

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

November 20, 2002
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Pro Tempore Doug Reese. Members present on a roll call were Mayor Pro Tempore Reese; Council Members Ron Christianson, Bruce DeBlieck, Denis Anderson, Nancy Houlahan, Rick Fagerlie, Jim Dokken, and David Chapin; Present 8, Absent 1 – Mayor Lester Heitke 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 snowmobile races at fairgrounds and Helgeson tax increment financing issues.

Council Member Christianson offered a motion adopting the Consent Agenda which included the following: Board of Canvass Minutes of November 6, City Council Minutes of November 6, Municipal Utilities Commission Minutes of November 12, Rice Hospital Board Minutes of November 13, Building Inspection Report for October, Pioneerland Library Board Minutes of September 19, and Housing Redevelopment Authority Minutes of October 3, 2002. Council Member Anderson seconded the motion, which carried.

At 7:05 p.m. Mayor Pro Tempore Reese opened the public hearing on an Ordinance Terminating Regulation of Taxicab Rates by the City of Willmar. City Administrator Schmit presented to the Council details of the proposed Ordinance removing the City from regulation of taxicab rates. Marlin Miller, a Care Transportation/Willmar Taxi driver, appeared before the Council to speak in opposition of the Ordinance due to protection of the senior citizen class from unregulated rates and the confidence perceived by customers with knowledge that the local government has reviewed the rates for fairness. Following discussion, Council Member Chapin offered a motion that the Ordinance Terminating Regulation of Taxicab Rates by the City of Willmar be adopted, assigned a number, and final publication ordered. Council Member Dokken seconded the motion, which failed on a roll call vote of Ayes 4, Noes 4 – Council Member Reese, Christianson, Fagerlie and DeBlieck voted “No.”

Council Member DeBlieck moved to schedule a public hearing for December 18, 2002, to consider the request of Care Transportation/Willmar Taxi to set a minimum fare. Council Member Fagerlie seconded the motion, which carried.

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

The Public Works/Safety Committee Report of November 12, 2002, was presented to the Mayor and Council by Council Member Reese. There were five items for Council consideration.

Item No. 1 Patrick Hirl, Barr Engineering Company, presented to the Committee the final report and executive summary for the Wastewater Treatment Plant Treatability Study. Mr. Hirl's presentation included the main findings of the study. One of the findings is the influent wastewater to the City's plant is unique when compared to typical municipal waste. Willmar's influent contains higher levels of sulfate and nitrogen. The study also noted low removal efficiency in the operation of the primary clarifier units in removing solids. The low performance of the primary clarifier is causing a higher loading of solid material on the trickling filter affecting its operation. Staff will be pursuing the recommendations of the report to optimize the operation of the plant.

The Committee was recommending to the Council to accept the study as presented. Council Member Reese moved to approve the recommendation with Council Member Houlahan seconding the motion, which carried.

Item No. 2 The Committee reviewed correspondence from the Minnesota Department of Economic Security in which the City has the opportunity to receive a grant of \$7,276 to help reform the juvenile justice system and to provide greater accountability for juveniles. The grant would be combined with a matching amount granted to Kandiyohi County to fund a Junior Work Crew Supervisor. It was noted Kandiyohi County agrees to pay the \$808 match to secure the award.

The Committee was recommending to the Council to authorize staff to apply for the grant with Kandiyohi County acting as fiscal agent. Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member DeBlieck, read by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

BE IT RESOLVED by the Willmar City Council that the City Administrator and Chief of Police are hereby authorized to apply for and enter into a grant agreement with the Minnesota Department of Economic Security for a Junior Work Crew Supervisor with Kandiyohi County acting as Fiscal Agent.

Dated this 20th day of November, 2002.

/s/ Doug Reese
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 The Committee discussed an amended sales and serving ordinance prepared by the City Attorney. The amendments include the applicants appeal before the Public Safety Committee, the inclusion of all on-sale and off-sale premise licenses, and the removal of many violations in M.S. §340A making M.S. §340A.503, Subd. 2 (sale of alcohol to a minor) as the only listed violation under Subsection B. The Committee requested review of the seven-day employment period in Section 1 and to add the three-year period preceding the conviction back in Section 3. The ordinances with these noted changes will be brought back to Committee for further review. This matter was for information only.

Item No. 4 Staff presented a request by Short Elliot Hendrickson (S.E.H.) to enter into an

agreement for consultant services for a traffic study at the entrance to The Home Depot. S.E.H. is proposing to do a study and analysis of the need for a traffic signal system at the intersection of First Street South and 28th Avenue. The proposal submitted by S.E.H. includes traffic counts and data collection, data analysis, and a final report of findings of the signal warrant analysis for the City. The City will enter into a developer's agreement with The Home Depot to be reimbursed for costs not to exceed \$8,000.

The Committee was recommending to the Council approval of the request and enter into an agreement for consultant services with S.E.H. for completion of a traffic study and a signal warrant analysis for a not to exceed amount of \$8,000. Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member DeBlieck, read by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

Whereas the City of Willmar desires to retain a consultant to provide professional engineering services to perform a traffic study and signal warrant analysis at the intersection of First Street and 28th Avenue South for the City of Willmar; and

Whereas a proposal has been made by, and an agreement prepared to retain, the firm of Short Elliott Hendrickson Inc. of St. Paul, Minnesota in a not to exceed amount of \$8,000.00 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 20th day of November, 2002.

/s/ Doug Reese
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee briefly discussed issues relating to the City's present Assessment Policy. Staff introduced the timeline for the 2003 Improvements. The Committee wants the City to have a defensible position as it relates to our assessments. They still agree the City needs to assess at 75 percent of the cost. This matter was for information only.

The Public Works/Safety Committee Report of November 12, 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 Houlahan, and carried.

The Finance Committee Report of November 13, 2002, was presented to the Mayor and Council by Council Member Anderson. There were five items for Council consideration.

Item No. 1 Staff informed the Committee that the Thermal Imaging Camera for the Fire Department is not functioning and the Department has been told it cannot be repaired. The Committee was recommending to the Council to authorize the purchase of a Thermal Imaging Camera and use the funding originally budgeted under personnel services to cover the costs.

Resolution No 3 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, read by Mayor Pro Tempore Reese, 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 to authorize the Finance Director to make the following changes within the Fire Department Budget:

General Fund

Decrease: Personnel Services \$9,000.00

Increase: Capital Outlay – Thermal Imaging \$9,000.00

Dated this 20th day of November, 2002.

/s/ Doug Reese
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 2 The Committee received updated information on the Police Department K-9 program. Officer Lange from the Police Department has been assigned a 16-month German Shepherd named Kato and has will be training in Colorado from November 4 through November 26, 2002. Funding for the program is coming from a grant for \$13,892, \$1,200 from a donation from the WalMart Corporation and the remaining from the Police operating budget.

The Committee was recommending that the Council pass a Resolution to approve the K-9 project budget. Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, read by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO.4

K-9 BUDGET
ESTIMATED TOTAL COST \$15,456.00

PERSONNEL SERVICES:
Overtime Reg. Employees \$3,520.00
Total: \$3,520.00

FINANCING:
City: \$ 1,564.00
Other: 13,892.00
Total: \$15,456.00

SUPPLIES:
Motor Fuels & Lubricants \$11,136.00
Total: \$11,136.00

OTHER SERVICES:
Travel-Conf-Schools \$ 800.00
Total \$ 800.00

GRAND TOTAL: \$15,456.00

Dated this 20th day of November, 2002.

/s/ Doug Reese
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 The Committee was reminded that November 25, 2002, is the scheduled Finance meeting to discuss the 2003 Mayor's Proposed Budget. This matter was for information only.

Item No. 4 The Committee reviewed the following reports: October C.V.B. and W.R.A.C.-8, September Interest/Div and Community Foundation, Third Quarter Investment and M.U.C. Financial Reports. This matter was for information only.

