

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

October 17, 2022
6:30 p.m.

The regular meeting of the Willmar City Council was called to order by Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Julie Asmus, Thomas Butterfield, Michael O'Brien, Justin Ask, Vicki Davis, Andrew Plowman, and Audrey Nelsen. Present 9, Absent 0.

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

There were no additions or deletions to the agenda as presented.

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

City Clerk Thompson reviewed the consent agenda.

- A. City Council Minutes of October 3, 2022
- B. Willmar Municipal Utilities Board Minutes of October 10, 2022
- C. Special City Council Minutes of October 11, 2022
- D. Accounts Payable Report for September 28 through October 11, 2022
- E. Resolution No. 2022-139 Certification of Unpaid Utility Charges as a Lien**
- F. Building Report for the Month of September 2022

Council Member Fagerlie offered a motion to approve the consent agenda. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 6:31 p.m., Mayor Calvin opened the public hearing for an ordinance amending Municipal Code Chapter 9, Nuisances, and Chapter 17, Surface Water Management. Environmental Specialist Sara Sietsema provided the pertinent information to the Mayor and Council.

There being no one present to speak for or against the said amendments, Mayor Calvin closed the public hearing at 6:33 p.m. and opened it up for discussion by the Council. Following discussion, Council Member Fagerlie offered a motion to adopt, assign a number, and publish **Ordinance No. 1489, An Ordinance Amending Chapter 9, Nuisances, and Chapter 17, Surface Water Management, to Update City Code with MS4 Requirements**. Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Due to the length and cost of publishing the entire ordinance, Council Member Fagerlie offered a motion to publish by summary **Ordinance No. 1489, An Ordinance Amending Chapter 9, Nuisances, and Chapter 17, Surface Water Management, to Update City Code with MS4 Requirements**. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 6:36 p.m., Mayor Calvin opened the public hearing for an ordinance to rezone Skylark Properties from SC (Shopping Center) to GB (General Business). Planning and Development Services Director Walker provided the pertinent information to the Mayor and Council.

There being no one present to speak for or against the said rezone, Mayor Calvin closed the public hearing at 6:37 p.m. and opened it up for discussion by the Council. Following discussion, Council Member Asmus offered a motion to adopt, assign a number, and publish **Ordinance No. 1490, An Ordinance Amending Municipal Ordinance No. 1060, The Willmar Zoning Ordinance**. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor's Housing Task Force Chairman Paul Borene presented a final report containing the findings of fact and recommendations for action studied by and agreed to by the Task Force.

Following the presentation, Council Member O'Brien offered a motion to accept the Mayor's Housing Task Force final report. Council Member Asmus seconded the motion, which carried.

Coalition of Greater Minnesota Cities representative Bradley Peterson presented an annual update to the Mayor and Council. This item was received for information only.

City Operations Director Box presented a request to consider raising the filing fee for elected office from \$5.00 to \$40.00.

Following discussion, Council Member Fagerlie offered a motion to approve an increase from \$5.00 to \$10.00 and **introduced an Ordinance Amending Willmar Municipal Code, Chapter 2, Administration**, and set a public hearing for November 7, 2022. Council Member Plowman seconded the motion.

Following further discussion, Council Member Plowman offered a friendly amendment to increase the filing fee from \$5.00 to \$20.00. Council Member Ask seconded the motion, which then carried. Council Member Butterfield voted "no".

City Operations Director Box presented a request to consider increasing the salaries for elected office.

Following discussion, Council Member Plowman offered a motion to approve staff's request and **introduced an Ordinance Amending the Salaries of Elected Officials**, and set a public hearing for November 7, 2022. Council Member Nelsen seconded the motion, which carried unanimously.

City Clerk Thompson presented a request to approve licensing for three establishments to sell THC products.

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

City Clerk Thompson presented the donations for the third quarter of 2022.

Council Member Fagerlie introduced **Resolution No. 2022-140 Acknowledgement of Donations**. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Fagerlie offered a motion to adjourn the meeting, with Council Member Asmus seconding the motion, which carried. The meeting adjourned at 8:00 p.m.

/s/ Marv Calvin

MAYOR

Attest:

/s/ Judy Thompson

SECRETARY TO THE COUNCIL

RESOLUTION NO. 2022-139

RESOLUTION APPROVING UNPAID UTILITY CHARGES BE CERTIFIED AGAINST THE REAL PROPERTY

Motion By: Fagerlie

Second By: Nelsen

WHEREAS, Section 16-127 of the Willmar City Code states that such unpaid utility bills represent a lien on the real property receiving utility services; and

WHEREAS, the Willmar Municipal Utilities Commission has offered the owner the right to request an appearance before the Commission to make objections to payment; and

WHEREAS, the Willmar Municipal Utilities Commission has adopted Resolution No. 41 on October 10, 2022, requesting the Willmar City Clerk to certify the unpaid utility charges as a lien on the real property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the amount of the unpaid utility charges totaling \$21,744.55 be certified to the County Auditor to be extended on the tax rolls of such real property in the same manner as other taxes for collecting in 2023 and collected by the County Treasurer, and paid to the City Clerk along with other taxes; and

BE IT FURTHER RESOLVED that the unpaid utility charges be certified against the real property as follows:

1. Parcel No. 95-006-7210
Located at 516 12th Street SW \$1,842.91
Described as Section 15, Township 119, Range 35, Lot 5, Block 111
FIRST ADDITION TO THE CITY OF WILLMAR
2. Parcel No. 95-480-0060
Located at 500 13th Avenue SW \$1,421.31
Described as Section 22, Township 119, Range 35, Block 1
LEARY'S ADDITION TO WILLMAR
Lots 6 & 7
3. Parcel No. 95-090-1490
Located at 1017 7th Street SW \$489.10
Described as Section 15, Township 119, Range 35
BOOTH'S ADDITION TO WILLMAR
Block K Lot 10 Except North 5 Feet; Northerly Half of Lot 9
4. Parcel No. 95-820-0260
Located at 940 Olaf Avenue NW \$1,426.19
Described as Section 10, Township 119, Range 35, Block 2
THORPE & LIENS ADDITION TO THE CITY OF WILLMAR
Part of Lot 9: Commencing 125 Feet West of Southeast Corner Thence North Parallel with East Line to North Line Thereof Thence West 125 Feet Thence South Parallel With East Line to a Point on South Line Thence East on South Line 125 Feet to Beginning Except South 109 Feet of West 50 Feet & Except North 120 Feet of West 60 Feet
5. Parcel No. 95-250-0990
Located at 208 Augusta Avenue SE \$1,015.82
Described as Section 14, Township 119, Range 35, Block 5
GLARUM'S ADDITION TO WILLMAR
Subdivision of Lot B of Block 5 East 75 Feet of Lots 19 & 20
6. Parcel No. 95-220-1390
Located at 421 Julii Street SE \$878.49
Described as Section 14, Township 119, Range 35, Lot 9, Block 10
FERRINGS ADDITION TO THE CITY OF WILLMAR

7.	Parcel No. 95-540-0010 Located at 804 Olaf Avenue NW Described as ERIK NILSONS ADDITION TO THE VILLAGE OF WILLMAR <i>West 71 Feet of Lot 1, Block 1 of Nelsons Addition & West 71 Feet Of South 3 Feet of Lot 2, Block 3, Thorpe & Lien's Addition</i>	\$497.36
8.	Parcel No. 95-370-0020 Located at 305 6 th Street SE Described as Section 14, Township 119, Range 35 HONG & KILAND'S ADDITION TO WILLMAR <i>Southerly 47 Feet of Lot 1</i>	\$453.69
9.	Parcel No. 95-320-0410 Located at 500 13 th Street SW Described as Section 15, Township 119, Range 35, Lot 1, Block 4 HIGHLAND PLACE IN THE CITY OF WILLMAR	\$842.79
10.	Parcel No. 95-740-1330 Located at 416 Trott Avenue SE Described as Section 14, Township 119, Range 35, Block 9 SPICER'S ADDITION TO WILLMAR <i>West 50 Feet of East 100 Feet of Lots 1 & 2 & of North 40 Feet of Lot 3</i>	\$5,902.12
11.	Parcel No. 95-870-0010 Located at 500 Industrial Drive SW Described as Section 16, Township 119, Range 35, Block 1 WILLMAR INDUSTRIAL PARK <i>Lot 1 Except all that Part Lying Southwesterly of a Line Drawn Northwesterly at Right Angles to the Southeasterly Line of Lot 1 From a Point on Said Southeasterly Line Which is 160 Feet Northeasterly of the Most Southerly Corner of Said Lot 1</i>	\$916.99
12.	Parcel No. 95-803-0320 Located at 224 25 th Street SE Described as Section 13, Township 119, Range 35, Lot 13, Block 2 TERRAPLANE ESTATES	\$1,310.14
13.	Parcel No. 95-220-1930 Located at 410 Ann Street SE Described as Section 14, Township 119, Range 35, Block 13 FERRING'S ADDITION TO THE CITY OF WILLMAR <i>Lot 3 & North 15 Feet of Lot 4</i>	\$352.65
14.	Parcel No. 95-003-6700 Located at 402 9 th Street SW Described as Block 55 WILLMAR, TOWN OF (ORIGINAL) <i>East 75 Feet of Lot 1 & East 75 Feet of Lot 2</i>	\$152.79
15.	Parcel No. 95-820-1000 Located at 521 9 th Street NW Described as Section 10, Township 119, Range 35, Block 5	\$248.66

*THORPE & LIENS ADDITION TO THE CITY OF WILLMAR
The South 50 Feet of North 150 Feet of East 218 Feet of Lot 4*

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| 16. | Parcel No. 95-662-0240
Located at 819 Olena Avenue SE
Described as Section 14, Township 119, Range 35, Lot 24, Block 1
<i>PERKINS' SECOND ADDITION TO THE CITY OF WILLMAR</i> | \$458.89 |
| 17. | Parcel No. 95-090-0290
Located at 819 7 th Street SW
Described as
<i>BOOTH'S ADDITION TO WILLMAR
Block C North Half of Lot 9 & All of Lot 10 Except
North 10 Feet</i> | \$547.80 |
| 18. | Parcel No. 95-250-1990
Located at 932 2 nd Street SE
Described as Section 14, Township 119, Range 35, Lot 9, Block 9
<i>GLARUM'S ADDITION TO WILLMAR</i> | \$560.92 |
| 19. | Parcel No. 95-184-0840
Located at 512 13 th Street SE
Described as Section 14, Township 119, Range 35, Block 6
<i>ERICKSON'S THIRD ADDITION TO THE CITY OF WILLMAR
Lot 4 & North Half of Lot 5</i> | \$2151.25 |
| 20. | Parcel No. 95-003-3130
Located at 311 Benson Avenue SW
Described as Section 15, Township 119, Range 35, Block 29
<i>WILLMAR, TOWN OF (ORIGINAL)
Lot 6 Except the Southerly 67.5 Feet and Also Except the
Southerly 6 Feet of the Northerly 82.5 Feet of the Easterly
4 Feet 9 Inches Thereof</i> | \$274.68 |

Dated this 17th day of October 2022.

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2022-140

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 July 1 through September 30, 2022.

\$800.00	Kensington Bank - Bench Swansson Field	Bench Swansson Field
\$300.00	Ridgewater College	Kids Summer Camp
\$100.00	Darlene Bratberg	Fire Explorers
\$1,000.00	Kristina Swanson - Fire Explorers	Fire Explorers
\$28,000.00	Willmar Baseball Association	Orange Field Berm Project
\$100.00	5 Star Walts, LLC	Senior Lunch Day
\$250.00	Dooley's Petroleum Inc.	Senior Lunch Day
\$100.00	Hormel Financial Service Corp	Senior Lunch Day

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

Dated this 17th day of October 2022

/s/ Marv Calvin

MAYOR

Attest:

/s/ Judy Thompson

CITY CLERK