

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

October 19, 2009  
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, Steve Ahmann, Rick Fagerlie, Jim Dokken, and Tim Johnson; 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.

The Council requested the Planning Commission Minutes be removed from the Consent Agenda.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of October 5, Municipal Utilities Commission Minutes of October 13, and Charter Commission Minutes of September 23, 2009. Council Member DeBlieck seconded the motion, which carried.

Following discussion of an item regarding Industrial Park rezoning of the old airport property, the Planning Commission Report of October 14, 2009, was approved upon motion by Council Member Dokken, seconded by Council Member Fagerlie, and carried.

At 7:05 p.m. Mayor Heitke opened the hearing on Ordinance Amending Willmar City Charter Section 4.04 Subd. 1 and Section 4.05 Subd. 1. City Clerk Halliday presented details of the proposed Ordinance amending sections of the City Charter to increase the term limits from two to three years for the Rice Hospital Board and Municipal Utilities Commission. Mike Schramm, Rice Hospital CEO, spoke in favor of the Ordinance. Upon hearing all those who wished to be heard, Mayor Heitke closed the hearing at 7:07 p.m.

Council Member Reese offered a motion adopt, assign a number, and order final publication of an Ordinance Amending Willmar City Charter Section 4.04 Subd. 1 and Section 4.05 Subd. 1. Council Member Anderson seconded the motion, which carried.

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

The Finance Committee Report for October 12, 2009, was presented to the Mayor and Council by Council Member Anderson. There were four items for Council consideration.

Item No. 1 Wayne Larson, Rice Hospital Board Chair, reviewed with the Committee the public hearing scheduled to address an amendment proposed by the Charter Commission regarding term limits for hospital and municipal utilities board members. Mr. Larson was urging the Council's support. This matter was for information only.

Item No. 2 Staff explained to the Committee that when preparing the 2009 Assessment Roll, an undeveloped lot identified as Parcel 95-137-0150 and located at 617 26<sup>th</sup> Avenue NE was assessed \$5,788 as a future buildable lot. However, in 2008 this parcel was combined with the

adjacent house parcel and the access is to the south on Country Club Drive NE. Therefore, no benefit is derived for the 26<sup>th</sup> Avenue NE street project and this parcel should be removed from the assessment roll.

The Committee was recommending the Council introduce a resolution removing Parcel No. 95-137-0150 from the 2009 Assessment Roll in the amount of \$5,788. Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

AMENDING ASSESSMENT ROLL

WHEREAS, The City Council of the City of Willmar, Minnesota duly adopted the assessment roll for the 2009 Street Improvement Project on June 1, 2009, and

WHEREAS, certain adopted assessments have been amended due to additional information, specifically, special benefit from the improvement to parcel 95-137-0140.

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

1. Such assessment roll be amended to the sum of \$434,679.96, a copy of which is attached hereto and made a part hereof, is hereby accepted.

3. Such assessments shall be as follows:

A. The assessments shall be payable in equal annual installments extending over a period of ten (10) years, the first of said installments to be payable with general taxes for the year 2010, collectible with such taxes during the year 2010.

B. To the first installment shall be added interest at the rate of five and seventy-five hundredths (5.75) percent per annum on the entire principal amount of the assessment from the date of August 3, 2009, through December 31, 2010. To each subsequent installment when due, there shall be added interest for one year at said stated rate on the unpaid principal amount of the assessment.

4. The City Clerk-Treasurer shall forthwith transmit a certified duplicate copy of this assessment to the County Auditor to be extended on the tax list of the County.

Dated this 19<sup>th</sup> day of October, 2009.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 3 Staff continued its process to review proposed 2010 Departmental budgets with the Committee. Public Works Director Odens provided an overview of the proposed expenditures for the Waste Treatment Enterprise Fund and the General Fund departments of Engineering, Public Works, Park Development, Airport, City Hall, and Auditorium. It was noted the Wastewater Treatment budget does not include the Western Interceptor which covers the Industrial

Park area. This project is delayed until 2011 pending funding availability. Generally speaking, budgets have stayed at or below 2009 expenditures with little in the way of capital improvements. Park Development includes only \$22,000 in Capital Outlay and the Airport budget was reduced to reflect savings in the manager position, ditch assessments, and Crosswind Runway upgrades.

Community Education and Recreation Director Brisendine provided an overview of the proposed 2010 expenditures for Park Development, Leisure Services, Community Center, Aquatics Center, and Civic Center. As mentioned previously, park development activities are being curtailed this year and the Community, Aquatics and Civic Centers have all seen reduction in proposed expenditures. The discussion included a review of projected revenues at the Aquatic and Civic Centers. This matter was for information only.

Item No. 4 Staff explained that there was nothing new to update the Committee with the WWTP Project at this time, and this matter was for information only.

The Finance Committee Report for October 12, 2009, was approved as presented and ordered placed on file in the City Clerk's Office upon motion, which carried.

The Public Works/Safety Committee Report for October 13, 2009, was presented to the Mayor and Council by Council Member Reese. There were five items for Council consideration.

Item No. 1 The Committee reviewed the minutes of the August 25, 2009, Storm Water Task Force Meeting and announced the Task Force would be meet again and tour rain gardens. This matter was for information only.

Item No. 2 Mike Schramm, Rice Hospital CEO, reviewed with the Committee an amendment proposed by the Charter Commission regarding term limits for Hospital and Municipal Utilities board members. Mr. Schramm was lobbying for the Council's support. This matter was for information only.

Item No. 3 Rhonda Rae of Donohue and Associates briefed the Committee on activities for the month of September related to the Wastewater Treatment Plant Relocation Project. Program management activities included meeting with City Staff regarding funding and finance issues, submittal of Pay Requests 18 and 19 to the Public Facilities Authority for the Clean Water Revolving Fund Loan and Wastewater Improvement Fund and Pay Request No. 4 for the Total Maximum Daily Load Grant. Work continues with Don Roecker, PFA, MPCA, City Staff and Donohue Staff for funding opportunities from the American Recovery and Reinvestment Act of 2009, the Federal stimulus funds, Water Resources Development Act and Environmental Protection Agency State and Tribal Assistance Grant. A STAG grant application for 2010 in the amount of \$300,000 was submitted to the EPA. This matter was for information only.

Item No. 4 The Committee discussed concerns for the deterioration of City streets and future consideration of funding for reconstruction projects. Currently no money has been levied in the 2010 Budget. This matter was for information only.

Item No. 5 The Committee discussed the historic preservation of the old airport terminal building. Staff explained the circumstances surrounding the issue and why the RCO has not been relocated. This matter was for information only.

The Public Works/Safety Committee Report for October 13, 2009, 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 Christianson, and carried.

The Agenda Item regarding a Resolution Amending and Supplementing a Resolution Accepting the Office of the Minnesota Public Facilities Authority and Purchase of General Obligation Sewer Revenue Notes was delayed until the November 2, 2009, City Council Agenda.

The Mayor and Council considered an Ordinance relating to wind energy conversion systems. Planning and Development Services Director Peterson explained that the Planning Commission approved of the Ordinance and initiated the Ordinance as wind power and alternative green processes are becoming more mainstream and will likely be applied for residential situations. Following discussion, Council Member Reese moved to introduce the Ordinance Amending Ordinance No. 2060 Known as the Willmar Zoning Ordinance by Addition Section 11 Relating to Wind Energy Conversion systems and call for a hearing on November 2, 2009. Council Member Ahmann seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance, October 26; Public Works/Safety, October 27; Labor Relations, October 28; and Community Development, October 29, 2009.

There being no further business to come before the Council, the meeting adjourned at 7:49 p.m. upon motion by Council Member Anderson, seconded by Council Member Ahmann, and carried.

Attest:

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MAYOR

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SECRETARY TO THE COUNCIL