

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
November 6, 2023

The city council met in regular session Monday, November 6, 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: Bryce Curtiss, Steve Sulflow, Beverly Olson, Dan Sanborn and Nathan Schmidt. Absent: None. Mayor Erich Winter present.

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

It was moved by Sulflow, 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 NOVEMBER 2, 2023 IN THE AMOUNT OF ~~\$1,239,413.46~~ \$1,398,354.25.

The revised list reflects the following additions:

LIQUOR

Madison Bottling Company - Inventory	\$ 1,926.35
MN Department of Revenue - Sales Tax	19,049.00

2022 STREET & UTILITY IMPROVEMENTS

Central Specialties, Inc. - Final Estimate	51,355.61
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AIRPORT

Short Elliot Hendrickson, Inc. - Hangar Rehab/Addition	11,080.00
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ENGINEERING

Rodeberg & Berryman, Inc. - 9/25-10/27 services	44,978.00
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LEGAL

Nelson Oyen Torvik - Legal services	11,255.00
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MISCELLANEOUS

Farmer's Union Oil Co. - Gas, etc.	7,039.88
Fusion Cloud Services - Phone bill	2,431.97

UTILITY

Hawkins, Inc. - Aluminum sulfate	8,170.47
Innovative Systems - Bills/postage (utility)	1,654.51

It was moved by Sanborn, seconded by Olson and unanimously passed to approve the minutes of the Regular Meeting of October 16, 2023, as presented.

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

- None.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING NOVEMBER 2, 2023 IN THE (MODIFIED) AMOUNT OF \$1,398,354.25.

6. Public Hearings.

- None.

7. General Business.

7(A) 2023 AMENDED BUDGET.

BRYCE CURTISS OFFERED RESOLUTION NO. 3895, A RESOLUTION ADOPTING THE AMENDED BUDGET FOR THE FISCAL YEAR 2023, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3895 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(B) SEH AGREEMENT - AERATION BLOWER PROJECT.

An Agreement for Professional Services was submitted by Short Elliot Hendrickson (SEH) for the construction administration and inspection services associated with the 2023 Aeration Basin Blower Replacement Project at the wastewater treatment facility. The city had previously entered into an engineering agreement with SEH for the design and bidding services portion of this project. This is a separate agreement for the construction administration and inspection at a

cost of \$32,400, including expenses and equipment. Utilities Superintendent Byron Hayunga was on hand to address questions raised.

It was moved by Sulflow, seconded by Sanborn and unanimously passed to approve the agreement with SEH, as presented.

7(C) UPDATE - PFAS.

Utilities Superintendents Byron Hayunga & Ryan Gallagher were present to provide an update on the PFAS (per-and polyfluoroalkyl substances, commonly known as “forever chemicals”) monitoring issue. Gallagher stated that at this point, there are more questions than answers from the state on PFAS. There are three (3) levels of detection (high-medium-low) with Montevideo currently in the “medium” category. A number of companies have been identified as major contributors to PFAS, and the Minnesota Pollution Control Agency is asking for a plan from cities to indicate how they will address the matter by March 15, 2024. In addition, the PCA requires that an Activity Management Plan be completed by March 2026.

City Manager Wolfington added that there are currently two (2) litigation cases in Minnesota on the PFAS issue. The city attorney is exploring possible city participation and will update/advise the council at a future meeting.

7(D) KURTZBEIN 2024 FARM LEASE.

It was moved by Curtiss, seconded by Olson and unanimously passed to approve a 2024 Farm Lease with Robert Kurtzbein for 15.9 acres of land in the Ost Subdivision at a rate of \$258.75/acre for a total lease amount of \$4,114.13. (This rate is based on the average of bids the city received on the [city owned] airport farm land.)

7(E) 2024 TORT LIABILITY WAIVER.

It was moved by Sanborn, seconded by Sulflow and unanimously passed to NOT waive the monetary limits on the municipal tort liability insurance for 2024.

7(F) VOTER ACCOUNT FUNDS.

On July 20, 2023, the Office of the Secretary of State completed an electronic transfer of \$1.25 Million in payments to counties for the VOTER Account. The VOTER Account is a dedicated stream of state funding for county and municipal election administration. Chippewa County’s share of these funds was \$4,899.10. The funds may then be allocated between the County and each municipality/township. Inasmuch as the County pays for the maintenance, programming and ballot development costs, the County Auditor/Treasurer has asked cities and townships to

pass a resolution agreeing to allow them to retain all VOTER funds for this purpose. Montevideo's portion of the allocation would be \$237.52 for Precinct 1 and \$238.37 for Precinct 2, for a total of \$475.89. Staff recommended adopting the proposed resolution.

STEVE SULFLOW OFFERED RESOLUTION NO. 3896, A RESOLUTION REGARDING VOTING OPERATIONS, TECHNOLOGY & ELECTION RESOURCES (VOTER) ACCOUNT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3896 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 5-0.0

7(G) 2023 AUDIT TERMS/FEES.

Council considered an Engagement Letter submitted by Dana F. Cole & Company, LLP, outlining audit terms and fees for the 2023 Audit. The audit fee for 2023 is proposed at \$31,700 (compared to the 2022 fee of \$30,200).

It was moved by Sanborn, seconded by Olson and unanimously passed to authorize the mayor and city manager to execute the Letter of Engagement, as presented.

7(H) 2024 SAFE ASSURE CONTRACT.

A renewal contract was drafted by Safe Assure Consultants, Inc., to provide the employee safety training program for 2024. The fee for 2024 would be \$7,983.96, compared to the fee in 2023 of \$7,324.74.

It was moved by Sanborn, seconded by Sulflow and unanimously passed to authorize the mayor and city manager to execute the proposed Service Agreement with Safe Assure, as presented.

7(I) LIONS CLUB RAFFLE/BINGO.

STEVE SULFLOW OFFERED RESOLUTION NO. 3897, A RESOLUTION APPROVING AN OFF-SITE GAMBLING PERMIT FOR THE LIONS CLUB OF MONTEVIDEO (AT THE MONTEVIDEO AMERICAN LEGION POST #59, 613 LEGION DRIVE, ON FEBRUARY 24, 2024), AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3897 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) 2024 CONSTRUCTION PROJECT.

The following improvement projects are being proposed for 2024:

Local Road Improvement Grant Project (if awarded):

- Black Oak Avenue, 17th Street to Runnings Entrance

City Projects, Street:

- Oak Drive, Ridgeview Drive to end
- Summit Avenue, 1st Street to 3rd Street

It was noted that the city would need to bond for the proposed improvements. If the city is not awarded the grant, staff recommended moving forward with the city projects only.

Also presented for review was the 10-Year Street Construction Plan.

BRYCE CURTISS OFFERED RESOLUTION NO. 3898, A RESOLUTION REGARDING PREPARATION OF PRELIMINARY REPORT AND COST ESTIMATES FOR THE PROPOSED 2024 IMPROVEMENT PROJECT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3898 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(K) LRIP PROGRAM/BLACK OAK RECONSTRUCTION.

As discussed in the previous agenda item, staff would like to apply for a Mn/DOT Local Road Improvement Grant (LRIP) for the reconstruction of Black Oak Avenue, from 17th Street to the west entrance of Runnings. This route serves a regional significance as access to the school's early learning center and daycare facility, as well as other commercial businesses which has significantly increased the daily traffic count. If awarded the grant, the city would include this project in the 2024 Improvement Project. The city would bond for the proposed improvements and be reimbursed through grant funds. The maximum amount that can be requested is \$1.5 Million. The city would be responsible for engineering costs and capital construction costs above the grant award. A resolution was prepared which would authorize the city manager and city engineer to complete and submit the application which is due December 8, 2023.

DAN SANBORN OFFERED RESOLUTION NO. 3899, A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE MN/DOT LOCAL ROAD IMPROVEMENT PROGRAM, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3899 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(L) STATE GRANT AGREEMENT/AIRPORT REIL LIGHTS.

The city received a grant from the Minnesota Department of Transportation (Mn/DOT) for state funds for the Runway End Indicator Lights (REIL) Project at the airport. The grant agreement has been prepared by Mn/DOT for approval by the city.

DAN SANBORN OFFERED RESOLUTION NO. 3900, A RESOLUTION AUTHORIZING EXECUTION OF MN/DOT GRANT AGREEMENT NO. 1051793 FOR AIRPORT IMPROVEMENT EXCLUDING LAND ACQUISITION (REIL LIGHTS), AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3900 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.

8. Ordinances.

8(A) INTRODUCTION OF ORDINANCE NO. 984.

A Cable Television Advisory Commission was established in 1987 to determine channels, approve rates, etc. In consultation with the city attorney, she advised that because the city basically no longer has input into those items, the Commission no longer serves a useful purpose. And, in reviewing the Cable Television Franchise, an advisory commission is not required. Therefore, an ordinance was drafted to repeal the applicable section of the City Code.

DAN SANBORN INTRODUCED ORDINANCE NO. 984, AN ORDINANCE REPEALING CHAPTER 4 OF TITLE 2 OF THE MONTEVIDEO CITY CODE, CABLE TELEVISION ADVISORY COMMISSION.

9. Discussion and Miscellaneous.

- City Engineer Amborn provided a brief update on the status of the 2023 Improvement Project, noting that paving will finish up Tuesday and Wednesday.

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Meeting adjourned at 7:29 P.M.

Glennis A. Lauritsen, Secretary

Approved by council November 20, 2023:

President - City Council