

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

January 8, 2007
7:00 p.m.

The Honorable Mayor Lester Heitke conducted opening ceremonies of the biennial organizational meeting. In accordance with the Willmar City Charter, the Council must meet on the first Monday after the first Tuesday of each January following a General Election.

City Clerk Kevin Halliday, chief officer in charge of voting for the City of Willmar, presented to Mayor Lester Heitke, and Council Members Bruce DeBlieck, Ron Christianson, Rick Fagerlie and Doug Reese Certificates of Election. The Honorable Judge Don Spilseth, Judge of District Court, officiated the Swearing-in Ceremonies of the Mayor and four Council Members.

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, Ron Christianson, Bruce DeBlieck, Denis Anderson, Cindy Swenson, Rick Fagerlie, Jim Dokken, and Steven Gardner; Present 9, Absent 0.

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, City Planner Megan Sauer, and City Clerk Kevin Halliday.

Mayor Heitke called upon Reverend Sandy Hanawalt, Bethel Lutheran Church, to give the invocation. Upon completion of the invocation, Mayor Heitke presented to the City Council and those in attendance his message of the State of Affairs of the City of Willmar.

Additions to the agenda included the following: League of Minnesota Cities conference, Martin Luther Kind Day/Somali celebration, F-14 funding and Wastewater Treatment Plant funding.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of December 18; Rice Hospital Board Minutes of December 13, Municipal Utilities Commission Minutes of December 26, Planning Commission Minutes of December 27, Building Inspection Report for December, Police Commission Minutes of February 6, Cable Advisory Committee Minutes of December 14, Airport Commission Minutes of December 19, 2006; and Applications for Exempt Permit – Pheasants Forever, VFW Post 1639 and Sertoma Club. Council Member DeBlieck seconded the motion, which carried.

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

The Community Development Committee Report for December 28, 2006, was presented to the Mayor and Council by Council Member Swenson. There were two items for Council consideration.

Item No. 1 Staff presented to the Committee background information on efforts to work with a major company in developing a large tract of land in the new portion of the industrial park. The project being proposed would include the construction of over 250,000 sq. ft. of production and

distribution facilities and an estimated 250 to 300 new jobs. Major issues identified by the business in their plans include: roadway impediments, land acquisition and availability, waste water treatment capacity, and development incentives.

The major issue that staff has struggled with is that of the land acquisition. Staff requested that the Committee recommend to the Council that staff be authorized to present a proposal to the company that would write down the cost of the needed 40 acre tract of land for an amount as low as \$1.00. It was noted that this action was not unprecedented in that the City had done several land write downs and recovered some or all of that cost through tax increment financing. It was noted that staff had initiated a process to solicit State participation in the project by forgiving the negotiated debt on the former airport land.

Staff concluded by saying that the magnitude of the project and the potential for significant employment and tax base gains made this a good project for the community and one where a land write down would be justifiable.

The Committee was recommending the Council authorize staff to negotiate the sale of the tract for a price as low as \$1.00. Council Member Swenson moved to approve the recommendation of the Community Development Committee with Council Member Gardner seconding the motion, which carried. Council Member Anderson abstained from voting.

Item No. 2 Staff informed the Committee that the grant agreement for the 2005 Bonding Bill Grant had been prepared by the State of Minnesota and was awaiting execution by the City. This is the grant that provides \$700,000 as airport land reimbursement and \$300,000 for construction of the City's t-hangar.

The Committee was recommending the Council pass a resolution authorizing the Mayor and City Administrator to execute the grant agreement on behalf of the City. Resolution No. 1 was introduced by Council Member Swenson, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

WHEREAS the City of Willmar has been awarded a grant in the amount of \$700,000 as airport land reimbursement and \$300,000 for construction of the City's T-hangar;

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 a Grant Agreement for the Willmar Airport Project RDGP-06-0020-0-FY05.

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Community Development Committee Report for December 28, 2007, be approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Swenson, seconded by Council Member Christianson, and carried.

The Public Works/Safety Committee Report for January 2, 2007, was presented to the Mayor and Council by Council Member Reese. There were five items for Council consideration.

