

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

June 7, 2010  
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Bruce DeBlieck, Denis Anderson, Steve Ahmann, Rick Fagerlie, Jim Dokken, and Tim Johnson; Present 7, Absent 2 - Ron Christianson and Doug Reese were excused from the meeting.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Fire Chief Marv Calvin, Public Works Director Mel Odens, Finance Director Steve Okins, City Clerk Kevin Halliday, Assistant Engineer Holly Wilson, and Police Captain David Wyffels.

The Council requested the Rice Hospital Board and Charter Commission Minutes be removed from the Agenda.

Council Member Anderson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of May 17, Rice Hospital Board Minutes of May 12, Municipal Utilities Commission Minutes of May 24, Planning Commission Minutes of May 26, Building Inspection Report for May, Willmar Design Center Minutes of May 12, 2010; and Exempt Permit Applications: Willmar Hockey Association, West Central Ducks Unlimited and Willmar Firefighters Association. Council Member Ahmann seconded the motion, which carried.

The Council discussed the May 27, 2010, Rice Hospital Board Minutes item relating to a \$5.5 million expansion and renovation project set to begin later in the year at Rice Care Center. Rice CEO Mike Schramm presented details of the four-phased project to upgrade and expand the Rice Care Center. Over the next four years, the skilled nursing facility will be enlarged and renovated to enhance its ability to provide sub-acute and long-term care to an aging population. Following discussion, the Rice Hospital Board Minutes of May 27, 2010, were approved as presented upon motion by Council Member Dokken, seconded by Council Member Ahmann, and carried.

The Council discussed the May 19, 2010, Charter Commission Minutes noting the resignation of Eileen Huberty. Council Member Anderson moved to nominate Verna Kelly to the Charter Commission with Council Member DeBlieck seconding the motion, which carried. The Charter Commission Minutes of May 19, 2010, were approved as presented upon motion by Council Member Anderson, seconded by Council Member DeBlieck, and carried.

At 7:28 p.m. Mayor Heitke opened the annual 2009 – 2010 storm water public hearing. Assistant City Engineer Wilson noted this hearing was the City's third annual meeting as required by our MS4 permit. The purpose of the meeting is to raise awareness of the importance of good storm water management and to give an update on the status of compliance with the MS4 permit conditions. An update was given on what the City has accomplished in 2009, what we are currently doing or have done in 2010 and what the City plans to do in the future. Following questions from the Council, Mayor Heitke closed the hearing at 7:35 p.m.

At 7:37 p.m. Mayor Heitke opened a hearing to consider assessments for the 2010 Street and Other Improvements Project. Public Works Director Odens provided an overview of the assessment program noting lineal foot charges set at \$55.88 per foot for a reconstructed street and \$23.06 per foot

of an overlay project. Mr. Odens explained the project consists of 2.82 miles and the total project cost is \$2,084,176.28. \$1,294,842.88 is proposed to be assessed to property owners. Scott Swartz, 405 25<sup>th</sup> Avenue SW, requested a decorative-style pole currently in the median be saved. Herve Decathelineau, 819 7<sup>th</sup> Street SW, expressed concern of the cost and that, in the past, he was not assessed for work done to the street. Earl Soren, 825 7<sup>th</sup> Street SW, asked if the County was contributing and was informed that the County would be sharing in the cost of the Project. Mel Linn, 2223 10<sup>th</sup> Avenue SE, stated he had received an assessment notice for an address on 23<sup>rd</sup> Street SE where another project is planned. A review of the records confirmed the proposed assessment of \$2,654.20 should be removed from the program. Ben Fischer, 1104 11<sup>th</sup> Avenue SE, discussed storm sewer problems. Upon hearing all those who wished to be heard, Mayor Heitke closed the hearing at 8:24 p.m.

