

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

April 21, 2008  
7:10 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, 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 Sergeant John Kappers, Fire Chief Marv Calvin, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, Community Education and Recreation Director Steve Brisendine, and City Clerk Kevin Halliday.

Additions announcements regarding the Mayor's Prayer Breakfast, DARE graduation, and a COPPS meetings. Mayor Heitke recognized Troop 227.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of April 7, Municipal Utilities Commission Minutes of April 14, Planning Commission Minutes of April 9, and Housing and Redevelopment Authority Minutes of March 11 and 25, 2008. Council Member Gardner seconded the motion, which carried.

Mayor Heitke acknowledged several individuals who had signed up to address the City Council during its scheduled open forum. Scott Thaden asked what the status was of the Westwind Estate Project and offered comments on the land use issue.

John Sullivan commented on the Conditional Use Permit process and questioned whether the Board of Zoning Appeals March 31, 2008, hearing was legal that overturned the Planning Commission's issuance of the Westwind CUP.

Rev. Pablo Obregon said the families that live here took chances for a better life and better homes and that as Willmar continues to grow, it will experience growing pains.

Kristen Thaden stated the project has cast a shadow over Willmar, and people who have little information are taking negative comments and running with them.

Rev. Naomi Mahler expressed concerns about the division that is taking place and she supports the Westwind Estates Project, saying it would bring stability and provide a financing vehicle.

Connie Vetter praised the experience her sons have received in participating in athletics with kids of other ethnic backgrounds and spoke in favor of the Westwind Estates Project.

Sue Quist spoke against the Westwind Estates Project, saying it is a land use issue and she didn't want to segregate people in one area.

John Siffer indicated he felt the Westwind Estates Project was contentious from the beginning and expressed concerns with Southwest Minnesota Housing Partnership's Phase I, II and III.

Craig Holmes of Donohue and Associates presented to the Mayor and Council a detailed presentation and summary of the new Waste Water Treatment Plant Project. With the Planning and Design Phases

complete and waiting final MPCA approval, Staff is preparing the Construction/Startup Phase. Computer designed graphics of all the buildings were reviewed including a computerized area fly-over. After the conveyance corridor and estimated cost and financing options were discussed, the Mayor and Council thanked Mr. Holmes for the detailed information.

The Council considered the Mayor's veto of a Council action. Mayor Heitke read his letter dated April 8, vetoing the Council's rejection of the \$350,000 State grant for Westwind Estates Third Addition. Council Member Christianson stated he is backing the Board of Appeals' outcome and that there may not be a project. Council Member Christianson moved to override the Mayor's veto with Council Member Dokken seconding the motion which resulted in a roll call vote of Ayes 4, Noes 4. It was noted that pursuant to the City Charter, six affirmative votes were needed to override a veto and thus the motion failed.

Mayor Heitke called for a recess at 8:39 p.m. and reconvened the meeting at 8:50 p.m.

The Finance Committee Report for April 14, 2008, was presented to the Mayor and Council by Council Member Anderson. There were nine items for Council consideration.

Item No. 1 The Committee was informed by Staff that the City Office Building roof needs repair. The 2008 City Hall Budget included \$15,000 for replacement of an air conditioning unit for which a quote has been received in the amount of \$13,953. Storage shelving had also been budgeted for \$2,500. It was being recommended that the \$1,000 left over from the air conditioning unit replacement and the \$2,500 for storage shelving be reallocated to cover costs for repair of the leaking roof on the City Office Building.

The Committee was recommending the Council pass a resolution to revise the 2008 City Hall Budget as presented. Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

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

Decrease:	Capital Outlay-Air Conditioning	\$1,000.00
	Capital Outlay-Storage Shelving	\$2,500.00
Increase:	Capital Outlay-Roof Repair	\$3,500.00

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 2 The Committee considered a request from Staff to appropriate funds for installation of a message center and a telephone system upgrade at the Civic Center for approximately \$8,700. This technology upgrade would utilize Local Option Sales Tax contingency funds that remain available from the Blue Line Center Connection project.

The Committee was recommending the Council pass a resolution to appropriate funds for installation of a message center and a telephone system upgrade at the Civic Center as presented. Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the Civic Center Budget of the Sales Tax Fund as follows:

Decrease:	Project Contingency	\$8,700.00
Increase:	Message Center/Tel. System	\$8,700.00

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 3 The Committee considered a request from Staff to reappropriate funds left over from the 2006 dehumidification project at the Civic Center to cover the expense of building lockers in the new locker room estimated at \$3,450.

Following discussion, the Committee was recommending the Council pass a resolution to reappropriate funds remaining from the Civic Center's 2006 dehumidification project as presented. Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, 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 Civic Center Budget of the Capital Improvement Fund as follows:

Decrease:	Dehumidification	\$3,450.00
Increase:	Locker Room Lockers	\$3,450.00

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 Staff explained to the Committee that the Community Education and Recreation Department has solicited quotes for equipment at the skate park and have selected a piece designed by the American Ramp Company in the amount of \$15,820. The recommendation is to use unspent funds originally budgeted for the Community Education and Recreation Department for the purchase of a new apparatus at the skate park in 2005 and 2007 in the amount of \$5,000 each year. Further, \$5,000 is available from the 2006 capital budget that will not be utilized and the remaining amount needed for this purchase would come from the 2007 Capital Budget for equipment that was not purchased last year.

The Committee was recommending the Council pass a resolution reappropriating funds as presented. Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 4

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the Park and Recreation Budget of the Capital Improvement Fund as follows:

Decrease:	Prior Year Budgets	\$15,820.00
Increase:	Skate Park Equipment	\$15,820.00

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 Staff requested clarification from the Committee regarding the procedure for the Pioneerland Library requests for expenditures out of the Library Capital Reserve Fund. This concern was raised because a request was recently received from the Pioneerland Library System for \$1,060 for telephone system repairs that had already been completed.

The Committee was recommending the Council pass a resolution authorizing the capital expenditure from the Library Capital Reserve Fund for the telephone system repair at the Willmar Library. Resolution No. 5 was introduced by Council Member Anderson, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

**RESOLUTION NO. 5**

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

Decrease:	Reserves	\$1,060.00
Increase:	Telephone System	\$1,060.00

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 6 Staff informed the Committee that the Waste Water Treatment Project will be placed on future Finance Committee Agendas so that discussion can be held regarding the status of the project. Currently, Staff has been working daily with Springsted Inc., and Donohue & Associates in preparation of a financing package. This matter was for information only.

Item No. 7 Staff explained that the City of Willmar's current bond rating is "A1". When the City's bonds are offered to the public for purchase, occasionally they are insured for immediate sale. The rating of these insurance companies has decreased from "AAA" to "AA" because the Secondary Mortgage Market backs this insurance. This change in the insurance rating does not affect the City's bond rating. This matter was for information only.

Item No. 8 The Committee was informed by Staff that the Fire Department has been approved to receive an OSHA Workplace Safety Grant in the amount of \$1,772 to install a safety guard on the ladder to the roof of the fire station.

Following discussion, the Committee was recommending the Council pass a resolution to increase the Fire Department budget as presented. Resolution No. 6 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

**RESOLUTION NO. 6**

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend

the Fire Department Budget of the General Fund as follows:

Increase:	Grant Funds	\$1,772.00
Increase:	Fire Building Maintenance	\$1,772.00

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 9 The Committee reviewed the following reports: Investment Portfolio as of 03/31/08, the First Quarter Investment Activity, and the First Quarter Interest/Dividends. This matter was for information only.

The Finance Committee Report for April 14, 2008, 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 Gardner, and carried.

The Public Works/Safety Committee Report for April 15, 2008, was presented to the Mayor and Council by Council Member Christianson. There were seven items for Council consideration.

Item No. 1 Staff informed the Committee that a lease agreement for the KAT bus shelter at the corner of 4<sup>th</sup> Street and Becker Avenue SW previously approved by the City Council requires an amendment. The State of Minnesota Office of Transit was not comfortable with the three-year lease term due to the fact that their payments are from state bonding and to match the minimum life expectancy of the shelter. They are requesting amending the lease to a twenty-year term and then three-year renewals thereafter.

The Committee was recommending the Council approve the agreement amendment and authorize the Mayor and City Administrator to sign on behalf of the City. Resolution No. 7 was introduced by Council Member Christianson, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 7

WHEREAS, the City of Willmar entered into a Lease Agreement with Kandiyohi Area Transit (KAT) for real estate at the corner of 4<sup>th</sup> Street and Becker Avenue Southwest for purposes of construction and maintenance of a bus shelter.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that said agreement amendment be approved and that the Mayor be authorized to execute the same.

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 2 The Committee considered a request from Bethel Church for permission to again hold their "If It's Tuesday It Must be Bethel" Concerts. This would be the fourth year of the concert series that are held on Tuesday afternoons and they are requesting that Becker Avenue SW from 4<sup>th</sup> to 5<sup>th</sup> Streets be blocked from 10:30 a.m. to 1:30 p.m. each Tuesday in June and July. In case of inclement weather, the concert would be moved indoors.

The Committee was recommending the Council approve the closing of Becker Avenue SW from 4<sup>th</sup> to 5<sup>th</sup>

Street to allow for the Bethel Church concert series request. Council Member Christianson moved to approve the recommendation of the Public Works/Safety Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 3 Storm water issues and the possibility of a detention area at the Garfield School Site was referred to the Committee for discussion as a result of a April 8, 2008, COPPS meeting. A group of area residents was also present at this Committee meeting to discuss options with the members. Staff's preliminary design of the area is one that will not hold water, and will allow continued usage of the green area near Garfield School.

Also discussed were other options such as underground storage at an estimated cost of \$575,000, exploring installation of large diameter underground pipes on the west side of the Kennedy School green space, and rain gardens. Staff was asked to explore these options and provide Committee Members and area residents locations of similar detention areas for viewing. This item will be brought back to committee. Karen Thibault volunteered to be the neighborhood contact person. This matter was for information only.

Item No. 4 Staff presented to the Committee a mutual aid agreement with the Minnesota Water Agency Response Network (MnWARN) that would be adopted into the existing Kandiyohi County Mutual Aid Agreement. The agreement allows public utilities to enter into an agreement with other agencies in the state that are not covered under the County Mutual Aid Agreement. The agreement provides framework, in the event of an emergency, for parties to participate in an intrastate program for mutual aid assistance to provide water, wastewater and storm water utility services.

The Committee was recommending the Council approve adopting the MnWARN Mutual Aid Agreement into the County Mutual Aid Agreement and authorize the Mayor and City Administrator to sign on behalf of the City. Resolution No. 8 was introduced by Council Member Christianson, seconded by Council Fagerlie, 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 to adopt the Minnesota Water Agency Response Network (MnWARN) Mutual Aid Agreement into the existing Kandiyohi County Mutual Aid Agreement.

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 Craig Holmes of Donohue and Associates briefed the Committee on various activities that took place in March, 2008, related to the WWTP Relocation Project. The design is complete and they are now taking in the last review comments from City staff and expecting a letter of approval from the Minnesota Pollution Control Agency. Permitting is in progress and the Phosphorus Trade is complete with the paperwork awaiting Mankato's signature.

The project will be let in four contracts in 2008, which consist of the construction of the new plant and three segments of the conveyance. In 2009, the final stages consist of constructing two pump stations and a contract for demolition of the existing plant. This matter was for information only.

Item No. 6 The contract with Donohue and Associates to provide Program Management and Design services for the Wastewater Treatment Plant Relocation will expire on April 30, 2008. Donohue and

Associates proposed Amendment No. 2 to the contract which extends the completion date for the Design Phase until July 31, 2008. The contract was previously extended in Amendment No. 1. The revised completion date is consistent with the anticipated construction contract award date.

The Committee was recommending the Council approve Amendment No. 2 to the May 15, 2006, Engineering Services Agreement with Donohue and Associates, Inc. and authorize the Mayor and City Administrator to sign on behalf of the City. Resolution No. 9 was introduced by Council Member Christianson, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 9

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 are hereby authorized to enter into a contract amendment to supplement the Program Management and Design Services agreement dated May 15, 2006, between the City of Willmar and Donohue & Associates, Inc. This contract was previously amended by Council action on January 10, 2008. This Amendment extends the completion date for all services to be provided under the Agreement.

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 7 Public Works Director Odens informed the Committee that plans and specifications for three of the 2008 projects are ready to be bid. Staff proposed a May 20, 2008 opening date for the following projects: 0801 – Reconstruction, 0802 – Underground, and 0804 - Landmark Business Park Development.

The Committee was recommending the Council approve the plans and specifications for Project Nos. 0801, 0802 and 0804 and authorize advertisement of bids to be opened May 20, 2008.

Resolution No. 10 was introduced by Council Member Christianson, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 10

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 0801 (2008 Street Improvements) for the City of Willmar;

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

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:00 p.m. on the 20th day of May, 2008, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 11 was introduced by Council Member Christianson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 11

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 0802 (2008 Sewer and Water Main Improvements) for the City of Willmar;

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

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:00 p.m. on the 20th day of May, 2008, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 12 was introduced by Council Member Christianson, 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 City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 0804 (2008 Sewer, Water and Street Improvements) for the City of Willmar;

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

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:00 p.m. on the 20th day of May, 2008, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Public Works/Safety Committee Report for April 15, 2008, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Christianson, seconded Council Member Fagerlie, and carried.

The Community Development Committee Report for April 17, 2008, was presented to the Mayor and Council by Council Member DeBlieck. There were three items for Council consideration.

Item No. 1 The Committee reviewed the City of Willmar conditional use process and previously adopted by the Council. This review was in response to concerns raise by John Sullivan regarding the process. Mr. Sullivan advocated a more detailed application and review process. He suggested that the application be



expanded to include more questions in an attempt to provide the Planning Commission staff and public with additional information.

The Committee discussed using and expanded application with a checklist was as thought the best was to expand and refine the existing process. Copies of conditional use permit application and processes from other cities were reviewed and discussed. Mr. Sullivan suggested a Council work session to pursue changes to the conditional use permit process. The question of the Board of Zoning Appeals authority was also discussed.

The Committee directed Staff to draft a revised application and review procedure for conditional use permits to be reviewed by the Committee at a further date. This matter was for information only.

Item No. 2 Staff presented to the Committee updates on commercial projects the expansion of the industrial park into the former airport site and proposed residential projects. This matter was for information only.

Item No. 3 Staff presented to the Committee for consideration developer agreements to allow for the development of project budgets. These developer agreements are for work proposed under the 2008 improvement project. In the past the agreements have been signed by the Mayor and Administrator following execution by the developer and Council approval has not been sought. The process is being changed to formalize the agreement and allow for the development of project budgets. The agreements included two cash agreements for the installation of improvements for the Welcome to our Home and Willmar Poultry Company storm sewer project. The third agreement is an assessment agreement for Chad Monson/JCI Ventures for the development of Oxford Drive, south of Highway 12 east.

The Committee was recommending the Council approve the agreements as presented. Resolution No. 13 was introduced by Council Member DeBlieck, seconded by Council Member Dokken, 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, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into an Agreement for Cash Payment of Public Improvements between the City of Willmar and Welcome to Our Homes, LLC of Buffalo Lake, Minnesota.

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 14 was introduced by Council Member DeBlieck, seconded by Council Member Dokken, 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, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into an Agreement for Cash Payment of Public Improvements between the City of Willmar and Willmar Poultry Company, LLC of Willmar, Minnesota.

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 15 was introduced by Council Member DeBlieck, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 15

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 for Cash Payment of Public Improvements between the City of Willmar and Chad Monson/JCI Ventures of Willmar, Minnesota.

Dated this 21<sup>st</sup> day of April, 2008.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Community Development Committee Minutes of April 17, 2008, were approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member DeBlieck, seconded by Council Member Dokken. Council Member DeBlieck offered a motion to strike the Staff comments in the second sentence of paragraph three of Item No. 1 from the Minutes. Council Member Christianson seconded the motion which carried. The motion to file the minutes then carried.

City Clerk Halliday presented details on the proposed transfer of En-Tel Communications, LLC to Iowa Telecommunications Services, Inc. A summary of the findings from review of the Form 10-K that ITS filed with the United States Securities and Exchange Commission, Federal Communications Commission Form 394, and comments from local municipalities in Iowa were discussed. Two points were noted by Moss & Barnett, the legal review firm, that ITS should provide a performance bond or other form of guaranty acceptable to the City and require the Grantee to "reimburse City for all reasonable and necessary legal, administrative, and consulting costs and fees associated with City's review of any request to transfer." Following discussion, Resolution No. 16 was introduced by Council Member DeBlieck, seconded by Council Member Gardner, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 16

APPROVING THE PROPOSED TRANSFER OF CONTROL OF THE CABLE TELEVISION  
FRANCHISE ORDINANCE HELD BY EN-TEL COMMUNICATIONS, LLC

(For Resolution in its entirety, see City Council Proceedings file dated  
April 21, 2008, located in the City Clerk's Office)

City Clerk Halliday informed the Mayor and Council that the following establishments are requesting renewal of their current liquor licenses: On-sale – Applebee's, Blue Heron on the Green, Double D Club, El Tapatio, Grizzly's Grill & Saloon, Holiday Inn/Green Mill and Kandi Entertainment Center; On-sale 3.2% Malt Liquor – Café Persepolis, Golden Palace, New Fireside, Pizza Hut, Rick's Royal Steakhouse and Valley Golf Course; Wine – Café Persepolis, Golden Palace and Rick's Royal Steakhouse; Club On-sale – American Legion 167, VFW 1639, Willmar Elks Lodge and Willmar Fraternal Order of Eagles; and Off-sale – Cashwise Liquors, Cub Foods, Gerry's Liquor, Wal-Mart and Westside Liquor. Council Member Reese moved to approve the renewal of liquor licenses as presented with Council Member Anderson seconding the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Planning and Development Services Director Peterson presented to the Mayor and Council for consideration an Ordinance to Rezone Certain Lands from I-1 to Ag. The Planning Commission proposes

initiating the rezoning of property south and east of Civic Center Drive NE. The land was annexed in 2007 and two pieces were zoned industrial. The Commission wishes to rezone it to Ag land as a holding designation. It was noted the land is limited for development due to lack of access and services, and the Commission wants the entire area planned and addressed in the updated Comprehensive Plan. Council Member Gardner offered to introduce the Ordinance to Rezone Certain Lands from I-1 to Ag. Council Member Anderson seconded the motion, which carried on a roll call vote of Ayes 5, Noes 3 – Council Members Christianson, Dokken and Fagerlie voted “No.”

Announcements for Council Committee meeting dates were as follows: Public Works/Safety, April 29, 2008. It was noted there would be a COPPS Ward 4 meeting on April 28, and DARE graduation on May 9, 2008.

Mayor Heitke announced the Mayor's Prayer Breakfast would be held on May 1, 2008, at the Holiday Inn.

Public Works Director Odens presented to the Mayor and Council the 2007 Public Works Department Annual Report. Following a question and answer period, the report was ordered placed on file in the City Clerk's Office.

Finance Director Okins presented to the Mayor and Council the 2007 Finance 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 10:30 p.m. upon motion by Council Member Dokken, seconded by Council Member Anderson, and carried.

Attest:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
SECRETARY TO THE COUNCIL