

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
November 19, 2018

The city council met in regular session Monday, November 19, 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, Nathan Schmidt, Sandra Hodge, Marvin Garbe and Bryce Curtiss (7:03 P.M.) Absent: None. Mayor Fader absent.

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 Hay and unanimously passed to approve the agenda, with the following modifications:

MODIFY: 5A) CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING NOVEMBER 16, 2018 IN THE AMOUNT OF ~~\$230,880.85~~ \$264,753.96.

LIQUOR

JJ Holdings, LLC - December Rent	3,000.00
Madison Bottling Company - Inventory	5,468.40

AIRPORT

Mark Borgerson - November Services	1,631.18
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CAPITAL EQUIPMENT & FACILITIES

Lyle Pringnitz - IT Services	2,530.00
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MISCELLANEOUS

Chippewa County Auditor/Treasurer - Assessment Services	4,406.25
Delta Dental of MN - December Dental Premium	2,511.35

UTILITY

Roger Lauritsen - November Retainer/Sludge Removal	2,250.93
SEH, Inc. - Aerial Blower Replacement - WWTP	12,075.00

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

Updated resolution provided.

ADD: 7F) CONSIDER RESOLUTION SETTING PUBLIC HEARING FOR THE REASSESSMENT OF 2016 STREET IMPROVEMENTS AGAINST THE PROPERTY AT 418 SOUTH 3RD STREET.

ADD: 7G) CONSIDERATION OF REQUEST FROM JON KUHLMANN, CASUALTY ASSURANCE, FOR INCREASE IN INSURANCE COMMISSION RATE.

It was moved by Schmidt, seconded by Hay and unanimously passed to approve the minutes of the regular meeting of November 5, 2018 and Canvassing Board Meeting of November 13, 2018.

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

- None.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING NOVEMBER 16, 2018 IN THE (MODIFIED) AMOUNT OF \$264,753.96.

5(B) SALE OF SEIZED/SURPLUS ITEMS BY THE POLICE DEPARTMENT (2004 NISSAN MAXIMA | 2000 FORD TAURUS | 2007 CHEVROLET IMPALA | 2000 GMC JIMMY).

6. Public Hearings.

- None.

7. General Business.

7(A) 2018 BUDGET AMENDMENTS.

Finance Director Jan Flaherty presented year-end budget amendments proposed for 2018. Revenue amendments totaled \$5,882,500 and Expense amendments totaled \$2,355,100. A resolution was prepared showing amended revenues for all funds in the amount of \$18,679,855 and amended expenditures for all funds in the amount of \$14,868,505.

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

TODD HAY OFFERED RESOLUTION NO. 3550, A RESOLUTION ADOPTING THE AMENDED BUDGET FOR THE FISCAL YEAR 2018, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3550 WAS SECONDED BY SANDRA HODGE. THOSE VOTING IN FAVOR OF MOTION: TODD HAY, SANDRA HODGE, NATHAN SCHMIDT, BRYCE CURTISS AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(B) CHARTER FRANCHISE AGREEMENT EXTENSION.

The existing franchise with Charter Communications expires at the end of 2018. A number of extensions have previously been granted, and the city's cable attorney has recommended another extension, until June 30, 2019.

NATHAN SCHMIDT OFFERED RESOLUTION NO. 3551, A RESOLUTION GRANTING CC VIII OPERATING LLC, D/B/A CHARTER COMMUNICATIONS, A FRANCHISE EXTENSION TO JUNE 30, 2019, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3551 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(C) AMENDMENT #1 - SOLAR GARDEN SUBSCRIPTION AGREEMENT.

The city previously entered into a Community Solar Garden Subscription Agreement with NRG. NRG has been divided into several different companies, with the solar energy interests being taken over by Clearway. Therefore, an amendment and Estoppel Certificate have been prepared to reflect the name change from NRG MN Community, LLC to Montevideo Solar, LLC.

It was moved by Curtiss, seconded by Hay and unanimously passed to approve Amendment #1 and Estoppel Certificate, as presented.

7(D) WAIVER OF TORT LIABILITY LIMITS.

The city is protected under state law by Tort Liability Limits. Each year, the League of MN Cities offers the option to waive this and buy additional insurance. The city's insurance agent and staff recommended NOT waiving the monetary limits.

It was moved by Hodge, seconded by Curtiss and unanimously passed to NOT WAIVE the monetary municipal tort liability established by MN Statute 466.04.

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

The following gifts have been received by the city:

<u>VA HOME DONATIONS/PLEDGES:</u>	<u>Amount/Value</u>
Clara City Implement, LLC dba/Weara Implement Company	\$ 500.00
Jamie & Rebecca Pauling	5,000.00
J & D Construction, Inc.	10,000.00
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	\$ 15,500.00

OTHER:

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
American Legion Post 59	Donation - Shop With a Cop Program	\$ 250.00

BRYCE CURTISS OFFERED RESOLUTION NO. 3552, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3552 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: NONE. RESOLUTION PASSED 5-0.

7(F) REASSESSMENT OF 418 SOUTH 3RD STREET.

The property known as PID #70-165-0550 in Frink's 1st Addition was tax forfeited by Chippewa County and has since been sold to Jose Martinez. This property was previously provided with 2016 Street Improvements for which there are remaining assessments in the amount of \$518.93. In order to reassess the parcel, a public hearing must be conducted, with due notice and an opportunity to be heard from the affected property owner. The public hearing must be set by resolution and, therefore, a resolution was prepared setting the hearing for 7:00 P.M. on Monday, December 17, 2018.

BRYCE CURTISS OFFERED RESOLUTION NO. 3553, A RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3553 WAS SECONDED BY TODD HAY. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, TODD HAY, NATHAN SCHMIDT, SANDRA HODGE AND MARVIN GARBE. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(G) INSURANCE COMMISSION RATE.

The city's local insurance agent, Jon Kuhlmann, requested an increase in his commission. The normal rate is 10%; the city pays 5%. Staff recommended raising the commission over two years - 7.5% for 2019 (about \$10,500) and 10% for 2020 (estimated at \$14,000). The cost would be spread across all departments, including utility.

It was moved by Hay, seconded by Curtiss and unanimously passed to authorize an increase in the commission over two years, as recommended by staff.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

- ▶ Council President Garbe reminded everyone of the upcoming public meeting to review the pre-design for the new veterans home. The meeting is scheduled for December 5th at 11:00 A.M. at the American Legion. There will be a major announcement concerning the veterans home, followed by a presentation of the proposed design.

Meeting adjourned at 7:13 P.M.

Glennis Lauritsen, Secretary

Approved by council on December 3, 2018:

Marvin E. Garbe, President