

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

February 21, 2017
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, Andrew Plowman, Shawn Mueske and Julie Asmus. Present 8, Absent 1. Council Member Rick Fagerlie was excused from the meeting.

Also present were Interim City Administrator Mike McGuire, Community Education and Recreation Director Steve Brisendine, Finance Director Steve Okins, Police Chief Jim Felt, Planning and Development Services Director Bruce Peterson, Fire Chief Frank Hanson, Human Resource Director Bridget Buckingham, City Clerk Judy Thompson, and City Attorney Robert Scott.

Proposed additions and deletions to the agenda included the addition of the Kandiyohi County road projects relative to the Willmar Wye project. Mayor Calvin suggested this be discussed after the Willmar Wye project presentation scheduled on the agenda. Council Member Christianson moved to approve the Mayor's recommendation. Council Member Alvarado seconded the motion, which carried. Another proposed addition to the agenda was the sale of industrial park property to be discussed later in the meeting. Council Member Plowman moved to approve the amended agenda. Council Member Nelsen seconded the motion, which carried.

City Clerk Thompson reviewed the consent agenda.

- A. Consider Approval of City Council Minutes of February 6, 2017
- B. Consider Approval of Willmar Municipal Utilities Board Minutes of February 13, 2017
- C. Consider Approval of Application for Exempt Permit – Kandiyohi County Friends
- D. Consider Approval of Application for Exempt Permit – United Way of West Central Minnesota
- E. Consider Approval of Accounts Payable Report through February 16, 2017
- F. Consider Approval of **Resolution No. 17-08** to New Established Fees
- G. Consider Approval of **Resolution No. 17-09** to Accept Civic Center Roof Bids
- H. Consider Approval of Mayoral Appointment – Jonathon Marchand to Planning Commission
- I. Accept Police Commission Minutes of October 11, 2016
- J. Accept Willmar Community Center Board Minutes of January 13, 2017

Council Member Christianson offered a motion to approve the Consent Agenda. Council Member Schwantes seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

At 7:08 p.m. Mayor Calvin opened the hearing for **Ordinance No. 1399** to Amend Municipal Ordinance No. 1060, the Willmar Zoning Ordinance to Rezone ACMC Parcel from R-2 (One and Two Family Residential) to GB (General Business). Planning and Development Services Director Peterson stated the property is additional land ACMC purchased and the Planning Commission has approved the rezoning. There being no one to speak for or against the proposed amendment, the hearing closed at 7:09 p.m.

Following discussion, Council Member Christianson offered a motion to adopt, assign a number, and order final publication of **Ordinance No. 1399** 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.

At 7:10 p.m. Mayor Calvin opened the hearing to vacate a portion of 3rd Street SE. Planning and Development Services Director Peterson gave a brief explanation for the request to vacate the street and stated the Planning Commission has recommended the request to be effective July 1, 2017. Ron Inselmann, 1308 SE 7th Street, owner of Willmar Bus Service, spoke in favor of the request and recommended there be no parking along the north side of 11th Avenue SE from 2nd Street SE to 4th Street SE to allow better traffic flow for bus access to the middle school, and possibly a 50-foot buffer near the inlet and outlet of the parking lot for safety and maneuvering of the larger vehicles. There being no others to speak for or against the proposed street vacation, the hearing closed at 7:14 p.m.

Following discussion, Council Member Christianson offered a motion to approve **Resolution No. 17-10** Vacating a Portion of 3rd Street SE. Council Member Mueske seconded the motion which carried on a roll call vote of Ayes 7, Noes 0.

Bob Skor, 617 SW 14th Street, spoke during the Open Forum. Mr. Skor spoke in regard to the FAA funds that were received by the City, and also the continued maintenance that needs to be done to the city auditorium and other city facilities.

Mayor Calvin introduced Jon Huseby, District Engineer from MnDOT, who presented an update to the Willmar Wye Project. Mr. Huseby stated a TIGER grant was approved in 2015 in the amount of \$10 million to be used for the proposed project. Also present was Paul Rasmussen, Project Manager from MnDOT, who presented various options for the project and stated the preferred option was Alternative 2B. It was noted a public hearing is scheduled for February 23rd at 5:30 p.m. at the MnDOT office in Willmar, with an open house scheduled from 5-7 p.m. Public comments will also be received from February 2, 2017 to March 8, 2017 and can be submitted to Mr. Rasmussen. It was noted once the layout is complete, they will be coming back to the Council for municipal consent on the project. Mayor Calvin urged the citizens of Willmar to submit their comments to MnDOT in regard to the project.

Following discussion, Planning and Development Services Director Peterson read a letter to Mr. Rasmussen, which he drafted for Mayor Calvin, stating comments and concerns from the City regarding the Wye Project and also stating City's support for the project. Council Member Christianson offered a motion to amend the letter to add an additional line stating the Council's support also, and authorizing the Mayor to sign the amended letter. Council Member Plowman seconded the motion, which carried.

At this time, Council Member Christianson gave a brief summary as explained in the work session prior to the council meeting by County Engineer Mel Odens, that an intersection control evaluation at County Road 5 and 15, and County Road 5 and 55 to further the possibility of all four ramps being built, with bridges, west of Willmar be conducted. Council Member Christianson offered a motion that the City of Willmar fund, in partnership with MnDOT and Kandiyohi County, an intersection control evaluation with funding split to be determined. Council Member Mueske requested that County Engineer Mel Odens present the maps showing the proposed ramp project for the public to see. Following the presentation, Council Member Mueske seconded the motion which carried.

Community Education and Recreation Director Brisendine presented a request to move forward with rebidding the Rice Park Project with the assistance of Engan & Associates and SRF Consulting Group. Council Member Nelsen offered a motion to approve **Resolution No. 17-11** Authorizing the Advertisement for Bids by the City of Willmar with Consultant Firms SRF and Engan and Associates for the Rice Park Project. Council Member Christianson spoke against the motion. Following discussion, Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 6, Noes 1. Council Member Christianson casting the "no" vote.

Community Education and Recreation Director Brisendine presented a request to enter into an agreement with SRF Consulting Group in the amount of \$31,972.00 to provide plans and construction specs to complete the renovations and upgrade playground equipment at Miller Park. Council Member Nelsen offered a motion to approve **Resolution No. 17-12** Entering into an Agreement with SRF Consulting Group, Inc. in the

amount of \$31,972.00 to provide plans and construction specs for the Miller Park Improvements. Council Member Christianson spoke against the motion. Following discussion, Council Member Schwantes seconded the motion which carried on a roll call vote of Ayes 6, Noes 1. Council Member Christianson casting the “no” vote.

City Attorney Robert Scott presented a request to adopt a process for appointing Commission and Board members. Mr. Scott clarified the Mayor’s responsibility for nominating to the Charter Commission. Mayor Calvin stated that in the past, the names have come from the Mayor. Mr. Scott stated the appointments are made by the Chief District Court Judge. It is not a Council or Charter Commission appointment. Under State Statute there is a process for the Council and Charter Commission to make nominations to the Chief Judge. Currently there are three vacancies on the Charter Commission. The Commission voted to nominate two individuals to fill two of the three vacancies. By request of the Chief Judge a few years ago, the process for communicating those names to the Chief Judge is that they are forwarded to City Attorney Scott who drafts a proposed order for the Chief Judge to consider. Mr. Scott will be forwarding the two names this week. He stated the Council has the equal right to make nominations. Following discussion, Council Member Mueske offered a motion that all Boards and Commissions the City Council appoints, be subject to approval of five (5) City Council members to maintain consistency. Council Member Plowman seconded the motion, which carried.

Interim City Administrator McGuire stated that Isaac Holland has accepted the position of City Administrator and signed an employment contract with the City. Mr. McGuire outlined some of the terms of the contract, and stated Mr. Holland’s starting date would be April 25, 2017. Following discussion, Council Member Christianson offered a motion to approve **Resolution No. 17-13** Authorizing Employment Agreement. Council Member Mueske seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Planning and Development Director Peterson presented a request for sale of industrial park land. Council Member Christianson offered a motion to accept staff’s recommendation and direct staff to proceed with the necessary required process. Council Member Mueske seconded the motion, which carried.

Council Member Mueske offered a motion to adjourn the meeting with Council Member Asmus seconding the motion, which carried. The meeting adjourned at 8:44 p.m.

Attest:

MAYOR

SECRETARY TO THE COUNCIL

RESOLUTION NO. 17-08

A RESOLUTION ESTABLISHING FEES

Motion By: Christianson

Second By: Schwantes

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	\$100.00
Partnership	150.00
Corporation	300.00
Limited Liability Company	300.00

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
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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
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

Robbins Island Enclosed Shelters \$100.00/day April – November and
\$50.00 damage deposit

Open Shelter No. 1 (has electricity) \$32.00/day and \$50.00 damage deposit
Open Shelter No. 2 & Lions Shelter (no electricity) \$20.00/day and \$50.00 damage deposit

Showmobile:
Events in Willmar (not for profit) \$215.00/day + staff expenses
(Plus Clean-up/Damage Deposit) 200.00
Plus Staff Costs
Events in Willmar (for profit) \$500.00/day + staff expenses

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

Blue Line:
Dry Floor events \$400.00/day
Ice Rental \$145/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	\$25.00 -per hour	<u>\$30.00</u>
Range (10 lanes)	\$40.00 -per hour	<u>\$80.00</u>
Open Range	\$5.00 -per half hour	<u>\$10.00</u>

*Fees for Gun Range are effective August 1, 2017

FIRE DEPARTMENT:

Firefighter hours that are billed are taken directly from the roll call list.
Firefighters receive a \$14.30 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	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

RESOLUTION NO. 17-10
A RESOLUTION VACATING A PORTION OF PUBLIC STREET ROW

Motion By: Christianson

Second By: Mueske

WHEREAS, the vacation of those portions of dedicated street as described below was petitioned by the adjacent property owner Calvary Lutheran Church:

Vacation of the platted street (3rd St. SE) adjoining the following described real estate located in the City of Willmar, County of Kandiyohi, State of Minnesota, described as follows: a portion of 3rd St. SE lying Southerly of the South line of Olena Ave. SE, Northerly of the North line of 11th Ave. SE, East of parcel 95-914-2260 and West of parcel 95-914-4510 and consisting of approximately fifty (50) feet in width and three hundred and sixty-five (365) feet in length, all in the SW ¼ of Section 14, Township 119, Range 35.

WHEREAS, the proposed vacation has been approved by the Planning Commission of the City of Willmar; and

WHEREAS, published notice and mailed notice of the proposed vacation and the hearing thereon have been given as provided in Subdivision 6 of Section 9.01 of Article IX of the Willmar City Charter; and

WHEREAS, a hearing was duly held on the proposal to vacate that portion of said street on February 22, 2017; and

WHEREAS, the City Council of Willmar finds that it is in the best interests of the City of Willmar to vacate that portion of said streets;

NOW, THEREFORE, BE IT RESOLVED, that the above described portion of dedicated streets be, and hereby is, vacated.

BE IT FURTHER RESOLVED that a certified copy of the Resolution be filed with the Kandiyohi County Recorder on or after July 1, 2017.

Dated this 21st day of February, 2017.

s/s Marv Calvin

MAYOR

Attest:

s/s Judy Thompson

CITY CLERK

RESOLUTION NO. 17-11

A RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS BY THE CITY OF WILLMAR WITH CONSULTANT FIRMS SRF AND ENGAN AND ASSOCIATES FOR THE RICE PARK PROJECT.

Motion By: Nelsen

Second By: Asmus

WHEREAS the Consulting Firms SRF and Engan and Associates., for the City of Willmar has presented to the City Council plans and specifications for the Rice Park Project for the City of Willmar;

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

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized.

Dated this 21st day of February, 2017

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 17-12

A RESOLUTION ENTERING INTO AN AGREEMENT WITH SRF CONSULTING GROUP, INC. IN THE AMOUNT OF \$31,972.00 TO PROVIDE PLANS AND CONSTRUCTION SPECS FOR MILLER PARK IMPROVEMENTS.

Motion By: Nelsen

Second By: Schwantes

Whereas the City of Willmar desires to retain a firm to provide plans and construction specs for the Miller Park Tennis Court/Play Equipment Renovation Project; and

Whereas a proposal has been made by the firm of SRF Consulting Group, Inc. at an estimated cost of \$31,972.00;

Now therefore be it resolved by the City Council of the City of Willmar that said proposal be accepted and that the Mayor and City Administrator be authorized to execute an agreement on behalf of the City for the same.

Dated this 21st day of February, 2017

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 17-13

A RESOLUTION AUTHORIZING EMPLOYMENT AGREEMENT

Motion By: Christianson

Second By: Plowman

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 Clerk be authorized to enter into an employment agreement between the City of Willmar and Isaac (Ike) Holland for the position of City Administrator for the City of Willmar.

Dated this 21st day of February, 2017.

s/s Marv Calvin

MAYOR

Attest:

s/s Judy Thompson

CITY CLERK