

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
October 15, 2018

The city council met in regular session Monday, October 15, 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: Bryce Curtiss, Todd Hay, Nathan Schmidt, Sandra Hodge and Marvin Garbe. Absent: None. Mayor Fader present.

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

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

MODIFY: 5A) CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING OCTOBER 12, 2018 IN THE AMOUNT OF ~~\$341,447.28~~ \$357,910.58.

LIQUOR

Locher Brothers, Inc. - Inventory 7,397.30

EDA ADMINISTRATION

VanGorp Development, LLC - Business Rehab Grant 5,000.00
Casa de Oracion

SMITH ADDITION GRANT

MAAC, Inc. - 724 Kingman Demo - Inspection/Asbestos 1,866.00

STREET

MAAC, Inc. - Repair Washout - 11th Street Culvert 2,200.00

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

Updated resolution provided.

It was moved by Hay, seconded by Schmidt and unanimously passed to approve the minutes of the regular meeting of October 1, 2018, as presented.

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

4(A) OATH OF OFFICE - POLICE OFFICER NICK VORVICK.

Chief Christopher introduced Police Officer Nick Vorvick (hired August 18, 2018). Mayor Fader administered the oath of office.

5. Consent Agenda.

It was moved by Schmidt, seconded by Hodge and unanimously passed to approve the following Consent Agenda items:

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING OCTOBER 12, 2018 IN THE (MODIFIED) AMOUNT OF \$357,910.58.

6. Public Hearings.

- None.

7. General Business.

7(A) AFSCME UNION CONTRACT - 2019/2020.

As directed by the council, staff had negotiated a new agreement with the American Federation of State, County & Municipal Employees AFL-CIO Local Union No. 1686 (AFSCME). The proposed changes were discussed in closed sessions, agreed to by the union and subsequently incorporated into a new two-year agreement.

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

7(B) LELS UNION CONTRACT - 2019/2020.

As directed by the council, staff had negotiated a new agreement with Law Enforcement Labor Services, Inc. (LELS). With only a few exceptions, the proposed new two-year agreement reflected what was discussed in closed sessions. LELS verbally agreed to the new agreement, subject to a vote of the union.

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

7(C) NON-UNION & DEPARTMENT HEAD PAY INCREASES.

Recommendations were presented for 2019 pay increases for non-union employees, department heads, part-time staff (senior center, liquor store) and fire department members. The recommendations reflected a 2.5% increase. It was noted that wages for part-time police personnel are based off of the union scale (starting wage); therefore, this rate increases along with any increases to the union agreement. Mayor and council salary changes are approved by ordinance of the council, and can only be approved in an election year (see item 8A).

In addition to the salary recommendations, it was noted that forms have been distributed to council members for an annual review of the city manager, scheduled to be conducted at the first meeting in December. Following that review, the council may consider a wage adjustment for that position.

It was moved by Hodge and seconded by Curtiss to approve the 2019 pay increases, as recommended. Those voting in favor of motion: Hodge, Curtiss, Hay and Garbe. Those voting against motion: None. Schmidt abstained due to his being an active firefighter and personally affected by the increase. Motion passed 4-0-1.

7(D) PROPERTY OWNER PETITIONS.

A number of property owners along Wolfe Avenue and North 6th Street have petitioned the city for local improvements. Two petitions were received in September 2018. In order to have been considered for 2019 improvements, the petitions needed to be submitted by August 15th. Therefore, staff recommended the council accept the petitions

and direct staff to send a letter of explanation of the process to the property owners, which would include reconsidering the projects for 2020 construction.

It was moved by Hay, seconded by Curtiss and unanimously passed to accept the petitions and direct the city manager to send a letter to the petitioners explaining the process.

7(E) QUOTES - AC/HEATING UNIT REPLACEMENT - WWTP.

It was explained that the roof top unit for air conditioning and heat on the old office and control building at the wastewater treatment plant had failed due to a cracked heat exchanger. Two (2) quotes were received for its replacement, with the low quote submitted by Molde's Electric & Mechanical, Inc, in the amount of \$10,865.

It was moved by Hay, seconded by Schmidt and unanimously passed to accept the quote of Molde's Electric, as submitted.

7(F) FIESTA CITY LIQUORS SECURITY SPECIFICATIONS.

To proceed with plans for a new security camera system at the municipal liquor store, the council was asked to approve a contract with Morecom to develop construction specifications for the project. The contract would include finalizing the scope, budget and details; technical design of the surveillance system; bid packet/project manual creation; and, project management at an estimated cost of \$3,950.

It was moved by Curtiss, seconded by Hodge and unanimously passed to approve an agreement with Morecom for this purpose.

7(G) GRANT APPLICATION-MONTEVIDEO AREA COMMUNITY FOUNDATION.

In conjunction with the mural art project on the North 1st Street staircase (northeast end of main street), the Montevideo Arts Project (MAP) Committee has requested approval of a grant application to the Montevideo Area Community Foundation in the amount of \$1,000. If the project does not go forward, the funds would not be accepted.

It was moved by Schmidt, seconded by Hay and unanimously passed to authorize submission of the grant application, as requested.

7(H) ADDITIONAL DEPOSITORY.

The depositories for city funds are designated annually and are used for general checking, payroll checking and for the investment of surplus city funds. Staff requested that Edward Jones be added to the list.

It was moved by Hodge, seconded by Curtiss and unanimously passed to approve the addition of Edward Jones as a depository for city funds for 2018.

7(I) ACCEPTANCE OF GIFTS (VA DONATIONS).

The following gifts have been received by the city:

<u>VA HOME DONATIONS/PLEDGES:</u>	<u>Amount/Value</u>
Milan American Legion	\$ 5,000.00
Hoehne Operations, LLC, dba/Sportsman Inn	250.00
Gary & Mary Retzlaff	250.00
Georgia & David Anderson	200.00
Jim & Sally Helling	500.00
Ronald Molstad	200.00
Paul R. Thompson Farm Account	2,000.00
Stephen Rucker	100.00
Dooley's Petroleum, Inc., Willmar	200.00
Sweep Hardware, LLC, Clara City	100.00
R & R Bakery, Clara City	500.00
Masonic Home Association, Inc.	20,000.00
Prairie West Insurance Company	100.00
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	\$ 29,400.00

NATHAN SCHMIDT OFFERED RESOLUTION NO. 3543, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3543 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: NATHAN SCHMIDT, BRYCE CURTISS, TODD HAY, SANDRA HODGE AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(J) CITY MANAGER RETIREMENT PLANNING.

President Garbe had requested a closed session to discuss retirement plans of City Manager Steve Jones. According to LMC attorneys, “the city council can go into closed session to conduct a performance evaluation of an employee subject to the authority of the body. If the employee to be evaluated requests that the meeting be open, then it must be open.”

City Manager Jones had indicated that he was not sure, for the reason stated, if a Closed Session would be allowed as it did not appear that the intent of the discussion was for an employee evaluation. Therefore, he had suggested the council consult with the city attorney in this matter. Further, he indicated that if the intent was to discuss his retirement plans, then he would ask that the meeting remain open. If the intent is for an employee evaluation, then he would like to be notified of that purpose and would reconsider the options, but that he would likely ask for any evaluation at this time to be open as well to the public.

Garbe explained that what had precipitated his request was the fact that Assistant Manager Angela Steinbach was recently named one of seven finalists for the County Administrator position in Yellow Medicine County. When the council promoted Steinbach to the Assistant City Manager position, it was with the understanding that she would be groomed to be city manager and move into that position at the time that Steve Jones retired. Therefore, Garbe wanted to ascertain where Jones stood on a retirement timeline. Garbe noted his concern over losing Steinbach to another position, both because of her abilities and because of the difficulty it would create in finding a replacement (starting from scratch, hiring a head hunter, etc.).

City Manager Jones stated that he has no plans of retiring anytime soon but that it would be years, not months before he would retire. He noted that he had intended to discuss this with the council during his performance evaluation, as well as tentative retirement schedules submitted by other city employees (provided those employees gave him permission to do so.) He stated that the council can replace him at will; it would take a vote of 3 members of the council to do so.

Council member Hodge asked Steinbach about the timeline for the Yellow Medicine County position. Steinbach explained that by October 23rd the field of finalists would be narrowed down, with an offer being made by November 14th.

Steinbach noted that her application with Yellow Medicine County had not been made public prior to this time. She added that she had listed President Garbe as a reference on her application, which is how he was aware of her action. She also stated that applying for other positions was certainly within her purview, as was her choice of references. She indicated that City Manager Jones was also aware of her actions and that she had created a written 11-page document of discussion(s) she had had with City Manager Jones. She said she would be happy to discuss the document with the council and/or the city attorney.

Council member Hay stated that a number of years ago, City Manager Jones had indicated a 3-5 year timeline for his retirement and had encouraged the council to appoint Steinbach to Assistant City Manager for the purpose of an orderly transition. Hay said the council has no issue with Jones' performance but that this situation creates a difficult decision for the council, all while keeping in mind the best interest of the city. City Manager Jones stated that this is not difficult; the council must decide whether it wants him as city manager or not; that he does not intend to retire anytime soon; and, again, that it only takes 3 votes of the council to remove him from the position.

No action taken at this time.

8. Ordinances.

8(A) MAYOR & COUNCIL COMPENSATION.

Ordinance No. 950 was introduced at the October 1st council meeting. The ordinance provides for a 5% increase in mayor and city council members compensation, from \$6,519.31 to \$6,845.28, effective January 2019.

IT WAS MOVED BY BRYCE CURTISS THAT ORDINANCE NO. 950, AN ORDINANCE AMENDING CHAPTER 5, TITLE 1 OF THE MONTEVIDEO CITY CODE ENTITLED, "COMPENSATION OF MAYOR & COUNCIL MEMBERS," BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 950 WAS SECONDED BY NATHAN SCHMIDT. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, NATHAN SCHMIDT, SANDRA HODGE, TODD HAY AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: ORDINANCE PASSED 5-0.

9. Discussion and Miscellaneous.

- ▶ City Engineer Mike Amborn updated the council on the 2018 Improvement Projects, noting that the bituminous is done, a final lift will be placed soon and restoration completed. Mayor Fader congratulated Amborn on the street projects, noting that the streets look very nice.
- ▶ Council member Hodge commented on the improvements made to the railroad crossing in Smith Addition.
- ▶ President Garbe reported on the October 3rd Veterans Home meeting with the architects and the Department of Veterans Affairs. He stated that another meeting will be held November 7th, with the public meeting scheduled for December 5th to review the pre-design.

Meeting adjourned at 7:37 P.M.

Glennis A. Lauritsen, Secretary

Approved by council on November 5, 2018:

Marvin E. Garbe, President