

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
April 16, 2012

The city council met in regular session Monday, April 16, 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: Karen Nieuwbeerta, Sandra Hodge, Al Johnsrud and Bryce Curtiss. Absent: Marvin Garbe. Mayor Debra Lee Fader present.

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

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

MODIFY:

Order of the agenda, to consider Item 7J at the beginning of the General Business category.

ADD:

7(O) CONSIDER INSTALLATION OF NO-PARKING SIGNS ACROSS FROM THE MIDDLE SCHOOL ON WILLIAM AVENUE.

7(P) CONSIDER SUPPLEMENTAL LETTER OF AGREEMENT WITH SHORT ELLIOT HENDRICKSON (SEH) FOR WASTEWATER TREATMENT PLANT GARAGE CONSTRUCTION.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to approve the minutes of the regular meeting of April 2, 2012.

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

Mayor Fader informed the council that a fund raising effort was underway to bring back the downtown flower baskets. To date, \$2,000 has been raised, with an estimated cost of \$200/basket for the summer season. Duane Hastad, Heather Floral & Nursery, has agreed to maintain/water the flowers, in baskets supplied by the city. The Chamber of Commerce would act as the fiduciary agent for the endeavor. It was the consensus of the council to add this issue as another General Business item on the agenda for discussion.

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.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING APRIL 13, 2012 IN THE AMOUNT OF \$166,569.72.

5(B) LIST OF SURPLUS/SEIZED ITEMS FOR SALE BY THE POLICE DEPARTMENT.

6. Public Hearings.

- None.

7. General Business.

As approved earlier, item 7(J) was pulled to be considered at this time.

7(J) 2012 FIESTA SCHEDULE OF EVENTS.

Fiesta, Inc. had presented a schedule of its 2012 events for consideration, including request for use of city properties. Angel Molden was present to address questions/concerns raised by the council. It was noted that a free swim day will again be provided - on June 15th, 1:00-8:00 P.M.

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

7(A) DEPARTMENTAL ANNUAL REPORT PRESENTATIONS.

2011 Annual Report information was presented by Fiesta Liquor Store Manager Tom Ryman, Senior Center Coordinator Diane Ostlie, Fire Chief Dave Roelike, Assistant City Manager Nick Haggemiller (Community Development/Transit/Building Inspection), and City Manager Steve Jones (Airport).

7(B) AMERICAN LEGION TEMPORARY ON-SALE LIQUOR LICENSE.

It was moved by Nieuwbeerta, seconded by Curtiss and unanimously passed to approve an application to the State of Minnesota by the American Legion Post #59 for a temporary on-sale liquor license to serve liquor at an event at the TACC on June 30, 2012.

7(C) VFW 3.2 MALT LIQUOR ON-SALE LICENSE - COUNTY FAIR.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to authorize the issuance of a Temporary 3.2 Percent Malt Liquor On-Sale License to the Henning-Erickson VFW Post #380, Inc., during the Chippewa County Fair (August 2-4, 2012) at the Chippewa County Fairgrounds.

7(D) VFW 3.2 MALT LIQUOR ON-SALE LICENSE - FIESTA DAYS.

It was moved by Curtiss, seconded by Nieuwbeerta and unanimously passed to authorize the issuance of a Temporary 3.2 Percent Malt Liquor On-Sale License to Henning-Erickson VFW Post #380, Inc., in conjunction with Fiesta Days (June 16-17, 2012).

7(E) TRANSIT CONTRACT EXTENSION - HEARTLAND INDUSTRIES.

Assistant City Manager Haggemiller explained that since late 2008, Montevideo Transit has been providing transportation services to Heartland Industries at a daily rate of \$125.00. With fuel, maintenance and labor costs rising dramatically, this route lost a fair amount of revenue during the last few months of 2011 and into 2012. Heartland has agreed to raising the daily rate to \$160.00/day for a non-exclusive contracted amount.

It was moved by Curtiss, seconded by Johnsrud and unanimously passed to approve the contract extension, raising the daily rate to \$160.00/day, as presented.

7(F) BIDS - WWTP GARAGE CONSTRUCTION.

City Manager Jones and Utilities Superintendent Byron Hayunga discussed bids received Friday, April 13th, for a new garage at the wastewater treatment plant. Seven (7) bids were received, with Peters Construction of Montevideo providing the apparent low bid in the amount of \$151,281.00. The Public Facilities Authority (PFA) has agreed to loan the city the funds for this project and requested the bid be awarded by council resolution.

AL JOHNSRUD OFFERED RESOLUTION NO. 3104, A RESOLUTION APPROVING THE WWTP GARAGE BID, CONTINGENT UPON PFA APPROVAL, AND MOVED

ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3104 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: AL JOHNSRUD, BRYCE CURTISS, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(G) BIDS - MAIN AIRPORT RUNWAY RECONSTRUCTION PROJECT.

City Manager Jones explained that the main runway was last paved in 1987. Routine pavement maintenance has provided the airport with more than 25 years of use out of the current pavement. In the last few years, however, the pavement condition has begun to deteriorate quickly. The pavement is now near failure and has become a safety concern.

Even though the city does not have formal grants from the FAA and State of Minnesota, staff has been advised that the bidding should go forward on this project. In order to begin advertising for bids, the approval of the city and county is needed. Bid opening would be May 17, 2012.

The proposed start date is August 1, 2012. The project has a contract time of 105 calendar days. It is anticipated that all paving work will be completed by the end of September with pavement markings, lighting, turf restoration and other miscellaneous tasks to be completed during the rest of the contract time. It was noted that the airport would be closed during construction activities.

Estimated total project cost is \$1.9 Million to \$2.1 Million. The FAA would pay 90%; the State would pay 5% of some of the costs. Overall, total local costs will be 7-8% of the project.

It was moved by Curtiss, seconded by Nieuwbeerta and unanimously passed to approve proceeding with bids for this project.

7(H) CHIPPEWA RIVER DAM REMOVAL PROJECT.

City Engineer Berryman stated his office has been working with the DNR to put together the bid package for the Chippewa River Dam Removal Project, with plans & specifications now completed. The DNR is now ready for the city to accept bids (May-June.)

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to approve plans and specifications and the proceeding with bids on the project.

7(I) FEASIBILITY STUDY/FORMER RUNNINGS BUILDING.

The council had previously discussed possible methods to build and finance a new fire hall and upgrade to the public works facilities. One possible option was the use of the former Runnings building as a dual fire/public works facility. To move beyond the preliminary staff review, a more formal study would need to be done. Because of work on a previous study of the fire hall, a proposal was requested of Negen Associates of Cold Spring, MN.

City Manager Jones stated he had spoken with Council member Garbe (absent from this meeting) who indicated he is no longer comfortable with considering this building for the proposed use.

It was moved by Curtiss, seconded by Johnsrud and unanimously passed to table further discussion of the matter to the May 7, 2012 meeting.

7(J) FIESTA SCHEDULE (PREVIOUSLY DISCUSSED.)

7(K) CITY HALL TELEPHONE SYSTEM UPGRADE.

City Manager Jones explained that the recent change in the city's phone carrier has allowed access to a wider array of phone functions; however, the existing system cannot access these features. In addition, the system has had some recent failures and some of the system needs electronic components replaced. Of the new features, especially important for the police department is access to Caller I.D., which our existing system cannot handle. The existing system needs to be upgraded in order to handle the new features offered and remain operational over the long-term.

Staff has obtained a proposal from Backes Technology Services, Inc. (The company who has taken care of the city hall system for a number of years. They have kept it operational and know the system well.) Total cost to upgrade both the police department and city offices is \$3,151.88. Staff recommended approving the upgrades using police CIP funds.

Police Chief Adam Christopher was present to support the upgrades (and use of the funds). He explained that the sale of police (and other department vehicles and equipment) on MinnBid has allowed the CIP (notably, the police) to grow, and it allows the opportunity to make purchases like these.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to approve the upgrade by Backes Technology Services, Inc., in the amount of \$3,151.88, using Police CIP funds.

7(L) 2012 STREET IMPROVEMENT PROJECT BIDS.

Bids were received Thursday, April 12, 2012 for the 2012 Street Improvements Project. Low bidder was Duinick, Inc. in the amount of \$729,539.58. Staff explained that the bids will not be accepted at this time; however, the council needs to be comfortable enough with the bid to go forward with ordering the public hearing to assess the project. That hearing would be held at a later date (5/21/12).

City Engineer Berryman stated that the bid of Duinick's is \$100,000 under estimate and, therefore, it is recommended that all projects be included (including Lincoln Avenue storm sewer).

No formal action was needed by the council at this time.

7(M) COST DECLARATION - 2012 STREET IMPROVEMENT PROJECTS.

KAREN NIEUWBEERTA OFFERED RESOLUTION NO. 3105, A RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR THE 2012 IMPROVEMENT PROJECTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3105 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: KAREN NIEUWBEERTA, BRYCE CURTISS, AL JOHNSRUD AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(N) SETTING PUBLIC HEARING - 2012 STREET IMPROVEMENT PROJECTS.

AL JOHNSRUD OFFERED RESOLUTION NO. 3106, A RESOLUTION SETTING HEARING ON PROPOSED 2012 STREET IMPROVEMENT ASSESSMENTS FOR MAY 21, 2012, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3106 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: AL JOHNSRUD, BRYCE CURTISS, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(O) NO-PARKING SIGNS AT MIDDLE SCHOOL.

The school district requested “no parking” signs be installed across from the Middle School, on the south side of William Avenue. They are requesting that the no parking zones be in effect during school opening and closing hours (7:00-8:30 A.M. and 2:30-4:00 P.M.) The school district has agreed to pay for the cost of the signs, and city crews will install the signs.

Following discussion (with input from the public works director and police chief), it was moved by Curtiss, seconded by Nieuwbeerta and unanimously passed to approve the installation of the signs, as requested, directing the police chief to work with school district representatives on specific language/times for the signage.

7(P) SUPPLEMENTAL LETTER OF AGREEMENT W/SEH - WWTP GARAGE.

In an earlier agenda item, bids were approved for the WWTP garage construction project. A supplemental agreement to the existing WWTP engineering agreement with SEH is necessary to allow construction engineering services for completion of the proposed garage.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to approve the Supplemental Letter Agreement, as proposed.

As noted earlier in the meeting, the issue of main street flower baskets was added to the agenda and discussed at this time:

Mayor Fader noted that there are 51-52 baskets available for planting. The baskets are owned by the city and, therefore, city crews would hang the baskets. However, Heather Nursery & Floral has agreed to maintain/water 25-26 baskets at a cost of \$200.00/basket (or \$5,000 total). A fund raising effort is underway, with \$2,000 already raised.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to support the fund raising effort, with the understanding that \$5,000 must be raised by May 1st, or the project will not proceed.

8. Ordinances.

8(A) EMERALD ASH BORER ORDINANCE INTRODUCTION.

Public Works Director Schwaegerl discussed proposed modifications to the city's Dutch Elm Disease Ordinance to encompass the issue of Emerald Ash Borer. Updating the city's existing tree ordinance is a proactive approach to the threat.

BRYCE CURTISS INTRODUCED ORDINANCE NO. 917, AN ORDINANCE AMENDING CHAPTER 3 OF TITLE 4 OF THE MONTEVIDEO CITY CODE ENTITLED, "DUTCH ELM DISEASE."

9. Discussion and Miscellaneous.

- ▶ Council member Johnsrud asked where citizens should make their donation(s) to the flower basket effort. Mayor Fader said that had not yet been determined; however, information will be available via the media.
- ▶ Council President Hodge acknowledged the letter of commendation given to Finance Clerk Deb Rhode for her work in reducing a city telephone bill in the amount of \$14,000.00 to roughly \$600.00. Charges had stemmed from a change in phone carriers (shut-off fees and one year of service).

Meeting adjourned at 8:35 P.M.

Glennis A. Lauritsen, Secretary

Approved by council May 7, 2012:

Sandra Hodge - President