

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

May 15, 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, Audrey Nelsen, Vicki Davis, Carl Shuldes, Michael O'Brien, Thomas Butterfield, Julie Asmus, and Rick Fagerlie. Present 8, Absent 0.

Also present were City Administrator Leslie Valiant, City Operations Director Kyle Box, Police Captain Michael Anderson, Interim Finance Director Bill Fenske, Parks and Recreation Director Rob Baumgarn, Public Works Director Gary Manzer, Human Resource Director LuAnn Sietsema, Community Growth Director Pablo Obregon, Administrative Assistant Brittany Searle, City Clerk Judy Thompson, and City Attorney Robert Scott.

There were no additions or deletions to the agenda.

Council Member Ask moved to approve the agenda, as presented. Council Member Nelsen seconded the motion, which carried unanimously.

City Clerk Thompson reviewed the consent agenda.

- A. City Council Minutes of May 1, 2023
- B. City Council Work Session Minutes of May 8, 2023
- C. Police Commission Minutes of April 21, 2023
- D. Planning Commission Minutes of April 19, 2023
- E. Municipal Utilities Commission Minutes of May 8, 2023
- F. Accounts Payable Report, 04-26-23 Thru 05-09-23
- G. Consideration of State Temporary Liquor Permits - Willmar Lakes Rotary Club
- H. Consideration of State Temporary Liquor Permit - Willmar Lakes Rotary Club
- I. Civic Center Arena Special Event by On-Sale Liquor License Holder Permit—Spurs Corporation
- J. **Resolution No. 2023-085 Agreement with Riggs Brothers Construction for a concrete pad at Sperry Park for the fitness court**

Information:

Building Report April 2023

Willmar Financial Reports as of April 30, 2023

Council Member Ask 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.

Chris Bretvold, Willmar, addressed the Mayor and Council during the Open Forum and spoke against the J.C. Penney site for the city hall/community center project.

At 6:41 p.m. Mayor Reese opened the public hearing for the proposed rezone of 11 parcels located on 2nd Street SE between Olena Avenue SE and Willmar Avenue SE from R-4 (Multi-Family Residential) to GB (General Business). City Administrator Valiant presented various details of the proposed rezoning, including the fact multi-family housing is allowed in the General Business District through a conditional use permit (CUP).

There being no one to speak for or against the proposed rezone, Mayor Reese closed the public hearing at 6:42 p.m. and opened it up for discussion from the Council.

Following discussion, Council Member Shuldes offered a motion to adopt, assign a number, and publish **Ordinance No. 1497 Amending the Willmar Zoning Ordinance**. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 6:45 p.m. Mayor Reese opened the 2023 Annual Stormwater Hearing. Environmental Specialist Sara Sietsema presented the Annual Stormwater report for MS4 permitting to the Mayor and Council. The primary goal of the MS4 General Permit is to improve water quality by reducing pollutants in stormwater discharges.

There being no one to speak for or against the Stormwater report, Mayor Reese closed the public hearing at 6:59 p.m. and opened it up for discussion from the Council.

Council Member Shuldes offered a motion to receive the Annual Stormwater Report for MS4 permitting. Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Administrator Valiant presented a request to approve hiring Tom Odens for the Finance Director position. It was noted there were three highly qualified individuals that applied for the position.

Council Member Shuldes offered a motion to approve hiring Tom Odens as the Finance Director for the City of Willmar. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Reese and Council Member Fagerlie welcomed Mr. Odens to the City.

TerWisscha Construction Representative Kelly TerWisscha and Willmar Ten Investors Partner Dione Warne presented a site concept of the proposed J.C. Penney building for the new City Hall/Community Center and stated the total project cost would be \$18.2 million to \$20.7 million. It was noted that technology, furniture, and security are not included in the estimates. City Administrator Valiant stated BKV Group Design and Architectural firm will be presenting their concepts at the June 12, 2023, Council Work Session. This was received for information only.

Kandiyohi County and City of Willmar Economic Development Commission (EDC) Executive Director Aaron Backman presented a request to introduce an ordinance and set a public hearing for June 5, 2023, for the land sale of City property to MB Rail. It was noted the purchase was approved by the Planning Commission on May 3, 2023.

Following discussion, Council Member Asmus offered a motion to **introduce an Ordinance Authorizing the Sale of Real Property to MB Rail**, and set a public hearing for June 5, 2023, at 6:30 p.m. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Kandiyohi County and City of Willmar Economic Development Commission (EDC) Executive Director Aaron Backman presented a request to approve the expenditure of \$38,021 from the Willmar Industrial Park Fund for the EDC to undertake Geotechnical, ALTA Survey, Phase I Environmental Assessment, Easement Delineation, and Title Commitment activities. It was noted these activities are needed for obtaining Burlington Northern Santa Fe (BNSF) site certification of 335 acres of City-owned property. This will benefit the present and future development of the Willmar Industrial Park, including encouraging prospects requiring rail access to consider locating in the industrial park.

Following discussion, **Resolution No. 2023-086 A BNSF Certification Activities for a Portion of the Willmar Industrial Park** was introduced by Council Member Nelsen. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Public Works Director Manzer presented a request to enter into a professional services agreement with Bolton and Menk, Inc. for the design and construction services of the 19th Avenue Path Project in the amount of \$155,000.

Following discussion, **Resolution No. 2023-087 Awarding the Engineering Professional Services: Project No. 2304-B 19th Avenue Trail to Bolton and Menk, Inc. in the Amount of \$155,000** was introduced by Council Member Shuldes. Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Information Systems Coordinator Jonah Johnson presented a request to approve the amended computer use policy for the City of Willmar.

Following discussion, Council Member Asmus offered a motion to approve staff's request. Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Administrator Valiant presented a request to approve the 2023 Non-union (unrepresented) employee pay scale as presented. It was noted the proposed increase is to adjust for the annual cost of living adjustment (COLA) by four (4%) percent for non-union employees to be effective January 1, 2023.

Resolution No. 2023-088 Approve Non-Union Pay Scale for 2023 was introduced by Council Member Shuldes. Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Asmus offered the following comments: "Shout Out" to Municipal Utilities on receiving the Reliable Public Power Provider Diamond-level designation from the American Public Power Association for providing reliable and safe electric service for the third consecutive time. This is the highest level designation; "Shout Out" to the Police Department and all law enforcement with the recent deaths of four officers within the last month, especially noting Willmar's involvement in assisting Pope County during the death of Deputy Josh Owens, Willmar sent four police officers to Pope County to assist them during this time as they dealt with the loss, and also assisted during the funeral for Officer Owens. Chief Felt has been an officer of Law Enforcement Memorial Association for many years and now serves as Vice President, and is involved in every officer funeral that takes place in the state.

City Administrator Valiant offered the following comments: "Kudos" to the Fire Department and Utilities for their quick response to the recent chlorine leak on County Road 5 without any incidents.

Public Works Director Manzer offered the following comments: Thursday, May 18, 2023, there will be an Open House at the Public Works Garage and urged everyone to attend.

Council Member O'Brien offered the following comments: Municipal Utilities also received the American Public Power Association Certificate of Excellence in Reliability for 2022 award for only 24 minutes/year/person of outages.

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

/s/ Douglas E. Reese
MAYOR

Attest:

/s/ Judy R. Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 2023-085

RESOLUTION APPROVING THE AGREEMENT WITH RIGGS BROTHERS CONSTRUCTION FOR A CONCRETE PAD AT SPERRY PARK FOR THE FITNESS COURT

Motion By: Ask

Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar to approve the agreement with Riggs Brothers Construction in the amount of \$15,742 for a concrete pad at Sperry Park for the fitness court.

Dated this 15th day of May, 2023

/s/ Douglas E. Reese
MAYOR

Attest:

/s/ Judy R. Thompson
CITY CLERK

RESOLUTION NO. 2023-086

A BNSF CERTIFICATION ACTIVITIES FOR A PORTION OF THE WILLMAR INDUSTRIAL PARK

Motion By: Nelsen

Second By: Asmus

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Willmar to approve the expenditure of \$38,021 from the Willmar Industrial Park Fund for the Kandiyohi County & City of Willmar Economic Development Commission (EDC) to undertake Geotechnical, ALTA Survey, Phase I Environmental Assessment, Easement Delineation, and Title Commitment activities.

Dated this 15th day of May, 2023

/s/ Douglas E. Reese
MAYOR

Attest:

/s/ Judy R. Thompson
CITY CLERK

RESOLUTION NO. 2023-087

A RESOLUTION AWARDING THE ENGINEERING PROFESSIONAL SERVICES: PROJECT NO. 2304-B 19TH AVENUE TRAIL TO BOLTON AND MENK, INC. IN THE AMOUNT OF \$155,000.

Motion By: Shuldes

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 bid of Bolton and Menk, Inc. of Willmar, MN for the professional services of Project No. 2304-B 19th Avenue Trail improvement projects 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 \$155,000.

Dated this 15th day of May, 2023

/s/ Douglas E. Reese
Mayor

Attest:

/s/ Judy R. Thompson
City Clerk

RESOLUTION NO. 2023-088

APPROVE NON-UNION PAY SCALE FOR 2023

Motion By: Shuldes

Second By: O'Brien

WHEREAS, the City of Willmar City Council must approve the pay scale for the Non-Union Employees.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Willmar approve the 2023 Non-Union Employee pay scale as presented.

Dated this 15th day of May, 2023.

/s/ Douglas E. Reese
MAYOR

ATTEST:

/s/ Judy R. Thompson
CITY CLERK