

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
February 21, 2012

The city council met in regular session Tuesday, February 21, 2012 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, Karen Nieuwbeerta, Sandra Hodge, Al Johnsrud and Bryce Curtiss. 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.

Council President Hodge welcomed high school students present in the audience to observe the council proceedings, inviting them to pose their questions throughout the meeting.

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

MODIFY:

5(A) CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING FEBRUARY 17, 2012 IN THE AMOUNT OF ~~\$140,271.94~~ \$293,277.47.

Modified amount reflects the addition of the following:

<u>REFUSE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Tostenson, Inc.	January services	\$55,845.13
<u>SMITH ADDITION BUYOUTS</u>		
Nelson Oyen Torvik Trust Account	Tilden closing	89,750.32
<u>TRANSIT</u>		
Parkview Ford	Bus #17 repairs (12/9/11 accident)	7,418.08

ADD:

7(J) CONSIDER RESOLUTION AUTHORIZING THE PURCHASE OF REAL ESTATE IN SMITH ADDITION.

7(K) CONSIDERATION OF APPROVAL TO PROCEED WITH CONSERVATION LEGACY GRANT AND THE EXECUTION OF ASSOCIATED FORMS.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to approve the minutes of the council worksession of February 6, 2012 and regular meeting of February 6, 2012, as presented.

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

- None.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING FEBRUARY 17, 2012 IN THE (MODIFIED) AMOUNT OF \$293,277.47.

6. Public Hearings.

- None.

7. General Business.

7(A) CITY HALL LIFT STATION EQUIPMENT.

Utilities Superintendent Byron Hayunga and City Manager Jones discussed the need to replace the existing city hall lift station. The equipment is in the state of potential failure and, therefore, a new one needs to be built, and it needs to be relocated outside of city hall (current equipment is located in the basement.) Quotes have been obtained for the basic equipment, with the low quote being submitted by Dakota Pump & Control (DPC) in the amount of \$14,788.00. Installation would run another estimated \$7,500, using city staff

and local contractors. Hayunga briefly discussed specifics about the equipment and timeline for completion, noting that the area would also be landscaped.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to approve the equipment purchase from DPC in the amount of \$14,788, plus tax, to be paid from the utilities fund.

7(B) WASTEWATER TREATMENT PLANT GARAGE.

Utilities Superintendent Hayunga and City Manger Jones explained that the utilities department lost garage space when the wastewater treatment plant was upgraded; therefore, it had always been the plan to build a new garage once the project was completed. Staff proposes using the same basic specifications as the new SRE building at the airport (50' x 50' structure), lowering the sidewalks from 20' to approximately 14' and changing the size of the doors.

Public Facility Authority (PFA) loan funds remain (\$1.3 Million under allocation), so a portion of those funds could be used for this purpose. Preliminary estimate is \$7,600 for engineering and \$160,000-\$170,000 for the building. The PFA loan was going to expire at the end of May, but they have agreed to allow the city extra time to complete the building and still fund it with the existing PFA loan.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to approve the completion of plans, specifications and bid letting for the garage construction.

7(C) SMITH ADDITION STREET CLOSING/LAND RECLAMATION.

Staff explained that with the additional buyouts in Smith Addition, additional roads could be closed (a portion of Pettijohn and Wilkins Streets; a portion of Second and Third Avenues; and, a portion of the alley between Wilkins and Chippewa Streets, off of First Avenue.) In addition, some of the land could possibly be put back into a natural condition.

Road and concrete would be removed by staff. All materials would be recycled for future reuse. Costs would include staff in-kind and fuel. Dirt would come from existing stockpiles. For the land reclamation, the city would work with local agencies to secure grants to replant the proposed areas into natural coverage. This could include native

grasses and trees. If grants were received, there would be little cost; if not, monies would need to be budgeted over time.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to set a public hearing for Monday, March 19th at 7:00 P.M. for public comment on this issue. Staff noted that notice of the hearing will be sent out to residents and businesses in Smith Addition.

7(D) 2011 ANNUAL REPORT DOCUMENT.

It was noted that over the next month or two, department heads will appear before the council to give a brief synopsis of their department's information contained in the document.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to accept the 2011 Annual Report.

7(E) ACCEPTANCE OF GIFTS/GRANTS.

The following gifts have been donated to the city and need to be formally accepted:

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
Flood Hazard Mitigation Grant	Phase 2 completion	\$ 490,000.00
Flood Hazard Mitigation Grant	Acquisition of Smith Addition Houses	71,200.00
MN Twins Fields for Kids Grant	Baseball field improvements	10,000.00
LQP Lake Association	Twins Fields for Kids Program	500.00
Monte Youth Sports Club	Twins Fields for Kids Program	900.00

BRYCE CURTISS OFFERED RESOLUTION NO. 3093, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3093 WAS SECONDED BY MARVIN GARBE. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, MARVIN GARBE, KAREN NIEUWBEERTA, AL JOHNSRUD AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(F) JOINT MEETING REQUEST BY COUNTY BOARD.

City Manager Jones explained that the city had received a written request from the Chippewa County Board of Commissioners to hold a joint meeting with the Montevideo City Council, Chippewa County-Montevideo Hospital Board and Montevideo School Board to “identify potential ways of working cooperatively or jointly to increase the level of service provided to our constituents with a focus on maintaining or reducing costs.” The request was for a two-hour dinner meeting with a facilitator.

It was staff’s recommendation that the entities meet separately to identify items of mutual cooperation, circulate that information to the other boards/staffs and ask for further input on what they believe could be enhanced, or what other areas of mutual interest could be explored. Once that information was received from all of the entities, a list could be compiled of identifiable issues that all agree should be further discussed and explored. At that time, if desired, boards could meet or staffs could be directed to continue to work on those specific items of interest.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to accept staff’s recommendation.

7(G) LIBRARY AGREEMENTS.

Recently, the library board suggested changes to the existing library agreements - one simplifying the basic agreement on the library building (city/county) and the other on the relationship with the county and other cities in Chippewa County. Both agreements had been referred to the city attorney for review.

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

It was the consensus of the council to table action on the Library Agreement so that a modification could be made to the document to reflect that the county would pay 50% of the operating costs.

7(H) WATERCRAFT INSPECTIONS.

The Department of Natural Resources (DNR) has asked the city to approve a Right of Entry Authorization for Watercraft Inspections to allow them to perform inspections of

watercraft on city property. The agreement infers the city has “landings;” however, no such formal landings exist in the city. It was noted that Priens Landing is adjacent to the city and canoeists use Lagoon Park and other areas for entry/exit onto the rivers.

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

7(I) ATV PERMIT FEE.

MARVIN GARBE OFFERED RESOLUTION NO. 3094, A RESOLUTION AMENDING THE 2012 FEES & CHARGES SCHEDULE (ADDING \$20.00 ATV PERMIT FEE), AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3094 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) PURCHASE OF (3) SMITH ADDITION RESIDENCES.

BRYCE CURTISS OFFERED RESOLUTION NO. 3095, A RESOLUTION AUTHORIZING PURCHASE OF REAL ESTATE (418 CHIPPEWA STREET; 512 CHIPPEWA STREET; 608 WILKINS STREET); AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3095 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.

7(K) CONSERVATION PARTNERS LEGACY GRANT.

City Manager Jones explained that staff has completed a grant application for up to another \$100,000 in funds for removal of the Chippewa River dam. The last item that needs to be completed before its consideration by the state is formal city council approval to proceed and direct the city manager and mayor to sign the CPL Land Manager Review & Approval form, and any other forms associated with the grant.

It was moved by Curtiss, seconded by Johnsrud and unanimously passed to authorize the mayor and city manager to execute the CPL Land Manager Review & Approval form, and any other forms associated with the Conversation Partners Legacy Grant.

8. Ordinances.

8(A) NEW FRANCHISE AGREEMENT WITH GREAT PLAINS NATURAL GAS.

Staff explained that the existing franchise with Great Plains Natural Gas Company expires in March. A new agreement has been drafted by Great Plains for review and consideration by the council. City Attorney Nelson stated there are additional items that need to be incorporated into the new agreement, i.e., termination, default, bond, abandonment.

It was the consensus of the council that this item be tabled until such time as this language can be incorporated into the agreement and reviewed by Great Plains.

8(B) SNOWMOBILE ORDINANCE MODIFICATIONS.

As a part of the February 6, 2012 meeting, the council introduced Ordinance No. 913. The ordinance deletes reference to all-terrain vehicles, thus allowing their use to be regulated in another ordinance (also introduced at that meeting.)

IT WAS MOVED BY MARVIN GARBE THAT ORDINANCE NO. 913, AN ORDINANCE AMENDING VARIOUS PROVISIONS OF CHAPTER 4 OF TITLE 6 OF THE MONTEVIDEO CITY CODE, SNOWMOBILES AND ALL-TERRAIN VEHICLES, BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 913 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. ORDINANCE PASSED 5-0.

8(B) NEW ATV ORDINANCE.

As a part of the February 6, 2012 meeting, the council introduced Ordinance No. 914. This is a new ordinance developed to address ATV regulations within the community. At the time of introduction, the council had asked for a change to be made to allow for Class 1 ATV's to be used for snow removal on property owned or occupied by the operator. That language has now been included.

IT WAS MOVED BY BRYCE CURTISS THAT ORDINANCE NO. 914, ALL TERRAIN VEHICLES, BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 914 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. ORDINANCE PASSED 5-0.

9. Discussion and Miscellaneous.

- ▶ City Manager Jones briefly discussed the meeting he had attended at the Capitol with legislators regarding levee funding. Other city representatives in attendance were council member Garbe and city staff Nick Haggemiller.

Meeting adjourned at 7:57 P.M.

Glennis A. Lauritsen, Secretary

Approved by council March 5, 2012:

Sandra Hodge - President