

It was moved by Sanborn, seconded by Curtiss and unanimously passed to approve the minutes of the Regular Meeting of July 19, 2021, as presented.

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

It was noted that this date/time had been provided as an opportunity for property owners to be heard in response to a July 9, 2021 notice issued by the city requiring the removal of abandoned signage. A total of nine (9) notices were sent.

There were no individuals present to speak on this issue.

5. Consent Agenda.

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

- 5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING JULY 30, 2021 IN THE (MODIFIED) AMOUNT OF \$1,590,548.05.
- 5(B) APPLICATION FROM TWO RIVERS CHAPTER OF MN DEER HUNTERS ASSOCIATION FOR AN EXEMPTION FROM LAWFUL GAMBLING LICENSE REQUIREMENTS TO ALLOW RAFFLE ACTIVITY AT THE AMERICAN LEGION ON MARCH 5, 2022.
- 5(C) APPLICATION FOR USE OF CITY PROPERTY (STREET) FROM TRINITY LUTHERAN CHURCH TO ALLOW CLOSING NICHOLS AVENUE, 13TH STREET TO 14TH STREET, FOR A "RALLY SUNDAY" EVENT ON SEPTEMBER 12, 2021, 8:00 A.M. - 5:00 P.M.

6. Public Hearings.

- None.

7. General Business.

7(A) ROCK RIFFLE PROJECT.

Quotes were solicited for the Chippewa River Rock Riffle Improvement Project until 11:00 A.M. on Tuesday, July 27th. One quote was received, from M.A.A.C. in the amount of \$48,000. Based on the reasonable quote and M.A.A.C.'s experience in

working with the river and with the DNR, the city engineer recommended acceptance of the quote.

It was moved by Curtiss, seconded by Sulflow and unanimously passed to accept the quote from M.A.A.C., as recommended.

7(B) NUISANCE ABATEMENT/1015 NORTH 6TH STREET.

It was explained that notices have been sent to the property owner of 1015 North 6th Street which cited nuisance items that needed to be abated, specifically referring to an accumulation of building materials present in the rear yard of the property that are in violation of city code. The notices asked that the property owner clean-up/remove the materials. No action was taken by the property owner to correct the deficiencies. Therefore, a resolution was prepared to direct the property owner to abate the nuisance by August 31, 2021.

BRYCE CURTISS OFFERED RESOLUTION NO. 3727, A RESOLUTION DIRECTING ABATEMENT OF NUISANCE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3727 WAS SECONDED BY DAN SANBORN. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, DAN SANBORN, BEVERLY OLSON, STEVE SULFLOW AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(C) SPECIAL ASSESSMENT AGREEMENTS/TREE REMOVAL.

It was explained that a diseased Elm tree exists on the property line of 203 & 205 South 11th Street and owned by Joel & Joyce Buzick and Gail Baldwin, respectively. Both property owners requested that they be allowed to enter into an assessment agreement with the city, versus having to attempt to finance the cost up front. Two agreements were presented to the council for this purpose. The property owners are working together to have the tree removed, and the invoiced amount will then be paid by the city, with 50% assessed against the Buzick property and 50% assessed against the Baldwin property. The agreements provide that the cost(s) will be assessed over a 10-year period at 2.7% interest per annum (the same interest rate applied to the 2021 Improvement Project.)

It was moved by Sulflow, seconded by Olson and unanimously passed to approve the Agreements for Special Assessment with Joel & Joyce Buzick and Gail Baldwin, as presented.

7(D) SALE OF LAND TO STATE OF MINNESOTA (VETERANS SITE).

The City of Montevideo has an Option Agreement with the State of Minnesota for land designated for the future Veterans Home. With funding received in March, the state is now ready to execute the purchase option.

BRYCE CURTISS OFFERED RESOLUTION NO. 3728, A RESOLUTION AUTHORIZING SALE OF REAL ESTATE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3728 WAS SECONDED BY BEVERLY OLSON. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, BEVERLY OLSON, STEVE SULFLOW, DAN SANBORN AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(E) ACCEPTANCE OF GIFTS/GRANTS.

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

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
State of Minnesota	1 st Half Federal ARPA (COVID) Monies	\$ 266,817.62
Gary & Judy Fadden, Montevideo	Donation - DARE Program	50.00

STEVE SULFLOW OFFERED RESOLUTION NO. 3729, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3729 WAS SECONDED BY BEVERLY OLSON. THOSE VOTING IN FAVOR OF MOTION: STEVE SULFLOW, BEVERLY OLSON, DAN SANBORN, BRYCE CURTISS AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

Prior to moving into Closed Session to discuss pending litigation, council members were polled for additional items.

- ▶ City Manager Wolfington provided a brief update on the levee project, noting that tree removal is underway, with other work to start soon.

At 7:12 P.M., it was announced that the council would be moving into a Closed Session as allowed by Section 13D of Minnesota State Statutes for the purpose of discussing pending litigation under the attorney/client privilege provision. At this time, members of the audience left the council chambers.

9(A) CLOSED SESSION.

At 7:13 P.M., the council moved into Closed Session to discuss pending litigation. In attendance were City Manager Robert Wolfington, Council members Nathan Schmidt, Steve Sulflow, Bryce Curtiss, Beverly Olson and Dan Sanborn, Mayor Erich Winter, City Clerk Glennis Lauritsen and Assistant City Attorney Matt Haugen. The entire Closed Session was recorded electronically, with the media kept in accordance with the city's adopted records retention schedule, after which time the media will be destroyed.

At 7:19 P.M., the council moved out of Closed Session and back into Regular Session.

Meeting adjourned at 7:19 P.M.

Glennis A. Lauritsen, Secretary

Approved by council August 16, 2021:

President - City Council