

CITY OF MONTEVIDEO
CITY COUNCIL PROCEEDINGS
July 8, 2024

The city council met in regular session Monday, July 8, 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, Bryce Curtiss, Dan Sanborn 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 Tami Schuelke-Sampson.

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 JULY 3, 2024 IN THE AMOUNT OF ~~\$738,597.17~~ \$775,579.19.

The revised list reflects the following additions:

LEGAL

Nelson, Oyen, Torvik - Legal Services	\$	11,541.25
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UTILITY

Dakota Supply Group - Hymax couplings	2,288.63
Dakota Supply Group - Swing Check Valves	7,567.89
Hawkins, Inc. - Aluminum Sulfate Liquid	8,280.74
Innovative Systems - Utility bills & postage	1,530.95
MN Pump Works - Lagoon Park Lft Station-Grinder Pump	5,772.56

ADD: 5(D) CONSIDER AUTHORIZATION FOR USE OF CITY PROPERTY (ARCHERY RANGE IN SMITH ADDITION) BY KELLY SNELL/MONTEVIDEO COMMUNITY EDUCATION ON TUESDAY, SEPTEMBER 24 AND TUESDAY, OCTOBER 15, 2024 FOR TWO COURSES FOR YOUTH.

MODIFY: 7(B) CONSIDER RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$905,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2024A.

- Sale Day Report provided.

ADD: 7(I) CONSIDER ADJUSTMENT TO FINANCE CLERK II POSITION TO INCORPORATE HUMAN RESOURCES RESPONSIBILITIES.

It was moved by Sulflow, seconded by Olson and unanimously passed to approve the minutes of the regular meeting of June 17, 2024 and the worksession of June 24, 2024 as presented.

4. Notices/Communications/Announcements or Appearance of Interested Citizens.
- ▶ Sean Nielsen, 401 Canyon Avenue, addressed council concerning his storage canopy (soft shell storage unit) that the city directed him to take down. Sean stated he feels the city is targeting him. During his statement he also made mention of landlord concerns, potential property theft and police response. Nielsen invited council to come look at his storage canopy.

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 JULY 3, 2024 IN THE (MODIFIED) AMOUNT OF \$775,579.19.
- 5(B) APPLICATION SUBMITTED BY BETHANY WINGER/LIBERTY BAPTIST CHURCH REQUESTING USE OF SMITH PARK BY BEAR CAGE SHELTER FOR WORSHIP EVENTS ON WEDNESDAY, AUGUST 21ST, THURSDAY AUGUST 22ND AND FRIDAY AUGUST 23RD, 2024.
- 5(C) APPLICATION SUBMITTED BY JERICK KOSEL/MONTEVIDEO RECRUIT SUSTAINMENT PROGRAM WITH THE ARMY NATIONAL GUARD REQUESTING USE OF SNAKE HILL AND WINDOM PARK FOR MILITARY TRAINING ON SATURDAY, JULY 13TH, 2024.

- 5(D) APPLICATION SUBMITTED BY KELLY SNELL/MONTEVIDEO COMMUNITY EDUCATION REQUESTING USE OF ARCHERY RANGE IN SMITH ADDITION FOR TWO COURSES FOR YOUTH CALLED “FIRE START” AND “ATL ATL THROWING” ON TUESDAY, SEPTEMBER 24TH, 2024 AND TUESDAY, OCTOBER 15TH, 2024.

6. Public Hearings.

- None.

7. General Business.

- 7(A) ANNEXATION OF TWO PARCELS IN SPARTA TOWNSHIP.

The City of Montevideo and Sparta Township entered into an Orderly Annexation Agreement in August of 1996. City of Montevideo Resolution No. 1946 identifies areas adjacent to the City limits that could be subject to annexation in the event of development. There is currently development of a metal fabrication facility located at 5005 40th Avenue Southwest along Highway 7. This development triggered the Orderly Annexation Agreement that identified this parcel as a portion of Area III. As discussed at the April 22, 2024 Council Worksession, this is the next step of the annexation process for the two properties, identified by Parcel ID numbers 13-116-1102 and 13-116-1100, that are currently outside of city limits.

According to the Orderly Annexation Agreement all urban, non-farm development within Area III is prohibited unless the property proposed for such development and any adjacent, necessary land, is first annexed to the city. The following development may occur within Area III without having to be first annexed prior to the development thereof: 1) agricultural development; or 2) subject to paragraphs 7(c) and 7(d), repair, or limited expansion of structures in existence on the effective date of the Resolution by the owner of record in existence on the effective date of the Resolution; or 3) urban, non-farm development which is first approved in writing by both the City and Township.

The agreement calls for the annexation of the developed property and the land between it and the current corporate limits to be annexed into the City of Montevideo. The property being annexed will be equal to the property being developed (the North to South distance of approximately 350 feet). A meeting was held with the property owners, City Manager

Wolflington, City Attorney Nelson and Council member Sanborn to discuss what triggered the annexation.

BRYCE CURTISS OFFERED RESOLUTION NO. 3960, A RESOLUTION ANNEXING LAND, AND MOVED ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3960 WAS SECONDED BY BEVERLY OLSON. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, BEVERLY OLSON, STEVE SULFLOW, DAN SANBORN AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(B) BOND ISSUANCE/SALE - 2024 IMPROVEMENTS.

In order to finance the 2024 Street & Utility Improvements, the city needs to sell a total of \$850,000 of bonds. Dan Tienter, Municipal Advisor with Ehlers, was present to review the Sale Day Report for the \$850,000 General Obligation Bonds, Series 2024A Issue. Tienter commended city staff for retaining the city's AA- bond rating with Standard & Poors. He then discussed the Sale Day Report and the bids received. Tienter noted that due to a premium bid and reduced cost of issuance, the city received an additional \$55,149. Ehlers recommended awarding the bid to Robert W. Baird & Co., Inc. at a true interest cost of 3.6088%.

BRYCE CURTISS OFFERED RESOLUTION NO. 3961, A RESOLUTION PROVIDING FOR THE ISSUANCE & SALE OF \$850,000 GENERAL OBLIGATION BONDS, SERIES 2024A, PLEDGING FOR THE SECURITY THEREOF REVENUES, SPECIAL ASSESSMENTS AND LEVYING A TAX FOR THE PAYMENT THEREOF, AND MOVED ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3961 WAS SECONDED BY DAN SANBORN. THOSE VOTING IN FAVOR OF MOTION: BRYCE CURTISS, DAN SANBORN, STEVE SULFLOW, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(C) AMENDED STATE ROAD VACATION RESOLUTION.

Resolution No. 3941 was adopted May 6, 2024 that vacated a portion of State Road. In paragraphs 5 and 6 it should have said Southwesterly instead of Southeasterly and therefore a correction needs to be approved.

STEVE SULFLOW OFFERED RESOLUTION NO. 3962, A RESOLUTION VACATING A PORTION OF STATE ROAD, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3962 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) PERA ELIGIBILITY - LEIF PAULSON.

DAN SANBORN OFFERED RESOLUTION NO. 3963, A RESOLUTION PROVIDING FOR ELIGIBILITY INTO PERA POLICE & FIRE FUND FOR PART-TIME POLICE OFFICER LEIF PAULSON, AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3963 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.

7(E) LAURITSEN RETIREMENT RESOLUTION.

DAN SANBORN OFFERED RESOLUTION NO. 3964, A RESOLUTION OF APPRECIATION FOR GLENNIS LAURITSEN (RETIRED 7/5/24), AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3964 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.

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>
Hormel Financial Services Corp	Donation - Dog Park	\$ 250.00
Montevideo Fire Relief Assn.	Donation - Youth Activities	6,000.00

STEVE SULFLOW OFFERED RESOLUTION NO. 3965, A RESOLUTION ACCEPTING GIFTS/GRANTS AND MOVED ITS ADOPTION. MOTION FOR ADOPTION OF RESOLUTION NO. 3965 WAS SECONDED BY BEVERLY OLSON. THOSE VOTING IN FAVOR OF MOTION: STEVE SULFLOW, BEVERLY OLSON, BRYCE CURTISS, DAN SANBORN AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. RESOLUTION PASSED 5-0.

7(G) BUDGET WORKSESSION DATES.

It was moved by Sanborn, seconded by Sulflow and unanimously passed to set the following 2025 Budget Worksession dates:

- Monday, July 29th, 5:00 P.M.
- Monday, August 5th, 5:00-7:00 P.M. (prior to council meeting)
- Monday, August 19th, 5:00-7:00 P.M. (prior to council meeting, if needed).

7(H) RE-ZONE PARCEL NO. 70-817-4100.

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 to B2, Highway Business District, with the intent of applying for a conditional use permit to place storage units on the site.

The required public hearing was held by the Montevideo Planning Commission on Monday, July 8, 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. The planning commission was split and failed to provide the Council with a recommendation. Discussion took place regarding how a B2 may make sense today but not in the future. It was the consensus of the council that the current Montevideo Comprehensive Plan should be followed.

It was moved by Sanborn, seconded by Olson and unanimously passed to deny T.A. Lauritsen, etal. B2 rezoning request.

7(I) FINANCE CLERK II POSITION ADJUSTMENT TO FINANCE CLERK/HUMAN RESOURCES.

Human resource responsibilities for the City continue to expand with new laws related to sick and safe time among others. Additionally, changes in staffing have created additional workloads for the finance staff. This position will have a large roll in assisting with budgeting, reviewing changes to employment laws, and more interaction with staff following the hiring process and during the exit process. Currently, the Finance Clerk II position has seen an increase in responsibilities and has taken on much of the human resources items for the City.

It was the recommendation of staff to change the position of Finance Clerk II to Finance Clerk/Human Resources with a pay adjustment effective July 8, 2024. 2024 pay range for the Finance Clerk II is \$51,097-\$60,630/year; pay range for the proposed Finance Clerk/Human Resources position would be \$56,207-\$66,693/year. The difference between the current pay and the human resources adjustment would be distributed through all departments as this position works with all staff.

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) ADOPTION OF ORDINANCE NO. 989.

IT WAS MOVED BY DAN SANBORN THAT ORDINANCE NO. 989, AN ORDINANCE AMENDING SECTIONS 3, 6 AND 8 AND ADDING SECTION 13 OF CHAPTER 7, TITLE 7, OF THE MONTEVIDEO CITY CODE, MONTEVIDEO CEMETERY, BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 989 WAS SECONDED BY BEVERLY OLSON. THOSE VOTING IN FAVOR OR MOTION: DAN SANBORN, BEVERLY OLSON, STEVE SULFLOW, BRYCE CURTISS AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. ORDINANCE PASSED 5-0.

8(B) ADOPTION OF ORDINANCE NO. 991.

IT WAS MOVED BY DAN SANBORN THAT ORDINANCE NO. 991, AN ORDINANCE AMENDING SECTION 3 OF CHAPTER 8, TITLE 6, OF THE MONTEVIDEO CITY CODE, PROHIBITED PARKING IN MUNICIPAL PARKING LOT, BE ADOPTED. MOTION FOR ADOPTION OF ORDINANCE NO. 991 WAS SECONDED BY BRYCE CURTISS. THOSE VOTING IN FAVOR OR MOTION:

DAN SANBORN, BRYCE CURTISS, STEVE SULFLOW, BEVERLY OLSON AND NATHAN SCHMIDT. THOSE VOTING AGAINST MOTION: NONE. ORDINANCE PASSED 5-0.

9. Discussion and Miscellaneous.

9(A) BOARDS AND COMMISSIONS UPDATES

- ▶ Council member Schmidt provided an update on the Hospital Board. There have been discussions about Big Stone Therapies and that contracting with them has been a good decision. In the past all council members and the manager were provided the hospital packets and he will ask that it starts happening again.
- ▶ Mayor Winter had just attended the Convention & Visitors Bureau meeting where an increased budget was approved to bring more events to the community. The fireworks that were canceled during Fiesta Days will be done sometime in October.
- ▶ Council member Olson explained the summer reading program at the Library is going well.
- ▶ Council member Curtiss gave an update on the Airport Commission. The installation of the card reader for the fueling system has been delayed due to not being able to get the materials from the vendor. The flyover by the FAA to certify the REIL lights has not yet been completed.
- ▶ City Manager Wolfington stated that the EDA is working on some existing loans, the MCDC meets quarterly and a joint meeting of the MCDC, MIDC and EDA is being scheduled.

9(B) OTHER

- ▶ Council member Olson thanked City Manager Wolfington for the prompt notification about the glass found at the bottom of the swimming pool. Wolfington informed council about what was done to remedy the situation.

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- ▶ City Engineer Amborn explained that the manholes and catch basins are being made for the Oak Drive project this week. Because of this, there is a week delay to the schedule.
- ▶ Mayor Winter stated that Wolfe Avenue was reseeded today.

Meeting adjourned at 8:23 P.M.

Tami Schuelke-Sampson, Secretary

Approved by council July 22, 2024:

President - City Council