

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

April 4, 2001
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 Doug Reese, Ron Christianson, Bruce DeBlicek, Denis Anderson, Nancy Houlahan, Rick Fagerlie, Jim Dokken, and David Chapin; Present 9, Absent 0.

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

Mayor Heitke offered praise to Paul Kimpling, a young student who contacted the Willmar Municipal Utilities upon discovering a gas leak bubbling on the ground. His observation saved a potential emergency/disaster.

The Airport Commission Minutes of March 13, 2001, were removed from the Consent Agenda.

Council Member Anderson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of March 21, Municipal Utilities Commission Minutes of March 26, Human Rights Commission Minutes of February 20, Senior Center Council Minutes of March 7, Community Education and Recreation Board Minutes of March 22, 2001; and Mayoral appointment of Floyd Mottinger to the Zoning Appeals Board. Council Member Christianson seconded the motion, which carried.

The Council discussed the Airport Commission Minutes of March 13, 2001, and requested additional details regarding Item No. 4. Airport Manager Steve Wright explained that the current Municipal Airport would not receive the \$150,000 General Aviation Entitlement. Council Member Anderson moved to accept the Airport Commission Minutes with Council Member Christianson seconding the motion, which carried.

At 7:06 p.m. Mayor Heitke opened a hearing on a Tax Increment Financing Plan for Lakewood BK Properties, Inc. Planning and Development Services Director Peterson reviewed with the Mayor and Council the tax increment plan noting the district meets the statutory requirements for a redevelopment district. There being no one to speak for or against the proposed Tax Increment Financing Plan for Lakewood BK Properties, Inc., Mayor Heitke closed the hearing at 7:09 p.m.

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

RESOLUTION NO. 1

APPROVING THE LAKEWOOD KB PROPERTIES LLC TAX INCREMENT FINANCING PLAN

(For Resolution in its entirety, see City Council Minutes
file dated April 4, 2001, located in the City Clerk's Office)

Mayor Heitke acknowledged individuals present to address the Council during its scheduled Open Forum. Lee Fader and Paul Hartman requested consideration of a skateboard park and presented information regarding parks in Minneapolis, Rockville and Glenwood. Mr. Richard Krogfuss presented details of a Feed the

World program whereby food for over 100,000 children will be packaged for distribution at the Willmar Civic Center utilizing teens and other volunteers.

The Finance Committee Report of March 26, 2001, was presented to the Mayor and Council by Council Member Anderson. There were three items for Council consideration.

Item No. 1 Willmar Municipal Utilities General Manager appeared before the Committee to explain the Utilities' action of an additional capital contribution to Allied Power. The capital contribution would help finance the acquisition and remodeling of a building to house Entel Communications. The lease to Entel would consist of the following three main items: 1) Building acquisition would be done as Entel acting as Allied Powers Agent; 2) It would be a triple net lease at \$9,000 monthly; and 3) Entel would have an option to purchase the building at any time.

The capital contribution amount required at this time would be \$140,000; \$70,000 from the Municipal Utilities and \$70,000 from the Cooperative. The Municipal Utilities Commission will take official action on the matter at a later date, and this matter was for information only.

Item No. 2 John Groothius, Kandiyohi Area Transit Coordinator, updated the Committee on operations of the transit system and the status of a new proposed building to house the buses, dispatch and offices. This matter was for information only.

Item No. 3 The Committee reviewed the following report: December 31,2000 Willmar Library financial. This matter was for information only.

The Finance Committee Report of March 26, 2001, was approved as presented on motion by Council Member Anderson, seconded by Council Member Fagerlie, and carried.

The Public Works/Safety Committee Report of March 27, 2001, was presented to the Mayor and Council by Council Member Reese. There were 8 items for Council consideration.

Item No. 1 Staff presented to the Committee a request from the Willmar Area Senior Citizens to donate \$2,500 to the City to purchase another defibrillator for the Police Department. The Committee was recommending to the Council to accept the donation for purchase of a defibrillator, and to thank the Seniors organization for their continued support of the Police Department.

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

RESOLUTION NO. 2

WHEREAS, the Willmar Area Senior Citizens have agreed to donate to the City of Willmar \$2,500 for the purpose of purchasing a defibrillator for the Police Department.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota, that the City accept the donation from the Willmar Area Senior Citizens and that the City Administrator be directed to express the community's appreciation for the donation.

Dated this 4th day of April, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 2 The Committee considered a request from staff for authorization to apply for a grant from the Bureau of Justice to assist with the purchase of ballistic vests. The grant, if approved, would allow for 50 percent funding. The Committee was recommending to the Council approval of staff's request to proceed with the grant application. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Houlahan seconding the motion, which carried.

Item No. 3 Staff informed the Committee that during March, 2001, compliance checks were conducted for both on- and off-sale liquor establishments. One of five off-sale establishments failed along with six out of the ten on-sale. It was noted that training sessions are offered once a year to assist in identification of underage individuals.

Staff explained that one of the conditions of a previous grant received from the Minnesota Department of Public Safety in 2000 was that if establishments were found in violation, civil penalties would be imposed. If the City did not impose a penalty, the State would. The current City Ordinance allows for a not-to-exceed fine of \$2,000 and/or up to 60-day suspension. A hearing is required if requested.

The Committee was recommending to the Council to impose a \$500 penalty on all seven of the establishments found in violation. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Houlahan seconding the motion, which carried.

The Committee was further recommending to the Council to direct staff to prepare a civil penalty grid system that can be implemented at a future date, including reconsideration of the question of membership criteria at the various service clubs. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Dokken seconding the motion, which carried.

Item No 4 The Committee reviewed the bid tabulation for bids received for the replacement and equipment retrofit of the Civic Center floor. The Committee was recommending to the Council to accept the bid of Arena Systems and authorize the Mayor and City Administrator to enter into a contract on behalf of the City.

Resolution No. 3 was introduced by Council Member Reese, seconded by Council Member DeBlicek, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

Resolution No. 3

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the bid of Arena Systems of St. Paul, Minnesota, for the Civic Center Floor Replacement and Equipment Retrofit is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$308,974.00.

Dated this 4th day of April, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Mayor and Committee discussed various aspects of the lack of space and privacy in the locker rooms at the Civic Center. Staff presented a proposed diagram showing the addition of locker room and restroom space to the front of the building. Following a discussion of the needs, including the Sonshine Festival and several other Civic Center related activities, the Committee was recommending to the Council to approve the concept of an addition to the building and direct staff to continue feasibility work. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Dokken seconding the motion, which carried.

Item No. 6 Staff updated the Committee on the 4th Street Southeast property owner's survey to pay the additional costs for decorative street lighting. Of the surveys returned to the City Offices, it was clear a majority of the property owners were opposed to the additional costs. This item will not be included in the 2001 Improvements.

It was noted that bids will be opened April 2, 2001, for Project No. 0101 (2001 Street and Other Improvements). Following discussion, the Committee was recommending to the Council to set the Assessment Hearing for Project No. 0101 for May 2, 2001 at 7:02 p.m. Resolution No. 4 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

CALLING HEARING ON ASSESSMENTS FOR
PROJECTS 0101 AND 0102 - OF THE 2001 STREET AND OTHER IMPROVEMENTS

WHEREAS, the City Clerk-Treasurer with the assistance of the City Engineer has prepared an assessment roll for Projects 0101 and 0102 of the 2001 Street and Other Improvements, and said proposed assessment roll is on file with the Clerk-Treasurer and open to public inspection.

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

1. The Clerk-Treasurer shall publish notice that this City Council will meet to consider the proposed assessments on May 2, 2001, at 7:02 p.m. in the Council Chambers, Municipal Utilities Building, 700 West Litchfield Avenue, Willmar, Minnesota.

2. Said notice shall also be mailed to the owners of each parcel of property described in the assessment roll.

3. Such notice shall be in substantially the following form: (On file in the City Clerk's Office)

4. Said notice shall be published by the City Clerk-Treasurer in the official newspaper at least two weeks prior to the hearing and mailed by said Clerk-Treasurer to the owners of each parcel described in the assessment roll.

Dated this 4th day of April, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 7 The Committee reviewed a proposed lighting agreement between the City and MnDOT for lighting the interchanges at various locations adjoining the City limits. MnDOT proposes to furnish and install the 70 lights with the City supplying the power. Thirty-one of the poles would be set in the Kandiyohi Cooperative's territory, meaning a monthly billing to be paid by the City. The Mayor voiced concerns regarding local responsibility on a state project. Staff was directed to research the utility billing responsibility in more detail and report findings to the full Council at a later date. This matter was for information only.

Item No. 8 The Committee reviewed plans and specifications for the 2001 sewer and water main work which indicate an estimated project cost of \$220,250. Funding will be from the MUC, the Public Works Budget, and a developer's agreement for cash. The Committee was recommending to the Council approval of the plans and specifications and call for bids. 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

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 0102 (Sewer and Water Main Improvements) for the City of Willmar;

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

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:30 p.m. on the 7th day of May, 2001, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 4th day of April, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Public Works/Safety Committee Report of March 27, 2001, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Reese, seconded by Council Member Houlahan, and carried.

The Mayor and Council considered the following establishments' request for renewal of current liquor licenses: On-sale - Holiday Inn of Willmar, SRV Bar & Grill, Blue Heron on the Green and Applebees; On-sale 3.2 Percent Malt Liquor - Valley Golf Course, Centre Point Mall Bar & Grill and Pizza Hut; Wine - Centre Point Mall Bar & Grill; Club On-sale - Fraternal Order of Eagles, Elks Lodge #952, VFW 1639 and American Legion; and Off-sale - Cashwise Liquors, Gerry's Liquor, Liquor Mart, Skylark Liquors and Lakeland Liquors. Council Member Reese moved to approve the renewal of liquor licenses as presented. Council Member Houlahan seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Announcements for Council Committee meeting dates were as follows: Finance, April 9; Public Works/Safety, April 10; and Board of Review, May 7, 2001.

Mayor Heitke called for a recess at 8:22 p.m. and reconvened the meeting at 8:28 p.m.

Mayor Heitke announced that Governor Jesse Ventura would be in Willmar on April 5, and the Mayor's Prayer Breakfast is scheduled for April 19, 2001.

At 8:30 p.m. Director Steve Brisendine presented to the Mayor and Council the 2000 Community Education and Recreation Department annual report. Following a question and answer period, the report was ordered placed on file in the City Clerk's Office.

At 8:58 p.m. City Attorney Richard Ronning presented to the Mayor and Council the 2000 City Attorney annual report. Following a question and answer period, the report was ordered placed on file in the City Clerk's Office.

There being no further business to come before the Council, the meeting adjourned at 9:18 p.m. upon motion by Council Member Christianson, seconded by Council Member Anderson, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL