

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

October 16, 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, 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, Fire Chief Marv Calvin, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, and Community Education and Recreation Director Steve Brisendine.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of October 2, Rice Hospital Board Minutes of October 9, Building Inspection Report for September, Pioneerland Library Board Minutes of August 15, Housing Redevelopment Authority Minutes of September 10, and Zoning Appeals Board Minutes of September 30, 2002; and Mayoral appointments of Brenda DeGrote and Jerry Brown to the Convention and Visitors Bureau. Council Member DeBlieck seconded the motion, which carried.

At 7:03 p.m. Mayor Heitke opened a hearing on an Ordinance Authorizing the Issuance of General Obligation Hospital Revenue Bonds and the Levying of Taxes to Secure Payment Thereof. City Administrator Schmit presented details of the proposed Ordinance. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:04 p.m.

Council Member Reese offered a motion to adopt, assign a number and order final publication of the Ordinance Authorizing the Issuance of General Obligation Hospital Revenue Bonds and the Levying of Taxes to Secure Payment Thereof. Council Member Anderson seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Dr. Tony Amon addressed the Mayor and Council during the Open Forum regarding the 9<sup>th</sup> Street extension lighting project. Following discussion, the matter was referred to the Public Works/Safety Committee.

The Finance Committee Report of October 7, 2002, was presented to the Mayor and Council by Council Member Anderson. There were three items for Council consideration.

Item No. 1 Rice Hospital staff and Board members were present to discuss various items related to financing the future Hospital expansion project. Items discussed included the timing of the Bond sale, credit rating, interest locking options, escrow account structuring and construction time lines. It was the consensus of the individuals attending that the City should not pay a premium to lock in interest rates at this time because rates aren't expected to move much up or down before the issue is priced in early November. This matter was received for information only.

The Committee discussed a request from the Hospital for the City to review the amount charged for the building permit fees. Since a past practice had been set with the Law Enforcement

and Human Services Building, the Committee was recommending to the Council that the building permit fee be reduced from \$174,240.18 to \$74,616.68. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 2 The Committee reviewed budget amendment requests from the Police Department. The first item was to amend the Department Budget for the amount received for Wave Five of the Safe and Sober Grant in the amount of \$3,042.24. The Committee was recommending to the Council to approve the request as presented.

Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, 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 Police Department Budget within the General Fund.

|                         |            |
|-------------------------|------------|
| Increase: Grant Revenue | \$3,043.00 |
| Increase: Overtime      | \$3,043.00 |

Dated this 16<sup>th</sup> day of October, 2002.

/s/ Lester Heitke  
MAYOR

/s/ Michael Schmit  
Attest: CITY ADMINISTRATOR

The second budget amendment request was in the amount of \$1,700 for a grant which reimbursed the City for the purchase of bullet proof vests. The Committee was recommending to the Council to approve the budget amendment request as presented.

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

RESOLUTION NO. 2

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the Police Department Budget within the General Fund.

|                                  |            |
|----------------------------------|------------|
| Increase: Grant Revenue          | \$1,700.00 |
| Increase: Subsistence of Persons | \$3,043.00 |

Dated this 16<sup>th</sup> day of October, 2002.

/s/ Lester Heitke  
MAYOR

/s/ Michael Schmit  
Attest: CITY ADMINISTRATOR

Item No. 3 The Committee reviewed with the Mayor and Staff proposed revenues included in the 2003 Mayor's Proposed Budget. This was received for information only.

The Finance Committee Report of October 7, 2002, 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 DeBlieck, and carried.

The Public Works/Safety Committee Report of October 8, 2002, was presented to the Mayor and Council by Council Member Reese. There were eight items for Council consideration.

Item No. 1 The Committee reviewed the Scope of Services for Phase Six of the Airport Project which includes construction services for the \$2.1 million grading and drainage portion of the project recently awarded. The agreement includes an estimate of hours and costs with a not to exceed figure of \$260,000. The Committee was recommending to the Council approval of the agreement with HNTB and to authorize the Mayor and City Administrator to sign on behalf of the City.

Resolution No. 3 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

### RESOLUTION NO. 3

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 of the City of Willmar are hereby authorized to enter into a contract amendment to supplement the agreement between the City of Willmar and HNTB Corporation. The supplement includes the addition of Phase Six for construction administration and observation for the \$2.1 million grading and drainage portion of the airport project.

BE IT FURTHER RESOLVED, the original contract amount of \$235,722.00, including the other amendments, is hereby amended by \$260,000.00 for a total not to exceed figure of \$955,002.00.

Dated this 16<sup>th</sup> day of October, 2002.

/s/ Lester Heitke  
MAYOR

/s/ Michael Schmit  
Attest: CITY ADMINISTRATOR

Item No. 2 Staff updated the Committee on negotiations with the Minnesota Department of Aeronautics for the existing Willmar Airport property including requirements to be met by the City for reimbursement of investments in the existing facility. Staff will continue to pursue options with Aeronautics when the property acquisition has been completed. This matter was for information only.

Item No. 3 The Committee reviewed an annual survey performed by MnDOT rating the condition of airport runways within the State. Staff noted that close to Year 2005 the Willmar Municipal Airport would be looking at a possible mill and overlay had the City not decided to relocate the present airport. Based on previous discussions with the Department of Aeronautics, it is likely the State would have required a total reconstruct at the existing site. This matter was for

information only.

Item No. 4 The Committee reviewed a request from Design Electric concerning a completion date extension for the First Street Signal Improvements due to unavailability of cable. The cable manufacturer has assured Design Electric that the product will be shipped by the end of October. Staff informed the Committee that the City has also experienced trouble receiving the cabinets. The Committee was recommending to the Council to approve the extension of the completion date to October 31, 2002.

Resolution No. 4 was introduced by Council Member Reese, seconded by Council Member Houlahan, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 4

WHEREAS, Design Electric of St. Cloud, Minnesota, contractor for the City of Willmar First Street Signal Improvement Project desires to have the completion date changed to October 31, 2002; and

WHEREAS, the temperature sensitive work has been completed and this would extend the date several weeks beyond what was stated in the original specifications.

NOW, THEREFORE, BE IT RESOLVED that the completion date for Project No. 0105 is hereby changed to October 31, 2002.

Dated this 16<sup>th</sup> day of October, 2002.

/s/ Lester Heitke  
MAYOR

/s/ Michael Schmit  
Attest: CITY ADMINISTRATOR

Item No. 5 Staff informed the Committee that effective March, 2003, cities with populations between 10,000 and 100,000 are to begin reporting and implementing a storm water plan. This is a requirement of the Environmental Protection Agency to be administered by the Minnesota Pollution Control Agency. Control measures need to be developed and a plan implemented by March 10, 2003. Staff briefly outlined a project schedule and plan requirements. This matter was for information only.

Item No. 6 The Committee discussed a BMX track as referred by the City Council. Following discussion pertaining to style of track, security and safety issues, the Committee was recommending to the Council to direct staff to research the development of a leisurely, non-competitive BMX track. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlicke seconding the motion, which carried.

Item No. 7 The Committee reviewed a revised Airport Budget Resolution reflecting the addition of monies for the grading and drainage contract recently awarded along with the inclusion of Phase Six of the HNTB Contract Amendment. The Committee was recommending to the Council to adopt the revised budget as presented.

Resolution No. 5 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

REVISED PRELIMINARY BUDGET  
AIRPORT IMPROVEMENT PROJECT

PERSONNEL SERVICES:

|                            |                    |
|----------------------------|--------------------|
| Salaries Reg. Employees    | \$ 8,175.00        |
| Employer Pension Contr.    | 883.00             |
| Employer Ins. Contribution | <u>827.28</u>      |
| Total:                     | <u>\$ 9,885.38</u> |

RECEIVABLES:

|                       |                       |
|-----------------------|-----------------------|
| Federal               | \$4,545,819.26        |
| State                 | 438,498.49            |
| City (Ind. Dev. Fund) | <u>942,114.16</u>     |
| Total:                | <u>\$5,926,431.91</u> |

SUPPLIES:

|                          |                    |
|--------------------------|--------------------|
| Office Supplies          | \$ 2,500.00        |
| Small Tools              | 2,000.00           |
| Motor Fuels & Lubricants | 1,500.00           |
| Postage                  | 1,000.00           |
| General Supplies         | <u>86,300.00</u>   |
| Total:                   | <u>\$93,300.00</u> |

FINANCING:

|         |                       |
|---------|-----------------------|
| Federal | \$4,545,819.26        |
| State   | 438,498.49            |
| City    | <u>942,114.16</u>     |
| Total:  | <u>\$5,926,431.91</u> |

OTHER SERVICES:

|                             |                       |
|-----------------------------|-----------------------|
| Communications              | \$ 2,500.00           |
| Printing & Publishing       | 3,000.00              |
| Travel-Conf-Schools         | 1,000.00              |
| Mtce. of Other Impr.(Cntrt) | <u>2,105,673.47</u>   |
| Total                       | <u>\$2,112,173.47</u> |

|                             |                |
|-----------------------------|----------------|
| 2000 (Engineering/Land Ac.) | \$613,772.91   |
| 2001 (Land Acquisition)     | \$2,618,290.00 |
| 2002 (Grading)              | \$2,694,369.00 |

OTHER CHARGES:

|                              |                       |
|------------------------------|-----------------------|
| Professional Services (HNTB) | \$1,151,416.63        |
| Advertising                  | 2,500.00              |
| Adm. OH (Transfer)           | 91,686.53             |
| Other Charges                | <u>2,465,469.90</u>   |
| Total:                       | <u>\$3,711,073.06</u> |

GRAND TOTAL: \$5,926,531.91

Dated this 16<sup>th</sup> day of October, 2002.

/s/ Lester Heitke  
MAYOR

/s/ Michael Schmit

Attest: CITY ADMINISTRATOR

Item No. 8 The Committee briefly discussed miscellaneous issues regarding sump pumps, loud music and safety. This matter was for information only.

The Public Works/Safety Committee Report of October 8, 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 DeBlieck, and carried.

City Attorney Ronning informed the Mayor and Council that a deed filed in 1983 by Patrick and Lillian Kjolsing contained an erroneous legal description and it was necessary for the City to execute a quit claim deed. Following discussion, Resolution No. 6 was introduced by Council Member DeBlieck, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 6

WHEREAS, the City of Willmar did receive a deed from Patrick D. Kjolsing and Lillian Kjolsing dated April 13, 1983, and filed for record September 21, 1983, as microfilm document number 29192, for a part of Government Lot 3 of Section 11, Township 119, Range 35; and

WHEREAS, the description in said deed is erroneous; and

WHEREAS, the current owner of said real estate, Alfred Woltjer, has requested a deed to remove the deed with the erroneous description from the record;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Willmar that the Mayor and Clerk execute a quit claim deed to remove the erroneous description from the record.

Dated this 16<sup>th</sup> day of October, 2002.

/s/ Lester Heitke  
MAYOR

/s/ Michael Schmit  
Attest: CITY ADMINISTRATOR

City Administrator Schmit informed the Mayor and Council that it was necessary to schedule a special meeting to canvass the ballots from the November 5, 2002, General Election. Council Member Reese moved to set the canvassing of ballots for November 6, 2002, at 6:30 p.m. Council Member Chapin seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance, October 21; Public Works/Safety, October 22; Labor Relations, October 23; and Community Development, October 24, 2002.

Council Member DeBlieck asked to be excused from the November 6, 2002, Council meeting.

Following discussion of the dates and the Mayor's attendance at the National League of Cities Conference in December, Council Member Reese moved to reschedule the December 4, Council meeting to December 2, 2002. Council Member Chapin seconded the motion, which carried.

There being no further business to come before the Council, the meeting adjourned at 7:53 p.m. upon motion by Council Member Fagerlie, seconded by Council Member Chapin, and carried.

Attest:

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MAYOR

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SECRETARY TO THE COUNCIL