

CITY OF MONTEVIDEO  
CITY COUNCIL PROCEEDINGS  
May 19, 2008

The city council met in regular session Monday, May 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, Marvin Garbe, Bryce Curtiss and Karen Nieuwbeerta. Absent: None. Mayor 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.

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

**MODIFY:**

**5(A) CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING MAY 16, 2008 IN THE AMOUNT OF ~~\$237,812.32~~ \$343,805.06.**

**ADD:**

**7(H) CONSIDER RESOLUTION ORDERING REPAIRS TO INOPERABLE CURB BOX ON PROPERTY OWNED BY JERRY & DORIS WILSON, LOCATED AT 410 SOUTH 9<sup>TH</sup> STREET.**

It was moved by Nieuwbeerta, seconded by Diggins and unanimously passed to approve the minutes of the regular city council meeting of May 5, 2008, as presented.

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

President Hodge welcomed students who were present in the audience to observe the council proceedings, as a requirement of a high school government class.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING MAY 16, 2008 IN THE AMOUNT OF \$343,805.06.

6. Public Hearings.

6(A) FINAL HEARING - 2008 STREET & UTILITY IMPROVEMENTS.

President Hodge called a public hearing to order at 7:03 P.M. to consider the 2008 Street & Utility Improvement Project and to consider the final assessments proposed. The entire public hearing was recorded on video tape and will be kept in accordance with the Minnesota State Retention Schedule

City Engineer Berryman reviewed information contained in a handout prepared for the hearing. The handout provided final front foot assessments for the projects in accordance with the city's adopted assessment policy. Each project was reviewed, as follows:

Project 1 - Sherman Avenue, from 3<sup>rd</sup> Street to 7<sup>th</sup> Street:

\_\_\_\_\_ 30' street width, street reconstruction, replace curb & gutter - \$37.40/LF (preliminary hearing estimate was \$45.00/LF.)

Florence Mills, 204 North 7<sup>th</sup> Street, was present for the proceedings. Mills stated she had no specific questions; she had previously spoken with the city clerk regarding payment options and was attending the public hearing for information only.

There were no other interested persons present to be heard on Project 1.

Project 2 - 7<sup>th</sup> Street, from Eureka Avenue to Park Avenue:

\_\_\_\_\_ 30' street width, street reconstruction, replace curb & gutter - \$37.40/LF (preliminary hearing estimate was \$45.00/LF.)

There were no interested persons present to be heard on Project 2.

Project 3 - Alley Between 6<sup>th</sup> & 7<sup>th</sup> Street, from Sherman Avenue to Sheridan Avenue.

\_\_\_\_\_ Shape and pave alley - \$13.55/LF (preliminary hearing estimate was \$15.00.) This is a petitioned project and the cost will be 100% borne by the abutting property owners.

There were no interested persons present to be heard on Project 3.

Project 4 - William Avenue, from 9<sup>th</sup> Street to 12<sup>th</sup> Street:

- ▶ 9<sup>th</sup> Street to 11<sup>th</sup> Street - 30' street width, street reconstruction, curb & gutter - \$37.40/LF (preliminary hearing estimate was \$45.00/LF.)

There were no interested persons present to be heard on this portion of Project 4.

- ▶ 11<sup>th</sup> Street to 12<sup>th</sup> Street - 36' street width, street reconstruction, curb & gutter - \$40.02/LF (preliminary hearing estimate was \$47.00/LF.)

Debra Blood, 802 South 11<sup>th</sup> Street, was present with questions for this project. Ms. Blood asked if the street is being widened. City Engineer Berryman stated no; it is presently at 36' and will remain at 36'. Ms. Blood asked whether the proposed improvements were street construction only, or if utility improvements were also included. City Engineer Berryman stated the project is street improvements only. Ms. Blood also addressed the loss of trees, which was discussed and explained by Berryman.

There were no other interested persons present to be heard on this portion of Project 4.

Engineer Berryman also reviewed the 2008 Utility Improvement Projects, as follows:

County Road 41 Sanitary Sewer & Watermain:

8" sanitary sewer and 12" watermain extensions to properties recently annexed into the city. Buy-ins in lieu of assessments have been established by the council in the amount of \$7,500 (\$3,750 water/\$3,750 sewer). In addition, each property would be charged a \$250.00 water access charge and a \$250.00 sewer access charge at time of hook-up.

There were no interested persons present to be heard on this project.

Wolfe Avenue Storm Sewer:

15" storm sewer construction along the south side of Wolfe Avenue, from 5<sup>th</sup> Street to 6<sup>th</sup> Street, draining into the existing storm sewer at 6<sup>th</sup> & Wolfe. Cost for the project was

estimated at \$53,000 which is not assessed to individual abutting property owners; but rather, because the City of Montevideo is a “storm sewer district,” this cost is paid by the taxpayers.

There were no interested persons present to be heard on this project.

Highway 7 Improvements:

City costs include the 24<sup>th</sup> Street reconstruction, lighting, traffic signals, existing service drive overlay and underground utilities. The most current estimates indicate cost of the project at \$418,000+/-, which is approximately \$200,000 less than originally estimated. It appears that the city may not need to bond for these improvements.

There were no interested persons present to be heard on this project.

President Hodge closed the public hearing at 7:17 P.M.

MARVIN GARBE OFFERED RESOLUTION NO. 2833, A RESOLUTION ADOPTING ASSESSMENT ROLL, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2832 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, BRYCE CURTISS, MIKE DIGGINS, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7. General Business.

7(A) BID AWARD - 2008 STREET IMPROVEMENT PROJECTS.

At 2:00 P.M. on Thursday, April 17, 2008, the following bids were received for the Montevideo, Minnesota 2008 Street Improvements:

<b>Bidder</b>	<b>Total Base Bid</b>
Riley Brothers Construction - Morris, MN	547,458.00
Chad Monson Excavating - Willmar, MN	547,899.50
Duininck Brothers, Inc. - Prinsburg, MN	571,198.25

<b>Bidder</b>	<b>Total Base Bid</b>
Central Specialties, Inc. - Alexandria, MN	571,830.00
Schoep Contracting - Montevideo, MN	588,914.50
Commerford Gravel, Inc. - Danvers, MN	590,901.75
Bituminous Paving, Inc. - Ortonville, MN	593,983.25

It was moved by Diggins, seconded by Nieuwbeerta and unanimously passed to award the bid for the 2008 Street Improvements to Riley Brothers Construction in the amount of \$547,458.00.

7(B) SALE OF BONDS - 2008 IMPROVEMENT PROJECTS.

In order to provide funding to pay for the construction of the 2008 improvements, the city needs to sell bonds. A resolution has been prepared which calls for the sale of bonds on June 16, 2008 and authorizes staff to work with Ehlers & Associates to facilitate that sale.

MIKE DIGGINS OFFERED RESOLUTION NO. 2834, A RESOLUTION PROVIDING FOR THE SALE OF \$1,345,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2008A, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2834 WAS SECONDED BY MARVIN GARBE. THOSE VOTING IN FAVOR OF MOTION: MIKE DIGGINS, MARVIN GARBE, KAREN NIEUWBEERTA, BRYCE CURTISS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(C) USED PICKUP FOR PUBLIC WORKS DEPARTMENT.

Public Works Director Greg Schwaegerl was present to review quotes received on Tuesday, April 29, 2008, for a 2002 or newer pickup for the parks division of the public works department. Minimum specifications were sent to four (4) local vendors. Two vendors responded, quoting four different pickups.

Staff recommended purchase of a 2004 GMC pickup from Parkview Ford. A 1996 Chevrolet pickup will be transferred to city hall maintenance from the public works

department, and the Dodge pickup from city hall maintenance will then be sold at auction.

It was moved by Garbe, seconded by Diggins and unanimously passed to purchase a 2004 GMC 3/4 Ton Pickup from Parkview Ford at a total price, excluding tax, of \$17,200.

7(D) CONTRIBUTION TO FAIRGROUNDS PLAYGROUND UPDATE.

Public Works Director Schwaegerl was present to discuss a request submitted by the Chippewa County Fair Board, along with the Montevideo Lions Club, who are in the process of upgrading the playground at the fairgrounds site. Estimated cost for the project is \$15,000. They believe they have \$11,000 +/- of the \$15,000 projected cost pledged. They are making two requests:

- 1) Up-front the \$15,000 to acquire the equipment so it can be ordered and in place in time for the fair in August; and
- 2) Consider contributing \$4,000 to the project.

