

CITY OF MONTEVIDEO  
CITY COUNCIL PROCEEDINGS  
February 17, 2015

The city council met in regular session Tuesday, February 17, 2015 in the council chambers at city hall. Council President Garbe called the meeting to order at 7:00 P.M. with the Pledge of Allegiance.

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

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

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

**MODIFY:**     5A)     **CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD  
ENDING FEBRUARY 12, 2015 IN THE AMOUNT OF ~~\$389,421.47~~  
\$446,673.41.**

Revised amount reflects the following additional claims:

LIQUOR

Bellboy Corporation - Inventory	1,618.02
Johnson Brothers Liquor Co. - Inventory	4,883.73
Phillips Wine & Spirits - Inventory	4,016.91
Mark Schultz - Rent	2,569.95
Southern Wine & Spirits of MN - Inventory	4,481.75
Wirtz Beverage Minnesota - Inventory	3,165.45
Wirtz Beverage Minnesota - Inventory	7,213.43

AIRPORT

Mark Borgerson - February/Airport Manager	1,575.55
---	----------

LEVEE - PHASE 3

ProSource - Professional Services	2,261.00
-----------------------------------	----------

MISCELLANEOUS

Chippewa County Auditor/Treasurer - Assessment Services/Feb.	4,372.83
--	----------

POLICE

Chippewa County Sheriff's Office - LETG Software Mtce/Support	17,117.50
---	-----------

UTILITY

Roger Lauritsen - February retainer/sludge removal	2,191.35
Sensus - Software Support (4/16/15 to 4/15/16)	1,784.47

**ADD:            5C)    CONSIDER APPLICATION FROM CHIPPEWA COUNTY FAIR ASSOCIATION FOR AN EXEMPTION FROM LAWFUL GAMBLING LICENSE REQUIREMENTS, FOR RAFFLE ACTIVITY AT THE FAIRGROUNDS JULY 29-AUGUST 1, 2015.**

It was moved by Schmidt, seconded by Nieuwbeerta and unanimously passed to approve the minutes of the regular meeting of February 2, 2015, as presented.

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

- None.

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 FEBRUARY 12, 2015 IN THE (MODIFIED) AMOUNT OF \$446,673.41.
- 5(B)    SALE OF SEIZED/SURPLUS VEHICLES BY THE POLICE DEPARTMENT (1993 CADILLAC FLEET; 1993 BUICK LESABRE; 1998 DODGE CARAVAN; 2001 BUICK CENTURY; AND, 2001 FORD WINDSTAR.)
- 5(C)    APPLICATION FROM CHIPPEWA COUNTY FAIR ASSOCIATION FOR AN EXEMPTION FROM LAWFUL GAMBLING LICENSE REQUIREMENTS, FOR RAFFLE ACTIVITY AT THE FAIRGROUNDS JULY 29-AUGUST 1, 2015.

6.                    Public Hearings.

- None.

7. General Business.

7(A) CONDITIONAL USE PERMIT - AMERICAN SURPLUS STORAGE BUILDING.

Community Development Director Angie Steinbach was present to report that the Montevideo Planning Commission held a public hearing prior to the city council meeting for the purpose of considering a conditional use permit request by American Surplus. The request was for a light manufacturing business expansion of a 50' x 104' new storage building within a B2 District. Following the public hearing, the Commission unanimously recommended approval, with the following conditions:

1. The applicant must remain in compliance with all past conditional use permits; and,
2. The city reserves the right to review this permit at any time and to add additional conditions to preserve and protect the character of the area and to lessen the impact of industrial/manufacturing uses on this highway frontage property.

It was moved by Hay, seconded by Curtiss and unanimously passed to approve the conditional use permit request, as recommended by the planning commission.

7(B) SITE PLAN REVIEW - AMERICAN SURPLUS STORAGE BUILDING.

Community Development Director Angie Steinbach was present to report that the Montevideo Planning Commission met prior to the city council meeting and considered a site plan review submitted by American Surplus, 3134 East Highway 7, for the proposed construction of a 50' x 104' steel building in the southeast corner of the property. The building would be used for heated storage. Following review, the commission unanimously recommended its approval.

It was moved by Nieuwbeerta, seconded by Hay and unanimously passed to approve the site plan review, as recommended by the planning commission.

7(C) PAINT SPRAYER PURCHASE.

Public Works Director Greg Schwaegerl was present to discuss quotes received for the purchase of a paint sprayer for use in the public works department. The Capital Equipment budget allows \$7,500 for this purchase. Two quotes were received, with the low quote submitted by Diamond Vogel Paints of Willmar, Minnesota, in the amount of \$5,160, for a Graco 3900 Line Lazer.

It was moved by Curtiss, seconded by Hay and unanimously passed to accept the low quote from Diamond Vogel Paints for a Graco 3900 Line Lazer paint sprayer.

7(D) PURCHASE OF THREE MOWERS.

Public Works Director Greg Schwaegerl was present to discuss the purchase of mowers for use in the park department. A quote was secured for three (3) mowers from Kibble Equipment for purchase off of the State of Minnesota Cooperative Purchasing Program. The Capital Equipment budget allows \$8,000 for this purchase.

Staff recommended the purchase of three (3) 2015 Z930R mowers, including a \$675.00 option for mulch-on-demand on one of the mowers, for a total purchase price of \$6,717.00. Three (3) 2014 mowers would be traded-in.

It was moved by Schmidt, seconded by Curtiss and unanimously passed to authorize the mower purchases, as recommended by staff.

7(E) SIGN RETRO-REFLECTIVITY POLICY.

Public Works Director Greg Schwaegerl was present to explain that the Federal Highway Administration requires cities and counties to have a sign assessment that assures sign retro-reflectivity levels are at or above minimum standards. A proposed policy was drafted for review by the council. The policy and the inspections that follow would put the city into compliance. Schwaegerl stated that the nighttime visual inspection is the most economical for the city.

It was moved by Nieuwbeerta, seconded by Hay and unanimously passed to adopt the City of Montevideo, Minnesota Sign Retroreflectivity Policy.

7(F) QUOTES - T.H. 29 UTILITY WORK.

Utilities Superintendent Byron Hayunga was present to discuss quotes received for repairs and revisions to city water mains on T.H. 29. This work needs to be accomplished before the State Highway 29 Project. Three quotes were received, with Hjerpe Contracting submitting the low quote in the amount of \$75,910.00. Other quotes were submitted by Duininck, Inc. (\$96,590.38) and Breitbach Construction Co. (\$118,100). Staff recommended accepting the quote of Hjerpe contracting, which would be paid for through the Utilities Capital Improvement Fund.

It was moved by Curtiss, seconded by Hay and unanimously passed to accept the low quote of Hjerpe Contracting for this utility work, as recommended by staff.

7(G) CHANGE ORDER NO. 15 - FIRE HALL PROJECT.

The fire hall contract had an allowance of \$4,000 for the purchase of appliances. Since the city has paid for the appliances, Change Order #15 is a deduction to the contract.

It was moved by Nieuwbeerta, seconded by Schmidt and unanimously passed to authorize Change Order #15, as presented.

7(H) FIRE CALL CHARGES.

Under the existing agreement with the townships, the city charges \$500/fire call in the rural areas and in the city of Watson. There is no fee charged for calls within the city limits, or for most car fires on the highways, which are almost impossible to collect. In some cases, there is difficulty in collecting from property owners for fire calls and, from time to time, it is necessary to take the issue to small claims court to collect (with mixed success.)

Staff has recommended that the \$500 fire call fee be discontinued, and has asked for the authority to offer this change to the townships, with the understanding that they would continue to support the truck fund at \$20,000/year, which is currently a voluntary payment by the townships, approved up to year 2015.

It was moved by Curtiss, seconded by Hay and unanimously passed to approve offering this change to the townships (no local fire call fee) but continued support of the trunk fund at \$20,000/year.

7(I) INTENT TO BOND - 2015 PROJECTS.

It was moved by Schmidt, seconded by Curtiss and unanimously passed to authorize the City Clerk to execute the "Declaration of Official Intent" to bond for the 2015 Street/Utility Improvements.

7(J) 2015 BOARD OF APPEAL & EQUALIZATION MEETING.

It was moved by Nieuwbeerta, seconded by Hay and unanimously passed to set the initial 2015 Board of Appeal & Equalization hearing for Monday, April 27, 2015, from 6:00-6:30 P.M. in the Council Chambers at City Hall.

7(K) VOTING DELEGATE APPOINTMENT - MN VALLEY LIGHT & POWER ASSN.

It was moved by Schmidt, seconded by Curtiss and unanimously passed to designate Mayor Debra Lee Fader as the city's voting delegate at the MN Valley Cooperative Light & Power Association annual meeting on Saturday, March 21<sup>st</sup>.

7(L) 2014 ANNUAL REPORT.

Section 7.12 of the Montevideo City Charter requires that "Once each year on or before the last day of February, the city manager must submit a report to the council covering the entire financial operations of the city for the past year." Over the years, because of auditing and state reporting requirements, this report has become less of a real financial report and more a comprehensive annual report of the activities of the city.

It was moved by Curtiss, seconded by Schmidt and unanimously passed to accept the annual report, as submitted.

8. Ordinances.

8(A) FROZEN WATER LINE RESPONSIBILITY CLARIFICATION.

The City Code was previously changed to provide that the city owns the water line, from the curb box to the main, but in no instance does the city accept responsibility for frozen water lines. This is clear in other sections of the code but a bit confusing in Title 8, Chapter 4, Section 39 - Service Lines. Therefore, the city attorney prepared an ordinance to make it clear in this section as well. The ordinance was introduced at the February 2<sup>nd</sup> city council meeting.

IT WAS MOVED BY BRYCE CURTISS THAT ORDINANCE NO. 934, AN ORDINANCE AMENDING 8-4-39 OF THE MONTEVIDEO CITY CODE ENTITLED SERVICE LINES, BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 934 WAS SECONDED BY TODD HAY. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, TODD HAY, NATHAN SCHMIDT, KAREN NIEUWBEERTA AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. ORDINANCE PASSED 5-0.

8(B) PARKING RESTRICTION CLARIFICATION.

Ordinance No. 930 adopted September 15, 2014 amended 6-2-2 of the Montevideo City Code regarding parking on city residential streets. During the codification process, the city's codifier noticed an inconsistency within the various sections and has brought it to the attention of the city for review. The inconsistency is in the wording used for time restrictions. Sections 6-2-2A1, A2 and A3 read "8 hours in a 24-hour period" while Sections 6-2-2A4 reads just "8 hours." Upon review by the city attorney, it was determined that this was simply an oversight that should be corrected. Therefore, an ordinance has been prepared to correct the inconsistency so that all sections read "8 hours in a 24-hour period." The ordinance was introduced at the February 2<sup>nd</sup> city council meeting.

IT WAS MOVED BY NATHAN SCHMIDT THAT ORDINANCE NO. 935, AN ORDINANCE AMENDING 6-2-2 OF THE MONTEVIDEO CITY CODE, PARKING RESTRICTIONS, BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 935 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. ORDINANCE PASSED 5-0.

9. Discussion and Miscellaneous.

- ▶ City Manager Jones stated that February is the first month the outsourced utility bill printing will occur. He presented a sample of what a new utility bill will look like for review by the council. An effort will be made in the local newspaper and/or Channel 180 to alert residents to watch for the new look.

Meeting adjourned at 7:27 P.M.

---

Glennis A. Lauritsen, Secretary

Approved by council March 2, 2015:

---

Marvin E. Garbe, President