Item No. 5 Dr. Lilia Barrientos and Charly Leuze came before the Committee to explain the Vision 2020 Diversity and Tolerance proposal. A 2003 funding request would be submitted to the Blandin Community Investment Partnership and require a commitment to continue the program in the budget year 2004.

The project being proposed, establishing a Cultural Diversity Liaison position, would "bridge the gap" between the different cultures in Kandiyohi County. The position would respond to the need for increased tolerance and understanding in our community. The group sees this "Liaison" as assisting newcomers to the community in their transition process as well helping the established residents in understanding the new cultures that are now a part of our community.

The position would also enhance economic development efforts by promoting opportunities for minority-owned businesses. Other benefits include identifying intergenerational activities common to different cultures as a means of bridging cultural gaps; building upon existing cultural events and programs to make them multicultural; promoting lifelong learning through local multicultural programming in order to break stereotypes of minorities; identifying learning and teaching needs and opportunities for foreign languages in the community; and facilitating multi-generational workshops on different cultures.

The request before the Committee was to provide a recommendation to the full Council to continue the program by providing funding beyond the 2003 Budget being requested from the Blandin group. It was then moved to recommend to the Mayor that a commitment of up to \$75,000 be proposed in the 2004 budget for this program. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Chapin seconding the motion, which carried.

The Finance Committee Report of November 13, 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.

City Administrator Schmit presented to the Mayor and Council for consideration a Resolution to increase the amount placed in the Debt Service Account due to an increase in the premiums received from the issuance of \$51.2 million of General Obligation Hospital Revenue Bonds. Following discussion, Resolution No. 5 was introduced by Council Member Anderson, seconded by Council Member Chapin, read by Mayor Pro Tempore Reese, and approved on a roll call vote of

Ayes 8, Noes 0.

RESOLUTION NO. 5

AMENDING THE RESOLUTION ACCEPTING OFFER ON SALE OF
GENERAL OBLIGATION HOSPITAL REVENUE BONDS, SERIES 2002
(RICE MEMORIAL HOSPITAL PROJECT) AND PROVIDING FOR THEIR ISSUANCE

Planning and Development Services Director Peterson presented to the Mayor and Council for consideration a Final Plat for Independence Place, a four-lot (plus outlot) mixed-use plat bordering Willmar Avenue Southeast intended to be the site of the Independence Place senior housing cooperative and commercial development. It was noted easements have been added as required by the Planning Commission. Council Member Christianson moved to approve the Final Plat for Independence Place with Council Member Fagerlie seconding the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance, November 25, 2002.

Mayor Pro Tempore Reese recognized Stephanie Myogeto, Willmar Lakes Area Convention and Visitors Bureau, and Mike Jacobsen, WSA Racing, who requested authorization to sponsor WSA snowmobile racing at the Kandiyohi County Fairgrounds on January 4 and 5, and February 1 and 2, 2003. Following discussion, Council Member Chapin moved to authorize the races as requested with Council Member Christianson seconding the motion, which carried on a roll call vote of Ayes 5, Noes 3 – Anderson, Dokken and DeBlieck voted “No.”

Planning and Development Services Director Peterson presented a history of Helgelson Corporation attempts to redevelop the Kindelhope area on Willmar Avenue Southeast. It was noted a tax increment plan was adopted and a District certified in August of 1999. Helgelson changed the project to a market rate rent and the Council withdrew their approval. It was noted that a new assisted living facility is being planned for the site and Tax Increment Financing is necessary. The proposal is for 26-30 units of age 55 or older renters needing assistance. If the Council would approve the developer agreement, action was needed before the District would terminate by statutory time constraints. It was further noted that qualifying costs of development such as demolition and asbestos abatement expenses would be reimbursed to the developer as tax increment is generated by the project. Council Member DeBlieck moved to approve the Helgelson Corporation Developer Agreement with Council Member Chapin seconding the motion which carried on a roll call vote of Ayes 8, Noes 0.

There being no further business to come before the Council, the meeting adjourned at 8:47 p.m. upon motion by Council Member Christianson, seconded by Council Member DeBlieck, and carried.

Attest:

MAYOR PRO TEMPORE

SECRETARY TO THE COUNCIL