

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

March 3, 2014
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Pro Tempore Denis Anderson. Members present on a roll call were Council Members Denis Anderson, Steve Ahmann, Ron Christianson, Audrey Nelsen, Tim Johnson, Jim Dokken, Rick Fagerlie and Bruce DeBlicek; Present 8, Absent 0. Mayor Frank Yanish was excused from the meeting.

Also present were City Administrator Charlene Stevens, Police Chief David Wyffels, Finance Director Steve Okins, Planning and Development Services Director Bruce Peterson, Community Education and Recreation Director Steve Brisendine, Fire Chief Gary Hendrickson, City Clerk Kevin Halliday, and City Attorney Robert Scott.

Council Member Ahmann offered a motion adopting the Consent Agenda which included the following: City Council Minutes of February 18, Rice Hospital Board Minutes of February 19, Willmar Municipal Utilities Minutes of February 24, Planning Commission Minutes of February 26, Application for Exempt Permit for West Central Ducks Unlimited, Accounts Payable Report through February 26, Willmar Lakes Area CVB Board Minutes of January 21, Willmar Police Commission Minutes of February 3, and the Zoning Appeals Board Minutes of February 24. Council Member Christianson seconded the motion, which carried.

At 7:02 p.m. Mayor Pro Tempore Anderson opened a hearing on Amending the Zoning Ordinance. Planning and Development Services Director Bruce Peterson presented the proposed ordinance revisions. The planning and zoning fees have not been increased in five years. The primary adjustments proposed were a \$50.00 across the board increase in application fees for matters that go before the Planning Commission and conditional use permits, plats, rezoning, and variances that go before the Board of Zoning Appeals. A \$50.00 charge to write a zoning letter for mortgage companies/appraisers and a \$100 charge for formal plan review before the Planning Commission were added, as well as small changes to sign permit fees. There being no one to speak for or against the proposed fee changes, Mayor Pro Tempore Anderson closed the hearing at 7:03 p.m.

Council Member Ahmann offered a motion to adopt, assign a number and order final publication of an Ordinance Amending the Zoning Ordinance Fees charged by the City. Council Member DeBlicek seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 7:05 p.m. Mayor Pro Tempore Anderson opened a hearing on Amending the Rental Inspection Program Fees. Planning and Development Services Director Bruce Peterson informed the Council the primary change was to increase the registration fee, which is currently \$25.00 per building and \$5.00 per unit. The proposed increase would be to \$50.00 per building and \$10.00 per unit. The fees have not been increased since the inception of the rental inspection program. There being no one to speak for or against the proposed fee changes, Mayor Pro Tempore Anderson closed the hearing at 7:07 p.m.

Council Member Fagerlie offered a motion to adopt, assign a number and order final publication of an Ordinance Amending the Rental Inspection Program Fees charged by the City. Council Member DeBlicek seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 7:09 p.m. Mayor Pro Tempore Anderson opened a hearing on Amending the Zoning Ordinance to Rezone a Parcel from Shopping Center to General Business. Planning and Development Services Director Bruce Peterson presented the request to rezone the parcel on the northwest corner of the intersection of 5th

Street SE and 19th Avenue SE from Shopping Center to General Business District, to construct a stand-alone Aldi Grocery Store. Andy Brandel of I & S Group of Faribault, MN, representing the proposed developer, spoke and offered to answer any questions. The Planning Commission has approved the rezone as abutting properties to the south are zoned General Business. There being no one to speak for or against the rezone, Mayor Pro Tempore Anderson closed the hearing at 7:10 p.m.

Council Member Christianson offered a motion to adopt, assign a number and order final publication of an Ordinance Amending the Zoning Ordinance, Section 1. Council Member Dokken seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Pro Tempore Anderson acknowledged Linda Kacher of 407 County Club Drive NE who had signed up to address the City Council during its scheduled Open Forum. Ms. Kacher addressed the Council with questions concerning the proposed purchase agreement with Jennie-O Turkey Store. She requested information as to the date of the Write-Down Policy and appraisal, along with questions concerning the realignment of Willmar Avenue. Staff addressed Ms. Kacher's questions and the City's policy on land transfer.

The Finance Committee Report for February 24, 2014 was presented to the Mayor Pro Tempore and Council by Council Member Johnson. There were seven items for consideration.

Item No. 1 There were no comments from the public.

Item No. 2 The Committee was presented the Willmar Municipal Utilities 2013 Financial Report which included Revenues, Operating Income, and Operating Expenses by Wes Hompe, WMU General Manager. Revenues were down from the annual budget due to electrical consumption being down. This matter was for information only.

Item No. 3 The Committee reviewed the proposed Fire Protection Contract with Willmar Township. The state-wide formula used to calculate the amount due from the Township is based on information from the previous year, which includes operating costs of the Fire Department, depreciation of the fire station and equipment, the number of firefighter hours used and market values of the area covered in Willmar Township. The Committee was recommending the Council approve the Willmar Township Fire Agreement in the amount of \$47,706.46 and authorize the Mayor and City Administrator execute the same. Resolution No. 1 was introduced by Council Member Johnson, seconded by Council Member Dokken, reviewed by Mayor Pro Tempore, and approved on a roll call vote of Ayes 8, Noyes 0.

RESOLUTION NO. 1

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into an Agreement for Fire Department Service between Willmar Township and City of Willmar through March 31, 2015.

Dated this 3rd day of March, 2014.

/s/ Denis Anderson
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 Staff presented to the Committee the 2014 Street Improvement Budgets for five individual projects. The reason individual budgets are required is due to the various financing requirements to fund the improvements. The projects were for reconstruction, overlay, new construction and street lighting.

The Council considered the preliminary budget for the street reconstruction portion of the 2014 Projects. The Committee was recommending the Council approve the budget in the amount of \$965,700. Resolution No. 2 was introduced by Council Member Johnson, seconded by Council Member Fagerlie, reviewed by Mayor Pro Tempore, and approved on a roll call vote of Ayes 8, Noyes 0.

RESOLUTION NO. 2

PRELIMINARY PROJECT NO. 1401 BUDGET

OTHER SERVICES:		RECEIVABLES:	
Mntc. Of Other Impr.	\$877,909.00	Property Owners	\$148,461.00
Other Services	<u>\$87,791.00</u>	State - MSA	\$467,920.00
TOTAL	\$965,700.00	City - WTP	\$30,400.00
		City - MUC	\$25,200.00
		Other	<u>\$293,719.00</u>
		TOTAL	\$965,700.00
		FINANCING:	
		Bonds	\$442,180.00
		State - MSA	\$467,920.00
		City - WTP	\$30,400.00
		City - MUC	<u>\$25,200.00</u>
		TOTAL	\$965,700.00
GRAND TOTAL	\$965,700.00		

Dated this 3rd day of March, 2014.

/s/ Denis Anderson
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

The Council considered the preliminary budget for the mill and overlay portion of the 2014 Projects. The Committee was recommending the Council approve the budget in the amount of \$372,150. Resolution No. 3 was introduced by Council Member Johnson, seconded by Council Member Dokken, reviewed by Mayor Pro Tempore, and approved on a roll call vote of Ayes 8, Noyes 0.

RESOLUTION NO. 3

PRELIMINARY PROJECT NO. 1403 BUDGET

OTHER SERVICES:		RECEIVABLES:	
Mntc. Of Other Impr.	\$338,318.00	Property Owners	\$273,026.00
Other Services	<u>\$33,832.00</u>	Other	<u>\$99,124.00</u>
TOTAL	\$372,150.00	TOTAL	\$372,150.00
		FINANCING:	
		Bonds	<u>\$372,150.00</u>
		TOTAL	\$372,150.00
GRAND TOTAL	\$372,150.00		

Dated this 3rd day of March, 2014.

/s/ Denis Anderson
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

The Council considered the preliminary budget for the new construction of 12th Street SE to be financed from within the 2014 Projects. The Committee was recommending the Council approve the budget in the amount of \$390,110. Resolution No. 4 was introduced by Council Member Johnson, seconded by Council Member Dokken, reviewed by Mayor Pro Tempore, and approved on a roll call vote of Ayes 8, Noyes 0.

RESOLUTION NO. 4

PRELIMINARY PROJECT NO. 1404 BUDGET

OTHER SERVICES:		RECEIVABLES:	
Mntc. Of Other Impr.	\$354,645.00	Property Owners	<u>\$390,110.00</u>
Other Services	<u>\$35,465.00</u>	TOTAL	\$390,110.00
TOTAL	\$390,110.00		
		FINANCING:	
		Bonds	<u>\$390,110.00</u>
		TOTAL	\$390,110.00
GRAND TOTAL	\$390,110.00		

Dated this 3rd day of March, 2014.

/s/ Denis Anderson
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

The Council then considered the 1405 Preliminary Project Budget for Industrial Park Development. Resolution No. 5 was introduced by Council Member Johnson, seconded by Council Member Dokken, reviewed by Mayor Pro Tempore, and approved on a roll call vote of Ayes 8, Noyes 0.

RESOLUTION NO. 5

PRELIMINARY PROJECT NO. 1405 BUDGET

OTHER SERVICES:		RECEIVABLES:	
Mntc. Of Other Impr.	\$3,429,000.00	City - LOST	<u>\$3,771,900.00</u>
Other Services	<u>\$342,900.00</u>	TOTAL	\$3,771,900.00
TOTAL	\$3,771,900.00		
		FINANCING:	
		City - LOST	<u>\$3,771,900.00</u>
		TOTAL	\$3,771,900.00
GRAND TOTAL	\$3,771,900.00		

Dated this 3rd day of March, 2014.

/s/ Denis Anderson
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

The Committee was also recommending approval of the 1407 Preliminary Project Budget at \$58,190. This project includes the street lighting Willmar Avenue SW from 22nd Street to 30th Street SW. Resolution No. 6 was introduced by Council Member Johnson, seconded by Council Member Dokken, reviewed by Mayor Pro Tempore, and approved on a roll call vote of Ayes 8, Noyes 0.

RESOLUTION NO. 6

PRELIMINARY PROJECT NO. 1407 BUDGET

OTHER SERVICES:		RECEIVABLES:	
Mntc. Of Other Impr.	\$52,900.00	City - LOST	<u>\$58,190.00</u>
Other Services	<u>\$5,290.00</u>	TOTAL	\$58,190.00
TOTAL	\$58,190.00		
		FINANCING:	
		City - LOST	<u>\$58,190.00</u>
		TOTAL	\$58,190.00
GRAND TOTAL	\$58,190.00		

Dated this 3rd day of March, 2014.

/s/ Denis Anderson
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

The Committee further recommended the Council adopt the financing for a portion of the program with G.O. Improvement Bonds, introduce the ordinance, and order a public hearing for 7:02 p.m., March 17, 2014. Resolution No. 7 was introduced by Council Member Johnson, seconded by Council Member Dokken, reviewed by Mayor Pro Tempore Anderson, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 7

RESOLUTION CALLING FOR PUBLIC HEARING ON AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$1,205,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2014B AND LEVYING TAXES FOR THE PAYMENT THEREOF

WHEREAS:

A. The City of Willmar has heretofore undertaken to construct certain improvements pursuant to Minnesota Statutes, Chapter 429, as more fully described in the proposed Ordinance set forth below.

B. Said improvements have heretofore been duly incorporated into the City's capital Program in accordance with the City Charter.

C. It is necessary and desirable that the City of Willmar issue its general obligation improvement bonds in the principal amount of \$1,205,000 to finance various improvement projects in the City.

D. Section 2.12 of the City Charter requires that acts of the City Council which authorize the borrowing of money and levying of taxes shall be by ordinance.

E. Councilmember Johnson introduced an Ordinance entitled "An Ordinance Authorizing the Issuance of \$1,205,000 General Obligation Improvement Bonds, Series 2014B".

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

1. The City Clerk is authorized and directed to distribute a copy of said Ordinance to each Council Member, to the Mayor, and to the City Attorney, and to file a reasonable number of copies of the Ordinance in the office of the City Clerk and the following other public places:

A. County Auditor's Office

2. This Council shall meet at the time and place specified in the form of notice hereinafter contained for the purpose of conducting a public hearing on the Ordinance and considering the Ordinance for adoption.

3. The City Clerk is hereby authorized and directed to cause notice of the time, place and purpose of said public hearing to be published in the local official newspaper of the City not less than seven days in advance of the date of hearing as required by the City Charter, which notice shall be substantially the following form:

4. Upon sale of said bonds, the City Clerk shall compute the levy made by said Ordinance No. ____ commencing in or about the year 2014 and ending in or about the year 2023 upon all taxable property in the City, which tax shall be spread upon the tax rolls and collected with and as part of other general property taxes in said City in such an amount as is necessary to comply with Minnesota Statutes, Section 475.61(1). Said tax levy shall be irrevocable so long as any of said bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61(3).

5. No bonds shall be issued and no tax levy shall be effective in accordance with this resolution until (a) after the Ordinance has been duly adopted and published in accordance with the City Charter, and (b) the applicable 15 day period has elapsed with respect to said Ordinance and all appropriate bond resolutions during which period no Certificate of Intent is filed in accordance with Section 7.04(j) of the City Charter.

Dated this 3rd day of March, 2014.

/s/ Denis Anderson
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 Staff presented the Committee the Minnesota Public Facilities Authority loan application for the MinnWest Lift Station and Lakeland Drive sewer project for review. There were some questions on projected costs listed in the application and staff will work with the consulting engineers to verify that the numbers on the application match those of the recent rate study that was completed by Springsted. The Committee recommended authorizing an Application to the MPFA for loan. Resolution No. 8 was introduced by Council Member Johnson, seconded by Council Member Dokken, reviewed by Mayor Pro Tempore Anderson, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 8

AUTHORIZING APPLICATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY FOR A LOAN FOR IMPROVEMENTS TO ITS MUNICIPAL WASTEWATER TREATMENT SYSTEM

BE IT RESOLVED that the City of Willmar is hereby applying to the Minnesota Public Facilities Authority for a loan from the Clean Water Revolving Fund/Drinking Revolving Fund for improvements to its municipal wastewater treatment system as described in the loan application.

BE IT FURTHER RESOLVED that the City of Willmar estimates the loan amount to be \$2,730,000 or the as-bid cost of the project.

BE IT FURTHER RESOLVED that the City of Willmar has the legal authority to apply for the loan, and the financial, technical, and managerial capacity to repay the loan and ensure proper construction, operation and maintenance of the project for its design life.

BE IT FURTHER RESOLVED that the City of Willmar hereby expresses its official intent to use proceeds of this loan to reimburse construction expenditures made prior to the issuance of its general obligation bond to the Public Facilities Authority.

Dated this 3rd day of March, 2014.

/s/ Denis Anderson
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

The Committee further recommended the Council introduce the ordinance authorizing the issuance of G.O. Revenue Notes in the amount of \$2,730,000, and order a public hearing for 7:03 p.m., March 17, 2014. Resolution No. 9 was introduced by Council Member Johnson, seconded by Council Member Dokken, reviewed by Mayor Pro Tempore Anderson, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 9

CALLING FOR PUBLIC HEARING ON AN ORDINANCE AUTHORIZING THE ISSUANCE
OF A GENERAL OBLIGATION SEWER REVENUE NOTE, SERIES 2014A

WHEREAS:

- A. Section 2.12 of the City Charter requires that acts of the City Council shall be by ordinance which authorizes the borrowing of money.
- B. Councilmember Johnson introduced an Ordinance entitled "An Ordinance Authorizing the Issuance of a General Obligation Sewer Revenue Note, Series 2014A".

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

- 1. This Council has investigated the facts and does hereby find, determine and declare that it is necessary and expedient to provide funds to defray a portion of the costs of reconstructing the Lakeland Drive Interceptor and replace the existing MinnWest lift station (the "Project"), in an approximate principal amount not to exceed \$3,000,000.
- 2. The City Clerk is authorized and directed to distribute a copy of said Ordinance to each Council Member, to the Mayor, and to the City Attorney, and to file a reasonable number of copies of the Ordinance in the office of the City Clerk and the following other public places:
 - A. County Auditor's Office

3. This Council shall meet at the time and place specified in the form of notice hereinafter contained for the purpose of conducting a public hearing on the Ordinance and considering the Ordinance for adoption.

4. The City Clerk is hereby authorized and directed to cause notice of the time, place and purpose of said public hearing to be published in the local official newspaper of the City not less than seven days in advance of the date of hearing as required by the City Charter, which notice shall be substantially the following form:

5. No bonds shall be issued until (a) after the Ordinance has been duly adopted and published in accordance with the City Charter, and (b) the applicable 15 day period has elapsed with respect to said Ordinance and all appropriate bond resolutions during which period no Certificate of Intent is filed in accordance with Section 7.04(j) of the City Charter.

Item No. 6 Staff presented to the Committee the Project No. 1302 Final Budget which is based on the Council approved contracts for Willmar Avenue, Willmar Avenue Quiet Zone, and 4th Avenue in the Industrial Park. After committee review, they recommended the Council approve the Final Budget for Project 1302 at \$2,379,768. Resolution No. 10 was introduced by Council Member Johnson, seconded by Council Member Dokken, reviewed by Mayor Pro Tempore, and approved on a roll call vote of Ayes 8, Noyes 0.

RESOLUTION NO. 10

PROJECT NO. 1302 FINAL BUDGET

SUPPLIES:		RECEIVABLES:	
Postage	\$1,000.00	County - CSA	\$360,000.00
General Supplies	<u>\$500.00</u>	City - WTP	\$4,936.00
TOTAL	\$1,500.00	City - MUC	\$10,086.00
		Other - LOST	<u>\$2,004,746.00</u>
		TOTAL	\$2,379,768.00
OTHER SERVICES:		FINANCING:	
Printing & Publishing	\$2,000.00	County - CSA	\$360,000.00
Mntc. Of Other Impr.	\$2,020,325.00	City - LOST	\$2,004,746.00
Other Services	<u>\$7,500.00</u>	City - MUC	\$10,086.00
TOTAL	\$2,029,825.00	City - WTP	<u>\$4,936.00</u>
		TOTAL	\$2,379,768.00
OTHER CHARGES:			
Prof. Services	\$210,000.00		
Advertising	\$2,000.00		
Adm. OH	\$136,000.00		
Other Charges	<u>\$443.00</u>		
TOTAL	\$348,443.00		
 GRAND TOTAL	 \$2,379,768.00		

Dated this 3rd day of March, 2014.

/s/ Denis Anderson
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 7 The Committee reviewed the status of the Local Option Sales Tax Fund, noting that the second Local Option Sales Tax expired on December 31, 2012. The fund (220) was closed in 2012 by City Council action and the remaining funds (\$8,899,441) were transferred to the Industrial Development Fund

(205) and designated for the redevelopment of the old City airport land. Other activity in 2012 was the recapture of funds for the Willmar Avenue Realignment, due to land release issues with the FAA, the payment of taxes, and the removal of FAA equipment. The balance starting 2013 was \$9,347,031. This was received for information only.

The Committee reviewed the 2013 activity of Industrial Land Reclamation, the Western Collector, Project 1302 Willmar Avenue Realignment and Quiet Zone, Robbins Island Bike Path and Market Value Reductions. Also discussed were projects approved for 2014 of Civic Center Improvements, Industrial Park Development, Bike Path Improvements and preliminary work on the Lakeland Drive Bike Path. The Committee received this for information at this time, directing staff to review the present policy of allocating the Investment Market Value fluctuations for discussion at the next meeting, so the committee could reinstate a possible \$722,393 for eligible projects. The committee would also like to have more discussion on total costs for all projects past, present and future at its next meeting. The Council received this for information only.

The Finance Committee Report for February 24, 2014, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Johnson, seconded by Council Member Dokken, and carried.

The Public Works/Safety Committee Report for February 25, 2014 was presented to the Mayor Pro Tempore and Council by Council Member Christianson. There were four items for consideration.

Item No. 1 There were no comments from the public.

Item No. 2 Jared Voge, Interim City Engineer, presented the proposed 2014 Improvement Projects. The projects consist of three parts; those parts being new construction, reconstruction, and overlay, and also includes Willmar Avenue Street Lighting across the former airport property. The preliminary engineering report was presented to the Committee and discussed. The next step in the process is for the Council to receive the Preliminary Engineering Report and call for a hearing on the improvements.

Council Member DeBlieck expressed concern about street lighting on the north side of Willmar Avenue being a safety issue. It was also asked if concrete could be bid as an alternate for the new construction and reconstruction projects. Those items will be addressed prior to the hearing. Council Member Ahmann raised questions about street condition ratings and project prioritization. Staff responded that conditions are analyzed every two years and streets are prioritized for rehabilitation work. The determining factor for the size and scope of an improvement project is typically the availability of funding.

The Committee was recommending the Council receive the report as presented and call for a public hearing on the improvement projects at the March 17, 2014 meeting. Resolution No. 11 was introduced by Council Member Christianson, seconded by Council Member Ahmann, reviewed by Mayor Pro Tempore, and approved on a roll call vote of Ayes 8, Noyes 0.

RESOLUTION NO. 11

RECEIVING PRELIMINARY ENGINEERING REPORT AND CALLING HEARING ON 2014 IMPROVEMENT PROJECTS

WHEREAS:

1. Pursuant to council direction on October 7, 2013, a Preliminary Engineering Report has been prepared by Bolton & Menk, Inc. with reference to the 2014 Improvement Projects.
2. The City Council deems it necessary and expedient that the City of Willmar, Minnesota, construct certain improvements to-wit: grading, aggregate base, bituminous paving, concrete curb & gutter,

sidewalk, storm sewer, edge drain, storm sewer, sanitary sewer, watermain, service lines, and turf restoration in the City as described in and in accordance with the report prepared by the Interim City Engineer.

3. The Council has been advised by the Interim City Engineer that said 2014 Improvement Projects contained in the Preliminary Engineering Report are feasible and should best be made as proposed, and the Interim City Engineer's Report to this effect has heretofore been received by the Council, and filed with the Clerk-Treasurer; and

4. 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 Public Hearing on Improvement hereto attached 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 Public Hearing on Improvement 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 3rd day of March, 2014.

/s/ Denis Anderson
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 Council Member Ahmann explained why he previously voted against the purchase of the inspections vehicle. He said the City needed a more detailed vehicle mechanical analysis process for future purchases.

Public Works Superintendent Scott Ledboer presented information about snow removal and water main breaks to the Committee. Overtime hours are up compared to 2012 and 2013. Water main breaks are also up due to the extreme depth of frost.

Police Chief Dave Wyffels offered an update on Police Department activities to the Committee. He noted that calls are up due to the weather, primarily in the area of automobile crashes and domestic violence.

Fire Chief Gary Hendrickson also provided an update on Fire Department activities to the Committee. In 2013 there were 274 fire calls with \$5.5 million in property loss. So far in 2014 there have been 48 fire calls. Chief Hendrickson offered fire safety tips for wood burners and candle use. He noted that the department recently hired five new firefighters and they have completed 90 of the 160 hours of training required for Firefighter I and II. He also mentioned that the department would soon hire new clerical staff.

Chair Christianson asked Public Works Superintendent Ledebauer to look into snow melting equipment to reduce snow removal and hauling.

The Public Works/Safety Report for February 25, 2014, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Christianson, seconded by Council Member Ahmann, and carried.

The Community Development Report for February 27, 2014, was presented to the Mayor Pro Tempore and Council by Council Member Fagerlie. There were three items for consideration.

Item No.1 There were no comments from the public.

Item No. 2 Staff presented to the Committee a proposal to transfer property to Jennie-O Turkey Store for their future expansions. The Phase I Expansion is intended for 2014 and involves the transfer of two parcels totaling approximately eight (8) acres of land to Jennie-O Turkey Store. A calculated purchase price of \$238,072 would be written down to \$0 by applying the City's land write-down policy. An option or first right of refusal was proposed for the 30-acre Phase II parcel, in order to provide a level of assurance to the company that the land was available for their future needs.

The Committee had a number of questions regarding past recordkeeping for the project. Council Member Johnson inquired about the appraisal numbers and the fact there were different square foot values assigned to the three parcels. Chair Fagerlie explained that each parcel had to be appraised separately. Mr. Johnson also inquired about the jobs to be created by the project. Randy Alsleben of Jennie-O Turkey Store said a majority of the jobs coming to the expanded corporate headquarters would be from other Jennie-O offices in Minnesota and Wisconsin, with a good number of those coming from Spicer. Council Member DeBlieck asked about the value of the Phase I parcels to the City. Staff explained that there was very little value to the parcels due to the physical encumbrances and obstacles inherent with each parcel. Chair Fagerlie asked if Jennie-O Turkey Store was ready to move forward with the office expansion if the Council acted favorably on the land transfer. Mr. Alsleben replied, "Yes, as soon as they can." The question was asked whether the two possible expansion projects are tied to the action for the Phase I land transfer. Again, Mr. Alsleben replied "yes." Council Member DeBlieck concluded discussion by saying that the corporate expansion sets the stage for future industrial growth and he recognized the value of Jennie-O Turkey Store in the region as a Fortune 500 Company. Members of the Council clarified potential conflicts of interest, all in the negative.

Following discussion, the Committee was recommending the transfer of property for Phases I and II as proposed by staff, and directing staff and legal counsel to prepare the necessary purchase agreement and option/first right of refusal for final review by the Council. Council Member Fagerlie moved to approve the recommendation of the Community Development Committee with Council Member DeBlieck seconding the motion, which carried.

Item No. 3 The Committee reviewed the solid waste section of the Municipal Code with staff. Megan DeSchepper, City Planner who led the Task Force, outlined changes to the Municipal Code as proposed by the Task Force. The proposed changes include additions/revisions to the sections on collection, storage, and disposal of solid waste, as well as enforcement procedures. Under the proposed ordinance, administrative citations can be issued by Community Service Officers or Police Officers following unsuccessful attempts by the Department of Planning and Development Services to resolve a violation. Several members of the Task Force were present to offer comments. Linda Mathiasen explained that

information from other cities was helpful in structuring the ordinance amendments. Stephen Deleski showed some photos of problem areas, specifically in the downtown area. Council Member DeBlieck offered the comment that the ordinance was not specific to the downtown, but would be enforced city-wide. Don Williamson of the Task Force offered comments regarding his company's requirements for access to solid waste receptacles.

Council Member Fagerlie offered a motion to introduce an Ordinance Amending Chapters 6.5 and 12 of the Municipal Code and schedule a public hearing for 7:05 p.m., March 17, 2014. Council Member Dokken seconded the motion, which carried.

The Community Development Committee Report for February 27, 2014, 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 Dokken, and carried.

City Clerk Kevin Halliday presented a request from the Willmar Curling Club to be able to serve alcohol during a three-day Curling Novice Bonspiel on March 21-23, 2014. A Civic Center Arena Special Event Permit is required. The Baker's Eagle Creek Eatery, dba The Oaks at Eagle Creek has applied for this permit and will provide the on-site employee. Council Member DeBlieck offered a motion to approve the permit; Council Member Christianson seconded the motion, which carried.

Planning and Development Services Director Bruce Peterson proposed a text amendment initiated by the Planning Commission regarding shipping and storage containers to be proactive in anticipated possible future land use issues. They propose prohibiting such type containers as permanent structures and limiting them to no more than one month's use for moving purposes, or three months for storage for construction projects. Council Member Fagerlie offered a motion to introduce a text amendment to Zoning Ordinance 1060, Section 3 and schedule a public hearing for 7:06 p.m., March 17, 2014. Council Member DeBlieck seconded the motion, which carried.

Council Member Anderson conveyed his loss of long-time Willmar Municipal Utilities employee Larry Heinen. This was for information only.

Announcements for Council Committee meeting dates were as follows: Labor Relations, March 4; Finance, March 10; Public Works/Safety, March 11; and Board of Equalization, April 21, 2014.

There being no further business to come before the Council, the meeting adjourned at 8:01 p.m. upon motion by Council Member Ahmann, seconded by Council Member DeBlieck, and carried.

Attest:

MAYOR PRO TEMPORE

SECRETARY TO THE COUNCIL