

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

July 5, 2000
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Verna Kelly, Denis Anderson, Ron Christianson, Douglas Reese, Nancy Houlahan, Bruce DeBlieck, Jim Dokken, and Rick Fagerlie; Present 9, Absent 0.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Planning and Development Services Director Bruce Peterson, Public Works Director Mel Odens, Police Chief Jim Kulset, Fire Chief Marvin Calvin, and City Clerk Kevin Halliday.

Additions to the Agenda included an agreement for airport aerial photos and League of Minnesota Cities retreat.

The Senior Center Council Minutes of June 7, 2000, were removed from the Consent Agenda.

Council Member Reese offered a motion adopting the Consent Agenda, which included the following: City Council Minutes of June 21, Municipal Utilities Commission Minutes of June 26, Community Education and Recreation Minutes of June 22, and Building Inspection Report for April and May, 2000. Council Member Kelly seconded the motion, which carried.

The Mayor and Council discussed Senior Citizen concerns with the new organization structure. Community Education and Recreation Director Brisendine reported that things were functioning well with LeAnne Freeman stationed at the Senior Center part-time and attitudes were positive. The Senior Center Council Minutes of June 7, 2000, were accepted as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Kelly, and carried.

At 7:13 p.m. Mayor Heitke opened a hearing on an Ordinance Amending Ordinance No. 1134. Planning and Development Services Director Peterson explained the purpose of the Ordinance was to correct an error in the legal description for the rezoning achieved by Ordinance No. 1134. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:14 p.m.

Council Member Kelly offered a motion to adopt, assign a number, and order final publication of the Ordinance Amending Ordinance No. 1134 to Correct the Legal Description. Council Member Reese seconded by motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Heitke welcomed Willmar Fests Royalty and Dave Campbell, Executive Director of Willmar Fests. Mr. Campbell thanked the Mayor, City Council and the City Departments for their great efforts during the Willmar Fests Week and introduced the Queen and her Royalty. Heather Rahn, Queen of Festivals and Mary Kay Hanson, Aqua Princess talked about their Willmar Fests experiences, duties and future appearances. The Mayor extended appreciation for their representation of the City.

Mayor Heitke recognized Wilt Croonquist, Director of Economic Development for Kandiyohi County, who presented an update on on Fibrowatt Inc., the British company with plans to burn poultry manure as fuel for electricity in one of six Minnesota counties. Willmar is among the four prospective locations in Kandiyohi County being considered to play host to the power plant.

Mr. Croonquist discussed the creation of 30 skilled, high paying jobs, 300 construction jobs, and 125 other related jobs such as trucking positions. The poultry litter supplied in the area, along with alfalfa stems and oat hulls will be burned creating an additional agricultural outlet for the local economy. Fibrowatt does establish a local advisory council to work closely with citizen concerns. Following a question and answer period, the Mayor thanked Mr. Croonquist for his presentation. This matter was for information only.

The Community Development Committee Minutes of June 28, 2000, were presented to the Mayor and Council by Council Member DeBlieck. There were seven items for Council consideration.

Item No. 1 The Committee reviewed an update on the Airport Project, specifically the funding issues. The appraisal of the current site is nearly complete and will be the basis for a determination by the FAA and DOT regarding their ultimate level of financial participation in the new airport. The appraisal/acquisition process and timeline was reviewed relative to the funding commitment issue.

The Committee reaffirmed the City's position of waiting to proceed with any additional acquisitions pending the funding assurances by the FAA and DOT. Staff is to look into the timing of appraisals to possibly begin that process. This matter was for information only.

Item No. 2 The Committee reviewed statutory requirements for communities providing business subsidies. Changes to State statute mandate the adoption of a plan with criteria to guide cities in the provision of financial assistance. These criteria may include employment and wage requirements, and shall require a stated public purpose for any subsidy granted to a private business.

Staff will begin work on the required plan prior to Council action to establish subsidy criteria. This matter was for information only.

Item No. 3 Staff briefed the Committee on telecommunications tower issues. Another conditional use permit application has been filed with the City for a tower just west of 1st Street South. The proposed tower is approximately four blocks north of a tower that was constructed in 1999. Staff noted the Zoning Ordinance is vague in its treatment of telecommunications towers and that raises a number of issues relative to tower siting, the height of towers, aesthetic concerns, safety concerns, and possibilities for co-location by telecommunications providers.

Several options were discussed for dealing with the issue including an amendment to the Zoning Ordinance, or a moratorium while the matter is being studied prior to an amendment. The Committee was recommending that the Council enact a moratorium on telecommunication tower construction to allow the Planning Commission time to study the issue and pursue a Zoning Ordinance amendment. Council Member DeBlieck offered a motion to approve the recommendation of the Community Development Committee and to introduce an Ordinance for public hearing on July 19, 2000. Council Member Dokken seconded the motion, which carried.

Item No. 4 The Committee discussed citizen participation at Council meetings. Some of the issues discussed by the Committee were as follows: at what part of the meeting would public input be allowed, the length of time each individual would be allowed to speak, and what methods might be in place to control the number of persons that come to speak or to have them register prior to speaking.

Mayor Heitke explained to the Committee what other communities do. Typically public input is allowed early in the meeting and limits are placed on the amount of time each speaker is allowed. The Committee was recommending that the Council take public input at City Council meetings as follows: input will be allowed after public hearings, but before Committee reports; each speaker is limited to 3 minutes, each speaker must sign-in/register with the City Clerk before the meeting starts.

Council Member DeBlieck moved to approve the recommendation of the Community

Development Committee limiting the process to six months pending further review. Council Member Dokken seconded the motion, which carried.

Item No. 5 The Committee discussed a proposed extension of the 1998 Airport Manager and Fixed Based Operator Agreement with Willmar Air Service. The extension is proposed to be on a month-to-month basis while an airport manager is being hired and management issues are being resolved. The Committee was recommending to the Council that the resolution approving the extension agreement be adopted as presented.

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

RESOLUTION NO. 1

BE IT RESOLVED by the City Council of the City of Willmar that the Extension Agreement by and between the City of Willmar and Willmar Air Service is hereby approved, and that the Mayor and City Administrator are hereby authorized to execute said Agreement.

Dated this 5th day of July, 2000.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 6 The Committee discussed complaints regarding En-Tel's work in the right-of-way and easements and requested that Staff invite the local En-Tel manager to an upcoming Council meeting to provide an update. This matter was for information only.

Item No. 7 The Committee briefly discussed possible efforts to meet with local businesses to discuss matters of concern. This matter was for information only.

The Community Development Committee Report of June 28, 2000, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member DeBlieck, seconded by Council Member Fagerlie, and carried.

Public Works Director Odens informed the Mayor and Council that the paths at the Civic Center and Swansson Field are completed and final payment due. Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

PROJECT NO.: 9906
IMPROVEMENT: Path Project

Contractor: Duininck Bros. Construction Co., Inc.
Date of Contract: August 30, 1999
Begin Work: September 15, 1999
Complete Work: November 2, 1999
Approve, City Engineer: June 27, 2000

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

1. The said Project No. 9906 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

Original Contract Amount:	\$83,331.50
Change Orders (none)	0.00
Final Net Contract Amount, Proposed:	\$83,331.50
Actual Final Contract Amount as Constructed:	\$72,853.33
Less Previous Payments (Est. #1)	\$69,210.87
FINAL PAYMENT DUE CONTRACTOR:	\$ 3,642.68

Dated this 5th day of July, 2000.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Public Works Director Odens informed the Mayor and Council that the parking lot at the Civic Center is now completed and final payment due. Resolution No. 3 was introduced by Council Member Kelly, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

PROJECT NO.: Not Applicable
IMPROVEMENT: Civic Center Parking Lot Project

Contractor:	Riley Bros. Construction, Inc.
Date of Contract:	September 23, 1999
Begin Work:	October 4, 1999
Complete Work:	June 7, 2000
Approve, City Engineer:	June 27, 2000

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

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

Original Contract Amount:	\$279,809.50
Change Orders (none)	0.00
Final Net Contract Amount, Proposed:	\$279,809.50
Actual Final Contract Amount as Constructed:	\$238,174.86
Less Previous Payments (Est. #1)	\$168,637.64
FINAL PAYMENT DUE CONTRACTOR:	\$ 69,537.22

Dated this 5th day of July, 2000.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Public Works Director Odens informed the Mayor and Council that the boat landing at Robbins Island is now completed and final payment due. Resolution No. 4

was introduced by Council Member Kelly, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

PROJECT NO.: Not Applicable
IMPROVEMENT: Robbins Island Boat Project

Contractor: Duininck Bros. Construction Co., Inc.
Begin Work: October 12, 1999
Complete Work: November 2, 1999
Approve, City Engineer: June 27, 2000

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

1. The said Robbins Island Boat Landing Project be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

Original Contract Amount:	\$29,735.00
Change Orders (none)	0.00
Final Net Contract Amount, Proposed:	\$29,735.00
Actual Final Contract Amount as Constructed:	\$18,025.53
Less Previous Payments (Est. #1)	\$17,124.25
FINAL PAYMENT DUE CONTRACTOR:	\$ 901.28

Dated this 5th day of July, 2000.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Planning and Development Services Director Peterson informed the Mayor and Council that the FAA is requiring the City to make Title VI Assurances regarding civil rights for the Airport Project. Following discussion, Council Member Kelly offered a motion that said assurances be made to the FAA. Council Member DeBlicke seconded the motion, which carried.

Public Works Director Odens informed the Mayor and Council that additional aerial survey work and topography mapping needs to be conducted for the new airport. Resolution No. 5 was introduced by Council Member Reese, seconded by Council Member Houlahan, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into an agreement between the City of Willmar and Markhurd to complete the Airport Aerial Survey Project.

Dated this 5th day of July, 2000.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
CITY CLERK

Announcements for Council Committee meeting dates were as follows:
Finance, July 10; Public Works/Safety, July 11; Labor Relations, July 12; Airport
Commission, July 6, WRAC8, July 13; KAT, July 12; Planning Commission, July 12,
2000.

Mayor Heitke informed the Council that the League of Minnesota Cities will
be holding it's annual board retreat in Willmar on July 11 through 13, 2000.

There being no further business to come before the Council, the meeting
adjourned at 9:00 p.m. upon motion by Council Member Kelly, seconded by Council
Member Christianson, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL