

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

January 9, 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 Ron Christianson, Bruce DeBlieck, Denis Anderson, Cindy Swenson, Jim Dokken, and Steven Gardner; Present 7, Absent 2 – Council Member Doug Reese and Rick Fagerlie.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Police Chief Jim Kulset, Public Works Director Mel Odens, Planning and Development Services Director Bruce Peterson, Community Education and Recreation Director Steve Brisendine, and City Clerk Kevin Halliday.

The Community Education and Recreation Board Minutes of December 22, 2005, were removed from the Consent Agenda.

Council Member Gardner offered a motion adopting the Consent Agenda which included the following: City Council Minutes of December 19, Municipal Utilities Commission Minutes of December 27, Planning Commission Minutes of December 29, Building Inspection Report for December, Convention and Visitors Bureau Minutes of November 15, Police Commission Minutes of November 18, 2005, and Zoning Appeals Board Minutes of January 3, 2006; Willmar Sertoma Club application for Exempt Permit; and reappointment of Mark Malam to Housing and Redevelopment Authority Board of Commissioners. Council Member DeBlieck seconded the motion, which carried.

Following discussion of proposed rates, the Community Education and Recreation Board Minutes of December 22, 2005, were accepted as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Dokken, seconded by Council Member DeBlieck, and carried.

Mayor Heitke recognized Michelle Hull who had signed up to address the City Council during its scheduled Open Forum. Ms. Hull requested clarification of the City's parking and towing regulations. The matter was referred to the Public Works/Safety Committee for parking policy review.

Mayor Heitke presented to the City Council, staff and citizens of Willmar his message of the State of Affairs of the City of Willmar in which he detailed the events of 2005, highlighted by the receiving of the All-America City award.

Council Member Reese arrived at the meeting at 7:21 p.m.

The Public Works/Safety Committee Report for December 27, 2005, was presented to the Mayor and Council by Council Member Reese. There were three items for Council consideration.

Item No. 1 City Administrator Schmit presented to the Committee a revised proposal from the Board of Water and Soil Resources (BWSR) to restore the area known as Grass Lake in an area southeast of Willmar. Unlike a previous plan submitted a number of years ago that was determined to not be economically feasible, the new proposal was presented as more effective

while continuing to address water quality and quantity issues.

Staff had received the revised proposal earlier in the month at a meeting with BWSR and County representatives. It was the consensus of the group that in order to be successful, all regulatory agencies including the City and County need to support the new project concept. BWSR is planning to seek funding through the State's 2006 Bonding Bill to cover a major portion of the project cost. Any shortfalls would be made up by benefited parties within the drainage system. Commissioner Falk, representing Kandiyohi County, informed the Committee that the County was prepared to pay 50 percent of any costs associated with new feasibility studies, construction costs, and ongoing operation and maintenance costs.

Part of the project would be to do initial planning work which would include modeling of the BWSR proposal. It is recommended to hire Barr Engineering to conduct this work. The modeling is intended to show effects of the project to the system and how it relates to previous modeling efforts so they all relate to the same storm events. It will also demonstrate flood benefits that can be achieved, water quality that can be met, as well as providing planning cost estimates for the project.

The Committee was recommending to the Council that the City accept and approve of the new Grass Lake Restoration Project concept and that the City share equally with the County the cost of updating the modeling and feasibility studies. Staff noted that BWSR would assist with preparing a scope of services of the modeling work and that preliminary estimates from Barr Engineering are in the range of \$13,000-14,000. City Administrator Schmit informed the Council that the estimate for modeling work presented to the Committee was critically low and in fact the latest proposal from Barr Engineering totaled over \$46,000. Mr. Schmit was recommending that the Council only act on the concept of the restoration project and not the modeling work and engineering. Council Member Reese moved to approve the new Grass Lake Restoration Project concept. Council Member Christianson seconded the motion, which carried. The matter of the cost of the modeling work and engineering was referred to the Public Works/Safety Committee for reconsideration.

