

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

November 5, 2018
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 Audrey Nelsen, Ron Christianson, Kathy Schwantes, Fernando Alvarado, Julie Asmus, Shawn Mueske, Andrew Plowman, and Rick Fagerlie. Present 9, Absent 0.

Also present were City Administrator Ike Holland, Police Chief Jim Felt, Public Works Director Sean Christensen, Planning and Development Services Director Bruce Peterson, Recreation Director Rob Baumgarn, Human Resource Director Samantha Beckman, City Planner Sarah Swedburg, City Clerk Judy Thompson and City Attorney Robert Scott.

Proposed additions to the agenda included: Mayor Calvin added 2019 Small Cities Development Program Pre-Application; 2019 Health Insurance Update; and Flags of Honor Memorial Proposal. These items were brought forward from the Work Session held earlier this evening.

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

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Meeting Minutes of October 15, 2018
- B. Willmar Municipal Utilities Board Minutes of October 22, 2018
- C. **Resolution No. 136 Deferring Special Assessments for Senior Citizens, Disabled or Active Military**
- D. Assign Tax Abatement to Fath Family Properties, LLC
- E. **Resolution No. 18-137 Amend Credit Card Use Policy**
- F. **Resolution No. 18-138 Adopting Policy on Finding 2017-003 for Electronic Funds Transfer**
- G. **Resolution No. 18-139 Amend Fund Balance Policy**
- H. **Resolution No. 18-140 Amend the Investment Policy**
- ~~I. Resolution to Approve School Resource Officers Agreement~~
- ~~J. Resolution to Approve License Agreement and Re-appropriate Funds for Celebrate the Light of the World Light Display~~
- ~~K. Resolution Accepting Professional Services Agreement with SRF for Robbins Island Boardwalk~~
- L. Willmar Lakes Area CVB Board Minutes of August 28, 2018
- M. Human Rights Commission Minutes of September 18, 2018
- N. Accounts Payable Report for October 11 – October 31, 2018

Council Member Mueske offered a motion to approve the Consent Agenda. Council Member Nelsen asked that Item I, J, and K. be removed for discussion. Council Member Plowman seconded the motion to approve the consent agenda, with the removal of Item I, J, and K., which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Nelsen asked for clarification of the School Resource Officers Agreement. She inquired if the difference between the 2018 agreement and the 2019 agreement could be reviewed.

Police Chief Felt did not have the 2018 agreement information available, but he did have the information for the 2016-2017 agreement and stated the total amount of the contract was for \$150,000.00 for three full-time school resource officers, compared to three and three quarter full-time officers being proposed for 2019.

Following clarification, **Resolution No. 18-141 Authorization to Execute Agreement with Willmar School District No. 347 for School Resource Officers** was introduced by Council Member Nelsen. Council Member Mueske seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Nelsen asked for clarification of the License Agreement and Re-appropriation of Funds for the Celebrate the Light of the World Light Display in regard to where the funds are being transferred from.

City Administrator Ike Holland stated the funds will be transferred from the Robbins Island unexpended funds that were obligated for the Legacy Grant for the four season building and trail. That grant became smaller so the funds became available, and upon recommendation by the Finance Director the funds will be pulled from that line item.

Following clarification, **Resolution No. 18-142 Authorization to Execute License Agreement with Willmar Fests for Use of Robbins Island for Holiday Light Display** was introduced by Council Member Nelsen. Council Member Alvarado seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Nelsen asked City Attorney Robert Scott to clarify his comments sent to staff in an email this morning in regard to the Professional Services Agreement with SRF for Robbins Island Boardwalk. City Attorney Scott clarified his email to staff simply stated, if there is a resolution entering into a contract, staff should follow the City's template services contract and no changes need to be made to the verbiage in the resolution.

Following clarification, **Resolution No. 18-143 A Resolution Awarding the Contract for the Robbins Island Boardwalk Design and Construction Related Services to SRF Consulting Group, Inc. in the Amount of \$32,480.00** was introduced by Council Member Nelsen. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Calvin welcomed several Kandiyohi County SWAT students who were in attendance at tonight's meeting.

No one was present to speak during the Open Forum.

At 7:08 p.m. Mayor Calvin opened the public hearing for an Ordinance to Rezone Land from I-1 (Limited Industrial) to GB (General Business). Planning and Development Services Director Bruce Peterson stated Peart Properties, LLP, is requesting the rezone as owners of the property with intention to sell to an interested party for a day care center. Planning Commission held a public hearing on the matter on October 3, 2018, and they approved the request excluding the northwesterly most parcel and easterly 4 parcels, reflective of public comments, to create a Commercial Corridor leading into the Industrial Park.

Abdirahin Hussein, Willmar, addressed the Council at the hearing and spoke in support of the rezone and the need for more daycare facilities in Willmar.

Nasra Husein, Willmar, addressed the Council at the hearing and spoke in support of the rezone and the need for more daycare facilities in Willmar.

There being no others to speak for or against the proposed ordinance, Mayor Calvin closed the hearing at 7:14 p.m. and opened it up for discussion by the Council. Following discussion, Council Member Fagerlie offered a motion to approve the proposed ordinance, adopt, assign a number and order final publication of **Ordinance No. 1431 An Ordinance Amending Municipal Ordinance No. 1060, The Willmar Zoning Ordinance**. Council Member Mueske seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Planner Sarah Swedburg and Kandiyohi County Housing and Redevelopment Authority (HRA) Director Jill Bengtson presented a request to submit a pre-application to the Minnesota Department of Employment and Economic Development (DEED) for 2019 Small Cities Development Program funding. The HRA would like to submit a pre-application to Minnesota DEED requesting \$750,000 in grant funds to administer a Small Cities Development Program that would include funds for a Downtown Streetscape project and window replacement at Lakeview Apartments. The City would be the applicant and grantee if awarded funds. The HRA would administer the funds on the City's behalf. It was noted this item was brought forward from the Work Session held earlier this evening.

Following discussion, Council Member Nelsen offered a motion to approve the request to submit a pre-application to the Minnesota DEED for 2019 Small Cities Development Program funding as requested. Council Member Asmus seconded the motion which carried.

Willmar Bikes Committee member Pam Vruwink presented a request to bring a bike share program to the City of Willmar. There would be 40 refurbished bikes and 10 docking stations placed around the community for people to utilize for low cost transportation and for recreational purposes at a cost of \$1.00 per hour ride. The City would receive 80% of the revenue of each rented bike. The bike share program will be under the direction of the park and recreation department.

Mayor Calvin proposed an amendment to the proposed request as follows: to approve the City's participation in and ownership and management of a bike share program as proposed by the Willmar Bikes committee, and direct staff and the City Attorney to negotiate the appropriate contracts with Koloni and Carris Health for consideration and approval by the Council at an upcoming meeting.

Ms. Vruwink stated Koloni has already given a deadline extension through tonight for the Council's decision.

Following discussion, Council Member Schwantes offered a motion to approve an amendment to the Mayor's amendment to authorize the purchase subject to review and approval of the bike purchase agreement with Koloni and an accompanying services contract by the City Attorney and City Administrator. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 2. Council Members Christianson and Fagerlie voted "no."

City Clerk Judy Thompson presented a request to reduce special assessments against property located at 1225 16th Street Southwest, Parcel No. 95-860-0100, by the amount of \$747.00. The property owner contacted the Clerk's Office recently to request the reduction for the costs of the apron due to the fact they desire to pour the entire driveway and apron at a later date and will incur the costs on their own. The City Engineer's Office visited the property and calculated the cost of the apron at \$747.00.

Following discussion, **Resolution No. 18-144 A Resolution Reducing Special Assessments Against Property** was introduced by Council Member Fagerlie. Council Member Schwantes seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Public Works Director Sean Christensen presented a request from the Veterans Central Council for renovation improvements at the Flags of Honor Park on North Highway 71 and to proceed with a fundraising campaign. Some of the proposed renovations include: replacing the wood entrance sign with a granite sign; reducing the number of flags to 50; remove the existing monument, or if keeping it, move it to the front on the opposite side of the sidewalk to mirror the placement of the entrance sign; and create a plaza with a granite feature including bronze service emblems depicting the Army, Navy, Marines, Air Force and Coast Guard along with benches and additional lighting. The project would be made possible with a fundraising campaign whereby pavers would be sold, which will be engraved with wording chosen by the donor, and then incorporated into the plaza construction. It was noted this item was brought forward from the Work Session held earlier this evening.

Following the presentation, Council Member Nelsen offered a motion to approve the proposal and allow the Veterans Central Council to proceed with a fundraising campaign. Council Member Asmus seconded the motion which carried.

Human Resource Director Samantha Beckman presented a request to select an alternative health insurance plan to offer in 2019 that is the same aggregate value as the health savings account plan the City currently offered in 2018. This plan would be available in the event PEIP is not approved by the unions. Ms. Beckman stated the unions challenged the aggregate value of the alternate health insurance plan (Plan #5) that was approved at a recent Council meeting, so an Actuarial Accountant was hired to calculate the exact aggregate value of the alternatives in comparison to the current plan offered in 2018. Staff's recommendation was to select Plan #4 from the aggregate value alternatives to offer as the alternative to PEIP. It was noted this item was brought forward from the Work Session held earlier this evening.

Following a lengthy discussion and upon Mayor and Council's disappointment in having to make this decision, Council Member Plowman reluctantly offered a motion to approve staff's recommendation. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0. Council Member Christianson abstained from voting.

Council Member Nelsen offered a motion that the timeline be reviewed and established for this process to eliminate these decisions having to be made at the 11th hour. She requested the timeline start from last year at this time to when the closed Labor meeting took place to provide the direction, when the information was sent out for bids, what was communicated during union negotiations, when the bids were received, all the bids that were correct and incorrect, and the timeline that brought us up to tonight. Council Member Christianson seconded the motion which carried.

City Administrator Ike Holland stated the next Work Session will be held on November 13th as the 12th is Veteran's Day. Mr. Holland asked if any Council Members will not be in attendance at the November 13th or November 19th meetings. Council Member Fagerlie stated he will not be in attendance at either meeting.

Mayor Calvin reminded everyone that tomorrow is election day and urged everyone to get out and vote; thanked the Graves family for developing Legacy Commons on First which opened today and was a great event attended by many staff and Council members; he spoke with Chad Koosman regarding the light display at Robbins Island and the lights were turned on briefly last evening and this is a great upcoming event that will bring many people to our community.

Council Member Alvarado reminded everyone to please contribute to UHF television; Veterans Day is next week; he belongs to an organization called Purple Hearts Reunited and if someone has a purple heart that they don't know who it belongs to they can contact the organization at purplehearts.org and they will help to find who it belongs to; and he also urged everyone to get out and vote.

Council Member Asmus gave a "shout out" to City staff in regard to clean up efforts throughout the community before the snow arrives; she drove through Robbins Island and thus far the lights look good and urged everyone to take this opportunity to help in any way possible.

Council Member Mueske thanked everyone for the continued patience with the road projects that are nearing completion; there is a lot of projects going on in the City and there is a lot to be proud of; get out and vote tomorrow.

Council Member Plowman urged everyone to get out and vote and become involved in the various organizations throughout the community.

Council Member Christianson offered a motion to adjourn the meeting with Council Member Alvarado seconding the motion which carried. The meeting adjourned at 7:50 p.m.

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 18-136

A RESOLUTION CERTIFYING DEFERRED SPECIAL ASSESSMENTS

Motion By: Mueske Second By: Plowman

WHEREAS, the City Council of the City of Willmar, Minnesota, did order the reconstruction of certain streets during the year 2018 (Project 1801); and

WHEREAS, Minnesota Statutes, Sections 435.193 to 435.195 allows local governments certifying special assessments against municipal properties to defer the payment of that assessment for any homestead property owned by a person 65 years of age or older, retired by virtue of a permanent and total disability; and active military

WHEREAS, certain property owner(s) have made application to the City for delayed payment of tax on special assessments and have met the criteria contained in Minnesota Statutes for said deferment.

NOW, THEREFORE, BE IT RESOLVED by the Willmar City Council that special assessments as hereinafter designated be certified to the County and deferred for the years of 2019 through 2028 with interest at the annual rate of four and sixty-seven hundredths (4.67%) percent.

BE IT FURTHER RESOLVED that the option to defer payments will terminate and all deferred payments and interest become payable if a) the owner dies and the surviving spouse is not eligible; b) the property or a portion of the property is sold, transferred or subdivided; c) the property loses its homestead status; or d) the City determines that to require immediate or partial payment would not create a hardship.

John H. & Mary L. Seeman 1322 Ella Avenue NW Willmar	95-820-1420 Section 10, Township 119, Range 35, Block 7 THORPE & LIEN'S ADDITION TO THE CITY OF WILLMAR S.200' OF W.75' OF E.150 FT. OF LOT 3	\$3,375.00
Wilfred & Janice Wenberg 517 9 th Street NW Willmar	95-820-1020 Section 10, Township 119, Range 35, Block 5 THORPE & LIEN'S ADDITION TO THE CITY OF WILLMAR PART OF LOT 4: BEG. AT A PT ON E. LINE OF LOT 4, 150'S. OF NE COR. TH. W. PARA. WITH S. LINE OF SAID LOT 218' TO A PT. TH. S. 50 FT., TH. E. 218', TH. N. 50' TO PT. OF BEGINNING.	\$4,250.00
Ronald Adams & Linda Cogelow 900 Park Avenue NW Willmar	95-820-0020 Section 10, Township 119, Range 35, Block 1 THORPE & LIEN'S ADDITION TO THE CITY OF WILLMAR PART OF LOT 2, BLK. 1, COM. AT SE COR. OF LOT 2, TH W ON S LINE 64' TH N PARA. TO E LINE OF LOT 2, 100.05' TH NE'LY TO A PT 11 1/2' S OF NE COR OF LOT 2 TH. S. ALONG E LINE TO BEG	\$5,440.00

Dated this 5th day of November, 2018.

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 18-137
ADOPT REVISED CREDIT CARD POLICY

Motion By: Mueske Second By: Plowman

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the Credit Card Policy be amended as follows:

- 1) Revise the list of authorized employee positions to include: City Administrator, IT Coordinator, City Clerk, City Administrator Administrative Assistant, and Department Directors.
- 2) Change "City Clerk-Treasurer's Office" to "Finance Office" to reflect the department that shall keep a record of all employees issued a credit card or having authorization to use a City credit card.

Dated this 5th day of November, 2018.

s/s Marv Calvin
MAYOR

ATTEST:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 18-138
ADOPT ELECTRONIC FUNDS TRANSFER POLICY

Motion By: Mueske Second By: Plowman

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the Electronic Funds Transfer Policy be adopted.

Dated this 5th day of November, 2018.

s/s Marv Calvin
MAYOR

ATTEST:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 18-139
ADOPT REVISED FUND BALANCE POLICY

Motion By: Mueske Second By: Plowman

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the Fund Balance Policy be amended as follows:

- 1) Lower the Stabilization Fund from \$2,600,000 to \$2,000,000
- 2) Correct priority order of fund balance usage as presented
- 3) Remove Rice Memorial Hospital
- 4) Correct terminology as presented

Dated this 5th day of November, 2018.

s/s Marv Calvin
MAYOR

ATTEST:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 18-140
ADOPT REVISED INVESTMENT POLICY

Motion By: Mueske Second By: Plowman

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the Investment Policy be amended as follows:

In Section 8.2 Certificate of Deposit, the Federal Deposit Insurance Corporation (FDIC) insured amount is hereby increased to the current standard of \$250,000.

Dated this 5th day of November, 2018.

s/s Marv Calvin
MAYOR

ATTEST:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 18-141

**AUTHORIZATION TO EXECUTE AGREEMENT WITH WILLMAR SCHOOL DISTRICT NO. 347
FOR SCHOOL RESOURCE OFFICERS**

Motion By: Nelsen Second By: Mueske

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 an agreement between the City of Willmar and Willmar School District No. 347 for providing School Resource Officers.

Dated this 5th day of November, 2018

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 18-142

**AUTHORIZATION TO EXECUTE LICENSE AGREEMENT WITH WILLMAR FESTS
FOR USE OF ROBBINS ISLAND FOR HOLIDAY LIGHT DISPLAY**

Motion By: Nelsen 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 be authorized to enter into a license agreement between the City of Willmar and Willmar Fests to use Robbins Island for a Celebrate the Light of the World Holiday light display.

BE IT FURTHER RESOLVED that \$17,000 be re-appropriated from unused Park Funds to the Robbins Island Holiday Display.

Dated this 5th day of November, 2018

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 18-143

**A RESOLUTION AWARDING THE CONTRACT FOR THE ROBBINS ISLAND BOARDWALK DESIGN AND
CONSTRUCTION RELATED SERVICES TO SRF CONSULTING GROUP, INC. IN THE AMOUNT OF \$32,480.**

Motion By: Nelsen Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, the bid of SRF Consulting Group, Inc. for the Robbins Island Boardwalk design and construction services is accepted, and the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the consultant for the terms and consideration of the contract in the amount of

\$32,480.00.

Dated this 5th day of November, 2018

Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 18-144

A RESOLUTION REDUCING SPECIAL ASSESSMENTS AGAINST PROPERTY

Motion By: Fagerlie Second By: Schwantes

THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the assessment for Anthony and Melissa Sorenson, Parcel No. 95-860-0100 for Project No. 1701 Street and Other Improvements be reduced from \$6,120.00 to \$5,373.00 beginning with taxes payable in 2019.

Dated this 5th day of November 2018.

Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk