

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

July 6, 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, Bruce DeBlieck, Denis Anderson, Nancy Houlahan, Rick Fagerlie, Jim Dokken, and David Chapin; Present 8, Absent 1 – Doug Reese.

Also present were City Attorney Richard Ronning, Police Chief Jim Kulset, Fire Chief Marv Calvin, Public Works Director Mel Odens, 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 an update of the Dorothy Olson Aquatic Center and election filing dates for Council Member positions.

Council Member Fagerlie offered a motion adopting the Consent Agenda which included the following: City Council Minutes of June 21, Planning Commission Minutes of June 23, and Building Inspection Report for May, 2004. Council Member Christianson seconded the motion, which carried.

Council Member DeBlieck acknowledged that Resolution No. 28 of the Municipal Utilities Commission minutes of June 28, 2004, supported the continuation of the Municipal Utilities and Power Cooperative consolidation study. The matter was for information only and Council Member DeBlieck moved to approve the minutes with Council Member Fagerlie seconding the motion which carried.

At 7:04 p.m. Mayor Heitke opened a hearing on an Ordinance Amending Municipal Code Section 8-238(d)(1) Establishing Insurance Requirements for Taxicabs. City Clerk Halliday presented details of the proposed change in insurance requirements reducing the level of property damage minimum from \$200,000 to \$100,000 for property damage in any one (1) accident.

There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:05 p.m.

Council Member Anderson offered a motion to adopt, assign a number, and order final publication of the Ordinance Amending Municipal Code Section 8-238(d)(1) Establishing Insurance Requirements for Taxicabs. Council Member Houlahan seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

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 28, 2004, was presented to the Mayor and Council by Council Member Anderson. There were three items for Council consideration.

Item No. 1 Representatives of Bethesda Pleasant View Nursing Home appeared before

the Committee to explain their project and answer any questions regarding a request to use the City as the governmental agency and conduit for tax exempt financing. The project will consist of the addition of two rooms and a connection of the two westerly wings of the facility.

Following discussion, the Committee was recommending the Council schedule a public hearing on July 19, 2004. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 2 Staff distributed to the Committee a report from Springsted Financial Advisors that reviewed the proposed merger/consolidation of the Kandiyohi Power Cooperative and Willmar Municipal Utilities report prepared on behalf of Allied Power. Following discussion, staff was directed to place the report on the July 12, 2004, Committee agenda and invite representatives from the Willmar Municipal Utilities, Kandiyohi Power Cooperative, Springsted, and the consulting firm of Beck to the meeting to discuss the information provided. This matter was for information only.

Item No. 3 The Committee reviewed the Kandiyohi Area Transit report as May 31, 2004. This matter was for information only.

The Finance Committee Report for June 28, 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 Labor Relations Committee Report for June 30, 2004, was presented to the Mayor and Council by Council Member Houlahan. There was one item for Council consideration.

Item No. 1 Chair Houlahan called the meeting to order and announced the meeting would be closed to discuss contract strategies with Municipal Utilities Commission representatives.

The Labor Relations Committee Report for June 30, 2004, 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 Anderson, and carried.

Public Works Director Odens informed the Mayor and Council that bids were opened in April for the 2004 Street Improvements Project. Following discussion, Resolution No. 1 was introduced by Council Member Christianson, seconded by Council Member Anderson, 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, a Municipal Corporation of the State of Minnesota, that the bid of Duinick Bros. Inc. of Prinsburg, Minnesota, for Project No. 0401 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 \$1,697,008.59.

Dated this 6th day of July, 2004.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Planning and Development Services Director Peterson informed the Mayor and Council that Anfinson and Riley, P.A. has requested the vacation of a portion of a sanitary sewer easement. The original easement was 60 feet to allow for construction and it's proposed to reduce the easement to 30 feet. Following discussion, Resolution No. 2 was introduced by Council Member Fagerlie, seconded by Council Member Chapin, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER A
PETITION TO VACATE DRAINAGE EASEMENT

BE IT RESOLVED by the City Council of the City of Willmar that the Council conduct a public hearing at 7:03 p.m. on Monday, July 19, 2004, in the Council Chambers at the Municipal Utilities Commission Building, 700 SW Litchfield Avenue, Willmar, Minnesota.

BE IT FURTHER RESOLVED that the purpose of the hearing will be to consider a petition submitted by Anfinson and Riley, P.A. for the vacation of a portion of a sanitary sewer easement more particularly described as:

The west 30' of the east 60' of that part of the SE1/4 of the NW1/4 of Section 22, Township 119, Range 35, described as follows: Commencing at the Southeast corner of said NW1/4 ; thence on an assumed bearing of WEST along the South line of said NW1/4, a distance of 743.56 feet to the point of beginning of the tract herein described; thence on a bearing of N 0°33'08" W, 453.67 feet; thence on a bearing of N 77°07'18" W, 411.23 feet; thence on a bearing of S 0°,33'08" E, 545.33 feet to a point in the South line of said NW1/4; thence on a bearing of EAST along last South line 400.00 feet to the point of beginning.

BE IT FURTHER RESOLVED that any person having an interest in said matter is invited to appear in person or be represented by counsel to be heard on this matter.

Dated this 6th day of July, 2004.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Planning and Development Services Director Peterson informed the Mayor and Council that Crescent Baking Company has requested the vacation of a storm sewer easement to facilitate the expansion of Gurley's Foods. Following discussion, Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Chapin, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER A
PETITION TO VACATE DRAINAGE EASEMENT

SECRETARY TO THE COUNCIL