

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

April 16, 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, Cindy Swenson, Rick Fagerlie, Jim Dokken, and Steven Gardner; Present 8, Absent 1 – Council Member Anderson 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.

Mayor Heitke expressed condolences to the family of Sergeant Joshua Schmit who was recently killed in Iraq by a roadside bomb. Mayor Heitke also expressed condolences to the family of Ray “Wilkie” Norsten, who was a former Council Member.

The Council requested that the Planning Commission Minutes be removed from the Consent Agenda.

Additions to the Agenda included discussion on Bond Resolution Series 2007B, Housing Task Force and Airport fuel vendor matter.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of April 2, Municipal Utilities Commission Minutes of April 9, Building Inspection Report for March, Police Commission Minutes of February 15, Pioneerland Library Board Minutes of March 15, Housing Redevelopment Authority Minutes of March 20, Community Education and Recreation Board Minutes of March 30, 2007; Exempt Permit Application for Pheasants Forever, and Mayoral Appointment of Kent Larson to the Planning Commission. Council Member Christianson seconded the motion, which carried.

The Council discussed a Planning Commission item relating to the purchase of right-of-way from Qwest for the planned KAT bus stop at the corner of Becker Avenue and 4<sup>th</sup> Street Southwest. Council Member DeBlieck moved to authorize the purchase of the property and refer the matter to City Attorney Ronning. Council Member Fagerlie seconded the motion, which carried. The Planning Commission Minutes for April 11, 2007, were approved as presented and ordered placed on file in the City Clerk’s Office upon motion by Council Member DeBlieck, seconded by Council Member Fagerlie, can carried.

Mayor Heitke announced that the public hearing on an Ordinance to Rezone Certain Lands would not be held as the applicant has withdrawn the application.

At 7:12 p.m. Mayor Heitke opened a hearing for consideration of an orderly annexation for the Mast Property. Planning and Development Services Director Peterson presented details of the proposed joint orderly annexation for the Mast and Kandiyohi Cooperative property. The annexation of the 55 acres more or less has been approved by the Planning Commission and Willmar

Township. State Statute requires that a public informational meeting be held prior to action on an orderly annexation. Warren Erickson, the developer of nearby Trentwood Estates, appeared to voice concerns with the increased use of the railroad spur decreasing property values and school traffic. Steve Renquest voiced positive uses of the BNSF railroad spur. Mike Carlson, representing Willmar Public Schools, and Sid Rodda voiced traffic concerns in the area. Greg Mast, developer of the proposed property, provided insight to the daily operations of the business including traffic estimates and dust/emissions. Upon hearing all those who wished to be heard, Mayor Heitke closed the hearing at 8:00 p.m.

Following discussion, Resolution No. 1 was introduced by Council Member Christianson, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 1 – Council Member Dokken voted “No.”

### RESOLUTION NO. 1

#### A JOINT RESOLUTION OF THE CITY OF WILLMAR AND OF WILLMAR TOWNSHIP

(For Resolution in its entirety, see City Council Proceedings file dated  
April 16, 2007, located at the City Clerk’s Office)

Mayor Heitke recognized several individuals who were present to speak during the Open Forum regarding a recent Immigration and Customs Enforcement (ICE) operation in Willmar. Maria Diaz, Charly Leuze, Roberto Valdez, and Alejandro Solis acknowledged the need to deal effectively with criminal activity, but expressed concerns to the Council with regard to the processes and procedures used by Immigration and Customs officials and the impact of these actions on families and children. Ms. Lueze concluded the remarks by indicating plans for a public forum to generally discuss immigration issues at the federal, state and local levels. The forum is planned for mid-May.

The Public Works/Safety Committee Report for April 10, 2007, was presented to the Mayor and Council by Council Member Reese. There were nine items for Council consideration.

Item No. 1 Staff informed the Committee that bids were opened in January for the majority of the Water View Business Park Projects, and on April 10, 2007 for Project No. 0701, the annual street improvements. It was previously decided to hold the assessment hearings for both projects at the same time. Staff recommended calling for the assessment hearing for these projects on May 7, 2007.

Following discussion, the Committee was recommending the Council call for the assessment hearing as proposed. Resolution No. 2 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. 2

#### CALLING HEARING ON ASSESSMENTS FOR PROJECT NOS. 0701, 0703 AND 0704 - 2007 STREET AND OTHER IMPROVEMENTS

WHEREAS, the City Clerk-Treasurer with the assistance of the City Engineer has prepared an assessment roll for Project Nos. 0701, 0703 and 0704 of the 2007 Street and Other Improvements, and said proposed assessment roll is on file with the Clerk-Treasurer and open to

public inspection.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. The Clerk-Treasurer shall publish notice that this City Council will meet to consider the proposed assessments on May 7, 2007, at 7:03 p.m. in the Council Chambers, Municipal Utilities Building, 700 West Litchfield Avenue, Willmar, Minnesota.

2. Said notice shall also be mailed to the owners of each parcel of property described in the assessment roll.

3. Such notice shall be in substantially the following form: (Notice on file in the City Clerk's Office)

4. Said notice shall be published by the City Clerk-Treasurer in the official newspaper at least two weeks prior to the hearing and mailed by said Clerk-Treasurer to the owners of each parcel described in the assessment roll.

Dated this 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 2 The Committee discussed the Water View Business Development which consists of six projects, and of these, five are related to the developer's agreement with Duininck Bros. Inc. The sixth is the first phase of the interceptor for the relocation of the Wastewater Treatment Facility. Staff reported that budgets have now been revised to reflect the bid amounts and funding sources for each project. The Committee was recommending the approval of the five budgets as presented by staff.

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

AS-BID BUDGET PROJECT NO. 0603  
WATER VIEW BUSINESS PARK UNDERGROUND UTILITIES  
ESTIMATED TOTAL COST: \$1,587,300

SUPPLIES		RECEIVABLES	
Office Supplies	\$500.00	Property Owners	\$1,158,600.00
Small Tools	\$500.00	MUC	\$0.00
Motor Fuels & Lubricants	\$1,000.00	WWTP	\$188,500.00
Postage	\$500.00	City (2005 Proj. Budget Transfer CIF)	\$28,100.00
Mtce. of Other Improvements	\$1,000.00	City (CIF - Storm)	\$144,000.00
General Supplies	\$1,000.00	City (Developer's Agreement)	\$40,000.00
TOTAL	\$4,500.00	Other (Duininck Bros.)	\$28,100.00

		TOTAL	\$1,587,300.00
OTHER SERVICES			
Printing & Publishing	\$1,000.00	FINANCING	
Mtce. of Other Impr.	\$1,323,100.00	Bonds (2007-A)	\$1,531,100.00
Other Services	\$37,700.00	City (2005 Proj. Budget Transfer)	\$28,100.00
TOTAL	\$1,361,800.00	Other (Duininck Bros.)	\$28,100.00
		TOTAL	\$1,587,300.00
OTHER CHARGES		GRAND TOTAL	\$1,587,300.00
Insurance & Bonds	\$1,000.00		
Prof. Serv. (B&M and Barr)	\$210,000.00		
Other Charges	\$10,000.00		
TOTAL	\$221,000.00		
GRAND TOTAL	\$1,587,300.00		

Dated this 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 4 was introduced by Council Member Reese, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

**RESOLUTION NO. 4**

**AS-BID WATER VIEW BUSINESS PARK PAVING BUDGET  
PROJECT 0703  
ESTIMATED TOTAL COST \$1,668,000**

SUPPLIES		RECEIVABLES	
Office Supplies	\$500.00	Property Owners	\$1,227,000.00
Small Tools	\$500.00	City (LOST - Path)	\$23,000.00
Motor Fuels & Lubricants	\$1,000.00	City (CIF)	\$418,000.00
Postage	\$500.00	TOTAL	\$1,668,000.00
Mtce. of Other Improvements	\$1,000.00		
General Supplies	\$1,700.00	FINANCING	
TOTAL	\$5,200.00	Bonds (2007-A)	\$1,645,000.00
OTHER SERVICES		City (LOST)	\$23,000.00
Printing & Publishing	\$1,500.00	TOTAL	\$1,668,000.00
Mtce. of Other Impr.	\$1,144,200.00	GRAND TOTAL	\$1,668,000.00
Other Services	\$185,000.00		
TOTAL	\$1,330,700.00		
OTHER CHARGES			
Insurance & Bonds	\$1,000.00		
Prof. Serv. (B&M, SOILS, SURVEY)	\$100,000.00		
Adm. OH (Transfer)	\$80,000.00		
Other Charges (Transfer to 0705)	\$151,100.00		
TOTAL	\$332,100.00		

GRAND TOTAL \$1,668,000.00  
 Dated this 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
 MAYOR

/s/ Kevin Halliday  
 Attest: CITY CLERK

Resolution No. 5 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. 5**

**AS-BID 19<sup>TH</sup> AVENUE SE PAVING PROJECT  
 PROJECT NO. 0704  
 ESITMATED TOTAL COST \$1,049,600**

<b>SUPPLIES</b>		<b>RECEIVABLES</b>	
Office Supplies	\$500.00	Property Owners	\$88,240.00
Small Tools	\$500.00	State (MSAS)	\$414,600.00
Motor Fuels & Lubricants	\$1,000.00	City (MUC)	\$15,000.00
Postage	\$500.00	City (CIF)	\$531,760.00
Mtce. of Other Improvements	\$1,000.00	TOTAL	\$1,049,600.00
General Supplies	\$500.00		
TOTAL	\$4,000.00	<b>FINANCING</b>	
		Bonds (2007-B)	\$635,000.00
<b>OTHER SERVICES</b>		Other	
30 Communications		TOTAL	\$1,049,600.00
31* Printing & Publishing	\$1,500.00		
32 Utilities		<b>GRAND TOTAL</b>	<b>\$1,049,600.00</b>
33* Travel-Conf.-Schools			
34 Mtce. of Equipment			
35 Mtce. of Structures			
36* Mtce. of Other Impr.	\$828,100.00		
37 Subsistence of Persons			
38 Cleaning & Waste Removal			
39* Other Services	\$80,000.00		
TOTAL	\$909,600.00		
<b>OTHER CHARGES</b>			
40 Rents			
41* Insurance & Bonds	\$1,000.00		
42 Awards & Indemnities			
43 Subscription/Memberships			
44 Interest			
45 Licenses & Taxes			
46* Prof. Serv. (B&M, SOILS, SURVEY)	\$115,000.00		
47* Advertising			
48* Adm. OH (Transfer)	\$10,000.00		
49 Other Charges	\$10,000.00		
TOTAL	\$136,000.00		

GRAND TOTAL \$1,049,600.00

Dated this 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 6 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. 6

AS-BID WATER VIEW BUSINESS PARK SIGNAL SYSTEM BUDGET  
PROJECT NO. 0705  
ESTIMATED TOTAL COST \$242,200

SUPPLIES		RECEIVABLES	
Small Tools	\$200.00	State (SA)	\$121,100.00
Postage	\$200.00	Other (DBI)	\$121,100.00
General Supplies	\$500.00	TOTAL	\$242,200.00
TOTAL	\$900.00		
		FINANCING	
OTHER SERVICES		State (SA)	\$121,100.00
Printing & Publishing	\$300.00	City (Transfer from 0703)	\$121,100.00
Mtce. of Other Impr.	\$205,800.00	TOTAL	\$242,200.00
Other Services	\$15,000.00		
TOTAL	\$221,100.00	GRAND TOTAL	\$242,200.00
OTHER CHARGES			
Prof. Serv. (SEH)	\$15,200.00		
Adm. OH (Transfer)	\$5,000.00		
Other Charges			
TOTAL	\$20,200.00		
GRAND TOTAL	\$242,200.00		

Dated this 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 7 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. 7

AS-BID WATER VIEW BUSINESS PARK STREET LIGHTING BUDGET

PROJECT NO. 0706

ESTIMATED TOTAL COST \$109,400

SUPPLIES		RECEIVABLES	
Office Supplies	\$100.00	Property Owners	\$109,400.00
Small Tools	\$200.00	TOTAL	\$109,400.00
Motor Fuels & Lubricants	\$500.00		
Postage	\$200.00	FINANCING	
General Supplies	\$500.00	Bonds (2007-A)	\$109,400.00
TOTAL	\$1,500.00	TOTAL	\$109,400.00
OTHER SERVICES		GRAND TOTAL	\$109,400.00
Printing & Publishing	\$300.00		
Mtce. of Other Impr.	\$82,600.00		
Other Services	\$15,000.00		
TOTAL	\$97,900.00		
OTHER CHARGES			
Adm. OH (Transfer)	\$10,000.00		
Other Charges			
TOTAL	\$10,000.00		
GRAND TOTAL	\$109,400.00		

Dated this 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 3 The Committee reviewed a request to reappropriate \$20,000 from 2004 Capital Outlay Funds into the 2007 Budget for the purchase of radio system upgrades. The current radio system for the City is a 1960's vintage base radio system with a wide-band radio frequency. In order to communicate with the Municipal Utilities, which recently completed a similar upgrade, and comply with a 2013 FCC narrow banding mandate, changes to the system need to be made.

The Committee was recommending the Council approve Staff's request to reappropriate \$20,000 from the 2004 Capital Outlay Funds to the 2007 Capital Outlay Program. Resolution No. 8 was introduced by Council Member Reese, seconded by Council Member DeBlicke, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 8

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the Capital Improvement Fund Budget as follows:

Increase: 2007 Radio Equipment \$20,000.00  
Decrease: 2004 Playground Equipment \$20,000.00  
Dated this 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 Craig Holmes of Donohue and Associates updated the Committee on a summary of activities that took place in March as related to the Wastewater Treatment Plant Relocation and Conveyance Improvements. The 30 percent design of the plant is now complete. Design efforts will resume in July.

The design of Phase II of the southern interceptor is nearly complete which includes 1,900 feet of pipe from 19<sup>th</sup> Avenue SE north to the existing plant site to be constructed ahead of the roadway construction. This matter was for information only.

Item No. 5 Staff informed the Committee that seven bids were received for the interim improvements to the existing plant which will allow the plant to remain in operation until the new facility is constructed. The low bid was received from Shank Constructors Inc. of Brooklyn Park, MN in the amount of \$148,100. The engineer's estimate for the project is \$170,000 and Donohue and Associates recommends accepting the low bid.

The Committee was recommending the Council award Project No. 0713 to Shank Constructors, Inc. and authorize the Mayor and City Administrator to enter into an agreement on behalf of the City. Resolution No. 9 was introduced by Council Member Reese, 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 Shank Constructors, Inc. of Brooklyn Park, Minnesota for Project No. 0713 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 \$148,100.00.

Dated this 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 6 Ron and Nancy Snyder appeared before the Committee to express concern for the design and lighting of the roadway at the north end of 25<sup>th</sup> Street SE where it intersects with T.H. 12. Staff explained the reason for the present design is to allow alignment with the road to the north and that an adjacent access point is temporary only. Staff will reevaluate lighting in these areas. This matter was for information only.

Item No. 7 The Committee was notified by Staff of the approval of a grant from the Department of Homeland Security that was applied for last summer. The grant will provide the City with single-tube night vision equipment valued at \$3,000.

The Committee was recommending the Council accept the grant from Homeland Security for night vision equipment as presented. Resolution No. 10 was introduced by Council Member Reese, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 10

BE IT RESOLVED by the City Council of the City of Willmar to accept grant funds from the Department of Homeland Security for single-tube night vision equipment valued at \$3,000.00

Dated this 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 8 The Committee considered a professional service proposal for the City to address space needs of various City buildings as a result of the Council's Strategic Planning Session. The firm of Hay Dobbs submitted a proposal that staff reviewed and recommended to accept starting with the baseline proposal of \$8,900 plus reimbursables. Buildings initially identified for 20-year analysis include the City Office Building/Council Chambers, Fire Station/substation, Public Works Garage and Senior/Community Center.

The Committee was recommending the Council authorize the Mayor and City Administrator to enter into an agreement with Hay Dobbs to conduct the baseline needs analysis. Resolution No. 11 was introduced by Council Member Reese, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 4, Noes 3 – Council Members Swenson, Dokken and Fagerlie voted “No.”

RESOLUTION NO. 11

Whereas the City of Willmar desires to retain an firm to provide professional services to conduct a baseline space needs analysis for various City buildings for the City of Willmar; and

Whereas a proposal has been made by, and an agreement prepared to retain the firm of Hay Dobbs P.A. of Minneapolis, Minnesota in a not to exceed amount of \$8,900.00 plus reimbursables for said services;

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 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 9 Staff explained to the Committee that the City is to the point in the WWTP Relocation Project where it needs to gain access to property for basic survey and soil borings in order to establish a construction corridor for the interceptor line. In discussing the matter with the City Attorney and League of Minnesota Cities, the City was given names of a number of attorneys to contact. The firm of Kennedy and Graven was chosen to submit a proposal.

Upon review of their proposal by City staff, it is recommended to enter into an agreement to provide legal services for the Wastewater Treatment Plant Relocation Project. The Committee was recommending the Council authorize the Mayor and City Administrator to enter into an agreement with Kennedy & Graven for legal services to secure the necessary right-of-way for the WWTP Relocation Project. Resolution No. 12 was introduced by Council Member Reese, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 1 – Council Member Christianson voted “No.”

RESOLUTION NO. 12

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 an agreement between the City of Willmar and Kennedy and Graven for legal services to secure the necessary right-of-way for the Wastewater Treatment Plant Relocation Project.

Dated this 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

The Public Works/Safety Committee Report for April 10, 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 Community Development Committee Report for April 12, 2007, was presented to the Mayor and Council by Council Member DeBlieck.

Item No. 1 The Committee discussed two pending annexations. The first annexation was an orderly annexation proposed for property east of Civic Center Drive. This annexation is proposed to allow for industrial development on the site. The Planning Commission and Township have both approved this annexation. Staff noted that the eastside annexation was listed as a separate Council agenda item for a public meeting and that the joint resolution would be available for execution if the Council approved the annexation.

The second annexation discussed by Committee was an annexation that is proposed to be approved by ordinance. The property being considered in this annexation is a 5 acre tract west of North First Street, and is being proposed for senior housing. The annexation by ordinance method requires a 30-day review period before the public hearing. This matter was for information only.

Item No. 2 Staff presented a proposal by Railroad Controls Limited to conduct a quiet zone evaluation for railroad crossings in Willmar. The proposal is consistent with the Council's goal of establishing quiet zones.

The Committee was recommending the Council adopt a resolution approving the agreement and authorizing the City Administrator to execute the agreement. Resolution No. 13 was introduced by Council Member DeBlieck, seconded by Council Member Fagerlie, 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 proposal by Railroad Controls Limited for a quiet-zone evaluation is accepted, and be it further resolved that the City Administrator of the City of Willmar is hereby authorized to enter into an agreement in the amount of \$3632.00.

Dated this 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 3 The Committee considered a proposal by Mid Minnesota Development Commission to provide environmental review assistance for the re-development of the former airport property. The environmental review is required under State law due to the amount of property that is being converted from one use to another. The environmental review is also necessary to complete state and Federal grant processes.

The Committee was recommending the Council adopt the resolution approving the agreement and authorizing the City Administrator to execute the agreement. Resolution No. 14 was introduced by Council Member DeBlieck, seconded by Council Member Swenson, 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 proposal by Mid Minnesota Development Commission for environmental review assistance in the redevelopment of the former airport is accepted, and be it further resolved that the City Administrator of the City of Willmar is hereby authorized to enter into an agreement in a not-to-exceed amount of \$3500.00.

Dated this 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 The Committee considered a proposal for the City to grant property to Harlan

Rohner in exchange for land the County needs for CSAH #47. The County requires the westerly portion of the Rohner property located on West Highway 12 to be used for right-of-way for the extension of County Road 47. It is proposed that, because the City is providing the balance of the right-of-way for the County Road 47 extension, the City also grant to Mr. Rohner a like-size piece of property on the east side of his site.

The Committee was recommending the Council adopt a resolution approving the agreement granting the land exchange and authorizing the Mayor and City Administrator to execute the agreement. Resolution No. 15 was introduced by Council Member DeBlieck, seconded by Council Member Swenson, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0, Council Member Christianson abstained from voting.

#### RESOLUTION NO. 15

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the proposal by Kandiyohi County and Harlan Rohner for the exchange of land for right-of-way for the extension of CSAH #47 is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into said agreement.

Dated this 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 The Committee discussed the status of buildings remaining at the former airport. Staff was seeking direction for the sale or disposal of the buildings. The Committee was recommending to the Council that Staff pursue the sale or demolition of the buildings. Further, that none of the buildings are to be relocated within Willmar unless they are brought up to code and rehabilitated to City-approved aesthetic standards. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Dokken seconding the motion, which carried.

Item No. 6 The Committee discussed an option requested by Beverly Dougherty, Successors and Assigns, for City-owned property on the east half of Block 47. This site is currently used by Rice Hospital for parking. The Committee discussed hospital parking needs and the procedure that would be followed to redevelop the site in the future. It was noted that the Council had rejected a higher offer in the past. The current offer of \$500,000 was deemed too low.

The Committee was recommending to the Council that the City not grant an option for the property at the current time for the following reasons: Rice Hospital is not ready to proceed with vacating the site and the price offered in the option was too low. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Dokken seconding the motion, which carried.

Item No. 7 Staff explained to the Committee that the wage floor in the current Business Subsidy Policy was \$10.00 per hour. This wage was set to be 110% of the Federal Poverty Wage for a family of 4 at the time the policy was adopted in 2004. Staff was recommending that the wage

floor be adjusted to \$10.90 per hour to reflect the change in the federal guidelines.

The Committee was recommending to the Council that the wage floor in the City of Willmar Business Subsidy Policy be increased to \$11.00 per hour. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Dokken seconding the motion, which carried.

Item No. 8 The Committee discussed ways to find a way to provide notice to nearby land owners for all annexations, not just for those annexations where notification is dictated by State Statute. Staff indicated that there would be a substantial amount of staff time and expense involved in doing this, but agreed to look into the matter for the Council.

The Committee was recommending to the Council to direct Staff to research the issue of providing notice to property owners for all annexation requests. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Dokken seconding the motion, which carried.

The Community Development Committee Report for April 12, 207, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Dokken, and carried.

Planning and Development Services Director Peterson informed the Mayor and Council that John and Kathryn Duevel filed a petition to annex 5.33 acres on North First Street west of 16<sup>th</sup> Avenue NE. The request was approved by the Planning Commission. John Schnobrich from Redwood Falls, representing John and Kathryn Duevel, presented details of the proposed complex of 50 units of assisted living, 22 units of a memory loss specialty unit.

Following discussion, Resolution No. 16 was introduced by Council Member Reese, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 16

WHEREAS, a proceedings for Annexation (File No. 07-02) have commenced for the following described piece of property:

That part of Government Lot 2, Section 3, Township 119 North, Range 35 West of the Fifth Principal Meridian, Willmar Township, Kandiyohi County, Minnesota, described as follows:

Commencing at the northeast corner of Government Lot 2 of said Section 3; thence on a geodetic bearing of South 0 degrees 29 minutes 24 seconds East, along the east line of said Section 3, a distance of 845.03 feet to the point of beginning of the land to be described; thence on a bearing of North 89 degrees 11 minutes 17 seconds West a distance of 620.02 feet; thence on a bearing of South 0 degrees 29 minutes 37 seconds East; a distance of 374.77 feet; thence on a bearing of South 89 degrees 11 minutes 17 seconds East a distance of 620.00 feet to the east line of said Section 3; thence on a bearing of North 0 degrees 29 minutes 24 seconds West, along the east line of said Section 3, a distance of 374.77 feet to the point of beginning.

WHEREAS, the petitioner has certified and stated that they are the sole owner of said

property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that ownership of the afore-described property, by the petitioners, in the manner stated has been verified.

Be IT FURTHER RESOLVED that it has been verified that the Annexation will include City services/improvements/facilities/utilities.

Dated this 16<sup>th</sup> day of April, 2007.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Council Member Reese offered a motion to introduce and schedule for hearing on May 21, 2007, an Ordinance Extending the Corporate Limits of the City of Willmar. Council Member Swenson seconded the motion, which carried.

City Administrator Schmit updated the Mayor and Council on a partnership Rice Hospital has been working with the University of Minnesota for a Dental Clinic Project. The Hospital was successful in securing a \$500,000 grant in a 2006 State Bonding Bill. The City of Willmar is technically the recipient of the grant and needs to pass a resolution accepting the funds on behalf of the Rice Memorial Hospital Dental Clinic Project. Resolution No. 17 was introduced by Council Member DeBlieck, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 17

#### RESOLUTION AUTHORIZING RECEIPT OF BONDING BILL FUNDS FOR THE RICE MEMORIAL HOSPITAL DENTAL CLINIC PROJECT

(For Resolution in its entirety, see City Council Proceedings file dated  
April 16, 2007, located in the City Clerk's Office)

Planning and Development Services Director Peterson informed the Mayor and Council that First Step Inc. proposes the rezoning of the old Lafayette School property from G/I (Government Institutional) to R-2 (One and Two-Family Residential) for the purpose of operating a day care center. The Planning Commission approved the rezoning. Following discussion, Council Member Reese offered a motion to introduce and schedule for hearing on May 7, 2007, an Ordinance to Rezone Certain Lands from G/I to R-2. Council Member Dokken seconded the motion, which carried.

Finance Director Odens presented to the Mayor and Council for consideration a Resolution calling for a public hearing on an Ordinance authorizing the issuance of \$2,155,000 General Obligation Bonds to finance various improvement projects. Following discussion, Resolution No. 18 was introduced by Council Member Gardner, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 18

RESOLUTION CALLING FOR PUBLIC HEARING ON AN ORDINANCE AUTORIZING  
THE ISSUANCE OF \$2,155,000 GENERAL OBLIGATION IMPROVEMENT BONDS,  
SERIES 2007B AND LEVYING TAXES FOR THE PAYMENT THEREOF

(For Resolution in its entirety, see City Council Proceedings file dated  
April 16, 2007, located in the City Clerk's Office)

Announcements for Council Committee meeting dates were as follows: Finance, April 23;  
Public Works/Safety and Labor Relations, April 24, 2007.

Mayor Heitke informed the Council that the Housing Task Force Committee is near  
completion and the list of members will be presented soon.

Mayor Heitke informed the Council that he would not file a veto on action of the Council  
regarding a vote at the last meeting on the Airport issue due to an obvious override. The Mayor  
requested a review of the matter by registering all fuel vendors and to consider a hold-harmless  
clause or insurance, and referred the matter to the Public Works/Safety Committee.

Public Works Director Odens presented to the Mayor and Council the 2006 Public Works  
annual report. Following a question and answer period, the report was ordered placed on file in the  
City Clerk's Office.

Finance Director Okins presented to the Mayor and Council the 2006 Finance Department  
annual report. Following a question and answer period, the report was ordered placed on file in the  
City Clerk's Office.

There being no further business to come before the Council, the meeting adjourned at  
10:12 p.m. upon motion by Council Member Reese, seconded by Council Member Gardner, and  
carried.

Attest:

\_\_\_\_\_  
MAYOR

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