

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
August 4, 2014

The city council met in regular session Monday, August 4, 2014 in the council chambers at city hall. President Garbe called the meeting to order at 7:00 P.M. with the Pledge of Allegiance.

Council members present: Marvin Garbe, Bryce Curtiss, Todd Hay, Nathan Schmidt and Karen Nieuwbeerta. Absent: None. Mayor Debra Lee Fader present.

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

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

MODIFY: 5(A) CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING AUGUST 1, 2014 IN THE AMOUNT OF ~~\$364,076.29~~ \$443,353.49.

Revised amount reflects the following additional claims:

LIQUOR

Locher Brothers - Inventory 16,347.95

2014 CIP IMPROVEMENTS

Cities Edge Architects - Fire Station 2,550.00

Cities Edge Architects - Fire Station 2,568.75

MISCELLANEOUS

SW/WC Service Co-Op - BC/BS September premium 57,810.50

It was moved by Nieuwbeerta, seconded by Hay and unanimously passed to approve the minutes of the regular meeting of July 21, 2014 and Budget Worksession of July 28, 2014, as presented.

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

4(A) EMPLOYEE SERVICE AWARD.

This item was tabled until such time as Sergeant Schule was in attendance.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING AUGUST 1, 2014 IN THE (MODIFIED) AMOUNT OF \$443,353.49.

6. Public Hearings.

- None.

7. General Business.

7(A) QUOTES - AERATION BLOWERS AT WWTP.

The wastewater treatment plant has three (3) variable frequency drives (VFD's) connected to three blowers. All three were installed in 1993 and reconditioned in 2009. Two of the VFD's need to be replaced, both of which are important for the operation of the plant and the blowers. Even though repairs could be made instead of replacement, staff has recommended their replacement since they have been reconditioned once, are failing after five years and a large rebate (\$14,000) is available from Xcel Energy.

Two quotes were received, with the low quote submitted by Mitlyng Electric in the amount of \$25,397.65. Factoring in the rebate, the cost would be \$11,397.65. A question was raised regarding a note on the Mitlyng proposal which stated that Automatic Systems would be assisting at a cost of approximately \$2,500.00. The question was whether this amount would be in addition to the quote, or whether it was included in the quote. Utilities Superintendent Byron Hayunga was on hand to explain that this cost had been included in the quote.

It was moved by Hay, seconded by Nieuwbeerta and unanimously passed to approve the Mitlyng Electric quote, as submitted.

At this time, Agenda Item 4(A) was addressed.

4(A) EMPLOYEE SERVICE AWARD.

Mayor Fader presented a 10-year service award to Sergeant Ken Schule. Schule was hired July 26, 2004.

(The printed order of the agenda resumed.)

7(B) DOWNTOWN LIGHT POLE REPAIR/REPLACEMENT.

Public Works Director Greg Schwaegerl was on hand to explain that the street lights on Nichols & Canyon Avenues in the downtown area have been malfunctioning for quite some time. The underground wires and fixtures are old and need an upgrade. Two options are available:

Option #1: Xcel will replace the old metal poles on Canyon & Nichols Avenues downtown with wood poles and overhead wiring. This would be done at no cost to the city and could still (hopefully) get done this fall. (The city would be responsible for removal of the old metal poles.)

Option #2: If we want decorative poles and underground wiring, the project would have to go through a design phase. Design would take at least a month to get solid cost estimates. Xcel's decorative lighting program is now set up as a pay-in-advance system. This means the city would pay for the cost of the system in advance, Xcel maintains the system for 25 years, and then it would become the city's to maintain. Staff obtained a ballpark figure of \$30,000-\$50,000 to accomplish this.

Schwaegerl stated that staff recommended approval of Option #1. The street improvement plan shows that in 2018, the avenues noted will be reconstructed. Decorative lighting could be installed at that point for considerably less money.

It was moved by Curtiss, seconded by Hay and unanimously passed to proceed with Option #1 above.

7(C) CLOSED SESSION - PENDING/THREATENED LITIGATION (HOSPITAL).

A closed session was held from 7:15 P.M. to 7:45 P.M. pursuant to MN Statutes 13D.05, Subdivision 3 (the attorney-client privilege) to consider pending or threatened litigation involving a hospital employee. In attendance included Hospital Administrator Mark Paulson, City Attorney Janice Nelson, Mayor Fader, City Council Members Garbe, Nieuwebeerta, Schmidt, Hay and Curtiss, City Manager Steve Jones and City Clerk Glennis Lauritsen. The session was not recorded.

7(D) VFW BEER GARDENS SEPTEMBER 13, 2014.

The VFW has been asked to provide a beer gardens at the Chippewa County Fairgrounds on Saturday, September 13, 2014, to help celebrate the grand opening of a new latino radio station - La Nueva Radio (FM 82.2) - and the Spanish Independence Day. All activities will be held at the fairgrounds, including food vendors, retail vendors and music.

It was moved by Schmidt, seconded by Nieuwebeerta and unanimously passed to approve the issuance of the beer gardens license.

7(E) TEMPORARY LIQUOR LICENSE - AMERICAN LEGION - 11/15/14.

The American Legion Post #59 wishes to submit an application to the State of Minnesota for a temporary on-sale liquor license, to allow them to serve liquor off-site at an event at the Montevideo Training & Community Center on November 15, 2014.

It was moved by Nieuwebeerta, seconded by Schmidt and unanimously passed to approve the application, as submitted.

7(F) TEMPORARY LIQUOR LICENSE - AMERICAN LEGION - 9/20/14.

The American Legion Post #59 wishes to submit an application to the State of Minnesota for a temporary on-sale liquor license, to allow them to serve liquor off-site at an event at the Montevideo Training & Community Center on September 20, 2014.

It was moved by Curtiss, seconded by Nieuwebeerta and unanimously passed to approve the application, as submitted.

7(G) NEW MINNWEST BANK SAVINGS ACCOUNT.

In order to open a business savings account at Minnwest Bank, their corporate banking resolution form needs to be approved. This “resolution” will also designate the authorized signers.

It was moved by Curtiss, seconded by Hay and unanimously passed to authorize the necessary signatures on the form provided.

7(H) FIRE RELIEF ASSOCIATION PENSION REPORT.

The Fire Relief Association is required to present its Schedule Form for Lump-Sum Pension Plans to the city yearly, prior to August 1st. The reporting form for year 2014 was submitted to the city clerk on Thursday, July 31st. There is no scheduled contribution required from the city in 2015.

It was moved by Hay and seconded by Curtiss to accept the report, as submitted. Those voting in favor of motion: Hay, Curtiss, Nieuwbeerta and Garbe. Those voting against motion: None. Schmidt abstained. Motion carried 4-0-1.

7(I) COMPENSATION OF MAYOR & COUNCIL MEMBERS.

Changes to mayor and council compensation can only occur during an election year and, according to MN State Statutes, an ordinance changing council salaries must be published by November 5th. Staff has recommended a 4.5% increase to match city staff increases in 2013 and 2014. The current compensation is \$5,941.50/year. Therefore, the proposed salary would increase to \$6,208.87/year.

It was moved by Curtiss, seconded by Schmidt and unanimously passed to direct staff to prepare an ordinance for introduction at the next regular meeting (8/18/14), incorporating the proposed 4.5% salary increase.

7(J) PERA ELIGIBILITY FOR OFFICER KELLY ROBINSON.

NATHAN SCHMIDT OFFERED RESOLUTION NO. 3235, A RESOLUTION PROVIDING FOR ELIGIBILITY INTO PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (PERA) POLICE & FIRE FUND FOR PART-TIME POLICE OFFICER KELLY ROBINSON, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF

RESOLUTION NO. 3235 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: NATHAN SCHMIDT, BRYCE CURTISS, KAREN NIEUWBEERTA, TODD HAY AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

Prior to going into Closed Sessions, the council was polled for additional items.

- ▶ City Engineer Berryman updated the council on the utility and street construction projects, stating that paving is scheduled for next week and that, overall, things are going well. Several comments were made regarding the quality of work/workmanship of the Breitbach crews.
- ▶ Council member Curtiss publicly thanked the Chippewa County Fair Board on a very impressive and successful fair this year. Other members echoed that comment.

9(A) CLOSED SESSION - PENDING/THREATENED LITIGATION (RYMAN WETLAND).

A closed session was held from 7:57 P.M. to 8:23 P.M. pursuant to MN Statutes 13D.05, Subdivision 3 (the attorney-client privilege) to consider pending or threatened litigation (Ryman wetland.) In attendance included City Attorney Janice Nelson, Mayor Fader, City Council Members Garbe, Nieuwbeerta, Schmidt, Hay and Curtiss, City Manager Steve Jones and City Clerk Glennis Lauritsen. The session was not recorded.

9(B) CLOSED SESSION - L.E.L.S. UNION NEGOTIATIONS.

A closed session was held from 8:23 P.M. to 8:34 P.M. for the purpose of discussing union negotiations with the Law Enforcement Labor Services Bargaining Unit. The entire session was recorded on tape and is on record in the city clerk's office. The tape will be retained in accordance with the adopted records retention schedule, after which time it will be destroyed.

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Meeting adjourned at 8:35 P.M.

Glennis A. Lauritsen, Secretary

Approved by council August 18, 2014:

Marvin E. Garbe, President