

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF FOSSTON, POLK COUNTY MINNESOTA
February 11, 2019

The regular meeting of the Council of the City of Fosston, Polk County Minnesota was held in council chambers on Monday, February 11, 2019 at 7:00 p.m.

The meeting was called to order by Mayor Offerdahl with the following members present: Dufault, Anderson, and Bosselman. Members absent: Hoailmen. Also present was: Charles Lucken, Cassie Heide, Lee Cariveau, Mark Hallan, David Larson, Steven Lyseng, Keith Kinnen, Ed Lavelle, Karen Graham, Scott Bixby, Chett Carlson, Greg Mireault, Kyle Anderson, Mr. & Mrs. Ronald Eggers, and Barbara Johnson.

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

- Consider contracting with the City of Bagley for Animal Control.

Motion was made by Anderson seconded by Bosselman to approve Consent Agenda items A., B., C. Motion carried by unanimous vote.

- A) To approve the minutes of the regular meeting held January 14, 2019.
- B) To approve Accounts Payable Bill Listing #19-02 in the amount of \$209,525.33 and AP Bill Listing #19-02A in the amount of \$509,079.08.
- C) To approve Accounts Payable Bill Listing – Omland Court, \$6,697.36.

COMMITTEES/BOARDS/COMMISSION:

Law Enforcement: Deputies Scott Bixby and Chett Carlson were present to report on matters pertaining to Fosston Law Enforcement

- A burglary arrest was successful this month.
- Parking issues have been an ongoing effort. A few vehicles that were given proper warnings were towed today.
- Animal complaints remain steady.

City Administration: Heide reported on City matters.

- Minnesota Department of Transportation recently reviewed several sign issues in the City of Fosston. There are three city owned signs that need to be permitted, moved or applied for an updated status.
 - The RV sign on the west end of the City needs to be permitted
 - Build Fosston sign near the Mireaults Home Furnishings sign is not permissible as is. It may be moved directly in contact with the Mireaults sign and be permitted with an additional \$60/year permit fee. Mireault was present and in agreement.

- Industrial Park sign which includes occupants of the park is on excess DOT road right of way. The City can send in an application to purchase that portion of the right of way. The associated fee is \$1000.

Heide will work on getting these signs up to code with the DOT.

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

- Work continues on the wastewater plan review. Hallan and Cariveau will give an update.
- The excessive snow has kept City crews busy. Crews will work to clean out around electrical cabinets and fire hydrants that have been covered.
- Work continues on the natural gas expansion study with John Webster.
- A second water break for the year occurred tonight.

Civic Center: Karen Graham was present to discuss matters pertaining to her department.

- Last evening a curling event was held at the hockey rink. Approximately 60 people were in attendance. Curling demonstrations, hot chocolate, and goodies.

Community Development

- Mayor Offerdahl informed the council that the board met at noon and was provided an Omland Court update by Greater Minnesota Management. The park is currently cash flowing. The three mobile homes the City owns will be listed for sale.
- The daycare task force is holding a provider recruitment/appreciation event on Monday, 18th at Ventures in hopes to increase childcare capacity.

Mayor Offerdahl opened the Public hearing to consider input on 2019 Street & Utility Improvement Project. Members of the public present did not speak. Cariveau provided a summary of the work that is to be done. The project includes minor concrete work on Newton, overlay of Eaton Ave North, mill and overlay on Newton Avenue North, and sewer repairs on Granum Avenue North. After investigating Mark Avenue, a manhole is not needed. The project should bid in April.

Due to working with the county in regards to the bidding process, the date for bids is not available therefore the resolution to approve plans and specifications for the 2019 Street & Utility project should be considered at the next regular meeting.

Motion was made by Anderson, seconded by Bosselman to table the resolution to approve plans and specifications for the 2019 Street & Utility project. Motion carried by unanimous vote.

Member Anderson introduced the following resolution and moved its adoption:

RESOLUTION APPROVING MEDIATED SETTLEMEN AGREEMENT

RESOLUTION NO. 19-09

WHEREAS, the City of Fosston entered into contracts for the following improvement projects (a) the 2014 street and utility improvement project where Gordon Construction of Mahnomen, Inc. was the general contractor; (b) the 2015 street and utility project where Hagen Construction and Trucking, LLC was the general contractor; and (c) any other projects during 2014 or 2015 wherein Lakes Concrete Plus, Inc. supplied concrete directly to the City of Fosston.

WHEREAS, the City Engineer has determined that the work performed by the contractors is unacceptable and the City of Fosston has demanded that the defective concrete be removed and replaced;

WHEREAS, the City of Fosston has commenced various actions in Polk County District Court, filed and unfiled, among the Parties, relating to or arising out of the projects;

WHEREAS, the City of Fosston agreed to seek to resolve the issues through mediation and the mediation was held on January 25, 2019 in Brainerd, MN;

WHEREAS, Mayor Offerdahl and Councilmember Anderson are recommending that the City Council approve the Mediated Settlement Agreement as presented

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Fosston hereby approves the Mediated Settlement Agreement as proposed.

The motion for the adoption of the foregoing resolution was duly seconded by Member Dufault and upon roll call vote the following voted in favor thereof: Anderson, Dufault, Bosselman, and Offerdahl.

and the following voted against the same: None

whereupon said resolution was declared duly passed adopted.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Council considered a request from the Arts & Culture Commission in the amount of \$2595 to support the various activities the commission organizes during the year. Banners advertising the Annual Art Crawl will be ordered and can be used for several years. Member Barbara Johnson was present to report that Bemidji has quit their art crawl and the commission hopes to capitalize on that to attract more people to Fosston and help promote economic development in Fosston.

Member Dufault questioned if the City would be able to see invoices for the costs associated with the amount requested. Lucken reported the City will act as the fiscal agent and pay and track the invoices.

A motion was made by Dufault, seconded by Anderson to approve the request from the Arts & Culture Commission in the amount of \$2595. Motion carried by unanimous vote.

Mark Hallan, Widseth, Smith, Nolting was present to give a wastewater study update. Hallan has been studying the IPF to determine what additional loading it can handle as they are ramping up for more production. Hallan will be studying further what additional costs might be for land applications and a greater amount of chemicals to provide to Minnesota Dehydrated Vegetables, Inc (MDV).

Hallan reported the current cells are from 1964 and additional cells are needed. A preliminary layout for two additional 22 acre cells with capacity for 57 million gallons of wastewater was reviewed by the council. The two cells include one primary and one secondary cell. This is a preliminary layout and plan and will need much refinement. With what the City is working with under current permits is a 210 to 220 day storage. With continued storage for flows that continue, the additional cells are necessary. Hallan informed the council that these two proposed 22 acre ponds will fit nicely on the property the City owns and further “you will be using what you own.”

Hallan informed the council that he, along with City staff, met with MDV officials on December 18th. Hallan was able to review processes and found that the pre-screening MDV is doing is very efficient. With the production year for MDV being what it is as a September through June period, MDV has indicated a begin date of June 2020 for a second production line. Offerdahl notes that we need to know what can be done to allow more production. Hallan informed that the IPF is currently using about a third of its capacity. However, hydraulically, they will need modifications to provide for additional phosphorus removal in order to meet limits at the current ponds.

Hallan continues to work to determine the exact needs for the City of Fosston’s wastewater and IPF needs.

Keith Kinnen, Karvakko Engineering was present to report on the East End Multi Use Path. The 100% plans will be submitted this week. This project continues to be ahead of schedule and will likely be ready for bidding in April. Kinnen had no news to report at the airport.

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

Charles Lucken, City Administrator

