

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

April 3, 2002
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, Nancy Houlahan, Rick Fagerlie, Jim Dokken, and David Chapin; Present 8, Absent 1 – Denis Anderson was excused from the meeting.

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, Community Education and Recreation Director Steve Brisendine, and City Clerk Kevin Halliday.

Proposed additions to the agenda included comments by the Mayor on grants received, groundbreaking and West Central Tribune publication.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of March 20, Human Rights Commission Minutes of January 15, and Kandiyohi Area Transit Board Minutes of January 22, 2002; and Kandiyohi County Fair Association Exempt Permit. Council Member DeBlieck seconded the motion, which carried.

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

The Labor Relations Committee Report of March 25, 2002, was presented to the Mayor and Council by Council Member Reese. There was one item for Council consideration.

Item No. 1 The Committee meeting was closed for the purpose of discussing Rice Hospital contract negotiations and strategies with IAFF Local No. 3943 (full-time and part-time Paramedics, full-time and part-time EMTs, and casual EMTs).

Upon reopening the meeting, it was the consensus of the Committee to allow the Rice Hospital Board to proceed with negotiations and contract approvals providing for Paramedic and EMT primary wage adjustments of 3 percent in each year of a three-year contract beginning and retroactive to the first day of the first payroll period in January, 2002. For 2003 and 2004, the general increases would be effective the first day of the first payroll in each year. Formal contract approval would take place following Board action and City Council approval of minutes.

The Labor Relations Committee Report of March 25, 2002, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese, seconded by Council Member Fagerlie, and carried.

The Finance Committee Report of March 25, 2002, was presented to the Mayor and Council by Council Member Fagerlie. There were seven items for Council consideration.

Item No. 1 Southwest Minnesota Foundation Fund Development Director, Diana

Anderson, appeared before the Committee to explain the mission of the Foundation is to be a catalyst, facilitating opportunities for economic, social and cultural growth by promoting philanthropy, leadership, innovation and collaboration for the 18 county region of Southwest Minnesota. This 18 county region includes Big Stone, Swift, Kandiyohi, Meeker, Lac qui Parle, Chippewa, Yellow Medicine, Renville, McLeod, Lincoln, Redwood, Pipestone, Murray, Cottonwood, Rock, Nobles and Jackson.

Ms. Anderson stated the Foundation had a balance of \$34.9 million dollars as of December 31, 2001, and that it had awarded 52 grants totaling \$461,200 in Kandiyohi County. There were also 85 grants that benefited Kandiyohi County in partnership with neighboring Counties totaling \$1,221,000, and 37 loans totaling \$1,896,300. She concluded her presentation by thanking the City for its past participation in the Foundation and for its 2002 appropriation of \$5,000.

This matter was for information only.

Item No. 2 The Committee discussed with Mayor Heitke the City's participation in the Willmar Area Community Foundation, which is administrated by the Central Minnesota Community Foundation headquartered in St. Cloud. It was explained to the Committee that it was the goal of the City to establish an Endowment Fund to finance requests from the Arts Organizations in the City of Willmar. It was the intention of the Mayor that the fund would be established at the \$100,000 level to be funded at \$25,000 a year for 4 years, starting in 2000.

At the beginning of 2002 the Foundation notified the City that the agreement establishing the Willmar Arts Fund between the City and Central Minnesota Community Foundation had been overlooked and was requesting the City sign an agreement and return with their next contribution.

Following discussion of the process and procedures that would be followed in awarding any grants from the fund and the local make up of the advisory board, the Committee was recommending to the Council to pass a resolution authorizing the City Administrator and Mayor sign the agreement on behalf of the City.

Resolution No. 1 was introduced by Council Member Fagerlie, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 1- Council Member Dokken voted "No."

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 between the City of Willmar and Central Minnesota Community Foundation to establish the Willmar Area Arts Fund.

Dated this 3rd day of April, 2002.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 The Committee reviewed data showing the total cost incurred for the third wave of the 2002 Safe & Sober Campaign. The amount of overtime the Willmar Police Department

incurred amounted to \$2,062.88. Following discussion, the Committee was recommending to the Council to pass a resolution increasing the Police Department budget.

Resolution No. 2 was introduced by Council Member Fagerlie, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to make the following changes within the Police Department in the General Fund:

Increase:	Grant Revenue	\$2,063.00
Increase:	Police Department Overtime	\$2,063.00

Dated this 3rd day of April, 2002.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 The Committee reviewed two requests from staff to amend the Fire Department operating budget. The first request was due to the Willmar Fire Department assisting at a tanker roll over in Priam. The total costs incurred that would be reimbursed totaled \$5,802. The Committee was recommending to the Council to pass a resolution amending the 2002 Fire Department operating budget.

Resolution No. 3 was introduced by Council Member Fagerlie, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION 3

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to make the following changes within the Fire Department in the General Fund:

Increase:	Personnel Charges	\$5,802.00
Increase:	Temporary Salaries	\$1,218.00
	Small Tools	4,248.00
	Other Charges	337.00

Dated this 3rd day of April, 2002.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The second request was acceptance of a Minnesota Department of Public Safety Grant received to cover the purchase of Hazmat air purifying respirators. The grant was in the amount of \$25,090.00. The Committee was recommending to the Council to pass a resolution accepting the grant and adopting an Agency Fund Capital Budget.

Resolution No. 4 was introduced by Council Member Fagerlie, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 4

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to make the following changes within the Fire Department in the Agency Fund:

Increase:	Grant Revenue	\$25,090.00
Increase:	Small Tools	\$25,090.00

Dated this 3rd day of April, 2002.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee reviewed a request from the CVB to consider adding a non-voting (ex-officio) member to their Board of Directors. The position that was being requested would be designated for the manager of the Willmar Civic Center. The Committee was recommending to the Council to add one ex-officio member position to the CVB Board of Directors, which would be filled by the manager of the Willmar Civic Center.

Council Member Fagerlie moved to approve the recommendation of the Finance Committee with Council Member Chapin seconding the motion, which carried.

Item No. 6 The Committee discussed a request from the CVB Board to report all lodging tax received from Willmar and Spicer together. There are a limited number of businesses in the City of Spicer who are collecting a lodging tax which allows other businesses the opportunity to determine the amount of business done by this limited number. The Committee was recommending to the Council to pass a resolution amending the agreement between the City of Willmar and City of Spicer, striking the requirement of reporting the Spicer lodging tax separately.

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

RESOLUTION NO. 5

WHEREAS, the City of Willmar entered into an agreement with the City of Spicer to administer the lodging tax for Spicer;

NOW, THEREFORE, BE IT RESOLVED that the Willmar City Council to amend the agreement striking the requirement for the reports to list the lodging tax for the City of Spicer separately.

Dated this 3rd day of April, 2002.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 7 The Committee reviewed the following reports: February Rice Trust and December 31, 2001, Interest and Dividend; and Fourth Quarter Cash/Investment reports. This matter was for information only.

The Finance Committee Report of March 25, 2002, 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.

The Public Works/Safety Committee Report of March 26, 2002, was presented to the Mayor and Council by Council Member Christianson. There were five items for Council consideration.

Item No. 1 The Committee reviewed information relating to proposals received to perform a treatability study at the Wastewater Treatment Plant. The study will be used to improve efficiencies to the existing plant and aid in design of a new wastewater treatment plant. Staff noted that this was in accordance with the recently completed WTP Facility Plan.

The Committee was recommending to the Council to accept the proposal of Barr Engineering in the amount of \$26,000 plus \$2,000 reimbursable, and authorize the Mayor and City Administrator to enter into an agreement on behalf of the City. Resolution No. 6 was introduced by Council Member Christianson, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

Resolution No. 6

Whereas the City of Willmar desires to retain a consultant to provide professional engineering services to perform a Treatability Study at the Wastewater Treatment Plant for the City of Willmar; and

Whereas a proposal has been made by, and an agreement prepared to retain, the firm of Barr Engineering, of Minneapolis, Minnesota in a not to exceed amount of \$26,000 plus \$2,000 for reimbursable for said services;

Now therefore be it resolved by the City Council of the City of Willmar that said agreement be approved and that the Mayor and City Administrator be authorized to execute the same.

Dated this 3rd day of April, 2002.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 2 Staff informed the Committee that Dr. Sanford at the Willmar Pet Hospital will no longer be able to impound City of Willmar stray animals after August 31, 2002. Staff has had discussions with the Humane Society and other potential interested parties in reference to taking impounded animals. Following discussion by the Committee and staff, it was recommended that staff do requests for proposals from potential interested parties. This matter was for information only.

Item No. 3 The Committee was informed by staff that the Police Department had been awarded five video cameras and \$5,000 as part of the Racial Profile Study Grant. The Committee was recommending to the Council to adopt a resolution authorizing the Mayor and City Administrator to execute such agreements and amendments as necessary to implement the project on behalf of the City of Willmar.

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

RESOLUTION NO. 7

WHEREAS the Willmar Police Department has been awarded five video cameras and \$5,000 as part of the Racial Profile Study Grant;

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 and amendments as necessary between the City of Willmar and Minnesota Department of Public Safety, Office of Drug Policy and Violence Prevention, for the Racial Profile Study.

Dated this 3rd day of April, 2002.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 The Committee considered a request from staff to apply for grant money from the Bureau of Justice Assistance for the purchase of bulletproof vests. The Police Department will be replacing vests at a cost of \$4,126.87. The grant reimbursement would allow up to 50 percent or \$2,063.43. The vest replacement is a 2002-budgeted item. The Committee was recommending to the Council to adopt a resolution allowing the Police Department to apply for and accept funds from the Bureau of Justice Assistance, Bulletproof Vest Partnership for 2002.

Resolution No. 8 was introduced by Council Member Christianson, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 8

BE IT RESOLVED by the City Council of the City of Willmar to approve a grant application with the Bureau of Justice Assistance, Bulletproof Vest Partnership for funds for the purchase of bulletproof vests in the amount of \$2,063.43.

Dated this 3rd day of April, 2002.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee was informed by staff that bids will be opened on April 8, 2002, for Project No. 0201 (2002 Street and Other Improvements) and Project No. 0202 (2002 Sewer and Water Improvements.) Following discussion, the Committee was recommending to the Council to call for an assessment hearing to be held on May 1, 2002.

Resolution No. 9 was introduced by Council Member Christianson, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 9

CALLING HEARING ON ASSESSMENTS FOR
PROJECTS 0201 AND 0202 – OF THE 2002 STREET AND OTHER IMPROVEMENTS

WHEREAS, the City Clerk-Treasurer with the assistance of the City Engineer has prepared an assessment roll for Projects 0201 and 0202 of the 2002 Street and Other Improvements, and said proposed assessment roll is on file with the Clerk-Treasurer and open to public inspection.

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

1. The Clerk-Treasurer shall publish notice that this City Council will meet to consider the proposed assessments on May 1, 2002, at 7:03 p.m. in the Council Chambers, Municipal Utilities Building, 700 West Litchfield Avenue, Willmar, Minnesota.

2. Said notice shall also be mailed to the owners of each parcel of property described in the assessment roll.

3. Such notice shall be in substantially the following form: (notice on file in the City Clerk's Office)

4. Said notice shall be published by the City Clerk-Treasurer in the official newspaper at least two weeks prior to the hearing and mailed by said Clerk-Treasurer to the owners of each parcel described in the assessment roll.

Dated this 3rd day of April, 2002.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Public Works/Safety Committee Report of March 26, 2002, 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 Fagerlie, and carried.

City Clerk Halliday presented to the Mayor and Council for consideration requests for liquor license renewals of the following establishments: On-sale – Holiday Inn, Blue Heron on the Green and Applebee's; On-sale 3.2% Malt Liquor – Pizza Hut and Centre Point Mall Bar & Grill; Club On-sale – Eagles, Elks Lodge, VFW and American Legion; Off-sale – Cashwise Liquors, Gerry's Liquor, Liquor Mart and Westside Liquor; and Wine – Centre Point Mall Bar & Grill. Council Member Reese moved to approve the liquor license renewals as presented with Council Member

Christianson seconding the motion, which carried on a roll call vote of Ayes 7, Noes 0.

City Clerk Halliday informed the Mayor and Council that the Willmar Blue Line Club, Inc. has made application for three Premise Permit Renewals to the Gambling Control Board for pull-tab and bingo activities.

Resolution No. 10 was introduced by Council Member Reese, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 10

REQUESTING THAT THE MINNESOTA GAMBLING
CONTROL BOARD APPROVE THE APPLICATION FOR A
PREMISE PERMIT FOR THE WILLMAR BLUE LINE CLUB INC.

WHEREAS, the Willmar Blue Line Club Inc. has applied to the Minnesota Gambling Control Board to obtain a Premise Permit for a Gambling License at the Center Point Mall Bar & Grill, 320 SW 4th St., Willmar, Minnesota;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the City approves of the Premise Permit for the Willmar Blue Line Club Inc. and respectfully requests that the State of Minnesota Gambling Control Board approve the Premise Permit to the Willmar Blue Line Club Inc.

Dated this 3rd day of April, 2002.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 11 was introduced by Council Member Reese, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 11

REQUESTING THAT THE MINNESOTA GAMBLING
CONTROL BOARD APPROVE THE APPLICATION FOR A
PREMISE PERMIT FOR THE WILLMAR BLUE LINE CLUB INC.

WHEREAS, the Willmar Blue Line Club Inc. has applied to the Minnesota Gambling Control Board to obtain a Premise Permit for a Gambling License at the Elks Lodge 952, 426 Litchfield Avenue SW, Willmar, Minnesota;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the City approves of the Premise Permit for the Willmar Blue Line Club Inc. and respectfully requests that the State of Minnesota Gambling Control Board approve the Premise Permit to the Willmar Blue Line Club Inc.

Dated this 3rd day of April, 2002.

/s/ Lester Heitke

MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 12 was introduced by Council Member Reese, seconded by Council Member DeBleck, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 12

REQUESTING THAT THE MINNESOTA GAMBLING
CONTROL BOARD APPROVE THE APPLICATION FOR A
PREMISE PERMIT FOR THE WILLMAR BLUE LINE CLUB INC.

WHEREAS, the Willmar Blue Line Club Inc. has applied to the Minnesota Gambling Control Board to obtain a Premise Permit for a Gambling License at the SRV Bar & Grill, 913 North Highway 71, Willmar, Minnesota;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the City approves of the Premise Permit for the Willmar Blue Line Club Inc. and respectfully requests that the State of Minnesota Gambling Control Board approve the Premise Permit to the Willmar Blue Line Club Inc.

Dated this 3rd day of April, 2002.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

City Clerk Halliday informed the Mayor and Council that the Eagles Aerie 2334 has made application for Premise Permit Renewal to the Gambling Control Board for pull-tab and bingo activities.

Resolution No. 13 was introduced by Council Member Reese, seconded by Council Member DeBleck, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 13

REQUESTING THAT THE MINNESOTA GAMBLING
CONTROL BOARD APPROVE THE APPLICATION FOR A
PREMISE PERMIT FOR THE EAGLES AERIE 2334

WHEREAS, the Eagles Aerie 2334 has applied to the Minnesota Gambling Control Board to obtain a Premise Permit for a Gambling License at the Eagles Aerie 2334, 136 West 6th Street, Willmar, Minnesota;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the City approves of the Premise Permit for the Eagles Aerie 2334 and respectfully requests that the State of Minnesota Gambling Control Board approve the Premise Permit to the Eagles Aerie 2334.

