

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
August 6, 2012

The city council met in regular session Monday, August 6, 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, 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 Attorney Janice Nelson and City Clerk Glennis Lauritsen.

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

MODIFY: 7(B) CONSIDER AUTHORIZATION FOR USE OF CITY PROPERTY (CAMP RELEASE) BY JON WILLAND ON SEPTEMBER ~~22~~ & 23, 2012 IN CONJUNCTION WITH THE COMMEMORATION OF THE SESQUICENTENNIAL OF THE U.S. DAKOTA CONFLICT OF 1862.

Request is for September 23rd only. Revised recommendation by staff provided.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to approve the minutes of the regular meeting of July 16, 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 AUGUST 3, 2012 IN THE AMOUNT OF \$1,444,210.79.

5(B) APPLICATION FROM THE CHURCH OF ST. JOSEPH FOR AN EXEMPTION FROM LAWFUL GAMBLING LICENSE REQUIREMENTS TO ALLOW BINGO & RAFFLE ACTIVITY AT THE CHURCH ON SEPTEMBER 16, 2012.

5(C) USE OF CITY PROPERTY (6TH STREET, BETWEEN BLACK OAK AND EUREKA AVENUES) BY THE CHURCH OF ST. JOSEPH FOR ITS FALL FESTIVAL SEPTEMBER 16, 2012.

6. Public Hearings.

- None.

7. General Business.

7(A) USE OF CAMP RELEASE BY HISTORICAL SOCIETY.

In commemoration of the Sesquicentennial of the U.S./Dakota Conflict of 1862, the Chippewa County Historical Society would like to conduct a "Memorial Walk to Camp Release" on Sunday, September 23, 2012. The walk would begin at 1:00 P.M. from the Historic Chippewa City to the Camp Release monument site, and back to the Village for round table discussions. The Society requested they be allowed to use self-contained fire pits at the site to allow walkers an opportunity to place into the fire a wish/hope/thought regarding the commemoration. The majority of the people would be on site for less than 15 minutes, and there would be no speakers, etc. involved at the site.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to authorize the use, as requested.

7(B) USE OF CAMP RELEASE BY JON WILLAND.

Jon Willand has requested the use of Camp Release in commemoration of the Sesquicentennial of the U.S./Dakota Conflict of 1862 on Sunday, September 23, 2012. A number of activities have been included in Willand's request, which were outlined in a series of e-mails to/from City Manager Jones and to/from June Lynne, Historical Society Director. Staff's recommendation was to approve in part, reject in part, with the following conditions:

- 1) Use is not exclusive. The Chippewa County Historical Society plans to have an event that leads to and from Camp Release. We do not believe these uses will interfere with each other.
- 2) Use is for Sunday, September 23rd.
- 3) Parking must be on paved roads, no parking in the grass.
- 4) Use should be limited to no more than 100 people. (Not enough room for many cars at the site and they are not the only group using the site for the day.)
- 5) No food or merchandise vendors will be allowed. (Water and electric services are not available.)
- 6) No equipment of any kind may be set up on the grass other than small grills, table or chairs. No tents or tee pees may be erected on the site.
- 7) Because there are no services on the site the applicant must provide at least 1 porta-potty.
- 8) Applicant must provide for and remove any trash.
- 9) No firing of cannons or guns, even if they are blanks.
- 10) The City of Montevideo will pay no costs associated with this event, is not a sponsor of the event, and does not endorse the event.
- 11) City will not provide water, pump, or well water. Well may not be used for public use.
- 12) Park closes at 10:00 PM each day.

Use is not approved for:

Installation of permanent concrete vault toilet.

No installation of additional electrical connections.

No overnight camping or installation of tents on the property.

This park is small, it lacks services, and we intend to guard and preserve its historic value.

Council member Garbe asked that condition #9 be modified to read, "The firing of cannons or guns is allowed, provided it is conducted by the New Ulm Firing Battery."

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to authorize the use of Camp Release, as requested, under conditions 1-12 above, and modification of condition #9 as noted.

7(C) FIRE RELIEF ASSOCIATION PENSION PLAN REPORT.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to approve the Fire Relief Association Schedule Form for Lump Sum Pension Plans for Reporting Year 2012, as presented, noting no change in the benefit level (\$1,700) and no required contribution by the city in 2013.

7(D) PROCEDURAL GUIDELINES - SMALL CITIES GRANT.

In conjunction with the 2012 Small Cities Development Program Grant recently awarded the city, a set of Procedural Guidelines has been developed by the Southwest Minnesota Housing Partnership (SWMHP) which need to be approved by the council. This is a requirement of the grant.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to approve the Procedural Guidelines, as presented.

7(E) SECTION 3 PLAN - SMALL CITIES GRANT.

In conjunction with the 2012 Small Cities Development Program Grant recently awarded the city, a Section 3 Plan needs to be approved by the council. This is a requirement of the grant which addresses the use of contractors for the program.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to approve the Section 3 Plan, as presented.

7(F) CONTRACT WITH SWMHP - SMALL CITIES GRANT.

In conjunction with the 2012 Small Cities Development Program Grant recently awarded the city, a Contract for Administrative Services with the Southwest Minnesota Housing

Partnership (SWMHP) has been drafted. The SWMHP will oversee the grant, and Prairie Five Community Action Council will handle the day-to-day business.

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

7(G) FEE INCREASE - CVB AGREEMENT.

The existing CVB agreement between the city and Chamber of Commerce includes the amount of fees to be paid to the Chamber for CVB services. Present cost is \$7,000/year, and the request is to increase that amount to \$10,000/year. According to the CVB and Chamber, because of the increase in CVB duties and projects taken on by Chamber of Commerce staff, the administrative assistant position time is to move from 70 to 80 hours every two weeks. The administrative fee increase would help cover the additional 10 hours per week for the administrative assistant position.

It was moved by Johnsrud, seconded by Garbe and unanimously passed to approve the increase to \$10,000/year, as requested.

7(H) MN/DOT AGREEMENT #01808 - AIRPORT RUNWAY PROJECT.

A state grant agreement and accompanying resolution are required for the federal portion of the Airport Runway Renovation Project funds. These are federal funds, but they must pass through the state. Total project cost is \$1,734,558.61, and this grant will pay 90%, or \$1,561,102.00.

MARVIN GARBE OFFERED RESOLUTION NO. 3120, A RESOLUTION AUTHORIZING EXECUTION OF MN/DOT GRANT AGREEMENT NO. 01808 FOR AIRPORT IMPROVEMENT EXCLUDING LAND ACQUISITION, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3120 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(I) FAA RUNWAY RECONSTRUCTION GRANT/CONTRACT.

The Federal Aviation Administration (FAA) has issued a grant offer to pay the government's share of the allowed and allowable project costs up to a maximum of \$1,561,102.00 for the Airport Runway Reconstruction Project. A Grant Agreement has been presented to the council for approval.

It was moved by Nieuwbeerta, seconded by Johnsrud and unanimously passed to approve the Grant Agreement, as presented.

7(J) CONSTRUCTION GRANT - AIRPORT RUNWAY RECONSTRUCTION PROJECT.

A grant agreement has been drafted for the rehabilitation of Runway 14/32 at the Montevideo-Chippewa County Airport Project under the Airport Runway Pavement Rehabilitation Program. The agreement approves the use of state bonding funds for the project and pays a portion of the 10% of the project not being paid for by the federal government (approximately \$72,000).

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

7(K) ADDITIONAL SNOWPLOWING AT AIRPORT.

City Manager Jones explained that Kevin Wald had approached the airport commission to ask them to consider beginning snow removal at the airport earlier than 8:00 A.M. in the mornings (which is generally when the airport manager would start. The manager feels that the existing agreement runs from 8AM to 5PM, and he is not being paid to work outside those hours.) The airport commission denied the request. Mr. Wald then asked how he could appeal their decision, and he was directed to the city council and county commissioners.

Staff has had discussions with Airport Manager Mark Borgerson, who indicated that he is willing to work extra hours in the mornings (evenings are more difficult) for this purpose. In addition, city staff could be used for occasional late afternoon-early evening work (in addition to the snow removal already supplied by the city.)

City Manager Jones explained that snowplowing is a reimbursable expense for state airport aid. Most years, there has been room under the state aid "cap" to add additional

expenses, so the overall cost to the city and county would typically be nil. If the city were to add a few hours in the evening to help, the expense could be covered under the existing city administrative fee charged to the airport, and this cost is also reimbursable by the state.

Staff recommended approving an addendum to the existing agreement that states, "Under direction of the city manager, the airport manager will be paid the sum of \$21.00/hour for snow removal services rendered outside of normal business hours." In addition, recognize that the city could offer a few hours in the late afternoons or early evening, now and then. If this became excessive, the city would ask for the administrative fee currently being paid to be increased.

City Manager Jones stated that staff would be taking this matter to the County Board meeting on Tuesday, the 7th.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed to modify the existing Airport Manager agreement with Mark Borgerson to add the language, "Under direction of the city manager, the airport manager will be paid the sum of \$21.00/hour for snow removal services rendered outside of normal business hours."

7(L) GIFTS/GRANTS RECEIVED.

The following donations and/or grants have been received from various organizations and individuals which need to be formally accepted by the city:

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
State of MN DEED	2012 Small Cities Dev. Program Grant	\$418,600.00
Montevideo Fire Relief Assn.	Youth activities (Monte Youth Sports)	9,000.00
KleinBank	Disc Golf	50.00
MN Community Foundation	Disc Golf	2,000.00
Montevideo Lions Club	Smith Park Surveillance Equipment	500.00
Montevideo Lions Club	Pool Scholarships	250.00

BRYCE CURTISS OFFERED RESOLUTION NO. 3121, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3121 WAS SECONDED BY MARVIN GARBE. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, MARVIN GARBE,

AL JOHNSRUD, KAREN NIEUWBEERTA AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

8. Ordinances.

8(A) ADOPTION OF ORDINANCE NO. 919.

IT WAS MOVED BY MARVIN GARBE THAT ORDINANCE NO. 919, AN ORDINANCE AMENDING 10-1-6 OF THE MONTEVIDEO CITY CODE ENTITLED, "CONSTRUCTION EROSION CONTROL," BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 919 WAS SECONDED BY KAREN NIEUWBEERTA. THOSE VOTING IN FAVOR OF MOTION: MARVIN GARBE, KAREN NIEUWBEERTA, AL JOHNSRUD, BRYCE CURTISS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. ORDINANCE PASSED 5-0.

9. Discussion and Miscellaneous.

- None.

Meeting adjourned at 7:56 PM.

Glennis A. Lauritsen, Secretary

Approved by council August 20, 2012:

Sandra Hodge, President