

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
December 3, 2012

The city council met in regular session Monday, December 3, 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: Al Johnsrud, Bryce Curtiss, Marvin Garbe, Karen Nieuwbeerta and Sandra Hodge. Absent: None. 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 Curtiss, 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 NOVEMBER 30, 2012 IN THE AMOUNT OF ~~\$288,591.33~~ \$452,643.97.

Revised amount reflects the following additional claims:

AIRPORT

Duininck Construction - Application #4 (Runway)	\$157,274.24
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UTILITY

Roger Lauritsen - gallons hauled over contract	6,778.40
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ADD: 7(O) CONSIDER A MEALSITE FACILITY CONTRACT WITH PRAIRIE FIVE SENIOR NUTRITION PROGRAM TO PROVIDE MEALS AT THE MONTEVIDEO COMMUNITY CENTER FOR 2013.

It was moved by Garbe, seconded by Curtiss and unanimously passed to approve the minutes of the regular meeting of November 19, 2012 and Joint City Council/Planning Commission meeting of November 26, 2012.

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

- None.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING NOVEMBER 30, 2012 IN THE (MODIFIED) AMOUNT OF \$452 643.97.

6. Public Hearings.

- None.

7. General Business.

7(A) SNOWMOBILE TRAIL/ROUTE.

Al VanRavenswaay was present representing the Montevideo Snowdrifter's Club to request council permission for a new snowmobile route through the community. VanRavenswaay presented a map for review and consideration, which showed the existing trail, the portion to be abandoned and the proposed new trail. The new segment would connect West Highway #212 to County Road 15.

It was moved by Garbe, seconded by Curtiss and unanimously passed to approve the new route, as presented.

7(B) STREET LIGHTS.

City Manager Jones explained that there are no street lights along Town Road, except at its intersection with Canton Avenue. The city's informal policy has been to install street lights at intersections, along curves or at 300' intervals. Staff has recommended installing up to five (5) street lights along Town Road, from Canton Avenue to the city limits at a cost of approximately \$12.00/month/light.

In addition, staff requested adding a light at 5th & Windom (which had been removed during street construction and not replaced), adding one or two lights along Ridgeview Drive, and removing three lights in Smith Addition.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to approve staff's recommendations, as presented.

7(C) 2013 BUDGET DISCUSSION/PUBLIC COMMENT.

As a part of the September 4, 2012 council meeting, public comment and discussion of the 2013 budget and levy was scheduled for December 3, 2012.

Finance Director Jan Flaherty reviewed materials prepared for this discussion, which included a proposed resolution adopting the 2013 Budget (to be considered later in this meeting), a proposed resolution establishing the 2013 Tax Levy (also to be considered later in this meeting), a General Fund expenditure comparison and a levy comparison spreadsheet showing 2012 vs. proposed 2013.

Flaherty reviewed and discussed a breakdown of the General Fund revenues and expenditures, as well as noting the other funds which make up the budget document. Total revenues for all funds is \$11,919,305; total expenditures is \$11,832,473.

There were no persons present to speak to this issue.

7(D) 2013 TAX LEVY.

Finance Director Jan Flaherty was present to state that one of the final duties to establish the city's budget and funding for 2013 is to approve the 2013 tax levy. The proposed levy (\$1,866,700) is the same as the preliminary levy approved by the council in September 2012 and reflects a 3% increase over the 2012 levy.

MARVIN GARBE OFFERED RESOLUTION NO. 3137, A RESOLUTION ESTABLISHING THE 2013 TAX LEVY, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3137 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) 2013 BUDGET ADOPTION.

Finance Director Jan Flaherty stated that changes from the preliminary 2013 Budget adopted by the council in September had been discussed and incorporated into the budget document. Adoption of a resolution is the final process in setting the 2013 Budget. Total revenues are \$11,919,305; total expenditures are \$11,832,473.

AL JOHNSRUD OFFERED RESOLUTION NO. 3138, A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR 2013, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3138 WAS SECONDED BY KAREN NIEUWBEERTA. THOSE VOTING IN FAVOR OF MOTION: AL JOHNSRUD, KAREN NIEUWBEERTA, MARVIN GARBE, BRYCE CURTISS AND SANDRA HODGE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(F) 2013 FEES & CHARGES SCHEDULE.

Finance Director Jan Flaherty stated that annually, the fees and charges schedule is updated to more closely reflect the cost of providing services. Changes in the schedule have been proposed by department heads. Flaherty reviewed the proposed changes, as well as utility fund cash flow information. She noted that there is no increase to water and sewer rates proposed for 2013. The street light charge will increase by 3%.

MARVIN GARBE OFFERED RESOLUTION NO. 3139, A RESOLUTION ADOPTING THE 2013 FEES & CHARGES SCHEDULE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3139 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(G) 2013 STREET IMPROVEMENTS.

As directed by Resolution No. 3126, City Engineer David Berryman prepared a preliminary engineering report on the 2013 Street Improvements. Berryman reviewed the report, which discussed the following projects:

Project 1:	Sheridan Avenue, from 11 th Street to 17 th Street	\$565,000
Project 2:	Park Avenue, from 9 th Street to 17 th Street	693,000
Project 3:	Grove Avenue, from Legion Drive east approx. 50'	123,000
Project 4:	1 st Street, from north side T.H.7 bridge to Miawakon Avenue and Miawakon Avenue, from 1 st Street to 3 rd Street	515,000
Project 5:	1 st Street, from Canton Avenue to the T.H. 7 Bridge	393,000
Project 6:	Fairgrounds entrance off T.H. 212	15,000
Project 7:	Sunset Cemetery/Smith Park	50,000

Total Estimated Project Costs = \$2,354,000

It was noted that estimated costs are higher than the city had intended for 2013 construction. A proposed plan including Projects 1, 2, 6 and 7 was suggested for the council's review. The revised total estimated project costs would then be \$1,323,000. Council member Garbe asked that Project 3 be considered as an alternate, contingent upon bids received.

A timeline for the project was also proposed, as follows:

- December 3: Council formally receives the report from the engineer and calls for Public Hearing (February 4)
- February 4: Council holds public hearing to review 2013 construction plans. Council orders plans, specifications and the solicitation of bids. (Resolution Ordering the Improvement After a Public Hearing.)
- March 28: Bid Opening Date (This does NOT take place at a council meeting.)
- April 1: Council reviews bids.
Council sets assessment rates for the project (resolution).
Council calls for final assessment hearing (resolution), (May 6)
- May 6: Council holds final assessment hearing and sets final rates
Resolution to Adopt the Final Assessment Role.)
Council Awards Bids
Council Calls for Bond Sale

June: Bond Sale
June: Work Begins

MARVIN GARBE OFFERED RESOLUTION NO. 3140, A RESOLUTION RECEIVING REPORT AND CALLING FOR HEARING ON IMPROVEMENTS (PROJECTS 1, 2, 6 AND 7 WITH PROJECT 3 TO BE AN ALTERNATE, CONTINGENT UPON BIDS RECEIVED), AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3140 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(H) 2013 PATROL CAR PURCHASE.

Police Chief Adam Christopher was on hand to discuss quotes received for the purchase of a 2013 police vehicle. This vehicle would replace a 2005 Ford Police Interceptor with 100,000 miles, which will be sold on Minnbid after delivery of a new vehicle. The quotes were as follows:

Nelson Ford - Fergus Falls - 2013 Ford Interceptor Sedan (State bidder)	\$23,863.61
Parkview Ford - Montevideo - 2013 Ford Interceptor Sedan	\$23,908.00

Christopher stated that \$30,000 is budgeted in the 2013 patrol vehicle capital outlay for this purchase. Delivery would be in 2013, approximately 90 days after ordered. Additional costs to upfit with police equipment and graphics is estimated at \$6,000.

Staff recommended accepting the quote from Parkview Ford, noting that it would cost more than the difference in quotes to drive to Fergus Falls to pick up the vehicle, and we can get warranty work done in our own community for additional savings.

It was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to accept the quote of Parkview Ford (the most responsive low bid based on maintenance, warranty, etc.) in the amount of \$23,908.00.

7(I) LEASE OF ARTIGAS PLAZA BUILDING.

A renewal lease agreement has been provided for use of (office) space at the Artigas Plaza building by Representative Collin Peterson for the term January 3, 2013 to January 2, 2015. The current lease expires at the end of 2012.

It was moved by Garbe, seconded by Nieuwbeerta and unanimously passed to approve the lease agreement, as presented.

7(J) 2013-14 AFSCME UNION AGREEMENT.

City Manager Jones stated that a new agreement has been negotiated with the American Federation of State, County and Municipal Employees (AFSCME) for January 1, 2012 through December 31, 2014. Jones reviewed and discussed the proposed changes from the existing agreement.

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

7(K) 2013-14 LELS UNION AGREEMENT.

City Manager Jones stated that a new agreement has been negotiated with Law Enforcement Labor Services, Inc. (LELS) for January 1, 2012 through December 31, 2014, with one issue to discuss. Therefore, he requested the council move (temporarily) into closed session for that discussion.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to move into closed session at 8:15 P.M. At this time, members of the audience left the council chambers. Those individuals remaining included the five council members, mayor, city clerk, city manager and community development director. The entire closed session was recorded on audio tape, which will be retained in accordance with the adopted Records Retention Schedule, after which time the tape will be destroyed.

The closed session convened at 8:17 P.M.

It was moved by Garbe, seconded by Johnsrud and unanimously passed to move back into regular session at 8:26 P.M. At this time, members of the audience were invited back into the council chambers.

Regular session reconvened at 8:27 P.M.

City Manager Jones reviewed and discussed the proposed changes from the existing agreement.

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

7(L) ADDITIONAL FLOOD MITIGATION PLANS.

City Manager Jones explained that because of the Duluth flood, there are additional “mitigation” dollars available from FEMA to use in the state. There is a fairly short time frame to use the funds (by July of 2013). Staff has been working on a possible application for funds for two possible projects (which would require a 25% local match):

1. Storm shelter for the Northdale Community and surrounding area; and
2. Further buyouts in Smith Addition (residential and commercial).

Staff noted that a lot owned by the EDA along Benson Road (former Cochrane property) could be used as the local match, or there is a possible privately owned lot that may be available for this purpose.

It was the consensus of the council that staff proceed to pursue this issue.

7(M) JOINT MEETING WITH PLANNING COMMISSION - COMP PLAN.

The council and planning commission met on November 26th to begin work on updating the city’s comprehensive plan. An additional joint meeting is desired and, therefore, council needs to set a date for this purpose.

It was moved by Garbe, seconded by Curtiss and unanimously passed to set the meeting for Tuesday, December 11, 2012 at 7:00 P.M.

7(N) TIME/PLACE FOR 2013 COUNCIL MEETINGS.

MARVIN GARBE OFFERED RESOLUTION NO. 3141, A RESOLUTION FIXING TIME AND PLACE FOR REGULAR CITY COUNCIL MEETINGS FOR CALENDAR YEAR 2013, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF

RESOLUTION NO. 3141 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(O) MEALSITE FACILITY CONTRACT.

It was moved by Nieuwbeerta, seconded by Curtiss and unanimously passed to approve an agreement with the Prairie Five Senior Nutrition Program for use of the community center as a senior mealsite during 2013.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

Prior to going into closed session to conduct a performance review of the city manager, council members were polled for additional items.

- ▶ Council member Johnsrud stated that this would be his final council meeting inasmuch as his home in Montevideo has sold and he will be relocating to Rochester, Minnesota. Johnsrud conveyed his appreciation to the council members and city staff, stating that he sincerely enjoyed his tenure on the Montevideo City Council the past four years.
- ▶ Council president Hodge asked that the property at 904 North 6th Street be contacted regarding miscellaneous junk and debris present on the site.

9(A) CITY MANAGER PERFORMANCE EVALUATION.

At 8:50 P.M., it was moved by Johnsrud, seconded by Nieuwbeerta and unanimously passed to move into closed session.

Council president Hodge called the closed session to order at 8:52 P.M. to conduct a performance evaluation of City Manager Steve Jones. Those in attendance included Mayor Fader, Council Members Hodge, Garbe, Curtiss, Johnsrud and City Clerk Lauritsen. The closed session was recorded on audio tape, which will be retained in

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accordance with the adopted Records Retention Schedule, after which time the tape will be destroyed.

It was moved by Garbe, seconded by Curtiss and unanimously passed to move back into regular session at 9:12 P.M.

It was moved by Garbe, seconded by Johnsrud and unanimously passed that based on the favorable performance review, City Manager Steve Jones be given a similar salary increase as union employees - 2% in 2013 and 2.5% in 2014.

Council President Hodge stated that a public synopsis of the review will be given at the next regular city council meeting.

It was moved by Johnsrud, seconded by Curtiss and unanimously passed that the meeting be adjourned.

Meeting adjourned at 9:15 P.M.

Glenn A. Lauritsen, Secretary

Approved by council December 17, 2012:

Sandra Hodge, President