

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

January 6, 2020
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 Rick Fagerlie, Shawn Mueske, Kathy Schwantes, Vicki Davis, Fernando Alvarado, Julie Asmus, Andrew Plowman, and Audrey Nelsen. Present 9, Absent 0.

Also present were Interim City Administrator Brian Gramentz, Police Chief Jim Felt, Finance Director Steve Okins, Planning and Development Services Director David Ramstad, Public Works Director Sean Christensen, Park and Recreation Director Rob Baumgarn, Fire Chief Frank Hanson, Human Resource Director Samantha Beckman, 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 Mueske seconded the motion which carried.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of December 16, 2019
- B. Willmar Municipal Utilities Board Minutes of December 23, 2019
- C. Planning Commission Minutes of December 18, 2019
- D. Application for Appointment - Cole Erickson to the Municipal Utilities Commission
- E. Application for Exempt Permit – Friends of the Kandiyohi County Willmar Public Library
- F. Application for Exempt Permit – MN Ducks Unlimited MN001
- G. Accounts Payable Report for December 12 – December 31, 2019
- H. Application for Appointment to Planning Commission – Khalif Ahmed Bashir
- I. Invest in Willmar Board Minutes of November 13, 2019

Council Member Fagerlie offered a motion to approve the Consent Agenda. Council Member Nelsen seconded the motion which carried.

There was no one present to speak during the Open Forum.

The Public Works/Safety Committee Report for December 18, 2019 was presented to the Mayor and Council by Council Member Plowman. There were two items for consideration.

Item No. 1 It was the recommendation of the Committee to adopt the resolution to enter into a contract with Widseth Smith Nolting as the Architect for the Invest in Willmar Project: Recreation Fields with architect and engineering services of 7.0%.

Resolution No. 2020-001 Authorizing the Agreement with Widseth Smith Nolting for Architectural and Engineering Services for the Invest in Willmar Project: Recreation Field was introduced by Council Member Plowman. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

It was the recommendation of the Committee to adopt the resolution to enter into a contract with LSE Architects as the Architect for the Invest in Willmar Project: Recreation/Event Center (Civic Center location) with architect and engineering services of 5.95%.

Resolution No. 2020-002 Authorizing the Agreement with LSE Architects for Architectural and Engineering Services for the Invest in Willmar Project: Recreation/Event Center was introduced by Council Member Plowman. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

It was the recommendation of the Committee to adopt the resolution to enter into a contract with Widseth Smith Nolting as the Architect for the Invest in Willmar Project: Swansson Field with architect and engineering services of 7.0%.

Resolution No. 2020-003 Authorizing the Agreement with Widseth Smith Nolting for Architectural and Engineering Services for the Invest in Willmar Project: Swansson Field was introduced by Council Member Plowman. Council Member Alvarado seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

The Committee discussed the firm selection process of proposals submitted by qualifying firms, negotiation of fees, grants or additional funding sources for project overages and the subcommittees working with the firms to develop a vision for the projects.

Item No. 2 It was the recommendation of the Committee to approve Change Order No. 2 for the Robbins Island Four Season Shelter project in the amount of \$3,177.72. The change order resulted from labor and material for raising the valve stem assemblies approximately 30 feet away from the building. The change order will be funded from the project's contingency fund.

Resolution No. 2020-004 Accepting Change Order No. 2 for the Robbins Island Four Season Shelter Project was introduced by Council Member Plowman. Council Member Alvarado seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

The Public Works/Safety Committee Report of December 18, 2019, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Plowman. Council Member Nelsen seconded the motion which carried.

The Labor Relations Committee Report for December 20, 2019 was presented to the Mayor and Council by Council Member Mueske. There was one item for consideration.

Item No. 1 Staff presented updated Drug and Alcohol Testing policies recommended by the League of MN Cities. The Federal Motor Carrier Safety Administration (division of DOT) has created a National Drug and Alcohol Testing Clearinghouse for CDL drivers that goes into full effect January 6, 2020. This will require all CDL drivers to be registered and tracked in the online Clearinghouse database so employers can ensure that drivers have no drug or alcohol related violations and/or verify that mandatory return-to-duty rehabilitation has been completed. The League provided updated drug and alcohol policies that account for the new Clearinghouse requirement. It was the recommendation of the Committee to adopt the updated policies.

Council Member Mueske offered a motion to adopt the Drug and Alcohol Testing for Commercial Drivers Policy as recommended by Committee. Council Member Schwantes seconded the motion which carried.

Council Member Mueske offered a motion to adopt the Drug and Alcohol Testing for Non-Commercial Drivers Policy as recommended by Committee. Council Member Schwantes seconded the motion which carried.

The Labor Relations Committee Report of December 20, 2019, was approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Mueske. Council Member Fagerlie seconded the motion which carried.

Fire Chief Frank Hanson presented a request to approve a resolution opting to increase the benefit level for Firefighters who are vested in the voluntary Statewide Volunteer Firefighter (SVF) Retirement Plan. The increase is from \$4,000 per year of good service to \$5,000 per year of good service beginning January 1, 2020. Chief Hanson stated the Council had approved this increase at the December 16, 2019 Council meeting by motion, and it was determined this required approval by resolution.

Resolution No. 2020-005 Increasing Firefighter PERA Benefit Level was introduced by Council Member Mueske. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Human Resource Director Samantha Beckman presented a request to approve a resolution allowing non-union employees and Supervisors to exceed their pay scale maximum in order to receive the ten (10%) percent increase due to health insurance changes and adopt the 2020 Base Pay Schedule. Ms. Beckman stated the Council had approved this action at the December 16, 2019 Council meeting by motion, and it was determined this required approval by resolution.

Resolution No. 2020-006 Approving Non-Union Employees' 2020 Base Pay was introduced by Council Member Mueske. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Human Resource Director Samantha Beckman presented a request to approve the Supervisor Memorandum of Agreement (MOA) including the Administrative Assistant to the City Administrator in the Supervisor Unit.

Resolution No. 2020-007 Authorization to Execute Memorandum of Understanding with the Supervisor Unit was introduced by Council Member Mueske. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 7, Noes 1. Council Member Nelsen voted "no".

Human Resource Director Samantha Beckman presented a request to approve the Supervisor Memorandum of Agreement (MOA) adjusting wages for 2020.

Resolution No. 2020-008 Authorization to Execute Memorandum of Agreement with the Supervisor Unit for 2020 Base Wages was introduced by Council Member Plowman. Council Member Mueske seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Calvin stated the Council appoints various members/liaisons to the Boards and Commissions of the City biennially. Due to time constraints, Mayor Calvin has provided his resignation from the Central Community Transit (CCT) Joint Powers Board effective December 31, 2019. Mayor Calvin stated Council Member Asmus has submitted her name for consideration to replace the Mayor for the remainder of his term.

Following discussion, **Resolution No. 2020-009 Appointment of Council Liaison Position** was introduced by Council Member Schwantes. Council Member Alvarado seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0. Council Member Asmus abstained.

City Clerk Judy Thompson presented a request to approve the On-Sale Intoxicating 3.2% Liquor License and On-Sale Wine Liquor License through the year ending April 25, 2020 for Giovanni's Pizza under the name Two Knight LLC dba Giovanni's Pizza.

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

City Clerk Judy Thompson presented a request to approve the State Application and Permit for a 1-Day to 4-Day Temporary On-Sale Liquor License for the Minnesota Ducks Unlimited Inc. to sell alcohol during the Minnesota State Ducks Unlimited Convention from February 6 – 9, 2020 at the Willmar Holiday Inn & Conference Center.

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

City Clerk Judy Thompson presented a request to approve the Civic Center Arena Special Event by On-Sale Liquor License Holder Permit for the Willmar Curling Club who will hold a 3-day Curling Bonspiel on January 17, 18, and 19, 2020 with plans to serve alcohol. A Civic Center Arena Special Event Permit is required to distribute or consume alcohol on Civic Center grounds for this event.

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

Council Member Asmus offered the following comments: wished everyone a Happy New Year and she looks forward to the New Year on Council.

The upcoming Committee meetings will be as follows: Public Works/Safety Committee – no meeting scheduled; Finance Committee – Thursday, January 9 at 5:15 p.m.; Community Development Committee – Monday, January 13 at 5:15 p.m., and; Labor Relations Committee – Monday, January 27 at 6:15 p.m.

Council Member Fagerlie offered a motion to adjourn the meeting with Council Member Mueske seconding the motion which carried. The meeting adjourned at 7:20 p.m.

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 2020-001

RESOLUTION AUTHORIZING THE AGREEMENT WITH WIDSETH SMITH NOLTING FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE INVEST IN WILLMAR PROJECT: RECREATION FIELD.

Motion By: Plowman Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar to approve an agreement with Widseth Smith Nolting for architectural and engineering services for the Recreation Fields with an A&E service of 7.0%.

Dated this 6th day of January 2020

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 2020-002

RESOLUTION AUTHORIZING THE AGREEMENT WITH LSE ARCHITECTS FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE INVEST IN WILLMAR PROJECT: RECREATION/EVENT CENTER.

Motion By: Plowman Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar to approve an agreement with LSE Architects for architectural and engineering services for the Recreation/Event Center with an A&E service of 5.95%.

Dated this 6th day of January 2020

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 2020-003

RESOLUTION AUTHORIZING THE AGREEMENT WITH WIDSETH SMITH NOLTING FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE INVEST IN WILLMAR PROJECT: SWANSSON FIELD.

Motion By: Plowman Second By: Alvarado

BE IT RESOLVED by the City Council of the City of Willmar to approve an agreement with Widseth Smith Nolting for architectural and engineering services for the Swansson Field with an A&E service of 7.0%.

Dated this 6th day of January 2020

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 2020-004

A RESOLUTION ACCEPTING CHANGE ORDER NO. 2 FOR THE ROBBINS ISLAND FOUR SEASON SHELTER PROJECT.

Motion By: Plowman Second By: Alvarado

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 of the City of Willmar are hereby authorized to modify the contract for the Robbins Island Four Season Shelter project between the City of Willmar and RAM General Contracting of Winsted, Minnesota by Change Order No. 2 in the increased amount of \$3,177.72.

Dated this 6th day of January, 2020

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 2020-005
RESOLUTION TO INCREASE FIREFIGHTER PERA BENEFIT LEVEL

Motion By: Mueske Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, to increase the firefighter Public Employees Retirement Association (PERA) retirement benefit level to \$5,000 per year of good service beginning January 1, 2020.

BE IT FURTHER RESOLVED that the Mayor and City Administrator of the City of Willmar are hereby authorized to exercise all documents necessary with PERA to increase the firefighter retirement benefit level to \$5,000 per year of good service.

Dated this 6th day of January, 2020.

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 2020-006

RESOLUTION APPROVING NONUNION EMPLOYEES' 2020 BASE PAY

Motion By: Mueske Second By: Nelsen

WHEREAS, the City Council must approve base pay for City of Willmar (City) nonunion employees for calendar years in which it has not taken formal action on such items.

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

1. The base pay for nonunion employees be increased by 10% above such employees' base pay as of December 31, 2019, effective January 1, 2020 even if such increase results in a nonunion employee's base pay exceeding the maximum of the pay range for their position's pay grade.
2. Other components of base pay for nonunion employees for calendar year 2020 include the following:
 - A. A base pay increase of up to an additional 4% may be given to an employee based upon the employee's years of service and a satisfactory performance review. If such an increase would result in an employee's base pay exceeding the maximum of the pay range for their position's pay grade, the employee will be paid base pay that is the maximum of the pay range for their position's pay grade.
 - B. An additional base pay increase will not be given for a poor performance review. A poor performance review will require the employee and the direct supervisor to develop a performance improvement plan and should be reviewed again with-in six months in order to determine whether a base pay increase should be given.
3. The City of Willmar 2020 Base Pay Schedule attached hereto and incorporated herein by reference in its entirety is approved
4. Any employee whose base pay as of January 1, 2020 exceeds the maximum of the pay range for their position's pay grade will continue to be paid such base pay.
5. This resolution supersedes all current or prior policies addressing the subject matters addressed in this resolution.

Dated this 6th day of January, 2020

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 2020-007

AUTHORIZATION TO EXECUTE MEMORANDUM OF UNDERSTANDING WITH THE SUPERVISOR UNIT

Motion By: Mueske Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Memorandum of Understanding with the Supervisor Unit to include the position of Administrative Assistant to the City Administrator in the Supervisor Unit is hereby approved and the Mayor and City Administrator are authorized to sign.

Dated this 6th day of January, 2020.

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 2020-008

**AUTHORIZATION TO EXECUTE MEMORANDUM OF AGREEMENT
WITH THE SUPERVISOR UNIT FOR 2020 BASE WAGES**

Motion By: Plowman Second By: Mueske

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Memorandum of Understanding with the Supervisor Unit to set 2020 Base Wages is hereby approved and the Mayor and City Administrator are authorized to sign.

Dated this 6th day of January, 2020

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 2020-009

APPOINTMENT OF COUNCIL LIAISON POSITION

Motion By: Schwantes Second By: Alvarado

WHEREAS, the Willmar City Council adopted Resolution 19-003 on January 7, 2019 and therein appointed Mayor Marv Calvin to fill one of the two seats on the Central Community Transit Joint Powers Board, with such term to expire on December 31, 2020; and

WHEREAS, Mayor Calvin has submitted his resignation from the Central Community Transit Joint Powers Board effective December 31, 2019, thereby creating a vacancy on the Joint Powers Board on such date.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Willmar, Minnesota, that Council Member Asmus be appointed to fill the vacancy on the Central Community Transit Joint Powers Board created by Mayor Calvin's resignation, with such appointment to be effective January 6, 2020.

Dated this 6th day of January, 2020.

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK