

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
January 16, 2024

The city council met in regular session Tuesday, January 16, 2024 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: Steve Sulflow, Nathan Schmidt, Beverly Olson, Bryce Curtiss and Dan Sanborn. Absent: None. Mayor Erich Winter present.

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

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

MODIFY: 5(A) CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD ENDING JANUARY 11, 2024 IN THE AMOUNT OF ~~\$1,799,003.14~~ \$1,865,082.23.

The revised list reflects the following additions:

LIQUOR

Bellboy Corporation - Inventory	\$ 2,641.90
Johnson Brothers Liquor - Inventory	3,661.16
Johnson Brothers Liquor - Inventory	5,211.54
MN Department of Revenue - Sales Tax	24,726.00
Phillips Wine & Spirits - Inventory	3,354.65
Phillips Wine & Spirits - Inventory	9,248.91

LEVEE

American Environmental, LLC - Locating Pipe/Inspection, etc.	2,415.00
Brouwer Construction, LLC - Dug up Waterline	3,925.00

POLICE

Guardian Fleet Supply - Transfer equipment - 2018 to 2023	5,713.93
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6. Public Hearings.

- None.

7. General Business.

7(A) PRELIMINARY ENGINEERING REPORT - 2024 IMPROVEMENTS.

By Resolution No. 3898, the city engineer was directed to prepare a preliminary report and cost estimates for a 2024 improvement project, including:

- Oak Drive, Ridgeview Drive to End;
- Summit Avenue, 1st Street to 3rd Street;
- Black Oak Avenue, 17th Street to Runnings Entrance (Optional)

City Engineer Amborn reviewed and discussed the report and the proposed project time line. He noted that funding for the proposed improvements is proposed to come from the sale of bonds, utility revenues and assessments. The Black Oak Avenue project is dependent on receiving a \$1.5 Million grant from the Local Road Improvement Program. The results of the grant application should be known in late March. The report recommended the council accept the report and call for the preliminary public hearing for Tuesday, February 20, 2024, at 7:00 P.M.

BRYCE CURTISS OFFERED RESOLUTION NO. 3921, A RESOLUTION RECEIVING REPORT AND CALLING HEARING ON IMPROVEMENTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3921 WAS SECONDED BY STEVE SULFLOW. THOSE VOTING IN FAVOR OF MOTION: BRUCE CURTISS, STEVE SULFLOW, DAN SANBORN, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(B) INSPECTRON BUILDING OFFICIAL SERVICES AGREEMENT.

City Manager Wolfington explained that Building Official Brad Henriksen took another position and has left employment with the city. An internal candidate was identified and is working toward licensing. In the interim, city staff reached out to Inspectron, Inc. to provide inspection services and to mentor the internal candidate. An agreement has been drafted that would see the city employee working under the Inspectron license, with

Inspectron employees providing oversight for all requirements. Additionally, commercial projects require additional licensing, and Inspectron will also provide those services.

The cost is \$2,500/month, with an additional cost of \$75.00/hour for on-site services and an additional cost of \$85.00/hour for fire marshal inspection services.

City Attorney Nelson noted a couple of minor revisions to #4 (Confidentiality) and #5 (Relationship) of the proposed agreement. These revisions were discussed with Inspectron representatives and will be incorporated into the approved agreement.

It was moved by Sanborn, seconded by Olson and unanimously passed to authorize the mayor and city manager to execute the Building Inspection Services Contract with Inspectron, Inc., with revisions.

7(C) CHANGE ORDER - SOIL CORRECTIONS/HANGAR IMPROVEMENTS.

A soil issue was identified at the airport through the Montevideo Hangar Expansion Project. Geotechnical Engineer Braun Intertec advised (after testing and completing sampling) that the organic soils would likely settle and cause slab cracking. The issue required immediate attention in order to move forward through the winter. Because of this, City Manager Wolfington had given approval to proceed after receiving information from the FAA on its eligibility for the project and consulting with City Attorney Nelson.

A Change Order with the contractor, Kranz Construction, is necessary to cover the additional cost to complete removal and replacement of the soils at a cost of approximately \$25,000. There will be no additional engineering or testing fees.

It was moved by Curtiss, seconded by Sulflow and unanimously passed to ratify city manager action for giving approval and authorize the mayor and city manager to execute the Change Order for the additional estimated \$25,000. (Local match would be approximately \$1,500.)

7(D) RIGHT-OF-WAY LEASE WITH VIONE STREED.

The use of city right-of-way for an access ramp along the west side of the building at 121 South First Street requires a lease agreement with the city. Because the property is under new ownership, a new lease was drafted for this purpose. This is an annual lease, with a rent of \$95.00/year which is based on 50¢/year for each square foot of space.

It was moved by Sulflow, seconded by Olson and unanimously passed to authorize the mayor and city manager to execute the right-of-way lease with Vione Streed, owner of 121 South First Street.

7(E) ELECTION JUDGE APPOINTMENTS/2024 PRESIDENTIAL PRIMARY.

BRYCE CURTISS OFFERED RESOLUTION NO. 3922, A RESOLUTION DESIGNATING ELECTION JUDGES FOR THE 2024 PRESIDENTIAL NOMINATING PRIMARY ELECTION, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3922 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(F) GPS UNIT/TABLET PURCHASE FOR SILVERSMITH GPS SYSTEM.

As a part of its meeting September 18, 2023, the council approved a service agreement with Silversmith Data and the purchase of one (1) GIS tablet for a GPS coordination plan that helps identify items including infrastructure and more for inventory and work orders. City staff has since begun working with the first unit that was purchased and recognized the need for a second GPS unit and tablet computer to more effectively inventory the city's infrastructure. The cost of an additional unit, tablet and one year of data is \$3,750. 2025 data charge would be \$600.

It was moved by Sanborn, seconded by Sulflow and unanimously passed to authorize the purchase of the second GPS unit, tablet computer and one year of data, as recommended by staff.

7(G) ACCEPTANCE OF PARCEL FROM LEE & BERNER, LTD.

Lee & Berner, Ltd. have offered to donate a parcel of land known as PID #70-375-1430 to the City of Montevideo. The parcel is located along 2nd Street, directly south of 417 North 2nd Street. There is limited development potential for the lot but its acquisition would help with right-of-way issues in the area.

BRYCE CURTISS OFFERED RESOLUTION NO. 3923, A RESOLUTION AUTHORIZING ACCEPTANCE OF REAL ESTATE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3923 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(H) ACCEPTANCE OF PARCEL FROM TOFTNESS/DAHL/SEEMAN.

The heirs of Alfred Bang have offered to donate a parcel of land known as PID #70-817-3353 to the city. This parcel is located along State Road and its acquisition would be beneficial to the efforts of addressing the right-of-way and platting issues on that street.

DAN SANBORN OFFERED RESOLUTION NO. 3924, A RESOLUTION AUTHORIZING ACCEPTANCE OF REAL ESTATE, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3924 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(I) ACCEPTANCE OF GIFTS/GRANTS.

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

<u>Name</u>	<u>Description</u>	<u>Amount/Value</u>
Mn/DOT Office of Aeronautics	Grant - Airport FBO Hangar Bldg. Expansion	\$ 14,167.00
MN Dept. of Health	Grant - SWIFT Contract #240168 2024 Well Siting (expires 12/15/24)	10,000.00

BRYCE CURTISS OFFERED RESOLUTION NO. 3925, A RESOLUTION ACCEPTING GIFTS/GRANTS AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3925 WAS SECONDED BY STEVE SULFLOW. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, STEVE SULFLOW, DAN SANBORN, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(J) FIRE DEPARTMENT SCBA GRANT APPLICATION.

It was explained that FEMA grants are available to fire departments for self-contained breathing apparatus (SCBA) equipment. The equipment used by the Montevideo Fire Department has reached its expiration period and needs to be replaced. Cost of replacement is expected to exceed \$100,000. A grant writer has been identified to work with the city on an application for this purpose at a cost of \$1,300-\$3,500 depending on what is involved in the process.

It was moved by Curtiss, seconded by Sulflow and unanimously passed to authorize staff to work with Karin Anderson, Minnesota Grant Writers, on a FEMA SCBA grant application.

8. Ordinances.

8(A) LIQUOR LICENSING - PROXIMITY TO SCHOOLS/CHURCHES.

As directed at the January 2nd meeting, staff worked with the city attorney to address intoxicating liquor licensing provisions related to a liquor establishment's proximity to a church or school within a business district. This action was in response to a request from a new business to revisit the city's ordinance language. The council had requested possible conditional use permit requirements, as well as modifications to existing city ordinances. While a conditional use permit was requested by the council, city staff and the city attorney determined that the issuance of a liquor license would qualify as giving control that a conditional use permit would provide. Therefore, ordinance language was drafted that would effectively resolve the concerns council had expressed. The new language defines the distance between a school/church and the licensed liquor establishment as door-to-door. It also includes a serving time of after 3:30 P.M. so as not to interfere with school hours.

Council members discussed the distance from school or church language with the consensus being to remove the existing language. Following further discussion, the city attorney was asked to modify the ordinance language for further consideration at the February 5th council meeting.

9. Discussion and Miscellaneous.

- ▶ City Attorney Nelson provided an update on the State Road ROW/properties issue. The time frame for objections has expired and, therefore, a court hearing date will be set.

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- ▶ City Manager Wolfington informed the council that he and Mayor Winter will be setting up a coffee time at the community center, similar to “Coffee With a Cop,” so the manager and mayor can be seen/heard by citizens.

Meeting adjourned at 8:05 P.M.

Glenn A. Lauritsen, Secretary

Approved by council February 5, 2024:

President - City Council