

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
January 10, 2011

The city council met in regular session Monday, January 11, 2011 in the council chambers at city hall. President Hodge called the meeting to order at 7:00 P.M. with the Pledge of Allegiance.

Council members present: Marvin Garbe, Karen Nieuwbeerta, Sandra Hodge, Al Johnsrud and Bryce Curtiss. Mayor Debra Lee Fader present.

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

1(A) OATH OF OFFICE ADMINISTERED.

City Clerk Lauritsen administered the oath of office to mayor elect Debra Lee Fader and re-elected council members Marvin Garbe, Bryce Curtiss and Karen Nieuwbeerta.

1(B) Nieuwbeerta nominated Sandra Hodge for the position of council president. Garbe seconded the nomination. There were no other nominations; therefore a vote was taken and passed unanimously.

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

ADD:

1(B) ELECTION OF CITY COUNCIL PRESIDENT.

MODIFY:

5(A) CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING JANUARY 7, 2011 IN THE AMOUNT OF ~~\$1,345,326.72~~ \$1,356,669.15.

Modified amount reflects the addition of the following:

<u>MISCELLANEOUS</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Farmer's Union Oil Company	Fuel, etc.	\$ 11,342.43

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to approve the minutes of the regular meeting of December 20, 2010, as presented.

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

- None.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING JANUARY 7, 2011 IN THE (MODIFIED) AMOUNT OF \$1,356,669.15.

6. Public Hearings.

- None.

7. General Business.

ORGANIZATIONAL ITEMS OF BUSINESS:

7(A) SECRETARY TO COUNCIL/2011.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to appoint Glennis A. Lauritsen as secretary to the council for 2011.

7(B) ACTING CITY MANAGER / ACTING CITY CLERK FOR 2011.

MARVIN GARBE OFFERED RESOLUTION NO. 3014, A RESOLUTION PROVIDING FOR AN ACTING CITY MANAGER (GLENNIS LAURITSEN) AND ACTING CITY CLERK (JAN FLAHERTY) WHEN SUCH MAY BE REQUIRED, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3014 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, BRYCE CURTISS, AL JOHNSRUD, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(C) DEPOSITORIES FOR 2011.

It was moved by Nieuwebeerta, seconded by Curtiss and unanimously passed to designate the following institutions as depositories for city funds:

KleinBank, Montevideo
Minnwest Bank, Montevideo
Co-op Credit Union, Montevideo
4M Fund/League of Minnesota Cities
RBC Capital Markets
Morgan Stanley Smith Barney, LLC
Multi-Bank Securities, Inc.

7(D) WIRE TRANSFER OF FUNDS.

AL JOHNSRUD OFFERED RESOLUTION NO. 3015, A RESOLUTION AUTHORIZING WIRE TRANSFER OF FUNDS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3015 WAS SECONDED BY KAREN NIEUWBEERTA. THOSE VOTING IN FAVOR OF MOTION: AL JOHNSRUD, KAREN NIEUWBEERTA, MARVIN GARBE, BRYCE CURTISS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(E) ACTING MAYOR / 2011.

AL JOHNSRUD OFFERED RESOLUTION NO. 3016, A RESOLUTION PROVIDING FOR AN ACTING MAYOR (BRYCE CURTISS), AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3016 WAS SECONDED BY MARVIN GARBE. THOSE VOTING IN FAVOR OF MOTION: AL JOHNSRUD, MARVIN GARBE, KAREN NIEUWBEERTA, BRYCE CURTISS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(F) ACTING CITY ATTORNEY / 2011.

MARVIN GARBE OFFERED RESOLUTION NO. 3017, A RESOLUTION PROVIDING FOR AN ACTING CITY ATTORNEY WHEN SUCH MAY BE REQUIRED (DAVID GILBERTSON), AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3017 WAS SECONDED BY KAREN

NIEUWBEERTA. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, KAREN NIEUWBEERTA, BRYCE CURTISS, AL JOHNSRUD AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(G) APPOINTMENT OF LICENSE INSPECTOR FOR 2011.

It was moved by Garbe, seconded by Nieuwbeerta and unanimously passed to appoint the police chief as license inspector for 2011.

7(H) APPOINTMENT OF HEALTH INSPECTOR FOR 2011.

It was moved by Curtiss, seconded by Nieuwbeerta and unanimously passed to appoint Dr. Tom Birkey as health inspector for 2011.

7(I) OFFICIAL NEWSPAPER DESIGNATION / 2011.

It was moved by Garbe, seconded by Curtiss and unanimously passed to designate the Montevideo American-News as the city's official newspaper for 2011.

7(J) HUMAN RIGHTS OFFICER/ALTERNATES FOR 2011.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to appoint the city manager as the human rights officer, with the city clerk and police chief designated as alternate human rights officers.

7(K) APPOINTMENT OF HEARING OFFICER FOR 2011.

It was moved by Nieuwbeerta, seconded by Garbe and unanimously passed to appoint Stacey L. Lee as administrative hearing officer for 2011, at the rate of \$125.00/hour, including windshield time to/from Montevideo (same rate as 2010.)

7(L) APPRECIATION FOR OUTGOING MAYOR CURTISS.

MARVIN GARBE OFFERED RESOLUTION NO. 3018, A RESOLUTION OF APPRECIATION FOR FORMER MAYOR JIM CURTISS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3018 WAS

SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, BRYCE CURTISS, AL JOHNSRUD, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(M) AMENDED CONTRIBUTION-FIRE RELIEF ASSOCIATION PENSION PLAN.

On July 14, 2010, the Fire Relief Association submitted its Schedule Form for Lump Sum Pension Plans to the city which showed no contribution required from the city in 2011. Nathan Schmidt, Fire Relief Association Secretary, was present to discuss the Association's amended schedule which now shows a city contribution in the amount of \$1,495.00.

Schmidt stated that there has been no local contribution for many years. There are a number of 20+ year members; therefore, more accrued liability.

It was moved by Garbe, seconded by Nieuwbeerta and unanimously passed to approve the local contribution of \$1,495.00, as reflected on the amended schedule.

7(N) ACCEPTANCE OF GIFT/GRANT.

Donations have been given by various organizations and individuals, including \$29,000.00 from the Montevideo Fire Relief Association and a \$600.00 grant from the Montevideo Area Community Foundation. The Relief Association asked that \$7,000.00 be given to Montevideo Youth Sports and the remaining \$22,000.00 be placed in the Fire Department Equipment Fund. The Community Foundation asked for the city's assistance in facilitating the transfer of the grant monies to the CARES group for their organization's work within the community.

AL JOHNSRUD OFFERED RESOLUTION NO. 3019, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3019 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: AL JOHNSRUD, BRYCE CURTISS, KAREN NIEUWBEERTA, MARVIN GARBE AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(O) APPOINTMENT TO EDA.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to ratify the mayoral (re)appointment of Sandra Hodge to the Economic Development Authority, term expiring December 31, 2016.

7(P) UMVRDC NOMINEE.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to nominate Debra Lee Fader to the municipal representative seat available on the Upper Minnesota Valley Regional Development Commission (UMVRDC).

7(Q) PAY EQUITY REPORT.

Every three years, the city is required to compile and submit a pay equity report to the State of Minnesota. City Manager Jones reviewed the information that had been compiled, noting that all categories meet the requirements for passage.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to approve the report, as completed by staff.

7(R) CITY MANAGER PERFORMANCE REVIEW SUMMARY.

Council president Hodge explained that on Monday, December 20, 2010, the Montevideo City Council had met in closed session to conduct an annual performance review of City Manager Steve Jones. Hodge read a summary of the evaluation which resulted in Mr. Jones being offered a salary increase at the same rate awarded to other supervisory personnel for 2011.

8. Ordinances.

8(A) ADOPTION OF ORDINANCE NO. 907.

Ordinance No. 907 was introduced by the council on December 20, 2010. The ordinance makes the city responsible for water lines, from the curb box to the main.

IT WAS MOVED BY AL JOHNSRUD THAT ORDINANCE NO. 907, AN ORDINANCE AMENDING 8-4-39 OF THE MONTEVIDEO CITY CODE, SERVICE LINES, BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 907 WAS

SECONDED BY MARVIN GARBE. THOSE VOTING IN FAVOR OF MOTION: AL JOHNSRUD, MARVIN GARBE, KAREN NIEUWBEERTA, BRYCE CURTISS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. ORDINANCE PASSED 5-0.

8(B) ADOPTION OF ORDINANCE NO. 908.

Ordinance No. 908 was introduced by the council on December 20, 2010. The ordinance amends the city's Administrative Code by adding a new Chapter 10 - Cell Phone or Other Electronic Communication Device Use.

IT WAS MOVED BY MARVIN GARBE THAT ORDINANCE NO. 908, AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE, BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 908 WAS SECONDED BY KAREN NIEUWBEERTA. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, KAREN NIEUWBEERTA, BRYCE CURTISS, AL JOHNSRUD AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. ORDINANCE PASSED 5-0.

8(C) ADOPTION OF ORDINANCE NO. 909.

Ordinance No. 909 was introduced by the council on December 20, 2010. The ordinance amends various provisions of 3-2B of the Montevideo City Code, 3.2 Percent Malt Liquor, to provide administrative penalty language.

IT WAS MOVED BY AL JOHNSRUD THAT ORDINANCE NO. 909, AN ORDINANCE AMENDING VARIOUS PROVISIONS OF CHAPTER 2B OF TITLE 3 OF THE MONTEVIDEO CITY CODE, 3.2 PERCENT MALT LIQUOR, BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 909 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: AL JOHNSRUD, BRYCE CURTISS, KAREN NIEUWBEERTA, MARVIN GARBE AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. ORDINANCE PASSED 5-0.

9. Discussion and Miscellaneous.

- ▶ Council member Garbe indicated he would like to begin meeting with city staff in his capacity as Chippewa County Emergency Management Director, to discuss spring flooding.

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- ▶ Council member Johnsrud complimented the public works department for its diligence and expertise in their snow plowing activities, commending them for a job well done.
- ▶ Brief discussion was held on the levee project schedule.
- ▶ City Manager Jones stated that staff continues to work on a building lease between Mark Schultz and the City of Montevideo for the liquor store.

Meeting adjourned at 7:52 P.M.

Glennis A. Lauritsen, Secretary

Approved by council January 18, 2011:

Sandra Hodge - President