

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

March 6, 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, Kathy Schwantes, Fernando Alvarado, Rick Fagerlie and Julie Asmus. Present 6, Absent 3. Council Members Ron Christianson, Shawn Mueske and Andrew Plowman were 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, Building Official Randy Kardell, Fire Chief Frank Hanson, Public Works Director Sean Christensen, 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 Destination Playground Donation. Attorney Scott stated that this item requires a two-thirds majority to pass, and since we do not have enough Council Members present, no action could be taken at this meeting. Council Member Fagerlie moved to approve the agenda as presented. Council Member Nelsen seconded the motion, which carried.

City Clerk Thompson reviewed the consent agenda.

- A. Consider Approval of City Council Minutes of February 21, 2017
- B. Consider Approval of City Council Minutes of February 16, 2017
- C. Consider Approval of Rice Memorial Hospital Board Minutes of February 15, 2017
- D. Consider Approval of Willmar Municipal Utilities Board Minutes of February 24, 2017
- E. Consider Approval of Application for Exempt Permit – Willmar Sertoma Club
- F. Consider Approval of Application for Exempt Permit – West Central Ducks Unlimited
- G. Consider Approval of Application for Exempt Permit – Willmar Fests, Inc.
- H. Consider Approval of Mayoral Appointment – Terry Sieck to Planning Commission
- I. Consider Approval of Planning Commission Minutes of February 22, 2017
- J. Consider of Accounts Payable Report through March 1, 2017
- K. Consider **Resolution No. 17-14** Declaration of Hazardous Building at 825 - 5th Street SW
- L. Consider Introduction of **Ordinance No. 1400** Sale of Real Property to GM Development
- M. Accept Human Rights Commission Minutes of January 17, 2017
- N. Accept Willmar Community Center Board Minutes of February 10, 2017
- O. Accept Willmar Lakes Area CVB Board Minutes of February 21, 2017
- P. Accept Board of Zoning Appeals Minutes of February 27, 2017
- Q. Accept CER Joint Powers Board Minutes of February 24, 2017
- R. Accept Building Inspection Report for February, 2017

Council Member Fagerlie offered a motion to approve the Consent Agenda. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 5, Noes 0.

At 7:07 p.m. Mayor Calvin opened the hearing for consideration of the proposed 2017 Street & Other Improvements. Public Works Director Sean Christensen gave a brief overview of the 2017 Improvements to include reconstruction, overlay and miscellaneous projects including pathway systems for a total estimated cost of 3.2 million. He overviewed the funding sources and schedule for payment of assessments.

Merle Berkeland, 1600 7th Avenue SE, came forward to address the Council during the hearing explaining his safety concerns for the Lakeland Drive improvements and recommended there be no parking allowed on Lakeland Drive, and also turn lanes be installed along the way.

Gerry Gesch, 1200 Willmar Avenue SE, agreed with Mr. Berkeland's concerns, and voiced his concern in regard to the path location, and also inquired about the possibility of widening Lakeland Drive to accommodate future traffic needs.

Lane Lovec, 720 Ella Avenue NW, voiced his concern in regard to the visibility of the stop sign at Ella Avenue and 7th Street NW and suggested adding red lights or something to alert drivers of the stop sign.

Merle Berkeland, 1600 7th Avenue SE, stated the proposed path will border his property, supported the improvement, and suggested the city install a tile by the current catch basin so his sump pump doesn't discharge on the proposed path.

Kelly Welch, 1304 23rd Street SE, spoke on behalf of the Sunrise Village Association in regard to the Association's concerns including the location of the proposed path, and the congestion and blocking of their access to their properties when parents pick up or drop off students.

There being no further requests to speak at the Improvement Hearing, Mayor Calvin closed the hearing at 7:47 p.m. and stated that due to the fact that not enough Council Members are present to take action on the proposed projects, therefore, discussion will be continued at the March 20, 2017 Council meeting.

Mayor Calvin acknowledged that no one had signed up to address the City Council during its scheduled Open Forum.

Community Education and Recreation Director Steve Brisendine presented information in regard to a Southwest Minnesota Arts Council Project Grant and was requesting Council's approval to pursue the grant. Following discussion, Council Member Asmus offered a motion to approve **Resolution No. 17-15** Authorizing Grant Application for Arts Project Grant from the Southwest Minnesota Arts Council. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 5, Noes 0.

Building Official Randy Kardell brought forth for approval the final plat for Rockstep Plaza Subdivision. RockStep Willmar, LLC (Kandi Mall) is subdividing one lot off of the large mall parcel to be sold to AutoZone for development of an auto parts store. The Planning Commission has approved the final plat and it is staff's recommendation that Council do the same. Council Member Fagerlie moved the recommendation of the Planning Commission and staff to approve the final plat for Rockstep Plaza Subdivision. Council Member Nelsen seconded the motion, which carried.

Public Works Director Sean Christensen presented information in regard to the curling club site evaluation and was recommending Council's approval to advertise a request for proposals for professional services to study the Civic Center complex to include a curling facility. Following discussion, Council Member Nelsen moved to approve staff's recommendation. Council Member Alvarado seconded the motion, which carried.

Council Member Asmus offered a motion to adjourn the meeting with Council Member Nelsen seconding the motion, which carried. The meeting adjourned at 8:10 p.m.

Attest: s/s Marv Calvin
MAYOR

s/s Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 17-14

**RESOLUTION DECLARING HAZARDOUS BUILDING AND ORDER FOR REMOVAL
BY THE CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA**

Motion By: Fagerlie

Second By: Nelsen

WHEREAS, evidence has been presented to the City Council of the City of Willmar, Minnesota, and the City Council finds the following facts:

1. That on the real property located at 825 5th Street Southwest in the City of Willmar, Kandiyohi County, Minnesota, which real property is described as follows, to-wit:

Lots 8, excluding the eastern 55 feet thereof, and the south half of Lot 9, excluding the eastern 55 feet thereof, Hanson's Addition to City of Willmar

Parcel Number: 95-280-0090 (the "property"), there is a single family dwelling (the "dwelling") and detached garage (collectively, the "buildings").

2. That the records on file with the Kandiyohi County Recorder reveal that the owner of the property is Gregory T. Trisko, and that First National Bank of Sauk Centre holds a mortgage deed on the property and is the only lienholder of record on the property.

3. That the buildings located on the property are currently vacant, and the dwelling was recently damaged in 2016 when the foundation experienced a major failure.

4. That the dwelling does not have running water in violation of Minn. R. 4715.0200(A) and (Q), and therefore presents a health hazard to the owner and to the general public as water use is necessary for human sanitation.

5. That the dwelling's roof has suffered structural damage beyond repair; replacement of the roof is necessary.

6. That the dwelling is has experienced structural damage, dilapidation, deterioration and/or decay because of the deterioration, decay or inadequacy of its foundation and is likely to partially or completely collapse.

7. That the dwelling, in its current condition, is unsanitary, is likely to cause sickness or disease, and is manifestly unsafe and unfit for human habitation.

8. That the dwelling on the property constitutes a fire hazard because of its dilapidation, physical condition and unsanitary condition and abandonment.

9. That the exterior of the dwelling has been excavated (in violation of city ordinances) in such a way as to expose the dwelling to water, weather elements, and in its current condition has become an attractive nuisance to children.

10. That garbage, junk, and other debris, have been allowed to accumulate and are currently present in plain view on the premises of the property and constitute a public nuisance and hazard to the public health, safety and welfare of the community.

11. Photographs documenting the current hazardous condition of the building are attached hereto as Exhibit 1.

NOW, THEREFORE, it is found as a matter of fact that the dwelling on the property constitutes a hazardous building and that the property on which the dwelling is located is hazardous; that the dwelling must be brought into compliance with the state building code or razed and removed.

YOU, Gregory T. Trisko are hereby ordered to either:

(1) repair said dwelling within Twenty (20) days after service of this Order upon you, i.e., hire a licensed plumber to restore running water to the dwelling; the roof on the dwelling must be replaced; the foundation must be repaired or replaced, that any structurally damaged walls or rafters must be repaired; all exterior surfaces must be repaired to a weather resistive state; or

(2) raze and remove said dwelling within Twenty (20) days after service of this Order upon you and fill any excavation left after the razing of said buildings so that there will be no hazard to the public health and safety; and you are further ordered to remove from said premises any personal property and fixtures within Twenty (20) days after service of this Order upon you, if the dwelling is razed.

The City will make a motion for summary enforcement of this Order to the District Court of Kandiyohi County, Minnesota, if the corrective action is not taken as ordered, **or unless an answer is served within 20 days from the date this Order was served upon you, as provided in Minnesota Statutes Section 463.18.**

The City Attorney is directed to proceed with this matter according to law.

Dated this 6th day of March, 2017.

By: s/s Marv Calvin
Marvin Calvin
Its: Mayor

ATTEST:

By: s/s Judy Thompson
Judy Thompson
Its: City Clerk

RESOLUTION NO. 17-15

**RESOLUTION AUTHORIZING GRANT APPLICATION FOR ARTS PROJECT GRANT
FROM THE SOUTHWEST MINNESOTA ARTS COUNCIL**

Motion By: Asmus Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar to approve an application for, and the acceptance of, the SW Minnesota Arts Council Arts Project Grant.

Dated this 6th day of March, 2017.

s/s Marv Calvin

MAYOR

Attest

s/s Judy Thompson

CITY CLERK