

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
May 21, 2018

The city council met in regular session Monday, May 21, 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: Todd Hay, Bryce Curtiss, Nathan Schmidt, Sandy Hodge 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 Schmidt, seconded by Curtiss and unanimously passed to approve the agenda, with the following modifications:

MODIFY: AGENDA - PAGE 2 - 5(C) - CONSIDER REQUEST FOR USE OF CITY PROPERTIES FOR FIESTA EVENTS JUNE 14-~~27~~ 17, 2018.

Corrected copy provided.

MODIFY: 5A) CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING MAY 18, 2018 IN THE AMOUNT OF \$138,536.98 \$172,187.39.

LIQUOR

Bellboy Corporation - Inventory	\$ 1,887.50
Breakthru Beverage - Inventory	2,601.41
Johnson Brothers Liquor - Inventory	3,236.12
Madison Bottling Company - Inventory	5,940.00
Phillips Wine & Spirits - Inventory	2,320.08
Southern Glazer's of MN - Inventory	3,391.64

MISCELLANEOUS

Delta Dental of MN - Dental Premium/June	2,361.55
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POOL

Aqua Logic, Inc. - Sidewall Suction Chamber Compliant Grate	2,105.76
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UTILITY

Core & Main - Meters, Touchpads	1,697.75
Evonik - Overbilling/Payment Refund	4,748.58
Smith & Loveless, Inc. - Grit Classifier Parts, etc.	3,360.02

ADD: **5D) CONSIDER APPLICATION FROM CHIPPEWA COUNTY FAIR ASSOCIATION FOR AN EXEMPTION FROM LAWFUL GAMBLING LICENSE REQUIREMENTS TO ALLOW A RAFFLE TO BE CONDUCTED ON JULY 29, 2018 AT THE CHIPPEWA COUNTY FAIRGROUNDS IN CONJUNCTION WITH THE FAIR.**

MODIFY: **7I) CONSIDER RESOLUTION ACCEPTING GIFTS/GRANTS FROM VARIOUS ORGANIZATIONS & INDIVIDUALS.**

- Updated resolution provided.

ADD: **7J) CONSIDER APPROVAL OF CONTRACT AMENDMENT #1 WITH SEH FOR TAXI-LANE CONSTRUCTION ADMINISTRATION, OBSERVATION AND CLOSE-OUT.**

MODIFY: **8B) CONSIDER INTRODUCTION OF ORDINANCE AMENDING CHAPTERS 5 & 6 OF THE ADMINISTRATIVE CODE.**

- Ordinance provided.

ADD: **9A) CONSIDER SETTING PRELIMINARY BUDGET WORKSESSION.**

It was moved by Hodge, seconded by Curtiss and unanimously passed to approve the minutes of the regular meeting of May 7, 2018, as presented.

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

Council President Garbe announced that the Bonding Bill was recently passed by the State Legislature and includes \$9.4 Million for the Montevideo Veterans Home. The Governor now has 10 days to sign the Bill. Senator Erdahl and Representative Miller indicated that it looks good for the Governor's approval. Garbe thanked everyone involved in this 11-year effort!

4(A) ADDITIONAL 2017 BUILDING AWARDS PRESENTATIONS.

Mayor Fader presented the following 2017 Building Award:

- ▶ **Erich & Jayme Winter/Winter Family Enterprises, Inc.** - *Best Commercial Renovation, Millennium Theater, 560 South 1st Street.*

Also acknowledged was Double D Development of Montevideo for Best New Professional Offices Development, Graystone Office Suites, 590 Highway 29 South. There was no one present to accept this award and, therefore, the award will be mailed.

5. Consent Agenda.

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

- 5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING MAY 18, 2018 IN THE (MODIFIED) AMOUNT OF \$172,187.39.
- 5(B) USE OF A PORTION OF THE CITY-OWNED PARKING LOT AT SOUTHTOWN PLAZA BY THE MONTEVIDEO FIRE DEPARTMENT ON SATURDAY, JUNE 16, 2018, FOR ITS FUND RAISER DANCE/RAFFLE/BEER GARDENS DURING FIESTA.
- 5(C) USE OF VARIOUS CITY ROPERTIES FOR FIESTA EVENTS JUNE 14-17, 2018.
- 5(D) APPLICATION FROM CHIPPEWA COUNTY FAIR ASSOCIATION FOR AN EXEMPTION FROM LAWFUL GAMBLING REQUIREMENTS TO ALLOW RAFFLE ACTIVITIES ON JULY 29, 2018 AT THE FAIRGROUNDS IN CONJUNCTION WITH THE CHIPPEWA COUNTY FAIR.

6. Public Hearings.

6(A) FINAL PUBLIC HEARING - 2018 STREET & UTILITY IMPROVEMENTS.

President Garbe called the public hearing to order at 7:07 P.M. for the purpose of providing the final public hearing on the proposed assessment roll for the 2018 Improvement Projects:

A handout had been prepared by the engineer's office which discussed the city's assessment policy and provided assessment costs associated. Rodeberg & Berryman Engineer Amborn highlighted the costs per linear foot for each project. President Garbe asked for public comment on the following projects:

- Canyon Avenue, Parkway Drive to 1st Street
- Fosnes Avenue, 4th Street to Highway 29.

Inasmuch as there were no persons present to speak on the assessed projects, President Garbe closed the public hearing at 7:08 P.M.

TODD HAY OFFERED RESOLUTION NO. 3517, A RESOLUTION ADOPTING ASSESSMENT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3517 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: TODD HAY, BRYCE CURTISS, NATHAN SCHMIDT, SANDRA HODGE AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

Amborn then addressed other (non-assessable) city work proposed for 2018, including Smith Park paving, Public Works building site (sewer/water), State Road sanitary sewer replacement, and utility patches @ 718 South 11th Street, Highway 29/Fosnes Avenue and Ashmore Avenue/7th Street.

7. General Business.

7(A) BID AWARD - 2018 IMPROVEMENT PROJECTS.

Four (4) bids were received on April 10th for the proposed 2018 Street & Utility Improvement Projects, as follows:

<u>Bidder:</u>	<u>Total Base Bid</u>	<u>Alternate Bid</u>
R & G Construction, Co. Marshall, MN	\$ 473,668.30	\$ 204,354.00
Duininck, Inc. Prinsburg, MN	\$ 491,532.45	\$ 193,350.10

<u>Bidder:</u>	<u>Total Base Bid</u>	<u>Alternate Bid</u>
Quam Willmar, MN	\$ 564,385.05	\$ 231,252.80
Riley Brothers Construction Morris, MN	\$ 585,420.00	\$ 261,289.85

It was moved by Schmidt, seconded by Hodge and unanimously passed to approve the low bid from R & G Construction, and authorize the mayor and city manager to execute necessary project documents including, but not limited to, contract and bond(s).

7(B) \$660,000 G.O. IMPROVEMENT BOND ISSUE.

In order to provide funding to pay for the construction of the 2018 improvements, the city needs to sell bonds. A resolution was prepared that calls for the sale of bonds on June 18, 2018 and authorizes city staff to work with Ehler's & Associates to facilitate that sale.

BRYCE CURTISS OFFERED RESOLUTION NO. 3518, A RESOLUTION PROVIDING FOR THE SALE OF \$660,000 GENERAL OBLIGATION BONDS, SERIES 2018A, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3518 WAS SECONDED BY TODD HAY. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, TODD HAY, SANDRA HODGE, NATHAN SCHMIDT AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(C) SEAL COATING QUOTES.

Quotes were solicited from three (3) vendors for seal coat work on city streets. Quotes were received until May 11, 2018, and only one quote was submitted - from Barga, Inc., Mountain Lake, Minnesota in the amount of \$53,085.60. Public Works Director Aaron Blom was on hand to further explain that there is \$60,000 budgeted for seal coating this year, and his recommendation is to seal coat the following five (5) different locations:

- ▶ Windom Avenue, 4th Street to Benson Road
- ▶ Grove Avenue, Legion Drive to Pizza Ranch
- ▶ North 4th Street, Washington Avenue to Eichelberger Avenue
- ▶ North 1st Street, Canton Avenue to Miawakon Avenue
- ▶ Miawakon Avenue, 1st Street to 3rd Street

It was moved by Hodge, seconded by Curtiss and unanimously passed to accept the quote from Bargaen, Inc. and authorize the seal coating of the recommended locations.

7(D) AIRPORT TAXI-LANE CONSTRUCTION & WIND CONE RELOCATION.

As a prelude to proposed hangar construction in 2019, taxiways at the airport need to be constructed and improved, and the wind cone relocated. This project is included in the Airport Capital Improvement Plan and is eligible for state and FAA funding. Bids were taken until May 10th, with four (4) bids received, as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Duininck, Inc. Prinsburg, MN	\$ 289,098.90
Bituminous Paving, Inc. Ortonville, MN	\$ 298,131.00
Central Specialties, Inc. Alexandria, MN	\$ 320,235.50
Swenson & Sons Construction New London, MN	\$ 340,200.00

Estimated project cost is \$389,648.90. Of that estimated cost, 90% would be paid by the FAA, 5% paid by the State of Minnesota and 5% paid by the City/County (estimated at \$9,741.22 each.)

It was noted that the Airport Commission had met May 15th and unanimously recommended acceptance of the Duininck bid. The County Board is scheduled to consider this issue at its June 5th meeting.

It was moved by Schmidt, seconded by Hay and unanimously passed to approve the bid of Duininck, Inc., contingent upon approval by the County Board.

7(E) AIRPORT DBE PLAN & GOAL.

One requirement of receiving federal funding for the airport is a Disadvantaged Business Enterprise (DBE) Plan & Goal. Therefore, a policy statement and DBE Program document has been prepared for this purpose. The city has set a goal of 2.2% for the FY2017/18/19 Airport Improvement Projects, which are funded, at least in part, by federal grant(s).

It was moved by Hay, seconded by Hodge and unanimously passed to approve the DBE Policy Statement and Plan.

7(F) ENERGY RESILIENCE MASTER PLANNING.

The city has been working to refine and increase the ability to operate, even under adverse conditions, and would now like to expand that ability into other areas (both governmental and corporate) so that the community is better protected in the event of an extreme event (i.e., a tornado that would drop power lines.) To that end, city staff has been working with NRG for several months, and a draft Proposal for Energy Resilience Master Planning has been developed. Montevideo is a bit of a “test case” for NRG inasmuch as this is the first small community they have worked with and would help determine whether their expertise and experience is marketable in smaller communities. Because of this, staff believes the \$30,000 project cost buys the city much more, as NRG attempts to use Montevideo as a proof of concept case.

It was moved by Hodge, seconded by Curtiss and unanimously passed to approve the proposal from NRG for Energy Resilience Master Planning, using utility and council contingency funds. It was noted that staff will contact local development agencies and request financial assistance since a portion of this project affects/helps local businesses. Based on that participation, the council contingency use could be much less.

7(G) FLOOD DAMAGE MITIGATION GRANT FOR 724 KINGMAN ACQUISITION.

The purchase of 724 Kingman Street was reviewed at the May 7th city council meeting, with approval given to proceed with steps necessary for the acquisition. The Department of Natural Resources has given the city tentative approval for the project, and a resolution is required for the city to apply for the associated grant.

TODD HAY OFFERED RESOLUTION NO. 3519, A SPONSORING UNIT OF GOVERNMENT RESOLUTION, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3519 WAS SECONDED BY NATHAN

SCHMIDT. THOSE VOTING IN FAVOR OF MOTION: TODD HAY, NATHAN SCHMIDT, SANDRA HODGE, BRYCE CURTISS AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(H) AMERICAN LEGION DAY.

2018 marks the 100th year anniversary of the operation by the American Legion. To honor that accomplishment, and to acknowledge the Montevideo American Legion, Lee-Osborn Post #59, a resolution of support has been recommended.

SANDRA HODGE OFFERED RESOLUTION NO. 3520, A RESOLUTION DECLARING AUGUST 24, 2018 “AMERICAN LEGION DAY,” AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3520 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: SANDRA HODGE, BRYCE CURTISS, NATHAN SCHMIDT, TODD HAY AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(I) ACCEPTANCE OF GIFTS/GRANTS.

The following gifts/grants have been received by the city:

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
Rekow Management, LLC	Donation - Tractor Art Project	\$ 500.00
SW MN Arts Council	Grant - Downtown Stairs Art Project	2,000.00

BRYCE CURTISS OFFERED RESOLUTION NO. 3521, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3521 WAS SECONDED BY TODD HAY. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, TODD HAY, SANDRA HODGE, NATHAN SCHMIDT AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(J) CONTRACT AMENDMENT #1 - AIRPORT TAXI-LANE.

A contract amendment has been drafted between the city and Short Elliott Hendrickson, Inc. (SEH) to include construction administration, observation and closeout for the 2018 Taxilane Construction at the airport. Financial impact is \$54,100, which is already planned for in the total cost of the project. The city and county share of this will be 5%

(\$1,352.50 each) of the total estimated city/county share of \$9,741.22 each for the entire project.

It was moved by Hodge, seconded by Schmidt and unanimously passed to approve Contract Amendment #1, as presented.

8. Ordinances.

8(A) INTRODUCTION OF ORDINANCE NO. 948 (CRITICAL WATER DEFICIENCY).

The city's 2017 Water Emergency & Conservation Plan and updated water usage has been approved by the Department of Natural Resources. However, one area of concern was noted which needs to be addressed in order to remain compliant with MN Statutes Chapter 103G.291. During its review of the city's plan, the DNR noted that no specific regulations or ordinance existed with regards to critical water deficiency. Under Statute, cities are required to adopt and enforce water conservation restrictions when the Governor declares a critical water deficiency. Therefore, an ordinance has been drafted to address this issue.

TODD HAY INTRODUCED ORDINANCE NO. 948, AN ORDINANCE REGULATING NON-ESSENTIAL WATER USAGE UPON CRITICAL WATER DEFICIENCY AS AUTHORIZED BY MN STATE STATUTE 103G.291, SUBD.1 AND 2.

8(B) INTRODUCTION OF ORDINANCE NO. 949 (ADMINISTRATIVE CODE).

An ordinance has been drafted which updates the Administrative Code (Chapters 5 and 6) to reflect an increase in the competitive bidding threshold, from \$100,000 to \$175,000, and an updated inventory process.

BRYCE CURTISS INTRODUCED ORDINANCE NO. 949, AN ORDINANCE AMENDING THE CITY OF MONTEVIDEO ADMINISTRATIVE CODE, BIDDING OR PROPOSAL REQUIREMENTS AND PROPERTY CONTROL.

9. Discussion and Miscellaneous.

9(A) PRELIMINARY BUDGET WORK SESSION.

It was moved by Schmidt, seconded by Hay and unanimously passed to set a preliminary budget work session for Monday, June 18, 2018, at 5:30 P.M. Items to discuss include

the outdoor swimming pool, Carnegie Library, IT personnel, Police/Code Enforcement Officer and union contracts.

- ▶ Mayor Fader thanked Council President Garbe for his 11 years of diligent work on the Vets Home issue. Garbe commended others for their involvement, including City Manager Jones, Assistant City Manager Steinbach and members of the community who had all worked together in this effort.
- ▶ Council Member Schmidt reminded everyone of the 25th Annual Fire Department Fund Raiser Raffle, noting that tickets are available by contacting a fire department member.
- ▶ City Manager Jones reported that the Public Works Building RFQ Review Committee had met and narrowed the list of candidates to provide architectural consulting services from seven (7) to three (3). Those three include SEH, HDR and Kodet. If council agrees, the committee will continue with the process and ultimately make its recommendation to the council. It was the consensus of the council that the committee proceed, as necessary.

Meeting adjourned at 7:40 P.M.

Glennis A. Lauritsen, Secretary

Approved by council June 4, 2018:

Marvin E. Garbe, President