

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

February 20, 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, Community Education and Recreation Director Steve Brisendine, Finance Director Steve Okins, Fire Chief Frank Hanson, Planning and Development Services Director Bruce Peterson, City Clerk Judy Thompson and City Attorney Robert Scott.

There were no additions or deletions to the agenda.

Council Member Christianson moved to approve the agenda. Council Member Nelsen seconded the motion which carried.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of February 5, 2018
- ~~B. Willmar Municipal Utilities Board Minutes of February 12, 2018~~
- C. Application for Exempt Permit – Willmar Sertoma Club
- D. Application for Exempt Permit – United Way of West Central Minnesota
- E. Application for Appointment – Dale Boxrud to Human Rights Commission
- F. **Resolution No. 18-15 Authorizing Final Payment for East Taxilane Rehabilitation Project**
- G. **Resolution No. 18-16 Establishing Fees for Services, Permits, Licenses and Rental Rates**
- H. Willmar Police Commission Minutes of June 28, 2017
- I. Police Department Statistics for January, 2018
- J. Fire Department Statistics for January, 2018
- K. Accounts Payable through February 14, 2018

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

Council Member Asmus stated she has had inquiries about the second wind turbine not working, and she wanted to inform the public that there is a part that is on back order. Council Member Mueske stated the turbines were built by a company in Germany that is no longer in business and securing the parts is very difficult as many need to be fabricated. Council Member Mueske also stated the Municipal Utilities is looking for a new company to buy parts from. Council Member Asmus offered a motion to approve Item B. Council Member Christianson seconded the motion which carried.

At 7:06 p.m. Mayor Calvin opened the public hearing for the Creation of Municipal Development District No. IX. Planning and Development Services Director Bruce Peterson presented a request to designate property on 15th Street Southeast as a Municipal Development District within which the TIF District can be created for the proposed 15th Street Flats project.

There being no one to speak for or against the proposed Development District, Mayor Calvin closed the public hearing at 7:08 p.m. and opened it up for discussion by the Council. Following discussion, **Resolution No. 18-17 Designating Municipal Development District No. IX** was introduced by Council Member Nelsen. Council

Member Mueske seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 7:09 p.m. Mayor Calvin opened the public hearing for 15th Street Flats Tax Increment Financing (TIF). Planning and Development Services Director Bruce Peterson stated the City Council gave preliminary approval to a 15-year tax increment financing district for the 15th Street Flats Apartment housing project in June 2017 and it is now time to finalize the tax increment financing portion of the project. Commonwealth Development Corporation Vice President of Development-Midwest Region Erin Anderson presented a brief overview of the proposed project and stated the Housing and Redevelopment Authority will be the property manager.

There being no one to speak for or against the proposed TIF plan, Mayor Calvin closed the public hearing at 7:19 p.m. and opened it up for discussion by the Council. **Resolution No. 18-18 Approving the Tax Increment Plan and the Use of Tax Increment Financing** was introduced by Council Member Nelsen. Council Member Alvarado seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0. Council Member Christianson abstained.

At 7:20 p.m. Mayor Calvin opened the public hearing for **Ordinance Amending Municipal Ordinance No. 1060, the Willmar Zoning Ordinance**. Planning and Development Services Director Bruce Peterson presented a request from 15th Street Flats to rezone land from GB (General Business) to R-5 (High Density Multi-Family Residential) for the development of a new 4-story, 47-unit building for multi-family residential development.

There being no one to speak for or against the proposed ordinance amendment, Mayor Calvin closed the public hearing at 7:21 p.m. and opened it up for discussion by the Council. Council Member Fagerlie offered a motion to approve the ordinance, adopt, assign a number, and order final publication of **Ordinance No. 1411 An Ordinance Amending Municipal Ordinance No. 1060, The Willmar Zoning Ordinance**. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0. Council Member Christianson abstained.

At 7:23 p.m. Mayor Calvin opened the public hearing for 2018 Small Cities Development Program. Kandiyohi County Housing and Redevelopment Authority Director Jill Bengtson presented a brief overview of the project and stated the City of Willmar is applying to the Minnesota Department of Employment and Economic Development (DEED) for Small Cities Development Program (SCDP) funding to administer a home rehab, commercial rehab, and rental rehab program in targeted areas of the community. The commercial rehab activity will be located in an area bounded by Pacific Avenue on the north, First Street on the east, Trott Avenue on the south, 7th Street on the west and includes properties on both sides of all boundary streets. The home rehab activity will be located in an area bounded by Park Avenue on the North, Oak Lane to 7th Street Northwest on the east, Campbell Avenue on the south, and 17th Street Northwest on the west and will include homes on both sides of all boundary streets. The rental housing acquisition/rehab activity would provide the Southwest Minnesota Housing Partnerships a \$600,000, 0%, deferred forgivable SCDP loan to assist in acquiring and rehabbing the Hanson Apartments located at 401, 405, 409 and 413 Lakeland Drive Southeast. The primary purpose of the project is to ensure the preservation and rehabilitation of the 56-unit property as affordable housing.

There being no one to speak for or against the proposed program, Mayor Calvin closed the public hearing at 7:35 p.m. and opened it up for discussion by the Council. Following discussion, **Resolution No. 18-19 2018 Small Cities Development Program Slum and Blighted Area Designation** was introduced by Council Member Nelsen. Council Member Schwantes seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Resolution No. 18-20 A Resolution of the City of Willmar In Support of a Small Cities Development Program Project was introduced by Council Member Nelsen. Council Member Mueske seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Darlene Schroeder, rural Willmar, addressed the Council and thanked the Mayor and Council for appropriating funds for a full-time coordinator at the Willmar Community Center.

Linda Kacher, rural Willmar, addressed the Council and commented on the February 9, 2018 editorial in the "West Central Tribune" regarding the leaked security information and requested a copy of any and all emails

dated January 9th from Police Chief Jim Felt to the Council in regard to safety and security during council meetings.

Bob Enos, Willmar, addressed the Council with concerns regarding the February 9, 2018 editorial in the "West Central Tribune" and comments directed at him in reference to public's rights to public records and a posted email on social media from Police Chief Jim Felt to the elected officials of the City.

City Administrator Ike Holland presented a request for approval of a Community Education and Recreation (CER) Agreement between the City of Willmar and Willmar Public Schools. The CER agreement between the two entities is proposed to be extended for 18 months. The School Board acted in December to approve the agreement for an additional 18 months to allow for more reflection on the partnership. Some of the Council expressed concerns of financial implications of agreement, the desire for an equitable relationship, and clarification of each entities' responsibilities and expenses. City Attorney Robert Scott explained the difference between a joint powers board and an advisory committee. During further discussion, Council Member Fagerlie called the question. Council Member Christianson seconded to call the question, which carried on a roll call vote of Ayes 6, Noes 2. Council Members Nelsen and Mueske voted no. Council Member Fagerlie offered a motion to approve the Community Education and Recreation Agreement as presented. Council Member Schwantes seconded the motion which carried. Council Member Nelsen voted no.

Finance Director Steve Okins presented the eighth and final donation in the amount of \$232.53 from the Willmar Area Community Foundation for Robbins Island Destination Playground Project. **Resolution No. 18-21 A Resolution by the Mayor and City Council of the City of Willmar, Minnesota Accepting Donation from Willmar Area Community Foundation for Robbins Island Destination Playground Project** was introduced by Council Member Schwantes. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Administrator Ike Holland stated interviews were held for the Human Resource Director and he has offered the position to Samantha Beckman with the condition her background check passes. Council Member Schwantes offered a motion to approve staff's recommendation. Council Member Mueske seconded the motion which carried.

City Administrator Ike Holland presented a request to accept a liability agreement between Kwik Trip and the City of Willmar for the Fire Department to use the former Mills building on Litchfield Avenue, which is the site for the new Kwik Trip convenience store, for training purposes prior to the demolition of the building. Mr. Holland stated the training would need to take place within the next ten days. The liability agreement has been reviewed and amended by City Attorney Robert Scott. Council Member Christianson offered a motion to authorize the City Administrator and Mayor to sign the liability agreement with Kwik Trip. Council Member Nelsen seconded the motion which carried.

Mayor Calvin offered the following comments and announcements: "Change X" was a presentation that occurred recently at the Goodness Coffee Shop and urged citizens to check out their website which is changex.org to learn about the organization; Robbins Island Task Force met recently and there are exciting things being proposed; he has been considering an option to build a joint facility with the City and the Municipal Utilities and directed City Administrator to contact General Manager John Harren to conduct a conversation regarding the possibility.

Council Member Fagerlie stated he has the mission statements for the City of Willmar and the Municipal Utilities, and the "Welcome to Willmar" resolution that he will bring to every meeting. He also stated he recently attended the play "Why Do Fools Fall In Love" at the Barn Theatre and recommended everyone to attend.

Council Member Nelsen also attended the "Change X" presentation and had positive comments.

Council Member Christianson stated the Small Cities Development Program has been improving the housing throughout the City for many years. He also addressed the video taping of the Council meetings and would like that to be broadcast live as soon as possible, and would like the discussion to take place at the next Council Work Session.

Council Member Alvarado commented about the contribution the Jennie-O Foods is making for the 15th Street Flats project; the Olympics are wrapping up soon and participants will be coming into the stadium as one united group; he saluted Council Member Schwantes on receiving the Milo Award from the Willmar Area Chamber of Commerce.

Council Member Schwantes thanked Council Member Alvarado for his kind words and stated she will be receiving the Milo Award on March 1 and she is humbled to be receiving such an award.

Council Member Asmus stated she likes the opportunity to meet the new employees as they are introduced to Council.

Council Member Christianson offered a motion to adjourn the meeting with Council Member Nelsen seconding the motion, which carried. The meeting adjourned at 8:31 p.m.

MAYOR

Attest:

SECRETARY TO THE COUNCIL

RESOLUTION NO. 18-15

**A RESOLUTION ACCEPTING PROJECT NO. FAA AIP 3-27-0115-11-17/SP NO. A3401-67
AND AUTHORIZING FINAL PAYMENT**

Motion By: Nelsen

Second By: Mueske

IMPROVEMENT: Project No. FAA AIP 3-27-0115-11-17/SP NO. A3401-67

CONTRACTOR: Swenson and Sons Construction
COMPLETE WORK: October 27, 2017
APPROVE, ENGINEERING DEPT: February 12, 2018

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

1. The said City of Willmar Project No. FAA AIP 3-27-0115-11-17/SP NO. A3401-67 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$325,184.26
Less Previous Payments	\$308,925.05
FINAL PAYMENT DUE CONTRACTOR:	\$16,259.21

Dated this 20th day of February, 2018.

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 18-16

**ESTABLISHES FEES FOR SERVICES, PERMITS AND LICENSES
AND ESTABLISHES RENTAL RATES FOR CITY EQUIPMENT**

Motion By: Nelsen Second By: Mueske

WHEREAS, the City Council of the City of Willmar duly establishes fees for service, sets fees for permits and licenses, and establishes rental rates for City equipment.

NOW, THEREFORE, BE IT RESOLVED that the below listed fees be duly adopted for the year 2017 and the same hereby ordered kept on file in the office of the City Clerk-Treasurer.

CITY CLERK:

Liquor License Investigation Fees:

Sole Proprietor	\$125.00
Partnership	150.00
Corporation	300.00
Limited Liability Company	150.00

Liquor Licenses:

On-Sale Liquor	\$4,000.00 per year
Off-Sale Liquor	950.00 per year
Club On-Sale Liquor	300.00 per year
On-Sale Wine	200.00 per year
On-Sale Sunday	200.00 per year
On-Sale 3.2% Malt Liquor	150.00 per year
Temporary On-Sale Liquor	100.00 per year
On-Sale Taproom	150.00 per year
Off-Sale Taproom	150.00 per year

ADMINISTRATIVE FEES:

Chapter 9, Article I, Section 9-3 Nuisance Abatement — Administrative Fee	\$75.00
Chapter 9, Article III, Section 9-43 Removal of Weed/Grass Nuisance — Administrative Fee	\$75.00
Chapter 9, Article VI, Section 9-66 Removal of Infected Trees — Administrative Fee	\$75.00
Chapter 9, Article I, Section 13-2 Payment for Current Service — Administrative Fee (snow removal, sidewalk repairs, etc.)	\$75.00

PUBLIC WORKS:

Maintenance Trucks:

3 -5 Ton Trucks	\$ 35.00/hour
1 Ton Truck	18.00/hour
3 -5 Ton Truck/Plow/Sander	41.00/hour
3 -5 Ton Truck/Plow/Sander/Wing	55.00/hour
1 Ton Truck Plow	27.00/hour
½ - ¾ Ton Pickup	17.00/hour
1 Ton /Water Tank	27.00/hour

Tractors, Loaders, Motor Graders:

2 -3 CY Loaders	\$ 82.00/hour
Loader/Plow/Wing	102.00/hour
Loader/Snow Blower	122.00/hour
Motor Grader	96.00/hour
Motor Grader/One-Way Plow	102.00/hour
Motor Grader/One-Way Plow/Wing	115.00/hour
40-50 Hp Tractor	21.00/hour
40-50 Hp Tractor/Attachments	35.00/hour
MT Trackless/Blower/Mower	61.00/hour
90 Hp Tractor/22' Flail Mower	55.00/hour
30-40 Hp Unit Mower/Blower/Sweeper	35.00/hour
Skid-Loader	35.00/hour
Skid-Loader/Attachments	50.00/hour
Snowplowing Sidewalks (incl. labor and equipment)	0.60/LF

Specialty Equipment:

Air Conveyance Unit	\$ 55.00/hour
Elgin Sweeper (4 CY)	\$ 70.00/hour
Hydraulic Sewer Cleaner	68.00/hour
Sewer Rodder	41.00/hour
Paint Sprayer	9.00/hour
Paint Sprayer and 1 Ton Truck	27.00/hour
50' Bucket Truck	70.00/hour
30' Bucket Truck	41.00/hour
Brush Chipper	29.00/hour
Tamper	9.00/hour
Bituminous Distributor and Truck (less material)	50.00/hour
Bituminous Roller	55.00/hour
Grass and Leaf Pickup Broom	29.00/hour
Chain Saws	10.00/hour
Trailers	12.00/hour
Over Seeder	29.00/hour
Turf Pro	29.00/hour
Gator and Sprayer	27.00/hour
Generator	9.00/hour
Trash Pumps	9.00/hour
Utility Vehicle with Crane Hoist	42.00/hour
Air Compressor	25.00/hour

Materials:

Winter Sand Mixed with Salt	\$55.00 CY
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Gravel	20.00/Ton
Bituminous Cold Mix	105.00/Ton
Chalk Dust (50lb. bag)	7.00/bag
Diamond Dry (50lb. bag)	13.00/bag
Bituminous Repair (incl. labor and equipment)	55.00/SY
Facilities or Equipment:	
Bleachers – 3 or 5 High	\$27.00/day
Minimum moving charge	75.00/day
Picnic Tables – Rental per table (12 maximum) (for pickup only-no delivery)	10.00/day
Barricades	\$ 2.00/day
Minimum charge for hauling barricades	20.00
Lights for ball fields	\$25.00/day for each field
Labor:	
Regular	Contract rate plus 53%
Overtime	Contract rate plus 53%
Access Fees:	
Industrial Park Storm Pond	\$ 835.00/acre
Radio Station Drive Lift Station	595.00/acre
Abbott Drive, Lift Station	895.00/acre
Wastewater Treatment:	
5,000 gallon tanker with hydraulic boom:	\$ 30.00/hour
Portable Lab Sampler	\$ 5.00/hour
Airport:	
Conference Room	\$40.00/non-airport related meetings

COMMUNITY EDUCATION AND RECREATION:

Adult recreation programs will charge cost of program, officials, balls, sanctioning fees, etc., plus \$7.00 per team court fee for volleyball/basketball and \$10.00 per team field fee for softball.

Baseball/Softball Fields	Minimum \$ 50.00 or \$30.00 per game — With a \$250.00 daily rate <u>per field</u>
Robbins Island Enclosed Shelters	\$100.00 \$110.00/day April – November and \$50.00 damage deposit
Open Shelter No. 1 (has electricity) deposit	\$32.00 \$40.00/day and \$50.00 damage
Open Shelter No. 2 & Lions Shelter (no electricity) deposit	\$20.00 \$30.00/day and \$50.00 damage
Rice Park	<u>\$110.00/day and \$50.00 damage deposit</u>
Showmobile:	
Events in Willmar (not for profit) (Plus Clean-up/Damage Deposit) Plus Staff Costs	\$215.00/day + staff expenses 200.00
Events in Willmar (for profit)	\$500.00/day + staff expenses

Civic Center:
 Dry floor events \$580.00/day
 Ice Rental ~~\$145.00~~ \$150.00/hour

***Ice Rental Rate change begins 8/1/2-018**

Blue Line:
 Dry Floor events \$400.00/day
 Ice Rental \$145.00/hour

Aquatic Center:
 Individual season pass \$ 85.00
 Family of 2 125.00
 Family of 3 135.00
 Family of 4 145.00
 Family of 5 155.00
 Family of 6 165.00
 Each Additional Family Member 15.00
 Daily Admission Rate 3.00
 Observers 3.00
 Group Admission 2.50

Discount Coupons:
 10 Coupons \$ 25.00
 20 Coupons 45.00
 Pool Rental:
 2-hour minimum \$100.00 per hour plus guard/staff fees

Auditorium Gun Range:
 Classroom \$30.00 per hour
 Range (10 lanes) \$80.00-per hour
 Open Range \$10.00-per half hour

FIRE DEPARTMENT:

Firefighter hours that are billed are taken directly from the roll call list.
 Firefighters receive a ~~\$14.30~~ \$15.73 per hour and are paid in one-hour increments.

Equipment:	<u>First Hour</u>	<u>Additional Hour</u>
1 st line pumper - 5251, 5257	\$300	\$200/hour
Tanker/pumpers 5276	300	200/hour
Ladder trucks - 5298 and 5299	500	400/hour
Grass rig - 5285	150	100/hour
Support Vehicles - 5296, 5297, <u>5294</u>	75	50/hour
Trailers	75	50/hour

Equipment charges are billed by the quarter hour as time listed on the fire report, after initial one-hour charge.

Special equipment and supplies used will be billed on a cost basis.

A \$25.00 per hour per Firefighter for fire watch/standby conducted by the Fire Department for special events and any standby conducted during fire protection/detection system down time (as described in the Minnesota

State Fire Code).

Training Room Rental Fee: \$50.00 per hour with a 2 hour minimum

Fire Alarm Permit \$ 30.00
 Fire Alarm Permit Renewals \$ 30.00 every 3 years
 Alarm Malfunction \$500.00
 Bottle Filling Fees 2216 PSI air tank filling fee \$5.00/bottle
 3000 PSI air tank filling fee \$10.00/bottle
 4500 PSI air tank filling fee \$15.00/bottle
 5000-6000 PSI air tank filling fee \$25.00/bottle

Fire Reports \$ 0.25/page plus postage

POLICE DEPARTMENT:

\$60.00 per hour for off-duty police officers
 \$ 1.40 Automated Pawn Transaction Fee-each electronic reportable transaction

Contracted Towing (Per tow)	\$ 25.00 per towed vehicle
	\$ 68.57 towing administrative fee
	\$ 6.43 tax
Base Total	\$100.00

Contracted Towing (Per Accident Tow)	\$145.00 per towed vehicle
(1-1-18 through 3-31-18)	\$ 70.20 towing administrative fee
	\$ 14.80 tax
Base Total	\$230.00

Contracted Towing (Per Regular and Snow Emergency Tow)	\$ 95.00 per towed vehicle
(1-1-38 through 3-31-18)	\$ 68.74 towing administrative fee
	\$ 11.25 tax
Base Total	\$175.00

Contracted Towing (Per Accident Tow)	\$145.00 per towed vehicle
(4-1-18 through 12-31-19)	\$ 69.20 towing administrative fee
	\$ 15.80 tax
Base Total	\$230.00

Contracted Towing (Per Regular and Snow Emergency Tow)	\$ 95.00 per towed vehicle
(4-1-18 through 12-31-19)	\$ 67.98 towing administrative fee
	\$ 12.02 tax
Base Total	\$175.00

Possible extra tow costs depending upon circumstances involved:

\$160.00 per hour for "extra work" labor
 \$160.00 per hour for flat hourly tow rate
 \$ 5.50 per mile outside of City limits
 \$ 10.00 per day storage fee after 48 hours

Dated this 20th day of February, 2018.

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 18-17

DESIGNATING MUNICIPAL DEVELOPMENT DISTRICT NO. IX

Motion By: Nelsen Second By: Mueske

WHEREAS, The City of Willmar desires to utilize the power and authority granted by M.S. 469.126 to improve an area of the City, herein referred to as Municipal Development District No. IX, to provide impetus for redevelopment and to increase the tax base; and

WHEREAS, Municipal Development District No. IX is legally described as: Lots 3,5, and 7, Block 2, LEE-DON, excepting therefrom the South 100 feet of said Lot 7 as measured along the east line of said Lot 7, located in Section 23, T119-R35, City of Willmar, Kandiyohi County, Minnesota, according to the recorded plat thereof.

WHEREAS, a development program has been formulated which states the objectives of the District and addresses activities expected within the District.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that Municipal Development District IX is hereby designated, and the development program for said district is hereby approved.

Dated this 20th day of February, 2018.

ATTEST:

s/s Judy Thompson
CITY CLERK

s/s Marv Calvin
MAYOR

RESOLUTION NO. 18-18

APPROVING THE TAX INCREMENT PLAN AND THE USE OF TAX INCREMENT FINANCING

Motion By: Nelsen Second By: Alvarado

WHEREAS, the City Council of the City of Willmar (hereinafter the Municipality) pursuant to Minnesota Statutes, Chapter 469 adopted a Development Program for Municipal Development District Number IX,

encompassing the area which is more particularly described on Addendum A attached hereto and made a part hereof (which area is hereinafter called the Development District), and

WHEREAS, it is desirable and in the public interest that the Municipality undertake and carry out a tax increment financing plan for the 15th Street Flats, LLC Housing District pursuant to Minnesota Statutes, Sections 469.174-179, encompassing the area which is more particularly described on Addendum A attached hereto and made a part hereof (which area is herein called Tax Increment District, Housing District, or District), and

WHEREAS, the City Council has reviewed the plan for the 15th Street Flats, LLC Housing District of the Development District, dated January 2018 (herein called the Plan, and attached hereto as Addendum B), and which sets forth a tax increment financing plan for the Housing District, and

WHEREAS, the Plan sets forth the Municipality's estimate of the fiscal and economic impacts of the tax increment financing on the tax capacities of all taxing jurisdictions in which the Housing District is located, and the Municipality's estimate of the fiscal and economic implications of the District, and

WHEREAS, the Board of Commissioners of Kandiyohi County, Minnesota has been notified on the public hearing for the review of the Plan, and

WHEREAS, the School Board of Independent School District No. 347 has been notified of the public hearing for the review of the Plan, and

WHEREAS, the Commissioner representing the area included in the District has been notified of the public hearing for the review of the plan, and

WHEREAS, the City Council has received and considered the comments of the Board of Commissioners of Kandiyohi County, the School Board of the Willmar School District, and the Commissioner representing the area included in the District, relative to the contents of the Plan, and

WHEREAS, the City Council on February 20, 2018, after having published a notice of public hearing in the official newspaper of the Municipality, conducted a public hearing on the Plan and received public comments on the same.

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

FINDINGS:

1. That the proposed tax increment financing district is a housing district and meets the criteria of 469.174 Subd. 11.
2. That the proposed development, in the opinion of the Municipality, would not be expected to occur solely through private investment within the reasonably foreseeable future and therefore the use of tax increment financing is deemed necessary.
3. That the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the district permitted by the plan.
4. That the tax increment financing plan would afford maximum opportunity, consistent with the sound needs of the Municipality as a whole, for the development of the District by private enterprise.
5. That it is hereby found and determined that the tax increment financing plan conforms to the general plan for the development of the Municipality as a whole.
6. That the reason and supporting facts for findings as set forth in the plan are by this reference confirmed and adopted.

7. That no persons or businesses will be displaced or relocated as a result of the approval of, and execution of, the tax increment financing plan set forth in the Plan.

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

1. The Tax Increment Financing Plan for the 15th Street Flats, LLC Housing District of Municipal Development District No IX attached hereto as Addendum B is hereby approved, contingent on the City Council's final approval of a Development Agreement.
2. The City Clerk is hereby directed to file a copy of the resolution and a copy of the Plan with the Department of Employment and Economic Development, the Office of the State Auditor, and the Department of Revenue.
3. The City Clerk is hereby authorized and directed to request the Auditor of Kandiyohi County to certify the original tax capacity of the District established by this resolution.
4. The Municipality hereby states its intention to use all of the captured tax capacity for purposes of tax increment financing as per the conditions set forth in the Plan.

Adopted by the Willmar City Council this 20th day of February, 2018.

s/s Marv Calvin

MAYOR

Attest:

s/s Judy Thompson

CITY CLERK

RESOLUTION NO. 18-19

2018 Small Cities Development Program Slum and Blighted Area Designation

Motion By: Nelsen

Second By: Schwantes

WHEREAS, the City of Willmar is concerned about the economic viability of slum and blighted area within its corporate limits, and

WHEREAS, the slum and blighted area projects a negative visual image of the community, and

WHEREAS, the economic, social, physical, and cultural well-being of the City is adversely affected by the conditions of this slum and blighted area, and

WHEREAS, there exists the opportunity to improve, preserve, and re-develop this slum and blighted area to the benefit of the community, and

WHEREAS, the following detrimental conditions have been identified which qualify the area under State law and Community Development Block Grant Program requirements:

At least 25% of the buildings are deteriorated or deteriorating, and have at least one of the following characteristics: Physical deterioration of building or improvement; Abandonment of property; Chronic high turnover or vacancy rate; Significant decline in property value or abnormally low property value in relation to other areas of the community; or Known or suspected environmental contamination.

WHEREAS, of all the parcels within the target area, 116 of them are occupied by buildings. Of the 116 buildings in the target area, 32 of them are structurally standard, 84 of them are structurally substandard, and zero are dilapidated.

NOW THEREFORE, BE IT RESOLVED, that the following boundaries define the area designated a “Slum and Blighted Area”: Pacific Avenue on the north, First Street on the east, Trott Avenue on the south, Seventh Street on the west and includes properties on both sides of all boundary streets.

Resolved and agreed upon this 20th day of February, 2018.

s/s Marv Calvin
Marv Calvin, Mayor

s/s Ike Holland
Ike Holland, City Administrator

RESOLUTION NO. 18-20

**A RESOLUTION OF THE CITY OF WILLMAR
IN SUPPORT OF A SMALL CITIES DEVELOPMENT PROGRAM PROJECT**

Motion By: Nelsen Second By: Mueske

BE IT RESOLVED THAT the City of Willmar will act as the legal sponsor for the project contained in the Application to be submitted on February 22, 2018 and that Mayor Marv Calvin and City Administrator Ike Holland are hereby authorized to apply to the Minnesota Department of Employment and Economic Development for funding of this project on behalf of the City of Willmar.

BE IT FURTHER RESOLVED that the City of Willmar has legal authority to apply for financial assistance and the institutional, managerial and financial capacity to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the City of Willmar has not violated any Federal, State or local laws pertaining to fraud, bribery, gifts, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its applications by the State, the City of Willmar may enter into an agreement with the State of Minnesota for the approved project and that the City of Willmar certifies that it will comply with all applicable laws and regulations as stated in all contract agreements.

NOW THEREFORE BE IT RESOLVED that Mayor Marv Calvin and City Administrator Ike Holland, or their successors in office, are hereby authorized to execute such agreements and amendments thereto as are necessary to implement the project on behalf of the applicant.

I CERTIFY THAT the above resolution was adopted by the City Council of the City of Willmar on February 20, 2018.

SIGNED:

WITNESSED:

s/s Marv Calvin 2/21/18

s/s Judy Thompson

Marv Calvin, Mayor

Date

Judy Thompson, City Clerk

s/s Ike Holland 2/21/18

Ike Holland, City Administrator

Date

RESOLUTION NO. 18-21

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA ACCEPTING DONATION FROM WILLMAR AREA COMMUNITY FOUNDATION FOR ROBBINS ISLAND DESTINATION PLAYGROUND PROJECT

Motion By: Schwantes

Second By: Asmus

WHEREAS, the City of Willmar (“City”) owns Robbins Island Park and Recreation Area, a 55 acre parcel of real property owned, maintained and operated for public recreational use by the City located on Business Highway 71 North in the City of Willmar, Minnesota (Kandiyohi County Parcel I.D. No. 95-911-0920) (“Robbins Island”); and

WHEREAS, CommunityGiving, a Minnesota nonprofit corporation, doing business as the Willmar Area Community Foundation (“WACF”), is administering the Friends of Robbins Island Park Fund, a fund comprised solely of private donations solicited by community volunteers dedicated to facilitating the construction of a Destination Playground on approximately 19,000 square feet at Robbins Island, as depicted on the site plan attached to Willmar City Council Resolution No. 17-07, dated February 6, 2017 as Exhibit A (the “playground project”); and

WHEREAS, WACF proposes to donate funds from its Friends of Robbins Island Park Fund to cover 100 percent of the City’s cost to purchase all equipment, materials, supplies and services necessary to construct the playground project, and made an initial donation totaling \$200,000.00 for such purposes, which donation was duly accepted by the Willmar City Council by Resolution No. 17-07, dated February 6, 2017, a second donation of \$99,000 and in-kind materials, equipment and supplies by Resolution No. 17-24 dated March 20, 2017, a third donation of \$99,000 by Resolution 17-52 dated May 15, 2017, a fourth donation of \$75,000 by Resolution 17-78 dated July 3, 2017, a fifth donation of \$30,00 and additional in-kind services, materials and supplies dated July 17, 2017, and a sixth donation of \$75,000 by Resolution 17-103 dated September 5, 2017, and a seventh donation of \$63,000 by Resolution 17-140 dated December 4, 2017; and a eighth donation of \$232.53 and

WHEREAS, Minnesota Statutes, Section 465.03 provides that the City may accept such donations for the benefit of its citizens in accordance with the terms prescribed by the donor, and that acceptance of such grant is subject to a resolution of the City Council adopted by a two-thirds majority of its members, expressing the terms of the grant in full; and

WHEREAS, the City remains supportive of the playground project and WACF’s proposal to donate the funds and in-kind services and materials required to construct the playground project to the City and is agreeable to the conditions placed upon the donation as stated herein.

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

1. The City hereby accepts the donation from WACF of, all in support of the playground project, and all subject to the conditions applicable to WACF's first donation as stated in Willmar City Council Resolution No. 17-07, dated February 6, 2017, which conditions are incorporated herein by reference.
2. The City Council hereby expresses its and the community's appreciation to WACF, , and all contributors to the Friends of Robbins Island Park Fund for such donation.

Adopted by the City Council of the City of Willmar on February 20, 2018.

Approved:

s/s Marv Calvin

Mayor

Attested:

s/s Judy Thompson

City Clerk