

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
December 20, 2021

The city council met in regular session Monday, December 20, 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, Beverly Olson and Dan Sanborn. Absent: None. Mayor Erich Winter present.

Staff present: City Manager Robert Wolfington, City Engineer Mike Amborn, 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 DECEMBER 17, 2021 IN THE AMOUNT OF ~~\$204,048.72~~ \$261,878.67.

LIQUOR

Johnson Brothers Liquor Co. - Inventory	\$ 4,700.91
Locher Brothers, Inc. - Inventory	8,298.85
Phillips Wine & Spirits - Inventory	4,612.23

MCDC

Wildwood Montessori School - Grant	10,000.00
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MISCELLANEOUS

Clearway Community Solar - Solar Bills	30,217.96
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MODIFY: 7D) CONSIDER APPOINTMENTS TO VARIOUS CITY BOARDS & COMMISSIONS.

Additional information provided, including a revised/updated list of vacancies and one (1) additional Application for Appointment.

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

Revised resolution provided.

ADD: 7N) CONSIDER APPROVAL OF PURCHASING GOOGLE WORKSPACE ACCOUNTS FOR 10 STAFF MEMBERS.

ADD: 7O) CONSIDER APPROVAL OF CHANGE ORDER NO. 11 FOR THE PUBLIC WORKS FACILITY PROJECT.

It was moved by Olson, seconded by Curtiss and unanimously passed to approve the minutes of the Regular Meeting of December 6, 2021 and Special Meeting of December 13, 2021, as presented.

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 DECEMBER 17, 2021 IN THE (MODIFIED) AMOUNT OF \$261,878.67.

5(B) SALE OF SEIZED/SURPLUS ITEMS BY THE POLICE DEPARTMENT (2006 CHEVY IMPALA | 2001 FORD FOCUS | 1998 VOLKSWAGON BEETLE).

6. Public Hearings.

- None.

7. General Business.

7(A) STREET CONSTRUCTION PLAN/STATE AID STATUS.

Council was presented with an updated 10-year Comprehensive Capital Improvements Plan (CIP) identifying proposed future street construction projects. The plan was reviewed and discussed briefly, with no formal action necessary.

Information was also provided relative to the city's state aid account within the State of Minnesota "Highway User Tax Distribution Fund" (HUTDF). The current balance of the account is approximately \$202,000, with the 2022 allotment expected to be roughly \$307,000. The next state aid project would tentatively be in 2023, with an available balance at that time of approximately \$816,000 for a project.

7(B) PRELIMINARY ENGINEERING REPORT - 2022 IMPROVEMENTS.

By Resolution No. 3747, the city engineer was directed to prepare a preliminary report and cost estimates for a 2022 improvement project, including:

- Ashmore Avenue, 17th Street to 24th Street
- 24th Street, Ashmore Avenue to Washington Avenue
- Eichelberger Avenue, 4th Street to 6th Street
- 6th Street, Ost Avenue to Wolfe Avenue

City Engineer Amborn reviewed and discussed the report and the proposed project time line. The report recommended the council accept the report and call for the preliminary public hearing for Tuesday, January 18, 2022, at 7:00 P.M.

Some discussion took place regarding sidewalk options (repair/replacement/removal/new) the need for sidewalk(s) and the current assessment policy. It was the consensus of the council that additional discussion of these issues is needed.

STEVE SULFLOW OFFERED RESOLUTION NO. 3761, A RESOLUTION RECEIVING REPORT AND CALLING HEARING ON IMPROVEMENTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3761 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: STEVE SULFLOW, BRYCE CURTISS, DAN SANBORN, BEVERLY

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

7(C) TAP GRANT - ASHMORE TRAILS IMPROVEMENT PROJECT.

In 2020, the council had applied for a Minnesota Transportation Alternatives Program (TAP) Grant opportunity for an Ashmore Trails Project that was not successful. Staff would like to make similar application again this year and, therefore, requested the council consider adopting two resolutions of sponsorship to accompany the application. This project has an estimated total of \$418,750.00, with \$81,000 ineligible; therefore, the total eligible cost is \$337,750. A minimum match for the program is 20%, or \$67,550. This means that the city would be responsible for \$148,550, and the grant application would be for \$270,200. The city's CIP includes funds for trails maintenance.

BRYCE CURTISS OFFERED RESOLUTION NO. 3762, A RESOLUTION OF SPONSORSHIP FOR THE OPERATIONS & MAINTENANCE OF THE ASHMORE TRAILS PROJECT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3762 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.

BRYCE CURTISS OFFERED RESOLUTION NO. 3763, A RESOLUTION OF SPONSORSHIP FOR THE TAP GRANT APPLICATION, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3763 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(D) BOARDS/COMMISSIONS APPOINTMENTS.

A comprehensive list of available positions on the various city boards and commissions was presented to the council for its review. Staff noted that by State Statute, a Board of Health and Health Officer are no longer a requirement of the city; therefore, that information has been removed from the list.

PLANNING COMMISSION

It was moved by Sulflow, seconded by Olson and unanimously passed to appoint Janell Welling and to reappoint Matt VanGorp and Lonnie Bork to the planning commission, terms expiring January 2025.

AIRPORT COMMISSION

It was moved by Sanborn, seconded by Curtiss and unanimously passed to reappoint Paul Larson to the airport commission, term expiring January 2025.

POLICE CIVIL SERVICE COMMISSION

It was moved by Sanborn, seconded by Curtiss and unanimously passed to reappoint Scott Marquardt to the police civil service commission, term expiring January 2025.

By ballot votes cast, Nora Guerra was appointed to the police civil service commission, term expiring January 2023.

HOSPITAL COMMISSION

By ballot votes cast, Wade McKittrick was appointed to the hospital commission, to fulfill the unexpired term of Mark Rekow, term expiring December 31, 2023.

TRAFFIC SAFETY IMPROVEMENT COMMITTEE

It was moved by Sulflow, seconded by Olson and unanimously passed to reappoint all of the incumbents to the traffic safety improvement committee (terms expiring December 31, 2022): Marv Dehne, Nathan Schmidt, Lyle Henning, Daniel Sanborn, Paul Rice and Greg Schwaegerl.

CABLE ADVISORY BOARD

It was moved by Curtiss, seconded by Olson and unanimously passed to reappoint Marv Dehne to the cable advisory board, term expiring December 31, 2024.

It was noted that vacancies remain on the Airport Commission, Local Public Authority, Park Board, Cable Advisory Board, Convention & Visitor's Bureau, Building & Housing Advisory Appeals Board and the Chippewa County Historical Society.

7(E) MAYORAL APPOINTMENT TO EDA.

Mayor Erich Winter reappointed Austin Hoehne to the Economic Development Authority, term expiring December 31, 2027.

It was moved by Curtiss, seconded by Sulflow and unanimously passed to ratify the mayoral appointment of Austin Hoehne to the EDA, term expiring December 31, 2027.

7(F) COUNCIL/MAYOR REPRESENTATION ON BOARDS/COMMISSIONS.

It was moved by Sanborn, seconded by Olson and unanimously passed to reappoint the following council/mayor representation on the various city boards/commissions:

HOSPITAL COMMISSION (annual appointment): Nathan Schmidt & Steve Sulflow.

MONTEVIDEO COMMUNITY DEVELOPMENT CORPORATION (MCDC) (two-year term expiring December 31, 2023): Nathan Schmidt.

JOINT CITY/COUNTY AIRPORT ZONING BOARD (annual appointment): Dan Sanborn & Beverly Olson.

COUNTY PLANNING COMMISSION (three-year term to December 31, 2024): Steve Sulflow.

COUNTY ELECTED OFFICIALS COMMITTEE (annual appointment): Erich Winter.

COMMUNITY EDUCATION ADVISORY COUNCIL (three-year term expiring March 2025): Steve Sulflow.

7(G) 2022 BUSINESS & LIQUOR LICENSES.

It was moved by Sanborn, seconded by Bryce and unanimously passed to approve the issuance of the following 2022 Business & Liquor Licenses, contingent upon the elimination of deficiencies noted:

Key:

- (1) = Application not returned - NOT LICENSED FOR 2022
- (2) = Incomplete application.
- (3) = Proof of Insurance needed
- (4) = Menu needed (restaurants)
- (5) = Food license needed (restaurants)
- (6) = Payment needed

LIQUOR ON-SALE (3-2A-2: \$1,500 Fee/\$250 each additional station/\$100.00 additional Sunday sales - Liquor Liability/Worker's Comp/Food License/Menu)

<u>License #</u>	<u>Name</u>	<u>Deficiencies</u>
22-1	Groat's, Inc., DBA/Groat's (one station - Monday-Saturday)	None
22-2	Frommel, Inc., DBA/Topper's Bar & Grill (two stations & Sunday sales)	None
22-3	Inn Like Flinn, Inc., DBA/Inn Like Flinn (one station & Sunday sales)	None
22-4	Henning-Erickson VFW Post #380, Inc. (one station - Monday-Saturday)	None
22-5	American Legion Post #59 (one station & Sunday sales)	(4)(5)

ON-SALE WINE (3-2C-2: \$265 Mon-Sat.; \$70.00 Sunday Only/Liq. Liab./Worker's Comp/Food License/Menu.)

<u>License #</u>	<u>Name</u>	<u>Deficiencies</u>
22-6	Valentinos's Restaurant (Monday-Saturday)	None
22-7	Three Hundred Management, LLC, DBA/Melody Lanes (Monday-Sunday)	None

BREWER-RELATED LICENSES (3-2F-4: \$1,500 Brew Pub On-Sale; \$70 Brew Pub Off-Sale; \$25.00 Brewer Temporary On-Sale; \$425 Brewer Taproom On-Sale; \$25.00 Brewer Taproom Temporary On-Sale [off-site]; \$70 Small Brewer Off-sale [growlers]; \$25 Accessory/Outside Event [extends premises licensed] - Liq. Liab./Worker's Comp.

<u>License #</u>	<u>Name</u>	<u>Deficiencies</u>
22-8	Talking Waters Brewing Company, LLC (Taproom)	None
22-9	Talking Waters Brewing Company, LLC (Growlers)	None

3.2 PERCENT MALT LIQUOR ON SALE (3-2B-2: \$160.00 Fee/Sunday Fee \$70.00/Liq. Liab./Worker's Comp/Food License/Menu, when applicable)

<u>License #</u>	<u>Name</u>	<u>Deficiencies</u>
22-10 *	Valentino's Restaurant (Monday-Saturday)	None
22-11	Fiesta City Speedway	(1)
22-12 *	Three Hundred Management, LLC, DBA/Melody Lanes (Monday-Sunday)	None
22-13	LaPlazita Hispanic Market (Monday-Sunday)	None

* = The sale of strong beer is allowed due to the combination of this license and a wine license.

3.2 PERCENT MALT LIQUOR - OFF SALE (3-2B-3: \$70 Fee/Liq. Liab./Worker's Comp.)

<u>License #</u>	<u>Name</u>	<u>Deficiencies</u>
22-14	Casey's Retail Company, DBA/Casey's General Store #3269 (7 th Street)	None
22-15	Inn Like Flinn, Inc., DBA/Inn Like Flinn	None
22-16	Casey's Retail Company, DBA/Casey's General Store #1806 (1 st Street)	None
22-17	LaPlazita Hispanic Market, LLC, 111 South 1 st Street	None
22-18	Wal-Mart Stores, Inc., DBA/Wal-Mart Supercenter #1858	None

SET-UP LICENSE - \$80 Fee/Liq. Liab./Worker's Comp./Proof of State License - License Period is 3/31/2022 - 3/31/2023.

<u>License #</u>	<u>Name</u>	<u>Deficiencies</u>
22-19	Three Hundred Management, LLC, DBA/Melody Lanes (Will renew in March 2022)	None

CIGARETTE LICENSE (3-5-2: \$100.00 Fee/Worker's Comp.)

<u>License #</u>	<u>Name</u>	<u>Deficiencies</u>
22-20	City of Montevideo, DBA/Fiesta City Liquor	None
22-21	Wal-Mart Stores, Inc., DBA/Wal-Mart Store #1858	None
22-22	Casey's Retail Company, DBA/Casey's General Store #3269 (7 th Street)	None
22-23	Casey's Retail Company, DBA/Casey's General Store #1806 (418 S. 1 st Street)	None
22-24	Farmer's Union Oil Co., DBA/CENEX C-STORE (2402 E. Hwy 7)	(3)
22-25	Farmer's Union Oil Co., DBA/CENEX TRAVEL PLAZA (605 Hwy 212)	(3)
22-26	Jason Wiler, DBA/Twisted Vapes, 546 SW 1 st Street	None
22-27	Timothy Dittes, DBA/Montevideo Market (132 W. Nichols Ave.)	(3)

REFUSE/RUBBISH HAULING LICENSE (4-2-7: \$40 Fee/Bond/Public Liab. & Property Damage Ins./Worker's Comp.)

<u>License #</u>	<u>Name</u>	<u>Deficiencies</u>
22-28	Derek Tostenson, DBA/Tostenson, Inc.	None

7(H) 2022 PAY INCREASES - NON-UNION EMPLOYEES & DEPARTMENT HEADS.

Pay increases for non-union employees (full and part-time) and department heads have historically been the same as given to union members. Both AFSCME and LELS bargaining units negotiated a 3% wage increase for 2022. The proposed increases were presented as follows:

A 3.0% increase on 1/1/2022 for:

- Full-time non union employees
- Department Heads

And part-time staff:

Senior Center Part-Time: From \$12.94/hour to \$13.33/hour

Fire Department (Volunteer):

- First hour from \$19.80/hour to \$20.39/hour
- Every hour after from \$12.07/hour to \$12.43/hour
- Two-hour drill from \$21.61 to \$22.26hour.

Liquor Store Part-Time:

- Step A: (Start) from \$12.94/hour to \$13.33/hour
- Step B: From \$13.72 hour to \$14.13/hour
- Step C: From \$14.42/hour to \$14.85/hour
- Step D: From \$15.21/hour to \$15.67/hour

- 2) **Part-time Police.** Are based off the union scale (starting wage), so this increases along with any increases to the union agreement.
- 3) **Mayor and Council:** Salary changes can be approved by ordinance (only in an election year.)
- 4) **City Manager.** The city council needs to conduct their annual review of the city manager - see Agenda Item 9(A).

It was moved by Sulflow and seconded by Sanborn to approve the increases, as presented. Those voting in favor of motion: Sulflow, Sanborn, Olson and Curtiss. Those voting against motion: None. Council member Schmidt abstained due to his conflict of interest in being a member of the fire department. Motion passed 4-0-1.

7(I) OPIOID SETTLEMENT AGREEMENT.

A request was received from the League of MN Cities for cities to consider signing onto a Memorandum of Agreement (MOA) with the State of Minnesota for funds related to a settlement with Johnson & Johnson related to opioid addiction. By signing onto the agreement, the city would be eligible to receive a portion of the state's settlement

(amount unknown). Funds are to be spent on activities related to opioid addiction recovery and/or prevention.

DAN SANBORN OFFERED RESOLUTION NO. 3764, A RESOLUTION APPROVING THE MOA/AUTHORIZING PARTICIPATION IN NATIONAL OPIOID SETTLEMENTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3764 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(J) 2022 MEALSITE FACILITY AGREEMENT.

It was moved by Sanborn, seconded by Sulflow and unanimously passed to authorize the mayor and city manager to execute the 2022 Prairie Five Meals Program Meal Site Facility Agreement for the use of the community center as a senior meal site.

7(K) ACCEPTANCE OF GIFTS/GRANTS.

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

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
Sons of American Legion	Donations - Shop With a Cop Program	\$ 100.00
Kathy J. Hendrickson		1,000.00
Rohn & Paula Halvorson		50.00
American Legion Auxiliary		250.00
Lynette Manee		10.00
Anonymous		20.00
Wendy Ross		200.00
Subtotal:		\$ 1,630.00
Montevideo Fire Department	Donation - Fire Prevention	5,600.00
GRAND TOTAL		\$ 7,230.00

DAN SANBORN OFFERED RESOLUTION NO. 3765, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3765 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(L) 2022 CITY COUNCIL MEETING SCHEDULE.

DAN SANBORN OFFERED RESOLUTION NO. 3766, A RESOLUTION FIXING TIME AND PLACE FOR REGULAR CITY COUNCIL MEETINGS - 2022 - AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3766 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(M) 2022 POLLING PLACE DESIGNATION.

STEVE SULFLOW OFFERED RESOLUTION NO. 3767, A RESOLUTION DESIGNATING THE 2022 POLLING PLACE (MONTEVIDEO NATIONAL GUARD TRAINING & COMMUNITY CENTER), AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3767 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OF MOTION: STEVE SULFLOW, BRYCE CURTISS, DAN SANBORN, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(N) GOOGLE WORKSPACE ACCOUNTS.

City Manager Wolfington explained that the city's IT person has recommended the city migrates its email service over to Google Workspace. Over the last few months, city staff has experienced several issues with the existing email system. The service is \$18.00 per user per month and staff requested 10 accounts, for a total of \$2,160/year. In addition to email, the service also includes other useful features including group calendars and other tools that staff can use for productivity.

It was moved by Curtiss, seconded by Sanborn and unanimously passed to approve the purchase of (10) Google Workspace accounts, as requested by staff.

7(O) CHANGE ORDER #11 - PUBLIC WORKS FACILITY.

During the final stages of construction for the public works facility, a change was made to help seal the decking for the precast wall to better insulate the office section of the

building. The work was beyond the original scope of the project and RJM has proposed a \$750 change order to address the additional costs in the amount.

It was moved by Sanborn, seconded by Sulflow and unanimously passed to authorize the mayor and city manager to execute Change Order #11, as presented.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

Prior to moving into Closed Session for the performance review of Montevideo City Manager Robert Wolfington, the council members were polled for additional items.

- Council & staff conveyed Merry Christmas wishes to all!

At 8:17 P.M., a brief recess was taken to allow members of the audience to leave the council chambers.

9(A) CLOSED SESSION - CITY MANAGER PERFORMANCE REVIEW.

A Closed Session was called to order at 8:20 P.M. for the purpose of conducting the 2021 performance review of City Manager Robert Wolfington. Those in attendance included Mayor Winter, Council President Schmidt, Council members Curtiss, Sanborn, Olson and Sulflow and City Clerk Lauritsen. Wolfington had been asked to leave the room for council's discussion. After that discussion, Wolfington was asked to return. The entire Closed Session was recorded electronically 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 was declared ended at 8:33 P.M. and the council moved back into Regular Session.

It was moved by Sulflow, seconded by Sanborn and unanimously passed to authorize a 3% wage increase to City Manager Wolfington, the same as was given to other non-union employees and department heads for 2022.

A public summary statement will be given at the January 3, 2022 meeting on this action.

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Meeting adjourned at 8:35 P.M.

Glennis A. Lauritsen, Secretary

Approved by council January 3, 2022:

President - City Council