

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

April 4, 2005  
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, Cindy Swenson, Jim Dokken, and Steven Gardner; Present 8, Absent 1 – Council Member Fagerlie was excused from the meeting.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, 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 an announcement regarding the Mayor's Prayer Breakfast.

The Council requested that the Municipal Utilities Commission and Planning Commission minutes be removed from the Consent Agenda.

Council Member Anderson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of March 21, 2005, and Application for Exempt Permit from the Willmar Hockey Association. Council Member Reese seconded the motion, which carried.

The Mayor and Council discussed the Municipal Utilities Commission minutes, Resolution No. 24 requesting the Council to reconsider its position requesting that the Willmar Municipal Utilities serve the new airport on a 100 percent basis and allow the Municipal Utilities and Kandiyohi Power Cooperative to serve the new airport on a 50/50 basis. Council Member DeBlieck offered a motion to refer the matter to the Community Development Committee and approve the remainder of the Municipal Utilities Commission Minutes of March 28, 2005. Council Member Christianson seconded the motion, which carried.

The Mayor and Council discussed the Planning Commission minutes, Item No. 4 regarding a request to rezone property for possible medical uses. Council Member Christianson moved to approve the Planning Commission Minutes of March 23, 2005, with Council Member Reese seconding the motion, which carried.

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

The Finance Committee Report for March 28, 2005, was presented to the Mayor and Council by Council Member Anderson. There were seven items for Council consideration.

Item No. 1 Staff explained to the Committee that, due to recent annexations in the Southeast section of the City, it was found that an established Bowling Alley fee of \$10 per lane was never officially removed from the City's fee schedule. In researching the matter, staff has determined that Kandiyohi County doesn't have a fee for bowling alleys and the City has other fees in place to regulate all State requirements.

The Committee was recommending the Council introduce a resolution to rescind the Bowling Alley fee as recommended by staff. Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 1

WHEREAS, the City Council of the City of Willmar duly establishes fees for permits and licenses, and

WHEREAS, the regulation of bowling alleys has an established fee in the City's fee schedule, and

WHEREAS, it has been determined that the City has other licensed activities at bowling alleys that regulate all State health and labor requirements.

NOW, THEREFORE, BE IT RESOLVED that the Bowling Alley fee of \$10.00 per lane be rescinded.

Dated this 4<sup>th</sup> day of April, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 2 The Committee reviewed a recommendation from staff to revise Section O (Irregular Shaped Lots) of the City Assessment Policy. The revisions would enable staff to better address unique situations in regards to Corner and Irregular Shaped Lots.

The Committee was recommending the Council introduce a resolution revising Section O of the City Assessment Policy as recommended by staff. Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 2

BE IT RESOLVED by the Willmar City Council to amend the City's Assessment Policy, Section III, Subsection 0, titled "Irregular Shaped Lots" to add the following language:

If the assigned width of a corner lot is determined by a neighborhood average, the footage shall be recorded at a width equal to or greater than the next largest lot within the same block on the street under construction. For commercial, industrial, tax exempt, and multiple-dwelling residential property, all improved street frontages shall be assessed in full. As a general rule Residential corner lots will only be assessed when the street that fronts their address is improved, however, any unique lot layout whereby benefits are derived from other contiguous streets, the side so assessed shall be the side generating the greater benefit.

Dated this 4<sup>th</sup> day of April, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 3 Staff informed the Committee that the City as received notice the Internal Revenue Service has revised the definition of a qualifying child in regards to the City's Flexible Spending Account. In order for the City plan to qualify, the Council would need to adopt a resolution to amend the City plan.

The Committee was recommending the Council introduce a resolution to amend the city flexible spending account with the new language of a qualifying child. Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

BE IT RESOLVED by the Willmar City Council to amend the City Flexible Benefits Plan to change the definition of "dependent" to read:

- 1. A "qualifying child" – An individual who:
  - A. Bears a specific relationship to the employee; and
  - B. Has the same principal abode as the employee for more than ½ of the year; and
  - C. Meets certain age requirements; and
  - D. Has not provided more than ½ of his/her own support for the year.
  
- 2. A "qualifying relative" – An individual who:
  - A. Bears a specified relationship to the employee; and
  - B. Whose gross income is less than the exemption amount in Code Section 151(d); and
  - C. With respect to whom the employee provides over ½ of the individual's support; and
  - D. Is not anyone's qualifying child.

Dated this 4<sup>th</sup> day of April, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 4 The Committee reviewed three preliminary budgets for the 2005 Street Improvement and Waste Treatment Projects. It was noted the preliminary budgets were necessary in order to start incurring costs for the projects.

The first action was to approve a revised 2005 Improvement Budget, and the Committee was recommending the Council pass a resolution setting the 2005 Improvement preliminary budget at \$4,606,500. Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of ayes 7, Noes 0.

RESOLUTION NO. 4

PRELIMINARY 2005 IMPROVEMENTS BUDGET

PERSONNEL SERVICES  
 Overtime Reg. Employees \$500.00  
 Salaries Temp. Employees \$6,000.00  
 Employer Pension Contr. \$1,500.00  
 TOTAL \$8,000.00

SUPPLIES  
 Office Supplies \$1,500.00  
 Small Tools \$2,000.00  
 Motor Fuels & Lubricants \$1,000.00  
 Postage \$2,000.00  
 Mtce. of Other Improvements \$2,000.00  
 General Supplies \$3,500.00  
 TOTAL \$12,000.00

OTHER SERVICES  
 Printing & Publishing \$2,000.00  
 Mtce. of Other Impr. \$2,890,000.00  
 Other Services (Contingency) \$1,040,000.00  
 TOTAL \$3,932,000.00

RECEIVABLES  
 Property Owners \$805,550.00  
 City (MUC) \$56,500.00  
 State (State Aid) \$813,410.00  
 City (WTP) \$37,000.00  
 City (2004 Transfer) \$70,000.00  
 Developer \$2,222,470.00  
 City (Utility fee) \$204,200.00  
 City (CIF) \$0.00  
 Other (County) \$179,650.00  
 Developer (Cash) \$217,720.00  
 TOTAL \$4,606,500.00

FINANCING  
 Bonds \$3,232,220.00  
 State \$813,410.00  
 City (MUC/WWTP) \$93,500.00  
 City (2004 Transfer) \$70,000.00  
 Other (County) \$179,650.00  
 Developer (Cash) \$217,720.00  
 TOTAL \$4,606,500.00

GRAND TOTAL \$4,606,500.00

OTHER CHARGES  
 Insurance & Bonds \$1,500.00  
 Prof. Serv. (Mn/DOT, Consultant) \$150,000.00  
 Adm. OH (Transfer) \$303,000.00  
 Other Charges (County, Bond) \$200,000.00  
 TOTAL \$654,500.00  
 GRAND TOTAL \$4,606,500.00

Project Desc.	Cost
Street	\$1,750,000
Sewer and Water	\$980,000
DBI Development	(separate budget)
Willmar Avenue (County)	\$680,000
Signal System-Lakeland Dr.	(separate budget)
Signal System-5th Street SE	(separate budget)
Street Lighting	\$200,000
Seal Coat, Crack Seal	\$60,000

Dated this 4<sup>th</sup> day of April, 2005.

/s/ Lester Heitke  
 MAYOR

/s/ Kevin Halliday  
 Attest: CITY CLERK

The Committee was recommending the Council pass a resolution to set the 0503 preliminary budget at \$2,300,000. 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 7, Noes 0.

**RESOLUTION NO. 5**

PRELIMINARY BUDGET PROJECT NO. 0503  
 SE WILLMAR DUININCK BROS. DEV.

PERSONNEL SERVICES  
 Overtime Reg. Employees \$500.00  
 RECEIVABLES  
 Property Owners \$2,000,000.00

Salaries Temp. Employees	\$1,000.00	City (CIF)	<u>\$300,000.00</u>
Employer Pension Contr.	<u>\$500.00</u>	TOTAL	\$2,300,000.00
TOTAL	\$2,000.00		

SUPPLIES		FINANCING	
Office Supplies	\$500.00	Bonds	<u>\$2,300,000.00</u>
Small Tools	\$1,000.00	TOTAL	\$2,300,000.00
Motor Fuels & Lubricants	\$1,000.00		
Postage	\$1,000.00	GRAND TOTAL	\$2,300,000.00
Mtce. of Other Improvements	\$500.00		
General Supplies	<u>\$2,000.00</u>		
TOTAL	\$6,000.00		

OTHER SERVICES		<u>Project Desc.</u>		<u>Cost</u>
Printing & Publishing	\$1,000.00	3	DBI SE Development	\$2,000,000
Mtce. of Other Impr.	\$2,000,000.00			
Other Services	<u>\$50,000.00</u>			
TOTAL	\$2,051,000.00			

OTHER CHARGES	
Insurance & Bonds	\$1,000.00
Prof. Serv.	\$50,000.00
Adm. OH (Transfer)	\$140,000.00
Other Charges	<u>\$50,000.00</u>
TOTAL	\$241,000.00

GRAND TOTAL \$2,300,000.00

Dated this 4<sup>th</sup> day of April, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Committee was recommending the Council approve the preliminary Waste Treatment Project Budget as presented. Resolution No. 6 was introduced by Council Member Anderson, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 6

PRELIMINARY BUDGET  
WILLMAR WASTEWATER TREATMENT PLANT RELOCATION

PERSONNEL SERVICES		RECEIVABLES	
TOTAL	\$0.00	City (WWTP)	<u>\$150,000.00</u>
		TOTAL	\$150,000.00
SUPPLIES		FINANCING	
Office Supplies	\$500.00		
		City (WWTP)	<u>\$150,000.00</u>
Postage	\$500.00	TOTAL	\$150,000.00
Mtce. of Equipment	\$10,000.00		

Mtce. of Structures	\$6,000.00		
General Supplies	<u>\$1,000.00</u>		
TOTAL	\$18,000.00	GRAND TOTAL	\$150,000.00
OTHER SERVICES			
Printing & Publishing	\$2,000.00		
Other Services	<u>\$1,000.00</u>		
TOTAL	\$3,000.00		
OTHER CHARGES			
Professional Services	\$98,000.00	Budget Summary	
Advertising	\$1,000.00	\$98,000 (Donohue, FP, CSP)	
Adm. OH (Transfer)	\$20,000.00		
Other Charges	<u>\$10,000.00</u>		
TOTAL	\$129,000.00		
GRAND TOTAL	\$150,000.00		

Dated this 4<sup>th</sup> day of April, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 The Committee reviewed a proposed calendar for the 2005 Street Improvement Program and was recommending the Council adopt the calendar as presented. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Gardner seconding the motion, which carried.

Item No. 6 The Committee reviewed and discussed the Community Investment Fund. This matter was for information only.

Item No. 7 The Committee reviewed the following reports: February Rice Trust and Investment reports. This matter was for information only.

The Finance Committee Report for March 28, 2005, 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 Dokken, and carried.

The Public Works/Safety Committee Report for March 29, 2005, was presented to the Mayor and Council by Council Member Christianson. There were six items for Council consideration.

Item No. 1 Jeff Kimpling of Willmar Municipal Utilities appeared before the Committee to explain a proposed power line corridor agreement. With construction of the new Airport the Willmar Municipal Utilities (WMU) needs to relocate an existing power line which conflicts with the clear zone of the new runway. The relocation will occur after closure of the existing runway, and the necessary permits have been obtained from Burlington Northern Railway and four other property owners. The agreement was drafted by the City Attorney and allows WMU to construct a power line through the established corridor.

Following discussion, the Committee was recommending the Council approve the Power Line Corridor Agreement as presented and authorize the Mayor and City Administrator to sign on

behalf of the City. Resolution No. 7 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. 7

Whereas the City of Willmar desires to enter into an agreement with Willmar Municipal Utilities to relocate an existing power line which will conflict with the clear zone of the new runway; and

Whereas an agreement has been prepared by the City Attorney and allows Willmar Municipal Utilities to construct a power line through the established corridor;

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 4<sup>th</sup> day of April, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 2 The Committee discussed the proposed street utility fee, which was referred back from the City Council. Staff presented several handouts pertaining to the history of street reconstruction, total miles of streets with funding options, and a model of a street utility program prepared for six Minnesota cities. Staff reviewed the model including examples of a trip generation formula to fund a street utility fee.

City Administrator Schmit informed the Committee that Council action at this point in time is simply to adopt a resolution that as a community, Willmar supports the concept of a street utility fee. That resolution would be forwarded to legislative representatives in St. Paul to consider in their deliberation of legislative authority.

The Committee was recommending the Council introduce a resolution in support of proposed legislation to authorize street utility fees with the understanding the legislation includes amendments to allow for alternatives to the trip generation formula. Resolution No. 8 was introduced by Council Member Gardner, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 1 – Council Member Christianson voted “No.”

RESOLUTION NO. 8

A RESOLUTION SUPPORTING LEGISLATION TO PROVIDE IMPROVED FUNDING  
OPTIONS FOR CITY STREET IMPROVEMENTS

WHEREAS, Minnesota contains over 135,000 miles of roadway, and over 19,000 miles - or 14 percent - are owned and maintained by Minnesota’s 853 cities; and

WHEREAS, city streets are a separate but integral piece of the network of roads supporting movement of people and goods; and

WHEREAS, existing funding mechanisms, such as Municipal State Aid (MSA), property taxes, special assessments and bonding, have limited applications, leaving cities under-equipped to address growing needs.

WHEREAS, maintenance costs increase as road systems age, and no city-large or small - is spending enough on roadway capital improvements to maintain a 50-year lifecycle; and

WHEREAS, the Council of the City of Willmar finds it is difficult to develop adequate funding systems to support the City's needed street improvement and maintenance programs while complying with existing State statutes; and

WHEREAS, the League of Minnesota Cities, the Minnesota Public Works Association and the City Engineers Association of Minnesota, have jointly sponsored the development of a report entitled *Funding Street Construction and Maintenance in Minnesota's Cities* wherein (1) the street systems of the cities within the State are inventoried; (2) the existing funding systems are detailed and evaluated; and (3) recommendations are made; and

WHEREAS, cities need flexible policies and greater resources in order to meet growing demands for street improvements and maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILLMAR that this Council concurs with the findings of the above referenced report, and fully supports the recommendations contained in that report; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF WILLMAR that this Council supports the adoption of legislation that would provide cities with the policy options they need to address current and future challenges in providing adequate street improvement and maintenance programs; specifically HF 313 and SF 366, as introduced during the 2005 Legislative session;

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF WILLMAR that the Council supports legislation that includes amendments to allow for alternatives to the trip generation formula.

Dated this 4<sup>th</sup> day of April, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No., 3 The Committee reviewed correspondence and tabulation of bids opened for the Willmar Airport Terminal and FBO buildings. There were a total of 11 bids received with the low bid received from Everstrong Construction of Redwood Falls, MN in the amount of \$1,673,958.00. Both staff and the consulting engineers recommend acceptance of the bid subject to receiving a grant from the State of Minnesota for shared costs.

The Committee was recommending the Council award the contract to Everstrong Construction contingent on receipt of the State grant and administration's approval of budgeting issues. Upon approval, authorize the Mayor and City Administrator to enter into an agreement and sign on behalf of the City. Resolution No. 9 was introduced by Council Member Christianson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, 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 Everstrong Construction of Redwood Falls, Minnesota, for Airport Terminal and FBO Hangar Project 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 \$1,673,958.00.

Dated this 4<sup>th</sup> day of April, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 The Committee discussed the Willmar Baseball Stadium Project. Steve Rambow presented to the Committee an advertising banner approved by the Baseball Boosters for placement on the outfield fence. The Boosters are requesting City approval before proceeding with the advertising program. The proposed banners are made of durable mesh material with the image digitally imprinted. The cost to produce a banner is approximately \$65.00 with a life expectancy of three years. The Boosters proposed allowing three years of recognition to any agency who has contributed \$5,000 or more.

The Boosters would also like to offer signage for sale for \$1,500 for three years with one year free which is this current year. All revenue from this would go toward the construction project. Staff recommends allowing the Boosters to proceed with the program.

The Committee was recommending the Council approve the style and the sale of banners for the outfield fence as presented. Council Member Christianson moved to approve the recommendation of the Public Works/Safety Committee with Council Member Swenson seconding the motion. City Administrator Schmit offered clarity that the revenue generated from the sale of banners and other promotions would go the City's general fund but could be designated for the stadium expenses. The City would clearly own, operate, manage, and maintain the baseball field and stadium. Following further discussion, Council Member Christianson moved to amend the motion stating all proceeds go the City general fund and be designated for the baseball stadium with Council Member Anderson seconding the motion, which carried. The original motion as amended then carried.

The Baseball Boosters Club then presented to the Committee information relating to the scoreboard they would like to purchase for the new stadium. It was noted that currently there are four supporters willing to pay for the scoreboard. Following discussion, the Committee was recommending the Council approve of the purchase and placement of the scoreboard for the baseball stadium with the final design and wording subject to approval of the City Administrator. Council Member Christianson moved to approve the recommendation of the Public Works/Safety Committee with Council Member Swenson seconding the motion, which carried.

Item No. 5 The Committee reviewed specifications for replacement of the Wastewater Treatment Plant semi purchased in 1996 as part of the sludge storage project and used to haul biosolids. The semi is part of the vehicle replacement schedule and staff recommended using

remaining fund balances from 2004 to purchase a new semi with an estimated cost of \$65,000.

Following discussion, the Committee was recommending the Council approve the plans and specifications and authorize advertisement for bids and the transfer of funds from the 2004 WWTP Fund Balance into the 2005 WWTP Budget.

Resolution 10 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. 10

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for a 2005 Semi Tractor for use by the Wastewater Treatment Plant 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 10:30 a.m. on the 25th day of April, 2005, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 4<sup>th</sup> day of April, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 11 was introduced by Council Member Christianson, seconded by Council Member Swenson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 11

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the Waste Treatment Plant Fund as follows.

Decrease:	Reserve	\$ 65,000
Increase:	Appropriations – Capital Vehicle	\$ 65,000

Dated this 4<sup>th</sup> day of April, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 6 The Committee considered a request from Fire Chief Calvin to apply for a 2005 Fire Service Grant in the area of operations and firefighter safety. The Department would be

applying for 20 hand-held radios, 45 VHF pagers for alerting firefighters, and 40 hours of training for all firefighters at a cost of \$73,645.00. The FEMA Grant is a 95/5 split which if awarded means a 5% local match of \$3,683.00 would come from the 2005 operating budget of the Fire Department.

The Committee was recommending the Council authorize staff to submit an application to FEMA for a Fire Service Grant and make the necessary purchases if accepted. Resolution No. 12 was introduced by Council Member Christianson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 12

BE IT RESOLVED by the City Council of the City of Willmar to approve an application for and the acceptance of a grant with the Federal Emergency Management Agency for funds to purchase 20 hand-held radios, 45 VHF pagers, and 40 hours of training for all firefighters for the Willmar Fire Department.

Dated this 4<sup>th</sup> day of April, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Public Works/Safety Committee Report for March 29, 2005, 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 Reese, and carried.

The Community Development Committee Report for March 31, 2005, was presented to the Mayor and Council by Council Member DeBlieck. There were five items for Council consideration.

Item No. 1 Steve Schultz of Ottertail Power appeared before the Committee and presented an overview of the proposed Big Stone II Power Plant project. A major part of the project is the transmission line to deliver the electricity generated by the plant. Bill Radio of Missouri Energy Services stressed the need for reliable, redundant, and quality electrical power for business and industry. He stated that that need was especially true for technology users. If the project stays on schedule, construction will begin in 2007, with the plant completed in 2011. Transmission lines would be built during that same period, and would probably be ready for testing in 2010. This matter was for information only.

Item No. 2 The Committee considered a request from the Upper Sioux Community that the City support them in their opposition to the expansion of gambling in Minnesota. It was the consensus of the Committee that, for several reasons, support not be offered. The matter was received for information.

Item No. 3 The Committee considered a proposed agreement between the City of Willmar and Willmar Municipal Utilities for the relocation of the power line that currently runs along County Road 116. The agreement is necessary to create the paper trail for Federal reimbursement of the relocation expenses.

The Committee was recommending the Council adopt the resolution approving the utility relocation agreement. Resolution No. 13 was introduced by Council Member DeBlieck, seconded

by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 13

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 a utility relocation agreement between the City of Willmar and Willmar Municipal Utilities Commission with a not-to-exceed amount of \$736,619.

Dated this 4<sup>th</sup> day of April, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 The Committee considered an agreement for consulting services with David Turch and Associates (DTA). DTA serves as the City's lobbyists on matters of Federal finance. Staff noted that the agreement is a one year agreement, with 1/3 of the cost being picked up by Willmar Municipal Utilities.

The Committee was recommending the Council adopt the resolution approving the professional consulting agreement with David Turch and Associates. Resolution No. 14 was introduced by Council Member DeBlieck, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 14

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 a one-year extension of the lobbying agreement between the City of Willmar and David Turch and Associates with funding to come from the Industrial Development Fund.

Dated this 4<sup>th</sup> day of April, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 The Committee reviewed an update on a variety on commercial and industrial projects including the LDS Church, West Central Steel, Mills Auto Dealership, Hennen's Furniture, and APMC. This matter was for information only.

The Community Development Committee Report for March 31, 2005, 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 Swenson, and carried.

Planning and Development Services Director Peterson informed the Mayor and Council that Cecil and Sue Meyer propose the rezoning of property east of Super America at 108 Becker Avenue SE, from R-2 to LB for the purpose of operating the Reading Therapy Center. The proposal is consistent with the Comprehensive Plan and has been approved by the Planning Commission. Council Member Reese offered a motion to introduce an Ordinance Amending Ordinance No. 1060, the Willmar Zoning Ordinance and set a public hearing for April 18, 2005. Council Member Christianson seconded the motion, which carried.

City Clerk Halliday informed the Mayor and Council that the following establishments are requesting renewal of current liquor license: On-sale: Holiday Inn of Willmar, Blue Heron on the Green, El Tapatio, Grizzly's Grill and Saloon, Applebee's and Vannandy's Night Club; On-sale 3.2% Malt Liquor: Pizza Hut, Valley Golf Course, La Nueva Rosita's, Golden Palace and Centre Point Mall Bar & Grill; Wine: La Nueva Rosita's (new) and Golden Palace; Club On-sale: Fraternal Order of Eagles, VFW 1639 and American Legion; and Off-sale: Cashwise Liquors, Gerry's Liquor, Liquor Mart (new owners) and Westside Liquor. Council Member Reese offered a motion to approval all licenses as presented. Council Member Christianson seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Planning and Development Services Director Peterson presented a final plat for Woodberry Addition, a 69-lot plat for single family and twin-home development. The property was rezoned from Ag to R-2 and a conditional use permit for the planned unit development was approved. It was noted that water retention and utility easements were added to the plat. Council Member Gardner moved to approve the final plat for Woodberry Addition with Council Member Christianson seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Public Works/Safety, April 12, and Community Development, April 14, 2005.

Mayor Heitke presented details of the Mayor's Prayer Breakfast which will be held on May 5, 2005, at the Holiday Inn.

Council Member Reese moved to approve of the Mayor's recommendation to appoint Torry Norlien to the Citizens Cable Advisory Committee. Council Member Dokken seconded the motion, which carried.

Planning and Development Services Director Peterson presented to the Mayor and Council the 2004 Planning and Development Services Departmental annual report. Following a question and answer period, the report was ordered placed on file in the City Clerk's Office.

City Attorney Ronning presented to the Mayor and Council the 2004 City Attorney's Departmental annual report. Following a question and answer period, the report was ordered placed on file in the City Clerk's Office.

Council Member Anderson requested that he be excused from the April 18, 2005, Council meeting.

There being no further business to come before the Council, the meeting adjourned at 9:06 p.m. upon motion by Council Member Reese, seconded by Council Member Gardner, and carried.

Attest:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
SECRETARY TO THE COUNCIL