

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL  
OF THE CITY OF FOSSTON, POLK COUNTY MINNESOTA  
JANUARY 14, 2013

The regular meeting of the City Council of the City of Fosston, Polk County was held in council chambers on Monday, January 14, 2013 at 7:00 p.m.

The meeting was called to order by Mayor Offerdahl with the following members present: Carlson, Veum, Ehlke and Lambert. Also present was Lee Cariveau of WSN, Dave Larson, Sheriff Erdman, Paul Magelssen, Dick Roue and Pat Hanlon.

Motion was made by Ehlke seconded by Veum to approve the agenda with the following modifications:

- 1) Consider approval of letter of support for the HRA and its taxing levy authority.
- 2) Consider Resolution approving abolishing the Planning Commission and establishing the City Council as the Planning Agency.

Motion carried by unanimous vote.

Motion was made by Veum seconded by Carlson to approve consent agenda items A – H. Motion carried by unanimous vote.

- A) To approve the minutes of the regular meeting held December 20, 2012 as per copies furnished each member.
- B) To approve Accounts Payable Bill Listing #13-01 in the amount of \$51,556.27 (2012 payables); \$26,372.58 (2013 payables) and AP Bill Listing #13.01A in the amount of \$1,488,141.44.
- C) Resolution 13-01
- D) Resolution 13-02
- E) Resolution 13-03
- F) Resolution 13-04
- G) Resolution 13-05
- H) Approve Cigarette and Non-Intoxicating Malt Liquor Licenses for 2013.

Member Veum introduced the following resolution and moved its adoption:

RESOLUTION DESIGNATING OFFICIAL DEPOSITORY  
**AND SUPPLEMENTAL DEPOSITORIES**  
RESOLUTION NO. 13-1

**WHEREAS**, Minnesota Statutes Section 118 sets forth the procedures for the deposit of Public Funds and it is necessary for the Fosston City Council or the Treasurer or Chief Financial Officer to annually designate a bank as the official depository for City funds and manage the collateral pledged to such funds; and

**WHEREAS**, the First National Bank, American Federal Bank and the Ultima Bank Minnesota are now the official depositories; and

**WHEREAS**, other financial institutions from time to time have offered to pay the City of Fosston interest rates on deposits which are greater than can be obtained by other investments.

**NOW THEREFORE BE IT RESOLVED**, that the City of Fosston City Council does hereby designate the First National Bank, American Federal Bank and the Ultima Bank Minnesota as the City's official depositories for 2013.

**BE IT FURTHER RESOLVED**, that the 4M Fund be designated as additional depositories for 2011 for investment purposes only; and

**BE IT FURTHER RESOLVED**, that checks of the City of Fosston drawn on any of the official depositories shall be signed by the following officers:

**James Offerdahl, Mayor**

**Charles Lucken, City Administrator**

**BE IT FURTHER RESOLVED**, that the City Administrator is authorized to use a facsimile signature stamp at such time as it becomes necessary for Mayor James Offerdahl, and

**BE IT FURTHER RESOLVED**, that the City Administrator shall have authority to wire transfer funds from one official depository to another for the purpose of investing City funds, and

**BE IT FURTHER RESOLVED**, that the Treasurer of the City of Fosston is hereby designated as the approval authority for the acceptance and release of all collateral to be held by the City in conjunction with City Funds on deposit with authorized institutions.

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

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 14<sup>th</sup> day of January, 2013.

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

**Attest:**

\_\_\_\_\_  
Charles Lucken, City Administrator

Member Veum introduced the following resolution and moved its adoption:

CITY OF FOSSTON  
COUNTY OF POLK  
STATE OF MINNESOTA

RESOLUTION NO. 13-02

A RESOLUTION APPOINTING 2013 BOARDS & COMMITTEES

WHEREAS, the City Council annually appoints individuals to serve in an advisory capacity on various boards and commissions;

WHEREAS, Included is the designation of Acting Mayor and appointment of City Council members and staff to various committees;

THEREFORE, BE IT RESOLVED: The City Council does hereby make the following annual appointments:

EXHIBIT A  
BOARDS AND COMMISSIONS - 2013  
EXPIRATION DATE - DECEMBER 31, 2013

**PLANNING COMMISSION**

City Council assumes duties and powers of Planning Commission

**AIRPORT COMMISSION (5 YEAR TERM)**

Norman Anderson	2017
Lowell Veum	2013
Robert Saeter	2014
Bill Wilson	2015
Larry LePier	2016

**UTILITIES COMMISSION (3 YEAR TERM)**

Orland Aspen	2013
Wayne Omundson	2014
Bobby Lofstrand	2015
Jim Offerdahl, Council Appointee	

**SAFETY COMMITTEE ( APPOINTED ANNUALLY)**

Dave Larson  
Dustin Carlson  
Chuck Lucken  
Lowell Veum

**STAR COMMITTEE**

Laurel Skala  
Andrea Anderson  
Greg Mireault  
Cassie Heide  
Angie Shimpa  
Phil Ehlke  
Wayne Omundson  
Eileen Hegg  
Dustin Carlson  
Dean Vikan  
Don Brinkman  
Shelly Lene  
Quinn Olson

**APPOINTMENTS FOR 2013**

Vice President of the Council  
2nd Vice President of the Council  
Assistant Weed Inspector  
Emergency Management Director  
Zoning Official  
Hospital Board  
Liaison to Library Board  
Street

Phil Ehlke  
Dustin Carlson  
Jim London  
Dave Larson  
Dave Larson  
Chuck Lucken  
Dustin Carlson  
Lowell Veum

**PERSONNEL COMMITTEE**

Bob Lofstrand  
Orland Aspen  
Jim Offerdahl  
Chuck Lucken  
Dave Larson  
Laurel Skala

**LAW ENFORCEMENT COMMITTEE**

Barb Erdman, Polk County Sheriff  
Lowell Veum, Council Appointee  
Jim Offerdahl, Council Appointee  
Jim Aagnes  
Harold Vig  
Warren Affeldt, County Commissioner  
Chuck Lucken, City Administrator

**BUS COMMITTEE (APPOINTED ANNUALLY)**

Laurel Skala

Chuck Lucken  
Laura Hamilton

**MAYOR AND COUNCIL**

**ELECTED**

**EXPIRE**

Jim Offerdahl, Mayor	2012	2014
Phil Ehlke	2012	2016
Dustin Carlson	2010	2014
Jim Lambert	2012	2016
Lowell Veum	2010	2014

**FOSSTON ECONOMIC DEVELOPMENT AUTHORITY**

Mona Nelson (appointed to Sears seat 2010)	2013
Mark Finstad	2014
Mike Breckel	2016
John Keller	2017
Dr. Chuck Winjum	2018
Jim Offerdahl, Council Appointee (appointed 1/11/10)	
Phil Ehlke, Council Appointee (appointed 1/12/09)	
Darlene Sollie (ex-officio)	2013

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

and the following voted against the same: None

Whereupon said resolution was declared passed and adopted this 14<sup>th</sup> day of January, 2013.

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James Offerdahl, Mayor

ATTEST:

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Charles Lucken, City Administrator

Member Veum introduced the following resolution and moved its adoption:

CITY OF FOSSTON  
COUNTY OF POLK

STATE OF MINNESOTA

RESOLUTION NO. 13-03

A RESOLUTION APPROVING COLLATERAL PLEDGED

WHEREAS, the City Council annually approves the collateral pledged by the official depositories of city funds;

THEREFORE, BE IT RESOLVED: The Council of the City of Fosston hereby approves the following collateral pledged:

First National Bank	\$ 800,000
American Federal Bank	\$ 250,000
Ultima Bank Minnesota	\$1,250,000

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

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 14<sup>th</sup> day of January, 2013.

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James Offerdahl, Mayor

ATTEST:

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Charles Lucken, City Administrator

Member Veum introduced the following resolution and moved its adoption:

CITY OF FOSSTON  
COUNTY OF POLK  
STATE OF MINNESOTA

RESOLUTION NO. 13-04

A RESOLUTION APPROVING TREASURER'S SURETY BOND

WHEREAS, the City Council annually approves a surety bond in the amount of \$100,000 for the Treasurer (City Administrator) as required by Auditor of Polk County and the State of Minnesota;

THEREFORE, BE IT RESOLVED: The Council of the City of Fosston hereby approves a surety bond for the Treasurer in the amount of \$100,000.

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

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 14<sup>th</sup> day of January, 2013.

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James Offerdahl, Mayor

ATTEST:

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Charles Lucken, City Administrator

Member Veum introduced the following resolution and moved its adoption:

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

**RESOLUTION NO. 13-05**

**A RESOLUTION DESIGNATING  
THE THIRTEEN TOWNS  
AS THE OFFICIAL NEWSPAPER**

**WHEREAS**, the City Council annually designates a local publication as the City's official newspaper;

**THEREFORE, BE IT RESOLVED:** The City of Fosston designates **The Thirteen Towns** as the Official Newspaper.

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

And the following voted against same: None

Whereupon said resolution was declared passed and adopted this 14<sup>th</sup> day of January, 2013.

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James Offerdahl, Mayor

ATTEST:

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Charles Lucken, City Administrator

**2013 APPLICATIONS TO SELL TOBACCO & TOBACCO PRODUCTS AT RETAIL**  
**\$12.00 EACH**

American Legion Club	Jon Vig
Venture's Bar & Grill	Jesse Manecke
LePier's East	Larry LePier
LePier's West	Larry LePier
Palubicki's, Inc.	Leah Hemmingsen
Palubicki's Express	Leah Hemmingsen
Fosston Off-Sale	Dale Disrud
Rosebud Co-op Oil Ass'n.	Chad Blaser

**NON-INTOXICATING LIQUOR LICENSE – OFF/ON SALE**

LePier's West	Off Sale - \$50.00
LePier's East	3.2 On - \$50.00

**SPECIAL SUNDAY LIQUOR LICENSE**

American Legion Club	\$25.00 Super Bowl Sunday
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**COMMITTEES/BOARDS/COMMISSION:**

Law Enforcement: Sheriff Erdman was present to discuss law enforcement issues.

- We have received a copy of the law enforcement contract. Deputy wages are still being negotiated.
- There will be some training for Code Red and Sheriff Erdman will let us know the dates for those interested in attending.

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

- Maintenance on summer equipment is being done now.
- 1,000 feet of gas line was installed for the Erskine Attachments building.
- A construction meeting with Ulteig was held. The punch list is getting smaller.
- There were three water breaks recently.
- No electrical rate increases are planned for this year.

Civic Center/Parks & Recreation: Pat Hanlon was present to report on his department:

- Peterson Sheet Metal was at the Civic Center to repair a loose wire in the control box that caused the civic center to lose heat.
- The hockey rink is being maintained.
- There are three new communities that will be coming to Fosston for the aquatics program.
- A quote from Mireaults was present for replacement of a television, VCR and DVD in the amount of \$439.88. Consensus of council is to proceed with the TV, VCR and DVD replacement at \$439.88 for all.

Hospital: Administrator Lucken reported that there was a short meeting in December. The next meeting is January 28<sup>th</sup>.

City Bus: Pastor Paul Magelssen was present to discuss Sunday Bus transportation services with the council. He has come before the council on behalf of the ministerial association. The Sunday Bus Service has been a much appreciated service for the churches and the people it serves. His church board however voted out of this service due to the cost per person it was serving. However, without Hope's participation, the cost could become unaffordable for the other churches. Paul has had several meetings with Chuck and Laurel discussing various ways to decrease the costs per church per rider. The goal of the ministerial is to try to raise at least \$3,000 to help offset some of the costs. He has received a commitment of \$1,000 from one organization to date. After further lengthy discussion some suggestions for helping with the fundraising effort included: A) See if we can provide this service for less cost and look at the mileage; B) Put something in the newsletter asking for donations for this service; C) See if the Utilities operation round off program could contribute; D) Ask the riders for an annual contribution; E) Continue to meet with other organizations for donations to this service. We will work together to try to keep the Sunday bus service an affordable option for those wishing to attend Sunday services.

Library: Councilmember Carlson reported on Library matters.

- There has been some vandalism to the south façade block windows. There is an insurance claim on this. The block size of the windows is no longer available so replacement will be a bit more difficult.
- There is an insurance claim pertaining to water leaking in the back stairway also. We will have to get a quote from Bemidji Roofing and see how to proceed with this.
- A local 4-H group project will be to remove the decorative rock on the south side of the building and replace it with plantings and flower beds. The rock was used to damage the windows.

Motion was made by Veum seconded by Carlson to approve the Agreement for Transfer of FAA Entitlements to the City of Moorhead. Motion carried by unanimous vote.

Lee Cariveau of Widseth, Smith Nolting reported on projects they are working on:

Fosston Inspiration Trail: An updated route map was reviewed by the council. There are three loops to this trail with a total area of about 1.8 miles.

Revised Engineer's Estimate – Alley: The revised Engineer's estimate for paving the alley behind city hall was reviewed along with preliminary costs for assessments.

Area for Easement/Purchase from BNSF for alley project: A project map was reviewed showing that part of the project that is BNSF property for the alley project. The area is about 1.61 acres and a permit will be necessary for paving. An option would be to pursue purchasing this area from BNSF. Consensus is to try to purchase the property depending on the price.

Area for Easement/Purchase from BNSF for the 2<sup>nd</sup> St. South Project: For this project we will also need a easement or consider pursuing purchase from BNSF. Again, the consensus is to try to purchase the property depending on the price. It was also the consensus to meet with the county and start the discussion regarding them taking over this street. Lucken will schedule this meeting.

Motion was made by Ehlke seconded by Carlson to approve Partial Payment Estimate No. 3 in the amount of \$77,096.05 to Feldt Plumbing for the 2012 Street Improvement Project. Motion carried by unanimous vote.

Motion was made by Carlson seconded by Veum to approve Partial Payment Estimate #11 from Gladen Construction, Inc. in the amount of \$11,997.74 for the Wastewater Treatment Facility Expansion. Motion carried by unanimous vote.

Member Veum introduced the following resolution and moved its adoption:

RESOLUTION ACCEPTING DONATIONS RECEIVED  
BY THE CITY OF FOSSTON IN 2012  
RESOLUTION 13-06

WHEREAS, the City of Fosston received numerous donations in 2012; and,

WHEREAS, Minnesota Statutes Section 465.03 provides that donations to the City be accepted by resolution of the City Council; and

WHEREAS, the City Council expresses its gratitude for the donations given to the Fosston community; and

WHEREAS, the City Council agrees that said donations would be of benefit to the citizens of Fosston.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT the City Council of the City of Fosston, Minnesota hereby acknowledges and agrees to accept said donations as described in Exhibit A attached to this resolution.

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

and the following voted against same: None

Whereupon said resolution was declared passed and adopted by the City Council of the City of Fosston on this 14<sup>th</sup> day of January, 2013.

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James Offerdahl, Mayor

Attest:

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Charles Lucken, City Administrator

**EXHIBIT B: DONATIONS RECEIVED IN 2012**

**Memorial Day Activities:**

Dean Vikan	\$100
Dick Roue	\$100
Embassy Basement Ladies	\$100
LePiers	\$400
Ultima Bank	\$400
Bobby Lofstrand	\$ 25
Burggrafs	\$ 25
Fosston Ag Repair	\$ 25
Dufault Law Office	\$ 25
American Federal Bank	\$ 50
Lindfors Ins. Agency	\$ 50
Joyce Kringle	\$ 10
American Legion Auxiliary	\$200
Carlin Funeral Home	\$ 50
Deanne Klemmetson	\$ 20
Bill Henney	\$ 10
Kenneth Bratager	\$ 5
Sollie Realty	\$ 25
Mildred Beckstrom	\$ 5
Bill & Pat Woods	\$ 25
Dorothymae LePier	\$ 20
MDV	\$100
Carol Wold	\$ 5
Paul & Sheryl Magelssen	\$ 10
Roger Sjulson	\$ 10
Jim & Ann Offerdahl	\$100
Amy Riveland	\$ 15.52
Steve's Auto Parts	\$100
Overmoe & Nelson	\$ 50
Sudsations Carwash	\$ 25
Rae Murray	\$ 50
Various – Pie Sales	<u>\$121</u>

**Veteran's Memorial**

Carl Kappedal	\$100
Mike Thompson	\$100
Peggy Fangman	\$100
Bette Brtek	\$100
Ron Naastad	\$100
Marilyn Smith	\$100
Harry Sandry	\$100
Kiki Caskey	\$100
Ed Schultz	<u>\$700</u>
	<b>\$1500.00</b>

**\$2256.52**

**Mini Carnival:**

Rotary Club	\$300
Dean Vikan	\$100
Knightriders	\$100
Essential Health	\$100
Lions Club	\$250
Fosston Sportsmen	<u>\$700</u>
	<b>1550.00</b>

**Total donations for 2012: \$5,306.52**

Motion was made by Ehlke seconded by Veum to approve the 2012 Tax Increment Financing reimbursement in the amount of \$5,212 for Anytime Fitness. Motion carried by unanimous vote.

Motion was made by Veum seconded by Ehlke to approve the Tax Increment Financing reimbursement in the amount of \$7,566 for Gary's Service. Motion carried by unanimous vote.

Motion was made by Carlson seconded by Veum to approve the transfer of funds from General Fund to Industrial Park Expansion, TIF 1-10 Fund in the amount of \$398,680.00. Motion carried by unanimous vote.

Motion was made by Ehlke seconded by Veum to approve the request from Erskine Attachments, LLC from the Construction Grant for building construction in the amount of \$376,791.99. Motion carried by unanimous vote.

Motion was made by Ehlke seconded by Veum to approve the support letter to the Housing Authority. Motion carried by unanimous vote.

Member Carlson introduced the following resolution and moved its adoption:

RESOLUTION TO ABOLISH THE CITY PLANNING COMMISSION, REPEAL SECTION  
3315 OF THE FOSTON CODE OF ORDINANCES, AND ESTABLISH THE CITY  
COUNCIL AS THE CITY PLANNING AGENCY UNDER MINNESOTA STATUTE  
SECTION 462.354

RESOLUTION 13-07

WHEREAS, the City of Fosston wishes to eliminate the City Planning Commission as a separate board;  
and

WHEREAS, the City of Fosston wishes to have the City Council assume the powers and duties of a city  
planning agency under Minnesota law; and

WHEREAS, a city planning agency created by the Fosston Code of Ordinances may be abolished by a  
two-thirds vote of all members of the governing body.

NOW, THEREFORE, be it resolved that:

1. The City Planning Commission is hereby abolished.
2. Fosston Code of Ordinances §33.15 is hereby REPEALED.
3. The Fosston City Council shall hereby assume the powers and duties of the city planning agency, pursuant to Minnesota Statutes §462.354
4. The Fosston City Council hereby adopts §31.05 to the Code of Ordinances, effective immediately.

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

and the following voted against the same: None

Whereupon said resolution was declared passed and adopted by the City Council of the City of Fosston on January 14<sup>th</sup> 2013.

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James Offerdahl, Mayor

ATTEST:

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Charles Lucken, City Administrator

There being no further business to come before the council, motion was made by Lambert seconded by Ehlke to adjourn.

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Charles Lucken, City Administrator