CITY OF MONTEVIDEO  
CITY COUNCIL PROCEEDINGS  
August 7, 2017

The city council met in regular session Monday, August 7, 2017 in the council chambers at city hall. Council President Garbe called the meeting to order at 7:00 P.M. with the Pledge of Allegiance.

Council members present: Marvin Garbe, Bryce Curtiss, Nathan Schmidt, Sandra Hodge and Todd Hay. Absent: None. Mayor Debra Lee Fader present.

Also present were: City Manager Steven C. Jones, City Attorney Janice Nelson, Rodeberg & Berryman Engineer Mike Amborn and City Clerk Glennis Lauritsen.

It was moved by Schmidt, seconded by Curtiss and unanimously passed to approve the agenda, with the following modifications:

**MODIFY: 5A) CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING AUGUST 4, 2017 IN THE AMOUNT OF $843,455.92  $973,776.07.**

Revised amount reflects the following additional claims:

**LIQUOR**  
Breakthru Beverages MN - Inventory 8,961.84  
Johnson Brothers Liquor Co - Inventory 5,783.15  
Locher Brothers, Inc. - Inventory 12,173.76  
Phillips Wine & Spirits - Inventory 3,743.35  
Southern Glazer’s of MN - Inventory 3,042.86

**LEGAL**  
Nelson, Oyen, Torvik - Legal Services 7,460.50

**MCDC**  
Gary Groothuis / Groat’s, Inc. - Bldg. Rehab Grant 5,000.00  
Montevideo Area Chamber of Commerce - Bldg. Rehab Grant 5,000.00

**MISCELLANEOUS**  
Birch Communications - Phone Bill 2,096.40  
Farmer’s Union Oil Company - Fuels, etc. 5,601.56  
SW/WC Service Co-op - BC/BS September Premium 69,151.00
STREET
MacQueen Equipment - Sweeper door 2,305.73

MODIFY: 7F) CONSIDER RESOLUTION ACCEPTING GIFTS/GRANTS FROM VARIOUS ORGANIZATIONS & INDIVIDUALS.

Revised resolution provided.

ADD: 7I) CONSIDER RESOLUTION DIRECTING ABATEMENT OF NUISANCE AT 418 SOUTH 7TH STREET.

It was moved by Hodge, seconded by Hay and unanimously passed to approve the minutes of the regular meeting of July 17, 2017 and budget worksession of July 31, 2017, as presented.

4. Notices/Communications/Announcements or Appearance of Interested Citizens.

- None.

5. Consent Agenda.

It was moved by Hay, seconded by Schmidt and unanimously passed to approve the following consent agenda items:

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING AUGUST 4, 2017 IN THE (MODIFIED) AMOUNT OF $973,776.07.

5(B) SALE OF SEIZED/SURPLUS ITEMS BY THE POLICE DEPARTMENT (2001 DODGE CARAVAN | 1997 FORD RANGER).

5(C) USE OF VACANT LOT (EAST SIDE OF BENSON ROAD, NORTH OF THE VETERINARY CLINIC AND SOUTH OF CASEY’S) BY THE REFUGE CHURCH, 1117 BENSON ROAD, FOR THEIR ANNUAL “FAMILY FUN NIGHT” ON SUNDAY, AUGUST 20, 2017, 5:00-8:00 P.M.

5(D) USE OF NORTH 6TH STREET, BETWEEN BLACK OAK AVENUE & EUREKA AVENUE, BY THE CHURCH OF ST. JOSEPH FOR THEIR ANNUAL FALL FESTIVAL ON SEPTEMBER 17, 2017, 7:00 A.M. TO 4:00 P.M.


- None.
7. **General Business.**

7(A) **CONDITIONAL USE PERMIT - OUTDOOR TRAILER SALES IN B1 DISTRICT.**

Assistant City Manager Steinbach reported that earlier this evening, the Montevideo Planning Commission held a public hearing on a conditional use permit request by Ed Picht, dba/S & P Trailer Sales, to allow outdoor trailer sales in a B1 District at 521 South 1st Street. Following the hearing, the planning commission unanimously recommended approval, with the following conditions:

1. No more than three (3) trailers will be placed in the front yard; and no more than 17 trailers will be allowed in the rear yard.

2. Only one sign may be erected on the trailers as signage and will count towards the wall sign total for the property.

3. The city reserves the right to review this permit at any time and to add additional conditions to preserve and protect the character of the area.

It was moved by Curtiss, seconded by Hodge and unanimously passed to approve the conditional use permit, as recommended by the planning commission.

7(B) **AMENDED LIQUOR LICENSE - VFW.**

The VFW requested amending its 2017 On-Sale Liquor License to include a larger outdoor area approximately 80' x 145' in size to the south of their building. Their current licensed premises includes the building at 570 South 1st Street and a contiguous 20' x 30' outdoor patio/deck. The deck is located within the 80' x 145' area.

Ron Onnen, VFW Quartermaster, was present to address questions/concerns raised by the council. Onnen noted that, eventually, they want to permanently enclose/fence the area when funds are available.

It was moved by Curtiss, seconded by Schmidt and unanimously passed to amend the 2017 license, as requested.

7(C) **MONTEVIDEO VETERINARY CLINIC LOAN REQUEST.**

Assistant City Manager Angela Steinbach was present to report that at its August 1st meeting, the MCDC had considered a request from the Montevideo Veterinary Clinic for an addition to their existing loan of up to $20,000 to pay for a new sewer line to their location at 1102 Benson Road. The MCDC recommended approval of the loan. Steinbach noted that the applicant is not certain
that they will proceed with this project but wanted to ensure funding in the event that they do proceed.

It was moved by Hodge, seconded by Hay and unanimously passed to approve the request, as recommended by the MCDC, with an expiration date on issuance of the loan of 12/31/17.

7(D) JACOBSON/LIVINTAGE LOAN REQUEST.

Assistant City Manager Angela Steinbach reported that at its August 1st meeting, the MCDC had considered a $7,215.88 loan request from Jessica & Michael Jacobson, dba/Livintage, 213 North 1st Street. The loan would be used towards the purchase of the building from its previous owner and would be set at a 10-year amortization schedule with a 4% fixed rate. The MCDC recommended approval of the loan.

It was moved by Hay, seconded by Curtiss and unanimously passed to approve the loan, as recommended by the MCDC.

7(E) FIRE RELIEF ASSOCIATION LUMP SUM PENSION PLAN REPORT.

The Fire Relief Association is required to present its 2017 Schedule Form for Lump-Sum Pension Plans (SC-17) to the city yearly, by August 1st. The report was submitted to the city clerk on August 1st. The report shows no scheduled contribution required from the city in 2018.

It was moved by Curtiss, seconded by Hodge and unanimously passed to accept the report, as presented.

7(F) ACCEPTANCE OF GIFTS.

The following gifts were received by the city:

<table>
<thead>
<tr>
<th>Name</th>
<th>Description</th>
<th>Amount/Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Legion Son’s Squadron 59</td>
<td>Donation - Tractor Art Project</td>
<td>250.00</td>
</tr>
<tr>
<td>American Legion Riders</td>
<td>Donation - Tractor Art Project</td>
<td>250.00</td>
</tr>
</tbody>
</table>

NATHAN SCHMIDT OFFERED RESOLUTION NO. 3452, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3452 WAS SECONDED BY TODD HAY. THOSE VOTING IN FAVOR OF MOTION: NATHAN SCHMIDT, TODD HAY, BRYCE CURTISS, SANDRA HODGE AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.
7(G) MN STATE CAPITOL GRAND OPENING.

In response to a request by Governor Dayton, a resolution was prepared to encourage attendance at the Minnesota State Capitol August 11-13, 2017.

TODD HAY OFFERED RESOLUTION NO. 3453, A RESOLUTION ENCOURAGING ATTENDANCE AT THE GRAND OPENING OF THE MINNESOTA STATE CAPITOL, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3453 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: TODD HAY, BRYCE CURTISS, SANDRA HODGE, NATHAN SCHMIDT AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(H) DESIGN APPROVAL - TRACTOR ART PROJECT.

The Montevideo Arts Project (MAP) Committee has recommended approval of the final design from artist Karl Unnasch for the Tractor Art Project. MAP had negotiated one change with the artist, in regards to the sun element of the design. Rather than the Uruguayan sun originally proposed by the artist, it was determined that a different sun element would better reflect Montevideo’s farm/rural nature. Because this is on city property and is owned by the city once completed, approval is needed from the council.

It was moved by Schmidt, seconded by Hay and unanimously passed to approve the final design, as submitted.

7(I) NUISANCE ABATEMENT - 418 SOUTH 7TH STREET.

City Manager Jones explained that several police reports, dating back to April, detail issues with a homeowner running a generator continuously outside their home at 418 South 7th Street. The property is owned by William McGraw and Shannon Larson. After requests by the city and neighbors to cease this action, it continues. In an effort to address this nuisance, a resolution has been drafted directing the property to abate the nuisance and/or address the city council by September 5, 2017.

BRYCE CURTISS OFFERED RESOLUTION NO. 3454, A RESOLUTION DIRECTING ABATEMENT OF NUISANCE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3454 WAS SECONDED BY NATHAN SCHMIDT. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, NATHAN SCHMIDT, TODD HAY, SANDRA HODGE AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

It was moved by Curtiss, seconded by Hay and unanimously passed to direct the city attorney to draft a sample ordinance regulating the use of outdoor generators.
8. **Ordinances.**

- None.

9. **Discussion and Miscellaneous.**

- Mayor Fader encouraged attendance at the State Capitol Grand Opening August 11-13, 2017.
- Council member Hay reminded citizens to remove their garage sale signs after the sale is over.

Meeting adjourned at 7:35 P.M.

Glennis A. Lauritsen, Secretary

Approved by council August 21, 2017:

Marvin E. Garbe, President