

**CITY OF WILLMAR, MINNESOTA  
REQUEST FOR COMMITTEE ACTION**

**Agenda Item Number:** \_\_\_\_\_

**Meeting Date:** April 9, 2013

**Attachments:**  Yes  No

**CITY COUNCIL ACTION**

**Date:** April 15, 2013

- |                                   |                                 |
|-----------------------------------|---------------------------------|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Denied |
| <input type="checkbox"/> Amended  | <input type="checkbox"/> Tabled |
| <input type="checkbox"/> Other    |                                 |

**Originating Department:** Engineering

**Action Requested:** Declare Costs to be Assessed and Order Preparation of Assessment Roll - 2013 Improvement Projects.

**Guiding Principle:** As required by Minnesota Statute 429, the City Engineer hereby requests the City Council Declare Costs to be Assessed for the 2013 Street and Other Improvements.

**Introduction:** The City of Willmar opened bids April 2, 2013 for several projects included in the 2013 Street and Other Improvements. The City Council is required to declare the costs to be assessed prior to the Assessment Hearing for projects.

**Background/Justification:** The City Council ordered the 2013 Street and Other Improvements at the Improvement Hearing held February 19, 2013. Bids were opened and the amount received to perform the necessary improvements is known. Staff has prepared the assessable footage and amount for each affected lot. It is at this time costs for the improvements need to be declared and the preparation of the assessment roll ordered.

**Fiscal Impact:** Sources of funding for the 2013 Improvement Projects include monies from the Willmar Municipal Utilities, assessments, state aid, and bond proceeds.

**Alternatives:** N/A

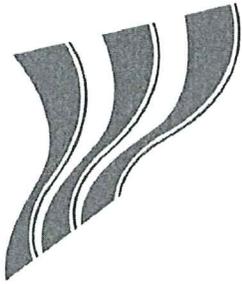
**Staff Recommendation:** Declare Costs to be Assessed and Order Preparation of the Assessment Roll in accordance with the requirements of Chapter 429, State of Minnesota Statutes.

**Reviewed by:** Bruce Peterson, Planning and Development Services Director

**Preparer:** Janell Sommers, Public Works Secretary

**Signature:**

**Comments:**



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| <input type="checkbox"/> Amended  | <input type="checkbox"/> Tabled |
| <input type="checkbox"/> Other    |                                 |

**Originating Department:** Engineering

**Action Requested:** Call for an Assessment Hearing on 2013 Improvement Projects

**Guiding Principle:** As required by Minnesota Statute 429, the City Engineer hereby requests the City Council Call for an Assessment Hearing for the 2013 Street and Other Improvements

**Introduction:** The City of Willmar opened bids April 2, 2013 for several 2013 Projects. The City Council is required to hold an Assessment Hearing for the 2013 Street and Other Improvements.

**Background/Justification:** The City Council ordered the 2013 Street and Other Improvements at the Improvement Hearing held February 19, 2013. Bids were opened and the amount received to perform the necessary improvements is known. Staff is preparing the assessable footage and amount for each affected lot. It is at this time the affected property owners are to be notified of their set amount and a hearing date.

**Fiscal Impact:** Sources of funding for the 2013 Improvement Projects include monies from the Willmar Municipal Utilities, assessments, state aid and bond proceeds.

**Alternatives:** 1. Set the Assessment Hearing for May 6, 2013 or  
2. Set the Assessment Hearing for a later date.

**Staff Recommendation:** That a Public Hearing on the assessable footage and amounts per lot be held by the City Council on May 6, 2013 in accordance with the requirements of Chapter 429, State of Minnesota Statutes.

**Reviewed by:** Bruce Peterson, Planning and Development Director

**Preparer:** Janell Sommers, Public Works Secretary

**Signature:**

**Comments:**

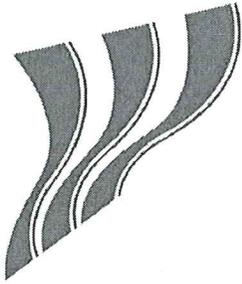
	CALL FOR BIDS	BID OPENING	
		DATE	TIME
1301A	Kandiyohi Ave SW Reconstruction Advertised	March 4, 2013 March 19, 2013	April 2, 2013 1:00 PM
			1301A
			\$1,321,174.20 Duinick Inc
			\$1,429,572.25 Voss Plumbing & Htg
			\$1,432,441.15 C & L Excavating
1301B	Reconstruct City Streets Advertised	March 4, 2013 March 12, 2013	April 2, 2013 1:15 PM
			1301B
			\$1,241,718.95 Duinick Inc
			\$1,320,661.80 Voss Plumbing & Htg
			\$1,425,396.23 Kuechle Underground
1302	New Construction Advertised		
1303A	Overlay State Aid Streets Advertised	March 4, 2013 March 19, 2013	April 2, 2013 1:30 PM
			1303A
			\$283,681.51 Duinick Inc
			\$336,363.90 Central Specialties, Inc.
1303B	Overlay City Streets Advertised	March 4, 2013 March 12, 2013	April 2, 2013 1:45 PM
			1303B
			\$373,449.80 Duinick Inc
			\$437,791.25 Central Specialties, Inc.
1304	Downtown-Robbins Island Connection Trail Advertised		
1305	Trott Ave SW - Quiet Zone & Overlay Advertised	March 4, 2013 March 19, 2013	April 2, 2013 2:00 PM
			1305
			\$88,241.00 Duinick Inc
			\$98,857.80 Central Specialties, Inc.

### 2013 Willmar Project Info

Project No.	Bid Opening Date/Time	Quest Construction Data Network No.	Engineer's Estimate	Final Project Completion Date
1301-A	4/2/2013 1:00	#2493100	\$1,358,137.15	6/13/2014
1301-B	4/2/2013 1:15	#2514979	1,302,896.25	6/13/2014
1303-A	4/2/2013 1:30	#2495083	\$298,084.85	8/30/2013
1303-B	4/2/2013 1:45	#2513977	\$378,608.50	8/30/2013
1305	4/2/2013 2:00	#2518568	\$67,527.80	8/30/2013
1302				
1304				

## 2013 Projects Low Bid Amounts

<b>Project Number</b>	<b>Low Bid Amount</b>	<b>Contractor</b>
<b>1301-A</b>	<b>\$1,321,174.20</b>	<b>Duininck Inc.</b>
<b>1301-B</b>	<b>\$1,241,718.95</b>	<b>Duininck Inc.</b>
<b>1303-A</b>	<b>\$283,681.51</b>	<b>Duininck Inc.</b>
<b>1303-B</b>	<b>\$373,449.80</b>	<b>Duininck Inc.</b>
<b>1305</b>	<b>\$88,241.00</b>	<b>Duininck Inc.</b>



CITY OF WILLMAR, MINNESOTA  
REQUEST FOR COMMITTEE ACTION

Agenda Item Number: \_\_\_\_\_

Meeting Date: April 5, 2013

Attachments: Yes No

CITY COUNCIL ACTION

Date: \_\_\_\_\_

- Approved       Denied
- Amended       Tabled
- Other

Originating Department: Planning and Development Services

Action Requested: For information only

Guiding Principle: Operations of Municipal Facilities

Introduction: At a recent meeting, questions were raised regarding airport tenancy and use of airport hangars.

Background/Justification: Megan Sauer, City Planner/Airport Manager will provide a report on the current occupants/owners of the various hangars and will be available to discuss the various uses of the current hangars (plane storage and or commercial use).

Fiscal Impact: N/A

Alternatives: N/A

Staff Recommendation: N/A

Reviewed by:

Preparer: Bruce D. Peterson

Signature:

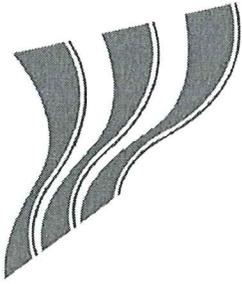
Comments:

City owned T-Hangers

Hangar	Lease Name
HG-7	A John Lambing
HG-7	B Vacant
HG-7	C Greg Steffel
HG-7	D Vacant
HG-7	E Vacant
HG-7	F Dean Youngren DBY Flights, LLC
HG-7	G Bill Graves Dough Management
HG-7	H Peter Scherzberg Free & Easy, Inc.
HG-7	I Dean Johnson Prairie View Energy LLC
HG-7	J Vacant
HG-7	K TGR Leasing (Revier Cattle) Revier Cattle- Tom Revier
HG-7	L Jerry Schwitters
HG-7	M Ken Arends Accupress, Inc.
HG-7	N City of Willmar
HG-6	2 Doug Finstrom Finn-Land Aviation
HG-6	3
HG-6	4 Maximum Cruise Aviation FBO
HG-6	7 unrentable (VACANT)
HG-6	6 Jim Carlson Olivia Flying Service
HG-6	1 Bill Graves Dough Management
HG-6	5 MNDNR Corey Palmer, Cathy Forstner
HG-6	8 unrentable (VACANT)

Private Hangars

<u>Hangar Location</u>	<u>Hangar Owner Name</u>
HG 1-1	Daryl Ingalsbe
HG 1-2	Paul Strandberg
HG 1-3	William Fry
HG 1-10	Dave Solsrud
HG 2-1	Wayne Mitchell - Areo Aviation, LLC
HG 2-2	Ryan Nelson, Nelson Leasing
HG 2-3	Dr. Robert Kruger
HG 2-4	Duninick Brothers, Inc.
HG 2-5	Kyle Petersen
HG 2-6	TGR Leasing, Revier Cattle Co. - Tom Revier
HG 2-7	Bruce Marcus, Marcus Construction
HG 2-8	Bruce Hanson, Hanson Communicaitons
HG 3-1	Curtis Newberg
HG 3-2	WCFP, Inc. - Bill Graves
HG 3-3	Tom Sult
HG 3-4	Loren Larson
HG 3-5	Todd Asche
HG 3-6	Chuck Nefstead
HG 3-7	Dr. Steve Nedrelow
HG 4-1	Stratton Haglund - R G Club, Inc.
HG 4-2	Loren Grothe & Gary Hach
HG 4-3	John Schwenk
CH - 3	Duininck Co. LLC



CITY OF WILLMAR, MINNESOTA  
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Agenda Item Number: \_\_\_\_\_

Meeting Date: April 9, 2013

Attachments: Yes No

CITY COUNCIL ACTION

Date: \_\_\_\_\_

- Approved       Denied
- Amended       Tabled
- Other

Originating Department: Planning and Development Services

Action Requested: Approval of BNSF agreement and easement for the Willmar Avenue crossing.

Guiding Principle: Infrastructure construction for economic development

Introduction: An agreement and easement with BNSF railway is required for the City proceed with the Willmar Avenue relocation and crossing.

Background/Justification: As part of the process to alter a crossing location and to create a quiet zone with BNSF, it is necessary for the City to enter into a standardized agreement for the crossing. It is also necessary for the City to obtain an easement from BNSF railway for the Willmar Avenue crossing. The proposed cost of the easement is \$15,000 which is slightly higher than the appraisal of \$12,500. Staff believes it is worth an increase in easement payment to BNSF in order to avoid delaying the project. The price requested by BNSF is at the low end of what they have been requiring for easements.

Fiscal Impact: The cost for the easement is built into the project costs which are paid from the local option sales tax.

Alternatives: The only alternative is to not do the project.

Staff Recommendation: To adopt a resolution approving the Burlington Northern Santa Fe agreement and easement for the Willmar Avenue crossing.

Reviewed by:

Preparer: Bruce D. Peterson

Signature:

Comments:

2-4

Item No. 2 The Committee briefly discussed the 2003 Transportation Plan, specifically as it relates to identified issues and projects. There was general agreement that a significant portion of the plan has been accomplished. The need for a new or revised plan was discussed. The Committee was informed that the Capital Improvement Program shows funding for a revised transportation plan in 2015. That schedule will be maintained unless some significant transportation issue arises that requires immediate attention. This matter was for information only.

Item No. 3 Fire Chief Hendrickson presented a proposal to change the way the City charges for false alarms. The current ordinance charges \$250.00 for false alarms, with five false alarms allowed per year without charge. The new ordinance proposes a \$500.00 charge per false alarm and would require fire alarm systems to be registered. Charges would be waived for the owner providing evidence of system servicing and repair. The new proposal also allows discretion by the Fire Chief in assessing charges. The Committee discussed implementation of the ordinance and how to best involve the current owners of fire alarm systems.

Following discussion, the Committee was recommending the Council Introduce the Ordinance Amending Willmar Code Chapter 8, Licenses, Permits and Business Regulations for a public hearing on March 4, 2013. Council Member Christianson moved to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlieck seconded the motion.

Council Member Ahmann moved to amend the fee to \$350 with a graduated increase of \$150 if warranted. The motion died for the lack of a second. The original motion then carried.

Item No. 4 Police Chief Wyffels informed the Committee that he was in the process of reviewing multiple ordinances that assess fines for violations, so the fine amounts would be available for the E-charging process. The fine amounts will be aggregated into a database for use in E-ticketing or E-charging. This matter was for information only.

Item No. 5 Staff informed the Committee that the process would soon begin to acquire the easement for the Willmar Avenue Quiet Zone. The issue of easement acquisition will be taken to the Planning Commission at their next meeting in keeping with Charter requirements.

Council Member Ahmann raised the issue of the possibility of widening ditches to increase storm water storage. The matter was referred to Bolton & Menk for more information regarding the City's legal authority and capacity for doing so. This matter was for information only.

The Public Works/Safety Committee Report for January 29, 2013, 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.

The Council considered an Amending Ordinance to the Willmar City Charter. City Clerk Halliday informed the Council that the Willmar Charter Commission has completed their work on City Charter Section 2.08 and asks that the Council call for a public hearing on the Ordinance. Council Member Christianson offered a motion to introduce the Ordinance Amending the Charter, Section 2.08, and schedule a public hearing on March 4, 2013. Council Member Fagerlie seconded the motion, which carried.

Following discussion of the February 12, Ward Four Special Election, Council Member Ahmann moved to schedule a Board of Canvass meeting for February 15, 2013, at 3:00 p.m. in Conference Room #1 at the City Office Building. Council Member Christianson seconded the motion, which carried.

Due to President's Day holiday, Council Member Christianson moved to schedule the second Council meeting of the month to February 19, 2013. Council Member Fagerlie seconded the motion, which carried.

This is a survey of  
part of:

SE 1/4 of the SW 1/4,

Located in:

Section 16, T119N-R35W, Willmar Township,  
Kandiyohi County, Minnesota



This drawing prepared by:

**Bonnema Surveys Inc.**

Professional Land Surveying

1809 2nd St SW - Suite 104

Willmar, MN 56201

Office (320) 231-2844

Fax (320) 231-2827

Requested by: City of Willmar



**LEGEND**

○ Found Iron Monument from former survey

● Bonnema Surveys Placed Capped Iron Monument

⊙ Cast Iron Monument

⊗ Placed Monument on the property line at a position which is offset from the actual property corner.

Note: The shown parcel dimensions are measured to the actual property corner.

**Candoric Bearing Notice:**

Since the advent of GPS, the National Bureau of Standards (NBS) Inc. has been using the 1983 Minnesota Datum for all surveying purposes. The term "geodetic bearing" in this Legal Description is intended to notify the public that this bearing system is related to the local, national, and world coordinate systems.

Bonnema Surveys is not giving a title opinion or other legal advice. We suggest that you contact your attorney for more information. Easements or neighboring deed conflicts may exist which affect this parcel and are not shown on this survey.

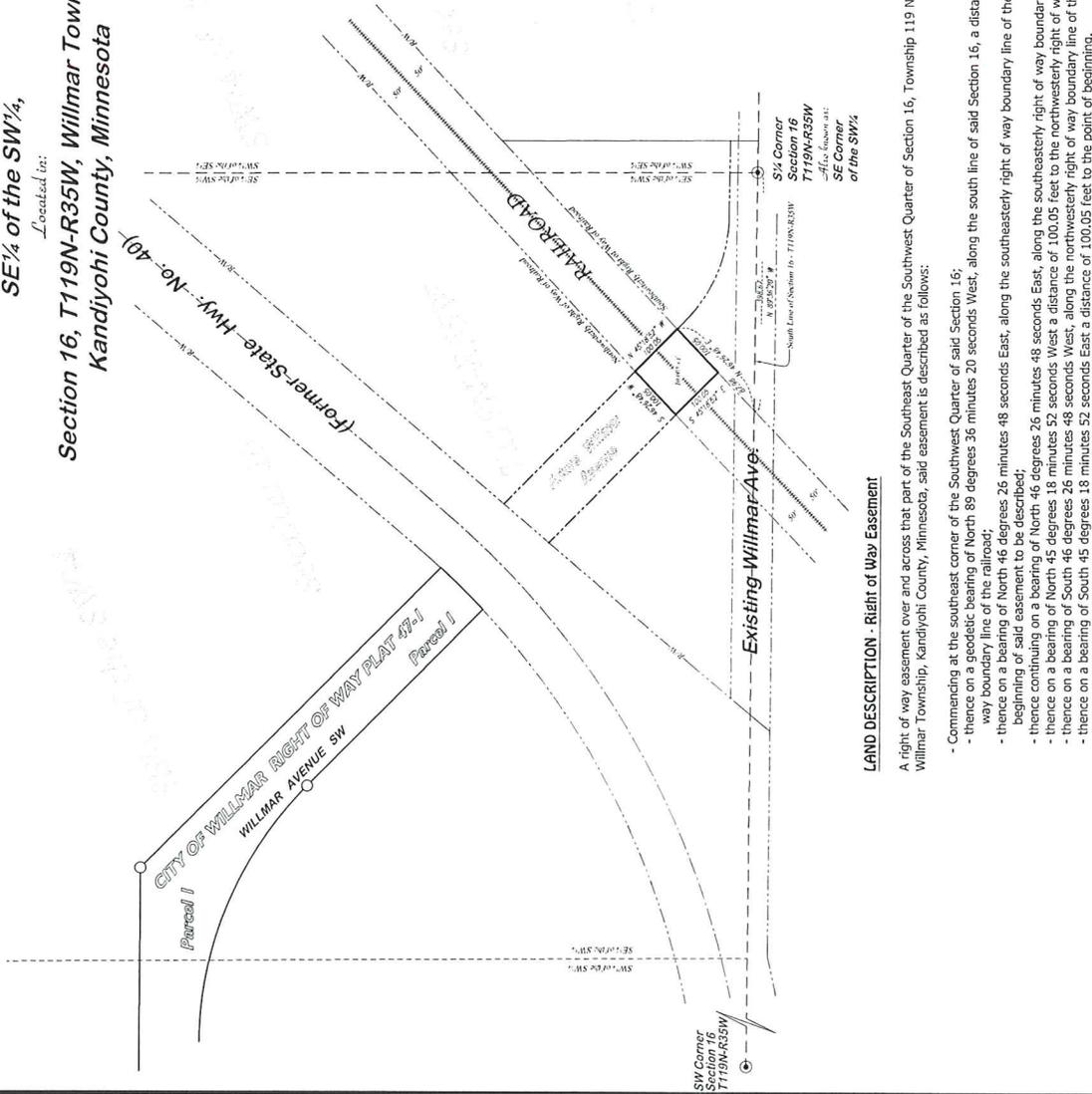
I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Joshua M. Sturm

Date: March 23, 2009 License No. 46189

Survey Requested By: City of Willmar  
© BONNEMA SURVEYS 2009

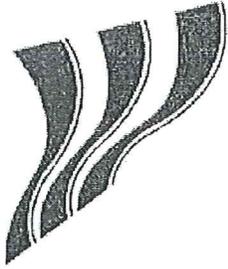
16-119-35



**LAND DESCRIPTION - Right of Way Easement**

A right of way easement over and across that part of the Southeast Quarter of the Southwest Quarter of Section 16, Township 119 North, Range 35 West of the Fifth Principal Meridian, Willmar Township, Kandiyohi County, Minnesota, said easement is described as follows:

- Commencing at the southeast corner of the Southwest Quarter of said Section 16;
- thence on a geodetic bearing of North 89 degrees 36 minutes 20 seconds West, a distance of 398.67 feet to the southeasterly right of way boundary line of the railroad;
- thence on a bearing of North 46 degrees 26 minutes 48 seconds East, along the southeasterly right of way boundary line of the railroad, a distance of 87.98 feet to the point of beginning of said easement to be described;
- thence continuing on a bearing of North 46 degrees 26 minutes 48 seconds East, along the southeasterly right of way boundary line of the railroad, a distance of 100.05 feet;
- thence on a bearing of North 45 degrees 18 minutes 52 seconds West, a distance of 100.05 feet to the northwesterly right of way boundary line of the railroad;
- thence on a bearing of South 46 degrees 26 minutes 48 seconds West, along the northwesterly right of way boundary line of the railroad, a distance of 100.05 feet;
- thence on a bearing of South 45 degrees 18 minutes 52 seconds East, a distance of 100.05 feet to the point of beginning.



**CITY OF WILLMAR, MINNESOTA  
REQUEST FOR COMMITTEE ACTION**

**Agenda Item Number:** \_\_\_\_\_

**Meeting Date:** April 9, 2013

**Attachments:**  Yes  No

**CITY COUNCIL ACTION**

**Date:** April 15, 2013

Approved  Denied  
 Amended  Tabled  
 Other

\_\_\_\_\_  
\_\_\_\_\_

**Originating Department:** Engineering

**Action Requested:** Authorize the Mayor and City Clerk to execute the Petition for the transfer of Kandiyohi County Ditch 23A and associated branches within the City corporate limits from Kandiyohi County to the City of Willmar.

**Guiding Principle:** Minnesota Statute 103E.812 requires that a petition be submitted for the jurisdictional transfer of ditches. The City Engineer hereby submits the required petition for Council consideration.

**Introduction:** Portions of Kandiyohi County Ditch 23A and branches 1, 2, and 3 currently exist within the City's corporate limits and are under the jurisdictional authority of Kandiyohi County.

**Background/Justification:** Kandiyohi County recently completed a redetermination for County Ditch 23A. The City may petition the County for the transfer of the County Ditch 23A public drainage system per Minnesota Statute. The transfer of the drainage system within the City's corporate limits will provide for the orderly management of storm waters by the City of Willmar without obtaining permission from Kandiyohi County and other property owners outside of the corporate limits.

**Fiscal Impact:** The costs associated with the transferring of water management authority from Kandiyohi County to the City of Willmar are the responsibility of the City per Minnesota Statute 103E.812 Subd. 6.

**Alternatives:** 1. Continue to obtain permission from Kandiyohi County and residents outside of the corporate limits for the management of storm water associated with County Ditch 23A and not petition the County for jurisdictional authority.

**Staff Recommendation:** Authorize the Mayor and City Clerk to execute the petition for the transfer of jurisdictional authority of County Ditch 23A and associated branches within the City corporate limits to the City of Willmar pursuant to Minnesota Statute 103E.812.

**Reviewed by:** Bruce Peterson, Planning and Development Director

**Preparer:** Jared Voge, P.E., Interim City Engineer

**Signature:**

**Comments:**

**STATE OF MINNESOTA  
KANDIYOHI COUNTY BOARD OF COMMISSIONERS, DRAINAGE AUTHORITY  
FOR KANDIYOHI COUNTY DITCH 12**

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The Matter of the Transfer of Kandiyohi  
County Ditch 23A and associated branches 1-  
3 to the City of Willmar under Minn. Stat.  
§103E.812 (2002)

**PETITION OF THE CITY OF  
WILLMAR**

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Petitioner, City of Willmar, for its Petition for the transfer of a public drainage system under Minn. Stat. §103E.812, states and alleges the following:

1. The City of Willmar is a municipal corporation and duly constituted under the laws of the State of Minnesota.
2. The City of Willmar possesses authority under Minnesota statutes Chapter 429 and 444 to manage storm, surface, and flood waters, including management for water quality purposes.
3. The City of Willmar is currently assessed for a portion of the benefits on Kandiyohi County Ditch 23A.
4. Kandiyohi County Ditch 23A and its branches 1, 2, and 3 exist partially within the municipal boundaries of the City of Willmar.
5. The City of Willmar desires to have all portions of Kandiyohi County Ditch 23A and associated branches within the current corporate limits of the City, further described as, Kandiyohi County Ditch 23A from the west line of First Street to the north line of US Highway 71/23, as well as Branch 2 from the west line of Southfield Park to CD 23A, Branch 1 from the

west line of First Street to CD 23A, and Branch 3 from the south line of US Highway 12 to the north line of US Highway 71/23 transferred to its jurisdictional control under Minn. Stat. §103E.812.

6. The City of Willmar currently utilizes Kandiyohi County Ditch 23A and associated branches as outlets for its municipal storm water system.

7. The City of Willmar currently has multiple sections of City storm sewer pipes installed in these portions of Kandiyohi County Ditch 23A and associated branches for its municipal storm water system.

8. The City of Willmar has commissioned an engineering report to evaluate the condition of Kandiyohi County Ditch 23A and branches 1 – 3 of Kandiyohi County Ditch 23A. A copy of the engineering report is included in this Petition by reference.

9. The engineering report shows that the transfer will have no impact on properties utilizing the system as waters will still be discharged into the system.

10. The City of Willmar believes that the transfer of the public drainage system under Minn. Stat. §103E.812 is necessary for the orderly management of storm surface and flood waters, including management for water quality purposes.

11. By this Petition, the City of Willmar seeks to be the water management authority to which a portion of Kandiyohi County Ditch 23A, Kandiyohi County Ditch 23A branch 1, branch 2, and branch 3 would be transferred.

12. The City of Willmar understands that pursuant to Minn. Stat. §103E.812, Subd. 6, all costs, including engineering and attorney's fees, related to the proceedings to transfer the drainage system will be paid by the City of Willmar as the transferring water management

authority. Pursuant to the statutory requirement, the City of Willmar pledges its surety to repay the costs of the transfer proceedings upon completion of the proceedings, whether or not the transfer of the Kandiyohi County Ditch 23A and branches 1 – 3 is actually ordered.

13. The City of Willmar requests that the Kandiyohi County Board of Commissioners, as drainage authority for Kandiyohi County Ditch 23A and associated branches 1 - 3, in consultation with the County Auditor set a time and location for hearing upon the Petition.

Respectfully Submitted,

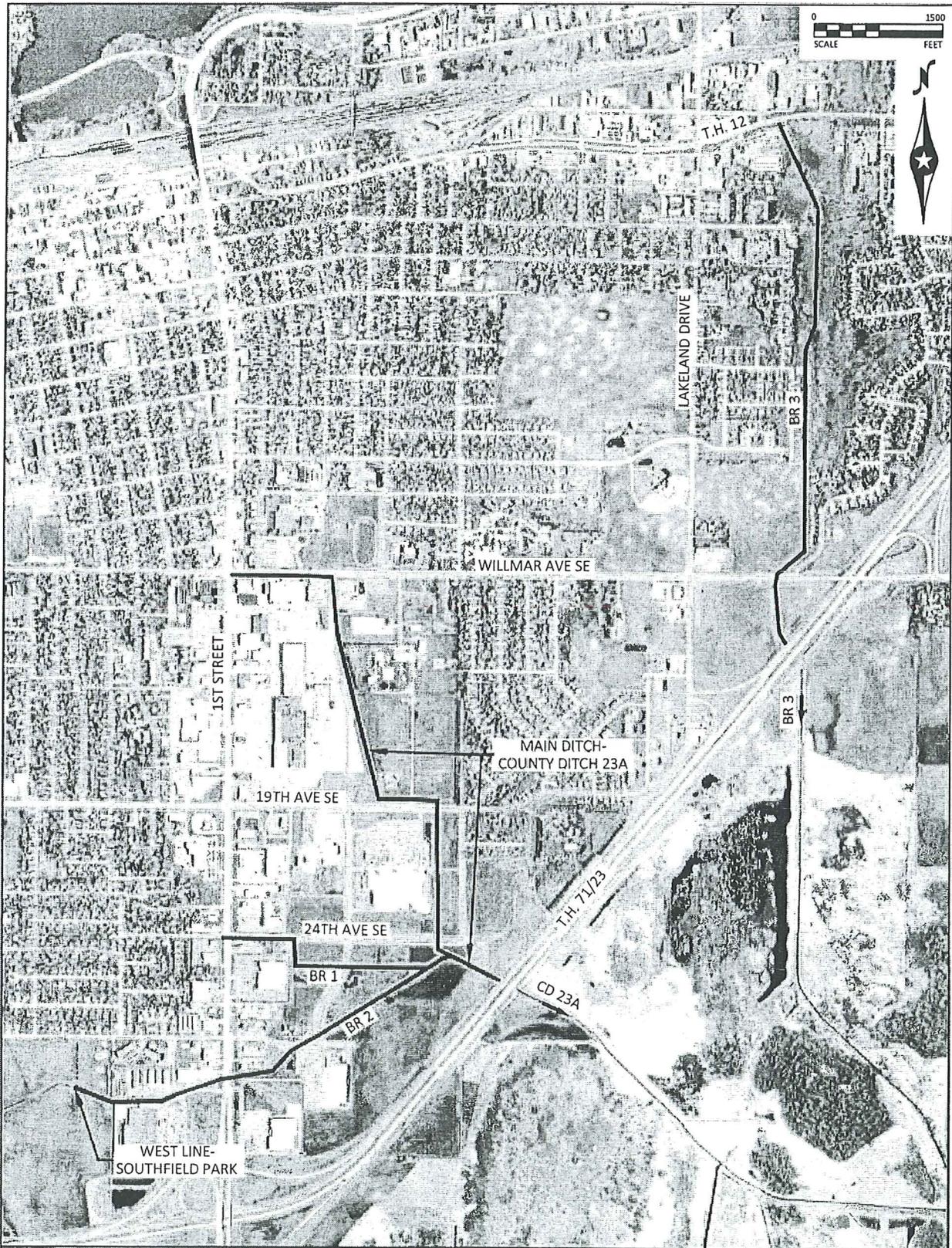
CITY OF WILLMAR

By \_\_\_\_\_  
Its Mayor

Attest:

CITY OF WILLMAR

By \_\_\_\_\_  
Its Clerk



**BOLTON & MENK, INC.**  
 Consulting Engineers & Surveyors  
 MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN BURNSVILLE, MN  
 WILLMAR, MN CHASKA, MN RAMSEY, MN MAPLEWOOD, MN  
 BAXTER, MN ROCHESTER, MN AMES, IA SPENCER, IA

**CITY OF WILLMAR, MINNESOTA**  
**COUNTY DITCH 23A TRANSFER**  
**LOCATION MAP**

APRIL, 2013 FIGURE NO. 1

H:\WILLW18105587\CAD\Concept-Display\DRICH\_23A.dwg

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