

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
October 4, 2021

The city council met in regular session Monday, October 4, 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 (7:02 P.M.) Absent: None. Mayor Erich Winter present.

Staff present: City Manager Robert Wolfington, City Attorney Janice Nelson and City Clerk Glennis Lauritsen.

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 OCTOBER 1, 2021 IN THE AMOUNT OF ~~\$128,461.60~~ \$207,802.94.

LIQUOR

Johnson Brothers Liquor Co. - Inventory	\$ 2,484.30
Johnson Brothers Liquor Co. - Inventory	5,804.68
Locher Brothers Liquor - Inventory	12,452.05
Locher Brothers Liquor - Inventory	13,905.65
Phillips Wine & Spirits - Inventory	1,534.76
Southern Glazer's of MN - Inventory	4,145.57

EDA ADMINISTRATION

Engan Associates - Assmt Work/Chippewa Bank Bldg.	10,400.00
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MISCELLANEOUS

CEDA - Economic Development Services	7,044.33
Lyle Pringnitz - IT Services	9,000.00

UTILITY

Hjerpe Contracting, Inc. - Curb Box Repairs/Replacements	12,570.00
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MODIFY: 7J) **CONSIDER RESOLUTION APPROVING AN APPLICATION TO CONDUCT OFF-SITE GAMBLING (BINGO) AT THE AMERICAN LEGION POST #59 ON DECEMBER 4, 2021 OR, AS AN ALTERNATE DATE IN THE CASE OF INCLEMENT WEATHER, SATURDAY, DECEMBER 11, 2021.**

Revised resolution provided. Applicant will modify the application prior to submission to the state.

ADD: 7K) **CONSIDER RESOLUTION ACCEPTING GIFTS/GRANTS FROM VARIOUS ORGANIZATIONS & INDIVIDUALS.**

ADD: 7L) **CLOSED SESSION - REAL ESTATE TRANSACTION.**

A portion of this discussion may be closed in accordance with Minnesota State Statute 13D.05, Subd. 3, for the purpose of discussing a real estate transaction.

It was moved by Sanborn, seconded by Curtiss and unanimously passed to approve the minutes of the Regular Meeting of September 20, 2021, as presented.

Council Member Olson arrived at 7:02 P.M.

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

- None.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING OCTOBER 1, 2021 IN THE (MODIFIED) AMOUNT OF \$207,802.94.

5(B) SALE OF SEIZED/SURPLUS ITEMS BY THE POLICE DEPARTMENT (2002 HONDA 6000 VAN | 2002 DODGE GRAND CARAVAN | 2004 PONTIAC GRAND PRIX | 2006 FORD FREESTAR VAN).

6. Public Hearings.

- None.

7. General Business.

7(A) CUP - MONTEVIDEO YOUTH CENTER SIGNAGE.

The Montevideo Area Youth Center requested a conditional use permit to allow institutional signs exceeding the number and/or square footage allowed as a permitted use on property they own in a R1, Residential District, at 802 North 2nd Street. On September 27, 2021, the Montevideo Planning Commission held the required public hearing on this issue and unanimously recommended approval, limiting the number of signs to three (two existing WorkRoom wall signs and one new Youth Center wall sign) and limiting in size the new Youth Center wall sign to a size not to exceed the size of the WorkRoom signs. It was noted that the Youth Center wall sign would replace the temporary style sign currently being used to advertise its activity schedule.

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

7(B) CUP - KATELYNE MOEN-CARL HOME OCCUPATION.

Katelyne Moen-Carl requested a conditional use permit to allow a beauty salon in a portion of her home located in a R1, Residential District, at 1657 Benson Road. On September 27, 2021, the Montevideo Planning Commission held the required public hearing on this issue and unanimously recommended approval, citing that the nature of the business and its location are appropriate based on the city's ordinance.

It was moved by Curtiss and seconded by Sanborn to approve the conditional use permit, as recommended by the planning commission. Those voting in favor of motion: Curtiss, Sanborn, Olson and Sulflow. Those voting against motion: None. Schmidt abstained (inasmuch as he is a contractor on the proposed project.)

7(C) UTILITY TRACTOR PURCHASE.

Public Works Director Aaron Blom was present to review quotes received for a 2022 utility tractor. The tractor would replace a 2012 JD 4720 tractor. A total of six (6) quotes were received, including state bid pricing. Blom recommended the purchase of a 2022 Kubota L6060 with loader, for the total purchase price of \$27,286 including tax and trade-in.

It was moved by Sanborn, seconded by Sulflow and unanimously passed to authorize the purchase of the utility tractor, as recommended by staff.

7(D) SKID LOADER PURCHASE.

Public Works Director Aaron Blom was present to review quotes received for a 2022 skid loader. This skid loader would replace a 1999 JD 240 skid loader. A total of three (3) quotes were received, including one off of the state contract. Blom recommended the purchase of a 2022 Kubota SVL65-2 skid loader, for a total purchase price of \$36,300 (including tax and trade-in).

It was moved by Sulflow, seconded by Olson and unanimously passed to authorize the purchase of the skid loader, as recommended by staff.

7(E) PURCHASE OF ROTARY CUTTER MOWER.

Public Works Director Aaron Blom was present to review quotes received for a 2022 Rotary cutter mower. Blom explained that in the previous two agenda items, council had authorized the purchase of a utility tractor and a skid loader. After those purchases, there are funds remaining to allow the purchase of a rotary cutter mower. One quote was received and prices were also collected off of the state contract. Blom recommended the purchase of a 2022 Land Pride RC2512-21 rotary cutter mower from Haug-Kubota for a total purchase price of \$13,129.56, including tax and trade-in.

It was moved by Sanborn, seconded by Curtiss and unanimously passed to authorize the purchase of the cutter mower, as recommended by staff.

7(F) STREET LIGHT BULB REPLACEMENTS.

Public Works Director Aaron Blom discussed with council his proposal for a portion of the Main Street and Parkway Drive lighting. A number of the mechanisms are needing to be replaced, which would cost \$600/mechanism. As a temporary (and less expensive) fix, Blom suggested switching over from the high pressure sodium bulbs to LED bulbs until such time as the entire mechanism is able to be replaced. An LED bulb runs \$75.00 and will fit into the existing socket. He stated that the bulbs have a 10-year warranty and have multiple settings, both for lumen output and for color. Because not all of the bulbs would be replaced at once, a difference in color will be noticed. Therefore, the public works employees would select the best color match as possible when installing the LED bulbs.

It was the consensus of the council to move forward with this project.

7(G) TAX ABATEMENT COLLATERAL.

The City of Montevideo previously entered into a Tax Abatement Agreement with Montevideo Multi-Family, LLC for the development of the apartment complex known as the Thunder Hawk Apartments. As a part of the overall funding of the project, the developer worked with American Heritage National Bank, who has now requested the assignment of the tax abatement as part of collateral for the project. For that purpose, a resolution was drafted by Mary Ippel, Taft Law, which was presented to the council for review and consideration.

IT WAS MOVED BY BRYCE CURTISS THAT RESOLUTION NO. 3742, A RESOLUTION APPROVING CONSENT TO COLLATERAL ASSIGNMENT OF TAX ABATEMENT AGREEMENT, BE ADOPTED. MOTION FOR ADOPTION OF RESOLUTION NO. 3742 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(H) SPECIAL ASSESSMENT AGREEMENT - TREE REMOVAL.

A diseased Elm tree existed on the property at 216 South 9th Street owned by Adam & Karina Merrell. The Merrells were notified by the city that the tree must be removed, which was accomplished. The property owners have requested that they be allowed to

enter into an assessment agreement with the city, versus having to finance the cost up front. The proposed agreement would assess the cost of the tree removal (\$961.88) over a 10-year period at an interest rate of 2.7% per annum (the same interest rate established for the 2021 Street Improvement Project.)

It was moved by Curtiss, seconded by Sulflow and unanimously passed to authorize the Agreement for Special Assessment, as presented.

7(I) CITY ABATEMENT OF NUISANCE - 1015 NORTH 6TH STREET.

STEVE SULFLOW OFFERED RESOLUTION NO. 3743, A RESOLUTION AUTHORIZING THE CITY TO ABATE A NUISANCE AT 1015 NORTH 6TH STREET, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3743 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.

7(J) OFF-SITE GAMBLING - LIONS CLUB.

As a part of the Consent Agenda approved at its September 7th meeting, the city council had approved a request from the Lions Club to conduct excluded bingo at the American Legion on December 4th. Upon submission of the application to the State of Minnesota, however, the Club was informed that the wrong form had been submitted. Therefore, a new application was submitted to the city, which requires approval by resolution of the local unit of government. The resolution also provides an alternate date of December 11th in the case of inclement weather on December 4th.

DAN SANBORN OFFERED RESOLUTION NO. 3744, A RESOLUTION APPROVING A ONE-DAY OFF-SITE GAMBLING PERMIT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3744 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(K) ACCEPTANCE OF GIFTS/GRANTS.

The following gift was received by the city:

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
Montevideo Quarterbacks Club	Donation - VA Home	\$ 250.00

STEVE SULFLOW OFFERED RESOLUTION NO. 3745, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3745 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.

Prior to moving into Closed Session to discuss a real estate transaction, the council was polled for additional items. No items were identified.

Members of the audience left the council chambers at this time.

7(L) CLOSED SESSION - REAL ESTATE TRANSACTION.

At 7:30 P.M., the council moved into closed session to discuss a real estate transaction involving a parcel of land located along the north side of Lincoln Avenue (between 19th Street & 21st Street). In attendance were council members Schmidt, Curtiss, Sanborn, Olson and Sulflow, Mayor Winter, City Manager Wolfington, City Clerk Lauritsen and City Attorney Nelson. The entire closed session was recorded on a flash drive which will be kept in accordance with the city's adopted records retention schedule, after which time the media will be destroyed.

The closed session ended at 7:34 P.M. and the council moved back into regular session.

It was the consensus of the council to purchase the parcel of land discussed from Double D Development in the amount of \$10,684.00.

BRYCE CURTISS OFFERED RESOLUTION NO. 3746, A RESOLUTION AUTHORIZING ACQUISITION OF REAL ESTATE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3746 WAS SECONDED BY STEVE SULFLOW. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, STEVE SULFLOW, BEVERLY OLSON, DAN SANBORN AND NATHAN

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SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION
PASSED 5-0.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

- None.

Meeting adjourned at 7:35 P.M.

Glennis A. Lauritsen, Secretary

Approved by council October 18, 2021:

President - City Council