

WILLMAR CITY COUNCIL PROCEEDINGS
BY ELECTRONIC MEANS (GOTO MEETING)

May 18, 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 City Administrator Brian Gramentz, Police Chief Jim Felt, Fire Chief Frank Hanson, Finance Director Steve Okins, Public Works Director Sean Christensen, Planning and Development Services Director Dave Ramstad, Park and Recreation Director Rob Baumgarn, City Clerk Judy Thompson, and City Attorney Robert Scott.

There were no additions or deletions to the agenda.

Council Member Mueske moved to approve the agenda, as presented. Council Member Asmus 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 May 4, 2020
- B. Willmar Municipal Utilities Board Minutes of May 11, 2020
- C. Planning Commission Minutes of May 6, 2020
- D. Accounts Payable Report for April 30 – May 13, 2020
- E. Building Report for the Month of April, 2020
- F. Central Community Transit Board Minutes of March 24, 2020

Council Member Mueske offered a motion to approve the Consent Agenda. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 7:03 p.m. Mayor Calvin opened the public hearing for the 2020 Street and Other Improvements. Public Works Director Christensen reviewed and explained the proposed assessments. Funding sources for the 2020 Improvement Projects include monies from municipal state aid and local funding. The property owner assessments proposed will contribute a portion of the financing required. The estimated cost for the 2020 Improvement Projects is \$2,933,850.72.

Ardel Stiles, 1410 9th Street Southeast, Willmar, and Anna Stiles, 1408 9th Street Southeast, Willmar addressed the Mayor and Council, stated they were in support of the street project, and inquired if the rate being charged on 9th Street was different than the rest of the less busy streets in their area. They felt the rate should be less due to the heavier traffic on 9th Street Southeast.

Carl Swenson, 1413 9th Street Southeast, Willmar, addressed the Mayor and Council with questions regarding the improvements proposed for 9th Street Southeast and concerns about payment of the project.

Public Works Director Sean Christensen read an email that was received from Sharon Bengtson, 1217 9th Street Southeast, Willmar, addressing the Mayor and Council with objections regarding the assessment amount proposed for her property and concerns about ability to pay for the assessment.

There being no others to speak for or against the proposed 2020 Street and Other Improvements, Mayor Calvin closed the hearing at 7:54 p.m. and opened it up for discussion by the Council.

Council Member Plowman offered a motion that the objection received from Ardelle Stiles, 1410 9th Street Southeast, and Anna Stiles, 1408 9th Street Southeast, residential properties, was not well-founded and

move forward with the proposed project. Council Member Schwantes seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0. Council Member Nelsen abstained from voting.

It was determined that no formal action was needed for Mr. Swenson's appeal as he was simply asking for information only.

Council Member Plowman offered a motion that the objection received from Sharon Bengston, 1217 9th Street Southeast, residential property, was not well-founded and move forward with the proposed project. Council Member Schwantes seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0. Council Member Nelsen abstained from voting.

Resolution No. 2020-074 Adopting the Assessment Roll for the 2020 Street and Other Improvements was introduced by Council Member Plowman. Council Member Schwantes seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0. Council Member Nelsen abstained from voting.

Resolution No. 2020-075 Awarding Project No. 2001-A to Duinck Inc. in the Amount of \$1,319,801.25 was introduced by Council Member Mueske. Council Member Schwantes seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0. Council Member Nelsen abstained from voting.

Resolution No. 2020-076 Awarding Project No. 2001-B to Riley Bros. Construction, Inc. in the Amount of \$431,281.25 was introduced by Council Member Asmus. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Resolution No. 2020-077 Awarding Project No. 2003-A to Duinck Inc. in the Amount of \$693,793.10 was introduced by Council Member Alvarado. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

The Public Works/Safety Committee Report for May 6, 2020 was presented to the Mayor and Council by Council Member Plowman. There were four items for consideration.

Item No. 1 Staff brought forth, for information, the public safety statistics for the month of April. This item was for information only.

Police Chief Jim Felt presented the Mayor and Council an update on the recent incident that occurred involving the injury of a police officer.

Item No. 2 It was the recommendation of the Committee to approve sign design and aluminum material for the replacement of existing and future City of Willmar park identification signage. Staff is recommending the use of aluminum as it will not rust and should have a 10 to 15 year life expectancy.

Following discussion, Council Member Plowman offered a motion to approve the Committee's recommendation. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 3 It was the recommendation of the Committee to approve Change Order No. 3 for the Robbins Island Four Season Shelter Project in the amount of \$11,409.56. This change order resulted from 294 cubic yards of engineered fill for soil corrections per the contractor and will be funded from budgeted contingencies.

Resolution No. 2020-078 Accepting Change Order No. 3 for the Robbins Island Four Season Shelter Project was introduced by Council Member Plowman. Council Member Alvarado seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 4 It was the recommendation of the Committee to adopt the resolution approving plans and specifications and authorize advertisement for bids for Project No. 2001-C West Highway 12 Watermain. A portion of waterline on west Trunk Highway 12, in conjunction with the Willmar Wye Project, needs to be

replaced. The project includes replacing existing 8-inch and 12-inch ductile iron watermain with 12-inch PVC. The plans and specifications for the project are completed and is ready for bidding and construction.

Resolution No. 2020-079 Approving Plans and Specifications and Authorize Advertisement for Bids for Project No. 2001-C West Highway 12 Watermain was introduced by Council Member Plowman. Council Member Alvarado seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

The Public Works/Safety Committee Report of May 6, 2020, was approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Plowman. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

The Community Development Committee Report for May 11, 2020 was presented to the Mayor and Council by Council Member Fagerlie. There was one item for consideration.

Item No. 1 Staff presented for discussion the allowance of chickens in residential zones of Willmar. The current City Ordinance from December 2012 states chickens are prohibited in all zoning districts in the City except the Ag or Industrial Districts within which no more than 50 chickens can be kept. The request to revisit and redraft the chicken ordinance was initiated by Mr. Ben Larson and community members. Staff stated they have received a total of 20 correspondence - fourteen residents were in support; six letters were in opposition – the most notable objections from Dr. Wileman of Select Genetics, and Dr. Cardona of the Department of Veterinary and Biomedical Sciences at the University of Minnesota. Mr. Larson presented his reasoning for why he would like to have Willmar's Development Committee consider changing the current City ordinance so that chicken coops would be allowed within the Willmar city limits.

Mr. Larson stated he began looking into the topic about a year ago in hopes of increasing people's ability to source protein through eggs. He pointed to centralized food system shortages as a reason for why this is a good time to begin allowing chicken coops in Willmar neighborhoods. In addition, Mr. Larson pointed to research gathered by the Statewide Health Improvement Partnership & Public Health Law Center. To control odors from the chicken coops, Mr. Larson suggested the City Ordinance could require a compost plan, limit chicken coops to four hens, and require maintenance inspections. Council members discussed concerns of noise and smell nuisances, enforcement of standards, vaccinations, and disease. Significant concern was expressed by Council Member Schwantes and Council Member Fagerlie regarding the risk backyard chickens could pose to the region's poultry industry, particularly in light of the letters of opposition received from the University of Minnesota and Select Genetics. Council Member Mueske felt the ordinance was doable if the vaccination and industry safety issues could be clarified. Council Member Davis agreed.

A recommendation was not made. Instead, Council Member Mueske stated if additional information about proper vaccinations of the chickens was made available, the topic may then be revisited by Committee. Mr. Ben Larson stated he will do more research with the Public Health Law Center as well as the Statewide Health Initiative Program. Mr. Larson was asked to submit any additional information to the Planning and Development Director. This item was for information only.

The Community Development Committee Report of May 11, 2020, was approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Fagerlie. Council Member Schwantes seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

The Labor Relations Committee Report of May 11, 2020 was presented to the Mayor and Council by Council Member Mueske. There were two items for consideration.

Item No. 1 Staff presented a Recreation Department Evaluation that included staffing levels, programming, community relationships, and participant numbers over the last several years. The evaluation included the current levels and hours due to COVID-19, as well as the programs that need to be paused and/or cancelled this season. Staff also shared future plans for the Department, the retirement of one long-term employee, and how the Department will be affected with additional facilities and programming. This item was for information only.

Item No. 2 Staff shared the updated meeting date for the next Labor meeting (full Council) which is May 26th at 6:15 p.m. and also a very brief update on current staffing levels. This item was for information only.

The Labor Relations Committee Report of May 11, 2020, was approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Mueske. Council Member Davis seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

The Finance Committee Report for May 13, 2020 was presented to the Mayor and Council by Council Member Nelsen. There were six items for consideration.

Item No. 1 Staff explained that annually the City of Willmar has had a street improvement project that fits into a ten-year replacement program. In order to pay the costs of the construction project, the City has bonded for all costs that are not paid for from other current sources like Municipal State Aid, utility improvement funds, or funds from other governmental agencies. The bonds are normally for a length of ten years and paid from special assessments, the community investment fund or tax levies that are not decertified. The total Street Improvement Project for 2020 is estimated at \$3,443,188. Of this amount, \$1,965,000 needs to be financed with \$739,877 assessed.

Proceeding with this project would incur \$1,965,000 of additional debt to pay for the improvements. This would increase the annual debt service by approximately \$232,000 of which \$92,000 would be covered by assessments, leaving a City obligation of approximately \$140,000 to be funded with a tax levy or Community Investment Fund revenues if available.

The total City of Willmar outstanding indebtedness as of December 31, 2018, was \$124.7 million. During 2019, \$4.7 million of new debt was issued and \$11.5 million debt was retired, leaving a balance of outstanding debt as of December 31, 2019 of \$117.9 million. Of that amount, \$63.9 million is waste treatment debt being paid through sewer rate revenue; \$37.1 million is hospital debt being paid through a lease with Carris Health; and the remaining \$17 million of improvement bonds is being paid through assessments and the community investment fund which has a balance as of December 31, 2019 of \$9.9 million.

It was the recommendation of the Committee to adopt a resolution calling for a public hearing on June 1, 2020 on an ordinance authorizing the issuance of \$1,965,000 General Obligation Improvement Bonds Series 2020A.

Resolution No. 2020-080 Calling for Public Hearing on an Ordinance Authorizing the Issuance of \$1,965,000 General Obligation Improvement Bonds, Series 2020A and Levying Taxes for the Payment Thereof was introduced by Council Member Nelsen. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 2 City Administrator Gramentz provided an overview of the activity to-date on the City Hall/Community Center Project that is budgeted for \$10.5 million. Minimal work has been done by the architect and the construction manager to-date due to Covid-19. It was anticipated that design work would occur during 2020 with plans and specifications done by January 2021 so bids could be obtained prior to the 2021 construction season. Moving into the new facility has been estimated for Spring 2022.

Financing the city hall portion of the project (\$8.5 million) has its funding source yet to be determined, but is expected to be funded either by reserve funds plus a bond, or else by just a bond. Bonding would be repaid by an annual property tax levy. If 100% is financed by a general obligation bond, the annual tax levy would increase by \$810,000, or by approximately 6 mills which equates to a 13.5% increase in the property tax levy for the additional debt service.

Financing the community center portion (\$2 million) would be funded by a general obligation revenue bond which would be repaid by the one-half percent local option sales tax revenue. It is anticipated that the

community center will cost more than \$2 million, and that the proposed city hall funding will be used to assist in financing the gap. It is not known how the respective costs will be split between the city hall portion versus the community center portion until the design and cost analysis has been completed. The ability to repay this debt will depend on the revenues received and the Invest in Willmar Projects that are authorized by the City Council to proceed.

The first concern is the City's ability to sell bonds. After discussion with our bond consultants, it is expected that the City will sell the 2020 street project bonds privately through local lending institutions. Private placement of large amounts of bonds is unlikely. The total of the \$10.5 million City Hall/Community Center Project, the \$28 million Invest in Willmar Projects, and the \$2.5 million street projects would be \$41 million, which would be considered a large amount.

The second concern, if we could sell \$41 million in bonds, is the ability to repay the bonds. The current sales tax revenue is unable to support \$30 million in projects. At best, \$10 million would be the maximum, with a conservative \$5 million to \$7 million, so there is no chance that property taxes would be needed to make up the difference when sales tax revenues are inadequate. The increase in taxes would be large if the City doesn't find ways to reduce the tax levy impact.

City Administrator Gramentz noted Mid-Minnesota has indicated they will not be moving to the new Community Center/City Hall but that WRAC-8 could move to the new location. Subsequently, the WRAC-8 current location could either be leased out or sold which could produce some revenue. Given that information, the question is do we want to continue with the design of the Community Center/City Hall.

This item was for information only.

Item No. 3 Staff reported that the Robbins Island \$3 million project has completed the plans and specifications phase and is currently ready to bid out. The Swansson Field \$2 million project could possibly be completed this fall. The Event Center is approximately fifty percent through the design phase. The other projects are at varying stages. Given the revenues are substantially down from projections, we will be unable to finance all of the \$30 million projects in 13 years. Since it appears there will not be enough revenue to cover the costs of all the projects, the Council needs to prioritize how to proceed with any or all of the projects. One option would be to request the legislature for an extension of the 13-year time period. Other options include delaying projects or re-addressing the design makeup of projects. The Council needs to discuss and come to a consensus on how to proceed.

Council Member Mueske felt we already had prioritization in place via the committees that put the local option sales tax plan together. Administrator Gramentz explained that since the revenues are down substantially and the City is incurring the debt, the Council needs to direct the Invest in Willmar Committees to revise their prioritizations. City Attorney Scott explained the statute established restrictions on how those local option sales taxes can be spent and they can only be spent on projects approved by the voters. The statute does not compel the City to construct every project that was voted on. Administrator Gramentz recommended the Council consider prioritizing projects based on how each impacts operating budgets. Those having the least impact would not subsequently cost the taxpayers additional ongoing operational costs, such as the Robbins Island and Swansson Field projects. Further, the stormwater project would probably remove some of the burden on the taxpayers as it would reduce capital costs funded by the general tax levy. Conversely, the Event Center would increase operational costs such as additional maintenance staff, utilities, etc. Another consideration the Council may use in prioritizing projects is determining what the citizens would deem important.

Current soft cost obligations were reviewed. Anticipated 2020 expenditures are expected to be \$1.7 million. The breakdown of this amount includes soft costs of \$1.8 million, less the city hall architectural fees of \$562,500, plus stormwater hard costs of \$302,500, plus \$160,000 in construction management first-stage fees. Discussion ensued about whether or not to proceed with these soft costs. Council Member Asmus feels we shouldn't proceed with soft costs of projects we may not do. Council Member Plowman is concerned about the uncertainty of the current economic condition, consequently, what they may decide now may be completely

different in the future. Council Member Mueske expressed concerns about whether to set a money limit first or a priority limit first.

City Attorney Scott stated there is a deviation factor of ten percent of each project. For any one project you can take ten percent of that and allocate it toward another project.

Council Member Asmus feels the Robbins Island Project should be done, but maybe hold off on some of the outbuildings. Further, we should move forward on preparing the design of each project so that we are ready to move when possible.

Council Member Alvarado also said we need to move forward with what we know now and we should proceed with Robbins Island.

Chair Nelsen asked when the Council needs to make a decision. Administrator Gramentz reported the Event Center is about fifty percent through the design phase, consequently he recommended decisions should be pursued sooner rather than later as each project is currently in a different stage. Council Member Davis reported the Event Center's progress may be put on hold to revise plans, but may end up at a higher cost.

Baker Tilly Consultant Doug Green presented various scenarios the Council would have to consider for financing for the Invest in Willmar Projects. They could address specific projects, adjust the scope of projects, consider moving the year of construction/borrowing, addressing the repayment period, and consider the sales tax revenue potential.

Council Member Schwantes asked if the Council could receive the spreadsheets presented by Mr. Green. Information will be provided to the Council.

In summary, the Council needs to come to a consensus of whether to delay projects, proceed at a lesser amount, etc., and to consider the implications on our tax levy, our overall debt amount, and the 2020 and 2021 operating budgets.

This item was for information only.

Item No. 4 Finance Director Steve Okins reported that due to the Covid-19 epidemic there are still many unknowns regarding funding from the federal and state levels. He reviewed the current council-approved budgeted revenues for 2020 and proceeded to present various scenarios projected, due to impacts of the Covid-19 epidemic emergency declarations. The best-case scenario would be to move forward with 2020 programs as budgeted, with some possible delays in capital projects. The moderate-case scenario would be to identify targeted programs for possible reduction and/or delay once more information and funding possibilities are available from the federal and state governments. The worst-case scenario would be possible reductions of revenues from \$882,000 to \$1.2 Million.

The City Council could reduce or appropriate any or all of the designated fund balances, except the \$3 million of labor liabilities, to address any three levels from the best to worst case scenarios. Any use of the remaining reserves could be used in the short term until more information becomes available from the federal or state in the upcoming months. Of the 2020 budget, capital projects detailed under the moderate case scenario totaled \$768,000.

Administrator Gramentz noted Willmar has been fiscally conservative throughout the years and has enough resources available to carry out 2020 as budgeted. However, questions remain unanswered as to whether or not we should begin making some adjustments already in 2020 in anticipation of sizeable decreases in 2021.

Council Member Mueske asked about the amount of actual savings realized so far due to the hiring freeze, as well as how much would be projected if continued. Administrator Gramentz reported that we have not hired part-time employees and, if we do not open the Aquatic Center, we would realize savings as well.

Also, there are only two to three full-time positions currently vacant. Total savings may be \$300,000 for unfilled positions that include the Finance Department position, a Police Department position, one Planning intern, and part-time employees.

This item was for information only.

Item No. 5 The 2021 budget calendar was provided to the Council members. Options for 2021 include reducing appropriations and using reserves. The Charter allows up to ten percent of the operating budget be designated as an emergency reserve. Further, as information is received regarding the status of the local government aid, tax levies, etc., it will be forwarded to the Council and used in preparation of the 2021 budget.

This item was for information only.

Item No. 6 Future Finance Committee meetings will include City Council information requests submitted, Carris Health/Rice Hospital communication requirements, and Willmar Municipal Utilities 2019 Audit. This item was for information only.

The Finance Committee Report of May 13, 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, on a roll call vote of Ayes 8, Noes 0.

Council Member Schwantes offered a motion to approve the Robbins Island/Swansson Field Projects at ninety percent (90%) and allow Invest in Willmar use of remainder of 2020 to prioritize other projects. Council Member Davis seconded the motion.

Council Member Mueske offered a friendly amendment changing the percentage from ninety percent (90%) to sixty-seven percent (67%). Following a lengthy discussion, Council Member Mueske withdrew his friendly amendment.

Council Member Schwantes offered an amendment to the original motion to approve the Robbins Island/Swansson Field Projects ~~at~~ up to ninety percent (90%). Council Member Davis seconded the motion.

Following further discussion, Council Member Alvarado offered a friendly amendment to remove Swansson Field Project from the original motion.

Council Member Plowman offered a motion to call the question. Council Member Mueske seconded the motion, which carried on a roll call vote of Ayes 7, Noes 1. Council Member Alvarado voted "no."

The original amended motion then failed on a roll call vote of Ayes 3, Noes 5. Council Members Mueske, Alvarado, Asmus, Plowman, and Nelsen voted "no."

Following further discussion, Council Member Asmus offered a motion to move forward with the Robbins Island Pavement Project. Council Member Schwantes seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Mueske offered a motion to direct architectural firms to suspend all work until revised priorities and funding guidelines are established. Council Member Schwantes seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Schwantes offered a motion to suspend the architectural work for the City Hall/Community Center Project until priorities have been set. Council Member Mueske seconded the motion.

Council Member Mueske offered a friendly amendment to add “and until funding can be determined”.

The motion, as amended, then carried on a roll call vote of Ayes 8, Noes 0.

Council Member Asmus offered the following comments: appreciated the good conversations that occurred tonight.

Council Member Plowman offered the following comments: he is happy businesses are starting to re-open; encourages everyone to patronize local business.

Council Member Nelsen offered the following comments: be safe and careful.

Council Member Mueske offered the following comments: echoed Council Member Plowman’s comments; buy local – they need us.

Council Member Schwantes offered the following comments: have a good night.

Council Member Davis offered the following comments: urged people to participate in the “100 miles in 100 days” challenge.

Council Member Alvarado offered the following comments: enjoys working the fellow council members; urged everyone to recognize the Ridgewater College graduates and the Willmar High School seniors and offered his congratulations to all; if anyone is in need of food assistance please contact Willmar Food Shelf 320-235-2641, Second Harvest 800-365-0270, or Hope for the City 320-295-3415; reminded everyone to “mow in – not out.”

The upcoming Committee meetings will be as follows: Public Works/Safety Committee - Wednesday, May 20th at 5:00 p.m.; Finance Committee – Thursday, May 21st at 5:00 p.m.; Community Development Committee – Tuesday, May 26th at 5:15 p.m.; and Labor Relations Committee – Tuesday, May 26th at 6:15 p.m. which will include the full Council to discuss labor contracts and negotiation strategy.

Mayor Calvin stated there are four council seats up for election this year; filing begins tomorrow, May 19th and continues until 5:00 p.m. on Tuesday, June 2nd.

Council Member Mueske offered a motion to adjourn the meeting with Council Member Schwantes seconding the motion which carried. The meeting adjourned at 10:12 p.m.

s/s Marv Calvin

MAYOR

Attest:

s/s Judy Thompson

SECRETARY TO THE COUNCIL

RESOLUTION NO. 2020-074

A RESOLUTION ADOPTING THE ASSESSMENT ROLL FOR THE 2020 STREET AND OTHER IMPROVEMENTS.

Motion By: Plowman

Second By: Schwantes

WHEREAS, pursuant to notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for 2020 Street and Other Improvements, and has amended such proposed assessment as it deems just;

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

1. Such proposed assessment, the sum of \$718,020.90, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein is hereby found to be benefited by the proposed improvement listed as Project 2001.

2. Such assessments shall be as follows:

A. The assessments shall be payable in equal annual installments extending over a period of ten (10) years, the first of said installments to be payable with general taxes for the year 2020, collectible with such taxes during the year 2021.

B. To the first installment shall be added interest at the rate of three and seventy five hundredths (3.75) percent per annum on the entire principal amount of the assessment from the date of funding, approximately July 1, 2020, until December 31, 2021. To each subsequent installment, when due there shall be added interest for one year at said rate on the unpaid principal amount of the assessment.

C. The owner of any property so assessed may at any time prior to the certification of the assessment or the first installment thereof to the County Auditor (Treasurer), pay the whole of the principal amount of the assessment on such property with interest accrued to the date of payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid by October 31, 2020, and such property owner may at any time prior to November 15 of any year pay to the City Clerk the entire principal amount.

3. The City Clerk shall forthwith transmit a certified duplicate copy of this assessment to the County Auditor to be extended on the tax list of the County.

Dated this 18th day of May, 2020

s/s Marv Calvin

MAYOR

ATTEST:

s/s Judy Thompson

CITY CLERK

RESOLUTION NO. 2020-075

A RESOLUTION AWARDED PROJECT NO. 2001-A TO DUININCK, INC. IN THE AMOUNT OF \$1,319,801.25.

Motion By: Mueske

Second By: Schwantes

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. 2001-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 \$1,319,801.25.

Dated this 18th day of May, 2020

s/s Marv Calvin

Mayor

Attest:

s/s Judy Thompson

City Clerk

RESOLUTION NO. 2020-076

**A RESOLUTION AWARDED PROJECT NO. 2001-B TO RILEY BROS. CONSTRUCTION, INC.
IN THE AMOUNT OF \$431,281.25.**

Motion By: Asmus

Second By: Fagerlie

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Riley Bros. Construction, Inc. of Morris, MN for Project No. 2001-B 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 \$431,281.25.

Dated this 18th day of May, 2020

s/s Marv Calvin

Mayor

Attest:

s/s Judy Thompson

City Clerk

RESOLUTION NO. 2020-077

A RESOLUTION AWARDED PROJECT NO. 2003-A TO DUININCK INC. IN THE AMOUNT OF \$693,793.10.

Motion By: Alvarado

Second By: Asmus

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. 2003-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 \$693,793.10.

Dated this 18th day of May, 2020

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 2020-078

A RESOLUTION ACCEPTING CHANGE ORDER NO. 3 FOR THE ROBBINS ISLAND FOUR SEASON SHELTER PROJECT.

Motion By: Plowman Second By: Alvarado

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 Robbins Island Four Season Shelter Project between the City of Willmar and RAM General Contracting of Winsted, Minnesota by Change Order No. 3 in the increased amount of \$11,409.56.

Dated this 18th day of May, 2020

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 2020-079

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZE ADVERTISEMENT FOR BIDS FOR PROJECT NO. 2001-C WEST HWY 12 WATERMAIN.

Motion By: Plowman Second By: Alvarado

WHEREAS the City Engineer of the City of Willmar have presented to the City Council plans and specifications for Project No. 2001-C West Hwy 12 Watermain for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized.

Dated this 18th day of May, 2020.

s/s Marv Calvin

Mayor

Attest:

s/s Judy Thompson

City Clerk

RESOLUTION NO. 2020-080

RESOLUTION CALLING FOR PUBLIC HEARING ON AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$1,965,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2020A AND LEVYING TAXES FOR THE PAYMENT THEREOF

Motion By: Nelsen

Second By: Fagerlie

WHEREAS:

A. The City of Willmar (the "City") has heretofore undertaken to construct certain public improvements pursuant to Minnesota Statutes, Chapters 429, as more fully described in the proposed Ordinance set forth below.

B. Said improvements have heretofore been duly incorporated into the City's capital Program in accordance with the City Charter.

C. It is necessary and desirable that the City of Willmar issue its General Obligation Improvement Bonds, Series 2020A in the principal amount of \$1,965,000 to various improvement projects in the City.

D. Section 2.12 of the City Charter requires that acts of the City Council which authorize the borrowing of money and levying of taxes shall be by ordinance.

E. Councilmember Nelsen introduced an Ordinance entitled "An Ordinance Authorizing the Issuance of \$1,965,000 General Obligation Improvement Bonds, Series 2020A and the Levying of Taxes to Secure Payment Thereof".

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

1. The City Clerk is authorized and directed to distribute a copy of said Ordinance to each Council Member, to the Mayor, and to the City Attorney, and to file a reasonable number of copies of the Ordinance in the office of the City Clerk and the following other public places:

- A. _____
- B. _____
- C. _____

2. This Council shall meet at the time and place specified in the form of notice hereinafter contained for the purpose of conducting a public hearing on the Ordinance and considering the Ordinance for adoption.

3. The City Clerk is hereby authorized and directed to cause notice of the time, place and purpose of said public hearing to be published in the local official newspaper of the City not less than seven days in advance of the date of hearing as required by the City Charter, which notice shall be substantially the form attached as **Exhibit A** hereto.

4. Upon sale of said bonds, the City Clerk shall compute the levy made by said Ordinance No. ____ commencing in or about the year 2021 and ending in or about the year 2030 upon all taxable property in the City, which tax shall be spread upon the tax rolls and collected with and as part of other general property taxes in said City in such an amount as is necessary to comply with Minnesota Statutes, Section 475.61, subd. 1. Said tax levy shall be irrevocable so long as any of said bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, subd. 3.

5. No bonds shall be issued and no tax levy shall be effective in accordance with this resolution until (a) after the Ordinance has been duly adopted and published in accordance with the City Charter, and (b) the applicable 15 day period has elapsed with respect to said Ordinance and all appropriate bond resolutions during which period no Certificate of Intent is filed in accordance with Section 7.04(j) of the City Charter.

The motion for the adoption of the foregoing resolution was duly seconded by Member Fagerlie and upon a vote being taken thereon, the following voted in favor thereof: Council Members Rick Fagerlie, Shawn Mueske, Kathy Schwantes, Vicki Davis, Fernando Alvarado, Julie Asmus, Andrew Plowman, and Audrey Nelsen

and the following voted against the same: None

Whereupon said resolution was declared duly passed and adopted this 18th day of May, 2020.

s/s Marv Calvin

MAYOR

ATTEST:

s/s Judy Thompson

CITY CLERK

EXHIBIT A

NOTICE OF PUBLIC HEARING
ON THE ADOPTION OF AN ORDINANCE

NOTICE IS HEREBY GIVEN by the City Council of the City of Willmar, Minnesota, that the City Council will conduct a public hearing on and consider adoption of the Ordinance described below, at 7:00 o'clock p.m. on the 1st day of June, 2020 said proposed Ordinance is as follows:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$1,965,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2020A AND THE LEVYING OF TAXES TO SECURE PAYMENT THEREFOR.

The City of Willmar hereby ordains:

1. In accordance with Minnesota Statutes, Chapter 429, the City of Willmar has heretofore determined to construct the following improvements:

<u>Project</u>	<u>Total Cost</u>	<u>Amount to be Financed</u>	<u>Amount to be Assessed</u>
2020 Improvements	\$3,443,188	\$1,965,000	\$739,877

2. In order to finance said improvements it is necessary to issue General Obligation Improvement Bonds of the City in the amount of \$1,965,000.

3. For the purposes of complying with Minnesota Statutes, Section 475.61, there will be levied a direct ad valorem tax upon all taxable property in the municipality in such amounts as are required by law to secure payment of said Bonds.

4. This Ordinance is adopted in order to authorize the borrowing of money and the issuance of General Obligation Improvement Bonds and the levying of taxes therefor as provided in Section 2.12 of the City Charter. Further details shall be set forth by resolution.

The Mayor of the City has determined, due to the emergency declared under Minn. Stat. Chapter 12 by the Governor of Minnesota and the Mayor regarding the COVID-19 health pandemic, that it is not practical nor prudent for the Council to meet in-person or pursuant to Minnesota Statutes, Section 13D.02. In light of the COVID-19 health pandemic, it is not feasible for any member of the Council to be present at the regular location, and all members of the Council will attend this meeting by telephone or other electronic means.

It is also not feasible for members of the public to attend the meeting at its regular location due to the health pandemic and emergency. Accordingly, no meeting will be held at the Kandiyohi County Health and Human Services Building Board Room, 2200 23rd St NE #1020, Willmar, MN 56201.

Members of the public may monitor this meeting via the City's website at www.willmarmn.gov.

Public comment can be submitted to the City Clerk via email at info@willmarmn.gov. Any comments and materials submitted by 4:00 p.m. on the meeting day will be provided to the Council for their review. Members of the public who wish to participate during the public hearing can call 320-335-7135 (and the area code must be dialed).

By Order of the City Council

/s/ Judy Thompson
City Clerk