

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

September 2, 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, and City Clerk Kevin Halliday.

Additions to the agenda included consideration of agricultural exemptions, Committee appointments, and discussion of open burning.

Council Member Kelly offered a motion adopting the Consent Agenda which included the following: City Council Minutes of August 19, Municipal Utilities Commission Minutes of August 24, Pioneerland Library System Board Minutes of June 18 and 29, Zoning Appeals Board Minutes of August 17, and Planning Commission Minutes of August 26, 1998. Council Member Fagerlie seconded the motion, which carried.

At 7:02 p.m. Mayor Heitke opened a hearing on an Ordinance Amending the Salaries Paid to the Mayor and City Council. Kay Westlie addressed the Council with her concerns that the Council needs to show interest in quality of life issues such as pedestrian crosswalk reviews and outdoor pool. The Mayor reviewed the history of the pool and current plans now underway with a new committee and the pending traffic study on First Street. Upon hearing all those who wished to be heard, Mayor Heitke closed the hearing at 7:11 p.m.

Council Member Halterman offered a motion to adopt, assign a number, and order final publication of the Ordinance Amending the Salaries Paid to the Mayor and City Council. Council Member Reese seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

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

Item No. 1 The Committee reviewed the status of the Rice Trust Account as of July 31, 1998. The account has grown from \$1,891,381 on January 1, to the present market value of \$2,033,899 as of July 31, 1998. This matter was for information only.

Item No. 2 The Committee discussed with staff options available to fund the repair of the Waste Treatment Plant trickling filter system, which has recently collapsed. Options discussed were as follows: the use of Reserve funds, additional revenue bonding, and the loan process through the Public Facilities Authority. Since the repairs are anticipated to take place some time the first few months of 1999, it was the recommendation of staff to apply to the Public Facilities Authority similar to the Sludge Storage financing.

The Committee was recommending to the Council to direct staff to explore the Public Facilities Loan funding at this time and to use reserves if there are no funds available through that process. Council Member Kelly moved to approve the recommendation of the Finance Committee with Council Member Van Heuveln seconding the motion, which carried.

Item No. 3 The following reports were reviewed and received for information only: July Lodging Tax and the Willmar Sales Tax through June.

Item No. 4 The Committee reviewed the following items placed on future agendas: Senior Nutrition Funding. This matter was for information only.

The Finance Committee Report of August 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 Fagerlie, and carried.

The Public Works/Safety Committee Report of August 25, 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 action taken by the Council in March, 1998, to authorize the submittal of a Department of Natural Resources grant for an addition to the bike path near the Civic Center. The City has received notice that the grant has been approved pending a resolution of support from the local governmental agency to cover 50 percent of the total project cost. The cost is estimated at \$55,000 with the City's share to be allocated from the 1999 budget and reserve funds.

The Committee was recommending to the Council to approve the resolution showing support of 50 percent of the total project cost. Resolution No. 1 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. 1

CITY OF WILLMAR
PARKS AND LEISURE SERVICES

BE IT RESOLVED that the City of Willmar act as the legal sponsor for the Bike and Hike Path project contained within the framework of LCMR Cooperative Trail Grant program and that the Park and Leisure Services Director is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of the City of Willmar, Minnesota.

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

BE IT FURTHER RESOLVED that the City of Willmar has not incurred any cost, and has not contracted or begun construction on the project.

BE IT FURTHER RESOLVED that the City of Willmar, Finance Director shall act as fiscal agent for the City of Willmar on the project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Administrator are hereby authorized to execute such materials to implement the project on behalf of the applicant.

Dated this 2nd day of September, 1998.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 2 The Committee reviewed a letter Bonestroo and Associates outlining the proposed scope of services for updating the facilities plan of the Wastewater Treatment Plant. Dick Turner of Bonestroo and Associates was present to answer questions relating to key areas in the scope of services. The total estimated cost for the deliverables is \$34,960. Financing of \$30,000 was included in last year's budget. Staff proposed working with the consultant to

reduce the cost to stay within the budget, and requested authorization to enter into an agreement.

The Committee was recommending to the Council to authorize the Mayor and City Administrator to enter into an agreement with Bonestroo and Associates not to exceed \$30,000. Resolution No. 2 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. 2

WHEREAS, the City of Willmar desires to retain a consultant to provide professional engineering services to update the Facilities Plan for the Wastewater Treatment Plant for the City of Willmar; and

WHEREAS, a proposal has been made by, and an agreement prepared to retain, the firm of Bonestroo and Associates in a not-to-exceed amount of \$30,000.00 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.

BE IT FURTHER RESOLVED that funding for said services be from Waste Treatment - Treatment Professional Services.

Dated this 2nd day of September, 1998.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 Staff presented to the Committee a request for final payment to Baker Electric for the 1998 Street Lighting Project in the areas of Fairway Drive, 10th Street SW and Richland Avenue SW. The Committee was recommending to the Council to accept the project and approve final payment in the amount of \$18,097.08.

Resolution No. 3 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. 3

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

PROJECT NUMBER: 9804
IMPROVEMENT: 1998 Street Lighting Improvements

Contractor:	Baker Electric, Inc.
Date of Contract:	May 11, 1998
Begin Work:	July 13, 1998
Complete Work:	August 17, 1998
Approve, City Engineer:	August 25, 1998

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that:

1. The said Project No. 9804 be herewith approved and accepted by the City of Willmar.

2. The following summary and final payment be approved:

Original Contract Amount:	\$19,322.90
Final Net Contract Amount, Proposed:	\$19,322.90

Actual Final Contract Amount as Constructed: \$18,097.08

FINAL PAYMENT DUE CONTRACTOR: \$18,097.08

Dated this 2nd day of September, 1998.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Public Works/Safety Committee Report of August 25, 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 Kelly, and carried.

Announcements for Council Committee meeting dates were as follows: Public Works/Safety, September 8; Labor Relations/Finance, September 9; and Community Development, September 9, 1998.

The Mayor and Council considered temporary exemptions from assessments of certain lands currently used for agricultural purposes. Following discussion, Resolution No. 4 was introduced by Council Member Kelly, seconded by Council Member Christianson, and carried on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

WHEREAS, the City Council of the City of Willmar, Minnesota, did order the installation of certain street and other improvements made under Projects No. 9801, 9301 and 9101, and certain sewer and water main improvements made under Projects No. 9801, 9701, 9303, 9202, 9004, 9002, 7402 and 6905; and

WHEREAS, Section W of the City of Willmar Comprehensive Assessment Policy allows the City to temporarily exempt from assessments certain lands currently used for agricultural purposes; and

WHEREAS, certain property owners have made application to the City for delayed payment of taxes on special assessments and have met the criteria contained in the Comprehensive Assessment Policy for said deferment;

NOW, THEREFORE, BE IT RESOLVED by the Willmar City Council that special assessments as hereinafter designated be certified to the County and deferred until such property is developed or upon approval of the final plat, and that no interest be charged until such time.

BE IT FURTHER RESOLVED that upon development or plat approval that a tapping fee shall be based on the project year bid price per front foot or unit, or on the current year costs at the time of connection/platting, whichever is greater: (list of property owners on file in the City Clerk's Office)

Dated this 2nd day of September, 1998.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Mayor Heitke was recommending to the Council the reappointment of Val Swanson to the Park and Leisure Services Board, and the appointment of Dr. William Knoflicek to the Pioneerland Library System Board. Council Member Reese offered a motion to approve the appointments as presented with Council Member Fagerlie seconding the motion, which carried.

Council Member Reese expressed concerns regarding the recreational burning ordinance. Following discussion, Council Member Reese offered a motion to refer the ordinance to the Public Works/Safety Committee for further consideration. Council Member Kelly seconded the motion, which carried.

Staff informed the Mayor and Council that the canvassing of ballots from the September 15, Primary Election is scheduled for 6:45 p.m. on September 16, 1998.

There being no further business to come before the Council, the meeting adjourned at 7:38 p.m. upon motion by Council Member Halterman, seconded by Council Member Reese, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL