

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

June 5, 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, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, Community Education and Recreation Director Steve Brisendine, Administrative Assistant Audrey Peterson, and City Clerk Kevin Halliday.

Mayor Heitke requested that the Rice Hospital Board Minutes of May 10, 2006, be removed from the consent agenda.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of May 15, Municipal Utilities Commission Minutes of May 22, Planning Commission Minutes of May 24, Housing and Redevelopment Authority Minutes of April 11, Community Education and Recreation Board Minutes of April 28, 2006; and out-of-state travel for Mayor Heitke. Council Member Anderson seconded the motion, which carried.

From the Rice Hospital Board Minutes, Mayor Heitke recognized the numerous volunteers who served Rice Memorial Hospital in 2005 and noted the hiring of the new Chief Financial Officer, Bill Fenske. The Rice Hospital Board Minutes for May 10, 2006, were approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese, seconded by Council Member Anderson, and carried.

At 7:06 p.m. Mayor Heitke opened an assessment hearing for the 2006 Street and Other Improvements and explained the purpose of the hearing is to review the project costs and explain the proposed assessments, and to obtain testimony from interested parties. Public Works Director Odens presented cost details of the 2006 improvements which include street reconstruction, new development, overlay, street lighting, signal system, airport apron extension, walk paths, and crack sealing. Kristine Miller, 16<sup>th</sup> Avenue Southwest, objected to her assessments; and Steve Roehl, Olena Avenue, expressed concern with speeding on Olena. Mayor Heitke read a letter from Fufa Hundera Birru and Tsedale Tadesse objecting to the assessments. Upon hearing all those who wished to be heard, Mayor Heitke closed the hearing at 7:31 p.m.

Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

**RESOLUTION NO. 1**

DECLARING COST TO BE ASSESSED AND  
ORDERING PREPARATION OF ASSESSMENT ROLL  
IN CONNECTION WITH 2006 STREET AND OTHER IMPROVEMENTS  
(PROJECT NO. 0601)

WHEREAS, contracts have been let for the construction of Street and Other Improvements of 2006 in the City, to-wit: City Project No. 0601 and;

WHEREAS, the total cost of said Street and Other Improvements of 2006 is \$1,537,952.50.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. The City Council hereby determines that the City shall pay \$835,366.68 of said cost, exclusive of the amount it may pay as a property owner, and the sum of \$702,585.82 shall be assessed against benefited property owners based upon benefits received without regard to cash valuation.
2. The Clerk-Treasurer, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land without regard to cash valuation as provided by law, and he shall file a copy of such assessment in his office for public inspection.
3. The Clerk-Treasurer shall, upon the completion of such assessment, notify the City Council thereof.

Dated this 5<sup>th</sup> day of June, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 2 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. 2

ADOPTING ASSESSMENT ROLL

WHEREAS, pursuant to notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for 2006 Street and Other Improvements, and has amended such proposed assessment as it deems just;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. Such proposed assessment, the sum of \$708,585.80, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein is hereby found to be benefited by the proposed improvement.
2. Such assessments shall be as follows:
  - A. The assessments shall be payable in equal annual installments extending over a period of ten (10) years, the first of said installments to be payable with general taxes

for the year 2007, collectible with such taxes during the year 2007.

B. To the first installment shall be added interest at the rate of seven (7.00) percent per annum on the entire principal amount of the assessment from the date of the bond sale, approximately July 3, 2006, until December 31, 2007. To each subsequent installment, when due there shall be added interest for one year at said rate on the unpaid principal amount of the assessment.

C. The owner of any property so assessed may at any time prior to the certification of the assessment or the first installment thereof to the County Auditor (Treasurer), pay the whole of the principal amount of the assessment on such property with interest accrued to the date of payment to the City Clerk-Treasurer, except that no interest shall be charged if the entire assessment is paid by October 31, 2006, and such property owner may at any time prior to November 15 of any year pay to the City Clerk-Treasurer the entire principal amount.

3. The City Clerk-Treasurer shall forthwith transmit a certified duplicate copy of this assessment to the County Auditor to be extended on the tax list of the County.

Dated this 5<sup>th</sup> day of June, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Mayor Heitke acknowledged Richard Halterman, 1308 Ella Avenue, who had signed up to address the City Council during its scheduled Open Forum. Mr. Halterman expressed concerns with the noise from trains at crossings and the cost arrangement in the BNSF quiet zone proposals.

The Finance Committee Report for May 22, 2006, was presented to the Mayor and Council by Council Member Anderson. There were five items for Council consideration.

Item No. 1 Kent Skoglund, representing the Willmar Baseball Boosters Association, reported to the Committee on the progress of the Taunton Baseball Stadium Project which was to be completed in four phases. The City of Willmar initially pledged \$30,000 per year for 5 years (2003 through 2007). Mr. Skoglund was requesting an additional pledge from the City of \$30,000 per year for 3 more years (2008 through 2010). Furthermore, since most of the work in Phases 2 and 3 is done, he was requesting that the City pay their full remaining pledge during the summer of 2006 which would include 2007 (the last year of the initial pledge). By receiving these pledges early, the line of credit for this project at Bremer Bank could be substantially paid down. The balance of this loan is presently \$121,800. Mr. Skoglund also stated that he had presented a similar request to the school board to pay their pledges early as well.

Following discussion, the Committee was recommending the Council authorize the prepayment of the 2007 commitment of \$30,000 in 2006 and to defer the additional pledge request of \$90,000 for consideration during the 2007 budget process. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Dokken seconding the motion, which carried.

Item No. 2 Stacey Roberts, Kandiyohi County Chapter of the United Way, appeared

before the Committee to present information on the UCAN Program (United Community Assessment of Needs). United Way is attempting to initiate this program which would assess social, health and human services in Kandiyohi County and would determine where gaps in services exist, if any. Strategies could be developed around priorities and critical needs could be addressed. This assessment would be different from other surveys conducted by various agencies because it is not directed toward a specific area of services.

Ms. Roberts was requesting a contribution of \$10,000 from the City of Willmar to help fund the contracted services to conduct this assessment. United Way will be providing staff time to implement this program as well as numerous volunteers from the community. The targeted completion date is June 30, 2007. The Committee directed staff to search for possible funding sources for consideration at the next City Council meeting.

Following discussion, Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes7, Noes 0.

RESOLUTION NO. 3

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the General Fund Budget as follows:

Increase:	Civic Promotions-UCON	\$ 10,000.00
Increase:	Interest Earnings	\$ 10,000.00

Dated this 5<sup>th</sup> day of June, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 3 The Ad-Hoc Committee Report to the Willmar City Council dated April 17, 2006, for Street Improvement/Reconstruction Recommendations was reviewed by the Committee. Ken Warner, Greg Hilding and Gary Geiger, of the Ad-Hoc Committee, were present to reiterate the conclusions reached in their report. Staff presented information on the status of City streets including streets improved/reconstructed, streets maintained and streets in need of work. Of the streets needing to be improved, there are 10.6 miles that are currently in very poor condition.

Financing these improvements is the greatest obstacle. Currently, 75 percent of reconstruction is paid through street assessments and 25 percent is paid by the City. The Ad-Hoc Committee was recommending that this formula be changed back to the 50/50 split between assessments and City funds. Further funding through a utility hook-up fee or a per month utility franchise fee was also recommended. There was considerable discussion about financing sources as well as the need to accelerate progress on improving City streets. The Ad-Hoc Committee offered to continue working on these issues with the City. This matter was for information only.

Item No. 4 Staff presented a request from the CVB to establish the Strategic Marketing Fund from the Unreserved-Designated Future Budgets balance sheet account. For fund balances, CVB policy requires six months of operating expenses to be held in the Reserved-Designated/Working Capital account. There is also an Unreserved-Designated Petty Cash account

in the amount of \$50. The remaining funds would be placed in the Strategic Marketing Fund annually.

The CVB wishes to establish this fund so that it is accessible to standing CVB Committees to use on a case-by-case basis for opportunities not covered in the regular budget. The CVB Executive Committee would have the authority to approve or decline any request for funding that follows the agreed upon guidelines and does not exceed 10% of the Strategic Marketing Fund balance, or \$5,000 – whichever is less. Any requests above the earmarked amount would require a recommendation from the CVB Executive Committee and approval by the full CVB Board.

It was the consensus of the Committee to table this issue until more information can be obtained and a representative from the CVB can attend to answer questions. This matter was for information only.

Item No. 5 The Committee acknowledged receipt of the following reports: First Quarter/March Rice Hospital, First Quarter Municipal Utilities, April Investment Breakdown, April Local Option Sales Tax, April EDC, April KAT, First Quarter Willmar Foundation, and April Rice Trust. This matter was for information only.

The Finance Committee Report for May 22, 2006, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Dokken, and carried.

The Community Development Committee Report for May 25, 2006, was presented to the Mayor and Council by Council Member DeBlieck. There were six items for Council consideration.

Item No. 1 The Committee reviewed information submitted by Staff relative to a proposed town home project and the request by the HRA and Southwest Minnesota Housing Partnership (SWMHP) for City participation. Ms. Gaffaney presented information about rental vacancy rates, which are low and noted that grant funds were approved under a PILOT program to assist the proposed town home project. Rick Goodeman, of the SWMHP, explained the site search process for the project, and how it led to the proposed site in Southeast Willmar owned by the City and noted that applications for tax credits are due on June 20, 2006. City participation increases the application score and chances for funding approval. Mr. Goodeman said the proposed project would consist of nine buildings, seven, 4-unit buildings and two, 6-unit buildings. Building elevations and floor plans were reviewed, as was a draft site plan. Mr. Goodeman made the request for conveyance of the property from the City to the Willmar HRA.

Staff stated support for the project and outlined the Charter process for the City to convey real estate. Council Member Christianson questioned the need for additional subsidized housing and the detrimental impact that this type of housing might have on existing rental properties. Council Member Dokken stated his support for Council Christianson's position and requested additional time to review the housing study.

There were a number of individuals present and Chairman DeBlieck asked for public comments. Chair DeBlieck reminded the Committee that the question before them was whether or not the City should convey the property as requested. Staff reiterated support for the conveyance as a means to address identified housing needs and to provide a reasonable land use transition from an R-2 district to General Business and higher density residential districts. Steve Renquist of the joint EDC advocated for affordable workforce housing, citing the workforce that commutes to Willmar each day. Following discussion, the Committee received the matter for information only.

and transmitted it to the Council without a recommendation.

Mayor Heitke opened the matter for discussion. A number of residents from the area appeared before the Mayor and Council to voice their objections to the housing proposal. A petition in opposition to the proposal signed by property owners of Pleasantview Addition was presented the Mayor and Council. Representatives of the HRA and SWMHP also appeared before the Mayor and Council to answer questions.

Following a lengthy discussion, Council Member DeBlieck moved that the City go on record in support of the housing proposal but not at the 13<sup>th</sup> Street site, that staff work with the HRA to identify another site, and the City-owned property on 13<sup>th</sup> Street Southeast be referred to the Planning Commission. Council Member Anderson seconded the motion. Council Member Gardner moved to amend the motion to pass a resolution supporting the housing development project, and deed lots 7 through 18 of Pleasant View Third Addition to the Willmar HRA, contingent upon approval of said conveyance, zoning changes and site approval plans by the Planning Commission and the City Council, and to authorize Staff to work with the HRA on site development standards and possible reduction of permit fees. The motion died for the lack of a second. The original motion then carried.

Resolution No. 4 was introduced by Council Member DeBlieck, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 1 – Council Member Gardner voted “No.”

#### RESOLUTION NO. 4

#### SUPPORTING SUBMISSION OF A FINANCING APPLICATION

WHEREAS, the City of Willmar has documented a critical need to provide affordable housing options to low and moderate income residents, and

WHEREAS, the proposal as proposed by the Willmar Housing and Redevelopment Authority and the Southwest Minnesota Housing Partnership is to develop forty (40) affordable housing units serving both low and very low income residents is consistent with addressing a defined housing need, and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Willmar finds that this proposed housing development meets a documented community development need within the City of Willmar and supports the submission of a financing application to the Minnesota Housing Finance Agency and to the Greater Minnesota Housing Fund.

Dated this 5<sup>th</sup> day of June, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Mayor Heitke called for a recess at 10:04 p.m. and reconvened the meeting at 10:07 p.m.

Item No. 2 Steve Salzer, of MinnWest Technology Campus, appeared before the Committee to request the vacation of right-of-way to allow sign placement at the intersection of

Civic Center Drive and Business Highway 71. The site is the preferred location of the company because it maximizes exposure. The site is a large remnant of preexisting highway right-of-way that was turned back to the City. The Committee discussed options for placing a sign at that location. Chair DeBlieck asked if the City could just grant an easement to the company to place their sign on public right-of-way. Liability issues were discussed.

The Committee was recommending to the Council that the City support the location of a MinnWest Technology sign at that location, to investigate the easement option, and bring the matter back to the Committee with an opinion from the City Attorney. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 3 The Committee continued discussion of the “quiet zone” concept for several railroad crossings in Willmar. Information from the City of Minnetonka was reviewed and discussed. Safety improvements for crossings in Willmar have been estimated to cost as much as \$250,000 per crossing.

The Committee was recommending the Council refer the matter of financing “quiet zone” improvements to the budget process. 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 a request from an attorney representing Dwight Barnes for an easement across City-owned property south of Pacific Avenue to access the east side of the Barnes property that is north of Benson Avenue. A carport has been erected at this location on the Barnes property, but Mr. Barnes has no legal access to the site. The City property was conveyed in the early 80’s as part of the HRA plat for the alignment of the Highway 12 bypass.

The Committee was recommending to the Council that staff work with the City Attorney to draft an easement that would run for a period of 10 years or until the property is sold, and that the price of the easement be negotiated with Barnes. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Dokken seconding the motion, which carried.

Item No. 5 The Committee reviewed final application documents for the special appropriations project grant awarded the City in the 2005 bonding bill. This \$1 million project was intended to provide money to the City to reimburse it for land acquisition cost overruns, the installation of precision approach lighting, and construction of T-hangars. Since that time, the City has decided that it would attempt to allocate those monies only to reimbursement for land acquisition overruns (\$700,000) and to T-hangar construction (\$300,000). Staff said it was necessary for the Council to adopt a resolution authorizing the Mayor and Administrator to execute formal grant documents.

The Committee was recommending the Council adopt a resolution authorizing the Mayor and Administrator to execute grant documents for the special appropriations project. Resolution No. 5 was introduced by Council Member DeBlieck, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 5

BE IT RESOLVED that The City of Willmar, MN act as the legal sponsor for project(s) contained in the 2005 Minnesota Bonding Bill entitled Willmar Airport SPAP.

BE IT FURTHER RESOLVED that the City of Willmar, MN has the legal authority to receive financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration.

BE IT FURTHER RESOLVED that the sources and amounts of the local match identified in the development proposal are committed to the project identified.

BE IT FURTHER RESOLVED that the City of Willmar, MN has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its development proposal by the state, the City of Willmar, MN may enter into an agreement with the State of Minnesota for the above-referenced project (s), and that the City of Willmar, MN certifies that it will comply with all applicable laws and regulations as stated in all contract agreements.

NOW, THEREFORE, BE IT RESOLVED that the Willmar City Administrator and Mayor are hereby authorized to execute such agreements as are necessary to implement the project(s) on behalf of the City of Willmar, MN.

Dated this 5<sup>th</sup> day of June, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 6 The next meeting of the Committee was set for June 15, 2006. This matter was for information only.

The Community Development Committee Report for May 25, 2006, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member DeBlicke, seconded by Council Member Fagerlie, and carried.

The Public Works/Safety Committee Report for May 23, 2006 was presented to the Mayor and Council by Council Member Reese. There were seven items for Council consideration.

Item No. 1 The Committee reviewed results of the Road Safety Audit at the intersection of North Business 71, County Road 24 and T.H. 294. The audit is a formal examination of the intersection by qualified examiners on the area's accident potential and safety performance. The audit was performed as a result of safety concerns and the City Council's concurrence to do the study in February.

The collision diagram shown in the report as Figure 1 shows the majority of the accidents that have occurred are in the northbound lanes with traffic crossing from the west. The profile table indicates the road conditions in the majority of cases were dry and clear during the daylight hours. State, County and City officials will coordinate efforts to do the short-term improvements as soon as possible. The audit team also presented long-term improvements for the intersection realizing that



any of these are very costly. The team felt that by completing most of the short-term mitigation measures the impact of deficiencies at the intersection would lessen the accidents. This item was received for information only.

Item No. 2 The Committee reviewed the scope of services submitted by HNTB for Phase 6e, the airport fueling system installation at the new Airport. Their proposal involves construction administration and observation services for the work that will be accomplished by B & H Petroleum and Equipment Company, the contractor hired to furnish and install the fuel system. Staff has reviewed the HNTB proposal and will do as much of the inspection work as possible in order to reduce project costs.

The Committee was recommending the Council accept the engineering services agreement with HNTB for Phase 6e. Resolution No. 6 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. 6

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 supplement the agreement between the City of Willmar and HNTB Corporation. The supplement includes the addition of Phase 6-e for construction administration and observation services for the Airport Fueling System for the work that will be accomplished by B & H Petroleum Equipment Company at the new municipal airport.

BE IT FURTHER RESOLVED, the contract amount for Phase 6e is on an hourly basis and not to exceed \$19,000.00.

Dated this 5<sup>th</sup> day of June, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 3 Staff presented a proposed Grant Agreement for Airport Improvements with the State of Minnesota for installation of the aviation fuel facility and associated costs. The agreement offers financial assistance from the State to cover 50 percent of the costs and proportionate cost share for the project between state and local governments

The Committee was recommending the Council approve grant agreement #89754 for the Airport aviation fueling system and authorize the Mayor and City Administrator to sign on behalf of the City. Resolution No. 7 was introduced by Council Member Reese, seconded by Council Member Swenson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO.7

AUTHORIZATION TO EXECUTE  
MINNESOTA DEPARTMENT OF TRANSPORTATION  
GRANT AGREEMENT FOR AIRPORT IMPROVEMENT

It is resolved by the City of Willmar as follows:

1. That the State of Minnesota Agreement No. 89754. "Grant Agreement for Airport Improvement," for State Project No, 3401-54 at the New Willmar Municipal Airport is accepted.
2. That the Mayor and City Administrator are authorized to execute this Agreement and any amendments on behalf of the City of Willmar.

Dated this 5<sup>th</sup> day of June, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 Staff informed the Committee that each affected property owner has now received their assessment notices with related costs. This matter was for information only.

Item No. 5 The Committee was informed by Staff that plans for Project 0603, Water View Park, in southeast Willmar developed by Duininck Bros. Inc. are being prepared and an improvement hearing is necessary to proceed. The Committee was recommending the Council order an Improvement Hearing for Project No. 0603 to be held on June 19, 2006.

Resolution No. 8 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. 8

#### RECEIVING PRELIMINARY REPORT AND CALLING PUBLIC HEARING ON PROJECT NO. 0603

WHEREAS:

1. The City Council deems it necessary and expedient that the City of Willmar, Minnesota, construct certain improvements to-wit: grading, gravel base, bituminous paving, curb and gutter, sidewalk, signal systems, street lighting, sanitary sewer, storm sewer, water main, sump pump drain tile, and service lines in the City as described in and in accordance with the preliminary plans and report prepared by the City Engineer; and

2. The Council has been advised by the City Engineer that said Project No. 0603 (Duininck Bros. SE Willmar Development) contained in the Preliminary Report are feasible and should best be made as proposed, and the City Engineer's report to this effect has heretofore been received by the Council, and filed with the Clerk-Treasurer; and

3. The statute provides that no such improvements shall be made until the Council shall have held a public hearing on such improvements following mailed notice and two publications thereof in the official newspaper stating time and place of the hearing, the general nature of the improvement, the estimated costs thereof and the area proposed to be assessed, in accordance with the law;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. A public hearing will be held at the time and place set forth in the Notice of Hearing hereto attached (on file in the City Clerk's Office) to consider said proposed improvements.
2. The nature of the improvements, the estimated cost of each major portion thereof, and the areas proposed to be assessed therefore are described in the form of Notice of Hearing hereto attached.
3. The notice of said public hearing shall be in substantially the form contained in the notice hereto attached.
4. The Clerk-Treasurer is hereby authorized and directed to cause notice of said hearing to be given two publications in the official newspaper. Said publications shall be one week apart, and at least three days shall elapse between the last publication and the hearing. Not less than ten days before the hearing the Clerk-Treasurer shall mail notice of the hearing to the owner of each parcel of land within the area proposed to be assessed as described in the notice. For the purpose of giving such mailed notice, owners shall be those shown to be such on the records of the County Auditor or, if the tax statements in the County are mailed by the County Treasurer, on the records of the County Treasurer. As to properties not listed on the records of the County Auditor or the County Treasurer, the Clerk-Treasurer shall ascertain such ownership by any practicable means and give mailed notice to such owners.

Dated this 5<sup>th</sup> day of June, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 6 Staff informed the Committee that in the fall of 2005 Barr Engineering was contracted to model the storm water effects in southeast Willmar in conjunction with the development of Water View Park. Initial reports indicated the development would have an adverse affect on the area in question. In December of 2005 it was discovered that a regional water quality pond of significant size would be needed. This was discussed with the Minnesota Pollution Control Agency and the Corps of Engineers and neither agency wanted to affect such a large area of wetlands.

To date Barr Engineering is modeling what is considered Option #30. This option was discussed by staff and the committee. The option keeps the buildable lots along 24<sup>th</sup> Avenue Southeast as well as minimizing impacts to wetlands. Due to the multiple iterations of options, and in order to finalize the project, Barr Engineering will require additional work above the original contract amount. An amendment to their contract was presented to the Committee requesting an additional \$4,200 which will again be a 50/50 cost share with Duininck Bros. Inc.

The Committee was recommending the Council approve the amendment to the contract with Barr Engineering in the amount of \$4,200 and revise the budget accordingly. Resolution No. 9 was introduced by Council Member Reese, seconded by Council Member Swenson, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 1 – Council Member Dokken voted “No.”

RESOLUTION NO. 9

Whereas the City of Willmar desires to amend Barr Engineering's professional engineering services for analyzing storm water management options for the Waterview Business Park for the City of Willmar; and

Whereas an amendment to the original contract has been prepared by Barr Engineering Company of Minneapolis, Minnesota to analyze the intricacies of Option #30 at a not to exceed amount of \$4,200.00.

Now therefore be it resolved by the City Council of the City of Willmar that said contract amendment be approved and that the Mayor and City Administrator be authorized to execute the same.

Dated this 5<sup>th</sup> day of June, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 10 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 1 – Council Member Dokken voted "No."

RESOLUTION NO. 10

PRELIMINARY BUDGET PROJECT NO. 0503  
SE WILLMAR DUININCK BROS. DEV.  
ESTIMATED TOTAL COST: \$100,400.00

OTHER CHARGES		RECEIVABLES	
Prof. Serv.	\$100,400.00	City (2005 Proj. Budget Transfer)	\$28,100.00
TOTAL	\$100,400.00	City (Developer's Agreement)	\$42,100.00
		Other (Duininck Bros.)	\$30,200.00
GRAND TOTAL	\$100,400.00	TOTAL	\$100,400.00
		FINANCING	
		Bonds	\$42,100.00
		City (2005 Proj. Budget Transfer)	\$28,100.00
		Other (Duininck Bros.)	\$30,200.00
		TOTAL	\$100,400.00
		GRAND TOTAL	\$100,400.00

Dated this 5<sup>th</sup> day of June, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 7 The Committee discussed concerns from a COP meeting for the speed of traffic on Willmar Avenue SE, particularly in the area of 9<sup>th</sup> Street. Currently the speed is set at 40 mph at 9<sup>th</sup> Street heading east. Since traffic speeds are set by MnDOT, the City and County would need to ask them to conduct a speed study. Staff was directed to pursue this issue.

Staff reviewed the City's policy for repair of potholes in the spring after hot mix becomes available. The first priority is to address street cuts that were made as a result of repair work to underground utilities. The second area of priority are the high volume streets, and after that crews concentrate on the residential areas. In a typical year most areas can be repaired in two to three weeks. This matter was for information only.

The Public Works/Safety Committee Report for May 23, 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 Fagerlie, and carried.

The Labor Relations Committee Report for May 31, 2006, was presented to the Mayor and Council by Council Member Fagerlie. There were two items for Council consideration.

Item No. 1 City Administrator Schmit presented to the Committee a proposed update of the City's Personnel Policy and Procedures. It was noted the proposed changes coincided with those recently adopted by the Municipal Utilities Commission at the recommendation of Madden and Associates. Formal action on the proposed changes will be considered at the next regularly scheduled Labor Relations Committee meeting. This matter was for information only.

Item No. 2 The Committee meeting was closed to conduct a performance evaluation of City Administrator Schmit. Upon reopening the meeting, it was the consensus of the group that Administrator Schmit's performance for the year ending 2005 generally met or exceeded each of the measurement categories. It was noted that the City Administrator's contract expires on December 31, 2006. The Committee discussed terms and conditions of a contract extension and requested that this matter be considered at a future Labor Relations Committee meeting. This matter was for information only.

The Labor Relations Committee Report for May 31, 2006, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Fagerlie, seconded by Council Member Gardner, and carried.

Planning and Development Services Director Peterson presented to the Mayor and Council for consideration the final plat for Water View Business Park, a commercial plat consisting of 31 lots being developed by Duininck Bros. Inc. The plat will be accessed via 19<sup>th</sup> Avenue Southeast and First Street South and both major intersections will be signalized. The Planning Commission has approved the final plat with conditions that will be dealt with prior to sizing the final plat. Following discussion, Council Member Anderson moved to approve the final plat for Water View Business Park with Council Member Fagerlie seconding the motion, which carried.

The Mayor and Council considered a number of various Airport miscellaneous project. City Clerk Halliday presented a tabulation of bids for the Placement of Reinforced Concrete Slabs for Airport Hangars at the Willmar Municipal Airport. Following discussion, Resolution No. 11 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. 11

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 be authorized to enter into an agreement between the City of Willmar and Beaver Concrete and Masonry, Inc. from Spicer, Minnesota, in the amount of \$96,747.00 for the placement of reinforced concrete slabs for the Airport Hangars at the Willmar Municipal Airport.

Dated this 5<sup>th</sup> day of June, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

City Clerk Halliday presented a tabulation of bids for the Provision of Telecommunications Connectivity to the New Willmar Municipal Airport, noting there was only one bid submitted. Following discussion, Resolution No. 12 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. 12

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 be authorized to enter into an agreement between the City of Willmar and En-Tel from Willmar, Minnesota, in the amount of \$100,000, including overbuild considerations of \$500 rebate per business and \$100 rebate per residential for the provision of telecommunications connectivity to the new Willmar Municipal Airport.

Dated this 5<sup>th</sup> day of June, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

City Clerk Halliday presented a tabulation of bids for the 2006 Relocation of Airport Hangars, noting there was only one bid submitted. Resolution No. 13 was introduced by Council Member Anderson, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 13

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 be authorized to enter into an agreement between the City of Willmar and Cornerstone from Willmar, Minnesota, in the amount of \$519,104.00 for the 2006 relocation of Airport Hangars.

Dated this 5<sup>th</sup> day of June, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

City Clerk Halliday informed the Mayor and Council that pursuant to the relocation of Municipal Airport hangars, five old hangars have too little value to warrant the move to the new Airport and will be bought at their appraised values. Resolution No. 14 was introduced by Council Member Gardner, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 14

AUTHORIZATION TO EXECUTE THE PURCHASE OF HANGARS AT  
WILLMAR MUNICIPAL AIRPORT-JOHN L. RICE FIELD

WHEREAS, it was determined not to relocate five hangars from the current airport to the new airport known; and

WHEREAS, an appraisal of the existing hangars at the current airport was required and appraisals were completed on July 19, 2005, and appraised as follows:

Hangars A and C, owned by Willmar Air Service, in an amount of \$55,424.06;  
Hangar B, owned by the Hangar "B", Inc. Corporation, in an amount of \$22,088.63;  
Hangar D, owned by Dr. Steven Nedrelow, in an amount of \$23,388.63;  
Hangar N, owned by Mr. Jeffrey Danielson, in an amount of \$32,749.23; and

WHEREAS, agreements have been prepared for the purchase of these five hangars based on their appraised value;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Willmar that the Mayor and City Administrator are hereby authorized to enter into said agreements on behalf of the City.

Dated this 5<sup>th</sup> day of June, 2006.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

City Clerk Halliday informed the Mayor and Council that soil corrections are necessary to accommodate three additional private hangars at the new Municipal Airport. Approximately 8,800 cubic yards of topsoil must be removed and replaced with clay. Following discussion, Resolution No. 15 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.

