

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

January 23, 2006
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, Cindy Swenson, Rick Fagerlie, Jim Dokken, and Steven Gardner; 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, Community Education and Recreation Director Steve Brisendine, and City Clerk Kevin Halliday.

Mayor Heitke recognized Allie Ellingson, who was recently named the Minnesota Junior Miss. Ms. Ellingson presented details of the Junior Miss competition and the upcoming nationals which will be held in Mobile, Alabama, in June. The Mayor thanked Ms. Ellingson for her presentation and wished her well in the national competition. This matter was for information only.

Proposed additions to the agenda included consideration of a community charities premise permit and Allied Power appointment to committee.

The Willmar Area Senior Citizen's Council Minutes were removed from the Consent Agenda.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of January 9, Rice Hospital Board Minutes of January 4, Municipal Utilities Commission Minutes of January 9, 2006, and Housing and Redevelopment Authority Board Minutes of December 13, 2005. Council Member Christianson seconded the motion, which carried.

The Council discussed Item No. 3 of the Senior Citizens Council Minutes regarding the feasibility of moving the senior nutrition/meal site to the Senior Center. Mayor Heitke recognized Shirley Hulst and Paul Jensen who spoke in opposition of using the Senior Center for the nutrition/meal site without expanding the Center to maintain existing programs and activities. Following discussion, Council Member Gardner moved to refer the matter to the Finance Committee with Council Member Anderson seconding the motion, which carried. The Senior Citizens Council Minutes of January 4, 2006, be accepted and ordered placed on file in the City Clerk's Office upon motion by Council Member Gardner, seconded by Council member Dokken, and carried.

At 7:40 p.m. Mayor Heitke opened the hearing on an Ordinance Amending Ordinance No. 1060 Known as the Willmar Zoning Ordinance by Adding Section 6.Q. Technology District. Planning and Development Services Director Peterson presented details of the proposed Ordinance adding the Technology District, which is intended for the Minn West (WRTC) property. With the uniqueness of the site and its proposed use, the Zoning District will help protect the integrity of the site and ensure future uses on the property. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:42 p.m.

Council Member Reese offered a motion to adopt, assign a number, and order final publication of the Ordinance Amending Ordinance No. 1060 Known as the Willmar Zoning Ordinance by Adding Section 6.Q. Council Member Christianson seconded the motion, which

carried on a roll call vote of Ayes 8, Noes 0.

The Council considered a Building Code variance requested by Willmar Air Service for a new hangar construction project over 12,000 square feet. Planning and Development Services Director Peterson presented a request from Willmar Air Service for a variance from Building Code regulations requiring a sprinkler system in their new hangar. The Building Code requires sprinkling in all hangars over 12,000 sq. feet. In their request, Willmar Air Service had asked that they be granted a variance with the same conditions placed on the variance granted for the larger City-owned FBO hangar. Those conditions were as follows: 1) that a smoke and heat detection system be provided throughout the building and that it be installed to NFPA standards with automatic notification via phone system, 2) there needs to be an 8-inch water main roughed into the building for the future fire sprinkler riser and this would be required to be connected at such time as City water is made available to the property, 3) there should be a minimum of 30 feet separation from an adjacent structure, to minimize exposure to a fire situation, 4) the building has to be provided with fire extinguishers spaced not more than 50 feet apart along an approved route of travel, and 5) through the lease process, requirements should be placed on the hangar that: any storage and use of flammable liquids is to be done in strict conformance with the Fire Code, that the tenant would secure a "hot works" permit for any cutting or welding as required by the Fire Code, and that the hangar would be required to have life/safety inspections on a quarterly basis. Following discussion, Council Member Christianson moved to approve staff's recommendation with Council Member Dokken seconding the motion, which carried.

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

The Public Works/Safety Committee Report for January 17, 2006, was presented to the Mayor and Council by Council Member Reese. There were four items for Council consideration.

Item No. 1 Pursuant to budget meetings, staff was instructed to review the hangar rate of 10 cents per square foot at the Airport which was first used in 1979. Current Federal Aviation Administration Grant Terms and Conditions require the City to maintain a fee and rental structure for the facilities and services at the Airport, making the airport as self-sustaining as possible. Staff discussed the history of the rental rate and options to develop a new hangar rental structure. Ted Anderson representing the Airport Advisory Commission reviewed comparative rents with statewide airports.