The Park Board considered the request as a part of its May 9, 2008 meeting. The board does not want to take funds they have budgeted for park board projects to use on this project; rather, they would like to see the council “up-front” the funds to enable the fair board to complete the project this year.

After discussion, it was moved by Garbe, seconded by Nieuwbeerta and unanimously passed to up-front the \$15,000 initially, and consider a contribution of the \$4,000 at a later date.

7(E) CHANGE ORDER NO. 002 - PARK BUILDING PROJECT.

Changer Order No. 002 has been submitted by Peters Construction for the Smith Park Bathroom Project. The change order is for trenching 200-amp service from the existing power pole to the new 200-amp pedestal meter (from overhead to underground), which allowed the city to be able to remove an entire line of power poles from the park. The change order resulted in an additional \$2,340.00 and revises the amount of the contract to \$92,394.00.

It was moved by Diggins, seconded by Nieuwbeerta and unanimously passed to approve Changer Order No. 002, as presented.

7(F) VFW PREMISES PERMIT RENEWAL.

The renewing license term is June 1, 2008 to May 31, 2010.

MARVIN GARBE OFFERED RESOLUTION NO. 2835, A RESOLUTION APPROVING A PREMISES PERMIT FOR CHARITABLE GAMBLING FOR THE V.F.W. POST #380, 570 SOUTH FIRST STREET, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2835 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, BRYCE CURTISS, MIKE DIGGINS, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(G) LIBRARY FINANCING ISSUES.

Two memorandums had been prepared by city staff which discussed library funding scenarios (5/2/08) and the history/relationship between the city, county, county library board and Pioneerland (5/9/08). City Manager Jones reviewed the most recent memo, noting that a copy was sent to the county commissioners, county library board, Dave Lauritsen and Al Johnsrud for their review. Staff noted that there had been no response to that correspondence.

President Hodge noted that she had spoken with Al Johnsrud, who indicated that he was seeking appointments with both the county board of commissioners and county library board and would be suggesting that all parties concerned meet jointly to discuss issues of concern, i.e., membership, hours of operation and funding.

Following some discussion, it was the consensus of the council that staff be directed to communicate to the county board of commissioners and county library board the city's willingness to meet jointly.

7(H) INOPERABLE CURB BOX AT 410 SOUTH 9<sup>TH</sup> STREET.

MARVIN GARBE OFFERED RESOLUTION NO. 2836, A RESOLUTION ORDERING REPAIR OF INOPERABLE CUB BOX ON PROPERTY OWNED BY

DORIS WILSON, LOCATED AT 410 SOUTH 9<sup>TH</sup> STREET, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2836 WAS SECONDED BY MIKE DIGGINS. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, MIKE DIGGINS, BRYCE CURTISS, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

8. Ordinances.

8(A) INTRODUCTION OF ORDINANCE NO. 836.

Recent legislation increased the competitive bid threshold from \$50,000 to \$100,000 and adjusted the limits for quotations. The city attorney has prepared an ordinance to amend the Administrative Code, to reflect new state rules.

BRYCE CURTISS INTRODUCED ORDINANCE NO. 876, AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE BY AMENDING CHAPTER 5-7, "BIDDING OR PROPOSAL REQUIREMENTS."

9. Discussion and Miscellaneous.

- ▶ City Engineer Berryman gave a brief update on the 2008 utility work.
- ▶ Council member Garbe suggested that additional policing occur on the detour route(s).
- ▶ Council member Diggins asked about Local Government Aid status. Staff explained that the city will receive approximately \$150,000 more in LGA for 2009 than anticipated. A 3.9% restriction will be in place for the next three years' levy limits.
- ▶ City Manager Jones stated the city is waiting for FAA approval on the airport parallel taxiway project and anticipate start-up during the first week of June.
- ▶ City Manager Jones discussed briefly the USDA funding option for the WWTP upgrades. The USDA has now offered lower rates and a more flexible term. Staff will look further at their program.



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- ▶ Council member Garbe asked about the levee progress. Staff stated that the Corps of Engineers is still fighting issues with FEMA, i.e. elevation. There is also some discussion regarding levee decertification.
  
- ▶ Brief discussion was held on the WWTP upgrade schedule since the change in design.

Meeting adjourned at 8:00 P.M.

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Glennis A. Lauritsen, Secretary

Approved by council June 2, 2008:

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Sandra Hodge, President