

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL  
OF THE CITY OF FOSSTON, POLK COUNTY MINNESOTA  
February 8, 2021

The regular meeting of the Council of the City of Fosston, Polk County Minnesota was held in council chambers on Monday, February 8, 2021 at 7:00 p.m.

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

Motion was made by Anderson, seconded by Mulry to approve the agenda with modifications.

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

- A) To approve the minutes of the regular meeting held January 11, 2021.
- B) To approve Accounts Payable Bill Listing #21-02 in the amount of \$91,025.04 and Supplemental AP Bill Listing #21-02A in the amount of \$726,998.21.
- C) To approve Accounts Payable Bill Listing – Omland Court, \$5,245.29.

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

COMMITTEES/BOARDS/COMMISSION:

Law Enforcement: Deputy Ethan Nagel and Chief Deputy Mike Norland were present to report on matters pertaining to Fosston Law Enforcement

- Nagel stated they have had no other reports of counterfeit bills.
- Nagel reports they have moved and taken care of some problematic vehicles throughout the City.
- Nagel reported on a successful traffic stop last week in the City - \$5,000 cash seized, felony DWI and possession of a controlled substance.

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

- Heide reports that the annual City audit was completed last week and will be presented by Brady Martz next month.
- Heide reports she will meet in Crookston this week to present our EDA board's recommendations for the second round of CARES grant funds for City of Fosston businesses. The County will make the ultimate decision and disperse the funds.
- Heide reports that insulation was added to the attic of City Hall last week.

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

- Larson reports that OQ testing continues for all staff.
- Utility staff will continue doing transformer terminations. They are also doing some load control and checking generators to ensure they are working.
- Working with Karvakko on updating utility maps.
- Lyseng reported on the broken water line at the Water Treatment Facility – the phone line failed, and he was not notified; thus, the electrical panel got very wet. He will meet with our insurance adjuster and IPS to determine the damage and discussed the possibility of needing a new panel.
- The street department has been removing dead trees in the boulevards throughout the City. They also started cleaning designated sidewalks with the new lawnmower blower/broom attachments.

Civic Center: Roy Dufault reported on behalf of Karen Graham on matters pertaining to her department

- Graham was pleased with the turnout at the bonspiel held at the rink on January 31<sup>st</sup>.
- Peterson Sheetmetal is on-site due to no hot water in the showers. Graham is hoping the issue will be resolved quickly.

Community Development

- Dufault informed the council that the EDA board met at noon today

EDA recommends Director of Public Works, David Larson, be added as an ex-officio to the board. Motion was made by Mulry, seconded by Anderson to approve the addition of the Public Works Director to the EDA board as an ex-officio member. Motion carried by unanimous vote.

- Interested buyer of mobile home park has requested a purchase amount. Heide reported existing debt of approximately \$473,000. The EDA board discussed whether the park should be sold and control of the park relinquished. EDA member Peltier offered, at the noon meeting, that a development agreement and or ordinance revisions be put in place to offer security to the city that the property will be maintained in a way the city expects. Anderson has reservations on relinquishing control and ownership of the property. Dufault expressed the same. The EDA recommended that council give Heide authority to inform the interested buyer that the purchase price is \$500,000 with a development agreement to be determined.

The consensus of the council was to give Heide authority to inform the interested buyer that the purchase price is \$500,000 with a development agreement to be determined.

Hospital Board: Dufault reported that positive ground is being made on moving doctors to the area. There has been continuous discussion of the COVID vaccination process and rollout of the vaccine to the community.

Arts & Culture Commission: No report

City Attorney: Larson discussed options for nuisance/rental programs. The City can identify whether a substandard or hazardous condition exists & require the problem to be fixed; criminal prosecution or civil lawsuit to enforce the ordinance; voluntary compliance; or adopt a rental ordinance which would require a tenant to get licensed through the City. Council directed Larson to find some rental ordinance samples to review.

Motion was made by Anderson, seconded by Mulry to approve the application for transient merchant license for Greg Parenteau, DBA: Ofof-da Tacos for 2021. Motion carried by unanimous vote.

Member Anderson introduced the following resolution and moved its adoption:

**CITY OF FOSSTON  
POLK COUNTY  
STATE OF MINNESOTA**

**RESOLUTION NO. 21-12**

**RESOLUTION ACKNOWLEDGING STREET RECONSTRUCTION  
400<sup>TH</sup> ST SE BETWEEN CO 6 AND CO 30.**

WHEREAS, the City of Fosston approves, in joint application with Rosebud and Brandsvold townships, the application to the Minnesota Department of Transportation State Aid for Local Transportation Division (Mn/DOT) for funding through the Local Road Improvement Program (LRIP); and

WHEREAS, The proposed project would re-construct a paved non-urban type street of 400<sup>th</sup> St SE between county road 6 and county road 30.

WHEREAS, Utilities would be the responsibility of the City of Fosston.

WHEREAS, the City of Fosston has authorized the County of Polk to act as the sponsoring agency for the City of Fosston for the LRIP; and

WHEREAS, The Minnesota Department of Transportation (Mn/DOT) has determined that for projects implemented with LRIP funds, cities under 5000 in population, are required to secure county sponsorship for the project, and

WHEREAS, the proposed year for said 400<sup>th</sup> St SE improvements project is 2022 and;

WHEREAS, the City of Fosston, Rosebud and Brandsvold townships agree to reimburse Polk County for the engineering; and

THEREFORE BE IT RESOLVED, that the City of Fosston, Rosebud and Brandsvold townships agree to the operation and maintenance of property and facilities related to the aforementioned transportation enhancement project.

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

and the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 8<sup>th</sup> day of January, 2021.

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James Offerdahl, Mayor

ATTEST:

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Cassandra Heide, City Administrator

Council considered recommendation of Polk County Resiliency grant awards to Fosston businesses in the amount of \$120,000 per recommendation of the Fosston Economic Development Authority. Heide will present the recommendations to the County as they will make the ultimate decision and disperse the funds.

Motion was made by Anderson, seconded by Dufault to approve the recommendation of Polk County Resiliency grant awards to Fosston businesses in the amount of \$120,000 per recommendation of the Fosston Economic Development Authority. Members in favor: Anderson, Dufault and Offerdahl. Members abstained: Mulry. Motion carried.

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

Motion was made by Anderson, seconded by Mulry 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 Prairie Toms Chapter NWTF-Sportsman Banquet at Ventures, March 25, 2021.

Motion was made by Mulry, seconded by Anderson to approve the application for exempt permit from Prairie Toms Chapter NWTF-Sportsman Banquet at Ventures, March 25, 2021. Motion carried by unanimous vote.

Council considered approval of an application for exempt permit from Tangen-Walstrom Post 114 for community raffle.

Motion was made by Anderson, seconded by Mulry to approve the application for exempt permit from Tangen-Walstrom Post 114 for community raffle. Motion carried by unanimous vote. Council considered approval of change order No. 4 for the 2020 Street & Utility Improvements in the amount of \$49,169.55. This change order reflects changes to the original contract amount as allowed through the structure of the bidding documents as well as changes to previously approved change orders. Heide noted this change order is a formality to reflect all the additional work within the project that has already been approved on the pay estimates.

Motion was made by Anderson, seconded by Mulry to approve change order No. 4 for the 2020 Street & Utility Improvements in the amount of \$49,169.55. Motion carried by unanimous vote.

Council considered approval of pay estimate No. 8 to Hagen Construction & Trucking, Inc for the 2020 Street & Utility Improvement project in the amount of \$292.50. Cariveau reported that a clerical mistake was made; thus, he under-approved completed work to Hagen in this amount.

Motion was made by Dufault, seconded by Anderson to approve pay estimate No. 8 to Hagen Construction & Trucking, Inc for the 2020 Street & Utility Improvement project in the amount of \$292.50. Motion carried by unanimous vote.

