

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF FOSSTON, POLK COUNTY MINNESOTA
February 7, 2022

The regular meeting of the Council of the City of Fosston, Polk County Minnesota was held in council chambers on Monday, February 7, 2022, at 7:00 p.m.

The meeting was called to order by Mayor Offerdahl with the following members present: Anderson, Bosselman and Mulry. Members absent: Dufault. Also present was: Cassie Heide, David Larson, Steven Lyseng, Sarah Manecke, Amelia Linehan, Stephen Larson, Dustin Manecke, Keith Kinnen, Lee Cariveau, Andrew Hanson and Mark Hagen.

Motion was made by Bosselman, seconded by Anderson to approve the agenda. Motion carried by unanimous vote.

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 10, 2022, and the special meeting held January 27, 2022.
- B) To approve Accounts Payable Bill Listing #22-02 in the amount of \$193,817.38 and Supplemental AP Bill Listing #22-02A in the amount of \$324,376.79.
- C) To approve Accounts Payable Bill Listing – Omland Court, \$4,920.80.

COMMITTEES/BOARDS/COMMISSION:

City Administration: Cassie Heide reported on matters pertaining to her department

- Heide reported that the city was awarded \$320,000 for the 2021 Manufactured Home Community Redevelopment Program grant she applied for. Heide noted these funds will be used for infrastructure redevelopment, updating the roadways and water and sewer connections, in the mobile home park.
- Heide reported that the audit has been completed.
- Heide noted that the city received funds in the amount of \$190,781 for the cable tv re-pack.

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

- Larson reported that the city added 2.4 miles of natural gas line in 2021. There is approximately 16 miles of gas services in the ground.
- Larson reported that industries burn about 80% of the natural gas each month.
- Larson reported that they have been doing more load control and checking generators due to the cold temperatures.
- Larson noted that the new loader and blower for the airport arrived.

- Staff has been busy with snow removal and hauling the snow out of town as quickly as possible.

Civic Center:

- Heide informed council that the city was awarded \$900 from the Essentia Community grant that Graham applied for last month. Funds will be used to purchase skates for the rink.

Police Department: Dustin Manecke reported on matters pertaining to his department

- Manecke reported on the Lights On! program, which is an innovative program that replaces tickets with repair vouchers. By redeeming this voucher at any participating repair shop, they will fix your headlight, taillight, brake light, or turn signal light for free. Manecke has received these vouchers and spoken with all the repair shops in Fosston. They have each agreed to participate.
- Manecke noted they had 30 calls for service in January and 20 calls thus far in February. The Polk County Sheriff's Office is still assisting with calls as we wait for our squad cars to arrive in the next couple of weeks.
- Manecke noted that his staff attended armor radio training at the fire hall last week.

Community Development:

- Heide informed the council that the EDA board met at noon today. They discussed the Option Agreement between the City of Fosston and Real Estate Acquisitions USA, Corp. It was the consensus of the board that the lots along Northwood Avenue would not be a part of the agreement as the city does not wish to sell them. Heide will inform Real Estate Acquisitions USA, Corp. of the decision. The EDA board has been in discussion with a possible developer for housing in this location.

Hospital Board: No report.

Arts & Culture Commission:

- Heide reported that the commission applied for an Essentia Community grant for phase 2 of studying the feasibility of an art and wellness center in Fosston and was awarded the grant in the amount of \$7,500.

City Attorney: No report

Council considered adopting ordinance amending the Fosston City Zoning map in relation to parcel No. 87.00032.12. Per recommendation of the planning commission, the public hearing was continued, and the decision was tabled.

The wastewater informational public hearing was opened at 7:15p.m. to discuss the City's plans for wastewater system improvements including economic and environmental impacts, service

area, alternatives to the project, and potential funding sources, including Federal EDA. There were no members of the public present for this portion of the meeting.

Council considered approval of an application for transient merchant license for Greg Parenteau, DBA: Oof-da Tacos.

Motion was made by Anderson, seconded by Mulry to approve the application for transient merchant license for Greg Parenteau, DBA: Oof-da Tacos for 2022. Motion carried by unanimous vote.

