

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

May 6, 1998  
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 Verna Kelly, Ron Christianson, Bruce DeBlieck, Douglas Reese, Richard Halterman, Nancy Houlahan, Vince Van Heuveln, and Rick Fagerlie; Present 9, Absent 0.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Parks and Leisure Services Director Dale Johnson, Public Safety Director Dan Strootman, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, Intern Sheri Manson, and City Clerk Kevin Halliday.

Additions to the agenda included Public Safety Department personnel changes.

Council Member Kelly offered a motion adopting the Consent Agenda which included the following: City Council Minutes of April 15, Municipal Utilities Commission Minutes of April 13 and 27, Rice Hospital Board Minutes of April 22, Housing Task Force Minutes of April 14 and 28, and Planning Commission Minutes of April 22, 1998. Council Member Fagerlie seconded the motion, which carried.

Mayor Heitke read a letter from Lyle and Myra Wendelschafer thanking volunteers from Willmar who helped clean up after the tornadoes in St. Peter, Minnesota.

Mayor Heitke read a proclamation proclaiming the month of May as "Arbor Month" in Willmar. The Mayor also displayed a five-year Tree City USA memorial and flags.

At 7:07 p.m. Mayor Heitke opened the hearing on an Ordinance Amending Ordinance No. 1060 to Rezone Certain Property. Planning and Development Services Director Peterson informed the Mayor and Council that Koosman Construction has proposed the rezoning of 25<sup>th</sup> Street Southeast from Agriculture to R-2 (one and two-family residential) for an 18-unit twin-home, townhouse project. The proposed rezoning is consistent with the Willmar Comprehensive Plan and has been approved by the Planning Commission. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:08 p.m.

Council Member Reese offered a motion to adopt, assign a number and order final publication of the Ordinance Amending Ordinance No. 1060 to Rezone Certain Property. Council Member Kelly seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

The Finance Committee Report of April 24, 1998, was presented to the Mayor and Council by Council Member Kelly. There were eight items for Council consideration.

Item No. 1 The Committee reviewed a two-year renewal application from the Willmar Eagles Aerie 2334 and Willmar Blue Line Club. In accordance with Minnesota statutes, the Committee was recommending to the Council to pass resolutions approving the applications as submitted. Resolution No. 1 was introduced by Council Member Kelly, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

REQUESTING THAT THE MINNESOTA CHARITABLE GAMBLING  
CONTROL DIVISION APPROVE THE APPLICATION FOR A

PREMISE PERMIT FOR THE EAGLES AERIES 2334

WHEREAS, the Eagles Aeries 2334 has applied to the Minnesota Charitable Gambling Control Division to obtain a Premise Permit for a Class B Gambling License at the Eagles Aeries 2334, 136 West 6<sup>th</sup> Street, Willmar, Minnesota;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the City approves of the Class B Premise Permit for the Eagles Aeries 2334 and respectfully request that the Minnesota Charitable Gambling Control Division approve a Class B Premise Permit to the Eagles Aeries 2334.

Dated this 6th day of May, 1998.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

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

RESOLUTION NO. 2

REQUESTING THAT THE MINNESOTA CHARITABLE GAMBLING CONTROL DIVISION APPROVE THE APPLICATION FOR A PREMISE PERMIT FOR THE WILLMAR BLUE LINE CLUB, INC.

WHEREAS, the Willmar Blue Line Club, Inc. has applied to the Minnesota Charitable Gambling Control Division to obtain a Premise Permit for a Class B Gambling License at the Elks Lodge 952, 426 Litchfield Avenue SW, Willmar, Minnesota;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the City approves of the Class B Premise Permit for the Willmar Blue Line Club and respectfully request that the Minnesota Charitable Gambling Control Division approve a Class B Premise Permit to the Willmar Blue Line Club, Inc.

Dated this 6th day of May, 1998.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 3 was introduced by Council Member Kelly, seconded by Council Member Halterman, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

REQUESTING THAT THE MINNESOTA CHARITABLE GAMBLING CONTROL DIVISION APPROVE THE APPLICATION FOR A PREMISE PERMIT FOR THE WILLMAR BLUE LINE CLUB, INC.

WHEREAS, the Willmar Blue Line Club, Inc. has applied to the Minnesota Charitable Gambling Control Division to obtain a Premise Permit for a Class B Gambling License at the Edinbarry's/Pool & Pub, 913 North Highway 71, Willmar, Minnesota;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the City approves of the Class B Premise Permit for the Willmar Blue Line Club and respectfully request that the Minnesota Charitable Gambling Control Division approve a Class B Premise Permit to the Willmar Blue Line Club, Inc.

Dated this 6th day of May, 1998.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 2 The Committee reviewed a recommendation from staff to organize and move all the leather-bound Council minute books of 1871 - 1979 and all ordinance books of 1871 - 1952 to the State Archives of the Minnesota Historical Society. The Committee was recommending to the Council to approve staffs' recommendation as submitted. Council Member Kelly moved to approve the recommendation of the Finance Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 3 The Committee reviewed a request from Ruttles Restaurant to sell intoxicating malt liquor. No action was required and this matter was for information only.

Item No. 4 Loren Engelby, project manager of the Grass Lake Project, appeared before the Committee to request the City's participation in funding one-third of the costs for engineering services and viewers to perform the redetermination and report the benefits/damages and the benefited/damaged areas.

The total of these additional costs would be \$26,300 for the engineering and \$23,000 for the viewers. The remaining costs would be split one-third from the Kandiyohi County Water Plan and one-third from the Kandiyohi Soil and Water Conservation District.

The Committee moved to recommend to the Council funding of the City's portion of the costs by using non-appropriated F.E.M.A. money received from last year's storms. City Administrator Schmit informed the Mayor and Council of a meeting on May 6, 1998, with Ron Harnack of the Board of Water and Soil Resources, Loren Engelby, Grass Lake Project Coordinator, Representative Al Juhnke, Senator Dean Johnson, and representatives of the Department of Natural Resources and the positive aspects and enthusiastic commitment to the project.

Resolution No. 4 was introduced by Council Member Kelly, seconded by Council Member Halterman, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 1 - Council Member Van Heuveln voted "No."

RESOLUITON NO. 4

BE IT RESOLVED, by the City Council of the City of Willmar to authorize the Finance Director to make the following 1998 budgetary changes:

C.P. Surface Water

Increase - Professional Services	\$16,500.00
Decrease - F.E.M.A. Reserve	\$16,500.00

Dated this 6th day of May, 1998.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 The Committee reviewed Park and Leisure Services Board recommendations for proposed rate increases at the Civic Center. The Board proposed Ice Rental be increased by \$5.00 per hour for all the various rental classifications, and a \$25.00 per day increase for dry floor rental classifications.

The Committee was recommending to the Council to pass a resolution setting

the Civic Center rates, effective October 1, 1998, as recommended by the Park and Leisure Board. Resolution 5 was introduced by Council Member Kelly, seconded by Council Member Halterman, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

WHEREAS, the City of Willmar has conducted a review of operational costs of the Willmar Civic Center Arena and has received evidence with respect to the need for a rate increase in the ice rental rates and dry floor events; and

WHEREAS, the City Council of the City of Willmar has duly considered the rate increase request and finds that the request for a rate increase is reasonable and justified.

NOW, THEREFORE, BE IT RESOLVED that the Non-Revenue and Revenue Producing Ice Rental Rates and Dry Floor events be and hereby are set as follows effective October 1, 1998:

Ice Rental	\$ 78.00
Open Skating:       Students	\$ 1.50
Non Students/Adults	\$ 2.00
Senior Citizens	\$ 1.50
Open Hockey	\$ 2.00
Open Freestyle	\$ 2.00
Parents and Tots (tots free) - Parents	\$ 2.00
Skate Sharpening	\$ 2.00
Skate Rental	\$ 1.00
High School Hockey Game Ticket Prices	
Senior Citizens	\$ 2.00
Adults	\$ 4.00
Youth	\$ 2.00
Preschool	Free
Willmar Youth Hockey Tournaments	\$ 95.00
20% Gate and 10% of all novelty items sold by group	
Willmar High School Hockey Tournaments	\$ 95.00
20% Gate and 10% of all novelty items sold by group	
Figure Skating Show (Arena Sponsored)	\$ 95.00
20% Gate and 10% of all novelty items sold by group	
Figure Skating Show (Non-City Sponsors)	\$ 95.00
20% Gate and 10% of all novelty items sold by group	
Camps (Hockey, Figure Skating, etc.)	\$ 95.00
Non-Admission or Restricted Admission Events	
\$550.00	
Restricted Admission Events (Liquor Variance)	\$ 650.00
Non-Admission Events (Half-House)	\$ 275.00
Paid Admission Events	\$ 550.00
Concerts	\$ 650.00
Partial Day Rental	\$ 25.00

Dated this 6<sup>th</sup> day of May, 1998.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest:           CITY CLERK

Item No. 6 The Committee reviewed proposed changes in sewer rates for the Waste Treatment account of the City. The three portions of the rates discussed were the Administrative Charge, the Consumption Charge, and the Debt Service Charge.

The Administrative Charge is a charge to recover administrative and billing

charges, and was recommended to remain the same at \$1.40 per month, per customer.

The Consumption Charge is to recover the costs of operation and maintenance of the present Plant site and the new Sludge Storage Facility. This charge was recommended to actually decrease from \$1.06 per 100 cu. ft. to \$.67 per 100 cu. ft. The largest item accounting for the proposed decrease was the policy of not funding depreciation because of the increase in the Debt Service section.

The Debt Service charge section is to recover the costs of debt both on the present Odor Control Project and the Sludge Storage Facility. These charges would all be increased proportionality based on the customers water meter size.

The estimated increase to a family of three would be \$.50 per month, a 4.6% increase. The Committee was recommending to the Council to introduce an ordinance amending the sewer charges, and setting a public hearing for June 3, 1998, Council meeting. Council Member Kelly moved to approve the recommendation of the Finance Committee with Council Member Van Heuveln seconding the motion which carried.

Item No. 7 The Committee reviewed first quarter Rice Trust, March Rice Trust, and the February Rice Hospital/Care Center reports. This matter was for information.

Item No. 8 The Committee reviewed the following items for future agendas: water main financing, future of Rice Hospital, Law Enforcement financing, and 1998 bonds. This matter was for information only.

The Finance Committee Report of April 24, 1998, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Kelly, seconded by Council Member Van Heuveln, and carried.

The Public Works/Safety Committee Report of April 28, 1998, was presented to the Mayor and Council by Council Member Halterman. There were three items for Council consideration.

Item No. 1 The Committee reviewed the bids for Project No. 9801 (Street Improvements) and 9802 (Sewer and Water Main Improvements). Following discussion, the Committee was recommending to the Council to award Project No. 9801 to Duininck Brothers, Inc. and award Project No. 9802 to Quam Construction.

Resolution No. 6 was introduced by Council Member Halterman, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 6

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the bid of Duininck Brothers, Inc., of Prinsburg, Minnesota, for Project No. 9801 - 1998 Street Improvements, is accepted, and be it further resolved that the Mayor and City Administrator be authorized to sign an agreement with the bidder for the terms and consideration of the contract in the amount of \$1,116,576.55.

Dated this 6<sup>th</sup> day of May, 1998.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 7 was introduced by Council Member Halterman, seconded by Council Member Kelly, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 7

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the bid of Quam Construction Company, Inc. of Willmar, Minnesota, for Project No. 9802 - 1998 Sewer and Water Main Improvements, is accepted, and be it further resolved that the Mayor and City Administrator be authorized to sign an agreement with the bidder for the terms and consideration of the contract in the amount of \$259,542.30.

Dated this 6<sup>th</sup> day of May, 1998.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Committee also was recommending to the Council that a resolution be introduced to award Project No. 9804 (Street Lighting) from a motion passed at the April 7, 1998 Public Works/Safety Committee meeting. Resolution No. 8 was introduced by Council Member Halterman, seconded by Council Member Kelly, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 8

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the bid of Baker Electric, Inc. of Willmar, Minnesota, for Project No. 9804 - 1998 Street Lighting Improvements, is accepted, and be it further resolved that the Mayor and City Administrator be authorized to sign an agreement with the bidder for the terms and consideration of the contract in the amount of \$19,322.90.

Dated this 6<sup>th</sup> day of May, 1998.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 2 The Committee reviewed information regarding three exit ramps for the 71-23 bypass around Willmar. The estimated cost is \$115,000 for each ramp, which includes design, construction and the contract. Staff recommended the completion of all three ramps and pursue the project through a cooperative agreement with Mn/DOT. The Committee was recommending to the Council to accept staff's recommendation. Council Member Halterman moved to approve the recommendation of the Public Works/Safety Committee with Council Member Reese seconding the motion, which carried.

Item No. 3 The Committee was informed by staff that funds from the Lowell Gjelhaug Memorial will be used to provide four trees for the 1998 Arbor Day Celebration at Kennedy School. Staff was directed to continue looking into the possibility of a policy covering the naming of public buildings/facilities. This matter was for information only.

The Public Works/Safety Committee Report of April 28, 1998, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Halterman, seconded by Council Member Reese, and carried.

The Community Development Committee Report of April 30, 1998, was presented to the Mayor and Council by Council Member DeBlieck. There were four items for Council consideration.

Item No. 1 The Committee reviewed a revised geographic proposal for extraterritorial code enforcement and discussed the matter at length, suggesting several minor adjustments to the extraterritorial limits. The impact of extending code enforcement on staffing was discussed, and it was noted that the City was in the process of hiring another inspector. The Committee was recommending to the Council to introduce the required ordinance and set a public hearing.

Following discussion, the Council referred the revised geographic proposal for extraterritorial code enforcement back to Committee. This matter was for information only.

Item No. 2 The Committee briefly considered a suggestion that the City pursue the annexation of the balance of Willmar Township. For a variety of reasons, staff recommended that such an annexation not be pursued. It was a consensus of the Committee that the issue not be given further consideration at this time. This matter was for information only.

Item No. 3 The Committee discussed impact fees and their applicability to development in Willmar. Staff reminded the Committee that cities in Minnesota have no statutory authority to impose impact fees other than for park development purposes.

The Committee noted that the costs of new development in Willmar have been funded primarily by growth and an expanding tax base. This matter was for information only.

Item No. 4 The Committee reviewed a letter from a possible purchaser of Gateway Park, which included a proposal to upgrade park. The proposal is being offered as an alternative to the previous City Council directive that the drive and parking areas be hard-surfaced by August 1, 1998. The Committee was recommending to the Council to rescind the August 1, 1998 paving deadline on the condition that the new owners submit detailed site and implementation plans for Planning Commission review and approval. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Fagerlie seconding the motion, which carried.

The Community Development Committee Report of April 30, 1998, 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 Fagerlie, and carried.

Planning and Development Services Director Peterson presented to the Mayor and Council the preliminary plat of Pheasant Run Eleventh Addition. It was noted the plat was being developed to accommodate the 18-unit Koosman twin-home planned unit development. The Planning Commission has approved the PUD and preliminary plat with conditions. Council Member Kelly moved to approve the preliminary plat of Pheasant Run Eleventh Addition with conditions stipulated by the Planning Commission. Council Member Christianson seconded the motion, which carried.

The Mayor and Council considered the final plat of Prairie View North, which is being developed to accommodate the 22-unit Prairie View North planned unit development. It was noted the Planning Commission has approved the final plat. Council Member Kelly moved to approve the Prairie View North final plat with Council Member Fagerlie seconding the motion, which carried.

The Mayor and Council considered the final plat of Park Ridge Addition, which is being platted into three lots for additional office space. Council Member Kelly moved to approve Park Ridge Addition final plat with Council Member Fagerlie seconding the motion, which carried.

The Mayor and Council considered an application for a wine license, 3.2% malt liquor license and a Sunday liquor license for the Ruttles Restaurant. Following discussion, Council Member Reese moved to approve the liquor application contingent upon approval of the City Attorney. Council Member Van Heuveln seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

The Mayor and Council considered a donation from the Fraternal Order of Eagles to the Police Department. Resolution No. 9 was introduced by Council Member Kelly, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 9

WHEREAS, the Fraternal Order of Eagles has agreed to donate to the City of Willmar \$1,800 for the purpose of providing supplies for the People on Watch (POW) program.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota, that the City accept the donation from the Fraternal Order of Eagles and that the City Administrator be directed to express the community's appreciation for their contribution to our emergency management program.

Dated this 6<sup>th</sup> day of May, 1998.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

At this time Council Member Van Heuveln presented to the Mayor and Council a report on his recent trip to Vileyka.

Mayor Heitke called for a recess at 8:23 p.m. and reconvened the meeting at 8:30 p.m.

Announcements for Council Committee meeting dates were as follows: Airport Advisory, May 11; Public Works/Safety, May 12; Mayor's Prayer Breakfast, May 13; Community Development, May 14; and Finance, May 18, 1998.

At this time Finance Director Okins presented to the Mayor and Council the 1998 Annual Report for the Finance Department. Following a brief question and answer period, the report was ordered placed on file in the City Clerk's Office.

Public Safety Director Strootman informed the Mayor and Council that Bob Salonek has retired from the Police Department after 29 years and 4 months and that Vince King has been promoted to Sergeant.

Council Member Fagerlie informed the Mayor and Council that he has moved from the Fourth Ward into the Third Ward, and he was providing advance notice to the public that his unexpired two-year term of office will be open for filing in July.

The Mayor and Council discussed the June 17, 1998, Council meeting noting the Mayor and Mayor Pro Tempore would be absent. Council Member Reese moved to reschedule the second meeting in June to June 15, 1998. Council Member Kelly seconded the motion, which carried.

Mayor Heitke acknowledged that Sheri Manson would be completing her internship with the City of Willmar on May 15, 1998, and offered a word of thanks and best wishes.

There being no further business to come before the Council, the meeting adjourned at 9:01 p.m. upon motion by Council Member Reese, seconded by Council Member Halterman, and carried.

Attest:

\_\_\_\_\_  
MAYOR



---

SECRETARY TO THE COUNCIL