Lee Cariveau updated the Council on the proposed 2021 Street & Utility Improvement project. The project would include mill & overlay from 1<sup>st</sup> Street East between Brandt Ave North and Granum Ave North, 2<sup>nd</sup> lift of asphalt on Eaton Avenue North from 6<sup>th</sup> St. NE to 8<sup>th</sup> St. NE, mill & overlay on Eaton Avenue North from 4<sup>th</sup> St. NE to 6<sup>th</sup> St. NE and utility construction from 11<sup>th</sup> St. to 400<sup>th</sup> St. on Eaton Avenue North. It will also include utility spot repairs throughout the City. Bids will be opened on Thursday, March 4<sup>th</sup> at 3:00 p.m. Council will consider awarding the contract to the apparent low bidder at its regular meeting on March 8<sup>th</sup>.

Member Anderson introduced the following resolution and moved its adoption:

**RESOLUTION ORDERING THE  
PREPARATION OF REPORT ON THE  
2021 STREET AND UTILITY IMPROVEMENT PROJECT**

**RESOLUTION NO. 21-13**

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

1<sup>st</sup> Street East between Brandt Avenue North and Granum Avenue North; Eaton Avenue North between 4<sup>th</sup> and 8<sup>th</sup> St, and; utility construction from 11<sup>th</sup> St to 400<sup>th</sup> St.

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: Anderson, Dufault, Mulry and Offerdahl.

and the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 8<sup>th</sup> day of February, 2021.

\_\_\_\_\_  
James Offerdahl, Mayor

Attest:

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Cassie Heide, City Administrator

Member Anderson introduced the following resolution and moved its adoption:

**RESOLUTION NO. 21-14**

**RESOLUTION AUTHORIZING THE OFFER TO PURCHASE REAL PROPERTY**

**WHEREAS**, the City of Fosston, Minnesota (“City”) has identified the need to purchase approximately 40 acres adjacent to its wastewater treatment facility for use of necessary wastewater facility expansion;

**Legal Description:**

SW4 SE4 (EX. HWY. R/W) SECTION 33 TOWNSHIP 148 RANGE 040

(“Land”); and

**WHEREAS**, the City has identified the imminent need for the Land and desires to purchase the Land for the purchase price of \$100,000.00; and

**WHEREAS**, the City has determined that expansion of the current wastewater facility is necessary in order to meet the requirements as permitted by the Minnesota Pollution Control Agency;

**WHEREAS**, the City has also determined that acquisition of the Land is for public use; and

**WHEREAS**, it is in the best interest of the City to purchase the Land from Thomas Freeman and Morgan Freeman, joint tenants, for the amount of \$100,000.

**WHEREAS**, Minnesota Statutes, Section 412.211 provide that the City may purchase real property of the City as it so requires.

**NOW, THEREFORE, IT IS RESOLVED** by the City Council as follows:

1. That the City’s decision to purchase the land from Thomas Freeman and Morgan Freeman, joint tenants, for the amount of \$100,000.00.
2. That the Mayor and the City Administrator are authorized and directed to sign and deliver any and all documents and funds to Thomas Freeman and Morgan Freeman to effectuate the purchase of the Land and personal property and any such document which was previously signed and delivered is hereby ratified and approved.

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, Dufault, Mulry and Offerdahl.

and the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 8<sup>th</sup> day of February, 2021.

\_\_\_\_\_  
James Offerdahl, Mayor

Attest:

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Cassie Heide, City Administrator

Lee Cariveau, Widseth was present to discuss the 2021 street improvement project and the wastewater expansion. In addition to the discussion earlier regarding the 2021 street improvement project, Cariveau reported that applications for the LRIP grant for the potential Industrial Ave & Eaton Ave North curb and gutter projects have been completed. Cariveau and Heide will have an interview with DOT on Thursday to present the idea of a 6ft concrete sidewalk along 3<sup>rd</sup> St. NW to Larson Ave North up to Mary Ave North. Lastly, Cariveau reported on the results from the wastewater test holes. It was determined that the City will not be able to have a clay liner.

Keith Kinnen, Karvakko was present to discuss the Highway 2 Corridor study and Airport. Airport – Kinnen reported that the wetland project will go out for bid next week with bid opening scheduled for March 9<sup>th</sup>. The project is scheduled for three (3) weeks of construction which can be completed anytime between Spring and the end of Summer. Documentation for a John Deere front end loader will be submitted to the FAA.  
Highway 2 Corridor Study – no report.

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.

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Cassandra Heide, City Administrator