

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
March 1, 2010

The city council met in regular session Monday, March 1, 2010 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, Sandra Hodge, Bryce Curtiss, Al Johnsrud and Karen Nieuwbeerta. Absent: None. Mayor Jim Curtiss present.

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

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to approve the agenda, as presented.

It was moved by Garbe, seconded by Nieuwbeerta and unanimously passed to approve the minutes of the regular meeting of February 16, 2010, as presented.

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

4(A) "UP WITH PEOPLE" PRESENTATION.

Three representatives from the "Up With People" organization appeared before the council to share the purpose and goals of the organization. These individuals were from California, Norway and Quebec. They stated that they are actively looking for additional sponsors, with the understanding that proceeds will be given to a local beneficiary - the Boys & Girls Club. The group of 90 individuals will be in Montevideo March 8-11, with a live show on March 10th at the Fine Arts Center, beginning at 7:30 P.M. A contact number was given of (320) 226-3443.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING FEBRUARY 26, 2010 IN THE AMOUNT OF \$285,499.68.

5(B) APPLICATION FROM MONTEVIDEO CHIPPEWA CHAMPS 4-H CLUB FOR EXEMPTION FROM LAWFUL GAMBLING LICENSE REQUIREMENTS TO ALLOW RAFFLE ACTIVITY ON AUGUST 5, 2010 AT THE CHIPPEWA COUNTY FAIRGROUNDS.

6. Public Hearings.

6(A) PUBLIC INPUT/PROPOSED 2010 STREET IMPROVEMENTS.

Council President Hodge explained that by Resolution No. 2959, the council had set this date/time for the public hearing on the 2010 Street Improvement Projects. Because the deadline was missed for publication of the public hearing notice, the official public hearing cannot take place at this time. However, individual notices were mailed to affected property owners; therefore, the city attorney had advised that public input be received at this time, with the official public hearing rescheduled.

City Engineer Berryman reviewed and discussed the handout he had prepared on the following proposed projects.

- Project #1 - William Avenue, 12th Street to 17th Street
- Project #2 - Coleman Avenue
- Project #3A - Ashmore Avenue, 17th Street to 24th Street
- Project #3B - 24th Street, Ashmore Avenue South 575'
- Project 4 - Windom Avenue, Alley West of 4th Street to Benson Road
- Project 5 - Park Avenue, 6th Street to 8th Street

Donald Oakland, 109 Coleman Avenue, was present to state that he has no problem with the proposed improvements but felt that Chippewa County should pay for a portion of the project due to their use of the road for the fairgrounds property (Chippewa County Fair, racing season, etc.)

Council discussed ideas for Coleman Avenue, including building up the road greater than the 3 1/2" of plant-mixed bituminous proposed and/or posting the road for no truck traffic. It was noted that there are alternative entrances to the fairgrounds property, including one off of Highway 212 and one off of the county road. It was felt that if the road were to be posted, the county should be notified in advance.

There were no other interested persons present to address the council.

7. General Business.

7(A) RESCHEDULED PUBLIC HEARING.

Due to the lack of publication for the 2010 Street Improvement Public Hearing, it was necessary to reschedule the hearing. Staff had suggested the date of March 15, 2010, 7:00 P.M.

MARVIN GARBE OFFERED RESOLUTION NO. 2963, A RESOLUTION RESCHEDULING THE PUBLIC HEARING ON THE 2010 STREET IMPROVEMENTS, AND MOVED ITS

ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2963 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(B) CONDITIONAL USE PERMIT - CHIPPEWA COUNTY - DIESEL FUEL TANKS.

Community Development Director Nick Haggemiller was present to explain that Chippewa County applied for a conditional use permit to allow the placement of two 1,000-gallon diesel fuel tanks at the Chippewa County Court House - one to be placed on the south and one on the north. Following its public hearing on February 22, 2010, the Montevideo Planning Commission recommended approval, with the following conditions:

1. Permitted entity must comply with all city ordinances concerning setbacks, performance standards and building requirements.
2. Permitted entity must comply with 2007 Minnesota Mechanical Code and 2007 Minnesota Fire Code NFPA 30 & 31. [These are regulations on what type of tank can be used, where it is placed on a property in proximity to existing structures and what the Community Development Department must have on file, such as MSDS sheets, etc.]
3. The tanks must be protected from unwanted tampering, vandalism, theft, etc. This protection must also act as screening to minimize visual detriments to the surrounding character of the neighborhood.
4. 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 and to lessen the impact of the project.

City Attorney Nelson advised that additional language be incorporated into condition #3 so that screening is approved by the city.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to approve the conditional use permit, as recommended by the planning commission, and with a modification to condition #3 to read, "Screening must be approved by the City of Montevideo."

7(C) ANNUAL REPORT REVIEW.

Utilities Superintendent Byron Hayunga was present to review and discuss his department's information as contained in the 2009 Annual Report.

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7(D) SET-UP LICENSES.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to approve the 2010 Set-Up Licenses for Inn Like Flinn, 305 South 1st Street and Mel'ody Lanes, 568 South 1st Street.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

▶ WORKSESSION DATE/TIME.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to set a goal setting worksession with department heads for Monday, March 15, 2010, at 5:00 P.M.

- ▶ Council member Garbe stated that a request for advance measures had been submitted to the Corps of Engineers. City Manager Jones conveyed that meetings are being held regularly by city staff in preparation for the potential flooding.

Meeting adjourned at 7:51 P.M.

Glennis A. Lauritsen, Secretary

Approved by council March 15, 2010:

Sandra Hodge - President