

CITY OF MONTEVIDEO  
CITY COUNCIL PROCEEDINGS  
July 5, 2011

The city council met in regular session Tuesday, July 5, 2011 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, Al Johnsrud and Sandra Hodge. Absent: Bryce Curtiss and Karen Nieuwbeerta. Mayor Debra Lee Fader present.

Also present were: City Manager Steven C. Jones, City Attorney Janice Nelson and City Clerk Glennis Lauritsen.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to approve the agenda, as presented, with the understanding that Item 7(C) may need to be deleted if four members of the council are not present at the time for passage of a resolution.

It was moved by Johnsrud, seconded by Garbe and unanimously passed to approve the minutes of the regular meeting of June 20, 2011, as presented.

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

- None.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING JULY 1, 2011 IN THE AMOUNT OF \$313,230.55.

6. Public Hearings.

- None.

7. General Business.

Item 7(A) was postponed to allow for the attendance of Steve Birkey.

7(B) FIRE RELIEF ASSOCIATION PENSION PLAN SCHEDULES.

The Fire Relief Association is required to present its Schedule Form for Lump Sum Pension Plans to the city yearly, prior to August 1<sup>st</sup>. Their report was submitted to the city clerk on Wednesday, June 29<sup>th</sup>. The schedule reflects no scheduled contribution required from the city in 2012.

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

7(C) ACCEPTANCE OF GIFT FROM VFW.

Inasmuch as only three (3) members of the council were present, it was necessary to delete this item from consideration. The matter will be placed on the July 18<sup>th</sup> meeting.

At this time, the council considered Item 7(A). (Mr. Birkey was not in attendance.)

7(A) BIRKEY CONDITIONAL USE PERMIT MODIFICATIONS.

Community Development Director Nick Haggemiller was present to discuss a conditional use permit issued to Steve Birkey in 2008, which allowed a recycling center and outdoor storage of materials in an I2 District on property owned by Jeff Drexler at 315 Wilkins Street in Smith Addition. Approval of the permit was contingent upon the following conditions:

1. Storage of parts, materials and recycling materials outside of the building must be kept behind the screening fence and to the south of the existing building that fronts Wilkins Street. No storage in the front yard will be allowed. The city reserves the right to require further screening requirements on the property if, in its opinion, it is needed.
2. The business and property owners should be aware that the facility is located in an A or B Flood Zone, and the city expects future mapping by FEMA and the Army Corps of Engineers which may place all of this property in Flood Zone A. If that happens, future expansion on the site will be limited or non-existent, and additional restrictions may come into force.
3. The conditional use permit may not be transferred to another individual.

4. The conditional use permit is subject to yearly review and renewal, and the city reserves the right to add further conditions.

The issue was brought back before the planning commission on June 27, 2011 due to complaints received by city staff about the property. The property was not in compliance with the conditions listed above.

After review and discussion with Mr. Birkey, the commission voted unanimously to amend the conditional use permit, as follows:

1. Storage of parts, materials and recycling materials outside of the building must be kept behind the ~~screening fence and to the south of the existing building that fronts Wilkins Street~~ guide posts placed along the north side of the property. Such line to be determined with city staff. No storage in the front yard will be allowed. Storage is allowed within the front yard (to the east/along Wilkins Street); however, not to encroach onto the right-of-way of Wilkins Street. The city reserves the right to require further screening requirements on the property if, in its opinion, it is needed.
2. Property owner must display signage restricting the storage of materials behind the guide posts. Language for such signage to be developed with city staff.
3. Timeline for completion of nos. 1 & 2/full compliance of the conditional use permit is 60 days, or September 3, 2011.
4. The business and property owners should be aware that the facility is located in an A or B Flood Zone, and the city expects future mapping by FEMA and the Army Corps of Engineers which may place all of this property in Flood Zone A. If that happens, future expansion on the site will be limited or non-existent, and additional restrictions may come into force.
5. The conditional use permit may not be transferred to another individual.
6. The conditional use permit is subject to yearly review and renewal, and the city reserves the right to add further conditions.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to approve the conditional use permit amendment, as recommended by the planning commission, adding that the applicant be responsible for the recording fee associated.

7(D) BUDGET WORKSESSION DATES.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to set the following budget worksession dates:

Monday, July 25, 2011 - 6:00 P.M.

Monday, August 15, 2011 - 5:30-7:00 P.M.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

9(A) UPDATE - LEVEE PROJECT.

City Manager Jones updated the council on the status of the levee project. Jones stated that the rest of Phase II will not be let this year, which pushes the project into 2012. He said that the concern is that the state will have its own projects also on the docket. Phase III would probably not happen until 2013. Jones discussed proposed resurfacing work on Highways 7 and 212 and the effects of that work on road closures.

Jones also noted that he had met with the county board to request funding assistance, as directed by the council. The board took the request under advisement.

- ▶ Council member Garbe commented on the damages from the area's recent F2 tornado, which affected 32 counties in Southwest Minnesota.
- ▶ President Hodge asked about the status of the dam removal project. City Manager Jones explained that with the state now claiming ownership, they are responsible for its removal. Jones said he believed that the long-range plans would not change. The city will remain involved as much as possible, since we are the recipient of a federal grant for the project; however, this project is now in their hands.

Minutes/City Council  
July 5, 2011  
Page No. 5

- ▶ President Hodge publicly acknowledged the Chippewa County-Montevideo Hospital being named the 2<sup>nd</sup> most beautiful hospital in the nation. She commended those who cast a vote, stating it speaks volumes of citizen participation.

Meeting adjourned at 7:32 P.M.

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Glennis A. Lauritsen, Secretary

Approved by council July 18, 2011:

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Sandra Hodge - President