

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

May 16, 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.

Council Member Anderson offered a motion adopting the Consent Agenda, which included the following: City Council Minutes of May 2, Rice Hospital Board Minutes of May 9, Building Inspection Report for April, Senior Council Minutes of March 7 and April 4, Pioneerland Library Board Minutes of March 15, Community Education and Recreation Board Minutes of April 26, and Planning Commission Minutes of May 9, 2001. Council Member Christianson seconded the motion, which carried.

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

Mayor Heitke recognized Mr. Al Erickson of Springsted Incorporated, the City's bond consultant, who presented results of the negotiated sale of three bond issues. Also noted was the upgraded bond rating from Moody's Rating Service. The Willmar Municipal Utilities rating improved from A3 to an A2, and the City's rating remained at A2.

Following Mr. Erickson's recommendation to accept the offer of Nike Securities for a net interest rate of 4.19 percent, Resolution No. 1 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. 1

ACCEPTING OFFER ON SALE OF \$2,160,000 GENERAL OBLIGATION
SEWER REVENUE BONDS, SERIES 2001A
AND PROVIDING FOR THEIR ISSUANCE

(For Resolution in its entirety, see City Council Minutes
file dated May 16, 2001, located in the City Clerk's Office)

Following Mr. Erickson's recommendation to accept the offer of U. S. Bancorp/Piper Jaffray for a net interest rate of 4.34 percent, Resolution No. 2 was introduced by Council Member DeBlieck, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

ACCEPTING OFFER ON SALE OF \$1,240,000 MUNICIPAL UTILITY
REVENUE BONDS, SERIES 2001B
AND PROVIDING FOR THEIR ISSUANCE

(For Resolution in its entirety, see City Council Minutes
file dated May 16, 2001, located in the City Clerk's Office)

Following Mr. Erickson's recommendation to accept the offer of U. S. Bancorp/Piper Jaffray for a net interest rate of 4.01 percent, Resolution No. 3 was introduced by Council Member DeBlieck, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

ACCEPTING OFFER ON SALE OF \$2,075,000 MUNICIPAL UTILITY
REVENUE REFUNDING BONDS, SERIES 2001C
AND PROVIDING FOR THEIR ISSUANCE

(For Resolution in its entirety, see City Council Minutes
file dated May 16, 2001, located in the City Clerk's Office)

Ms. Bev Hartzburg appeared before the Mayor and Council, representing a Willmar dog owners group, to make a presentation for an off-leash play area for dogs. This proposal was for a new park with a double-gated, six-foot fenced area with shade, water, parking and benches. Ms. Hartzburg presented the benefits of a park, which included enhancements to tourism for travelers with dogs. Several proposed rules for use were reviewed. Following discussion, Council Member Reese moved to refer the matter of a dog park to the Public Works/Safety Committee and direct staff to explore additional locations and costs. Council Member DeBlieck seconded the motion, which carried.

The Finance Committee Report of May 7, 2001, was presented to the Mayor and Council by Council Member Anderson. There were four items for Council consideration.

ITEM NO. 1 Michelle Schwitters appeared before the Committee to present information regarding a request to amend the CVB operating budget, which include expenses of printing new brochures and additional marketing/advertising. Revenues to cover these expenses will come from the sale of additional advertising and the County Economic Development Partnership. The Committee was recommending that the Council pass a resolution to increase the CVB Budget by \$30,000.

Resolution No. 4 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. 4

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to make the following changes within the Convention and Visitors Bureau Fund:

INCREASE:	Appropriations - Printing/Publishing	\$25,000.00
	Appropriations - Telephone/Fax	1,777.00
	Appropriations - Advertising/Marketing	4,223.00
	Appropriations - Specialist Bonus	(1,000.00)
INCREASE:	Estimated Revenue - Willmar.com	\$ 5,000.00
	Estimated Revenue - Advertising Sales	12,500.00
	Estimated Revenue - Refunds/Reimbursements	12,500.00

Dated this 16th day of May, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

ITEM NO. 2 The Committee discussed a \$1,000 donation received from the American Legion for the purchase of fire prevention pamphlets, and was recommending to the Council that a resolution be introduced accepting the donation from the American Legion.

Resolution No. 5 was introduced by Council Member Anderson, 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 American Legion has agreed to donate to the City of Willmar \$1,000 for the purpose of purchasing fire prevention pamphlets for the Fire Department.

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

Dated this 16th day of May, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

ITEM NO. 3 The Committee reviewed 2000 Financial Report for the City's General, Special Revenue and Enterprise Funds. The Special Revenue Funds include the Industrial Development, W.R.A.C.-8, C.V.B., Community Development and Community Investment funds. The Enterprise Fund is the Waste Treatment Fund. This matter was for information only.

ITEM NO. 4 The Committee reviewed the following reports: Interest/Dividend, Cash/Investment, March K.A.T and First Quarter M.U.C. This matter was for information only.

The Finance Committee Report of May 7, 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 May 8, 2001, was presented to the Mayor and Council by Council Member Reese. There were seven items for Council consideration.

Item No. 1 Allan Rice, MnDOT District 8 Traffic Supervisor, appeared before the Committee to discuss the proposed agreement between the State and City for lighting along the T.H. 71/23 bypass. This item was brought back to Committee as there was a concern on who should pay the energy costs for lighting outside the City limits. Mr. Rice explained that 63 lights are planned for the project, of which 22 lights are outside the City limits. The State agrees to install and maintain them, but requests the City provide power. Several lighting agreements of other cities throughout the state were discussed. Each district can establish its own lighting policy, but generally the local unit of government pays for lighting on State Highways and the State pays for lighting on Interstate Highways. The Committee was recommending to the Council to authorize the Mayor and City Administrator to sign the agreement on behalf of the City.

Resolution No. 6 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. 6

BE IT RESOLVED that the City of Willmar enter into an agreement with the State of Minnesota, Department of Transportation for the following purposes, to wit:

To provide maintenance and electrical energy for the new highway lighting systems on Trunk Highway No. 23 - East of 15th Street, on Trunk Highway No. 23 - Trunk Highway No. 23/Trunk Highway No. 71 at Trunk Highway No. 71 - Business Trunk Highway No. 71, on Trunk Highway No. 23/Trunk Highway No. 71 at Trunk Highway No. 12, on Trunk Highway No. 23/Trunk Highway No. 71 at Civic Center Drive, and on Trunk Highway No. 23/Trunk Highway No. 71 at Trunk Highway No. 294 in accordance with the terms and conditions set forth and contained in Agreement No. 81213M, a copy of which was before the Council.

BE IT FURTHER RESOLVED that the proper City officers be and hereby are authorized to execute such agreement and any amendments, and thereby assume for and on behalf of the City all of the contractual obligations contained therein.

Dated this 16th day of May, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 2 The Committee reviewed a quote from Bonnema Surveys Inc., a sub-consultant for HNTB, to perform additional services. The request is subsequent to the desire of the City to acquire adequate property to accommodate an ultimate runway extension of 6,500 feet. Upon approval of the proposal by the City, the surveying proposal will amend the original agreement between the City and HNTB and will increase the Phase III contract total. The Committee was recommending to the Council approval of the additional services and authorize the Mayor and City Administrator to sign an amendment to the agreement on behalf of the City.

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

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 of the City of Willmar are hereby authorized to enter into a contract amendment to supplement the agreement between the City of Willmar and HNTB Corporation. The supplement includes the addition of survey time of the sub-consultant, Bonnema Surveys Inc. This addition which is associated with Phase Three, Land Acquisition, would aid in acquiring adequate property to accommodate the ultimate runway extension at the future airport.

BE IT FURTHER RESOLVED, the original contract amount of \$235,722.00 is hereby amended to include \$6,020 for a total not to exceed figure of \$241,742.00.

Dated this 16th day of May, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 The Committee considered a request from the Ambulance Service to close Second Street SW from the intersection of Becker Avenue to 200 feet south on May 23, 2001, for an open house. Staff addressed the proposal and no safety hazards were apparent. The Committee was recommending to the Council to approve the temporary street closure. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Anderson seconding the motion, which carried.

Item No. 4 The Committee considered a request for final payment to Riley Brothers in the amount of \$51,775.02 for the south First Street Project. The Committee was recommending to the Council to accept the project and authorize final payment to Riley Brothers.

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

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

PROJECT NUMBER: 9605
IMPROVEMENT: Reconstruction of South First Street Turnback

CONTRACTOR: Riley Bros. Const. Inc.
DATE OF CONTRACT: July 15, 1999
BEGIN WORK: April 28, 1998
COMPLETE WORK: June 6, 1999
APPROVE, CITY ENGINEER: April 25, 2001

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

1. The said Project No. 9605 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$2,490,428.15
Change Orders No. 1	\$ 6,820.17
Change Orders No. 2	\$ 2,750.00
Change Orders No. 3	\$ 3,252.00
Change Orders No. 4	\$ 7,126.90
Change Orders No. 5	\$ 36,400.00
Change Orders No. 6	\$ 760.00
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$2,541,033.22
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$2,513,829.95
Less Previous Payments (None)	\$2,462,054.93
FINAL PAYMENT DUE CONTRACTOR:	\$51,775.02

Dated this 16th day of May, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee reviewed bids received for the 2001 Sewer and Water Main Improvements, and was recommending to the Council to award the contract to Breitbach Construction and authorize the Mayor and City Administrator to sign on behalf of the City.

Resolution No. 9 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. 9

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Breitbach Construction Co. of Elrosa, Minnesota for Project No. 0102 (2001 Sewer and Water Main Improvements) 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 \$132,998.00.

Dated this 16th day of May, 2001.

/s/ Lester Heitke

MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 6 The Committee considered a request from staff to submit a grant application for domestic preparedness. The grant monies would provide funding for personal protective gear to be worn by Fire, Police, Ambulance and Hospital personnel in situations involving domestic terrorism decontamination. There would be no cost share requested of the City. The Committee was recommending to the Council to approve the grant application.

Resolution No. 10 was introduced by Council Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 10

BE IT RESOLVED by the City Council of the City of Willmar to support staff's submittal of a grant application with the Minnesota Department of Public Safety, Emergency Management. The grant request is a joint effort between Police and Fire Departments, Ambulance Service and Rice Memorial Hospital, and funds will be used for the purchase of air purifying respirators and level "B" Hazmat protection.

Dated this 16th day of May, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 7 The Committee was informed by staff that Reliant Energy/Minnegasco has made a donation to the City for improvements at the Minnegasco Park located on Southwest 16th Street. It was noted that on May 9, 2001, the Tree City USA tree planting will take place at Minnegasco Park. Minnegasco representatives will be present to dedicate the park. The Committee was recommending to the Council to accept the donation from Reliant Energy/Minnegasco.

Resolution No. 11 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. 11

WHEREAS, Reliant Energy/Minnegasco has agreed to donate to the City of Willmar \$1,000 for improvements at the Minnegasco Park located on Southwest 16th Street.

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

Dated this 16th day of May, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Public Works/Safety Committee Report of May 8, 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 Christianson, and carried.

Planning and Development Services Director Peterson presented to the Mayor and Council for consideration a final plat for the YMCA Addition. The YMCA Addition is a three-lot plat, which includes the future site of the YMCA. The plat dedicates right-of-way for the extension of Olena Avenue to Lakeland Drive, and all easements have been added as stipulated. A request for reapportionment of special assessments has been submitted. It was noted the Planning Commission approved the final plat. Following discussion, Council Member Christianson offered a motion to approve the final plat of the YMCA Addition. Council Member Reese seconded the motion, which carried.

Planning and Development Services Director Peterson presented to the Mayor and Council for consideration a petition from Jennie-O Foods, Inc. to vacate a portion of 11th Street and Pacific Avenue Southwest. Following discussion, Council Member Reese offered a motion to refer the petition to the Planning Commission for consideration. Council Member Houlahan seconded the motion, which carried.

The Mayor and Council discussed the second Council meeting in June. It was noted a number of Council Members and the Mayor would be attending the League of Minnesota Cities Annual Conference in Duluth. Also discussed was the first meeting in July, scheduled for July 4, 2001. Council Member Reese offered a motion to cancel the June 20, Council meeting and reschedule the July 4, Council meeting to July 2, 2001. Council Member Houlahan seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance, May 21; Public Works/Safety, May 29; and Community Development, May 31, 2001.

Mayor Heitke called for a recess at 8:20 p.m. and reconvened the meeting at 8:35 p.m.

At this time Finance Director Okins presented to the Mayor and Council the 2000 Finance Department 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 9:05 p.m. upon motion by Council Member Reese, seconded by Council Member Christianson, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL