

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

May 16, 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 Julie Asmus, Thomas Butterfield, Justin Ask, Vicki Davis, Andrew Plowman, and Audrey Nelsen. Present 8, Absent 1. Council Member Rick Fagerlie 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, Fire Chief Frank Hanson, Public Works Director Gary Manzer, Planning and Development Services Director Justice Walker, City Clerk Judy Thompson, and City Attorney Robert Scott.

Additions/deletions to the agenda included: City Administrator Valiant requested Item No. 10 Willmar Meals on Wheels Discussion be moved to the June 6, 2022 agenda; Council Member Nelsen asked that an update on the recent storm damage be added to the agenda.

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

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of May 2, 2022
- B. Willmar Municipal Utilities Commission Minutes of May 9, 2022
- C. Accounts Payable Report for April 23 - May 1, 2022
- D. Fire Department Training – House Burn
- E. **Resolution No. 2022-077 Application for Main Street Minnesota Grant**
- F. **Resolution No. 2022-078 Approve MnDOT Master Partnership Contract for Routine Services**
- G. Application for Rice Hospital Board – Wayne Nelson
- H. Building Report for the Month of April 2022
- I. Application for Human Rights Commission – Allan Clark
- J. Application for EDC Operations Board – Abdulcadir Abucar Gaal

Council Member Nelsen offered a motion to approve the consent agenda. Council Member Plowman seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Willie Gonzalez, Willmar, addressed the Mayor and Council during the Open Forum. Mr. Gonzalez reported on the successful Cinco de Mayo event held recently and offered his support for a MMA event returning to Willmar.

Brock Larson, outside Willmar, and Coty Milhauser, Willmar, addressed the Mayor and Council during the Open Forum. They spoke in support for a MMA event returning to Willmar, and asked for Council's reconsideration of liquor requirements in City-owned facilities.

Planning and Development Services Director Walker presented a request to reschedule the MinnWest Technology Campus Abatement public hearing for June 6, 2022 at 6:31 p.m. due to not meeting the legal publishing notice deadline.

Council Member Plowman offered a motion to reschedule the public hearing for MinnWest Technology Campus Abatement request for June 6, 2022 at 6:31 p.m. Council Member Davis seconded the motion, which carried unanimously.

Contract City Engineer Jared Voge presented a request to adopt a resolution declaring costs to be assessed, order preparation of the assessment roll and call for a hearing on assessments for August 15, 2022 at 6:31 p.m. Mr. Voge stated the original request was to set the hearing for June 6, 2022, and it is his desire to hold the public hearing after the bond sale so the notices to public will contain complete information.

Following discussion, Council Member Nelsen offered a motion to set a public hearing for August 15, 2022 at 6:31 p.m., and introduced **Resolution No. 2022-079 Declaring Costs to be Assessed, Ordering Preparation of the Assessment Roll and Calling Hearing on Assessments for Project Nos. 2201-A, 2201-B, 2201-C, 2201-D, 2203-A, 2203-B and 2203-C, 2022 Street and Other Improvements.** Council Member Plowman seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Contact City Engineer Jared Voge presented a request to adopt resolutions awarding the 2022 street overlay and parking lot projects and adopt said as-bid budgets.

**Resolution No. 2022-080 Awarding Project No. 2203-A to OMG Midwest Inc. DBA Minnesota Paving & Materials in the Amount of \$1,325,894.92** was introduced by Council Member Plowman. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

**Resolution No. 2022-081 Project No. 2203-A As-Bid Budget Total Cost \$1,560,489** was introduced by Council Member Plowman. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Mr. Voge asked Council's consideration of removing Project 2203-B from the 2022 Projects due to possibility of additional funding eligibility from the federal government for this project, and possibly using the allotted state aid funding towards the Gorton Avenue improvements due to current condition of street.

Following a lengthy discussion, Council Member Asmus offered a motion to approve staff's recommendation. Council Member Butterfield seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

**Resolution No. 2022-082 Awarding Project No. 2204 to Duininck, Inc. in the Amount of \$528,442.75** was introduced by Council Member Plowman. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

**Resolution No. 2022-083 Project No. 2204 As-Bid Budget Total Cost \$663,701** was introduced by Council Member Plowman. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

**Resolution No. 2022-084 Approving Parking Restrictions on 19th Avenue and Lakeland Drive From 1st Street/Business 71 to Willmar Avenue** was introduced by Council Member Nelsen. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Public Works Director Manzer presented an update of storm damage throughout the City from the recent storms.

Steve Peppin and Mike Bowman presented a request for approval to host a country music festival at Robbins Island on September 10, 2022. They noted several plans have been made and they are seeking Council's approval before further promotion of the event can begin.

Following a lengthy discussion, Mayor Calvin outlined several points to be addressed prior to final approval of lease agreement, which included: 1) police/traffic flow; 2) drop off areas and flow; 3) watercraft and beach access; 4) emergency exit plan; 5) detailed written emergency plan; 6) anticipated number of tickets to be sold, and the City's portion of sales; 7) fee structure; 8) detailed lease agreement; 9) possible review with County Emergency Management; and 10) staff review/update of special event permit application.

Council Member Plowman offered a motion supporting the proposed festival to be held at Robbins Island on September 10, 2022, pending approval of a lease agreement between the City and Steve Peppin. Council Member Butterfield seconded the motion, which carried unanimously.



**RESOLUTION NO. 2022-077**

**AUTHORIZATION TO APPLY FOR AND ACCEPT IF AWARDED MINNESOTA MAIN STREET GRANT**

Motion By: Nelsen Second By: Plowman

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that city staff be authorized to apply for and, if awarded, accept a grant from Minnesota Main Street in the amount of \$1,650.

Dated this 16<sup>th</sup> day of May, 2022

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK

**RESOLUTION NO. 2022-078**

**A RESOLUTION AUTHORIZING ENTERING INTO A MASTER PARTNERSHIP CONTRACT WITH MNDOT.**

Motion By: Nelsen Second By: Plowman

Whereas, The Minnesota Department of Transportation wishes to cooperate closely with local units of government to coordinate the delivery of transportation services and maximize the efficient delivery of such services at all levels of government; and

Whereas, MnDOT and local governments are authorized by Minnesota Statutes sections 471.59, 174.02, and 161.20, to undertake collaborative efforts for the design, construction, maintenance and operation of state and local roads; and

Whereas: the parties wish to able to respond quickly and efficiently to such opportunities for collaboration, and have determined that having the ability to write "work orders" against a master contract would provide the greatest speed and flexibility in responding to identified needs.

Therefore, be it resolved:

1. That the City of Willmar enter into a Master Partnership Contract with the Minnesota Department of Transportation, a copy of which was before the City Council.
2. That the proper City of Willmar officers are authorized to execute such contract, and any amendments thereto.
3. That the City of Willmar City Engineer or Public Works Director is authorized to negotiate work order contracts pursuant to the Master Contract, which work order contracts may provide for payment to or from MnDOT, and that the City of Willmar City Engineer or Public Works Director may execute such work order contracts on behalf of the City of Willmar without further approval by the City Council.

Dated this 16th day of May, 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-079**

**DECLARING COSTS TO BE ASSESSED, ORDERING PREPARATION OF THE ASSESSMENT ROLL  
AND CALLING HEARING ON ASSESSMENTS FOR  
PROJECT NOS. 2201-A, 2201-B, 2201-C, 2201-D, 2203-A, 2203-B AND 2203-C  
2022 STREET AND OTHER IMPROVEMENTS.**

Motion By: Nelsen Second By: Plowman

WHEREAS, contracts have been let for the construction of Street and Other Improvements of 2022 in the City, to-wit: City Project Nos. 2201-A, 2201-B, 2201-C, 2201-D, 2203-A, 2203-B and 2203-C and;

WHEREAS, the total cost of said Street and Other Improvements of 2022 is \$10,117,080.19.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. The City Council hereby determines that the City shall pay \$7,314,241.84 of said cost, exclusive of the amount it may pay as a property owner, and the sum of \$2,802,838.35 shall be assessed against benefited property owners based upon benefits received without regard to cash valuation.
2. The Clerk, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land without regard to cash valuation as provided by law, and she shall file a copy of such assessment in her office for public inspection.
3. The Clerk shall, upon the completion of such assessment, notify the City Council thereof.
4. The Clerk shall publish notice that this City Council will meet to consider the proposed assessments on August 15, 2022, at 6:31 p.m. in the Board Room, Kandiyohi County Health & Human Services Building, 2200 23<sup>rd</sup> Street NE, Willmar, Minnesota.
5. Said notice shall also be mailed to the owners of each parcel of property described in the assessment roll.
6. Such notice shall be in substantially the following form:  
(on file in Engineer's office)
7. Said notice shall be published by the City Clerk in the official newspaper at least two weeks prior to the hearing and mailed by said Clerk to the owners of each parcel described in the assessment roll.

Dated this 16th day of May, 2022

/s/ Marv Calvin  
MAYOR

ATTEST:

/s/ Judy Thompson

CITY CLERK

**RESOLUTION NO. 2022-080**

**A RESOLUTION AWARDDING PROJECT NO. 2203-A TO OMG MIDWEST INC. DBA MINNESOTA PAVING & MATERIALS IN THE AMOUNT OF \$1,325,894.92.**

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 bid of OMG Midwest Inc. dba Minnesota Paving & Materials of Rogers, MN for Project No. 2203-A 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 \$1,325,894.92.

Dated this 16th day of May, 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-081  
PROJECT NO. 2203-A AS-BID BUDGET**

**TOTAL COST \$1,560,489**

\*Budget Amounts are Essential

Motion By: Plowman

Second By: Davis

Code

**PERSONNEL SERVICES**

10* Salaries Reg. Employees	
11* Overtime Reg. Employees	
12* Salaries Temp. Employees	
13* Employer Pension Contr.	
14* Employer Ins. Contr.	
<b>TOTAL</b>	<b>\$0.00</b>

**RECEIVABLES**

Assessments Prop Owners	\$650,970
Community Investment	-\$701,038
MSA	\$1,610,557
MUC	\$0
WTP	\$0
LOST	\$0
COUNTY	\$0

**TOTAL \$1,556,489**

**SUPPLIES**

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

**FINANCING**

Bonds	-\$50,068
LOST	\$

23* Postage		MSA	\$1,610,557
24 Mtce. of Equipment		WTP	\$0
25 Mtce. of Structures		MUC	\$0
26 Mtce. of Other Improvements		COUNTY	\$0
27 Subsistence of Persons		<b>TOTAL</b>	<b>\$1,556,489</b>
28 Cleaning & Waste Removal			
29* General Supplies		<b>GRAND TOTAL</b>	<b>\$1,556,489</b>
<b>TOTAL</b>	<b>\$0.00</b>		

Dated this 16<sup>th</sup> day of May, 2022

**OTHER SERVICES**

33* Travel-Conf.-Schools	
34 Mtce. of Equipment	
35 Mtce. of Structures	
36* Mtce. of Other Impr.	\$1,325,895
37 Subsistence of Persons	
38 Cleaning & Waste Removal	
39* Other Services	\$66,294
<b>TOTAL</b>	<b>\$1,392,190</b>

/s/ Marv Calvin  
Mayor

**Attest:**

/s/ Judy Thompson  
City Clerk

**OTHER CHARGES**

46* Prof. Serv.	\$156,855
48 Admin OH (Transfer)	\$11,444
<b>TOTAL</b>	<b>\$168,299</b>
<b>GRAND TOTAL</b>	<b>\$1,556,489</b>

**RESOLUTION NO. 2022-082**

**A RESOLUTION AWARDDING PROJECT NO. 2204 TO DUININCK, INC. IN THE AMOUNT OF \$528,442.75.**

Motion By: Plowman 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 bid of Duininck, Inc. of Prinsburg, MN for Project No. 2204 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 \$528,442.75.

Dated this 16th day of May, 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-083**  
**PROJECT NO. 2204 AS-BID BUDGET**  
**TOTAL COST \$663,701**

\*Budget Amounts are Essential

Motion By: Plowman

Second By: Davis

Code

**PERSONNEL SERVICES**

10* Salaries Reg. Employees	
11* Overtime Reg. Employees	
12* Salaries Temp. Employees	
13* Employer Pension Contr.	
14* Employer Ins. Contr.	
<b>TOTAL</b>	<b>\$0.00</b>

**RECEIVABLES**

Assessments Prop Owners	\$0
Community Investment	\$663,701
MSA	\$0
MUC	\$0
WTP	\$0
LOST	\$0
COUNTY	\$0
<b>TOTAL</b>	<b>\$663,701</b>

**SUPPLIES**

20* Office Supplies	
21* Small Tools	
22* Motor Fuels & Lubricants	
23* Postage	
24 Mtce. of Equipment	
25 Mtce. of Structures	
26 Mtce. of Other Improvements	
27 Subsistence of Persons	
28 Cleaning & Waste Removal	
29* General Supplies	
<b>TOTAL</b>	<b>\$0.00</b>

**FINANCING**

Bonds	\$663,701
LOST	\$0
MSA	\$0
WTP	\$0
MUC	\$0
COUNTY	\$0
<b>TOTAL</b>	<b>\$663,701</b>

**GRAND TOTAL**

**\$663,701**

Dated this 16<sup>th</sup> day of May, 2022

**OTHER SERVICES**

33* Travel-Conf.-Schools	
34 Mtce. of Equipment	
35 Mtce. of Structures	
36* Mtce. of Other Impr.	\$528,443
37 Subsistence of Persons	
38 Cleaning & Waste Removal	
39* Other Services	\$26,422
<b>TOTAL</b>	<b>\$554,865</b>

/s/ Marv Calvin  
Mayor

**Attest:**

/s/ Judy Thompson  
City Clerk

**OTHER CHARGES**

46* Prof. Serv.	\$103,955
48 Admin OH (Transfer)	\$4,881
<b>TOTAL</b>	<b>\$106,836</b>
<b>GRAND TOTAL</b>	<b>\$663,701</b>



**RESOLUTION NO. 2022-084**

**A RESOLUTION APPROVING PARKING RESTRICTIONS ON 19<sup>TH</sup> AVENUE AND LAKELAND DRIVE FROM 1<sup>ST</sup> STREET/BUSINESS 71 TO WILLMAR AVENUE.**

Motion By: Nelsen

Second By: Asmus

RELATING TO PARKING RESTRICTIONS on S.A.P. 175-155; 19<sup>th</sup> Avenue & Lakeland Drive from 1<sup>st</sup> Street/Business 71 to Willmar Avenue in the City of Willmar, Minnesota.

WHEREAS, the "City" has approved the improvement of 19<sup>th</sup> Avenue & Lakeland Drive, State Aid Route No. 175-155 from 1<sup>st</sup> Street/Business 71 to Willmar Avenue in the City of Willmar, Minnesota; and

WHEREAS, the "City" will be expending Municipal Street Aid Funds on the improvements of this street; and

WHEREAS, this improvement does not provide adequate width for parking on both sides of the street; and approval of the proposed construction as a Municipal State Aid Street Project must therefore be conditioned upon certain parking restrictions.

NOW, THEREFORE, BE IT RESOLVED that the "City" shall ban the parking of motor vehicles on either side of 19<sup>th</sup> Avenue & Lakeland Drive from 1<sup>st</sup> Street/Business 71 to Willmar Avenue at all times.

Dated this 16th day of May, 2022

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK