

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

November 2, 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, Public Works Director Sean Christensen, Human Resource Director Samantha Beckman, City Planner Sarah Swedburg, City Clerk Judy Thompson, and City Attorney Robert Scott.

At this time, Mayor Calvin turned the meeting over to Mayor Pro Tempore Rick Fagerlie.

Additions to the agenda included: Council Member Mueske added a closed session to address labor negotiations.

Council Member Mueske moved to approve the agenda, as amended. Council Member Davis 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 October 19, 2020
- B. Willmar Municipal Utilities Commission Minutes of October 26, 2020
- C. Planning Commission Minutes of October 21, 2020
- D. Application for Exempt Permit – Willmar Rifle and Pistol Club
- E. Accounts Payable Report for October 15 through October 28, 2020
- F. Human Rights Commission Minutes of September 15, 2020
- G. Willmar Area CVB Minutes of September 15, 2020
- H. Park and Recreation Board Minutes of September 16, 2020
- I. Willmar Main Street Minutes of September 22, 2020
- J. Willmar Main Street Minutes of October 27, 2020

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

City Planner Swedburg presented an update on the 2020/2021 Artists on Main Street projects.

The Public Works Committee Report for October 21, 2020 was presented to the Mayor and Council by Council Member Plowman. There were six items for consideration.

Item No. 1 Staff brought forth, for information, the removal of downtown outdoor seating. With the recent snow fall, downtown businesses have removed their tables from the streets. This item was for information only.

Item No. 2 Staff brought forth, for information, the removal of a silver maple tree to the east of the Fire Station. The tree has caused damage to the roof of both the station and also Schwegman Cleaners and Laundry. It was noted by staff this is not the tree donated to the City from Germany. The Public Works department will remove the tree and seed the area after the stump is ground out. This item was for information only.

Item No. 3 It was the recommendation of the Committee to adopt a resolution authorizing Change Order No. 2 in the amount of \$5,780.50 for Project No. 2001-A 9th Street SE reconstruction. Additional concrete removals due to steep driveway issues and added erosion control were required along the project resulting in the change order. The additional cost will be paid from the project's contingencies budget.

Resolution No. 2020-139 Accepting Change Order No. 2 for Project No. 2001-A 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 a resolution authorizing Change Order No. 3 in the amount of \$29,465.40 for Project No. 2003-A 1st Street Overlay. Installation of an additional 36 linear feet of watermain on the south side of 19th Avenue was needed resulting in the change order. It was not installed in 2019 by WMU due to intersection lighting infrastructure conflicts. With this year's project, it provided an opportunity to replace the section at minimal cost. The additional cost will be paid from the project's contingencies budget.

Resolution No. 2020-140 Accepting Change Order No. 3 for Project No. 2003-A was introduced by Council Member Plowman. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Item No. 5 It was the recommendation of the Committee to adopt a resolution authorizing Change Order No. 1 in the amount of \$421.75 for Project No. 1905 Swansson Field Path Overlay. It was also the recommendation of the Committee to adopt a resolution accepting the project and authorizing final payment to Duinick, Inc. in the amount of \$5,698.25. Added seeding and mulching were required to meet existing grade, resulting in the change order. The additional cost will be paid from the contingencies budget. The project has been reviewed by staff and the recommendation is to authorize final payment to the contractor.

Resolution No. 2020-141 Accepting Change Order No. 1 for Project No. 1905 was introduced by Council Member Plowman. Council Member Alvarado seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Resolution No. 2020-142 Accepting Project No. 1905 and Authorizing Final Payment 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. 6 It was the recommendation of the Committee to adopt a resolution accepting Project No. 1903-A 15th Street SW Overlay and authorizing final payment to Duinick, Inc. in the amount of \$47,795.72. The project included the overlay of 15th Street SW from Trott Avenue to 19th Avenue. Final quantities have been reviewed by staff and the recommendation is to authorize final payment to the contractor.

Resolution No. 2020-143 Accepting Project No.1903-A and Authorizing Final Payment was introduced by Council Member Plowman. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

The Public Works Committee Report of October 21, 2020, was approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Plowman. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

The Finance Committee Report for October 22, 2020 was presented to the Mayor and Council by Council Member Nelsen. There were thirteen items for consideration.

Item No. 1 Staff explained Dovre Township is under an annual contract for Willmar Fire Department services. A statewide formula has been used for decades to calculate the Township cost sharing proposal. The current numbers were reviewed with the Committee as well as historical information from the previous five years. The proposed contract for 2021 totals ~~\$37,715.86~~ \$35,715.86 based on 165 firefighter hours accumulated in 2019.

It was the recommendation of the Committee to approve a resolution to authorize the Mayor and City Administrator to execute the 2021 Fire Agreement with Dovre Township for \$35,715.86.

City Clerk Thompson noted the correct amount of the agreement is \$35,715.86 and there is a correction needed to the minutes in the first paragraph of this item.

Resolution No. 2020-144 Approving Dovre Township Fire Agreement in the Amount of \$35,715.86 was introduced by Council Member Nelsen. Council Member Plowman seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Item No. 2 David Euerle, Lead Auditor from Westberg & Eischens, presented the 2019 Audit to the Committee. He noted since 2015 the City, as planned, has been spending down fund balances in the General Fund and the Capital Improvements Fund. As of 2019, the total fund balances of those two funds was \$13,314,718. It was noted, given the planned 2020 expenditures, the Fund balance is still in good shape. Other items reviewed were the General Fund Balance Classifications of \$261,217 of Non-spendable and \$12,112,532 of Committed. Detail of the Committed Fund Balance was reviewed and it was recommended, per established fund balance guidelines, Council action be taken to establish each amount designated under the Committed Fund Balance. The Community Investment Fund Balance as of 2019 was \$10,589,151 which is up significantly from the previous year due to a couple of debt service funds that matured and were finalized with the remaining balances transferred into the Community Investment Fund for future use. The Debt Service Fund Balances are approximately 43 percent (43%) of the total debt, which indicates no major issues. The Waste Treatment Fund appears to be generating more revenue than expenditures with more than appropriate debt coverage available. At the end of 2019 there was approximately \$1.7 million in cash and investments which helps provide sufficient reserves against unexpected expense fluctuations.

A summary of the City's investment portfolio at the end of 2019 was provided and it was noted concentration of maturity dates of six to ten years out have decreased over the last few years with the greatest concentration of maturity dates now being invested for only one to two years. It was recommended the City's Investment Policy be revised to address limits on the length of investment maturities, particularly those with a term over five years. Currently there is nothing in the investment policy that designates how much to be invested for certain intervals and it was recommended this be addressed to consider interest rate risk.

The overall General Fund did not exceed the budget, however, within that fund six departments exceeded their individual budgets with Public Works seeing the greatest overage of \$200,733. Half of the Public Works excess was attributable to personnel costs. Finance Director Okins noted overtime was a big factor in the overage as well as fuel usage and supply usage. The Planning and Development Services overage was due to a retirement. Mr. Euerle recommended the Council take some action when the budget is exceeded, to at least note what other funds could be used to cover the deficit.

The Governance Communication Letter was also reviewed noting the items previously discussed were addressed in this letter.

Staff will present a recommendation to update the Fund Balance Policy, Investment Policy and Budgetary Overages Policy at the next Finance Committee meeting.

Committee members asked Mr. Euerle for a recommendation on a procedure to address or prevent budget overages. He felt department heads were already being provided monthly reports and should discuss issues or concerns with the Finance Director and City Administrator about projections and come up with a plan on what should happen.

It was the recommendation of the Committee to accept the 2019 Audit as presented.

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

Mayor Calvin expressed his concern of not being contacted by the auditors and the responsibilities of Mayor per City Charter. He was not asked for his overview on overages, and stated he should have been notified of said overages.

Item No. 3 Finance Director Okins introduced Baker Tilly Consultant Doug Green to update the City on the proposed schedule to issue \$5 million in General Obligation Sales Tax Revenue Bonds, Series 2020B, as well as provide an update on the current interest rate market for general obligation tax-exempt bonds and discuss the method of sale.

Mr. Green reviewed the proposed schedule projecting the final bond settlement could be completed by the end of December or first part of January. He noted interest rates for publicly held bonds are currently very low, at 0.35% to 1.35%, making it a good time for issuing bonds via the public market. He has contacted Bremer Bank and was informed currently, their estimated interest rate would be 1.73%. He noted local bonding usually moves more quickly compared to issuing bonds publicly. However, by issuing bonds publicly, the City could save around \$67,000 in financing costs, which could be used toward actual project costs instead of financing costs. Locally issuing bonds would provide local banks the opportunity to participate in the lending process.

It was the recommendation of the Committee to approve a resolution to set a public hearing for the sale of \$5 million in bonds.

Council Member Nelsen asked that the date of the public hearing, November 16th, be included in the minutes.

Resolution No. 2020-145 Calling for Public Hearing On An Ordinance Authorizing the Issuance of \$5,000,000 General Obligation Sales Tax Revenue Bonds, Series 2020B was introduced by Council Member Nelsen. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Item No. 4 Finance Director Okins reported a request has been received to conduct an in-person meeting of the Finance Committee with Full Council at the Community Center on November 5th with the focus on Fund Balances and Revenues Available. Further, a similar meeting would be scheduled for November 19th to discuss the Operating and Capital Expenditures of the proposed 2021 Budget. Finally, an additional meeting would be scheduled for November 30th or December 3rd to discuss the debt service and wrap up any final recommendations. The Go-To-Meeting options could still be available for each of these meetings. After considerable discussion, it was decided a hybrid meeting would be scheduled for November 5th allowing members to attend either in person or remotely via GoToMeeting. Fund Balances and Available Revenues will be discussed at the meeting. November 19th was tentatively scheduled in the same fashion to discuss the Operating and Capital Expenditures, and November 30th was tentatively scheduled in the same fashion to discuss debt service and wrap up any final recommendations. This item was for information only.

Item No. 5 EDC Director Aaron Backman reported to the Committee since July, 277 applications have been received for CARES Funding grants. Businesses comprise 85 percent of those applications, with the remainder from nonprofit organizations. The EDC was initially provided approximately \$2.5 million to be used for these grants, with \$1.3 million designated from the County, \$1 million from the City, and the remaining amount from townships and other cities in the county. As of October 6th, all of the funds initially designated for these grants were used. Subsequent to that date, the County was able to provide an additional amount of \$500,000. The EDC is projecting by next Tuesday, October 27th, those additional funds will be also used up. Mr. Backman explained as of today, \$60,000 remains available; however, 11 applications are waiting to be funded totaling \$150,000. Consequently, the EDC is requesting an additional \$90,000 from the City if at all possible to enable funding of these remaining applications. It was noted 59 percent of the businesses funded to-date and 75 percent of the nonprofit organizations are from Willmar. Administrator Gramentz explained the City continues to incur expenditures applicable to the Covid Pandemic; consequently, it is uncertain at this time what funds, if any, would be available to pass along to the EDC. Staff will review the City's expenditures,

both actual and projected, and will report back to the Committee on the current status at the next Finance Committee meeting. This request was taken by the Committee for information at this time.

This item was for information only.

Item No. 6 City Administrator Gramentz reported Council Member Asmus raised the question of the City's fee structure for facility rentals for various groups. Council Member Asmus explained she is a member of the Vision 2040 Leadership Committee which is holding training at the Community Center. This committee is being charged a rental fee of \$100 per meeting, according to the City's fee structure. Concerns were expressed the City makes a contribution to Vision 2040 but yet the City is charging rent to Vision 2040 which seems duplicative. Parks & Recreation Director Rob Baumgarn will review the City's current fee schedule as it relates to nonprofits and City associations and will report back to the Finance Committee with a recommendation. This matter was taken by the Committee for information at this time.

This item was for information only.

Item No. 7 Staff noted the next Finance Committee meeting will address recommended revisions to the Fund Balance Policy as discussed previously. This matter was taken by the Committee for information at this time.

This item was for information only.

Item No. 8 Staff reported 55 – 60 percent of City Staff have required the use of Emergency Paid Sick Leave Funds to-date. Further information will be provided on the status of all expenditures to-date at the next Finance Committee meeting.

This item was for information only.

Item No. 9 Finance Director Okins reviewed with the Committee the September 30, 2020, Financial Report for the General Fund and the Waste Treatment Fund, as well as the Investment and Cash Information. Legal costs related to the Local Option Sales Tax Projects were discussed and a request was made to break out those costs from the general legal costs to determine the possibility of charging projects for their share of legal costs. This item was for information only.

Item No. 10 Staff reviewed the third quarter investment reports and noted investment activity has been much higher than normal due to the economic conditions. This item was for information only.

Item No. 11 Finance Director Okins noted he has been out of the office for a couple of weeks and thanked staff for covering for him during his time away. This item was for information only.

Item No. 12 Council Member Asmus expressed concerns about the possibility of Carris Health selling off assets, specifically the dialysis unit. City Administrator Gramentz reported he has requested the City Attorney review the hospital documents regarding this issue. He is also contacting Hospital CEO Mike Schramm about this as well. This item was for information only.

Mayor Calvin expressed his concern about the terms of the Carris Health lease as well, and his desire for the City Attorney to review the lease requirements.

Item No. 13 Future Finance Committee meetings will include discussion on filing fees, Federal Path Local Financing, and possible Carris Health Debt Refinancing. This item was for information only.

The Finance Committee Report of October 22, 2020, as amended, 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.

City Administrator Gramentz presented a request to appoint the Police Chief, City Administrator, and one city elected official to make up the City of Willmar representatives on the joint City/County Administrative Space Committee. Mr. Gramentz also proposed this committee meet annually.

Following discussion, Council Member Asmus volunteered to represent the elected official position.

Council Member Schwantes offered a motion to appoint the Police Chief, City Administrator, and Council Member Asmus to the Joint City/County Administrative Space Committee. Council Member Davis seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

City Administrator Gramentz presented a request to authorize the distribution of \$180,000 of City of Willmar CARES funds to the Kandiyohi County EDC for the purpose of providing financial assistance grants to businesses and non-profits with the same program guidelines as approved with the initial \$1,000,000 allocation.

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

Council Member Mueske offered the following comments: urged everyone to "Vote".

Council Member Schwantes offered the following comments: the "Celebrate the Light of the World" will be setting up the lights Friday, Saturday, and Sunday for the next two weekends and urged everyone to sign up on their website.

Council Member Davis offered the following comments: we are expecting beautiful weather this week.

Council Member Nelsen offered the following comments: she participated in a "Healthy Together" Willmar celebration recently, it was amazing and great for our community - thanked Blue Cross Blue Shield for their investment in Willmar; thanked all that participated in this event.

Council Member Alvarado offered the following comments: "Vote", Stay calm; listen to Dr. Smith's public service announcement; November 11th is Veteran's Day, and offered his thanks to all the veterans.

Mayor Calvin offered the following comments: he met with Carris Health, Representative Baker, and Senator Lang regarding COVID, and noted our county is the hotspot; urged everyone to wear your mask, stay home, wash hands, and keep your distance; "Shout Out" to Blue Cross Blue Shield for sponsoring the "Healthy Together" event in Willmar.

Council Member Asmus offered the following comments: there was an article in the Minneapolis paper in regard to the Blue Cross Blue Shield event held in Willmar.

The upcoming Committee meetings will be as follows: Public Works/Safety Committee - Wednesday, November 4th at 5:00 p.m.; Finance Committee -Thursday, November 5th at 5:00 p.m.; Community Development Committee - no meeting scheduled at this time; and Labor Relations Committee - Monday, November 23rd at 6:15 p.m.

At this time, Mayor Pro Tempore Fagerlie turned the meeting over to Council Member Mueske.

Council Member Mueske stated the next agenda item is to discuss labor negotiations strategy. This portion of the meeting will be closed for labor negotiations strategy pursuant to Minnesota Statutes, Section 13D.03, subdivision 1(b).

At 8:35 p.m. Council Member Mueske offered a motion to enter into closed session. Council Member Fagerlie seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

The meeting was reopened at 9:28 p.m. by Mayor Pro Tempore Fagerlie.

Resolution No. 2020-146 Approving Labor Agreement Between the City of Willmar and LELS Unit was introduced by Council Member Mueske. Council Member Schwantes seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Resolution No. 2020-147 Approving MOU to Labor Agreement Between the City of Willmar and LELS Unit was introduced by Council Member Mueske. 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 adjourn the meeting with Council Member Mueske seconding the motion which carried. The meeting adjourned at 9:31 p.m.

s/s Rick Fagerlie
MAYOR PRO TEMPORE

Attest:

s/s Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 2020-139

A RESOLUTION ACCEPTING CHANGE ORDER NO. 2 FOR PROJECT NO. 2001-A.

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 Project No. 2001-A between the City of Willmar and Duininck, Inc. of Prinsburg, Minnesota by Change Order No. 2 in the increased amount of \$5,780.50.

Dated this 2nd day of November, 2020

s/s Rick Fagerlie
Mayor Pro Tempore

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 2020-140

A RESOLUTION ACCEPTING CHANGE ORDER NO. 3 FOR PROJECT NO. 2003-A.

Motion By: Plowman

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 Mayor and City Administrator of the City of Willmar are hereby authorized to modify the contract for Project No. 2003-A between the City of Willmar and Duinick, Inc. of Prinsburg, Minnesota by Change Order No. 3 in the increased amount of \$29,465.40.

Dated this 2nd day of November, 2020

s/s Rick Fagerlie
Mayor Pro Tempore

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 2020-141

A RESOLUTION ACCEPTING CHANGE ORDER NO. 1 FOR PROJECT NO. 1905.

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 Project No. 1905 between the City of Willmar and Duinick, Inc. of Prinsburg, Minnesota by Change Order No. 1 in the increased amount of \$421.75.

Dated this 2nd day of November, 2020

s/s Rick Fagerlie
Mayor Pro Tempore

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 2020-142

A RESOLUTION ACCEPTING PROJECT NO. 1905 AND AUTHORIZING FINAL PAYMENT.

Motion By: Plowman Second By: Alvarado

IMPROVEMENT: Project No. 1905 – Swansson Field Path Overlay

CONTRACTOR: Duinick, Inc.
DATE OF CONTRACT: June 17, 2019
BEGIN WORK: August 20, 2019
COMPLETE WORK: September 30, 2019
APPROVE, ENGINEERING DEPT: September 29, 2020

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

1. The said City of Willmar Project No. 1905 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$104,532.50
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$104,532.50
CHANGE ORDER NO. 1:	\$421.75
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$104,954.25
Less Previous Payments	\$99,256.00
FINAL PAYMENT DUE CONTRACTOR:	\$5,698.25

Dated this 2nd day of November, 2020

s/s Rick Fagerlie
Mayor Pro Tempore

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 2020-143

A RESOLUTION ACCEPTING PROJECT NO. 1903-A AND AUTHORIZING FINAL PAYMENT.

Motion By: Plowman Second By: Asmus

IMPROVEMENT: Project No. 1903-A – 15th Street SW Overlay

CONTRACTOR: Duinick, Inc.
DATE OF CONTRACT: June 17, 2019
BEGIN WORK: September 23, 2019
COMPLETE WORK: October 17, 2019
APPROVE, ENGINEERING DEPT: September 29, 2020

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

1. The said City of Willmar Project No. 1903-A be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$634,026.70
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$634,026.70
CHANGE ORDER NO. 1:	\$5,710.00
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$495,392.56
Less Previous Payments	\$447,596.84
FINAL PAYMENT DUE CONTRACTOR:	\$47,795.72

Dated this 2nd day of November, 2020

s/s Rick Fagerlie
Mayor Pro Tempore

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 2020-144

**A RESOLUTION APPROVING DOVRE TOWNSHIP FIRE AGREEMENT
IN THE AMOUNT OF \$35,715.86**

Motion By: Nelsen Second By: Plowman

WHEREAS Dovre Township annually contracts with the City of Willmar Fire Department for fire protection services; and

WHEREAS it is the established practice of the City of Willmar to use a statewide formula to calculate the township cost sharing proposal;

NOW THEREFORE 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 execute the fire protection agreement with Dovre Township for the period January 1, 2021 through December 31, 2021, in the amount of \$35,715.86.

Dated this 2nd day of November 2020.

s/s Rick Fagerlie
MAYOR PRO TEMPORE

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 2020-145

**RESOLUTION CALLING FOR PUBLIC HEARING ON AN
ORDINANCE AUTHORIZING THE ISSUANCE
OF \$5,000,000 GENERAL OBLIGATION SALES TAX REVENUE
BONDS, SERIES 2020B**

Motion By: Nelsen Second By: Asmus

WHEREAS:

A. The City of Willmar (the "City") has heretofore undertaken to construct certain projects pursuant to Laws of Minnesota for 2019, First Special Session, Chapter 6, Article 6, Section 32, as more fully described in the proposed Ordinance set forth below.

B. It is necessary and desirable that the City of Willmar issue its General Obligation Sales Tax Revenue Bonds, Series 2020B in the principal amount of \$5,000,000 to finance the following capital projects in the City in the approximate amounts set forth below (collectively, the "Projects"):

\$3,000,000 for infrastructure improvements at Robbins Island Regional Park; and

\$2,000,000 for a new playground and spectator amenities at Swanson Field Regional Park.

C. 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.

D. Council Member Nelsen introduced an Ordinance entitled "An Ordinance Authorizing the Issuance of \$5,000,000 General Obligation Sales Tax Revenue Bonds, Series 2020B".

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. No bonds shall be issued 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 Amus 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 2nd day of November, 2020.

s/s Rick Fagerlie
Mayor Pro Tempore

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 7:01 o'clock p.m. on the 16th day of November, 2020 at the Kandiyohi County Health and Human Services Building Board Room, 2200 23rd St NE #1020, Willmar, MN 56201, said proposed Ordinance is as follows:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$5,000,000 GENERAL OBLIGATION SALES TAX REVENUE BONDS, SERIES 2020B.

The City of Willmar hereby ordains:

1. The City of Willmar has heretofore determined to finance the following capital projects in the City in the approximate amounts set forth below (collectively, the "Projects"):

\$3,000,000 for infrastructure improvements at Robbins Island Regional Park; and

\$2,000,000 for a new playground and spectator amenities at Swanson Field Regional Park.

2. This Ordinance is adopted in order to authorize the borrowing of money and the issuance of General Obligation Sales Tax Revenue Bonds Series 2020B and the levying of taxes therefor, to finance a portion of the costs of the Projects in an approximate aggregate principal amount not to exceed \$5,000,000, 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 may not be practical or prudent for the Council to meet in-person or pursuant to Minnesota Statutes, Section 13D.02. In light of the COVID-19 health pandemic, some members of the Council may attend this meeting by telephone or other electronic means.

Members of the public may monitor this meeting via GoToMeeting. A GoToMeeting link and additional information or any changes regarding public participation in this meeting will be posted on our 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), or appear in person to the meeting.

By Order of the City Council

s/s Judy Thompson
City Clerk

RESOLUTION NO. 2020-146

**APPROVING LABOR AGREEMENT BETWEEN THE CITY OF WILLMAR
AND LELS UNIT**

Motion By: Mueske

Second By: Schwantes

WHEREAS, LELS Unit is the exclusive representative for certain City of Willmar employees;

WHEREAS, the current labor agreement between the City and LELS Unit expires on December 31, 2020;

WHEREAS, the City of Willmar and LELS Unit met and negotiated over the terms of the new labor agreement between the parties;

WHEREAS, the parties reached a tentative agreement of the terms of the new labor agreement; and

WHEREAS, the Public Employment Relations Act requires that the City of Willmar execute a labor agreement and implement it in the form of a resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF WILLMAR, MINNESOTA,
AS FOLLOWS:**

1. The Labor Agreement between City of Willmar and LELS Unit for January 1, 2021 through December 31, 2022 is approved.
2. The Mayor and Administrator shall execute the agreement.
3. The City of Willmar shall implement the agreement.

Dated the 2nd day of November, 2020

Approved:

s/s Rick Fagerlie
Mayor Pro Tempore

Attested:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 2020-147

**APPROVING MOU TO LABOR AGREEMENT BETWEEN THE CITY OF WILLMAR
AND LELS UNIT**

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 Mayor and City Administrator be authorized to enter into a Memorandum of Understanding between the City of Willmar and LELS Labor Unit regarding health insurance premiums for 2022.

Dated the 2nd day of November, 2020

Approved:

s/s Rick Fagerlie
Mayor Pro Tempore

Attested:

s/s Judy Thompson
City Clerk