

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

April 7, 2014  
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Frank Yanish. Members present on a roll call were Mayor Yanish, Council Members Audrey Nelsen, Jim Dokken, Rick Fagerlie, Denis Anderson, Ron Christianson, Steve Ahmann, Tim Johnson and Bruce DeBlieck; Present 9, Absent 0.

Others present were City Administrator Charlene Stevens, Police Chief David Wyffels, Finance Director Steve Okins, Planning and Development Services Director Bruce Peterson, Public Works Director Sean Christensen, City Clerk Kevin Halliday, Community Education and Recreation Director Steve Brisendine, and City Attorney Robert Scott.

Council Member Anderson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of March 17, Rice Memorial Hospital Minutes of March 19, Willmar Municipal Utilities Minutes of March 24, Planning Commission Minutes of March 26, Accounts Payable Report through April 2, Community/Activity Center Minutes of March 4, Willmar Police Commission Minutes of February 19, Airport Commission Minutes of March 19, CER Joint Powers Board Minutes of March 21, and Building Inspection Report for March, 2014. Council Member Christianson seconded the motion, which carried.

At 7:02 p.m. Mayor Yanish opened the Improvement Hearing for the 2014 Street and Other Improvements. Jared Voge of Bolton and Menk, Project Engineer, appeared before the Mayor and Council to describe in detail, and via PowerPoint presentation, the proposed improvements consisting of reconstruction, mill and overlay, new construction, and street lighting. Faith Wilson, owner of Ed's Service Center, questioned the timeline of the project and expressed her concerns of access for tow equipment in and out of her business. Mr. Voge addressed her concerns stating it has been incorporated into the contract to phase the construction with the contractor so that access can be maintained a majority of the time. Kristina Gabrielson, 510 SW 9<sup>th</sup> Street, inquired as to the cost to the homeowners. City Clerk Kevin Halliday read a letter submitted from Terry Brunson of 520 SW 9<sup>th</sup> Street and signed by 14 others living on 9<sup>th</sup> Street SW between Litchfield Avenue and Kandiyohi Avenue. These residents requested the Council consider removing this section of 9<sup>th</sup> Street SW from the 2014 Improvements. Mr. Voge recommended obtaining the bids so that a more accurate estimate of project costs can be obtained and the Council can reevaluate the request to include the possibility of a seal coat. City Clerk Halliday explained the assessment payment process as well. The question was raised as to the depth of water main replacements. It was noted that the current specification is a seven foot depth from the top of the road to the top of the pipe. After all were heard to speak for or against the improvements, Mayor Yanish closed the hearing at 7:28 p.m.

Resolution No. 1 was introduced by Council Member Christianson, seconded by Council Member Anderson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 8, Noes 0.

**RESOLUTION NO. 1**

**RESOLUTION ORDER IMPROVEMENTS AND AUTHORIZING PREPARATION  
OF PLANS AND SPECIFICATIONS FOR 2014 IMPROVEMENT PROJECTS**

WHEREAS:

After due Notice of Public Hearing on the construction of street and other improvements for the City of Willmar, Minnesota, hearing on said improvements was duly held and the Council heard all persons desiring to be heard on the matter and fully considered the same.

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

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.

The improvements described in said Notice of Hearing are hereby designated and shall be known as 2014 Improvements.

The City's Engineer is hereby directed to prepare final plans and specifications for said improvements.

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 7th day of April, 2014.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

In order to keep the project on schedule, it is necessary to approve the plans and specifications for the project included in the Improvement Report at this time and open bids on May 6, 2014. Resolution No. 2 was introduced by Council Member Christianson, seconded by Council Member DeBlieck, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

WHEREAS:

The City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project Nos. 1401, 1403, 1404, 1405 & 1407 for the City of Willmar;

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

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Multiple bid packages will be publicly opened and read with the first opening scheduled for 1:00 p.m. on the 6<sup>th</sup> day of May, 2014, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 7th day of April, 2014.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

At 7:40 p.m. Mayor Yanish opened a hearing on an Ordinance Authorizing the Sale of Real Property to Jennie-O Turkey Store, Inc. Planning and Development Services Director, Bruce Peterson presented the purchase agreement for 7.6 acres and right of first refusal for the remaining 30 acres of land to the north. The City's current Industrial Land Write-Down Policy allows the purchase price to be reduced to \$0.00. Ken

Warner, 1216 SW 11<sup>th</sup> Street, spoke in favor of the land sale and expansion of the City's Industrial Park. Steve Gardner, 2645 SW 19<sup>th</sup> Avenue, also spoke in favor stating the Local Option Sales was established to enable the development of the Industrial Park and grow our local economy by allowing the Jennie-O projects to move forward. Mike Carlson, 1115 Carolina Avenue SW, commended Jennie-O Turkey Store (JOT-S) for being an active part of making Willmar a better community. Christie Kurth, 907 SE Becker Avenue, spoke on the support Jennie-O Turkey Store gives to the community. Bob Skor, 617 SW 14<sup>th</sup> Street, spoke against the land transfer and tax increment financing concept, and stated various other reasons the citizens voted for the Local Option Sales Tax. Warren Erickson, 1607 Upper Trentwood Circle, touched on competitive wages and the assistance Jennie-O and other businesses have given to the YMCA. Steve Renquist, 3106 Eagle Ridge Drive, spoke on the land write-down policy and tax increment financing. He stated cities prosper through the creation of jobs. JOT-S looked for good value and found that in Willmar. The wages JOT-S pays are well in excess of those required by the State of Minnesota to work for the Job Creation Fund or the Minnesota Investment Fund. Jonathan Kreps, 3297 SW 15<sup>th</sup> Street, spoke in favor of the land transfer and touched on the rate of return from property taxes. Harlen Madsen, 15263 - 120<sup>th</sup> Avenue SE, Lake Lillian, MN, representing himself as a dairy farmer stated JOT-S support for the ag markets. After all were heard speaking for or against the proposed ordinance, Mayor Yanish closed the hearing at 8:05 p.m.

Council Member Fagerlie offered a motion to adopt, assign a number and order final publication of Ordinance No. 1363 Authorizing the Sale of Real Property to Jennie-O Turkey Store, Inc. Council Member Anderson seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Yanish called a recess to the meeting at 8:15 p.m. At 8:25 p.m. the Council reconvened.

Mayor Yanish acknowledged several individuals in the Open Forum. Carol Laumer, 1313 - Ella Avenue NW, came before the Council to request more thought be given to improving or expanding the City's hike and bike trails and using more LOST funds. Bob Skor - 1617 SW 14<sup>th</sup> Street, requested clarification on the lease for the Trap Range, the status of the City Auditorium review and an update on the quiet zone at Trott Avenue. Loren Schultz - 901 Irene Avenue SE, came before the Council questioning if core drills have been performed under the proposed JOTS site and where the storm water will be detained.

The Labor Relations Report for March 26, 2014, was presented to the Mayor and Council by Council Member Ahmann. There were four items for consideration.

Item No. 1 Council Member Christianson made a motion, seconded by Council Member Anderson to go into closed session pursuant to Minn. Stat. §13D.03 to discuss labor negotiation strategies. The meeting was closed at 4:46 p.m.

The meeting was reopened at 5:30 p.m. on a motion by Council Member Anderson, seconded by Council Member Christianson.

At this point, Finance Director, Steve Okins, joined the meeting.

Item No. 2 Chair Ahmann reviewed the tentative agreement with AFSCME Public Works summarizing the agreement for 2014-2015. Chair Ahmann highlighted the annual wage increases of 2.0%, the changes in language for contracting, the change in post-retirement health care and the changes in the employer contribution for insurance. The Committee was recommending the Council approve the contract with AFSCME Pubic for 2014-2015 as described. Council Member Ahmann moved to approve the recommendation of the Labor Relations Committee with Council Member Anderson seconding the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 3 Ms. Stevens stated that Mark Boeschen, the Information Systems Coordinator, has given his notice. His last day of employment will be April 4<sup>th</sup>. Mark will be starting his own business in the technology field. As his position is critical to the operations of the City, it was recommended the vacancy be posted and filled as soon as possible.

Council Member Christianson asked if it would be possible to contract for the service. Ms. Stevens stated that she felt the City had a need for an individual on staff. Chair Ahmann questioned if forensic skills were necessary. Ms. Stevens stated that Ross Smeby, another employee, did have some of that training.

Following the discussion, the Committee recommended opening the hiring process for Information Systems Coordinator. Council Member Ahmann moved to approve the recommendation of the Labor Relations Committee with Council Member Christianson seconding the motion, which carried.

Item No. 4 Under Old Business Chair Ahmann stated that he would like to meet with the City Administrator to discuss the annual evaluation process and forms. Ms. Stevens stated that she was willing to discuss the process and forms and noted that the annual evaluation process should more closely follow that of other City employees, which follows an employee's anniversary date.

Chair Ahmann also raised the topic of the Council Planning Retreat again. Council Member Anderson suggested that perhaps an early start on the budget and potential discussion of the Capital Improvements Plan (CIP) would be a starting point.

The Labor Relations Committee Report for March 26, 2014, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Ahmann, seconded by Council Member Anderson, and carried.

The Community Development Report for March 27, 2014 was presented to the Mayor and Council by Council Member Fagerlie. There were four items for consideration.

Item No. 1 There were no public comments.

Item No. 2 Ryan Raske of AECOM, assisted by Jesus Celis of BNSF Railroad, presented information to the Committee regarding a proposed TIGER grant for construction of a wye/by-pass west of Willmar. TIGER stands for Transportation Investment Generating Economic Recovery. Project partners have been BNSF, MnDOT, City of Willmar, Kandiyohi County, and the EDC.

A PowerPoint presentation was viewed and discussed. Track and route geometrics were presented. Several minor roads will require rerouting and an at-grade crossing will be constructed at County Road 55. Road-over-rail overpasses would be constructed on Highway 12 and Highway 40. The typical railroad right-of-way width will be 150'. A combination of private and municipal property takes are needed. Approximately 27 acres of City-owned property and 103 acres of privately-owned property is needed for the railroad and overpass right-of-ways. Most private property owners have been receptive to the project.

A memorandum of understanding (MOU) has been prepared that spells out generally the responsibilities of all parties to the project. If the TIGER grant is unsuccessful, none of the parties will be held responsible for claims made in the MOU. Project benefits include: a reduction in blocked crossings, less train horn noise, fewer idling trains, lower emissions, and an increase in economic development potential. The project would allow for a switch and siding into the west end of the new industrial park. It was estimated that 7-10 trains per day would be diverted due to the construction of the wye/bypass, significantly reducing the amount of traffic in and out of the Willmar yard.

Council Member Dokken proposed a public meeting to get citizen input. Mr. Raske said that the grant application was due on April 28, 2014 with all information to be submitted by April 21, 2014. It is anticipated that the grant award will occur in September 2014. Design will take a full year and construction could begin in 2016. The Committee discussed the project in depth including preliminary costs and benefits to the community.

Following discussion, the Committee was recommending that the City approve entering into the MOU, participating as a co-applicant, and provide the right-of-way for the project across City property, subject to a future hearing and ordinance. Council Member Fagerlie moved to approve the recommendation of the Community Development Committee with Council Member Christianson seconding the motion, which carried.

Item No. 3 Staff presented additional information to the Committee regarding the Jennie-O Turkey Store project. The process for land transfers was discussed. The relationship between the purchase agreement and subsequent development agreement was also discussed. It was noted that the job creation and retention goals for the project would be audited in the annual business subsidy reports that are submitted to the State of Minnesota. Discussion concluded by the Committee reviewing the application of employment credits from Phase I to Phase II, and the mechanism to make it happen. It was acknowledged that the exact impact of the industrial land write-down policy on the purchase prices for both phases of the project would not be known until the projects are completed. Language in the business subsidy and development agreements will address this issue.

The Committee recommended that the City approve the purchase agreement and right of first refusal in substantial conformance with the draft, subject to the public hearing and ordinance adoption. Council Member Fagerlie moved to approve the purchase agreement and authorize the Mayor and City Administrator to sign on behalf of the City, with Council Member Johnson seconding the motion, which carried.

The Committee then reviewed the proposed tax increment financing program for the project. Timeframes and steps to follow were discussed at length. In order to stay on schedule and to meet the statutory timeframes, staff said it was necessary for the Committee to set a public hearing for the tax increment financing plan. In the interim, staff will be providing information to the County and School District regarding the potential financial impacts on those taxing jurisdictions.

A motion was made by Council Member Fagerlie, seconded by Council Member Dokken, to set a hearing on the Jennie-O Turkey Store Tax Increment Financing Plan for May 5, 2014 at 7:02 p.m. The motion carried.

Item No. 4 Under old business the Committee was provided with an update on the Rule Tire project. An offer by an adjacent property owner to buy one of the decrepit buildings was discussed. Staff recommended that there be no sale of buildings, and that the City proceed with demolition as planned due to the extremely poor condition of the structures. This item was for information only.

The Community Development Report for March 27, 2014, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Fagerlie, seconded by Council Member Dokken, and carried.

The Finance Committee Report for March 31, 2014 was presented to the Mayor and Council by Council Member Anderson. There were five items for consideration.

Item No. 1 There were no comments from the public.

Item No. 2 Staff explained to the Committee that the amphitheater proposed to be constructed at Robbins Island Park is being spearheaded by private citizens and introduced Bob Mathiasen, Community Fund Raising Chair, who presented an update to the Committee on the project progress and naming rights requirements. The cost to construct the amphitheater is estimated at \$350,000 to be funded through grants, naming rights donations, and business/individual donations. Council support is needed for utilizing naming rights donations as one of the fund sources. Mr. Mathiasen also requested Council approval to allow donors to make payments over a period of ten years.

Council Member Johnson raised concerns about the amount the City would be underwriting and the credibility of donors making payments. Mr. Mathiasen responded that those donors making payments would be required to execute a pledge agreement.

Council Member Fagerlie also raised a concern about possible land-use restrictions that may be listed on the Robbins Island deed to the City of Willmar. Staff will research this question.

The Committee was recommending the Council approve naming rights donations as one of the sources of funding for the amphitheater project and to support the continued fund-raising efforts for grants, naming rights donations and business/individual donations to fully fund the project. The recommendation further requires that a minimum of 50 percent of the total funds needed for the project be received in cash up front and an allowance of the remaining balance of these donations be secured with a pledge agreement payable over a maximum of ten years. .

A motion was made by Council Member Anderson to approve the Committee recommendations for funding the amphitheater, Council Member Nelsen seconded the motion, which carried.

Item No. 3 Staff explained to the Committee that 2014 is the last year of the first five-year agreement with the Northwoods League and Willmar Baseball LLC for use of the Bill Taunton Stadium at Baker Diamond. A new five-year lease is being proposed effective August 25, 2014 through August 25, 2019, and has been reviewed by the City Attorney. It was noted that rents were increased by \$18,540 over the previous agreement for the five-year period and that these rates are comparable with statewide cities of like-size. Other changes to the agreement include opening the concessions one-half hour prior to game time and disallowing political signage at the stadium. Concerns were raised about conflicts with the Legion, VFW and Willmar Baseball Association. Community Ed and Rec Director Brisendine explained that he is working with these groups to coordinate schedules and alleviate conflicts. In response to a question from Council Member Nelsen, CER Director Brisendine noted that requests are being addressed for improvements to the Orange Field for Concession area, bathroom facilities, and a press box. Concerns were also raised regarding recycling issues. Mr. Brisendine stated that would be the City's responsibility to address and will look into providing those receptacles.

Following discussion, the Council agreed to table the five-year agreement with the Northwoods League and Willmar Baseball LLC.

Item No. 4 The Committee reviewed details of the current statutory tort liability limits to the extent of the coverage purchased from the League of Minnesota Cities Insurance Trust. A decision must be made annually whether to waive the limits.

If the City does not waive the statutory tort limits, an individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover in a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. If the City waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants. Staff was recommending not waiving the statutory tort limits at this time.

Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

WHEREAS, cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of coverage purchased, and

WHEREAS, the City Council has reviewed the various options for monetary limits on municipal tort liability, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the City does not waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.

Dated this 7th day of April, 2014.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 Staff presented a summary of the Local Option Sales Tax Program that expired December 31, 2012, for the four authorized projects including the Industrial Park Expansion, Hiking/Biking Trails, Purchase of WRTC 60 Acres, and the Civic Center/Blue Line Arena Connection to the Committee. It was noted that one year has elapsed since the expiration of the tax; subsequently, the City Council could explore the possibility of requesting authorization to reinstate the tax from the State Legislature, as previously considered, for street funding. Unrealized market value losses over the last year reduced the amount of the total funds remaining in the Local Option Sales Tax (LOST) Fund by approximately \$722,000. Staff recommended the Committee consider reallocating this unrealized market value loss to other City funds to reinstate the full amount back into the LOST Funds portion of the Industrial Development Fund. It was noted that this market value loss is anticipated to be regained upon maturity of the applicable investments.

After discussion, it was recommended by the Committee to approve reallocating the 2013 unrealized market value loss in the Industrial Development Fund by prorating the total among other City funds. A motion was made by Council Member Anderson to approve the Committee recommendation, Council Member Nelsen seconded the motion, which carried.

The Finance Committee Report for March 31, 2014, 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 Fagerlie, and carried.

The Public Works/Safety Committee Report for April 1, 2014 was presented to the Mayor and Council by Council Member Christianson. There were six items for consideration.

Item No. 1 Dan Groothuis and Denny Bredeson, property owners near the new airport, came before the Committee and discussed potential leasing or purchase of City-owned surrounding land for farming purposes. Discussion involved the sealed bid process versus open bidding. Also discussed was the length of the lease and any possible extensions. This was received for information only.

Item No. 2 Staff updated the Committee on the proposed scope of services and costs for construction-related engineering services with Bollig, Inc. Staff made no recommendation at this time. The total cost of all four amendments was discussed at length. The proposed cost of the scope of services for construction-related services is \$185,800. This represents 8% of the construction bid amount. Council Member Ahmann inquired how many hours staff commits to these projects. The Committee recommendation was to approve Amendment No. 4 to the Bollig Inc. construction-related services agreement for the MinnWest Lift Station/Lakeland Drive Sewer Project.

Resolution No. 4 was introduced by Council Member Christianson, seconded by Council Member Ahmann, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into Amendment #4 to the professional services contract between the City of Willmar and Bollig Inc. for the MinnWest Lift Station/Lakeland Drive Interceptor Sewer Project. The amendment increases the not-to-exceed figure for the previously amended contract amount approved by Council to \$628,428.96.

Dated this 7th day of April, 2014.

\_\_\_\_\_  
/s/ Frank Yanish  
MAYOR

\_\_\_\_\_  
/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 3 Brian Bollig, Bollig Inc., was present to update the Committee on the MinnWest Lift Station/Lakeland Drive Sewer Project. It was his recommendation to delay awarding the bids pending final MPCA review. Staff suggested bids could be brought back at a later date, as they are valid for 90 days after the bid opening date of March 3, 2014.

Council Member Christianson made a motion to delay the awarding of bids pending the MPCA Review Process. Council Member DeBlieck seconded the motion, which carried.

Item No. 4 Staff gave an update on the budget amendment and presented it to the Committee for consideration. It was staff's recommendation the Committee approve the amended budget as presented. It was noted bids came in slightly higher than anticipated. The total estimated cost for the project is \$3,251,977.76. Of this amount, \$2,999,716.76 is expected to be PFA eligible. The budget also shows expenditures of \$210,261 in Municipal State Aid Funds, and \$42,000 in Local Option Sales Tax Funds.

Resolution No. 5 was introduced by Council Member Christianson, seconded by Council Member Anderson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

FINAL PROJECT NO. 1310 BUDGET  
MINNWEST LIFT STATION/LAKELAND DR SEWER PROJECT

<b>OTHER SERVICES:</b>		<b>RECEIVABLES:</b>	
Mntc. Of Other Improvements	<u>\$2,421,172.50</u>	State – PFA	\$2,999,716.76
<b>TOTAL</b>	<b>\$2,421,172.50</b>	City – State Aid	\$210,261.00
		City – LOST	<u>\$42,000.00</u>
		<b>TOTAL</b>	<b>\$3,251,977.76</b>
<b>OTHER CHARGES:</b>		<b>FINANCING:</b>	
Professional Services	\$687,961.60	State – PFA	\$2,999,716.76
Other Charges	<u>\$142,843.66</u>	City – State Aid	\$210,261.00
<b>TOTAL</b>	<b>\$830,805.26</b>	City – LOST	<u>\$42,000.00</u>
		<b>TOTAL</b>	<b>\$3,251,977.76</b>
<b>GRAND TOTAL</b>	<b>\$3,251,977.76</b>		

Dated this 7th day of April, 2014.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 Staff updated the Committee on the Highway 12 Cooperative Construction Agreement and the level of City participation in the project. Staff recommended approving the Cooperative Agreement and amending the level of cost sharing from the estimated cost of \$58,747 to the revised share in the amount of \$63,920.34. The change was due primarily to the addition of construction-engineering services. Council Member Ahmann asked about signal maintenance and who would be responsible. Staff explained that MnDOT will be responsible for the maintenance of the signals.

The Committee gave two recommendations for the Council to consider. The first is to amend the level of City construction participation in the amount of \$63,920.34 and second to authorize the Mayor and City Administrator to execute the Cooperative Construction Agreement with MnDOT for the project.

Resolution No. 6 was introduced by Council Member Christianson, seconded by Council Member Nelsen, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 6

**AMENDING RESOLUTION NO. 6 DATED FEBRUARY 3, 2014**

BE IT RESOLVED by the City Council of the City of Willmar that the City's share of the Cooperative Construction Agreement between the City and MnDOT be amended to \$63,970.34, with the funding source being a re-appropriation from the savings on the purchase of oil distribution equipment within the Capital Improvement Fund.

Dated this 7<sup>th</sup> day of April 2014.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 7 was introduced by Council Member Christianson, seconded by Council Member Ahmann, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 7

BE IT RESOLVED that the City of Willmar enter into MnDOT Agreement No. 05329 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the City to the State of the City's share of the costs of the grading, bituminous paving, bridge approach panels, lighting, signals and ADA improvements construction and other associated construction to be performed upon, along and adjacent to Truck Highway No. 12 from 500 feet west of 7<sup>th</sup> Street to 0.44 miles east of County Road No. 9 within the corporate City limits under State Project No. 3403-68 (T.H. 12=010), and

BE IT FURTHER RESOLVED that the Mayor and the City Administrator are authorized to execute the Agreement and any amendments to the Agreement.

Dated this 7<sup>th</sup> day of April 2014.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 6 Gary Manzer, Public Works Working Foreman, attended the Committee meeting to answer questions regarding the purchase and replacement of a motor grader. The 2014 CIP includes the replacement at a cost of \$265,590. Staff proposed purchasing a new 2014 John Deere under state contract for \$247,150, including trade in of the 1991 model. The Committee asked if this item would need to go to the Finance Committee for approval, staff informed them this item did not as no budgetary action is required. The Committee recommended approving the purchase. A motion was made by Council Member Christianson to authorize the purchase of a new motor grader for the amount of \$247,150. Council Member DeBlicek seconded the motion, which carried.

Item No. 7 Under New Business the Committee inquired as to any updates on the City Auditorium. Staff explained the City is awaiting more options from Engan and Associates.

The Committee has been hearing concerns about lead at the City trap range. Staff explained they are only discussing renewal of the leases of this time. These leases may include such language as mitigation of lead. This information will come back to the Committee at a later date.

Item No. 8 Under New Business Police Chief Dave Wyffels noted the jail census for April 1, 2014 was 76, and that the calls for service for the previous two weeks totaled 672.

Fire Chief Gary Hendrickson noted there have been 70 calls to date this year, which is on pace to be similar to the number of calls in 2013. Chief Hendrickson also reminded the Committee that property owners are not allowed to burn leaves within the City, and are encouraged to use the City brush-site. He also discussed additional staffing needs.

The Committee expressed gratitude and thanked Bruce Peterson for his help and service the last 18 months, during this time of transition.

The Public Works/Safety Report for April 1, 2014, 2014, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Christianson, seconded by Council Member Ahmann, and carried.

City Clerk Kevin Halliday presented the list of establishments requesting renewals for On-Sale, On-Sale Club, On-Sale Wine, On-Sale 3.2% Intoxicating Malt, and Off-Sale Liquor Licenses. Council Member Anderson moved to approve the renewals, with Council Member Fagerlie seconding the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Announcements for Council Committee meeting dates were as follows: Finance, April 14; Public Works/Safety, April 15; and Labor Relations, April 23, 2014.

There being no further business to come before the Council, the meeting adjourned at 9:20 p.m. upon motion by Council Member Anderson, seconded by Council Member Ahmann, and carried.

Attest:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
SECRETARY TO THE COUNCIL