

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
May 4, 2009

The city council met in regular session Monday, May 4, 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 Nieuwbeerta, Marvin Garbe and Bryce Curtiss. Absent: None. Mayor Jim Curtiss absent.

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

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

MODIFY:

7(H) CONSIDER APPROVAL OF CHANGE ORDER NO. 3 - WWTF MODIFICATIONS (DELETION OF H PILES/REPLACEMENT WITH PIPE PILES).

A revised copy has been supplied, which now results in a decrease of \$12,700.00.

7(I) CONSIDER APPROVAL OF CHANGE ORDER NO. 4 - WWTF MODIFICATIONS (GROUND SUPPORT SYSTEM LANGUAGE REVISIONS).

A revised copy has been supplied, which now results in a decrease of \$46,300.00.

ADD:

7(L) CONSIDER LEASE OF LAND IN SMITH ADDITION BY LILLIAN AND/OR AL LADWIG FOR GARDEN PLOT.

It was moved by Johnsrud, seconded by Garbe and unanimously passed to approve the minutes of the regular city council meeting of April 20, 2009, Goal Setting Session of April 27, 2009 and Board of Review Meeting of April 27, 2009.

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

Eloise Valentino was present to request permission to begin planting the flower baskets on main street. The downtown businesses have donated \$2,575.00 towards this effort, with Blossoms & Bridal donating two baskets and Heather Nursery working with them as well. And, the nurseries have suggested plant types that would require less maintenance, i.e., watering only once on the weekend. Valentino intends to continue to solicit donations and will now turn their efforts toward the residential sector. City Manager Jones noted that staff had estimated a total cost for the project, including the baskets and labor, at \$5,000.

It was moved by Garbe, seconded by Curtiss and unanimously passed to approve Valentino's request, as presented. Staff asked that Valentino coordinate these efforts with the city's public works department to avoid any "doubling up" on orders, etc.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING MAY 1, 2009 IN THE AMOUNT OF \$148,935.24.

6. Public Hearings.

- None.

7. General Business.

7(A) RESOLUTION OF RECOGNITION - MIKE JOHNSON

MARVIN GARBE OFFERED RESOLUTION NO. 2908, A RESOLUTION OF APPRECIATION TO RETIRING EMPLOYEE MIKE JOHNSON, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2908 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(B) CHIPPEWA COUNTY SAFE & SOBER GRANT "REIMBURSEMENT."

Chief Christopher was present to explain that Chippewa County received a mini-grant from Safe & Sober, for seatbelt enforcement May 18-30,2009. They are not able to utilize all of the funds and have offered the city \$1,500.00 to be used towards overtime expenses.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to accept the reimbursement, as requested.

7(C) POLICE DEPARTMENT AUCTION - JUNE 10, 2009.

Chief Christopher was present with a list of items to be auctioned by the police department on June 10, 2009. Because one or more of the vehicles listed may be valued at over \$1,500, council approval is needed. For the sake of ease, staff asked that the entire list be approved.

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

7(D) FARMERS MARKET SIGN IN SMITH ADDITION.

The Farmers Market group would like permission to erect a sign in Smith Park. The proposed sign measures 64" by 48". Even though this is a bit uncommon, as long as it is not located along the street, staff has no real issue.

It was moved by Nieuwbeerta, seconded by Garbe and unanimously passed to approve the sign, as proposed, with staff input on the final location within the park.

7(E) MOWING SERVICES CONTRACT.

For the past several years, the city had a contract with Gloria Hendrickson for mowing services. Those services were used for extra mowing, typically in response to complaints received on tall grass/weeds. Hendrickson has now sold her business to Dave & Alicia Roelike, who had worked with her to provide this service to the city.

It was moved by Garbe, seconded by Curtiss and unanimously passed to authorize the mayor and city manager to execute the contract.

7(F) CHARTER RESTRUCTURING RESOLUTION.

Charter Communications filed for bankruptcy (Chapter 11) and, as part of the plan, the existing Charter Company will be reorganized. A resolution has been provided by them which would give city consent to the restructuring and thereby not let it be approved by default.

KAREN NIEUWBEERTA OFFERED RESOLUTION NO. 2909, A RESOLUTION OF CONSENT TO CHARTER RESTRUCTURING, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2909 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: KAREN NIEUWBEERTA, BRYCE CURTISS, MARVIN GARBE AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: AL JOHNSRUD. RESOLUTION PASSED 4-1.

7(G) CHANGE ORDER #2 - WWTF MODIFICATIONS.

The change order incorporates into the agreement elements of the American Recovery & Reinvestment Act (ARRA) and Davis Bacon Act Prevailing Wages & Requirements. This will increase the city's cost by \$74,000 for compliance with Davis Bacon and for increased supply costs due to "Buy American."

It was moved by Garbe, seconded by Johnsrud and unanimously passed to approve Change Order #2, as presented.

7(H) CHANGE ORDER #3 - WWTF MODIFICATIONS.

The change order allows for modifications to building pilings, which results in a decrease of \$12,700.00 to the original contract price.

It was moved by Curtiss, seconded by Nieuwbeerta and unanimously passed to approve Change Order #3.

7(I) CHANGE ORDER #4 - WWTF MODIFICATIONS.

The change order allows for modifications to temporary wall retention systems and results in a decrease of \$46,300.00 to the original contract price.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to approve Change Order #4.

7(J) BEER GARDEN RESTRICTIONS.

At the April 20th meeting, the council reviewed and discussed the temporary beer garden restrictions. After review, staff was directed to incorporate the council's suggestions into the necessary document(s). Staff developed a new application form, which was given to the council for its review. The application included the list of regulations discussed previously.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to approve the newly developed application form for special event licenses, as presented.

7(K) MONTEVIDEO LIONS CLUB OFF-SITE GAMBLING PERMIT.

The Montevideo Lions Club wishes to submit an application to the state to conduct lawful gambling at Lagoon Park on June 20, 2009. This is for the Fiesta Days duck race. As a part of the application process, the governing body must pass a resolution specifically approving or denying the application.

MARVIN GARBE OFFERED RESOLUTION NO. 2910, A RESOLUTION APPROVING A ONE DAY OFF-SITE GAMBLING PERMIT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2910 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(L) SMITH ADDITION LOT LEASE - LADWIG.

City Manager Jones stated he had been contacted by Al Ladwig who indicated that his mother, Lillian Ladwig, was interested in leasing the lot adjacent to and west of her residence at 709 Kingman Street in Smith Addition. Jones asked for council approval, contingent upon completion of the necessary paperwork.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to approve the lease, as requested.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

- ▶ City Engineer Berryman updated the council on the waterline repairs on Division Street. Berryman noted that water has been shut off to the wastewater treatment plant and Chippewa Village. Gaub, Inc. will begin repairs on Wednesday, the 6th. Easements will need to be obtained from Ruethers, who understand that this is an emergency build and have given their verbal okay for the crews to access their property.
- ▶ Council member Garbe noted that grass is needed to complete the Wolfe Avenue storm sewer project undertaken in 2008. He also discussed other boulevard work needing attention from past street improvement projects, including T.H. 7 work specifically at the 4th Street intersection.
- ▶ Council member Johnsrud added that the area along the Highway (by the Methodist Church) also needs to be finished. Staff noted its frustration in trying to contact Mn/DOT. Several calls have been placed, with no response.
- ▶ City Manager Jones provided an update on a meeting held earlier that day with FEMA officials, who were impressed with the city's mitigation efforts.
- ▶ President Hodge stated she had received several calls related to the condition of Coleman Avenue. She said that the temporary fix that had been done looks good.

A brief recess was taken at 8:05 P.M. prior to moving into a continued goal setting discussion at 8:12 P.M. All council members were present, in addition to City Manager Jones and City Clerk Lauritsen.

Council developed its list of short-, mid- and long-term goals & objectives, as follows:

Short-term:

- Fire Hall, including police and city hall space needs issues.
- Community policing/outreach
- Future leadership needs/retirements/training

Short-term (continued):

- Intergovernmental Cooperation (shared equipment, etc.)
- Technology/GIS (maps)
- Dam Removal
- CIP/CEP
- Comprehensive Plan Update

Mid-Term:

- Public works department space needs
- Communications Upgrades
- Energy Efficiency
- Technology/GIS (maps)
- Camping Expansion
- Land/Burrow Pit Acquisition (utilities/public works)
- Wells Transmission Line Upgrade

Long-Term:

- Technology/GIS (maps)
- Community Recreation Facilities
- Cemetery Directory*
- Meter System - Auto/Radio

* It was noted that an updated sign and fliers of decoration regulations need to be put at the cemetery now, as was promised the public in 2008.

Council indicated they would now like to meet jointly with staff to discuss its listing and to get staff input. It was suggested that this take place on Monday, May 18th, at 5:30 P.M., prior to the regular 7:00 P.M. council meeting.

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Meeting adjourned at 9:57 P.M. to 5:30 P.M. on Monday, May 18, 2009.

Glennis A. Lauritsen, Secretary

Approved by council May 18, 2009:

Sandra Hodge, President