

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

January 6, 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 Denis Anderson, Ron Christianson, Audrey Nelsen, Tim Johnson, Jim Dokken, Rick Fagerlie and Bruce DeBlieck; Present 8, Absent 1. Council Member Steve Ahmann was excused from the meeting

Also present were City Administrator Charlene Stevens, Police Chief David Wyffels, Finance Director Steve Okins, Community Education and Recreation Director Steve Brisendine, Planning and Development Services Director Bruce Peterson, Fire Chief Gary Hendrickson, City Clerk Kevin Halliday, and City Attorney Robert Scott via teleconference call.

The Council requested that the Mayoral Appointment of Shirley Carter to the City/County Economic Development Operations Board be removed from the Consent Agenda and the presentation by the Willmar Community Education and Recreational Organizational Study and Recommendations be removed and rescheduled.

Council Member Christianson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of December 16, Rice Memorial Hospital Minutes of December 18, Willmar Municipal Utilities Minutes of December 23, Resolution accepting a memorial donation from the Family of Lorraine Himango; Out-of-State Travel for Council Member DeBlieck to Washington D.C. for APPA National Conference, Accounts Payable Report through January 2, 2014, Building Inspection Report for December, and CER Joint Powers Board Minutes of December 13. Council Member Anderson seconded the motion, which carried.

At 7:02 p.m. Mayor Yanish opened a hearing on the MinnWest Technology Campus Lift Station/Lakeland Drive Improvements. Planning and Development Services Director Peterson offered a brief overview of the project. Mr. Peterson introduced Paul Jurek of Bollig Inc. who explained the proposed project in more detail. A two-inch mill and overlay of Lakeland Drive from Civic Center Drive to Willmar Avenue SE is proposed with the roadway striped to allow a center-turn lane from Willmar Avenue to just north of Becker Avenue. The wet-well lift station at the MinnWest Technology Campus will be demolished and replaced with a dry-well lift station, increasing the capacity. The forcemain will be abandoned in-place and a new 12" forcemain will be bored. New sanitary sewer will be replaced in deteriorated areas as needed; the extent of which is yet to be determined upon completion of the televising.

A new 8' trail will be constructed from Olena Avenue to Civic Center Drive. A center-median refuge island will be installed south of Trott Avenue where the trail crosses Lakeland Drive from the west to east and continues to the north. A quiet zone will be established at the four-track BNSF crossing just north of Litchfield Avenue. Center medians will be installed along with gate arms where the trail crosses. The estimated total project cost is \$5,914,000.00. There being no one present to speak for or against the proposed project, Mayor Yanish closed the hearing at 7:05 p.m.

Following the presentation, Council Member Anderson made a motion to accept the Improvement Report as presented and refer the financing to the Finance Committee for consideration. Council Member DeBlieck seconded the motion, which carried.

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

The Finance Committee Report for December 30, 2013, was presented to the Mayor and Council by Council Member Anderson. There were seven items for Council consideration.

Item No. 1 There were no public comments.

Item No. 2 Windstream has approached the City with the request to close its local office. Section 5, Paragraph 8 of the current cable television franchise requires a cable company to maintain a local office within the City operating for 40 hours per week, staffed for bill payments, subscriber inquiries and equipment transfers. Windstream is proposing language to amend the cable franchise agreement with Windstream to allow closing of the local office with the following stipulations: \$10,000 payment to the City; 3<sup>rd</sup> party location able to accept payment 40 hours per week; subscribers do not have to return cable equipment; and Windstream will notify subscribers prior to effective date. It was noted that Charter Communications is also operating under an identical cable television franchise. The Committee was recommending the Council deny the Windstream request to close its local office and to leave the existing cable franchise agreement with Windstream as is. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 3 The City was approached by Rice Memorial Hospital in 1995 for permission to construct a vehicle storage facility on City property next to the fueling facilities. Permission was granted and a lease executed. Rice Hospital is now requesting an extension of this lease for a ten-year period, which would be through August 31, 2015. Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 1

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 be authorized to enter into an Agreement for the Rice Memorial Hospital land lease extension through August 31, 2015, subject to receiving proof of insurance from Rice Hospital.

Dated this 6<sup>th</sup> day of January, 2014.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 In early September, 2013, the City closed the Indoor Gun Range at the City Auditorium due to a malfunction with the Heating Ventilation and Air Conditioning (HVAC) system. At the same time, access to other areas of the building were limited due to concerns regarding potential contamination from the range HVAC. Since that time, testing has been conducted that revealed the shortfalls in the gun range technology and HVAC system. Staff has solicited proposals from architectural and mechanical engineering firms to assist in redesigning the HVAC and assessing any other building conditions that may need upgrades in order to return the range and other areas to public use. Proposals from three architectural firms with associated mechanical firms were received: 1) TSP with WSB, Inc. from Rochester; Miller Dunwiddie with Gausman & Moore from Roseville; and Engan Associates with Duffy Engineering from Willmar. The Committee was recommending Engan Associates with Duffy Engineering for the low bid of \$9,500.00. Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Nelsen, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

BE IT RESOLVED by the City Council of the City of Willmar, to award the Building Assessment and Master Planning contract for the City Auditorium improvements to Engan Associates with Duffy Engineering for \$9,500.00

Dated this 6<sup>th</sup> day of January, 2014.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 The Committee received the preliminary 12/31/13 general fund expenditures report, with notations of areas that have exceeded the 2013 budget amounts which include Mayor/Council Professional Services, Legal Professional Services, and NonDepartmental in both General and Public Safety. The final overages will be addressed by the Council in January. Staff was asked to look into a policy governing the procedure to follow in contacting Flaherty & Hood in an effort to streamline charges. The Committee also received reports on the November CVB Financials, October Rice Financials, MUC financials, and November Rice Trust Financials. This matter was taken for information only.

Item No. 6 There was no old business.

Item No. 7 The issue was raised of Rice Hospital no longer allowing Heartland Orthopedics to operate at the hospital. This question will be addressed when representatives from the Hospital present their year-end financial report to the Finance Committee in January.

The Finance Report for December 30, 2013, 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 proposed 2014 Fee Schedule which establishes fees for City services, permits and licenses, and rental rates for City equipment was presented to the Council for consideration. Following discussion, Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Christianson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

RESOLUTION ESTABLISHING FEES FOR SERVICE

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 2014 and the same hereby ordered kept on file in the office of the City Clerk-Treasurer.

CITY CLERK:

Liquor License Investigation Fees:	
Sole Proprietor	\$100.00
Partnership	150.00
Corporation	300.00
Limited Liability Company	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 year
On-Sale Taproom	150.00 per year
Off-Sale Taproom	150.00 per year

PUBLIC WORKS:

Maintenance Trucks:

3 -5 Ton Trucks	\$ 35.00/hour
1 Ton Truck	18.00/hour
3 -5 Ton Truck/Plow/Sander	41.00/hour
3 -5 Ton Truck/Plow/Sander/Wing	55.00/hour
1 Ton Truck Plow	27.00/hour
½-3/4 Ton Pickup	17.00/hour
1 Ton /Water Tank	27.00/hour

Tractors, Loaders, Motor Graders:

2 -3 CY Loaders	\$ 82.00/hour
Loader/Plow/Wing	102.00/hour
Loader/Snow Blower	122.00/hour
Motor Grader	96.00/hour
Motor Grader/One-Way Plow	102.00/hour
Motor Grader/One-Way Plow/Wing	115.00/hour
40-50 Hp Tractor	21.00/hour
40-50 Hp Tractor/Attachments	35.00/hour
MT Trackless/Blower/Mower	61.00/hour
90 HpTractor/22' Flail Mower	55.00/hour
30-40 Hp Unit Mower/Blower/Sweeper	35.00/hour
Skid-Loader	35.00/hour
Skid-Loader/Attachments	50.00/hour
Snowplowing Sidewalks (incl. labor and equipment)	0.60/LF

Specialty Equipment:

Air Conveyance Unit	\$ 55.00/hour
Elgin Sweeper (4 CY)	\$ 70.00/hour
Hydraulic Sewer Cleaner	68.00/hour
Sewer Rodder	41.00/hour
Paint Sprayer	9.00/hour
Paint Sprayer and 1 Ton Truck	27.00/hour
50' Bucket Truck	70.00/hour
30' Bucket Truck	41.00/hour
Brush Chipper	29.00/hour
Tamper	9.00/hour
Bituminous Distributor and Truck (less material)	50.00/hour
Bituminous Roller	55.00/hour
Grass and Leaf Pickup Broom	29.00/hour
Chain Saws	10.00/hour
Trailers	12.00/hour
Over Seeder	29.00/hour
Turf Pro	29.00/hour

Gator and Sprayer	27.00/hour
Generator	9.00/hour
Trash Pumps	9.00/hour
Utility Vehicle with Crane Hoist	42.00/hour
Air Compressor	25.00/hour

Materials:

Winter Sand Mixed with Salt	\$ 55.00 CY
Gravel	20.00/Ton
Bituminous Cold Mix	105.00/Ton
Chalk Dust (50lb. bag)	7.00/bag
Diamond Dry (50lb. bag)	13.00/bag
Bituminous Repair (incl. labor and equipment)	55.00/SY

Facilities or Equipment:

Bleachers - 3 or 5 High	\$27.00/day
Minimum moving charge	75.00/day
Picnic Tables - Rental per table (12 maximum) (for pickup only-no delivery)	10.00/day

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 53%
Overtime	Contract rate plus 53%

Access Fees:

Industrial Park Storm Pond	\$ 835.00/acre
Lake North Lift Station	595.00/acre
Arby's Lift Station	1,050.00/acre
Ortenblad Lift Station	247.91/lot
Abbott Drive, Lift Station	895.00/acre

Wastewater Treatment:

5,000 gallon tanker with hydraulic boom:	\$ 30.00/hour
Portable Lab Sampler	\$ 5.00/hour

Airport:

Conference Room	\$40.00/non-airport related meetings
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COMMUNITY EDUCATION AND RECREATION:

Adult recreation programs will charge cost of program, officials, balls, sanctioning fees, etc., plus \$7.00 per team court fee for volleyball/basketball and \$10.00 per team field fee for softball.

Baseball/Softball Fields Minimum \$ 50.00 or \$30.00 per game

    With a 250.00 daily rate

Robbins Island enclosed shelters*	75.00/day April - November
Damage deposit	50.00
Open shelters	32.00/day
Indoor Playground	\$30.00/hour with \$200.00 damage deposit

City Auditorium/Range Rental	\$27.00/hour	
Showmobile:		
Events in Willmar (not for profit) (Plus Clean-up/Damage Deposit) Plus Staff Costs	\$215.00/day + staff expenses 200.00	
Events in Willmar (for profit)	\$500.00/day + staff expenses	
Civic Center:	<u>2014</u>	<u>2015</u>
Dry floor events	\$580.00/day	\$140.00
Ice Rental	130.00/hour	
Aquatic Center:		
Individual season pass	\$ 85.00	
Family of 2	125.00	
Family of 3	135.00	
Family of 4	145.00	
Family of 5	155.00	
Family of 6	165.00	
Each Additional Family Member	15.00	
Daily Admission Rate	3.00	
Observers	3.00	
Group Admission	2.50	
Discount Coupons:		
10 Coupons	\$ 25.00	
20 Coupons	45.00	
Pool Rental:		
2-hour minimum guard/staff fees	\$100.00 per hour plus	

FIRE DEPARTMENT:

Firefighter hours that are billed are taken directly from the roll call list.  
Firefighters receive a \$14.30 per hour and are paid in one-hour increments.

Equipment:

	<u>First Hour</u>	<u>Additional Hour</u>
1 <sup>st</sup> line pumper - 5251, 5257 and 5258	\$300	\$200/hour
Tanker/pumpers 5276	300	200/hour
Ladder truck - 5299	500	400/hour
Grass rig - 5285	150	100/hour
Support Vehicles - 5296, 5297	75	50/hour
Trailers	75	50/hr

Equipment charges are billed by the quarter hour as time listed on the fire report, after initial one-hour charge.

Special equipment and supplies used will be billed on a cost basis.

A 25% administrative fee will be added to fire watch/standby conducted by the Fire Department for special events and any standby conducted during fire protection/detection system downtown (as described in the Minnesota State Fire Code).

Fire Alarm Permit	\$ 30.00
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Fire Alarm Permit Renewals	\$ 30.00 every 3 years
Alarm Malfunction	\$500.00
3000 PSI (only) air tank filling fee	\$15.00
Fire Reports	\$ 0.25/page plus postage

POLICE DEPARTMENT:

\$60.00 per hour for off-duty police officers  
 \$ 1.40 Automated Pawn Transaction Fee-each electronic reportable transaction

<u>Contracted Towing (Per tow)</u>	\$ 45.00 per towed vehicle
	\$ 61.52 towing administrative fee
	\$ 8.48 tax
<u>BaseTotal</u>	\$ 115.00

Possible extra tow costs depending upon circumstances involved:

\$160.00 per hour for "extra work" labor  
 \$160.00 per hour for flat hourly tow rate  
 \$ 5.50 per mile outside of City limits  
 \$ 10.00 per day storage fee after 48 hours

Due to the Martin Luther King Day holiday, Council Member Anderson moved to reschedule the second Council meeting of the month to January 21, 2014. Council Member Fagerlie seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance, January 13; Public Works/Safety, January 14; Labor Relations, January 15 and Community Development, January 16, 2014.

There being no further business to come before the Council, the meeting adjourned at 7:27 p.m. upon motion by Council Member Christianson, seconded by Council Member Dokken, and carried.

Attest:

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 MAYOR

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