

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
June 4, 2012

The city council met in regular session Monday, June 4, 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: Sandra Hodge, Marvin Garbe, Al Johnsrud, Bryce Curtiss and Karen Nieuwbeerta. Absent: None. Mayor Debra Lee Fader present.

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

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

ADD: 4(A) **APPEARANCE BY TRACY EKOLA, SHORT-ELLIOT-HENDRICKSON, TO PRESENT THE CITY WITH POSTERS OF THE WWTP MODIFICATION PROJECT AND TO UPDATE/ANSWER QUESTIONS ON THE PROJECT.**

MODIFY: 5(A) **CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING JUNE 1, 2012 IN THE AMOUNT OF ~~\$228,982.79~~ \$280,498.79.**

Modified amount reflects an additional claim to SW/WC Service Co-op for July's Blue Cross-Blue Shield health insurance premium in the amount of \$51,516.00.

MODIFY: 7(B) **CONSIDER FIRE & RESCUE PROTECTION AGREEMENT WITH THE CITY OF WATSON.**

Letter provided from Attorney at Law Troy Gilchrist.

MODIFY: 7(D) **CONSIDER RESOLUTION ACCEPTING GIFT/DONATION FROM THE 2012 DAYBREAK COMMITTEE.**

An additional gift/donation was added to this agenda item; therefore, the item cover page and resolution were amended and a new copy provided.

7. General Business.

7(A) G.O. SEWER REVENUE NOTE OF 2012 (WWTP GARAGE FUNDING).

The \$206,845 G.O. Sewer Revenue Note of 2012 is the actual debt associated with the wastewater treatment plant garage construction project. A resolution has been prepared for this issue, which includes the adoption of "Governmental Bonds Post-Issuance Compliance Policies & Procedures."

MARVIN GARBE OFFERED RESOLUTION NO. 3112, A RESOLUTION ACCEPTING THE OFFER OF THE MN PUBLIC FACILITIES AUTHORITY TO PURCHASE A \$206,845 GENERAL OBLIGATION SEWER REVENUE NOTE OF 2012, PROVIDING FOR ITS ISSUANCE AND AUTHORIZING EXECUTION OF A BOND PURCHASE AND PROJECT LOAN AGREEMENT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3112 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, BRYCE CURTISS, AL JOHNSRUD, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(B) FIRE/RESCUE PROTECTION AGREEMENT WITH CITY OF WATSON.

City Manager Jones explained that the city (city manager, finance director, council members Nieuwbeerta and Garbe) had met with representatives of the City of Watson to discuss a proposed service agreement for fire and rescue services. Parameters of an agreement were discussed and were later reviewed by attorneys from both cities. The agreement language and calculation of cost were developed similar to the township fire agreements. Since that time, the city was informed that Watson has been sued by the Watson Fire Department. An additional document was provided to the council - a letter from Attorney at Law Troy Gilchrist - which encouraged the council to enter into a fire service agreement with Watson, conditioned on Watson agreeing to indemnify Montevideo if it is named in a suit related to Montevideo's decision to enter into the agreement. Council member Nieuwbeerta stated that is her main concern - the city subjecting itself to a potential lawsuit. Council member Garbe stated he felt comfortable with language contained in the proposed agreement.

It was moved by Garbe and seconded by Curtiss to enter into an agreement with the City of Watson, subject to approval by the City of Watson. Additional discussion followed.

Joe Rongstad, Mayor of Watson, was present to address questions/concerns raised by the council. Rongstad stated that the contract for fire services with the Watson Community Fire Department expired in March 2012. When attempts to negotiate a new agreement with WCFF were not successful, the Watson City Council decided to seek coverage from Montevideo. Watson is currently receiving services from the City of Milan through a temporary agreement. Milan is not interested in extending that agreement, and the City of Watson feels that the community would be better served by Montevideo based on distance, taxpayers savings and best interest of the city.

Council president Hodge asked about the City of Watson establishing ownership of equipment. Rongstad explained that it is not their intent to shut down the WCFF; the department would continue to serve townships and, in his opinion, would and could survive without its contract with the City of Watson.

Council member Johnsrud asked Rongstad if he felt the WCFF could provide adequate protection to the City of Watson. Rongstad stated, in his opinion, no - they could not. Only two of its members live within the City of Watson proper; all of the others live outside the city limits.

A question was raised whether there had been public participation in this issue. Rongstad stated that he had not received any contact in opposition; therefore, he felt that pursuing an agreement with Montevideo is the right move. Had there been opposition, he said he certainly would have been contacted.

Council asked for a clarification from Rongstad about the suggestion of Watson's desire to spend money from the sale of firefighting equipment to build a city park. Rongstad explained that there is an effort to build a city park; however, not with city money. A fundraising effort is underway to utilize property previously owned by Tom Gilbertson for this purpose.

Following discussion, the motion to enter into an agreement with the City of Watson for fire/rescue protection services (contingent upon City of Watson approval) was voted on as follows: Those voting in favor of motion: Garbe, Curtiss, Nieuwbeerta, Johnsrud and Hodge. Those voting against motion: None. Motion passed.

7(C) RUNWAY RECONSTRUCTION PROJECT & SEH AMENDMENTS 13 & 14.

Bids were received on Thursday, May 17, 2012 for reconstruction of the main runway at the airport, as follows:

Bidder:	Bid:
Central Specialties, Inc. Alexandria, MN	\$1,707,819.18
Duininck, Inc. Prinsburg, MN	\$1,596,258.61 **
Riley Brothers Construction, Inc. Morris, MN	\$1,968,032.62
Ronglien & Sons Excavating, Inc. Big Stone City, SD	\$2,108,648.00

** Recommended bid (Engineer's estimate was \$1,824,250.)

Short-Elliot-Hendrickson (SEH) Amendment #13 is for construction management.
 Amendment #14 is for surveying and establishment of airport survey monuments.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to approve the low bid from Duininck, Inc., in the amount of \$1,596,258.61 and SEH Agreement Amendments #13 and #14.

7(D) ACCEPTANCE OF GIFTS.

The following donations have been given by various organizations and individuals which need to be formally accepted by the city:

Name	Description	Amount/Value
2012 Daybreak Committee	Police services - prom/daybreak	\$ 50.00
Montevideo Lions Club	Downtown flower baskets	654.00

MARVIN GARBE OFFERED RESOLUTION NO. 3113, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3113 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(E) TRANSIT ISSUES WORKSESSION.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to set a worksession to discuss transit issues for Tuesday, June 12th, at 5:00 P.M.

7(F) LIONS CLUB GAMBLING PERMIT - FIESTA DAYS DUCK RACES.

The Montevideo Lions Club proposes to conduct lawful gambling at Lagoon Park on June 16, 2012 in order to hold the Fiesta Days duck race.

KAREN NIEUWBEERTA OFFERED RESOLUTION NO. 3114, A RESOLUTION APPROVING A ONE-DAY OFF-SITE GAMBLING PERMIT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3114 WAS SECONDED BY AL JOHNSRUD. THOSE VOTING IN FAVOR OF MOTION: KAREN NIEUWBEERTA, AL JOHNSRUD, BRYCE CURTISS, MARVIN GARBE AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(G) FINAL PAYMENT - RICE LAKE CONSTRUCTION - WWTP MODIFICATIONS.

The wastewater treatment plant is complete, and a final payment request has been submitted in the amount of \$52,572.00. It was staff's recommendation to approve payment, contingent upon finalizing the following items: 1) Lien waivers, 2) Consent of Surety, 3) IC-134's, and 4) Certified Payrolls.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to approve the final payment to Rice Lake Contracting, as noted.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

- ▶ City Engineer Berryman updated the council on the 2012 Street Improvement Project, noting that the contracts have been sent out and he anticipates work to begin late June/early July.

He also noted that the city will be accepting bids next week on the Chippewa River Dam Removal Project, with that construction to begin late July and completed in October.

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- ▶ Council member Garbe commended the public works department on its recent sealcoating work and for trying a new product/method.
- ▶ Mayor Fader voiced her excitement in representing Montevideo at the Latino Caucus next Wednesday-Thursday. She noted that Montevideo is the pilot city for rural Minnesota.
- ▶ Mayor Fader announced that Fiesta Days activities begin Sunday, June 10th, and encouraged the community's participation.

Meeting adjourned at 7:54 P.M.

Glennis A. Lauritsen, Secretary

Approved by council June 18, 2012:

Sandra Hodge - President