

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

June 18, 2012
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Frank Yanish. Members present on a roll call were Mayor Yanish, Council Members Doug Reese, Ron Christianson, Denis Anderson, Steve Ahmann, Rick Fagerlie, Jim Dokken, and Tim Johnson; Present 8, Absent 1 - Bruce DeBlicek was excused from the meeting.

Also present were City Administrator Charlene Stevens, Police Chief David Wyffels, Fire Chief Marv Calvin, Public Works Director Holly Wilson, Finance Director Steve Okins, City Attorney Robert Scott, and City Clerk Kevin Halliday.

The Council requested the Police Commission Minutes of April 26, 2012, be removed from the Consent Agenda.

Council Member Anderson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of June 4, Municipal Utilities Commission/City Council Joint Minutes of June 4, Municipal Utilities Commission Minutes of June 11, Applications for Exempt Permits - Willmar Curling Club and Willmar Firefighters Association; Accounts Payable through June 13, and Building Inspection Report for May, 2012. Council Member Reese seconded the motion, which carried.

The Council discussed the final tests results of the police officer hiring process noting Veteran's preference points. The Police Commission Minutes of April 25, 2012, were approved as presented upon motion by Council Member Dokken, seconded by Council Member Reese, and carried.

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

At 7:02 p.m. Mayor Yanish opened the annual 2012 Storm Water Permit/Pollution Prevention Program hearing. Public Works Director Wilson noted the purpose of the hearing was to raise awareness of the importance of good storm water management, to provide an update on the current status of compliance with the MS4 Permit conditions, plans for the future, and allow the public to comment on the City's implementation procedures. Following Director Wilson's presentation and questions from the Council, Mayor Yanish closed the hearing at 7:12 p.m. This matter was for information only.

The Finance Committee Report for June 11, 2012, was presented to the Mayor and Council by Council Member Anderson. There were six items for Council consideration.

Item No. 1 City Planner/Airport Manager Sauer explained to the Committee that there are cracks in the runway at the airport which need to be addressed. The 2012 Airport Capital Outlay Program has \$9,000 designated for crack seal improvements and \$50,000 to seed/sod the runway. It is being proposed that \$5,000 of the runway funds be redesignated to cover the additional costs of a professional services contract to provide design, bidding and construction services to crack seal the runway.

The Committee was recommending to the Council that the 2012 Airport Capital Outlay Budget be amended by reappropriating \$5,000 from the seeding/sodding project to the crack seal improvements project for a professional services contract to provide design, bidding, and construction services. Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, 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 2012 Airport Capital Outlay Budget as follows:

Increase:	2012 Crack Seal Improvements	\$5,000.00
Decrease:	2012 Seeding/Sodding Runway	\$5,000.00

Dated this 18th day of June, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Following discussion, the Committee was recommending that the City of Willmar enter into a professional services agreement with Bolton and Menk to design, bid, and provide construction services for the runway crack seal improvements project at the airport for \$13,442.

Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Johnson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

WHEREAS, the City of Willmar desires to retain a firm to design, bid and provide construction services for the runway crack seal improvements at the municipal airport; and

WHEREAS, a proposal has been made by the firm of Bolton and Menk, Inc. for a not to exceed figure of \$13,442.00;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that said proposal be accepted and that the Mayor and City Administrator be authorized to execute the same.

Dated this 18th day of June, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 2 The Committee was informed that the Fire Department has received two donations as a result of the i3 at MTC Conference on April 14, 2012. ACGC Schools donated \$75 and MinnWest Technology Campus donated \$812.15. The Committee was recommending the Council accept the donation of \$75, amend the budget accordingly, and send a letter of appreciation to ACGC Schools.

Resolution No. 3 was Council Member Anderson, seconded by Council Fagerlie, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

WHEREAS, the Willmar Fire Department has received a donation in the amount of \$75.00 from ACGC (Atwater-Cosmos-Grove City) School;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota, that the City accept the donation from ACGC and that the City Administrator be directed to express the community's appreciation.

Dated this 18th day of June, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Committee further recommended that the Council accept the donation of \$812.15, amend the budget accordingly and send a letter of appreciation to MinnWest Technology Campus. Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Christianson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 4

WHEREAS, the Willmar Fire Department has received a donation in the amount of \$812.15 from MinnWest Technology Campus;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota, that the City accept the donation MinnWest Technology Campus and that the City Administrator be directed to express the community's appreciation.

Dated this 18th day of June, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 City Clerk Halliday explained to the Committee that for years the City has offered deferred assessments to qualifying Senior Citizens and Disabled Homeowners. The City Attorney is recommending this option to allow deferments be adopted in Ordinance form. A draft of the proposed ordinance was presented for review. Staff raised concerns with Section 5-89 (b) which describes gross household income levels at or under established HUD low income limits. It was the consensus of the Committee that these limits were too high and that the Very Low or Extremely Low limits should be instituted instead. Staff will continue to research information and will bring this issue back for Committee review. This matter was taken for information.

Item No. 4 Planning and Development Director Peterson presented to the Committee an overview of his Department's revenues and expenditures. Revenues continue to lag due to a downturn in construction activity and out-of-date fee schedules for construction permit fees, zoning fees, and rental licensing fees. Historical changes to these schedules and comparisons to other regional centers were discussed. It was being recommended that an increase of 15 percent be instituted for building permits, mechanical permits and plumbing permits. Increases to plan review fees, zoning fees and rental registration fees were also proposed. The Committee requested additional information and discussion at a future Finance Committee meeting regarding the proposed fees. Major changes in expenditures include an increase in fuel costs, a reduction in staff continuing education/certification maintenance, and an increase in professional design and consulting services for downtown and miscellaneous development projects.

City Administrator Stevens reviewed the Administrator's budget with the Committee. The only change from 2012 was the reallocation of the Administrative Assistant's salary and benefits entirely to the City Administrator. Until the 2013 budget, 25 percent had been included under Elections. However, those duties have now been absorbed by the City Clerk's office. The Mayor and Council 2013 budget has been reduced by \$5,000 in professional services which was for Council retreats and planning sessions and \$1,000 for travel costs. The Legal Department 2013 budget now reflects labor negotiating attorney fees of \$20,000 which had been allocated under Non-departmental in past years. The Data Processing 2013

budget shows computer replacements as small tools/equipment rather than capital outlay per the Council policy change on fixed assets.

Finance Director Steve Okins briefly reviewed the Finance Department's 2013 budget with the Committee noting there has been no major change. Personnel costs increased due to contract obligations. This was for information only.

Item No. 5 The Committee received the following reports for information: May LOST Financial, May CVB Financial, May WRAC-8 Financial, March Rice Trust, First Quarter Rice Trust. This matter was for information only.

Item No. 6 Council Member Fagerlie informed the Committee that Kandiyohi Area Transit will be requesting \$13,000 from the City of Willmar for 2013. This matter was taken for information.

The Finance Committee Report for June 11, 2012, 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 Fagerlie, and carried.

The Community Development Committee Report for June 14, 2012, was presented to the Mayor and Council by Council Member Dokken. There were five items for Council consideration.

Item No. 1 There were no public comments offered at this meeting.

Item No. 2 Staff presented a request by the Willmar Ten for a terminable licensing agreement to use a portion of the right-of-way at 19th Avenue and First Street Southwest for parking for the new Goodwill facility. The City had previously been approached about use of the right-of-way and had expressed a preference to not vacate the right-of-way due to the presence of utilities and storm sewer.

Members of the American Legion Post presented a list of concerns regarding the Goodwill project. Legion representatives stated that they met with a representative of Willmar Ten to discuss the project and a number of concerns were addressed. The Committee discussed the balance of the concerns by the American Legion, which appear to have been, or are being, addressed.

The Committee discussed the terminable licensing agreement request. It was noted that the agreement is a condition of the plan review conducted by the Planning Commission. Staff stated that the Planning Commission's recommendation included the stipulation that no structures be built within the right-of-way. It was noted that the licensing agreement will require insurance and require the other party to be responsible for any damage to utilities or for any repairs should it be necessary to access any of the utilities underneath the parking.

Following discussion, the Committee was recommending the Council approve a terminable licensing agreement for parking in the right-of-way and to authorize the Mayor and Administrator to execute the agreement. Council Member Dokken moved to approve the recommendation of the Community Development Committee with Council Member Christianson seconding the motion, which carried.

Item No. 3 The Committee briefly reviewed the current development financing policies and discussed the need for a policy to specifically address tax abatement and to have policies that allow them quicker access to more information about the project and the developer. Staff proposed adding a tax abatement policy to the City's policy package, and to make sure that it included language to verify the financial capabilities of the developer and to link the term of the tax abatement to the level of benefit that the project creates for the community. Staff will use State statutes as a guide. Additionally, all development finance policies will be reviewed and updated to insure that they are consistent with current statutes. This matter was for information only.

Item No. 4 The Committee discussed the ongoing abuse of curb-side pickup relative to long-term storage of garbage cans. Several suggestions were given to try to address the matter included

discussing the issue on "Open Mic" and requesting compliance, having staff provide a handout to offenders, and asking the haulers to put a reminder on their statements. This matter was for information only.

Item No. 5 Staff reviewed with the Committee conditions placed on the Goodwill project by the Planning Commission. This matter was for information only.

The Community Development Committee Report for June 14, 2012, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Dokken, seconded by Council Member Christianson, and carried.

City Clerk Halliday presented to the Mayor and Council for consideration a Resolution Appointing Election Judges. Following discussion, Resolution No. 5 was introduced by Council Member Anderson, seconded by Council Member Reese, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 5

BE IT RESOLVED, that the individuals listed below be appointed as Judges to work at the Primary Election in the City of Willmar on Tuesday, August 14, 2012.

(For Resolution in its entirety, see City Council Proceedings file dated July 18, 2012, located in the City Clerk's Office)

Announcements for Council Committee meeting dates were as follows: Finance, June 25; Public Works/Safety, June 26; and Community Development, June 28, 2012.

There being no further business to come before the Council, the meeting adjourned at 8:52 p.m. upon motion by Council Member Christianson, seconded by Council Member Ahmann, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL