

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

January 21, 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, Fire Chief Frank Hanson, Planning and Development Services Director Dave Ramstad, Park and Recreation Director Rob Baumgarn, Human Resource Director Samantha Beckman, City Clerk Judy Thompson, City Planner Sarah Swedburg, and City Attorney Robert Scott.

Proposed additions and deletions to the agenda included: Mayor Calvin stated that Representative Dave Baker was unable to attend the meeting tonight so his presentation will be scheduled for a later date. Mayor Calvin asked that the Mayor's State of the City Address be added to the agenda.

Council Member Mueske moved to approve the agenda, as amended. Council Member Plowman seconded the motion which carried.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of January 6, 2020
- B. Willmar Municipal Utilities Board Minutes of January 13, 2020
- C. Planning Commission Minutes of January 8, 2020
- D. Application for Appointment – Khalif Ahmed Bashir to Planning Commission
- E. Application for Exempt Permit – Willmar Sertoma Club
- F. Application for Exempt Permit – Kandiyohi Friends of NRA
- G. Application for Exempt Permit – Willmar Senior High Trap Team
- H. Parks and Recreation Board Minutes of December 18, 2019
- I. Building Report for the Month of December, 2019

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 this time, Mayor Calvin presented to the Council, staff, and public the Mayor's 2020 State of the City Address (a copy of which is contained in the Council proceedings file).

No one was present to speak during the Open Forum.

The Finance Committee Report for January 9, 2020 was presented to the Mayor and Council by Council Member Nelsen. There were five items for consideration.

Item No. 1 Staff explained that in the past, the City collected the excise tax portion of the local option sales tax. Since the City adopted Ordinance 1436, which established the Local Option Sales Tax, the State of Minnesota has changed the rules which would allow the Minnesota Commissioner of Revenue to collect motor vehicle excise taxes at the same time as the collection of the Local Option Sales Tax. This process would make the collection more efficient and require less administrative time per City staff. The City Attorney has

noted that internet sales are to be charged sales tax and that wording should be put in place to automatically incorporate future state statute changes to local option sales taxes. The City Attorney has drafted an amended Ordinance incorporating all three of these changes.

It was the recommendation of the Committee to introduce an ordinance to amend Ordinance 1436 for the Collection of the Motor Vehicle Excise Tax, for the addition of Internet Sales, and for added wording incorporating future State Statute changes to local option sales taxes and to set a public hearing.

Council Member Nelsen offered a motion to **introduce an Ordinance Deleting and Replacing in Its Entirety City Code Chapter 5, Article IV, Enacting a Sales and Use Tax and a Motor Vehicle Excise Tax** and set a public hearing for February 3, 2020 at 7:01 p.m. Council Member Asmus seconded the motion which carried.

Council Member Nelsen offered a motion to approve publication of said Ordinance Deleting and Replacing in Its Entirety City Code Chapter 5, Article IV, Enacting a Sales and Use Tax and a Motor Vehicle Excise Tax by summary due to the length and cost of publishing entire Ordinance. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 2 Staff noted that the Willmar Area Community Foundation (WACF) had received excess donations of \$75,000 for the Destination Playground. The Destination Playground Committee has been working with City staff to make several enhancements to the playground area. One of the major enhancements would be to provide a shade structure to the area of the playground/equipment that is exposed to the sun. The Willmar Area Community Foundation (WACF) will donate to the City a sum not to exceed \$75,000 for the purpose of reimbursing the City for the costs incurred by the City to purchase and install at the playground up to four permanent shade structures for the playground's southern and western elevations, in such specific quantity as recommended by the playground executive team. The cost of four shade structures with shipping is \$47,108 and labor to install the four shade structures is \$18,677 for a total cost of \$65,785. The excess funds would be used to relocate the wiring to the four season shelter for the cameras and electrical.

It was the recommendation of the Committee to introduce a resolution to accept the donation of \$75,000 from the Willmar Area Community Foundation for the shade structure project at the Destination Playground.

Resolution No. 2020-010 Authorizing the Acceptance of a Donation Not to Exceed \$75,000 for the Shade Structure Project at Robbins Island Destination Playground was introduced by Council Member Nelsen. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

It was also the recommendation of the Committee to introduce a resolution to adopt a budget of \$75,000 for installing the shade structures at the Destination Playground.

Resolution No. 2020-011 2020 Preliminary Budget - Destination Playground - Shade Structure Total Cost \$75,000 was introduced by Council Member Nelsen. Council Member Plowman seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 3 The Destination Playground Committee has been working with City staff to make several enhancements to the playground area. WACF will donate to the City a sum not to exceed \$15,000 for the purpose of reimbursing the City for the costs incurred by the City to purchase and install at the Destination Playground permanent signage, garbage management and beautification facilities, selfie swing enhancements, a water filtration system or shed for the playground misters and drinking fountains, and to restore and install custom art pieces. It was noted that the filtration system main unit will be housed in the four season shelter with the RO system located in the shed. The cost of the filtration system is \$5,750 and the cost of the shed will be \$2,000. The remaining \$7,250 will be used for signage, trash management and other improvements to the playground.

It was the recommendation of the Committee to introduce a resolution to accept the donation of \$15,000 from the Willmar Area Community Foundation for the signage, trash management, and water filtration/shed project at the Destination Playground.

Following discussion, **Resolution No. 2020-012 Authorizing the Donation Not to Exceed \$15,000 for Signage, Trash Management and Water Filtration Shed for the Destination Playground** was introduced by Council Member Nelsen. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

It was also the recommendation of the Committee to introduce a resolution to adopt a budget of \$15,000 for the signage, trash management, and water filtration/shed project at the Destination Playground.

Resolution No. 2020-013 2020 Preliminary Budget - Destination Playground - Water/Miscellaneous Budget Total Cost \$15,000 was introduced by Council Member Nelsen. Council Member Plowman seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 4 The current Fund Balance Policy was provided to the Committee for their annual review. Finance Director Okins presented a brief overview of the various fund balance information. This policy will be discussed at the next Finance Committee meeting. This item was for information only.

Item No. 5 The current Investment Policy was provided to the Committee for their annual review. This policy will be discussed at the next Finance Committee meeting. This item was for information only.

The Finance Committee Report of January 9, 2020, was approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Nelsen. Council Member Asmus seconded the motion which carried.

The Community Development Committee Report for January 13, 2020 was presented to the Mayor and Council by Council Member Fagerlie. There were two items for consideration.

Item No. 1 For committee information and feedback, staff presented preliminary drafts of eight incentives and zoning policies for discussion. The incentive and zoning policy package is part of the proposed overlay zoning district that is tentatively named the Renaissance Zone. Staff sought Committee feedback and to receive permission to begin vetting the draft incentives and policies through internal and external stakeholders. Since there is a significant amount of information in the packet, staff requested that specific and detailed feedback from Committee members be provided after the meeting, through email or redlined hardcopies of the documents. John Harren and Municipal Utilities staff were in attendance and showed support for processes that may lead to the environmental clean-up and ultimate preservation of the soon-to-be decommissioned WMU plant. Mr. Harren also mentioned that they are investigating ways that the Municipal Utilities Commission may also help incentivize development in Willmar's new Renaissance Zone. Aaron Backman was present and expressed support for the Renaissance Zone overlay as a reinforcement of the Opportunity Zone, and that City investment through incentives is very necessary in order to spur private investment in the center of the city. If certain development thresholds are met, the Renaissance Zone incentive package includes: Tax Abatement Incentives; free building permits; SAC, WAC & signage, and land use permits; free City-owned land incentive; heritage designation incentives; matching/forgivable loans for commercial facade renovations; removal of holiday/weekend parking restrictions; relaxing of bar license requirements. Staff also presented an outline of policies that would make the Renaissance Zone Overlay an Open Zone, where all proposals would be considered for approval by the Committee and Planning Commission, prior Council approval of any incentives, and before the issuance of building permits. Staff hopes to begin the vetting process by Wednesday, January 22nd. After vetting, staff will work with City Attorney Robert Scott to finalize the draft incentives into adoptable City policies and ordinances. Then, staff will return to the Development Committee with a council action request to receive further feedback and/or a motion to proceed to the City Council.

It was the recommendation of the Committee to approve Staff's request to continue developing the Renaissance Zone incentives and begin vetting the documents with internal and external stakeholders.

Council Member Fagerlie offered a motion to approve the Committee's recommendation. Council Member Mueske seconded the motion which carried.

Item No. 2 Staff highlighted some of the department's achievements mentioned in the Council biweekly update of January 13th, including total 2019 construction volume of \$63M, a number of first annual cultural events that were initiated last year, progress being made to increase department automation, among others. This item was for information only.

The Community Development Committee Report of January 13, 2020, was approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Fagerlie. Council Member Davis seconded the motion which carried.

City Clerk Judy Thompson presented a request to introduce an ordinance granting access to multi-unit housing structures and certain private roads by United States Census Bureau employees. Ms. Thompson stated according to the State Demographer's Office, renters are the most likely group to be missed in the 2020 Census. Renter households are more likely to contain historically undercounted individuals, and people in rental housing are more likely to live in multi-unit buildings which are difficult for Census enumerators to access when they are trying to follow-up in person to non-responding households. Several cities and counties are adopting such an ordinance to ensure a more accurate count for their communities.

Council Member Plowman offered a motion to **introduce an Ordinance Granting Access to Multi-Unit Housing Structures and Certain Private Roads by United States Census Bureau Employees** and set a public hearing for February 3, 2020 at 7:02 p.m. Council Member Asmus seconded the motion which carried.

Council Member Plowman offered a motion to approve publication of said Ordinance Granting Access to Multi-Unit Housing Structures and Certain Private Roads by United States Census Bureau Employees by summary due to the length and cost of publishing entire Ordinance. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Planner Sarah Swedburg presented a request to adopt a resolution entering into the orderly annexation joint resolution agreement with Willmar Township. Ms. Swedburg stated this is the next step in pursuing the extension of public utilities for Epitopix, tied to the IBDPI grant received from Minnesota DEED. The area being proposed for annexation is approximately 80.91 acres and encompasses seven parcels. The Planning Commission and the Willmar Township Board have approved the annexation.

Resolution No. 2020-014 Authorization to Execute Orderly Annexation Joint Resolution was introduced by Council Member Fagerlie. Council Member Mueske seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Planner Sarah Swedburg presented a request to introduce an ordinance to rezone certain property from I-1 (Limited Industrial) to GB (General Business). Ms. Swedburg stated Wilson Tool & BRZ Vineyards (Bargains & Blessings) are the applicants requesting the rezoning of property with intention of commercial use of the subject property. The Planning Commission originally created a commercial corridor leading into the Industrial Park in 2018, and has again been approached to extend this commercial corridor to include additional properties with buildings and land characteristics that lend themselves to commercial use rather than industrial use. The Planning Commission has approved this request.

Council Member Fagerlie offered a motion to **introduce an Ordinance to Amending Municipal Ordinance No. 1060, the Willmar Zoning Ordinance** and set a public hearing for February 3, 2020 at 7:03 p.m. Council Member Schwantes seconded the motion which carried.

Human Resource Director Samantha Beckman presented a request to adopt a resolution approving the Memorandum of Agreement including the Deputy Fire Chief in the Supervisor Unit.

Resolution No. 2020-015 Authorization to Execute Memorandum of Understanding with the Supervisor Unit was introduced by Council Member Alvarado. Council Member Mueske seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Davis offered the following comments: she is looking forward to sitting in the shade at Robbins Island.

Council Member Alvarado offered the following comments: encouraged everyone to get involved with activities throughout the community that are offered by the Recreation Department and various activities held at the City Auditorium.

Council Member Asmus offered the following comments: asked if there is a need for help removing the decorations at Robbins Island and, if so, please help out with the beautiful weather forecasted for this weekend.

Mayor Calvin asked Recreation Director Rob Baumgarn to find out if and when volunteers are needed.

Council Member Fagerlie offered the following comments: he has heard good things from staff in regard to the snow ordinance.

The upcoming Committee meetings will be as follows: Finance Committee – Thursday, January 23rd at 5:15 p.m.; Public Works/Safety Committee – Wednesday, January 22nd at 5:15 p.m.; Labor Relations Committee – Monday, January 27th at 6:15 p.m.; and Community Development Committee – no meeting scheduled at this time.

Council Member Fagerlie offered a motion to adjourn the meeting with Council Member Mueske seconding the motion which carried. The meeting adjourned at 7:33 p.m.

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 2020-010

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DONATION NOT TO EXCEED \$75,000 FOR THE SHADE STRUCTURE PROJECT AT ROBBINS ISLAND DESTINATION PLAYGROUND

Motion By: Nelsen Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar to approve acceptance-of a donation for shade structures at Robbins Island Destination Playground, not to exceed \$75,000.

Dated this 21st day of January, 2020

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 2020-011
2020 PRELIMINARY BUDGET – Destination Playground-Shade Structure
TOTAL COST \$75,000.00

*Budget Amounts are Essential

Motion By: Nelsen

Second By: Plowman

Code

PERSONNEL SERVICES

- 10* Salaries Reg. Employees
- 11* Overtime Reg. Employees
- 12* Salaries Temp. Employees
- 13* Employer Pension Contr.
- 14* Employer Ins. Contr.

TOTAL **\$0.00**

RECEIVABLES

- Assessments Prop Owners
- Community Investment
- MSA
- MUC
- WTP
- Fed Aid
- Other

\$75,000.00

TOTAL **\$75,000.00**

SUPPLIES

- 20* Office Supplies
- 21* Small Tools
- 22* Motor Fuels & Lubricants
- 23* Postage
- 24 Mtce. of Equipment
- 25 Mtce. of Structures \$47,108.00
- 26 Mtce. of Other Improvements
- 27 Subsistence of Persons
- 28 Cleaning & Waste Removal
- 29* General Supplies

TOTAL **\$47,108.00**

FINANCING

- Bonds
- Fed Aid
- MSA
- WTP
- MUC

TOTAL **\$0.00**

GRAND TOTAL **\$75,000.00**

Dated this 21st day of January, 2020

OTHER SERVICES

- 33* Travel-Conf.-Schools
- 34 Mtce. of Equipment
- 35 Mtce. of Structures \$18,677.00
- 36* Mtce. of Other Impr.
- 37 Subsistence of Persons
- 38 Cleaning & Waste Removal
- 39* Other Services

TOTAL **\$18,677.00**

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

OTHER CHARGES

- 46* Prof. Serv.
- 48 Admin OH (Transfer)

| | |
|--------------------|--------------------|
| 49 Other Services | \$9,215.00 |
| TOTAL | \$9,215.00 |
| GRAND TOTAL | \$75,000.00 |

RESOLUTION NO. 2020-012

RESOLUTION AUTHORIZING THE DONATION NOT TO EXCEED \$15,000 FOR SIGNAGE, TRASH MANAGEMENT AND WATER FILTRATION SHED FOR THE DESTINATION PLAYGROUND.

Motion By: Nelsen Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar to approve acceptance-of a donation for signage, trash management and water filtration shed for the Robbins Island Destination Playground not to exceed \$15,000.

Dated this 21st day of January, 2020

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 2020-013

**2020 PRELIMINARY BUDGET - Destination Playground - Water/Miscellaneous Budget
TOTAL COST \$15,000.00**

*Budget Amounts are Essential

Motion By: Nelsen Second By: Plowman

Code

PERSONNEL SERVICES

10* Salaries Reg. Employees
11* Overtime Reg. Employees
12* Salaries Temp. Employees
13* Employer Pension Contr.
14* Employer Ins. Contr.

TOTAL **\$0.00**

RECEIVABLES

Assessments Prop Owners
Community Investment
MSA
MUC
WTP
Fed Aid
Other \$15,000.00

TOTAL **\$15,000.00**

SUPPLIES

20* Office Supplies
21* Small Tools
22* Motor Fuels & Lubricants

FINANCING

Bonds
Fed Aid

| | | | |
|--------------------------------|-------------------|--------------------|--------------------|
| 23* Postage | | MSA | |
| 24 Mtce. of Equipment | \$5,750.00 | WTP | |
| 25 Mtce. of Structures | \$2,000.00 | MUC | |
| 26 Mtce. of Other Improvements | | | |
| 27 Subsistence of Persons | | TOTAL | \$0.00 |
| 28 Cleaning & Waste Removal | | | |
| 29* General Supplies | | GRAND TOTAL | \$15,000.00 |
| TOTAL | \$7,750.00 | | |

Dated this 21st day of January, 2020

OTHER SERVICES

| | | | |
|-----------------------------|---------------|--------------------------|--|
| 33* Travel-Conf.-Schools | | | |
| 34 Mtce. of Equipment | | <u>s/s Marv Calvin</u> | |
| 35 Mtce. of Structures | | Mayor | |
| 36* Mtce. of Other Impr. | | | |
| 37 Subsistence of Persons | | Attest: | |
| 38 Cleaning & Waste Removal | | | |
| 39* Other Services | | | |
| TOTAL | \$0.00 | <u>s/s Judy Thompson</u> | |
| | | City Clerk | |

OTHER CHARGES

| | |
|------------------------|--------------------|
| 46* Prof. Serv. | |
| 48 Admin OH (Transfer) | |
| 49 Other Services | \$7,250.00 |
| TOTAL | \$7,250.00 |
| GRAND TOTAL | \$15,000.00 |

RESOLUTION NO. 2020-014

AUTHORIZATION TO EXECUTE ORDERLY ANNEXATION JOINT RESOLUTION

Motion By: Fagerlie 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 Mayor and City Administrator be authorized to execute the joint orderly annexation resolution with Willmar Township for the annexation relating to the EpiTopix project.

Dated this 21st day of January, 2020.

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 2020-015

AUTHORIZATION TO EXECUTE MEMORANDUM OF UNDERSTANDING WITH THE SUPERVISOR UNIT

Motion By; Alvarado

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 include the position of Deputy Fire Chief in the Supervisor Unit is hereby approved and the Mayor and City Administrator are authorized to sign.

Dated this 21st day of January, 2020.

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk