

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
May 20, 2024

The city council met in regular session Monday, May 20, 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 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 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 MAY 16, 2024 IN THE AMOUNT OF ~~\$169,362.14~~ \$269,764.27.

The revised list reflects the following additions:

LIQUOR

Bellboy Corporation - Inventory	\$ 2,976.28
Dahlheimer Beverage Green Isle - Inventory	1,580.80
Johnson Brothers Liquor Co. - Inventory	5,017.69
Madison Bottling Company - Inventory	7,768.10
Phillips Wine & Spirits - Inventory	3,998.34

MISCELLANEOUS

SW/WC Service Coop - Medica - June premium	79,060.92
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MODIFY: 7(C) CONSIDER RESOLUTION PRESCRIBING RULES & REGULATIONS FOR SUNSET MEMORIAL CEMETERY

- Revised document provided with the following addition to #23:
All burials MUST be coordinated through and approved by the city.

- ADD:** 7(F) **CONSIDER REQUEST FOR WATER/SEWER VOLUNTARY ASSESSMENT AGREEMENT WITH TIMOTHY BUSEMAN FOR THE PROPERTY LOCATED AT 1409 NORTH 17TH STREET (70-808-2155).**
- ADD:** 7(G) **CONSIDER USE OF CITY PROPERTY APPLICATION FOR FLEA MARKET/FARMERS MARKET IN DOWNTOWN CITY PARKING LOT FOR JUNE 22-23, 2024.**
- ADD:** 7(H) **CONSIDER RESOLUTION ACCEPTING GIFTS/GRANTS FROM VARIOUS ORGANIZATIONS AND INDIVIDUALS.**

It was moved by Curtiss, seconded by Sanborn and unanimously passed to approve the minutes of the regular meeting of May 6, 2024 as presented.

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

4(A) CCM HEALTH/PHYSICAL THERAPY.

Kevin Wald, 117 Black Oak Avenue, had requested to appear before the council to discuss CCM Health and its decision to contract with Big Stone Therapy. He voiced his opinion that this was a rush to judgment and a failed decision that he said resulted in 11 employees being fired. He questioned the legalities of the lack of a formal bidding process by CCM Health for PT services. In response to contacts from local citizens asking him to look into the issue, Wald stated he had made several FOIA data requests of CCM Health. He shared the findings with the council and audience members present, referencing and discussing the contents of a number of emails and Excel spreadsheets. Wald stated he believed the responses and documents received were full of “half truths,” contained “made-up data,” and/or covered-up the facts. He made the statement that \$22 Million in revenue has been removed from the community as a result of the services no longer offered by CCM Health, including dementia care, autism programs, dialysis and others.

Wald made the following requests:

- (1) That the council pass a motion directing CCM Health to conduct a true/open competitive bid processes for the lost rehab therapy department, at time of contract renewal;

- (2) That CCM Health CEO be directed to turn over dementia care training materials to a fired provider;
- (3) That any/all expenditures by CCM Health with a financial impact over \$250,000 be presented to the city and county for approval;
- (4) That CCM Health be directed to turn back on the comments line within their Facebook page so that community feedback is allowed; and,
- (5) He urged that others be contacted (Sanford, CentraCare, Mayo Clinic, etc) for management and critical health care presentation information.

Audience member, Dan Gentile, questioned the validity of the information provided by Wald. He stated that he was reporting the information as it was provided to him by the Hospital CEO.

Jill Duellman spoke in support of CCM Health and CEO Brian Lovdahl. Duellman referenced Wald's Letter to the Editor that appeared in the 5/16/24 edition of the Montevideo American-News, stating that the letter contained numerous inaccuracies and misinformation. She noted that no employees were fired; rather, two left, two retired and the others chose to leave even though they were offered similar positions with a comparable wage and benefits package.

No action was taken on the matter.

5. Consent Agenda.

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

- 5(A) VERIFIED CLAIMS FOR THE PERIOD ENDING MAY 16, 2024 IN THE (MODIFIED) AMOUNT OF \$269,764.27.

6. Public Hearings.

- 6(A) PUBLIC HEARING - 119 NORTH 3RD STREET REASSESSMENTS.

The property known as Parcel No. 70-375-1210 in the Original Plat to the City of Montevideo (119 North 3rd Street) was previously tax forfeited by Chippewa County. In March 2024, the property was sold to Cheap Land, Inc. This property was previously provided with a 2015 Hazardous Building Demolition/Clean-up Project and a 2016 Street

Improvement Project (3rd Street, Merriam Avenue to State Road) for which there are remaining assessments in the total amount of \$1,369.68.

In accordance with the city's current assessment policy regarding tax forfeited property, a portion of the balance remaining is forgiven. In this case, there remains a balance due on the hazardous building demolition/clean-up project in the amount of \$1,242.53 and a balance on the street improvement project in the amount of \$127.15. The hazardous building demolition/clean-up reassessment would be spread over a period of 6 years at a rate to coincide with the rate charged on the city's current improvement projects (not to exceed 6% per annum) and the street improvement reassessment would be spread over a period of 7 years at 2.7% interest. (The 2.7% interest rate reflects the interest rate of the original project.) Consistent with past practice and council policy, the Council can now act to reapply the assessments.

In order to reassess the parcel, a public hearing must be conducted. As a part of the City Council meeting of April 15, 2024 a resolution was passed to set a public hearing for this purpose and notice was provided to the new property owner to provide them with an opportunity to be heard on this matter.

President Schmidt called the public hearing to order at 7:33 P.M.

No comments had been received by city staff and there were no interested persons present to speak on the issue; therefore, the public hearing was closed at 7:33 P.M. The entire public hearing was recorded on a zip drive, which will be kept in accordance with the city's adopted records retention schedule, after which time the component will be destroyed.

BRYCE CURTISS OFFERED RESOLUTION NO. 3946, A RESOLUTION ADOPTING REASSESSMENT ROLL FOR PID #70-375-1210, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3946 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. General Business.

7(A) ANNUAL REPORT - MONTEVIDEO LIBRARY.

Larissa Schwenk, Head Librarian of the Montevideo Public Library, was present to provide an update of activities at the library during 2023. Schwenk provided a handout and explained the highlighted programming, library visits, collection/circulation information, Internet uses and other goals/objectives.

7(B) TEMPORARY ON-SALE PERMITS - CHIPPEWA COUNTY FAIR ASSOCIATION.

The Chippewa County Fair Association submitted applications for two (2) back-to-back State of Minnesota 1-4 Day Temporary On-Sale Liquor Licenses for the Chippewa County Fair July 31- August 4, 2024. Two licenses are needed because the Fair runs for five days, and each application is for a maximum of four days. The permits would allow the sale of strong beer and liquor, which will be supplied by Madison Bottling Company.

It was moved by Curtiss, seconded by Olson and unanimously passed to authorize submission of the temporary applications to the State of Minnesota.

7(C) RULES & REGULATIONS FOR SUNSET MEMORIAL CEMETERY.

Resolution No. 3501 was adopted 2/20/2018 which prescribes rules and regulations at the cemetery. City staff reviewed the language and identified areas that needed to be modified. Modifications include, but are not limited to, establishing hours, removing outdated references, vault requirement, clarifying marker/monument size and placement requirements and adding language to prohibit private burials. Public Works Director Aaron Blom was on hand for the discussion and stated that the modified resolution simply further clarifies the operating procedures at the cemetery. He briefly explained the monument/monument wash measurements.

Council member Olson asked about #2 of the resolution, which added language discussing the cremations only section. Olson asked whether cremation burials are allowed in other areas of the cemetery and it was explained that yes, cremation burials are allowed throughout; however, the Memorial Gardens section is designated only for cremations.

DAN SANBORN OFFERED RESOLUTION NO. 3947, A RESOLUTION PRESCRIBING RULES & REGULATIONS FOR “SUNSET MEMORIAL CEMETERY,” AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3947 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(D) AMENDED COSTS TO BE ASSESSED - 2024 IMPROVEMENT PROJECT.

At the May 6th council meeting, Resolution No. 3942 was approved which declared costs to be assessed for the 2024 Improvement Project. Since that time, it was discovered that a section of property on the Oak Drive Project had been left out of the assessment roll which changes both the total amount to be assessed for all projects (from \$191,429.92 to \$197,358.24) and the amount to be paid by the city (from \$649,335.08 to \$643,401.76.) City staff consulted with bond counsel for advice on how to proceed and was advised to send a corrected notice to the one affected property owner and to pass an amended resolution. This will not affect the bond proceedings for the improvements.

DAN SANBORN OFFERED RESOLUTION NO. 3948, A RESOLUTION AMENDING RESOLUTION NO. 3942 DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3948 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(E) WORKSESSION DATE - FUTURE STREET PROJECTS.

It was moved by Sulflow, seconded by Olson and unanimously passed to set a council worksession for Monday, June 24, 2024 at 7:00 P.M. for the purpose of discussing future street improvement projects.

7(F) REQUEST FOR WATER/SEWER CONNECTION AT 1409 NORTH 17TH STREET.

A request for water and sewer was submitted by Timothy Buseman, 1409 North 17th Street, in conjunction with the 2008 County Road 41 Buy-In Project. For 2024, the buy-

in fees are \$7,350.00 for water connection and \$7,350.00 for sanitary sewer connection. By signing the request, Buseman agrees to a 15-year assessment, with interest at the rate of 6% per annum, beginning with the real estate taxes due and payable in the year 2025 and waives any right to further notice or opportunity for an assessment hearing.

It was moved by Sandborn, seconded by Curtiss and unanimously passed to approve a voluntary special assessment with Timothy Buseman for sanitary sewer and water connections at 1409 North 17th Street.

7(G) USE OF CITY PROPERTY FOR FLEA MARKET/FARMERS MARKET.

At the May 6th council meeting, the council had considered a use of city property request submitted by Vione Streed. Streed had requested the use of the city-owned parking lot between Sheridan Avenue & Nichols Avenue for a flea market/farmers market on all weekends during May through October. Council requested staff work with Streed to select one weekend (to start) as a trial basis for the flea market/farmers market activity. The weekend of June 22-23, 2024 has been identified as the weekend she wished to schedule her trial event. The hours would be from 9:00 a.m. to 6:00 p.m. This includes set up and breakdown.

It was moved by Sulflow, seconded by Olson and unanimously passed to approve the (trial) use of city property for the flea market/farmers market activity on June 22-23, 2024.

7(H) 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 Chamber of Commerce	Donation - Mayor Gala for City Parks	\$4,373.92

DAN SANBORN OFFERED RESOLUTION NO. 3949, A RESOLUTION ACCEPTING GIFTS/GRANTS, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3949 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.

- None.

9. Discussion and Miscellaneous.

- ▶ City Engineer Amborn stated that the Wolfe Avenue final pavement was placed and this concludes that portion of the 2023 Improvement Project. The boulevard was seeded two weeks ago.
- ▶ Council member Curtiss reminded everyone that it is summer and the racing season has begun. He noted that a double header event is planned for June 7th and 8th and wanted citizens to know that the races may extend beyond 10:00 P.M. on those evenings. Curtiss said this is a big event that will draw a lot of spectators to the community, and he invited the public to attend.
- ▶ Council member Olson informed the council that she had visitors at her home the morning of Saturday, May 18th, asking about the condition of Ashmore Avenue vs that of Wolfe Avenue (quality of pavement.) Both streets had been improved as a part of the 2023 Project and Duinincks had returned to further complete/improve Wolfe Avenue but the same had not been done to Ashmore Avenue.

City Manager Wolfington explained that he has also had conversation with individuals expressing concern over Ashmore Avenue, and they were told that Duinincks was aware of the issue and that the city is working with them on options.

City Engineer Amborn explained that there are two components to the condition of an improved roadway: 1) the structural integrity; and, 2) the ride quality of the pavement. He stated that the structural integrity of Ashmore Avenue is there but the ride quality is not. He added that he had not been contacted by any citizen on this issue.

- ▶ City Manager Wolfington announced that the Utilities Department had completed its spring hydrant flushing.

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Meeting adjourned at 8:05 P.M.

Glennis A. Lauritsen, Secretary

Approved by council June 3, 2024:

President - City Council