

CITY OF MONTEVIDEO  
CITY COUNCIL PROCEEDINGS  
February 20, 2018

The city council met in regular session Tuesday, February 20, 2018 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, Sandra Hodge, Todd Hay and Bryce Curtiss (7:03 P.M.) Absent: Nathan Schmidt. Mayor Debra Lee Fader present.

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

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

**MODIFY: 3) APPROVAL OF MINUTES OF THE REGULAR MEETING OF FEBRUARY 5, 2018.**

Revised copy provided (to include Item 4A - Eickhoff Service Award.)

**MODIFY: 5A) CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING FEBRUARY 16, 2018 IN THE AMOUNT OF ~~\$362,414.30~~ \$427,997.85.**

Revised amount reflects the following additional claims:

LIQUOR

Bellboy Corporation - Inventory	\$ 3,813.15
Breakthru Beverage MN - Inventory	1,690.16
Johnson Brothers Liquor Co. - Inventory	10,613.89
Locher Brothers, Inc. - Inventory	9,189.27
Madison Bottling Company - Inventory	3,089.40
Paustis Wine Company - Inventory	1,781.75
Phillips Wine & Spirits - Inventory	9,917.84
Southern Glazer's of MN - Inventory	2,968.37

CAPITAL EQUIPMENT & FACILITIES

Morecom - Computer work, etc. 19,968.97

MISCELLANEOUS

Delta Dental of MN - Insurance premium 2,550.75

**MODIFY: 7G) CONSIDER RESOLUTION PRESCRIBING RULES & REGULATIONS FOR SUNSET MEMORIAL CEMETERY.**

Revised copy provided. (Minor language modifications to Nos. 9 & 10 - monument regulations.)

It was moved by Hodge, seconded by Hay and unanimously passed to approve the minutes of the regular meeting of February 5, 2018, as modified.

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

President Garbe updated the council on the Veterans Home, noting two upcoming meetings: March 6<sup>th</sup> - Joint House/Senate Veterans Affairs Committees and March 12<sup>th</sup> - Veterans Day on the Hill at the State Capitol.

Council member Curtiss arrived at 7:03 P.M.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING FEBRUARY 16, 2018 IN THE (MODIFIED) AMOUNT OF \$427,997.85.

5(B) APPLICATION FROM CHIPPEWA COUNTY PHEASANTS FOREVER FOR EXEMPTION FROM LAWFUL GAMBLING REQUIREMENTS TO ALLOW RAFFLE AND PADDLEWHEEL ACTIVITIES AT THE MONTEVIDEO TRAINING & COMMUNITY CENTER ON APRIL 7, 2018.

5(C) APPLICATION FROM THE CHIPPEWA COUNTY FAIR ASSOCIATION FOR AN EXEMPTION FROM LAWFUL GAMBLING LICENSE REQUIREMENTS TO

ALLOW RAFFLE ACTIVITY AT THE FIESTA CITY SPEEDWAY ON APRIL 27, 2018.

6. Public Hearings.

- None.

7. General Business.

7(A) 2018 POOL FEES.

The park board met Tuesday, February 13<sup>th</sup> and despite the lack of a quorum, city staff and the one member in attendance reviewed the 2017 pool season. After discussion, it was their recommendation to keep the same fee structure in place for 2018.

It was moved by Curtiss seconded by Hodge and unanimously passed to make no changes in fee structure at the outdoor swimming pool for 2018.

7(B) HILLCREST PARK IMPROVEMENTS.

Assistant City Manger Angela Steinbach explained that city staff is in the process of completing a 2018 Outdoor Recreation Grant Program Application with the Minnesota Department of Natural Resources (DNR) for funds to purchase new playground equipment for Hillcrest Park. The application will request funds in the amount of \$25,000. The city's match amount would total \$33,930 (\$20,000 cash; \$13,930 staff time, equipment, dirt), for a total project cost of \$58,930. The council was asked to review the proposed plan and to approve the associated resolution of sponsorship for the project.

SANDRA HODGE OFFERED RESOLUTION NO. 3499, A RESOLUTION OF SPONSORSHIP, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3499 WAS SECONDED BY TODD HAY. THOSE VOTING IN FAVOR OF MOTION: SANDRA HODGE, TODD HAY, BRYCE CURTISS AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(C) WINDOM AVENUE SEWER EXTENSION.

A new home is being constructed by the Lundeen family on Windom Avenue, west of the new fire hall. This property could potentially be split into three lots to accommodate two additional houses. The Lundeens are building to the farthest east side of this property. When the city built Windom Avenue, sanitary sewer was installed, but it is located within a manhole at the intersection of Highway 29 & Windom Avenue (north side), which is approximately 300' away from the Lundeen house.

Even though there is existing sewer on the north side of Windom Avenue, and there is a buy-in program on this sewer, it is very far away for the homeowner to reach. The city's concern is that if the next two lots are built upon, they would want to hook to a private line the Lundeens could run down the right-of-way, and not want to run their own lines to the manhole. The city's policy is NOT to allow multiple hookups on the same private line.

Staff has worked with the homeowner and contractor for costs associated with oversizing the line and making it a city-owned line so that three homes could hook into it, rather than just one. The idea was for the city to pay the difference from what the homeowner would pay to run the line and what the cost would be to run a larger, multi-use line. Cost was determined to be \$15,449; however, revenues from additional future buy-ins will exceed that amount. (The buy-in amount is currently \$6,254 each, and increases annually by 6% of the base amount, or \$318.00 annually). It was noted that the Lundeens had executed a permanent utility easement agreement on January 22, 2017.

It was moved by Hay, seconded by Curtiss and unanimously passed to approve the project cost of \$15,449 and approve city ownership of the line once completed.

7(D) DOG DAYS OF SUMMER EVENT.

Last year, the city sponsored a new event in Smith Park - Dog Days of Summer - and city staff has requested authorization to hold the event again this year on Thursday, August 2<sup>nd</sup>, 5:00-7:00 P.M. If approved by the council (and similar to the 2017 event), free dog licenses/coupons would be issued by the Montevideo Police Department. Staff also requested that the council authorize the use of some funds, if needed (up to \$1,000).

It was moved by Hodge, seconded by Hay and unanimously passed to authorize the use of Smith Park for “Dog Days of Summer” on August 2, 2018 and use of city funds, if needed (up to \$1,000).

7(E) GRANT EXTENSION - AIRPORT FUEL SYSTEM REPLACEMENT PROJECT.

The city previously received a grant from the Department of Health for \$10,000 to help the airport remove and replace an underground fuel system with an above-ground fuel system. The initial grant showed an April 30<sup>th</sup> completion date. The project will not be completed by that time and, therefore, staff asked the state to allow an extension, and they agreed to a new completion date of June 30<sup>th</sup>. For this purpose, a Standard Grant Agreement Amendment document was provided by the state for execution by the city.

It was moved by Hay, seconded by Curtiss and unanimously passed to authorize the mayor and city manager to execute the amendment, as provided.

7(F) REASSESSMENT AGREEMENT - 70-110-0515.

An Agreement for Voluntary Assessment has been executed by Karla & Brian Vien for the reassessment of 2016 Street Improvements in the amount of \$961.40 against a parcel of land they own along Case Avenue known as PID #70-110-0515. This parcel was tax forfeited by Chippewa County in 2017 and was subsequently sold to the Viens. In accordance with the city’s current assessment policy regarding tax forfeited property, the amount will be spread over a period of 15 years at an interest rate of 2.7%.

BRYCE CURTISS OFFERED RESOLUTION NO. 3500, A RESOLUTION AUTHORIZING AN AGREEMENT FOR VOLUNTARY ASSESSMENT WITH KARLA & BRIAN VIEN, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3500 WAS SECONDED BY SANDRA HODGE. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, SANDRA HODGE, TODD HAY AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(G) SUNSET CEMETERY RULES & REGULATIONS.

Proposed updates have been recommended by staff on the existing resolution prescribing rules and regulations for Sunset Memorial Cemetery. The modifications include revised monument regulations for all sections of the cemetery (including the newly platted area

and cremation gardens), additional language regarding lot ownership, additional language clarifying vault responsibility and the deletion of language relating to mausoleum and mausoleum crypts.

TODD HAY OFFERED RESOLUTION NO. 3501, A RESOLUTION PRESCRIBING RULES & REGULATIONS FOR SUNSET MEMORIAL CEMETERY, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3501 WAS SECONDED BY SANDRA HODGE. THOSE VOTING IN FAVOR OF MOTION: TODD HAY, SANDRA HODGE, BRYCE CURTISS AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(H) 2017 ANNUAL REPORT.

It was moved by Curtiss, seconded by Hay and unanimously passed to accept the 2017 Annual Report. Staff noted that over the next month or two, department heads will present their respective reports to the council.

7(I) MN VALLEY CO-OP VOTING DELEGATE.

It was moved by Hodge, seconded by Hay and unanimously passed to appoint Mayor Debra Lee Fader as the city's voting delegate at the Minnesota Valley Cooperative Light & Power Association annual meeting on March 24, 2018.

7(J) ACCEPTANCE OF GIFTS/GRANTS.

The following gifts have been received by the city:

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
Knights of Columbus	Sr. Citizen Transportation Donation	\$ 150.00
Montevideo EDA	Dog Days of Summer Donation	250.00
Lions Club of Montevideo	Final cost of Lions Head Fountain	1,534.11
Montevideo CVB	Donation - MAP Funds - 2017	1,500.00
State of Minnesota DNR	Flood Risk Reduction Grant	450,000.00
Keith Hein	Tractor Art Project	1,000.00

BRYCE CURTISS OFFERED RESOLUTION NO. 3502, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR

ADOPTION OF RESOLUTION NO. 3502 WAS SECONDED BY SANDRA HODGE. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, SANDRA HODGE, TODD HAY AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

7(K) 2018 BOARD OF EQUALIZATION MEETING.

It was moved by Curtiss, seconded by Hay and unanimously passed to designate the date of Monday, April 23, 2018, from 6:00-6:30 P.M. for the purpose of a Board of Appeal & Equalization meeting.

7(L) WORKSESSION - PUBLIC WORKS BUILDING.

Staff requested the council set a worksession to review some of the details of the new public works facility project.

It was moved by Hodge, seconded by Curtiss and unanimously passed to set a worksession for Monday, March 19, 2018 at 5:30 P.M. for this purpose.

8. Ordinances.

8(A) INTRODUCTION OF ORDINANCE NO. 946.

An ordinance amendment was drafted by the city attorney for consideration by the council. All references related to mausoleums have been deleted and new language has been added dealing with animals.

SANDRA HODGE INTRODUCED ORDINANCE NO. 946, AN ORDINANCE AMENDING CHAPTER 7 OF THE MONTEVIDEO CITY CODE ENTITLED, "MONTEVIDEO CEMETERY."

9. Discussion and Miscellaneous.

Prior to moving into Closed Session to discuss a real estate transaction, the council was polled for additional items. Seeing none, the council took a brief recess at 7:28 P.M.

At 7:30 P.M., the council moved into Closed Session.

9(A) CLOSED SESSION - REAL ESTATE TRANSACTION.

President Garbe called the Closed Session to order at 7:30 P.M. for the purpose of discussing a real estate transaction, including sales price, transfer, offer and/or counteroffer. Those in attendance included Council Members Hay, Hodge, Curtiss and Garbe; City Manager Steve Jones; Assistant City Manager Angela Steinbach; City Attorney Janice Nelson; and, City Clerk Glennis Lauritsen. The entire Closed Session was recorded on audio tape and will be kept in accordance with the city's adopted records retention schedule, after which time the tape will be destroyed.

At 7:42 P.M., President Garbe declared the Closed Session closed, and the council moved back into regular session.

9(B) LETTER OF UNDERSTANDING - CONSTRUCTION BY LGU.

Staff explained that another Local Unit of Government (LGU) had approached the city about locating a facility in Montevideo. This is a projected \$4.5 Million project, with 20+ professional jobs anticipated. This LGU will not meet until February 28<sup>th</sup>; however, to aid in this endeavor, the staff of both LGU's have put together a Letter of Understanding outlining basic steps that may need to be completed on this proposed project. Inasmuch as the other LGU in this endeavor has not discussed this project at a meeting, their name has not been disclosed at this time. It was further explained that the Economic Development Authority (EDA) had taken action at its meeting earlier today to approve the Letter of Understanding and the acceptance of land but that the City Council needed to take separate action, including this Letter of Understanding which is sufficient to keep both LGUs moving on the project.

It was moved by Hay, seconded by Curtiss and unanimously passed to authorize the mayor and city manager to execute the Letter of Understanding, as presented.

Meeting adjourned at 7:43 P.M.

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Glennis A. Lauritsen, Secretary

Approved by council March 5, 2018:

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Marvin E. Garbe, President