Council considered approval of a request for financial support in the amount of \$1,000 for the Fosston Senior Meal Program.

Motion was made by Bosselman, seconded by Anderson to approve the request for financial support from the Fosston Senior Meal Program in the amount of \$1,000. Motion carried by unanimous vote.

Council considered approval of an application for exempt permit from the Fosston Sportsmen for the Sportsman Banquet at Ventures.

Motion was made by Bosselman, seconded by Anderson to approve the application for exempt permit from the Fosston Sportsmen for the Sportsman Banquet at Ventures. Motion carried by unanimous vote.

Introduced by Council Member Anderson

Seconded by Council Member Mulry

ORDINANCE NO. 22-01

AN ORDINANCE OF THE CITY OF FOSSTON, MINNESOTA AMENDING FOSSTON ZONING ORDINANCE, CHAPTER 701.10, SECTION III BY CHANGING THE LOT AREA MINIMUM SQ. FT FOR R-1 AND R-2 DISTRICTS

BE IT ORDAINED BY THE CITY OF FOSSTON, as follows:

Section 1. Fosston Zoning Ordinance, Chapter 701.10, Section III, Subd. 3(E), entitled “Yard & Structure Requirements for Single Family (R-1) Residential District” is repealed and replaced in its entirety with the following:

E. Yard & Structure Requirements for Single Family (R-1) Residential District		
		All Uses
1.	Lot Are minimum sq.ft	5,000 sq. ft
2.	Lot width minimum ft	75' (50' curvilinear streets/75' at building line)
3.	Lot depth minimum ft	120'
4.	Maximum lot coverage	30%
5.	Front yard minimum	25'
6.	Side yard minimum	10'
7.	Steet side yard minimum	15'
8.	Rear yard min/alley	25% of lot depth
9.	Maximum height	35'*
10.	Minimum width of structures	20'**
<p>* Church spires, belfries, domes which do not contain usable space, chimneys and similar structures not intended for human occupancy, may be of any height which does not conflict with airport requirements</p> <p>** Manufactured homes located in a manufactured home park are excluded</p>		

Section 2. Fosston Zoning Ordinance, Chapter 701.10, Section III, Subd. 4(E), entitled “Yard & Structure Requirements for Multiple Family Residential (R-2) District” is repealed and replaced in its entirety with the following:

E. Yard & Structure Requirements for Multiple Family Residential (R-2) District			
		One & two family	Multi-family
1.	Lot Are minimum sq.ft	5,000 sq. ft.	11,000 sq. ft. plus 2,000 sq. ft. for each unit over 2

2.	Lot width minimum ft	75' (50' curvilinear streets/75' at building line)	85'
3.	Lot Depth minimum ft	120'	125'
4.	Maximum lot coverage	30%	35%
5.	Front yard minimum	25'	25'1
6.	Side yard minimum	10'	15'2
7.	Steet side yard minimum	15'	25'1
8.	Rear yard min/alley	25% of lot depth	25% of lot depth
9.	Maximum height	35'3	45'3
10.	Minimum width of structures	20'4	20'4
<p>1for buildings exceeding 30 feet in height, a minimum of 25' plus one (1) foot for each (1) foot of building height over 30 feet.</p> <p>2for buildings exceeding 30' in height, a minimum of 15' plus one (1) foot for each one (1) foot of building height over thirty feet.</p> <p>3church spires, belfries, domes which do not contain usable space, chimneys and similar structures not intended for human occupancy, maybe of any heigh which does not conflict with airport requirements.</p> <p>4manufactured homes located in a manufactured home park are excluded.</p>			

Section 3. This ordinance shall take effect upon the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat., § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

Voting in the negative: None.

Voting in the affirmative: Anderson, Bosselman, Mulry and Offerdahl.

Passed this 7th day of February, 2022.

Mayor

ATTEST: _____
City Administrator

Member Anderson introduced the following resolution and moved its adoption:

**RESOLUTION RELATING TO LEASE WITH OPTION
TO PURCHASE AGREEMENT
RESOLUTION NO. 22-11**

BE IT RESOLVED by the governing body of the CITY OF FOSSTON, MN (the Issuer), as follows:

Section 1. Recitals and Authorization. The Issuer, as lessee, will enter into a Lease with Option to Purchase Agreement (the Lease), with CapFirst Equipment Finance, Inc., as lessor. It is hereby determined that it is necessary and desirable and in the best interests of the Issuer to enter into the Lease for the purposes therein specified, and the execution and delivery of the Lease by the Issuer are hereby approved, ratified and confirmed.

Section 2. Designation as Qualified Tax-Exempt Obligation. Pursuant to Section 265(b)(3)(B)(ii) of the Internal Revenue Code of 1986 (the Code), the Issuer hereby specifically designates the Lease as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code. In compliance with Section 265(b)(3)(D) of the Code, the Issuer hereby represents that the Issuer will not designate more than \$10,000,000 of obligations issued by the Issuer in the calendar year during which the Lease is executed and delivered as such "qualified tax-exempt obligations."

Section 3. Issuance Limitation. In compliance with the requirements of Section 265(b)(3)(C) of the Code, the Issuer hereby represents that the Issuer (including all "subordinate entities" of the Issuer within the meaning of Section 265(b)(3)(E) of the Code) reasonably anticipates not to issue in the calendar year during which the Lease is executed and delivered, obligations bearing interest exempt from federal income taxation under Section 103 of the Code (other than "private activity bonds" as defined in Section 141 of the Code) in an amount greater than \$10,000,000.

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

and the following voted against same: None.

Whereupon said resolution was declared passed and adopted this 7th day of February 2022.

CITY OF FOSSTON, MN

By: _____
James Offerdahl, Mayor

ATTEST:

By: _____
Cassie Heide, City Administrator

Cariveau, Widseth, presented his plans & specifications along with an engineer's estimate for the proposed 2022 watermain & sidewalk improvement on Johnson Avenue North between 2nd St NW & Eaton Avenue North. The watermain estimate, including the curb, is \$981,406.12. The sidewalk estimate is \$296,417.50. Due to estimates being significantly higher than expected, council decided not to move forward with the preparation of the report and solicitation of bids on the 2022 street and utility improvement project. Council agreed it would be a better option to hold off on this project until next year and pursue bonding bill funds for this project. With that, Cariveau was asked to prepare a cost estimate to include watermain and sidewalk improvements for Johnson Avenue North and South, 2nd Street, and 6th Street. No action taken.

Council considered approval of task order 001 from Karvakko, P.A. in the amount of \$184,000 for design engineering, bid administration and grant administrative services necessary to secure funding and a contract to complete construction of the Runway 16-34 rehabilitation and lighting project. Council also reviewed the independent fee estimate (IFE) from Mead & Hunt in the amount of \$193,014 for the final design services related to the Runway 16-34 rehabilitation and lighting project.

Motion was made by Mulry, seconded by Anderson to approve task order 001 from Karvakko, P.A. in the amount of \$184,000 for design engineering, bid administration and grant administrative services necessary to secure funding and a contract to complete construction of the Runway 16-34 rehabilitation and lighting project and approve the independent fee estimate (IFE) from Mead & Hunt in the amount of \$193,014 for the same. Motion carried by unanimous vote.

Lee Cariveau, Widseth was present to discuss the 2022 street improvement project and wastewater expansion.

Cariveau reported that the wastewater expansion plans are 99% complete. Once complete, he will give the plans to city staff & MPCA for final review and comment before going to bid. Cariveau presented his plans & specifications along with an engineer's estimate for the proposed 2022 watermain & sidewalk improvement earlier in the meeting.

Keith Kinnen, Karvakko was present to discuss the Airport, FIT Trail Expansion & Industrial Park, T Hanger & Airport utilities project.

Kinnen reported that the SRE equipment (loader & blower) for the airport has arrived & final paperwork has been completed.

The SRTS project for 2022 is moving along and will look to be bid in March. Kinnen noted there hasn't been much change on the FIT trail expansion. He will continue to work with the city on the newly acquired parcels and the layout of the expansion. There are plans of applying for a parks & trails grant as the project moves forward.

A forum for members of the public present to speak was held. No one from the public wished to speak during this forum.

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

Cassandra Heide, City Administrator