

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
October 19, 2009

The city council met in regular session Monday, October 19, 2009 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: Karen Nieuwbeerta, Bryce Curtiss, Sandra Hodge and Marvin Garbe. Absent: Al Johnsrud. Mayor Jim Curtiss present.

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

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

MODIFY:

AGENDA DOCUMENT TO CORRECT ITEM 7(A) - CONSIDER RESOLUTION ORDERING THE REPAIR, REMOVAL OR DEMOLITION OF HAZARDOUS BUILDING (GARAGE AT ~~510 NORTH 5TH STREET~~ 803 NORTH 5TH STREET.)

7(A) CONSIDER RESOLUTION ORDERING THE REPAIR, REMOVAL OR DEMOLITION OF HAZARDOUS BUILDING.

First paragraph of description corrected to read, "A garage in poor condition on property owned by David Christensen at ~~510 North 5th Street~~ 803 North 5th Street has been identified by city staff as hazardous." (Staff had erroneously listed the owner's *mailing* address rather than the address of the property in question.)

In addition a letter has been submitted from Christensen which gives the city permission to remove the garage (attached.)

ADD:

7(G) CONSIDER SPONSORING UNIT OF GOVERNMENT RESOLUTION AND FLOOD DAMAGE REDUCTION GRANT ASSISTANCE PROGRAM.

It was moved by Nieuwbeerta, seconded by Curtiss and unanimously passed to approve the minutes of the regular meeting of October 5, 2009, as presented.

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

4(A) INTRODUCTION OF POLICE OFFICER JOSHUA FAHEY.

Police Chief Adam Christopher was on hand to introduce the city's newest police officer, Joshua Fahey. Fahey is a Hutchinson, MN native and had participated in a BCA internship prior to being hired in Montevideo. Following the introduction, Mayor Curtiss administered the oath of office to Fahey.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING OCTOBER 16, 2009 IN THE AMOUNT OF \$124,038.49.

6. Public Hearings.

- None.

7. General Business.

7(A) HAZARDOUS GARAGE AT 803 NORTH 5TH STREET.

A resolution and order had been prepared to address a hazardous garage at 803 North 5th Street, owned by David Christensen. Staff informed the council, however, that a letter from the owner was submitted to the city giving the city permission to remove the structure. Therefore, staff recommended tabling this issue.

It was moved by Garbe, seconded by Nieuwbeerta and unanimously passed to table action on this matter.

7(B) SMITH ADDITION ROAD CLOSURES.

At the October 5th meeting, the council discussed possible road closures in Smith Addition. At that time, staff recommended closing the most easterly block of Second Avenue, the most northerly part of Chippewa Street and part of the adjacent alley. By

correspondence dated October 13, 2009, the city informed affected Smith Addition residents of the proposed closures. The city received no response from this mailing.

It was moved by Garbe, seconded by Nieuwbeerta and unanimously passed to proceed with the closures, as proposed.

7(C) DNR WATER SUPPLY PLANS.

Utilities Superintendent Byron Hayunga was on hand to explain that every 10 years, the council must approve updates to the Water Supply Plan and the Wellhead & Emergency Response Plans. Also, since this is the city's first updates, the council must also approve an authorized signator.

Council had been supplied with the proposed updated information for its review which included city usage trend over the past 10 years, capacity and treatment of water supply, updated well information, and a 10-year projection of usage and capital improvements. Hayunga noted that effective January 1, 2013, a water conservation rate structure will need to be in place. This will be discussed further with council over the next three years, but staff hopes that the city's newly revised sewer rate structure may be applied towards this water structure.

It was moved by Nieuwbeerta, seconded by Garbe and unanimously passed to authorize the utilities superintendent to act as signator on the required DNR updates.

7(D) MN/DOT GRANT AGREEMENT FOR AIRPORT MAINTENANCE/OPERATION.

The Montevideo-Chippewa County Airport annually receives reimbursement from the State of Minnesota for 2/3 of the direct, actual maintenance and operation costs not reimbursed by any other source. Mn/DOT Agreement No. 94895 has been prepared for this reimbursement, not to exceed \$23,100.00 of state aid for each state fiscal year. The agreement would remain in effect for the state fiscal years 2010 and 2011.

BRYCE CURTISS OFFERED RESOLUTION NO. 2941, A RESOLUTION AUTHORIZING EXECUTION OF MN/DOT GRANT AGREEMENT FOR AIRPORT MAINTENANCE & OPERATION, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2941 WAS SECONDED BY KAREN NIEUWBEERTA. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, KAREN NIEUWBEERTA, MARVIN GARBE AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(E) 2010 STREET CONSTRUCTION PROJECTS.

Staff has recommended that the city council approve a resolution authorizing the city engineer to prepare a preliminary report and cost estimates for the following projects:

- ▶ William Avenue, 12th Street to 17th Street
- ▶ Coleman Avenue
- ▶ Ashmore Avenue, 17th Street to 24th Street
- ▶ 24th Street, Jennie-O Foods to Ashmore Avenue
- ▶ Windom Avenue, Alley West of 4th Street to Benson Road
- ▶ Park Avenue, 6th Street to 8th Street

MARVIN GARBE OFFERED RESOLUTION NO. 2942, A RESOLUTION REGARDING PREPARATION OF PRELIMINARY REPORT AND COST ESTIMATES FOR PROPOSED 2010 CONSTRUCTION PROJECTS AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2942 WAS SECONDED BY BRYCE CURTISS.

President Hodge stated she still has some concern regarding the Ashmore Avenue project. She noted that there is a considerable amount of field work that takes place on the northernmost portion of Ashmore, which means heavy trucks running on the road. Hodge stated she simply wanted to verbalize her concerns at this point.

Mayor Curtiss stated that this area serves as an outlet to the north of the community, providing a route to/from Wal-Mart, Co-Op Credit Union and others. City Manager Jones added that this particular stretch of road is a maintenance nightmare for the city.

Some clarification was provided as to ownership and developable parcels in the area.

It was also noted that passing this resolution only gives approval to the engineer to prepare a preliminary report and cost estimates; it does not authorize the project.

THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, BRYCE CURTISS, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(F) NON-UNION EMPLOYEE/DEPARTMENT HEAD PAY INCREASES FOR 2010;
CITY MANAGER PERFORMANCE EVALUATION.

Staff has asked for similar increases for full-time, non-union employees and department heads as was given to the union employees. By earlier action, both AFSCME and LELS unions agreed to a decrease from the previously agreed upon 4% to 2% for 2010.

It was moved by Garbe, seconded by Curtiss and unanimously passed to approve the 2% salary increase, as proposed.

In regards to the city manager performance review, the council was provided with a draft review form for their review and consideration. It was the consensus of the council that this form be used for 2009.

It was moved by Garbe, seconded by Nieuwbeerta and unanimously passed that council members submit their completed evaluations to the city clerk by the November 2nd meeting, with the formal review scheduled for November 16, 2009.

7(G) FLOOD DAMAGE REDUCTION GRANT (LEVEE).

In order to access state funding for the levee project, the Department of Natural Resources (DNR) has asked that the city use the grant application supplied by them. A resolution of sponsorship was prepared which authorizes the city to enter into an agreement with the state and authorizes the mayor and city manager to execute the necessary documents.

KAREN NIEUWBEERTA OFFERED RESOLUTION NO. 2943, A SPONSORING UNIT OF GOVERNMENT RESOLUTION, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2943 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: KAREN NIEUWBEERTA, BRYCE CURTISS, MARVIN GARBE AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

8. Ordinances.

8(A) APPROVAL OF ORDINANCE NO. 894 - "SCHOOL ZONES."

This ordinance was introduced at the October 5, 2009 city council meeting and establishes school zones around the schools. Once the ordinance takes effect, the council can then proceed to set accompanying lower speed limits, by resolution.

IT WAS MOVED BY BRYCE CURTISS THAT ORDINANCE NO. 894, AN ORDINANCE AMENDING 6-1-9 OF THE MONTEVIDEO CITY CODE BY ADDING SECTION 9, SCHOOL ZONE, BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 894 WAS SECONDED BY MARVIN GARBE. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, MARVIN GARBE, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. ORDINANCE PASSED 4-0.

9. Discussion and Miscellaneous.

- City Engineer Berryman stated that Gaub has moved equipment in and will start work on the airport sewer project on Tuesday. He also noted that the Buckeye Drive storm sewer is in, with clean-up pending.
- Council member Curtiss reminded the council of the hospital open house on Sunday, October 25th, 1:00-4:00 P.M.
- Mayor Curtiss stated that RSVP's have been coming in for the upcoming hunting event on Saturday, October 24th. He encouraged council members to attend.
- Council member Garbe stated that staff will be making a veterans home presentation at the Granite Falls Vo-Tech on Wednesday, the 21st, for the House Bonding Committee.

Meeting adjourned at 7:40 P.M.

Glennis Lauritsen, Secretary

Approved by council November 2, 2009:

Sandra Hodge - President