

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
April 15, 2024

The city council met in regular session Monday, April 15, 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, Beverly Olson, Dan Sanborn, Bryce Curtiss and Nathan Schmidt. 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 APRIL 11, 2024 IN THE AMOUNT OF ~~\$153,204.36~~ \$198,461.36.

The revised list reflects the following additions:

LIQUOR

Breakthru Beverage Minnesota - Inventory	\$ 4,660.41
Johnson Brothers Liquor Co. - Inventory	1,629.58
Southern Glazers of MN - Inventory	2,542.22

BUILDING INSPECTION

MN Department of Labor & Industry - 4 th Quarter surcharge fees	2,498.40
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MISCELLANEOUS

Clearway Community Solar - Solar bills	22,796.36
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UTILITIES

Hawkins, Inc. - Chemicals	5,902.02
Subsurface Solutions - RD700 Receiver/TXS Transmitter	5,228.01

5(C) APPLICATION FROM THE CHURCH OF ST. JOSEPH FOR AN EXEMPTION FROM LAWFUL GAMBLING LICENSE FOR A RAFFLE ON SEPTEMBER 16TH AT 512 BLACK OAK AVENUE FOR ITS ANNUAL FALL FESTIVAL EVENT.

6. Public Hearings.

- None.

7. General Business.

7(A) DEPARTMENTAL 2023 ANNUAL REPORT REVIEWS.

The following department heads reviewed and discussed their 2023 Annual Reports:

- Community Center/Communications Director Tracy Wellendorf
- Fire Chief Allen Jacobson

7(B) 2024 OUTDOOR POOL SEASON.

The Montevideo Park Board met April 10th and recommended the following for the 2024 outdoor pool season:

- Fees: Individual passes - \$50.00; Tickets - 50 for \$100.00; 25 for \$62.50; 10 for \$27.50. Daily admission would be \$3.00/session, with \$1.00/session charged for the wading pool. Lap swim - \$2.00.
- Schedule: June 10-August 18, 1:00-8 PM daily.
- Free swim day for all swimmers on June 11th, as part of the Montevideo Fiesta Days celebration.

It was moved by Sanborn, seconded by Olson and unanimously passed to approve the 2024 outdoor pool fees, schedule and free swim, as recommended by the Park Board.

7(C) TALKING WATERS FIESTA STREET EVENT.

Two (2) applications were submitted by Phil Zachman, dba/Talking Waters Brewing Company, for their annual outdoor event on Friday, June 14, 2024, in conjunction with

Fiesta Days. The state application would allow the brewery to serve its product off-site and the local application would allow the use of city property (streets/sidewalk). The event includes closing Main Street, between Nichols & Canyon Avenues, and outside music.

It was moved by Curtiss, seconded by Olson and unanimously passed to approve the submission of the State Application for a 1-4 Day Temporary On-Sale Liquor License for the proposed event.

It was moved by Curtiss, seconded by Sanborn and unanimously passed to approve the City Application for Temporary On-Sale License for Special Event, subject to receipt of any/all required documents, including a certificate of insurance covering ALL areas to be used for the event and naming the city as an additional insured.

7(D) REMINGTON RIDGE VINEYARD TEMPORARY LIQUOR LICENSE.

Remington Ridge Vineyard, Madison, MN, wishes to submit an application to the State of Minnesota for a temporary on-sale liquor license for August 1 to August 4, 2024 to allow them to serve its product at the Fairgrounds during the Chippewa County Fair.

It was moved by Sanborn, seconded by Sulflow and unanimously passed to approve the submission of the state application for a 1-4 Day Temporary On-Sale Liquor License for the proposed event.

7(E) STATE ROAD VACATION PUBLIC HEARING.

The City has received a Judge's Order to dedicate right-of-way for the proposed State Road Project. The next step is to set a public hearing to vacate the specific areas/properties. City Attorney Janice Nelson drafted a Notice of Public Hearing for this purpose. Nelson indicated that the notice must be published two times in the official newspaper and copies provided to the affected property owners.

It was moved by Sulflow, seconded by Olson and unanimously passed to set a public hearing for the proposed State Road street vacation for 7:00 P.M. on Monday, May 6, 2024.

7(F) COUNTY ROAD 41B BUY-IN PROJECT POLICY MODIFICATION.

In 2008, the council established buy-in fees and a policy for city water and sewer hookups for the newly annexed County Road 41 area (North 17th Street/Wolfe Avenue). The policy included a 15-year voluntary assessment finance period, with the length of the term of the assessment decreasing 1/15 each year and, therefore, expiring in 2023. There are only a few properties that remain to be affected by this buy-in project.

There are other buy-in projects (Windom Avenue, Morningside Addition and a separate one for the east side of County Road 41) that do not have the decreasing term of the assessment. Staff recommends that the policy be modified to mirror that of the other projects.

It was moved by Sanborn, seconded by Olson and unanimously passed to approve the modification of this policy to allow the property owner to enter into a 15-year maximum assessment agreement at 6% (with no decrease in length of term.)

7(G) 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 Aeronautics	Grant for fueling system repair/upgrade	13,248.57

BRYCE CURTISS OFFERED RESOLUTION NO. 3939, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3939 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(H) RULES & REGULATIONS FOR SUNSET MEMORIAL CEMETERY.

Resolution No. 3501 was adopted 2/20/2018 which prescribes rules and regulations at the cemetery. This resolution is outdated and, therefore, city staff have reviewed the resolution and recommended several modifications. These modifications include, but are not limited to, establishing hours, removing outdated references, clarifying

marker/monument size and placement requirements and adding language to prohibit private burials.

It was the consensus of the council to table action on this item to the May 6th meeting, and direct staff to prepare a redlined version of the proposed modifications for further clarification and review.

7(I) REASSESSMENT OF PARCEL 70-375-1210 (119 NORTH 3RD STREET).

The property at 119 North 3rd Street (Parcel No. 70-375-1210) was tax forfeited by Chippewa County and has since been sold to Cheap Land, Inc. This property was previously provided with a 2015 Hazardous Building Demolition/Clean-up Project for which there are remaining assessments in the amount of \$1,242.53 and a 2016 Street Improvement Project for which there are remaining assessments in the amount of \$127.15. In accordance with the city's current assessment policy "upon being deemed a tax forfeited property, all remaining, existing or new assessments will be forgiven over a 15-year period, beginning the first year an improvement was originally assessed. Once a tax forfeited property is sold and becomes taxable property, any remaining assessments will be reassessed to the property." Therefore, the 2015 project would be spread over a period of six years at the interest rate to coincide with the rate charged on current improvement projects (not to exceed 6% annum), and the 2016 project would be spread over a period of seven years at 2.7% interest. In order to reassess the parcel, a public hearing must be conducted, with due notice and an opportunity to be heard from the affected property owner. The public hearing must be set by resolution.

STEVE SULFLOW OFFERED RESOLUTION NO. 3940, A RESOLUTION FOR HEARING ON PROPOSED ASSESSMENTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3940 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) TRAILER FOR FIRE DEPARTMENT SIDE-BY-SIDE.

The Montevideo Fire Department received a side-by-side vehicle using ARPA funds received by the City. The original purchase did not include a trailer. Staff solicited quotes, with two quotes received - one from Dahlberg Trailer for \$7,100 and one from

Midsota Trailer Sales and Services for \$7,138. Staff recommended accepting the quote of Dahlberg Trailer in the amount of \$7,100 for the purchase of the trailer using ARPA funds.

It was moved by Sanborn, seconded by Sulflow and unanimously passed to approve the purchase of the trailer, as recommended by staff.

7(K) FIREWALL SECURITY EQUIPMENT FOR THE POLICE DEPARTMENT.

The police department's various security software/equipment used with the Bureau of Criminal Apprehension (BCA) is currently out of compliance. The BCA has given a deadline of three months from the week of April 8, 2024 for the city to get in compliance with their security protocols. Staff recommended the purchase of Fortigate firewall network/firewall appliance and content security equipment through Marco at a cost of \$6,822 for a 5-year plan, plus the cost of \$6,444 for the installation of the equipment and software setup for a total estimated cost of \$13,822.12.

It was moved by Sanborn, seconded by Olson and unanimously passed to authorize the purchase, as recommended by staff.

8. Ordinances.

- None.

9. Discussion and Miscellaneous.

- ▶ City Manager Wolfington provided an update on the levee project, stating that the pipe has been filled, bills are paid and the Army Corps of Engineers is working on the final paperwork for submission to FEMA.
- ▶ President Schmidt reminded the council of the April 22nd Board of Equalization Meeting (6:00-6:30 P.M.) and Worksession (7:00 P.M.)

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Meeting adjourned at 7:42 P.M.

Glennis A. Lauritsen, Secretary

Approved by council May 6, 2024:

President - City Council