

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
July 18, 2011

The city council met in regular session Monday, July 18, 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, Bryce Curtiss, Karen Nieuwbeerta and Sandra Hodge. Absent: None. Mayor Debra Lee Fader present.

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

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

ACTION ITEM DESCRIPTION:

- Add: 7(L) **CONSIDERATION OF TEMPORARY ON-SALE ACCESSORY USE: OUTDOOR AREA BY THE VFW CLUB ON FRIDAY, AUGUST 26, 2011, FOR A BENEFIT FOR THE VFW YOUTH BASEBALL.****
- Add: 7(M) **CONSIDER BIDS RECEIVED - MONTEVIDEO 2011 LEVEE TEMPORARY FILL REMOVAL PROJECT.****

It was moved by Johnsrud, seconded by Garbe and unanimously passed to approve the minutes of the regular meeting of July 5, 2011, as presented.

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

- None.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING JULY 15, 2011 IN THE AMOUNT OF \$266,201.07.

6. Public Hearings.

- None.

7. General Business.

7(A) 2010 AUDIT REVIEW.

Nancy Aagesen, Dana F. Cole & Company, LLC, was on hand to present and review the 2010 Audited Financial Statements and Supplemental Information. Aagesen highlighted areas of interest and addressed questions/concerns raised by the council.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to accept the the 2010 Audit, as presented.

7(B) USE OF SMITH PARK BY EL BUEN SAMARITANO CHURCH.

It was moved by Nieuwbeerta, seconded by Johnsrud and unanimously passed to approve the use of Smith Park for a fund raiser event by the El Buen Samaritano Church on Saturday, August 6, 2011, contingent upon proof of any necessary food license from Countryside Public Health.

7(C) UTILITY/ACCESS EASEMENTS - OST LOT #1.

Community Development Director Nick Haggenmiller was present to explain that in order to accommodate two developments on Ost Lot #1, city council had agreed to split the lot. Currently, a 30' utility and access easement runs north and south of the far east end of the lot. In order to meet minimum space needs for two lots, this easement should be reduced, from 30' to 10'.

Haggenmiller noted that the original intent of this easement was to allow for access in the event there is utility work needed and/or two developments were built on the north/south side of the parcel. However, the proposed site plan calls for a similar access point (privately owned/maintained) to be located in the center of the two parcels. Therefore, the full access is not needed on the far east side.

Following discussion, it was moved by Garbe, seconded by Johnsrud and unanimously passed to set a public hearing for this purpose for Tuesday, September 6, 2011, at 7:00 P.M.

Council member Garbe asked that staff include a map with the public hearing notice.

7(D) RESIDENTIAL DEFERRED HOME LOAN PROGRAM.

Community Development Director Haggemiller was present to explain that in the past, the Montevideo Economic Development Authority (EDA) had worked with the city and Prairie Five Community Action Council in order to implement a deferred home loan program. This program assists qualifying individuals and families with closing cost and down payment assistance when purchasing a home. The contract with Prairie Five expired at the end of 2010.

Haggemiller noted that due in large part to inactivity with the loan fund and smaller amounts available overall, staff is recommending that the EDA take over the application process and approval process for the entire program. The EDA would be authorized to do so by the city council, as they are the ultimate source of funds.

He added that the loans would be zero percent deferred loans, to be used for down payment and closing cost assistance for primary residences in Montevideo. Currently, there is approximately \$50,000 available by the city for this type of programming. If the designated funds are not used for this type of programming, they would then be turned back to the original source of funding.

City Attorney Nelson asked that she be involved in the actual preparation of the required loan documents.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to authorize the Montevideo EDA to execute the loans on behalf of the city.

7(E) USE OF LAGOON PARK BY AMERICAN LEGION RIDERS.

Paul Rice, Secretary of the American Legion Riders, has submitted a request for permission to allow its Legacy Run campers to use Lagoon Park, free of charge, on Saturday, August 20th. He noted that all campers should be in tents and should not exceed 10 users.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to approve the use of Lagoon Park, as requested.

7(F) BEER GARDENS LICENSE FOR VFW - COUNTY FAIR.

It was moved by Garbe, seconded by Curtiss and unanimously passed to approve the issuance of a Temporary 3.2 Percent Malt Liquor On-Sale License to Henning-Erickson VFW Post #380 during the Chippewa County Fair August 4-6, 2011.

7(G) AWARD OF AIRPORT MAINTENANCE BUILDING BID.

Bids were received Thursday, July 7, 2011, for construction of the new airport maintenance building. Six (6) bids were submitted, with the low bid from Master Builders of West Central Minnesota, Evansville, MN, in the amount of \$156,826.00.

It was moved by Garbe, seconded by Curtiss and unanimously passed to award the bid to the low bidder, subject to Chippewa County Board approval and completion of the necessary paperwork, once the state shutdown has ended.

7(H) SIREN MAINTENANCE BID WITHDRAWAL/FURTHER ACTION.

Several months ago, the city council approved a maintenance agreement with Ready Watt Electric for long-term maintenance of the sirens. Marvin Garbe, Chippewa County Emergency Manager, has recommended the city withdraw that approval and enter into a new maintenance contract with Ron Molde Electric. It was Garbe's opinion that it would be better to have a local firm service all of the sirens.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to withdraw the bid from Ready Watt Electric and enter into a new maintenance contract with Ron Molde Electric.

7(I) ACCEPTANCE OF GIFTS FROM VFW & FIRE RELIEF ASSOCIATION.

The VFW has donated \$200.00 for the Montevideo Area Chamber of Commerce for Crazy Monte Days kid's activities. The Fire Relief Association is donating \$13,300.00 to be distributed as follows: \$7,100 to Monte Youth Sports; \$3,000.00± for new furniture at the fire hall; and, the balance to be deposited to the city's fire equipment fund.

MARVIN GARBE OFFERED RESOLUTION NO. 3040, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3040 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, BRYCE CURTISS, KAREN NIEUWBEERTA, AL JOHNSRUD AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(J) ALCOHOL COMPLIANCE GRANT.

Police Chief Adam Christopher was on hand to discuss a grant opportunity with the Minnesota Institute of Public Health that would reimburse expenses related to alcohol compliance checks by the Montevideo Police Department. Christopher stated that this grant is similar to grants received in the past and would reimburse the city \$30.00 per completed check, not to exceed \$780.00.

BRYCE CURTISS OFFERED RESOLUTION NO. 3041, A RESOLUTION ACCEPTING A GRANT FROM THE MN INSTITUTE OF PUBLIC HEALTH (MIPH), AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3041 WAS SECONDED BY AL JOHNSRUD. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, AL JOHNSRUD, MARVIN GARBE, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

It was moved by Curtiss, seconded by Garbe and unanimously passed to authorize the mayor and city manager to execute the associated grant agreement on behalf of the city.

7(K) ACCEPTANCE OF GIFT OF REAL ESTATE - LEVEE PROJECT.

MARVIN GARBE OFFERED RESOLUTION NO. 3042, A RESOLUTION ACCEPTING GIFT OF REAL ESTATE FROM BRADLEY LOKKEN, AMY LOKKEN, DAVID LOKKEN AND LYNN LOKKEN, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3042 WAS SECONDED BY KAREN NIEUWBEERTA. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, KAREN NIEUWBEERTA, BRYCE CURTISS, AL JOHNSRUD AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(L) ACCESSORY USE/OUTDOOR AREA - VFW CLUB.

The VFW Club has requested a permit from the council to allow an on-site, outdoor event on Friday August 26, 2011, for a benefit for the VFW youth baseball. All liquor sales would take place inside; however, beer may be sold on the deck area. Both could then be taken to the outdoor fenced-in area for consumption.

The main area proposed to be used is the VFW property to the south side of the parking lot (grassy area). The applicant has indicated that music will be provided, from 8:00 P.M. until 12:00 Midnight, with the premises being vacated by 1:00 A.M. It was also noted that only plastic glasses will be used.

It was moved by Nieuwbeerta, seconded by Johnsrud and unanimously passed to approve the accessory/outdoor use, as requested.

7(M) TEMPORARY LEVEE REMOVAL BIDS.

Bids were received Monday, July 18th, at 2:00 P.M. for the 2011 Levee Temporary Fill Removal Project. Four (4) bids were received, with the low bid being submitted by Schoep Contracting in the amount of \$7,564.00.

It was moved by Garbe, seconded by Curtiss and unanimously passed to award the bid to Schoep Contracting, as submitted.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

- ▶ Council member Garbe commented on the condition of Washington Avenue extended, by the Co-Op Credit Union. A substantial dip in the road has occurred, and he voiced concerns over adequate compaction.

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Meeting adjourned at 7:47 P.M.

Glennis A. Lauritsen, Secretary

Approved by council August 1, 2011:

Sandra Hodge - President