

CITY OF MONTEVIDEO  
CITY COUNCIL PROCEEDINGS  
August 16, 2010

The city council met in regular session Monday, August 16, 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: Marvin Garbe, Bryce Curtiss, Karen Nieuwbeerta, Al Johnsrud and Sandra Hodge. Absent: None. Mayor Jim Curtiss present.

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

It was moved by Johnsrud, seconded by Curtiss 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 August 2, 2010 and budget worksession of August 9, 2010, as presented.

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

4(A) YELLOW RIBBON CITY PROCLAMATION.

Mayor Curtiss stated that as a part of the change of command event at the Montevideo Training & Community Center on Friday, August 6<sup>th</sup>, Governor Tim Pawlenty presented a Yellow Ribbon City Proclamation to the City of Montevideo. Curtiss explained that a Yellow Ribbon Community unites all areas within a community to create a comprehensive network that connects and coordinates agencies, organizations, resources and employers for the purpose of proactively supporting service members and military families. To earn the Yellow Ribbon Community designation, a community must develop a sustainable action plan demonstrating their commitment to service members and military families. Curtiss read a brief excerpt of the Proclamation, which was signed by the Governor and will be displayed in the city hall building.

5. Consent Agenda.

It was moved by Garbe, seconded by Nieuwbeerta and unanimously passed to approve the following consent agenda item:

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING AUGUST 13, 2010 IN THE AMOUNT OF \$180,261.71.

6. Public Hearings.

- None.

7. General Business.

7(A) STATUS OF REPAIR/REMOVE/DEMOLISH ORDER - 313 PARK AVENUE.

Action on this item was tabled to this meeting, for further review of the progress made by property owner Tom Worden in conjunction with the court-ordered Repair/Remove/Demolish Order for the structure at 313 Park Avenue. Worden had been directed by the council to fully remove the front and back porches to address the most serious life/safety issues of the Order. If this was accomplished, it would prevent the council from accepting bids for the demolition of the structure.

Community Development Director Nick Haggemiller was present to state that the property owner had successfully and completely removed the front and back porches from the structure. Additional items remain to be addressed; however, he indicated that staff is willing to continue to work with Mr. Worden to ensure timely compliance of the Order. Therefore, he recommended tabling acceptance of the bid.

Tom Worden was present to address the council. He discussed progress he had made and his plans/timeline for additional corrective action. Mr. Worden noted that his building contractor had suffered a serious accident; therefore, he had concern that the work may not be accomplished as quickly as he had hoped.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to table further action on the matter, until such time as adequate progress is not being made, as determined by staff.

7(B) RECONSIDERATION OF (ANHYDROUS AMMONIA TANKS) CUP FOR CENEX.

On August 3, 2009, the council approved a conditional use permit to allow Cenex to place three (3) anhydrous ammonia tanks at a site adjacent to their propane facility in Smith Addition. A neighboring property owner filed suit against Cenex and the City. On

April 28, 2010, a court order was issued by the district court remanding the matter back to the council to elaborate on its original findings.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to set a public hearing for Tuesday, September 7, 2010, at 7:00 P.M. for reconsideration of the conditional use permit.

7(C) TRANSIT AGREEMENT FOR 2011.

Community Development Director Haggenmiller discussed specifics of a proposed agreement with the State of Minnesota to provide transportation services for 2011. He explained that the 2011 budget for transit is \$157,000, with 20% of the budget being \$31,400. Fares and contract revenue covered the 20% local share in 2009 and is estimated to do so in 2010; therefore, a general fund transfer is not anticipated. Haggenmiller noted that CIP monies will be utilized for the proposed bus purchase in 2011.

MARVIN GARBE OFFERED RESOLUTION NO. 2990, A RESOLUTION ENTERING INTO AGREEMENT WITH MN/DOT TO PROVIDE PUBLIC TRANSPORTATION SERVICES FOR 2011, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2990 WAS SECONDED BY KAREN NIEUWBEERTA. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, KAREN NIEUWBEERTA, AL JOHNSRUD, BRYCE CURTISS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(D) WASTEWATER/WATER UTILITY OPERATION SERVICES WITH WATSON.

Utilities Superintendent Byron Hayunga was present to discuss the proposed agreement with the City of Watson for wastewater/water utility operation services. City staff had met with Watson officials to discuss their request for the City of Montevideo to provide certain utility oversight services. A basic framework of services and prices was worked out and relayed to City Attorney Janice Nelson, who then drafted the proposed agreement.

Council President Hodge asked Hayunga whether these added responsibilities would lie with him, or with staff. Hayunga answered both. He added that he felt there was adequate staff to make two, 2-hour trips to Watson per week for this purpose.

Council member Curtiss asked if Watson still intends to run a line to hook into the city's utilities system. Hayunga answered yes. This agreement would cover day-to-day operations to help the City of Watson meet its requirements.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to approve the agreement, as presented.

7(E) FAA GRANT AGREEMENT FOR AIRPORT RUNWAY.

A grant agreement is proposed to pay for the engineering services at the airport in conjunction with the "Runway 14/32 Reconstruction - Design" Project. The grant amount is \$113,050; city share would be \$3,000. City Manager Jones explained that the city and county had previously approved the engineering agreement with SEH for this project.

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

Council member Curtiss asked if the airport will still be used during construction. City Manager Jones explained that at times it may need to be closed. However, the parallel and/or cross-wind runways would be available, as needed.

7(F) NAMING OF FRONTAGE ROAD.

The question arose regarding assigning an address to the new road between 24<sup>th</sup> Street & 28<sup>th</sup> Street. Initially, it has been left as an unnamed frontage road. However, due to its distance from Highway 7, combined with safety issues, staff has suggested the road be named and recommended Washington Avenue. (Washington Avenue is the first east/west street north of Highway 7.)

Tom Worden was present in the audience and suggested naming it Artigas Drive.

Following discussion, it was moved by Johnsrud, seconded by Curtiss and unanimously passed to name the new road between 24<sup>th</sup> Street & 28<sup>th</sup> Street as "Washington Avenue."

8. Ordinances.

8(A) INTRODUCTION OF ORDINANCE NO. 901 - "SUBSTANDARD STREETS."

The council had been asked to consider restricting truck traffic on Coleman Avenue and had discussed the issue at previous council meetings. Following discussion, council directed staff to develop proposed language that would allow the council to declare streets substandard and to restrict through traffic to 1 ½ tons or less in weight. A proposed ordinance was drafted by the city attorney for council consideration.

BRYCE CURTISS INTRODUCED ORDINANCE NO. 901, AN ORDINANCE AMENDING SECTION 2 OF CHAPTER 1 OF TITLE 6 OF THE MONTEVIDEO CITY CODE, WEIGHT LIMITATIONS, TRUCK ROUTES, BY ADDING A SUBSECTION D, SUBSTANDARD STREETS, *WITH A SLIGHT MODIFICATION TO INCLUDE A LISTING OF THE AFFECTED STREET(S)*.

9. Discussion and Miscellaneous.

- ▶ City Engineer Berryman gave a brief update on the status of the 2010 street projects.
- ▶ Council member Garbe informed the council that he and Vivian Evans had met with the Secretary of Agriculture in an effort to re-energize the USDA Grant for the library. This grant had previously been denied.
- ▶ City Manager Jones shared an example of the type of signage proposed for the Camp Release area. One to three, 2' x 3' boards are proposed for the area, with prior review by the city, Historical Society and tribal boards.

Meeting adjourned at 7:42 P.M.

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Glennis Lauritsen, Secretary

Approved by council September 7, 2010:

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Sandra Hodge - President