

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

June 4, 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, Julie Asmus, Andrew Plowman and Rick Fagerlie. Present 7, Absent 2. Council Members Shawn Mueske and Fernando Alvarado were excused from the meeting.

Also present were City Administrator Ike Holland, Police Captain Mike Anderson, Finance Director Steve Okins, Planning and Development Services Director Bruce Peterson, Public Works Director Sean Christensen, Fire Chief Frank Hanson, Human Resource Director Samantha Beckman, City Clerk Judy Thompson and City Attorney Robert Scott.

Proposed additions to the agenda included: Mayor Calvin added Consideration of City Support for Lakeland Apartments Development and Eagle Lake Sanitary Sewer District Agreement. Both items were brought forward from the Work Session held earlier this evening.

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

Planning and Development Services Director Bruce Peterson presented a request from Southwest Minnesota Housing Partnership to consider and adopt a resolution of support to accompany their funding application being submitted to the State for a two-phase multi-family residential development on Lakeland Drive Northeast. The proposed site plan consists of three 24-unit apartment buildings to be constructed in two phases. The Planning Commission reviewed the preliminary site plan on May 23, 2018. This item was brought forward from the Work Session held earlier this evening. Following discussion, Council Member Nelsen introduced **Resolution No. 18-63 Resolution in Support and Resource Commitment Development of Lakeland Apartments**. Council Member Schwantes seconded the motion, which carried on a roll call vote of Ayes 5, Noes 1. Council Member Christianson voted "no."

City Attorney Robert Scott presented a request from Kandiyohi County for consideration of a contract between the City of Willmar and Kandiyohi County for the transfer of sanitary sewer infrastructure owned by the County in the Eagle Lake Sanitary Sewer District (ELSSD) to the City. It was noted the original agreement began in 1971, which has been amended several times. The current agreement expired on August 25, 2016, and the parties have agreed to several temporary extensions of such terms while they engaged in negotiations of a replacement agreement. The County has requested the City accept ownership of the ELSSD system, and City staff and the City Attorney developed the proposed contract establishing the terms and conditions upon which the City would do so, which County staff accepted without change. This item was brought forward from the Work Session held earlier this evening. Following discussion, Council Member Christianson offered a motion to approve the contract in substantial conformity with the contract provided in the packet to allow adjustments, if needed, to the Exhibits to ensure all the infrastructure to the best of both parties' knowledge is accurately shown in the Exhibits, and introduced **Resolution No. 18-64 Authorization to Execute Agreement with Kandiyohi County for Transfer of Ownership of Sanitary Sewer Infrastructure**. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Meeting Minutes of May 21, 2018
- B. Willmar Municipal Utilities Board Minutes of May 25, 2018
- C. ~~Carris Health - Rice Memorial Hospital Board Minutes of May 30, 2018~~

- D. Planning Commission Minutes of May 23, 2018
- E. Application of Appointment of Hamdi Kosar to the Human Rights Commission
- F. **Resolution No. 18-65 Indicating Community Support for MnDOT Community Roadside Landscape Partnership Program**
- G. Airport Commission Minutes of May 9, 2018
- H. Accounts Payable through May 30, 2018

Council Member Nelsen offered a motion to approve the Consent Agenda. Council Member Nelsen asked that Item C. be removed as the attachments were not provided at this time, and present the full minutes with attachments at the next Council meeting. Council Member Asmus seconded the motion to approve the consent agenda, with the removal of Item C., which carried on a roll call vote of Ayes 6, Noes 0.

John Harter, Willmar, addressed the Mayor and Council during the Open Forum. Mr. Harter had questions regarding the 2018 street project being proposed for Ella Avenue Northwest improvements.

Matt Dawson, Willmar, addressed the Mayor and Council during the Open Forum. Mr. Dawson spoke in favor of the Civic Center project and encouraged the City to reinvest in the community.

At 7:35 p.m. Mayor Calvin opened the public hearing for the assessment hearing for 2018 Street and Other Improvements. Public Works Director Sean Christensen reviewed and explained the proposed assessments. Funding sources for the 2018 Improvement Projects include monies from municipal state aid and local funding. The property owner assessments proposed will contribute a portion of the financing required. The estimated cost for the 2018 Improvement Projects is \$2,915,813.00.

John Harter, Willmar, addressed the Mayor and Council with questions regarding the improvements proposed for Ella Avenue Northwest and concerns about payment of the project.

Janette Plummer, Willmar, addressed the Mayor and Council with concerns of the amount assessed for her property. Ms. Plummer also expressed her concerns over safety concerns and not receiving a notice that a large tree was being removed in her neighborhood.

Alta Harding, New London, owner of property on Ella Avenue Northwest, addressed the Mayor and Council and questioned if the crosswalk will be replaced once the project is complete. Ms. Harding also stated her desire to receive an amortization schedule showing the interest charges on said assessment.

There being no others to speak for or against said improvements, Mayor Calvin closed the hearing at 7:54 p.m. and opened it up for discussion by the Council. Following discussion, Council Member Nelsen introduced **Resolution No. 18-66 A Resolution Adopting the Assessment Roll for the 2018 Street and Other Improvements**. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Resolution No. 18-67 A Resolution Awarding Project No. 1801-A to Duininck Inc. in the Amount of \$1,397,831.70 was introduced by Council Member Christianson. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Resolution No. 18-68 A Resolution Awarding Project No. 1803-A to Duininck Inc. in the Amount of \$639,558.25 was introduced by Council Member Christianson. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Resolution No. 18-69 A Resolution Awarding Project No. 1803-B to Duininck Inc. in the Amount of \$410,671.00 was introduced by Council Member Fagerlie. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Council Member Christianson offered a motion to direct staff to place the stub streets that had been removed from the 2018 Street and Other Improvements back in for 2018 and direct Finance Director Steve

Okins to research funds to pay for them and bring back to the June 18th Council meeting. Council Member Fagerlie seconded the motion which carried.

At 8:04 p.m. Mayor Calvin opened the public hearing for Oslo Meadows special assessments. City Clerk Judy Thompson stated several lots in Oslo Meadows went tax forfeited in 2013 for the 2005 Street and Other Improvements. In April 2018, ten (10) lots sold to Mike Kompelien Custom Homes, Inc. and a hearing is required to place additional assessments against any parcel that is returned to private ownership pursuant to Minnesota Statute Chapter 429. Ms. Thompson stated notice of tonight's hearing had been sent to the property owner and asked Council to consider their objections and adopt a resolution certifying the amount of special assessments to the County Auditor for collection in 2019 through 2023.

There being no one to speak for or against the proposed assessments, Mayor Calvin closed the hearing at 8:05 p.m. and opened it up for discussion by the Council. Following discussion, **Resolution No. 18-70 A Resolution Certifying Oslo Meadows Special Assessments** was introduced by Council Member Nelsen. Council Member Christianson seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Council Member Plowman presented a public summary of the one year performance review for City Administrator Ike Holland. Conclusions were Mr. Holland is meeting overall expectations in performing his duties as Administrator. He scored high in fiscal management, leadership, and supervision. There were two areas suggested for improvement: 1) communications with the Mayor, Council, staff, and community stakeholders, and 2) delegation - taking on less personally and rely more on staff so he can be a more responsive communicator. Council Member Plowman stated the Council sincerely appreciates Mr. Holland's efforts on behalf of the City. Council Member Asmus offered a motion to approve the public summary. Council Member Fagerlie seconded the motion which carried.

Council Member Plowman commented that it is a beautiful evening and there is still time to enjoy it.

Council Member Fagerlie stated there is a classic youth (10-14 year olds) baseball tournament being held in Willmar this weekend. There are 58 teams that will be attending, and he urged everyone to attend.

Council Member Nelsen stated she recently attended a field and track event for Jacob's Project, and noted this is the replacement for Special Olympics. She was very pleased to have attended.

Council Member Christianson offered a motion to rescind the motion from the last council meeting regulating size of trees that will be accepted for the brush site, have a report submitted in October, and consider again next year. This motion died for the lack of a second.

Mayor Calvin offered the following comments: he wanted to thank Council Member Nelsen for attending a meeting with him in Washington D.C. last week in regard to the Highway 23 corridor funding. He also thanked Council Member Plowman and City Administrator Ike Holland for their work involved in this project. Last week Governor Dayton signed the bonding bill which provides funding for this project; the Wye Project agreement has been approved; he gave a "shout out" to Bob Dols, Aaron Backman and Bob Mathiason for being part of the leadership team for the coalition. He also thanked Mel Odens for submitting the proposal to the Governor's Office.

Council Member Nelsen offered a motion to adjourn the meeting with Council Member Fagerlie seconding the motion, which carried. The meeting adjourned at 8:13 p.m.

MAYOR

Attest:

SECRETARY TO THE COUNCIL

**CITY OF WILLMAR, MINNESOTA
RESOLUTION NO. 18-63**

STATE OF MINNESOTA)
COUNTY OF KANDIYOHI)
CITY OF WILLMAR)

**RESOLUTION IN SUPPORT AND RESOURCE COMMITMENT
DEVELOPMENT OF LAKELAND APARTMENTS**

Motion By: Nelsen Second By: Schwantes

WHEREAS, the City of Willmar has documented a substantial and increasing need to provide affordable housing options to low and moderate income residents, and

WHEREAS, the Southwest Minnesota Housing Partnership is proposing the construction of 48 apartment units that will serve a mix of incomes from very low income residents to residents with an initial income of 80% area median income; and

WHEREAS, the construction of the proposed Lakeland Apartments meets a community goal of equal and affordable housing as defined within the Consolidated Plan for the City of Willmar and is consistent with addressing a defined housing shortage; and

WHEREAS, the proposed project is located within a new development area the City of Willmar supports as an appropriate use and the city will support the zoning change to accommodate the project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILLMAR, KANDIYOHI COUNTY, MINNESOTA, DOES HEREBY RESOLVE THAT:

The City of Willmar supports the submission of an application to the Minnesota Housing Finance Agency for an allocation of low income housing tax credits and other financing as necessary to effect the construction of Lakeland Apartments.

The City will authorize the establishment and use of tax increment financing to complete eligible site and construction related improvements.

Adopted by the City Council of the City of Willmar, Kandiyohi County, Minnesota, this 4th day of June, 2018.

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 18-64

**AUTHORIZATION TO EXECUTE AGREEMENT WITH KANDIYOHI COUNTY
FOR TRANSFER OR OWNERSHIP OF SANITARY SEWER INFRASTRUCTURE**

Motion By: Christianson Second By: Nelsen

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 Kandiyohi County for transfer of ownership of sanitary sewer infrastructure for the Eagle Lake Sanitary Sewer District.

Dated this 4th day of June, 2018.

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 18-65

A RESOLUTION AUTHORIZING THE CITY TO ACT AS THE SPONSORING UNIT FOR THE MNDOT COMMUNITY ROADSIDE LANDSCAPE PARTERNSHIP PROGRAM.

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 City of Willmar will act as the sponsoring unit for the project identified as Willmar's Beautification Project to be conducted during the period of June, 2018 and October, 2019.

BE IT FURTHER RESOLVED that Sean Christensen, P.E., City Engineer, is hereby authorized to apply to the Minnesota Department of Transportation for funding of this project on behalf of the City of Willmar.

Dated this 4th day of June, 2018

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 18-66

A RESOLUTION ADOPTING THE ASSESSMENT ROLL FOR THE 2018 STREET AND OTHER IMPROVEMENTS.

Motion By: Nelsen Second By: Fagerlie

WHEREAS, pursuant to notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for 2018 Street and Other Improvements, and has amended such proposed assessment as it deems just;

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

1. Such proposed assessment, the sum of \$602,920.15, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein is hereby found to be benefited by the proposed improvement listed as Project 1801.

2. Such assessments shall be as follows:

A. The assessments shall be payable in equal annual installments extending over a period of ten (10) years, the first of said installments to be payable with general taxes for the year 2018, collectible with such taxes during the year 2019.

B. To the first installment shall be added interest at the rate of four and sixty seven hundredths (4.67) percent per annum on the entire principal amount of the assessment from the date of funding, approximately July 1, 2018, until December 31, 2019. To each subsequent installment, when due there shall be added interest for one year at said rate on the unpaid principal amount of the assessment.

C. The owner of any property so assessed may at any time prior to the certification of the assessment or the first installment thereof to the County Auditor (Treasurer), pay the whole of the principal amount of the assessment on such property with interest accrued to the date of payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid by October 31, 2018, and such property owner may at any time prior to November 15 of any year pay to the City Clerk the entire principal amount.

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

Dated this 4th day of June, 2018

s/s Marv Calvin
MAYOR

ATTEST:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 18-67

A RESOLUTION AWARDING PROJECT NO. 1801-A TO DUININCK INC. IN THE AMOUNT OF \$1,397,831.70.

Motion By: Christianson Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Duininck, Inc. of Prinsburg, MN for Project No. 1801-A is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$1,397,831.70.

Dated this 4th day of June, 2018

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 18-68

A RESOLUTION AWARDDING PROJECT NO. 1803-A TO DUININCK INC. IN THE AMOUNT OF \$639,558.25.

Motion By: Christianson Second By: Fagerlie

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Duininck, Inc. of Prinsburg, MN for Project No. 1803-A is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$639,558.25.

Dated this 4th day of June, 2018

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 18-69

A RESOLUTION AWARDDING PROJECT NO. 1803-B TO DUININCK INC. IN THE AMOUNT OF \$410,671.00.

Motion By: Fagerlie Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Duininck, Inc. of Prinsburg, MN for Project No. 1803-B is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$410,671.00.

Dated this 4th day of June, 2018

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 18-70

A RESOLUTION CERTIFYING OSLO MEADOWS SPECIAL ASSESSMENTS

Motion By: Nelsen Second By: Christianson

WHEREAS, the following properties located within the City of Willmar were offered for sale by the County Auditor at tax forfeiture sale:

Parcel 95-604-0110	Lot 2, Block 2, Oslo Meadows	\$2,239.14
Parcel 95-604-0120	Lot 3, Block 2, Oslo Meadows	\$2,213.14
Parcel 95-604-0130	Lot 4, Block 2, Oslo Meadows	\$2,213.14
Parcel 95-604-0150	Lot 6, Block 2, Oslo Meadows	\$2,213.14
Parcel 95-604-0190	Lot 10, Block 2, Oslo Meadows	\$2,123.14
Parcel 95-604-0210	Lot 2, Block 3, Oslo Meadows	\$2,213.14
Parcel 95-604-0220	Lot 3, Block 3, Oslo Meadows	\$2,219.14
Parcel 95-604-0250	Lot 6, Block 3, Oslo Meadows	\$2,219.14
Parcel 95-604-0270	Lot 8, Block 3, Oslo Meadows	\$2,255.14
Parcel 95-604-0280	Lot 9, Block 3, Oslo Meadows	\$2,133.14

WHEREAS, the above properties were subject to reassessment per lot as indicated above for a total of \$22,041.40 special assessments if sold; and

WHEREAS, the above properties were sold to Mike Kompelien Custom Homes;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the special assessments against the above properties be placed on the tax roll for collection over a five (5) year period with an interest rate of five and one-half (5.50) percent, and that the County Auditor be notified to extend this assessment on the tax roll payable in 2019 and thereafter.

Dated this 4th day of June 2018.

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk