

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

November 7, 2016
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, Steve Ahmann, Denis Anderson, Rick Fagerlie, Andrew Plowman, Shawn Mueske, Tim Johnson, and Ron Christianson. Present 9, Absent 0.

Also present were Interim City Administrator Mike McGuire, Police Chief Jim Felt, Fire Chief Frank Hanson, Finance Director Steve Okins, Public Works Director Sean Christensen, Human Resource Director Bridget Buckingham, City Clerk Judy Thompson and City Attorney Robert Scott.

Council Member Fagerlie added to the agenda MSNBC will be airing the program featuring the Hub and Building 313 on Sunday November 13th at 6:30 a.m. Mayor Calvin directed Interim City Administrator McGuire to obtain a copy of the program and have it aired on WRAC8.

Mayor Calvin mentioned the Goodness Café in downtown Willmar is giving away "I Love Willmar" buttons and urged everyone to stop and receive a button.

Council Member Christianson offered a motion to adopt the Consent Agenda which included the following items: City Council Minutes of October 17, Willmar Municipal Utilities Board Minutes of October 24, Rice Memorial Hospital Minutes of October 31, Planning Commission Minutes of October 26, Application for Exempt Permit – Minnesota Elks Youth Camp, Human Rights Commission Minutes of September 20, Willmar Area Lakes CVB Board Minutes of September 27, Airport Commission Minutes of October 19, Willmar CER Joint Powers Board Minutes of October 28, Board of Zoning Appeals Minutes of October 31, Accounts Payable Report through November 2, and Building Inspection Report for October 2016. Council Member Anderson seconded the motion, which carried.

Interim City Administrator Mike McGuire presented information regarding Special Assessments against Lots 6 and 8, Block 1, Oslo Meadows. Mayor Calvin opened the Public Hearing at 7:05 p.m. There being no one present to speak, the Hearing closed at 7:06 p.m.

Resolution No. 1 was introduced by Council Member Ahmann, 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 following properties located within the City of Willmar were offered for sale by the County Auditor at tax forfeiture sale:

Parcel 95-604-0060; Lot 6, Block 1, Oslo Meadows

WHEREAS, the above property was subject to reassessment of \$2,325.76 special assessments if sold;
and

Parcel 95-604-0080; Lot 8, Block 1, Oslo Meadows

WHEREAS, the above property was subject to reassessment of \$2,325.76 special assessments if sold;
and

WHEREAS, the above properties were sold to Robin A. Javaherian on October 7, 2015;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the \$4,651.52 special assessments against the above properties be placed on the tax rolls 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 rolls payable in 2017 and thereafter.

Dated this 7th day of November, 2016.

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

Gary Gilman, 500 NW 34th Street, spoke during the Open Forum. Mr. Gilman offered his opinion, and urged citizens to vote “no” on the local option sales tax question on the ballot.

Mayor Calvin introduced Gary Weiers of David Drown & Associates, who presented an update of the City Administrator Position Profile and the timeline of completing the process. Mr Weiers asked that the statement regarding \$1Billion invested in Renewable Energy Projects be removed due to inability to verify the information. Mr. Weiers asked for feedback to the reference of a minimum 10 or more years of management and supervisory experience in the job description. Mr. Weiers stated his concern is that it limits the amount of eligible candidates. Following discussion, it was recommended that the 10 or more years of management and supervisory experience in positions of similar complexity be moved from the minimum qualifications to the preferred qualifications and changed to recommend minimum of 5 or more years of management and supervisory experience in positions of similar complexity. In regard to the timeline, it is proposed that the posting will begin early December and ending possibly January 6th or 9th. Screening of applicants will be January 11th, with candidate information brought to the January 17th Council meeting. It is anticipated a new City Administrator would be in place early March. The screening committee would consist of Mr. Weiers, Mayor Calvin, Mayor Pro Tempore Christianson, Interim Administrator McGuire, and Human Resource Director Buckingham. The full Council will make the final decision on which candidates would be interviewed.

Council Member Mueske moved to approve the City Administrator Position Profile as amended. Council Member Plowman seconded the motion which carried.

Planning and Development Services Director Peterson introduced John Offerman and Gary Hildebrand from Energy and Organic Systems (EOC) who gave a presentation about their organic waste conversion system they proposed for the City-owned property near the WWTP.

Following the presentation, the Council had the opportunity to ask questions. Council Member Ahmann thanked Mr. Offerman and Mr. Hildebrand and the Council will take this under consideration for further analysis.

The Finance Committee Report for October 31, 2016 was presented to the Mayor and Council by Council Member Anderson. There were three items for consideration.

Item No. 1 There were no comments from the public.

Item No. 2 Staff explained to the Committee that now that Kandiyohi County has assumed the City Assessing duties, they noted that "Ordinance No. 463, An Ordinance Establishing Urban and Rural Service Districts in the City of Willmar Under Authority of 1965 Session Laws, Chapter 712", was approved on August 13, 1966, designating certain areas of land in the Rural Service District. This ordinance created an urban service district and a rural service district (agricultural land) because properties in the rural service district do not receive the same number of City services as properties in the urban service district. Since Ordinance No. 463 was first approved, the City of Willmar has grown substantially and new areas are now eligible to be included in the District and others no longer qualify. Areas proposed to be removed or updated are located in Sections 10, 11, 13, 14, 20, and 23 of Township 119, Range 35 which have since been developed. Areas proposed to be added are located in Sections 4, 8, 18, 19, 26, and 27 of Township 119, Range 35; Sections 35 and 36 of Township 120 Range 35 (Dovre Township); and Sections 11, 12, 13, 14, 23, and 24 of Township 119, Range 36 (St. John's Township). Information on Ordinance No. 483, which addresses the rates for these districts, will be presented at a future date.

The Committee was recommending the Council authorize the City Attorney to draft an amendment to Ordinance No. 463 to add or remove property as applicable in the Urban and Rural Service Districts for Council review. Council Member Anderson moved the recommendation of the Committee. Council Member Fagerlie seconded the motion which carried.

Item No. 3 Staff presented the Agricultural Land Exemption Policy to the Committee for review per City Council directive. This policy addresses special assessments as they relate to agricultural land within the City limits. When exempted property is sold or developed, the property pays for its share of the greater of 1) the assessment at the time of the improvement or 2) the valuation of the improvement in the current year in which the property is sold or developed. It was noted that interest is not charged. It was the consensus of the Committee that no changes be recommended at this time. However, questions were raised about how the City of Willmar's policy relates to policies of other communities. The Committee directed staff to provide information on the results. This matter was for information only.

The Finance Committee Report for October 31, 2016, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Nelsen, which carried.

The Public Works/Safety Committee Report for November 1, 2016 were presented to the Mayor and Council by Council Member Nelsen. There were eight items for consideration.

Item No. 1 No public comments were made.

Item No. 2 Chief Felt noted the jail census for November 1, 2016 was 114; 31 inmates from the Department of Corrections, 71 inmates from Kandiyohi County and 12 inmates from other counties. The calls for service the previous two weeks totaled 813 and are 2 days ahead of this date last year. The majority of the calls for the previous two weeks were for traffic stops, followed by public assists and family service calls. Chief Felt noted the department is hosting two Somali-American police officers for a public seminar on November 2nd at 2 p.m. at the Library to speak about diverse communities and will also be participating in a private training session with officers that evening. The process continues to move forward to hire two new officers, with the new hires being able to start in as soon as two weeks.

Chief Hanson noted total Fire Department total calls for service in the previous two weeks totaled 15. The calls included 4 alarm activations, 4 crashes, 3 gas line cuts, 1 kitchen fire, 1 cooking fire, 1 carbon monoxide call and 1 assist in searching for a child by Raymond. The total calls for service this year is 274, compared to 297 calls in 2015. The dispatch to en-route time currently is 4 minutes 32 seconds. Chief Hanson noted all of the department's 2016 projects are finished. The department is looking into partnering with the Red Cross to install smoke detectors in 1,000 homes in January. The Red Cross would provide the supplies and the department would donate the labor to install them.

Item No. 3 Staff brought forth, for approval, the purchase of a computer server and associated software from WatchGuard in the amount of \$13,665.00 for the Police Department. The server and software will be used to upgrade the ten squad car video systems and prepare for future body camera additions. Funds will be utilized from the Law Enforcement DUI/Narcotics forfeiture account for the purchase.

Resolution No. 2 was introduced by Council Member Nelsen, seconded by Council Member Plowman, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

BE IT RESOLVED by the City Council of the City of Willmar to authorize the purchase of a computer server and associated software from WatchGuard in the amount of \$13,665.00 for the Police Department for the purpose of upgrading ten squad car video systems and preparing for future body camera additions; and

BE IT FURTHER RESOLVED by the City Council of Willmar, Minnesota, that funds be appropriated from the Law Enforcement Forfeiture Fund as follows:

INCREASE: 2016 Law Enforcement Forfeiture Fund Capital Outlay/Equipment	\$ 13,665
INCREASE: 2016 Transfers In-Law Enforcement Forfeiture Fund	\$ 13,665

Dated this 7th day of November, 2016.

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

Item No. 4 Public Works Director Christensen brought forth, for approval, the resolution authorizing the utility easement vacation of Terraplane Estates. Koosman Land Company replatted it to accommodate single family home construction at 25th Street SE, and during this process it was determined the 109 foot utility easement would have to be vacated at the cost of the developer.

Resolution No. 3 was introduced by Council Member Nelsen, seconded by Council Member Anderson, reviewed by Mayor Calvin, an approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

VACATING A PORTION OF A UTILITY EASEMENT

WHEREAS, the vacation of that portion of the utility easement as described below was initiated by the developer KLC of Willmar:

Legal description to vacate a portion of the utility easement across Lots 17, 18, 19, and 20 of Block 2, TERRAPLANE ESTATES as of public record, Kandiyohi County, Minnesota said easement being 5' on each side of the following described line: Beginning at the northwest corner of said lot 19; thence southerly along the west line of Lots 19, 18, and 17 a distance of 109.00 of said line.

WHEREAS, the proposed vacation has been approved by the Public Works/Safety Committee of the

City of Willmar; and

WHEREAS, mailed notice of the proposed vacation was sent to Willmar Municipal Utilities and affected private utility companies as per by Subdivision 6 of Section 9.01 of Subdivision 4.A. of the Willmar City Charter; and

WHEREAS, the City Council of Willmar finds that it is in the best interest of the City of Willmar to vacate that portion of said utility easement;

NOW, THEREFORE, BE IT RESOLVED, that the above described portion of dedicated utility easement 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 the 7th day of November, 2016.

Dated this 7th day of November, 2016.

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

Item No. 5 Staff brought forth, for approval, the standard loan renewal agreement for the F-14 TOMCAT at the Willmar Municipal Airport. The City entered into an agreement with the Navy for the aircraft to be placed at the airport and a loan renewal agreement is required every five years.

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

RESOLUTION NO. 4

BE IT RESOLVED by the Willmar City Council, a municipal corporation of the State of Minnesota, that the City Administrator be authorized to enter into a Standard Renewal Loan Agreement between the City of Willmar and Department of the Navy for the F-14A TOMCAT aircraft.

Dated this 7th day of November, 2016

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

Item No. 6 Staff brought forth, for information, discussion on the increased parking along 9th Street, 12th Street and Pioneer Circle SE. Concerns had been previously noted of Bethesda staff parking along these streets rather than utilize the facility parking lot. With this increased parking, there is a concern for obstruction during the snow removal operations by City snowplows in the winter months. Staff has since

spoke with Bethesda staff and they are proactively working with their employees on parking in the provided lot. Staff is recommending no action at this time and continuing to monitor the situation for further improvement.

A motion was made by Council Member Plowman, seconded by Council Member Johnson to table the discussion of parking concerns until further notice. The motion carried. The Council received this for information only.

Item No. 7 Staff brought forth, for approval, consideration to either reject all bids for the Rice Park Improvements project and authorize re-bidding or to accept the bid from Marcus Construction and find an approximate \$50,000 to fund the project as originally bid. Six bids were received for the project and all were above the \$705,000 budgeted.

Following discussion, a motion was made by Council Member Plowman, seconded by Council Member Johnson for staff to proceed with finding the \$50,000 in additional funds needed to accept the bid from Marcus Construction for the Rice Park Improvement project and bringing their findings to the full Council Finance meeting on November 15th. The motion carried.

Item No. 8 The Committee discussed the date of the next Public Works/Public Safety meeting, as there is a full Council Finance Committee meeting previously scheduled on Tuesday, November 15th. The Committee decided to still briefly meet on the 15th at 4:30 p.m. before the Finance meeting at 4:45 p.m.

The Public Works/Safety Committee Report for November 1, 2016 was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Nelsen, seconded by Council Member Anderson, and carried.

The Labor Relations Committee Report for November 2, 2016 was presented to the Mayor and Council by Council Member Ahmann. There were four items for consideration.

Item No. 1 There were no public comments.

Item No. 2 Human Resource Director Bridget Buckingham presented proposed changes to the sick leave section of the City's Personnel Policy. In Section 5.2, Sick Leave Donation, it is proposed to add "member of the employee's immediate household." In the same paragraph remove the definition for a life-threatening illness or condition as defined by a physician's diagnosis. Under the conditions of which the donation of sick leave are subject to, delete No. 1.

The Committee was recommending the Council approve the changes as presented. Council Member Ahmann moved the recommendation of the Committee. Council Member Anderson seconded the motion, which carried.

Item No. 3 Human Resource Director Bridget Buckingham updated the Committee on the status of the compensation/classification study being conducted by Springsted. Rescoring of several positions were recently requested by Ann Antenson of Springsted which still need to be reviewed. The results were deferred to the next Committee meeting of November 16th.

Item No. 4 Human Resource Director Bridget Buckingham updated the Committee on the status of the City's Health Insurance options to include the new HSA/VEBA. Mr. Gene Thule of the Southwest Service Cooperative is scheduled to meet with employees on November 10th to answer questions. Council Member Mueske suggested requesting several Willmar Municipal Utilities who currently have the plan join the discussion.

The Labor Relations Committee Report for November 2, 2016, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Ahmann, seconded by Council Member Anderson, and carried.

City Clerk Thompson explained to the Council there was one applicant that applied for the Deferred Special Assessments for Senior Citizens and/or Disabled Persons.

Resolution No. 5 was introduced by Council Member Christianson, seconded by Council Member Nelsen, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

WHEREAS, the City Council of the City of Willmar, Minnesota, did order the reconstruction of certain streets during the year 2016 (Project 1601); and

WHEREAS, Minnesota Statutes, Sections 435.193 to 435.195 allows local governments certifying special assessments against municipal properties to defer the payment of that assessment for any homestead property owned by a person 65 years of age or older or retired by virtue of a permanent and total disability; and

WHEREAS, certain property owner(s) have made application to the City for delayed payment of tax on special assessments and have met the criteria contained in Minnesota Statutes for said deferment.

NOW, THEREFORE, BE IT RESOLVED by the Willmar City Council that special assessments as hereinafter designated be certified to the County and deferred for the years of 2017 through 2026 with interest at the annual rate of four and fifty hundredths (4.50%) percent.

BE IT FURTHER RESOLVED that the option to defer payments will terminate and all deferred payments and interest become payable if a) the owner dies and the surviving spouse is not eligible; b) the property or a portion of the property is sold, transferred or subdivided; c) the property loses its homestead status; or d) the City determines that to require immediate or partial payment would not create a hardship.

Daniel A. Ruter	95-911-0610	\$3,400.00
929 Lakeland Drive NE	Section 11, Township 119, Range 35	
Willmar, MN 56201	SOUTH 85', OF NORTH 715', OF WEST 150', OF EAST 183' OF	
	GOV'T LOT 3	

Dated this 7th day of November, 2016.

Attest:

s/s Marv Calvin
Mayor

s/s Judy Thompson
City Clerk

City Clerk Thompson explained to the Council that a Board of Canvass meeting to certify the results of the November 8, 2016 General Election has been set for Monday, November 14th at 12:00 noon in Conference Room No. 1 at the City Office Building. Council Member Christianson moved to approve staff's recommendation, with Council Member Ahmann seconding the motion which carried.

Announcements for Council Committee meeting dates were as follows: Finance Committee/Full Council, 4:45 p.m. at Council Chambers, November 15; Public Works/Safety, 4:30 p.m. at Council Chambers, November 15; Labor Relations Committee, 4:45 p.m. at City Hall, November 16; Community Development, 4:45 p.m. at City Hall, November 17, 2016.

Council Member Mueske offered a motion to adjourn the meeting with Council Member Plowman seconding the motion, which carried. The meeting adjourned at 8:43 p.m,

Attest:

MAYOR

SECRETARY TO THE COUNCIL