

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

December 3, 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, Finance Director Steve Okins, Public Works Director Sean Christensen, Planning and Development Services Director Bruce Peterson, Fire Chief Frank Hanson, Recreation Director Rob Baumgarn, Human Resource Director Samantha Beckman, City Clerk Judy Thompson and City Attorney Robert Scott.

Proposed additions to the agenda included: Mayor Calvin added Carris Update – Intergovernmental Transfer and ECPN Payment. This item was brought forward from the work session held earlier this evening.

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

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Meeting Minutes of November 19, 2018
- B. Willmar Municipal Utilities Board Minutes of November 26, 2018
- C. Application for Exempt Permit – MN Ducks Unlimited State Committee
- D. **Resolution No. 18-147 Approving Dovre Township Fire Agreement**
- E. ~~Resolution Designating a Newly Combined Polling Location~~
- F. ~~Resolution Designating Polling Places for Elections in 2019~~
- G. Application for Appointment as a Member to the Human Rights Commission – Nate Erickson
- H. ~~Reappointment as Members of:~~
 - ~~Human Rights Commission – Shelly Huseby~~
 - ~~EDC Operations Board – Art Benson~~
- I. Human Rights Commission Minutes of October 16, 2018
- J. Willmar Lakes Area CVB Board Minutes of October 16, 2018
- K. Central Community Transit Operations Board Minutes of September 25, 2018
- L. Accounts Payable Report for November 15 – 28, 2018
- M. Application for Appointment as Members of:
 - Planning Commission – Christina Nelson
 - Zoning Appeals Board – Dan Reigstad and SanDawna Gaulman Ashley

Council Member Nelsen offered a motion to approve the Consent Agenda. Council Member Fagerlie asked that Item H. be removed for discussion. Council Member Nelsen asked that Item E. and F. be removed for discussion. Council Member Schwantes seconded the motion to approve the consent agenda, with the removal of Item E. F. and H., which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Nelsen asked for clarification regarding the combining of polling locations.

City Clerk Judy Thompson stated the present polling location for Ward 3, Precinct 1 is the Willmar Conference Center and earlier this year the Conference Center stated their facility would not be available in the future for Primary Elections, as August is a busy conference season for them. After exploring possible polling locations, it was determined that Refuge Church was the best polling location for Ward 3, Precinct 1. Currently

Refuge Church is the designated polling location for Ward 4, Precinct 1, and this would make them a combined polling place. Ms. Thompson noted with the upcoming Census in 2020, there is possibility of additional changes in polling locations in the future.

Council Member Nelsen then asked for clarification of designating polling places for elections in 2019.

City Clerk Judy Thompson stated there was a law change in 2017 whereby the governing body of each municipality must designate by December 31st of each year by ordinance or resolution, a polling place for each election precinct for the upcoming year.

Following clarification, Council Member Nelsen offered a motion to approve Item E. and F. and introduced **Resolution No. 18-148 A Resolution by the Mayor and City Council of the City of Willmar, Minnesota Establishing a New Polling Place for Ward 3, Precinct 1 in the City of Willmar** and **Resolution No. 18-149 A Resolution Approving Designating Polling Places for Elections in 2019**. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Fagerlie stated his concern regarding the re-appointment of a member to the Human Rights Commission. He reminded the Council of a letter that was received by all Council members from a Commission member who was recently removed from the Commission and the involvement of nominee Ms. Huseby in the situation. Council Member Fagerlie offered a motion to suspend the nomination until further information is received. Council Member Christianson seconded the motion which failed. Council Members Nelsen, Schwantes, Alvarado, Asmus, Mueske, and Plowman voted "no."

Council Member Mueske, liaison for the Human Rights Commission, spoke in favor to re-appoint Ms. Huseby to the Human Rights Commission and stated the Commission voted for her re-appointment.

Following discussion, Council Member Fagerlie offered a motion to approve Item H. Council Member Schwantes seconded the motion, which carried on a roll call vote of Ayes 6, Noes 2. Council Members Fagerlie and Christianson voted "no."

Council Member Fagerlie asked when the appropriate time for the discussion of the letter would be. Council Member Mueske stated the letter, at this time, is confidential and also inquired as to the appropriate time for discussion.

Mayor Calvin asked City Attorney his opinion as to the appropriate time for this discussion.

City Attorney Robert Scott stated, at this time, the letter is private and confidential, but if the Council would like to discuss the letter they can ask that it be added to a future agenda. His understanding is the letter was written to each Council Member individually and would be treated as private data unless either the sender or any individual who received the letter would desire to make it public. Any individual who received the letter is free to respond in a personal capacity, but if the Council wishes for a response drafted on behalf of Council there would need to be a discussion at a public meeting and conduct a vote.

No one was present to speak during the Open Forum.

At 7:16 p.m. Mayor Calvin opened the Truth in Taxation public hearing. Finance Director Steve Okins stated the City is required by law to conduct a public hearing, as part of the budget process, for truth in taxation. The County Auditor is responsible for mailing statements to each resident indicating the estimate of how much their property tax bill will either increase or decrease, as well as the date and time of the public hearing. At the September 17, 2018, Council meeting, the recommended levy was set at \$5,250,000. This represents a \$275,755 increase over 2018. If approved tonight, the 2019 tax levy would increase by \$275,755, which represents approximately a five (5%) percent increase, and the budget would be set at \$42,018,899.

There being no one to speak for or against the proposed budget, Mayor Calvin closed the hearing at 7:24 p.m. and opened it up for discussion by the Council. Following discussion, Council Member Nelsen

introduced **Resolution No. 18-150 A Resolution Establishing 2019 Tax Levy for the City of Willmar.** Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Resolution No. 18-151 Adopting the Budget for the Fiscal Year 2019 was introduced by Council Member Schwantes. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Finance Director Steve Okins stated Carris Health Chief Financial Officer (CFO) Bill Fenske presented an amendment to the Agreement for Intergovernmental Transfer and Equitable Cost-sharing for Publicly-owned Nursing facilities (ECPN) for 2018 and 2019 to the Mayor and Council at the Work Session. It was noted the ECPN payments for Rice Care Center was an item that was overlooked in the transfer to Carris Health. For the period of January 1, 2018 through December 31, 2018, Carris Health will pay the City \$3,850.00 per month, and for the period of January 1, 2019 through December 31, 2019, Carris Health will pay the City \$9,400.00 per month for the ECPN payments. It was noted this item was brought forward from the Work Session held earlier this evening.

Resolution No. 18-152 Authorizing Intergovernmental Transfer Agreement with Carris Health Rice Memorial Hospital was introduced by Council Member Nelsen. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Administrator Ike Holland offered the following comments: acknowledged the hard work the Finance Director and his staff have put in preparing the proposed budget; thanked the staff at the Wastewater Treatment Plant for all their efforts in maintaining the facility; the Mayor, some Council members, and himself were in attendance at the opening ceremony for the Celebrate the Light of the World display at Robbins Island this past Saturday evening, very cold outside but a great display – Santa and Mrs. Claus will be there on Saturday, December 8th, and movie night is Saturday, December 15th; thanked Willmar Fests committee and everyone involved in setting this event up.

Mayor Calvin offered the following comments: he and Council Member Alvarado attended the BNSF Holiday Express last Friday and rode the train to Litchfield and back to Willmar – very nice event; Chad and Angie Koosman were honored and received a plaque at the opening ceremony on Saturday evening for the 10 years of hosting the Celebrate the Light of the World display at their home; he has received many great comments on the light display which is a nice addition to our community; there are many opportunities available throughout our community.

Council Member Plowman offered the following comments: we are wrapping up another year and he is looking forward to 2019; the upcoming Council retreat being held in January; thankful to staff for their hard work on the budget and many other items.

Council Member Fagerlie urged everyone to get out and see the beautiful light display at Robbins Island.

Council Member Nelsen offered the following comments: get out to see the light display; thankful for the many things available in our community.

Council Member Christianson offered the following comments: spoke in regard to the Mayor's comment on people not showing up at the budget meetings – we need to convince the public they will be heard if they show up at meetings, they do make a difference; felt the motion earlier in the meeting regarding the Human Rights Committee chairperson was misconstrued; enjoy the snow outside.

Mayor Calvin thanked Council Member Christianson for his views and opinions on several matters over the years and thanked him for his many years of service on the Council.

Council Member Schwantes reminded everyone the Willmar Fests group needs people to ring the bell at the light display, if interested contact Willmar Fests or Salvation Army to sign up.

Council Member Alvarado offered the following comments: December 7th is Pearl Harbor Day; President George W. Bush, our 41st President died recently – he was a World War I veteran; we have many veterans in our community and urged everyone to thank them for their service; please attend the many sports activities that are happening in our community; the light display is great.

Council Member Mueske offered the following comments: the light display is awesome; Willmar had many students competing at the state level recently and he had the opportunity to attend the football games – there was a lot of “Cardinal Pride” at these great events – great community support shown; the Council is full of good people that keep a high level of respect for one another and he is proud to serve on the Council.

Council Member Christianson offered a motion to adjourn the meeting with Council Member Nelsen seconding the motion which carried. The meeting adjourned at 7:51 p.m.

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 18-147

**A RESOLUTION APPROVING DOVRE TOWNSHIP FIRE AGREEMENT
IN THE AMOUNT OF \$22,769.79**

Motion By: Nelsen Second By: Schwantes

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, 2019 through December 31, 2019, in the amount of \$22,769.79.

Dated this 3rd day of December 2018.

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

**CITY OF WILLMAR
RESOLUTION NO. 18-148**

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA
ESTABLISHING A NEW POLLING PLACE FOR WARD 3, PRECINCT 1 IN THE CITY OF WILLMAR**

Motion By: Nelsen

Second By: Fagerlie

WHEREAS, Precincts are the basic geographical areas for organizing and administering elections; and;

WHEREAS, The City Council has previously established three polling locations in each of the City's four wards; and

WHEREAS, Pursuant to Minn. Stat. § 204B.16, the City has the authority to designate polling places by ordinance or resolution; and

WHEREAS, The City has previously used the Willmar Conference Center at 2100 Highway 12 Southeast in the City as the polling place for Ward 3, Precinct 1; and

WHEREAS, The Willmar Conference Center has notified the City that the City will no longer be able to use the facility for upcoming elections; and

WHEREAS, The current polling place for Ward 4, Precinct 1, which is contiguous to Ward 3, Precinct 1, is the Refuge Church, located at 1000 6th Street Southeast in the City; and

WHEREAS, Pursuant to Minn. Stat. § 204B.16, subd. 1, a polling place for a specific precinct may be located within one mile of one of the precinct's boundary lines; and

WHEREAS, Upon reviewing available facilities, City staff has recommended changing the polling place for Ward 3, Precinct 1 and combining it with the current polling place for Ward 4, Precinct 1 at the Refuge Church at 1000 6th Street Southeast in the City due to its current use as a polling place and due to it being within one mile of one of Ward 3, Precinct 1's boundary lines.

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

1. Pursuant to Minn. Stat. 204B.16, subd. 1, the polling place for Willmar Ward 3, Precinct 1 is designated as the Refuge Church at 1000 6th Street Southeast in the City.
2. The change in the polling place designated for Ward 3, Precinct 1 in Paragraph 1 shall be incorporated into the list of all polling places in the City to be designated by resolution of the City Council on or before December 31, 2018.
3. The polling place designated in this Resolution shall be a combined polling place used for Ward 3, Precinct 1 and Ward 4, Precinct 1 until such time as the City Council designates a new polling place for either said precincts, and no other location shall be used as a polling place unless a condition listed in Minn. Stat. 204B.16, subd. 1(1) through (3) is present, or unless otherwise allowed by law
4. The City Clerk shall deliver notice to all households affected by this Resolution in the manner required by Minn. Stat. § 204B.16, subd. 1a.

Adopted by the City Council of the City of Willmar on December 3, 2018.

Approved:

s/s Marv Calvin
Mayor

Attested:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 18-149

**RESOLUTION APPROVING DESIGNATING POLLING PLACES FOR
ELECTIONS IN 2019**

Motion By: Nelsen Second By: Fagerlie

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the following buildings be designated as the official voting locations for the 2019 Elections:

| | | |
|--------------|--------------------------|--|
| FIRST WARD: | 1 st Precinct | Willmar Community Center 624 North Highway 71 |
| | 2 nd Precinct | Lakeview Apartment Building 300 North 7th Street |
| | 3 rd Precinct | Word of Faith Family Church 3010 7 th Avenue Northwest |
| SECOND WARD: | 1 st Precinct | St. Mary's Catholic Church 713 Southwest 12th Street |
| | 2 nd Precinct | Vinje Lutheran Church 1101 Willmar Avenue Southwest |
| | 3 rd Precinct | Rock of Life, CRC 1708 Southwest 8th Street |
| | 4 th Precinct | Mail Ballot |
| THIRD WARD: | 1 st Precinct | Refuge Church 1000 6 th Street Southeast |
| | 2 nd Precinct | Highland Apartments 115 East Becker Avenue |
| | 3 rd Precinct | Willmar Education and Arts Center 611 West 5th Street |

| | | |
|--------------|--------------------------|--|
| FOURTH WARD: | 1 st Precinct | Refuge Church 1000 6 th Street Southeast |
| | 2 nd Precinct | Calvary Lutheran Church 302 Olena Avenue |
| | 3 rd Precinct | Redeemer Lutheran Church 1401 Southwest 6th Street |

Dated this 3rd day of December 2018.

Attest: s/s Marv Calvin
MAYOR

s/s Judy Thompson
CITY CLERK

**RESOLUTION NO. 18-150
A RESOLUTION ESTABLISHING 2019 TAX LEVY FOR THE CITY OF WILLMAR**

Motion By: Nelsen Second By: Fagerlie

BE IT RESOLVED by the City Council of the City of Willmar, Kandiyohi County, Minnesota, that the following sums of money be levied for the current year collectable in 2019, upon the taxable property in said City of Willmar for the following purposes:

| | |
|--------------|---------------------|
| General Fund | <u>\$ 5,250,000</u> |
| Total | <u>\$ 5,250,000</u> |

BE IT RESOLVED, that there is a sufficient sum of money in the Debt Service Funds of the City, together with the above Debt Service Fund Tax Levy, to pay principal and interest in 2019 on all outstanding bond issues, and the deferred annual tax levies previously certified to the County Auditor are hereby canceled;

The City Clerk is hereby instructed to transmit a certified copy of this Resolution to the County Auditor of Kandiyohi County, Minnesota.

Dated this 3rd day of December, 2018

Attest: s/s Marv Calvin
MAYOR

s/s Judy Thompson
CITY CLERK

**RESOLUTION NO. 18-151
ADOPTING THE BUDGET FOR THE FISCAL YEAR 2019**

Motion By: Schwantes Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar that the Annual Budget for the fiscal year beginning January 1, 2019, which has been submitted by the Mayor and modified and approved by the City Council, is hereby adopted, the totals of the said budget and the Mayor's division thereof being as follows:

EXPENDITURE REQUIREMENTS

| | |
|--------------------------|-------------------|
| General Operating | \$ 15,944,891 |
| Capital Improvements | 8,185,552 |
| Special Revenue/Internal | 2,168,364 |
| Debt Service | 4,690,747 |
| Enterprise (Wastewater) | <u>11,029,345</u> |
| Total 2018 Budget | \$ 42,018,899 |

Dated this 3rd day of December, 2018

s/s Marv Calvin
Mayor

s/s Judy Thompson

Attest: City Clerk

RESOLUTION NO. 18-152

**AUTHORIZING INTERGOVERNMENTAL TRANSFER AGREEMENT
WITH CARRIS HEALTH RICE MEMORIAL HOSPITAL**

Motion By: Nelsen Second By: Fagerlie

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Mayor and Administrator to execute the Intergovernmental Transfer Agreement between the City of Willmar and Carris Health Rice Memorial Hospital for 2019 of \$25,750 plus \$9,400 for a total of \$35,150 per month from January 1, 2019 thru December 31, 2019.

Dated this 3rd day of December, 2018

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk