

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
March 15, 2021

The city council met in regular session Monday, March 15, 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. #91837627730). Council President 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 Steve Sulflow. Council members present via ZOOM: Dan Sanborn and Beverly Olson. Absent: Bryce Curtiss. Mayor Erich Winter also present via ZOOM.

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

It was moved by Sulflow, seconded by Sanborn 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 MARCH 12, 2021 IN THE AMOUNT OF ~~\$248,975.72~~ \$312,871.44.

LIQUOR

Bellboy Corporation - Inventory	\$ 2,690.05
Breakthru Beverage MN - Inventory	9,871.85
Johnson Brothers Liquor Co. - Inventory	5,973.08
Locher Brothers Liquor Co. - Inventory	10,513.48
Mitlyng Electric - (3) Glass cooler doors (3), plus wiring	5,315.25
Phillips Wine & Spirits - Inventory	2,021.18
Southern Glazer's of MN - Inventory	10,750.58
Southern Glazer's of MN - Inventory	2,518.20

LEVEE - PHASE III

Xcel Energy - Electrical pole(s) relocation fees	12,721.20
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MISCELLANEOUS

Avenu Insights & Analytics - AS/400 Monthly Support/February	1,520.85
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ADD: 5C) CONSIDER APPLICATION FROM WEST 212 USBC ASSOCIATION (BOWLING CONGRESS) FOR AN EXEMPTION FROM LAWFUL GAMBLING LICENSE REQUIREMENTS FOR RAFFLE, PADDLEWHEEL AND TIPBOARD ACTIVITY AT THE AMERICAN LEGION POST 59 ON APRIL 23, 2021.

ADD: 7G) CONSIDER APPROVAL OF \$3.5 MILLION AMENDMENT #7 FOR GRANT CONTRACT AGREEMENT #3000166191/40534 WITH THE STATE OF MINNESOTA/DNR FOR THE PHASED FEDERAL FLOOD CONTROL PROJECT.

It was moved by Sanborn, seconded by Olson and unanimously passed by roll call vote to approve the minutes of the Regular Meeting of March 1, 2021, as presented.

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

- None.

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 MARCH 12, 2021 IN THE (MODIFIED) AMOUNT OF \$312,871.44.

5(B) SALE OF SEIZED/SURPLUS ITEMS BY THE POLICE DEPARTMENT (2003 CHEVY TRAIL BLAZER | 2004 MAZDA).

5(C) APPLICATION FROM WEST 212 USBC ASSOCIATION (BOWLING CONGRESS) FOR AN EXEMPTION FROM LAWFUL GAMBLING LICENSE REQUIREMENTS FOR RAFFLE, PADDLEWHEEL AND TIPBOARD ACTIVITY AT THE AMERICAN LEGION POST 59 ON APRIL 23, 2021.

6. Public Hearings.

6(A) REASSESSMENT OF 70-165-0625 (309 MERRIAM AVENUE).

By Resolution No. 3711 adopted on February 16, 2021, the council set this date/time for a public hearing to pass upon the proposed re-assessment of property and street

improvements totaling \$3,589.23 against 309 Merriam Avenue (PID #70-165-0625). The property was previously tax forfeited by Chippewa County and sold in late 2020 to Jacob Vanoverbeke. As required by State Statute, the property owner was provided notice of the hearing and the notice was published in the official newspaper of the city.

Council President Schmidt called the public hearing to order at 7:03 P.M. City Manager Wolfington read the narrative prepared for this agenda item. In accordance with the city's policy on tax forfeited property, a portion of the balance remaining is forgiven. In this case, there remains a balance due on the street project in the amount of \$2,300.07 and a balance due on the clean-up project in the amount of \$1,289.16. The street reassessment would be spread over a period of 12 years at 3.1% interest, and the clean-up reassessment would be spread over a period of 10 years at 3.3% interest.

There were no interested persons present to speak to this issue; therefore, the public hearing was closed at 7:06 P.M. The entire public hearing was recorded on a zip drive, which will be kept in accordance with the city's adopted records retention schedule, after which time the component will be destroyed.

STEVE SULFLOW OFFERED RESOLUTION NO. 3713, A RESOLUTION ADOPTING REASSESSMENT ROLL, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3713 WAS SECONDED BY DAN SANBORN. THOSE VOTING IN FAVOR OF MOTION: STEVE SULFLOW, DAN SANBORN, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. MOTION PASSED 4-0.

7. General Business.

7(A) MILWAUKEE ROAD HERITAGE CENTER REPORT/REQUEST.

In 2015, the city sold the rail yard property to the Milwaukee Road Heritage Center (MRHC) for a purchase price of \$45,000, with \$5,000 due immediately and \$40,000 forgivable, with certain conditions. The city agreed to finance the purchase at 4% interest for 10 years (\$4,000/year), with payment due by February 1st of each year, until February 1, 2025. One of the conditions agreed upon was that payments may be forgiven by the city IF the MRHC continues to maintain and operate the facility to the standard required by the city. To enable the city council to determine if the yearly payment qualifies for forgiveness, the MRHC was asked to report their actions over the past year to the city council and formally ask for the payment to be forgiven. If a report is not given, or if the council finds the MRHC lacking, that year's payment will become due.

Jim Ruether, President - MRHC & Museum - was present to give the report, to answer questions raised and to make the formal request for 2021 loan payment forgiveness. Ruether discussed improvements made during 2021, noting that COVID restricted meetings but members quietly worked on projects within the yard and did a good job of maintenance during this time. The verbal report was supported by a written narrative, the Center's brochure and a number of photos that were distributed to those in attendance, as well as being posted electronically for viewing by those attending via ZOOM.

It was moved by Sulflow, seconded by Olson and unanimously passed by roll call vote to authorize forgiveness of the loan payment for 2021.

7(B) MARCHING BAND PARADE.

An Application for City Property Use was submitted by the Montevideo High School Band Busters & Montevideo Fiesta Days Board for use of city streets for a marching band parade on Wednesday, June 16, 2021, 4:00-8:00 P.M. The application and accompanying map indicated a proposed parade route as follows: From 12th Street starting at William Avenue to Sheridan Avenue; Sheridan Avenue to 17th Street; and, 17th Street to William Avenue. The applicants also request the use of 13th Street & Park Avenue as warm-up areas. Band Director Oliver Leefblad was in attendance via ZOOM to further explain the event and to answer any questions/concerns raised.

Police Chief Ken Schule was in attendance and expounded on the discussions held previously with city staff and Leefblad. Schule stated he had no concerns relative to traffic, and had discussed the request with Fire Chief Mitch Stueck, who indicated a willingness to assist with traffic control. The school had also been encouraged to conduct a practice/trial run to identify any additional issues prior to the main event.

It was moved by Sanborn, seconded by Olson and unanimously passed by roll call vote to approve the use of city streets, as requested.

7(C) TREE REMOVAL QUOTES - LEVEE 3B.

It was explained that a timing issue exists for the removal of trees associated with the flood mitigation project anticipated for this spring. Therefore, staff solicited quotes for the project from local/area contractors, with the lowest quote of \$8,800, or \$1,100 per acre, submitted by Brouwer Construction. Staff recommended acceptance of the quote.

It was moved by Sulflow, seconded by Sanborn and unanimously passed by roll call vote to approve the quote of Brouwer Construction, as submitted.

7(D) CHANGE ORDER #9 - PUBLIC WORKS FACILITY.

Change Order No. 9 was presented for approval on the Public Works Facility Project related to flooring improvements for the office area and an upgrade for lighting the exterior sign for the building. The Change Order is in the amount of \$16,433 which would be taken from the contingency funds of the project resulting in no change of the contract amount.

It was moved by Sulflow, seconded by Olson and unanimously passed by roll call vote to approve the Change Order, as presented.

7(E) FIRE & RESCUE PROTECTION AGREEMENTS.

Modifications have been made to the existing Fire & Rescue Protection Agreements with the Townships of Sparta, Stony Run, Camp Release, Rosewood, Mandt, Leenthrop and the City of Watson. In addition, a new agreement is proposed with Tunsberg Township. The modifications made relate to an increase in the amount contributed by each entity into the truck fund. For 2021, that amount is increased from \$20,000 to \$25,000. The council was provided with support materials, including sample agreements and data used to calculate fees for each participant. Those fees are calculated based on county property valuations.

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

7(F) 2020 ANNUAL REPORT PRESENTATIONS.

2020 Annual Report presentations were made by Community Development Director Schulz and City Manager Wolfington (airport, planning/zoning).

7(G) AMENDMENT #7 - DNR GRANT FOR LEVEE PROJECT.

In late 2020, the City requested a \$3.5 Million grant amendment for the flood protection project through the State of Minnesota. The amendment was approved by the State of Minnesota and is ready to be executed. This marks the final stage of the levee project and should represent completion. The project has been advertised and is ready to move forward.

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

8. Ordinances.

8(A) ADMINISTRATIVE CODE AMENDMENT.

IT WAS MOVED BY DAN SANBORN THAT ORDINANCE NO. 961, AN ORDINANCE AMENDING THE CITY OF MONTEVIDEO ADMINISTRATIVE CODE, BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 961 WAS SECONDED BY BEVERLY OLSON. THOSE VOTING IN FAVOR OF MOTION: DAN SANBORN, BEVERLY OLSON, STEVE SULFLOW AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. MOTION PASSED 4-0.

9. Discussion and Miscellaneous.

- None.

Meeting adjourned at 7:35 P.M.

Glennis A. Lauritsen, Secretary

Approved by council April 5, 2021:

President - City Council