

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
February 21, 2023

The city council met in regular session Tuesday, February 21, 2023 in the council chambers at city hall. Council President Schmidt called the meeting to order at 7:00 P.M. with the Pledge of Allegiance.

Council members present: Nathan Schmidt, Dan Sanborn and Bryce Curtiss. Absent: Steve Sulflow and Beverly Olson (*). (Due to storm conditions, Council member Olson was not able to attend the meeting; however, it was noted that she had signed into the meeting via ZOOM as a non-participating member.) Mayor Erich Winter present.

Also present: City Manager Robert Wolfington (via ZOOM), City Engineer Mike Amborn, City Attorney Janice Nelson 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 FEBRUARY 16, 2023 IN THE AMOUNT OF ~~\$171,009.49~~ \$279,398.05.

The revised list reflects the following additions/deletions:

LIQUOR

Bellboy Corporation - Inventory	\$ 9,398.90
Johnson Brothers Liquor Co. - Inventory	2,019.83
Phillips Wine & Spirits - Inventory	1,909.04

FISCAL ADMINISTRATION

Jan Flaherty - Finance Director Services + airfare	13,887.00
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MISCELLANEOUS

SW/WC Service Co-op - Medica premium/March	74,680.89
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UTILITY

Hawkins, Inc. - Chemicals	6,492.90
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DELETE: 7E) **CONSIDER RESOLUTION AUTHORIZING THE TRANSFER OF REAL ESTATE IN THE MONTEVIDEO MEDICAL PARK ADDITION.**

DELETE: 8A) **CONSIDER ADOPTION OF ORDINANCE NO. 975, AN ORDINANCE ADDING CHAPTER 12 OF TITLE 3 OF THE MONTEVIDEO CITY CODE, MOBILE FOOD TRUCKS/VENDORS.**

DELETE: 8B) **CONSIDER APPROVING SUMMARY PUBLICATION OF ORDINANCE NO. 975 (MOBILE FOOD TRUCKS/VENDORS).**

(Note: It was necessary to delete items 7E & 8A due to adoption needing four (4) votes of the council and only three (3) members were in attendance. Item 8B was deleted because it was contingent upon action taken on Item 8A. All items will be placed on the March 6 agenda for consideration.)

It was moved by Curtiss, seconded by Sanborn and unanimously passed to approve the minutes of the Regular Meeting of February 6, 2023, as presented.

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

- None.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING FEBRUARY 16, 2023 IN THE (MODIFIED) AMOUNT OF \$279,398.05.

6. Public Hearings.

- None.

7. General Business.

7(A) CCM HEALTH EQUIPMENT PURCHASE.

CCM Health CEO Brian Lovdahl was present via ZOOM to request council approval for the purchase of a new piece of equipment (endoscopic ultrasound) in the amount of \$438,689. The purchase would be covered 100% from grant funds.

It was moved by Curtiss, seconded by Sanborn and unanimously passed to authorize the purchase of the endoscopic ultrasound equipment, as requested.

7(B) MILWAUKEE ROAD HERITAGE CENTER REPORT.

In 2015, the city sold the rail yard property to the Milwaukee Road Heritage Center (MRHC) for a purchase price of \$45,000, with \$5,000 due immediately and \$40,000 forgivable, with certain conditions. The city agreed to finance the purchase at 4% interest for 10 years (\$4,000/year), with payment due by February 1st of each year, until February 1, 2025. One of the conditions agreed upon was that payments may be forgiven by the city *if* the MRHC continued to maintain and operate the facility to the standard required by the city. To enable the city council to ascertain if the yearly payment qualifies for forgiveness, the MRHC was asked to report their actions over the past year to the city council and formally ask for the payment to be forgiven. If a report is not given, or if the council finds the MRHC lacking, that year's payment will become due.

Dick Ryman, Milwaukee Road Heritage Center representative, was on hand to provide the required report. Ryman distributed a written report which highlighted the activity that had taken place during 2022, including clean-up and repair of the yard and equipment. Annual grass and weed spraying and tree clean-up from high winds and hail in the spring was also done. Roof rafters and a complete chimney are slated to be rebuilt this year. It is also anticipated that a portion of a large Cottonwood tree will need to be removed to prevent it from falling on the model railroad building in the event of high winds. It was noted that the group is constantly working on upgrading the displays by adding more buildings and shrubbery. Based on the report provided, Ryman formally requested forgiveness of the 2023 loan payment on behalf of MRHC and requested the council consider authorizing forgiveness of the final 2024 loan payment at this time as well.

It was the consensus of the council that because an annual report was a condition of the original purchase agreement, only the 2023 forgiveness would be considered.

It was moved by Curtiss, seconded by Sanborn and unanimously passed to authorize forgiveness of the 2023 loan payment by MRHC, based on the information provided.

In a separate matter, Mr. Ryman asked the council for permission to add signage that would honor former MRHC President Jim Ruether, who had passed away in 2022. The group would like to erect a sign naming a specific roadway "Jim Ruether Drive." It was determined that the area being discussed was private property and not a public street, and it was suggested that TC&W Railroad be contacted for their input. City Manager Wolfington agreed to work with Ryman on this matter and, if necessary, bring it back to the council at a future date.

Item 7(D) was pulled forward for consideration at this time.

7(D) COMMUNITY CENTER MINI-GRANT APPLICATION.

The community center coordinator requested council approval to apply to the Minnesota River Area Agency on Aging (MNRAAA) for two (2) Title III-D Mini Grants that would reimburse \$1,250 per completed class series - one for Tai Ji Quan: Moving for Better Balance and one for Stay Active & Independent for Life (SAIL). The grant funds can be used for leader training, staff time, licensing, promotion, etc. It was noted that the city has successfully participated in a similar program in the past.

It was moved by Sanborn, seconded by Curtiss and unanimously passed to authorize staff to apply for the grant(s), as requested.

The original order of the agenda was resumed.

7(C) PURCHASE OF MOWERS.

Public Works Director Aaron Blom presented and reviewed quotes received for the purchase of four (4) new mowers for use in the public works department. Two quotes were received, with the low quote submitted by Kibble Equipment in the amount of \$69,803.64 less trade-in, for a total purchase price of \$19,900. This would reflect a purchase utilizing the state contract pricing. The 2023 Budget includes \$25,000 for this purchase. Staff recommended the purchase from Kibble Equipment, as presented, noting the benefit to the trade-in, annual upgrade and warranty.

It was moved by Curtiss, seconded by Sanborn and unanimously passed to authorize the purchase of the four (4) mowers from Kibble, as quoted, and recommended by staff.

7(E) TRANSFER OF REAL ESTATE - MONTEVIDEO MEDICAL PARK ADDITION.

Item deleted.

7(F) 2023 BOARD OF APPEAL & EQUALIZATION MEETING.

It was moved by Sanborn, seconded by Curtiss and unanimously passed to designate the date of Monday, April 24, 2023, from 6:00-6:30 P.M. for the purpose of conducting the local Board of Appeal & Equalization Meeting.

7(G) 2022 ANNUAL REPORT.

It was moved by Curtiss, seconded by Sanborn and unanimously passed to accept the 2022 Annual Report.

8.

Ordinances.

8(A) ADOPTION OF ORDINANCE NO. 975 - MOBILE FOOD TRUCKS/VENDORS.

Item deleted.

8(B) SUMMARY PUBLICATION/ORDINANCE NO. 975.

Item deleted.

8(C) ZONING AMENDMENTS - MOBILE FOOD TRUCKS/VENDORS.

Whenever a change in the zoning ordinance is proposed, a public hearing is required (City Code 11-3-9). The Montevideo Planning Commission conducted a public hearing on Monday, February 13, 2023 on proposed amendments relating to mobile food trucks/vendors. No public testimony was heard and the commission unanimously recommended moving forward with the amendments. Therefore, an ordinance was drafted adding new language to various sections of Title 11 of the Montevideo City Code

to allow mobile food trucks/vendors in all Residential, Business & Industrial Districts of Montevideo as a permitted use.

BRYCE CURTISS INTRODUCED ORDINANCE NO. 976, AN ORDINANCE AMENDING 11-6A-2, 11-6B-2, 11-6C-2, 11-7A-2, 11-7B-2, 11-7C-2 AND 11-8A-2 OF THE MONTEVIDEO CITY CODE TO ADD FOOD TRUCKS AS A PERMITTED USE.

9. Discussion and Miscellaneous.

- City Engineer Amborn noted that the city/county had participated in a presentation on Friday, the 17th, for the grants associated with the TH7/CR15/24th Street pedestrian crossing improvements. As a result of that presentation, the city was informed earlier today that the project was being recommended for funding. Staff will continue to work with Chippewa County going forward.
- Public Works Director Aaron Blom discussed with council the snow plowing/removal efforts planned for the major winter storm forecast over the next few days.
- Brief discussion took place on a letter received from Bob Christensen, The Gallery, which voiced his ongoing concerns regarding water damage issues. City Manager Wolfington stated he would follow-up with the city's insurance carrier, the League of MN Cities on the matter.
- Council President Schmidt reminded the council of the worksession scheduled for Monday, February 27th, at 7:00 P.M.
- Council President Schmidt informed the council that he had spoken with Council member Sulflow regarding his seat on the council. Schmidt noted that criminal activity by Sulflow had been published in the news which has raised concern - that he had received a good deal of public push back on the matter - and that he had asked Sulflow to consider stepping down from the council. The council cannot force him to resign.

Council member Sanborn commented on the way in which Sulflow had approached needing to step down from his position on the Hospital Commission, by saying that he had a conflict with the meeting times. Sanborn was of the opinion that while this may partially be the case, he was aware that Sulflow had been asked to step down by the Hospital Commission. President Schmidt stated that he had intended for the council to

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consider a censure resolution this evening; however, with only three members in attendance, that was not possible.

Meeting adjourned at 7:29 P.M.

Glennis A. Lauritsen, Secretary

Approved by council March 6, 2023:

President - City Council