

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

June 4, 2012
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 Ron Christianson, Bruce DeBlieck, Denis Anderson, Steve Ahmann, Rick Fagerlie, and Jim Dokken; Present 7, Absent 2 - Council Members Doug Reese and Tim Johnson were excused from the meeting.

Also present were City Administrator Charlene Stevens, Police Chief David Wyffels, Fire Chief Marv Calvin, Public Works Director Holly Wilson, Finance Director Steve Okins, Planning and Development Services Director Bruce Peterson, City Attorney Robert Scott, and City Clerk Kevin Halliday.

Council Member Anderson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of May 21, City Council Work Session Minutes of May 24, Planning Commission Minutes of May 23, 2012, Municipal Utilities Commission Minutes of May 29, Accounts Payable through May 30, Exempt Permit Applications - Pheasants Forever Kandiyohi County #2 and Pennock Lions Club, and Kandiyohi Area Transit Operations Board Minutes of April 24, 2012. Council Member Ahmann seconded the motion, which carried.

At 7:03 p.m. Mayor Yanish opened the Assessment Hearing for 2012 Street and Other Improvements. Public Works Director Wilson presented details of the streets included in the 2012 improvement program noting lineal foot charges set at \$67.17 per foot for reconstruction and \$26.08 for overlay. The total project cost is \$1,217,932.13, with \$596,042.81 proposed to be assessed to property owners and \$621,889.32 as the City's share. Various property owners voiced concerns including Mike Brown, representing Walt's Car Wash on Roise Avenue SE having concerns with keeping the tunnel wash bay open through the project and noting their first choice of concrete versus blacktop. Richard Score, Prescription Center, questioned his proportional share of assessments. Dawn Broesder, 500 Russell Street NW, representing the Willmar Care Center, voiced concerns with emergency services access during construction. Michael Gillespie, 312 Bernard Street SE, questioned payment options which were explained by the City Clerk. Mayor Yanish read a letter from Dawn Broesder, Willmar Care Center, expressing opposition to the proposed assessment.

Council Member Christianson offered a motion that there be no amendments to the assessment role. Council Anderson seconded the motion, which carried. Resolution No. 1 was introduced by Council Member Christianson, seconded by Council Member Dokken, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 1

ADOPTING ASSESSMENT ROLL

WHEREAS, pursuant to notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for 2012 Street and Other Improvements, and has amended such proposed assessment as it deems just;

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

1. Such proposed assessment, the sum of \$596,042.81, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against

the lands named therein, and each tract of land therein is hereby found to be benefited by the proposed improvement listed as Project 1201.

2. 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 2013, collectible with such taxes during the year 2013.

B. To the first installment shall be added interest at the rate of three and ninety hundredths (3.90) percent per annum on the entire principal amount of the assessment from the date of the bond sale, approximately July 2, 2012, until December 31, 2013. To each subsequent installment, when due there shall be added interest for one year at said rate on the unpaid principal amount of the assessment.

C. The owner of any property so assessed may at any time prior to the certification of the assessment or the first installment thereof to the County Auditor (Treasurer), pay the whole of the principal amount of the assessment on such property with interest accrued to the date of payment to the City Clerk-Treasurer, except that no interest shall be charged if the entire assessment is paid by October 31, 2012, and such property owner may at any time prior to November 15 of any year pay to the City Clerk-Treasurer the entire principal amount.

3. 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 4th day of June, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 2 was introduced by Council Member Christianson, seconded by Council Member Anderson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 2

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bids of Duinick Inc. of Prinsburg, Minnesota for Project Nos. 1201-A and 1201-B are accepted.

BE IT FURTHER RESOLVED that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into agreements with the bidder for the terms and consideration of the contracts in the amounts of \$216,795.50 for Project No. 1201-A and \$968,617.30 for Project No. 1201-B.

Dated this 4th day of June, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Upon hearing all those who wished to be heard, Mayor Yanish closed the hearing at 7:39 p.m.

At 7:45 p.m. Mayor Yanish opened a hearing on an Ordinance Authorizing the Issuance of \$1,460,000 General Obligation Improvement Bonds, Series 2012B and Levying of Taxes to Secure Payment Therefor. Doug Green, Springsted Incorporated, appeared before the Mayor and Council to explain that bids will be opened on July 2, 2012, whereby Springsted will verify compliance and present the winning bidder to the Council, offering an estimated interest rate of 1.78 percent. He further noted that the total bonds to be sold were reduced by the 2011 prepayments of assessments totaling \$95,000. Mayor Yanish closed the hearing at 7:50 p.m.

Council Member Anderson moved to adopt, assign a number and order final publication of an Ordinance Authorizing the Issuance of \$1,460,000 General Obligation Improvement Bonds, Series 2012B and the Levying of Taxes to secure Payment Therefor. Council Member Ahmann seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Ahmann, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 3

RESOLUTION ON PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF \$1,460,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2012B

(For Resolution in its entirety, see City Council Proceedings file dated
June 4, 2012, located in the City Clerk's Office)

At 7:51 p.m. Mayor Yanish opened a hearing on the proposed Business Subsidy/Tax Abatement for the Lakeland Hotel Project. Planning and Development Services Director Peterson presented details of the proposed project which would provide rehabilitation of the former hotel. Mr. Peterson noted the rehabilitation would be a significant step for Downtown revitalization. The cost to the City is low, and results in Downtown stabilization, improved housing conditions, and future increased tax base. The Project is consistent with the recently-adopted Willmar Downtown Plan. Costs to the City are estimated to average \$4,000/year for 15 years ranging from \$2,100 in 2013, to \$5,300 in 2027. This proposed abatement is more than offset by increased tax revenue from expiring abatements. The estimated increase in tax revenue is greater than \$450,000 over a 15-year period.

Chad Hooper, representing 30 individuals in the Lakeland Hotel, opposed the project stating that rehabilitation of the hotel will not be comparable housing and that the current hotel is appealing to poor people that work with rental rates as low as \$250 per month.

Dan Peterson relayed the story of his parents working downtown and stated he currently owns the old theatre building. He urged the Council to vote yes and to treat the \$3.6 million renovation as a gift to Willmar.

Mary Catherwood, read a letter from David Moody an investor in Heritage Square, supporting the project as safe and descent housing for Willmar.

Bob Bonawitz spoke in favor of the development as a significant opportunity and felt the Lakeland Hotel could be cornerstone of downtown development.

Richard Engen, President of Willmar Design Center, spoke in favor of the project stating 1000 cities like Willmar had downtown problems but solved them, without bandaid repairs. This project is not the end, just the beginning of great downtown development.

John Sullivan spoke in favor of revitalizing Downtown, but stressed transparency and recommended everyone listen to the Community Development Committee meeting as Mayor Yanish had insightful questions about the project.

Ken Warner, President of Willmar Lakes Area Chamber of Commerce, presented a letter of support for the project requesting the Council to take supportive action like a regional city.

Steve Renquist, EDC Operations Board position, acknowledged the diminished assessment value Downtown, but spoke positively about how this project could turn it around. The Lakeland Hotel has long been the crown jewel of downtown.

Mike Hall, 302 4th Street Apartment #304, stated Willmar needs affordable housing for everyone,

like the current Hotel provides. Upon hearing all who wished to be heard, Mayor Yanish closed the hearing at 8:25 p.m.

Resolution No. 4 was introduced by Council Member DeBlieck, seconded by Council Member Anderson, and reviewed by Mayor Yanish. Council Members continued discussing their concerns. Council Member Christianson voiced concerns with using tax abatement for renovation without measurable wage rates, noting other Downtown stores need remodeling and the possible precedent setting this action may have. Council Member Anderson noted that most prior tax abatements were for industrial projects, but now is the time to be creative. Council Member DeBlieck noted the Hotel has deteriorated in the last few years and is in need of renovation. Council Member Fagerlie questioned relocation payments to tenants and concerns with no place for the children to play. Rick Goodeman, Southwest Minnesota Housing Partnership, answered that relocation benefits are paid out of development costs. Council Member Ahmann stated the City needs to see a return on the investment and questioned the jobs made available (outside of initial construction). Following considerable discussion, the Resolution passed on a roll call vote of Ayes 4, Noes 0, Abstention 2 - Council Members Christianson and Dokken.

RESOLUTION NO. 4

RESOLUTION SUPPORTING SOUTHWEST MINNESOTA HOUSING PARTNERSHIP PROPOSED LAKELAND HOTEL PROJECT

WHEREAS, the City of Willmar has a critical need and desire to provide affordable housing options to people of all incomes; and

WHEREAS, the Lakeland Hotel is a physically- troubled property with significant blight and disrepair, foreclosed and bank held, located within the heart of Willmar's Central Business District; and

WHEREAS, the City has adopted a revitalization plan for its Central Business District and has identified the Lakeland Hotel as a priority preservation property within that district; and

WHEREAS, the Southwest Minnesota Housing Partnership is proposing the rehabilitation and redevelopment of the Lakeland Hotel's existing 30 single-room occupancy units into 2-one bedroom and 8-two bedroom apartments for persons/families with incomes at or below 60% of the area median income ,and it's four (4) commercial/retail spaces into three (3) commercial/ retail spaces; and

WHEREAS, the City Council finds that the proposed demographic and income targeting, the conceptual design, and consistency with historic rehabilitation standards as determined by the US Department of the Interior, is consistent with its adopted revitalization plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILLMAR, KANDIYOHI COUNTY, MINNESOTA, DOES HEREBY RESOLVE THAT: the City of Willmar will support the Southwest Minnesota Housing Partnership proposed Lakeland Hotel project as follows:

- The City of Willmar will provide tax abatement for a period of fifteen (15) years to Southwest Minnesota Housing Partnership for the long-term operation of the project.
- The City will provide Small Cities Development Program funding, if awarded by the Minnesota Department of Employment and Economic Development, to the Southwest Minnesota Housing Partnership as a grant for the redevelopment of both residential and commercial space.

Dated this 4th day of June, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Council proceeded to discuss the 15-year tax abatement proposal. Mayor Yanish added that the Council recently approved unanimously the Downtown Improvement Plan. Council Member Christianson reminded the Mayor that no financing plan was detailed in the Downtown Improvement Plan.

Resolution No. 5 was introduced by Council Member Anderson, seconded by Council Member DeBlicek, reviewed by Mayor Yanish, and resulted in a vote of Ayes - 3 and Noes 3 - Council Members Christianson, Ahmann and Dokken voting "No." Mayor Yanish cast the deciding affirmative vote and the Resolution was approved.

RESOLUTION NO. 5

RESOLUTION APPROVING PROPERTY TAX ABATEMENT

BE IT RESOLVED by the City Council (the "Council") of the City of Willmar, Minnesota (the "City"), as follows:

1. Recitals.
 - a. Lakeland Hotel Limited Partnership (the "Developer") proposes to redevelop residential and commercial space in the Lakeland Hotel building (the "Project"). The Developer has requested that the City provide financial assistance to the Developer for the project. The City proposes to use tax abatement for the purposes provided for in the Abatement Law (as hereinafter defined), including the Project. The proposed term of the abatement will be fifteen years. The abatement will apply to 100% of the City's share of the property taxes (the "Abatement") derived from the value of the Project at 302 4th Street Southwest (parcel number 95-003-4960).
 - b. On June 4, 2012, the Council held a public hearing on the question of the Abatement, with proper notice being duly given.
 - c. The Abatement is authorized under Minnesota Statutes, Section 469.1812 through 469.1815 (the "Abatement Law").
2. Findings for the Abatement. The City Council hereby makes the following findings:
 - a. The Council expects the benefits to the City of the Abatement to at least equal or exceed the costs to the City thereof.
 - b. Granting the abatement is in the public interest because it will increase or preserve the tax base of the City and provide housing and business opportunities in the City.
 - c. The Property is not located in a tax increment financing district.
 - d. In any year, the total amount of property taxes abated by the City by this and other resolutions, if any, does not exceed greater of ten percent (10%) of the current levy or \$200,000.
3. Terms of Abatement. The abatement is hereby approved.
 - a. The Abatement shall be for fifteen (15) years and shall apply to the taxes payable in the years 2013 through 2027 inclusive.
 - b. The City will abate 100% of the City's share of property tax amount derived from the Project which the City receives from the Property.
 - c. The Abatement shall be subject to all the terms and limitation of the Abatement Law.
 - d. The Abatement may not be modified or changed during its term.

Dated this 4th day of June, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Council Member Anderson moved to authorize that a tax abatement agreement be drafted for the Lakeland Hotel Project and authorize the Mayor and City Administrator to enter into the agreement upon

review of the City Attorney. Council Member DeBlieck seconded the motion. Council Member Ahmann moved that the City have the right to review the financial performance and return of the project and reconsider the tax abatement granted to the developer every two to three years. The motion died for the lack of a second. The original motion as presented resulted in a roll call vote of Ayes 3 and Noes 3 - Council Members Christianson, Ahmann and Dokken voting "No." Mayor Yanish cast the deciding affirmative vote and the motion was approved.

Mayor Yanish called for a recess at 9:35 p.m. and reconvened the meeting at 9:42 p.m.

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

City Administrator Stevens informed the Mayor and Council that the City has completed necessary requirements of a Memorandum of Agreement (MOA) with the Federal Aviation Administration regarding the former airport lands. The City has fulfilled all activities referenced in the first milestone of the MOA and the FAA has reviewed and agreed to release the first 90 acres of land. Resolution No. 6 was introduced by Council Member Ahmann, seconded by Council Member Christianson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 6

RESOLUTION AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE FAA LAND RELEASE LETTERS REGARDING THE FORMER MUNICIPAL AIRPORT PROPERTY

WHEREAS, the City of Willmar (City) entered into a Memorandum of Understanding with the Federal Aviation Administration (FAA) dated December 2, 2011 pursuant to which the FAA agreed to release the City from its obligation to maintain the land upon which the former municipal airport was located for airport purposes in three phases, upon the City's satisfaction of certain terms and conditions outlined therein;

WHEREAS, the FAA notified the City in a letter dated May 29, 2012 that the City has satisfied the terms and conditions necessary for the FAA to release the City from its obligation to maintain the Phase I former municipal airport property for airport purposes on the condition that the City impose certain restrictions in any instrument conveying an interest in such property designed to ensure that any future uses of such property not interfere with the operations of the new Municipal Airport;

WHEREAS, the FAA's May 29, 2012 Land Release Approval letter to the City requires representatives of the City to sign the letter in acknowledgment of the City's agreement with the FAA's conditions of the land release, and return the same to the FAA; and

WHEREAS, the City anticipates receiving similar land release letters from the FAA upon the City's satisfaction of the terms and conditions required for the FAA's release of the Phase II and Phase III former airport property.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the Mayor and City Administrator are hereby authorized to execute the FAA's May 29, 2012 Land Release Approval letter and all such further documents as are necessary to complete the land release approval process with respect to the entirety of the former municipal airport property pursuant to the City's December 2, 2011 Memorandum of Understanding with the FAA.

Dated this 4th day of June, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Public Works/Safety Committee Report for May 29, 2012, was presented to the Mayor and Council by Council Member Christianson. There were seven items for Council consideration.

Item No. 1 The 8th Grade Earth Science Class of Community Christian School gave a presentation to the Committee containing information they collected from soil and water samples in three areas of Ramblewood Slough. They used technical equipment obtained through a grant. The soil was sampled at the surface level, 6 inches, and if accessible, at 2.5 to 3 feet below the surface. They also recorded external data related to weather conditions and the specific location with GPS. The Committee received the information and thanked the class for their efforts stating that it would be interesting to use this data as a baseline for future years. This matter was for information only.

Item No. 2 Brad Hanson of the Willmar Ambulance presented to the Committee information related to the City applying to become a Heart Safe Community. The program promotes community awareness for sudden cardiac arrest. Willmar currently assists businesses with purchases of AED's and CPR training and it would be nice to be recognized for the efforts. The designation would identify Willmar as a Heart Safe Community and would allow the City to place signs at the entrances of the City. The program provides two signs and any additional signs can be purchased for \$35 each at a cost to the City.

The Committee was recommending the Council approve the application for Willmar to become a Heart Safe Community and authorize the City Administrator to sign on behalf of the City. Resolution No. 7 was introduced by Council Member Christianson, seconded by Council Member Dokken, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 7

BE IT RESOLVED, by the City Council of the City of Willmar to support the application for a Heart Safe Community Designation and allow the City Administrator to sign on behalf of the City.

Dated this 4th day of June, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 The Committee was informed by Staff that the City has received an application from Maria Hernandez to keep ten chickens in a cage behind her residence at 612 SW 15th Street. Staff has spoken with neighbors on both sides and received no objections and therefore recommends approval. The Committee was recommending the Council approve the fowl permit at 612 SW 15th Street for a period of one year. Council Member Christianson moved to approve the recommendation of the Public Works/Safety Committee with Council Member Fagerlie seconding the motion, which carried.

The Committee considered a second application for a fowl permit received from Carey Hodapp to keep three chickens at 805 SW 11th Street. The fowl would be kept in a fenced in area outside of their yard fence by the road. Staff informed the Committee that upon checking with neighbors, neither were in favor of the request stating that other pets are allowed to run free into their back yards. Based on Staff's recommendations, The Committee was recommending the Council deny the request for a fowl permit at 612 SW 15th Street. Council Member Christianson moved to approve the recommendation of the Public Works/Safety Committee with Council Member Fagerlie seconding the motion, which carried.

The Committee considered a third application for a fowl permit received from Heather King to keep three chickens at 1001 SW 18th Street. The fowl will be housed in an enclosed shed with a fenced outside area in the northeast corner of the backyard. Staff reported that one neighbor was contacted and had no problem with the request. The Committee was recommending the Council approve the fowl permit at 1001 SW 18th Street for a period of one year. Council Member Christianson read an objection letter from a neighbor and was recommending that this matter be referred back to Committee.

Item No. 4 The Committee considered a request from Staff to allow the Willmar Police Department to participate in the Toward Zero Death (TZD) grant which is obtained and managed by the Kandiyohi County Sheriff's Department and in effect from October, 2012, through September, 2014. This grant allows the Willmar Police to participate in multi-jurisdictional targeted traffic enforcement waves within the community and surrounding area. In past years this grant was better known as Safe and Sober and Willmar has participated in it for over ten years. The participating agencies receive money back for the officers' time spent enforcing traffic laws.

The Committee was recommending the Council grant permission to the Willmar Police Department to participate with surrounding law enforcement agencies in the Towards Zero Death grant obtained and managed by Kandiyohi County Sheriff's Department. Resolution No. 8 was introduced by Council Member Christianson, seconded by Council Member Anderson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 8

BE IT RESOLVED by the City Council of the City of Willmar that the Willmar Police Department be allowed to participate with surrounding law enforcement agencies in the Towards Zero Death (TZD) grant obtained and managed by the Kandiyohi County Sheriff's Department.

Dated this 4th day of June, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee considered a request from Police Chief Wyffels for the Willmar Police Department to apply for, and if awarded, participate in a Federal Bureau of Justice Assistance (BJA) grant which reimburses 50 percent of the cost to purchase bulletproof vests for police officers. This grant has been an ongoing grant in which the department has participated in for more than 15 years. Participation reduces the amount that would otherwise be incurred to maintain bulletproof vests for officers.

The Committee was recommending the Council grant permission to the Willmar Police Department to apply for and participate in the Federal Bureau of Justice Assistance grant for the fiscal year 2012 bulletproof vest program. Resolution No. 9 was introduced by Council Member Christianson, seconded by Council Member Dokken, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 9

BE IT RESOLVED by the City Council of the City of Willmar that the Willmar Police Department be allowed to apply for, and if awarded, participate in a Federal Bureau of Justice Assistance grant for the fiscal year 2012 bullet-proof vest program.

Dated this 4th day of June, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 6 Fire Chief Calvin presented the Committee with a proposed policy to incorporate into a new ordinance for false fire alarms. The previous ordinance was rescinded as it was outdated due to current technology. Staff recommended a new ordinance be drafted based on this policy.

The previous ordinance charged false alarm fees of \$250 after five false alarms per fiscal year. The Fire Department is proposing a similar policy to be put into place effective January 1, 2013, which would allow three false alarms per address per calendar year. After three, \$250 fee would be charged. An application for a Fire Alarm Permit would also be required every three years at a cost of \$30 for all UL listed alarm systems. This permit would be a tool to the Department giving them information of key holders to contact in the event a problem is found on the premises.

Following discussion, the Committee was recommending the Council direct Staff to draft an ordinance with the City Attorney for false alarms based on the policy drafted and the charge of \$500 to be brought back to Committee for review. Council Member Christianson moved to approve the recommendation of the Public Works/Safety Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 7 Committee members questioned the runoff of the new parking lot on the east side of the former Washington School building recently purchased by Affiliated Medical Centers. Public Works Director Wilson explained that during plan review, the contractor was required to divert as much runoff as possible into the grassy area. This matter was for information only.

The Public Works/Safety Committee Report for May 29, 2012, 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 Fagerlie, and carried.

Council Member DeBlieck moved to direct Staff to draft a policy for granting fowl permits and to call for a 90-day moratorium on their issuance. Council Member Ahmann seconded the motion. City Attorney Scott informed them that an ordinance must be drafted, hearing held, and adopted in order to hold a 90-day moratorium to override a previous Ordinance. Following discussion, the motion and second were withdrawn. Staff was directed to draft a policy for fowl permits for Committee review.

The Community Development Committee Report for May 31, 2012, was presented to the Mayor and Council by Council Member Dokken. There were five items for Council consideration.

Item No. 1 There were no public comments offered and this matter was for information only.

Item No. 2 The Committee considered the proposed Lakeland Hotel renovation project. Steve Renquist, EDC Director, presented information on Federal tax incentives for historic building rehabilitation. It was noted that federal historic preservation tax credits are a public instrument sold to the private sector. The Committee discussed whether historic tax credits should be considered as a private investment.

It was suggested that if the City is going to participate in the hotel project, the project should give something back to the City in exchange for the tax abatement. Staff suggested that the project was beneficial to the redevelopment of the Central Business District. Mr. Renquist offered his view of project benefits and stated that the project leverages private investment through public participation. This matter was for information only.

Item No. 3 Staff presented to the Committee a memo from the Building Official addressing progress on the John's Supper Club building. There has been very little activity as of late and the project seems to have stalled. This matter was for information only.

Item No. 4 City Administrator Charlene Stevens reiterated the history of the County approaching the City for assisting with building inspections services. City and County staff met and worked out a tentative agreement for limited assistance. City assistance will be primarily for plan review, with some inspections in adjacent townships. Sometime later this year the City will evaluate its participation in the County's inspection program. This matter was for information only.

Item No. 5 The Committee considered a letter from the builders association regarding

building code (International Residential Code) revisions, specifically, fire sprinkler requirements for residential construction. The letter included a request that the City adopt a resolution supporting homeowner choice relative to residential sprinkler systems. The Committee was recommending to the Council that this matter be referred to Staff for review and consideration prior to the next legislative session. Council Member Christianson moved to approve the recommendation of the Community Development Committee with Council Member DeBlieck seconding the motion, which carried.

The Committee was informed by Council Member DeBlieck that the Willmar Municipal Utilities is buying three LED street lights for a test, and will evaluate their performance and cost over the next year.

The Community Development Committee Report for May 31, 2012, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Dokken, seconded by Council Member Christianson, and carried.

Planning and Development Services Director Peterson presented to the Mayor and Council a Preliminary Plat for Fairacre Addition. Don Williamson is requesting an 11-lot single family home subdivision on property at 2721 15th Street SW. The Addition is zoned R-1 and is proposed to have a private cul-de-sac. A conditional use permit for a planned unit development was approved by the Planning Commission for the private street. All utilities will be private but the plans will be submitted to the City Engineer for review and approval. Council Member Christianson moved to approve the Preliminary Plat for Fairacre Addition. Council Member Fagerlie seconded the motion, which carried.

Planning and Development Services Director Peterson presented to the Mayor and Council a Preliminary Plat for Valley View Court Second Addition. Anjlia Dahiya requested to subdivide a single lot into two in order to build a twin home at 207 Valley View Drive SE. The lot was approved for a single-family home in 2000 and an amendment to the conditional use permit to allow a twin home on the property was approved by the Planning. Council Member Fagerlie moved to approve the Preliminary Plat for Valley View Court Second Addition. Council Member Christianson seconded the motion, which carried.

Planning and Development Services Director Peterson presented to the Mayor and Council a Preliminary/Final Plat for Minke Addition. Ron Minke is requesting a lot combination of three parcels into one on property at 2805 First Street South. Mr. Minke wishes to clean up the legal descriptions and get one single tax statement for the properties. The two platted outlots that his is combining would be unbuildable parcels as they are currently platted due to their extremely small size. The Planning Commission approved the plat with the condition that all the utility easement be added as requested. Council Member Ahmann moved to approve the Preliminary/Final Plat for Minke Addition. Council Member Anderson seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance, June 11, and Community Development, June 14, 2012.

There being no further business to come before the Council, the meeting adjourned at 10:35 p.m. upon motion by Council Member Christianson, seconded by Council Member Anderson, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL