

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
June 5, 2023

The city council met in regular session Monday, June 5, 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, Bryce Curtiss, Steve Sulflow and Beverly Olson. Absent: None. Mayor Erich Winter present.

Also present: City Manager Robert Wolfington, City Attorney Janice Nelson, City Engineer Mike Amborn 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 JUNE 1, 2023 IN THE AMOUNT OF ~~\$638,881.99~~ \$714,188.89.

The revised list reflects the following additions:

LIQUOR

Dahlheimer Beverage - Inventory	\$ 18,908.80
Johnson Brothers Liquor Co. - Inventory	2,533.63
Phillips Wine & Spirits	7,029.45

CONVENTION & VISITORS BUREAU

Chamber of Commerce - Invoices March/April/May	7,802.48
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ENGINEERING

Rodeberg & Berryman, Inc. - Services 4/24-5/26/23	12,120.00
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LEGAL

Nelson Oyen Torvik - Legal services	5,003.58
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MISCELLANEOUS

Farmer's Union Oil Company - Fuels	9,566.97
Fusion Cloud Services - Phone bill	2,405.37

PUBLIC WORKS

Koenig & Sons Equipment, Inc. - Sweeper parts/brooms	1,578.57
Kubota - Landpride Grader Scraper	3,258.05
VanDiest Supply Co. - Roundup Quikpro	5,100.00

MODIFY: 7A) CONSIDER RESOLUTION PROVIDING FOR THE ISSUANCE & SALE OF \$1,590,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2023A.

- Sale Day Report provided.

MODIFY: 7(I) CONSIDER REQUEST FROM THE ARMY CORPS OF ENGINEERS FOR ADDITIONAL FUNDS IN THE COMPLETION OF THE PHASE 3B LEVEE PROJECT.

Revised agenda cover page, revised letter of request and a proposed resolution provided.

ADD: 7(J) CONSIDER AUTHORIZING THE PURCHASE OF A 2023 FORD LIGHTNING PPV SQUAD FOR THE POLICE DEPARTMENT.

It was moved by Sanborn, seconded by Curtiss and unanimously passed to approve the minutes of the Regular Meeting of May 15, 2023, as presented.

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

- None.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING JUNE 1, 2023 IN THE (MODIFIED) AMOUNT OF \$714,188.89.

5(B) USE OF VARIOUS CITY PROPERTIES FOR FIESTA EVENTS.

- 5(C) APPLICATION SUBMITTED BY AVIS SWENSON, HUNGER WALK REPRESENTATIVE, FOR USE OF CITY STREETS, SIDEWALKS AND SMITH PARK FOR A COMMUNITY HUNGER WALK WEDNESDAY, JUNE 14, 2023, 5:00-8:00 P.M.

6. Public Hearings.

- 6(A) 7:00 P.M.- (CONTINUED) PUBLIC HEARING - 2023 IMPROVEMENT PROJECT.

At the May 1, 2023 public hearing for the 2023 Improvement Project, the hearing was continued to this date for the Cottages of Montevideo properties on the Ashmore Avenue Project, Benson Road to 17th Street.

President Schmidt called the (continued) public hearing to order at 7:02 P.M.

Purpose of the continuation was to allow for notification to be sent to each property owner within the Association for their share of the total assessment amount, with revised options for payment, as appropriate (vs. the one notice that had previously been sent to the parcel ID# identified as the Cottages of Montevideo Association.)

Because this additional step did not affect the amount of the assessment for the Cottages properties (\$21,884.40), the council had adopted the assessment roll by Resolution No. 3861. However, bond counsel advised that the council consider an additional resolution adopting the assessment, which supplements and amends Resolution No. 3861. The additional resolution was prepared by Taft Law and provided to the council for consideration.

There was no one present to address the council and, therefore, President Schmidt declared the public hearing closed at 7:04 P.M. The entire public hearing was recorded and will be downloaded to a flash drive to be kept in accordance with the city's adopted records retention schedule, after which time the flash drive will be destroyed.

BRYCE CURTISS OFFERED RESOLUTION NO. 3865, A RESOLUTION ADOPTING ASSESSMENT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION #3865 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. General Business.

7(A) BOND ISSUANCE/SALE - 2023 IMPROVEMENTS.

In order to finance the 2023 Street & Utility Improvements, the city needs to sell a total of \$1,590,000 of bonds. Dan Tienter, Municipal Advisor with Ehlers, was present to review the Sale Day Report for the \$1,590,000 General Obligation Bonds, Series 2023A Issue. Tienter commended city staff for retaining the city's AA- bond rating with Standard & Poors. He then discussed the Sale Day Report and the bids received. Tienter noted that due to a premium bid and reduced cost of issuance, the city received an additional \$114,031. Ehlers recommended awarding the bid to TD Securities (USA) LLC at a true interest cost of 3.3914%.

DAN SANBORN OFFERED RESOLUTION NO. 3866, A RESOLUTION PROVIDING FOR THE ISSUANCE & SALE OF \$1,590,000 GENERAL OBLIGATION BONDS, SERIES 2023A, PLEDGING FOR THE SECURITY THEREOF REVENUES, SPECIAL ASSESSMENTS AND LEVYING A TAX FOR THE PAYMENT THEREOF, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3866 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(B) FINAL 2022 COMMITTED & ASSIGNED FUND BALANCES.

It was moved by Sulflow, seconded by Olson and unanimously passed to approve the final 2022 committed and assigned fund balances.

At this time, Item 7(J) was pulled forward for consideration.

7(J) PURCHASE OF 2023 FORD LIGHTNING PPV SQUAD.

Police Chief Ken Schule discussed the vehicle replacement schedule for the department. He explained that he had recently contacted Ten Voorde Ford to check on the city's pending order for two (2) Ford utility vehicles and was informed that those vehicles would now not be built until December 2023-January 2024. Schule then asked the dealership about getting pricing for a 2024 Ford F150 Ecoboost PPV and Lightning (all electric vehicle) and was told that the 2024 state bidding process would not be available until late Fall.

The Ten Voorde Ford salesperson informed him that the dealership had previously received five (5) 2023 Ford Lightning PPV trucks, with all of them spoken for/sold. Recently, however, one law enforcement agency had backed out of a purchase, so they currently have one 2023 available to sell. Therefore, Schule stated he was present to request authorization to purchase a 2023 Ford Lightning PPV squad pickup from Ten Voorde Ford to replace the 2017 RAM pickup currently used by the department (mainly the Chief.) He noted that he had conducted a good deal of research on the electric vehicle, comparing its features/costs to those of a gasoline vehicle. Schule discussed those findings with the council and addressed questions/concerns raised. Items of discussion included maintenance costs, future resale, battery expense, etc.

The proposed plan would be to sell the 2017 RAM through MinnBid or to the Public Works Department for market rate. Proceeds would go back to the city General Fund. If taken, this action would replace the RAM one year earlier than expected; however, given the extreme wait times for the new vehicles, a purchase of this vehicle at this time would help get the department back on track.

State pricing for the 2023 Lightning is \$56,371. A tax credit is available of \$7,500, bringing the cost of the vehicle to \$48,871. There would be additional costs to equip the vehicle with the average police package. A portion of the funds targeted for purchase of the two utility vehicles would be used for this purchase. Schule noted that a charging station would need to be added inside the police department garage at an estimated cost of \$2,000.

Following discussion, it was moved by Curtiss, seconded by Sulflow and unanimously passed to authorize the purchase of the 2023 Lightning from Ten Voorde Ford, as presented.

The order of the agenda resumed, as printed.

7(C) TEMPORARY ON-SALE PERMITS - GROATS & FLINNS.

Groat's and Flinn's each submitted an application for a permit from the council to allow an on-site, outdoor, shared event on Friday, June 16, 2023 during Fiesta Days. This type of permit allows a temporary extension of each of their on-sale liquor licenses to premises adjacent and contiguous to the licensed premises. Similar permits have been issued in the past, with no issues. All of the activity will take place on private property; no city

properties will be used. Music is planned by way of a DJ during the hours of 9:00 P.M. to Midnight. All liquor sales will take place inside the building(s).

It was moved by Curtiss, seconded by Olson and unanimously passed to approve the issuance of the accessory on-sale permit to Inn Like Flinn's for 6/16-17, 2023.

It was moved by Sanborn, seconded by Sulflow and unanimously passed to approve the issuance of an accessory on-sale permit to Groat's for 6/16-17, 2023.

7(D) AIRPORT MAINTENANCE/OPERATION CONTRACT #1053296.

The Montevideo-Chippewa County Airport annually receives reimbursement from the State of Minnesota for direct, actual maintenance and operation costs not reimbursed by any other source. The proposed agreement is for State Fiscal Year 2024 (time frame July 1, 2023 through June 30, 2024) and State Fiscal Year 2025 (time frame of July 1, 2024 through June 30, 2025). The state will reimburse 2/3 of the direct, actual maintenance and operation costs not reimbursed by any other source, not to exceed \$31,571.00 of State aid for each State fiscal year.

DAN SANBORN OFFERED RESOLUTION NO. 3867, A RESOLUTION AUTHORIZING EXECUTION OF MN/DOT GRANT CONTRACT NO. 1053296, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3867 WAS SECONDED BY BEVERLY OLSON. THOSE VOTING IN FAVOR OF MOTION: DAN SANBORN, BEVERLY OLSON, BRYCE CURTISS, STEVE SULFLOW AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(E) MOU - AFSCME UNION - JUNETEENTH HOLIDAY.

Due to recent legislation, Juneteenth (June 19th) is now a state-recognized holiday. Article VII of the 2023-2024 Agreement with AFSCME Union No. 1686 includes a list of holidays to be observed by all covered employees. A Memorandum of Understanding (MOU) was drafted to amend the agreement.

Staff noted that it will also be necessary to amend the 2023-2024 Agreement with LELS (police union). Therefore, it was requested that authorization be given to the city manager and mayor to execute a similar document with that bargaining unit as well.

It was moved by Olson, seconded by Sanborn and unanimously passed to authorize the mayor and city manager to execute the MOU with AFSCME and a similar amendment document with LELS when it becomes available.

7(F) COUNCIL MEETING SCHEDULE/JUNETEENTH.

Resolution No. 3839 adopted 12/19/22 set the schedule for regular city council meetings in 2023. Due to recent state legislation declaring Juneteenth (June 19) as a state-recognized holiday, public business cannot be conducted on that day. The second council meeting in June would be June 19th and, therefore it is necessary to amend the schedule. A resolution was provided which would reschedule the council meeting scheduled for Monday, June 19th to Tuesday, June 20th.

STEVE SULFLOW OFFERED RESOLUTION NO. 3868, A RESOLUTION AMENDING RESOLUTION NO. 3839 FIXING TIME & PLACE FOR 2023 REGULAR CITY COUNCIL MEETINGS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3868 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(G) TEMPORARY LIQUOR LICENSES/FAIR ASSOCIATION.

The Chippewa County Fair Association has submitted applications for two (2) back-to-back State of Minnesota 1-4 Day Temporary Liquor Licenses for the Chippewa County Fair July 26-30, 2023. Two licenses are needed because the Fair runs for five days, and each application is for a maximum of four days. The permits would allow the sale of strong beer and liquor, which will be supplied by Madison Bottling Company.

It was moved by Curtiss, seconded by Sanborn and unanimously passed to authorize submission of the temporary applications to the State of Minnesota.

7(H) ACCEPTANCE OF \$750 FIRE DEPARTMENT DONATION.

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

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
McDonalds via MILK Specialties Co.	Donation - Fire Department	\$ 750.00

DAN SANBORN OFFERED RESOLUTION NO. 3869, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3869 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(I) ACOE ADDITIONAL FUNDS REQUEST - LEVEE PHASE 3B.

The Army Corps of Engineers (ACOE) requested \$80,000 to continue work on the 3B phase of the levee project. The additional funds are for a modification of \$30,000, as well as \$50,000 to cover expenses incurred by the ACOE. The DNR agreed to fund the request 100% with no local match.

City Manager Wolfington explained that there is one more outstanding issue, an abandoned water pipe that is located within the levee. The city will need to get the issue addressed before the levee can be certified. At this time, the ACOE has given permission to the city to perform the work outside of the contract with the contractor, which would reduce the cost significantly. Therefore, staff asked that a request of an additional \$20,000 be made to the DNR for this work, bringing the total request to \$100,000.

It was moved by Curtiss, seconded by Sulflow and unanimously passed to approve the request in the total amount of \$100,000, as presented.

BRYCE CURTISS OFFERED RESOLUTION NO. 3870, A RESOLUTION FOR GRANT FUNDING ASSISTANCE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3870 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(J) PURCHASE OF 2023 FORD LIGHTNING PPV SQUAD.

Item previously considered (see page 5).

8. Ordinances.

8(A) ORDINANCE INTRODUCTION - JUNETEENTH HOLIDAY.

Due to recent legislation, Juneteenth is now a state-recognized holiday. The Administrative Code lists all holidays as defined by Minnesota law and, therefore, the document needs to be amended to include the newly established holiday. Such action requires an Ordinance.

DAN SANBORN INTRODUCED ORDINANCE NO. 981, AN ORDINANCE AMENDING THE CITY OF MONTEVIDEO ADMINISTRATIVE CODE, HOLIDAYS.

9. Discussion and Miscellaneous.

- City Engineer Amborn indicated that the second lift of bituminous for the 2022 Project is set to be applied in July.
- Council member Olson asked staff to address the matter of a blade truck parked in the 1100 block of North 4th Street that has not moved for quite some time.
- City Manager Wolfington informed council that he had authorized the school's use of city streets at 7PM on June 5th for a marching band "preview" associated with the event scheduled for June 12th and previously approved by the council.

Meeting adjourned at 7:46 P.M.

Glennis A. Lauritsen, Secretary

Approved by council June 20, 2023:

President - City Council