Following discussion, the Committee was recommending the Council adopt the Airport hangar rental rates as presented by staff. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlieck seconding the motion, which carried.

Item No 2 The Committee reviewed the 48-hour parking ordinance following the appearance of Michelle Hull at a previous City Council meeting. Ms. Hull was unable to be present and expressed her views through correspondence. The Committee reviewed her letter and Chief Kulset overviewed the current ordinance for parking. Since 2003 the Police Department has began placing placards on tagged vehicles in violation of the 48-hour parking ordinance four hours prior to towing. In 2005, 194 vehicles were ticketed and of that 60 were towed. Chief Kulset also stated that twice a year the ordinance is in the newspaper and currently on the City's website. No action was taken, and this matter was for information only.

Item No. 3 Sam Lahanis of Donohue and Associates presented the December, 2005 Monthly Report for the Wastewater Treatment Plant Relocation and Conveyance Systems Improvements. Donohue and Associates has signed several agreements for alternative evaluations such as odor control services, cost estimates from Knutson Construction, biological services, and solids handling. The data gathering and analysis is complete and the evaluation of the data received from the flow study is being prepared.

Several regulatory issues were dealt with as well during workshops. The County, State and Hawk Creek Watershed have been contacted to determine the 100-year flood elevation. No FEMA maps are available for the area.

Meetings have been held with staff to discuss alternative collection system projects and routes. The informational meeting scheduled for January 26, has been postponed to February 23, 2006. A mailing is forthcoming, and this matter was for information only.

Item No. 4 The Committee reviewed the final pay estimate for the Dorothy Olson Aquatic Center parking lot. The project was completed for the pool opening in July of 2004, with the finalizing of gravel quantities agreed upon recently. The final project costs came in approximately \$12,000 under the budgeted amount.

The Committee was recommending the Council accept Project No. 0310 (Aquatic Center Parking Lot) and authorize final payment to Duinick Bros. Inc. Resolution No. 1 was introduced by Council Member Reese, seconded by Council Swenson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

IMPROVEMENT: Project No. 0310 – Dorothy Olson Aquatic Center Parking Lot
CONTRACTOR: Duinick Bros. Inc.
DATE OF CONTRACT: October 20, 2003
BEGIN WORK: October 27, 2003
COMPLETE WORK: July 23, 2004
APPROVE, CITY ENGINEER: January 9, 2006

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that:

1. The said City of Willmar Project No. 0310 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$174,543.45
Change Orders (None)	\$0.00
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$174,543.45
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$162,510.64
Less Previous Payments	\$152,421.16

FINAL PAYMENT DUE CONTRACTOR:
Dated this 23rd day of January, 2006.

\$10,089.48

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 Police Chief Kulset informed the Committee that compliance checks were performed at all the liquor establishments in December with no violations. Fire Chief Calvin reported the recently purchased Pumper/Tanker Fire Truck is now in service. These matters were for information only.

The Public Works/Safety Committee Report for January 17, 2006, was approved as presented upon motion by Council Member Reese, seconded by Council Member Christianson, and carried.

City Administrator Schmit informed the Mayor and Council that it is necessary to reschedule the second Council meeting in February due to the Presidents' Day holiday. Council Member Anderson moved to reschedule the February 20, City Council meeting to February 21, 2006. Council Member Gardner seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Community Development, January 26; Finance, January 30; Public Works/Safety, January 31; and Labor Relations, February 15, 2006.

City Clerk Halliday informed the Mayor and Council that Community Charities of Minnesota is making application to the Gambling Control Board for a Premise Permit at the Kandi Entertainment Center. Following discussion, Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member DeBlieck, read by Mayor Heitke, and carried on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

REQUESTING THAT THE MINNESOTA GAMBLING
CONTROL BOARD APPROVE THE APPLICATION FOR A
PREMISE PERMIT FOR THE COMMUNITY CHARITIES OF MINNESOTA

WHEREAS, Community Charities of Minnesota has applied to the Minnesota Gambling Control Board to obtain a Premise Permit for a Gambling License at the Kandi Entertainment Center, 500 19th Avenue, 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 time period April 1, 2006, through March 31, 2008, and respectfully requests that the State of Minnesota Gambling Control Board approve the Premise Permit to the Community Charities of Minnesota.