Item No. 1 Mark Knake of Mid-Central Concrete appeared before the Committee to answer questions relating to additional concrete work during the relocation of the Willmar Air Service hangar. Mr. Knake has submitted a change order request in the amount of \$12,480 which includes 100 cubic yards of concrete, pumping costs, the winter acceleration charge and 30 hours of labor.

Staff explained that the concrete aprons extending on either side of the hangar foundation were required to have a 1.1% slope from the building to the taxiways. Some confusion in the staking resulted in a five-inch difference in the elevation of the slab. The possibility of additional gravel and redoing the in-floor heat were discussed instead of using additional concrete. It was decided that time would not allow this option. The weather conditions at the time required immediate action. The Committee was recommending the Council authorize a change order for \$11,680 and amend the budget accordingly.

Following discussion, 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 1 – Council Member Dokken voted “No.”

RESOLUTION NO. 2

WHEREAS, a contract has been awarded to Mid-Central Concrete, Inc. of Willmar, Minnesota, on June 19, 2006, in the amount of \$108,000.00 for placement of reinforced concrete slabs for relocated airport hangars at the new airport under the direction of the City of Willmar; and

WHEREAS, it is desired to increase the contract amount through Change Order No. 1 by \$11,680.00.

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

1. Additional monies are herewith authorized to be added to the above contract by the City Engineer to increase the amount by \$11,680.00.

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 3 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 1 – Council Member Dokken voted “No.”

RESOLUTION NO. 3

PRELIMINARY HANGAR RELOCATION BUDGET
ESTIMATED TOTAL COST \$800,000.00

OTHER SERVICES:

RECEIVABLES:

Mtce. of Other Improvement	\$638,785.00	State 3401-58	\$250,000.00
Other Services	<u>26,565.00</u>	City Bonding	250,000.00
Total	\$665,350.00	City PIR	<u>300,000.00</u>
		Total:	\$800,000.00
OTHER CHARGES:			
Advertising	\$ 1,000.00	FINANCING:	
Other Charges	<u>133,650.00</u>	Bonds	\$250,000.00
Total:	\$134,650.00	State 3401-58	250,000.00
		City PIR	<u>300,000.00</u>
GRAND TOTAL:	\$800,000.00	Total:	\$800,000.00

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 2 The Committee was briefed on the activities related to the Wastewater Treatment Plant Project through the month of December, 2006 by Craig Holmes of Donohue and Associates. Donohue has met with City staff to review the draft Infrastructure Management Plan and that plan will now be finalized.

The 30 percent-complete drawings and documents were distributed and a workshop was conducted with City staff. Donohue is preparing an updated evaluation of alternative conveyance routes to the new WWTF west of County Highway 5. Work on the Environmental Assessment Worksheet and the NPDES Permit for the conveyance infrastructure and the new plant described in the facilities plan is complete. Submittal of these items is being withheld until the conveyance route issues are resolved.

The 2007 Federal funding request package is completed and has been reviewed by City staff and Turch and Associates. Plans are being made for a February 2007 visit with Federal elected officials and staff in Washington, DC. This matter was for information only.

Item No. 3 Staff presented the proposed list of improvements for 2007. The list includes reconstruction, overlay, new construction, street lighting, and miscellaneous projects. Staff briefly reviewed the streets to be constructed or reconstructed and the miscellaneous items proposed. The total estimated cost for the improvements is \$5.5 million.

This year's improvements include reconstruction of several residential streets, the overlay of 19th Avenue SE from 1st to 5th Street SE and 9th Street to Lakeland Drive SE along with Country Club Drive NE. New construction of residential lots is being proposed by several developers although no plats or plans have been reviewed by staff. Street lighting is also included for the new developments. Underground utility work and road construction is planned for the realignment of Willmar Avenue from TH 40 to US 12 (across former airport) along with this the demolition and runway reclamation. Underground utility is also planned along the realignment route of County Road 5. Walk paths are proposed to be extended and crack sealing and seal coat maintenance continued.

The Committee was recommending the Council order preparation of the Improvement Report for the 2007 Improvements. Resolution No. 4 was introduced by Council Member Reese,

seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

ORDER OF IMPROVEMENT REPORT

WHEREAS, it is proposed to construct the following improvements under the 2007 Improvement Project:

grading, gravel base, curb and gutter, tiling, bituminous pavement, sidewalk, service lines, sanitary sewer, storm sewer, water main, street lighting, and signal system

and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Section 429.011 to 429.111 (Laws 1953, Chapter 398, as amended).

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WILLMAR, MINNESOTA:

That the proposed improvement be referred to the City Engineer for study, and that he is instructed to report to the Council advising the Council in a preliminary way as to whether the proposed improvement is feasible, and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 Craig Holmes of Donohue and Associates informed the Committee that two separate resolutions need to be passed by the Council in January: Minnesota's Phosphorus Reduction and Total Daily Maximum Load (TMDL) Grant applications. These resolutions document the City's intent to proceed with the construction of its new Wastewater Treatment Plant while protecting its opportunity to secure a phosphorus reduction and TMDL grant from the State of Minnesota.

The Committee was recommending the Council authorize the resolution for the Phosphorus Reduction Grant. Resolution No. 5 was introduced by Council Member Reese, seconded by Council Member DeBlick, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

RESOLUTION DOCUMENTING THE CITY OF WILLMAR'S INTENT TO PROCEED WITH THE CONSTRUCTION OF ITS NEW WASTEWATER TREATMENT PLANT WHILE PROTECTING ITS OPPORTUNITY TO SECURE A PHOSPHORUS REDUCTION GRANT FROM THE STATE CLEAN WATER LEGACY PROGRAM

WHEREAS, under the provisions contained in Minnesota Laws 2006, Chapter 251, Section 14, the 2006 Legislature created the Clean Water Legacy Phosphorus Reduction Grant Program and appropriated funds, and

WHEREAS, the City of Willmar may have to proceed with construction of its new Wastewater Treatment Plant before the State is able to issue the Phosphorus Reduction Grant, and

WHEREAS, the construction of the new Wastewater Treatment Plant contains a grant eligible Phosphorus Reduction component.

BE IT RESOLVED that the City of Willmar will proceed with the construction of the new Wastewater Treatment Plant on schedule, with the expectation that the City will be reimbursed by a State Phosphorus Reduction Grant at a later date.

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Committee was recommending the Council authorize the resolution for the Total Daily Maximum Load (TMDL) Grant. Resolution No. 6 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 6

RESOLUTION DOCUMENTING THE CITY OF WILLMAR'S INTENT TO PROCEED WITH THE CONSTRUCTION OF ITS NEW WASTEWATER TREATMENT PLANT WHILE PROTECTING ITS OPPORTUNITY TO SECURE A TOTAL DAILY MAXIMUM LOAD (TMDL) GRANT FROM THE STATE

WHEREAS, under the provisions contained in Minnesota Statutes 446A.073 (2005, and amended by MN Laws 2006, Chapter 251, Section 21, Subdivision 9) the TMDL Grant Program was created and funds appropriated; and

WHEREAS, the City of Willmar may have to proceed with construction of its new Wastewater Treatment Plant before the State is able to issue the TMDL Grant, and

WHEREAS, the construction of the new Wastewater Treatment Plant contains an eligible TMDL Grant component.

BE IT RESOLVED that the City of Willmar will proceed with the construction of the new Wastewater Treatment Plant on schedule, with the expectation that the City will be reimbursed by a State TMDL Grant at a later date.

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 5 Staff informed the Committee that the Internal Revenue Code Bond Regulations require a municipality to declare its intent to reimburse itself for all costs incurred prior to the sale of General Obligation Improvement Bonds. Planning for the 2007 Street Improvements is underway and it is the intent of the City to include all administrative and other costs of the project in the bond sale. A motion was made by Council Member Christianson, seconded by Council Member Gardner, and passed for the following

The Committee was recommending the Council adopt resolution of Intent to Reimburse for the 2007 Street Improvement Project. Resolution No. 7 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 7

RESOLUTION ESTABLISHING PROCEDURES RELATING TO COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE

BE IT RESOLVED, by the City Council (the "Council") of the City of Willmar, Minnesota (the "City"), as follows:

1. Recitals.

A. The Internal Revenue Service has issued Treasury Regulations, Section 1.150-2 (as the same may be amended or supplemented, the "Regulations"), dealing with "reimbursement bond" proceeds, being proceeds of the City's bonds used to reimburse the City for any project expenditure paid by the City prior to the time of the issuance of those bonds.

B. The Regulations generally require that the City make a declaration of intent to reimburse itself for such prior expenditures out of the proceeds of subsequently issued bonds, that such declaration be made not later than 60 days after the expenditure is actually paid, and that the bonding occur and the written reimbursement allocation be made from the proceeds of such bonds within 18 months after the later of (1) the date of payment of the expenditure or (2) the date the project is placed in service (but in no event more than 3 years after actual payment).

C. The City heretofore implemented procedures for compliance with the predecessor versions of the Regulations and desires to amend and supplement those procedures to ensure compliance with the Regulations.

D. The City's bond counsel has advised the City that the Regulations do not apply, and hence the provisions of this Resolution are intended to have no application, to payments of City project costs first made by the City out of the proceeds of bonds issued prior to the date of such payments.

2. Official Intent Declaration. The Regulations, in the situations in which they apply, require the City to have declared an official intent (the "Declaration") to reimburse itself for previously paid project expenditures out of the proceeds of subsequently issued bonds. The Council hereby authorizes the City Clerk to make the City's Declarations or to delegate from time to time that responsibility to other appropriate City employees. Each Declaration shall comply with the requirements of the Regulations, including without limitation the following:

A. Each Declaration shall be made not later than 60 days after payment of the applicable project cost and shall state that the City reasonably expects to reimburse itself for

the expenditure out of the proceeds of a bond issue or similar borrowing. Each Declaration may be made substantially in the form of the Exhibit A, which is attached to and made a part of this Resolution, or in any other format which may at the time comply with the Regulations.

B. Each Declaration shall (1) contain a reasonably accurate description of the "project," as defined in the Regulations (which may include the property or program to be financed, as applicable), to which the expenditure relates and (2) state the maximum principal amount of bonding expected to be issued for that project.

C. Care shall be taken so that the City, or its authorized representatives under this Resolution, not make Declarations in cases where the City doesn't reasonably expect to issue reimbursement bonds to finance the subject project costs, and the City officials are hereby authorized to consult with bond counsel to the City concerning the requirements of the Regulations and their application in particular circumstances.

D. The Council shall be advised from time to time on the desirability and timing of the issuance of reimbursement bonds relating to project expenditures for which the City has made Declarations.

3. Reimbursement Allocations. The designated City officials shall also be responsible for making the "reimbursement allocations" described in the Regulations, being generally written allocations that evidence the City's use of the applicable bond proceeds to reimburse the original expenditures.

4. Effect. This Resolution shall amend and supplement all prior resolutions and/or procedures adopted by the City for compliance with the Regulations (or their predecessor versions), and, henceforth, in the event of any inconsistency, the provisions of this Resolution shall apply and govern.

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Public Works/Safety Committee Report for January 2, 2007, 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 Mayor and Council considered bids for the 2007 towing requirements. Following discussion, Resolution No. 8 was introduced by Council Member Reese, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 8

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Ed's Service Center and Sales, Inc. of Willmar, Minnesota for the 2007 Towing Requirements is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$54,825.00.

Dated this 8th day of January, 2007.

/s/ Lester Heitke

MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 9 was introduced by Council Member Reese, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 9

AUTHORIZATION TO INCREASE TOW FEES

WHEREAS, bids received for the 2007 Towing Requirements showed an increase from the previous year;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the towing fees for 2007 be increased from \$120.00 to \$135.00.

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

City Planner Sauer presented to the Mayor and Council for consideration a request for reapportionment of special assessments from J & C Enterprises against their property to reflect the Hidden Valley Estates plat. Following discussion, 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 7, Noes 0, with Council Member Christianson abstaining.

RESOLUTION NO. 10

WHEREAS, a request for reapportionment of special assessments has been filed with the City of Willmar, said request being signed by all the parties having an interest in the following-described property:

All that part of SW ¼ of SE ¼ lying north of B.N. R.R. r-o-w excluding the east 270.1' also the south 60' of the north 790' of the east 270.1' of SW ¼ of SE 1/4, Section 8, Township 119, Range 35; Parcel No. 95-908-0060
to wit: J & C Enterprises of Central MN, M & J Cruze, S & M Jennings

WHEREAS, the above have waived notice of hearing on said reapportionment; and

WHEREAS, The City Council of the City of Willmar is in agreement that the special assessments totaling \$23,826.00 placed against the above-described parcel be hereby reapportioned as herein described:

<u>Parcel No.</u>	<u>Legal Description</u>	<u>Amount</u>
SEE ATTACHED (on file in the City Clerk's Office)		

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

pursuant to the request of the above that the special assessments on the above-described property be and they hereby are reapportioned as provided in the request of the above named, and BE IT FURTHER RESOLVED that the reapportionment be recorded in the records of the City of Willmar and the Kandiyohi County Auditor effective for taxes and assessments due and payable on tax statements issued in the year 2008 and thereafter.

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

City Planner Sauer presented to the Mayor and Council for consideration a preliminary/final plat for Banks Addition, a one-lot split into two lots for a twin home being requested by Ramona Banks. It was noted the Planning Commission has approved the plat. Council Member Anderson moved to approve the Banks Addition preliminary/final plat with Council Member DeBlieck seconding the motion, which carried.

Council Member Dokken moved to recess the meeting for the purpose of convening the Fire Code Appeals Board. Council Member Gardner seconded the motion, which carried.

At 8:00 p.m. Fire Code Appeals Board Chair Ron Christianson convened the Fire Code Appeals Board. Fire Chief Calvin presented the request of Martin Mechanical Design to grant a Fire Code variance to allow a six-inch fire main and exclusion of the post indicator valve at the Kandiyohi County Public Works building on east Highway 12. Following discussion of the State Fire Code and other Fire Code policies, Council Member Anderson moved to grant the request as presented with Council Member Gardner seconding the motion, which carried.

Council Member Gardner moved to reconvene the City Council meeting at 8:19 p.m. Council Member Reese seconded the motion, which carried.

Council Member Reese moved to refer the City policy regarding fire mains and post indicator valves to the Public Works/Safety Committee for consideration. Council Member DeBlieck seconded the motion, which carried.

The Mayor and Council considered a number of Council reorganizational resolutions. 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 8, Noes 0.

RESOLUTION NO. 11

BE IT RESOLVED, by the City Council of the City of Willmar, Minnesota, that the 2007 through 2008 Committee appointments for members of the Council shall be provided in the list of appointments as follows:

<u>Labor Relations Committee:</u>	Chair: Steven Gardner
	Vice Chair: Cindy Swenson
	Doug Reese
	Denis Anderson
	Michael Schmit, City Administrator
	Steve Okins, Finance Director

Finance Committee:

Municipal Utilities Commission
Rice Hospital Board
Chair: Denis Anderson
Vice Chair: Rick Fagerlie
Jim Dokken
Steven Gardner
Michael Schmit, City Administrator
Steve Okins, Finance Director
Kevin Halliday, City Clerk-Treasurer

Community Development Committee:

Chair: Bruce DeBlieck
Vice Chair: Jim Dokken
Ron Christianson
Cindy Swenson
Michael Schmit, City Administrator
Bruce Peterson, Planning/Development Services Director

Public Works/Safety Committee:

Chair: Doug Reese
Vice Chair: Ron Christianson
Bruce DeBlieck
Rick Fagerlie
Michael Schmit, City Administrator
Jim Kulset, Police Chief
Mel Odens, Public Works Director
Marv Calvin, Fire Chief

Woodland Centers: Cindy Swenson

Mid-Minnesota Development Commission: Les Heitke

Cable Communications: Doug Reese and Ron Christianson

Community Education and Recreation: Rick Fagerlie and Cindy Swenson

Rice Hospital Board: Jim Dokken

Municipal Utilities Commission: Bruce DeBlieck (Jim Dokken alternate)

Convention and Visitors Bureau: Cindy Swenson

Human Rights Commission: Steven Gardner

Allied Power Board: Bruce DeBlieck

Senior Citizens: Jim Dokken

Sister City: Doug Reese

Transit Joint Powers Board: Rick Fagerlie and Bruce DeBlieck

Fire Code Appeals Board: Chair Ron Christianson

Vice Chair Denis Anderson

Economic Development Commission: Les Heitke, Ron Christianson and Denis Anderson

Design Center: Steve Gardner

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 12 was introduced by Council Member Reese, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 12

WHEREAS, the Charter of the City of Willmar, a municipal corporation of the State of Minnesota, provides that in the absence or disability of the Mayor, an Acting Mayor shall be appointed by action of the City Council;

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

that during the years 2007 and 2008, should the Mayor, the Honorable Lester Heitke, be absent or unable to act as such Mayor, that Council Member Doug Reese be and is hereby appointed as Acting Mayor to act in all said circumstances and as set forth in the Charter of the City of Willmar.

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 13 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 13

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, a municipal corporation of the State of Minnesota, that the West Central Daily Tribune of Willmar, Minnesota, be designated as the legal newspaper for the City of Willmar and that the fees set by State statutes for legal publications be accepted.

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 14 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 14

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the regular semi-monthly meetings of the City Council shall be held at 7:00 p.m. on the first and third Mondays of each month during the next two years and that the regular place of said meetings shall be in the Council Chambers of the Municipal Utilities Building, 700 Litchfield Avenue Southwest, Willmar, Minnesota; and

BE IT FURTHER RESOLVED that the time for adjournment of said Council meetings shall

be no later than 11:00 p.m. with the following exceptions:

1. An item of business under consideration at 11:00 p.m. may be disposed.
2. Business from the first meeting of the month will be carried over to the second meeting if necessary.
3. Any business not completed at the second meeting of the month, which is urgent and must have action will be adjourned to a special meeting.

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

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 8, Noes 0.

RESOLUTION NO. 15

APPOINTING A RESPONSIBLE AUTHORITY

WHEREAS, Minnesota Statutes, Section 13.02, Subd. 6, requires that the City of Willmar appoint one person as the Responsible Authority to administer the requirements for collection, storage, use and dissemination of data on individuals within the City; and

WHEREAS, the City Council of the City of Willmar shares the concern expressed by the Legislature on the responsible use of all City data and wishes to satisfy this concern by immediately appointing an administratively and technically qualified Responsible Authority as required under the Statute.

BE IT RESOLVED by the City Council of the City of Willmar Minnesota, that the City Administrator Michael Schmit be appointed as the Responsible Authority for the purpose of meeting all requirements of Minnesota Statutes, Sections 13.02-13.87, as amended, and with rules as lawfully promulgated by the Commissioner of Administration as published in the State Register.

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

City Administrator Schmit presented to the Mayor and Council for consideration a resolution establishing fees for services, permits and licenses, and rental rates for City equipment/services. Resolution No. 16 was introduced by Council Member Reese, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 16

WHEREAS, the City Council of the City of Willmar duly establishes fees for service, sets fees for permits and licenses, and establishes rental rates for City equipment.

NOW, THEREFORE, BE IT RESOLVED that the below listed fees be duly adopted for the year 2007 and the same hereby ordered kept on file in the office of the City Clerk-Treasurer.

PUBLIC WORKS:

Maintenance Trucks:

3 -5 Ton Trucks	\$ 33.00/hour
1 Ton Truck	17.00/hour
3 -5 Ton Truck/Plow/Sander	39.00/hour
3 -5 Ton Truck/Plow/Sander/Wing	52.00/hour
1 Ton Truck Plow	25.00/hour
Tandem Truck	39.00/hour
Tandem Truck/Plow/Sander/Wing	52.00/hour
½-3/4 Ton Pickup	16.00/hour
1 Ton /Water Tank	25.00/hour

3 Ton /Water Tank	39.00/hour
Tractors, Loaders, Motor Graders:	
2 –3 CY Loaders	\$ 78.00/hour
Loader/Plow/Wing	97.00/hour
Loader/Snow Blower	116.00/hour
Motor Grader	91.00/hour
Motor Grader/One-Way Plow	97.00/hour
Motor Grader/One-Way Plow/Wing	109.00/hour
40-50 Hp Tractor	20.00/hour
40-50 Hp Tractor/Attachments	30.00/hour
MT Trackless/Blower/Mower	58.00/hour
Tractor/18' Flail Mower	52.00/hour
20-30 Hp Unit Mower/Blower/Sweeper	33.00/hour
40-50 Hp Tractor/Sickle Mower	33.00/hour
Skid-Loader	33.00/hour
Skid-Loader/Attachments	47.00/hour
Snowplowing Sidewalks (incl. labor and equipment)	0.58/LF
Specialty Equipment:	
Air Conveyance Unit	\$ 52.00/hour
Elgin Sweeper (4 CY)	58.00/hour
Hydraulic Sewer Cleaner	64.00/hour
Sewer Rodder	39.00/hour
Steamer and 1 Ton Truck	47.00/hour
Paint Sprayer	8.00/hour
Paint Sprayer and 1 Ton Truck	25.00/hour
50' Bucket Truck	65.00/hour
30' Bucket Truck	39.00/hour
Brush Chipper	27.00/hour
Tamper	8.00/hour
Bituminous Distributor and Truck (less material)	47.00/hour
Bituminous Roller	52.00/hour
Grass and Leaf Pickup Broom	27.00/hour
Chain Saws	9.00/hour
Trailers	11.00/hour
Aero Seeder	27.00/hour
Landscape Rake	27.00/hour
Turf Pro	27.00/hour
Gator and Sprayer	25.00/hour
Generator	8.00/hour
Trash Pumps	8.00/hour
Utility Vehicle with Crane Hoist	40.00/hour
Materials:	
Winter Sand Mixed with Salt	\$50.00 CY
Gravel	20.00/Ton
Bituminous Cold Mix	90.00/Ton
Chalk Dust (50lb. bag)	6.00/bag
Diamond Dry (50lb. bag)	12.00/bag
Bituminous Repair (incl. labor and equipment)	40.00/SY
Facilities or Equipment:	
Bleachers – 3 or 5 High	\$25.00/day
Minimum moving charge	75.00/day
Picnic Tables – Rental per table	5.00/day
Delivered Picnic Tables per table	10.00

Barricades	2.00/day
Minimum charge for hauling barricades	20.00
Lights for ball fields	\$25.00/day for each field
Labor:	
Regular	Contract rate plus 35%
Overtime	Contract rate plus 35%

COMMUNITY EDUCATION AND RECREATION:

Adult recreation programs will charge cost of program, officials, balls, sanctioning fees, etc., plus \$5.00 per team court fee for volleyball/basketball and \$10.00 per team field fee for softball.

Baseball Fields	Minimum \$ 30.00 (1 game) or 20.00 per game (2 or more), whichever is greater
Softball Fields	Minimum \$50.00 or \$10.00 per game, whichever is greater
Robbins Island enclosed shelters*	\$ 60.00/day May- September 120.00/day October-April
*Plus clean-up/damage deposit	50.00
Open shelters	30.00/day
Showmobile:	
Events in Willmar (not for profit)	\$200.00/day
<u>Events in Willmar (for profit)</u>	<u>500.00/day +staff expenses</u>
Events out of town	300.00/day +staff expenses
Damage deposit \$200.00, returnable once inspection completed	

Civic Center:	
Dry floor events	\$580.00/day
Ice Rental	110.00/hour
Blue Line Center	90.00/hour

Aquatic Center:	
Individual season pass	\$ 69.55
Family of 2	96.30
Family of 3	107.00
Family of 4	117.70
Family of 5 or more	128.40

CITY CLERK LICENSES:

Amusement Machine	\$ 15.00/machine/year
Bowling Alleys	No charge
Café-Restaurant	25.00 per year
Cat and Dog	\$2.00 neutered male & spayed female \$5.00 unneutered male/unspayed female
Pawnbroker	150.00 per year
Soft Drink	20.00 per year
Taxicab	25.00 per cab
Theatre	300.00 per year

Liquor License Investigation Fees:	
Single Person	\$ 75.00
Partnership	150.00
Corporation	300.00

Liquor Licenses:

On-Sale Liquor	\$4,000.00 per year
Off-Sale Liquor	950.00 per year
Club On-Sale Liquor	300.00 per year
On-Sale Wine	\$200.00 per year
On-Sale Sunday	200.00 per year
On-Sale 3.2% Malt Liquor	150.00 per year
Temporary On-Sale Liquor	100.00 per event
Permits:	
Carnival	\$ 25.00 per day
Circus (Menagerie)	25.00 per day
Dance	25.00 per dance
Dumpster	25.00 per permit
Exhibition	25.00 per day
Fireworks Display-Outdoor	25.00 per display
Fireworks Display-Indoor	50.00 per display
Fireworks Storage & Sale	100.00 per year
Parade	25.00 per parade
Service Parking	25.00 per year
Special Event	25.00 per day
Run/Walk	25.00 per day
Livestock	5.00 animal (\$25 cap)

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT:

Zoning Fees:

Conditional Use Permit	\$175.00 <u>\$200.00*</u>
Variance	175.00 <u>200.00*</u>
Appeal	175.00 <u>200.00*</u>
Rezoning	175.00 <u>200.00</u>
Text Amendment	175.00 <u>200.00</u>
Subdivision Plat Review	45.00 <u>20.00</u> per lot/ 475 <u>\$200</u> minimum
Re-plats	45.00 <u>20.00</u> per lot/ 225 <u>\$250</u> minimum

Sign Permits:

Sign/Special Sign	0-20 sq. ft.= \$15.00
	20-50 sq. ft.= 20.00
	50-100 sq. ft.= 25.00
	100+ sq. ft. = 30.00

Roof Sign Inspection Fee	\$ 25.00
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Removals:

Garage/Utility Building	\$ 20.00 <u>\$ 25.00</u>
House	40.00 <u>50.00</u>
Commercial/Industrial (includes apartments)	75.00 <u>100.00</u>

Plumbing Permits:

Single-Family Residential	\$ 6.00 per fixture/\$60 minimum
Duplex	6.00 per fixture/\$60 minimum
Commercial/Industrial Multi-family, Residential And Other	7.50 per fixture/\$75 minimum
Water Service Line	\$15.00 <u>\$25.00</u> per line
Sewer Service Line	\$15.00 <u>\$25.00</u> per line
Mobile Home Connections (sewer and water)	\$15.00 <u>\$25.00</u> per line
Sewer or Water Extensions	\$125.00

* Plus Recorder's Fee

FIRE DEPARTMENT:

Firefighter hours that are billed are taken directly from the roll call list.
Firefighters receive a \$14.00 per hour and are paid in one-hour increments.

Equipment:

	<u>1st Hour</u>	<u>Additional Hour</u>
1 st line pumper - 5251, 5257 and 5258	\$300	\$200/hr
2 nd line pumpers - 5252	200	150/hr
Tanker/pumpers 5276	150	100/hr
Ladder truck - 5299	500	400/hr
Personnel carrier - 5293	100	50/hr
Grass rig - 5285	150	100/hr
Support Vehicles – 5296, 5297	75	50/hr

Equipment charges are billed by the quarter hour as time listed on the fire report, after initial one-hour charge.
Special equipment and supplies used will be billed on a cost basis.

POLICE DEPARTMENT:

\$50.00 per hour for off-duty police officers

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

City Administrator Schmit reviewed with the Mayor and Council a previous motion to fund the demilling and moving costs of the F-14 airplane with excess building permit revenue and suggested the funding come from 2006 fund balances. Following discussion, Council Member Anderson moved to amend the previous Council motion to now provide City matching funds for the F-14 from 2006 fund balances. Council Member Fagerlie seconded the motion, which carried.

City Administrator Schmit informed the Mayor and Council of the availability of an EPA grant to reimburse the City for costs incurred on the facilities plan for the Wastewater Treatment Plant. Resolution No. 17 was introduced by Council Member Christianson, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 17

BE IT RESOLVED, by the City Council of the City of Willmar to accept the United States Environmental Protection Agency Grant No. XP-00E20101-0 (STAG) in the amount of \$477,900.

BE IT FURTHER RESOLVED, to reimburse the Waste Treatment Fund and amend the budget accordingly by \$477,900.

Dated this 8th day of January, 2007.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Council Member Gardner informed the Mayor and Council that he will be attending a League of Minnesota Elected Officials Conference on January 26 – 27, 2007.

Mayor Heitke presented details of events to be held on Martin Luther King Jr. Day including a YMCA breakfast and a Somalia cultural and history celebration on January 15, 2007.

Announcements for Council Committee meeting dates were as follows: Public Works/ Safety, January 16, and Labor Relations, January 17, 2007.

There being no further business to come before the Council, the meeting adjourned at 8:45 p.m. upon motion by Council Member Christianson, seconded by Council Member Anderson, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL