

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
December 18, 2023

The city council met in regular session Monday, December 18, 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 absent.

Also 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:

ADD: 4A) **PRESENTATION - REACHING RURAL GROUP.**

MODIFY: 5A) **CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING DECEMBER 14, 2023 IN THE AMOUNT OF ~~\$185,786.40~~ \$298,110.65.**

The revised list reflects the following additions:

LIQUOR

Breakthru Beverage MN - Inventory	\$ 2,406.64
Dahlheimer Beverage Green Isle - Inventory	12,587.35
Madison Bottling Company - Inventory	3,623.80
Southern Glazer's of MN	5,998.90

AIRPORT

Kranz Construction, Inc. - Application #1 - Hangar Project	60,844.00
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MISCELLANEOUS

Clearway Community Solar - Solar bills	26,863.56
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MODIFY: 7(A) **CONSIDER APPROVAL OF \$10,000 MN DEPARTMENT OF HEALTH SOURCE WATER PROTECTION IMPLEMENTATION GRANT FOR NEW WELL SITING IN 2024.**

- Revised Grant Agreement provided modifying grantee's authorized representative from Byron Hayunga to Robert Wolfington.

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

- Updated resolution provided.

ADD: 7N) **CONSIDER RATIFYING MAYORAL APPOINTMENT OF JAMES BULMAN TO THE ECONOMIC DEVELOPMENT AUTHORITY (EDA).**

ADD: 7O) **CONSIDER APPLICATION FROM CHIPPEWA COUNTY FAIR ASSOCIATION FOR AN EXEMPTION FROM LAWFUL GAMBLING LICENSE REQUIREMENTS FOR RAFFLE ACTIVITY AT THE VFW ON MARCH 2, 2024.**

ADD: 7P) **CONSIDER AUTHORIZING STAFF TO MOVE FORWARD WITH TELEVISIONING WATERLINE UNDER LEVEE TO DETERMINE ITS LOCATION.**

DELETE: 9A) **CLOSED SESSION - CITY MANAGER PERFORMANCE REVIEW.**

- This will be rescheduled to the 1/2/24 meeting.

It was moved by Curtiss, seconded by Olson and unanimously passed to approve the minutes of the Regular Meeting of December 4, 2023, as presented.

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

4(A) PRESENTATION BY REACHING RURAL GROUP.

Jarred Kells, Morgan Ironheart, Midge Christensen, Ken Schule and Robert Wolfington participated in a Power Point presentation discussing the Rural Recovery & Prevention Program. Participants were introduced, the program was explained and questions were addressed.

5. Consent Agenda.

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

5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING DECEMBER 14, 2023 IN THE (MODIFIED) AMOUNT OF \$298,110.65.

6. Public Hearings.

- None.

7. General Business.

7(A) MN/DOT GRANT - WELL SITING.

In April 2023, the council had approved applying for a Minnesota Department of Health Source Water Protection Implementation Grant for siting a new well for the city. The city has been awarded the \$10,000 grant, with no match. Funds must be used by December 15, 2024. The paperwork was presented for consideration by the Council. Utilities Superintendents Byron Hayunga and Ryan Gallagher were present to address questions/concerns raised. Hayunga noted that a second \$10,000 grant through the Department of Health has also been awarded, this one with a \$10,000 matching fund to go towards the well project to be used by December 15, 2025. That grant agreement will be presented at a future meeting.

It was moved by Curtiss, seconded by Sulflow and unanimously passed to authorize the mayor and city manager to execute and submit the grant paperwork.

7(B) CITY ABATEMENT OF NUISANCE/1427 BENSON ROAD.

DAN SANBORN OFFERED RESOLUTION NO. 3907, A RESOLUTION AUTHORIZING CITY ABATEMENT OF A NUISANCE AT 1427 BENSON ROAD (KELM), AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3907 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(C) CITY ABATEMENT OF NUISANCE/1012 NORTH 6TH STREET.

STEVE SULFLOW OFFERED RESOLUTION NO. 3908, A RESOLUTION AUTHORIZING CITY ABATEMENT OF A NUISANCE AT 1012 NORTH 6TH STREET (KINMAN), AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3908 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(D) 2024 FEES & CHARGES SCHEDULE.

City Manager Robert Wolfington discussed the proposed 2024 Fees & Charges Schedule, highlighting changes from the 2023 Schedule. Based on the Utility/Wastewater Cash Flow, staff recommended increasing the sewer base rate per month, from \$16.00 to \$18.00. No increase was recommended in the water rates or base fees.

DAN SANBORN OFFERED RESOLUTION NO. 3909, A RESOLUTION ADOPTING THE 2024 FEES & CHARGES SCHEDULE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3909 WAS SECONDED BY STEVE SULFLOW. THOSE VOTING IN FAVOR OF MOTION: DAN SANBORN, STEVE SULFLOW, BRYCE CURTISS, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(E) 2024 CITY COUNCIL MEETING SCHEDULE.

STEVE SULFLOW OFFERED RESOLUTION NO. 3910, A RESOLUTION FIXING TIME & PLACE FOR REGULAR CITY COUNCIL MEETINGS FOR CALENDAR YEAR 2024, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3910 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(F) 2024 POLLING PLACE DESIGNATION.

BRYCE CURTISS OFFERED RESOLUTION NO. 3911, A RESOLUTION DESIGNATING THE TACC AS THE POLLING PLACE FOR ALL 2024 ELECTIONS,

AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3911 WAS SECONDED BY BEVERLY OLSON. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, BEVERLY OLSON, DAN SANBORN, STEVE SULFLOW AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(G) BOARDS/COMMISSION APPOINTMENTS.

It was moved by Sulflow, seconded by Olson and unanimously passed to appoint the following slate of candidates to the various city boards/commissions:

PLANNING COMMISSION: (three-year terms, expiring January 2027): Daniel Sanborn and Bryce Curtiss.

AIRPORT COMMISSION: (two-year terms, expiring January 2026): Paul Larson and Bryce Curtiss. One-year term to January 2025: Alexander Olson.

POLICE CIVIL SERVICE COMMISSION (three-year term, expiring January 2027): Sandra Hodge.

TRAFFIC SAFETY IMPROVEMENT COMMITTEE (annual terms): Marv Dehne, Lyle Henning, Daniel Sanborn, Greg Schwaegerl and Nathan Schmidt.

PARK BOARD (five-year term to January 2029): David Dvorak. One-year term to January 2025: Alexander Olson.

HOSPITAL COMMISSION (3-year term to December 31, 2026): Wade McKittrick.

BUILDING & HOUSING ADVISORY APPEALS BOARD (three-year term to December 31, 2026): Scott Johnson.

7(H) COUNCIL MEMBER APPOINTMENTS TO BOARDS/COMMISSIONS.

It was moved by Curtiss, seconded by Sanborn and unanimously passed to appoint the following council members to the various city boards/commissions:

HOSPITAL COMMISSION (annual appointment): Nathan Schmidt & Dan Sanborn.

MONTEVIDEO COMMUNITY DEVELOPMENT CORPORATION (MCDC) (two-year term): Dan Sanborn, term expiring December 31, 2025.

JOINT CITY/COUNTY AIRPORT ZONING BOARD (annual appointments): Beverly Olson & Nathan Schmidt.

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

COUNTY LIBRARY BOARD (three-year term): Beverly Olson, term expiring December 31, 2026.

WESTERN MN PRAIRIE WATERS BOARD (three-year term): Erich Winter, term expiring December 31, 2026.

7(I) 2024 BUSINESS & LIQUOR LICENSES.

It was moved by Sulflow, seconded by Olson and unanimously passed to authorize issuance of the following 2024 Business & Liquor Licenses, subject to the receipt of all required documents:

Key:

- (1) = Application not returned - NOT LICENSED FOR 2024
- (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>
24-1	Groat's, Inc. (Gary Groothuis) (one station - Monday-Saturday)	VOID
24-2	Frommel, Inc., DBA/Topper's Bar & Grill (two stations & Sunday sales)	5
24-3	Inn Like Flinn, Inc., DBA/Inn Like Flinn (one station & Sunday sales)	None
24-4	Henning-Erickson VFW Post #380, Inc. (one station & Sunday sales)	None
24-5	American Legion Post #59 (one station & Sunday sales)	3,4,5
24-6	Plazita Restaurant 3, LLC, DBA/Plazita Mexican Restaurant (one station & Sunday sales)	5
24-31 *	Groat's Bar, Inc. (Terry Peters) (one station - Monday-Sunday)	3,5

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>
24-7	Three Hundred Mgmt., LLC, DBA/Melody Lanes (Monday-Sunday)	None
24-8	Prairie Bear LLC, DBA/Java River (Monday-Sunday)	5
24-9	Fiesta City Racing Association, LLC, DBA/Fiesta City Speedway (Monday-Saturday)	1

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 and/or 128 oz/day]; \$25 Accessory/Outside Event [extends premises licensed] - Liq. Liab./Worker's Comp.

<u>License #</u>	<u>Name</u>	<u>Deficiencies</u>
24-10	Talking Waters Brewing Company, LLC (Taproom)	None
24-11	Talking Waters Brewing Company, LLC (Growlers/128 oz.day)	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>
24-12	Fiesta City Racing Association, LLC	1
24-13 *	Three Hundred Mgmt., LLC, DBA/Melody Lanes (Monday-Sunday)	None
24-14	LaPlazita Hispanic Market (Monday-Sunday)	None
24-15 *	Prairie Bear LLC/Java River (Monday-Sunday)	5

* = 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>
24-16	Casey's General Store #3269 (7 th Street)	None
24-17	Inn Like Flinn, Inc., DBA/Inn Like Flinn	None
24-18	Casey's General Store #1806 (1 st Street)	None
24-19	LaPlazita Hispanic Market, LLC, 111 South 1 st Street	None
24-20	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 3/31/2024 - 3/31/2025.

<u>License #</u>	<u>Name</u>	<u>Deficiencies</u>
24-21	Three Hundred Management, LLC, DBA/Melody Lanes (Will renew in March 2024)	<u>None</u>

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

<u>License #</u>	<u>Name</u>	<u>Deficiencies</u>
24-22	City of Montevideo, DBA/Fiesta City Liquor	VOID
24-23	Wal-Mart Stores, Inc., DBA/Wal-Mart Store #1858	None
24-24	Casey's General Store #3269 (7 th Street)	None
24-25	Casey's General Store #1806 (418 S. 1 st Street)	None
24-26	Farmer's Union Oil Co., DBA/CENEX C-STORE (2402 E. Hwy 7)	3
24-27	Farmer's Union Oil Co., DBA/CENEX TRAVEL PLAZA (605 Hwy 212)	3
24-28	Jason Wiler, DBA/Twisted Vapes, 546 SW 1 st Street	None
24-29	Timothy Dittes, DBA/Montevideo Market (132 W. Nichols Ave.)	1

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>
24-30	Derek Tostenson, DBA/Tostenson, Inc.	None

7(J) PRAIRIE FIVE MEALSITE AGREEMENT.

It was moved by Sanborn, seconded by Curtiss and unanimously passed to authorize the mayor and city manager to execute the 2024 Prairie Five Meals Program Meal Site Facility Agreement.

7(K) NON-UNION PAY INCREASES.

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 5% wage increase for 2024. The proposed increases were presented as follows:

A 5.0% increase on 1/1/2024 for:

- Full-time non union employees
- Department Heads

And part-time staff:

Senior Center Part-Time: From \$14.00/hour to \$14.70/hour

Fire Department (Volunteer):

- (1) First hour from \$21.41/hour to \$22.48/hour
- (2) Every hour after from \$13.05/hour to \$13.70/hour
- (3) Two-hour drill from \$23.77 to \$24.96/hour.

Liquor Store Part-Time:

- Step A: (Start) from \$14.00/hour to \$14.70/hour
- Step B: From \$14.84 hour to \$15.58/hour
- Step C: From \$15.59/hour to \$16.37/hour
- Step D: From \$16.45/hour to \$17.27/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.) Mayor and council wage will not increase in 2024 (\$7,187.54).
- 4) **City Manager.** The city council will conduct its annual review of the city manager and make its wage determination.

It was moved by Curtiss and seconded by Sulflow to approve the non-union wage increases, as recommended. Those voting in favor of motion: Curtiss, Sulflow, Olson and Sanborn. Those voting against motion: None. Schmidt abstained due to being a member of the Fire Department.

7(L) ACCEPTANCE OF GIFTS/GRANTS.

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

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
Montevideo Fire Relief Assn.	Donation - Fire Prevention Education	\$ 6,000.00
Nicholas & Donna Krueger	Donation - Park Improvements	100.00
Nicholas & Donna Krueger	Donation - MAP Fund	500.00

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
Various Individuals	Donations - Dog Park:	3,280.55
	Stephanie Vorvick - \$50.00	
	David & Ellanora Vik - \$20.00	
	Scott & Debra Hinde - \$20.00	
	Bradley Olson - \$100.00	
	Mark & Kerry Jaspersen - \$20.00	
	Andrew & Kimberly Makela - \$30.00	
	Jarrold & Jennifer Miller - \$20.00	
	Steven & Danielle James - \$250.00	
	William & Barbara Homan - \$50.00	
	David Gehring - \$200.00	
	Anderson-TeBeest Funeral Home - \$1,500.00	
	Talking Waters Brewing Co. - \$100.00	
	Cash Donations at Talking Waters - \$803.00	
	Turbo Taxi - \$50.00	
	Sunshine Olson - \$20.00	
	Beth & James - \$40.00	
	Other community cash donation(s) - \$7.55	

STEVE SULFLOW OFFERED RESOLUTION NO. 3912, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3912 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(M) 2024/2025 MOTOR FUEL QUOTES.

Quotes were solicited for 2024/2025 motor fuels until Friday, December 1, 2023. Two quotes were received:

- Casey's: \$0.15 off the posted price for unleaded gasoline.
- Farmer's Union Oil Company: \$.04 off the posted price for all gasoline, E85 and Diesel fuel.

Staff explained that while Casey's bid represented a lower price on gasoline, they are unable to serve diesel fuel AND they would require the city to apply for an additional credit card. For these reasons, staff recommended accepting the Farmer's Union Oil Company bid for ALL motor fuels.

It was moved by Curtiss, seconded by Sanborn and unanimously passed to accept the quote of Farmer's Union Oil Company, as recommended by staff.

7(N) EDA APPOINTMENT.

It was moved by Curtiss, seconded by Sanborn and unanimously passed to ratify the mayoral appointment of James Bulman to the Montevideo Economic Development Authority (EDA), term expiring December 31, 2027. This appointment will fulfill the unexpired term of Austin Hoehne who resigned due to work schedule conflicts.

7(O) COUNTY FAIR ASSOCIATION RAFFLE ACTIVITY.

It was moved by Sulflow, seconded by Olson and unanimously passed to approve an Application for Exempt Permit from the Chippewa County Fair Association to allow raffle activity at the VFW Post #380 on March 2, 2024.

7(P) TELEVISIONING WATERLINE UNDER LEVEE.

Staff explained that as the final piece to the Montevideo Levee Project, a previously unknown waterline was discovered under the 3B portion of the levee. The line is located 13-20+ feet under the levee; however, the Army Corps of Engineers is requesting it be filled before final certification can be complete. Previous attempts to televise the line were not successful in determining its exit point.

A quote was provided from Tony Traxler/American Environmental to televise the line at \$345/hour, indicating that they should be able to do this work within the next three weeks. Staff requested authority to work with a budget of \$6,000 to retain American Environmental for this purpose.

It was moved by Sanborn, seconded by Olson and unanimously passed to authorize staff to work with American Environmental to perform the work, as outlined.

8. Ordinances.

- None

9. Discussion and Miscellaneous.

- City Manager Wolfington provided an update on the status of the airport expansion project. Kranz Construction is on site; however, the proposed work is now past its deadline. Staff will monitor and report as appropriate.
- City Manager Wolfington updated the council on the blight properties previously directed for city abatement (533 North 4th and 569 Gravel Road). Both properties have done some work and were sent a letter thanking them for their efforts. The city will not take action at this time but reserves the right to do so in the future, if the abatement is not fully completed.

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

This item was rescheduled to the January 2, 2024 meeting.

Meeting adjourned at 7:55 P.M.

Glenn A. Lauritsen, Secretary

Approved by council January 2, 2024:

President - City Council