

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
June 2, 2008

The city council met in regular session Monday, June 2, 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 absent.

Also present were: City Manager Steven C. Jones, 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, as presented.

It was moved by Curtiss, seconded by Garbe and unanimously passed to approve the minutes of the regular city council meeting of May 19, 2008, as presented.

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

4(A) EMPLOYEE SERVICE AWARD - TOM RYMAN.

Council President Hodge presented a Certificate of Appreciation to Liquor Store Manager Tom Ryman, recognizing 25 years of service to the City of Montevideo.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING MAY 30, 2008 IN THE AMOUNT OF \$584,479.78, NOTING THAT \$275,000 WILL BE OFFSET BY STATE AID AND THAT THE FIRE DEPARTMENT EXPENDITURES FOR HELMETS AND GLOVES IS THE LAST OF THE GRANT ITEMS.

6. Public Hearings.

None.

7. General Business.

7(A) NUISANCE ABATEMENTS.

Five (5) properties have nuisances that need to be abated. All of the proper notifications have been sent to the property owners and no action has been taken. Individual resolutions have been prepared.

MARVIN GARBE OFFERED RESOLUTION NO. 2837, A RESOLUTION DIRECTING THE ABATEMENT OF NUISANCE ON PROPERTY LOCATED AT RAMSEY MOBILE HOME PARK, LOT #1, OWNED BY JACK & MARLYS STROMMER, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2837 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.

KAREN NIEUWBEERTA OFFERED RESOLUTION NO. 2838, A RESOLUTION DIRECTING THE ABATEMENT OF NUISANCE ON PROPERTY LOCATED AT NORTHDALE COMMUNITY, LOT #54, OWNED BY JACK & MARLYS STROMMER, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2838 WAS SECONDED BY MARVIN GARBE. THOSE VOTING IN FAVOR OF MOTION: KAREN NIEUWBEERTA, MARVIN GARBE, MIKE DIGGINS, BRYCE CURTISS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

MIKE DIGGINS OFFERED RESOLUTION NO. 2839, A RESOLUTION DIRECTING THE ABATEMENT OF NUISANCE ON PROPERTY LOCATED AT 210 SOUTH 8TH STREET, OWNED BY RYAN BUNN, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2839 WAS SECONDED BY KAREN NIEUWBEERTA. THOSE VOTING IN FAVOR OF MOTION: MIKE DIGGINS, KAREN NIEUWBEERTA, MARVIN GARBE, BRYCE CURTISS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

MIKE DIGGINS OFFERED RESOLUTION NO. 2840, A RESOLUTION DIRECTING THE ABATEMENT OF NUISANCE ON PROPERTY LOCATED AT 223 SOUTH 6TH STREET, OWNED BY TANYA BURKHARDT, AND MOVED ITS ADOPTION.

MOTION FOR ADOPTION OF RESOLUTION NO. 2840 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: MIKE DIGGINS, BRYCE CURTISS, KAREN NIEUWBEERTA, MARVIN GARBE AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

MARVIN GARBE OFFERED RESOLUTION NO. 2841, A RESOLUTION DIRECTING THE ABATEMENT OF NUISANCE AT 1314 NORTH 3RD STREET, OWNED BY ADRIAN CONTRERAS TOVAR, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2841 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.

7(B) DOWNTOWN PHASE 3 STOREFRONT REVITALIZATION GRANT PROGRAM.

At its May 20, 2008 meeting, the Montevideo Economic Development Authority (EDA) took action to proceed with a City of Montevideo-Downtown Phase 3 Storefront Revitalization Grant Program. There is approximately \$26,000 available within Fund #206, Revitalization Grant Funds, for this use. Procedural Guidelines have been prepared for review and consideration.

Community Development Director Nick Haggemiller was present to discuss the project. Haggemiller noted that in 2007, 19 grants were approved, with six (6) yet to receive funding. In 2008, there are enough funds for 13 projects. He explained that the proposed guidelines are similar to those used in 2007, with somewhat different criteria. In addition, the boundaries have been expanded to include West Highway #212 businesses.

It was moved by Diggins, seconded by Curtiss and unanimously passed to approve this use of funds and the accompanying procedural guidelines.

7(C) RELIGIOUS PARADE - NEW JERUSALEM CHURCH.

An application was submitted by Christina Aldana on behalf of the New Jerusalem Church requesting the use of city streets for a religious parade on July 5, 2008, 11:00 A.M. until 12:00 Noon. A proposed route was submitted, which included the use of Benson Road. Council members voiced concern relative to the use of a state highway,

noting that Mn/DOT approval would be needed and inasmuch as it is currently being used as a detour route.

It was moved by Diggins, seconded by Garbe and unanimously passed to approve the concept of the parade, contingent upon approval by the police chief of the parade route.

7(D) CURB BOX REPAIRS AT 604 SOUTH 9TH STREET.

MARVIN GARBE OFFERED RESOLUTION NO. 2842, A RESOLUTION ORDERING REPAIRS TO INOPERABLE CURB BOX ON PROPERTY OWNED BY ROBERT SAYRE, LOCATED AT 604 SOUTH 9TH STREET, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 2842 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, BRYCE CURTISS, KAREN NIEUWBEERTA, MIKE DIGGINS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(E) SPECIAL ASSESSMENT AGREEMENT FOR CURB BOX REPAIRS.

In the previous agenda item, the council passed a resolution ordering repairs to an inoperable curb box at 604 South 9th Street, on property owned by Robert & Laura Sayre. Due to the estimated cost of repair (\$1,000.00 to \$1,500.00), an agreement has been prepared whereby the cost of the repair can be assessed over a 10-year period, plus interest at the rate of 8% per annum. Typically, this type of assessment would be a 1-year assessment, due and payable with the next year's taxes.

It was moved by Nieuwbeerta, seconded by Diggins and unanimously passed to approve the special assessment agreement with Robert & Laura Sayre.

7(F) GRANT OFFER - PARALLEL TAXIWAY PROJECT.

The FAA has conveyed to the city grant agreements for the parallel taxiway work at the airport, to be completed in 2008. This work involves pavement, grading and base (excluding lighting, drainage, final design, construction management and closeout). In addition to the federal document, the state will also be conveying its grant agreements for the project.

It was moved by Curtiss, seconded by Garbe and unanimously passed to authorize the city manager as the city's designated official for all documents related to this project, federal and state.

7(G) ROCK THE PARK "BEER GARDENS" LICENSES.

The VFW and American Legion have both applied for a Temporary 3.2 Percent Malt Liquor On-Sale License during the Chamber of Commerce's "Rock the Park" event on July 19, 2008.

It was moved by Diggins, seconded by Curtiss and unanimously passed to approve the issuance of a license for this purpose to the American Legion.

It was moved by Garbe, seconded by Nieuwbeerta and unanimously passed to approve the issuance of a license for this purpose to the VFW.

7(H) FIRE RELIEF ASSOCIATION "BEER GARDENS" LICENSE.

The Montevideo Fire Relief Association has made application for a Temporary 3.2 Percent Malt Liquor On-Sale License in conjunction with their fund raiser during Fiesta Days, June 14-15, 2008 at the Chippewa County Fairgrounds.

It was moved by Garbe, seconded by Curtiss and unanimously passed to approve the issuance of a license for this purpose to the Fire Relief Association.

8. Ordinances.

8(A) ADOPTION 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 prepared an ordinance to amend the Administrative Code, to reflect new state rules, which was introduced by council at its May 19, 2008 meeting.

IT WAS MOVED BY KAREN NIEUWBEERTA THAT ORDINANCE NO. 876, AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE BY AMENDING CHAPTER 5-7, "BIDDING OR PROPOSAL REQUIREMENTS," BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 876 WAS SECONDED BY

MARVIN GARBE. THOSE VOTING IN FAVOR OF MOTION: KAREN NIEUWBEERTA, MARVIN GARBE, MIKE DIGGINS, BRYCE CURTISS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. ORDINANCE PASSED 5-0.

It was noted that the new law does not take effect until August 1, 2008.

9. Discussion and Miscellaneous.

9(A) LIBRARY FINANCING ISSUE.

County Commissioner Mark Dahl had recently informed the city manager of his intent to request the county commissioners dissolve the county library board. Since that time, staff sent a memo to the county commissioners discussing possible ramifications of that action. In addition, Chippewa County Auditor-Treasurer Jon Clauson, has indicated that there is no item on the county's 6/3/08 agenda for this purpose; therefore, no action will be taken.

Council member Garbe stated he had visited with County Commissioner Gene VanBinsbergen, who indicated his intent to suggest a joint meeting between the city, county and county library board.

It was the consensus of the council to follow-up on this issue after the June 3rd county board meeting. It was also the consensus of the council that this issue needs to be resolved in a timely manner.

- ▶ Council member Garbe discussed issues at the former Armory site at 802 North 2nd Street, including screening/fencing and outside storage. City Staff will review the conditional use permit in place for this property and respond accordingly.
- ▶ Council member Garbe referred to an article in the League magazine which discussed mutual aid agreements for water usage in times of emergencies. City Staff will research this issue.
- ▶ Council member Garbe thanked the public works department for the excellent job that was done in preparing the Sunset Memorial Cemetery for the Memorial Day holiday.

Minutes/City Council
June 2, 2008
Page No. 7

- ▶ Council President Hodge conveyed a citizen complaint regarding foul odors and possible rodent infestation at the former Hill Grocery Store at 418 North 4th Street. City staff will review the property.

- ▶ Council President Hodge discussed citizen complaints she had received regarding the condition of properties which the complainant felt were adversely affecting the value of adjacent properties. The complainant questioned city code language, the decision making process, etc. City Manager Jones explained that he currently is the person responsible for making a “judgment call” regarding the condition of a property and whether city action is necessary. Jones encouraged council members to view the properties in question, stating he does not feel they warrant any action.

Meeting adjourned at 7:40 P.M.

Glennis A. Lauritsen, Secretary

Approved by council June 16, 2008:

Sandra Hodge, President