

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
October 18, 2010

The city council met in regular session Monday, October 18, 2010 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, Marvin Garbe, Bryce Curtiss and Karen Nieuwbeerta. Absent: Al Johnsrud. Mayor Curtiss absent.

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

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

It was moved by Nieuwbeerta, seconded by Curtiss and unanimously passed to approve the minutes of the regular meeting of October 4, 2010, as presented.

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

4(A) INTRODUCTION OF NEW POLICE RECORDS CLERK NATASHA HAGEN.

Police Chief Adam Christopher introduced Natasha Hagen as the new Police Records Clerk for the Montevideo Police Department. Natasha was hired September 13, 2010 and is a resident of Benson, Minnesota. Christopher provided a brief background of Ms. Hagen's work experience. The council welcomed her to employment with the City of Montevideo.

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 OCTOBER 15, 2010 IN THE AMOUNT OF \$185,839.73.

Public Hearings.

- None.

7. General Business.

7(A) TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS.

Chief Christopher was present to discuss recent traffic safety committee recommendations. The committee met on October 13th and have recommended that the city council take action on three issues: 1) Designating the south side of Coleman Avenue “no parking;” 2) Eliminating the one-way street on Washington Avenue, between North 4th & North 5th Street; and, 3) Eliminating the one-way street on North 6th Street, from Black Oak Avenue to Sheridan Avenue.

1. No parking - Coleman Avenue.

Christopher explained that the police department had received a petition from the residents on Coleman Avenue requesting the south side of Coleman Avenue be designated as a no parking zone. Reasons cited included the narrow width of the street and that no parking is already posted on the street during the Chippewa County Fair.

It was moved by Garbe, seconded by Curtiss and unanimously passed to designate the south side of Coleman Avenue as “no parking.”

2. Washington Avenue One-Way.

Christopher discussed the history of this area, noting that this one block of Washington Avenue had originally been designated one-way for access off of Highway #7. Since the highway has now been redone and the access redesigned, the one-way no longer makes sense.

It was moved by Garbe, seconded by Nieuwebeerta and unanimously passed to direct the city attorney to draft an ordinance eliminating this one-way designation.

3. 6th Street, One-Way.

Christopher explained that the committee felt that ALL of the one-way streets (4th, 5th and 6th) should be eliminated; however, they also felt that just doing 6th Street at this time may be the best route. Christopher stated he had discussed the issue with residents in the area and representatives of the Catholic Church and found that the majority were in favor of making the change.

President Hodge stated she resides on North 6th Street, one block north of the one-way. Hodge stated her concern of traffic flow in the area, noting that when vehicles are parked on both sides of the street, only one car is able to navigate. This happens most frequently when an event is taking place at the church.

Hodge also felt that a public meeting and/or notice be given to residents in the area. City Manager Jones stated that staff also suggests that action be taken.

It was moved by Garbe and seconded by Curtiss to direct the city attorney to draft an ordinance to eliminate the one-ways on 4th, 5th AND 6th Streets.

Council member Nieuwbeerta stated that she does not support overstepping the recommendation of the traffic safety committee, who recommended that only 6th Street be changed at this time. Therefore, she would not vote in favor of the motion, as stated.

The motion was voted on as follows: Those voting in favor of motion: Garbe, Curtiss and Hodge. Those voting against motion: Nieuwbeerta. Motion passed 3-1. Staff will prepare the ordinance for introduction at the November 1st meeting and will also mail notice to property owners in the affected areas to provide them an opportunity to speak to the issue at the November 1st and 15th council meetings.

7(B) PRIVATE STORM SEWER CONNECTION.

The city received a request from Donavin (Tom) & Jerilyn Anderson, owners of the Lincoln Apartment Complex, for permission to connect a private storm sewer line into the city storm sewer. Subsequently, the city attorney drafted a proposed agreement for council consideration.

It was moved by Nieuwbeerta, seconded by Curtiss and unanimously passed to approve the Storm Sewer Connection Agreement, as presented.

7(C) LAGOON PARK BRIDGES & WALLS.

During the 2010 flood, damage was done to the Lagoon Park bridges and walls, with repair costs estimated at \$48,972 for the bridges and \$22,764 for the walls. Taking into consideration engineering costs to date, final design costs and construction management, total cost is \$71,347 for the bridges and \$33,214 for the walls. FEMA has allocated \$43,458 towards bridge repairs and \$9,639 towards repair of the walls, leaving \$27,889 unfunded (bridges) and \$23,575 unfunded (walls).

City Manager Jones explained that if the city accepts the FEMA funding for reconstruction, the structures would have to be built to Park Service (Historic) standards. It is staff's opinion that if repair to the bridges is not done in a timely manner, Mn/DOT may force them to be closed. It is also staff's opinion that the bridges should be rebuilt.

In regards to the walls, Jones stated that they are in very poor shape, and the funds being offered by FEMA only scratch the surface of what needs to be done. Further, even if the walls were rebuilt as planned, additional work would need to be done to the footings to safeguard them in the event of another flood. It was noted that at least one wall will have to be demolished as it is falling into the lagoon.

Therefore, staff recommended the following:

- 1) Direct staff to proceed with repairing the north and south bridges, in Lagoon Park, and approve an agreement with Short Elliot Hendrickson (SEH) for design and construction services to complete the repair of the bridges, using Capital Improvement Plan funds to pay for the costs not covered under the FEMA/state grant.
- 2) Table any formal engineering action on the walls. Further, direct staff (as they are able) to repair the walls using city staff time and expertise. This would likely mean no FEMA reimbursement for wall repairs, but then the city would not be required to rebuild, to rebuild to Park Service Standards, or to pay high costs for engineering and construction oversight.

It was moved by Garbe, seconded by Curtiss and unanimously passed to accept staff recommendation #1, as stated, with the understanding that staff will try to keep the engineering costs to a minimum.

It was moved by Garbe, seconded by Nieuwbeerta and unanimously passed to accept staff recommendation #2, as stated, allowing city staff to do some repairs in the spring.

7(D) SUB-GRANT AGREEMENT (2010 FLOOD).

The 2010 flood was declared a major disaster by the state and federal governments, and funding is now available for some of the costs incurred. Approval of a sub-grant agreement is required in order to be eligible to receive reimbursement for these costs.

It was moved by Nieuwbeerta, seconded by Garbe and unanimously passed to approve the State of MN Sub-Grant Agreement for Federal Assistance - Public Assistance Program in an amount not to exceed \$70,904.61.

8. Ordinances

8(A) ADOPTION OF ORDINANCE NO. 903.

Ordinance No. 903 was introduced by the city council at its October 4th meeting and would re-zone the property at 1343 Wolfe Avenue (Medieval Madness Mini-Golf) from a R1 - Single-Family Residential District, to an I1 - Light Industrial District.

IT WAS MOVED BY BRYCE CURTISS THAT ORDINANCE NO. 903, AN ORDINANCE REZONING LAND, BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 903 WAS SECONDED BY MARVIN GARBE. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, BRYCE CURTISS, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. ORDINANCE PASSED 4-0.

9. Discussion and Miscellaneous

- ▶ Staff discussed a meeting held with the DNR for removal of the Chippewa River dam. An engineering proposal was received from Barr Engineering Company to provide preliminary design for the removal. The DNR is reviewing the proposal for possible inclusion in the cost of removal. It is anticipated that the project would be completed in the next 1-2 years. The importance of a public meeting and/or public input was noted.
- ▶ City Manager Jones informed the council that he and other city staff had met with Mn/DOT to discuss the status of the levee easements. The city attorney will continue to work on these acquisitions.
- ▶ Council member Garbe asked that staff follow-up on a couple of residential issues on North 2nd Street.

Meeting adjourned at 7:47 P.M.

Glennis Lauritsen, Secretary

Approved by council November 1, 2010:

Sandra Hodge - President