

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
January 11, 2021

The city council met in regular session Monday, January 11, 2021 in the council chambers at city hall. Due to the COVID-19 pandemic, the meeting was not open to the public but rather, was held via ZOOM (Meeting I.D. #92666473502). Council member Schmidt called the meeting to order at 7:00 P.M. with the Pledge of Allegiance.

Council members present in the council chambers: Nathan Schmidt and Beverly Olson.
Council members present via ZOOM: Dan Sanborn, Bryce Curtiss and Steve Sulflow. Absent: None. Mayor Erich Winter also present via ZOOM.

Staff present in the council chambers: Community Development Director Alek Schulz, City Engineer Mike Amborn and City Clerk Glennis Lauritsen. Staff present via ZOOM: City Manager Robert Wolfington and City Attorney Janice Nelson.

Also present via ZOOM were Hospital Administrator Brian Lovdahl and Mark Rekow.

1(A) WELCOME.

Newly elected Mayor Erich Winter, newly elected council member Beverly Olson and re-elected council member Nathan Schmidt were welcomed. Due to the COVID-19 pandemic and the late date of the first council meeting in 2021, Oaths of Office had been administered individually on January 4th by the city clerk.

1(B) ELECTION OF COUNCIL PRESIDENT.

Dan Sanborn nominated Nathan Schmidt for the position of council president. Steve Sulflow seconded the nomination. There were no other nominations. It was moved by Bryce Curtiss, seconded by Steve Sulflow and unanimously passed by roll call vote that nominations cease and a unanimous ballot be cast to appoint Nathan Schmidt president of the council for 2021. Schmidt presided over the remainder of the meeting.

It was moved by Sanborn, seconded by Sulflow and unanimously passed by roll call vote to approve the agenda, with the following modifications:

MODIFY: 5A) CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING JANUARY 8, 2021 IN THE AMOUNT OF ~~\$3,765,609.66~~ \$4,513,925.27.

The revised list reflects the following additions:

<u>2020 CIP CONSTRUCTION - P.W. BUILDING</u>	
RJM Construction, LLC - Pay Application #6	\$ 626,389.52
<u>MISCELLANEOUS</u>	
Avenue Insights & Analytics - AS400 Computer Support	21,542.36
Clearway Community Solar - Solar Bills	24,441.23
SW/WC Service Co-Op - BC/BS February Premium	75,942.50

It was moved by Curtiss, seconded by Sanborn and unanimously passed by roll call vote to approve the minutes of the Regular Meeting of December 21, 2020, as presented.

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

4(A) PUBLIC SUMMARY - CITY MANAGER PERFORMANCE REVIEW.

President Schmidt gave a public summary of the performance review of City Manager Robert Wolfington, conducted by the council in closed session Monday, December 21, 2020. The review resulted in a unanimous motion that Wolfington be given a 2.5% wage increase for 2021, the same amount that had been given to other non-union employees and department heads.

5. Consent Agenda.

It was moved by Sulflow, seconded by Sanborn and unanimously passed by roll call vote to approve the following consent agenda items:

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING JANUARY 8, 2021 IN THE (MODIFIED) AMOUNT OF \$4,513,925.27.

5(B) SALE OF SEIZED/SURPLUS ITEMS FROM THE POLICE DEPARTMENT (2004 FORD EXPEDITION | 1999 FORD F250 | 1999 FORD EXPEDITION.)

6. Public Hearings.

- None.

7. General Business.

ORGANIZATIONAL ITEMS OF BUSINESS:

7(A) SECRETARY TO COUNCIL/2021.

It was moved by Curtiss, seconded by Sanborn and unanimously passed by roll call vote to appoint Glennis A. Lauritsen as secretary to the council for 2021.

7(B) DEPOSITORIES FOR 2021.

It was moved by Sulflow, seconded by Sanborn and unanimously passed by roll call vote to designate the following institutions as depositories for city funds:

Old National Bank, Montevideo
Minnwest Bank, Montevideo
Co-Op Credit Union, Montevideo
4M Fund/League of Minnesota Cities
Multi-Bank Securities, Inc.
RBC Capital Markets, LLC

7(C) ACTING CITY MANAGER / ACTING CITY CLERK FOR 2021.

DAN SANBORN OFFERED RESOLUTION NO. 3701, A RESOLUTION PROVIDING FOR AN ACTING CITY MANAGER (GLENNIS LAURITSEN) AND ACTING CITY CLERK (JAN FLAHERTY) WHEN SUCH MAY BE REQUIRED, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3701 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: DAN SANBORN, STEVE SULFLOW, BRYCE CURTISS, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(D) WIRE TRANSFER OF FUNDS.

STEVE SULFLOW OFFERED RESOLUTION NO. 3702, A RESOLUTION AUTHORIZING WIRE TRANSFER OF FUNDS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3702 WAS SECONDED BY DAN SANBORN. THOSE VOTING IN FAVOR OF MOTION: STEVE SULFLOW, DAN SANBORN, BRYCE CURTISS, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(E) ACTING MAYOR /2021.

DAN SANBORN OFFERED RESOLUTION NO. 3703, A RESOLUTION PROVIDING FOR AN ACTING MAYOR (BRYCE CURTISS), AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3703 WAS SECONDED BY STEVE SULFLOW. THOSE VOTING IN FAVOR OF MOTION: DAN SANBORN, STEVE SULFLOW, BRYCE CURTISS, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(F) ACTING CITY ATTORNEY/2021.

DAN SANBORN OFFERED RESOLUTION NO. 3704, A RESOLUTION PROVIDING FOR AN ACTING CITY ATTORNEY (MATT HAUGEN) WHEN SUCH MAY BE REQUIRED, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3704 WAS SECONDED BY STEVE SULFLOW. THOSE VOTING IN FAVOR OF MOTION: DAN SANBORN, STEVE SULFLOW, BRYCE CURTISS, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(G) APPOINTMENT OF LICENSE INSPECTOR FOR 2021.

It was moved by Curtiss, seconded by Sanborn and unanimously passed by roll call vote to appoint the police chief as license inspector for 2021.

7(H) APPOINTMENT OF HEALTH INSPECTOR FOR 2021.

It was moved by Sulflow, seconded by Sanborn and unanimously passed by roll call vote to appoint Dr. Tom Birkey as Health Inspector for 2021.

7(I) OFFICIAL NEWSPAPER DESIGNATION/2021.

It was moved by Sanborn, seconded by Sulflow and unanimously passed by roll call vote to designate the Montevideo American-News as the city's official newspaper for 2021.

7(J) HUMAN RIGHTS OFFICER/ALTERNATES FOR 2021.

It was moved by Sanborn, seconded by Sulflow and unanimously passed by roll call vote to appoint the city manager as the human rights officer, with the city clerk and police chief designated as alternate human rights officers.

7(K) APPOINTMENT OF HEARING OFFICER FOR 2021.

It was moved by Sanborn, seconded by Curtiss and unanimously passed by roll call vote to appoint Rebecca Trapp as administrative hearing officer for 2021, at the rate of \$125.00/hour, including windshield time to/from Montevideo (same rate as 2020.)

7(L) BOARD/COMMISSION APPOINTMENTS.

Prior to official action being taken, ZOOM attendees Brian Lovdahl, Hospital Administrator, and Mark Rekow, Hospital member incumbent, spoke to the Hospital Commission appointment. Lovdahl spoke on behalf of the hospital, noting that he supports the appointment of Rekow and Rekow stated his appreciation for the opportunity to continue to serve in this capacity.

It was moved by Curtiss, seconded by Sulflow and unanimously passed by roll call vote to appoint the following slate of candidates to the various city boards/commissions:

BOARD OF HEALTH (annual terms): Dr. Thomas Birkey, City Manager Robert Wolfington and Police Chief Ken Schule.

PLANNING COMMISSION: (three-year terms, expiring January 2024): Scott Marquardt and Daniel Sanborn.

AIRPORT COMMISSION: (two-year terms, expiring January 2023): Dave Arneson, Steve Rucker and Marvin Garbe and (one-year term, expiring January 2022): Paul Larson.

POLICE CIVIL SERVICE COMMISSION (three-year term, expiring January 2024): Chris Weber.

HOSPITAL COMMISSION: (three-year term to January 2024): Mark Rekow.

TRAFFIC SAFETY IMPROVEMENT COMMITTEE (annual terms): Marv Dehne, Lyle Henning, Daniel Sanborn, Greg Schwaegerl, Paul Rice and Nathan Schmidt.

PARK BOARD (five-year term expiring January 2026): Daniel Sanborn.

CABLE ADVISORY BOARD (three-year term expiring December 31, 2023): Daniel Sanborn.

CONVENTION & VISITOR'S BUREAU (two-year terms expiring December 31, 2022): Donna Krueger and Erich Winter.

BUILDING & HOUSING ADVISORY APPEALS BOARD (three-year term to December 31, 2023): Scott Johnson.

7(M) COUNCIL MEMBER APPOINTMENTS TO BOARDS/COMMISSIONS.

The following council member appointments were made to the various city boards/commissions:

HOSPITAL COMMISSION (annual appointment): Steve Sulflow & Nathan Schmidt.

MONTEVIDEO COMMUNITY DEVELOPMENT CORPORATION (MCDC): Beverly Olson, term expiring December 31, 2022.

JOINT CITY/COUNTY AIRPORT ZONING BOARD (annual appointments): Dan Sanborn and Beverly Olson.

COUNTY ELECTED OFFICIALS COMMITTEE (annual appointment): Erich Winter.

COUNTY LIBRARY BOARD: Beverly Olson, term expiring December 31, 2023.

WESTERN MN PRAIRIE WATERS BOARD: Erich Winter, term expiring December 31, 2023.

7(N) MAYORAL APPOINTMENT TO EDA.

Mayor Erich Winter has appointed Marvin Garbe to the Montevideo Economic Development Authority (EDA), term expiring December 31, 2026. This action requires ratification by the council.

It was moved by Curtiss, seconded by Sanborn and unanimously passed by roll call vote to ratify the mayoral appointment of Garbe, as presented.

7(O) MUNICIPAL REPRESENTATIVE TO THE UMVRDC.

A vacancy currently exists on the Upper Minnesota Valley Regional Development Commission (UMVRDC) for a municipal representative from Chippewa County. The RDC has solicited representatives from all cities within the county.

It was moved by Sulflow, seconded by Sanborn and unanimously passed by roll call vote to submit a nomination of Erich Winter to serve in this capacity.

7(P) RESOLUTIONS OF APPRECIATION.

Resolutions of Appreciation were presented for outgoing city council member Todd Hay and outgoing Mayor Jim Curtiss.

DAN SANBORN OFFERED RESOLUTION NO. 3705, A RESOLUTION OF APPRECIATION FOR TODD HAY, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3705 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: DAN SANBORN, BRYCE CURTISS, STEVE SULFLOW, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

DAN SANBORN OFFERED RESOLUTION NO. 3706, A RESOLUTION OF APPRECIATION FOR JIM CURTISS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3706 WAS SECONDED BY STEVE SULFLOW. THOSE VOTING IN FAVOR OF MOTION: DAN SANBORN, STEVE

SULFLOW, BRYCE CURTISS, BEVERLY OLSON AND NATHAN SCHMIDT.
 THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(Q) 2021 IMPROVEMENTS.

By Resolution No. 3687, the city engineer was directed to prepare a preliminary report and cost estimates for a proposed 2021 Improvement Project. City Engineer Mike Amborn reviewed his report which discussed a State Aid Street Project at Third Street, Black Oak Avenue to Ashmore Avenue, at a total project cost of \$353,000. A proposed time line was also reviewed and discussed.

BRYCE CURTISS OFFERED RESOLUTION NO. 3707, A RESOLUTION RECEIVING REPORT AND CALLING FOR HEARING ON IMPROVEMENT (2/16/21), AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3707 WAS SECONDED BY STEVE SULFLOW. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, STEVE SULFLOW, DAN SANBORN, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(R) 2020 LIQUOR LICENSE FEE REFUNDS.

As a part of the December 21, 2020 meeting, the council directed staff to prepare information on liquor-related license fees paid by local business establishments in 2020. That information was presented to the council, as follows:

Licensee	Type of License	2020 Fee(s)	Previous Reimbursement (due to COVID-19 restrictions)	Balance
Groat's	On-Sale & Sunday	\$ 1,600.00	\$ 332.88	\$ 1,267.12
Topper's	On-Sale & Sunday - 2 Stations	1,850.00	157.17	1,692.83
Inn Like Flinn	On-Sale & Sunday	1,600.00	372.30	1,227.70
VFW	On-Sale & Sunday	1,600.00	332.88	1,267.12
Legion	On-Sale & Sunday	1,600.00	332.88	1,267.12
Talking Waters	Taproom On-Sale	\$ 425.00		\$ 425.00

Licensee	Type of License	2020 Fee(s)	Previous Reimbursement (due to COVID-19 restrictions)	Balance
Valentino's	On-Sale Wine (M-Sat.)	\$ 265.00		\$ 265.00
	3.2 On-Sale (M-Sat.)	160.00		160.00
Melody Lanes	On-Sale Wine (M-Sun.)	\$ 335.00		\$ 335.00
	3.2 On-Sale (M-Sun.)	230.00		230.00
	Set-up	80.00		80.00
La Plazita	3.2 On-Sale (M-Sun)	\$ 230.00		\$ 230.00
TOTALS		\$ 9,975.00	\$ 1,528.11	\$ 8,446.89

It was moved by Curtiss, seconded by Sanborn and unanimously passed by roll call vote to authorize reimbursement to the above-noted liquor establishments, as presented, with the understanding that the effect of COVID-19 on these establishments will continue to be monitored in 2021.

7(S) PREMISES PERMIT SPENDING REQUIREMENT WAIVER.

City Code 3-3-10 requires that premises permit organizations expend 75% of their net profits from lawful gambling on lawful purposes within the city's trade area. City Code 3-3-11 requires that copies of the Schedule C for each organization must be filed with the city clerk by January 30 of each year.

A request was received from one of the five organizations that have premises permits in Montevideo for a waiver of the local spending limit requirement for 2020 due to the COVID-19 pandemic. Because of the pandemic, pulltabs were not sold for a good portion of the year, other fund raising efforts by the permit holders were not held and donations to festival type events did not occur because the events were all canceled.

It was moved by Sulflow, seconded by Sanborn and unanimously passed by roll call vote that the city waive the 75% trade area spending requirement of the lawful gambling ordinance for the 2020 reporting year.

7(T) LELS LABOR AGREEMENT MODIFICATION.

At the December 21, 2020 meeting, the council had approved the 2021-2022 Law Enforcement Labor Services (LELS) Agreement. Upon further review, however, two

errors were discovered. In order to accurately reflect what had been successfully negotiated, the following modifications are necessary:

16.4 The City and Union agree to establish a post-retirement employee-paid health care savings plan: 1) ~~Years 3+(1%)~~ Year 1 (1%).

17.1 A full-time employee UNION member shall receive an ~~Eight Hundred Fifty Dollar (\$850.00)~~ Nine Hundred Dollar (\$900.00) annual uniform allowance.

It was moved by Sanborn, seconded by Sulflow and unanimously passed by roll call vote to approve the corrections, as presented.

7(U) 2021 FARM LEASE - LESLIE ENEVOLDSSEN.

Staff explained that the current farm lease with Leslie Enevoldsen expired December 31, 2020. Enevoldsen had expressed an interest in a 2021 lease, with rent at \$246.00/acre for a total lease amount of \$3,296.40 (13.4 acres). This property is the future site of the veterans home and, therefore, similar language was incorporated into the 2021 lease as was in place in the 2020 lease to address the possibility of work taking place prior to harvest (see Item 14B).

It was moved by Sulflow, seconded by Sanborn and unanimously passed by roll call vote to approve the 2021 farm lease with Leslie Enevoldsen, as presented.

7(V) 2021 MEALSITE AGREEMENT.

A 2021 agreement was presented between Prairie Five and the City of Montevideo for use of the community center as a senior mealsite.

It was moved by Sanborn, seconded by Sulflow and unanimously passed by roll call vote to approve the agreement, as presented.

7(W) ACCEPTANCE OF RELIEF ASSOCIATION DONATION.

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

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
Montevideo Fire Relief Association	Donation: Youth Activities	\$ 6,000.00
	Donation: Equipment Fund	23,250.00

STEVE SULFLOW OFFERED RESOLUTION NO. 3708, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3708 WAS SECONDED BY DAN SANBORN. THOSE VOTING IN FAVOR OF MOTION: STEVE SULFLOW, DAN SANBORN, BRYCE CURTISS, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

9(A) DISCUSSION - ELECTRONIC DEVICES.

Council discussed the need for electronic devices for use by the council members and mayor due to the meeting restrictions created by COVID-19. Staff was directed to present a proposal and use policy for review at a future meeting.

Meeting adjourned at 8:05 P.M.

Glennis A. Lauritsen, Secretary

Approved by council January 19, 2021:

President - City Council