

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF FOSSTON, POLK COUNTY MINNESOTA
DECEMBER 11, 2017

The regular meeting of the Council of the City of Fosston, Polk County Minnesota was held in council chambers on Monday, December 11, 2017 at 7:00 p.m.

The meeting was called to order by Mayor Offerdahl with the following members present: Veum, and Hoialmen, Dufault and Anderson Also present was: Charles Lucken, Cassie Heide, Lee Cariveau, Zach Folkert, Scott Bixby, Amelia Linehan, Karen Graham, Keith Kinnen, and Mark Hagen

Motion was made by Hoialmen, seconded by Anderson to approve the agenda with the following modifications:

- Consider adoption of Ordinance No. 4.36 annexing land into City of Fosston

Motion carried by unanimous vote.

Motion was made by Anderson seconded by Veum to approve Consent Agenda items A. and B. Motion carried by unanimous vote.

- A) To approve the minutes of the regular meeting held November 13, 2017 regular meeting minutes, and special meeting held November 27, 2017.
- B) To approve Accounts Payable Bill Listing #17-12 in the amount of \$74,931.20 and AP Bill Listing #17-12A in the amount of \$146,739.31.

COMMITTEES/BOARDS/COMMISSION:

Law Enforcement: Zach Folkert and Scott Bixby were present to discuss matters pertaining to their department

- November was busier this year than last.
- Major incident at school was handled well within one hour.
- Drug task force continues work throughout each month
- Tickets are being issued to vehicles parked along streets.

Civic Center/Parks & Recreation: Karen Graham was present to discuss matters pertaining to her departments.

- The rink is currently being flooded. Hopefully rink will be open by next weekend.
- Pool will be closed beginning next Wednesday for demolition of old tile and installation of new tile.

Street/Utilities/Sanitation: Dave Larson reported on matters pertaining to his departments

- New plow truck is here and working well.
- Burn site is locked for the season
- 13 Natural gas installations were done with the most recent one completed on November 27th at J. Rettenmaier for a gas generator
- Small power outage to dig in new wires that were put in earlier this year was successful
- KBM did a flyover for aerial photos for updating mapping
- Larson is working on estimates for converting current City shop cold storage into equipment storage and additional building for cold storage at City shop site.

Star Committee: Cassie Heide reported on matter concerning the Star Committee

- Lefse Fest was successful. Bemidji radio station came and did a piece on the event.
- Santa Claus Day and residential lighting contest was past weekend and was well received.

Mayor Offerdahl called the Public Hearing on Truth in Taxation to order. There were no members from the public present.

Member Anderson introduced the following resolution and moved its adoption:

**RESOLUTION ADOPTING FINAL
GENERAL FUND BUDGET
RESOLUTION NO. 17-28**

BE IT RESOLVED, that the Proposed 2018 Budget for the General Fund be set at \$1,334,192.

The motion for the foregoing resolution was duly seconded by member Dufault and upon vote being taken thereon the following members voted in favor thereof: Anderson, Dufault, Veum, Hoialmen, and Offerdahl.

and the following members voted against the same: none

Whereupon said resolution was declared passed and adopted this 11th day of December, 2017.

James Offerdahl, Mayor

Attest: _____
Charles Lucken, City Administrator

Member Veum introduced the following resolution and moved its adoption:

**RESOLUTION CERTIFYING FINAL
PAYABLE 2018 PROPERTY TAX LEVY
RESOLUTION NO. 17-29**

RESOLVED, that the following sums are hereby proposed to be levied upon the taxable property in the City of Fosston, County of Polk, State of Minnesota, for the 2017 taxes collectable in 2018 for the following purposes to-wit:

PURPOSE	2017 FINAL	2018 FINAL	CHANGE
General Fund	\$ 94,273	\$106,959	\$ 12,686
2007A St. Improvement Bonds	\$ 17,900	\$ -0-	(\$ 17,900)
2008A St. Improvement Bonds	\$ 21,744	\$ -0-	(\$ 21,744)
2009 St. Improvement Note	\$ 24,150	\$ 21,050	(\$ 3,100)
2010A PIR & Refunding Bonds	\$ 19,727	\$ 24,177	\$ 4,450
2011 St. Improvement Note	\$ 13,699	\$ 13,371	(\$ 328)
2012 St. Improvement Note	\$ 17,614	\$ 17,614	\$ -0-
2014 Brandt Ave. Note	\$ 15,761	\$ 16,032	\$ 271
2014 Downtown St. & Utility Note	\$ 41,940	\$ 41,940	\$ -0-
2015B St. Improvement Bonds	\$ 48,190	\$ 42,267	(\$ 5,923)
2016B St Improvement Bonds	\$ 6,188	\$ 24,462	\$ 18,274
2017A St & Utility Note	<u>\$ -0-</u>	<u>\$ 29,373</u>	<u>\$ 29,373</u>
Total Gross Levy	\$321,186 =====	\$337,245 =====	\$ 16,059 =====

The motion for the foregoing resolution was duly seconded by member Anderson and upon vote being taken thereon the following members voted in favor thereof:

Offerdahl, Anderson, Dufault, Hoialmen and Veum

and the following voted against the same: None

Whereupon said resolution was declared passed and adopted this 11th day of December, 2017.

James Offerdahl, Mayor

Attest: _____
Charles Lucken, City Administrator

Member Hoialmen introduced the following resolution and moved its adoption:

**RESOLUTION SETTING TAX
LEVY FOR DEBT SERVICE
RESOLUTION NO. 17-30**

BE IT RESOLVED, by the Council of the City of Fosston, Polk County, Minnesota as follows:

1. The tax levy for the \$1,190,000 General Obligation PIR Fund & Refunding Bonds, Series 2010A shall be set for the years and amounts as follows:

<u>Year of Tax Levy</u>	<u>Year of Tax Collection</u>	<u>Amount</u>
2017	2018	\$24,177

2. The City Administrator is hereby authorized and directed to furnish a copy of this resolution to the County Auditor of Polk County forthwith.

The motion for the foregoing resolution was duly seconded by member Anderson and upon vote being taken thereon the following members voted in favor thereof: Hoialmen, Anderson, Veum, Dufault, and Offerdahl

and the following voted against the same: none.

Whereupon said resolution was declared passed and adopted this 11th day of December, 2017.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Member Hoialmen introduced the following resolution and moved its adoption:

**RESOLUTION AMENDING TAX
LEVY FOR DEBT SERVICE
RESOLUTION NO. 17-31**

BE IT RESOLVED, by the Council of the City of Fosston, Polk County, Minnesota as follows:

1. The tax levy for the \$386,000 General Obligation Certificate, Series 2015A shall be set for the years and amounts as follows:

<u>Year of Tax Levy</u>	<u>Year of Tax Collection</u>	<u>Amount</u>
2017	2018	\$ -0-

2. The City Administrator is hereby authorized and directed to furnish a copy of this resolution to the County Auditor of Polk County forthwith.

The motion for the foregoing resolution was duly seconded by member Anderson and upon vote being taken thereon the following members voted in favor thereof: Hoialmen, Anderson, Veum, Dufault, and Offerdahl.

and the following voted against the same: none.

Whereupon said resolution was declared passed and adopted this 11th day of December, 2016.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Member Hoialmen introduced the following resolution and moved its adoption:

**RESOLUTION SETTING TAX
LEVY FOR DEBT SERVICE
RESOLUTION NO. 17-32**

BE IT RESOLVED, by the Council of the City of Fosston, Polk County, Minnesota as follows:

1. The tax levy for the \$450,000 General Obligation Improvement Bonds, Series 2015B shall be set for the years and amounts as follows:

<u>Year of Tax Levy</u>	<u>Year of Tax Collection</u>	<u>Amount</u>
2017	2018	\$42,267

2. The City Administrator is hereby authorized and directed to furnish a copy of this resolution to the County Auditor of Polk County forthwith.

The motion for the foregoing resolution was duly seconded by member Anderson and upon vote being taken thereon the following members voted in favor thereof: Hoialmen, Anderson, Dufault, Veum, and Offerdahl.

and the following voted against the same: none.

Whereupon said resolution was declared passed and adopted this 11th day of December, 2016.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Member Hoialmen introduced the following resolution and moved its adoption:

**RESOLUTION SETTING TAX
LEVY FOR DEBT SERVICE
RESOLUTION NO. 17-33**

BE IT RESOLVED, by the Council of the City of Fosston, Polk County, Minnesota as follows:

1. The tax levy for the \$450,000 General Obligation Improvement Bonds, Series 2016B shall be set for the years and amounts as follows:

<u>Year of Tax Levy</u>	<u>Year of Tax Collection</u>	<u>Amount</u>
2017	2018	\$24,462

2. The City Administrator is hereby authorized and directed to furnish a copy of this resolution to the County Auditor of Polk County forthwith.

The motion for the foregoing resolution was duly seconded by member Anderson and upon vote being taken thereon the following members voted in favor thereof: Hoialmen, Anderson, Veum, Dufault, and Offerdahl.

and the following voted against the same: none.

Whereupon said resolution was declared passed and adopted this 11th day of December, 2017.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Member Hoialmen introduced the following resolution and moved its adoption:

RESOLUTION SETTING TAX

**LEVY FOR DEBT SERVICE
RESOLUTION NO. 17-34**

BE IT RESOLVED, by the Council of the City of Fosston, Polk County, Minnesota as follows:

1. The tax levy for the \$458,000 General Obligation Improvement Bonds, Series 2017A shall be set for the years and amounts as follows:

<u>Year of Tax Levy</u>	<u>Year of Tax Collection</u>	<u>Amount</u>
2017	2018	\$29,373

2. The City Administrator is hereby authorized and directed to furnish a copy of this resolution to the County Auditor of Polk County forthwith.

The motion for the foregoing resolution was duly seconded by member Ansderson and upon vote being taken thereon the following members voted in favor thereof: Hoialmen, Anderson, Veum, Dufault, and Offerdahl.

and the following voted against the same: none

Whereupon said resolution was declared passed and adopted this 11th day of December, 2017.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Mayor Offerdahl closed the Public Hearing on Truth in Taxation.

Lee Cariveau, WSN was present to discuss the 2018 Street & Utility Project. Locates have been called in for survey work. Aerial photos have been taken that will aide in the planning of the project. The preliminary date for bid opening is the Thursday before council meeting in March.

Member Hoialmen introduced the following resolution and moved its adoption:

**RESOLUTION RECEIVING REPORT
AND CALLING HEARING ON 2018 STREET
AND UTILITY IMPROVEMENT PROJECT
RESOLUTION NO. 17-35**

WHEREAS, pursuant to resolution of the council adopted December 11, 2017, a report has been prepared by Widseth Smith Nolting with reference to the improvement of the following streets:

Eaton Avenue N. between 8th Street NE and 10th Street NE

and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429, and this report was received by the council on December 11, 2017, and

WHEREAS, the report provides information regarding whether the proposed project is necessary, cost-effective, and feasible,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FOSSTON,
MINNESOTA:**

1. The council will consider the improvement of such streets in accordance with the report and the assessment abutting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$450,000.
2. A public hearing shall be held on such proposed improvement on the 8th day of January, 2018, in the council chambers of the city hall at 7:15 p.m. and the City Administrator shall give mailed and published notice of such hearing and improvement as required by law.

The motion for the adoption of the foregoing resolution was duly seconded by member Anderson and upon vote being taken thereon the following voted in favor thereof: Hoialmen, Anderson, Veum, Dufault, and Offerdahl.

and the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 11th day of December, 2017.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Member Hoialmen introduced the following resolution and moved its adoption:

**RESOLUTION ORDERING THE
PREPARATION OF REPORT ON THE
2018 STREET AND UTILITY IMPROVEMENT PROJECT
RESOLUTION NO. 17-36**

WHEREAS, it is proposed to improve of the following streets and avenues

Eaton Avenue N. between 8th Street NE and 10th Street NE

and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FOSTON, MINNESOTA:

That the proposed improvement be referred to Lee Cariveau, P.E., Widseth Smith Nolting for study and that he is instructed to report to the council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended. The motion for the adoption of the foregoing resolution was duly seconded by member Anderson and upon vote being taken thereon the following voted in favor thereof: Hoialmen, Anderson, Veum, Dufault, and Offerdahl.

and the following voted against same:

Whereupon said resolution was declared passed and adopted this 11th day of December, 2017.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Keith Kinnen, Karvakko Engineers was present to discuss options for stormwater issues at Kingo Church and Berge-Stafford Park. Kinnen presented green infrastructure options, including piping into the Berge-Stafford pond as well as bioswales and other green infrastructure options to help with stormwater issues.

Council considered approval of Application for Payment from Davidson Construction in the amount of \$25,761.15 for the Apron & Taxilane Rehabilitation Project. Lucken reported the payment application includes a 5% retainage. A motion was made by Veum, seconded by Anderson to approval Application for Payment from Davidson Construction in the amount of \$25,761.15 for the Apron & Taxilane Rehabilitation Project. Motion carried by unanimous vote.

Council considered Application to the MN/DOT District 2 Cooperative Agreement Program for a multi-use/Bike Trail on Highway #2. Kinnen presented options for a multi-use/Bike path. MN/DOT has up to \$500,000 to award for this project. The City would only be responsible for about 10% of this cost. A motion was made by Anderson, seconded by Dufault to approve the Application to the MN/DOT District 2 Cooperative Agreement Program for a multi-use/Bike Trail on Highway #2. Motion carried by unanimous vote.

Member Anderson introduced the following resolution and moved its adoption:

RESOLUTION AUTHORIZING TAX ABATEMENT
FOR PARCELS QUALIFYING FOR THE
HOUSING INCENTIVE PROGRAM IN THE CITY OF FOSSTON
RESOLUTION #17-37

WHEREAS, the City Council of the City of Fosston, Minnesota (the "City"), has held a public hearing on the proposed abatement, pursuant to Minnesota Statutes, Section 469.1812 through and including 469.1815, as part of the City Housing Incentive Program, and

WHEREAS, the City of Fosston has proposed to abate the City share of property taxes on the following parcels for a period of two years:

87-00898.00

WHEREAS, the City Council finds that the proposed abatements are in the best interest of the City and its residents,

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Fosston, Minnesota, as follows:

1. Abatement. The City Council hereby authorizes the Abatement of the City share of property taxes on the aforementioned parcels in an amount estimated to be \$2,313.00 per year for two years commencing with taxes payable in 2017.
2. Improvements. The abatements will be utilized for a Housing Incentive Program to help increase tax base.
- 3.

The motion for the foregoing was duly seconded by member Dufault and upon vote being taken thereon, the following members voted in favor thereof: Anderson, Dufault, Hoialmen, Veum, and Offerdahl.

And the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 11th day of December, 2017.

James Offerdahl, Mayor

ATTEST:

Charles Lucken, City Administrator

Member Dufault introduced the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING
PROPERTY TAX ABATEMENTS
RESOLUTION NO 17-38**

WHEREAS, Minnesota Statutes 469.1812 through 469.1815 authorize property tax abatements for economic development purposes,

THEREFORE BE IT RESOLVED, by the Council of the City of Fosston, Polk County, Minnesota, that the City of Fosston desires to provide for a tax abatement program as authorized by M.S. 469.1812 through 469.1815, said program will be a housing incentive tax abatement program with the following parameters required for City participation:

1. The three primary taxing authorities, City, Polk County and Independent School District #601, are all participating in the incentive program.
2. The program would apply to new residential construction only. New residential construction shall include modular homes, manufactured homes and stick-built homes.
3. The program would apply to single-family dwellings ready for occupancy within two years of acquisition of the undeveloped real property.
4. The abatement of real property taxes would be for two years, in the first two years where payment of taxes are based upon the value of the new dwelling.
5. Term of the program shall be December 31, 2019.
6. The City of Fosston shall be responsible to notify Polk County of which properties are in the program at the time the real property is acquired and arrange for the appropriate hearing(s) as required by law.

The motion for the foregoing resolution was duly seconded by member _____ and upon vote being taken thereon the following members voted in favor thereof:

And the following voted against same:

Whereupon said resolution was declared passed and adopted this 11th day of December, 2017.

James Offerdahl, Mayor

ATTEST:

Charles Lucken, City Administrator

Council considered approval of Application for Variance from Provisions of Zoning Ordinance from Joel Manecke per recommendation of Planning Commission. A motion was made by Veum, seconded by Hoialmen to approve Application for Variance from Provisions of Zoning Ordinance from Joel Manecke per recommendation of Planning Commission. Motion carried by unanimous vote.

Member Hoialmen introduced the following resolution and moved its adoption:

**RESOLUTION DESIGNATING POLLING PLACE
FOR PRECINCT ONE IN THE CITY OF FOSSTON**

RESOLUTION NO. 17-39

WHEREAS, Minnesota Statutes, Section 204B.16, Subd. 1, Polling Place Designation, in the 2017 Minnesota State Election Laws, requires that the City of Fosston must annually designate its polling place for each election precinct; and

WHEREAS, the City of Fosston has one election precinct for the entire City.

NOW THEREFORE BE IT RESOLVED, that the City of Fosston City Council does hereby designate the Embassy Community Center, 603 3rd Street NE, as the polling place for Precinct One for 2018.

The motion for the adoption of the foregoing resolution was duly seconded by member Anderson and upon vote being taken thereon the following members voted in favor thereof: Hoialmen, Anderson, Veum, Dufault, and Offerdahl.

and the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 11th day of December, 2017.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Member Hoialmen introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING
PREMISES PERMIT APPLICATION
RESOLUTION #17-40**

WHEREAS, the Knightriders Snowmobile Club is submitting a Premise Permit Application to the Minnesota Department of Gaming, Gambling Control Division, for a permit to conduct electronic gambling at Ventures Bar & Grill in Fosston.

BE IT RESOLVED, THAT THE City Council of the City of Fosston hereby approves the Premise Permit Application as presented.

The motion for the adoption of the foregoing resolution was duly seconded by member Anderson and upon vote being taken thereon the following members voted in favor thereof: Hoialmen, Anderson, Veum, Dufault, and Offerdahl.

And the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 11th day of December, 2017.

James Offerdahl, Mayor

ATTEST:

Charles Lucken, City Administrator

Council considered a settlement offer from Lakes Concrete Plus, Inc. and Hagen Construction and Trucking, Inc. for replacement of defective concrete behind City Hall and CarCo Tire One. Lakes Concrete Plus, Inc. (LCP) made the following settlement offer to the City:

1. LCP will pay the City of Fosston \$12,960.00 to remove and replace 240 square yards of concrete in the area behind the City Hall.
2. LCP will pay the City of Fosston \$5,670.00 to remove and replace 54 square yards of concrete in the area behind the Law Enforcement Center.
3. LCP will pay the City of Fosston \$10,206.00 to remove and replace 189 square yards of concrete behind CarCo Tire One.

After further discussion by the board and discussion with the City Engineer, it was the consensus of the board to approve the settlement offer made by Lakes Concrete Plus, Inc.

Anderson made motion, seconded by Hoialmen to approve the settlement offer of \$28,836 from Lakes Concrete Plus, Inc. for defective concrete on the 2015 First Street Alley and Mary Avenue Improvement project. The settlement agreement must expressly exclude the release of any and all claims the City of Fosston may have against Cone Corporation and Lakes Concrete in relation to the 2014 Downtown Street Improvement Project contract between the City of Fosston and Gordon Construction of Mahanomen, Inc. Motion carried by unanimous vote.

Council considered action to commence lawsuit against Gordon Construction of Mahanomen for defective concrete on Downtown Street Project sidewalks. A motion was made by Veum, seconded by Anderson to authorize Stephen Larson to commence lawsuit against Gordon Construction of Mahanomen for defective concrete on Downtown Street Project. Motion carried by unanimous vote.

Council tabled approval of Task Order No. 007, Environmental Assessment and Wetland Reporting until the next meeting for further information from FAA.

Council considered approval of Task Order No. 008, Runway/Taxiway Cracksealing. A motion was made by Veum, seconded by Anderson to approve Task Order No. 008, Runway/Taxiway Cracksealing.

Member Hoialmen introduced the following ordinance and moved its adoption.

ORDINANCE NUMBER 4.36
AN ORDINANCE OF THE CITY OF FOSSTON, MINNESOTA
ANNEXING LAND LOCATED IN ROSEBUD TOWNSHIP, POLK COUNTY,
MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(1),
PERMITTING ANNEXATION BY ORDINANCE

An ordinance annexing land into the City of Fosston:

Section 1. RECITALS.

A. WHEREAS, the City of Fosston owns the following described unincorporated real property abutting said City's easterly boundary:

See attached Exhibit A.

B. WHEREAS, the total area of land is unplatted and contains 2.82 acres.

C. WHEREAS, no part of said tract is included in another boundary adjustment proceeding pending before the Municipal Boundary Adjustments Unit and no other municipality borders said property.

D. WHEREAS, the City of Fosston acquired the subject property in 1947 and all property as of the date hereof is classified as tax exempt and Rosebud Township is wholly unaffected by this annexation.

E. WHEREAS, members of the Fosston City Council have determined that annexation of the above described real property will be in the best interests of the City of Fosston, Minnesota, and any territory that may be affected.

Section 2. THEREFORE, upon motion duly made, seconded and carried,

IT IS RESOLVED, and the City Council of the City of Fosston, Minnesota, hereby ordains and declares that the afore-described tract be and is hereby annexed and incorporated within the City of Fosston, Minnesota.

Section 3. This ordinance shall be final and shall take effect and be in full force from and after the date on which it is passed, published, recorded and approved by the Municipal Boundary Adjustments Unit.

Dated and passed by the City Council of the City of Fosston, Minnesota, on this 11th day of December, 2017.

CITY OF FOSSTON

By: _____
James Offerdahl, Mayor

By: _____
Charles Lucken, City Administrator

EXHIBIT A

That part of the Southeast Quarter (SE1/4) of Section Three (3), Township One Hundred Forty-seven (147) North of Range Forty (40), West of the Fifth Principal Meridian, described as follows: Beginning at a point on the West boundary line of said SE1/4, which point is 47 feet North of the Southwest corner of said SE1/4, then North 33 degrees 30 minutes east to a point, said point being the southwesterly corner of REFERENCE TRACT A described below, then northerly and along the westerly boundary line of said REFERENCE TRACT A to a point, said point being the southeast corner of REFERENCE TRACT B described below, then West along the South boundary line of said REFERENCE TRACT B to a point on the West boundary line of said SE1/4, then South along the West boundary line of said SE1/4 to the point of beginning, containing 2.82 acres more or less.

REFERENCE TRACT A, being part of Parcel No. _____ (former Parcel No. 61.00017.05) and being that property conveyed by Kerry R. Winkelmann and Cheryl Winkelmann, husband and wife, Grantors, to the City of Fosston by Warranty Deed dated June 15, 1990 and recorded July 13, 1990 as Document Number A000501641 in the Office of the County Recorder, Polk County, Minnesota; ALSO, said property is described as the first parcel in the City of Fosston's annexation Ordinance #4.28 (Sports Complex) dated June 12, 2017 and recorded _____ as Document Number _____ in the Office of the County Recorder, Polk County, Minnesota, described as follows:

That part of the following described property lying in the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of Section Three (3), Township One Hundred Forty-seven (147) North, Range Forty (40) West of the Fifth Principal Meridian:

That part of the West Half of the Southeast Quarter of Section 3, Township 147 North, Range 40 West of the 5th Principal Meridian described as follows: Commencing at the southwest corner of said West Half of the Southeast Quarter; thence easterly, along the south line of said Section 3, to the intersection with a line 233.25 feet east of, measured at a right angle to and parallel with the north/south quarter line of said Section 3; thence northerly and parallel with said north/south quarter line a distance of 354.8 feet; thence southeasterly, deflecting to the right 95 degrees 02 minutes 40 seconds, parallel with the north right of way line of C.S.A.H. No. 1, a distance of 251.72 feet; thence northerly, deflecting to

the left 90 degrees 00 minutes 13 seconds, a distance of 1696.02 feet; thence westerly, deflecting to the left 97 degrees 00 minutes 28 seconds, a distance of 400.00 feet to the intersection with the east line of the west 233.25 feet of said West Half of the Southeast Quarter; thence southerly, deflecting to the left 88 degrees 01 minutes 59 seconds, along said east line of the west 233.25 feet, a distance of 817.80 feet to the intersection with the north line of Rose Hill Cemetery as described on Document No. 417996; thence easterly, deflecting to the left 90 degrees 00 minutes 00 seconds, along said north line, a distance of 66.00 feet; thence southerly, deflecting to the right 90 degrees 00 minutes 00 seconds, along the easterly line of Rose Hill Cemetery, as described on Document No. 417996, a distance of 412.50 feet; thence westerly, deflecting to the right 90 degrees 00 minutes 00 seconds, along the south line of said Rose Hill Cemetery as described on Document No. 417996, a distance of 66.00 feet to the intersection with the east line of the west 233.25 feet of said West Half of the Southeast Quarter; thence southerly, deflecting to the left 90 degrees 00 minutes 00 seconds, along said east line of the west 233.25 feet, a distance of 423.30 feet to the point of beginning and there terminating.

REFERENCE TRACT B, Parcel No. _____ (former Parcel No. 61.00028.01) and being that property conveyed by the Rosehill Cemetery Association to the City of Fosston by Warranty Deed dated May 2, 2014 and recorded December 19, 2014 as Document Number A000693658 in the Office of the County Recorder, Polk County, Minnesota; ALSO, said property is described as the third parcel in the City of Fosston's annexation Ordinance #4.28 (Sports Complex) dated June 12, 2017 and recorded _____ as Document Number _____ in the Office of the County Recorder, Polk County, Minnesota, described as follows:

That part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 147 North, Range 40 West of the Fifth Principal Meridian described as follows:

Commencing at the southwest corner of said Southwest Quarter of the Southeast Quarter; thence northerly along the west line of said Southwest Quarter of the Southeast Quarter having an assumed bearing of North 00 degrees 39 minutes 33 seconds West a distance of 743.56 feet to the southwest corner of a tract of land conveyed to the Rosehill Cemetery Association by Warranty Deed Document Number 293685 on file and recorded in the Office of the County Recorder, Polk County, Minnesota dated April 2nd, 1948 and the point of beginning; thence continuing northerly along the west line of said conveyed tract of land North 00 degrees 39 minutes 33 seconds West a distance of 126.17 feet; thence South 52 degrees 24 minutes 52 seconds East a distance of 165.84 feet to a line being 25.00 feet northerly of and parallel with the south line of said conveyed tract of land; thence South 89 degrees 25 minutes 15 seconds East along said parallel line a distance of 102.75 feet, more or less to the east line of a tract of land conveyed to the Rosehill Cemetery Association by said Warranty Deed Document Number 293685; thence South 00 degrees 39 minutes 33 seconds East along said east line

a distance of 25.00 feet to the southeast corner of said conveyed tract of land; thence North 89 degrees 25 minutes 15 seconds West along the south line of said conveyed tracts of land a distance of 233.25 feet to the point of beginning. Containing 0.29 acres more or less.

Council considered acceptance of notice of retirement from City Administrator Charles Lucken effective June 30, 2018. A motion was made by Anderson, seconded by Dufault to accept notice of retirement from City Administrator Charles Lucken, effective June 30, 2018.

There being no further business to come before the council, motion was made by Hoialmen, seconded by Anderson to adjourn. Motion carried by unanimous vote.

Charles Lucken, City Administrator