

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

June 21, 2004
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 Ron Christianson, Denis Anderson, Nancy Houlahan, Rick Fagerlie, Jim Dokken, and David Chapin; Present 7, Absent 2 – Doug Reese and Bruce DeBlieck were excused from the meeting.

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, Community Education and Recreation Director Steve Brisendine, and City Clerk Kevin Halliday.

Proposed additions to the agenda included consideration of an Economic Development Commission support resolution, recognition of a local doctor, and Willmar Fests announcement.

Council Member Fagerlie offered a motion adopting the Consent Agenda which included the following: City Council Minutes of June 7, Rice Hospital Board Minutes of June 2, Planning Commission Minutes of June 9, Municipal Utilities Commission Minutes of June 15, Building Inspection Report for May, Pioneerland Library Minutes of April 15, Housing Redevelopment Authority Minutes of May 11, Airport Commission Minutes of June 1 and Zoning Appeals Board Minutes of June 14, 2004. Council Member Christianson seconded the motion, which carried.

Mayor Heitke recognized Al Erickson, representing Springsted, Inc., who presented details of the negotiated sale of bonds. The \$2,125,000 General Obligation Improvement Bonds, Series 2004B, sold to the low bidder of Wells Fargo Brokerage Services, LLC for a true interest rate of 3.7661 percent.

Resolution No. 1 was introduced Council Member Anderson, seconded by Council Member Houlahan, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 1

**ACCEPTING OFFER ON THE SALE OF \$2,125,000 GENERAL OBLIGATION
IMPROVEMENT BONDS, SERIES 2004B, AND PROVIDING FOR THEIR ISSUANCE
AND LEVYING A TAX FOR THE PAYMENT THEREOF**

(For Resolution in its entirety, see City Council proceedings file
dated June 21, 2004, located in the City Clerk's Office)

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

The Finance Committee Report for June 14, 2004, was presented to the Mayor and Council by Council Member Anderson. There were five items for Council consideration.

Item No. 1 The Committee reviewed details of an ordinance governing the annual licensing of the local taxi service, specifically relating to the insurance requirements for the limits of

injury to persons and property damage. The current ordinance requirements of \$200,000 combined single limit are higher than limits carried by Willmar Taxi Service (Care Transportation) for other cities served. Cass Mackert, Customer Service Representative for Care Transportation, was present to request that the Council consider lowering the level of property damage insurance to \$100,000 in any one (1) accident. Staff was recommending approval of the request.

The Committee was recommending the Council introduce an ordinance lowering the property damage limit to \$100,000. Council Member Anderson moved to introduce an Ordinance Amending Municipal Code Section 8-238 Establishing Insurance Requirements for Taxicabs and to schedule a hearing on July 6, 2004. Council Member Fagerlie seconded the motion, which carried.

Item No. 2 The Committee reviewed information provided by staff regarding an Official Statement for the proposed \$2,125,000 2004 General Obligation Improvement Bonds. This matter was for information only.

Staff also provided a recommendation for the refunding of the 1995 Bond Issue and defeasement of the 1998 and 1999 Street Improvement Bond Issues. Following discussion, the Committee was recommending the Council authorize staff and Springsted Inc. to take appropriate action to refund and/or defease bonds as presented.

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 6, Noes 0.

RESOLUTION NO. 2

CALLING FOR REDEMPTION OF GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 1995A

(For Resolution in its entirety, see City Council proceedings file dated June 21, 2004, located in the City Clerk's Office)

Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 3

APPROVING DEFEASANCE PROGRAM FOR GENERAL OBLIGATION BONDS, SERIES 1998A AND SERIES 1999A, OF THE CITY AND REQUESTING CANCELLATION OF TAX LEVY

(For Resolution in its entirety, see City Council proceedings file dated June 21, 2004, located in the City Clerk's Office)

Item No. 3 The Committee reviewed resolutions for Phases One through Four for the Baseball Stadium to reflect updated revenues and expenditures. Phase One includes the Stadium Fencing Project; Phase Two, Stadium Seating Project; Phase Three, Concession Plaza Project; and Phase Four, Various Field Amenities Project. Following discussion, the Committee was recommending the Council approve the resolutions adopting budgets as presented.

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 5, Noes 0, Council Member Chapin abstained from voting.

RESOLUTION NO. 4

PHASE 1 – FENCE PRELIMINARY BUDGET
BASEBALL STADIUM

OTHER SERVICES		RECEIVABLES	
Mtce. of Other Impr. (McBroom)	<u>\$33,510.00</u>	City	<u>\$33,510.00</u>
TOTAL	\$33,510.00	TOTAL	\$33,510.00
		FINANCING	
		City (Insurance)	<u>\$33,510.00</u>
		TOTAL	\$33,510.00
GRAND TOTAL	\$33,510.00	GRAND TOTAL	\$33,510.00

Dated this 21st day of June, 2004.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 5 was introduced by Council Member Anderson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 5, Noes 0, Council Member Chapin abstained from voting.

RESOLUTION NO. 5

PHASE 2 – STADIUM/SEATING PRELIMINARY BUDGET
BASEBALL STADIUM

PERSONNEL SERVICES		RECEIVABLES	
Salaries Reg. Employees	\$2,000.00	County (Sentence to Serve)	\$16,852.00
Salaries Temp. Employees	<u>\$16,852.00</u>	Baseball Boosters	\$281,545.00
TOTAL	\$18,852.00	City	\$120,000.00
		In-Kind	<u>\$28,800.00</u>
		TOTAL	\$447,197.00
SUPPLIES		FINANCING	
Postage	\$500.00	Baseball Boosters	\$281,545.00
Mtce. of Other Improvements	\$3,000.00	City	\$120,000.00
Cleaning & Waste Removal (Shed)	<u>\$500.00</u>	In-Kind Agreement	<u>\$45,652.00</u>
TOTAL	\$4,000.00	TOTAL	<u>\$447,197.00</u>
		GRAND TOTAL	\$447,197.00
OTHER SERVICES		Stadium Site Prep	\$10,000
Printing & Publishing	\$500.00	Recognition Info.	\$12,750
Mtce. of Other Impr.	\$342,418.00	Storm Sewer	\$27,200
Other Services	\$49,950.00	Dant Clayton	\$334,912
TOTAL	\$392,868.00	Willmar Electric	\$7,506

OTHER CHARGES

Prof. Serv. (Waters Edge, ITT, WES)	\$19,477.00	In-Kind:	
Other Charges	\$12,000.00	Waters Edge	\$6,600
TOTAL	\$31,477.00	Bonnema	\$500
		Quam	\$16,200
		Duinincks	\$5,500
		County	\$16,852
GRAND TOTAL	\$447,197.00		\$45,652

Dated this 21st day of June, 2004.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 6 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 5, Noes 0, Council Member Chapin abstained from voting.

RESOLUTION NO. 6

PHASE 3 – CONCESSION-PLAZA PRELIMINARY BUDGET
BASEBALL STADIUM

PERSONNEL SERVICES		RECEIVABLES	
Salaries Reg. Employees	\$2,000.00	Baseball Boosters	\$188,800.00
Salaries Temp. Employees	\$500.00	City	\$30,000.00
TOTAL	\$2,500.00	In-Kind	\$5,600.00
		TOTAL	\$224,400.00
SUPPLIES		FINANCING	
Office Supplies	\$200.00	Baseball Boosters	\$188,800.00
Small Tools	\$200.00	City	\$30,000.00
Postage	\$300.00	In-Kind Agreement	\$5,600.00
TOTAL	\$700.00	TOTAL	\$224,400.00
		GRAND TOTAL	\$224,400.00
OTHER SERVICES			
Printing & Publishing	\$500.00	Concession Building	\$167,500
Mtce. of Other Impr.	\$144,800.00	Plaza, entrance, Dugout	\$45,700
Other Services	\$45,700.00		
TOTAL	\$191,000.00	In-Kind:	
		BMI	\$1,500
OTHER CHARGES		Waters Edge	\$4,100
Prof. Serv. (Waters Edge)	\$24,200.00		
Other Charges (loan interest)	\$6,000.00		
TOTAL	\$30,200.00		
GRAND TOTAL	\$224,400.00		

Dated this 21st day of June, 2004.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 7 was introduced by Council Member Anderson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 5, Noes 0, Council Member Chapin abstained from voting.

RESOLUTION NO. 7

PHASE 4 – FIELD AMENITIES PRELIMINARY BUDGET
BASEBALL STADIUM

OTHER SERVICES		RECEIVABLES	
Mtce. of Other Impr.	\$32,240.00	Baseball Boosters	\$14,440.00
Other Services	<u>\$10,200.00</u>	City	\$30,000.00
TOTAL	\$42,440.00	In-Kind	<u>\$2,000.00</u>
		TOTAL	\$46,440.00
OTHER CHARGES		FINANCING	
Other Charges (loan interest)	<u>\$4,000.00</u>	Baseball Boosters	\$14,440.00
TOTAL	\$4,000.00	City	\$30,000.00
GRAND TOTAL	\$46,440.00	In-Kind Agreement	<u>\$2,000.00</u>
		TOTAL	<u>\$46,440.00</u>
		GRAND TOTAL	\$46,440.00

Dated this 21st day of June, 2004.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 The Committee reviewed correspondence from Thomas Conner, Bethesda CFO, regarding financing of the proposed Pleasant View's Dementia Unit. Using the City's bonding authority Bethesda previously financed Sunrise Village in 1997 and 2001. Both issues will be called and reissued along with the proposed \$1,375,000 2004 financing package. The total combined 2004 issues are estimated to be \$6.4 million.

Bethesda will meet with City officials following the necessary Planning Commission approvals and formally request the financing. This matter is for information only.

Item No. 5 The Committee reviewed the Rice Hospital First Quarter, Rice Trust, CVB and WRAC-8 May financial reports. This matter was for information only.

The Finance Committee Report for June 14, 2004, 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 Community Development Committee Report for June 9, 2004, was presented to the Mayor and Council by Council Member Dokken. There were four items for Council consideration.

Item No. 1 Randy Frederickson, representing the on-going racetrack subcommittee, appeared before the Committee to discuss findings and recommendations of the Mayor's Racetrack Taskforce. Specifically, Mr. Frederickson wanted to know what the Council planned to do with the recommendations. The Committee reviewed the taskforce findings and recommendations document and noted that nothing in the document was really transmitted in the form of a formal recommendation.

Police Chief Kulset explained he had discussed the "noisy gathering" ordinance with the City Attorney. It appears that the Council may be able to amend the ordinance to establish an ending time for racing.

The Committee was recommending to the Council that the City Attorney provide a legal opinion defining the City's authority relative to end times, noise level, number of cars, etc. Council Member Dokken moved to approve the recommendation of the Community Development Committee with Council Member Fagerlie seconding the motion, which carried. It was further noted that the legal opinion should be returned to the Council within one month.

Item No. 2 The Committee reviewed information about the Crime Free Multi-housing Program, and how it relates to tenant and landlord noise control responsibilities. The Committee requested that staff monitor the problem and continue to document instances where there are noise problems at rental properties. It was decided that the Committee would revisit the issue in six months. This matter was for information only.

Item No. 3 The Committee reviewed background information regarding a proposal to delay housing construction in new plats. The specific issues leading to the staff recommendation have to do with code requirements for access roads and the potential for conflict in the right-of-way between the housing developers and the contractors for the City street project. Those concerns lead to the informal City position to not allow new construction in new plats until fire protection and access is in place. It was noted that the City Attorney does not favor using any type of waiver as it was his opinion that the City would not be adequately protected. Warren Erickson, local developer, explained his desire to begin work in Trentwood Estates before the water main and/or streets might be available. The concept of a partial permit was suggested. The Committee offered the opinion that either it was appropriate to build in its entirety, or not appropriate to build at all.

The Committee was recommending to the Council that staff be directed to issue building permits in Trentwood Estates, and that the Fire Chief and City Attorney meet to resolve the fire protection issue. Council Member Dokken moved to approve the recommendation of the Community Development Committee with Council Member Anderson seconding the motion. Pursuant to discussions with the City Attorney regarding the City's exposure to fires without the capacity to access the construction site and/or tap into a water supply, Council Member Dokken moved to amend the motion to issue partial permits in Willmar with Council Member Chapin seconding the motion which carried. Council Member Christianson abstained from voting. The original motion then carried with Council Member Christianson abstaining.

Item No. 4 The Committee reviewed updates on the following projects: Mill's, Family Eye Center, Menard's and Federal Express.

The Community Development Committee Report for June 9, 2004, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Dokken, seconded by Council Member Fagerlie, and carried.

The Public Works/Safety Committee Report for June 15, 2004, was presented to the Mayor and Council by Council Member Christianson. There were seven items for Council consideration.

Item No. 1 Residents of Richland Avenue SW appeared before the Committee to encourage the Council to leave Richland Avenue SW in the 2004 Street Improvement Project. The Committee reviewed the bids, and staff recommended waiting the 30 days for the appeal process. This matter was for information only.

Item No. 2 Staff informed the Committee that a Utility Relocation Agreement has been prepared between the City of Willmar and Kandiyohi Power Cooperative in which the City will remove and relocate the utility company's existing overhead electrical power lines along T.H. 40 in connection with construction of the new airport. The FAA has determined the associated costs for relocation are eligible for reimbursement.

Following discussion, the Committee was recommending the Council accept the agreement and authorize the Mayor and City Administrator to sign on behalf of the City. Resolution No. 8 was introduced by Council Member Christianson, seconded by Council Member Houlahan, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 8

AUTHORIZATION TO EXECUTE AGREEMENT
AIRPORT UTILITY LINE RELOCATION

WHEREAS the City of Willmar has been approved to remove and relocate Kandiyohi Power Cooperative's existing overhead electrical power lines along T.H/40 in connection with the new airport construction; and

WHEREAS an agreement has been prepared to allow the Kandiyohi Power Cooperative to remove and relocate the power lines;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that said agreement be approved and that the Mayor and City Administrator be authorized to execute the same.

Dated this 21st day of June, 2004.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Committee then reviewed a Right-of-Way Easement granting Kandiyohi Power Cooperative the right to enter upon the land designated as the easement area to construct, operate and maintain an electric distribution line. The Committee was recommending the Council approve the easement and authorize the City Administrator to sign for the City. Resolution No. 9 was introduced by Council Member Christianson, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 9

AUTHORIZATION TO EXECUTE RIGHT-OF-WAY EASEMENT
AIRPORT UTILITY LINE RELOCATION

WHEREAS, a right-of-way easement has been prepared for utility line relocation at the new airport granting Kandiyohi Power Cooperative access to construct, operate and maintain an electric distribution line on or under the described lands; and

WHEREAS, an agreement has been prepared for the terms and conditions of easement;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Willmar that the City Administrator is hereby authorized to sign said easement on behalf of the City.

Dated this 21st day of June, 2004.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 The Committee reviewed information relating to Change Order No. 1 for the 2003 Grading Project at the new Airport. Following a review of the project, the Committee was recommending the Council approve Change Order No. 1 to the 2003 Airport Grading Project in the amount of \$216,262.20 subject to receipt of an amended FAA Phase III Grant Agreement and confirmation of costs from HNTB.

Resolution No. 10 was introduced by Council Member Christianson, seconded by Council Member Houlahan, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 10

WHEREAS, a contract has been awarded to Duinick Bros., Inc. of Prinsburg, Minnesota, on September 15, 2003 in the amount of \$3,241,658.45 for construction of the 2003 Grading and Drainage Improvements at the new airport under the direction of HNTB as engineer; and

WHEREAS, it is desired to add additional work to the above contract for inclusion of the alternate bid items involving construction of Taxilanes J, K, and L.

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

1. Additional work is herewith authorized to be added to the above contract in the amount of \$216,262.20 and identified as Change Order No. 1.
2. Funding for the additional work is from the project budget.

Dated this 21st day of June, 2004.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 4 The Committee reviewed plans and specifications for the paving and electrical project at the new Airport, which includes paving of runways, taxiways and building area. Also included is the installation of runway lighting and parking lot and entrance road lighting. It was noted a Federal allocation has been received in the amount of \$3,647,847.

The Committee was recommending the Council approve the plans and specifications and advertise for bids. Resolution No. 11 was introduced by Council Member Christianson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 11

WHEREAS the consulting engineer, HNTB, has presented to the City of Willmar plans and specifications for a paving and electrical project at the new municipal Airport;

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 1:00 p.m. on the 26th day of July, 2004, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 21st day of June, 2004.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee considered a proposed Change Order for the Dorothy Olson Aquatic Center Project, which includes additional costs for bathhouse interior footings, excavation, backfill, and the installation of a drain tile. City Administrator Schmit explained to the Committee that a meeting took place in an attempt to resolve differences amongst the parties to the contract regarding payment of the additional work. Mr. Schmit indicated that an agreement had been reached which was detailed in a letter from US Aquatics and that all parties had agreed to participate as noted with the exception of Independent Testing Technologies Inc. The negotiated settlement calls for the City to cover ITT's share and seek reimbursement. The full amount of the change order, which includes a seven-day contract extension, is \$26,000 after deduction of the contributions of Terwisscha Construction and Duinck Bros. Inc.

Following discussion, the Committee was recommending the Council approve Change Order No. 5 to the Dorothy Olson Aquatic Center Project. Resolution No. 12 was introduced by Council Member Christianson, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 5, Noes 0, Council Member Chapin abstained from voting.

RESOLUTION NO. 12

WHEREAS, a contract has been awarded to Terwisscha Construction of Willmar, Minnesota, on October 7, 2003, in the amount of \$1,303,303.00 for construction of the Dorothy Olson Aquatic Center under the direction of the US Aquatics as engineer; and

WHEREAS, Change Order No. 1, 2, 3 and 4 modified the original contract as follows:

	Contract	Contract to Date	Contingency	Contingency to Date
October 7, 2003	\$1,303,303.00	\$1,303,303.00	\$25,000.00	\$25,000.00
Change Order No. 1	---	\$1,303,303.00	(\$1,016.00)	\$23,984.00
Change Order No. 2	---	\$1,303,303.00	(\$3,183.54)	\$20,800.46
Change Order No. 3	(\$7,500.00)	\$1,295,803.00	(\$7,500.00)	\$13,300.46
Change Order No. 4	---	\$1,295,803.00	(\$8,392.27)	\$4,908.19
Proposed Change Order No. 5	\$26,000.00	\$1,321,803.00	---	\$4,908.19

WHEREAS, is desired to add additional work to the above contract.

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

1. Additional work is herewith authorized to be added to the above contract estimated by the City Engineer to be \$26,000.
2. Funding for the additional work is from the following settlement agreement dated June 14, 2004 for actual costs of \$14,200 from the City and \$11,800 from shared reimbursements as follows:
 - a. Transfers in Cap. Imp. Excess Capital Appropriations \$15,000.
 - b. Shared reimbursement to the City of Willmar from Independent Testing Technologies, USAquatics, Duffy Engineering and Waters Edge totaling \$11,800.

Dated this 21st day of June, 2004.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 6 The Committee reviewed correspondence relating to the final inspection of the Home Depot Development as per the development agreement. Several items were noted as not complete. The Committee was recommending the Council accept the Home Depot Development contingent on the punch list items being completed. Council Member Christianson moved to approve the recommendation of the Public Works/Safety Committee with Council Member Anderson seconding the motion, which carried.

Item No. 7 The Committee briefly discussed street maintenance issues and future traffic patterns in the Downtown areas following completion of the Rice Hospital Construction Project, and the WEAC air conditioning project. This matter was for information only.

The Public Works/Safety Committee Report for June 15, 2004, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Christianson, seconded by Council Member Fagerlie, and carried.

City Administrator Schmit informed the Mayor and Council that RRR Properties of Willmar has requested that the assessment against an unplatted parcel be reapportioned among the lots in

Seventh Addition to Lakewood. Following discussion, Resolution No. 13 was introduced by Council Member Anderson, seconded by Council Member Chapin, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 13

WHEREAS, a request for reapportionment of special assessments has been filed with the City of Willmar, said request being signed by all of the parties having an interest in the following-described property:

Section 02, Township 119, Range 35
Part of Government Lot 6
Parcel No. 95-902-0090
to wit: RRR Properties of Willmar, Inc.

WHEREAS, the above have waived notice of hearing and hearing on said reapportionment;
and

WHEREAS, the City Council of the City of Willmar is in agreement that the special assessments totaling \$514,790.21 placed against the above-described parcel be hereby reapportioned as herein described: (on file in the City Clerk's Office)

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willmar, pursuant to the request of the above that the special assessments on the above-described property be and they hereby are reapportioned as provided in the request of the above named, and BE IT FURTHER RESOLVED that the reapportionment be recorded in the records of the City of Willmar and the Kandiyohi County Auditor effective for taxes and assessments due and payable on tax statements issued in the year 2005 and thereafter.

Dated this 21st day of June, 2004.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

City Administrator Schmit informed the Mayor and Council Erickson Land Company has requested that the assessment against an unplatted parcel be reapportioned among the lots in Trentwood Addition. Following discussion, Resolution No. 14 was introduced by Council Member Anderson, seconded by Council Member Chapin, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 14

WHEREAS, a request for reapportionment of special assessments has been filed with the City of Willmar, said request being signed by all of the parties having an interest in the following-described property:

Section 12, Township 119, Range 35
Part of the SW ¼ NW ¼ and part of the SE ¼ NW ¼
Parcel No. 95-912-0940

to wit: Erickson Land Company

WHEREAS, the above have waived notice of hearing and hearing on said reapportionment;
and

WHEREAS, the City Council of the City of Willmar is in agreement that the special assessments totaling \$475,423.81 placed against the above-described parcel be hereby reapportioned as herein described: (On file in the City Clerk's Office)

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willmar, pursuant to the request of the above that the special assessments on the above-described property be and they hereby are reapportioned as provided in the request of the above named, and BE IT FURTHER RESOLVED that the reapportionment be recorded in the records of the City of Willmar and the Kandiyohi County Auditor effective for taxes and assessments due and payable on tax statements issued in the year 2005 and thereafter.

Dated this 21st day of June, 2004.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

City Administrator Schmit informed the Mayor and Council that the City has received a request from the Economic Development Commission for consideration of a support resolution. The resolution authorizes the Economic Development Commission to enter into a contract for a planning grant for the Willmar Regional Treatment Center reuse project. It was noted Kandiyohi County has been asked to pass a similar resolution. Following discussion, Resolution No. 15 was introduced by Council Member Houlahan, seconded by Council Member Chapin, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 15

WHEREAS, the Willmar Regional Treatment Center (WRTC) is a valuable resource to the City of Willmar; and

WHEREAS, the State of Minnesota has determined to close the WRTC in its present configuration; and

WHEREAS, the City of Willmar working with Kandiyohi County has entered into an agreement to facilitate the reuse of the WRTC; and

WHEREAS, the State of Minnesota has agreed to pay 100 percent of the cost of the master planning for the reuse of the facility;

NOW, THEREFORE, BE IT RESOLVED the City Council in and for the City of Willmar, Minnesota, hereby authorizes the Economic Development Commission to enter into a contract with Hammel, Green and Abrahamson, Inc. contingent upon any additional change order cost of the contract agreed to and paid by the State of Minnesota.

