

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
September 7, 2021

The city council met in regular session Tuesday, September 7, 2021 in the council chambers at city hall. President Schmidt called the meeting to order at 7:00 P.M. with the Pledge of Allegiance.

Council members present: Nathan Schmidt, Bryce Curtiss, Steve Sulflow, Dan Sanborn and Beverly Olson. Absent: None. Mayor Erich Winter present.

Staff present: City Manager Robert Wolfington, City Engineer Mike Amborn and City Clerk Glennis Lauritsen.

It was moved by Sanborn, seconded by Curtiss and unanimously passed to approve the agenda, with the following modifications:

MODIFY: 5A) CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING SEPTEMBER 3, 2021 IN THE AMOUNT OF ~~\$964,432.93~~ \$1,072,426.52.

LIQUOR

Bellboy Corporation - Inventory	\$ 1,754.75
Breakthru Beverage MN - Inventory	2,381.38
Johnson Brothers Liquor Co. - Inventory	4,750.97
Johnson Brothers Liquor Co. - Inventory	2,456.87
MN Department of Revenue - Sales Tax	18,884.00
Phillips Wine & Spirits - Inventory	7,381.96
Phillips Wine & Spirits - Inventory	2,195.50
Southern Glazer's of MN - Inventory	4,138.66

2021 UTILITY METER REPLACEMENT

Ferguson Waterworks - (51) Meter Installs & Mobilization	5,920.00
--	----------

LEGAL

Nelson Oyen Torvik - Legal Services	9,351.15
-------------------------------------	----------

MISCELLANEOUS

Farmer's Union Oil Company - Fuels	9,074.84
------------------------------------	----------

PUBLIC WORKS

Minnesota Valley Tree Service - Dutch Elm Tree Removals	2,885.63
---	----------

SMALL CITIES GRANT

Prairie Five CAC, Inc. - Reimbursement #30 28,777.85

UTILITY

Hawkins, Inc. - Chlorine, Sulfur Dioxide, etc. 1,774.25

Hawkins, Inc. - MD 1 Pump 2,280.00

Hawkins, Inc. - LPC-5, Sodium Permanganate, Hydro Acid, etc. 3,985.78

It was moved by Sulflow, seconded by Olson and unanimously passed to approve the minutes of the Budget Worksession of August 16, 2021 and Regular Meeting of August 16, 2021, as presented.

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

- *By Resolution #3727, this date/time was provided as an opportunity for the property owners of 1015 North 6th Street (Jeremy Walls & Julia Walls) to appear and be heard in regards to a nuisance abatement matter.*

There was no one present to speak to this issue.

4(A) INTRODUCTION/OATH OF OFFICE.

Police Chief Ken Schule introduced Police Officers Blake Nelson (hired full time 5/31/2021) and Logan Gile (hired full-time 6/28/2021). Mayor Winter administered the Oath of Office to the officers.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING SEPTEMBER 3, 2021 IN THE (MODIFIED) AMOUNT OF \$1,072,426.52.

5(B) SALE OF SEIZED/SURPLUS ITEMS BY THE POLICE AND UTILITY DEPARTMENTS (2004 DODGE 1500 | 2007 FORD F150).

5(C) APPLICATION FROM THE MONTEVIDEO AREA CHAMBER OF COMMERCE, 321 SOUTH 1ST STREET, FOR AN EXEMPTION FROM LAWFUL GAMBLING

LICENSE REQUIREMENTS TO ALLOW (RESCHEDULED) RAFFLE ACTIVITY,
FROM JULY 13, 2020 TO DECEMBER 4, 2021.

5(D) APPLICATION FROM THE LIONS CLUB OF MONTEVIDEO TO CONDUCT
EXCLUDED BINGO AT THE AMERICAN LEGION POST #59 ON DECEMBER 4,
2021.

6. Public Hearings.

- None.

7. General Business.

7(A) CONDITIONAL USE PERMIT - ANTHONY QUIGLEY.

As a part of its meeting on August 30, 2021, the Montevideo Planning Commission held a public hearing on a conditional use permit request submitted by Anthony Quigley, dba/River Valley Repair & Sales, LLC. The request was to allow the sale/repair of power sports, trailers and small engines in a B1 District at 308 Canton Avenue. City Manager Wolfington explained that the Montevideo City Code does not define small engine repair as being permitted directly as a conditional use in the district; however, staff has been on site and reviewed the area and, with conditions placed, believes it to be consistent with the general character of the site. The planning commission unanimously recommended approval, with the following conditions:

1. Such use at this proposed location meets the standards/criteria as set forth in Section 11-3-7D, Items 1-10 of the Montevideo Zoning Ordinance.
2. The property owner should limit the number of small engine equipment items located on the exterior of the property to reduce impact on surrounding businesses and properties. Screening and location of stored items should also be considered.
3. The property owner must comply with the City of Montevideo's Sign Ordinance requirements for a B1 District.
4. The city reserves the right to review this permit at any time and to add additional conditions to preserve and protect the character of the area.

It was moved by Curtiss, seconded by Sulflow and unanimously passed to approve the conditional use permit, as recommended by the planning commission.

7(B) CONDITIONAL USE PERMIT EXTENSION - MONTEVIDEO VETERANS HOME.

As a part of its meeting on August 30, 2021, the Montevideo Planning Commission held a public hearing on a request for the extension of the (2018) conditional use permit expiration allowing construction of a nursing home in a R2 District. This is for the Montevideo Veterans Home, 2190 William Avenue. The 2018 conditional use permit had expired in 2019. Following review, the planning commission unanimously recommended approval, as follows:

1. This conditional use permit is extended from the original six months, retroactive to the date of expiration and going an additional year from the date of extension (September 7, 2022).
2. The city reserves the right to review this permit at any time and to add additional conditions to preserve and protect the character of the area.

It was moved by Sulflow, seconded by Olson and unanimously passed to approve the conditional use permit extension, as recommended by the planning commission.

7(C) SITE PLAN REVIEW - MONTEVIDEO VETERANS HOME.

As a part of its meeting on August 30, 2021, the Montevideo Planning Commission conducted a site plan review for the Montevideo Veterans Home, 2190 William Avenue. The previous agenda item approved the required conditional use permit extension for this nursing home use in a R2 District. Following its review, the commission unanimously recommended approval.

It was moved by Curtiss, seconded by Sanborn and unanimously passed to approve the site plan, as recommended by the planning commission.

7(D) ABANDONED SIGNAGE.

Staff explained that by letters dated July 30, 2021, a number of property owners were informed that abandoned signs had been identified on their properties. The letter asked that the signage be removed by August 29th, provided them an opportunity to appear before the council on August 16th (in the event that they disagreed that the signage was abandoned) and informed them that the matter would be placed on the September 7th council agenda for final action. Of the three (3) letters mailed, two (2) have not responded or taken action to remove their signs:

Sign

The Video Room
Casa De Dios church/church activities
Tax Parcel # 70-165-1605

Christa Landmark Photography
Tri-State Security & Patrol, Inc.
LQP Lake Association
Tax Parcel #70-165-1820

Property Owner

Miguel & Carlos Villatoro

Sara Richards/Classic Review

A resolution was drafted by the city attorney which would authorize the city to remove the abandoned signs, with expenses recovered through a special assessment against the premises.

DAN SANBORN OFFERED RESOLUTION NO. 3732, A RESOLUTION DIRECTING THE CITY REMOVAL OF ABANDONED SIGNAGE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3732 WAS SECONDED BY STEVE SULFLOW. THOSE VOTING IN FAVOR OF MOTION: DAN SANBORN, STEVE SULFLOW, BEVERLY OLSON, BRYCE CURTISS AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(E) FEASIBILITY STUDY - LINCOLN AVENUE/21ST STREET.

By formal request dated June 25, 2021, the city was asked to undertake a study to ascertain the costs and feasibility of extending roads, water, sewer and storm sewer to Lincoln Avenue, 19th Street to 21st Street and 21st Street, Lincoln Avenue to Sheridan Avenue. The request was submitted on behalf of Double D Development of Montevideo (Dennis Larson/Dennis Brandon). As a part of its July 6, 2021 meeting, the Montevideo City Council agreed to proceed with a feasibility study, directing City Engineer Mike Amborn to prepare a report.

Double D Development owns the property with Parcel ID #70-817-1205, known as the former MTI property. The property is in the process of being split and re-zoned from I1 - Light Industry to B2 - Highway Business District for the northern portion of the property and the green space to the south re-zoned as R1 - Residential. Dennis Larson was present for the discussion.

Amborn reviewed the report, highlighting critical areas, including cost estimates and estimated assessments. Discussion included the various scenarios for utility extensions for all areas and/or for Lincoln Avenue only. The matter of the city's easement along Lincoln Avenue was also a point of discussion. The report indicated a recommendation that prior to proceeding, appraisals be obtained of the properties to be assessed to determine the value of the proposed improvements. This would help to apply the appropriate assessment amount against the properties in accordance with State Statutes.

Following discussion, it was the consensus that the city engineer and city manager continue to discuss options with Double D Development representatives.

7(F) POLICE DEPARTMENT RADIOS.

Police Chief Ken Schule was present to discuss the purchase of (11) Motorola hand-held radios. A quote had been received from West Central Communications in the amount of \$4,313.00 per radio, for a total of \$49,557.00 which includes all accessories (chargers, batteries, programming). This quote is state bid pricing. With the addition of COVID money obtained by the city, staff requested using some of these funds to purchase the radios which would allow acquisition to take place sooner and also allow the previously budgeted funds to not be utilized.

It was moved by Sulflow, seconded by Olson and unanimously passed to approve the use of a portion of COVID monies received for the radio purchase, as outlined.

7(G) PRELIMINARY 2022 BUDGET.

The 2022 proposed preliminary budget information was reviewed and discussed. The proposed budget for all funds has total revenues of \$13,216,840 and total expenditures of \$13,043,725.

DAN SANBORN OFFERED RESOLUTION NO. 3733, A RESOLUTION ADOPTING THE PRELIMINARY 2022 BUDGET, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3733 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.

7(H) 2022 PRELIMINARY TAX LEVY.

Minnesota Statutes require the city to adopt a preliminary 2022 tax levy and certify the levy to the county auditor by September 30, 2021. The levy information was presented, noting that the total proposed levy for 2022 is \$2,665,400, a 5.34% increase over 2021 (\$2,530,400).

BRYCE CURTISS OFFERED RESOLUTION NO. 3734, A RESOLUTION ESTABLISHING THE PRELIMINARY 2022 TAX LEVY, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3734 WAS SECONDED BY STEVE SULFLOW. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, STEVE SULFLOW, BEVERLY OLSON, DAN SANBORN AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(I) 2022 EDA TAX LEVY.

The city has the authority to levy a tax for use by the EDA. This was approved by the city for 2021 and the EDA has requested it again for 2022. This tax is based on a maximum of .01813 of the market value of the city, which was \$46,205 for taxes payable 2021.

BRYCE CURTISS OFFERED RESOLUTION NO. 3735, A RESOLUTION ESTABLISHING AN EDA TAX LEVY FOR 2022, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3735 WAS SECONDED BY DAN SANBORN. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, DAN SANBORN, STEVE SULFLOW, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(J) 2022 BUDGET/LEVY PUBLIC COMMENT MEETING.

It was moved by Sulflow, seconded by Curtiss and unanimously passed to set the required public comment meeting to discuss the 2022 Budget and Levy for Monday, December 6, 2021, at 7:00 P.M.

7(K) CLASSIFICATION OF TAX FORFEITED PARCELS.

It was moved by Sulflow, seconded by Olson and unanimously passed to approve the sale by Chippewa County of certain tax forfeited properties within the city:

- 70-390-0130 / 0140 - 608 Gravel Road & adjacent vacant lot
- 70-335-0505 - 502 Washington Avenue (former Mock's Gas Station)

7(L) ACQUISITION OF 712 KINGMAN STREET.

The property at 712 Kingman Street (70-405-0240) has gone tax forfeit. It has been past practice to acquire properties in the flood-prone areas of the community as they come up for sale. Staff requested the council approve purchasing the property for the purpose of hazard mitigation flood efforts, with the use of open space.

DAN SANBORN OFFERED RESOLUTION NO. 3736, A RESOLUTION AUTHORIZING PURCHASE OF REAL ESTATE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3736 WAS SECONDED BY BEVERLY OLSON. THOSE VOTING IN FAVOR OF MOTION: DAN SANBORN, BEVERLY OLSON, STEVE SULFLOW, BRYCE CURTISS AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(M) GRANT FUNDING ASSISTANCE/712 KINGMAN STREET.

By previous action, the council authorized the purchase of a tax forfeit property located at 712 Kingman Street in Smith Addition. Funds are available under a State of Minnesota DNR Flood Damage Reduction Grant Assistance Program for the acquisition and removal of this flood-prone property. A resolution was presented which outlines the grant requirements and authorizes the mayor and city manager to execute all documents associated. The resolution indicates that an application would need to be submitted for this purpose by September 15, 2021. The financial impact of this grant is as follows:

Tax forfeit county appraised value/sale price:	\$ 1,500.00
Professional fees (recording/deed tax/legal):	550.00
Demolition (equipment/labor/asbestos removal/tipping fees, etc.):	18,000.00
TOTAL	<u>\$ 20,050.00</u>
State DNR Share in Project	(10,025.00)
City Portion	<u>\$ 10,025.00</u>

There is \$12,614 available in reserves within the Community Development CIP for Smith Addition Buyouts-Mitigation.

DAN SANBORN OFFERED RESOLUTION NO. 3737, A LOCAL GOVERNMENT RESOLUTION FOR FLOOD HAZARD MITIGATION GRANT ASSISTANCE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3737 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.

7(N) ACCEPTANCE OF GIFTS/GRANTS.

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

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
Lions Club of Montevideo Gambling Account	Donation - Christmas Lights	\$ 4,500.00
American Legion Post #59	2 nd Half Pledge/Veterans Home	3,000.00
Countryside Public Health	SHIP Grant - Hydration Station/Pool	2,999.99
State of Minnesota/DOT	Airport CARES Funds	20,000.00

STEVE SULFLOW OFFERED RESOLUTION NO. 3738, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3738 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.

- ▶ City Manager Wolfington relayed information from Utilities Superintendent Byron Hayunga that the city's water system numbers are good as it relates to the drought situation.
- ▶ City Manager Wolfington reported that the utility meter install project is underway, with citizens making appointments with Ferguson for the required meter change-outs.

Minutes/City Council
September 7, 2021
Page No. 10

Meeting adjourned at 8:18 P.M.

Glennis A. Lauritsen, Secretary

Approved by council September 20, 2021:

President - City Council