

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
April 16, 2018

The city council met in regular session Monday, April 16, 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, Nathan Schmidt and Marvin Garbe. Absent: None. 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 Curtiss and unanimously passed to approve the agenda, with the following modifications:

MODIFY: 7H) CONSIDER RESOLUTION ACCEPTING GIFTS/GRANTS FROM VARIOUS ORGANIZATIONS AND INDIVIDUALS.

Revised resolution provided.

ADD: 7I) CONSIDER RESOLUTION APPROVING A ONE DAY OFF-SITE GAMBLING PERMIT AT THE VFW POST #380 FOR THE MONTEVIDEO FIRE RELIEF ASSOCIATION IN CONJUNCTION WITH FIESTA DAYS.

ADD: 7J) CONSIDER RESOLUTION REACQUIRING BURIAL PLOTS.

It was moved by Schmidt, seconded by Hodge and unanimously passed to approve the minutes of the regular meeting of April 2, 2018, as presented.

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

4(A) 2017 BUILDING AWARDS PRESENTATION.

Mayor Fader presented the following 2017 Building Awards:

- ▶ **Janell Welling** - *Best Residential Exterior Renovation, 2101 William Avenue.*

- ▶ **Farmer's Union Oil Company** - *Best New Commercial Business Development (Cenex Travel Plaza), 603 Highway 212 West.*

It was noted that (two) additional awards will be presented at the May 21st meeting.

5. Consent Agenda.

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

- 5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING APRIL 13, 2018 IN THE AMOUNT OF \$365,168.80.
- 5(B) APPLICATION FROM MIKE DUPERE, MONTEVIDEO CAR SHOW COMMITTEE, FOR USE OF MAIN STREET FOR THEIR ANNUAL CAR SHOW DURING FIESTA ON SUNDAY, JUNE 17TH.
- 5(C) APPLICATION FROM MITCH COLLINS FOR USE OF CITY SIDEWALK IN CONJUNCTION WITH A GRADUATION PARTY BEING HELD AT TALKING WATERS BREWERY, 205 SOUTH 1ST STREET, ON MEMORIAL DAY (MAY 28, 2018), FROM 5:30-8:30 P.M.

6. Public Hearings.

- None.

7. General Business.

7(A) BID REVIEW - 2018 STREET/SEWER IMPROVEMENTS.

Bids were opened on Tuesday, April 10th at 11:00 A.M. for the 2018 Street & Sewer Improvement Projects. The following bids were received:

<u>Bidder:</u>	<u>Base Bid</u>	<u>Alternate Bid</u>
R & G Construction, Inc. Marshall, MN	\$473,668.30	\$204,354.00

<u>Bidder:</u>	<u>Base Bid</u>	<u>Alternate Bid</u>
Duininck, Inc. Prinsburg, MN	\$491,532.45	\$193,350.10
Quam Willmar, MN	\$564,385.05	\$231,252.80
Riley Bros. Construction Morris, MN	\$585,420.00	\$261,289.85

It was moved by Hay, seconded by Curtiss and unanimously passed to move forward with the projects.

7(B) ASSESSMENT PREPARATION - 2018 STREET/SEWER PROJECTS.

NATHAN SCHMIDT OFFERED RESOLUTION NO. 3509, A RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR THE 2018 STREET & SEWER IMPROVEMENT PROJECTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3509 WAS SECONDED BY SANDRA HODGE. THOSE VOTING IN FAVOR OF MOTION: NATHAN SCHMIDT, SANDRA HODGE, TODD HAY, BRYCE CURTISS AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(C) FINAL PUBLIC HEARING - 2018 PROJECTS.

A resolution was presented that would call for a final public hearing on Monday, May 21, 2018, at 7:00 P.M. to review the assessed costs with benefitted property owners for the 2018 Street & Sewer Improvement Projects.

SANDRA HODGE OFFERED RESOLUTION NO. 3510, A RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3510 WAS SECONDED BY TODD HAY. THOSE VOTING IN FAVOR OF MOTION: SANDRA HODGE, TODD HAY, BRYCE CURTISS, NATHAN SCHMIDT AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(D) AMENDMENT TO HOSPITAL JOINT POWERS AGREEMENT.

Earlier this year, Hospital Board Member Mark Rekow had met with the city council with a recommendation that the Hospital Joint Powers Agreement be amended to allow medical personnel (and others) to be eligible to serve on the Chippewa County-Montevideo Hospital Board. At that time, the council had moved to make the change, contingent upon approval by the Chippewa County Board of Commissioners.

City Manager Jones stated that he had been contacted earlier today by the county with a concern relative to 2.3.5 of the amendment document (Hospital Board membership) which reads: “One at-large ~~resident of Chippewa County~~ member appointed by the six appointees, which appointee shall be limited to a maximum of three terms of three years each.” The county would not agree to this proposed change.

It was moved by Schmidt, seconded by Hodge and unanimously passed to approve the First Amendment of Chippewa County Hospital Powers Agreement, with no change to Section 2.3.5.

7(E) UMVRDC PROFESSIONAL SERVICES AGREEMENT - MAP.

To continue with the goal of one new arts project each year, a contract with the Upper Minnesota Valley Regional Development Commission (UMVRDC) has been provided for administrative/professional services. This contract would allow the city to continue to meet and to apply for grants for a new project until June of 2019.

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

7(F) SPECIAL EVENTS LIQUOR LICENSES - TALKING WATERS BREWERY.

John Skoglund, dba/Talking Waters Brewing Company, would like to submit an application to the State of Minnesota for a 1-Day Temporary On-Sale Liquor License to allow the brewery to serve its products at Java River, 210 South 1st Street, on Friday, June 15, 2018. In conjunction, they have submitted a separate application for a City Special Event License that evening to allow the use of a portion of main street and adjacent sidewalks. This date coincides with the 2018 Fiesta Days. A similar event was held last year, with no issues noted.

It was moved by Schmidt, seconded by Hay and unanimously passed to approve the licenses, as requested.

7(G) AERIAL APPLICATOR AGREEMENT - ORWICK.

Bryce Orwick, dba/Northstar Aerospray, Inc., proposes to conduct aerial spraying operations from a base at the Montevideo-Chippewa County Airport. An agreement has been drafted and executed by Orwick for Calendar Year 2018.

It was moved by Curtiss, seconded by Hodge and unanimously passed to approve the agreement (and written pollution and spill prevention plan), as submitted.

7(H) ACCEPTANCE OF GIFTS/GRANTS.

The following gifts have been received by the city:

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
Wal-Mart	Donation - (Damaged) Dog Food to be used by City Pound)	\$250 - \$500/year
Talking Waters Brewing Company	Donation - Tractor Art Project	150.00

TODD HAY OFFERED RESOLUTION NO. 3511, A RESOLUTION ACCEPTING GIFTS/GRANTS AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3511 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: TODD HAY, BRYCE CURTISS, SANDRA HODGE, NATHAN SCHMIDT AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(I) GAMBLING PERMIT - FIRE RELIEF ASSOCIATION.

The Montevideo Fire Relief Association proposes to conduct lawful gambling (raffle) at the VFW Post #380, 570 South 1st Street, on June 16-17, 2018. If approved by the council (by resolution), the application would be filed with the State of Minnesota. The raffle is in conjunction with the Fiesta Days celebration.

BRYCE CURTISS OFFERED RESOLUTION NO. 3512, A RESOLUTION APPROVING A ONE DAY, OFF-SITE GAMBLING PERMIT, AND MOVED ITS

ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3512 WAS SECONDED BY NATHAN SCHMIDT. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, NATHAN SCHMIDT, TODD HAY, SANDRA HODGE AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(J) CEMETERY LOT REACQUISITIONS.

State Statute provides a procedure for reacquisition of unused burial plots if more than 40 years have past since a burial. The city clerk has identified eligible plots and has conducted the other statutory requirements for this purpose (mailed notice/published notice/sheriff's affidavit. The reacquisition would free up approximately 650 plots for sale by the city.

NATHAN SCHMIDT OFFERED RESOLUTION NO. 3513, A RESOLUTION REACQUIRING BURIAL PLOTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3513 WAS SECONDED BY SANDRA HODGE. THOSE VOTING IN FAVOR OF MOTION: NATHAN SCHMIDT, SANDRA HODGE, BRYCE CURTISS, TODD HAY AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

8. Ordinances.

8(A) EMERGENCY POWER GENERATOR.

The city has had issues with residents using standby generators for day-to-day use. This has created nuisances, but those nuisances are difficult to regulate. An ordinance has been drafted which spells out minimum standards for size, installation and noise (with the section on noise coming from Minnesota State Statutes language).

TODD HAY INTRODUCED ORDINANCE NO. 947, AN ORDINANCE AMENDING TITLE 4 OF THE MONTEVIDEO CITY CODE BY ADDING A CHAPTER 5, PERMANENT, STAND-BY OR EMERGENCY POWER GENERATION.

9. Discussion and Miscellaneous.

9(A) SPECIAL MEETING SCHEDULED.

It was moved by Hay, seconded by Schmidt and unanimously passed to set a special meeting for Monday, April 30, 2018, at 5:30 P.M. for a joint meeting with the Hospital Board and Chippewa County Board of Commissioners on the condition of health care in rural America.

- ▶ Mayor Fader reminded citizens to continue writing letters of support for the VA Home.
- ▶ Council member Hay reported a globe out in the area of Auto Value (Parkway Drive).
- ▶ Council President Garbe announced that he received a phone call from Representative Tim Miller about a special press release being made on Wednesday, April 18, at 9:15 A.M. at the State Capitol regarding funding for three (3) new vets homes in Minnesota. Following the press release, the city will testify before the House Finance Committee on the matter. Garbe stated that this is a big hurdle towards locating a vets home in Montevideo.
- ▶ City Manager Jones distributed information regarding the SW/WC school project, including RFQ's for contractors.

Meeting adjourned at 7:40 P.M.

Glennis A. Lauritsen, Secretary

Approved by council May 7, 2018:

Marvin E. Garbe, President