

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
April 5, 2021

The city council met in regular session Monday, April 5, 2021 in the council chambers at city hall. Due to the COVID-19 pandemic, the meeting was held both in person and via ZOOM (Meeting I.D. #92175313841); however, number of persons allowed in the council chambers at one time was limited. 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: Steve Sulflow, Beverly Olson, Nathan Schmidt and Dan Sanborn. Council members present via ZOOM: None. Absent: Bryce Curtiss. Mayor Erich Winter also present in person.

Staff present in the council chambers: City Manager Robert Wolfington and City Clerk Glennis Lauritsen. Staff present via ZOOM: City Engineer Mike Amborn.

It was moved by Sulflow, seconded by Sanborn and unanimously passed 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 ~~\$873,479.67~~ \$889,091.34.**

MISCELLANEOUS

CEDA - Economic Development Services/April	\$ 7,044.33
Fusion Cloud Services, LLC - Phone bill	1,767.34
Lyle Pringnitz - IT work	6,800.00

ADD: 5D) **CONSIDER REQUEST FROM MIKE DUPERE FOR USE OF MAIN STREET FOR THE ANNUAL FATHER'S DAY/FIESTA DAYS CAR SHOW ON SUNDAY, JUNE 20, 2021, 7:00 A.M. TO 3:00 P.M.**

ADD: 7I) **CONSIDER REQUEST FROM THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR COST PARTICIPATION IN TRAFFIC STUDY FOR HIGHWAY 7 AT COUNTY ROAD 15/24TH STREET.**

ADD: 7J) **CONSIDER PURCHASE OF A STREET SWEEPER.**

ADD: 7K) CONSIDER APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN LELS LOCAL #58 AND THE CITY OF MONTEVIDEO REGARDING PATROLMEN PAY SCALE.

It was moved by Sanborn, seconded by Olson and unanimously passed to approve the minutes of the Regular Meeting of March 15, 2021, as presented.

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

City Manager Wolfington introduced Ben Dolan, Community Development Director, placed by CEDA to fill the position vacated by Alek Schulz. Dolan began his duties with the city March 22nd.

Dolan shared a brief bio with the council and stated he is excited to be working in Montevideo, both with the projects inplace and underway (Thunderhawks Apartments and the VA Home) as well as new projects and challenges that may be forthcoming. Dolan welcomed phone calls and visits from the council and the public.

5. Consent Agenda.

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

- 5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING APRIL 2, 2021 IN THE (MODIFIED) AMOUNT OF \$889,091.34.
- 5(B) APPLICATION FROM THE CHURCH OF ST. JOSEPH FOR AN EXEMPTION FROM LAWFUL GAMBLING LICENSE REQUIREMENTS TO ALLOW BINGO & RAFFLE ACTIVITIES ON SEPTEMBER 19, 2021 AT 512 BLACK OAK AVENUE.
- 5(C) APPLICATION FROM THE MONTEVIDEO AREA CHAMBER OF COMMERCE AND FIESTA FLORA GARDEN CLUB FOR USE OF THE COMMUNITY CENTER SIDEWALK AND PARKING LOT IN SOUTHTOWN PLAZA ON SATURDAY, MAY 15, 9AM TO 2PM FOR THE GARDEN CLUB'S ANNUAL PLANT SALE.
- 5(D) APPLICATION FROM MIKE DUPERE/MONTEVIDEO CAR SHOW COMMITTEE, FOR USE OF MAIN STREET ON SUNDAY, JUNE 20, 2021, 7AM TO 3PM FOR THE ANNUAL FATHER'S DAY/FIESTA DAYS CAR SHOW.

6. Public Hearings.

- None.

7. General Business.

7(A) DREXLER SIDE YARD SETBACK VARIANCE - HORIZON TRAILS.

At its meeting on March 29th, the Montevideo Board of Zoning Adjustment held a public hearing to consider a request from Jeff Drexler for a variance to Section 11-6C-5C of the Montevideo City Code to allow the construction of a twin home within the 10' required side yard setbacks on property he owns in the Horizon Trails Addition at 2109 and 2113 William Avenue. Drexler proposed to construct a twin home spanning both lots; therefore, the request was for a 0' side yard on the east property line of 2109 William Avenue and a 0' side yard on the west property line of 2113 William Avenue. Following discussion, the Board unanimously recommended approval of the variance, subject to review of the Planned Unit Development (PUD) Agreement and any applicable infrastructure grant funding associated with the development for any language that might prohibit such construction.

Upon review by city staff and the city attorney of the applicable documents, it was determined that there was nothing within the documents to prohibit the city from moving forward in approving the variance. Based on that review, staff supported approval of the variance as recommended by the Board of Zoning Adjustment.

It was moved by Sanborn, seconded by Sulflow and unanimously passed to approve the variance, as recommended.

7(B) ANNUAL REPORT PRESENTATIONS.

2020 Annual Report presentations were given by Police Chief Ken Schule, Liquor Store Manager Jeff Andreas and Fire Chief Mitch Stueck.

7(C) 2021 POOL PROGRAM.

The Montevideo Park Board met March 30th and recommended the following for the 2021 outdoor pool season:

- Fees: Individual passes - \$50.00; Tickets - 50 for \$100.00; 25 for \$62.50; 10 for \$27.50. Daily admission would be \$3.00/session, with \$1.00/session

charged for the wading pool. Family night swim - \$6.00/family and lap swim - \$2.00.

- Schedule: June 7-August 15, 1:00-8PM daily.
- Free swim day for all swimmers on June 18th, as part of the Montevideo Fiesta Days celebration.

It was moved by Sulflow, seconded by Sanborn and unanimously passed to approve the 2021 outdoor pool fees, program and free swim, as recommended by the Park Board.

7(D) LEVEE FUNDING.

The city received a letter of request from the Army Corps of Engineers for an additional \$3 Million to perform work on the 3B Section of the Flood Control Project. The city has received \$3.5 Million for the 3B Section through the State Bonding Bill. The grant agreement has been signed and DNR Representatives have stated that funds can be transferred for the project.

It was moved by Sanborn, seconded by Olson and unanimously passed to approve the request, as submitted.

7(E) TRAVIS BIRHANZL 2021 FARM LEASE.

It was moved by Sulflow, seconded by Sanborn and unanimously passed to approve the 2021 Farm Lease with Travis Birhanzl for two parcels surrounding the airport and totaling approximately 65.5 tillable acres, as presented.

7(F) TALKING WATERS COMMUNITY EVENT.

An application was submitted by Talking Waters Brewery for a 1-Day Temporary On-Sale Liquor License to allow the brewery to serve its products at Java River, 210 South 1st Street on Friday, June 18, 2021. In conjunction, they have submitted a separate application for a City Special Event License that evening to allow the use of a portion of Main Street and adjacent sidewalks. This event is being held in conjunction with Fiesta Days.

This event would be similar to events held by them in past years, with no complaints received. Due to the COVID-19 pandemic, last year's event was not held. This year's application indicates the request to close main street, between Nichols & Canyon

Avenues, to accommodate a larger crowd and maintain safety. Music would be played in the Java River courtyard. The application also lists specific requirements for fencing, clean-up, use of plastic glasses, etc. The applicant was informed by city staff that additional measures may need to be taken, depending upon the pandemic situation at that time.

Java River is not licensed to sell alcohol; however, they would be allowing the brewery product to be brought into their establishment, would be providing/serving food for the event and would be using their courtyard as the music site.

It was moved by Sanborn, seconded by Sulflow and unanimously passed to approve the submission of the state application for a 1-4 Day Temporary On-Sale Liquor License to Talking Waters Brewing Company.

It was moved by Sulflow, seconded by Sanborn and unanimously passed to approve the Application for Temporary On-Sale License for Special Event for Talking Waters Brewing Company, subject to receipt of any/all required documents, including certificates of insurance from BOTH businesses covering all areas to be used for the event and naming the city as an additional insured.

7(G) TORT LIABILITY LIMITS.

The city is protected under state law by tort liability limits. Each year, the League of MN Cities requires the council consider waiving the limits and buying additional insurance. If the city waived the limits, it would leave the city open to higher settlement amounts, but it also would more fully cover individuals (in some cases). A waiver would result in an increased insurance premium by at least 25%. In the past, the council has chosen to NOT waive the tort liability limits.

It was moved by Sulflow, seconded by Olson and unanimously passed that the city NOT waive the tort liability limits for 2021.

7(H) ACCEPTANCE OF GIFTS/GRANTS.

The following gifts/grants have been received:

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
Williams Trust	Donation - VA Home	\$ 659,277.36
Nicholas & Donna Krueger	Donation - City Poundmaster Services	50.00

DAN SANBORN OFFERED RESOLUTION NO. 3714, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3714 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. RESOLUTION PASSED 4-0.

7(I) TRAFFIC STUDY PARTICIPATION - HWY 7/CR 15/24TH STREET.

Mn/DOT requested the city participate in the cost of a traffic study on Highway 7 at County Road 15/24th Street in the amount of \$5,000. Chippewa County has been requested to participate at that same level.

It was moved by Sanborn, seconded by Sulflow and unanimously passed to approve the expenditure of \$5,000 for the study, as requested.

7(J) STREET SWEEPER PURCHASE.

Quotes were received for the purchase of a new street sweeper, as follows:

<u>Name</u>	<u>Equipment</u>	<u>Amount</u>
Koenig & Sons Equipment (State Contract)	2021 Global M3	\$170,416.00 w/trade
MacQueen Equipment (State Contract)	2021 Elgin Pelican	\$168,903.00 w/trade
State contract without trade	2021 Elgin Pelican	\$218,916.50

Public Works Director Aaron Blom was on hand to review the quotes received. Blom discussed the pros/cons of each option and, after review and a test drive of the equipment, he recommended the 2021 Global M3 sweeper from Koenig & Sons. He noted that this equipment is made in the United States, it has the horsepower needed to navigate the hills in the community, and the design, ease of maintenance and warranties make it the more desirable option. He added that there is \$175,000 in the Capital Equipment budget to allow for this purchase.

It was moved by Sanborn, seconded by Olson and unanimously passed to approve the purchase of the Global M3 sweeper, as recommended.

7(K) LELS MEMORANDUM OF UNDERSTANDING.

City Manager Wolfington explained that during labor negotiations with the LELS union, one of the negotiated items dealt with the wage scale and, specifically, reducing the five-year increase schedule to a four-year increase schedule. LELS had voted on the contract with the understanding this was included; however, the item had not been included in the final form of the contract. Therefore, a Memorandum of Understanding addressing the issue was signed and submitted by the LELS Business Agent for action by the city.

It was moved by Sanborn, seconded by Sulflow and unanimously passed to approve the Memorandum of Understanding, as presented.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

- ▶ City Clerk Lauritsen stated that the Fiesta 2021 Calendar of Events would be presented at the April 19th council meeting for review.
- ▶ City Manager Wolfington briefly updated the council on the tree removal and house demolitions related to the levee project and provided a progress report on the public works facility.

Meeting adjourned at 8:04 P.M.

Glennis A. Lauritsen, Secretary

Approved by council April 19, 2021:

President - City Council