

CITY OF WILLMAR

Planning and Development Services
City Office Building
333 SW 6th Street
Willmar, MN 56201
320-235-8311

COUNCIL ACTION REQUEST

DATE: September 6, 2016

SUBJECT: Acceptance of Federal Grant Offer for Airport Master Plan Update and Rehabilitation of East taxilanes.

RECOMMENDATION: Staff recommends City Council adoption of resolution accepting Federal Grant Offer for the Airport Master Plan Update and Rehabilitation of East Taxilanes (AIP 3-27-0115-10-16, SP A3401-66)

BACKGROUND: The City has completed the land release and easement issues and has gained compliance with the Federal Aviation Administration. The first two projects that have been on the 5 Year Capital Improvement Plan for many years are the Master Plan Update and rehabilitation of the ease taxilane area (private hangars/drainage). The City Council approved the two Bolton and Menk Work Orders for the projects on June 20, 2016.

FINANCIAL CONSIDERATION: Total project cost is \$387,518.00. With a cost share of 90% Federal, 5% State, and 5% local share, the City of Willmar's portion will be \$19,376.10.

LEGAL: The City Attorney will also have to review and sign the grant agreement.

DEPARTMENT/RESPONSIBLE PARTY: Planning and Development Services, Megan M. DeSchepper, AICP, Planner/Airport Manager

RESOLUTION NO. _____

AUTHORIZATION TO EXECUTE
FEDERAL AVIATION ADMINISTRATION
GRANT AGREEMENT FOR AIRPORT MASTER PLAN UPDATE
AND TAXILANE REHABILITATION (DESIGN)

IT IS RESOLVED by the City of Willmar as follows:

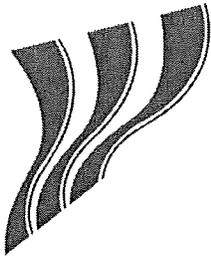
1. That the Federal Aviation Administration grant agreement 3-27-0115-010-2016 "Grant Agreement for Update Airport Master plan study, including airport layout plan; rehabilitate taxilanes (2,800' x 35')-(DESIGN)" for the Willmar Municipal Airport is accepted.
2. That the City Administrator and City Attorney are authorized to execute this agreement and any amendments on behalf of the City of Willmar.

Dated this 6th day of September, 2016.

MAYOR

Attest:

CITY CLERK



CITY OF WILLMAR

Planning and Development Services
City Office Building
333 SW 6th Street
Willmar, MN 56201
320-235-8311

www.willmarmn.gov

COUNCIL ACTION REQUEST

DATE: September 6, 2016

SUBJECT: Acceptance of Minnesota Department of Transportation Grant Offer for Airport Master Plan Update and Rehabilitation of East taxilanes.

RECOMMENDATION: Staff recommends City Council adoption of resolution accepting State Grant Offer for the Airport Master Plan Update and Rehabilitation of East Taxilanes (MNDOT Agreement # 1026455, SP A3401-66).

BACKGROUND: The City has completed the land release and easement issues and has gained compliance with the Federal Aviation Administration. The first two projects that have been on the 5 Year Capital Improvement Plan for many years are the Master Plan Update and rehabilitation of the ease taxilane area (private hangars/drainage). The City Council approved the two Bolton and Menk Work Orders for the projects on June 20, 2016.

FINANCIAL CONSIDERATION: Total project cost is \$387,518.00. With a cost share of 90% Federal, 5% State, and 5% local share, the City of Willmar's portion will be \$19,376.10.

LEGAL: The City Attorney will also have to review and sign the grant agreement.

DEPARTMENT/RESPONSIBLE PARTY: Planning and Development Services, Megan M. DeSchepper, AICP, Planner/Airport Manager

RESOLUTION NO. _____

AUTHORIZATION TO EXECUTE
MINNESOTA DEPARTMENT OF TRANSPORTATION
GRANT AGREEMENT FOR AIRPORT MASTER PLAN UPDATE
AND TAXILANE REHABILITATION (DESIGN)

IT IS RESOLVED by the City of Willmar as follows:

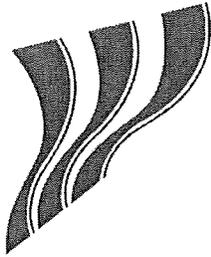
1. That the Minnesota Department of Transportation grant agreement MNDOT Agreement No. 1026455, State Project No. A3401-66 "Grant Agreement for Update Airport Master plan study; rehabilitate taxilanes - (design)" for the Willmar Municipal Airport is accepted.
2. That the Mayor and City Administrator are authorized to execute this agreement and any amendments on behalf of the City of Willmar.

Dated this 6th day of September, 2016.

MAYOR

Attest:

CITY CLERK



CITY OF WILLMAR

**Planning and Development Services
City Office Building
333 SW 6th Street
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320-235-8311**

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COUNCIL ACTION REQUEST

DATE: September 6, 2016

SUBJECT: New Fixed Base Operator for Willmar Municipal Airport

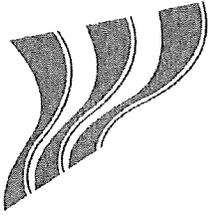
RECOMMENDATION: To be determined.

BACKGROUND: On June 6, 2016 the City Council voted to terminate the contract with the FBO Maximum Cruise Aviation. The City took over fuel operations at the Airport on Friday June 24, 2016. On July 1, 2016 the City sent out RFP's for and FBO and published it in the paper July 2 and 8, 2016. Proposals were due on July 29, 2016, the City received two submittals: Oasis Aero, Inc. (Paul Beck & Eric Rudningen); and Ron Buchanan, Dan O'Meara, Brian Frost, and William Fry. Interviews were held on August 23 and 25, 2016. The Interview Committee consisted of two Airport Commission members, City Council Liaison, and two City Staff. The Interview Committee will meet on Tuesday August 30, 2016 to determine their recommendation to the Council.

FINANCIAL CONSIDERATION: Negotiable.

LEGAL: Negotiable contract.

DEPARTMENT/RESPONSIBLE PARTY:



WILLMAR

Public Works Director

**City Office Building
333 SW 6th Street
Willmar, MN 56201
Main Number 320-214-5160
Fax Number 320-235-4917**

COUNCIL ACTION REQUEST

DATE: August 26, 2016

SUBJECT: Civic Center Roof Replacement

RECOMMENDATION: It is respectfully requested the City Council consider the following recommendation:

To reject all bids for the Civic Center Roof Replacement from Everstrong Construction name in the amount of \$221,507.

BACKGROUND: Bids were requested to remove and replace the cedar shake roofing at the Civic Center. Staff opened bids for the roof replacement at the Civic Center in accordance with the 2016 Capital Improvement Program on August 26, 2016. Lowest bidder was Everstrong Construction in the amount of \$221,507. There were no other bidders for the project.

FINANCIAL CONSIDERATION: The 2016 Capital Improvement Program includes \$95,000 for the project.

LEGAL: N/A

Department/Responsible Party: Sean E. Christensen, Public Works Director

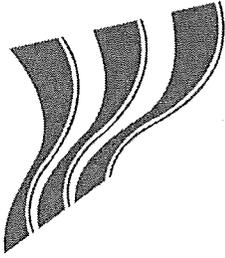
SC

Reviewed By: Larry Kruse, City Administrator

**CITY OF WILLMAR
CIVIC CENTER ROOF REPLACEMENT
BID TABULATION**

Bids Close: Friday, August 26, 2016 at 1:30 p.m.

<u>BIDDER</u>	<u>BID TOTAL</u>	<u>REMARKS</u>
Everstrong Construction 36379 Hwy 71 Redwood Falls, MN 56283	\$221,507.00	Bond



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COUNCIL ACTION REQUEST

DATE: September 1, 2016

SUBJECT: Curling Club Proposal

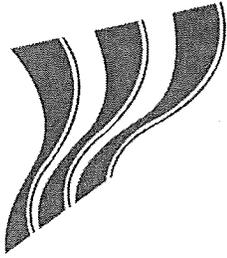
RECOMMENDATION: To be presented

BACKGROUND: Staff have been working to prepare a proposal to the Curling Club for the construction of a curling facility on the Civic Center property. The Council previously directed staff to pursue a proposal that would include a long term lease to the Club, the extension of sewer and water to the facility, and an amount to be determined for soil corrections for the building. Soil borings were conducted on August 23, 2016. The City is still awaiting the results of the borings. It is anticipated the boring results will be available prior to the Committee Meeting so staff can draft a proposal with accurate numbers regarding City obligations. That information will be presented at the Committee.

FINANCIAL CONSIDERATION: To be determined based on soil conditions.

LEGAL: The City will need to enter into a Memorandum of Understanding or similar document detailing its responsibilities for the project.

DEPARTMENT/RESPONSIBLE PARTY: Bruce D. Peterson, AICP – Director of Planning and Development Services



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COUNCIL ACTION REQUEST

DATE: September 1, 2016

SUBJECT: Permit Fees for Flood Damage

RECOMMENDATION: To waive plan review fees for all permits issued due to flood damage through the month of September.

BACKGROUND: It was suggested that the City waive building permit fees for flood damaged properties in the City of Willmar. The City Attorney prepared a memo (see attachment) regarding the matter. State law makes it pretty clear what the City does and does not have the authority to do. Prior to getting the Attorney's opinion, staff had already begun to waive the plan review fees while still requiring building permit fees. That has met with good acceptance by the contractors. The City still has costs in issuing permits and conducting inspections that should be covered by a building permit fee.

FINANCIAL CONSIDERATION: The lost plan review revenues will not be significant in the overall permit fee picture.

LEGAL: See Attorney's email.

DEPARTMENT/RESPONSIBLE PARTY: Bruce D. Peterson, AICP – Director of Planning and Development Services

Bruce Peterson

From: Robert Scott <rtscott@flaherty-hood.com>
Sent: Wednesday, August 17, 2016 5:28 PM
To: Kevin Halliday
Cc: Bruce Peterson; Larry Kruse; Chris Hood
Subject: RE: FREE BUILDING PERMIT FEES

Good afternoon,

I've looked into the building permit fee issue, and whether the city has authority to temporarily waive permit fees for projects to repair damage caused by the recent storm. Certainly, the surcharge on all building permit fees imposed by the state under Minn. Stat. § 326B.148 is mandatory and the city cannot waive it. Otherwise, I have not found anything that would prevent the city from adopting a policy by resolution that would provide for temporary waivers of building permit fees that would be paid to the city for projects (or certain specified kinds of projects) shown to be necessary to correct or repair damage caused by the August 10-11 storm. Other cities nationally have established building permit fee waiver programs under limited, targeted circumstances. I am not aware of any Minnesota cities that have done anything similar, but neither have I found any authority saying Minnesota cities could not do so, especially under extraordinary circumstances.

Both statute and the Department of Labor and Industry's regulations make clear that while building permit fees are required, the municipality is free to adopt a fee schedule that differs from the state's standard fees (see Minn. Stat. § 326B.153; Minn. R. 1300.0160). The city arguably has authority under these provisions to set permit fees for qualifying specified projects at zero, or to simply waive the fee upon satisfaction of certain criteria.

Whether or not to establish a limited building permit fee waiver program is obviously a policy question for the council, but if the council wishes to temporarily waive the city's portion of building permit fees for a defined period of time for specified projects documented to be necessary to repair damage caused by the recent storm, I think it could do so. And while the city's authority to do this is admittedly in a gray area, any decision to establish and implement such a temporary program is unlikely to be challenged.

The City could also likely establish that the expenditure (by not collecting the prescribed fees) is for a public purpose. I would suggest that if the staff and Council want to pursue a temporary fee waiver program that a resolution be drafted setting out the circumstances and justification for the waiver program and the criteria under which it will be applied, which criteria must be uniform in application, as well as a specifically defined period in which the waivers will be available.

Please let me know if you have any questions or need anything further on this issue.

Thank you.

Robert

Robert T. Scott, Senior Attorney
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