

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
January 18, 2011

The city council met in regular session Monday, January 18, 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, Sandra Hodge, Al Johnsrud and Bryce Curtiss.
Absent: Karen Nieuwbeerta. 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.

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

MODIFY:

5(A) CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING JANUARY 14, 2011 IN THE AMOUNT OF ~~\$158,614.14~~ \$191,863.33.

Modified amount reflects the addition of the following:

<u>2010 STREET IMPROVEMENTS</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Duininck, Inc.	Estimate #5	\$29,832.09
 <u>LEGAL</u>		
Nelson Oyen Torvik	December services	3,417.10

ADD:

7(F) CONSIDER RESOLUTION ACCEPTING \$1,000.00 DONATION FROM WAL-MART TO BE USED FOR FIRE EQUIPMENT.

9(A) DISCUSSION - LELS UNION NEGOTIATIONS.

During this portion of the meeting, the city council may go into closed session to discuss union negotiations.

It was moved by Garbe, seconded by Curtiss and unanimously passed to approve the minutes of the regular meeting of January 10, 2011, as presented.

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

- None.

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 JANUARY 14, 2011 IN THE (MODIFIED) AMOUNT OF \$191,863.33.

6. Public Hearings.

- None.

7. General Business.

7(A) LIQUOR STORE LEASE.

City Manager Jones explained that the existing agreement for the liquor store expires at the end of February; therefore, staff has been working on a new agreement with the present owner, Mark Schultz. In the past, the city had a sublease from Highway 7 Properties. Jones reviewed and discussed the proposed lease document for the term March 1, 2011 to February 28, 2016.

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

7(B) AIRPORT MANAGER AND AGREEMENT.

City Manager Jones stated that the current airport manager, Don Ruether, plans to retire and would like to turn the business portion of his operations at the airport to Mark Borgeson. City staff has interviewed Borgeson and his resume and a list of references was submitted to the airport commission for their review. After review by the

commission, they have recommended that the council consider awarding a contract to Mr. Borgeson. Jones stated that if approved, the change would not occur until February or March, with the understanding that Ruether would work with Borgeson to phase-in the change to the operations.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to approve Mark Borgeson as the new airport manager, contingent upon completion and approval of a new airport manager agreement between the city and Mr. Borgeson.

7(C) 2011 FEES & CHARGES AMENDMENT-CELL PHONE RATES.

Ordinance No. 908 adopted January 10, 2011 put in place a policy for the use of cell phones or other electronic communication devices by city employees. The ordinance takes effect February 12, 2011. Rates for such were considered by the council, as follows:

1. Incidental, emergency or infrequent use not exceeding 30-minutes of personal use per month - no charge.
2. Basic Use (including text messaging) not expected to exceed 60 minutes of personal use per month - \$10.00/month.
3. Expanded Use (including text messaging) expected to exceed 60 minutes of personal use per month - \$20.00/month.
4. Basic or Expanded Use with advanced data/Internet access - \$25.00/month.
5. All personal charges, including long distance, roaming or personal data use creating a separate charge on the monthly bill will be reimbursed to the city by the employee.

It was noted that reimbursement would be handled through a payroll deduction.

MARVIN GARBE OFFERED RESOLUTION NO. 3020, A RESOLUTION AMENDING THE 2011 FEES & CHARGES SCHEDULE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3020 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, BRYCE CURTISS, AL JOHNSRUD AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(D) STANDARDS OF CONDUCT POLICY - SENIOR CENTER PROGRAM.

A letter was submitted by Senior Center Coordinator Diane Ostlie, requesting the council approve proposed standards of conduct language. As a part of their December 6, 2010 meeting, the Senior Center Board developed a proposed Standards of Conduct Policy for the Senior Center Program. The Board's intent for the policy was to make participants feel welcome and to provide reasonable rules of behavior enforced for the benefit of all participants.

The policy was reviewed by staff and the city attorney, and a revised policy was developed. City Manager Jones reviewed and discussed the revised document.

It was moved by Curtiss and seconded by Johnsrud to approve the Standards of Conduct Policy for the Senior Center Program. Those voting in favor of motion: Curtiss, Johnsrud and Hodge. Those voting against motion: Garbe. Motion passed 3-1.

7(E) MONTEVIDEO LEVEE RIGHT-OF-WAY PLAT NO. 1.

This item was tabled to the February 7 meeting.

7(F) WAL-MART DONATION.

Wal-Mart would like the city to accept a donation of \$1,000.00 to be used for fire equipment. Such acceptance must be by resolution of the council.

BRYCE CURTISS OFFERED RESOLUTION NO. 3021, A RESOLUTION ACCEPTING GIFT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3021 WAS SECONDED BY MARVIN GARBE. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, MARVIN GARBE, AL JOHNSRUD AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

8. Ordinances.

8(A) INTRODUCTION OF ORDINANCE NO. 910.

Police Chief Adam Christopher was present to discuss a proposed ordinance modifying petty misdemeanor language within the city code. With the implementation of a central

payment center by the court, they are requiring better language in the city's ordinance penalty section to handle ordinance offenses that end up in the court system.

Christopher explained that the proposed change would specifically allow offenses to be payable and not require a court appearance (unless requested by the defendant.) In addition, it "points" to the city's fees & charges schedule for specific fine amounts rather than a general fine amount.

MARVIN GARBE INTRODUCED ORDINANCE NO. 910, AN ORDINANCE AMENDING 1-4-1B OF THE MONTEVIDEO CITY CODE, GENERAL PENALTY.

9. Discussion and Miscellaneous.

Prior to going into closed session to discuss union negotiations, President Hodge polled the council for additional items for discussion.

- ▶ City Engineer Berryman stated he had recently participated in a conference call with Emergency Management personnel to discuss spring flooding. It is anticipated that a flood forecast will be made available in the next week.
- ▶ Council member Garbe encouraged members of the public to clean snow away from their back doors to make all entries accessible in the case of a fire or other emergency.
- ▶ Council member Garbe thanked the public works department for a job well done in their snow removal/plowing efforts.
- ▶ Council member Garbe informed the council that he had received word that the \$650,000 regional fire grant was approved. The grant would supply radios/communication equipment to emergency agencies within Chippewa County.

At 7:30 P.M., council recessed briefly prior to its closed session. The city engineer, city attorney and other members of the audience left the meeting at this time.

9(A) DISCUSSION - LELS UNION NEGOTIATIONS.

The council went into closed session at 7:33 P.M. to discuss LELS union negotiations. The entire closed session was recorded on audio tape, which will be retained in accordance with the city's records retention schedule.

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Closed session ended at 7:47 P.M.

Meeting adjourned at 7:48 P.M.

Glennis A. Lauritsen, Secretary

Approved by council February 7, 2011:

Sandra Hodge - President