

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

May 4, 2009
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, Steve Ahmann, Rick Fagerlie, Jim Dokken, and Tim Johnson; 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, Assistant City Engineer Holly Wilson, and City Clerk Kevin Halliday.

Additions to the Agenda included consideration of an Ordinance, Mayor's Prayer Breakfast announcement, and an Arbor Day Proclamation.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of April 20; Municipal Utilities Commission Minutes of April 27, Planning Commission Minutes of April 22; Convention/Visitors Board Minutes of March 17; Community Center Council Minutes of April 1, 2009; and Exempt Permits applications for VFW Post 1639 and Pheasants Forever. Council Member Anderson seconded the motion, which carried.

Mayor Heitke acknowledged David Schmidt, Chair of the Storm Water Task Force. Mr. Schmidt introduced the Task Force members Laura Becker, Terry Brunson, Paul Danielson, Marv Gieseke, Mike Haase, Douglas Hanson, Bruce Johns, Vera Novak, Joe Ridler, Rolf Standfuss and Karen Thibault. Mr. Schmidt briefly explained the Task Force's work prior to turning the presentation over to Terry Brunson. Mr. Brunson provided a detailed Power Point program in which he identified the issues at hand, all the different storm water improvement ideas considered by the Task Force, the criteria used to evaluate each of the ideas, and then discussed in detail Task Force recommendations. Preceding capital improvements, the Task Force is recommending a community education and public awareness program involving property classifications. The Task Force identified as its two top priorities the utilization of the existing Waste Water Treatment Plant for storage capacity and proposed the purchase of land west of Menards for a significant storm water residential area. The Task Force identified three additional capital projects including expansion of the pond area at Ramblewood, storm water detention including tiling at the Kennedy School ball park site, and the construction of a series of ponds in the Grass Lake area near existing Ditch 23A.

The Storm Water Task Force concluded its recommendations by suggesting that additional financial analysis and engineering modeling be completed for each of the capital recommendations and noted that members have volunteered to continue working with City officials to ensure that significant progress will be made towards project financing and implementation.

Following an extended question and answer period, Mayor Heitke and Council Members accepted the report and thanked the Storm Water Task Force for the work they have done. Council Member Christianson moved to continue with the SWTF to review findings with additional financial and engineering investigation. Council Member Dokken seconded the motion, which carried.

Mayor Heitke acknowledged Joe Ridler who had signed up to address the City Council during its scheduled Open Forum. Mr. Ridler discussed quiet zones in St. Cloud with Medium control and suggested making 7th and 10th Street NW one-way streets.

The Labor Relations Committee Report for April 22, 2009, was presented to the Mayor and Council by Council Member Ahmann. There were four items for Council consideration.

Item No. 1 Rice Hospital Chair Wayne Larson and Acting CEO Dale Hustedt were present to discuss with the Committee the proposed relocation/moving allowance for Mike Schramm who was recently hired as the new Hospital CEO. At the request of the Mayor, this matter had been referred to Committee from the Council's April 20, 2009, meeting. Hospital Chair Larson provided Committee Members with a written and verbal explanation of the Hospital's rationale in awarding the relocation assistance payment.

Following discussion, the Committee was recommending the Council approve that portion of the Rice Hospital Minutes of April 8, 2009. Council Member Ahmann moved to approve the recommendation of the Labor Relations Committee with Council Member Reese seconding the motion which carried. Council Member DeBlicek voted no.

Item No. 2 At the request of City Administrator Schmit, the Committee devoted time to a discussion of personnel issues as they relate to development of the City's 2010 budget. Discussions with the various bargaining groups are scheduled to take place this year and Mr. Schmit is withholding specific recommendations on matters of wage freezes, furloughs, cuts, etc. until the Governor and Legislature reach an agreement on the State's budget. Staff provided Committee Members with information from the Coalition of Greater Minnesota Cities regarding compensation updates and a summary of local government aid cuts proposed by the Governor, House and Senate. This matter is for information only.

Staff discussed with the Committee recent personnel developments in the Finance Department, noting Staff shortages resulting from an extended maternity leave and a recent resignation announcement. Mr. Schmit was requesting authorization to exempt the Accounting Clerk's classification from the recently imposed hiring freeze. The Committee was recommending to the Council that Staff be allowed to proceed with filling an accounting clerk position. Council Member Ahmann moved to approve the recommendation of the Labor Relations Committee with Council Member Reese seconding the motion, which carried.

Item No. 3 Chair Ahmann presented to the Committee several miscellaneous items and briefly discussed the use of cell phones while operating equipment, the potential of retrofitting diesel engines and reducing emissions under the Recovery and Reinvestment Act, and an evaluation of services provided at Rice Hospital. These matters were for information only.

Item No. 4 At 5:32 p.m. the Labor Relations Committee meeting closed for the purpose of conducting an annual review of the City Administrator. The meeting reopened at 7:15 p.m. During the performance evaluation the Mayor, Council Members and City Administrator discussed goals and objectives and areas of responsibility. Generally speaking, the members concluded that performance met or exceeded expectations for organizational management, fiscal/business management, program development and follow through, relationship with the Mayor and Council, long-range planning, and relationships with public and private sector organizations. This matter was for information only.

The Labor Relations Committee Report for April 22, 2009, was approved as presented upon motion by Council Member Ahmann, seconded by Council Member Christianson, and carried.

The Public Works/Safety Committee Report for April 28, 2009, was presented to the Mayor and Council by Council Member Reese. There were five items for Council consideration.

Item No. 1 Staff informed the Committee that pursuant to a recent fatal accident, Mn/DOT, County and City representatives met to discuss the TH 71/CR 24 intersection issues. It was the consensus of the group to have an Open House to allow the public further review of the options and alternatives which eventually led to the preferred 3rd alternative. The Open House is scheduled for May 13, 2009 at 5:00 p.m. at the Health and Human Services Building. An official announcement will be

coming out in the near future. This matter was for information only.

Item No. 2 The Committee discussed "Going Green" as referred by the Council. Public Works Director Odens presented a brief summary which showed what has been implemented at the various City buildings, improvement projects, lighting systems and environmental projects. Also included were items that pertain to the construction of the new Wastewater Treatment Facility. The Committee briefly discussed several energy saving items that have been implemented and the concept of converting to LED in street lights. This item was for information only.

Item No. 3 Rhonda Rae of Donohue and Associates presented to the Committee plans and specifications for the installation of two pump station (Project 0816 D-6). One would be near the Jennie-O Benson Avenue Plant, and the other in the vicinity of the Willmar Avenue Plant. The pumps would be enclosed in a concrete and brick structure. The estimated cost of the project is \$2,287,950 with a proposed bid opening date of June 16, 2009.

It was pointed out that plans and specifications have been prepared incorporating stimulus funding requirements for Davis Bacon and Buy America requirements. The Committee discussed the pros and cons of using stimulus funding versus modifying the specifications and using funding currently arranged for under the Public Facility Authority. Staff was asked to prepare an analysis comparing the financing options and any subsequent savings and report to the Council prior to any decisions being made.

The Committee was recommending the Council approve the plans and specifications for Project 0816 D-6 as prepared and authorize advertisement for bids to be opened June 16, 2009. Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Fagerlie, reviewed by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

WHEREAS, the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 0816-D6 (two Wastewater Pump Stations, Structure Numbers 710 and 720) for the City of Willmar; and

WHEREAS, the Pump Stations are located at Benson Avenue and 11th Street SW and 1701 30th Street SW, respectively; and

WHEREAS, the Engineer's estimated project cost is \$2,287,950.

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 to be opened at 1:00 p.m., June 16, 2009, is herewith authorized.

Dated this 4th day of May, 2009.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 Staff informed the Committee that the award of Project No. 0809 (North Business 71 Path) is being postponed until further information is received from the State Historical Society relating to review of the site. This information is expected to be made available by May 9, 2009. This matter was for information only.

Item No. 5 Members of the Fire Relief Board, along with Fire Chief Calvin, were present to discuss decreasing the benefit level for firefighters to match the City-ratified amount of \$2,400 per year of

service. The Committee was recommending the Council approve the change in the bylaws decreasing the benefit level for members of the Fire Relief Association to \$2,400 per year of service. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Fagerlie seconding the motion, which carried.

The Public Works/Safety Committee Report for April 28, 2009, 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 Fagerlie, and carried.

The Community Development Committee Report for April 30, 2009, was presented to the Mayor and Council by Council Member DeBlieck. There were three items for Council consideration.

Item No. 1 The Committee heard from several individuals regarding issues at the race track. Denny Baker representing the Kandiyohi County Fairboard reviewed previously racetrack task activities and the proposed race track ordinance from 2004. He also reviewed a March 2005 agreement between the Fairboard and the KRA that allowed for 10:15 pm end time during the school year and 10:45 pm on no school nights. These were times that the Council had agreed to at the time and had voted to suspend work on an ordinance to regulate racing. There was no record from the Council having placed a limit on the number of events, but on the proposed ordinance in 2005 called for a max of 23 events. Mr. Baker stated that most seasons have 19-20 events due to the weather. Mr. Baker said the KRA will keep a log of end times and weather conditions and acknowledged that the 2008 Fall Festival did run late due to weather conditions. He also admitted that dust and noise can be issues but solutions are difficult due to weather and soil conditions.

Lane Roberts of Kandiyohi Racing Association stated the dust has been reduced due to improved track maintenance and all cars must use a manufactured muffler as per Wisota rules. The KRA has done noise testing and have not found reading over 90 decibel off site. The 90 decibel limit was a Wisota rule but is no longer, however has been adopted as a KRA rule. The previous Wisota rule was 100 decibels at 100 feet. Mr. Roberts also acknowledged that the Fast Festivals races ran late but were shut down with three races to go. As a rule they try to run the quietest class, the hobby stock class as the last races of the evening. The sump pump at the track does not discharge mud into the lake it can only discharge water due to the design of sump pit.

The pump is three feet off the bottom of the pit. Denny Baker said the Fair Board and KRA will meet within 2 weeks to discuss recommendation in the Husing recommendation report. The Fairboard will redirect the speakers and race vehicles out the 7th Street exit and look into a method of getting water to the infield to the track for watering without having to take the water truck near the lake to load water. Mr. Baker said that an end time for the Fall Festive would be negotiating a time was never in the agreement prior to this year when they included an 11:30 pm end time. Charley Nelson said that both KRA and Kandiyohi Fair board are not-for-profit organizations.

Glades Palm, resident west of the track asked why cars couldn't be forced to use the East entrance. Mr. Roberts said that there would be better enforcement in place for 2009 season and race vehicles will be directed to the East entrance. Dick Husing advocated an ordinance to regulate the times and number of events as well as concerns over dust and fumes. Mr. Roberts said that dust is a visibly and safety issued for drivers and fans as well as the neighbors and the association does whatever they can to control the dust. Mr. Roberts said the track watering starts the day before the race and will look at using magnesium chloride to control dust in the pit area and questioned mud tracked onto City streets. Lane Roberts responded that again they will direct traffic to exit via 7th Street. Mr. Husing then enquired about the lights and glare issue, and Staff explained the City ordinance for lighting. The ordinance states that the lighting be directional and that directed light be contained on the property. It was acknowledged that there would always be some ambient light that would be expressed beyond the property boundaries.

Following discussion, the matter concluded with no action taken by the Committee. This matter was for information only.

Item No. 2 Staff updated the Committee on the status of the Comprehensive Plan noting the

final draft has been reviewed by the Planning Commission with a number of changes suggested and are currently being finalized. Staff will continue scheduling a public meeting prior to Council action to the adoption of the plan. This matter was for information only.

Item No. 3 The Committee was informed by Staff that the owner of the property alleged to contain the gopher problem in southwest Willmar had engaged a private firm to eliminate the gophers. This matter was for information only.

The Community Development Committee Report for April 30, 2009, 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 Christianson, and carried.

Announcements for Council Committee meeting dates were as follows: Finance, May 11, and Public Works/Safety, May 12, 2009.

Mayor Heitke announced that May 7, 2009, was Arbor Day and read a proclamation. The Mayor also announced that the Mayor's Prayer Breakfast is scheduled for May 7, 2009.

City Administrator Schmit commented on the H1N1 virus and cautionary practices initiated by Staff.

Staff reminded the Council of the neighborhood open house scheduled for May 6, 2009, to present information regarding the Waste Water Treatment interceptor project.

Staff presented to the Mayor and Council an Ordinance Authorizing the Sale of Land owned by the City to Kandiyohi County. Following discussion, Council Member Reese offered a motion to introduce the Ordinance Authorizing the Sale of Land and set a public hearing for May 18, 2009. Council Member Anderson seconded the motion, which carried.

There being no further business to come before the Council, the meeting adjourned at 8:50 p.m. upon motion by Council Member Anderson, seconded by Council Member Reese, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL