

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

May 18, 2015
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 Ron Christianson, Andrew Plowman, Denis Anderson, Rick Fagerlie, Jim Dokken, Audrey Nelsen, Steve Ahmann and Tim Johnson; Present 9, Absent 0.

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

Mayor Calvin requested an addition to the agenda at the end of the meeting of correspondence received from the League of Minnesota Cities.

Council Member Anderson offered a motion adopting the Consent Agenda as presented which included the following: City Council Minutes of May 4, Labor Relations/City Council Minutes of May 13, Municipal Utilities Commission Minutes of May 11, Planning Commission Minutes of May 13, Accounts Payable Report through May 14, Willmar Community and Activity Center Minutes of May 8, Willmar Police Commission Minutes of May 23, and the Building Report for the Month of April, 2015. Council Member Ahmann seconded the motion.

Mayor Calvin asked Police Chief Jim Felt to come forward to recognize the retirement of Police Sergeant Michael Markkanen. Police Chief Felt gave a brief biography of Sgt. Markkanen's 30-plus years of dedication to the police force and the community. Sgt. Markkanen spoke recognizing the many Police Chiefs and Mayors he has worked with during his career. His entire adult life has been spent in Willmar and he is looking forward to changing gears and enjoying a new career or retirement. Mayor Calvin thanked him for his years of service and presented Sgt. Markkanen a token of appreciation for his many years of services.

At 7:07 p.m. Mayor Calvin opened the Assessment Hearing for the 2015 Street and Other Improvements. Public Works Director Sean Christensen reviewed the projects included with a PowerPoint Presentation. He described the payment process for assessments and detailed the proposed construction of each street segment. Some areas are proposed to be reconstructed; others consist of a mill and overlay, and installation of street lighting on 12th Street SE. The total project cost is in excess of \$2 million with the assessed value of about \$415,668, with the remaining cost to be paid by the City.

City Clerk Kevin Halliday read aloud a letter of appeal into the record from Evelyn Stewart of 2204 SW 21st Street.

There being no one present to speak for or against the projects, Mayor Yanish closed the hearing at 7:22 p.m.

Resolution No. 1, Calling for the Adoption of the Proposed Assessment Roll, was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

ADOPTING ASSESSMENT ROLL

WHEREAS, pursuant to notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for 2015 Street and Other Improvements, and has amended such proposed assessment as it deems just;

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

1. Such proposed assessment, the sum of \$415,667.64, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein is hereby found to be benefited by the proposed improvement listed as Project 1501.
2. Such assessments shall be as follows:
 - A. The assessments shall be payable in equal annual installments extending over a period of ten (10) years, the first of said installments to be payable with general taxes for the year 2015, collectible with such taxes during the year 2016.
 - B. To the first installment shall be added interest at the rate of four and zero hundredths (4.00) percent per annum on the entire principal amount of the assessment from the date of funding, approximately July 1, 2015, until December 31, 2016. To each subsequent installment, when due there shall be added interest for one year at said rate on the unpaid principal amount of the assessment.
 - C. The owner of any property so assessed may at any time prior to the certification of the assessment or the first installment thereof to the County Auditor (Treasurer), pay the whole of the principal amount of the assessment on such property with interest accrued to the date of payment to the City Clerk-Treasurer, except that no interest shall be charged if the entire assessment is paid by October 31, 2015, and such property owner may at any time prior to November 15 of any year pay to the City Clerk-Treasurer the entire principal amount.
3. The City Clerk-Treasurer shall forthwith transmit a certified duplicate copy of this assessment to the County Auditor to be extended on the tax list of the County.

Dated this 18th day of May, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

At this time it was staff's recommendation to proceed with awarding the four contracts for the projects associated with the aforementioned assessed costs.

Resolution No. 2 awarding Project No. 1501-A was introduced by Council Member Christianson, seconded by Council Member Dokken, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Duininck Inc. of Prinsburg, Minnesota for Project No. 1501-A is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$637,404.41.

Dated this 18th day of May, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Resolution No. 3 awarding Project No. 1503-A was introduced by Council Member Anderson, seconded by Council Member Fagerlie, 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 bid of Duininck Inc. of Prinsburg, Minnesota for Project No. 1503-A is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$414,105.00.

Dated this 18th day of May, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Resolution No. 4 awarding Project No. 1503-B was introduced by Council Member Christianson, seconded by Council Member Ahmann, 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 bid of Duininck Inc. of Prinsburg, Minnesota for Project No. 1503-B is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$148,912.27.

Dated this 18th day of May, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Resolution No. 5 awarding Project No. 1509 Street Lighting was introduced by Council Member Fagerlie, seconded by Council Member Dokken, reviewed by Mayor Calvin, 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, a Municipal Corporation of the State of Minnesota, that the bid of Willmar Municipal Utilities of Willmar, Minnesota for Project No. 1509 is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$9,335.20.

Dated this 18th day of May, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Mayor Calvin acknowledged Scott Johnson, 3326 Eagle Ridge Drive West, who came before the Council to speak during the Open Forum stating he hopes the new City Administrator realizes they are working for all Council Members and the Mayor. You cannot run a City when you are not all working together and treating everyone with respect. Appreciates the fact the Mayor stepped up and did what he had to do.

Warren Erickson, 1607 Upper Trentwood Circle, stated he attended the last Labor Relations Committee meeting and was very impressed with the communication between the Council. Later when he was out of town he heard about the open mic comment that was recorded at that meeting. He stated his disappointment, and went on to request that whomever made the comment have the decency and professionalism to stand up during this meeting and apologize as it puts a negative light on the rest of the Council Members. He also wholeheartedly asked Council Members, that when their term is up, not to run again. It's time for a change and new blood.

Wayne Nelson, 1505 Hansen Drive SW, came before the Council on behalf of the Recall Ron Committee to present to City Clerk Halliday the official Certificate of Intent to recall Council Member Ron Christianson as a Ward Two office holder. He read verbatim the alleged grounds for recall.

Joe Ridler, 1912 SW 20th Avenue, read the history of the Charlene Stevens path to a separation agreement. He urged the Mayor to step up and clarify for the public that he was the person who started the process of the voluntary separation.

Gary Gilman, 500 NW 34th Street, spoke on two issues. The first was to address the misguided Recall Committee with a few comments. He stated what this committee is doing is damaging and tarnishing the City's image. There is no benefit to the City for this plot and they are not entitled to a second chance at the expense of the public before the next general election. He then went on to ask what the holdup is on the \$600,000 to \$700,000 owed to the City by the FAA.

Linda Kacher, 1407 Country Club Drive, came before the Council to urge all citizens of Ward Two not to sign the recall petition due to its lack of merit, substance and intent. She spoke to show her support for Council Member Ron Christianson and feels this petition is nothing but an effort to capitalize on the public's emotional response on the departure of the former Administrator. Those administering this campaign are causing irreparable damage to the City.

Jessica Rohloffs, 3501 SE 15th Avenue, wanted to remind everyone to vote on the school referendum and the polls are open from 7:00 a.m. to 8:00 p.m. at the WEAC Building.

Sue Quist, 1451 Hansen Drive SW, commented on the lack of trust since 2012 between some of our elected officials, staff and others. An email from the Chamber Director to our former City Administrator that was discovered broke that trust. She submitted the November 7, 2012 email to the Mayor, Council, City Clerk, "West Central Tribune" and radio station as public record in hopes that the media will research it so the public has full and accurate information. She stated she trusts Ron Christianson and thanked him and the other four majorities for doing an excellent job and serving the people making sure our tax dollars are fully accounted.

Art and Alice Johnson, 1912 SW 22nd Avenue, came forward tonight to lend support to their Council Member and neighbor, Ron Christianson. They wanted to thank him for his honesty and integrity to the City of Willmar.

Carrie Moe, 1420 Trott Avenue SW, stated she is proud of all the Council and it's a pleasure to see the process of American politics at work. She is somewhat disappointed at the pettiness of some issues being discussed, yet shares compassion with their line of duties.

Mike Reese, 505 SE 21st Street, wanted to clarify one thing, that our local news media mistakenly says our former City Administrator was fired. She was not fired, she resigned.

Terry Reimer, 1907 SW 9th Street, spoke in support of Ron Christianson. He believes the problem goes way beyond the former Administrator. He feels Mr. Christianson opposes spending money downtown and there is a group of people want to move an agenda forward downtown that have an interest in it, namely the Moving Willmar Forward Group. In his opinion, they have an interest in getting their buildings fixed for nothing and the public is going to pay for it.

Jon Marchand, 6310 Hutton Street, Brooten, MN, a Council Member on the Brooten City Council for about nine years. He feels he is acquainted with how elected government works. You always have to treat your citizens with respect, and that was not on display the night of the Labor Relations Committee. He feels the person responsible for the comment should step forward with an apology.

The Finance Committee Report for May 11, 2015 was presented to the Mayor and Council by Council Member Anderson. There were six items for consideration.

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

Item No. 2 Staff presented the proposed amended preliminary budget for the 2015 Street Improvement Program in the amount of \$2,138,231. It was noted that as bids are received on various projects included in the 2015 Street Program, the budget is amended accordingly. The Committee was recommending the Council approve the amended preliminary budget for the 2015 Street Improvement Program, in the amount of \$2,138,231.

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

RESOLUTION NO. 6
PRELIMINARY 2015 STREET IMPROVEMENTS BUDGET

OTHER SERVICES:		RECEIVABLES:	
Mntc. Of Other Improvements	\$1,706,370.00	Assessments Property Owners	\$410,356.00
Other Services	<u>\$170,637.00</u>	Community Investment	\$989,644.00
TOTAL	\$1,877,007.00	State Aid	\$476,221.00
		LOST	\$179,945.00
		WTP	\$50,782.00
OTHER CHARGES		MUC	<u>\$31,283.00</u>
Professional Services	\$242,455.00	TOTAL	\$2,138,231.00
Other Charges	<u>\$18,769.00</u>		
TOTAL	\$261,224.00		
		FINANCING:	
		Bonds	\$1,400,000.00
		State Aid	\$476,221.00
		LOST	\$179,945.00
		WTP	\$50,782.00
		MUC	<u>\$31,283.00</u>
		TOTAL	\$2,138,231.00
GRAND TOTAL	\$2,138,231.00	GRAND TOTAL	\$2,138,231.00

Dated this 18th day of May, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 4 Staff explained to the Committee that Kandiyohi County has submitted thirty-eight properties forfeited to the State of Minnesota for non-payment of taxes for the years 2008 to 2013. The County Board has placed an appraised value on each parcel. The Willmar City Assessor has reviewed each parcel and has noted a higher value on each parcel as recorded for tax purposes and that the listed price is simply prior special assessments plus prior year taxes. The County values will be the starting bid price at the annual auction of forfeited land. It was noted that additional money would remain with the County so no higher values would benefit the City of Willmar. If there are no objections to the value on each parcel, the Council must sign the documents and return them to Kandiyohi County.

The Committee recommended the Council accept the values stated by Kandiyohi County for the thirty-eight properties forfeited to the State of Minnesota as presented. Council Member Anderson moved the recommendation of the Committee, with Council Member Dokken seconding the motion, which carried.

Item No. 5 The Committee received the following reports: 04/30/15 Convention & Visitors Bureau, 1st Quarter, 2015, Interest/Dividends, Received, 1st Quarter, 2015, Investment Activity, 03/31/15 Investment/Cash Portfolio, Ten-Year Historical Investments Balances By Quarter, and Ten-Year Historical Interest/Dividends by Quarter. This matter was received by the Council for information only.

Item No. 6a. Staff noted that it had previously been determined by all parties involved in the negotiation that the 2015 Intergovernmental Transfer Agreement with the Willmar Municipal Utilities would terminate after 12/31/15 so the additional wording "...or until such time the parties shall reach a new agreement..." needs to be removed from the original agreement. Copies of this agreement showing this revision were distributed to the Committee. Following discussion, the Committee recommended the Council approve the revised 2015 Intergovernmental Transfer Agreement with the Willmar Municipal Utilities as presented. Council Member Anderson made a motion to approve the agreement as supported by the Committee. Council Member Dokken seconded the motion, which carried.

Item No. 6b. Staff distributed copies of Amendment No. 2 to MnDOT Grant Agreement No. 03960 for 2015 Airport Maintenance and Operation. It was noted that MnDOT revised the amount to be reimbursed to the City of Willmar to \$54,863 which is an increase of \$3,227 over the original agreement. This matter was taken for information only.

The Finance Committee Report for May 11, 2015, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Dokken, and carried.

The Public Works/Safety Committee Report for May 12, 2015 was presented to the Mayor and Council by Council Member Christianson. There were six items for consideration.

Item No. 1 There were no public comments.

Item No. 2 Police Chief Jim Felt noted the jail census for May 12, 2015 was 144; 81 inmates from the Department of Corrections and 63 inmates from Kandiyohi County. The calls for service for the previous two weeks totaled 733. The majority of the calls were for traffic stops, followed by public assists and crashes. The total calls for service so far this year is approximately 285 calls ahead of 2014 at this date. There has been an increase in graffiti and thefts of property taken from unlocked cars.

Item No. 3 Chief Felt presented, for approval, the replacement of three Chevrolet Impala squad cars with three Ford Police Interceptor utility vehicles with a change in graphics. The vehicles are identified for replacement in accordance with the 2015 Capital Outlay Program. \$112,881.00 was budgeted for the vehicles, which includes their decommission, outfitting, marking and upgrading equipment. The Police Department has been using the Impala squad cars for several years but they are no longer being offered by the manufacturer. The Ford utility vehicle is equipped with a fuel efficient V6 engine, all-wheel drive, allowing for better handling in the winter months, and the Police equipment would be stored in a climate controlled area and kept at operating temperature with the increase of interior space. The Committee was recommending the Council approve the purchase of three Ford Police Interceptor utility vehicles with graphic changes in the amount of \$112,881.00.

Resolution No. 7 was introduced by Council Member Christianson, seconded by Council Member Ahmann, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 7

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the purchase of three Ford Interceptor utility vehicles with graphics changes is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$112,881.00.

Dated this 18th day of May, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 4 Staff presented, for approval, an agreement with the County for access to the GIS data license. The GIS system provides the ability to give geographical data and positional quality on a map. It details the City's parcels and layers of visibility specifying transportation and boundary limits. The data license agreement allows the City the use of the system, at a bi-annual cost of \$5,035.98 for flyover imaging and an annual cost of \$18,323.60 for the GIS data. It was the recommendation of the Committee to the Council to approve the agreement contingent upon receiving details of the changes within the agreement for the GIS data license access.

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

RESOLUTION NO. 8

Whereas Kandiyohi County has prepared a proposal for work identified as the inventory mapping of City parcels with layers of visibility using GIS (Geographic Information System) data and license authorization for the City of Willmar; and

Whereas an agreement has been prepared authorizing use of the GIS data;

Now therefore be it resolved by the City Council of the City of Willmar that said agreement be approved and that the Mayor and City Administrator be authorized to execute the same.

Dated this 18th day of May, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 5 Staff brought forth, for approval, the purchase of two Ford F-150 pickups for the Engineering Department in accordance with the 2015 Capital Improvement Plan. The pickups will be purchased through Nelson Auto Center, Inc. with the Southwest/West Central Service Cooperative in the amount of \$25,337.42 per unit, totaling \$50,674.84 with tax and license added at a later date. \$74,706.00 was budgeted for the replacements and the current units, a 1999 F-150 and a 2001 Chevrolet Silverado, will be sold on the City Auction. The recommendation of the Committee to the Council was to approve the replacement of the Engineering pickups with two Ford F-150's from Nelsen Auto Center, Inc. in the amount of \$50,674.84.

Resolution No. 9 was introduced by Council Member Christianson, seconded by Council Member Nelsen, 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, a Municipal Corporation of the State of Minnesota, that the purchase of two Ford F-150 pickups is accepted through the Southwest/West Central Service Cooperative, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$50,674.84.

Dated this 18th day of May, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 6 It was noted staff is working on finalizing the recommendation of a consultant for the Facilities Master Plan, and will be brought to the Committee at the May 26th meeting. One of the Robbins Island buildings is possibly in need of gutters to protect the siding from rotting. Frost boils were discussed on Oxford Drive SE, with repairs to be done on the Public Works patching schedule. The Committee discussed the use of the trees at the brush site for a company out of Litchfield to be used for turkey bedding. These items were received by the Council for information.

The Public Works/Safety Committee Report for May 12, 2015, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Christianson, seconded by Council Member Nelsen, and carried.

The Community Development Committee Report for May 14, 2015 was presented to the Mayor and Council by Council Member Fagerlie. There were six items for consideration.

Item No. 1 There were no public comments.

Item No. 2. Staff presented three documents relating to the business development infrastructure grant which was awarded to the City for work at the MinnWest Campus. As that project moves forward, several documents are required to keep the project on schedule. The documents reviewed by the Committee included a Development Agreement with MinnWest dealing with property conveyance, payment of construction costs, and grant administration. The second document was a Management Agreement between the City and MinnWest for the management of the property. It shifts all maintenance responsibility

under the grant and project to MinnWest. Further, the agreement indemnifies the City from any claims. The third document is an easement from the City to Kandiyohi County that grants them perpetual access to the County properties adjacent to the grant site. The easement is being redrafted as a license agreement.

The Committee's recommendation to the Council was to approve the Development Agreement, and to authorize the Mayor and City Administrator to execute the document. Council Member Fagerlie made the motion to accept the Development Agreement and authorize its execution by the City. Council Member Christianson seconded the motion, which carried.

The Committee was also recommending the Council approve the Management Agreement and authorize the Mayor and City Administrator to execute the document. Council Member Fagerlie made a motion to approve the Management Agreement and authorize its execution by the City. Council Member Christianson seconded the motion, with carried.

An additional recommendation of the Committee to the Council was to approve the license agreement/easement with Kandiyohi County, and to authorize the Mayor and City Administrator to execute the document. Council Member Fagerlie made a motion to approve the license agreement/easement with Kandiyohi and authorize its execution by the City. Council Member Christianson seconded the motion, with carried.

Item No. 3 Staff presented a purchase agreement submitted by JDB Properties, LP for the acquisition of the terminal building and site. The property at the former airport totals 4.51 acres and includes the former terminal building and accessory structure. The Committee discussed how the purchase price was arrived at. Staff said that a previous purchase agreement had been written for \$260,000.00 with all buildings remaining on the site. Since that time, it has been determined that the main building existing on the site represented a liability and the remediation cost to remove the structure and restore the site was estimated at \$70,000.00. Due to the liability to the property, the purchase price was written down to \$190,000.00. Staff recommended that the purchase agreement be accepted. The City Attorney had offered some comments for minor changes to the purchase agreement, such as incorporating contingencies that staff had suggested previously to the buyer. Those contingencies included an easement for the beacon, passage of an Ordinance authorizing the sale, and the final FAA land release approval. The Committee was recommending the Council approve the purchase agreement with the noted contingencies, and to proceed with the Ordinance to finalize the sale contingent on the final land release.

A motion was made by Council Member Fagerlie to approve the purchase agreement with inclusion of the noted contingencies and to proceed with the ordinance to finalize the sale contingent on the final land release. Council Member Dokken seconded the motion, which carried.

Item No. 4 Staff presented photos of a property at 810 Campbell Avenue Northwest showing the condition of the structure. It was in obvious disrepair and in need of demolition. In July 2014, the City had issued a permit to the property owner for the demolition of the structure. Since that time, the property has changed ownership and the new owner was subsequently advised in April that the structure needed to be removed or action would be taken to seek removal. It has not been demolished as proposed, and it is beyond the point of salvage. The Committee was recommending the Council declare the house at 810 Campbell Avenue Northwest as unsafe and to initiate the removal proceedings.

Council Member Fagerlie moved the recommendation of the Committee to declare the house unsafe and initiate the removal proceedings. Council Member Christianson seconded the motion, which carried.

Item No. 5 The Committee reviewed and discussed a development proposal for 313 4th Street Southwest. Being proposed was a new water service to the building that would be constructed as part of the municipal improvement process. In order to proceed, the property owner has agreed to file a petition for improvement and a waiver of special assessments, and also to execute an Agreement for Utilities and Public Improvements to allow the project to be assessed with security posted by the developer. It is anticipated that

the total cost of the project will be in the \$15,000 to \$17,000 range. The City had been seeking a way to assist the project and the best method identified by staff was to include the service line from the main to their building as part of the City improvement project and to assess them for the work. Bond counsel has indicated that the project can be included as a municipal project and that costs can be assessed. Quotes are being taken for the work. It was the Committee's recommendation to verify ownership and order the improvement.

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

RESOLUTION NO. 10

VERIFYING OWNERSHIP OF PROPERTY AND ORDERING WATER SERVICE IMPROVEMENTS (AND DIRECTING PREPARATION OF PLANS AND SPECIFICATIONS).

WHEREAS, a Petition for Improvements has been filed by Historic 313 on Fourth, LLC for water service improvements at 313 4th Street Southwest.

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

1. Ownership of the property by petitioner is hereby verified.
2. It is advisable, expedient, and necessary that said improvements as described in the Petition for Improvements thereon be constructed and the same are hereby ordered made.
3. The improvements described in said Petition for Improvements are hereby designated and shall be known as 2015 Water Service Improvements.
4. The City's Engineer is hereby directed to prepare final plans and specifications for said improvements.
5. The City Council shall let the contract for all or part of the work for said improvements or order all or part of the work done by day labor or otherwise as authorized by Minnesota Statutes, Section 429.041, Subdivision 2, within year of the date of this resolution ordering said improvements.

Dated this 18th day of May, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

In order to proceed, the Committee was also recommending the Council execute an Agreement for Utilities and Public Improvements to allow the project to be assessed with security posted by the developer. Council Member Fagerlie made a motion to enter into an Agreement for Utilities and Public Improvements and to authorize its execution by the Mayor and City Administrator. Council Member Nelsen seconded the motion, which carried.

Item No. 6 The Committee and Staff briefly discussed conditions and enforcement activities for the mobile home parks and the John's Supper Club Building. This was received by the Council for information only.

The Community Development Committee Report for May 14, 2015, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Fagerlie, seconded by Council Member Nelsen, and carried.

Planning and Development Director Bruce Peterson brought forth for consideration an ordinance to rezone from R-2 (One and Two Family Residential) to GB (General Business). Mr. Peterson explained the proposal that went before the Planning Commission last week concerns the former Dairy Queen property on East Highway 12. The property has historically been zoned R2 for residential use. The business existed there as a non-conforming use because it was surrounded primarily by residential structures. The Planning Commission approved the rezone as abutting properties to the north are zoned GB and it's in keeping with the Comprehensive Plan, as the site has historically been commercial for decades. A motion was made by Council Member Fagerlie, seconded by Council Member Anderson to introduce the rezoning ordinance for a hearing on June 1, 2015. The motion carried.

The Mayor's addition to the agenda of the League of Minnesota Cities Insurance Trust training correspondence was distributed to the Council. Mayor Calvin stated that at the Labor Relations Committee the motion was made to have the Mayor work with the League of Minnesota Cities. Mayor Calvin asked that the group be expanded to include Labor Chair Steve Ahmann, Interim City Administrator Kevin Halliday, as well as himself.

Announcements for Council Committee meeting dates were as follows: Finance, 4:45 p.m. at City Hall, June 8; Public Works/Safety, 4:45 p.m. at City Hall, May 26; and Labor Relations, 4:45 p.m. at City Hall, May 27, 2015.

Council Member Ahmann offered a motion to adjourn the meeting with Council Member Anderson seconding the motion, with carried. The meeting adjourned at 8:38 p.m.

Attest:

MAYOR

SECRETARY TO THE COUNCIL