

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM
HEALTH AND HUMAN SERVICES BUILDING
WILLMAR MINNESOTA
ALSO AVAILABLE BY ELECTRONIC MEANS FOR REMOTE COUNCIL MEMBERS

April 3, 2023
6:30 p.m.

The regular meeting of the Willmar City Council was called to order by Mayor Douglas Reese. Members present on a roll call were Mayor Douglas Reese, Council Members Justin Ask, Vicki Davis, Carl Shuldes, Michael O'Brien, Thomas Butterfield, Julie Asmus, and Rick Fagerlie. Present 8, Absent 1. Council Member Audrey Nelsen was excused from the meeting.

Also present were City Administrator Leslie Valiant, City Operations Director Kyle Box, Police Chief Jim Felt, Finance Director Steve Okins, Public Works Director Gary Manzer, Fire Chief Frank Hanson, Community Growth Director Pablo Obregon, City Clerk Judy Thompson, and City Attorney Robert Scott.

Additions to the agenda were: Council Member Ask asked that Fire Chief Hanson provide a report on the recent train derailment that occurred in Raymond.

Council Member Ask moved to approve the agenda, as amended. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

City Clerk Thompson reviewed the consent agenda.

- A. City Council Minutes - March 20, 2023
- B. City Council Work Session Minutes - March 14, 2023
- C. CCT Minutes - September 27, 2022
- D. CVB Board Minutes - January 27, 2023
- E. Municipal Utilities Commission Minutes - March 27, 2023
- F. Parks and Recreation Board Minutes - November 16, 2022
- G. Parks and Recreation Board Minutes - February 15, 2023
- H. Police Commission Minutes - February 6, 2023
- I. Accounts Payable Report, 03-15-23 Thru 03-28-23
- J. Municipal Owned Property On-Sale Liquor License Holder Permit –Spurs Corporation
- ~~K. **Resolution No. 2023-058 Statutory Municipal Liability Coverage Limits – City Options**~~
- L. Updated City Safety Equipment/ Gear Policy
- M. **Resolution No. 2023-057 Public Works Pickup Purchase Amendment**
- N. Police Commission Appointment-Lilbon Clark
- O. Airport Commission Appointment-David Frey

Council Member Ask offered a motion to approve the consent agenda. Council Member Ask asked that Item K. be removed for discussion. Council Member Fagerlie seconded the motion to approve the consent agenda, with the removal of Item K., which carried on a roll call vote of Ayes 7, Noes 0.

Mayor Reese thanked Mr. Clark and Mr. Frey for their willingness to serve on the Police Commission and Airport Commission, respectively.

Council Member Ask asked for clarification on the statutory liability limits. City Clerk Thompson provided the pertinent information. Council Member Ask then offered a motion to approve Item K. and introduced **Resolution No. 2023-058 Statutory Municipal Liability Coverage Limits**. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

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

Contracted City Engineer Jared Voge presented a request to accept Project No. 2203-A and authorize final payment to OMG Midwest, Inc. dba Minnesota Paving & Materials in the amount of \$102,091.06. It was noted, this project was for the overlay of 19th Avenue SE and Lakeland Drive SE.

Following discussion, **Resolution No. 2023-059 Accepting Project No. 2203-A and Authorizing Final Payment** was introduced by Council Member Fagerlie. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Public Works Director Manzer presented a request to approve the Public Water Access Cooperative Agreement with the Department of Natural Resources and authorize signatures on the agreement. It was noted, this agreement is for public water access on City-owned land at Willmar Lake and Foot Lake access located at Robbins Island, and Foot Lake access at the fairgrounds.

Following discussion, **Resolution No. 2023-060 Authorization to Approve the Cooperative Agreement with the State of Minnesota Department of Natural Resources for Public Water Access** was introduced by Council Member Fagerlie. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

City Operations Director Box presented a request to introduce an ordinance to rezone property at 702 Litchfield Avenue SE (Tevalan property) from R2 (One and Two Family Residential) to GB (General Business), and set a public hearing for April 17, 2023.

Following discussion, Council Member Fagerlie offered a motion to **introduce an Ordinance to Rezone Property from R2(One and Two Family Residential) to GB (General Business)**, and set a public hearing for April 17, 2023 at 6:31 p.m. Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Fire Chief Hanson presented a request to approve the purchase of a second set of firefighter turnout gear for each firefighter for the total purchase price of approximately \$137,865.60 not including shipping. It was noted American Rescue Plan Act (ARPA) funds will be used for the purchase.

Following discussion, **Resolution No. 2023-061 Authorization to Purchase a Second Set of Firefighter Turnout Gear for Each Firefighter** was introduced by Council Member Fagerlie. Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

City Operations Director Box presented a request to allow staff to release a City of Willmar rebranding request for proposal. It was noted staff would like to request proposals from qualified consultants to research, create, develop, and help generate an implementation plan for a City branding initiative for the City of Willmar. The current logo, the red "W" was adopted as the official City logo in the 1990's, and has been used ever since.

Following discussion, Council Member Ask offered a motion to approve staff's request. Council Member Shuldes seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

City Clerk Thompson presented the First Quarter 2023 donations received by the City.

Resolution No. 2023-062 Acknowledgement of Donations was introduced by Council Member Fagerlie. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Fire Chief Hanson presented a report on the recent train derailment that occurred in Raymond and thanked all personnel for the quick and efficient response.

Mayor Reese thanked Fire Chief Hanson and all personnel that assisted with the derailment.

At 7:19 p.m. upon motion by Council Member Ask and seconded by Council Member Fagerlie, the Council entered into closed session pursuant to Statute 13D.05, Subd. 3(c) to consider offers or counteroffers for the City's purchase or sale of real property and/or to determine the asking price for real property to be sold by the City.

At 8:09 p.m. Council returned to open session.

Council Member O'Brien offered a motion to adjourn the meeting, with Council Member Ask seconding the motion, which carried. The meeting adjourned at 8:09 p.m.

/s/ Douglas E. Reese
MAYOR

Attest:

/s/ Judy R. Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 2023-057

**A RESOLUTION APPROVING THE PURCHASE OF A 2024 CHEVROLET SILVERADO 2500 TRUCK
IN THE AMOUNT OF \$57,425.**

Motion By: Ask Second By: Fagerlie

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, to amend Resolution No. 2023-022 for the purchase of a 2024 Chevrolet Silverado 2500 truck to now be accepted from Marthaler Chevrolet of Glenwood, 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 amount of \$57,425.

Dated this 3rd day of April, 2023

/s/ Douglas Reese
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2023-058

A RESOLUTION APPROVING STATUTORY MUNICIPAL LIABILITY COVERAGE LIMITS

Motion By: Ask Second By: Fagerlie

WHEREAS, cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of coverage purchased; and

WHEREAS, the City Council has reviewed the various options for monetary limits on municipal tort liability; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the City does not waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.

Dated this 3rd day of April, 2023.

/s/ Douglas Reese
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2023-059

A RESOLUTION ACCEPTING PROJECT NO. 2203-A AND AUTHORIZING FINAL PAYMENT.

Motion By: Fagerlie Second By: Davis

IMPROVEMENT: Project No. 2203-A- 19th Avenue & Lakeland Drive Overlay

CONTRACTOR:	OMG Midwest, Inc. dba Minnesota Paving & Materials
DATE OF CONTRACT:	May 16, 2022
BEGIN WORK:	June 27, 2022
COMPLETE WORK:	September 12, 2022
APPROVE, ENGINEERING DEPT:	March 1, 2023

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

1. The said City of Willmar Project No. 2203-A be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$1,325,894.92
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$1,325,894.92
CHANGE ORDER NO. 1	-\$79,793.72

ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED: \$1,246,101.20
Less Previous Payments \$1,144,010.14
FINAL PAYMENT DUE CONTRACTOR: \$102,091.06

Dated this 3rd day of April, 2023

/s/ Douglas Reese
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2023-060

**AUTHORIZATION TO APPROVE THE COOPERATIVE AGREEMENT WITH THE STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES FOR PUBLIC WATER ACCESS.**

Motion By: Fagerlie Second By: Davis

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the City Administrator be authorized to sign a Cooperative Agreement between the City of Willmar and the State of Minnesota Department of Natural Resources for public water access at Willmar Lake and Foot Lake.

Dated this 3rd day of April, 2023

/s/ Douglas Reese
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2023-061

**AUTHORIZATION TO PURCHASE A SECOND SET OF FIREFIGHTER TURNOUT GEAR
FOR EACH FIREFIGHTER**

Motion By: Fagerlie Second By: O'Brien

BE IT RESOLVED, by the City Council of the City of Willmar to approve the purchase of a second set of firefighter turnout gear for each firefighter for the total purchase price of approximately \$137,865.60 not including shipping.

BE IT FURTHER RESOLVED THAT, the City Council of the City of Willmar authorize the use of American Rescue Plan Act (ARPA) funds for the purchase of this firefighting gear.

Dated this 3rd day of April, 2023.

/s/ Douglas Reese
MAYOR

ATTEST:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2023-062 ACKNOWLEDGEMENT OF DONATIONS

Motion By: Fagerlie

Second By: Davis

WHEREAS, the City of Willmar has received donations which have been acknowledged by the City Administrator expressing the community's appreciation for the period of January 1, 2023, thru March 31, 2023.

<u>Amount</u>	<u>From</u>	<u>For/Purpose</u>
\$500.00	TruJourney Advisors	Parks and Recreation, Intramural Basketball
\$500.00	Quality Title of Willmar, INC	Parks and Recreation, Intramural Basketball
\$150.00	Iron Warriors Motorcycle Club	Willmar Police Explorers
\$150.00	Iron Warriors Motorcycle Club	Willmar Fire Department
\$250.00	Marcus Construction	Parks and Recreation, Little Cardinals Rec Soccer

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota that the City formally accept the donations as listed below:

Dated this 3rd day of April, 2023

/s/ Douglas Reese
MAYOR

ATTEST:

/s/ Judy Thompson
CITY CLERK