

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM
HEALTH AND HUMAN SERVICES BUILDING
& BY ELECTRONIC MEANS (GO TO MEETING)
WILLMAR, MINNESOTA

February 7, 2022
6:30 p.m.

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

Also present were City Administrator Leslie Valiant, Police Chief Jim Felt, Finance Director Steve Okins, Fire Chief Frank Hanson, Planning and Development Services Director Justice Walker, Interim Public Works Director Gary Manzer, 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 Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of January 18, 2022
- B. Willmar Municipal Utilities Commission Minutes of January 24, 2022
- C. Rice Hospital Board Minutes of December 1, 2021
- D. Park and Recreation Board Minutes of December 15, 2021
- E. Accounts Payable Report for December 30, 2021 - February 1, 2022
- F. **Resolution No. 2022-017 Approve Park and Recreation Board Bylaws**
- G. Appointment to Rice Hospital Board – Michael May MD
- H. Application for Exempt Permit - Rocky Mountain Elk Foundation
- I. **Resolution No. 2022-018 Purchase of Kubota RTV and Attachments** – Public Works Department
- J. Building Report for the Month of January, 2022
- K. Convention and Visitors Bureau Minutes of December 21, 2021
- L. Appointment to Airport Commission – Ryan Nelson
- ~~M. Appointment to Planning Commission – Jasmine Miller~~

Council Member Fagerlie offered a motion to approve the consent agenda. Council Member Ask asked that Item M. be pulled for discussion. Council Member Nelsen seconded the motion to approve the consent agenda items, with the exception of Item M., which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Ask asked for clarification in regards to the possibility of a conflict of interest for Ms. Miller as she is an employee of the City of Olivia, and being able to separate Planning Commission information from her position with the City of Olivia. Following discussion, City Attorney Scott suggested all information provided her be sent on her personal email rather than her work email. Council Member Ask then offered a motion to approve Item M. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Calvin read a letter received from William Fry, Willmar, during the Open Forum. Mr. Fry shared concerns with various conditions at the Willmar Airport.

Planning and Development Services Director Walker presented a request to authorize the City Administrator to direct staff to start the abatement application process with MinnWest Technology Campus.

Following discussion, Council Member Ask introduced **Resolution No. 2022-019 Authorizing Staff to Start Abatement Process for MinnWest.** Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Airport Manager Eric Rudningen presented a request to approve an Airport Apron Expansion Project to include design, bidding, and construction administration services proposal, Work Order No. 3, in the amount of \$150,000.

Following discussion, Council Member Fagerlie introduced **Resolution No. 2022-020 Authorization to Execute Agreement with Bolton and Menk Airport Apron Expansion Project.** Council Member Plowman seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Interim Public Works Director Manzer presented a request to authorize Amendment No. 2 to the 2022 Improvement Projects professional services agreement with Bolton and Menk, Inc. in the amount of \$207,012.

Following discussion, Council Member Fagerlie introduced **Resolution No. 2022-021 Accepting Contract Amendment No. 2 with Bolton and Menk, Inc. for the 2022 Construction Projects.** Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Interim Public Works Director Manzer presented a request to re-appropriate \$15,400 from the 2022 CIP Public Works Signal Pole Painting to fund the purchase of two docks for the boat landings at the Foot Lake and Willmar Lake access points.

Following discussion, Council Member Plowman introduced **Resolution No. 2022-022 Re-Appropriating Funds from Public Works Signal Pole Painting to the Public Works Docks Purchase for the Amount of \$15,400.** Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Interim Public Works Director Manzer presented a request to approve the Cooperative Construction Agreement with Kandiyohi County for the 7th Street NW Overlay Project No. 2203-C.

Following discussion Council Member Plowman introduced **Resolution No. 2022-023 Authorizing Entering Into Cooperative Construction Agreement Between the City and Kandiyohi County for Project No. 2203-C.** Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Interim Public Works Director Manzer presented a request to approve a shelter cancellation refund policy change to a ten (10) business day cancellation notice with appropriate fee applied. It was noted the Parks and Recreation Board approved the policy at their January 19, 2022, meeting.

Following discussion, Council Member Fagerlie introduced **Resolution No. 2022-024 Approving the Shelter Cancellation Policy Change.** Council Member Plowman seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Clerk Thompson presented a request to approve a premise permit for Willmar Hockey Association at the Foxhole Brewhouse Incorporated.

Council Member Fagerlie introduced **Resolution No. 2022-025 Requesting the Minnesota Gambling Control Board Approve the Application for a Premise Permit for the Willmar Hockey Association.** Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Clerk Thompson presented a request to approve a premise permit for Willmar Hockey Association at the Willmar Community Golf Club, Inc.

Council Member Fagerlie introduced **Resolution No. 2022-026 Requesting the Minnesota Gambling Control Board Approve the Application for a Premise Permit for the Willmar Hockey Association.** Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member O'Brien offered the following comments: "Thank You" to the Public Works Department for the great job on snow removal this winter.

Mayor Calvin announced the next agenda item is to enter into closed session for evaluation of performance of Leslie Valiant, City Administrator, pursuant to Minnesota Statute 13D05. Subd. 3(a).

At 7:36 p.m., Council Member O'Brien offered a motion to enter into closed session. Council Member Ask seconded the motion, which carried.

At 8:57 p.m., the Council entered into open meeting upon motion by Council Member Fagerlie. Council Member O'Brien seconded the motion, which carried.

Council Member Nelsen offered a motion to adjourn the meeting with Council Member O'Brien seconding the motion, which carried. The meeting adjourned at 8:57 p.m.

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 2022-017

A RESOLUTION APPROVING THE PARKS AND RECREATION BOARD BY-LAWS

Motion By: Fagerlie Second By: Nelsen

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 approve the Parks and Recreation Board By-Laws.

Dated this 7th Day of February, 2022

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2022-018

**A RESOLUTION APPROVING THE PURCHASE OF A KUBOTA RTV-X1100CWL-H
IN THE AMOUNT OF \$25,980.22.**

Motion By: Fagerlie Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, the purchase of a Kubota RTV-X1100CWL-H and accessories from Haug-Kubota, LLC is accepted through Sourcewell Purchasing Cooperative Contract No. 122220 and be it further resolved 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 total amount of \$25,980.22 after trade of a 2013 John Deere Gator.

Dated this 7th day of February, 2022

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2022-019

AUTHORIZE STAFF TO START ABATEMENT PROCESS FOR MINNWEST

Motion By: Ask Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Mayor and Administrator to direct staff to start the abatement process with the MinnWest Technology Campus Company.

Dated this 7th day of February, 2022

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2022-020

**AUTHORIZATION TO EXECUTE AGREEMENT WITH BOLTON AND MENK
AIRPORT APRON EXPANSION PROJECT**

Motion By: Fagerlie Second By: Plowman

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 a professional services agreement between the City of Willmar and Bolton and Menk for the Airport Apron Expansion Project for \$150,000.

Dated this 7th day of January, 2022

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2022-021

A RESOLUTION ACCEPTING CONTRACT AMENDMENT NO. 2 WITH BOLTON AND MENK, INC. FOR THE 2022 CONSTRUCTION PROJECTS.

Motion By: Fagerlie Second By: Ask

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 2022 Construction Projects between the City of Willmar and Bolton and Menk, Inc. of Willmar, Minnesota by Contract Amendment No. 2 in the increased amount of \$207,012.

Dated this 7th day of February, 2022

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2022-022

REAPPROPRIATING FUNDS FROM PUBLIC WORKS SIGNAL POLE PAINTING TO THE PUBLIC WORKS DOCKS PURCHASE FOR THE AMOUNT OF \$15,400.

Motion By: Plowman Second By: Ask

BE IT RESOLVED by the City Council of the City of Willmar, to re-appropriate \$15,400 from the Public Works Signal Pole Painting project to the Public Works Boat Landing Docks purchase.

BE IT FURTHER RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the Capital Improvement Fund Budget as follows:

Decrease: Public Works Signal Pole Painting amount. \$15,400

Increase: Public Works Boat Landing Docks amount, \$15,400

Dated this 7th day of February, 2022

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2022-023

A RESOLUTION AUTHORIZING ENTERING INTO COOPERATIVE CONSTRUCTION AGREEMENT BETWEEN THE CITY AND KANDIYOHI COUNTY FOR PROJECT NO. 2203-C.

Motion By: Plowman Second By: Nelsen

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 a Cooperative Construction Agreement between the City of Willmar and Kandiyohi County for Project No. 2203-C 7th Street NW overlay.

Dated this 7th day of February, 2022

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2022-024

A RESOLUTION APPROVING THE SHELTER CANCELLATION POLICY CHANGE

Motion By: Fagerlie Second By: Plowman

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 approve the shelter cancellation refund policy change to a 10-business day and with appropriate fees applied.

Dated this 7th Day of February, 2022

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2022-025

REQUESTING THAT THE MINNESOTA GAMBLING CONTROL BOARD APPROVE THE APPLICATION FOR A PREMISE PERMIT FOR THE WILLMAR HOCKEY ASSOCIATION

Motion By: Fagerlie Second By: Ask

WHEREAS, the Willmar Hockey Association has applied to the Minnesota Gambling Control Board to obtain a Premise Permit for a Gambling License at the Foxhole Brewhouse Incorporated, 313 4th Street SW, Suite 1, Willmar, Minnesota;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the City approves of the Premise Permit for the Willmar Hockey Association and respectfully requests that the State of Minnesota Gambling Control Board approve the Premise Permit to the Willmar Hockey Association.

Dated this 7th day of February, 2022.

/s/ Marv Calvin
MAYOR

ATTEST:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2022-026

REQUESTING THAT THE MINNESOTA GAMBLING CONTROL BOARD APPROVE THE APPLICATION FOR A PREMISE PERMIT FOR THE WILLMAR HOCKEY ASSOCIATION

Motion By: Fagerlie Second By: Ask

WHEREAS, the Willmar Hockey Association has applied to the Minnesota Gambling Control Board to obtain a Premise Permit for a Gambling License at the Willmar Community Golf Club, Inc., 1000 26th Avenue NE, Willmar, Minnesota;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the City approves of the Premise Permit for the Willmar Hockey Association and respectfully requests that the State of Minnesota Gambling Control Board approve the Premise Permit to the Willmar Hockey Association.

Dated this 7th day of February, 2022.

/s/ Marv Calvin
MAYOR

ATTEST:

/s/ Judy Thompson
CITY CLERK