Following discussion, Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 1

ADOPTING ASSESSMENT ROLL

WHEREAS, pursuant to notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for 2010 Street and Other Improvements, and has amended such proposed assessment as it deems just;

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

1. Such proposed assessment, the sum of \$1,294,842.88, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein is hereby found to be benefited by the proposed improvement listed as Project 1001.
2. Such assessments shall be as follows:
  - A. The assessments shall be payable in equal annual installments extending over a period of ten (10) years, the first of said installments to be payable with general taxes for the year 2011, collectible with such taxes during the year 2011.
  - B. To the first installment shall be added interest at the rate of five and no hundredths (5.00) percent per annum on the entire principal amount of the assessment from the date of the bond sale, approximately July 6, 2010, until December 31, 2011. To each subsequent installment, when due there shall be added interest for one year at said rate on the unpaid principal amount of the assessment.
  - C. The owner of any property so assessed may at any time prior to the certification of the assessment or the first installment thereof to the County Auditor (Treasurer), pay the whole of the principal amount of the assessment on such property with interest accrued to the date of payment to the City Clerk-Treasurer, except that no interest shall be charged if the entire assessment is paid by October 31, 2010, and such property owner may at any time prior to November 15 of any year pay to the City Clerk-Treasurer the entire principal amount.
3. The City Clerk-Treasurer shall forthwith transmit a certified duplicate copy of this assessment to the County Auditor to be extended on the tax list of the County.

Dated this 7<sup>th</sup> day of June, 2010.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Mayor Heitke called for a recess at 8:25 p.m. and reconvened the meeting at 8:31 p.m.

At 8:31 p.m. Mayor Heitke opened a hearing on an Ordinance Amending Municipal Code Sections 3-2 and 3-87 Pertaining to the Sale of Intoxicating Liquor and 3.2 Percent Malt Liquor. City Clerk Halliday presented details of the proposed Ordinance which would prohibit the sale or delivery of 3.2 percent malt liquor to a person less than 21-years of age. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 8:33 p.m.

Council Member Fagerlie offered a motion to adopt, assign a number and order final publication of an Ordinance Amending Municipal Code Sections 3-2 and 3-87 Pertaining to the Sale of Intoxicating Liquor and 3.2 Percent Malt Liquor. Council Member Dokken seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Mayor Heitke acknowledged individuals who had signed up to address the City Council during its scheduled Open Forum. Errol Bluhm and Ron Maurer spoke in support of 287(g) program sponsored by Immigration and Customs Enforcement.

Bruce Gomm, General Manager of the Willmar Municipal Utilities, appeared before the Mayor and Council to discuss the two-hour power outage on May 18, 2010, that affected Willmar and parts of Kandiyohi County. The outage occurred while Utility employees were performing a planned and budgeted equipment replacement and upgrade at a substation. During a switching procedure a relay caused the substation to trip out, which caused a cascading effect shutting down the substation.

The Finance Committee Report for May 24, 2010, was presented to the Mayor and Council by Council Member Anderson. There were seven items for Council consideration.

Item No. 1 City Clerk Halliday informed the Committee that En-Tel's parent company, Iowa Telecom, has entered into an agreement under which Windstream Corporation will become the ultimate holding company of Iowa Telecom's subsidiaries, including En-Tel. Willmar residents who subscribe to En-Tel's cable service will experience no change in their service or rates as a result of the parent company change. Further, En-Tel's assets will not change hands but will simply become part of the Windstream corporate family.

The Committee was recommending the Council adopt a resolution acknowledging the change in En-Tel's ultimate corporate parent holding company. Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

#### RESOLUTION NO. 2

#### RESOLUTION ACKNOWLEDGING THE CHANGE IN EN-TEL COMMUNICATIONS ULTIMATE CORPORATE PARENT HOLDING COMPANY

WHEREAS,

1. On or about November 21, 2001, the City of Willmar, Minnesota ("City"), passed and adopted Ordinance 1152 granting a franchise ("Franchise") to En-Tel Communications, LLC ("En-Tel").

2. En-Tel owns, operates and maintains a cable television system in the City ("System"), pursuant to the terms and conditions of the Franchise.

3. The City of Willmar has been advised that Iowa Telecommunications Systems, Inc. ("Iowa Telecom"), the indirect owner and holding company of En-Tel, has entered into an Agreement and Plan of Merger dated November 23, 2009 ("Agreement") with Windstream Corporation ("Windstream").

4. The City of Willmar has been advised that under the Agreement, Windstream will become the indirect owner and ultimate holding company of En-Tel and other Minnesota regulated companies currently owned by Iowa Telecom, although En-Tel will continue to hold the Franchise and operate and provide cable television services under the Franchise.

5. Although the Franchise and Minn. Stat. Section 238.083 do not require the City's approval of the change in En-Tel's ultimate parent company, En-Tel and Windstream desire to have the City of Willmar acknowledge the change and confirm the City does not object to the merger.

NOW, THEREFORE, BE IT RESOLVED, by the City of Willmar, Minnesota, that it confirms it has no objection to the merger above referenced and the resulting change in En-Tel's parent company.

This Resolution shall take effect and continue and remain in effect from and after the date of its adoption.

Dated this 7<sup>th</sup> day of June, 2010.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 2 The Committee was informed by Staff that because of GASB 34 (Governmental Accounting System's Board), the City is required to book fair market values for each investment rather than the actual purchase amount. Based on monthly information received from investment companies, the City has been tracking the fair market values on monthly reports but has only been booking these values on December 31 of each year. When investments are called or mature, the amount received is the par value, not the fair market value. Fluctuations between par and market values could compromise the 40 percent threshold of investing in a single security type or financial institution. It was the consensus of the Committee that Staff should amend the City's Investment Policy to book the fair market values annually and to bring it back to the Committee for review. This matter was for information only.

Item No. 3 Staff informed the Committee that the STAG grant recently received in the amount of \$291,000 was specifically awarded for the Waste Treatment Plant projects completed under PFA Loan No. 1. Due to that stipulation, it was being proposed that the City amend the Construction Budget to move \$291,000 to the Operating Budget to be applied toward the principal on Loan #1.

Following discussion, the Committee was recommending the Council adopt a resolution transferring \$291,000 from the Waste Treatment Plant Construction Budget to the WTP Operating Budget as debt payment of Loan No. 1.

Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 3

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to make the following changes to the Waste Treatment budget:

Increase:	Federal Grant	\$291,000.00
Increase:	Debt Payment	\$291,000.00

Dated this 7<sup>th</sup> day of June, 2010.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Staff presented to the Committee a request to revise the Waste Treatment Plant Project D6 Conveyance System III Budget. Subject to Public Works Committee approval of a change order for work to be performed, it is requested that \$9,709 be transferred from Other Services to Maintenance of Other Improvements.

The Committee was recommending the Council adopt a resolution revising Waste Treatment Plant Project D-6 Conveyance System III Budget by transferring \$9,709 from Other Services to Maintenance of Other Improvements, subject to Public Works Committee approval of the change order covered by this amount.

Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Dokken, reviewed by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 4

WWTP RELOCATION BUDGET SUMMARY  
\$86,218,712

OTHER SERVICES		RECEIVABLES	
Mtce. of Other Impr.	\$69,041,486.00	Federal Grants	\$925,079      \$925,079
Other Services	<u>\$4,303,122.00</u>	State-TMDL Grant	2,692,935      2,692,935
TOTAL	\$73,344,608.00	City	500,812      500,812
		State-PFA Loans	<u>82,099,886</u> <u>87,028,716</u>
OTHER CHARGES		TOTAL:	\$86,218,712      \$91,147,542
Prof. Serv.	\$12,051,677.00		
Other Charges	<u>\$822,427.00</u>	FINANCING	
TOTAL	\$12,874,104.00	Bonds-PFA SRF(Loan)	\$42,001,362      \$42,001,362
		Bonds-PFA SRF (ARRA)	1,788,716      1,788,716
GRAND TOTAL	\$86,218,712.00	Bonds-PFA SRF (Loan)	31,309,808      36,238,638
		State-PFA WIF	7,000,000      7,000,000
		City-WTP Reserves	500,812      500,812
		Grant-Fed EPA STAG	477,900      477,900
		Grant-State ARRA	477,179      447,179
		Grant-State TMDL	<u>2,692,935</u> <u>2,692,935</u>
		GRAND TOTAL	\$86,218,712      \$91,147,542

Dated this 7<sup>th</sup> day of June, 2010.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 The Committee considered the proposed 2010 Street Improvements Budget reflecting actual bids received for Project Nos. 1, 2, and 5. Project Nos. 4 and 6 and the State Aid project remain at the engineer's estimates. This budget needs to be completed for the Special Assessments public hearing.

The Committee was recommending the Council introduce a resolution adopting the 2010 Street Improvements Budget as presented. Resolution No. 5 was introduced by Council Member Anderson, seconded by Council Member Ahmann, reviewed by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 5

2010 STREET IMPROVEMENTS BUDGET  
ESTIMATED TOTAL COST \$2,837,000

PERSONNEL SERVICES		RECEIVABLES	
Overtime Reg. Employees	\$500.00	Property Owners	\$1,207,000.00
Salaries Temp. Employees	<u>\$1,000.00</u>	County	\$35,000.00
TOTAL	\$1,500.00	State	\$830,000.00
		City	\$578,000.00
SUPPLIES		City (MUC)	\$104,000.00
Office Supplies	\$500.00	LOST	\$67,000.00
Small Tools	\$500.00	Developer (cash)	<u>\$16,000.00</u>
Motor Fuels & Lubricants	\$2,000.00	TOTAL	\$2,837,000.00
Postage	\$1,000.00		
Mtce. of Other Improvements	\$500.00	FINANCING	
General Supplies	<u>\$1,000.00</u>	Bonds	\$1,785,000.00
TOTAL	\$5,500.00	County	\$35,000.00
		State	\$830,000.00
OTHER SERVICES		City (MUC)	\$104,000.00
Mtce. of Other Impr.	\$2,438,000.00	LOST	\$67,000.00
Other Services	<u>\$118,000.00</u>	Developer (cash)	<u>\$16,000.00</u>
TOTAL	\$2,556,000.00	TOTAL	\$2,837,000.00
OTHER CHARGES		GRAND TOTAL	\$2,837,000.00
Insurance & Bonds	\$2,000.00		
Prof. Serv.	\$25,000.00		
Advertising	\$2,000.00		
Adm. OH (Transfer)	\$225,000.00		
Other Charges	<u>\$20,000.00</u>		
TOTAL	\$274,000.00		
GRAND TOTAL	\$2,837,000.00		

Dated this 7<sup>th</sup> day of June, 2010.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 The Committee considered the proposed Preliminary 2010 Swansson Field Parking Lot and Trailhead Improvements Budget reflecting Engineer's estimates for a total of \$272,000. Once bids have been received, this budget will again be presented to the Committee for approval of the actual bid costs.

The Committee was recommending the Council adopt a resolution adopting the Preliminary 2010 Swansson Field Parking Lot and Trailhead Improvements Budget as presented. Resolution No. 6 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 6

PRELIMINARY 2010 SWASSON FIELD PARKING IMPROVEMENT BUDGET

PERSONNEL SERVICES		RECEIVABLES	
Salaries Temp. Employees	<u>\$500.00</u>	LOST	<u>\$272,000.00</u>
TOTAL	\$500.00	TOTAL	\$272,000.00
SUPPLIES		FINANCING	
Office Supplies	\$250.00	LOST	<u>\$272,000.00</u>
Small Tools	\$250.00	TOTAL	\$272,000.00
Motor Fuels & Lubricants	\$500.00		
Postage	\$300.00	GRAND TOTAL	\$272,000.00
Mtce. of Other Improvements	\$200.00		
General Supplies	<u>\$500.00</u>		
TOTAL	\$2,000.00		
OTHER SERVICES			
Mtce. of Other Impr.	\$236,000.00		
Other Services	<u>\$10,000.00</u>		
TOTAL	\$246,000.00		
OTHER CHARGES			
Insurance & Bonds	\$1,000.00		
Advertising	\$1,000.00		
Adm. OH (Transfer)	<u>\$21,500.00</u>		
TOTAL	\$23,500.00		
GRAND TOTAL	\$272,000.00		

Dated this 7<sup>th</sup> day of June, 2010.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 6 Due to the outcome of the State Legislature's recent decisions, the Committee decided to cancel the June 14, 2010, Council work session to discuss the 2010 Budget. However, the work sessions scheduled for July and August to discuss the 2011 Budget remain as scheduled. There was also a brief discussion regarding the outstanding balance due to the State of Minnesota for the old airport property. This matter was for information only.

Item No. 7 The Committee discussed the recent power outage that occurred throughout the City of Willmar and surrounding area. This matter was for information only.

The Finance Committee Report for May 24, 2010, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Dokken, and carried.

The Public Works/Safety Committee Report for May 25, 2010, was presented to the Mayor and Council by Council Member DeBlieck. There were six items for Council consideration.

Item No. 1 the Committee considered a request from Staff for permission to proceed with the sale of a Fire Department 1990 Rescue Van and equipment for \$45,000 to the Grove City Fire Department. The van is being replaced with a trailer equipped with rescue equipment.

The Committee was recommending the Council approve the sale of Rescue Van #5293 to Grove City as presented. Council Member DeBlieck moved to approve the recommendation of the Public Works/Safety Committee with Council Member Dokken seconding the motion, which carried.

Item No. 2 The Committee considered a request from Staff to proceed with training for emergency crews at three homes across from the Fire Station on 2<sup>nd</sup> Street SW. Weather permitting, two of the structures may be burned and used for training emergency personnel from the Fire Department, Police Department, Ridgewater College, and Rice Hospital.

Following discussion, the Committee was recommending the Council approve the training exercises as presented for houses at 518, 522, and 526 – 2<sup>nd</sup> Street SW. Council Member DeBlieck moved to approve the recommendation of the Public Works/Safety Committee, with Council Member Dokken seconding the motion, which carried.

The Committee was further informed by Staff of a request from the owner of 210 SE 45<sup>th</sup> Avenue to conduct a training burn. The owner plans to rebuild on the existing site. All necessary permits will be obtained and asbestos inspections performed prior to any training being conducted. The burn/demolition is planned to take place prior to August 1, 2010. The Committee was recommending the Council approve the training burn at 210 45<sup>th</sup> Avenue SE. Council Member DeBlieck moved to approve the recommendation of the Public Works/Safety Committee with Council Member Dokken seconding the motion, which carried.

Item No. 3 The Committee considered a request from Staff for approval to apply for and accept a grant through the Minnesota Institute of Public Health (MIPH) for reimbursement for the cost of alcohol compliance checks at a rate of \$30.00 each with an expected two checks per license over a one-year grant period. The grant runs from July 1, 2010, to May 15, 2011. Presently the Police Department does two compliance checks per year.

The Committee was recommending the Council authorize Staff to apply for and accept grant funding from the Minnesota Institute of Public Health for alcohol compliance checks. Resolution No. 7 was introduced by Council Member DeBlieck, seconded by Council Member Fagerlie, reviewed by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.



RESOLUTION NO. 7

BE IT RESOLVED by the City Council of the City of Willmar to approve an application by the Police Department for, and the acceptance of, a grant through the Minnesota Institute of Public Health for reimbursement for the cost of alcohol compliance checks.

Dated this 7<sup>th</sup> day of June, 2010.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 Staff informed the Committee that bids were opened May 4, 2010, for the assessable portion of the 2010 Improvements. The costs for 2010 construction have been compared to 2009/2008, and assessments rates have decreased due to lower construction costs. It was the recommendation of City staff to assign the rate of \$55.88 per foot for this year's road reconstruction and \$23.06 per foot for overlay. Last year the rates were \$57.00 per foot for reconstruction. There were no overlays included in last year's project.

The Committee was recommending the Council declare the cost to be assessed and order preparation of the assessment roll. Resolution No. 8 was introduced by Council DeBlieck, seconded by Council Member Fagerlie, reviewed by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 8

DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF ASSESSMENT ROLL  
IN CONNECTION WITH 2010 STREET AND OTHER IMPROVEMENTS  
(PROJECT NO. 1001)

WHEREAS, contracts have been let for the construction of Street and Other Improvements of 2010 in the City, to-wit: City Project No. 1001 and;

WHEREAS, the total cost of said Street and Other Improvements of 2010 is \$1,684,877.52.

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

1. The City Council hereby determines that the City shall pay \$390,034.64 of said cost, exclusive of the amount it may pay as a property owner, and the sum of \$1,294,842.88 shall be assessed against benefited property owners based upon benefits received without regard to cash valuation.
2. The Clerk-Treasurer, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land without regard to cash valuation as provided by law, and he shall file a copy of such assessment in his office for public inspection.
3. The Clerk-Treasurer shall, upon the completion of such assessment, notify the City Council thereof.

Dated this 7<sup>th</sup> day of June, 2010.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 Donohue staff presented to the Committee Change Order No. 2 to WWTP Project No. 0816-D6, calling for changes in the installation of two wastewater pump stations that bring the industrial waste to the new facility. The individual additions and deletions of the change order were explained by John Bryant of Donohue and Associates totaling a net change of \$9,708.01. The contingency fund for this project contains \$90,000 to cover costs over the initial contract and has a remaining balance of approximately \$78,000.

The Committee was recommending the Council approve Change Order No. 2 to Project No. 0816-D6 as presented. Resolution No. 9 was introduced by Council Member DeBlieck, seconded by Council Member Fagerlie, reviewed by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

#### RESOLUTION NO. 9

WHEREAS, the City of Willmar entered into Contract No. 0816-D6 with Di-Mar Construction, Inc. for the construction of two Wastewater Pump Stations; and

WHEREAS, Change Order No. 1 resulting in a \$2,021.00 increase has been previously authorized; and

WHEREAS, miscellaneous items were added and removed to improve project site conditions and the electrical sizing was decreased; and

WHEREAS, back-up controller equipment is being provided at both Pump Stations to have redundant control in case of failure by the primary controller; and

WHEREAS, lower bearing temperature sensors in pumps are recommended for deletion per the pump manufacturer and Donohue's designer; and

WHEREAS, ceiling light fixtures were changed to wall mounted light fixtures to direct more light to working areas; and

WHEREAS, light fixture domes were deleted resulting in better lighting in working areas; and

WHEREAS, backflow preventer was relocated from the basement to the first level resulting in a cost savings to the City; and

WHEREAS, bypass flow monitoring will provide City Staff with an alarm if any bypass flow of industrial wastewater enters the municipal wastewater treatment piping system; and

WHEREAS, it is recommended to approve the changes and the cost associated with Change Order No. 2.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that Change Order No. 2 be approved; as a result, the contract amount will be increased by \$9,708.01 for a revised contract amount of \$1,951,729.01 for Project 0816-D6 Wastewater Pump Stations.

Dated this 7<sup>th</sup> day of June, 2010.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 6 The Committee discussed frost boils and reviewed a list of 46 areas for repair with hot mix as prepared by the Public Works Department. Of these 28 are frost boils and 18 are gravel cuts resulting from utility repairs. Crews started patching last week as soon as hot mix became available and to date 24 areas are complete. This matter was for information only.

The Public Works/Safety Committee Report for May 25, 2010, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member DeBlicek, seconded by Council Member Fagerlie, and carried.

City Administrator Schmit informed the Mayor and Council that bids were opened for Project No. 1001 with Duinick Incorporated as the apparent low bid. Following discussion, Resolution No. 10 was introduced by Council Member Fagerlie, seconded by Council Member Anderson, reviewed by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 10

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Duinick Inc. of Prinsburg, Minnesota for Project No. 1001 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 \$1,684,877.52.

Dated this 7<sup>th</sup> day of June, 2010.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

City Administrator Schmit reviewed with the Mayor and Council a Resolution Calling for Public Hearing on an Ordinance Authorizing the Issuance of \$1,785,000 General Obligation Improvement Bonds, Series 2010A and Levying Taxes for the Payment Thereof. Following discussion, Council Member Anderson offered a motion to introduce Resolution No. 11 and schedule a public hearing for the Ordinance on June 21, 2010. The Motion was seconded by Council Member Fagerlie, reviewed by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 11

RESOLUTION CALLING FOR PUBLIC HEARING ON AN ORDINANCE AUTHORIZING  
THE ISSUANCE OF \$1,785,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2010A  
AND LEVYING TAXES FOR THE PAYMENT THEREOF

(For Resolution in its entirety, see City Council proceedings file dated  
June 7, 2010, located in the City Clerk's Office)

The Mayor and Council discussed the first Council meeting in July and the Independence Day Holiday. Council Member Anderson moved to reschedule the meeting to Tuesday, July 6, 2010. Council Member DeBlieck seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance, June 14; Public Works/Safety, June 15; and Community Development, June 17, 2010.

There being no further business to come before the Council, the meeting adjourned at 9:36 p.m. upon motion by Council Member Anderson, seconded by Council Member DeBlieck, and carried.

Attest:

\_\_\_\_\_  
MAYOR

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