

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF FOSSTON, POLK COUNTY MINNESOTA
FEBRUARY 11, 2014

The regular meeting of the Council of the City of Fosston, Polk County Minnesota was held in council chambers on Monday, February 10, 2014 at 7:00 p.m.

The meeting was called to order by Mayor Offerdahl with the following members present: Veum, Dufault, Carlson and Lambert. Also present was Dean Vikan, Dave Larson, Sheriff Erdman, Jerry Winkler and Lee Cariveau.

Motion was made by Carlson seconded by Dufault to approve the agenda with the following modifications: Motion carried by unanimous vote.

- A) Consider approval of Application for Gambling Permit from the Rotary Club to conduct a raffle.
- B) Consider approval of Application for Gambling Permit from Prairie Toms Chapter of the Turkey Federation on March 27, 2014 at the American Legion Club.
- C) Consider purchase of BNSF property on South side of railroad tracks for the Second Street South street project.

Motion was made by Dufault 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 January 13, 2014 and the special meeting held January 27, 2014 as per copies furnished each member.
- B) To approve Accounts Payable Bill Listing #14-02 in the amount of \$96,488.07 and AP Bill Listing #14-02A in the amount of \$746,225.81.

COMMITTEE REPORTS:

Law Enforcement: Sheriff Erdman was present to discuss Law Enforcement matters:

- Our second contract Deputy is now working Fosston. He is Zachary Folkert who started here just over a week ago. The Sheriff will bring him to the next council meeting so we can meet him.
- The deposit box for pharmaceuticals has been installed at the Fosston City Offices and is being used. This deposit box is for personal use – not businesses.
- There have been some burglaries in Polk County recently so law enforcement reminds the public to lock their doors. Public awareness is so important. If you see something you are encouraged to call.

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

- There has been a lot of snow removal and snow piles downtown have been hauled away.
- Street light repairs need to be made.
- With all the snow it is important for property owners to keep meters and vents shoveled out.
- We are running announcements for residents to check their water temperatures as frost is down seven feet. Because of this there is concern that service lines could freeze.
- Minnkota has gone to a calendar month billing and we are moving towards that also.

Civic Center/Parks & Recreation: Council member Veum reports that the new pool cover is in. It can be installed once Al's Electric has been there to work on the motor.

Hospital: Administrator Lucken reported on Hospital matters:

- The hospital will be looking for a letter of support for a helipad grant that they have applied for.

Bus: We have received a \$6,000 grant for a security camera.

Community/Economic Development:

- The EDA board met today and election of officers was held. Mark Finstad remains President with Mona Nelson Vice President.
- The Johnson Avenue redevelopment was discussed.
- There is a person interested in the former West property – to the east of Denny's Repair.

Motion was made by Veum seconded by Carlson to approve the following Liquor License Applications. Motion carried by unanimous vote.

- A) Club On Sale (\$250) – American Legion Club
- B) On Sale (\$500) – Ventures Bar & Grill
- C) Sunday On Sale (\$100) – Ventures Bar & Grill
- D) Off-Sale (\$100) – Fosston Off Sale & Ventures Bar & Grill

Motion was made by Lambert seconded by Dufault to approve the Application for Transient Merchant License for Greg Parenteau, DBA Oof Da Tacos. Motion carried by unanimous vote.

Lee Cariveau was present to update the council on upcoming projects:

FIT Trail:

- Easements have been prepared and we are waiting to hear from Calvary Church, Rosehill Cemetery Board along with a couple of others.

Second Street South:

- Plans were submitted to the Department of Health in December. Mn/DOT approved the storm sewer portion.

Second Street North:

- Plans were also submitted for this.

North Johnson Development:

- Cariveau is working on the North Johnson/Alley project downtown.

There was discussion on the advantages and disadvantages of bidding all projects together or bidding separate. If a project with non federal dollars is bid with one that is then that project has to be federalized too. Multiple projects could be more doable as far as timeline is concerned. We could have Second Street South as its own project; we could keep the North Johnson Development/Alley together. Cariveau will talk to Polk County to see if the Brandt Avenue Project could be included in the County project. In all projects, the plan is to apply the second lift of asphalt in 2015.

We are waiting on the bonding bill for the Second Street South Project. If a contract were awarded before bonding bill money was locked in we would lose that.

Contaminated soils: Widseth staff is recommending that a Developmental Response Action Plan (DRAP) be prepared for these projects at a cost around \$4,500.00. If this plan is in place then potential contaminated areas are eligible for petrofund reimbursement if contamination is present.

Member Veum introduced the following resolution and moved its adoption:

**RESOLUTION ORDERING THE
PREPARATION OF REPORT ON THE
SECOND STREET SOUTH IMPROVEMENT PROJECT
RESOLUTION NO. 14-10**

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

Second Street South between Granum Ave. South and Mark Ave. South

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 FOSSTON, 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 Dufault and upon vote being taken thereon the following voted in favor thereof: Veum, Dufault, Carlson, Lambert and Offerdahl

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 10th day of February, 2014.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Member Veum introduced the following resolution and moved its adoption:

**RESOLUTION RECEIVING REPORT
AND CALLING HEARING ON 2ND STREET SOUTH
IMPROVEMENT PROJECT
RESOLUTION NO. 14-11**

WHEREAS, pursuant to resolution of the council adopted February 10, 2014, a report has been prepared by Widseth Smith Nolting with reference to the improvement of the following streets:

Second Street South between Granum Ave. South and Mark Ave. South

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 February 10, 2014, 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 \$1,400,000.
2. A public hearing shall be held on such proposed improvement on the 10th day of March, 2014, in the council chambers of the city hall at 7:00 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 Dufault and upon vote being taken thereon the following voted in favor thereof: Veum, Dufault, Carlson, Lambert and Offerdahl

and the following voted against same:

Whereupon said resolution was declared passed and adopted this 10th day of February, 2014.

Jim Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Member Carlson introduced the following resolution and moved its adoption:

**RESOLUTION ORDERING THE
PREPARATION OF REPORT ON THE
SECOND STREET NORTH IMPROVEMENT PROJECT
RESOLUTION NO. 14-12**

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

Second Street North between Johnson Ave. North and Mark Ave. North

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 FOSSTON, 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 Dufault and upon vote being taken thereon the following voted in favor thereof: Carlson, Dufault, Lambert, Veum and Offerdahl

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 10th day of February, 2014.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Member Carlson introduced the following resolution and moved its adoption:

**RESOLUTION RECEIVING REPORT
AND CALLING HEARING ON 2ND STREET NORTH
IMPROVEMENT PROJECT
RESOLUTION NO. 14-13**

WHEREAS, pursuant to resolution of the council adopted February 10, 2014, a report has been prepared by Widseth Smith Nolting with reference to the improvement of the following streets:

Second Street NW between Johnson Ave. North and Mark Ave. North

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 February 10, 2014, 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 \$564,000.

2. A public hearing shall be held on such proposed improvement on the 10th day of March, 2014, in the council chambers of the city hall at 7:00 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 Dufault and upon vote being taken thereon the following voted in favor thereof: Carlson, Dufault, Lambert, Veum and Offerdahl

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 10th day of February, 2014.

Jim Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Member Dufault introduced the following resolution and moved its adoption:

**RESOLUTION ORDERING THE
PREPARATION OF REPORT ON THE
SOUTH BRANDT AVENUE IMPROVEMENT PROJECT
RESOLUTION NO. 14-14**

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

South Brandt Ave. between East First St. and C.S.A.H. No. 1

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 Veum and upon vote being taken thereon the following voted in favor thereof: Dufault, Veum, Lambert, Carlson and Offerdahl

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 10th day of February, 2014.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Member Dufault introduced the following resolution and moved its adoption:

**RESOLUTION RECEIVING REPORT
AND CALLING HEARING ON SOUTH BRANDT AVE.
IMPROVEMENT PROJECT
RESOLUTION NO. 14-15**

WHEREAS, pursuant to resolution of the council adopted February 10, 2014, a report has been prepared by Wiseth Smith Nolting with reference to the improvement of the following streets:

South Brandt Ave. between East First St. and C.S.A.H. No. 1

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 February 10, 2014, and

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

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FOSTON, 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 \$_____.
2. A public hearing shall be held on such proposed improvement on the 10th day of March, 2014 in the council chambers of the city hall at 7:00 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 Veum and upon vote being taken thereon the following voted in favor thereof: Dufault, Veum, Lambert, Carlson and Offerdahl

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 10th day of February, 2014.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Member Dufault introduced the following resolution and moved its adoption:

**RESOLUTION ORDERING THE
PREPARATION OF REPORT ON THE
NORTH JOHNSON AVENUE IMPROVEMENT PROJECT
RESOLUTION NO. 14-16**

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

North Johnson Ave. between First Street (Hwy #2) and Second Street North

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 Veum and upon vote being taken thereon the following voted in favor thereof: Dufault, Veum, Lambert, Carlson and Offerdahl

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 10th day of February, 2014.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Member Dufault introduced the following resolution and moved its adoption:

**RESOLUTION RECEIVING REPORT
AND CALLING HEARING ON NORTH JOHNSON AVE.
IMPROVEMENT PROJECT
RESOLUTION NO. 14-17**

WHEREAS, pursuant to resolution of the council adopted February 10, 2014, a report has been prepared by Widseth Smith Nolting with reference to the improvement of the following streets:

North Johnson Ave. between First Street (Hwy #2) and Second Street North

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 February 10, 2014, 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 \$439,000.
2. A public hearing shall be held on such proposed improvement on the 10th day of March, 2014, in the council chambers of the city hall at 7:00 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 Veum and upon vote being taken thereon the following voted in favor thereof: Carlson, Dufault, Lambert, Veum and Offerdahl

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 10th day of February, 2014.

Jim Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Council Member Dufault introduced the following resolution and moved its adoption:

**RESOLUTION ORDERING THE
PREPARATION OF REPORT ON THE
NORTH JOHNSON AVE/INDERLEE AVE
ALLEY IMPROVEMENT PROJECT
RESOLUTION NO. 14-18**

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

Alley on Block 8, West Fosston between No. Johnson Ave and No. Inderlee Ave.

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 FOSSTON, 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 Lambert and upon vote being taken thereon the following voted in favor thereof: Dufault, Lambert, Veum, Carlson and Offerdahl

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 10th day of February, 2014

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Council Member Dufault introduced the following resolution and moved its adoption:

**RESOLUTION RECEIVING REPORT
AND CALLING HEARING ON ALLEY
IMPROVEMENT PROJECT
RESOLUTION NO. 14-19**

WHEREAS, pursuant to resolution of the council adopted February 10, 2014, a report has been prepared by Widseth Smith Nolting with reference to the improvement of the following streets:

Alley on Block 8, West Fosston between No. Johnson Ave. and No. Inderlee Ave.

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 February 10, 2014, 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 \$122,000.
2. A public hearing shall be held on such proposed improvement on the 10th day of March, 2014, in the council chambers of the city hall at 7:00 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 Lambert and upon vote being taken thereon the following voted in favor thereof: Dufault, Lambert, Veum, Carlson and Offerdahl

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 10th day of February, 2014

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Council Member Dufault introduced the following resolution and moved its adoption:

**RESOLUTION OF JURISDICTIONAL APPROVAL FOR THE
NORTHERN WOOLEN MILLS, LLC LOAN APPLICATION
FROM THE NORTHWEST REGIONAL ENTERPRISE FUND, INC
RESOLUTION NO. 14-20**

BE IT IS RESOLVED, that the City of Fosston is the unit of government in which the project titled

Northern Woolen Mills is located and Northern Woolen Mills, LLC will be applying for a loan from the

Northwest Regional Enterprise Fund, Inc. of the Northwest Regional Development Commission.

Northern Woolen Mills, LLC is hereby authorized to apply to the Northwest Regional Enterprise Fund, Inc. of the Northwest Regional Development Commission for financing with the approval of the City of Fosston.

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

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 10th day of February, 2014.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Council considered a request from the Fosston Community Library Arts Association to paint the interior of the library. A quote was submitted by Tammi Jalowiec and Michelle Johnson for the labor portion of \$2,250.00 and granting them authority to purchase paint and painting supplies on the City Account with no estimated costs or quantities. Valspar still has the Picture it Painted program that offers free paint for projects. There are also other professional painters in the area. After further discussion this was tabled pending further information as to paint supply and gathering additional quotes for labor.

Motion was made by Lambert seconded by Veum to approve the Exempt Permit for Gambling from the Rotary Club for a raffle. Motion carried by unanimous vote.

Motion was made by Carlson seconded by Lambert to approve the Exempt Permit for Gambling from the Prairie Toms Chapter of the Turkey Federation banquet to be held at the American Legion Club on March 27th. Motion carried by unanimous vote.

Council considered approval of the purchase of the Right of Way pertaining to Second Street South from BNSF. The original offer of \$8,600 was not accepted by BNSF. BNSF came back at \$.22 per square foot - \$38,000 as opposed to our \$.05 p.s.f. The latest correspondence from Roger Schwinghammer states that the County Assessor has the lease sites assessed at \$.15 p.s.f. After further discussion, motion was made by Veum seconded by Carlson to authorize Administrator Lucken to negotiate a purchase of this property up to \$38,000.00. Motion carried by unanimous vote.

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

Charles Lucken, City Administrator

