

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

August 1, 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 Lester Heitke, Council Members Doug Reese, Ron Christianson, Bruce DeBlieck, Denis Anderson, Nancy Houlahan, Jim Dokken and David Chapin; Present 8, Absent 1 – Rick Fagerlie was excused from the meeting.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Fire Chief Marv Calvin, Community Education and Recreation Director Steve Brisendine, and Administrative Assistant Audrey Peterson.

Mayor Heitke commented on a recent article in the West Central Tribune regarding the Willmar Police Department and decrease in gang activity. The Mayor extended his appreciation to Chief Kulset, Officers Monson and Proshek, and the Willmar Police Department for their efforts.

Proposed additions to the agenda included a Mayor Pro Tempore Proclamation and discussion of an assessment hearing for the collection of unpaid bills.

Council Member Christianson requested that the Planning Commission Minutes of July 25, 2001, be removed from the Consent Agenda.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of July 18, Municipal Utilities Commission Minutes of July 23, Rice Hospital Board Minutes July 25, Building Inspection Report for June, Kandiyohi Area Transit Board Minutes of June 22 and 26, and Planning Commission Minutes of July 24, 2001; and an application to conduct excluded bingo for the Kandiyohi County Fair Association. Council Member Anderson seconded the motion, which carried.

The Mayor and Council discussed the Planning Commission Minutes clarifying the item concerning review of home occupation regulations and Zoning Ordinance. Council Member Christianson moved to accept the Planning Commission Minutes of July 25, 2001, with Council Member Reese seconding the motion, which carried.

At 7:05 p.m. Mayor Heitke opened a hearing on an Ordinance Authorizing the Issuance of \$1,400,000 General Obligation Improvement Bonds, Series 2001D and the Levying of Taxes to Secure the Payment Thereof. City Administrator Schmit presented to the Council details of the sale of bonds to finance the 2001 street improvement project. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:06 p.m.

Council Member Reese moved to adopt, assign a number and order second publication of the Ordinance Authorizing the Issuance of \$1,400,000 General Obligation Improvement Bonds, Series 2001D and the Levying of Taxes to Secure the Payment Thereof. Council Member Christianson seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Mayor Heitke recognized Roger Radabaugh and representatives of the VFW Post 1639 who presented to the City of Willmar 78 flags in honor of veterans. Mayor Heitke thanked the officers for the VFW's generosity of supplying flags on an annual basis to be flown throughout the City.

Mayor Heitke recognized Ken Warner, Willmar Area Chamber of Commerce President, who reviewed the history of the Convention and Visitors Bureau (CVB) and lodging tax. The Willmar Area Chamber of Commerce and CVB are considering a change in legal names to Willmar Lakes Area Chamber of Commerce and Willmar Lakes Area Convention and Visitors Bureau. Mr. Warner explained the need for a change in names due to the organizations' continued growth and presence in all areas of the County. The adding of lakes to the names will better reflect the area the two entities serve and assist both organizations in marketing the area better. It was noted the mission and objectives for both groups would remain separate. Michele Schwitters, CVB Executive Director, was also present to answer questions. Following discussion, Mayor Heitke thanked Mr. Warner and Ms. Schwitters for their presentation.

Mayor Heitke recognized Tom VanBuren and Rick Klein who requested to address the Council during its Open Forum. Mr. VanBuren and Klein requested that the Council reconsider the 9th Street Southeast project.

The Finance Committee Report of July 23, 2001, was presented to the Council by Council Member Anderson. There were two items for Council consideration.

Item No. 1 Coalition of Greater Minnesota Cities consultants Chris Hood and Steve Nyhus, with the Law firm of Flaherty and Hood, were present to discuss with the Committee the affects of the last legislative and special sessions. Items discussed were the Local Government Aid program, levy limits, reclassification of the property tax burden, State property tax on commercial and industrial property, and the potential for changes in the annexation laws for the upcoming session.

The Committee discussed the role of the Coalition of Greater Minnesota Cities in balancing Metro and Out-state issues; past, present and future. This matter was for information only.

Council Member Anderson read to the Mayor and Council correspondence from the League of Minnesota Cities regarding an error in the calculation of Local Government Aid.

Item No. 2 The Committee reviewed budget forms designated to solicit Council input and noted this will be an agenda item on all future finance meetings until the budget is adopted in December.

Staff explained that the joint committee reviewing the intergovernmental transfer from the Municipal Utilities needed two Council representatives for membership, and that Council Members DeBlieck and Dokken had expressed an interest in being on the committee. The Committee was recommending to the Council that Council Members Dokken and DeBlieck be assigned to represent the City Council on the Intergovernmental Transfer Review Committee. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Christianson seconding the motion, which carried.

Mayor Heitke was recommending to the Council that Council Member Anderson, as Chair of the Finance Committee, also be appointed to the intergovernmental transfer committee. Council Member Reese moved to appoint Council Member Anderson to the intergovernmental transfer committee with Council Member Houlahan seconding the motion, which carried.

The Finance Committee Report of July 23, 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 DeBlieck, and carried.

The Labor Relations Committee Report of July 24, 2001, was presented to the Council by Council Member Houlahan. There were two items for Council consideration.

Item No. 1 Noting that the first agenda item included discussions with Rice Hospital officials regarding contract strategies and mid-year adjustments, the Committee moved to close the meeting. This matter was for information only.

Item No. 2 City Administrator Schmit reported to the Committee on his discussions with Municipal Utilities Commission officials and Consultant Paul Ness regarding a follow up to the Municipal Utilities proposed pay structure initially presented to the Committee on June 26, 2001. Mr. Schmit was recommending that the MUC proposed job values be approved through the Commission minutes approval process with the understanding that any related compensation issues would be brought back to Committee for further consideration. Additionally, management has agreed to continue discussions exploring strategies for evaluating and recommending future job value adjustments and policy language that would allow for independent submission of Rice Hospital, Municipal Utilities Commission and City pay equity programs. It was the consensus of the Committee to recommend approval of the July 23, 2001, MUC minutes when presented for approval.

The Labor Relations Committee Report was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Houlahan, seconded by Council Member Reese, and carried.

The Public Works/Safety Committee Report of July 24, 2001, was presented to the Council by Council Member Reese. There were eight items for Council consideration.

Item No. 1 Josh Jensen, representing Infinia Health Care, appeared before the Committee to request approval for a partial street closing on Russell Street to accommodate a Senior Open House on August 23, 2001. The Committee was recommending to the Council approval of the request as presented. 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. 2 The Committee considered a request from the YMCA to close portions of Northwood Court NW and Highland Road for block parties. The block parties, which would be assisted by the Willmar Police Department, are scheduled for August 7 and 16, 2001. Following discussion and a review of the proposed block parties guidelines, the Committee was recommending to the City Council approval of the street closure request as presented. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Houlahan seconded the motion, which carried.

Item No. 3 Willmar High School student Kyle DeBlieck, Boy Scout Troop 565, appeared before the Committee to request the City's approval to construct a shelter north of the walking bridge at Robbins Island as part of an Eagle Scout Project. The Committee was recommending to the Council approval of the request as presented. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Anderson seconding the motion, which carried. Council Member DeBlieck abstained from voting.

Item No 4 Community Education and Recreation Director Brisendine informed the Committee that the City was successful in securing a \$26,000 matching grant from the Department of Natural Resources to complete the bike and hike path from the Flags of Honor site to Civic Center Drive. The Committee was recommending to the Council adoption of a resolution accepting the grant.

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 7, Noes 0.

RESOLUTION NO. 1

BE IT RESOLVED by the City Council of the City of Willmar to accept the \$26,000 matching grant from the Minnesota Department of Natural Resources. The funds from the grant will be used to complete the bike and hike path from the Flags of Honor site to Civic Center Drive.

BE IT FURTHER RESOLVED that City Administrator Michael Schmit, City Office Building, P. O. Box 755, Willmar, Minnesota 56201, be designated the fiscal agent for the DNR grant.

Dated this first day of August, 2001.

/s/ Lester Heitke
MAYOR

/s/ Michael Schmit
Attest: CITY ADMINISTRATOR

Item No. 5 The Committee considered a series of recommendations to develop a skateboard park including possible sites for construction and financing alternatives. The Committee was recommending to the Council that plans for development of a skateboard park proceed and that staff continue exploring site and cost alternatives including discussions to incorporate a skateboard park into the proposed YMCA project. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlieck seconding the motion, which carried.

Item No. 6 Staff presented to the Committee an update on the proposed 9th Street Southwest improvements serving the Lincoln Clements, Warren Erickson and MUC properties. Based on discussions with Mr. Clements, staff was recommending that only water main improvements be extended at this time with completion of the street to be included in the 2002 improvement program. It was noted that staff would continue to explore the possibility of extending sanitary sewer services to the Erickson property this year if feasible.

The Committee was recommending to the Council approval of the plans and specifications for water improvements along 9th Street Southwest and to call for bids. Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Christianson, and read by Mayor Heitke.

Council Member Reese referred to the Open Forum and comments regarding 9th Street Southwest. Following a lengthy discussion, it was the consensus of the Council to review 9th Street Southwest during the 2002 improvements process. Resolution No. 2 then carried on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for 9th Street SW 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 4th day of September, 2001, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this first day of August, 2001.

/s/ Lester Heitke
MAYOR

/s/ Michael Schmit
Attest: CITY ADMINISTRATOR

Item No. 7 The Committee considered a request for final payment on the 2001 Roof Replacement Project at the Willmar Civic Center. All contractual obligations have been met and the architect and engineer have accepted the work. The Committee was recommending to the Council approval of the final payment. Resolution No. 3 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

IMPROVEMENT: Civic Center Roof Replacement

CONTRACTOR:	Reigstad Bros. Roofing Inc.
DATE OF CONTRACT:	March 27, 2001
COMPLETE WORK:	June 28, 2001
APPROVE, CITY ENGINEER:	July 24, 2001

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

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

ORIGINAL CONTRACT AMOUNT:	\$153,340.00
Change Orders (None)	\$0.00
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$153,340.00

ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$153,340.00
Less Previous Payments (1 and 2)	\$111,400.00
FINAL PAYMENT DUE CONTRACTOR:	\$41,940.00

Dated this first day of August, 2001.

/s/ Lester Heitke
MAYOR

/s/ Michael Schmit
Attest: CITY ADMINISTRATOR

Item No. 8 The Committee discussed a number of miscellaneous items including Hawk Creek, signals at T.H. 294 and Business 71-23, and grant writing policies/procedures. It was the consensus of the group to invite a representative of the Hawk Creek Watershed District to a future Committee meeting to provide a project update. This matter was for information only.

Mayor Heitke brought up concerns regarding the lack of signals at the T.H. 294 and Business 71-23 intersection and requested staff to continue to research this matter.

The Public Works/Safety Committee Report of July 24, 2001, was approved as presented and ordered placed on file in the City Clerk's Office by Council Member Reese, seconded by Council Member Christianson, and carried.

The Community Development Committee Report of July 25, 2001, was presented to the Council by Council Member DeBlieck. There were seven items for Council consideration.

Item No. 1 BNSF representative Jim Cawson appeared before the Committee to discuss possibilities for improvements to the northeast corner of the 7th Street and Pacific Avenue intersection. The preference of BNSF is to develop the site for industrial purposes, though they realize the narrow depth precludes most types of development. Mr. Cawson expressed concern about a green space/recreational area adjacent to the railroad tracks for safety reasons. He also expressed concern about transients using the area if it was developed as a green area. He said that any tree planting by the City would have to be done so that the drip line of mature trees are a minimum of 25 feet from the tracks.

Mr. Cawson said that if the City wanted to pursue plantings at that location, plans would need to be submitted to his office in Willmar. The Committee suggested that a tree-planting project could be connected to the Municipal Utilities coal dust reduction efforts.

The Committee was recommending to the Council that Public Works staff be directed to draft a plan for tree planting along Pacific Avenue, and that the matter be referred to the Public Works/Public Safety Committee. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Christianson seconding the motion. Following discussion, Council Member Chapin moved to amend the motion, striking "and the matter be referred to the Public Works/Safety Committee" and to direct staff to complete the plans and plant the trees. Council Member Anderson seconded the motion, which carried. The original motion, as amended, then carried.

Item No. 2 Staff presented to the Committee a proposed resolution authorizing the creation of a Joint Airport Zoning Board. Such a zoning board is necessary as the City pursues the development of the new airport. Jurisdictional partners in the Joint Airport Board would be Kandiyohi County, City of Willmar, and St. Johns Townships.

The Committee was recommending to the Council that the resolution authorizing the creation of the Joint Airport Zoning Board and naming City representatives be adopted as presented. Resolution No. 4 was introduced by Council Member DeBlieck, seconded by Council Member Dokken, and read by Mayor Heitke. Following a discussion regarding jurisdiction and authority, Council Member Anderson moved to table the Resolution. Council Member Chapin seconded the motion, which carried on a roll call vote of Ayes 6, Noes 1 – Council Member Christianson voted “No.”

Item No. 3 The Committee reviewed a progress report on efforts to develop an exterior maintenance code. A draft ordinance will be brought to the Committee some time in the Fall of 2001. This matter was for information only.

Item No. 4 In response to a past City Council inquiry, staff reported on the status of funds available for rehabilitation work in the Central Business District. Information received from the Willmar HRA indicates that there is a very small amount of Small Cities money available for CBD rehab. This matter was for information only.

Item No. 5 The Committee reviewed a status report on the Rental Housing Inspection Program and noted there are no major issues with the program. The Committee discussed possible incentives for properties with consistently good inspection records.

Staff expressed concern about additional administrative time required for any type of incentive program. Staff will research the number of units without violations for two consecutive inspection periods and will report back to the Committee at a later date. This matter was for information only.

Item No. 6 The Committee reviewed staff updates on a variety of commercial/industrial and residential projects in the community. It was noted that building permit valuations are significantly ahead of the 2000 level. This matter was for information only.

Item No. 7 The Committee reviewed a staff update on activities by the Marketing Coalition, noting that July 2001 to June 2002 was the last year funded for the operation of the Coalition. The Committee discussed past activities by the Coalition. It was a consensus of the Committee that the City should continue participation in the Marketing Coalition, but that funding would have to be resolved through the budget process. This matter was for information only.

The Community Development Committee Report of July 25, 2001, 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 Anderson, and carried.

City Administrator Schmit presented to the Mayor and Council for consideration a plat for Eagles Landing Twin 6th Addition, a two-lot plat intended for a twin-home. It was noted the developer is KLC of Willmar, Inc. and the Planning Commission has approved the plat. Council Member Anderson moved to approve the plat for Eagles Landing Twin 6th Addition with Council Member Reese seconding the motion, which carried.

City Administrator Schmit presented to the Mayor and Council for consideration a plat for Eagles Landing Twin 7th Addition, a five-lot plat intended for one single-family home and two twin-homes. It was noted the developer is KLC of Willmar, Inc. The Planning Commission has approved the plat with two conditions relating to the payment of existing assessments and inclusion of an existing storm easement. Council Member Reese moved to approve the plat for Eagles Landing Twin 7th Addition with Council Member Christianson seconding the motion, which carried.

Council Member Reese read a Mayor Pro Tempore Proclamation recognizing and congratulating Mayor Lester Heitke for his election as President of the League of Minnesota Cities. The Mayor's term runs through June, 2002.

City Administrator Schmit informed the Mayor and Council that it is necessary to schedule an assessment hearing for unpaid grass mowing and snow removal bills. Following discussion, Council Member DeBlieck moved to schedule an assessment hearing for August 15, 2001, at 7:04 p.m. Council Member Dokken seconded the motion, which carried.

Mayor Heitke informed the Council that Firefighter Bob Revermann would be recognized on Thursday night for his extraordinary efforts to save an elderly man from drowning. The award ceremony is scheduled to take place at the Fire Department's regularly scheduled weekly meeting.

There being no further business to come before the Council, the meeting adjourned at 8:51 p.m. upon motion by Council Member Reese, seconded by Council Member DeBlieck, and carried.

Attest:

MAYOR

ACTING SECRETARY TO THE COUNCIL