

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

August 15, 2001
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 Doug Reese, Ron Christianson, Bruce DeBlieck, Denis Anderson, Nancy Houlahan, Rick Fagerlie, Jim Dokken, and David Chapin; Present 9, Absent 0.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Police Chief Jim Kulset, Fire Chief Marv Calvin, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, and City Clerk Kevin Halliday.

Mayor Heitke recognized Luke Selness and Jon Morales for their involvement with a medical rescue in the Boundary Waters Canoe Area. The Mayor concluded his remarks by presenting the young men with letters of commendation recognizing their efforts.

Proposed additions to the agenda included consideration of a grant from the FAA.

The Joint Veterans presentation was deleted from the Agenda.

Council Member Christianson offered a motion adopting the Consent Agenda, which included the following: City Council Minutes of August 1, Building Inspection Report for July, Pioneerland Library Board Minutes of June 21, Housing and Redevelopment Authority Board Minutes of July 10, Community Education and Recreation Board Minutes of July 26, Senior Center Council Minutes of August 1, and Planning Commission Minutes of August 8, 2001. Council Member Anderson seconded the motion, which carried.

Mayor Heitke recognized Mr. Al Erickson, representing Springsted, Inc. who presented to the Mayor and Council details of the sale of \$1,400,000 General Obligation Improvement Bonds, Series 2001D. Mr. Erickson stated that the rating by Moody's of A2 helped in the receipt of a favorable interest bond rate by First Union National Bank of 4.0200 percent. Mr. Erickson explained the rating system for investment grade bond debt ratios and underlying social-demographic figures beneficial to a good rating.

Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

ACCEPTING OFFER ON THE SALE OF \$1,400,000 GENERAL OBLIGATION
IMPROVEMENT BONDS, SEIES 2001D, PROVIDING FOR THEIR ISSUANCE
AND LEVYING A TAX FOR THE PAYMENT THEREOF

(For Resolution in its entirety, see City Council Proceedings file dated

August 15, 2001, located in the City Clerk's Office)

At 7:42 p.m. Mayor Heitke opened the hearing on special assessments for unpaid weed/grass mowing and snow/ice removal. City Clerk Halliday explained to the Mayor and Council Willmar Municipal Code, Chapter 9, Article III concerning the cutting of weeds and grass and Chapter 13, Article III concerning the removal of snow and ice. In cases of noncompliance such work performed by the City or its agent can be certified as a special assessment against the property owner. Mr. Halliday noted that proper notice had been given to the property owners. There being no one present to speak for or against the proposed special assessments, Mayor Heitke closed the hearing at 7:44 p.m.

Following discussion, Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

WHEREAS, Section 9.41 of the Willmar City Code states that such unpaid weed or grass mowing bills represent a lien of the real property receiving mowing services; and

WHEREAS, THE City Council of the City of Willmar has offered the owner his right to request an appearance before the Council to make objections to payment;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the amount of the unpaid utility charges totaling \$406.90 be certified to the County Auditor to be extended on the tax rolls of such real property in the same manner as other taxes for collecting in 2002 and collected by the County Treasurer, and paid to the City Clerk-Treasurer along with other taxes; and

BE IT FURTHER RESOLVED that the unpaid weed or grass charges by certified against the real property as follows:

1. Parcel No. 95-220-1910 \$89.00
Located at 402 Ann Street Southeast; and
Described as Ferring's Addition, Block 013, E 100 ft. of Lots 1 & 2
2. Parcel No. 95-009-0690 \$130.30
Located at 1200 Gorton Avenue Northwest; and
Described as Second Addition to Willmar, Block 129, E ½ of Lots 5 & 6
3. Parcel No. 95-280-0340 \$56.30
Located at 415 Rice Avenue Southwest; and
Described as Hanson's Addition to Willmar, Block 002, E 60 ft. of Lot 14
4. Parcel No. 95-820-0450 \$56.30
Located at 621 Northwest 7th Street; and
Described as Thorpe & Lien's Addition, Block 003, N ½ of N 65/66 of Lot 2
5. Parcel No. 95-003-0770 \$75.00
Located at 814 Northwest Campbell Avenue; and
Described as Willmar, Town of (Original), Block 007, Lots 7 & 8

Dated this 15th day of August, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

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

Mayor Heitke recognized Nathan Hulstrand who appeared before the Council to request permission to restore the flagpoles at the Flags of Honor Park as part of an Eagle Scout project. Following discussion, Council Member Christianson moved to approve the project with Council Member Dokken seconding the motion, which carried.

Ambulance Service Director Brad Hanson, Dr. George Gordon and Emergency Medical Director Kathy Hunt appeared before the Mayor and Council to present an overview of the Willmar Ambulance Service. The presentation included the model of operation, levels of training, number of calls for service and public relation activities such as bike helmets for kids, bicycle first aid patrol, Sonshine music festival emergency service tents and first aid, and CPR classes. Mayor Heitke thanked the group for their presentation, and the Council received the update for information.

Mayor Heitke called for a recess at 8:28 p.m. and reconvened the meeting at 8:46 p.m.

Planning and Development Services Director Peterson presented to the Mayor and Council the Capital Improvements Program for Years 2002 through 2006. Following discussion, the Capital Improvements Report was received for information.

At this time, Council Member Reese was excused from the meeting.

Planning and Development Services Director Peterson presented to the Mayor and Council a plat for SUPERVALU Addition, a plat developed for Cub Foods combining numerous parcels into one lot. It was noted all required easements and dedications are shown on the final plat. Following discussion, Council Member Christianson moved to approve the plat for SUPERVALU Addition, with Council Member Fagerlie seconding the motion, which carried.

Planning and Development Services Director Peterson presented to the Mayor and Council a plat for Eagles Landing Phase II Garden Homes, a four-lot plat intended to accommodate garden home development. The developer is KLC of Willmar, Inc. It was noted the Planning Commission approved the plat with conditions relating to special assessments and utilities/services and street light locations. Following discussion, Council Member Anderson moved to approve the plat for Eagles Landing Phase II Garden Homes, with Council Member Houlahan seconding the motion, which carried.

Planning and Development Services Director Peterson presented to the Mayor and Council a request to reapportion special assessments. It was noted KLC of Willmar, Inc. plans to construct four garden homes in a re-platted area of Eagles Landing Phase II, and assessments against the current three lots need to be reapportioned for the four-lot re-plat. Resolution No. 3 was introduced by Council Member Fagerlie, seconded by Council Member Christianson, read by Mayor Heitke,

and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

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

Lots 1-3, Block 4, Eagles Landing Phase II
Parcel Nos. 95-148-1410 through 95-148-1430

to-wit: KLC of Willmar, Inc.

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

WHEREAS, the City Council of the City of Willmar is in agreement with the suggested reapportionment set out in the request submitted by the above.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willmar, pursuant to the request of the above that the special assessments on the above-described property be and they hereby are reapportioned as provided in the request of the above-named, and

BE IT FURTHER RESOLVED that the reapportionment be recorded in the records of the City of Willmar and the Kandiyohi County Auditor effective for taxes and assessments due and payable on tax statements issued in the year 2002 and thereafter.

Dated this 15th day of August, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Public Works Director Odens informed the Mayor and Council that the Willmar EAA Chapter 1172 has submitted a request to the City for \$3,500 in funding to cover expenses for the Airfest 2001 to be held on September 2, 2001. Council Member Christianson moved to approve the request and to fund the \$3,500 out of the Industrial Development Fund. Council Member Dokken seconded the motion, which carried.

Public Works Director Odens informed the Mayor and Council that the FAA has presented the City with a grant offer for land acquisition for the new airport. Following discussion, Resolution No. 4 was introduced by Council Member Christianson, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 1 – Council Member Chapin voted “No.”

RESOLUTION NO. 4

AUTHORIZATION TO EXECUTE FEDERAL AVIATION ADMINISTRATION
AGREEMENT FOR GRANT OFFER

WHEREAS, the Federal Aviation Administration has presented a grant offer in the amount of \$1,822,500 for land acquisition for the new airport; and

WHEREAS, the Federal Aviation Administration is offering to pay 90 percent of the allowable costs incurred for this purpose; and

WHEREAS, an agreement has been prepared for the terms and conditions of such grant offer;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the Mayor is hereby authorized to enter into said agreement on behalf of the City.

Dated this 15th day of August, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Council Member Anderson moved to remove the discussion of an Airport Zoning Board from the table. Council Member DeBlieck seconded the motion, which carried. Planning and Development Services Director Peterson presented a proposal to establish an Airport Zoning Ordinance and Joint Zoning Board with representatives from Willmar Township, St. Johns Township, Kandiyohi County and City of Willmar. It was noted that Frank Yanish and Jay Lawton would be representing the City of Willmar.

Resolution No. 5 was introduced by Council Member Christianson, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 5

AUTHORIZING THE CREATION OF A JOINT AIRPORT ZONING BOARD

WHEREAS, This Municipality owns and controls an airport; and

WHEREAS, Portions of airport hazard areas for such airport are located outside the territorial limits of this Municipality but within the territorial limits of Kandiyohi County and Willmar and St. Johns Townships;

WHEREAS, This Municipality deems it necessary and expedient to create a Joint Airport Zoning Board in cooperation with the above County and Townships, pursuant to Minnesota Statutes 360.063, Subd. 3, and other applicable laws for the purpose of establishing, administering and enforcing zoning laws for the areas surrounding the airport and for the protection of the airport and the public; and

WHEREAS, The above statute provides that this Municipality has the right to appoint two persons to said Board; and

WHEREAS, Subd. 8 of Section 32 of the Appropriations Bill passed by the Minnesota

Legislature effective July 1, 1973, provides that no moneys shall be expended by the Commissioner of Transportation of the State of Minnesota to improve and maintain an airport unless the governmental unit owning the airport has or is establishing a zoning authority for the airport.

NOW, THEREFORE, BE IT RESOLVED By the undersigned Municipality as follows:

1. That there is hereby created in cooperation with the above County and Townships, a Joint Airport Zoning Board to be composed of representatives of the undersigned Municipality and representatives of the above County and Townships, pursuant to Minnesota Statutes 360.063, Subd. 3.
2. That the undersigned Municipality hereby appoints Frank Yanish and Jay Lawton to be their representatives on said Board, said persons to serve for an indefinite term until they resign or are replaced by the undersigned Municipality.

Dated this 15th day of August, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Announcements for Council Committee meeting dates were as follows: Finance, August 20; Labor Relations, August 22; and Public Works/Safety, August 28, 2001.

Public Works Director Odens referred a concern from the Airport Commission that four potential hangar builders are requesting authorization to build airport hangars at the existing Airport. Mr. Odens was requesting permission to allow them to build without financial commitments to future Airport relocation costs. Council Member Chapin moved to allow builders to construct hangars without financial commitments to relocation costs. Council Member Anderson seconded the motion, which carried.

There being no further business to come before the Council, the meeting adjourned at 9:25 p.m. upon motion by Council Member Christianson, seconded by Council Member Houlahan, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL