

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

April 18, 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 DeBlieck, 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, Fire Chief Marv Calvin, 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.

Proposed additions to the agenda included consideration of a liquor license.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of April 4, Municipal Utilities Commission Minutes of April 9, Building Inspection Report for March, Pioneerland Library Board Minutes February 15, Housing and Redevelopment Authority Minutes of March 13, and Planning Commission Minutes of April 11, 2001. Council Member Christianson seconded the motion, which carried.

Mayor Heitke recognized Gayne Stone, Deb Smitzerling, Andrea Carruthers and John Hoover representing the Kandiyohi County Tobacco Coalition. The Coalition is a partnership between youth and adults, advocating for and assisting with the protection of non-smokers, the prevention of future smokers, and the treatment of current smokers in the community. Following the presentation, Mayor Heitke thanked the group for their efforts.

Mayor Heitke acknowledged that no one had signed up to address the City Council during its scheduled Open Forum.

The Finance Committee Report of April 9, 2001, was presented to the Mayor and Council by Council Member Anderson. There was one item for Council consideration.

ITEM NO. 1 Al Erickson with Springsted appeared before the Committee to present information regarding three upcoming bond sales. The three issues include: \$2,160,000 General Obligation Sewer Revenue Bonds; \$1,240,000 Municipal Utility Revenue Bonds, and \$2,075,000 Municipal Utility Revenue Refunding Bonds.

The first issue is to finance the improvements to the City's sewer system and structured to correspond with the City's recent sewer rate study. The Committee was recommending to the Council the introduction of resolutions providing for the sale of \$2,160,000 of G.O. Sewer Revenue Bonds and calling for a public hearing on May 2, 2001, for an Ordinance authorizing the issuance.

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

RESOLUTION NO. 1

PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF \$2,160,000
GENERAL OBLIGATION SEWER REVENUE BONDS, SERIES 2001A

(For Resolution in its entirety, see City Council Minutes
File dated April 18, 2001, located in the City Clerk's Office)

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

RESOLUTION NO. 2

CALLING FOR PUBLIC HEARING ON AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$2,160,000 GENERAL OBLIGATION SEWER REVENUE BONDS, SERIES 2001A

(For Resolution in its entirety, see City Council Minutes File dated April 18, 2001, located in the City Clerk's Office)

The second issue is to finance improvements to the City's electric and water utilities as approved by the Municipal Utilities Commission. The Committee was recommending to the Council the introduction of resolutions providing for the sale of \$1,240,000 Municipal Utility Revenue Bonds and calling for a public hearing on May 2, 2001, for an Ordinance authorizing the issuance.

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

RESOLUTION NO. 3

PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF \$1,240,000 MUNICIPAL UTILITY REVENUE BONDS, SERIES 2001B

(For Resolution in its entirety, see City Council Minutes File dated April 18, 2001, located in the City Clerk's Office)

Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

CALLING FOR PUBLIC HEARING ON AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$1,240,000 MUNICIPAL UTILITY REVENUE BONDS, SERIES 2001B

(For Resolution in its entirety, see City Council Minutes File dated April 18, 2001, located in the City Clerk's Office)

The third issue is to provide funds to refund the City's Municipal Utility Revenue Refunding Bonds, Series 1992A. The Committee was recommending to the Council the introduction of resolutions providing for the sale of \$2,075,000 Municipal Utility Revenue Refunding Bonds and calling for a public hearing on May 2, 2001, for an Ordinance authorizing the issuance.

Resolution No. 5 was introduced by Council Member Anderson, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF \$2,075,000 MUNICIPAL UTILITY REVENUE REFUNDING BONDS, SERIES 2001C

(For Resolution in its entirety, see City Council Minutes File dated April 18, 2001, located in the City Clerk's Office)

Resolution No. 6 was introduced by Council Member Anderson, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 6

CALLING FOR PUBLIC HEARING ON AN ORDINANCE AUTHORIZING THE ISSUANCE
OF \$2,075,000 MUNICIPAL UTILITY REVENUE REFUNDING BONDS, SERIES 2001C
AND THE ENTERING INTO OF CERTAIN COVENANTS WITH THE HOLDERS OF SUCH
BONDS RELATING TO THE RATES CHARGED FOR SERVICES OF THE MUNICIPAL UTILITIES

(For Resolution in its entirety, see City Council Minutes
File dated April 18, 2001, located in the City Clerk's Office)

The Finance Committee Report of April 9, 2001, 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 Fagerlie, and carried.

The Public Works/Safety Committee Report of April 10, 2001, was presented to the Mayor and Council by Council Member Reese. There were six items for Council consideration.

Item No. 1 The Committee considered a request from Neal Pearce, a Life Scout in Troop 224, to obtain permission and assistance in completing a service project to become an Eagle Scout. Neal and his father Don Pearce were present to discuss the project. Neal is proposing to construct a mini-shelter near the wading pool in Rice Park and is asking for assistance by City staff in placement of the concrete pad and temporary fencing around the structure while it is being constructed.

The Committee was recommending to the Council to approve the concept of the project and the participation of City staff. 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. 2 The Committee reviewed a permit application received from the Centre Point Mall Bar and Grill that involves a request to close 4th Street temporarily for a proposed fundraising event. The Committee voiced opposition to the request and cited public safety issues and noted that past street closure events have been held in conjunction with community celebrations. The City Ordinance allows the Council to deny such requests.

The Committee was recommending to the Council to deny the request to close 4th Street for this event. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlicek seconding the motion, which carried.

Item No. 3 The Committee reviewed specifications for the milling and overlaying of the southbound lanes of North Business 71-23 from Ella Avenue to Civic Center Drive. The total estimated cost of the project is \$282,000 with 50 percent funding by State Turnback Funds. There will be no assessments against adjoining property owners. The Committee was recommending to the Council approval of the plans and specifications for Project No. 01-03 and authorize advertisement for bids.

Resolution No. 7 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. 7

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 01-03 (North Business 71-23 Overlay) 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 21st day of May, 2001, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 18th day of April, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 The Committee considered specifications to seal coat approximately 3.5 miles of City streets at an estimated cost of \$43,000. The Committee was recommending to the Council to approve the plans and specifications for Project No.01-04 and authorize advertisement for bids.

Resolution No. 8 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. 8

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 01-04 (Seal Coat) 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 21st day of May, 2001, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 18th day of April, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee considered a proposal from Fire Chief Calvin to reduce the number of stand-by days for the Fire Department throughout the summer months. There are currently 18 stand-by days (holidays and Sundays) in the period beginning with Memorial Day and ending with the Labor Day weekend. Staff is proposing to reduce the number of stand-by days to the following 6 days: Memorial Day, Fourth of July, Labor Day, the Sundays preceding Memorial Day and Labor Day, and the Sunday closest to the Fourth of July.

Following a review and discussion of the events leading to a stand-by program and statistical data regarding fire calls and responses, the Committee accepted the proposal as information requesting that staff closely monitor the changes and provide status reports throughout the summer. This matter was for information only.

Item No. 6 The Committee reviewed correspondence from Bolton & Menk, Inc. to provide engineering design services for a regional stormwater pond adjacent to Gesch Park. The pond would hold stormwater from the surrounding undeveloped area including the future site of the YMCA. Bolton & Menk's proposal is broken into three tasks: site survey, final design report, and final plans and specifications. To reduce engineering costs, City staff will develop the final plans and specifications based on Bolton & Menk's final design. It was noted that funding for the services would come from Year 2000 Unexpended Stormwater Retention Funds.

The Committee discussed the aspects of the proposal and was recommending to the Council to accept the engineering services described in Task Nos. 1 and 2 with a not-to-exceed figure of \$9,000 and authorize the Mayor and City Administrator to enter into an agreement on behalf of the City. Resolution No. 9 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 9

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 Bolton & Menk for engineering design services for a regional stormwater pond with a not-to-exceed amount of \$9,000.

Dated this 18th day of April, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Public Works/Safety Committee Report of April 10, 2001, 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 Houlahan, and carried.

City Administrator Schmit informed the Mayor and Council that subsequent to the bidding for the construction of street, sewer and water work to be conducted in 2001, the Council must declare the costs to be assessed. Following discussion, Resolution No. 10 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. 10

DECLARING COST TO BE ASSESSED AND
ORDERING PREPARATION OF ASSESSMENT ROLL
IN CONNECTION WITH 2001 STREET AND OTHER IMPROVEMENTS
(PROJECT NOS. 0101 AND 0102)

WHEREAS, contracts have been let for the construction of Street and Other Improvements of 2001 in the City, to-wit: City Project No. 0101 and 0102; and

WHEREAS, the total cost of said street and other improvements of 2001 is \$1,713,188.68.

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

1. The City Council hereby determines that the City shall pay \$721,910.10 of said cost, exclusive of the amount it may pay as a property owner, and the sum of \$991,278.58 shall be assessed against benefited property owners based upon benefits received without regard to cash valuation.
2. The Clerk-Treasurer, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land without regard to cash valuation as provided by law, and he shall file a copy of such assessment in his office for public inspection.
3. The Clerk-Treasurer shall, upon the completion of such assessment, notify the City Council thereof.

Dated this 18th day of April, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

City Administrator Schmit informed the Mayor and Council that bids were opened for the Bleacher Retrofit Project and noted the budgeted amount was \$55,000 based on a retrofit without a center isle. The Council discussed options of removing some bleachers from the bid but upon acknowledgement of the high use of bleachers, it was the consensus to use \$55,000 in capital reserves and \$18,683.07 from the current year budget to cover the low bid of \$73,683.07 from Earl Andersen, Inc.

Resolution No. 11 was introduced by Council Member Christianson, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 11

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 Earl F. Andersen, Inc. from Bloomington, Minnesota, for the Bleacher Retrofit Project in the amount of \$73,683.07.

Dated this 18th day of April, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Mayor and Council considered a preliminary plat for Yorktown Estates Second Addition. Planning and Development Services Director Peterson explained this is a 22-lot plat in Southwest Willmar. It was noted the Planning Commission has approved the plat subject to conditions relating to the addition of utility and tree planting easements, as well as showing the location of two existing easements. Council Member Reese moved to approve of the preliminary plat for Yorktown Estates Second Addition contingent on conditions recommended by the Planning Commission. Council Member Anderson seconded the motion, which carried.

City Clerk Halliday informed the Mayor and Council that the El Tequila Restaurant has submitted an application for a liquor license. Following discussion, Council Member Reese offered a motion to approve the El Tequila liquor license. 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 and Vision 2020, April 23; Labor Relations and Community Education, April 25; and Community Development, April 26, 2001.

Mayor Heitke called for a recess at 8:00 p.m. and reconvened the meeting at 8:13 p.m.

At this time Planning and Development Services Director Peterson presented to the Mayor and Council the 2000 Planning and Development Services Development 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 8:42 p.m. upon motion by Council Member Reese, seconded by Council Member Christianson, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL