

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

March 20, 2006
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, Bruce DeBlieck, Denis Anderson, Cindy Swenson, Rick Fagerlie, Jim Dokken, and Steven Gardner; Present 8, Absent 1 - Ron Christianson was excused from the meeting.

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, and City Clerk Kevin Halliday.

Proposed additions to the agenda included consideration of Café Persepolis liquor license request.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of March 6, Rice Hospital Board Minutes of March 1, Municipal Utilities Commission Minutes of March 13, Planning Commission Minutes of March 8, and Housing and Redevelopment Authority Minutes of February 14, 2006. Council Member DeBlieck seconded the motion, which carried.

At 7:03 p.m. Mayor Heitke opened a hearing on an Ordinance Amending No. 1060 Known as the Willmar Zoning Ordinance by Amending Section 5 Relating to Portable and Temporary Signs. Planning and Development Services Director Peterson presented details of the proposed Ordinance. There being no one present to speak for or against the proposed Ordinance Mayor Heitke closed the hearing at 7:04 p.m.

Council Member Reese offered a motion to adopt, assign a number, and order final publication of the Ordinance Amending No. 1060 Known as the Willmar Zoning Ordinance by Amending Section 5 Relating to Portable and Temporary Signs. Council Member Anderson seconded the motion which carried on a roll call vote of Ayes 7, Noes 0.

Mayor Heitke acknowledged that no one had signed up to address the City Council during its scheduled Open Forum.

The Public Works/Safety Committee Report for March 14, 2006, was presented to the Mayor and Council by Council Member Reese. There were nine items for Council consideration.

Item No. 1 The Committee considered a request from staff to apply for a 2006 Fire Act Grant to purchase a custom rescue truck and equipment to be used for confined space, high angle, and slope and trench rescue. The estimated cost of the unit is \$393,000 and \$120,000 in equipment. The Federal requirement for this grant would be a 5 percent local match. To improve the City's ability to secure the grant, Chief Calvin is requesting up to \$150,000 match to the grant from the Department's 2007 Vehicle Replacement Fund. It was noted that currently there is not a unit in Kandiyohi County for trench rescues, with the closest available equipment in the metro area.

The Committee was recommending the Council authorize staff to apply for the 2006 Fire Act Grant as requested. Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 1

BE IT RESOLVED, by the City Council of the City of Willmar to support staff's submittal of a grant application to FEMA for the 2006 Fire Service Grant requesting financial support for purchase of fire equipment.

Dated this 20th day of March, 2006.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 2 The Committee considered a request from the Downtown Ministry Committee at Bethel Lutheran Church in conjunction with the Willmar Design Center for a "Becker Market" every Thursday this summer. Plans are to offer farmers products as well as organic produce and unusual items for sale to the public. The request includes blocking off Becker Avenue between 4th and 5th Streets beginning at noon until dark starting June 1, and ending August 31, 2006.

The Committee discussed safety concerns, the expectations of the Public Works and Police Departments, and conflicts with other activities such as Willmar Fests. It was the consensus of the Committee to ask Ms. Beverly Dougherty to gather more details and bring the request back for further discussion. This matter was for information only.

Item No. 3 The Committee reviewed information from meetings between the Minnesota Department of Transportation (MnDOT), Kandiyohi County, and the City of Willmar pertaining to the State transferring ownership of a portion of Trunk Highway 294 over to the City. The segment is 0.9 miles long and runs from North Business 71 to County Road 24 through the Willmar Regional Treatment Center Campus. MnDOT will dedicate \$150,000 in Highway Turnback Funds to the City for improvements and allow it to be placed on the Municipal State Aid System. It was noted that this resolution did not include the portion from County Road 24 north along TH 23/71 until a long-term solution is worked out for intersection and other improvements.

The Committee was recommending the Council adopt the resolution accepting the turnback of this section of TH 294. Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

TRUNK HIGHWAY TURNBACK
TRUNK HIGHWAY 294

WHEREAS, Trunk Highway 294 (TH 294) is a north-south collector highway that runs from North Business 71 to TH 23/71 and serves the Willmar Regional Treatment Center; and

WHEREAS, the State of Minnesota is disposing of State property including the Willmar Regional Treatment Center; and

WHEREAS, the Minnesota Department of Transportation will not have a need for TH 294; and

WHEREAS, TH 71 from County Road 24 to TH 23/71 Bypass is excluded from this turnback until an agreeable long term solution is determined, and

WHEREAS, trunk highway turnback funds of \$150,000 will be provided for funding improvements as a result of this turnback; and

WHEREAS, this section of road will be added to the City of Willmar's Municipal State Aid Street System.

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Willmar will accept the turnback of the portion of TH 294 as described above.

Dated this 20th day of March, 2006.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 The Committee discussed the localized storm water ponding problem at the intersection of 10th Street and Kandiyohi Avenue SW. Since 1992 the City has installed eight additional catch basins, yet the storm water continues to surge back out of the catch basins and gathers approximately two feet deep in the intersection.

Solutions discussed were replacing the large pipe with an even larger pipe all the way to Ditch 23-A, regrading the intersection or storing flood waters below the street, or ponding the water either upstream or downstream at various green space areas. In two green space areas researched, due to the elevation, the ponds would not be effective. Another area suggested is the ball diamond near Kennedy School which appears to be several feet lower. It was the consensus of the Committee to seek a proposal from Barr Engineering to determine the feasibility of a pond and bring this information back to Committee for discussion and approval. This matter was for information only.

Item No. 5 The Committee received the February monthly report summary prepared by Donohue and Associates for the WWTP Relocation Project. The report summarizes various meetings held updating Council Members and staff on the progress of the relocation project. It also covers contacts with the MPCA to discuss reporting requirements required in the NPDES Permit and a study being developed to determine the effect of the estimated flows into Hawk Creek from the project to aid in the permitting process. This matter was for information only.

Item No. 6 The Committee reviewed the status of the Aviation Fueling System for the new airport. The process started in August, 2005 when bids received came in much higher than budgeted. Specifications have been revised since then to include comments from both the Airport Commission and staff. Comments have been incorporated and plans will be ready for an April 17,

2006, bid letting.

The Committee was recommending the Council approve the plans and specifications and call for bid. Resolution No. 3 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

BE IT RESOLVED by the Willmar City Council that revised plans and specifications for the Airport Aviation Fuel System be approved and that the City Administrator is authorized to call for bids to be opened on April 17, 2006.

Dated this 20th day of March, 2006.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 7 The Committee was informed by Staff that the City has been approached by a landowner who has indicated a willingness to discuss with the City a 60-acre parcel of land closer to the City limits for construction of the new plant. Upon receipt of this information, staff wanted to ensure that all possible options be explored for relocating the facility. Donohue and Associates was contacted and asked to conduct a cost comparison analysis of the site as well as a second alternative in or by the new industrial park.

Following discussion, the Committee was recommending to the Council that the City not pursue the alternative sites and direct staff and Donohue and Associates to follow through with the original site and Facilities Plan. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Gardner seconding the motion, which carried.

Item No. 8 The Committee considered quotes for the 2006 Crack Sealing Improvements. The project consists of approximately 28,000 pounds of crack sealer applied to about two miles of City streets. The low quote was submitted by L & M Services of Belgrade, Minnesota, at a cost of \$0.75 per pound with a total cost of approximately \$21,000.

The Committee also considered quotes for the 2006 Pavement Marking Improvements. This year's project includes approximately 113,600 lineal feet of yellow striping and 78,600 lineal feet of white striping. The low quote was submitted by AAA Striping Service Co. from Rogers, Minnesota at a cost of \$0.041 per lineal foot with a total cost of approximately \$7,880.20. This matter was for information only.

Item No. 9 The Committee discussed information from Burlington Northern Santa Fe Railroad regarding the replacement of a railroad bridge over Hawk Creek near Viking Coke. Construction is planned to start in May with completion in July and will be performed internally by BNSF staff. This matter was for information only.

The Public Works/Safety Committee Report for March 14, 2006, 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 Gardner, and carried.

The Community Development Committee Report for March 16, 2006, was presented to the Mayor and Council by Council Member DeBlieck. There were nine items for Council consideration.

Item No. 1 The Committee discussed information regarding options for protecting Burlington Northern Santa Fe railroad crossings in a “quiet zone.” Options include the use of quad gates and medians. Estimates from BNSF were in the range of \$200,000 per crossing to retrofit each crossing at 7th, 10th and 19th Streets, as well as Trott Avenue. The Committee discussed at length the desire by BNSF to close the 10th Street crossing. Following discussion, the Committee requested that staff provide additional information regarding the “quiet zone” option and data with respect to the 10th Street crossing. This matter was for information only.

Item No. 2 The Committee reviewed a draft copy of an Airport Marketing Plan developed in conjunction with the Economic Development Commission. The matter will be brought back to Committee following review by the Airport Manager and Airport Commission when possible. This matter was for information only.

Item No. 3 The Committee received an update on the activities of the Community Marketing Coalition. The All America City designation has been a focus of CMC advertising efforts since last summer, and plans are to market the All America City award again in 2006. The advertising schedule will be centered on certain dates to take advantage of higher visitor traffic in the community. This matter was for information only.

Item No. 4 The Committee discussed philosophies for the sale of land at the expanded industrial park. It was the consensus of the Committee that the City should not be looking to profit from the sale of land the same as a private developer would. Rather, the City’s return should come from tax-base enhancement and employment growth. At a minimum, however, it was agreed the City should recover its costs. Staff reminded the Committee that there would be no real estate tax from the property until after 2015, due the JOBZ status afforded that property. It was also recognized that the property currently generates no real estate taxes. The Committee emphasized the need to recoup the City’s costs, including the cost for infrastructure, and that any return to the City should be placed in the Industrial Development Fund for future development activities. Staff will draft a land sale policy and pricing proposal and bring back to the Committee for review at a future date. This matter was for information only.

Item No. 5 Staff informed the Commission that Tom Rosemeier, Building Inspector, had resigned to take a job with the City of Benson. The Committee briefly discussed City strategy for hiring and retaining inspectors. Updates were also offered on the Best Buy project, the Duinink development, and hangar construction and relocation at the new airport. This matter was for information only.

Item No. 6 The Committee was informed by Staff that Willmar had again been named one of the top 100 micropolitan communities in the nation. The designation is based on commercial and industrial construction and development. This matter was for information only.

Item No. 7 Arnie Plowman, member of the Willmar Airport Commission, appeared before the Committee to request that the Commission be reactivated as soon as possible. Mr. Plowman stated that he saw a real need for the Airport Commission to be involved in operations and the transition to the new airport. This matter was for information only.

Item No. 8 The Committee briefly discussed lighting issues in the community. Staff was requested to provide the Committee with a copy of the lighting standards contained in the Zoning Ordinance. This matter was for information only.

Item No. 9 Chair DeBlieck requested that discussion of the Rental Housing Program be placed on a future agenda. This is in response to the City's on-going inability to retain Rental Housing Inspectors. This matter was for information only.

The Community Development Committee Report for March 16, 2006, 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.

The Mayor and Council considered a final plat for Emerald Ponds, a planned unit development for a mix of single family and twin homes. Planning and Development Services Director Peterson presented details of the plat consisting of 46 lots with public roads and one private road. The property was rezoned from Ag to R-2 for owner-occupied and rental property. It was noted the Planning Commission has approved the conditional use permit for a planned unit development and the final plat with conditions. Council Member DeBlieck moved to approve the final plat for Emerald Ponds with Council Member Reese seconding the motion, which carried.

City Clerk Halliday informed the Mayor and Council that International Link Inc. dba Café Persepolis has applied for an on-sale wine and on-sale 3.2 percent malt liquor licenses. The Police Chief has reviewed and found all documents in order. Following discussion, Council Member Reese moved to approve of the request by International Link Inc dba Café Persepolis contingent upon approval of the Certificate of Insurance by the City Attorney. Council Member Anderson seconded the motion which carried on a roll call vote of Ayes 7, Noes 0,

Announcements for Council Committee meeting dates were as follows: Finance, March 28, 2006.

City Administrator Schmit introduced Melissa Galvan, the City's new Airport Manager.

Police Chief Kulset presented to the Mayor and Council the 2005 Police Department annual report. Following a question and answer period, the report was ordered placed on file in the City Clerk's Office.

Planning and Development Services Director Peterson presented to the Mayor and Council the 2005 Planning and Development Services Department annual report. Following a question and answer period, the report was ordered placed on file in the City Clerk's Office.

There being no further business to come before the Council, the meeting adjourned at 8:38 p.m. upon motion by Council Member Reese, seconded by Council Member Anderson, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL