

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

June 20, 2016
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Audrey Nelsen, Steve Ahmann, Denis Anderson, Rick Fagerlie, Shawn Mueske, Andrew Plowman, Ron Christianson and Tim Johnson. Present 9, Absent 0.

Also present were City Administrator Larry Kruse, City Clerk Kevin Halliday, Public Works Director Sean Christensen, Police Chief Jim Felt, Fire Chief Frank Hanson, Finance Director Steve Okins, Community Education and Recreation Director Steve Brisendine, Planning and Development Services Director Bruce Peterson, and City Attorney Robert Scott.

Proposed additions to the agenda included the Annual Storm Water meeting and consideration of the four Charter Commission Amendments was moved from #17 to #11.

Council Member Ahmann offered a motion to adopt the Consent Agenda which included the following items: City Council Minutes of June 6, Finance/Full Council Minutes of June 13, Willmar Municipal Utilities Board Minutes of June 13, Planning Commission Minutes of June 8, Accounts Payable Report through June 15, Police Commission Minutes of February 1, and Willmar Community and Activity Center Minutes of May 13, 2016. Council Member Anderson seconded the motion, which carried.

At 7:01 p.m. Mayor Calvin opened the Hearing for the consideration of an Ordinance Authorizing Issuance of \$1,600,000 General Obligation Improvements Bonds, Series 2016A for the 2016 Street Improvement Program. Doug Green, Springsted Incorporated, appeared before the Mayor and Council to explain that the ordinance authorizes borrowing of money to fund several projects in 2016. He reviewed the debt service dating out to 2027 with the interest rate estimated at 2.1. The City will again be using the local bank syndicate and once the bonds are received they will be presented to the Council for award. There being no one present to speak for or against the ordinance, Mayor Calvin closed the hearing at 7:09 p.m.

Council Member Anderson offered a motion to adopt, assign a number and order final publication of the Ordinance Authorizing Issuance of \$1,600,000 General Obligation Improvements Bonds, Series 2016A. Council Member Christianson seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Resolution No. 1 was introduced by Council Member Christianson, seconded by Council Member Anderson, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

A RESOLUTION AUTHORIZING THE SALE OF GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2016A,
SUBJECT TO CERTAIN PARAMETERS FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR
EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT

(For Resolution in its entirety, see City Council procedures file dated
June 20, 2016, located in the City Clerk's Office)

Dated this 20th day of June, 2016.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

At 7:12 p.m. Mayor Calvin opened the Hearing for the consideration of an Ordinance Authorizing Issuance of \$1,046,528 General Obligation Sewer Revenue Note, Series 2016B for the replacement of the Westwood Court lift station and construction of new forcemain to direct flow from the radio lift station to the Westwood Court lift station. Doug Green, Springsted Incorporated, appeared before the Mayor and Council to explain that the ordinance authorizes execution of a bond purchase and project loan agreement for the note in the amount of \$1,046,528 sold to the Minnesota Public Facilities Authority at an interest rate of 1.035% with a final maturity by 2/20/2036 to fund the project in 2016. There being no one present to speak for or against the ordinance, Mayor Calvin closed the hearing at 7:14 p.m.

Council Member Anderson offered a motion to adopt, assign a number and order final publication of the Ordinance Authorizing Issuance of a General Obligation Sewer Revenue Note, Series 2016B. Council Member Christianson seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Resolution No. 2 was introduced by Council Member Christianson, seconded by Council Member Anderson, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

ACCEPTING THE OFFER OF THE MINNESOTA PUBLIC FACILITIES AUTHORITY TO PURCHASE A \$1,046,528 GENERAL OBLIGATION SEWER REVENUE NOTE, SERIES 2016B, PROVIDING FOR ITS ISSUANCE AND AUTHORIZING EXECUTION OF A BOND PURCHASE AND PROJECT LOAN AGREEMENT FOR THE NOTE

(For Resolution in its entirety, see City Council procedures file dated June 20, 2016, located in the City Clerk's Office)

Dated this 20th day of June, 2016.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

No one requested to speak during the Open Forum.

Mayor Calvin recognized Leslie Schmidt of CenterPoint Energy, who presented the City with a \$2,500 Community Partnership Grant. This program allows them to partner with communities they have served and supports their shared commitment for safety. This award will be used to purchase Automated External Defibrillators. A motion was made by Council Member Christianson to accept the donation. Council Member Nelsen seconded the motion, which carried.

Community Education and Recreation Director Steve Brisendine introduced Joy Baker as part of the Willmar Lakes Rotary Clubs Rockin Robbins Program. Ms. Baker explained the Rockin Robbins Program which will be taking place at Robbins Island this summer. The program was initiated about three years ago as part of Vision 2040. The key goals were to attract and keep newcomers to the Willmar area, strengthen the regions occupational options, improve and enable more things to do in the area and develop Nextgen leaders. The redevelopment of Robbins Island was a key to developing more things to do. The two Rotary Clubs are sponsoring two free concerts called Rockin Robbins; the first performance is by the Fabulous Armadillos on July 19 and the second is The Throwbacks on August 16. Any funds raised by the clubs from these events will go into a Friends of Robbins Island fund. There will also be local opening events to start the night off and free

shuttle service along with beer, wine and foods tents plus kid activities. Financially, the two clubs each contributed \$7,500 to cover the expenses and found corporate sponsors who have since contributed \$36,000. This matter was for information only.

Rachel Skretvedt came before the Council to introduce the concept of a destination playground at Robbins Island and turned the floor over to Representative Dave Baker to present the playground project. Mr. Baker touched on the Spicer Wildcat Cove playground project for which he was the materials chairperson ten years ago. This playground project was led by Leathers and Associates, which is a vendor they have also selected for the community project in Willmar. This is company that leads with high-quality materials to enable to community build. In Spicer there were 75-100 people who came together every day for 5-7 days. Ten years later, Mr. Bakers feels this is the right time to do a similar project at Robbins Island in conjunction with the Regional Parks Program the City is coordinating. The goal is to raise about \$800,000 to build a 15,000-20,000 square foot playground using a soft concrete pad, is handicapped accessible, has big family bench areas with wireless broadband. All the funding will be raised privately through grants and donations.

Representative Dave Baker introduced Sara Carlson, a member of the Willmar Area Community Foundation who has been asked to be the host for the charitable donations for the destination playground. The fund will be known as "Friends of Robbins Island" fund and will open in early July. Mr. Baker went over the timeline and named other individuals involved in the project making mention of Ken Warner, Chair of Vision 2040 Steering Committee. The group is seeking the Council's approval on a footprint of the project and the City's assistance for the long-range maintenance of the playground for years to come.

Council Member Nelsen made a motion to support the Destination Playground Project to include the City assuming future maintenance. Council Member Mueske seconded the motion, which carried.

City Clerk Kevin Halliday informed the Council that pursuant to a couple of hearings where Charter Amendments were continued and then closed; now before the Council for consideration are four Charter amending ordinances. City Clerk Kevin Halliday detailed the Charter Commission's recommendation in Section 2.03 to add a new subdivision whereby a structure is set up to compel future City Councils to develop a vision, mission statement and strategic plan.

Council Member Ahmann offered a motion to adopt, assign a number and order final publication of the Ordinance Amending the Charter – Section 2.03. Council Member Nelsen seconded the motion. Council Member Christianson opined there is nothing in Congress requiring the same. The Council directs improvements such as streets as infrastructure without having those things in place. Council Member Nelsen stated the City needs to commit to the community by doing this. Upon a roll call vote, the motion failed with 3 Ayes and 5 Noes. Council Members Christianson, Mueske, Plowman, Johnson and Fagerlie cast the "no" votes.

City Clerk Halliday presented the second amendment to City Charter Section 7.05 – Recall of the City Charter. City Clerk Halliday stated this section strikes out the current language whereby the Charter Commission desires to not address the issue of any reimbursements for legal services, supplies, printing, and notarial fees, and simply makes it clear that no City funds are to be expended for the actions of the Citizen Recall Committee nor can any committee member accept any remuneration for services performed on such a committee.

Council Member Mueske offered a motion to adopt, assign a number and order final publication of the Ordinance Amending the Charter – Section 7.05. Council Member Plowman seconded the motion, which carried upon a roll call vote of 8 Ayes, 0 Noes.

City Clerk Halliday brought forward the recommendation of the Charter Commission amending City Charter Section 2.11 – Procedure. He stated this section of the Charter strikes through current language detailing the known versions of parliamentary rules defaulting to the word "established" set of parliamentary rules. The Charter Commission believes this will properly position the City for the ever-changing rules and names in the future.

Council Member Anderson offered a motion to adopt, assign a number and order final publication of the Ordinance Amending the Charter – Section 2.11. Council Member Plowman seconded the motion, which carried upon a roll call vote of 8 Ayes, 0 Noes.

The proposed amendment to City Charter Section 9.04 – Oath of Office was presented by City Clerk Kevin Halliday. This amendment adds detail to the current oath which is administered to elected or appointed officials and board and commission members. The Charter Commission believes clarity of individual offices and positions is beneficial for this City.

Council Member Mueske offered a motion to adopt, assign a number and order final publication of the Ordinance Amending the Charter – Section 9.04. Council Member Plowman seconded the motion, which carried upon a roll call vote of 8 Ayes, 0 Noes.

The Public Works/Safety Committee Report for June 14, 2016 was presented to the Mayor and Council by Council Member Nelsen. There were six items for consideration.

Item No. 1 Robbie Hjelle addressed concerns to the Committee regarding City participation in reimbursement of the \$5,500 cost incurred for the removal of a cottonwood tree by CMF Tree Removal Services on his property at 1212 Carolina Avenue SW which had partially grown into City property at Miller Park. Public Works Director Christensen originally proposed participation of the Public Works Department removing and replacing the fence bordering the park next to the tree, removing and replacing the concrete sidewalk, two loads of black dirt for the stump hole and yard restoration for a total value of \$3,902.91 including equipment and labor. Tom Peterson spoke in support of Mr. Hjelle’s request and questioned the City’s fee schedule. Considerations were made to the following:

- Taking the total project cost as a whole and dividing in half to determine City participation and each party be responsible for the restoration on their respective properties.
- Reimbursing Mr. Hjelle thirty percent of the \$5,500 tree removal bill for a total of \$1,650.
- Reimbursing Mr. Hjelle \$750 of the tree removal bill, this is equivalent to each party paying \$4,750.
- Reimbursing Mr. Hjelle \$1,000 of the tree removal bill and complete the items Public Works Director Christensen originally proposed.

The Committee was recommending the Council reimburse Robbie Hjelle \$1,000 for the tree removal cost and complete the previously proposed restoration by Public Works Director Christensen. Council Member Nelsen moved the recommendation of the Committee. Council Member Christianson seconded the motion. Council Member Nelsen stated the Committee discussed the check be made payable to Mr. Hjelle and CMF Tree Removal. The motion carried.

Item No. 2 Chief Hanson noted the jail census for June 14, 2016 was 102; 29 inmates from the Department of Corrections, 68 inmates from Kandiyohi County and 5 inmates from other counties. The calls for service the previous two weeks totaled 761 and are 11 days ahead of this date last year. The majority of the calls for the previous two weeks were for traffic stops, followed by public assists and abandoned vehicles.

Chief Hanson noted total Fire Department total calls for service this year is 139, compared to 158 calls in 2015. The dispatch to en route time for May was 3 minutes 37 seconds. These updates were for information only.

Item No. 3 James Miller appeared before the Council as well to provide a short presentation on the United Way Little Libraries program. The program places free Little Libraries boxes full of books for anyone to stop and pick up a book and bring back another book to share, with books geared towards children and families. They will maintain the libraries after the initial installation is completed by the Public Works Department.

The Committee discussed the positives and negatives of the program and asked Mr. Miller for a possible an update in the fall. The Committee's recommendation to the Council was to support the Little Libraries program from the United Way. Council Member Nelsen moved the recommendation of the Committee. Council Member Christianson seconded the motion, which carried.

Item No. 4 Staff brought forth, for approval, Work Order No. 5 with Bolton & Menk professional services contract for design and bid administration of the East Taxilane Reconstruction project. The project includes grading the taxilane for better drainage and installation of valley gutters.

It is the Committee's recommendation the Council approve Work Order No. 5 with Bolton & Menk for professional services of design and bid administration services for the east taxilane reconstruction project and authorize signatures on the contract.

Resolution No. 3 was introduced by Council Member Nelsen, seconded by Council Member Plowman, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the City Administrator and the City of Willmar is hereby authorized to enter into Work Order #5 of the professional services contract between the City of Willmar and Bolton and Menk, Inc. The Work Order is not to exceed \$75,000.00 for Airport design and bid administration services for the east taxilanes reconstruction project.

Dated this 20th day of June, 2016.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 5 Staff brought forth, for approval, Work Order No. 6 with Bolton & Menk professional services contract for aviation planning and engineering services of the 2016 Airport Master Plan and Airport Layout Plan Update. The Committee discussed public meetings, the Advisory Committee's role and if tenants are involved in the planning process.

The Committee was recommending the Council approve Work Order No. 6 with Bolton & Menk for professional services of contract aviation planning and engineering services for the 2016 Airport Master Plan and Airport Layout Plan Update.

Resolution No. 4 was introduced by Council Member Nelsen, seconded by Council Member Christianson, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the City Administrator and the City of Willmar is hereby authorized to enter into Work Order #6 of the professional services contract between the City of Willmar and Bolton and Menk, Inc. The Work Order is not to exceed \$305,018.00 for Aviation Planning and Engineering Services for 2016 Airport Master Plan and Airport Layout Plan Update.

Dated this 20th day of June, 2016.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday

Attest: City Clerk

Item No. 6 Staff brought forth, for information, bid results on the Civic Center roof replacement. Bid opening on the project took place on June 14th, with one bid received. Staff is recommending no action on the bid at this time.

Public Works Sean Christensen recommended rejecting the bids at this time. Council Member Nelsen moved staff's recommendation to reject the bids on the Civic Center Roof Replacement Project. Council Member Christianson seconded the motion, which carried.

The Public Works/Safety Committee Report for June 14, 2016, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Nelsen, seconded by Council Member Anderson.

The Labor Relations Committee Report for June 15, 2016 was presented to the Mayor and Council by Council Member Ahmann. There were three items for consideration.

Item No. 1 There were no comments from the public.

Item No. 2 Council Member Ahmann presented a tentative timeline developed by City Attorney Robert Scott for the City Administrator's six-month performance review for consideration by the Committee. The Committee discussed the schedule and process suggesting changes. Council Member Ahmann recommended that the next (one-year) evaluation include a review by the Department Heads.

The recommended format for the evaluation was reviewed with a request by Council Member Christianson that a numbering system be coordinated into the format using numbers 1 through 4 with the ability to do one half. It was suggested that the Council consider setting goals for the City Administrator as a result of the review process. It was the recommendation of the Committee to revise the timeline as noted during discussion and approve the evaluation form as presented with the inclusion of a number system for compilation. Council Member Anderson moved the recommendation of the Committee. Council Member Anderson seconded the motion, which carried.

Item No. 3 The Committee reviewed correspondence from City Administrator Larry Kruse in response to the previous meeting where he was asked to research what other cities have for policies regarding post-hiring adjustments to vacation accruals. City Administrator Kruse reported that he was not able to specifically identify a policy related to this matter as it is a somewhat rare occurrence. He stated that since presenting his original recommendation to the Committee he and Public Works Director Sean Christensen have revisited the request and make the following revised recommendation: *Effective on Mr. Christensen's two-year anniversary recognize his prior 13-years' experience for purposes of vacation accruals setting his annual accrual rate at 15 days and on each of the next two anniversary dates grant an additional accrual rate of five days of vacation subject to a positive review.*

The Committee discussed the recommendation and the uniqueness of the situation. Public Works Director Christensen stated it was his intention to present his request during negotiations, but in lieu of the contract events, that did not take place. It was the Committee's recommendation to the Council to approve the recommendation as stated in the minutes. Council Member Christianson made a motion to approve the Committee's recommendation of approval of the post-hiring vacation adjustment. Council Member Anderson seconded the motion. Council Member Mueske opined that the City should develop a policy for post-hiring vacation adjustment requests for future reference. The motion carried.

The Labor Relations Committee Report for June 15, 2016, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Ahmann, seconded by Council Member Anderson.

City Clerk Kevin Halliday informed the Council that pursuant to a private sector party desiring to sponsor a September concert at the Civic Center Arena and review of the options by the Community Education and Recreation Advisory Board, the City Attorney drafted an ordinance amending the Municipal Code Chapter 3, Alcoholic Beverages. The amendment before the Council for consideration allows alcohol sales at a conference or social affair, including concerts and athletic events at which the participants' eligibility is not limited to persons 18 years of age or younger. Council Member Anderson made a motion to call for a public hearing to take testimony on the proposed amendment on July 5, 2016. Council Member Nelsen seconded the motion, which carried.

Planning and Development Services Director Bruce Peterson presented a preliminary plat of the former Walmart site which is a two lot subdivision of two unplatted parcels. They are currently two unplatted parcels and the subdivision is swapping portions of the parcels to square off the northerly lot for development. The Planning Commission approved the plats with conditions regarding easement, drainage and fire hydrants. It is the recommendation of staff and the Planning Commission that the plat be approved as presented. Council Member Christianson moved to approve the preliminary/final plat for Book Addition. Council Member Fagerlie seconded the motion, which carried.

Planning and Development Services Director Bruce Peterson presented a request from Erickson Land Company, owner of property in Trentwood Estates which has since been subdivided, which triggered the need for the reapportionment of special assessments. The owners remain the same; the costs are being shifted to align with the new lot widths. It is staff's recommendation to the Council to approve the reapportionment as presented.

Resolution No. 5 was introduced by Council Member Nelsen, seconded by Council Member Anderson, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

WHEREAS, a request for reapportionment of special assessments has been filed with the City of Willmar, said request being signed by all the parties having an interest in the following-described property:

Lot 1, Block One, Trentwood Estates Third Addition; AND part of the NW ¼ Section 12, Township 119, Range 35 Parcel Nos. 95-828-2000 AND 95-912-0950

to wit: Erickson Land Co. of Willmar

WHEREAS, the above have waived notice of hearing on said reapportionment; and

WHEREAS, The City Council of the City of Willmar is in agreement that the special assessments totaling \$35,116.80 placed against the above-described parcel be hereby reapportioned as herein described:

<u>Parcel No.</u>	<u>Legal Description</u>	<u>Amount</u>
95-828-2000	Lot 1, Block One, Trentwood Estates Third Addition	\$8,960.00
95-912-0950	Part of NW ¼ Section 12, Township 119, Range 35	\$26,156.80

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willmar, pursuant to the request of the above that the special assessments on the above-described property be and they hereby are reapportioned as provided in the request of the above named, and

BE IT FURTHER RESOLVED that the reapportionment be recorded in the records of the City of Willmar and the Kandiyohi County Auditor effective for taxes and assessments due and payable on tax statements issued in the year 2017 and thereafter.

Dated this 20th day of June, 2016.

