

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

February 3, 1999
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 Verna Kelly, Denis Anderson, Ron Christianson, Bruce DeBlieck, Douglas Reese, Nancy Houlahan, Jim Dokken, and Rick Fagerlie; Present 9, Absent 0.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Park and Leisure Services Director Dale Johnson, Public Safety Director Dan Strootman, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, and City Clerk Kevin Halliday.

An addition to the Agenda included a comment by the Mayor regarding the recent shootings.

Council Member Fagerlie offered a motion adopting the Consent Agenda which included the following: City Council Minutes of January 20, Municipal Utilities Commission Minutes of January 25, Municipal Airport Hearing Minutes of January 19, Kandiyohi County Area Transit Minutes of January 20, and Planning Commission Minutes of January 27, 1999; and Mayoral appointments of Municipal Utilities Commission - Alice Weiberg; Park and Leisure Services Board - Sally Carlson and Randy Swanson; and Airport Commission - Richard Halterman, Frank Chapin, Steve Nedrelow, Patrick Curry, Marguerite Swenson, Val Young and Wallace Johnson. Council Member DeBlieck seconded the motion. Council Member Kelly moved to add to the Consent Agenda the Mayoral appointments of Willmar Citizens Cable Advisory Committee - Luz Jimenez; Zoning Appeals Board - Richard Emery; and Planning Commission - Scott Johnson. Council Member Reese seconded the amendment, which carried. The original motion then carried.

Mayor Heitke commented on the reckless action of a few individuals involved in the shootings this past weekend. These are the same individuals who caused similar problems two years ago, and the Mayor assured everyone that this behavior would not be tolerated. The Police Department is handling the matter through the legal process. The Mayor made a plea for citizens to aid the Police Department with information and if possible, offer their services in the mentoring programs to help where needed.

At 7:16 p.m. Mayor Heitke opened the hearing on an Ordinance Amending Rates Charged by the Municipal Utilities Commission of the City of Willmar, a Public Utility, to be Effective for Billings Sent On and After March 1, 1999 (electric rates). City Administrator Schmit informed the Mayor and Council that the MUC has gone through the public hearing process and recommends adoption of the Ordinance. Willmar Municipal Utilities General Manager Mike Nitchals explained the process of determining the need for an estimated 9 percent increase. The general need comes from the increased wholesale electric prices. Mr. Nitchals provided details of the electric purchasing contracts of the Municipal Utilities with the various power associations. It was noted the last electric rate increase came in 1993. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:23 p.m.

Council Member Kelly offered a motion to adopt, assign a number and order final publication of an Ordinance Amending Rates Charged by the Municipal Utilities Commission of the City of Willmar, a Public Utility, to be Effective for Billings Sent On and After March 1, 1999. Council Member Reese seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 7:33 p.m. Mayor Heitke opened the hearing on an Ordinance Amending Rates

Charged by the Municipal Utilities Commission of the City of Willmar, a Public Utility, to be Effective for Billings Sent On and After March 1, 1999 (water rates). Willmar Municipal Utilities General Manager Mike Nitchals explained the process of determining the need for an estimated 15 percent across-the-board increase in rates. It was noted the last increase was in 1992. There being on one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:35 p.m.

Council Member Reese offered a motion to adopt, assign a number and order final publication of an Ordinance Amending Rates Charged by the Municipal Utilities Commission of the City of Willmar, a Public Utility, to be Effective for Billings Sent On and After March 1, 1999. Council Member DeBlieck seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 7:42 p.m. Mayor Heitke opened the hearing on 1999 street improvements. Public Works Director Odens presented to the Mayor and Council the proposed improvements and estimated cost of the reconstruction and new construction areas. The owners of property along 19th Street Northwest submitted a written petition requesting that the Council delay reconstruction for a few more years. Several citizens appeared before the Mayor and Council to request details of the repairs in their areas, including street lighting concerns in Country Club Drive and 7th Avenue Northwest. Upon hearing all those who wished to be heard, Mayor Heitke closed the hearing at 8:45 p.m.

Council Member Kelly offered a motion to delete the 19th Street Northwest reconstruction from the project. Council Member Christianson seconded the motion, which carried.

Resolution No. 1 was introduced by Council Member Kelly, seconded by Council Member Houlahan, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

ORDERING 1999 STREET IMPROVEMENTS
(AND DIRECTING PREPARATION OF FINAL PLANS AND SPECIFICATIONS)
FOR PROJECT NO. 9901

WHEREAS, after due Notice of Public Hearing on the construction of street improvements for the City of Willmar, Minnesota, hearing on said improvements was duly held and fully considered same.

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

1. It is advisable, expedient, and necessary that said improvements as described in the Notice of Hearing thereon be constructed, and the same are hereby ordered made.
2. The improvements described in said Notice of Hearing are hereby designated and shall be known as Project No. 9901 (Street Improvements of 1999).
3. The City's Engineer is hereby directed to prepare final plans and specifications for said improvements.
4. The City Council shall let the contract for all or part of the work for said improvements or order all or part of the work done by day labor or otherwise as authorized by Minnesota Statutes, Section 429.041, Subdivision 2, within one year of the date of this resolution ordering said improvements.

Dated this 3rd day of February, 1999.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Mayor Heitke called for a recess at 9:00 p.m. and reconvened the meeting at 9:10 p.m.

The Finance Committee Report of January 25, 1999, was presented to the Mayor and Council by Council Member Kelly. There were four items for Council consideration.

Item No. 1 The Committee reviewed the history behind a request to participate in the cost sharing of the repair of a wetland control structure located at the current High School site. The establishment of this wetland was completed by the City as part of the mitigation process during the dredging of lower Foot Lake. The total cost of the project was approximately \$16,000, of which the Soil and Water Conservation District was requesting \$2,130.10.

The process that was followed raised some concern, and staff was directed to clarify the procedure with the School and other interested parties for any additional maintenance in the future. The Committee was recommending to the Council that a resolution be introduced approving the cost-sharing amount and to fund the City's share from Hubbart Slough reserve account.

Resolution No. 2 was introduced by Council Member Kelly, seconded by Council Member DeBlieck, 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 make the following 1999 budgetary changes:

General Fund:

Increase:	Engineering - Mtce. Of Other Improvement	\$2,150.00
Decrease:	Reserve	\$2,150.00

Dated this 3rd day of February, 1999.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 2 Janet Vandrendriessche and Carol Hruby, Rice Trustee representatives, presented to the Committee the Rice Trust Annual Report. The report showed an increase in market value from \$1,891,381 on 01/01/98 to \$2,243,754 on 12/31/98. The Fund provided a total of \$58,602 towards the cost of medical services for qualified applicants at Rice Memorial Hospital during that same time period. The Committee was pleased with the direction of the Account and the report was received for information only.

Item No. 3 Rice Hospital CEO Lawrence Massa and CFO LeRoy Meyering appeared before the Committee to review the Rice Memorial Hospital Board's financial projections for the next 5 years. The report was discussed at length and received for information only.

Item No. 4 The Committee held its annual review of the City's Investment Policy. One change was recommended in Section 4.1, the addition of the statement that the purchase of securities at an amount in excess of the stated par value will not be allowed. The Committee was recommending to the Council that a resolution be introduced making the change to the policy as presented. Resolution No. 3 was introduced by Council Member Kelly, seconded by Council Member Houlahan, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

WHEREAS, the City Council of the City of Willmar has adopted an Investment Policy on December 20, 1995; and

WHEREAS, annual review of the Policy has duly considered various changes and legislative amendments.

NOW, THEREFORE, BE IT RESOLVED that Investment Policy Section 4.1 be amended to add:

Furthermore, the purchase of securities at an amount in excess of the stated par value will not be allowed.

Dated this 3rd day of February, 1999.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Finance Committee Report of January 25, 1999, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Kelly, seconded by Council Member DeBlicek, and carried.

The Public Works/Safety Committee Report of January 26, 1999, was presented to the Mayor and Council by Council Member Reese. There were five items for Council consideration.

Item No. 1 The Committee reviewed a proposal from the City of Benson to purchase Willmar's 85-foot Aerial Platform Pumper for \$75,000. The sale price was determined by vendors and advertised by the City. Staff explained they received a 10 percent down payment with the balance to be paid on delivery in July. The Committee was recommending to the Council to accept the City of Benson's proposal and sell the unit for \$75,000. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Kelly seconding the motion, which carried.

Item No. 2 The Committee, at the Mayor's request, discussed the intersection of County Road 24 and Highway 71-23 and concerns of speed, site distance, the amount of traffic, and the proposed Law Enforcement Center (LEC). It was noted that the proposed LEC project includes an access road to the south that would exit onto Civic Center Drive. Staff presented a report for the intersection dating back to December of 1995 showing nine accidents to date. Staff was directed to work with MnDOT and Kandiyohi County to monitor the situation. This matter was for information only.

Item No. 3 The Committee reviewed the preliminary budget for 1999 Street Improvements totaling \$1,717,000, and was recommending to the Council to accept the preliminary budget for the 1999 Street Improvements as presented. Resolution No. 4 was introduced by Council Member Reese, seconded by Council Member Kelly, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

PRELIMINARY BUDGET
1999 STREET PROGRAM
ESTIMATED TOTAL COST \$1,717,000

PERSONNEL SERVICES		RECEIVABLES	
10* Salaries Reg. Employees		Property Owners- Assessments	\$947,300.00
11* Overtime Reg. Employees	\$500.00	County	
12* Salaries Temp. Employees	\$6,000.00	State	\$0.00

13*	Employer Pension Contr.	\$1,500.00	City - C.I. Fund	\$0.00
14*	Employer Ins. Contr.		City - State Aid	\$664,700.00
	TOTAL	\$8,000.00	Other-Hospital	\$105,000.00
			Parking Lot	
			TOTAL	\$1,717,000.00

SUPPLIES			FINANCING	
20*	Office Supplies	\$1,300.00	Bonds	\$1,052,300.00
21*	Small Tools	\$2,000.00	State	\$0.00
22*	Motor Fuels & Lubricants	\$1,000.00	City - State Aid	\$664,700.00
23*	Postage	\$2,000.00	City	
24	Mtce. of Equipment		Other	
25	Mtce. of Structures		TOTAL	\$1,717,000.00
26	Mtce. of Other Improvements			
27	Subsistence of Persons			
28	Cleaning & Waste Removal			
29*	General Supplies	\$3,500.00		
	TOTAL	\$9,800.00		

OTHER SERVICES		
30	Communications	
31*	Printing & Publishing	\$2,000.00
32	Utilities	
33*	Travel-Conf.-Schools	
34	Mtce. of Equipment	
35	Mtce. of Structures	
36*	Mtce. of Other Impr. (Contract)	\$1,400,000.00
37	Subsistence of Persons	
38	Cleaning & Waste Removal	
39*	Other Services (Hosp. Parking Lot)	\$105,000.00
	TOTAL	\$1,507,000.00

OTHER CHARGES		
40	Rents	
41*	Insurance & Bonds	
42	Awards & Indemnities	
43	Subscription/Memberships	
44	Interest	
45	Licenses & Taxes	
46*	Professional Services	\$15,000.00
47*	Advertising	\$700.00
48*	Adm. OH (Transfer)	\$166,500.00
49	Other Charges	\$10,000.00
	TOTAL	\$192,200.00
	GRAND TOTAL	\$1,717,000.00

Dated this 3rd day of February, 1999.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 The Committee discussed traffic speed and signing changes on 19th Avenue SW in the vicinity of Roosevelt School. Concern was raised over posting of 30-mph signs versus 20-mph signs through the section controlled with the flashing lights. Also discussed was the removal of the "No Left Turn" sign at the entrance to the school. It was indicated that the sign was on school property and the City has no jurisdiction. Staff was directed to look into these issues, and this matter was for information only.

Item No. 5 The Committee discussed snow removal issues along east Willmar Avenue. Staff will review previous commitments to area residents. This matter was for information only.

The Public Works/Safety Committee Report of January 26, 1999, 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 Kelly, and carried.

The Community Development Committee Report of January 28, 1999, was presented to the Mayor and Council by Council Member DeBlieck. There were five items for Council consideration.

Item No. 1 The Committee considered a proposal to grant an easement extension to Jim Viaene. The easement provides access across Waste Treatment Plant and park property to the Quality Appliance Warehouse. The existing easement has been in place since 1982 and is set to expire on June 30, 1999.

Following discussion, the Committee was recommending to the Council approval of the five-year access easement at a rate of \$100 per year. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 2 The Committee reviewed the easement vacation process, which had been referred to Committee due to concerns expressed by Willmar Municipal Utilities regarding the current cumbersome vacation process. The Committee discussed the Charter process for vacating easements. Staff informed the Committee that the City Attorney's opinion was forthcoming, but that any change to the process would require a Charter amendment.

It was a consensus of the Committee that this was an issue that the Charter Committee could deal with at such time as it is reorganized. This matter was for information only.

Item No. 3 The Commission reviewed the Rental Housing Inspection Quarterly Report for the period ending December 31, 1998. This matter was for information only.

Item No. 4 The Committee received updates on the following projects: Cub Foods, the library, Cenex Truck Plaza, assisted living TIF project, Home Medical, Mills Fleet Farm, and a potential waste to energy project. This matter was for information only.

Item No. 5 The Committee discussed efforts by US West to sell off the local telephone system. It is expected to be an 18-month process. This matter was for information only.

The Community Development Committee Report of January 28, 1999, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member DeBlieck, seconded by Council Member Kelly, and carried.

Planning and Development Services Director Peterson presented to the Mayor

and Council a final plat of Yorktown Estates First Addition, a re-plat of 8 existing lots into 10 lots located in southwest Willmar. Single-family residential development is planned. It was noted the Planning Commission has approved the final plat. Council Member Kelly offered a motion to approve the final plat of Yorktown Estates First Addition. Council Member DeBlieck seconded the motion, which carried. Council Member Christianson abstained from voting.

Planning and Development Services Director Peterson presented to the Mayor and Council a final plat of Fourth Addition to Lakewood, a 7-lot residential plat located in northeast Willmar. It was noted the Planning Commission has approved the final plat. Council Member Kelly offered a motion to approve the final plat of Fourth Addition to Lakewood. Council Reese seconded the motion, which carried.

At this time City Clerk-Treasurer Halliday presented to the Mayor and Council the 1998 City Clerk-Treasurer Annual Report. Following a brief question and answer period, the report was ordered placed on file in the City Clerk's Office.

Announcements for Council Committee meeting dates were as follows: Finance, February 8; Public Works/Safety, February 9; and Community Development, February 10, 1999. The Council's Strategic Planning Retreat is scheduled for February 12 and 13, 1999.

There being no further business to come before the Council, the meeting adjourned at 9:50 p.m. upon motion by Council Member Kelly, seconded by Council Member Anderson, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL