

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

January 22, 2007
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, Rick Fagerlie, Jim Dokken, and Steven Gardner; 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.

Additions to the agenda include the following announcements: Winterfest "Polar Plunge" and Chamber banquet.

Council Member Christianson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of January 8, Municipal Utilities Commission Minutes of January 8, Rice Hospital Board Minutes of January 10, Planning Commission Minutes of January 10, Senior Citizens Council Minutes of January 3, 2007; Housing Redevelopment Authority Minutes of December 1, and Convention Visitors Bureau Minutes of December 19, 2006; and Out-of-State Travel Request of Council Member DeBlieck. Council Member Reese seconded the motion, which carried.

At 7:05 p.m. Mayor Heitke opened a hearing a proposed Small Cities Development Program (SCDP). Dorothy Gaffaney, Executive Director of the Housing and Redevelopment Authority, presented details of the SCDP, funded through the Department of Employment and Economic Development. Ms. Gaffaney explained the program is intended to develop a rehabilitation program for owner-occupied housing for a targeted area in the City of Willmar and the City of Atwater. The City of Willmar will serve as the legal sponsor and enter a cooperative agreement with City of Atwater. Dale Mortenson, SCDP Coordinator, presented details on emergency funding for the program and the first-come, first-serve selection process. There being no one present to speak for or against the proposed Small Cities Development Program, Mayor Heitke closed the hearing at 7:10 p.m.

Following discussion, Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

**A RESOLUTION OF THE CITY OF WILLMAR
IN SUPPORT OF A SMALL CITIES DEVELOPMENT PROGRAM PROJECT**

BE IT RESOLVED that the City of Willmar will act as the legal sponsor for project(s) contained in the Minnesota Department of Employment and Economic Development Small Cities Development Program application to be submitted on February 1, 2007, and that the Mayor and the City Administrator are hereby authorized to apply to the Minnesota Department of Employment and

Economic Development for funding of this project on behalf of the Cities of Willmar and Atwater.

BE IT FURTHER RESOLVED, the City of Willmar has legal authority to apply for financial assistance, and the institutional, managerial, and financial capacity to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED, that the City of Willmar has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED, that upon approval of its application by the state, the City of Willmar may enter into an agreement with the State of Minnesota, for the above-referenced project(s), and that the City of Willmar certifies that it will comply with all applicable laws and regulations as stated in all contract agreements as described in the Compliances section of the application.

BE IT FURTHER RESOLVED, that the City of Willmar has determined that it faces the same eligible need(s) as the community of Atwater and will submit a joint application to include Atwater. The City of Atwater agrees to designate Willmar as the lead applicant in the Minnesota Department of Employment and Economic Development Small Cities Development Program application.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Administrator are hereby authorized to execute such agreements and amendments thereto, as are necessary to implement the project(s) on behalf of the applicant.

Dated this 22nd day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

A RESOLUTION OF THE CITY OF WILLMAR
TO APPROVE A COOPERATION AGREEMENT BY AND BETWEEN
THE CITIES OF ATWATER AND WILLMAR, MINNESOTA

WHEREAS, it is the desire of the City of Willmar to enter into a Cooperation Agreement with the City of Atwater for the purpose of acting as Legal Sponsor for the project contained in the Minnesota Department of Employment and Economic Development Small Cities Development Program Application to be submitted on February 1, 2007;

NOW, THEREFORE BE IT RESOLVED, that the Cooperation Agreement attached hereto as Exhibit A (on file in the City Clerk's Office) be and hereby is approved; and

BE IT FURTHER RESOLVED that the Mayor and City Administrator are hereby authorized to execute the Cooperation Agreement.

Dated this 22nd day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Mr. Charlie Oakes and Ms. Renee Nolting, representing West Central Industries Inc., appeared before the Mayor and Council to present an update on Meals-on-Wheels Program. The program began in 1972 and now serves approximately 100 meals a day. Various age statistics and meal costs were shared with the Council. Mayor Heitke expressed appreciation to Mr. Oakes and Ms. Nolting for the work they do with the Meals-on-Wheels Program as well as other services provided by West Central Industries.

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

Public Works/Safety Committee Report for January 16, 2007, was presented to the Mayor and Council by Council Member Reese. There was one item for Council consideration.

Item No. 1 City Administrator Schmit updated the Committee on recent developments in the Wastewater Treatment Plant Relocation Project. The 30 percent design documents are now complete, which is a critical juncture in the project. The Committee was informed of the difficulties of obtaining property rights from landowners along the southern interceptor route, which prompted the research into alternative routes for the interceptor line and plant location.

The Committee reviewed three options: 1) continue on the original route (potential legal issues; 2) go north to T.H. 40 then to County Road 116 (adds \$8-9 million); or 3) move the plant closer to the vicinity of County Road 5 (saves \$5 million). Mr. Schmit presented data pertaining to each option. Both alternative routes takes advantage of using a portion of TH 40 and CR 116 right-of-ways and the City-owned airport property, but would still require permanent and temporary easements.

In order to stay on schedule, a decision as to the route and/or location of the new wastewater treatment facility is needed by the end of February. Final design would then commence in March/April. The best fit for a new location is in the vicinity of that area along County Road 5 and County Ditch 46.

After a lengthy discussion, the Committee felt it would be in the best interests of the City to send a delegation to visit other similar projects and have a City-wide meeting to discuss the alternatives before making any final decisions. The Council was informed that a public hearing has been scheduled for February 6, 2007, at 7:00 p.m. at the Fire Station.

The Committee was recommending the Council consider the information presented and conduct a public meeting to discuss plant location and/or alternative interceptor routes with a decision to be made by the end of February; and that Council Members and staff visit similar sized

and designed projects to evaluate design, odor, and location issues. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Gardner seconding the motion, which carried (Council Member Anderson abstained from voting).

The Public Works/Safety Committee Report for January 16, 2007, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese, seconded by Council Member Christianson, and carried.

The Labor Relations Committee Report for January 17, 2007, was presented to the Mayor and Council by Council Member Gardner. There were four items for Council consideration.

Item No. 1 Based on an analysis completed by Fire Chief Calvin, City Administrator Schmit was recommending the Assistant Fire Chief's annual compensation be increased from \$2,350 to \$6,000 to reflect added responsibilities and additional training required for the position. The amount more accurately reflects the going rate of Assistant Chiefs in other paid-on-call Fire Departments. The recommendations also include increases for the two Deputy Chiefs from \$2,350 to \$2,700, Captains from \$1,300 to \$1,500, and Lieutenant positions from \$1,000 to \$1,100.

The Committee was recommending the Council approve of Fire Department officer positions' compensation be increased as proposed. Council Member Gardner moved to approve the recommendation of the Labor Relations Committee with Council Member Dokken seconding the motion, which carried.

Item No. 2 Municipal Utilities Commission Chair Bonawitz and other members of the Commission were present to discuss with the Committee the status of the Commission's search for a new General Manager. Following an unsuccessful local recruitment process, Mr. Bonawitz informed the Committee the Commission was planning to seek the assistance of an executive search firm and that the cost of such an effort would be in the neighborhood of \$30,000 to \$35,000.

Mr. Bonawitz also discussed with the Committee compensation guidelines noting that the Commission's research to date suggested market conditions could result in a new General Manager salary in the \$125,000 to \$135,000 range. This matter was received for information only.

Item No. 3 The Committee meeting was closed for the purpose of reviewing on-going contract discussions with various bargaining groups within the City proper, Willmar Municipal Utilities, and Rice Hospital. The meeting was then reopened, and this matter was for information only.

Item No. 4 The Committee discussed the idea of implementing an early retirement incentive program. Following discussion the Committee was recommending that the Council adopt an early retirement program which would be offered to full-time employees with 20 or more years of continuous employment with the City of Willmar and who are eligible to collect pension from PERA. Date of retirement would have to be on or before December 31, 2008. The retiree would be offered one year of paid individual health insurance for every three years of service not to exceed \$430 per month until the years of service benefits are exhausted or the employee is Medicare eligible. Employees must submit their signed request to participate in this offer at least six months in advance of the retirement date.

Following discussion it was the consensus of the Council to change the six-month advance notice to 90 days. Council Member Gardner moved to approve the recommendation of the

Committee, as amended, with Council Member Dokken seconding the motion, which carried.

The Labor Relations Committee Report for January 12, 2007, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Gardner, seconded by Council Member Dokken, and carried.

Planning and Development Services Director Peterson presented to the Mayor and Council for consideration a preliminary plat for Kandi Mall Addition, which is a commercial plat consisting of two lots being developed by the Mall. The lots will have access via private access easements from the existing Mall entrances/exits on 19th Avenue SE. Council Member Fagerlie moved to approve the preliminary plat for Kandi Mall Addition with Council Member DeBlieck seconding the motion, which carried.

City Attorney Ronning presented to the Mayor and Council for consideration an Ordinance Establishing Fees Charged by the City. Following discussion, Council Member Anderson offered a motion to introduce the Ordinance and schedule a public hearing on February 5, 2007. Council Member DeBlieck seconded the motion, which carried.

The Mayor and Council discussed the second meeting in February, which falls on President's' Day. Council Member Reese moved to reschedule the February 19, Council meeting to February 20, 2007. Council Member Gardner seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance, January 29; Public Works/Safety, January 30; and Community Development, February 1, 2007.

Mayor Heitke made the following announcements for upcoming events: "Polar Plunge" at Green Lake on January 27, and the Willmar Lakes Area Chamber of Commerce annual banquet on February 3, 2007.

There being no further business to come before the Council, the meeting adjourned at 8:40 p.m. upon motion by Council Member Reese, seconded by Council Member Gardner, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL