

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

January 3, 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 Doug Reese, Ron Christianson, Bruce DeBlicek, Denis Anderson, Steve Ahmann, Rick Fagerlie, Jim Dokken, and Tim Johnson; Present 9, Absent 0.

Also present were City Administrator Charlene Stevens, City Attorney Richard Ronning, Police Chief David Wyffels, Finance Director Steve Okins, Planning and Development Services Director Bruce Peterson, and City Clerk Kevin Halliday.

Council Member Ahmann offered a motion adopting the Consent Agenda which included the following: City Council Minutes of December 19, Rice Hospital Board Minutes of December 14, Municipal Utilities Commission Minutes of December 27, Accounts Payable through November 30, and Convention and Visitors Bureau Board Minutes of October 18 and November 22, 2011; and Mayor Appointments: Zoning Appeals Board - Louis Estrada; and Planning Commission - Bob Poe and Virgilio Aguirre Jr. Council Member Reese seconded the motion, which carried.

At 7:02 p.m. Mayor Yanish opened the public hearing on an Ordinance Authorizing the Issuance of General Obligation Hospital Revenue Refunding Bonds, Series 2012A. Mike Schramm, Rice Hospital CEO, informed the Mayor and Council of ongoing discussions regarding refinancing the outstanding bonds as part of the 2002 Hospital building project and \$51.2 million bond issue. Underwriting firms have recently advised the Hospital to pursue refunding/refinancing in early 2012 at an estimated savings of 7 percent. Kathy Aho, President of Springsted Incorporated, indicated the estimated refunding bonds would total up to \$47 million. The Bonds will be sold through a negotiated process with a February 27, 2012, closing date. February of 2013 would be the first bond redemption date (first call) of the 2002 bond issue. Upon hearing all those who wished to be heard, Mayor Yanish closed the hearing at 7:29 p.m.

Council Member Anderson offered a motion to adopt, assign a number, and order final publication of the Ordinance Authorizing the Issuance of General Obligation Hospital Revenue Refunding Bonds, Series 2012A. Council Member Reese seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

On behalf of a Council Member request, Rice Hospital CEO Mike Schramm addressed the Council regarding joint commission accreditation which is conducted once every three years and recently completed. The Commission utilized patient tracers which followed patient care from admission to discharge, monitored pharmacy protocols, and issued direct findings and indirect findings affecting patient care. This matter was for information only.

At 7:30 p.m. Mayor Yanish opened the public hearing on an Ordinance to Rezone Certain Lands from R-4 to R-3. Planning and Development Services Director Peterson informed the Mayor and Council that the Planning Commission initiated the rezone of several blocks south of the Central Business District from R-4 (medium density multi-family resident) to R-3 (low density multi-family residential) to all single family, duplexes, tri-plexes and four-plexes as legal permitted uses to make financing and resale more feasible for the existing single family homes. The Planning Commission held a hearing and approved the rezone request. Upon hearing all those who wished to be heard, Mayor Yanish closed the hearing at 7:31 p.m.

Council Member Anderson offered a motion to adopt, assign a number, and order final publication of the Ordinance Amending Municipal Ordinance No. 1060, the Willmar Zoning Ordinance. Council

Member Reese seconded the motion, which carried.

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

Council Member Ahmann moved to remove from the table the Ordinance Amending the Charter of the City of Willmar with Council Member Anderson seconding the motion, which carried. Since the public hearing was closed December 19, 2011, the Council began its discussion. Council Member Christianson stated that he doesn't support the super majority for overriding the Willmar Municipal Utilities Commission or Rice Hospital Board as he opined the Council is the last line of defense from the electorate.

Council Member Anderson felt the Council appoints qualified individuals to run the Willmar Municipal Utilities and Rice Hospital and doesn't see a problem with the super majority. Council Member Reese offered a like opinion. Council Member Christianson objected to the required adoption of the Minnesota Mayors' Association Rules of Order, seeing no need for new rules. Council Member Ahmann indicated that the super majority hasn't been a problem in the past. Council Members expressed their appreciation to the Charter Commission for their dedication to the Charter review. Council Member Christianson asked Charter Commission Chairman Shawn Mueske to clarify some issues and comment on the vote of the Commission on the super majority.

Council Member Reese offered a motion to adopt, assign a number, and order final publication of the Ordinance Amending the Charter of the City of Willmar. Council Member DeBlieck seconded the motion, which failed on a roll call vote of Ayes 6, Noes 2 - Council Members Christianson and Dokken voted "No" (State law requires all affirmative votes to amend the Charter).

The Mayor and Council discussed a Resolution appointing a responsible authority to administer the requirements for collection, storage, use and dissemination of data. Following discussion, Resolution No. 1 was introduced by Council Member DeBlieck, seconded by Council Member Reese, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 1

#### AUTHORIZING EXECUTION OF AGREEMENT

WHEREAS, Minnesota Statutes, Section 13.02, Subd. 6, requires that the City of Willmar appoint one person as the Responsible Authority to administer the requirements for collection, storage, use and dissemination of data on individuals within the City; and

WHEREAS, the City Council of the City of Willmar shares the concern expressed by the Legislature on the responsible use of all City data and wishes to satisfy this concern by immediately appointing an administratively and technically qualified Responsible Authority as required under the Statute.

BE IT RESOLVED by the City Council of the City of Willmar Minnesota, that the City Administrator Charlene Stevens be appointed as the Responsible Authority for the purpose of meeting all requirements of Minnesota Statutes, Sections 13.02-13.87, as amended, and with rules as lawfully promulgated by the Commissioner of Administration as published in the State Register.

Dated this third day of January, 2012.

/s/ Frank Yanish  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Announcements for Council Committee meeting dates were as follows: Finance, January 9; Public Works/Safety, January 10; Labor Relation, January 11; and Community Development, January 12, 2012.

There being no further business to come before the Council, the meeting adjourned at 7:55 p.m. upon motion by Council Member DeBlieck, seconded by Council Member Ahmann, and carried.

Attest:

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MAYOR

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SECRETARY TO THE COUNCIL