11	TO REIMBURSE PETTY CASH	4.19		122011		D	N	SUBSISTENCE OF P	101.41401.0227
31887 12/23/11	MAYOR'S CONTINGENCY FUND	6.68		122011		D	N	OTHER SERVICES	101.41401.0339
31887 12/23/11	TO REIMBURSE PETTY CASH	9.00		122011		D	N	TRAVEL-CONF.-SCH	101.41403.0333
31887 12/23/11	TO REIMBURSE PETTY CASH	152.25		122011		D	N	LICENSES AND TAX	101.42411.0445
	VENDOR TOTAL	172.12		*CHECK TOTAL					
		172.12							
HARDWARE HANK EXPRESS 000452									
31888 12/23/11	MISCELLANEOUS SUPPLIES	1.91		120511		D	N	GENERAL SUPPLIES	101.41408.0229
31888 12/23/11	ELEC CORD	7.03		120511		D	N	MTCE. OF OTHER I	101.43425.0226
31888 12/23/11	TOILET SEAT	34.19		120611		D	N	GENERAL SUPPLIES	101.41408.0229
31888 12/23/11	WARMING HOUSE KEYS	74.71		120911		D	N	MTCE. OF STRUCTU	101.45432.0225
31888 12/23/11	ROPE FOR HOCKEY NETS	7.03		121211		D	N	GENERAL SUPPLIES	101.43425.0229
31888 12/23/11	RAKE	9.29		121311		D	N	SMALL TOOLS	101.43425.0221
31888 12/23/11	MOUSE TRAPS	6.40		121511		D	N	GENERAL SUPPLIES	101.45433.0229
31888 12/23/11	FILTER-AIR HANDLING UNIT	10.46		121711		D	N	MTCE. OF STRUCTU	101.41408.0225
31888 12/23/11	FILTER-AIR HANDLING UNIT	6.63		121711		D	N	MTCE. OF STRUCTU	101.41408.0225
31888 12/23/11	CYLINDER FOR LP TORCH	4.16		121911		D	N	SMALL TOOLS	101.43425.0221
31888 12/23/11	KEYS FOR BLDG	17.42		121911		D	N	MTCE. OF STRUCTU	101.45433.0229
31888 12/23/11	DIRT CATCHER MAT/SUPPL.	33.64		121911		D	N	GENERAL SUPPLIES	101.45433.0229
31888 12/23/11	CLEANING SUPPLIES	19.39		122011		D	N	CLEANING AND WAS	101.45433.0228
	VENDOR TOTAL	232.26		*CHECK TOTAL					
		232.26							
HAUG IMPLEMENT CO - JOHN 000324									
31889 12/23/11	SNOW BLOWER PARTS	51.03		452965		D	N	MTCE. OF EQUIPME	651.48474.0224
31889 12/23/11	SNOW BLOWER PARTS	34.02		452965		D	N	MTCE. OF EQUIPME	651.48475.0224
	VENDOR TOTAL	85.05		*CHECK TOTAL					
		85.05							
HAUG-KUBOTA LLC 002609									
31890 12/23/11	MOWER DECK REPAIR-PARTS	52.26		963		D	N	MTCE. OF EQUIPME	651.48474.0224
31890 12/23/11	MOWER DECK REPAIR-PARTS	34.84		963		D	N	MTCE. OF EQUIPME	651.48475.0224
31890 12/23/11	MOWER DECK REPAIR-PARTS	8.76		967		D	N	MTCE. OF EQUIPME	651.48474.0224
31890 12/23/11	MOWER DECK REPAIR-PARTS	5.84		967		D	N	MTCE. OF EQUIPME	651.48475.0224
	VENDOR TOTAL	101.70		*CHECK TOTAL					
		101.70							
HAWKINS INC 000325									
31891 12/23/11	FERRIC CHLORIDE	4,285.21		3289955 RI		D	N	GENERAL SUPPLIES	651.48475.0229
31891 12/23/11	FERRIC CHLORIDE	4,271.15		3291973 RI		D	N	GENERAL SUPPLIES	651.48475.0229
	VENDOR TOTAL	8,556.36		*CHECK TOTAL					
		8,556.36							
HELGESON/JOSHUA 002616									
31892 12/23/11	SWAT TRAINING	9.00		115		D	N	TRAVEL-CONF.-SCH	101.42411.0333

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VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
HOME DEPOT CREDIT SERVICE 000058 31893 12/23/11 CITY SALES TAX 31893 12/23/11 LIGHT BULBS FOR BLDG VENDOR TOTAL	0.16 35.24 35.40 35.40		121411 121411 *CHECK TOTAL		D N D N	SALES TAX PAYABL MTCE. OF STRUCTU	101.206000 101.45433.0225
HYDRITE CHEMICAL CO 002837 31894 12/23/11 MAGNESIUM HYDROXIDE	8,359.20		01445109		D N	GENERAL SUPPLIES	651.48475.0229
INT'L CODE COUNCIL 000355 31895 12/23/11 KARDELL-CODE CLASSES	399.00		69230		D N	PREPAID EXPENSES	101.128000
INTERSTATE POWER SYSTEMS 001699 31896 12/23/11 HVAC BELTS 31896 12/23/11 HVAC BELTS VENDOR TOTAL	105.03 70.02 175.05 175.05		503915 RI 503915 RI *CHECK TOTAL		D N D N	MTCE. OF EQUIPME MTCE. OF EQUIPME	651.48474.0224 651.48475.0224
JAHNKE/MICHAEL, J 001737 31897 12/23/11 SWAT TRAINING	9.00		121611		D N	TRAVEL-CONF. -SCH	101.42411.0333
JOHNSON FEED INC 002920 31898 12/23/11 ROAD SALT 31898 12/23/11 ROAD SALT VENDOR TOTAL	2,086.44 2,102.70 2,171.85 2,076.68 2,150.70 2,082.37 12,670.74 12,670.74		60506 60600 60870 60871 60872 60873 *CHECK TOTAL		D N D N D N D N D N D N	GENERAL SUPPLIES GENERAL SUPPLIES GENERAL SUPPLIES GENERAL SUPPLIES GENERAL SUPPLIES GENERAL SUPPLIES	101.43425.0229 101.43425.0229 101.43425.0229 101.43425.0229 101.43425.0229 101.43425.0229
KANDIYOHI AREA TRANSIT 001941 31899 12/23/11 CITY'S SHARE-TRANSIT B	6,000.00		3760		D N	OTHER SERVICES	101.43001.0339
KANDIYOHI CO AUDITOR 000376 31900 12/23/11 DICTATION SYSTEM 31900 12/23/11 RETURN EXCESS TAX INCR 31900 12/23/11 RETURN EXCESS TAX INCR 31900 12/23/11 TIF PYMT FROM STATE VENDOR TOTAL	5,667.13 8,400.06 12,967.10 3,859.00 30,893.29 30,893.29		121311 121611 121611 122311 *CHECK TOTAL		D N D N D N D N	OTHER SERVICES OTHER CHARGES OTHER CHARGES OTHER CHARGES	101.42411.0339 372.47317.0449 366.47306.0449 366.47306.0449
KANDIYOHI CO-OP ELECTRIC 000375 31901 12/23/11 WELCOME TO WILLMAR SIGN 31901 12/23/11 WELCOME TO WILLMAR SIGN 31901 12/23/11 CO RD 23/HWY 71 BYPASS 31901 12/23/11 ELEC SERV-LIFT STATIONS 31901 12/23/11 ABBOTT DR LIFT STATION	40.00 63.94 124.00 401.00 66.00		STMT/12-11 STMT/12-11 STMT/12-11 STMT/12-11 STMT/12-11		D N D N D N D N D N	UTILITIES UTILITIES UTILITIES UTILITIES UTILITIES	101.43425.0332 101.43425.0332 101.43425.0332 651.48476.0332 651.48476.0332

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VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM INVOICE	PO#	F S 9 EX M	ACCOUNT NAME	ACCOUNT
KANDIYOHI CO-OP ELECTRIC 000375 31901 12/23/11 ELEC SERV-SECURITY LIGHT 31901 12/23/11 ELEC SERV-SECURITY LIGHT VENDOR TOTAL	15.00 15.00 724.94 724.94	STMT/12-11 STMT/12-11 *CHECK TOTAL		D N D N	UTILITIES UTILITIES	651.48478.0332 651.48479.0332
LANGE/CRAIG 31902 12/23/11 DOG FOOD	39.39	150		D N	SUBSISTENCE OF P	101.42411.0227
MAXIMUM CRUISE AVIATION 002675 31903 12/23/11 ON SITE MGMT SERV-DEC	1,666.66	122011		D N	PROFESSIONAL SER	101.43430.0446
MBPTA 31904 12/23/11 MEMBERSHIP DUES	50.00	122111		D N	PREPAID EXPENSES	101.128000
MENARDS 31905 12/23/11 DISTILLED WATER	3.32	6444		D N	GENERAL SUPPLIES	651.48474.0229
MIKE'S SMALL ENGINE CENT 002699 31906 12/23/11 STIHL SAW REPAIR-PARTS 31906 12/23/11 STIHL SAW REPAIR-LABOR 31906 12/23/11 POLE SAW REPAIR-PARTS 31906 12/23/11 POLE SAW REPAIR-LABOR 31906 12/23/11 STARTER ROPE 31906 12/23/11 FIX RECOIL-LABOR VENDOR TOTAL	46.26 65.00 18.04 37.80 1.49 16.20 184.79 184.79	K3117056 K3117056 K3117080 K3117080 96009 96009 *CHECK TOTAL		D N D N D N D N D N D N	MTCE. OF EQUIPME MTCE. OF EQUIPME MTCE. OF EQUIPME MTCE. OF EQUIPME MTCE. OF EQUIPME MTCE. OF EQUIPME	101.43425.0224 101.43425.0334 101.43425.0224 101.43425.0334 101.43425.0224 101.43425.0334
MILLS AUTOMOTIVE GROUP 000432 31907 12/23/11 RADIATOR HOSE 31907 12/23/11 BRAKES/OIL DIPSTICK 31907 12/23/11 CV SHAFT VENDOR TOTAL	39.60 99.55 306.99 446.14 446.14	1792490 1792944 1995369 *CHECK TOTAL		D N D N D N	INVENTORIES-MDSE INVENTORIES-MDSE INVENTORIES-MDSE	101.125000 101.125000 101.125000
MINI BIFF LLC 001805 31908 12/23/11 TOILET RENTALS 31908 12/23/11 TOILET RENTALS 31908 12/23/11 TOILET RENTALS 31908 12/23/11 TOILET RENTALS VENDOR TOTAL	76.84 76.84 76.84 32.23 262.75 262.75	A-48352 A-48353 A-48360 A-48551 *CHECK TOTAL		D N D N D N D N	RENTS RENTS RENTS RENTS	101.43425.0440 101.43425.0440 101.43425.0440 101.43425.0440
MN DEPT OF REVENUE 000492 170 12/19/11 USE TAX-NOVEMBER 170 12/19/11 SALES TAX-NOVEMBER 170 12/19/11 USE TAX-NOVEMBER 170 12/19/11 USE TAX-NOVEMBER	9.77 788.00 0.05CR 0.24CR	STMT/11-11 STMT/11-11 STMT/11-11 STMT/11-11		M N M N M N M N	PREPAID EXPENSES SALES TAX PAYABL SALES TAX PAYABL SALES TAX PAYABL	101.128000 101.206000 101.206000 101.206000

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VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
MN DEPT OF REVENUE 000492							
170 12/19/11 USE TAX-NOVEMBER	0.02CR		STMT/11-11		M N	SALES TAX PAYABL	101.206000
170 12/19/11 USE TAX-NOVEMBER	0.33CR		STMT/11-11		M N	SALES TAX PAYABL	101.206000
170 12/19/11 USE TAX-NOVEMBER	0.84CR		STMT/11-11		M N	SALES TAX PAYABL	101.206000
170 12/19/11 USE TAX-NOVEMBER	0.33CR		STMT/11-11		M N	SALES TAX PAYABL	101.206000
170 12/19/11 USE TAX-NOVEMBER	279.00		STMT/11-11		M N	SALES TAX PAYABL	101.206000
170 12/19/11 USE TAX-NOVEMBER	1.62		STMT/11-11		M N	OFFICE SUPPLIES	101.41403.0220
170 12/19/11 USE TAX-NOVEMBER	1.62		STMT/11-11		M N	OFFICE SUPPLIES	101.41404.0220
170 12/19/11 USE TAX-NOVEMBER	43.17		STMT/11-11		M N	SMALL TOOLS	101.41409.0221
170 12/19/11 USE TAX-NOVEMBER	58.97		STMT/11-11		M N	SMALL TOOLS	101.42411.0221
170 12/19/11 USE TAX-NOVEMBER	2.91		STMT/11-11		M N	MOTOR FUELS AND	101.42411.0222
170 12/19/11 USE TAX-NOVEMBER	6.08		STMT/11-11		M N	MOTOR FUELS AND	101.42411.0222
170 12/19/11 USE TAX-NOVEMBER	27.50		STMT/11-11		M N	SMALL TOOLS	101.42411.0229
170 12/19/11 DIESEL FUEL TAX-NOV	517.48		STMT/11-11		M N	SMALL TOOLS	101.42412.0221
170 12/19/11 USE TAX-NOVEMBER	83.40		STMT/11-11		M N	MOTOR FUELS AND	101.43425.0222
170 12/19/11 USE TAX-NOVEMBER	2.66		STMT/11-11		M N	MOTOR FUELS AND	101.43425.0222
170 12/19/11 USE TAX-NOVEMBER	13.38		STMT/11-11		M N	MOTOR FUELS AND	101.43430.0222
170 12/19/11 USE TAX-NOVEMBER	1.03		STMT/11-11		M N	MOTOR FUELS AND	101.43430.0222
170 12/19/11 USE TAX-NOVEMBER	3.23		STMT/11-11		M N	GENERAL SUPPLIES	101.45432.0229
170 12/19/11 USE TAX-NOVEMBER	23.77		STMT/11-11		M N	GENERAL SUPPLIES	101.45433.0222
170 12/19/11 USE TAX-NOVEMBER	1,816.70		STMT/11-11		M N	OFFICE SUPPLIES	207.45001.0220
170 12/19/11 USE TAX-NOVEMBER	3,40.28		STMT/11-11		M N	GENERAL SUPPLIES	651.48474.0229
170 12/19/11 DIESEL FUEL TAX-NOV	3,718.76		STMT/11-11		M N	GENERAL SUPPLIES	651.48475.0229
VENDOR TOTAL	3,718.76	*CHECK	TOTAL			MOTOR FUELS AND	651.48476.0222
MN DEPT OF TRANSPORTATIO 000497							
31909 12/23/11 MATERIAL SAMPLE TESTS	13.12		00000049151		D N	OTHER SERVICES	101.43425.0339
31909 12/23/11 MATERIAL SAMPLE TESTS	1,664.70		00000049151		D N	OTHER SERVICES	411.48451.0339
31909 12/23/11 MATERIAL SAMPLE TESTS	645.31		00000049151		D N	OTHER SERVICES	412.48451.0339
31909 12/23/11 MATERIAL SAMPLE TESTS	307.73		00000049151		D N	OTHER SERVICES	412.48451.0339
VENDOR TOTAL	2,630.86	*CHECK	TOTAL				
MN WEST COMMUNITY TECH C 001713							
31910 12/23/11 TRAINING MEMBERSHIP	700.00		121211		D N	PREPAID EXPENSES	101.128000
MONSON CORPORATION 000126							
31911 12/23/11 ORTFENBLAD POND CLEANOU	7,680.00		2888ME		D N	MTCE. OF OTHER I	417.48014.0336
MUNICIPAL UTILITIES 000541							
31912 12/23/11 2011 PERA STATE AID	7,604.00		122211		D N	REFUNDS AND REIM	101.41428.0882
MVTL LABORATORIES INC 000544							
31913 12/23/11 EFFLUENT ANALYSIS	234.00		583199		D N	PROFESSIONAL SER	651.48474.0446
31913 12/23/11 EFFLUENT ANALYSIS	156.00		583199		D N	PROFESSIONAL SER	651.48475.0446
31913 12/23/11 IND. INFLUENT ANALYSIS	25.00		583224		D N	PROFESSIONAL SER	651.48475.0446
VENDOR TOTAL	415.00	*CHECK	TOTAL				

Vendor Payments 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
NEXTEL COMMUNICATION 000578									
31914 12/23/11	CELLULAR PHONE USAGE	58.21		317498885-043		D	N	COMMUNICATIONS	101.41400.0330
31914 12/23/11	CELLULAR PHONE USAGE	62.03		317498885-043		D	N	COMMUNICATIONS	101.41403.0330
31914 12/23/11	CELLULAR PHONE USAGE	88.52		317498885-043		D	N	COMMUNICATIONS	101.41409.0330
31914 12/23/11	CELLULAR PHONE USAGE	382.98		317498885-043		D	N	COMMUNICATIONS	101.42411.0330
31914 12/23/11	CELLULAR PHONE USAGE	278.92		317498885-043		D	N	COMMUNICATIONS	101.42412.0330
31914 12/23/11	CELLULAR PHONE USAGE	49.05		317498885-043		D	N	COMMUNICATIONS	101.43417.0330
31914 12/23/11	CELLULAR PHONE USAGE	77.03		317498885-043		D	N	COMMUNICATIONS	101.43425.0330
31914 12/23/11	CELLULAR PHONE USAGE	28.72		317498885-043		D	N	COMMUNICATIONS	101.45432.0330
31914 12/23/11	CELLULAR PHONE USAGE	11.65		317498885-043		D	N	COMMUNICATIONS	101.45433.0330
31914 12/23/11	CELLULAR PHONE USAGE	35.55		317498885-043		D	N	COMMUNICATIONS	207.45001.0330
31914 12/23/11	CELLULAR PHONE USAGE	39.34		317498885-043		D	N	COMMUNICATIONS	651.48474.0330
31914 12/23/11	CELLULAR PHONE USAGE	26.32		317498885-043		D	N	COMMUNICATIONS	651.48475.0330
31914 12/23/11	CELLULAR PHONE USAGE	8.47		317498885-043		D	N	COMMUNICATIONS	651.48476.0330
	VENDOR TOTAL	1,146.79		*CHECK TOTAL					
		1,146.79							
NORTHERN STATES SUPPLY 000585									
31915 12/23/11	CUTOFF MANDREL	20.13		783717		D	N	INVENTORIES-MDSE	101.125000
O'REILLY AUTOMOTIVE INC 000650									
31916 12/23/11	TAIL LIGHT	6.09		1528-120959		D	N	MTCE. OF EQUIPME	101.42411.0224
31916 12/23/11	CAR #24-HALOGEN BULBS	13.45		1528-122373		D	N	MTCE. OF EQUIPME	101.42411.0224
31916 12/23/11	QUICK-DETACH KEY RINGS	8.75		1528-122721		D	N	GENERAL SUPPLIES	101.42411.0229
31916 12/23/11	REPL. BRAKE LT BULB	3.36		1528-124609		D	N	MTCE. OF EQUIPME	101.42411.0224
31916 12/23/11	HEADLAMP FOR SQUAD	8.54		1528-124792		D	N	MTCE. OF EQUIPME	101.42411.0224
	VENDOR TOTAL	40.19		*CHECK TOTAL					
		40.19							
OAKLEAF/CHAD W 001827									
31917 12/23/11	SWAT TRAINING	9.00		111		D	N	TRAVEL-CONF. -SCH	101.42411.0333
PERKINS LUMBER CO INC 000604									
31918 12/23/11	LANDSCAPE SPIKES	4.31		331490		D	N	GENERAL SUPPLIES	101.43425.0229
PETE'S COMMUNICATIONS 000610									
31919 12/23/11	RADIO REPAIR-LABOR	64.00		0051091		D	N	MTCE. OF EQUIPME	101.42412.0334
POWER PLAN OIB 000342									
31920 12/23/11	SHARPEN CHIPPER KNIVES	32.50		P69205		D	N	INVENTORIES-MDSE	101.125000
QUAM CONSTRUCTION CO INC 000634									
31921 12/23/11	HYDRANT REPAIR-PARTS	102.00		920		D	N	MTCE. OF OTHER I	101.43425.0226
31921 12/23/11	HYDRANT REPAIR-LABOR	1,450.00		920		D	N	MTCE. OF OTHER I	101.43425.0336
	VENDOR TOTAL	1,552.00		*CHECK TOTAL					
		1,552.00							
R & R SPECIALTIES INC 000636									
31922 12/23/11	ZAMBONI PARTS	144.57		0048753		D	N	MTCE. OF EQUIPME	101.45433.0224

VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
RDO EQUIPMENT CO	000291									
31923	12/23/11	JD LOADER/BUCKET/REC	106,887.29	E01250				D N	MACHINERY AND AU	450.43425.0553
31923	12/23/11	FORK ATTACHMENT	2,531.87	E01250				D N	MACHINERY AND AU	450.43425.0553
31923	12/23/11	BROOM ATTACHMENT	11,756.25	E01250				D N	MACHINERY AND AU	450.43425.0553
		VENDOR TOTAL	121,175.41	*CHECK TOTAL						
			121,175.41							
RICE HOSPITAL	001166									
31924	12/23/11	2011 PERA STATE AID	70,326.00	122211				D N	REFUNDS AND REIM	101.41428.0882
31924	12/23/11	PROFESSIONAL SERVICES	70,326.62	72				D N	PROFESSIONAL SER	101.42411.0446
		VENDOR TOTAL	70,358.62	*CHECK TOTAL						
			70,358.62							
ROSENBAUER MINNESOTA LLC	.01795									
31925	12/23/11	REPL. DOOR SWITCH	72.92	0000004844				D N	MTCE. OF EQUIPME	101.42412.0224
		TIRES FOR CAR 5 & 6	915.88	50130				D N	MTCE. OF EQUIPME	101.42411.0224
RULE TIRE SHOP	000665									
31926	12/23/11	OLD SITE SUPPLIES	34.14	121611				D N	GENERAL SUPPLIES	651.48474.0229
31927	12/23/11	GLOVES	17.48	2781446				D N	GENERAL SUPPLIES	101.43425.0229
31927	12/23/11	SAW BLADE	15.70	2781586				D N	SMALL TOOLS	651.48474.0221
31927	12/23/11	EXCHANGED SAW BLADE	1.18	2781749				D N	SMALL TOOLS	651.48474.0221
31927	12/23/11	SKATE ROOM SUPPLIES	34.28	2784642				D N	GENERAL SUPPLIES	101.45433.0229
31927	12/23/11	UTV TANK/CARGO STRAPS	162.43	2795068				D N	SMALL TOOLS	101.42412.0221
31927	12/23/11	ZAMBONI PARTS	44.86	2795466				D N	MTCE. OF EQUIPME	101.45433.0224
31927	12/23/11	PLUMBING PARTS	25.63	2806941				D N	MTCE. OF STRUCTU	101.45433.0225
31927	12/23/11	HOOKS/BOLTS-IND. LADDER	9.78	2811541				D N	MTCE. OF OTHER I	651.48475.0226
31927	12/23/11	EYE BOLTS-INDUST. LADDER	1.69	2811546				D N	MTCE. OF OTHER I	651.48475.0226
31927	12/23/11	SHOVEL	28.21	2813968				D N	SMALL TOOLS	651.48474.0221
31927	12/23/11	SHOVEL	18.80	2813968				D N	SMALL TOOLS	651.48475.0221
31927	12/23/11	CREEPER	49.16	2822357				D N	SMALL TOOLS	651.48474.0221
		VENDOR TOTAL	443.34	*CHECK TOTAL						
			443.34							
SERVICE CENTER/CITY	000685									
31928	12/23/11	EQUIPMENT REPAIR-PARTS	62.94	STMT/11-11				D N	MTCE. OF EQUIPME	101.41408.0224
31928	12/23/11	EQUIPMENT REPAIR-OIL	67.85	STMT/11-11				D N	MOTOR FUELS AND	101.42411.0222
31928	12/23/11	EQUIPMENT REPAIR-PARTS	346.40	STMT/11-11				D N	MTCE. OF EQUIPME	101.42411.0224
31928	12/23/11	EQUIPMENT REPAIR-PARTS	85.89	STMT/11-11				D N	MTCE. OF EQUIPME	101.42412.0224
31928	12/23/11	EQUIPMENT REPAIR-OIL	11.10	STMT/11-11				D N	MOTOR FUELS AND	101.43417.0222
31928	12/23/11	EQUIPMENT REPAIR-PARTS	12.54	STMT/11-11				D N	MTCE. OF EQUIPME	101.43417.0224
31928	12/23/11	EQUIPMENT REPAIR-OIL	351.85	STMT/11-11				D N	MOTOR FUELS AND	101.43425.0222
31928	12/23/11	EQUIPMENT REPAIR-PARTS	739.47	STMT/11-11				D N	MTCE. OF EQUIPME	101.43425.0224
31928	12/23/11	EQUIPMENT REPAIR-PARTS	248.88	STMT/11-11				D N	MTCE. OF EQUIPME	101.45432.0224
		VENDOR TOTAL	1,926.92	*CHECK TOTAL						
			1,926.92							

VENDOR NAME AND NUMBER CHECK# DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9	BX M	ACCOUNT NAME	ACCOUNT
SHERWIN WILLIAMS CO 31929 12/23/11	000690 PAINT FOR PICNIC TABLES	193.61		1933-4		D	N	MTCE. OF OTHER I	101.43425.0226
SHI CORP 31930 12/23/11	000275 2012 SERVER SUPPORT	929.81		B00473207		D	N	PREPAID EXPENSES	101.128000
31930 12/23/11	2012 BACKUP SUPPORT	694.69		B00475529		D	N	PREPAID EXPENSES	101.128000
	VENDOR TOTAL	1,624.50	*CHECK TOTAL						
		1,624.50							
ST PAUL/CITY OF 31931 12/23/11	001783 ERICKSON-CELL PHONE TRNG	165.00		121235		D	N	TRAVEL-CONF. -SCH	101.42411.0333
31931 12/23/11	NELSON-CELL PHONE TRNG	165.00		121235		D	N	TRAVEL-CONF. -SCH	101.42411.0333
	VENDOR TOTAL	330.00	*CHECK TOTAL						
		330.00							
STATEWIDE DISTRIBUTING I 31932 12/23/11	000718 KLEENEX/TOILET TISSUE	148.56		093678		D	N	GENERAL SUPPLIES	651.48484.0229
31932 12/23/11	CLEANING SUPPLIES	79.90		093722		D	N	CLEANING AND WAS	651.48474.0228
31932 12/23/11	CLEANING SUPPLIES	53.27		093722		D	N	CLEANING AND WAS	651.48475.0228
	VENDOR TOTAL	281.73	*CHECK TOTAL						
		281.73							
SURPLUS WAREHOUSE INC 31933 12/23/11	000728 HITCH/PARTS	77.96		112911		D	N	SMALL TOOLS	101.42412.0221
TDS METROCOM 31934 12/23/11	000758 MONTHLY SERVICE	231.92		224		D	N	COMMUNICATIONS	101.42412.0330
31934 12/23/11	MONTHLY SERVICE	49.16		224		D	N	COMMUNICATIONS	101.42412.0330
	VENDOR TOTAL	281.08	*CHECK TOTAL						
		281.08							
TOM SCHRADER INC 31935 12/23/11	01796 FREIGHT FOR COLD MIX	439.49		4063		D	N	POSTAGE	101.43425.0223
TURCH & ASSOCIATES/DAVID 31936 12/23/11	002156 PROF. SERVICES-NOV	4,500.00		STMT/11-11		D	N	PROFESSIONAL SER	101.41428.0446
31936 12/23/11	PROF. SERVICES-DEC	3,994.52		STMT/12-11		D	N	PROFESSIONAL SER	101.41428.0446
	VENDOR TOTAL	8,494.52	*CHECK TOTAL						
		8,494.52							
VALLEY NAT'L GASES WV LL 31937 12/23/11	002898 CYLINDER RENTAL	40.19		03637108		D	N	RENTS	101.45433.0440
VENENGA/JAMES A 31938 12/23/11	002324 SWAT TRAINING	9.00		114		D	N	TRAVEL-CONF. -SCH	101.42411.0333
VREEMAN CONSTRUCTION CO 31939 12/23/11	000784 CLEANOUT AND CASTING	1,800.00		3938		D	N	MTCE. OF OTHER I	651.48476.0226

Vendor Payments 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
WAL-MART COMMUNITY 000789														
31940	12/23/11		CITY SALES TAX	1.07		120211		D	N				SALES TAX PAYABL	101.206000
31940	12/23/11		HOLIDAY BLITZ SUPPLIES	67.61		120211		D	N				GENERAL SUPPLIES	101.45435.0229
31940	12/23/11		FUEL STABILIZER	26.03		120511		D	N				GENERAL SUPPLIES	101.42411.0229
31940	12/23/11		TONER	143.15		120511		D	N				OFFICE SUPPLIES	207.45001.0229
31940	12/23/11		TOILET TISSUE	28.79		120511		D	N				GENERAL SUPPLIES	207.45001.0229
31940	12/23/11		COFFEE	37.92		122211		D	N				GENERAL SUPPLIES	207.45001.0229
			VENDOR TOTAL	304.57		*CHECK TOTAL							SUBSISTENCE OF P	101.42411.0227
				304.57										
WCEC INC 002738														
31941	12/23/11		PROFESSIONAL SERVICES	905.55		65128		D	N				PROFESSIONAL SER	651.48474.0446
WEST CENTRAL INDUSTRIES 000801														
31942	12/23/11		CLEANING SERVICES	486.28		000316009		D	N				CLEANING AND WAS	101.45427.0338
WEST CENTRAL SANITATION 000805														
31943	12/23/11		INST. RADIO-LABOR	47.14		072129S		D	N				INVENTORIES-MDSE	101.125000
31943	12/23/11		CHECK VOID	47.14	CR	072129S		M	N				INVENTORIES-MDSE	101.125000
31943	12/23/11		GARBAGE SERVICE-NOVEMBER	51.05		1573100/11-11		D	N				CLEANING AND WAS	101.41408.0338
31943	12/23/11		GARBAGE SERVICE-NOVEMBER	51.16		1573100/11-11		D	N				CLEANING AND WAS	101.42412.0338
31943	12/23/11		GARBAGE SERVICE-NOVEMBER	249.51		1573100/11-11		D	N				CLEANING AND WAS	101.43425.0338
31943	12/23/11		GARBAGE SERVICE-NOVEMBER	722.30		1573100/11-11		D	N				CLEANING AND WAS	101.43425.0338
31943	12/23/11		GARBAGE SERVICE-NOVEMBER	61.03		1573100/11-11		D	N				CLEANING AND WAS	101.43425.0338
31943	12/23/11		GARBAGE SERVICE-NOVEMBER	134.83		1573100/11-11		D	N				CLEANING AND WAS	101.45427.0338
31943	12/23/11		GARBAGE SERVICE-NOVEMBER	51.16		1573100/11-11		D	N				CLEANING AND WAS	101.45433.0338
31943	12/23/11		CHECK VOID	51.16	CR	1573100/11-11		D	N				CLEANING AND WAS	101.45433.0338
31943	12/23/11		CHECK VOID	51.16	CR	1573100/11-11		M	N				CLEANING AND WAS	101.41408.0338
31943	12/23/11		CHECK VOID	249.51	CR	1573100/11-11		M	N				CLEANING AND WAS	101.42412.0338
31943	12/23/11		CHECK VOID	722.30	CR	1573100/11-11		M	N				CLEANING AND WAS	101.43425.0338
31943	12/23/11		CHECK VOID	61.03	CR	1573100/11-11		M	N				CLEANING AND WAS	101.43425.0338
31943	12/23/11		CHECK VOID	134.83	CR	1573100/11-11		M	N				CLEANING AND WAS	101.45427.0338
31943	12/23/11		CHECK VOID	51.16	CR	1573100/11-11		M	N				CLEANING AND WAS	101.45433.0338
31943	12/23/11		GARBAGE SERVICE-NOVEMBER	274.76		9400654/11-11		D	N				CLEANING AND WAS	101.45433.0338
31943	12/23/11		CHECK VOID	274.76	CR	9400654/11-11		D	N				CLEANING AND WAS	101.48474.0338
			VENDOR TOTAL	0.00		*CHECK TOTAL							CLEANING AND WAS	651.48474.0338
				0.00										
WEST CENTRAL TRIBUNE 000807														
31944	12/23/11		COUNCIL PROCEEDINGS PUB.	149.04		DI03054233		D	N				PRINTING AND PUB	101.41401.0331
31944	12/23/11		COUNCIL PROCEEDINGS PUB.	447.12		DI03054234		D	N				PRINTING AND PUB	101.41401.0331
31944	12/23/11		COUNCIL PROCEEDINGS PUB.	662.40		DI03054235		D	N				PRINTING AND PUB	101.41401.0331
31944	12/23/11		COUNCIL PROCEEDINGS PUB.	662.40		DI03054239		D	N				PRINTING AND PUB	101.41401.0331
			VENDOR TOTAL	1,920.96		*CHECK TOTAL								
				1,920.96										
WEST CENTRAL TROPHIES 000808														
31945	12/23/11		AERATION WARNING	353.28		DI03054229		D	N				PRINTING AND PUB	101.43425.0331

VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 EX M	ACCOUNT NAME	ACCOUNT
WEST CENTRAL TROPHIES 31945 12/23/11 CHECK VOLD 000808	353.28CR		DI03054229		M N	PRINTING AND PUB	101.43425.0331
31945 12/23/11 AERATION WARNING	317.95		DI03054230		D N	PRINTING AND PUB	101.43425.0331
31945 12/23/11 CHECK VOLD	317.95CR		DI03054230		M N	PRINTING AND PUB	101.43425.0331
VENDOR TOTAL	0.00		*CHECK TOTAL				
WILLMAR AUTO VALUE 002689							
31946 12/23/11 LIGHTS	21.99		599770		D N	INVENTORIES-MDSE	101.125000
31946 12/23/11 BRAKE CALIPERS	269.54		599934		D N	INVENTORIES-MDSE	101.125000
31946 12/23/11 OIL FILTER	6.83		599934		D N	MTC. OF EQUIPME	651.48476.0224
31946 12/23/11 BRAKE CALIPERS	130.62CR		600224		D N	INVENTORIES-MDSE	101.125000
31946 12/23/11 FUEL LINE END	2.49		600462		D N	INVENTORIES-MDSE	101.125000
VENDOR TOTAL	170.23		*CHECK TOTAL				
WILLMAR CHAMBER OF COMME 000812							
31947 12/23/11 BRISENDINE-MBRSHP DUES	160.00		35727		D N	PREPAID EXPENSES	101.128000
WILLMAR WATER & SPAS 000831							
31948 12/23/11 DRINKING WATER	6.25		24425		D N	SUBSISTENCE OF P	651.48474.0227
31948 12/23/11 LAB WATER	60.15		24440		D N	GENERAL SUPPLIES	651.48474.0229
31948 12/23/11 LAB WATER	40.10		24440		D N	GENERAL SUPPLIES	651.48475.0229
VENDOR TOTAL	106.50		*CHECK TOTAL				
WILSON *PETTY CASH/HOLLY 001319							
31949 12/23/11 TO REIMBURSE PETTY CASH	1.71		121311		D N	GENERAL SUPPLIES	101.41408.0229
31949 12/23/11 TO REIMBURSE PETTY CASH	2.78		121311		D N	GENERAL SUPPLIES	101.41408.0229
31949 12/23/11 TO REIMBURSE PETTY CASH	36.99		121311		D N	OFFICE SUPPLIES	101.43417.0220
31949 12/23/11 TO REIMBURSE PETTY CASH	2.35		121311		D N	MTC. OF OTHER I	101.43417.0226
31949 12/23/11 TO REIMBURSE PETTY CASH	14.54		121311		D N	GENERAL SUPPLIES	101.43425.0229
VENDOR TOTAL	58.37		*CHECK TOTAL				
WOSMEK/JARED 000093							
31950 12/23/11 SWAT TRAINING	9.00		118		D N	TRAVEL-CONF. -SCH	101.42411.0333
WYFFELS *PETTY CASH/DAV 000723							
31951 12/23/11 TO REIMBURSE PETTY CASH	121.06		122211		D N	SUBSISTENCE OF P	101.42411.0227
31951 12/23/11 TO REIMBURSE PETTY CASH	33.75		122211		D N	GENERAL SUPPLIES	101.42411.0229
31951 12/23/11 TO REIMBURSE PETTY CASH	7.81		122211		D N	TRAVEL-CONF. -SCH	101.42411.0333
VENDOR TOTAL	162.62		*CHECK TOTAL				
ZEE MEDICAL SERVICE 000839							
31952 12/23/11 FIRST AID SUPPLIES	319.57		54167822		D N	SUBSISTENCE OF P	101.43425.0227



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12/28/2011 08:46:51

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Vendor Payments 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:

361,213.13

RECORDS PRINTED - 000307

Vendor Payments History Report

FUND	DESCRIPTION	DISBURSEMENTS
101	GENERAL FUND	176,471.89
207	W.R.A.C. - 8	210.72
366	T.I. (HOMME)	16,826.10
372	T.I. (LAKEWOOD BK)	8,400.06
411	S.A.B.F. - #2011	1,664.70
412	2009 AFG FIRE GRANT	953.04
417	C.P. - SURFACE WATER	7,680.00
450	CAPITAL IMPROVEMENT FUND	121,175.41
651	WASTE TREATMENT	27,831.21
TOTAL ALL FUNDS		361,213.13

BANK	NAME	DISBURSEMENTS
HERT HERITAGE BANK		361,213.13
TOTAL ALL BANKS		361,213.13

## Official Meeting Minutes

Willmar Lakes Area Convention and Visitors Bureau  
Board of Directors Meeting  
Tuesday, October 18, 2011  
EBO Room

**Members Present:** Jim Butterfield, Asim Siddiqui, Dean Shuck, Janet Demuth, Dave Pederson, Kevin Halliday, Ken Warner, Sue Steinert, David Feist, Betty Bollig, Ron Christianson, Todd Paffrath and Keith Pattison

**Members Absent:** Kevin Madsen, Rolf Figenskau and Denny Baker

**Members Excused:** Cecil Meyer

**Staff Present:** Beth Fischer and Amber Schueler

- I. **Call to order:** Demuth called the meeting to order at 12:09 pm.
  - a. **Additions or Corrections to the agenda:** No additions or corrections to the agenda.
  
- II. **Approve Minutes from the September 20, 2011 Meeting:** It was MSC (m/Christianson; s/Paffrath) to approve the minutes from the September 20, 2011 meeting.
  
- III. **Financial Report:** Halliday reported lodging tax revenues are up over 8% compared to last year, and we continue to be in a strong financial position. Shuck reported the county parks had a good year. It was MSC (m/Shuck; s/Bollig) to approve the financial report as presented.
  
- IV. **Committee Reports & Requests:**
  - a. **Sports Committee:** No new business to report.
  - b. **Special Events Committee:** No new business to report.
  - c. **Meetings & Conventions Committee:** Feist reported the committee brainstormed some ideas on bringing new meetings and conventions into the area. Each member is to bring back a potential lead to the table for the next meeting. Fischer attended the MSAE Conference and she felt it was a success and that it was a great networking tool for gaining new business leads. The committee recapped the 4<sup>th</sup> Degree Knights of Columbus Exemplification surveys. Fischer stated both the post-convention survey and the name badge surveys came back with very positive results for the Willmar Conference Center and CVB.
  - d. **Electronic Marketing Committee:** No new business to report.
  - e. **Visitor Guide Committee:** Steinert stated Lakeside Press has reported good advertising sales for the guide. She added there is a new enhanced interactive ad for those who purchased a quarter page ad or larger. On the electronic version of the guide, the user will be able to click thru to phone numbers, emails, and directly to the advertiser's website. These advertisers will also have the option to have a QR code created for them, and included with their ad. The new visitor guide is expected to be out by the end of December.

- f. **Leisure Travel Committee:** Pederson reported the committee met at Green Lake Bible Camp. He stated Green Lake Bible Camp reported numbers being down from previous years. The Green Lake Bible Camp is open to all denominations and many groups stay there each year. The committee has been working on ways to encourage parents to stay in the area after dropping off their youth at area youth camps. Pederson noted Decision Hills has officially closed, which is very unfortunate for the area. Fischer noted Camp Sanderson is back open, but their future is dependent on usage of the camp over the next year or so. Pederson shared the committee brainstormed ideas and potential activities to promote leisure tourism for 2012. They also discussed the impact and importance of the County billboards and if we should continue to put the money and resources into them. No decision was made regarding the future of the billboards. They also passed around the Sport Shows sign-up sheet. The Sports Shows are in Omaha, February 23<sup>rd</sup> – 26<sup>th</sup>, Sioux Falls, March 8<sup>th</sup> – 11<sup>th</sup>, and the Northwest Sports Show, March 28<sup>th</sup> – April 1<sup>st</sup>. If you are interested in volunteering for one of the sport shows, please contact Fischer. Fischer stated that the Civil War Encampment was a success with a wonderful turnout.
- g. **Executive Committee:** Demuth reported Shawna Adams has been recommended to replace Pattison on the CVB Board of Directors. Pattison has served for nine years on the CVB Board. Adams works at the Kandi Entertainment Center. It was MSC (M/Halliday; s/Pattison) to appoint Adams to the CVB Board. Demuth noted Fischer is working with Leslie Valliant to fill the City of Spicer position on the CVB Board of Directors that will be vacated by Figenskau in December. Both Adams and the City of Spicer representative will be invited to the CVB Board Retreat on November 22, 2011. The committee also discussed a Vice Chair position. If you are interested, please let Fischer know.

#### V. **Affiliated Partnership Updates/Reports**

- a. **Community Marketing Coalition Update:** Warner stated the CMC is planning to do the "Did You Know..." campaign again. He stated they were looking into truck wraps to put on local semis, as well as signage on KAT buses. Next month, they are having a special meeting to hear a presentation from John Emami. He will be speaking about his view on the Willmar Lakes Area. The CMC continues to discuss their mission of promoting a positive image of the Willmar Lakes Area and how best to do so.

#### VI. **Executive Director Report:**

- a. Fischer highlighted some upcoming events such as Louie Anderson on November 5<sup>th</sup>, Phantom of the Opera on November 10<sup>th</sup>-13<sup>th</sup>, the Holiday Parade on November 19<sup>th</sup>, several Hockey tournaments on December 9<sup>th</sup> – 11<sup>th</sup> and January 6<sup>th</sup> – 8<sup>th</sup>, New Year's Open Bonspiel on January 6<sup>th</sup> – 8<sup>th</sup>, and the Lakes Area Classic Figure Skating Competition on January 14<sup>th</sup>. Several advertisements were done, including submissions to the 2012 Minnesota Travel Guide, on-line listing to Midwest Meetings, the winter issue of the Meetings Minnesota's Hospitality Journal, and she contacted for ad space for the March/April and May/June AAA Living Magazine. Fischer stated the Willmar Lakes Area was awarded the 2012 MN Disabled Veterans Fall Conference and the 2014 VFW Fall Conference. Unfortunately, Willmar lost the curling bid, but received a lot of positive feedback about the bid from USA Curling. There are several events open to bid on and we will bid again in the very near future. There is real interest in pursuing the Junior Nationals in 2013, but no official decision has been made. The location for the

2013 USA Curling National Championship has not yet been announced. Several bids were done, including submissions for the 2013 MN Ducks Unlimited Convention, 2013 Independent Order of Oddfellows Convention and the 2013 American Legion Bowling Tournament. Fischer stated she met with the meeting organizers from the 4<sup>th</sup> Degree Knights of Columbus on several different occasions and assisted them with a variety of different items for their September Exemplification held in Willmar. The CVB assisted in the site location, social activities, provided name badges & welcome bags, and assisted with registration. Their event was an overall success. Fischer also assisted the MN 4-H with several details for their February convention. A mailer was sent out to the Hockey Associations within approximately 200 miles of Willmar inviting them to participate in the upcoming tournaments. Fischer stated she is continuing to work with Sonshine's marketing group with media information and provided them with a church listing for a targeted marketing piece. She is also working with the Unity Stamp owner and the Holiday Inn to create a Stamping Event in March. Explore Minnesota has a new sports section of their website. Fischer has been providing facility information along with fields and photos of each location in the Willmar Lakes Area. Fischer attended the MSAE Fall Conference in Fargo and the MN Heartland Tourism Board Meeting and Association Meeting in Fergus Falls. A complete copy of the Executive Director's Report is available upon request.

**VII. Other Business:**

- a. **CVB Board Retreat:** The CVB Board Retreat will be held on November 22, 2011 from 8:00 am – 12:00 noon. Ron Erpelding will be the facilitator.
- b. **Community in Review:** Demuth stated this is a new section of the meeting to help the board know what else is going on in the Willmar Lakes Area.

**Shuck:** Reported the board is meeting with the park managers next month for a possible rate increase or a daily rate charge for campers. They are also currently working on union contracts. Shuck stated they have currently spent \$110,000 on erosion correction.

**Feist:** Reported the wedding season has started slowing down. He stated the wedding business has been impressive this year.

**Christianson:** Stated one of the windmills is working now. The city streets are patched and fixed. Construction business has been very busy.

**Pattison:** Stated the outside repairs at the KEC have been completed.

**Paffrath:** Stated they recently celebrate their 85<sup>th</sup> anniversary at Paffrath Jewelers. He also reported the mall is still very busy and ready for the Christmas season.

**Steinert:** Stated the Super 8 had a great summer.

**Pederson:** Stated things are starting to slow down a bit. They are currently wrapping up the Bernicks Outdoor Classroom. The Halloween Haunt is coming up on October 28<sup>th</sup>. They are currently working on the ski trails and preparing them for winter. There is also

a special hunt coming up for the disabled. They usually get about 8 – 10 hunters each time.

**Warner:** Stated the Chamber Board Retreat is being held on November 3<sup>rd</sup> at the Green Lake Bible Camp. He stated Louie Anderson is November 5<sup>th</sup>. Also, the Chamber is currently in the process of surveying their membership on their position regarding the school referendum. He stated the Public Policy meeting is next Friday.

**Bollig:** Reported the EDC is moving their Ag Office to the MinnWest Technology Campus. She shared the EDC is spearheading a project to create an anhydrous ammonia plant in the area. The project is dependent on receiving a Department of Ag Bio Energy grant. If the plant is created, it would be the first in the U.S. She also stated the Farm Venture Symposium was a success.

**Demuth:** Stated hockey teams are still calling and they have been filling up rooms for each tournament. She also reported United FCS is having their open house next week.

c. **Other:** No other business to report.

**VIII. Adjournment:** Meeting was adjourned at 12:47 pm.

Respectfully Submitted,  
Amber Schueler, Administrative Assistant  
Willmar Lakes Area Convention & Visitors Bureau

Willmar Lakes Area CVB Board Retreat  
Tuesday, November 22, 2011  
8:00 am to 12:00 noon  
Kandi Entertainment Center

**Members Present:** Kevin Halliday, Jim Butterfield, Denny Baker, Kevin Madsen, Cecil Meyer, Betty Bollig, David Feist, Dean Shuck, Sue Steinert, Rolf Figenskau, Ron Fake, Todd Paffrath, Shawna Adams, Ron Christianson, Janet Demuth, and Ken Warner

**Members Excused:** Dave Pederson and Keith Pattison

**Members Absent:** Asim Siddiqui

**Staff Present:** Beth Fischer, Laura Peterson and Amber Schueler

**Guests:** Ron Erpelding, Facilitator

- I. **Welcome/Call to Order:** Demuth called the meeting to order at 8:15 am.
  - a. **Welcome New Board Members Shawna Adams and Ron Fake:** Demuth welcomed Shawna Adams and Ron Fake to the CVB Board of Directors.
  - b. **Introduction of Board Facilitator Ron Erpelding:** Demuth introduced Ron Erpelding, the facilitator for the Board Retreat.
- II. **Icebreaker:** The board split up into small groups to do an icebreaker. The groups then shared the information they learned and self-introductions were done.
- III. **Overview of the Morning:** Demuth reviewed the agenda for the morning.
- IV. **Approval of the minutes from the October 18, 2011 meeting:** It was MSC (m/Feist; s/Bollig) to approve the minutes from the October 18, 2011 meeting.
- V. **Financial Report:** Halliday reported the balance sheet is in good standing. For a complete financial report, please contact Fischer. It was MSC (m/Meyer; s/Paffrath) to approve the financial report as presented.
- VI. **3 minute Committee Annual Report – please share top 2-3 accomplishments**
  - a. **Meetings and Conventions:** Feist highlighted several accomplishments for the committee including sending out a mailer to over 400 meeting planners in the Midwest, and aggressively marketing the Willmar Lakes Area as a conference destination in a variety of different publications. He stated we hosted over 20 different conferences this year. The CVB continues to provide a variety of convention services such as welcome bags, name badges, lanyards, meeting planner welcome bags and surveys. Feist shared we also continued to be involved with the Midwest Society of Association Executives (MSAE) through advertising, and participation in the MSAE Expo and the Fall Conference.
  - b. **Leisure Travel:** Bollig stated the committee was busy throughout the year. The committee attended the Omaha, Sioux Falls and Minneapolis Sport Shows. Five additional Geocache locations were created for the Willmar Lakes Area, and a brochure

featuring all of our Geocache locations was made. A snowmobile trail extension was created to bring snowmobilers into the City of Willmar and the committee did a variety of different marketing campaigns to target snowmobile traffic for the Willmar Lakes Area. The committee updated the golf brochures and created a new trail map. Weekly fishing reports and trail reports are still being done to help draw people into the area. The committee also did several advertising partnerships including skinnyski.com to help promote the 3 different cross country ski trails in the Willmar Lakes Area. Bollig presented the inquiries report to the board to show where the visitor guides are sent. The committee also created a Passport to go along with the kick-off to tourism week. Table tents were also distributed to area businesses at this time. The committee created a calendar of events to go out in the community to show people different events going on in the Willmar Lakes Area.

- c. **Special Events Committee:** Baker reported the committee gave out over \$6,000 to eight different groups. The funding is used for marketing their events to get more people into the area.
- d. **Visitor Guide Committee:** Steinert stated the committee received many compliments on the guide. It has been distributed to 18 different tourism racks throughout the county, Explore Minnesota stores in the Mall of America, Travel Information Centers throughout the state, and to customers who have requested them. Individuals from all 50 states and 32 different countries have requested the guide in 2011. The 2012 guide will have a more advanced flip book on-line. The committee hired a photographer to take photos throughout the summer. The committee has a great relationship with the publisher. There will be a new design for the 2012 guide. The 2012 guide will also contain QR codes.
- e. **Sports Committee:** Madsen reported this is the 2<sup>nd</sup> year the sports committee has been around. A lot was accomplished by the committee this year. An assessment of the facilities was done to find out what we have and where. A guide was then completed with that information. The sports facility information for the Willmar Lakes Area was placed on the Explore Minnesota website. Madsen stated the committee continues to promote events that come to the area. The committee wants these events to grow larger to encourage the participants to stay longer. Madsen stated Fischer was instrumental in the curling bid for 2013. Though the bid was not awarded to us, the template has been saved and it was a huge accomplishment to be a part of the selection process. A lot of positive feedback was received on the bid from USA Curling.
- f. **Electronic Marketing Committee:** Figenskau reported the committee worked on different items for the website including increasing search engine optimization, links for Facebook and Twitter, creating a Facebook app, trackable QR codes, and creating a mobile website for people using their smart phones with the CVB website. Several videos have been added to the website and the committee is also working with Cateye productions on the creation of a video.

VII. **Review CVB Business Plan:** Fischer reviewed the CVB business plan with the Board. For a copy of the Willmar Lakes Area Business Plan, please contact Fischer.

[Christianson joined the meeting]

[Warner joined the meeting]

**VIII. Committee breakout sessions to develop proposed 2012 Committee Goals for the CVB**

[Warner exited the meeting]

**IX. Break**

**X. Presentation and review of proposed 2012 Committee Goals by committee:**

- a. **Meetings and Conventions Committee:** Feist stated the committee came up with several goals for 2012.
  - i. Target Ag related businesses and encourage them to hold their meetings or conference in the Willmar Lakes Area. Visit with MinnWest Technology Campus to see if there are opportunities to partner with them on meetings and events.
  - ii. Focus on colleges that provide trainings. The committee could start by contacting Ridgewater College instructors to see if there are any meetings that could be held in the area.
  - iii. Look into the possibility of creating a new religious event for youth to attend during slower times of the year.
  - iv. The committee's "Out of the Box" idea was to combine all Festivals into one large event.
- b. **Leisure Travel Committee:** Bollig shared the goals the committee came up with for 2012.
  - i. Expand and enhance the Passport. Bring the passport to Sport Shows and increase distribution outside of Kandiyohi County.
  - ii. Create an Electronic Calendar of Events that could be placed at lodging properties. A possible option would be a digital frame.
  - iii. Send out Willmar Lakes Area information with Youth Camp mailers for Shores of St. Andrew, Green Lake Bible Camp, and Girl Scout Camps. If we are unable to send with their registration forms, we could do a separate mailing.
  - iv. Host a Willmar Lakes Area Bicycle Summit.
  - v. The committee's "Out of the Box" idea is to designate target areas in the metro and have people come out to the Willmar Lakes Area on a bus for a couple days free of charge. This would allow them to experience all the area has to offer.
  - vi. Their second "Out of the Box" idea was to have a "Nice Bike" program in every community in Kandiyohi County.
- c. **Special Events Committee:** Baker stated the committee came up with several goals for 2012.
  - i. Make "new" groups/events aware of advertising dollars available to them by being spokesmen to events that may need or are looking for funding to advertise.
  - ii. Work with present groups to encourage them to develop new ideas for their existing events.
  - iii. Encourage Board Members to be spokesmen for educating groups on possible funding sources of new events and expanded existing events. Board member should encourage interested individuals to contact Fischer.
- d. **Visitor Guide Committee:** Steinert stated the committee came up with several goals for 2012.

- i. Keep the guide fresh by updating the look of the 2012 guide and set up a focus group of advertisers to discuss their perception of the look and how to enhance it.
  - ii. Add 4 specialty sections to the guide such as hunting, Stingers baseball, Geocaching, and Willmar Lakes Area Arts.
  - iii. Build Advertisers by exploring potential joint partnerships to increase advertising and reduce duplications, and add a multi-cultural section.
  - iv. The committee's "Out of the Box" idea is to have a guide in every household in the Twin Cities Metro area.
- e. **Sports Marketing Committee:** Madsen stated the committee came up with several goals for 2012.
  - i. Continue to expand the electronic network for sports marketing.
  - ii. Find more ways to market the existing softball tournaments.
  - iii. Inquire into a Special Olympics regional or state event and see what it would take to host.
  - iv. The committee's "Out of the Box idea" is to have a Ladies Post-High School Basketball Tournament.
- f. **Electronic Marketing Committee:** Fake stated the committee came up with several goals for 2012.
  - i. Create a blog on the Willmar Lakes Area website to promote tourist attractions, and events.
  - ii. Work on Search Engine Optimization so the Willmar Lakes Area will "pop-up" on the first page of search results.
  - iii. The committee's "Out of the Box" idea is to put live web-cams at the Willmar Lakes Area hot spots so people can view what is going on at each location.
- g. **Brainstorm one "Out of the Box" idea:** The Board discussed the Leisure Committee "Out of the Box" idea, to invite individuals from the Metro Area to Kandiyohi County for the weekend.
  - i. **Who do we invite?** Kids, Parents, Celebrities, Mayors, Organization Event Coordinators, and/or Media.
  - ii. **Where would the funds come from to pay for the event?** Sponsorships, Donations, and Grants. A budget would need to be set.
  - iii. **Who has done this before? What time of the year? What locations would we visit?** The CVB has done something similar many years ago. This is a FAM tour. Many communities have done this, but most are not doing anymore due to the expense. The best time of the year would be summer. We would want to visit a variety of locations throughout the County, including but not limited to Prairie Woods Environmental Learning Center, Sibley State Park, Houseboat Cruise on Green Lake, Glacial Ridge Winery, Barn Theatre, Shopping in New London, etc. We would need to find complimentary lodging, which may affect the time of the year this could be done. We would want to treat them to a nice Kandiyohi County meal, and possibly provide them with a Kandiyohi County gift basket.

**XI. Other:**

- a. **Review of CVB Operational Guidelines:** Demuth reviewed the CVB Operating Guidelines and the Roles & Expectations of a Board Member with the Board.
- b. **Word Around the Community:**

- Halliday reported the City Council received an amended Charter for the City of Willmar at the November 21<sup>st</sup> City Council Meeting. A public hearing has been set, and copies will be made available for review upon request.
- Madsen reported ice time activities have picked up. Hockey Tournaments begin in December and the Figure Skating Competition will be in January.
- Baker stated he doesn't disagree there is duplication with multiple visitor guides, but encouraged the Visitor Guide committee to take into consideration the other guides are also supporting others livelihood.
- Butterfield stated picking people up in other parts of the state and bringing them into the area was a good brainstorming idea.
- Figenskau stated the new golf course at the Big Kahuna Fun Park was a hit this year.
- Christianson stated the City Council will be getting the land release for the airport within the next 4 -5 months.
- Demuth stated they are looking for a Vice Chair for the CVB Board for next year. If anyone is interested, please contact Fischer.
- Bollig stated she feels the CVB has done a nice job of representing and marketing the entire Kandiyohi County.
- Paffrath stated the jewelry store is approaching the busy time of the year!
- Fischer stated the Biking Committee has met and has several great ideas to promote bicycle tourism in Kandiyohi County. If anybody is interested in participating, let her know. Fischer also thanked Board Members for their service to the CVB Board, and their commitment to tourism in Kandiyohi County.

**XII. Adjournment:** Meeting was adjourned at 11:10 a.m. for a complimentary lunch provided by the CVB.

Respectfully Submitted by,

Amber Schueler, Administrative Assistant  
Willmar Lakes Area Convention & Visitors Bureau

## Executive Director's Report – December 2011

### Upcoming Dates:

- December 27-28: Boys' Basketball Tournament
- December 27-29: High School Hockey Tournaments
- December 29-30: Girls' Basketball Tournament
- January 6-8: New Year's Open Bonspiel
- January 6-8: G10U & G12U Hockey Tournament
- January 14: Lakes Area Classic Competition
- January 20-February 19: WinterFest Activities
- January 21: Wheelchair Curling Event
- January 28: 8<sup>th</sup> Annual Polar Bear Plunge 2012
- January 28-29: Green Lake Pond Hockey Tournament
- February 3-5: A & B Pee Wee Hockey Tournament
- February 4: Sno-Skippers Radar Runs on Green Lake
- February 10-12: A, B, C Hockey Tournament
- February 16-18: MN 4-H Conference
- February 18: Vintage Drag Races on Green Lake
- February 19: Sno-Skippers All Class Drag Races on Green Lake
- February 25-26: Diamond Edge Figure Skating Show
- March 9-11: Novice Open Bonspiel
- March 17-18: Knights of Columbus Bowling Tournament
- March 17-18: MAGA Division 1-3 Championships
- March 24-25: Knights of Columbus Bowling Tournament

### Advertising:

- Submitted MN Meetings & Events Ad for the winter 2011 issue.
- Submitted ad for the 2012 Midwest Meetings Directory.
- Submitted listing information to Hospitality Minnesota for their Directory.
- Submitted ad to Sonshine for their festival newspaper.
- Contracted with MN Heartland Tourism Association to participate in the 2012 Central Region Marketing Campaign.
- Contracted advertising in USA Weekend for summer 2012.
- Contracted with Snowtracks.com for 2012

### Proposals/Conference Assistance:

- Submitted bid to host the 2013 MN Fire Chiefs Association Conference. This conference was awarded to the Willmar Lakes Area!!
- Submitted bid to host the 2012 SWEPT Regional Conference
- Submitted bid to host the 2012 MN Association of Townships Legislative and Research Meeting
- Submitted 2012 Legacy Destination Weekend application. This is a very competitive process. Partnered with several different entities to secure the application. The application requires partnership with the Arts Community, Outdoors Entities, and Historical Organizations.
- Assisted MN School Social Workers with a variety of items for their November Conference. The CVB provided name badges and welcome bags for their attendees. The Conference was a success, and organizers were pleased with the services the CVB provided. Name badge surveys also showed favorable responses from attendees.

- Met with MN VFW regarding their 2014 VFW Fall Conference in Willmar. Secured housing agreements with area hotels for this conference.
- Met with the Knights of Columbus Bowling Tournament organizer on multiple occasions regarding the 2012 Tournament being held in Willmar in March. We created a rate sheet with area hotel information, and a welcome letter for the tournament. This information was included in registration mailers that were prepared and mailed by the CVB to approximately 300 bowlers in Minnesota inviting them to participate in the tournament.
- Met with Willmar Hockey Association on multiple occasions regarding their 2011-2012 Hockey Tournaments. Assisted them with a variety of items including room blocks at six different hotels in Willmar and Spicer.
- Met with Marc Jerzak and Ryan Voz from the Willmar Stingers regarding a possible Northwoods League event in Willmar.
- Met with Unity Stamp Co. owners regarding a possible Stamping Event in Willmar in 2012. Researched bus transportation options for their event.
- Assisted MNSPECT with facility information for their upcoming meetings.
- Assisted Wings members with room blocks for the MAGA Division 1-3 State Championships which will be held at the New London High School in March.
- Assisted Airstream organizer with items for the 2012 Rally in Spicer.
- Assisted the Lakes Area Classic with mailers to all the figure skating clubs within 300 miles of Willmar.
- Visited with Civic Center Manager and Christian Hockey League Organizer regarding the possibility of Willmar hosting Christian Hockey League tournaments. We are unable to host the Christian Cup, but may consider hosting smaller tournaments during the ice season in 3-5 years.
- Followed up with MN Ducks Unlimited regarding our bid for their 2013 Convention. The organizer was informed they were not able to move their 2013 convention due to contract obligations. She apologized and is considering Willmar for their 2014 convention.
- Met with Willmar Car Show organizer to discuss 2012 event.
- Met with New London Fine Arts and 2012 New London Guitar Challenge organizer to discuss both events, and other activities in New London.
- Assisted several groups with facility arrangements for smaller day meetings and completed a variety of sales calls.

#### Misc:

- Met with Trail Groomers to secure continued grooming of the trails into the City of Willmar. Created two additional snowmobile signs to indicate the beginning/end of the trail in Willmar.
- Attended the Spicer Commercial Club meetings for WinterFest.
- Created bike sub-committee following the Bike Summit in Mankato. We have met on two occasions and have several ideas to promote bicycle tourism in the Willmar Lakes Area.
- Updated calendar of events items on the Explore Minnesota website.
- Set-up a tourism rack at The Oaks.
- Continue to submit weekly fishing reports to Explore Minnesota.
- Continue to market the Willmar Lakes Area on Facebook & Twitter.
- Continue to attend Willmar Fests, Public Policy, and CMC meetings.

**FOR INFORMATION ONLY**

**MAYORAL**

**BOARD/COMMITTEE/COMMISSION**

**APPOINTMENTS**

**COMMITTEE:** Zoning Appeals Board

**NAME:** Luis Estrada

Employee Liaison, Jennie-O Turkey Store

**ADDRESS:** 511 Lakeland Drive, Apartment 201

**PREVIOUS PUBLIC SERVICE AND MEMBERSHIPS:**

*For Information Only*

**MAYORAL**

**BOARD/COMMITTEE/COMMISSION**

**APPOINTMENTS**

**COMMITTEE:** Planning Commission

**NAME:** Bob Poe

**ADDRESS:** 3209 Eagle Ridge Drive East

**PREVIOUS PUBLIC SERVICE AND MEMBERSHIPS:**

Parks & Recreation Committee, Chair

**FOR INFORMATION ONLY**

**MAYORAL**

**BOARD/COMMITTEE/COMMISSION**

**APPOINTMENTS**

**COMMITTEE:** Planning Commission

**NAME:** Virgilio Aquirre, Jr.

Human Relations Assistant, Jennie-O Turkey Store

**ADDRESS:** 2501 Williams Parkway SW

**PREVIOUS PUBLIC SERVICE AND MEMBERSHIPS:**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION HOSPITAL REVENUE REFUNDING BONDS, SERIES 2012A

The City of Willmar hereby ordains:

1. In accordance with Minnesota Statutes, Chapter 475, the City of Willmar has heretofore determined to refund the City's General Obligation Hospital Revenue Bonds, Series 2002 (Rice Memorial Hospital Project).
2. In order to finance said refunding, it is necessary to issue General Obligation Hospital Revenue Refunding Bonds, Series 2012A in accordance with Minnesota Statutes, Chapter 475.
3. This Ordinance is adopted in order to authorize the borrowing of money and the issuance of general obligation bonds, including any bonds issued to refund such bonds, in a principal amount not to exceed \$47,000,000 as provided in Section 2.12 of the City Charter. Further details shall be set forth by resolution.

This Ordinance introduced by Councilman Christianson

This Ordinance introduced on December 19, 2011

This Ordinance published on December 24, 2011

This Ordinance given a hearing on \_\_\_\_\_

This Ordinance adopted on \_\_\_\_\_

This Ordinance published on \_\_\_\_\_

**CITY OF WILLMAR**  
**EXECUTIVE SUMMARY FOR ACTION**

CITY COUNCIL MEETING DATE: January 3, 2012

AGENDA ITEM:	Public Hearing on an Ordinance to Rezone Certain Lands from R-4 to R-3	AGENDA SECTION:
PREPARED BY:	Megan M. Sauer Planner <i>MMS</i>	AGENDA ITEM #:
ATTACHMENTS:	Location Map/Ordinance	APPROVED BY:

The Planning Commission initiated the rezone of several blocks south of the Central Business District from R-4 (Medium Density Multi-Family Residential) to R-3 (Low Density Multi-Family Residential) to allow single family, duplexes, tri-plexes, and four-plexes as legal permitted uses to make financing and resale more feasible for the existing single family homes. The Planning Commission held a hearing and approved the rezone request.

COUNCIL CONSIDERATIONS: Staff recommends that the Ordinance be adopted, assigned a number, and published.
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/ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 1060,  
THE WILLMAR ZONING ORDINANCE

The City of Willmar does ordain as follows:

SECTION 1. Zoning Change. The Zoning Ordinance and Zoning Map for the City of Willmar are hereby amended to rezone the following property from R-4 Medium Density Multi-Family Residential to R-3 Low Density Multi-Family Residential:

The west half of Block 67, Block 68, Block 69, Block 71, the west half of Block 62, Block 61, and the SE ¼ of 60, First Addition to the Town of Willmar.

SECTION 2. Effective Date. This Ordinance shall be effective from and after its adoption and second publication.

This Ordinance introduced by Council Member: \_\_\_\_\_ Christianson \_\_\_\_\_

This Ordinance introduced on: \_\_\_\_\_ December 19, 2011 \_\_\_\_\_

This Ordinance published on: \_\_\_\_\_ December 26, 2011 \_\_\_\_\_

This Ordinance given a hearing on: \_\_\_\_\_

This Ordinance adopted on: \_\_\_\_\_

This Ordinance published on: \_\_\_\_\_



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE CHARTER  
OF THE CITY OF WILLMAR

The Willmar City Council does ordain as follows:

**Section 1. Preamble.** The Charter is amended by adding the following preamble:

We the people of the City of Willmar, pursuant to the laws of our state, do adopt the Charter in order to secure the benefits of local self-government and we confer upon the City the following powers, subject to the following restrictions, procedures, and governmental structure. We hereby secure the benefits of home rule and thereby affirm the values of representative democracy.

**Section 2. Form of Government.** The Charter is amended by adding an additional section as follows:

**Section 1.03. Form of Government.**

The City of Willmar intends to follow the form of government known as the "Weak Mayor-Council" form.

**Section 3. Amendment of Section 2.02, Eligibility of Council Members.** Section 2.02 of the Charter is amended to read as follows:

**Section 2.02. Eligibility of Council members.**

Any individual, 21 years of age or older, residing in each Ward shall be eligible to hold the office of Council member for that Ward. ~~For the purpose of this section said individual need not have registered.~~

**Section 4. Amendment of Section 2.04, Prohibitions, Incompatible Offices.** Section 2.04 of the Charter is amended to read as follows:

**Section 2.04. Prohibitions; incompatible offices.**

Except where authorized by law or this Charter, a Council members shall not hold any other City office or City employment during the term of office for which they were elected. No Council members or former Council members shall be appointed to or hold any compensated appointive City office or employment which was created or the benefits of which were increased during the term for which they were elected, until the expiration of one year from the expiration of the term to which they were elected. A Council members shall not hold any office which is by law or by this Charter incompatible with the office of Council member and the acceptance of such office shall be a prohibition which shall result in the forfeiture of their office as a Council members.

**Section 5. Amendment of Section 2.05, Forfeiture of Office.** Section 2.05 Subdivisions 1, 2, 3, 4 and 5 of the Charter are amended to read as follows:

**Section 2.05. Forfeiture of office.**

Subdivision 1. Grounds of forfeiture. A Council members shall forfeit their office if they

- (A) lack at any time during their term of office any qualification for the office prescribed by this Charter or by law;

- (B) violate any express prohibition of this Charter;
- (C) are convicted of a crime involving moral turpitude;
- (D) fail to attend three (3) consecutive regular meetings of the Council without being excused by the Council;
- (E) fail without good cause to perform any of the duties of office for a period of 90 consecutive days: or
- (F) terminate residency in the city.

A Council members shall not forfeit their office as Council member when the geographic boundaries of his/her Ward are changed so as to change the Ward that they reside in. If a Council members moves their residence to a Ward other than the Ward they were elected in and if there is more than one (1) year left in their term when they move, their terms shall expire on the first Monday after the first Tuesday of the first January immediately following the next general election occurring after their change of residence.

Subdivision 2. Procedure, uncontested. The Mayor, City Attorney or any Council member may make complaint to the Council that any member of the Council has forfeited the right to office. The complaint shall be in writing, shall be verified under oath and shall be filed with the City Clerk. The City Clerk shall cause a copy thereof to be served forthwith, in the manner of the service of a summons in the District Court, upon the charged Council member. If the charged Council members shall not have filed an answer thereto and made a demand for a hearing following the expiration of ten (10) days from the date of service, the City Clerk shall lay before the Council the complaint, evidence of service, and a certificate that no answer and demand for hearing has been received. The Council shall thereupon proceed to consider the matter and shall by resolution make its determination thereon. Its determination shall include specific findings and, if it finds that the Council members have forfeited their office, it shall so state and the grounds on which its decision is based. The office of the Council members shall be vacant upon the filing of the resolution with the City Clerk.

Subdivision 3. Procedure, contested. If the Council members shall answer, the Council shall forthwith at its next regular meeting, set a date for the hearing of the matter, and give notice thereof to the affected Council members by causing a notice of the hearing to be served upon him/her in the manner of the service of a summons in District Court and by publishing the said notice in the official newspaper of the City at least ten (10) days before the said hearing. At the hearing, the Council members shall have the right to appear and be represented by counsel and present witnesses and evidence in their own behalf, but they shall not participate as a members of the Council. After the hearing, the Council shall proceed to consider the matter and to make its decision and findings as provided in Subdivision 2 hereinabove.

Subdivision 4. Appeal. If the Council determines that the office of a Council member shall be forfeited, the Council member shall have the right to appeal to the District Court. The appeal shall be perfected upon the filing of a Notice of Appeal with the Clerk of the District Court and by copy with the City Clerk within twenty (20) days of the filing of the Resolution of the Council with the City Clerk. Upon filing of the copy of Notice of Appeal, the City Clerk shall forthwith certify to the District Court the complete record of the proceedings before the City Council, including a certified copy of the resolution of the Council. The matter in District Court shall be heard by the Court, ~~without a jury~~; and the Court shall have the right to

determine the matter upon the record submitted or at its discretion on the taking of additional evidence.

Subdivision 5. Reasonable attorney's fees chargeable to City, when. If the determination, either by the Council or by the Court, is in favor of the Council members, the reasonable attorney's fees incurred by ~~them~~ a Council member shall be the obligation of the City, and the Council shall appropriate funds for the payment thereof.

**Section 6.** Amendment of Section 2.06, Vacancies. Section 2.06 is amended to read as follows:

**Section 2.06. Vacancies.**

Subdivision 1. Determination of vacancy. The office of a Council members shall become vacant upon their death, ~~resignation, removal from office in any manner authorized by law or forfeiture of their office.~~ A vacancy also automatically occurs when an incumbent submits a written resignation to the City Council. The vacancy will be created on the date specified in the written resignation, or if one is not specified, on the date of submittal to the City Council. If the date of submittal is unknown, then the vacancy will occur on the date the City Council receives the written resignation.

A vacancy in an office of Council member also exists in the following situations:

- (A) failure of an elected person to qualify on or before the first Monday after the first Tuesday of January immediately following a general election;
- (B) termination of residency in the city;
- (C) termination of a ward council member's residency in the ward from which elected except when a ward boundary change places a ward council member's residence in a different ward, the council member will continue in office until the next general municipal election, at which time the office must be filled for the remainder of that term;
- (D) continuous absence from the city for more than 90 days;
- (E) conviction of a felony either before or after qualification for office;
- (F) loss of qualifications for the elective office; or
- (G) failure without good cause to perform any of the duties of office for a period of 90 consecutive days.

~~Subdivision 2. Vacancy occurring more than one year before end of term. If the vacancy occurs more than one (1) year before the expiration of the vacant term, it shall be filled by election. On learning of the vacancy, the City Clerk shall certify that fact to the next general or special meeting of the Council, which shall be resolution at said meeting fix the date for the holding of such election, which date shall be fixed so that the election may be held pursuant to the provisions as to elections set forth in this Charter, and as soon as may be permitted thereunder, and the election shall be held pursuant to such provisions. If the election date fixed pursuant hereto should result in a special election being held two (2) months or less prior to the next ensuing general election, the Council, in its discretion, may fix the date of said general election as the date of said election.~~

~~Subdivision 3. Vacancy occurring one year or less prior to end of term. If the vacancy occurs one (1) year or less prior to the expiration of the vacant term, the vacancy shall be filled by appointment. On learning of the vacancy, the City Clerk shall certify that fact to the Council at its next general or special meeting, and the Council shall proceed to fill the vacancy. If the~~

~~Council is unable to agree upon a successor at the general meeting next succeeding that at which said certification of vacancy was made, it shall meet from time to time, at least once each week, until the vacancy is filled. The successor Council member so appointed shall assume office immediately on qualifying and serve for the remainder of the term.~~  
(Ord. No. 1027, § 1, 7-15-92)

Subdivision 2. The Council must on its own motion declare by resolution that a vacancy exists when a vacancy occurs for a reason other than death or resignation. If the Council fails to act or is unaware of a vacancy, a resident who is an eligible voter in the city may submit a written verified request with supporting facts to the City Clerk, asking the Council to declare a vacancy. A written verified request submitted within 90 days after another request for the same Council position will not be considered under this section. The Council must act on the written verified request within 21 days after submission to the City Clerk, unless a vote approved by 75% of the Council members present authorizes an additional 21 days. If the Council fails to act within the required time, the Mayor has seven days to act on the written verified request. If the Council and Mayor fail to act within the required time, a vacancy automatically occurs.

Subdivision 3. Within 45 days after a vacancy automatically occurs or is declared to exist, the Council must appoint an eligible person to fill the vacancy or schedule a special election to be held within 90 days.

Subdivision 4. An election to fill a vacancy must be held at the next regular municipal election when:

- (a) the vacancy is declared or automatically occurs before the first day to file affidavits of candidacy for the next regular municipal election; and
- (b) more than two years remain in the unexpired term.

In that case, the appointed Council member will serve until a qualified successor is elected at the special election. The Council member elected will fill the unexpired portion of the term.

Subdivision 5. No special election is required to fill a vacancy when:

- (a) the vacancy is declared or automatically occurs on or after the first day to file affidavits of candidacy for the next regular municipal election; or
- (b) two years or less remain in the unexpired term.

In that case, the appointed Council member will serve until expiration of the position's term.

Subdivision 6. The term of a Council member elected at a special election begins as soon as the election results have been certified and the person has qualified for office. The Council member serves until the expiration of the position's term.

Subdivision 7. For a special election held at a time other than a regular municipal election,

- (a) candidates must file for office no later than four weeks before the election,
- (b) no primary will be held,
- (c) the candidate receiving the highest number of votes is elected, and
- (d) the election must be held on a Tuesday.

**Section 7. Amendment of Section 2.08, Appointive Offices of the Council.** Section 2.08 of the Charter is amended to read as follows:

**Section 2.08. Appointive offices of the Council.**

Subdivision 1. [City Administrator.] The City Council shall appoint an chief administrative officer of the City who shall be called the City Administrator ~~and shall approve the appointments of other Department Head positions that from time to time may be deemed appropriate.~~ The City Administrator:

- (A) shall exercise supervision, authority and control over all departments and divisions of the City, except Rice Hospital, the Municipal Utilities Commission and the Legal Department,
- (B) shall oversee and supervise the hiring, discipline and removal of all employees of the City of Willmar, except hiring, discipline and removal of Municipal Utilities employees, Rice Hospital employees, and employees of the Legal Department. Hiring, discipline and removal of Department Heads shall be subject to approval of the City Council. The Administrator's duties under this paragraph shall be subject to applicable Civil Service Regulations and other City ordinances,
- (C) shall be responsible for seeing that the City Charter and all laws, regulations and ordinances of the City are enforced,
- (D) shall attend all meetings of the City Council, and such committee meetings of the Council unless otherwise excused by the Council,
- (E) shall make recommendations to the Council for adoption of such ordinances and resolutions as are in the best interests of the City and to ensure and provide for the welfare and well being of the residents of the City,
- (F) shall monitor and oversee all contracts which the City is party to, to ensure that they are performed in accordance with their terms,
- (G) shall cause financial statements of the City to be prepared on a regular basis to keep the Mayor and Council advised of the financial standing of the city,
- (H) shall coordinate the preparation and submission to the Council of the Mayor's annual budget,
- (I) along with the Mayor, shall execute all contracts in the name of the City of Willmar,
- (J) shall be responsible for the negotiation and settlement of all labor contracts of the City,
- (K) shall coordinate all municipal programs and municipal activities of the City,
- (L) shall coordinate the relationship between the City and the news media,
- (M) shall make application for all state and federal funds available to the City through grant programs,

- (N) shall keep the Council fully advised as to the financial condition and future needs of the City and make such recommendations to the Council concerning the affairs of the City including those recommendations which may be suggested by the Mayor.
- (O) shall submit or cause to be submitted to the Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year.
- (P) shall make such other reports as the Council may require concerning the operations of the City departments, offices and agencies, and for this purpose all personnel of the City shall furnish to the Mayor such information as requested for the discharge of the Mayor's duties.
- (Q) shall perform such other duties as the City Council may, from time to time, direct.

Subdivision 2. [City Attorney.] The City Council shall appoint an officer of the City who shall be called the City Attorney. The City Council may, as an alternative, contract for legal services with an individual or law firm. The City Attorney shall:

- (A) Prosecute City Ordinance violations.
- (B) Prosecute Petty Misdemeanors, Misdemeanors, and Gross Misdemeanor violations of State Statutes as required by Minnesota law.
- (C) Review agreements and contracts involving the City.
- (D) Draft Ordinances and Resolutions.
- (E) Review licenses, bonds, and insurance certificates.
- (F) Provide legal advice to Mayor, Council, Department Heads, Boards and Commissions.
- (G) Pursue civil actions on behalf of the City including collections, condemnations and contract enforcement.
- (H) Act as legal representative of Rice Memorial Hospital and Municipal Utilities Commission.
- (I) Enforce the City charter and advise the Mayor and Council when the Charter is not being followed or the duties of an office are not being carried out.
- (J) shall perform such other duties as the City Council may, from time to time, direct.

Subdivision 2 3. Votes required for appointments. All appointments, except City Department Heads, shall require the affirmative votes of at least five (5) members of the Council. The appointment of the City Administrator and City Attorney shall require the affirmative votes of at least five (5) members of the Council.

(Ord. No. 1027, § 1, 7-15-92)

Subdivision 4. Except for purposes of inquiry, the City Council must direct the administrative activities solely through the City Administrator. The City Council shall not, publicly or privately, give an order to the City Administrator subordinates. A single member or group of Council members less than a majority shall not give an order to the City Administrator.

**Section 8. Amendment of Section 2.08, Independent Audit and Financial Reporting.** Section 2.09 of the Charter is amended to read as follows:

**Section 2.09. Independent audit and Financial Reporting.**

The Council shall provide for an independent annual audit of all City accounts and may provide for such more frequent audits as it deems necessary. The ~~am~~ccounts of Rice Memorial Hospital and the Willmar Municipal Utilities Commission shall be audited at least annually. Such audits shall be made by a certified public accountant or firm of such accountants who have no direct interest in the fiscal affairs of the City government or any of its officers. The annual audit of the City, the Willmar Municipal Utilities and Rice Memorial Hospital shall be certified by the accountant preparing the annual audit. Except as provided herein with respect to audits of Rice Memorial Hospital and the Willmar Municipal Utilities, the Council may, without requiring competitive bids, designate such accountant or firm ~~annually or~~ for a period not exceeding three (3) years, provided that the designation for any particular fiscal year shall be made no later than thirty (30) days after the beginning of such fiscal year. If the State makes such an audit, the Council may accept it as satisfying the requirements of this Section. The Rice Memorial Hospital Board and the Willmar Municipal Utilities Commission may select their respective certified public accountant ~~on approval of the City Council.~~ Rice Memorial Hospital and the Willmar Municipal Utilities shall each pay their own audit fees incurred for the audits required by this Section. Copies of each annual audit of Rice Memorial Hospital and the Willmar Municipal Utilities shall be submitted to the Mayor, the City Council and the City Finance Director.

In addition to the annual audits herein provided for, the Willmar Municipal Utilities and the Rice Memorial Hospital Board shall prepare ~~quarterly~~ monthly statements, prepared on an accrual basis, and submit said statements to the City Council, the Mayor and the City Finance Director on or before the twenty-fifth (25th) day of the ~~quarter~~ month following the month for which the statement was prepared. The annual audits of the City, the Willmar Municipal Utilities and the Rice Memorial Hospital shall be submitted to the Mayor, the City Council and the City Finance Director within One Hundred Twenty (120) days of the end of each year. The Willmar Municipal Utilities and the Rice Memorial Hospital Board shall submit financial statements to the City Council on a more frequent basis than is herein provided for when requested to do so by the City Council.

**Section 9. Amendment of Section 2.10, Investigations.** Section 2.10 of the Charter is amended to read as follows:

**Section 2.10. Investigations.**

The Council may make audits and investigations into the affairs of the City and the conduct of any City department, office, agency, board or commission and for such purpose may employ such personnel as it deems necessary therefore. It may subpoena witnesses, administer oaths, take testimony and require the production of evidence. Any person who is found, by a court of competent jurisdiction, to have failed or refused, fails or refuses, without lawful excuse, to ~~obey~~ comply with an order of the Council in the exercise of this investigative power shall be guilty of a misdemeanor as defined in the Minnesota Criminal Code.

**Section 10. Amendment of Section 2.11, Procedure.** Section 2.11 of the Charter is amended to read as follows:

**Section 2.11. Procedure.**

Subdivision 1. Meetings. On the first Monday after the first Tuesday of each January immediately following a general election, the Council shall meet for its biennial

organizational meeting and the terms of Council members whose terms expire shall terminate at the opening of such meeting. The Council shall meet regularly at least twice in every month at such times and places as the Council shall prescribe by resolution at such biennial organizational meeting. Special meetings may be held on the call of the Mayor or of four (4) or more members of the Council, or by decision of the Council made at a regular or special meeting, upon no less than twelve (12) hours notice to each member. All meetings shall be public.

Subdivision 2. Rules and journal. The Council shall adopt the Minnesota Mayor's Association Rules of Order for City Councils ~~adopt its own rules and order of business~~ and shall provide for a journal of its proceedings, which journal shall be a public record.

Subdivision 3. Voting and quorum. ~~Voting, except on procedural motions, shall be by roll call and the ayes and nays shall be recorded in the journal.~~ Five (5) members of the Council shall constitute a quorum, but a lesser number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Council.

**Section 11. Amendment of Section 2.12, Ordinances and Resolutions.** Section 2.12, Subdivisions 1(E), (F) and (G) and Subdivision 2(D) and Subdivision 6 of the Charter are amended to read as follows:

**Section 2.12. Ordinances and resolutions.**

Subdivision 1. Action requiring an ordinance. In addition to other acts required by law or by specific provisions of this Charter to be done by ordinance, those acts of the Council shall be by ordinance which:

- (E) Regulate the rates charged for its utility services by a public utility the Willmar Municipal Utilities and City of Willmar;
- (F) Authorize the borrowing of money, incurring indebtedness, or authorizing of capital leases;
- (G) Authorize the conveyance of any lands of the City, provided, however, that leases and utility easements be excepted from this provision;

Subdivision 2. Ordinances in general.

- (D) Vote required for adoption of ordinance. Except as provided by law, Ordinances shall require the affirmative votes of five (5) members of the Council for adoption.

Subdivision 6. Special ordinances. Ordinances of limited application such as zoning and annexation ordinances, or of current interest only, or which by their terms will expire within a definite period of time and emergency ordinances shall be classified for purposes of identification and codification as special ordinances and shall not be codified. They shall, however, have the full force and effect of ~~general~~ as all other ordinances, and the City Clerk shall index and record them so that they can be at all times readily inspected by the public. The City Clerk shall provide copies thereof to the public at a reasonable price fixed by the Council.

**Section 12. Amendment of Section 3.01, Chief Executive Officer.** Section 3.01 of the Charter is amended to read as follows:

**Section 3.01. Chief executive officer.**

The Mayor shall be the chief executive of the City ~~with~~ and enjoy the powers given to the Mayor by this Charter and the laws of the state of Minnesota.

**Section 13. Amendment of Section 3.02, Election and Qualification.** Section 3.02 of the Charter is amended to read as follows:

**Section 3.02. Election and qualification.**

Residents, 21 years of age or older, of the City shall be eligible to hold the office of the Mayor. For the purposes of this section said resident need not ~~have~~ be registered to vote. The Mayor shall be elected at the regular City election held every even-numbered year by the direct vote of the people for a term of four (4) years to begin on the first Monday after the first Tuesday of the year following the Mayor's election, but the incumbent Mayor shall continue to serve until a new Mayor has been elected and has qualified.

**Section 14. Amendment of Section 3.03, Mayor's Messages to the Council.** Section 3.03 of the Charter is amended to read as follows:

**Section 3.03. Mayor's messages to the Council.**

The Mayor shall, at the beginning of each calendar year, and may at other times, give present to the Council the state of the city message, providing information as to the affairs of the City and recommend measures he/she considers necessary and desirable.

**Section 15. Amendment of Section 3.04, Powers and Duties.** Section 3.04 (C), (D), (E) and (F) of the Charter is amended to read as follows:

**Section 3.04. Powers and duties.**

~~The Mayor shall see that all the laws and ordinances are enforced and the peace and order of the City are kept.~~ The Mayor shall, in conjunction with the Council, supervise the administration of City affairs. The Mayor shall:

- (C) Prepare or cause to be prepared and submit an the Mayor's annual budget and capital improvements program to the Council; and for this purpose all personnel of the City shall furnish to the Mayor such information as requested for the discharge of this duty;
- ~~(D) Submit or cause to be submitted to the Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year;~~
- ~~(E) Make such other reports as the Council may require concerning the operations of the City departments, offices and agencies, and for this purpose all personnel of the City shall furnish to the Mayor such information as requested for the discharge of the Mayor's duties;~~
- (F D) Keep the Council fully advised as to the financial condition and future needs of the City and make such recommendations to the Council concerning the affairs of the City as the Mayor deems desirable including those recommendations which may be suggested by the City Administrator;
- ~~(G~~ E) Be recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor of the State for the purposes of martial law;

(H F) In instances when the City Council cannot meet, the Mayor shall have the authority to expend public funds, without Council approval, during the time of a natural disaster, riot, civil disorder, enemy attack or any public emergency that affects a substantial number of residents in the City of Willmar.

(Ord. No. 1027, § 1, 7-15-92)

**Section 16. Amendment of Section 3.05, Mayor's Power to Veto Legislation.** Section 3.05 of the Charter is amended to read as follows:

**Section 3.05. Mayor's power to veto legislation.**

Within ~~ninety-six (96) hours~~ seven (7) days after the adjournment of any Council meeting the City Clerk shall present to the Mayor the record of proceedings of the meeting and all ordinances ~~and~~ resolutions, and motions adopted at the meeting. The Mayor, within ~~seven (7)~~ four (4) days of receipt of an ordinance or resolution, shall return it to the City Clerk with approval or with veto. If the Mayor does not return said ordinance ~~and~~ resolutions, and motion within ~~seven (7)~~ four (4) days after receipt or returns it without a veto, it shall be considered approved, which fact shall be noted in any publication required thereof. If an ordinance ~~and~~ resolutions, or motion is vetoed, the Mayor shall attach a written statement explaining the reason for the veto. Ordinances ~~and~~ resolutions, or motions vetoed by the Mayor shall be considered at the next regular meeting of the Council, and the Council may pass the ordinance ~~and~~ resolution, or motion over the veto by the affirmative vote of six (6) of its members. In the publication of an ordinance ~~and~~ resolution, or motion passed over the Mayor's veto, the publication shall recite the fact of the veto, and the vote by which the veto was overridden. The Mayor's veto power shall extend to disapproving or reducing individual appropriation items in the budget or any ordinance ~~and~~ resolution, or motion, except appropriations for auditing or investigating any part of the executive branch or for a zoning or land use decision. The Mayor shall not have the power to veto any emergency ordinance, nor any ordinance repealing an emergency ordinance.

**Section 17. Amendment of Section 3.07, Prohibitions, Incompatible Offices, Forfeitures of Office.** Section 3.07, Subdivision 2 of the Charter is amended to read as follows:

Subdivision 2. Forfeiture of office. The Mayor shall forfeit the office if he/she

- (A) lacks at any time during his/her term of office any qualifications for the office prescribed by this Charter or by law;
- (B) violates any express prohibition of this Charter; or
- (C) is convicted of a crime involving moral turpitude;
- (D) fails to attend three (3) consecutive regular meetings of the Council without being excused by the Council;
- (E) is continuously absent from the city for more than 90 days;
- (F) fails without good cause to perform any of the duties of office for a period of 90 consecutive days; or
- (G) terminates his/her residency in the city.

Upon written complaint being filed with the City Clerk alleging that the Mayor has forfeited the right to office and stating the grounds therefore, the Council shall immediately convene

and proceed to determine the matter. The procedure for determination, procedure and appeal shall be the same as that provided in Section 2.05 of Article II with respect to a Council member, except that the sessions of the Council shall be presided over by the District Judge or a duly licensed attorney at law appointed by the Judge.

**Section 18. Amendment of Section 4.01, General Provisions (Boards and Commissions).** Section 4.01 of the Charter is amended to read as follows:

Section 4.01. General provisions.

There shall be established such boards and commissions as are provided in this Article and the Council may establish or activate such other boards and commissions as may be authorized by law. The Council shall have the authority to establish by ordinance such other advisory or administrative boards as it shall from time to time determine and to regulate and control and abolish the same insofar as permitted by law. The Council shall also have the authority to establish by resolution such committees as it may determine, of its own members or otherwise, and to provide for their regulation and control. All boards and commissions shall keep a public record of all its actions, both written and audio recordings and video recordings where practical, and shall transmit to the Council promptly after each meeting true copies of its minutes and of all resolutions adopted by it. Members appointed to boards and commissions established by this Charter shall be appointed as provided in this Charter and otherwise as provided in the ordinance or resolution establishing the board or committee. Members appointed to specific terms shall not be subject to recall or suspension except for cause, and then only upon evidence of malfeasance, misfeasance, or nonfeasance presented at a hearing before the appointing power on notice to the member. If any member of a board or commission fails to attend three (3) consecutive regular meetings of the board or commission, without being excused by the board or commission, the City Council may remove said member by an affirmative vote of five (5) members of the Council. Vacancies shall be filled by the appointing power. With the exception of the licensed physician representing the Hospital Board, members shall be residents of the City and shall serve without pay, except as specifically provided in the Charter, ordinance, or resolution establishing the board, commission or committee. All appointees to boards and commissions shall, before undertaking to serve thereon, file with the City Clerk a written acceptance and oath of office. The required forms shall be available in the City Clerk's office.

**Section 19. Amendment of Section 4.02, The Planning Commission.** Section 4.02, Subdivisions 1, 3, 4, 5, 7, 9 and 10 of the Charter are amended to read as follows:

Section 4.02. The Planning Commission.

Subdivision 1. Members, qualifications, term. There shall be a City Planning Commission of nine (9) members, appointed for terms of three (3) years in such manner so that the terms of three (3) members expire each year, none of whom shall hold any other office or position in the City government. The Commission shall elect a chairman, vice-chairman and a secretary and such other officers as it shall from time to time determine. ~~The officers shall be members of the Commission, provided that with the approval of the Council, the Commission may hire a recording secretary to keep the minutes and the records of the Commission, and such recording secretary may, but need not be, a member of the Commission.~~ No member shall serve more than two (2) consecutive terms on the Board. The serving of a term of two (2) years or more shall be considered a full term for purposes of the preceding sentence.

Subdivision 3. The Comprehensive Land Use Plan; official map. The Commission shall review the Comprehensive Land Use Plan and the official City map annually, and shall at least once in every three (3) years, make a report to the Council containing any changes or revisions therein. The Commission shall promote public interest in and understanding of said map and plan, of planning, of zoning and of the physical development of the City.

Subdivision 4. Recommended capital improvements. The Commission shall prepare and submit annually to the Council and to the ~~official or agency charged with the duty of submitting the annual budget~~ Rice Memorial Hospital Board and Municipal Utilities Commission where appropriate, a recommended capital improvements report which shall contain 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 be begun.

Subdivision 5. Zoning ordinance and codes. The Commission shall review ~~from time to time~~ annually, the zoning ordinance and the codes of the City and shall upon request of the Council make report thereon with respect to proposed revisions and amendments.

Subdivision 7. Powers to secure information and data. The Commission shall have power to require information to be furnished within a reasonable time from applicants and other boards, commissions and officials of the City and shall have the power to enter upon any land and make examinations and surveys as necessary to assist in their decisions.

~~Subdivision 9. Public utilities. No water, power, light, heat, gas or other commonly designated public utility service whether publicly or privately owned shall be constructed, extended, vacated or rerouted until the same shall have been submitted to and approved by the Commission. In the event that the Commission shall affirmatively disapprove the same or shall determine to attach conditions thereon, the action thereon shall be by resolution setting forth its findings with respect thereto and its specific reasons for such disapproval, and a copy of the resolution shall forthwith be sent to the public utility concerned. In the event that the Commission shall have failed to act thereon within a period of sixty (60) days after the same shall have been presented to it, the proposal shall be deemed to have been approved as submitted. The Commission shall have the power and the duty to submit the proposal to other public utilities which may be affected by the proposal. Unless the proposal shall have been originated by the Willmar Municipal Utilities, the secretary of the Planning Commission shall immediately on receipt of the proposal forward a copy of it to that Commission. This subdivision shall not be construed so as to require approval of connections and service lines to individual private properties.~~

Subdivision ~~10~~ 9. Over-riding power of the Council. Any resolution or other action by the Commission may be overruled by the Council by the affirmative votes of ~~five (5)~~ six (6) members of the Council at any time within a period of thirty (30) days from the date of the regular Council meeting next following the receipt by the City Clerk of the copy of the motion, resolution or action of the Commission in question.

**Section 20. Amendment of Section 4.03, Park and Leisure Services Board.** Section 4.03 of the Charter is amended to read as follows:

Section 4.03. Park and Leisure Services Board.

There shall be an advisory board known as the Park and Leisure Services Board of ~~nine (9)~~ six (6) members appointed for terms of three (3) years, and so that the terms of no more

than ~~three (3)~~ two (2) members thereof shall expire each year. ~~The Board shall include a representative of the School District as a voting member.~~ The Board shall advise and assist the Council in the development and maintenance of a park and recreation program for the City and its people, including acquisition of land for leisure activities. The Board shall, at the request of the Planning Commission, prepare a five (5) year park and leisure services plan, and shall submit written copies of said plan to the Planning Commission and the City Council. The Board shall have such powers and duties as the Council shall from time to time by ordinance give it. No member shall serve more than two (2) consecutive terms on the Board. The serving of a term of two (2) years or more shall be considered a full term for purposes of the preceding sentence.

**Section 21. Amendment of Section 4.04, Rice Memorial Board.** Section 4.04, Subdivisions 1, 3 and 5 of the Charter are amended to read as follows:

Section 4.04. Rice Memorial Board.

Subdivision 1. Members, qualifications, term, officers. There shall be a Rice Memorial Hospital Board of seven (7) members appointed for terms of three (3) years, and so the terms of no more than three (3) members thereof shall expire each year, none of whom shall hold any other office or position in the City government. One of the seven (7) members of the Rice Hospital Board shall be a licensed physician authorized to practice at Rice Memorial Hospital and whose primary practice is within the City of Willmar. ~~There shall be a Hospital Board appointed Advisory Committee representing the Hospital Service Area.~~ The Board shall elect from its membership a Chair, Vice-Chair, Secretary, Treasurer and such other officers as it shall from time to time determine. The Chief of the Medical Staff of Rice Memorial Hospital or a representative appointed from time to time may attend all meetings of the Board and participate therein in a consultative capacity. No member shall serve more than three (3) consecutive terms on the Board. The serving of a term of two (2) years or more shall be considered a full term for purposes of the preceding sentence. After serving three (3) consecutive terms on the Board, a member may again be appointed to the Board when one (1) year has elapsed from the date of expiration of the member's most recent term.

Subdivision 3. Fiscal accounting. ~~The Treasurer of the Board, or a person or persons shall designated by the Treasurer in writing approved by the Board~~ a chief financial officer and who shall be bonded in the amount determined by the Board, and who shall collect all funds received in the operation of the said Hospital and shall deposit the same in a legal depository to the account of the said Hospital. ~~The Treasurer of the Board~~ chief financial officer shall keep, or cause to be kept, a complete set of books and accounts, and make report thereon as required by and to the Board, the Mayor and the Council. All such monies shall be kept and retained in the Hospital account by the Treasurer of the Board chief financial officer and disbursed only upon appropriate orders signed by the ~~Chair~~ chief executive officer and the ~~Treasurer of the Board~~ chief financial officer. All proceeds from the sale of bonds and revenue warrants shall be collected by the City Clerk and deposited in the account(s) of Rice Memorial Hospital, and shall be disbursed only upon appropriate orders of the Rice Memorial Hospital Board. The financial records of the Hospital shall be open to inspection at all times by the Mayor and the Council, and shall be subject to the provisions of Sections 2.09 and 2.10 of Article II.

Subdivision 5. Over-riding power of the Council. The Council shall have the power to overrule by the affirmative vote of at least ~~five (5)~~ six (6) members thereof any action of the Board with the exception of personnel appointments, other than the appointment of the ~~Chief Executive Officer~~ at the Council meeting next following the receipt by the City Clerk

of the minutes of the Board containing such action. If the Council fails or refuses to overrule such action at the said meeting, the action shall be absolute; provided, however, that if the Council desires to consider the matter further, it may by resolution defer action on the matter for a period not to exceed thirty (30) days or to the next scheduled City Council meeting. No such action shall be deemed to have been presented to the Council unless it shall have included in the minutes of a duly constituted meeting of the Board and the text of any resolution, rule or regulation attached thereto in full. It shall be the duty of the City Clerk to transmit such minutes, resolutions, rules and regulations to the Council at the Council meeting next following receipt thereof.

**Section 22. Amendment of Section 4.05, Municipal Utilities Commission.** Section 4.05, Subdivision 1, Subdivision 2(E), Subdivision 3 and Subdivision 5 of the Charter are amended to read as follows:

Section 4.05. Municipal Utilities Commission.

Subdivision 1. Members, qualifications, term, officers. There shall be a Municipal Utilities Commission of seven (7) members, appointed for terms of three (3) years, and so that the terms of no more than three (3) members thereof shall expire each year, none of whom shall hold any other office or position in the City government. The Commission shall elect from its membership a Chair, Vice-Chair, Secretary, Treasurer and such other officers as it shall from time to time determine. No member shall serve more than three (3) consecutive terms on the Commission. The serving of a term of two (2) years or more shall be considered a full term for the purposes of the preceding sentence. After serving three (3) consecutive terms on the Commission, a member may again be appointed to the Commission when one (1) year has elapsed from the date of expiration of the member's most recent term.

Subdivision 2. Powers and duties. The Commission shall have, subject to the over-riding power of the Council hereinafter provided, full control of the operation and management of the electric, water and district heating systems of the City and such other utilities as it may acquire; the full power of ownership and control of which in the City is hereby confirmed; and the employment of a General Manager. The Commission shall at the request of the Planning Commission prepare a five (5) year capital improvement budget and shall submit written copies of said budget to the Planning Commission and the City Council. It shall have the power to:

(E) Determine upon the qualifications of the General Manager; ~~However, at all times the Willmar Municipal Utilities shall have a graduate electrical engineer registered under Chapter 326 of Minnesota Statutes on its staff as a full-time employee;~~

Subdivision 3. Fiscal accounting. ~~The Treasurer of the Municipal Utilities Commission, or a person or persons shall designated by the Treasurer in writing approved by the Commission~~ a chief financial officer and who shall be bonded in the amount determined by the Commission, and who shall collect all funds received in the operation of the utilities under the control of the Willmar Municipal Utilities and shall deposit the same in a legal depository to the account of the said Willmar Municipal Utilities. ~~The Treasurer of the Commission~~ chief financial officer shall keep, or cause to be kept, a complete set of books and accounts and make a report thereon as required by and to the Commission, the Mayor and the Council. All such monies shall be kept and retained in the Willmar Municipal Utilities account by the ~~Treasurer of the Commission~~ chief financial officer and disbursed only upon appropriate orders signed by the ~~Chair~~ chief executive officer and ~~Treasurer of the Commission~~ the chief financial officer. All proceeds from the sale of bonds and revenue warrants shall be collected by the City Clerk and deposited in the account(s) of the Willmar

Municipal Utilities, and shall be disbursed only upon appropriate orders of the Municipal Utilities Commission. The financial records of the Willmar Municipal Utilities shall be open to inspection at all times by the Mayor and Council and shall be subject to the provisions of Sections 2.09 and 2.10 of Article II.

Subdivision 5. Over-riding power of the Council. The Council shall have the power to overrule, by the affirmative vote of at least ~~five (5)~~ six (6) members thereof, any decision, motion, resolution, rule, regulation or order of the Commission at the Council meeting next following the receipt by the City Clerk of the minutes of the Commission containing such action and if the Council fails or refuses to overrule such action at the said meeting, the action shall be absolute provided, however, that if the Council desires to consider the matter further it may by resolution defer action on the matter for a period not to exceed thirty (30) days or to the next scheduled City Council meeting. No such action shall be deemed to have been presented to the Council unless it shall have been included in the minutes of a duly constituted meeting of the Commission and the text of any resolution, rule or regulation attached thereto in full. It shall be the duty of the City Clerk to transmit such minutes, resolutions, rules and regulations to the Council at the Council meeting next following receipt thereof.

**Section 23. Amendment of Sections 5.07 and 5.08, Financial Procedures.** Section 5.07, Subdivisions 2, 5 and 6, and Section 5.08 of the Charter are amended to read as follows:

Section 5.07. Amendments after adoption.

Subdivision 2. Contingency fund Reserve. The Council shall be authorized to ~~include in the budget~~ have a reserve fund which shall be called a contingency fund reserve in an amount not to exceed ten (10) percent of the current and subsequent budget, excluding such contingency fund reserve. In the event that any appropriation from any other fund shall be, in the judgment of the Council, insufficient to meet the demands of the City with respect to the program or budget item affected and provide for the orderly administration of the City, the Council by a vote of six (6) members thereof may transfer out of the contingency fund reserve to such ~~other~~ fund such sums as it shall determine shall be reasonably necessary to effect the purpose.

Subdivision 5. Emergency appropriations; tax anticipation certificates. To meet a public emergency affecting life, health, property or the public peace, the Council may make emergency appropriations. Such appropriations may be made by emergency ordinance in accordance with the provisions of Subdivision 3 of Section 2.12 of Article II of this Charter. To the extent that there are no available unappropriated revenues to meet such appropriation, the Council may by such emergency ordinance, authorize issuance of tax anticipation certificates in accordance with the provisions of law. Such tax anticipation certificates shall be paid not later than ~~the last day of the fiscal year next~~ two (2) years succeeding that in which the emergency appropriation was made.

Subdivision 6. Limitations; effective date. No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the unencumbered balance thereof. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.  
(Ord. No. 1027, § 1, 7-15-92)

Section 5.08. Lapse of appropriations.

Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if ~~three (3) years pass without any~~ no disbursement or encumbrance of the appropriation is completed by the close of the third fiscal year following the fiscal year in which the funds were appropriated.

(Ord. No. 1027, § 1, 7-15-92)

**Section 24.** Amendment of Article VI, Nominations and Elections. Article VI of the Charter is repealed in its entirety as follows:

**ARTICLE VI. NOMINATIONS AND ELECTIONS—Save for Future Reference**

~~**Section 6.01. Regular municipal election.**~~

~~The regular municipal election shall be held on the first Tuesday after the first Monday in November of each even-numbered year.~~

~~(Ord. No. 1027, § 1, 7-15-92)~~

~~**Section 6.02. Primary election.**~~

~~On the first Tuesday after the second Monday in September preceding any regular municipal election an election of nominees, designated as the "primary election," shall be held for the selection of candidates for all elective offices of the City of Willmar to be filled at said regular election.~~

~~(Ord. No. 1027, § 1, 7-15-92; Ord. No. 1070, § 1, 10-4-95)~~

~~**Section 6.03. Special elections.**~~

~~The Council may call special elections in the manner provided by law.~~

~~(Ord. No. 1027, § 1, 7-15-92)~~

~~**Section 6.04. Conduct of elections.**~~

~~All City elections shall be held and conducted and the votes canvassed in the manner provided by law.~~

**Section 25.** Amendment of Section 7, Initiative, Referendum and Recall. Sections 7.03(b) and 7.05(b) of the Charter are amended to read as follows:

**Section 7.03(b). The initiative measure.**

~~Any resolution or ordinance proposed for the initiative shall be set forth in such form as is consistent with the forms of resolutions and ordinances in current use at the time the same is filed and shall conform to the provisions of law, this Charter and any ordinance or resolution governing the formulation of resolutions and ordinances. If the effect of the resolution is to repeal any resolution previously adopted by the Council, it shall identify such resolution and specify the amendment or repeal thereof or any part thereof affected. Proposals for ordinances shall be formulated in accordance with the provisions of Section 2.12 of Article II of this Charter.~~

**Section 7.05(b). The recall measure.**

The committee seeking the recall of any official elected under the provisions of this Charter shall formulate in clear and concise language a statement, not more than two hundred fifty (250) words, of its reasons for proposing the recall and which shall state that it intends to bring about his/her recall. The statement must clearly set out the alleged malfeasance or nonfeasance of the officeholder being proposed for recall.

**Section 26. Amendment of Section 9.01, Procedure for Vacating Streets, Utility Easements, and Public Grounds.** Section 9.01, Subdivision 4 of the Charter is amended to read as follows:

~~Subdivision 4. Proceedings on initiation by property owners. A property owner desiring to vacate any street, alley, road, highway, parkway, public ground or utility easement shall cause to be prepared, in triplicate, a petition therefor, which petition shall describe the area sought to be vacated and shall have attached thereto a map of the area proposed to be vacated and of the area extending out therefrom in all directions a distance of six hundred (600) feet and a list of the property owners within the said total area, together with their addresses and the legal descriptions of the property owned by each of such owners. The petition shall be signed by a majority of the owners of land or by the owners of a majority of the land, measured in feet fronting on the easement, abutting on the street, alley, road, highway, parkway or public ground, or in, on or through which the utility easement exists, and it shall be verified by one of them. For the purposes of determining the validity of the petition, multiple owners of a tract shall be considered as one owner and all such multiple owners of a tract must sign the petition to be counted as a signer. The petition shall be filed with the City Clerk, who together with the City Attorney and the City Engineer shall determine its validity. Upon determination of its validity and at the next regular or special meeting of the Council, the Clerk shall transmit the same to the Council, which shall by motion refer the same in duplicate to the Planning Commission, and the Planning Commission shall consider the same in the manner and within the time provided in proceedings initiated by the Council.~~

(A) Municipal Utilities Commission and City of Willmar specific use easements to-wit: those easements acquired for electric distribution/transmission, water mains, sanitary sewer lines, storm sewer lines, and district heating lines. Proceedings by property owner to vacate an easement in total or in part. Anyone desiring to vacate all or any portion of a specific use easement being used by the Municipal Utilities Commission to provide a utility service shall prepare, in triplicate, a petition requesting the vacation, which petition shall describe the area sought to be vacated and shall have attached thereto a map of the area proposed to be vacated. The petition shall be signed by all of the owners of the land subject to the easement sought to be vacated. The petition shall be filed with the Municipal Utilities Commission General Manager, who together with the City Attorney shall determine its validity. Upon determination of its validity, at the next regular meeting of the Municipal Utilities Commission, the General Manager shall present the petition. Upon approval of the Municipal Utilities Commission, the petition shall be forwarded to the City Council. The Council shall at its next regular meeting consider the petition. If the Council determines to proceed, it shall adopt a resolution approving the vacation request. The City Clerk shall prepare and file a certified copy of the Resolution in the office of the Kandiyohi County Recorder. A request for vacation of a specific use easement being used by the City of Willmar to provide a utility service shall be initiated in the same manner except the petition shall be filed with the City Clerk who shall forward the petition to the City Engineer and City Attorney. Upon approval of the petition by the City Engineer and City Attorney the petition shall be forwarded to the Public Works/Public Safety Committee. After consideration by the committee, the petition shall be forwarded to the City Council for approval. The costs incurred by the Municipal Utilities Commission and City of Willmar to review a petition and record a resolution shall be paid by the petitioner.

(B) Proceedings by property owner to vacate a street, alley, road, highway, parkway or public ground. Anyone desiring to vacate any street, alley, road, highway, parkway or public ground shall cause to be prepared, in triplicate, a petition therefor, which petition shall describe the area sought to be vacated and shall have attached thereto a map of the area proposed to be vacated and of the area extending out therefrom in all directions a distance of six hundred (600) feet and a list of the property owners within the said total area, together with their addresses and the legal descriptions of the property owned by each of such owners. The petition shall be signed by a majority of the owners of land or by the owners of a majority of the land, measured in feet fronting the easement, abutting on the street, alley, road, highway, parkway or public ground, and it shall be verified by one of them. For the purposes of determining the validity of the petition, multiple owners of a tract shall be considered as one owner and all such multiple owners of a tract must sign the petition to be counted as a signer. The petition shall be filed with the City Clerk, who together with the City Attorney and the City Engineer shall determine its validity. Upon determination of the validity and at the next regular or special meeting of the Council, the Clerk shall transmit the same to the Council, which shall by motion refer the same in duplicate to the Planning Commission, and the Planning Commission shall consider the same in the manner and within the time provided in proceedings initiated by the Council.

**Section 27.** Amendment of Section 9.03, Prohibitions (Activities Prohibited). Section 9.03 of the Charter is amended to read as follows:

**Section 9.03. Prohibitions.**

The following activities shall be prohibited:

- (A) No person shall be appointed to or removed from, or in any way favored or discriminated against with respect to any City position or appointive position because of race, sex, political or religious opinions or affiliations, or other protected class.
- (B) No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment under the provisions of this Charter, or the rules and regulations made thereunder, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules and regulations.
- (C) No person who seeks appointment or promotion with respect to any City position or appointive position shall directly or indirectly give, render or pay any money, service or other valuable thing to any person for or in connection with their test, appointment, proposed appointment, promotion or proposed promotion.

Any person who by himself/herself or with others has been found, by a court of competent jurisdiction, willfully to have violated any of the provisions of this section shall be guilty of a misdemeanor as defined in the Minnesota Criminal Code.

Any person who is found, by a court of competent jurisdiction, to have failed or refused, fails or refuses without lawful excuse, to obey comply with an order of the Council in the exercise of this investigative power shall be guilty of a misdemeanor as defined in the Minnesota Criminal Code.

**Section 28.** Amendment of Section 9.04, Oath of Office. Section 9.04 of the Charter is amended to read as follows:

**Section 9.04. Oath of office.**

Every Council member, elected or appointed official, and board and commission member shall, before entering upon the duties of their office take and subscribe an oath of office in the following form: "I do solemnly swear (or affirm) that I will support the Constitutions of the United States and of the state of Minnesota, and the Willmar City Charter and that I will discharge faithfully the duties of the office of the City of Willmar to the best of my judgment and ability."

This Ordinance shall be effective 90 days after its adoption and second publication.

This Ordinance introduced by Councilman Anderson

This Ordinance introduced on November 21, 2011

This Ordinance published on November 29, 2011

This Ordinance given a hearing on \_\_\_\_\_

This Ordinance adopted on \_\_\_\_\_

This Ordinance published on \_\_\_\_\_

**CITY OF WILLMAR**

**EXECUTIVE SUMMARY FOR ACTION**

CITY COUNCIL MEETING DATE: January 3, 2012

AGENDA ITEM: Responsible Authority Resolution	AGENDA SECTION:
PREPARED BY: Charlene Stevens, City Administrator 	AGENDA ITEM NO.: 10
ATTACHMENT: Resolution	APPROVED BY:

Pursuant to Minnesota Statutes, Section 13.02, Subd. 6 it is necessary for the City of Willmar to appoint one person as the Responsible Authority to administer the requirements for collection, storage, use and dissemination of data. It has been the practice of the City Council to appoint the City Administrator as the Responsible Authority.

COUNCIL CONSIDERATION: Adopt Resolution Appointing Responsible Authority

RESOLUTION NO. \_\_\_\_\_

APPOINTING A RESPONSIBLE AUTHORITY

WHEREAS, Minnesota Statutes, Section 13.02, Subd. 6, requires that the City of Willmar appoint one person as the Responsible Authority to administer the requirements for collection, storage, use and dissemination of data on individuals within the City; and

WHEREAS, the City Council of the City of Willmar shares the concern expressed by the Legislature on the responsible use of all City data and wishes to satisfy this concern by immediately appointing an administratively and technically qualified Responsible Authority as required under the Statute.

BE IT RESOLVED by the City Council of the City of Willmar Minnesota, that the City Administrator Charlene Stevens be appointed as the Responsible Authority for the purpose of meeting all requirements of Minnesota Statutes, Sections 13.02-13.87, as amended, and with rules as lawfully promulgated by the Commissioner of Administration as published in the State Register.

Dated this 3<sup>rd</sup> day of January, 2012.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
CITY CLERK