

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

January 12, 2015
7:00 p.m.

City Clerk Kevin Halliday, Chief Officer in charge of voting for the City of Willmar, welcomed all those in attendance and asked the newly-elected Council Members for the City to come forward. City Clerk Kevin Halliday then presented to Council Members Andrew Plowman, Ron Christianson, Rick Fagerlie and Audrey Nelsen Certificates of Election. City Clerk Kevin Halliday then asked the newly elected Mayor to step forward and presented to Mayor Marv Calvin a Certificate of Election. The Honorable Judge Jennifer K. Fischer, Judge of District Court, officiated the Swearing-in Ceremonies of the Mayor and Council Members and the signing of the Oaths of Office.

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 Calvin, Council Members Ron Christianson, Andrew Plowman, Denis Anderson, Steve Ahmann, Rick Fagerlie, Jim Dokken, Audrey Nelsen and Tim Johnson; Present 9, Absent 0.

Also present were City Administrator Charlene Stevens, City Clerk Kevin Halliday, Police Chief Jim Felt, Finance Director Steve Okins, Planning and Development Services Director Bruce Peterson, Fire Chief/Fire Marshal Gary Hendrickson, Community Education and Recreation Director Steve Brisendine and City Attorney Robert Scott.

Mayor Calvin called on Reverend Don Reigstad to give the invocation.

Mayor Calvin offered a brief message to the citizens of Willmar thanking them for their support stating his goal is to develop an atmosphere where we can all pull together making Willmar an even better place to live, work, and raise our families.

There were no additions or deletions to the agenda.

The Mayor and Council considered a number of biennial organizational resolutions. The first item considered was the election of a Mayor Pro Tempore. Council Member Christianson was nominated by Council Member Dokken. Council Member Anderson was nominated by Council Member Nelsen.

Mayor Calvin requested Council Members vote by paper ballot. The results were tallied by City Clerk Kevin Halliday who reported that Council Member Christianson was elected. (Six votes were tallied for Council Member Christianson cast by himself, Council Members Dokken, Plowman, Ahmann, Johnson and Fagerlie. Council Member Anderson received two votes cast by himself and Council Member Nelsen.).

Resolution No. 1, was introduced by Council Member Fagerlie, seconded by Council Member Ahmann reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 1, with Council Member Nelsen voting against.

RESOLUTION NO. 1

WHEREAS, the Charter of the City of Willmar, a municipal corporation of the State of Minnesota, provides that in the absence or disability of the Mayor, an Acting Mayor shall be appointed by action of the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar as follows:

That during the years 2015 and 2016, should the Mayor, the Honorable Marvin Calvin, be absent or unable to act as such Mayor, that Council Member Ron Christianson be and is hereby appointed as Acting Mayor to act in all said circumstances and as set forth in the Charter of the City of Willmar.

Dated this 12th day of January, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

The Mayor and Council considered options for parliamentary rules. Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2
ADOPTION OF RULES OF ORDER

WHEREAS, the Willmar City Charter Section 2.11, Subdivision 2, requires the Willmar City Council to adopt an authorized set of parliamentary rules and that the rules adopted by the City Council shall be applicable to all Commissions, Boards and Committees.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Willmar that The Standard Code of Parliamentary Procedure is hereby adopted as the parliamentary code of rules for this Council and its municipal Commissions, Boards and Committees.

Dated this 12th day of January, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

The Council discussed the 2015 - 2016 Standing Committee appointments for members of the Council. Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Dokken, 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, Minnesota, that the 2015 through 2016 Standing Committee appointments for members of the Council shall be provided in the list of appointments as follows:

Labor Relations Committee:	Chair:	Ahmann
	Vice Chair:	Dokken
		Christianson
		Anderson
Finance Committee:	Chair:	Anderson
	Vice Chair:	Johnson
		Fagerlie
		Dokken

Community Development Committee: Chair: Fagerlie
Vice Chair: Plowman
Nelsen
Johnson

Public Works/Safety Committee: Chair: Christianson
Vice Chair: Nelsen
Ahmann
Plowman

Dated this 12th day of January, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

The Council followed up by discussing the appointment of Council Members as liaisons to various boards and commissions. Council members were asked by Mayor Calvin if they were willing to continue the assignment of liaison as previously assigned. Mayor Calvin noted that normally the Mayor was a member of the Economic Development Commission, but former Mayor Yanish chose not to be. Mayor Calvin requested he be considered for the Commission.

During discussion of appointments to the Kandiyohi County and City of Willmar Economic Development Commission, a four-way contest emerged as to who would serve as voting members and who would be the alternate in the event that one of the appointees was unable to attend. Council Member Christianson made a motion to vote on the alternate for the Economic Development Commission. Council Fagerlie seconded the motion, which carried

Council members voted by paper ballot and City Clerk Kevin Halliday declared Council Member Ahmann was elected as the alternate. (Council Member Ahmann received three votes from Council Members Fagerlie, Nelsen and Anderson. Council Member Anderson received two votes from Council Members Ahmann and Plowman; and Mayor Calvin received two votes from Johnson and Christianson. Council Member Dokken submitted a "no vote" on his ballot.)

Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Ahmann, 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, Minnesota, that the 2015 through 2016 Council Liaison appointments for members of the Council shall be provided in the list of appointments as follows:

Airport Commission: Dokken

Community Education/Recreation
Joint Powers Board and Park Board: Johnson
Nelsen

Economic Development Commission: Anderson
Christianson
Mayor Calvin
Alternate: Ahmann

Fire Code Appeals Board:Chair:	Mayor Pro Tempore
Vice Chair:	Anderson
Mid-Minnesota Development Commission:	Fagerlie
Municipal Utilities Commission:	Dokken
Alternate:	Plowman
Human Rights Commission:	Anderson
Pioneerland Library System:	Anderson
Rice Hospital Board:	Nelsen
Alternate:	Ahmann
Central Community Transit Board	Fagerlie
	Calvin
Vision 2040 Committee:	Calvin
Willmar Cable Advisory Board:	Christianson
	Anderson
Willmar Convention and Visitors Bureau:	Nelsen
Willmar Community and Activity Center Council:	Johnson
Willmar Downtown Development:	Fagerlie
Kandiyohi County HRA:	Ahmann
Alternate:	Christianson

Dated this 12th day of January, 2015.

/s/ Marv Calvin
 Mayor

/s/ Kevin Halliday
 Attest: City Clerk

Regularly scheduled meeting dates and times for City Council meetings were discussed. It was pointed out by staff that the recommendation is to continue to meet on the first and third Mondays of each month with exception of if that Monday falls on a legal holiday, the Council shall meet the following Tuesday.

Resolution No. 5 was introduced by Council Member Christianson, seconded by Council Member Ahmann, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the regular semi-monthly meetings of the City Council shall be held at 7:00 p.m. on the first and third Mondays of each month during the next two years with the exception of if the first or third Monday is a legally recognized holiday, the Council meeting shall be rescheduled to the next Tuesday, and that the regular place of said meetings shall be in the Council Chambers of the Municipal Utilities Building, 700 Litchfield Avenue Southwest, Willmar, Minnesota; and

BE IT FURTHER RESOLVED that the time for adjournment of said Council meetings shall be no later than 11:00 p.m. with the following exceptions:

1. An item of business under consideration at 11:00 p.m. may be disposed.
2. Business from the first meeting of the month will be carried over to the second meeting if necessary.
3. Any business not completed at the second meeting of the month, which is urgent and must have action will be adjourned to a special meeting.

Dated this 12th day of January, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

City Clerk Kevin Halliday informed the Council that as required by Minnesota Statute, it is necessary for the City to designate a legal newspaper for 2015-2016. Staff's recommendation is to approve the "West Central Tribune" as the legal newspaper for the next two years. Staff was directed to obtain a current audit from the "West Central Tribune" as to the percentage of household penetration. This will be provided to the Council by memorandum.

Resolution No. 6 was introduced by Council Member Anderson, seconded by Council Member Nelsen, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 6

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, a municipal corporation of the State of Minnesota, that the "West Central Daily Tribune" of Willmar, Minnesota, be designated as the legal newspaper for the City of Willmar and that the fees set by State Statutes for legal publications be accepted.

Dated this 12th day of January, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Resolution No. 7, appointing a responsible authority for the City of Willmar, was introduced by Council Member Christianson, seconded by Council Member Fagerlie, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 7

APPOINTING A RESPONSIBLE AUTHORITY

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 12th day of January, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Council Member Ahmann offered a motion adopting the Consent Agenda which included the following: City Council Minutes of December 15, Rice Hospital Board Minutes of December 17, Municipal Utilities Commission Minutes of December 22, Application for Exempt Permit – Rocky Mountain Elk Foundation, Application for Exempt Permit – Minnesota Ducks Unlimited, Application for Exempt Permit – Willmar Fests, Inc., Accounts Payable through December 31, Building Inspection Report for December, Willmar Police Commission Minutes of November 17, Willmar Area Lakes CVB Minutes of November 18, and Citizens Cable Advisory Committee Minutes of December 18, 2014. Council Member Anderson seconded the motion, which carried.

Mayor Calvin acknowledged that no one had signed up to address the City Council during its scheduled Open Forum but reinforced the direction to enforce the three-minute time limit.

The proposed 2015 Fee Schedule which establishes fees for City services, permits and licenses, and rental rates for City equipment was presented to the Council for consideration. Following discussion, Resolution No. 8 was introduced by Council Member Dokken, seconded by Council Member Christianson, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 8

RESOLUTION ESTABLISHING FEES FOR SERVICE

WHEREAS, the City Council of the City of Willmar duly establishes fees for service, sets fees for permits and licenses, and establishes rental rates for City equipment.

NOW, THEREFORE, BE IT RESOLVED that the below listed fees be duly adopted for the year 2015 and the same hereby ordered kept on file in the office of the City Clerk-Treasurer.

CITY CLERK:

Liquor License Investigation Fees:

Sole Proprietor

\$100.00

Partnership	150.00
Corporation	300.00
Limited Liability Company	300.00

Liquor Licenses:	
On-Sale Liquor	\$4,000.00 per year
Off-Sale Liquor	950.00 per year
Club On-Sale Liquor	300.00 per year
On-Sale Wine	200.00 per year
On-Sale Sunday	200.00 per year
On-Sale 3.2% Malt Liquor	150.00 per year
Temporary On-Sale Liquor	100.00 per year
On-Sale Taproom	150.00 per year
Off-Sale Taproom	150.00 per year

PUBLIC WORKS:

Maintenance Trucks:

3 -5 Ton Trucks	\$ 35.00/hour
1 Ton Truck	18.00/hour
3 -5 Ton Truck/Plow/Sander	41.00/hour
3 -5 Ton Truck/Plow/Sander/Wing	55.00/hour
1 Ton Truck Plow	27.00/hour
½-3/4 Ton Pickup	17.00/hour
1 Ton /Water Tank	27.00/hour

Tractors, Loaders, Motor Graders:

2 -3 CY Loaders	\$ 82.00/hour
Loader/Plow/Wing	102.00/hour
Loader/Snow Blower	122.00/hour
Motor Grader	96.00/hour
Motor Grader/One-Way Plow	102.00/hour
Motor Grader/One-Way Plow/Wing	115.00/hour
40-50 Hp Tractor	21.00/hour
40-50 Hp Tractor/Attachments	35.00/hour
MT Trackless/Blower/Mower	61.00/hour
90 Hp Tractor/22' Flail Mower	55.00/hour
30-40 Hp Unit Mower/Blower/Sweeper	35.00/hour
Skid-Loader	35.00/hour
Skid-Loader/Attachments	50.00/hour
Snowplowing Sidewalks (incl. labor and equipment)	0.60/LF

Specialty Equipment:

Air Conveyance Unit	\$ 55.00/hour
Elgin Sweeper (4 CY)	\$ 70.00/hour
Hydraulic Sewer Cleaner	68.00/hour
Sewer Rodder	41.00/hour
Paint Sprayer	9.00/hour
Paint Sprayer and 1 Ton Truck	27.00/hour
50' Bucket Truck	70.00/hour
30' Bucket Truck	41.00/hour
Brush Chipper	29.00/hour
Tamper	9.00/hour
Bituminous Distributor and Truck (less material)	50.00/hour
Bituminous Roller	55.00/hour

Grass and Leaf Pickup Broom	29.00/hour
Chain Saws	10.00/hour
Trailers	12.00/hour
Over Seeder	29.00/hour
Turf Pro	29.00/hour
Gator and Sprayer	27.00/hour
Generator	9.00/hour
Trash Pumps	9.00/hour
Utility Vehicle with Crane Hoist	42.00/hour
Air Compressor	25.00/hour

Materials:

Winter Sand Mixed with Salt	\$55.00 CY
Gravel	20.00/Ton
Bituminous Cold Mix	105.00/Ton
Chalk Dust (50lb. bag)	7.00/bag
Diamond Dry (50lb. bag)	13.00/bag
Bituminous Repair (incl. labor and equipment)	55.00/SY

Facilities or Equipment:

Bleachers – 3 or 5 High	\$27.00/day
Minimum moving charge	75.00/day
Picnic Tables – Rental per table (12 maximum) (for pickup only-no delivery)	10.00/day
Barricades	\$ 2.00/day
Minimum charge for hauling barricades	20.00
Lights for ball fields	\$25.00/day for each field

Labor:

Regular	Contract rate plus 53%
Overtime	Contract rate plus 53%

Access Fees:

Industrial Park Storm Pond	\$ 835.00/acre
Lake North <u>Radio Station Drive</u> Lift Station	595.00/acre
Arby's Lift Station	1,050.00/acre
Ortenblad Lift Station	247.91/lot
Abbott Drive, Lift Station	895.00/acre

Wastewater Treatment:

5,000 gallon tanker with hydraulic boom:	\$ 30.00/hour
Portable Lab Sampler	\$ 5.00/hour

Airport:

Conference Room	\$40.00/non-airport related meetings
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COMMUNITY EDUCATION AND RECREATION:

Adult recreation programs will charge cost of program, officials, balls, sanctioning fees, etc., plus \$7.00 per team court fee for volleyball/basketball and \$10.00 per team field fee for softball.

Baseball/Softball Fields	Minimum \$ 50.00 or \$30.00 per game With a 250.00 daily rate
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Robbins Island Enclosed Shelters \$75.00 ~~100.00~~/day April – November
and \$50.00 damage deposit

Open Shelter No. 1 (has electricity) \$32.00/day and \$50.00 damage deposit

Open Shelter No. 2 & Lions Shelter (no electricity) \$20.00/day and \$50.00 damage deposit

Showmobile:

Events in Willmar (not for profit) \$215.00/day + staff expenses
(Plus Clean-up/Damage Deposit) 200.00

Plus Staff Costs
Events in Willmar (for profit) \$500.00/day + staff expenses

Civic Center:

Dry floor events \$580.00/day

Ice Rental 140.00/hour \$145.00/hour

Blue Line

Dry Floor events \$400.00/day

Ice Rental \$145/hour

Aquatic Center:

Individual season pass \$ 85.00

Family of 2 125.00

Family of 3 135.00

Family of 4 145.00

Family of 5 155.00

Family of 6 165.00

Each Additional Family Member 15.00

Daily Admission Rate 3.00

Observers 3.00

Group Admission 2.50

Discount Coupons:

10 Coupons \$ 25.00

20 Coupons 45.00

Pool Rental:

2-hour minimum \$100.00 per hour plus guard/staff fees

FIRE DEPARTMENT:

Firefighter hours that are billed are taken directly from the roll call list.

Firefighters receive a \$14.30 per hour and are paid in one-hour increments.

Equipment:

	<u>First Hour</u>	<u>Additional Hour</u>
1 st line pumper - 5251, 5257 and 5258	\$300	\$200/hour
Tanker/pumpers 5276	300	200/hour
Ladder truck – 5299 and <u>5298</u>	500	400/hour
Grass rig - 5285	150	100/hour
Support Vehicles – 5296, 5297	75	50/hour
Trailers	75	50/hour

Equipment charges are billed by the quarter hour as time listed on the fire report, after initial one-hour charge.

Special equipment and supplies used will be billed on a cost basis.

A 25% administrative fee will be added to fire watch/standby conducted by the Fire Department for special events and any standby conducted during fire protection/detection system downtime (as described in the Minnesota State Fire Code).

Fire Alarm Permit	\$ 30.00
Fire Alarm Permit Renewals	\$ 30.00 every 3 years
Alarm Malfunction	\$500.00
3000 PSI (only) air tank filling fee	\$15.00
Fire Reports	\$ 0.25/page plus postage

POLICE DEPARTMENT:

\$60.00 per hour for off-duty police officers
 \$ 1.40 Automated Pawn Transaction Fee-each electronic reportable transaction

Contracted Towing (Per tow)	\$ 45.00 per towed vehicle
	\$ 61.52 towing administrative fee
	\$ 8.48 tax
Base Total	\$115.00

Possible extra tow costs depending upon circumstances involved:

\$160.00 per hour for "extra work" labor
 \$160.00 per hour for flat hourly tow rate
 \$ 5.50 per mile outside of City limits
 \$ 10.00 per day storage fee after 48 hours

Dated this 12th day of January, 2015.

/s/ Marv Calvin
 Mayor

/s/ Kevin Halliday
 Attest: City Clerk

City Clerk Kevin Halliday presented Change Order No. 4 with ECCO Midwest, Inc. in the amount of \$1,425.00. The change order includes the unforeseen obstacle of plumbing and electrical wires in the vertical ductwork in the northwest and southwest corners of the gymnasium causing additional time to cut away ductwork while protecting the plumbing and electrical infrastructure costing. City Clerk Kevin Halliday also touched on the quantity of dumpsters needed, which was included in the original bid, for information only. Staff's recommendation is to approve the change order.

Resolution No. 9 was introduced by Council Member Anderson, seconded by Council Member Ahmann, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 9

BE IT RESOLVED by the City Council of the City of Willmar that the agreement with ECCO Midwest, Inc., of Hastings, Minnesota, for the Willmar Auditorium Remediation services project, be amended with Change Order No. 4 as follows:

WHERE AS, unforeseen plumbing and electrical wires present in vertical ductwork caused additional time to protect this infrastructure, increasing the total project cost by \$1,425.

BE IT FURTHER RESOLVED that the Mayor and City Administrator be authorized to execute the necessary documents on behalf of the City for this Change Order No. 4.

Dated this 12th day of January, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

The Mayor and Council considered an Agreement with Dovre Township for fire suppression services. City Clerk Kevin Halliday explained that six sections of Dovre Township are under an annual contract for Willmar Fire Department service. Staff was recommending the Council approve the Dovre Township contract and authorize the Mayor and City Administrator to execute the agreement.

Resolution No. 10 was introduced by Council Member Anderson, seconded by Council Member Dokken, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 10

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into an Agreement for Fire Department services between Dovre Township and City of Willmar effective January 1, 2015, and terminating December 31, 2015.

Dated this 12th day of January, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

The City Council was asked to consider the additional of a fourth channel to the Willmar Regional Access Channels. Due to a high volume of programming and recent additions in recording of community events, Willmar Regional Access Channels is requesting the addition of a fourth channel. The channel would be slated as an "Events and Local Programming Channel." This is allowed under City Charter, but the City is required to provide notice to Charter and Windstream.

Resolution No. 11 was introduced by Council Member Christianson, seconded by Council Member Fagerlie, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 11

BE IT RESOLVED by the City Council of the City of Willmar to authorize the addition of a fourth channel from Charter Communications and Windstream Communications Inc. to the Willmar Regional Access Channels.

Dated this 12th day of January, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

There were no announcements for Committee meeting dates

There being no further business to come before the Council, the meeting adjourned at 8:40 p.m. upon motion by Council Member Anderson, seconded by Council Member Ahmann, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL