

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
February 19, 2008

The city council met in regular session Tuesday, February 19, 2008 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, Mike Diggins, Karen Nieuwbeerta and Marvin Garbe. Absent: Bryce Curtiss. Mayor Jim Curtiss present.

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

City staff present: Police Chief Adam Christopher and Utilities Superintendent Byron Hayunga.

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

Item Action

MODIFY:

7(C) **UPDATE - WASTEWATER TREATMENT PLANT UPGRADES;
REVIEW - ALTERNATE REED BED SITES; CONSIDER APPROVAL OF
PROPOSAL SUBMITTED BY SEH TO PROVIDE GEOTECHNICAL
DRILLING AND TESTING FOR THE REED BED SITE AND AN
ADDITIONAL SOIL BORING AT THE MAIN WWTP SITE.**

- Materials provided include correspondence from Tracy Ekola of SEH; SEH Memorandum from Ron Farmer, PE, on Reed Bed Alternate Sites; and, SEH proposal for drilling/testing.

ADD:

7(L) **CONSIDER RESOLUTION APPROVING RENEWAL APPLICATION FOR PREMISES PERMIT FOR CHARITABLE GAMBLING FOR THE KNIGHTS OF COLUMBUS @ INN LIKE FLINN, 305 SOUTH 1ST STREET.**

Engineer Berryman reviewed the following proposed improvements and estimated assessed costs in accordance with the city's adopted assessment policy:

PROPOSED UTILITY IMPROVEMENT PROJECTS

Project 1 - County Road 41 Sanitary Sewer & Watermain. There was no one present to be heard relative to this project. One written correspondence had been received, from Bob Emery, requesting that the city work with them as far as spreading the cost of the hook-up fees over a 10-year period. Berryman explained that buy-in fees (at the time of hookup) in lieu of assessments were being proposed for this project, in the range of \$3,500-\$4,000 per sanitary sewer service and \$3,500-\$4,000 per water service. Council briefly discussed how these fees could be paid.

Project 2 - Wolfe Avenue Storm Sewer. There was no one present to be heard relative to this project. It was noted that this is considered a replacement project as it is replacing an existing culvert/ditch drainage system and is, therefore, non-assessable.

PROPOSED STREET IMPROVEMENT PROJECTS

Project 1 - Sherman Avenue, from 3rd Street to 7th Street. There was no one present to be heard relative to this project.

Project 2 - 7th Street, from Eureka Avenue to Park Avenue. There was no one present to be heard relative to this project.

Project 3 - Alley Between 6th Street & 7th Street, from Sherman Avenue to Sheridan Avenue. There was no one present to be heard relative to this project. It was noted that this is a petitioned project, with 100% of the project cost being borne by the adjacent property owners.

Project 4 - William Avenue, from 9th Street to 12th Street. There was no one present to be heard relative to this project.

The total estimated assessments and buy-ins for all projects accounts for approximately \$478,500 of the total estimated cost of \$1,566,500 or approximately 30% of the cost. According to State Statute, when bonds are sold for public improvements, 20% of the project must be assessable; therefore, this requirement has been met.

There being no further discussion, President Hodge closed the public hearing at 7:25 P.M.

MARVIN GARBE OFFERED RESOLUTION NO. 2816, A RESOLUTION ORDERING IMPROVEMENT AFTER PUBLIC HEARING, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2816 WAS SECONDED BY KAREN NIEUWBEERTA. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, KAREN NIEUWBEERTA, MIKE DIGGINS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7. General Business.

7(A) 2007 ANNUAL REPORT.

Section 7.12 of the Montevideo City Charter requires that "Once each year on or before the last day of February, the city manager must submit a report to the council covering the entire financial operations of the city for the past year." Over the years, because of auditing and state reporting requirements, this report has become less of a real financial report and more a comprehensive annual report of the activities of the city.

Police Chief Christopher was present to briefly review his department's activities during 2007 and to address questions/comments raised by the council.

Council member Garbe left the room at 7:47 P.M.

It was moved by Nieuwbeerta, seconded by Diggins and unanimously passed to accept the 2007 Annual Report document.

7(B) UNDERGROUND COMMUNICATION LINE, CITY HALL TO COURT HOUSE.

Police Chief Christopher was on hand to discuss his memorandum addressing the underground wire between the police department and the sheriff's department. This is a private line that is owned by the city that goes from city hall to the court house, and also to the hospital. Now that Highway 7 is going to be rebuilt, this line will be in the way and will need to be moved. If not, it will be cut. The memorandum outlined what the line does for each of the following entities:

City/Police Department:

- ▶ The base radio in the police department uses the line to work.
- ▶ The city hall lobby phone uses the line to contact the sheriff's department dispatch after city hall is closed.
- ▶ Dispatch uses the line to transfer administrative calls to the police department.

Sheriff's Department:

- ▶ Transfers administrative calls to police department and received calls from the city hall lobby.
- ▶ Uses the line to communicate with the city's public works department.
- ▶ Uses the line to communicate with the ambulance or hospital.

Hospital:

- ▶ Uses the line to communicate with the sheriff's department.
- ▶ Ambulance uses the line to communicate with the sheriff's department.

Three options were proposed by Christopher:

- Option #1 - Replace the line during the construction process.
- Option #2 - Replace the underground line with an overhead line.
- Option #3 - Remove the underground line and instead use an auto dialer phone in the city hall lobby to contact the sheriff's department; purchase a mobile radio and upgrade to digital for the police department, which would allow radio communications from the office for the department secretary and officers.

Council member Garbe returned to the room at 7:49 P.M.

Council discussed the options, noting the importance of keeping communication between the county and the city. In order to accomplish this, council stated its willingness to pay for radio programming at the sheriff's office to add the frequency of the city. The hospital is moving to a wireless application; therefore, removing the line would not be an issue for them.

It was moved by Diggins, seconded by Garbe and unanimously passed to approve Option #3, with the understanding that communication be preserved between the public works department and the sheriff's department.

7(C) UPDATE - WWTP UPGRADES AND SOIL TESTING/BORING.

Utilities Superintendent Hayunga was on hand to give an update on the upgrades to the wastewater treatment plant, including the following topics: Reed bed locations/soil borings; Lab relocation; Electrical lines and pedestal relocation/garage demolition; and, Internal use of grey water (using processed waste water within the plant for water needs and not drinking water needs.) The use of grey water will save, over time, \$125,848, plus the city will be conserving water.

As a part of this project, a proposal has been submitted by SEH for geotechnical drilling and testing for the reed bed site (north of Friendship Homes), and an additional soil boring at the main wastewater treatment plant site, which needs council action. The cost of the proposed work is \$20,278.

It was moved by Garbe, seconded by Nieuwbeerta and unanimously passed to authorize the mayor and city manager to execute the SEH proposal, as presented.

7(D) COUNTY ROAD 41 ANNEXATION.

MARVIN GARBE OFFERED RESOLUTION NO. 2817, A RESOLUTION ANNEXING THE REMAINING UNANNEXED PART OF ORDERLY ANNEXATION AREA II (SEE RESOLUTION NO. 1946), AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2817 WAS SECONDED BY KAREN NIEUWBEERTA. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, KAREN NIEUWBEERTA, MIKE DIGGINS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(E) CHANGE OF ADDRESSES FOR COUNTY ROAD 41 AREA.

In conjunction with the previous action, staff has recommended that the council approve a change in the street addresses in this area, to align these addresses with the city system. A table of existing addresses/proposed new city addresses was presented to the council for review.

It was moved by Nieuwbeerta, seconded by Diggins and unanimously passed to authorize the change in addresses and appropriate notification to the property owners.

7(F) USE OF SMITH PARK BY FIESTA, INC.

An application for use of city property has been submitted by Fiesta, Inc. for the use of Smith Park on June 12, 2008, 3:00 P.M. to 8:00 P.M. This would be for the community picnic, kiddie parade and the junior coronation.

It was moved by Diggins, seconded by Garbe and unanimously passed to approve the use of Smith Park, as requested.

7(G) 2008 BOARD OF APPEAL & EQUALIZATION MEETING.

It was moved by Garbe, seconded by Diggins and unanimously passed to set the date of April 28, 2008, from 6:30-7:00 P.M. for the purpose of a Board of Appeal & Equalization Meeting. It was noted that a second meeting for resolution of any challenges raised at this meeting would be suggested by the county assessor on the 28th.

7(H) FIRE RELIEF ASSOCIATION GAMBLING PERMIT.

The Montevideo Fire Relief Association proposes to conduct lawful gambling at the Chippewa County Fairgrounds on June 14, 2008. A resolution approving the activity is required from the local unit of government.

KAREN NIEUWBEERTA OFFERED RESOLUTION NO. 2818, A RESOLUTION APPROVING A ONE-DAY OFF-SITE GAMBLING PERMIT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2818 WAS SECONDED BY MARVIN GARBE. THOSE VOTING IN FAVOR OF MOTION: KAREN NIEUWBEERTA, MARVIN GARBE, MIKE DIGGINS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(I) PREMISES RENEWAL APPLICATION FOR FIRE RELIEF ASSOCIATION.

The Montevideo Fire Relief Association has submitted a Premises Permit Renewal Application to conduct lawful gambling at Topper's Bar & Grill, 311 State Road. The

permit would be for a period of two years, from June 1, 2008 to May 31, 2010. A resolution from the local governing body must accompany the application.

MIKE DIGGINS OFFERED RESOLUTION NO. 2819, A RESOLUTION APPROVING A PREMISES PERMIT FOR CHARITABLE GAMBLING, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2819 WAS SECONDED BY MARVIN GARBE. THOSE VOTING IN FAVOR OF MOTION: MIKE DIGGINS, MARVIN GARBE, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(J) DISBURSEMENT APPROVAL-SMALL CITIES GRANT FUNDS.

It was moved by Garbe, seconded by Nieuwbeerta and unanimously passed to approve the list of projects submitted by Prairie Five CAC, Inc. for disbursement. Both projects are rental rehabilitation projects, one in the amount of \$29,200 and the other in the amount of \$30,000. The amount of grant funds approved for each property is \$14,700.00, with matching sources of personal funds for both.

7(K) CABLE ADVISORY BOARD APPOINTMENT.

It was moved by Garbe, seconded by Diggins and unanimously passed to appoint Marya Rud to a one-year term on the Cable Advisory Board, term expiring December 31, 2008.

7(L) PREMISES PERMIT RENEWAL - KNIGHTS OF COLUMBUS.

The Knights of Columbus 1551 Montevideo has submitted a Premises Permit Renewal Application to conduct lawful gambling at Inn Like Flinn, 305 South 1st Street. The permit is valid for two years.

MIKE DIGGINS OFFERED RESOLUTION NO. 2820, A RESOLUTION APPROVING A PREMISES PERMIT FOR CHARITABLE GAMBLING, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2820 WAS SECONDED BY MARVIN GARBE. THOSE VOTING IN FAVOR OF MOTION: MIKE DIGGINS, MARVIN GARBE, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(M) BOND REDEMPTION - SALE OF PAULSON PARK I & II.

A resolution has been prepared for the purpose of redemption and prepayment of EDA \$1,720,000 Housing Development Refunding Bonds, Series 2005A, in association with the sale of Paulson Park I & II (\$1,565,000 remains outstanding.) The EDA has previously passed its resolution calling for the redemption. The city must now act to concur with that action.

KAREN NIEUWBEERTA OFFERED RESOLUTION NO. 2821, A RESOLUTION CONCURRING IN THE ACTION OF THE BOARD OF COMMISSIONERS OF THE MONTEVIDEO ECONOMIC DEVELOPMENT AUTHORITY, MINNESOTA, CALLING FOR REDEMPTION OF CERTAIN OUTSTANDING BONDS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2821 WAS SECONDED BY MIKE DIGGINS. THOSE VOTING IN FAVOR OF MOTION: KAREN NIEUWBEERTA, MIKE DIGGINS, MARVIN GARBE AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(N) PURCHASE OF 109 SOUTH 10TH STREET.

HUD has offered the property at 109 South 10th Street to the city for \$1.00. Staff has reviewed the property with Prairie Five Community Action Council, who has agreed to take over ownership, if the city is able to acquire the property. Prairie Five's plans are to invest \$30,000-\$40,000 into the home and then assist a low to moderate-income family in home ownership.

MARVIN GARBE OFFERED RESOLUTION NO. 2822, A RESOLUTION ACQUIRING REAL ESTATE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2822 WAS SECONDED BY KAREN NIEUWBEERTA. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, KAREN NIEUWBEERTA, MIKE DIGGINS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

8. Ordinances.

None.

9. Discussion and Miscellaneous.

- ▶ Engineer Berryman stated that he and Utilities Superintendent Hayunga had attended a meeting with Mn/DOT and were informed that the bid opening for Highway 7 had been changed to March 22nd.
- ▶ The mayor urged the viewing audience to consider joining city representatives as they travel to the State Capitol on Thursday, February 21st, to speak to the Senate in support of a veterans home in Montevideo. A bus has been hired, which will leave from Montevideo at 11:30 A.M.
- ▶ Council member Garbe briefly recapped the group's visit to the House and urged citizens to contact the legislators in support of this project.

Meeting adjourned at 8:48 P.M.

Glennis A. Lauritsen, Secretary

Approved by council March 3, 2008:

Sandra Hodge, President