

CITY OF MONTEVIDEO  
CITY COUNCIL PROCEEDINGS  
February 5, 2024

The city council met in regular session Monday, February 5, 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 absent.

Also present were: 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:     5(A)    CONSIDER APPROVAL OF VERIFIED CLAIMS FOR THE PERIOD  
ENDING FEBRUARY 1, 2024 IN THE AMOUNT OF ~~\$669,920.82~~  
\$789,454.60 .**

The revised list reflects the following additions:

LIQUOR

MN Department of Revenue - Sales Tax	\$ 16,623.00
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LEGAL

Nelson, Oyen, Torvik - Legal services	12,058.90
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MISCELLANEOUS

Farmer's Union Oil Company - Gas, etc.	5,963.63
Fusion Cloud Services - Phone bill	2,541.69

UTILITY

Auto-Owners Insurance - Flood insurance - WWTP Bldg	29,328.00
Brent Powers - Contract work - December/January	2,900.00
MN Public Facilities Authority - MPFA loans - interest	50,118.56

**ADD:**           7(G)   **REPORT & CONSIDERATION OF FORGIVENESS OF 2024 LOAN PAYMENT WITH THE MILWAUKEE ROAD HERITAGE CENTER (MRHC).**

**ADD:**           7(H)   **CONSIDER ADJUSTMENT TO COMMUNITY/SENIOR CENTER COORDINATOR POSITION TO COMMUNITY CENTER/COMMUNICATIONS DIRECTOR.**

**MODIFY:**       8(C)   **CONSIDER INTRODUCTION OF AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE TO REFLECT CHANGES TO SICK AND SAFE LEAVE. , TRAVEL REIMBURSEMENT AND PERSONAL PROPERTY MANAGEMENT DEFINITION.**

-           Revised agenda writeup and ordinance provided.

It was moved by Sanborn, seconded by Curtiss and unanimously passed to approve the minutes of the regular meeting of January 16, 2024, as presented.

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

- None

5.       Consent Agenda.

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

5(A)   **VERIFIED CLAIMS FOR THE PERIOD ENDING FEBRUARY 1, 2024 IN THE (MODIFIED) AMOUNT OF \$789,454.60.**

6.       Public Hearings.

- None.

7.       General Business.

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

7(G) MRHC REPORT/2024 LOAN PAYMENT FORGIVENESS REQUEST.

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 the 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 and Debra Moe, Milwaukee Road Heritage Center representatives, were on hand to provide the required report and to address questions/concerns raised by the council. Ryman provided a summary of work completed in 2023, including: spraying for weeds; engine repaired; engine door shed work; sign repairs; display cabinets fixed; continued plans to construct 3-4 stalls for the roundhouse; turntable and model railroad work and roofing improvements to the chimney and sand house. Ryman stated the MRHC provides ongoing maintenance and repairs as necessary. He added that many individuals visit the site throughout the year.

Based on the report provided, Ryman formally requested forgiveness of the 2024 loan payment on behalf of the MRHC.

It was moved by Curtiss, seconded by Olson and unanimously passed to approve the 2024 loan payment forgiveness for the MRHC.

7(A) 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. One quote was received which would utilize the State of Minnesota Cooperative purchasing agreement. Kibble Equipment is the low quote of \$76,759.37 less trade-in of four (4) 2023 mowers for \$59,259.37, for a total purchase price of \$17,500. This reflects a purchase utilizing the state contract pricing (which was \$6,900 less than going through the state contract

directly.) The 2024 Budget includes \$20,000 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 Olson and unanimously passed to authorize the purchase of the four (4) mowers from Kibble Equipment, as quoted, and recommended by staff.

- 7(B) CONSIDER PURCHASES FROM STATE AID PUBLIC SAFETY FUNDS and
- 7(C) ANNUAL REPORT REVIEW BY POLICE CHIEF KEN SCHULE.

As the police chief was not yet in attendance, these items were considered later in the meeting (see pages 8 & 9).

- 7(D) CLASS A WASTEWATER CERTIFIED CONSULTING SERVICES/HAYUNGA.

The City of Montevideo is required to have a licensed Class A Wastewater Operator. Following the retirement of former Utilities Superintendent Byron Hayunga, the City did not have anyone on staff with the needed license. For the short term, the City had contracted with Brent Powers to provide that service. Hayunga has agreed to a contract with the City moving forward. The agreement is for \$100 an hour for up to three years, with a requirement of 24 hours per month of oversight by a Class A Operator.

It was noted by City Manager Wolfington that Hayunga also requested that any additional training needed for the license would be at the expense of the city. Council members expressed agreement of that request.

It was moved by Sulflow, seconded by Olson and unanimously passed to approve the agreement with Byron Hayunga for Class A Wastewater Operator Services, as presented.

- 7(E) EDA REAPPOINTMENT.

On December 31, 2023, Wes Duellman's term expired on the Montevideo Economic Development Authority (EDA). Duellman expressed interest in reappointment and, therefore, Mayor Winter has reappointed Duellman to a six-year term expiring December 31, 2029. The mayor's reappointment needs ratification by the council.

It was moved by Curtiss, seconded by Sanborn and unanimously passed to ratify the mayoral reappointment of Wes Duellman to the EDA, term expiring December 31, 2029.

7(F) 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 Youth Sports Club	Youth Skating/Hockey Equipment	\$ 500.00

STEVE SULFLOW OFFERED RESOLUTION NO. 3926, A RESOLUTION ACCEPTING GIFTS/GRANTS AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3926 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) MILWAUKEE ROAD HERITAGE CENTER REPORT/LOAN PAYMENT FORGIVENESS.

This item was considered earlier in the meeting (see page 3).

7(H) COMMUNITY CENTER COORDINATOR POSITION ADJUSTMENT.

The City of Montevideo Website, Social Media and Channel 180 represent good communication tools for the City. Currently, we do not have an employee that focuses on ensuring these sites and channels are up-to-date with current information for citizens. Staff members will work on it as there is time, which has led to information being outdated for extended periods. Staff believes adding a communication role to the City will help ensure those communication points will be maintained and improved. Currently, the Community Center Coordinator position has seen an increase in responsibilities and has taken on much of the communication items for the City.

It was the recommendation of staff to change the position of Community Center Coordinator to Community Center/Communication Director with a pay adjustment and FLSA exempt status effective February 5, 2024. 2024 pay range for the Community Center/Senior Center Coordinator is \$49,608-\$58,863/year; pay range for the proposed Community Center/Communications Director would be \$62,010-\$75,373/year. The difference between the current pay and the communication adjustment would come from Channel 180 funds. The new position would most closely coincide with a Community Development Coordinator position on the State Job Match for pay equity and would be a department head position, salaried and FLSA exempt.

It was moved by Sulflow, seconded by Olson and unanimously passed to approve the change in position, as presented and recommended by staff.

8. Ordinances.

8(A) INTRODUCTION OF ORDINANCE NO. 985.

Parcel #70-817-4100 is owned by T.A. Lauritsen, etal. and located on the southeast side of Montevideo and west side of CSAH 15. The entire parcel is approximately 8.68 acres in size; the portion under consideration for re-zoning is approximately 580' x 150' along the eastern boundary of the property. The property is currently zoned CD, Conservancy District - and the owner had requested to re-zone the north half to R2 - Multi-Family (Medium Density) District and the south half to B2 - Highway Business District.

The required public hearing was held by the Montevideo Planning Commission on Monday, January 22, 2024. The staff report prepared for this issue included a recommendation that the land be re-zoned for R2 as laid out in the current Montevideo Comprehensive Plan. It was the consensus of the commission that the land was not suited for commercial development and would negatively impact the character of the neighborhood. Therefore, the commission unanimously recommended approval of the re-zoning to R2 for the entire 580' x 150' area, as recommended by staff.

City Manager Wolfington stated that the property owners had indicated some reservations following the planning commission meeting, specifically due to their wish to have a partial zoning designation of the parcel as commercial and the expected high cost of utility hookup. He reiterated that the Comprehensive Plan specifically calls for this area

to be rezoned as an R2 in the future. In order to move forward within the required timeframe for a response to the issue (in accordance with City Code 11-3-9), Wolfington recommended the council introduce the proposed ordinance.

DAN SANBORN INTRODUCED ORDINANCE NO. 985 AN ORDINANCE RE-ZONING CERTAIN LAND.

8(B) INTRODUCTION OF ORDINANCE NO. 986.

As part of the January 16, 2024 meeting, the council discussed proposed ordinance language related to intoxicating liquor licensing provisions for a liquor establishment's proximity to a church or school within a business district. The consensus of council was to remove the existing language. The proposed ordinance language also included a serving time of after 3:30 P.M so as not to interfere with school hours. As staff worked with the city attorney on the development of the ordinance, additional language was added to address weekend hours.

BEVERLY OLSON INTRODUCED ORDINANCE NO. 986, AN ORDINANCE AMENDING SECTIONS 1 & 7C AND ADDING SECTION 8I OF CHAPTER 2A OF TITLE 3 OF THE MONTEVIDEO CITY CODE, INTOXICATING LIQUOR PROVISIONS.

8(C) INTRODUCTION OF ORDINANCE NO. 987.

A number of changes were proposed to the Montevideo Administrative Code:

- 1) Sections 2-1-8 & 2-1-9: New laws were implemented by the State of Minnesota related to earned sick and safe time. The changes focus on how sick leave may be used and expands the employees that are eligible for sick and safe leave to include part-time employees that work a minimum of 80 hours for the city in a calendar year.
- 2) Section 3-3-6: A modification to travel reimbursements to remove existing language discussing the use of a city vehicle to state that employees will be reimbursed for mileage at the IRS established rate.

- 3) Section 6-3-1: Change the threshold for inventorying personal property from \$50.00 to \$1,000.00 or more.

To modify the Montevideo Administrative Code a revision to the ordinance is required.

DAN SANBORN INTRODUCED ORDINANCE NO. 987, AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE BY AMENDING SECTIONS 2-1-8(H), "VACATION LEAVE," SECTIONS 2-1-9(A), "SICK LEAVE," SECTION 3-3-6(B)(1) "TRAVEL REIMBURSEMENT" AND SECTION 6-3-1 "PERSONAL PROPERTY MANAGEMENT DEFINITION."

9. Discussion and Miscellaneous.

- None.

At this time, Police Chief Ken Schule appeared to address Agenda Items 7(B) and 7(C).

#### 7(B) CONSIDER PURCHASES FROM STATE AID PUBLIC SAFETY FUNDS

Police Chief Schule was present to discuss the use of funds made available from the State of Minnesota for use by police and fire departments for the purchase of equipment, training and community engagement. These funds are a one-time state aid contribution to the city as part of a large Omnibus Bill. The city received \$234,505 in late 2023 and is eligible to begin spending at this time. Schule identified three (3) items for possible purchase by the Police Department:

- 1) (5) ballistic shields for squad cars. Three (3) quotes were received:
  - Patriot 3 Hardline 3A - \$13,624.49
  - Blueridge Armor BPA 3A - \$11,870
  - RTS Tactical SWAT 3A - \$8,099.95

All quotes are based on a 3A rating. Schule recommended the RTS shields at a cost of \$8,099.95.



- 2) Teledyne FLIR night vision handheld device. There are limited options for public safety grade night vision handsets able to be identified. The one model that would meet the needs of the department was the TELEDYNE FLIR Scion PTM166, with case and rechargeable battery kit at a cost of \$3,876.98.
- 3) Speed/Message Trailer. Three (3) quotes were received:
  - MPH Industries Matrix-3L-BAS - \$24,612.00
  - All Traffic SpeedAlert 24 Radar - \$16,573.61
  - Kustom Signals SMART VMS - \$17,340.00

Schule recommended the Kustom Signals device at a cost of \$17,340.00 as it has a larger display and the most powerful solar charger @ 170W.

It was moved by Sanborn, seconded by Olson and unanimously passed to authorize the purchases recommended by the police chief using Public Safety State Aid funds.

#### 7(C) ANNUAL REPORT REVIEW BY POLICE CHIEF KEN SCHULE

Police Chief Schule reviewed the department's 2023 Annual Report information, addressing questions/concerns raised.

Meeting adjourned at 7:40 P.M.

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Glennis A. Lauritsen, Secretary

Approved by council February 20, 2024:

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President - City Council