Item No. 2 The Committee reviewed correspondence from Design Electric Inc. requesting a delay in the light installation completion date until early spring of 2006. The original completion date for the street lighting on Willmar Avenue SE be installed and operable is January 15, 2006. Design Electric has indicated the manufacturer informed them that some of the material will not be delivered anytime this fall because of previous orders and numerous disasters in the southern states. The contractor is requesting an extension to the completion date by the City.

The Committee was recommending the Council authorize staff to sign a change order extending the installation and operable date for the Willmar Avenue SE Street Lighting Project to May 5, 2006. Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 1

WHEREAS Design Electrical Contractors, Inc. of St. Cloud, Minnesota, contractor for the City of Willmar Project No. 0509 Willmar Avenue Street Lighting Improvements, desires to have the installed and operable completion date for the project changed to May 5, 2006; and;

WHEREAS it has been determined the manufacturer of the bases and poles would not be able to deliver the items this fall.

NOW THEREFORE BE IT RESOLVED that the Project No. 0509 installed and operable

completion date is hereby changed to May 5, 2006 with the final date remaining as June 1, 2006.
Dated this 9th day of January, 2006.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 The Committee reviewed projects proposed for 2006 improvements by staff and developers. It was noted that 2006 again appears to be a major year for new development. No reconstruction is being proposed for 2006 for reasons such as: WWTP Relocation Project; assessment policy review; new development in 2006, and the price of oil. Other projects being worked on as well are the Industrial Park Expansion, Civic Center/Blue Line Center Connection, and the Path Comprehensive Plan.

The Committee was recommending the Council order preparation of the 2006 Improvement Report. Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Anderson, and read by Mayor Heitke. City Administrator Schmit informed the Council that pursuant to recent discussions with representatives of the Kandi Mall, the 5th Street Southeast project on the east side of the Mall will not be pursued in 2006. Mr. Schmit was recommending several street areas in the City that could be considered for reconstruction which would equal the planned fiscal participation by the City in the 5th Street Southeast project. Council Member Reese moved to amend the motion to include reconstruction as proposed by staff and deleting 5th Street Southeast. Council Member Christianson seconded the motion, which carried. The Resolution then carried on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

ORDER OF IMPROVEMENT REPORT

WHEREAS, it is proposed to construct the following improvements under the 2006 Improvement Project: grading, gravel base, curb and gutter, tiling, bituminous pavement, sidewalk, service lines, sanitary sewer, storm sewer, water main, street lighting, and signal system

and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Section 429.011 to 429.111 (Laws 1953, Chapter 398, as amended).

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WILLMAR, MINNESOTA:

That the proposed improvement be referred to the City Engineer for study, and that he is instructed to report to the Council advising the Council in a preliminary way as to whether the proposed improvement is feasible, and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Dated this 9th day of January, 2006.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

The Public Works/Safety Committee Report for December 27, 2005, 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 Community Development Committee Report for December 29, 2005, was presented to the Mayor and Council by Council Member DeBlieck. There were four items for Council consideration.

Item No. 1 Staff presented to the Committee 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 sprinklering 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: 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.

The Committee was recommending the Council grant a variance from the code to Willmar Air Service for their new hangar construction with the conditions outlined above. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Dokken seconding the motion. It was noted a hearing must be held before the Fire Code Appeals Board. Council Member DeBlieck withdrew his motion, and Council Member Dokken withdrew his second. Council Member DeBlieck moved to schedule a hearing before the Fire Code Appeals Board on January 23, 2006. Council Member Dokken seconded the motion, which carried.

Item No. 2 The Committee reviewed three concepts for redevelopment of the existing airport. Differences in the concepts had to do mainly with the alignment for County Road 5 and Highway 40, and how certain interior issues were dealt with such as ditches, interior roadways, etc. Staff noted that WSN, the City's consultant for the project, had gone through a process of trying to maximize the efficiency of development within the park by minimizing the lineal footage of infrastructure required. It was the opinion of staff that concept 2B best represented what the City should pursue.

Following discussion, the Committee was recommending the Council to approve concept 2B, to order a boundary survey, to pursue development of the preliminary plat, and to consider an additional bike/pedestrian path on an east-west alignment if feasible and consistent with the City's overall trail plan. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Swenson seconding the motion, which carried.

Item No. 3 The Committee reviewed proposed departmental rates and fees for the year 2006. Following discussion, the Committee was recommending the Council adopt the Resolution

approving the 2006 schedule of rates and fees as presented. Resolution No. 3 was introduced by Council Member DeBlieck, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

WHEREAS, the City Council of the City of Willmar duly establishes fees for service, sets fees for permits and licenses, and establishes rental rates for City equipment.

NOW, THEREFORE, BE IT RESOLVED that the below listed fees be duly adopted for the year 2006 and the same hereby ordered kept on file in the office of the City Clerk-Treasurer.

PUBLIC WORKS:

Maintenance Trucks:

3 –5 Ton Trucks	\$ 33.00/hour
1 Ton Truck	17.00/hour
3 –5 Ton Truck/Plow/Sander	39.00/hour
3 –5 Ton Truck/Plow/Sander/Wing	52.00/hour
1 Ton Truck Plow	25.00/hour
Tandem Truck	39.00/hour
Tandem Truck/Plow/Sander/Wing	52.00/hour
½-3/4 Ton Pickup	16.00/hour
1 Ton /Water Tank	25.00/hour
3 Ton /Water Tank	39.00/hour

Tractors, Loaders, Motor Graders:

2 –3 CY Loaders	\$ 78.00/hour
Loader/Plow/Wing	97.00/hour
Loader/Snow Blower	116.00/hour
Motor Grader	91.00/hour
Motor Grader/One-Way Plow	97.00/hour
Motor Grader/One-Way Plow/Wing	109.00/hour
40-50 Hp Tractor	20.00/hour
40-50 Hp Tractor/Attachments	30.00/hour
MT Trackless/Blower/Mower	58.00/hour
Tractor/18' Flail Mower	52.00/hour
20-30 Hp Unit Mower/Blower/Sweeper	33.00/hour
40-50 Hp Tractor/Sickle Mower	33.00/hour
Skid-Loader	33.00/hour
Skid-Loader/Attachments	47.00/hour
Snowplowing Sidewalks (incl. labor and equipment)	0.58/LF

Specialty Equipment:

Air Conveyance Unit	\$ 52.00/hour
Elgin Sweeper (4 CY)	58.00/hour
Hydraulic Sewer Cleaner	64.00/hour
Sewer Rodder	39.00/hour
Steamer and 1 Ton Truck	47.00/hour
Paint Sprayer	8.00/hour
Paint Sprayer and 1 Ton Truck	25.00/hour
50' Bucket Truck	65.00/hour

30' Bucket Truck	39.00/hour
Brush Chipper	27.00/hour
Tamper	8.00/hour
Bituminous Distributor and Truck (less material)	\$ 47.00/hour
Bituminous Roller	52.00/hour
Grass and Leaf Pickup Broom	27.00/hour
Chain Saws	9.00/hour
Trailers	11.00/hour
Aero Seeder	27.00/hour
Landscape Rake	27.00/hour
Turf Pro	27.00/hour
Gator and Sprayer	25.00/hour
Generator	8.00/hour
Trash Pumps	8.00/hour
Utility Vehicle with Crane Hoist	40.00/hour

Materials:

Winter Sand Mixed with Salt	\$ 50.00 CY
Gravel	20.00/Ton
Bituminous Cold Mix	90.00/Ton
Chalk Dust (50lb. bag)	6.00/bag
Diamond Dry (50lb. bag)	12.00/bag
Bituminous Repair (incl. labor and equipment)	40.00/SY

Facilities or Equipment:

Bleachers – 3 or 5 High	\$25.00/day
Minimum moving charge	75.00/day
Picnic Tables – Rental per table	5.00/day
Delivered Picnic Tables per table	10.00
Barricades	2.00/day
Minimum charge for hauling barricades	20.00
Lights for ball fields	25.00/day for each field

Labor:

Regular	Contract rate plus 35%
Overtime	Contract rate plus 35%

COMMUNITY EDUCATION AND RECREATION:

Adult recreation programs will charge cost of program, officials, balls, sanctioning fees, etc., plus \$5.00 per team court fee for volleyball/basketball and \$10.00 per team field fee for softball.

Baseball Fields	Minimum \$30.00 (1 game) or \$20.00 per game (2 or more), whichever is greater
Softball Fields Minimum	\$50.00 or \$10.00 per game, whichever is greater
Robbins Island enclosed shelters*	\$ 60.00/day May- September 120.00/day October-April
*Plus clean-up/damage deposit	50.00
Open shelters	30.00/day

Showmobile:
 Events in Willmar \$200.00/day
 Events out of town 300.00/day +staff expenses
 Damage deposit \$200.00, returnable once inspection completed

Civic Center:
 Dry floor events \$580.00/day
 Ice Rental 110.00/hour
 Blue Line Center 90.00/hour

Aquatic Center:
 Individual season pass \$ 69.55
 Family of 2 96.30
 Family of 3 107.00
 Family of 4 117.70
 Family of 5 or more 128.40

CITY CLERK LICENSES:

Amusement Machine \$ 15.00/machine/year
 Bowling Alleys No charge
 Café-Restaurant 25.00 per year
 Cat and Dog \$2.00 neutered male & spayed female
 \$5.00 unneutered male/unspayed female
 Pawnbroker 150.00 per year
 Soft Drink 20.00 per year
 Taxicab 25.00 per cab
 Theatre 300.00 per year

Liquor License Investigation Fees:
 Single Person \$ 75.00
 Partnership 150.00
 Corporation 300.00

Liquor Licenses:
 On-Sale Liquor \$4,000.00 per year
 Off-Sale Liquor 950.00 per year
 Club On-Sale Liquor 300.00 per year
 On-Sale Wine 200.00 per year
 On-Sale Sunday 200.00 per year
 On-Sale 3.2% Malt Liquor 150.00 per year
 Temporary On-Sale Liquor 100.00 per event

Permits:
 Carnival \$ 25.00 per day
 Circus (Menagerie) 25.00 per day
 Dance 25.00 per dance
 Dumpster 25.00 per permit
 Exhibition 25.00 per day
 Fireworks Display-Outdoor \$ 25.00 per display
 Fireworks Display-Indoor 50.00 per display

Fireworks Storage & Sale	100.00 per year
Parade	25.00 per parade
Service Parking	25.00 per year
Special Event	25.00 per day
Run/Walk	25.00 per day
Livestock	5.00 animal (\$25 cap)

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT:

Zoning Fees:

Conditional Use Permit	\$175.00*
Variance	175.00*
Appeal	175.00*
Rezoning	175.00
Text Amendment	175.00
Subdivision Plat Review	15.00 per lot/\$175 minimum
Re-plats	15.00 per lot/\$225 minimum

Sign Permits:

Sign/Special Sign	0-20 sq. ft.= \$15.00
	20-50 sq. ft.= 20.00
	50-100 sq. ft.= 25.00
	100+ sq. ft. = 30.00

Roof Sign Inspection Fee	\$25.00
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Removals:

Garage/Utility Building	\$20.00
House	40.00
Commercial/Industrial (includes apartments)	75.00

Plumbing Permits:

Single-Family Residential	\$ 6.00 per fixture/\$60 minimum
Duplex	6.00 per fixture/\$60 minimum
Commercial/Industrial Multi-family, Residential And Other	7.50 per fixture/\$75 minimum
Water Service Line	15.00 per line
Sewer Service Line	15.00 per line
Mobile Home Connections (sewer and water)	15.00 per line
Sewer or Water Extensions	125.00

FIRE DEPARTMENT: Firefighter hours that are billed are taken directly from the roll call list. Firefighters receive a \$14.00 per hour.

Equipment:	<u>1st Hour</u>	<u>Additional Hour</u>
1 st line pumper - 5251, 5257 and 5258	\$300	\$200/hr
2 nd line pumpers - 5252	200	150/hr
Tanker/pumpers 5276	150	100/hr
Ladder truck - 5299	500	400/hr
Personnel carrier - 5293	100	50/hr
Grass rig - 5285	150	100/hr

