

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
April 6, 2009

The city council met in regular session Monday, April 6, 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: Sandra Hodge, Al Johnsrud, Karen Nieuwebeerta, Marvin Garbe and Bryce Curtiss. Absent: None. Mayor Jim Curtiss present.

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

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

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to approve the minutes of the regular city council meeting of March 16, 2009, as presented.

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

Kevin Roggatz, 104 Buckeye Drive, was present to discuss the proposed storm sewer project between Buckeye Drive and 19th Street. Roggatz was unable to attend the March 2nd public hearing but asked to comment on the project at this time. He stated that he does not have a water problem at his residence but is willing to stand with the neighbors to support the improvement. Roggatz had been told that at the time the area was developed, a waiver had been granted to the contractor to allow no storm sewer. If that is the case, Roggatz felt that the responsibility for the cost of the project should lie with the city inasmuch as they were the approving entity for the original development and engineering. He reiterated that he was not fighting the project.

City Manager Jones explained that the city does not grant “waivers” for development projects; but rather, that each project is reviewed to determine its specific needs. City Engineer Berryman added that at the time the area was platted (sometime during the 1970's), the engineer would have reviewed the area to determine drainage needs. Council asked that staff research the records for information relative to the issue.

4(A) 2008 BUILDING AWARD PRESENTATIONS:

Mayor Curtiss and Community Development Director Nick Haggemiller presented the following 2008 building awards:

Co-Winners - Best Institutional/Governmental Remodel - 2008

- ▶ Chippewa County Court House, 629 North 11th Street
- ▶ CCMH-Montevideo Medical Clinic

Co-Winners - Best Storefront Renovation - 2008

- ▶ DC Signs, 558 1st Street SW
- ▶ Gabe & Eloise Valentino, 203 South 1st Street

Best Green Building Techniques Project - 2008

- ▶ Co-Op Credit Union, 2407 East Highway 7

Best Residential Rehabilitation Project - 2008

- ▶ Mike & Gina Kontz, 221 North 8th Street

Most Unique Commercial Development - 2008

- ▶ Medieval Madness Mini-Golf, 1343 Wolfe Avenue

Best Rental Rehabilitation Project - 2008

- ▶ Carey Field, 310 North 2nd Street

Best Residential Development - 2008

- ▶ Galen & Beth Slater, 415 Lynsee Lane

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 APRIL 3, 2009 IN THE AMOUNT OF \$268,255.98.

- 5(B) APPLICATION FROM WEST 212 USBC ASSOCIATION FOR AN EXEMPTION FROM LAWFUL GAMBLING LICENSE REQUIREMENTS FOR RAFFLE/PADDLEWHEEL AND TIPBOARD ACTIVITY AT THE V.F.W. POST #380 ON APRIL 24, 2009.
- 5(C) APPLICATION FROM THE SENIOR CITIZENS OF THE MONTEVIDEO AREA, INC. TO CONDUCT EXCLUDED BINGO ON JUNE 15 AND OCTOBER 19, 2009.
- 5(D) APPLICATION FROM THE CHIPPEWA COUNTY FAIR ASSOCIATION FOR AN EXEMPTION FROM LAWFUL GAMBLING LICENSE REQUIREMENTS FOR A RAFFLE DURING THE CHIPPEWA COUNTY FAIR, AUGUST 12-14, 2009.
- 5(E) APPLICATION FROM TWO RIVERS CHAPTER OF MINNESOTA DEER HUNTERS ASSOCIATION FOR AN EXEMPTION FROM LAWFUL GAMBLING LICENSE REQUIREMENTS FOR A RAFFLE AT THE AMERICAN LEGION ON SEPTEMBER 26, 2009.

6. Public Hearings.

- None.

7. General Business.

7(A) 2009 LIQUOR LICENSE AMENDMENT-GROAT'S.

Gary Groothuis, dba/Groat's, 309 South 1st Street, submitted a site plan for a proposed 24' x 21' cement patio area to the rear (west) of their building. The patio would be enclosed by a 4' cedar fence. Staff reviewed and has approved the plans submitted for compliance with city zoning and building code issues.

President Hodge voiced her concerns over the passing of beverages over the fence. She also asked about fence height regulations for beer garden events. City Manager Jones stated he thought the regulations were similar. Council members felt that the regulations should be the same and asked that the issue be visited in the near future.

It was moved by Curtiss, seconded by Garbe and unanimously passed to approve the amendment to Groat's 2009 liquor license to include the patio area, as requested.

7(B) ANNUAL REPORT PRESENTATIONS.

The following department heads were present to give their 2008 annual report presentation:

- ▶ Tom Ryman, Liquor Store
- ▶ Robb Gilkey, Fire Department
- ▶ Greg Schwaegerl, Public Works (Streets/Parks/Cemetery/Pool)

7(C) MOWER PURCHASE.

Public Works Director Schwaegerl was on hand to discuss the purchase of three mowers for the park department. Quote information was sent to four local vendors, with only one responding. Kibble Equipment submitted a quote (after trade-in) of \$7,268.62, plus \$472.46 tax, for a total purchase price of \$7,741.08.

It was moved by Garbe, seconded by Curtiss and unanimously passed to approve the purchase of the mowers, as presented.

Engineer Berryman left the meeting at 8:00 P.M.

7(D) PARK BOARD RECOMMENDATIONS FOR 2009 OUTDOOR POOL SEASON.

Public Works Director Schwaegerl discussed the recommendations of the park board, as a result of its meeting on Thursday, April 2nd. The board recommended two changes from previous pool seasons: raising ticket prices and delaying the opening by one week, in an effort to save natural gas costs for heating the water. The recommended ticket prices are as follows:

	2008	2009	2010
75 tickets	\$100.00 (\$1.33/ticket)	Not available	Not available
50 tickets	\$75.00 (\$1.50/ticket)	\$87.50 (\$1.75/ticket)	\$100.00 (\$2.00/ticket)
25 tickets	\$50.00 (\$2.00/ticket)	\$56.25 (\$2.25/ticket)	\$62.50 (\$2.50/ticket)
10 tickets	\$25.00 (\$2.50/ticket)	\$25.00 (\$2.50/ticket)	\$27.50 (\$2.75/ticket)
Keep daily admission @ \$3.00/day.			

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to accept the park board's recommendations, as presented. A resolution will be prepared to amend the city's fees & charges schedule, to be considered at the April 20th city council meeting.

7(E) PARK BOARD RECOMMENDATION FOR LAGOON PARK CAMPGROUNDS.

Public Works Director Schwaegerl discussed the recommendation of the park board regarding the fee structure for camping at Lagoon Park. The board recommended language be added for long-term campers, i.e., "campers may camp at Lagoon Park for a period of 21 out of 30 days."

Schwaegerl also noted that there may be electrical issues at the park due to the recent flooding. An electrical inspection is pending.

It was moved by Curtiss, seconded by Garbe and unanimously passed to accept the recommendation of the park board, as presented. A resolution will be prepared to incorporate the language into the city's fees & charges schedule, to be considered at the April 20th city council meeting.

7(F) TRAM EVENTS.

TRAM has asked permission to use city facilities for its event this summer, arriving Monday, July 27th and leaving Tuesday, July 28th. They request the use of Smith and Lagoon Park, primitive camping for free; Use of city parking lots for trucks, shower trailer and RV's; Permission to close Parkway Drive from Canton Avenue to Sherman Avenue; and, the use of the parks by food vendors (subject to health department permits.) Additional assistance by city staff will also likely be provided, in the way of setting up a bike corral, setting out extra trash cans and some after hours clean-up, helping to load/unload trucks and other miscellaneous duties.

It was moved by Garbe, seconded by Nieuwbeerta and unanimously passed to approve the request, as presented.

7(G) REC FRANCHISE AGREEMENT.

A draft agreement has been prepared by the city attorney, based off of the recently passed Xcel franchise agreement. If agreeable to the council, the agreement would be sent to REC for their review.

It was moved by Curtiss, seconded by Garbe and unanimously passed to approve relaying the draft agreement to the REC.

7(H) MN/DOT GRANT AGREEMENT - AIRPORT IMPROVEMENTS.

On February 17, 2009, the city council approved the FAA agreement AND the state grant agreement for building design, plow truck and equipment for the truck to be used at the airport. The city has now received a request from the state for approval of an accompanying resolution.

AL JOHNSRUD OFFERED RESOLUTION NO. 2903, A RESOLUTION AUTHORIZING EXECUTION OF MN/DOT GRANT AGREEMENT FOR AIRPORT IMPROVEMENT EXCLUDING LAND ACQUISITION, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2903 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.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

- ▶ Council member Johnsrud publicly extended the council's sympathy to the family of Eddie Ojer, the young boy from the community who tragically drown during a school field trip to the Granite Falls pool.
- ▶ Mayor Curtiss commended the community on the support given to the National Guard troops during the send-off over the weekend.
- ▶ City Manager Jones updated the council on the floodwaters, noting that levels continue to go down.
- ▶ Council president Hodge asked if staff had received calls from citizens regarding problems with Charter Communications. Staff had not been contacted but understood the community's frustration in trying to contact Charter, since there is no longer a local office.

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- ▶ Council member Garbe noted that a contingent from Montevideo will be attending a hearing at the State Capitol on the city's veterans home proposal on Tuesday, April 14th.
- ▶ City Manager Jones updated the council on stimulus monies.
- ▶ Council president Hodge referred to legislative items in the League of Minnesota Cities Bulletin. Specifically, Hodge asked if the city participated in the cooperative purchasing program offered. Staff informed the council that the city does utilize this service for purchases.

Meeting adjourned at 8:37 P.M.

Glennis A. Lauritsen, Secretary

Approved by council April 20, 2009:

Sandra Hodge, President