

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

January 9, 2017
7:00 p.m.

City Clerk Judy Thompson, Chief Officer in charge of voting for the City of Willmar, welcomed all those in attendance and asked the newly-elected Council Members for the City to come forward. City Clerk Judy Thompson then presented to Council Members Kathy Schwantes, Julie Asmus, Fernando Alvarado and Shawn Mueske Certificates of Election. The Honorable Judge Donald Spilseth, Judge of District Court, officiated the Swearing-in Ceremonies of the Council Members and the signing of the Oaths of Office.

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 Calvin, Council Members Ron Christianson, Andrew Plowman, Rick Fagerlie, Audrey Nelsen, Shawn Mueske, Kathy Schwantes, Fernando Alvarado and Julie Asmus; Present 9, Absent 0.

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

Mayor Calvin called on Reverend Keith Kerstetter to give the invocation.

Proposed additions to the agenda included Mayor Calvin adding an update on the hiring process of the City Administrator, to be discussed later in the meeting. Mayor Calvin also stated the letter he had sent to Ms. Linda Kacher recommending she not be re-appointed to the Economic Development Commission was sent in error, and he will send a letter to Ms. Kacher to that effect and apologize for the error. Council Member Mueske offered a motion to accept the proposed additions. Council Member Plowman seconded the motion which carried.

The Mayor and Council considered a number of biennial organizational resolutions. The first item considered was the election of a Mayor Pro Tempore. City Attorney Robert Scott provided guidelines for the process and procedure to elect a Mayor Pro Tempore. Council Member Nelsen was nominated by Council Member Alvarado. Council Member Fagerlie was nominated by Council Member Christianson.

Mayor Calvin requested Council Members vote by paper ballot. The results were tallied by City Clerk Judy Thompson who reported that Council Member Nelsen was elected. (Five votes were tallied for Council Member Nelsen, cast by Council Members Schwantes, Alvarado, Mueske, Asmus, and Nelsen. Council Member Fagerlie received three votes cast by Council Members Plowman, Christianson, and Fagerlie.).

Resolution No. 1, was introduced by Council Member Christianson, seconded by Council Member Fagerlie, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0 .

RESOLUTION NO. 1

WHEREAS, the Charter of the City of Willmar, a municipal corporation of the State of Minnesota, provides that in the absence or disability of the Mayor, an Acting Mayor shall be appointed by action of the City Council;

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

That during the years 2017 and 2018, should the Mayor, the Honorable Marvin Calvin, be absent or unable to act as such Mayor, that Council Member Nelsen be and is hereby appointed as Acting Mayor to act in all said circumstances and as set forth in the Charter of the City of Willmar.

Dated this 9th day of January, 2017.

/s/ Marv Calvin
Mayor

/s/ Judy Thompson
Attest: City Clerk

The Mayor and Council considered options for parliamentary rules. Resolution No. 2 was introduced by Council Member Christianson, seconded by Council Member Mueske, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

ADOPTION OF RULES OF ORDER

WHEREAS, the Willmar City Charter Section 2.11, Subdivision 2, requires the Willmar City Council to adopt an authorized set of parliamentary rules and that the rules adopted by the City Council shall be applicable to all Commissions, Boards and Committees.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Willmar that The Standard Code of Parliamentary Procedure is hereby adopted as the parliamentary code of rules for this Council and its municipal Commissions, Boards and Committees.

Dated this 9th day of January, 2017.

/s/ Marv Calvin
Mayor

/s/ Judy Thompson
Attest: City Clerk

The Council discussed the 2017-2018 Standing Committee appointments for members of the Council. Council Member Nelsen offered a motion to postpone any action at this time and discuss options at the Council Retreat and bring back to the January 17th Council meeting. Council Member Schwantes seconded the motion which carried.

The Council followed up by discussing the appointment of Council Members as liaisons to various boards and commissions. Council Members were asked by Mayor Calvin if they wanted to proceed by nomination, volunteer for the various boards and commissions, or if the Mayor should assign. Following a brief discussion, Council Member Fagerlie offered a motion to nominate Council Member Plowman to the Airport Commission. Council Member Mueske seconded the motion which carried. Council Member Schwantes offered a motion to nominate Council Member Nelsen to the Community Education/Recreation Joint Powers Board and Park Board. Council Member Mueske seconded the motion which carried. Council Member Christianson recommended Council Members volunteer for the respective committees as has been done in the past, in an effort to move the process along. Following discussion, Mayor Calvin proceeded to follow Council Member Christianson's recommendation.

Resolution No. 3 was introduced by Council Member Mueske, seconded by Council Member Plowman, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

BE IT RESOLVED, by the City Council of the City of Willmar, Minnesota, that the 2017 through 2018 Council Liaison appointments for members of the Council shall be provided in the list of appointments as follows:

COUNCIL LIAISON POSITIONS

Airport Commission: _____ Plowman _____

Community Education/Recreation Joint Powers Board and Park Board:
_____ Nelsen _____

Economic Development Commission: _____ Alvarado _____
_____ Schwantes _____
_____ Plowman _____

Fire Code Appeals Board: Chair: _____ Christianson _____
Vice Chair: _____ Alvarado _____

Human Rights Commission: _____ Mueske _____
_____ Alvarado _____

Intergovernmental Planning & Communication Committee:
_____ Mayor _____
_____ City Administrator _____
_____ Schwantes _____

Kandiyohi County HRA _____ Christianson _____

Mid-Minnesota Development Commission: _____ Fagerlie _____

Municipal Utilities Commission: _____ Mueske _____
Alternate: _____ Plowman _____

Pioneerland Library System: _____ Asmus _____

Rice Hospital Board: _____ Nelsen _____
Alternate: _____ Schwantes _____

Central Community Transit Board _____ Fagerlie _____
_____ Mayor _____

Vision 2040 Committee: _____ Schwantes _____

Willmar Cable Advisory Board: _____ Asmus _____
_____ Alvarado _____

Willmar Convention and Visitors Bureau: _____ Nelsen _____

Willmar Community and Activity Center Council: _____ Asmus _____

Willmar Downtown Development:

Fagerlie

Dated this 9th day of January, 2017.

/s/ Marv Calvin
Mayor

/s/ Judy Thompson
Attest: City Clerk

Regularly scheduled meeting dates and times for City Council meetings were discussed. It was pointed out by staff that the recommendation is to continue to meet on the first and third Mondays of each month with exception of if that Monday falls on a legal holiday, the Council shall meet the following Tuesday.

Resolution No. 4 was introduced by Council Member Christianson, seconded by Council Member Fagerlie, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the regular semi-monthly meetings of the City Council shall be held at 7:00 p.m. on the first and third Mondays of each month during the next two years with the exception of if the first or third Monday is a legally recognized holiday, the Council meeting shall be rescheduled to the next Tuesday, and that the regular place of said meetings shall be in the Council Chambers of the Municipal Utilities Building, 700 Litchfield Avenue Southwest, Willmar, Minnesota; and

BE IT FURTHER RESOLVED that the time for adjournment of said Council meetings shall be no later than 11:00 p.m. with the following exceptions:

1. An item of business under consideration at 11:00 p.m. may be disposed.
2. Business from the first meeting of the month will be carried over to the second meeting if necessary.
3. Any business not completed at the second meeting of the month, which is urgent and must have action will be adjourned to a special meeting.

Dated this 9th day of January, 2017.

/s/ Marv Calvin
Mayor

/s/ Judy Thompson
Attest: City Clerk

Planning and Development Director Bruce Peterson, acting for Interim Administrator McGuire informed the Council that as required by Minnesota Statute, it is necessary for the City to designate a legal newspaper for 2017-2018. Staff's recommendation is to approve the "West Central Tribune" as the legal newspaper for the next two years.

Resolution No. 5 was introduced by Council Member Nelsen, seconded by Council Member Alvarado, and approved on a roll call vote of Ayes 7, Noes 0. Council Member Christianson abstained.

RESOLUTION NO. 5

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, a municipal corporation of the State of Minnesota, that the "West Central Daily Tribune" of Willmar, Minnesota, be designated as the legal newspaper for the City of Willmar and that the fees set by State Statutes for legal publications be accepted.

Dated this 9th day of January, 2017.

/s/ Marv Calvin
Mayor

/s/ Judy Thompson
Attest: City Clerk

Resolution No. 6, appointing a responsible authority for the City of Willmar, was introduced by Council Member Christianson, seconded by Council Member Plowman, and approved on a roll call vote of
Ayes 8,
Noes 0.

RESOLUTION NO. 6

APPOINTING A RESPONSIBLE AUTHORITY

WHEREAS, Minnesota Statutes, Section 13.02, Subd. 6, requires that the City of Willmar appoint one person as the Responsible Authority to administer the requirements for collection, storage, use and dissemination of data on individuals within the City; and

WHEREAS, the City Council of the City of Willmar shares the concern expressed by the Legislature on the responsible use of all City data and wishes to satisfy this concern by immediately appointing an administratively and technically qualified Responsible Authority as required under the Statute.

BE IT RESOLVED by the City Council of the City of Willmar Minnesota, that the City Clerk Judy Thompson be appointed as the Responsible Authority for the purpose of meeting all requirements of Minnesota Statutes, Sections 13.02-13.87, as amended, and with rules as lawfully promulgated by the Commissioner of Administration as published in the State Register.

Dated this 9th day of January, 2017.

/s/ Marv Calvin
Mayor

/s/ Judy Thompson
Attest: City Clerk

Mayor Calvin asked the Council Members to review a summary of appointment processes for the City of Willmar boards and commissions as prepared by City Attorney Scott. The summary outlines the appropriate process to be used by the Mayor and City Council for making appointments, recommendations, or nominations to the various boards and commissions.

Council Member Christianson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of December 19, Rice Hospital Board Minutes of December 22, Municipal Utilities Commission Minutes of December 27, Application for Exempt Permit – Safe Avenues, Application for Exempt Permit – Minnesota Ducks Unlimited, Mayoral Recommendation for reappointment of Dan O’Meara to Airport Commission, Mayoral Recommendation for appointment of Cletus Frank, Jeffery Kimpling and Terry VanVeldhuizen to Planning Commission; Michael Kubesh to Police Civil Service Commission, Bruce DeBlick to Municipal Utilities Commission, and Maria Larson and Ben Larson to Human Rights Commission, Willmar

Area

Lakes CVB Minutes of November 15, Building Inspection Report for December, Accounts Payable through December 30,2016. Council Member Nelsen seconded the motion, which carried.

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

Mayor Calvin read the Proclamation of Willmar School Choice Week recognizing the week of January 22 - 28, 2017 as Willmar School Choice Week. Mayor Calvin thanked all our educators for doing a great job in educating our students in all avenues throughout the community.

The Council considered the Mayor's veto of a Council action. Mayor Calvin read his letter dated December 27, 2016 vetoing the Council's action directing the City Administrator draft a letter from the City to the Economic Development Commission recommending that Linda Kacher be reappointed by the Commission to a second term on the Operations Board of the Economic Development Commission. Council Member Christianson moved to override the Mayor's veto with Council Member Fagerlie seconding the motion. Following discussion, Council Member Schwantes called the question. Mayor Calvin called for the vote which failed on a vote of Ayes 2, Noes 6. It was noted that pursuant to the City Charter, six affirmative votes were needed to override a veto and thus the motion failed.

City Clerk Judy Thompson presented an application for a State 1 Day to 4 Day Temporary On-Sale Liquor License Application for an event at the Willmar Holiday Inn & Conference Center where the Minnesota Ducks Unlimited is planning to hold a convention on February 9 - 12, 2017. Staff has reviewed the application. Council Member Christianson made a motion to approve the State 1 Day to 4 Day Temporary On-Sale Liquor License Application pending Willmar Police Department approval. Council Member Nelsen seconded the motion which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Calvin stated the Council will hold a retreat on January 13 and 14, 2017 at O'Neill's in Spicer. Council Member Mueske stated he would not be able to arrive at the retreat until 9:45 a.m.

Mayor Calvin stated that the City of Willmar Conflict of Interest Policy needs to be read and signed by all Council members and returned to the City Clerk or City Administrator's Office.

Mayor Calvin gave an update on the selection process for the City Administrator. Mayor Calvin stated we received 45 applications and the review committee consisting of the Interim City Administrator McGuire, Mayor Calvin, Council Member Christianson, Human Resource Director Buckingham, and Gary Weiers from David Drown and Associates will be scoring the applications on Tuesday, January 10th at 1:30 p.m. It is the desire of the group to submit the names to the Council on Wednesday, January 11th, and review the names at the January 17th Council meeting.

There were no announcements for Committee meeting dates.

There being no further business to come before the Council, the meeting adjourned at 8:14 p.m. upon motion by Council Member Fagerlie, seconded by Council Member Nelsen and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL