

CITY OF MONTEVIDEO  
CITY COUNCIL PROCEEDINGS  
March 5, 2018

The city council met in regular session Monday, March 5, 2018 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: Sandra Hodge, Todd Hay, Bryce Curtiss (7:03 P.M.) and Marvin Garbe. Absent: Nathan Schmidt. Mayor Debra Lee Fader absent.

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: 5A) CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING MARCH 2, 2018 IN THE AMOUNT OF ~~\$149,279.54~~ \$228,510.90.**

Revised amount reflects the following additional claims:

LIQUOR

Bellboy Corporation - Inventory	\$ 4,758.38
Breakthru Beverage MN - Inventory	5,180.52
Johnson Brothers Liquor Co. - Inventory	14,828.98
MN Department of Revenue - Sales Tax	13,603.00
Phillips Wine & Spirits - Inventory	11,934.04
Southern Glazer's of MN - Inventory	6,175.59

CAPITAL EQUIPMENT & FACILITIES

Morecom - IT Services	11,062.50
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MISCELLANEOUS

Nelson Oyen Torvik - February Legal Services	8,101.00
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UTILITY

Automatic Systems Co. - Analog Card/Ethernet Switches	3,587.35
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**ADD: 7G) CONSIDER RESOLUTION ACCEPTING GIFTS/GRANTS FROM VARIOUS ORGANIZATIONS & INDIVIDUALS.**

**ADD: 9A) CLOSED SESSION TO DISCUSS REAL ESTATE LITIGATION (RODNEY COON PROPERTY).**

It was moved by Hodge, seconded by Hay and unanimously passed to approve the minutes of the regular meeting of February 20, 2018, as presented.

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

- None.

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

5. Consent Agenda.

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

- 5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING MARCH 2, 2018 IN THE (MODIFIED) AMOUNT OF \$228,510.90.
- 5(B) APPLICATION SUBMITTED BY THE MONTEVIDEO AREA CHAMBER OF COMMERCE FOR USE OF CITY PROPERTY (CITY STREETS/PARKING LOT) FOR THE ST. PATRICK'S DAY PARADE ON SATURDAY, MARCH 17, 2018, 5:00-7:00 P.M.
- 5(C) APPLICATION SUBMITTED BY THE MONTEVIDEO AREA CHAMBER OF COMMERCE FOR USE OF CITY PROPERTY (SMITH PARK/PLAYGROUND AREA AND SMALL LOG CABIN) FOR AN "EASTER EGG-CITEMENT" EGG HUNT ON SATURDAY, MARCH 31, 2018, 8:00 A.M. TO 12:00 NOON.
- 5(D) APPLICATION SUBMITTED BY THE MONTEVIDEO AREA CHAMBER OF COMMERCE FOR USE OF CITY PROPERTY (MAIN STREET SIDEWALKS/STREET/PARKING LOT) FOR A "MARKET IN MONTE" FLEA MARKET & VENDOR SHOW ON SATURDAY, MAY 12, 2018, FROM 8:00 A.M. TO 4:00 P.M.

6. Public Hearings.

- None.

7. General Business.

7(A) CONDITIONAL USE PERMIT - JOSH MACZIEWSKI.

Assistant City Manager Angela Steinbach reported that in a meeting held earlier this evening, the Montevideo Planning Commission held a public hearing to consider a conditional use permit request from Josh & Amanda Macziewski, 1610 Wolfe Avenue, to allow the construction of an accessory building exceeding 1,000 square feet. The proposed building would be 1,620 square feet (36' x 45'). Following the hearing, the commission unanimously recommended approval, with the following condition:

- 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.

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

7(B) CITY HALL INTERIOR PAINTING PROJECT.

Bids were received until 12:00 Noon on Friday, February 23, 2018 for the interior painting of the city hall. Four (4) bids were received, as follows:

<u>Bidder</u>	<u>Bid</u>
Clare Paint & Wallpaper, Montevideo	\$4,982.00 + \$.64/sq.ft. additional
Coating Specialties, Montevideo	\$7,215.00 + \$.90/sq.ft. additional
Feldhake Painting, Montevideo	\$7,980.00 + \$1.42/sq.ft. additional
Steve Zumhofe - Granite Falls	\$7,200.00 + ???? + Paint ???? (did not fill out city bid form)

It was moved by Hay, seconded by Curtiss and unanimously passed to accept the low bid of Clare Paint.

7(C) POOL WATER SLIDE PAINTING/RESURFACING QUOTES.

Quotes have been received for resurfacing and painting the water slide at the outdoor swimming pool, as follows:

Astratek Resurfacing Corporation -	\$16,875.00
SlideRite -	\$17,900.00
Safe Slide -	\$31,100.00

Public Works Director Aaron Blom was on hand to explain that this project would consist of sanding the entire inside of the water slide, filling the joints, applying 20-40 mls of Gelcoat on the interior of the slide and painting the slide. After review of the quotes received, staff recommended accepting the quote from SlideRite Water Park Restoration Services. Even though this is not the lowest quote, theirs included painting the exterior of the slide, whereas the lower quote from Astratek did not.

It was moved by Hodge, seconded by Hay and unanimously passed to accept the quote from SlideRite, due to their quote including painting both the interior and exterior of the slide.

7(D) DEPARTMENTAL ANNUAL REPORT REVIEWS.

Annual report reviews were provided by the following department heads:

- ▶ Fire Chief Dave Roelike
- ▶ Fiesta City Liquor Store Manager Jeff Andreas

7(E) CHARTER FRANCHISE EXTENSION.

By Resolution No. 3462, the council had granted an extension of the cable television franchise with Charter Communications to February 28, 2018. The city's franchise attorney, Brian Grogan, has recommended a second extension, through and including December 31, 2018.

BRYCE CURTISS OFFERED RESOLUTION NO. 3503, A RESOLUTION GRANTING CC VIII OPERATING LLC, D/B/A/ CHARTER COMMUNICATIONS, A FRANCHISE EXTENSION TO DECEMBER 31, 2018, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3503 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(F) TEMPORARY ON-SALE LICENSE - CHIPPEWA COUNTY FAIR.

The Chippewa County Fair Association has submitted an Application for a 1-4 Day Temporary On-Sale Liquor License for the Chippewa County Fair July 25-28, 2018. This license would allow the sale of strong beer and liquor by their organization. The application must be approved by the city prior to submission to the State of Minnesota Alcohol & Gambling Enforcement.

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

7(G) ACCEPTANCE OF GIFTS/GRANTS.

The following gifts have been received by the city:

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
Glen Herfurth	On behalf of Jane Nerison, in memory of her parents - Tractor Art Project	50.00

SANDRA HODGE OFFERED RESOLUTION NO. 3504, A RESOLUTION ACCEPTING GIFTS/GRANTS AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3504 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: SANDRA HODGE, BRYCE CURTISS, TODD HAY AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 4-0.

8. Ordinances.

8(A) ADOPTION OF ORDINANCE NO. 946.

Ordinance No. 946 was introduced by the council at its February 20<sup>th</sup> meeting which deletes all references related to mausoleums and adds new language dealing with animals.

IT WAS MOVED BY TODD HAY THAT ORDINANCE NO. 946, AN ORDINANCE AMENDING CHAPTER 7 OF THE MONTEVIDEO CITY CODE ENTITLED, "MONTEVIDEO CEMETERY," BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 946 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: TODD HAY, BRYCE CURTISS, SANDRA HODGE AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. ORDINANCE PASSED 4-0.

9. Discussion and Miscellaneous.

Prior to going into Closed Session to discuss real estate litigation, the council was polled for additional items.

- ▶ Council member Hodge asked Council member Hay (who is a member of the Hospital Commission) what the timeline is for hiring a new CEO. Hay explained that they are in the process of interviewing candidates, with the intent of making an offer in 2-3 weeks and having someone in place by the end of June.
- ▶ City Manager Jones stated that the Letter of Understanding approved by the council on February 20<sup>th</sup> had now been signed by the other local governmental unit (LGU). That information is now public, and the other LGU was revealed as the SW/WC Service Cooperative. He noted that a joint press release will be made about the proposed project in the near future.
- ▶ President Garbe stated that the Vets meeting at the Capitol had been cancelled due to the weather but will be rescheduled. He reminded everyone of the "Vets Day on the Hill" on Monday, March 12<sup>th</sup>, noting that a bus will leave from the American Legion at 7:00 A.M. that day and inviting all interested persons to attend.

At 7:25 P.M., a brief recess was taken.

At 7:26 P.M., the council moved into Closed Session

9(A) CLOSED SESSION - REAL ESTATE LITIGATION.

President Garbe called the Closed Session to order at 7:26 P.M. for the purpose of discussing real estate litigation (former Rodney Coon/Fiesta City Car Wash property). Those in attendance included Council members Garbe, Hodge, Hay and Curtiss; City

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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 7:35 P.M., President Garbe declared the Closed Session closed, and the council moved back into regular session.

It was moved by Hay, seconded by Curtiss and unanimously passed to affirm the payment of an additional \$40,300.00 to the Coons including but not limited to compensation for the value of the property taken, interest, attorney's fees, appraisal fees and any other costs associated with the matter.

Meeting adjourned at 7:36 P.M.

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Glennis A. Lauritsen, Secretary

Approved by council March 19, 2018:

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Marvin E. Garbe, President