

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**BOARD ROOM**  
**HEALTH AND HUMAN SERVICES BUILDING**  
**WILLMAR, MINNESOTA**

August 1, 2022  
6:30 p.m.

The regular meeting of the Willmar City Council was called to order by the Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Julie Asmus, Michael O'Brien, Justin Ask, Vicki Davis, Andrew Plowman, and Audrey Nelsen. Present 8, Absent 1. Council Member Thomas Butterfield arrived later in the meeting.

Also present were City Administrator Leslie Valiant, City Operations Director Kyle Box, Police Chief Jim Felt, Finance Director Steve Okins, Parks and Recreation Director Rob Baumgarn, Public Works Director Gary Manzer, Planning and Development Services Director Justice Walker, City Clerk Judy Thompson, and City Attorney Robert Scott.

There were no additions or deletions to the agenda.

Council Member Fagerlie moved to approve the agenda as presented. Council Member Nelsen seconded the motion, which carried unanimously.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of July 18, 2022
- ~~B. Willmar Municipal Utilities Commission Minutes of July 25, 2022~~
- C. Planning Commission Minutes of July 6, 2022
- D. Rice Hospital Board Minutes of March 9 and June 1, 2022
- E. Accounts Payable Report for July 14 through July 25, 2022
- F. **Resolution No. 2022-110 Approve Blizzard (Warhawks) Lease and Advertising Agreements**
- G. Temporary Street/Sidewalk Closure for Power Plant Demolition
- H. Police Commission Minutes of February 7, 2022
- I. Application for Appointment to the Planning Commission – Kelsi Vosika
- J. "Thank You" to Public Works Department

Council Member Fagerlie offered a motion to approve the consent agenda. Council Member O'Brien asked that Item B. be pulled for discussion. Council Member Asmus seconded the motion to approve the consent agenda, with the exception of Item B., which carried on a roll call vote of Ayes 7, Noes 0.

Council Member O'Brien wanted to bring to everyone's attention the new proposed water rates that were included in the Municipal Utilities Commission minutes. Following discussion, Council Member O'Brien offered a motion to approve Item B. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Kelly Welch, Willmar, addressed the Mayor and Council during the Open Forum. Mr. Welch shared his concerns regarding the traffic speed along 23<sup>rd</sup> Street SE and usage/signage on the walking path in that area.

HomeServe representative Dennis Lyon gave a presentation of the National League of Cities (NLC) Service Line Warranty Program by HomeServe. The program offers affordable emergency repair/replacement plans for aging private sewer and water infrastructure, including interior plumbing to homeowners.

Following discussion, Council Member Nelsen offered a motion to support the program. Council Member Davis seconded the motion, which carried unanimously. Council Member Plowman offered a motion to consider using the City logo, pending legal review, on promotional material. Council Member Nelsen seconded the motion, which carried unanimously. Council Member Nelsen offered a motion to keep the premiums cost-effective and not participate in the fifty-cent (50 cent) product revenue share. Council Member Plowman seconded the motion, which carried unanimously.

Council Member Butterfield arrived at 7:15 p.m.

Economic Development Commission (EDC) Executive Director Aaron Backman presented a request to submit a Transportation Economic Development (TED) grant application for infrastructure improvements on MN Hwy 40 to facilitate the construction of the Nexyst 360 Intermodal facility.

Following discussion, **Resolution No. 2022-111 Authorizing Execution of Transportation and Economic Development Program Application** was introduced by Council Member Asmus. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

EDC Executive Director Aaron Backman presented a request to consider approval of financial participation in 2022 Countywide Housing Study. He noted the EDC's Joint Operations Board unanimously voted to enter into an agreement with Viewpoint Consulting Group to complete a housing study subject to financial participation by other entities, including the City of Willmar. The EDC is requesting the City contribute \$12,000 toward the cost of the study.

Following discussion, **Resolution No. 2022-112 Approving Financial Participation in a Countywide Housing Study to be Undertaken by Viewpoint Consulting Group** was introduced by Council Member Asmus. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 7, Noes 1. Council Member Butterfield voted "no".

Planning and Development Services Director Walker presented a request to adopt the proposed TIF timeline for the Unique Opportunities TIF application. The proposed project was presented to Council earlier this year and is for three 72-unit apartment buildings.

Following discussion, Council Member Plowman offered a motion to approve staff's request. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Planning and Development Services Director Walker presented a request to introduce an ordinance to rezone Rockstep Plaza Second Addition. The request came in collaboration with management of Rockstep Plaza to rezone the entire mall from Shopping Center to the General Business District to allow for optimal use of property. He noted the Planning Commission conducted a public hearing and has approved the request.

Following discussion, Council Member Fagerlie offered a motion to **introduce an Ordinance Amending Municipal Ordinance No. 1060, the Willmar Zoning Ordinance**, and set a public hearing for August 15, 2022. Council Member Plowman seconded the motion, which carried.

Planning and Development Services Director Walker presented a request to introduce an ordinance authorizing the sale of city-owned property to Justin Paffrath. Mr. Paffrath is planning to purchase three parcels of land on 14<sup>th</sup> Avenue SE.

Following discussion, Council Member Plowman offered a motion to **introduce an Ordinance Authorizing the Sale of Real Property to Justin Paffrath**, and set a public hearing for August 15, 2022. Council Member O'Brien seconded the motion, which carried.

City Operations Director Box presented a request to consider equipment as surplus property and authorize staff to complete a purchase agreement with a qualified buyer. The equipment is from the indoor gun range and will be placed on a public bidding site.

Following discussion, Council Member Fagerlie introduced **Resolution No. 2022-113 Declaring Surplus Supplies, Materials, and Equipment and Authorizing the Sale Thereof**. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 7, Noes 1. Council Member Butterfield voted "no".

City Clerk Thompson presented the donations received for the second quarter of 2022.

Council Member Fagerlie introduced **Resolution No. 2022-114 Acknowledgement of Donations**. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Administrator Valiant presented a request to consider a Council Work Session to discuss the proposed 2023 budget and capital improvement program on August 8, 2022.

Following discussion, Council Member Asmus offered a motion to schedule a Council Work Session on August 8, 2022 at 5:30 p.m. at the Willmar Fire Station Training Room. Council Member Nelsen seconded the motion, which carried.

Council Member Butterfield offered the following comments: a youth baseball tournament was held this past weekend and one of Willmar's teams took first place and another took second place.

Mayor Calvin offered the following comments: Administrative Assistant Janell Sommers submitted her letter of resignation today after being employed with the City for over 38 years, thanked her for her dedication, and congratulated her on her upcoming retirement.

At 7:58 p.m., Council Member Fagerlie offered a motion to enter into closed session pursuant to Minnesota Statute 13D.05, subd.3(c). Council Member Nelsen seconded the motion, which carried.

At 8:39 p.m., the Council returned to open session.

Council Member Plowman offered a motion to adjourn the meeting with Council Member Nelsen seconding the motion, which carried. The meeting adjourned at 8:39 p.m.

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
SECRETARY TO THE COUNCIL

**RESOLUTION NO. 2022-110**

**RESOLUTION APPROVING THE LEASE AND ADVERTISEMENT AGREEMENT WITH THE WILLMAR WARHAWKS FOR THE 2022-2024 HOCKEY SEASON**

Motion By: Fagerlie                      Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar to approve the lease and advertising agreements with the Blizzard for the Willmar Warhawks 2022-2024 hockey season.

Dated this 1st day of August 2022

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK

**RESOLUTION NO. 2022-111**

**RESOLUTION AUTHORIZING EXECUTION OF  
TRANSPORTATION AND ECONOMIC DEVELOPMENT PROGRAM APPLICATION**

Motion By: Asmus

Second By: Davis

BE IT RESOLVED that the City of Willmar act as the legal sponsor for the Nexyst 360 Intermodal Facility Turn Lane/Acceleration Lane project and requests funding from the Transportation Economic Development (TED) Program of the Minnesota Department of Transportation.

BE IT FURTHER RESOLVED that the City of Willmar has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure matching funds and adequate construction of the proposed project.

BE IT FURTHER RESOLVED that the City of Willmar has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the City of Willmar may enter into an agreement with the State of Minnesota for the above-referenced project, and that it will comply with all applicable laws and regulations as stated in all contract agreements.

BE IT FURTHER RESOLVED that, the estimated costs of the infrastructure improvements on MN Hwy 40 are projected to cost \$948,915, and that the City of Willmar has committed \$379,565 towards the local match requirement.

BE IT FURTHER RESOLVED that, the City of Willmar confirms if the project cost increases above the amount listed in the Application, the City of Willmar will provide or secure all additional funds necessary to complete the project.

City of Willmar certifies that it will comply with all applicable laws, regulations, and rules of the Application.

BE IT FURTHER RESOLVED that the sources and uses, private investors, equity, and other financing commitment represented in the attached document are accurate.

NOW, THEREFORE BE IT RESOLVED that the Mayor and City Administrator, or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the project(s) on behalf of the applicant.

Dated this 1st day of August, 2022

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK

**RESOLUTION NO. 2022-112**

**RESOLUTION APPROVING FINANCIAL PARTICIPATION IN A COUNTYWIDE HOUSING STUDY TO BE  
UNDERTAKEN BY VIEWPOINT CONSULTING GROUP**

Motion By: Asmus

Second By: Davis

WHEREAS, the City of Willmar (City) is a municipal corporation and subdivision of the State of Minnesota organized and operating under a home rule charter and Minnesota law, and

WHEREAS, the City of Willmar encourages additional development and added tax base in the community, including more housing options for its residents;

WHEREAS, the Kandiyohi County & City of Willmar Economic Development Commission (EDC) provides for the establishment, coordination, and operation of economic development programs throughout Kandiyohi County, and works closely with the City of Willmar on various development projects; and

WHEREAS, the EDC seeks to enter into agreement with Viewpoint Consulting Group, Inc. to undertake a new Housing Study encompassing all of Kandiyohi County at a cost not to exceed \$48,000.

BE IT RESOLVED that the City of Willmar participate financially in the cost of such housing study at a cost not to exceed \$24,000. This amount will be reduced if grant funds are obtained.

Dated this 1st day of August, 2022

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK

**RESOLUTION NO. 2022-113**

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA  
DECLARING SURPLUS SUPPLIES, MATERIALS, AND EQUIPMENT AND AUTHORIZING THE SALE  
THEREOF**

Motion By: Fagerlie

Second By: Nelsen

**WHEREAS**, the City of Willmar (“City”) is permitted to sell City-owned surplus supplies, materials, and equipment pursuant to Minnesota Statutes Section 471.345, subdivision 17; and

**WHEREAS**, the City has determined that it owns a surplus of supplies, materials, and equipment, as specified in Exhibit A, which is attached and incorporated herein; and

**WHEREAS**, the City wishes to place these specified items on a public bidding site at which the surplus supplies, materials, and equipment may be sold.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Willmar that:

1. The City Council finds and declares that all surplus supplies, materials, and equipment listed in Exhibit A is City-owned surplus supplies, materials, and equipment and is authorized to be sold.

Adopted by the City Council of the City of Willmar on August 1, 2022.

Approved:

/s/ Marv Calvin

Mayor

Attested:

/s/ Judy Thompson

City Clerk

**RESOLUTION NO. 2022-114**

**ACKNOWLEDGEMENT OF DONATIONS**

Motion By: Fagerlie Second By: Asmus

WHEREAS, the City of Willmar has received donations which have been acknowledged by the City Administrator expressing the community’s appreciation for the time period of April 1 through June 30, 2022.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota that the City formally accept the donations as listed below:

- \$100.00 Fischer Laser Eye Center – Summer Movies in the Park
- 100.00 Hansen Advertising – Summer Movies in the Park
- 500.00 Hormel Financial Corp. – Summer Movies in the Park
- 500.00 Marcus Construction – Summer Movies in the Part
- 500.00 Northern Factory Sales, Inc. – Summer Movies in the Park
- 250.00 Marcus Construction – Youth Soccer Shirts
- 250.00 Walt’s – Summer Movies in the Park
- 250.00 Fraternal Order of Eagles Aerie 2334 – Summer Movies in the Park
- 200.00 Dooley’s Petroleum – Summer Movies in the Park
- 200.00 Walt’s – Community Kids Summer Camp
- 200.00 Dooley’s Petroleum – Community Kids Summer Camp
- 200.00 Spicer American Legion – Police Explorers and Community Emergency Response Team
- 200.00 Jennie-O Corporate Office – Community Kids Summer Camp
- 250.00 Cub Foods – Summer Movies in the Park
- 50.00 Carl Sorensen – Body Armor in Memory of Rick James
- 25.00 Earline Schulstad – Body Armor in Memory of Rick James
- 100.00 Cynthia Kroona – Body Armor in Memory of Rick James
- 20.00 Kathy Marcus – Body Armor in Memory of Rick James
- 20.00 Kristi Morelan – Body Armor in Memory of Rick James
- 20.00 Ken Kammen – Body Armor in Memory of Rick James
- 498.00 Reta James – Body Armor in Memory of Rick James
- 300.00 Mick Quin Insurance Agency – Community Kids Summer Camp
- 300.00 Marcus Construction – Community Kids Summer Camp
- 250.00 Perkins Lumber – Summer Movies in the Park
- 50.00 Karen Bjerke – Police Explorers and Community Emergency Response Team

Dated this 1st day of August, 2022

/s/ Marv Calvin

MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK