

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
June 15, 2009

The city council met in regular session Monday, June 15, 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 Attorney Janice M. Nelson.

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

MODIFY:

- 7(F) **CONSIDER RESOLUTION ACCEPTING GIFTS/GRANTS FROM VARIOUS ORGANIZATIONS AND INDIVIDUALS TO BE USED FOR EXPENSES ASSOCIATED WITH THE DOWNTOWN HANGING FLOWER BASKETS.**

Revised Exhibit A provided.

It was moved by Nieuwebeerta, seconded by Garbe and unanimously passed to approve the minutes of the regular city council meeting of June 1, 2009, as presented.

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

None.

5. Consent Agenda.

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

- 5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING JUNE 12, 2009 IN THE AMOUNT OF \$216,636.01.

City Manager Jones highlighted the pool expenditure to Signature Aquatics for four (4) Neptune anti-entrapment covers, in the amount of \$5,006.00, noting that this expense is significantly less than had been anticipated (\$20,000). He added that one additional change will be required in 2010, but overall, the total expense is much better than originally estimated.

Following this explanation, the motion was voted upon and passed unanimously.

6. Public Hearings.

- None.

7. General Business.

7(A) USE OF CITY PROPERTY - CRAZY DAYS ACTIVITIES.

Angela Siegfried - Executive Director, Montevideo Area Chamber of Commerce and Emily Sumner - Petal Park, were present to discuss an application submitted for use of city sidewalks and main street for 2009 Crazy Days activities. The request includes closing main street, from Nichols Avenue to Sherman Avenue, for two days - July 24 and July 25, 2009.

It was moved by Marvin Garbe and seconded by Karen Nieuwbeerta that the request be approved, as presented. Further discussion followed.

Siegfried explained that it is the Chamber's desire that this event become a festival of sorts, with the local businesses displaying/promoting their goods/services and other crafter-type vendors, local artists, etc., setting up booths as well. It is hoped that this will create a family friendly atmosphere where people will come to spend the day. Booths would be open into the evening hours.

Sumner stated that by allowing overnight use of the streets/sidewalks, the vendor booths, tents, etc., would not have to be dismantled and reassembled the next day. She stated that nearly all of the retailers in the area had been contacted and were in full support of the endeavor. A list of those signatures was submitted and is on file and of record at the city offices. Also discussed with the local businesses was their delivery schedules and any need for directional tools.

Siegfried added that Bill's Supermarket would be donating hot dogs, with a ladies auxiliary group volunteering to serve and free will offerings being donated to the Yellow Ribbon Community effort.

Following the discussion, the motion was voted upon and passed unanimously.

7(B) USE OF CITY PROPERTY - WINDOM PARK CONCESSIONS.

A request was submitted by Patty Glomstad, Traveling Boys Baseball League, requesting the use of the Windom Park baseball field on June 16, 18, 25 and 30, 2009, 5:30-7:30 P.M. Their request was for permission to sell bottled beverages and pre-packaged food items (candy bars, chips, etc.) on city property during the group's home games. The proceeds would be used to help pay for their equipment and umpire fees.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to approve the request, as submitted. Mayor Curtiss expressed his appreciation for the group's attempt to raise funds themselves vs. asking for local donations.

7(C) NUISANCE ABATEMENT AT 110 SOUTH 8TH STREET.

MARVIN GARBE OFFERED RESOLUTION NO. 2916, A RESOLUTION DIRECTING ABATEMENT OF NUISANCE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2916 WAS SECONDED BY AL JOHNSRUD. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, AL JOHNSRUD, KAREN NIEUWBEERTA, BRYCE CURTISS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(D) LIQUOR LICENSE AMENDMENT - AMERICAN LEGION.

The American Legion Post #59, 613 Legion Drive, submitted a site plan for a proposed 40' x 11' cement patio area to the front (east) of their building. A 42" fence would also be constructed. Plans have been reviewed for compliance with city zoning and building code issues.

Brief discussion was held regarding proximity of the patio area to city right-of-way and concern was expressed over parking spaces/possible damage to fencing.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to approve the amendment, authorizing the city clerk to issue an amended 2009 liquor license to include the 40' x 11' outdoor area.

7(E) \$10,379,466 G.O. SEWER REVENUE NOTE.

A resolution was prepared in conjunction with the financing for the wastewater treatment plant modifications. This Note is the actual debt associated with the project. A copy of the proposed agreement with the MN Public Facilities Authority (PFA) was also provided. It was noted that a discrepancy in interest rates exists between the resolution and the PFA loan. The resolution provides for a rate of 2.890%, while the PFA loan provides for a rate of 2.894%.

MARVIN GARBE OFFERED RESOLUTION NO. 2917, A RESOLUTION ACCEPTING THE OFFER OF THE MN PFA TO PURCHASE A \$10,379,466 G.O. SEWER REVENUE NOTE OF 2009, PROVIDING FOR ITS ISSUANCE AND AUTHORIZING EXECUTION OF A BOND PURCHASE AND PROJECT LOAN AGREEMENT, SUBJECT TO THE INTEREST RATE AS SET BY THE STATE. MOTION FOR ADOPTION OF RESOLUTION NO. 2917 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(F) ACCEPTANCE OF GIFTS - DOWNTOWN HANGING FLOWER BASKETS.

Donations have been received in the amount of \$2,875.00 for the downtown hanging flower baskets.

BRYCE CURTISS OFFERED RESOLUTION NO. 2918, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2918 WAS SECONDED BY KAREN NIEUWBEERTA. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, KAREN NIEUWBEERTA, MARVIN GARBE, AL JOHNSRUD AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

Council President Hodge expressed thanks to all who donated.

7(G) POLICE & FIRE FUND PERA ELIGIBILITY - DANIEL LEWIS.

MARVIN GARBE OFFERED RESOLUTION NO. 2919, A RESOLUTION PROVIDING ELIGIBILITY INTO PERA'S POLICE & FIRE FUND FOR PART-TIME POLICE OFFICER DANIEL LEWIS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2919 WAS SECONDED BY AL JOHNSRUD. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, AL JOHNSRUD, KAREN NIEUWBEERTA, BRYCE CURTISS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

- ▶ Council member Johnsrud conveyed the Twin Rivers Canoe & Kayak Club's appreciation to the city public works department for its help with the Fiesta weekend activities.
- ▶ Council member Garbe expressed his appreciation for Mn/DOT's marking of the roads; however, he cited two areas needing additional attention: 11th Street/Highway 7 and County Road 41 (by Jennie-O) - the right-turn arrows are missing in the combination straight-right turn markings.
- ▶ Comments were given regarding the additional highway entrance to the Movie Gallery property. This new entrance has caused some very creative driving, with vehicles using the entrance as a short-cut to 5th Street. Staff noted that this entrance was in the original plans and Mn/DOT is now correcting that error.
- ▶ Council member Garbe reported on the frequency of a trailer parked over city sidewalk on property south of St. Paul's Lutheran Church. He has called the police department in the past but asked staff to also watch for this violation.
- ▶ City Manager Jones reported that OSHA arrived in Montevideo earlier today. They will be spending 2-3 days reviewing city buildings. Their last visit was in 1989.

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Meeting adjourned at 7:32 P.M.

Glennis A. Lauritsen, Secretary

Approved by council July 6, 2009:

Sandra Hodge, President