

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
December 7, 2009

The city council met in regular session Monday, December 7, 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: Karen Nieuwbeerta, Bryce Curtiss, Sandra Hodge, Marvin Garbe and Al Johnsrud. Mayor Jim Curtiss 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 Johnsrud and unanimously passed to approve the agenda, as presented.

It was moved by Garbe, seconded by Nieuweerta and unanimously passed to approve the minutes of the regular meeting of November 16, 2009, 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 DECEMBER 4, 2009 IN THE (MODIFIED) AMOUNT OF \$1,536,594.01.

6. Public Hearings.

- None.

7. General Business.

7(A) 2010 BUDGET DISCUSSION/PUBLIC COMMENT.

At the September 8, 2009 meeting, the council scheduled this date and time for public comment and discussion of the 2010 Budget.

Finance Director Jan Flaherty reviewed materials prepared for this discussion, which included a proposed resolution adopting the 2010 Budget (to be considered 12/21) and a 2010 Budget Requests document, which listed the changes made from the preliminary budget approved by the council in September.

There were no members of the public present for the discussion.

7(B) AMENDED 2009 BUDGET.

Earlier this year, the 2009 Budget was amended to reflect the unallotment of Local Government Aid (LGA) for 2009. After review of the expenditure activity for 2009, the year-end budget amendments have been incorporated into a proposed resolution for consideration by the council.

Finance Director Flaherty was on hand to review the proposed budget amendments, which result in the addition of \$372,000 on the revenue side and \$630,000 on the expenditure side.

MARVIN GARBE OFFERED RESOLUTION NO. 2945, A RESOLUTION AMENDING THE BUDGET FOR THE FISCAL YEAR 2009, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2945 WAS SECONDED BY KAREN NIEUWBEERTA. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, KAREN NIEUWBEERTA, BRYCE CURTISS, AL JOHNSRUD AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(C) 2010 FEES & CHARGES SCHEDULE.

The 2010 Fees & Charges Schedule was discussed by the council at its November 16th meeting. Subsequent revisions to the schedule have been made, including modifications to certain fire department rates, the addition of power rake rates within the street department and an increase in dog/cat boarding fees within the police department.

AL JOHNSRUD OFFERED RESOLUTION NO. 2946, A RESOLUTION ADOPTING THE 2010 FEES & CHARGES SCHEDULE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2946 WAS SECONDED BY MARVIN GARBE. THOSE VOTING IN FAVOR OF MOTION: AL JOHNSRUD, MARVIN GARBE, KAREN NIEUWBEERTA, BRYCE CURTISS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(D) FIRE RELIEF ASSOCIATION DONATION.

The Montevideo Fire Relief Association has donated \$2,846.94 to the city, with the intent that the funds be used for Fire Prevention Week expenses.

KAREN NIEUWBEERTA OFFERED RESOLUTION NO. 2947, A RESOLUTION ACCEPTING GIFT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2947 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: KAREN NIEUWBEERTA, BRYCE CURTISS, AL JOHNSRUD, MARVIN GARBE AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(E) GROAT'S 2:00 A.M. CLOSING RENEWAL.

It was moved by Curtiss and seconded by Nieuwbeerta to approve the renewal application by Groat's, Inc., 309 South 1st Street, for the optional 2:00 A.M. closing of their liquor establishment. Those voting in favor of motion: Curtiss, Nieuwbeerta, Garbe and Johnsrud. Those voting against motion: Hodge. Motion carried 4-1.

7(F) SMALL CITIES GRANT DISBURSEMENT.

Prairie Five has submitted a list of rental and owner-occupied rehabilitation projects for approval. Total cost of the projects is \$151,132.00 (\$84,216.00 grant funds / \$66,916.00 matching sources.)

It was moved by Garbe, seconded by Curtiss and unanimously passed to approve the project list, as submitted.

7(G) FARM LEASE WITH LESLIE ENEVOLDSEN.

City Manager Jones explained that the current farm lease with Leslie Enevoldsen expires December 31, 2009. This land is along William Avenue, and Mr. Enevoldsen farms other land in that same area for the Evans family. Proposed rent for 2010 is \$2,541.48, which has been calculated using an average of the bid prices received for the airport farm land.

It was moved by Nieuwbeerta. Seconded by Johnsrud and unanimously passed to approve the farm lease, as presented.

8. Ordinances.

8(A) INTRODUCTION OF ORDINANCE NO. 896.

Staff discussed a couple of areas within the Montevideo City Code that need to be updated and/or removed:

6-2-1, LIMITED PARKING. Current language limits the amount of time that a “motor vehicle” may be parked in a city street. Staff felt this term should be expanded to include “trailer, camper, boat or other similar vehicle.”

5-1-6, THEATERS, SMOKING RESTRICTIONS. It appears as though this ordinance was intended to eliminate smoking in theaters other than in designated areas. This language is outdated inasmuch as state law prevents smoking in all public buildings.

BRYCE CURTISS INTRODUCED ORDINANCE NO. 896, AN ORDINANCE AMENDING 6-2-1 OF THE MONTEVIDEO CITY CODE (LIMITED PARKING) AND REPEALING 6-1-5 (THEATERS, SMOKING RESTRICTED).

9. Discussion and Miscellaneous.

- ▶ Council member Johnsrud commented on the Lions lighting display within Smith Park. He commended Lions members on their project, noting how nice the display looks.
- ▶ Council member Johnsrud informed the council that Dillon Stock, age 12, was the youngest entrant in the Chamber’s lighting contest. Johnsrud encouraged the council and community to view his display at the corner of 6th Street & Sheridan Avenue.

Minutes/City Council
December 7, 2009
Page No. 5

- ▶ Council member Garbe expressed his appreciation for the community development newsletter, which is written and distributed by Nick Haggemiller.
- ▶ Council member Garbe said the street lights on the service road east of Luther Haven and east of the Court House are not working. City Manager Jones stated that staff is aware of the issue and will follow-up on it.
- ▶ Council member Garbe encouraged staff to begin working on designating the city's State Aid roads and applying for a variance for a portion of Wolfe Avenue.

Meeting adjourned at 7:34 P.M.

Glennis A. Lauritsen, Secretary

Approved by council December 21, 2009:

Sandra Hodge - President