

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

October 21, 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, Nancy Houlahan, Vince Van Heuveln, and Rick Fagerlie; Present 8, Absent 0.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Parks and Leisure Services Director Dale Johnson, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, Police Captain Jim Kulset, and City Clerk Kevin Halliday.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of October 7, Municipal Utilities Commission Minutes of October 14, Rice Hospital Board Minutes of October 14, Building Inspection Report for September, Housing and Redevelopment Authority Minutes of September 8, Park Board Minutes of October 6, Senior Citizen Council Minutes of October 7, and Planning Commission Minutes of October 14, 1998. Council Member Christianson seconded the motion, which carried.

At 7:02 p.m. Mayor Heitke opened the hearing on an Ordinance Regulating the Use of Barbecue Grills and Regulating the Storage of Fuels in Residences with Three or More Living Units in the City of Willmar. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closing the hearing at 7:02 p.m.

Council Member Kelly offered a motion to adopt, assign a number, and order final publication of an Ordinance Regulating the Use of Barbecue Grills and Regulating the Storage of Fuels in Residences with Three or More Living Units in the City of Willmar. Council Member Reese seconded the motion, which carried on a roll call vote of Ayes 6, Noes 1 - Council Member Christianson voted "No."

The Public Works/Safety Committee Report of October 13, 1998, was presented to the Mayor and Council by Council Member Reese. There were two items for Council consideration.

Item No. 1 Steve Klein of Barr Engineering was present to review with the Committee the draft Stormwater Management Ordinance. Mr. Klein briefed the Committee on the reasons for developing an ordinance within the City. Much of the City's infrastructure was designed before today's standards. The proposed ordinance would allow for orderly development, prevent negative impacts to existing facilities and unplanned flooding, allow the City to comply with State and Federal mandates, and help prevent accelerated degradation of the City's water and natural resources.

The Committee reviewed the modeling maps of the City developed by Barr Engineering, which showed possible problem/flood areas. Solutions discussed were the development of ponding areas to alleviate the problem and funding for improvements from a monthly stormwater utility fee charged to all residents.

The Committee was recommending to the Council that the Committee review the draft ordinance and bring comments to the November 10 Public Works/Safety meeting, with final presentation at the November 18 City Council meeting to introduce for hearing on December 2, 1998. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Christianson seconding the motion, which carried.

Item No. 2 Staff informed the Committee of the availability of adjacent

property to Eastside Park. The City was notified that the parcel in question has been tax forfeited, and the City can acquire this land at no cost provided it stays for public purposes. The Committee was recommending to the Council to authorize staff to proceed by making application for the property to the County, with final approval to come from the City Council. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Fagerlie seconding the motion, which carried.

The Committee considered a request from the Pheasant Meadows Association relative to outlots they would like to donate to the City for park. Following discussion, it was the consensus of the Committee that there was no benefit to the City to acquire this property. This matter was for information only.

The Public Works/Safety Committee Report of October 13, 1998, 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 of October 14, 1998, was presented to the Mayor and Council by Council Member DeBlieck. There were five items for Council consideration.

Item No. 1 The Committee considered an Ordinance for the adoption of the amended State Building Code. The Committee discussed the mandatory and discretionary code sections. Due to changes in the mandatory code, only four discretionary chapters were suggested for local adoption.

The Committee was recommending to the Council that the Ordinance be introduced for a public hearing. Council Member DeBlieck offered a motion to introduce the Ordinance Adopting the Minnesota State Building Code as Revised and to schedule a hearing on November 4, 1998. Council Member Kelly seconded the motion, which carried.

Item No. 2 The Committee discussed the upcoming efforts by the ISO to analyze and rate the effectiveness of the City's building code program. Staff will keep the Council informed as the process evolves. This matter was for information only.

Item No. 3 The Committee discussed the proposed transfer of the local franchise from TCI to Bresnan. The Committee was recommending to the Council that a public hearing be held on November 18, 1998, to discuss the impacts of the proposed cable franchise transfer on cable subscribers. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 4 Staff presented to the Committee Change Order #2 for the Library project. The three parts to the change order are as follows: reconstruction of a soffit area altered under Change Order #1; changes to footings necessitated by conditions discovered after excavation; changes to the main entry (stairs and ramp) to improve function and safety for library users.

The Committee was recommending to the Council that the Change Order be accepted. Resolution No. 1 was introduced by Council Member DeBlieck, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0, Council Member Houlahan abstained from voting.

RESOLUTION NO. 1

WHEREAS, a contract has been awarded to Nelson Construction Company, Inc., on May 29, 1998, in the amount of \$2,965,000 for the construction of an addition to and renovation of the Willmar Public Library; and

WHEREAS, Change Order No. 1 in the amount of \$1,270.00 has previously been authorized; and

WHEREAS, it is desired to add additional work to the above contract.

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

1. Additional work is herewith authorized to be added to the above contract estimated to be \$12,000.00.
2. Funding for the additional work is from the G. O. Sales Tax Revenue Bond.

Dated this 21st day of October, 1998.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee discussed an informal staff proposal to establish a penalty for persons who fail to appear at scheduled rental inspections. The problem is growing larger, and the efficiency and cost effectiveness of the inspection program is being diminished. Staff was directed to prepare a proposed ordinance change and place the matter on a future agenda. This matter was for information only.

The Community Development Committee Report of October 14, 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 Christianson, and carried.

The Mayor and Council considered an Ordinance to Amend the Zoning Ordinance to allow restaurants as a conditional use in LB districts adjacent to the Central Business District. It was noted the Planning Commission considered and approved the amendment. Council Member Van Heuveln offered a motion to introduce the Ordinance Amending Municipal Ordinance No. 1060, the Willmar Zoning Ordinance and schedule a hearing on November 4, 1998. Council Member Christianson seconded the motion, which carried.

The Mayor and Council considered a request from Koosman Construction for a twin-home plat of Eagles Landing Phase II. It was noted the Planning Commission approved the plat with the following conditions: an easement requested by the City be added, the name is to be changed to be consistent with the previous twin-home plat, and existing assessment are to be paid off or reapportioned. Council Member Kelly moved to approve the Koosman twin-home plat with Council Member Reese seconding the motion, which carried.

The Mayor and Council considered an Ordinance to Rezone Certain Lands from Ag to GB. It was noted Robert Shaffer has proposed rezoning approximately nine acres on the east side of Lakeland Drive Northeast from Agriculture to General Business. No immediate development plans have been offered. The Planning Commission has approved the rezoning. Council Member Reese offered a motion to introduce an Ordinance Amending Ordinance No. 1060 to Rezone Certain Property with Council Member Fagerlie seconding the motion, which carried.

Information Systems Coordinator Paula Larson presented to the Mayor and Council a Year 2000 Compliance Status Report. Ms. Larson discussed the computer hardware status of the various departments and the associated plans to upgrade the pre-pentium computers currently in use. She reviewed the "firmware" concerns and detailed the many areas of concern due to the imbedded processing chips in items such as traffic lights, elevators, heating and air conditioning units. The procedure for contacting vendors to assure Year 2000 compliance was discussed. Ms. Larson summarized the time frames established to prepare the City for full Year 2000 compliance. This matter was for information only.

Announcements for Council Committee meeting dates were as follows: Aquatic Center Task Force, October 27, 1998.

There being no further business to come before the Council, the meeting

adjourned at 7:55 p.m. upon motion by Council Member DeBlieck, seconded by Council Member Kelly, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL