

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

December 7, 1998
8:30 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, Denis Anderson, 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.

An addition to the Agenda included a presentation by United States Senator Rod Grams.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of November 18, Municipal Utilities Commission Minutes of November 23, Pioneerland Library Board Minutes of September 17, Park and Leisure Services Board Minutes of November 17, Zoning Appeals Board Minutes of November 23, and Aquatic Facility Committee Minutes of November 24, 1998. Council Member Christianson seconded the motion, which carried.

The Finance Committee Report of November 23, 1998, was presented to the Mayor and Council by Council Member Kelly. There were four items for Council consideration.

Item No. 1 Chairman Kelly recognized HRA Executive Director Dorothy Gaffaney who presented to the Committee a summary of HRA activities and programs and the proposed fiscal year 1998 -1999 budget. It was the consensus of the Committee to consider approval of the HRA 1999 levy in the amount of \$62,689 at the December 16, 1998, Council meeting. This matter was for information only.

Item No. 2 Mid-Minnesota Development Commission Executive Director Gene Hippe appeared before the Committee to present information on the Senior Dining Program in Region Six East. The Senior Dining Program in Willmar is currently held at the VFW, serving an average of 85 seniors a day. The VFW has requested financial assistance to offset approximately \$600 to \$700 in additional Club costs per month for the Program. The group discussed a number of ways for financial support.

The Committee discussed the City's Meals-on-Wheels Program versus the Area Agency on Aging Home Delivery Program. Mr. Hippe offered to explore alternatives and report back to the Committee. It was the consensus of the Committee to include funding as proposed for the Area Agency on Aging Senior Dining Program. This matter was for information only.

Item No. 2 Mayor Heitke presented to the Committee introductory remarks and a review of the 1999 Proposed Budget. Mayor Heitke welcomed new Council Members and explained the Budget schedule and process. The Mayor then reviewed the City's Mission Statement and Community Values, Organizational Chart, Revenues and Expenditures, and expressed concerns with LGA and HACA, unfunded mandates and tax reform.

City Administrator Schmit presented an overview of the proposed budget and departmental funds.

Finance Director Okins reviewed with the Committee several Truth-in-Taxation sample notices indicating the City's share of the tax base. This matter

was for information only.

Item No. 4 The Committee reviewed the various departmental budgets and the following programs were discussed in detail:

- A. Building Permits and revenue.
- B. COPs Program and the addition of two officers.
- C. Public Works Department and the addition of one employee.
- D. \$900,000 Capital Outlay Program and the consideration of contributing some money to the Arts in the form of an endowment fund.

Following considerable discussion regarding the 1997 \$900,000 fund balance, it was the consensus of the Committee to consider designating funds for Capital Improvements at the December 16, 1998, Council meeting. This matter was for information only.

The Finance Committee Report of November 23, 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 November 24, 1998, was presented to the Mayor and Council by Council Member Reese. There were six items for Council consideration.

Item No. 1 The Committee discussed the connection of 9th Street SW from Richland Avenue to 200 feet south of 19th Avenue. Area residents were invited to attend and voice their views. The street was originally included in the 1998 Improvement Report and the decision was made to remove and wait and see what impact the extension of Richland Avenue would have on the traffic.

Residents from both 8th and 9th Streets spoke for and against the extension of the street. Concerns such as increased traffic and safety issues were discussed. It was the consensus of the Committee to study the situation further and for staff to make a recommendation at the next meeting whether or not 9th Street SW should be included in the 1999 Improvement Report. This matter was for information only.

Item No. 2 Steve Klein of Barr Engineering presented to the Committee a final draft of the Storm Water Management Ordinance as amended by previous Committee. Staff recommended introducing the ordinance for a hearing.

Mr. Klein also presented the draft Storm Water Management Plan developed for the City of Willmar. The plan includes information identifying possible flooding areas, impacts on the system, and water quality issues. The plan was prepared to assist with long-range planning and development of the City.

The Committee was recommending to the Council to accept the draft Stormwater Management Plan, approve the Stormwater Ordinance as presented, and introduce it to the Council for hearing. Council Member Reese offered a motion to approve the recommendation of the Public Works/Safety Committee and introduce the Stormwater Management Ordinance holding the hearing on January 11, 1999. Council Member Kelly seconded the motion, which carried.

Item No. 3 The Committee reviewed information received from Bonestroo and Associates in relation to additional costs for engineering services for the W.T.P. Trickle Filter Media Replacement Project. The original agreement was for a not-to-exceed amount of \$5,210 for engineering services over a sixty-day period. Because the media removal/replacement project will be extended into April, 1999, Bonestroo and Associates requested an extension of additional \$7,000 the end of October, and then revised that estimate to an increase of \$11,800 in November. Staff reviewed the requests and recommends increasing the original agreement by \$4,360. This will compensate Bonestroo and Associates for a complete re-bid and award of the media and three additional site visits.

The Committee was recommending to the Council to add to the existing contract in the amount of \$4,360. Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Van Heuveln, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

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 of the City of Willmar are hereby authorized to enter into a contract amendment to the agreement between the City of Willmar and Bonestroo, Rosene, Anderlik and Associates for the engineering services for the removal and replacement of the trickling filter media at the Wastewater Treatment Plant. The contract amendment is not to exceed \$4,360.00.

Dated this 7th day of December, 1998.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 The Committee reviewed the final payment to Duininck Brothers for Project No. 9701 - 1997 Street Improvement Project. The project was substantially completed in 1997 except for a few catch basins and the final wear course. The Committee was recommending to the Council to accept the project and authorize final payment in the amount of \$28,957.58 to Duininck Brothers. Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Van Heuveln, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

PROJECT NUMBER: 9701
IMPROVEMENT: 1997 Street Improvements

Contractor:	Duininck Brothers
Date of Contract:	June 11, 1997
Begin Work:	June 11, 1997
Complete Work:	June 15, 1998
Approve, City Engineer:	November 24, 1998

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

1. The said Project No. 9701 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

Original Contract Amount:	\$574,345.25
Change Orders (none)	0.00
Final Net Contract Amount, Proposed:	\$574,345.25
Actual Final Contract Amount as Constructed:	\$563,001.66
Less Previous Estimate No. 1	534,044.08
FINAL PAYMENT DUE CONTRACTOR:	\$ 28,957.58

Dated this 7th day of December, 1998.

/s/ Lester Heitke

MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Committee reviewed the final payment to Duininck Brothers for the Eagles Landing Development Project in the amount of \$22,965.67. The project is complete and came in under budget. The Committee was recommending to the Council to accept the project and authorize final payment to Duininck Brothers. Resolution No. 3 was introduced by Council Member Reese, 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: 9704
IMPROVEMENT: Eagles Landing Phase II Development

Contractor: Duininck Brothers
Date of Contract: June 11, 1997
Begin Work: June 24, 1997
Complete Work: June 15, 1998
Approve, City Engineer: November 24, 1998

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

1. The said Project No. 9704 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

Original Contract Amount:	\$424,027.20
Change Orders (none)	0.00
Final Net Contract Amount, Proposed:	\$424,027.20
Actual Final Contract Amount as Constructed:	\$402,864.45
Less Previous Estimate No. 1	379,898.78
FINAL PAYMENT DUE CONTRACTOR:	\$ 22,965.67

Dated this 7th day of December, 1998.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee discussed concerns from area residents of semi-tractors using Willmar Avenue in the early morning hours and directed staff to increase police patrol. This matter was for information only.

Item No. 6 The Committee discussed concerns from residents of the roller coaster effect of First Street south of 19th Avenue to the entrance of Wal Mart. Staff explained the street was built correctly and had to be designed that way in order to handle storm water drainage effectively. This matter was for information only.

The Public Works/Safety Committee Report of November 24, 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.

At this time Mayor Heitke recognized United States Senator Rod Grams. Senator Grams explained his "Explore Minnesota Tour" intended to talk to business leaders, elected officials, farmers, and others to get an understanding of the issues in the area. He discussed various issues pending before Congress including deregulation of energy, water quality and environment issues, federal budget reform, social security concerns, defense spending and morale of military personnel, and the crop exportation/farming issues. The Mayor thanked Senator Grams for his visit to the community.

The Labor Relations Committee Report of December 1, 1998, was presented to the Mayor and Council by Council Member Reese. There were five items for Council consideration.

Item No. 1 Representatives of the Willmar Fire Department were present to discuss with the Committee a proposed increase in hourly compensation. The Department was suggesting an increase of \$.50 per hour annually through the year 2005, which would increase the hourly rate from \$12.00 to \$15.00. The Committee reviewed information detailing a history of Departmental wage increases and a salary and benefit survey provided by the League of Minnesota Cities regarding compensation packages for Fire Departments throughout the State. Following discussion it was the consensus of the Committee to request additional information through the Office of the City Administrator and to schedule further consideration of this matter at a Labor Committee on December 8, 1998. This matter was for information only.

Item No. 2 The Committee reviewed a proposed Ordinance establishing the Willmar Municipal Airport Commission and detailing its duties and responsibilities. It was the consensus of the Committee to accept the proposed Ordinance with an amended Section 1B requiring that the members of the Commission be residents of the City.

The Committee was recommending to the Council approval the Ordinance as revised. Council Member Reese offered a motion to introduce an Ordinance Establishing the Willmar Municipal Airport Commission and Providing for its Duties and Responsibilities and to schedule a hearing on January 11, 1999. Council Member DeBlieck seconded the motion, which carried.

Item No. 3 The Committee received a recommendation from staff to include a section in the Personnel Policy standardizing markings on uniforms and clothing and define appropriate apparel for different employment situations. The Committee was recommending to the Council approval of the revised Personnel Policy. Council Member Reese moved to approve the recommendation of the Labor Relations Committee with Council Member Christianson seconding the motion, which carried.

Item No. 4 The Committee reviewed staff recommendations for 1999 part-time salary rates, and was recommending to the Council approval of the rates as presented. Council Member Reese moved to approve the recommendation of the Labor Relations Committee with Council Member DeBlieck seconding the motion, which carried.

Item No. 5 The Committee briefly discussed the process and schedule for the annual performance review of the City Administrator. The Committee set Tuesday, January 5, 1999, as the date to meet and complete the performance evaluation and contract talks. This matter was for information only.

The Labor Relations Committee Report of December 1, 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 Kelly, and carried.

The Mayor and Council considered a request from the Municipal Utilities Commission to certify the unpaid utility charges of various properties as a lien on the real property. Following discussion, Resolution No. 4 was introduced by Council Member DeBlieck, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

WHEREAS, Section 16-127 of the Willmar City Code states that such unpaid utility bills represent a lien of the real property receiving utility services; and

WHEREAS, the Willmar Municipal Utilities Commission has offered the owner his right to request an appearance before the Commission to make objections to payment; and

WHEREAS, the Willmar Municipal Utilities Commission has adopted Resolution No. 47 on November 23, 1998, requesting the Willmar City Clerk-Treasurer to certify the unpaid utility charges as a lien on the real property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the amount of the unpaid utility charges totaling \$1,713.17 be certified to the County Auditor to be extended on the tax rolls of such real property in the same manner as other taxes for collecting in 1999 and collected by the County Treasurer, and paid to the City Clerk-Treasurer along with other taxes; and

BE IT FURTHER RESOLVED that the unpaid utility charges be certified against the real property as follows: (on file in the City Clerk's Office)

Dated this 7th day of December, 1998.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Announcements for Council Committee meeting dates were as follows: Labor Relations, December 8; Public Works/Safety, December 8; and Community Development, December 10, 1998.

Council Member Reese offered a motion to approve the Mayor's appointment of Nancy Allinder and Jean Clark to the Willmar Convention and Visitors Bureau. Council Member Kelly seconded the motion, which carried.

There being no further business to come before the Council, the meeting adjourned at 9:23 p.m. upon motion by Council Member Christianson, seconded by Council Member Kelly, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL