

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF FOSSTON, POLK COUNTY MINNESOTA
January 11, 2021

The regular meeting of the Council of the City of Fosston, Polk County Minnesota was held in council chambers on Monday, January 11, 2021 at 7:00 p.m.

The meeting was called to order by Mayor Offerdahl with the following members present: Anderson, Bosselman, Dufault and Mulry. Members absent: none. Also present was: Cassie Heide, David Larson, Scott Bixby, Ethan Nagel, Lee Cariveau, Stephen Larson, Sarah Manecke, Steven Lyseng, Amelia Linehan, Karen Graham and Keith Kinnen. Those present via zoom: Ed Lavelle

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

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 December 14, 2020
- B) To approve Accounts Payable Bill Listing #21-01 in the amount of \$78,962.97, AP Bill Listing #21-01B in the amount of \$112,192.04 and Supplemental AP Bill Listing #21-01A in the amount of \$961,564.09
- C) To approve Accounts Payable Bill Listing – Omland Court, \$4,620.16

Member Anderson introduced the following resolution and moved its adoption:

**RESOLUTION DESIGNATING OFFICIAL DEPOSITORY
AND SUPPLEMENTAL DEPOSITORIES
RESOLUTION NO. 21-01**

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 2021.

BE IT FURTHER RESOLVED, that the 4M Fund be designated as additional depositories for 2021 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

Cassandra Heide, 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 Dufault and upon vote being taken thereon the following members voted in favor thereof: Anderson, Bosselman, Dufault, Mulry and Offerdahl.

and the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 11th day of January, 2021.

James Offerdahl, Mayor

Attest:

Cassie Heide, City Administrator

Member Anderson introduced the following resolution and moved its adoption:

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

RESOLUTION NO. 21-02

A RESOLUTION APPOINTING 2021 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:

See Exhibit A

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

and the following voted against the same: none.

Whereupon said resolution was declared passed and adopted this 11th day of January, 2021.

James Offerdahl, Mayor

ATTEST:

Cassie Heide, City Administrator

**BOARDS AND COMMISSIONS - 2021
EXPIRATION DATE - DECEMBER 31, 2021
New appointments in red**

PLANNING COMMISSION

City Council

AIRPORT COMMISSION (5 YEAR TERM)

Charlie Anderson	2023
Bruce Emmel	2024
Tom Jones	2025
Paul Votova	2021
Kyle Vig	2022

UTILITIES COMMISSION (3 YEAR TERM)

Lowell Veum
Wayne Holt
Jim Offerdahl, Council Appointee

2022
2021

STAR COMMITTEE

Greg Mireault
Cassie Heide
Amelia Linehan
Charlie Anderson
Dean Vikan
Don Brinkman
Ed Lavelle
KacieAnderson
Holly Lenes

APPOINTMENTS FOR 2021

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
Civic Center

Roy Dufault
Charlie Anderson
Jim London
Dave Larson
Dave Larson
Roy Dufault
Mike Mulry
Charlie Anderson
Roy Dufault

PERSONNEL COMMITTEE

Jim Offerdahl
Dave Larson
CassieHeide
Karen Graham
Steven Lyseng
Sarah Manecke

LAW ENFORCEMENT COMMITTEE

James Tadman, Polk County Sheriff
George Bosselman, Council Appointee
Jim Offerdahl, Council Appointee
Jim Aagenes

Harold Vig
Joan Lee, County Commissioner
Cassie Heide, City Administrator

PARKS & REC COMMITTEE

Charlie Anderson
Mike Mulry
Dave Larson
Karen Graham
Cassie Heide

STREET

Charlie Anderson
Mike Mulry
Dave Larson
Jim London
Cassie Heide

MEMORIAL DAY PLANNING COMMITTEE

Bob Saeter
Curt Nelson
Dean Vikan
Cassie Heide
Robert Vorce
Sarah Manecke
Ben Stout

VETARANS MEMORIAL PARK COMMITTEE

Jim Offerdahl
CassieHeide
Chuck Lucken
Dave Larson
Dean Vikan
Curt Nelson
Ann Offerdahl

ARTS & CULTURE COMMISSION

Cassie Heide Liaison
Heidi Danos
Barbara Johnson
Jeff Olson
Dawn Skeie-Crane
Jason Steinbrenner

Michael McColl
Tyler Stynsberg

APPOINTMENTS FOR 2021

<u>MAYOR AND COUNCIL</u>	<u>ELECTED</u>	<u>EXPIRE</u>
Jim Offerdahl, Mayor	2020	2022
Roy Dufault	2020	2024
Charlie Anderson	2018	2022
Mike Mulry	2020	2024
George Bosselman	2018	2022

FOSSTON ECONOMIC DEVELOPMENT AUTHORITY

Kevin Gish, appointed to Nelson’s vacated seat		2024
Mark Finstad		2024
Jen Howard, appointed to Breckel’s vacated seat		2022
David Burggraf		2023
Paul Peltier, appointed to Winjum’s vacated seat		2024
Jim Offerdahl, Council Appointee	(appointed 1/11/10)	
Roy Dufault, Council Appointee	(appointed 6/10/13)	

(John Keller resigned effective May 6, 2016)
(Dr. Chuck Winjum resigned effective September 1, 2018)

Revised January 1/2021

Member Anderson introduced the following resolution and moved its adoption:

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

RESOLUTION NO. 21-03

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 \$ 885,000

American Federal Bank	\$ 250,000
Ultima Bank Minnesota	\$1,550,000

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, Bosselman, Dufault, Mulry and Offerdahl.

and the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 11th day of January, 2021.

James Offerdahl, Mayor

ATTEST:

Cassie Heide, City Administrator

Member Anderson introduced the following resolution and moved its adoption:

**CITY OF FOSTON
COUNTY OF POLK
STATE OF MINNESOTA**

RESOLUTION NO. 21-04

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 Dufault and upon vote being taken thereon the following members voted in favor thereof: Anderson, Bosselman, Dufault, Mulry and Offerdahl.

and the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 11th day of January, 2021.

James Offerdahl, Mayor

ATTEST:

Cassie Heide, City Administrator

Member Anderson introduced the following resolution and moved its adoption:

**CITY OF FOSTON
COUNTY OF POLK
STATE OF MINNESOTA**

RESOLUTION NO. 21-05

**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 2021 Official Newspaper.

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, Bosselman, Dufault, Mulry and Offerdahl.

and the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 11th day of January, 2021.

James Offerdahl, Mayor

ATTEST:

Cassie Heide, City Administrator

Council approved 2021 applications to sell tobacco and tobacco products at retail and non-intoxicating liquor licenses.

2021 APPLICATIONS TO SELL TOBACCO & TOBACCO PRODUCTS AT RETAIL
\$12.00 EACH

Dollar General Store #16335	Katie Durham, Licensing
LePier's East	Larry LePier
LePier's West	Larry LePier
Palubicki's Family Market	Leah Hemmingsen
Palubicki's Express	Leah Hemmingsen
Fosston Off-Sale	Dale Disrud

NON-INTOXICATING LIQUOR LICENSE – OFF/ON SALE

LePier's West	3.2 off - \$50.00
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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 Sergeant Scott Bixby were present to report on matters pertaining to Fosston Law Enforcement

- Nagel touched briefly on the counterfeit \$20 bill received at Ultima Bank.
- Nagel reports that they are continuing to see an increase in domestic & mental health issues.

- Deputies have and will continue to assist our street department staff with vehicles needing to be moved for snow removal.
- Bixby reported deputies have increased school patrol & continue with daily traffic patrol.

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

- Heide reports that staff is preparing for the 2020 Audit next week – Brady Martz will be conducting the audit remotely this year.
- Heide reports she has been and will continue to work with the County to distribute the new round of CARES funds to our City of Fosston businesses.

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

- Larson & Lyseng have been working on year end reports for the 2020 Audit.
- Utility staff will begin working on transformer terminations.
- The street department staff has been doing some snow removal & will do some tree removal in the alleys.
- The new garbage truck has been in service for a couple weeks.

Civic Center: Karen Graham reported on matters pertaining to her department

- Ice rink has been busy – warming house is open at 25% capacity and masks are required.
- The bonspiel event will be held on January 31st.
- Junior High basketball practice has started in the Civic Center gym.

Community Development

- Dufault informed the council that the EDA board met at noon today and discussed the Polk County Business Resiliency Grant Program Round 2 of funds. There is \$120,000 available to City of Fosston businesses who qualify. The EDA board will make recommendations to the County on which businesses should get the funds and the County will disperse the funds accordingly. A motion to approve participation in this program with the County was made by Bosselman, seconded by Anderson. Motion was carried by unanimous vote.

Hospital Board: Dufault reported he received an e-mail from Administrator Gish in regard to Essentia Health's letter of intent to join with Common Spirit Health possibly as of 7/1/2021.

Arts & Culture Commission: No report

City Attorney: No report

Member Anderson introduced the following resolution and moved its adoption:

**RESOLUTION ACCEPTING DONATIONS RECEIVED
BY THE CITY OF FOSSTON IN 2020**

RESOLUTION 21-06

WHEREAS, the City of Fosston received numerous donations in 2020; 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 Dufault and upon vote being taken thereon the following voted in favor thereof: Anderson, Bosselman, Dufault, Mulry 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 11th day of January, 2021.

James Offerdahl, Mayor

Attest:

Cassie Heide, City Administrator

Member Anderson introduced the following resolution and moved its adoption:

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

RESOLUTION NO. 21-07

**RESOLUTION ACKNOWLEDGING STREET RECONSTRUCTION
INDUSTRIAL AVE FROM 9TH ST TO 11TH ST**

WHEREAS, the City of Fosston approves 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 reconstruct a 41-ft wide paved urban type street section of Industrial Avenue from 9th Street to 11th Street. This would include the 11th Street/Industrial Avenue Intersection and a 700-foot section of 11th Street

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 Industrial Ave improvements project is 2023.

THEREFORE BE IT RESOLVED, that the City of Fosston hereby agrees to the design, construction, 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 Bosselman and upon vote being taken thereon the following members voted in favor thereof: Anderson, Bosselman, Dufault, Mulry and Offerdahl.

and the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 11th day of January, 2021.

James Offerdahl, Mayor

ATTEST:

Cassie Heide, City Administrator

Member Anderson introduced the following resolution and moved its adoption:

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

RESOLUTION NO. 21-08

**RESOLUTION ACKNOWLEDGING STREET RECONSTRUCTION
EATON AVENUE EXTENSION FROM 11TH ST TO 400TH ST SE**

WHEREAS, the City of Fosston approves 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 construct a 41-ft wide paved urban type street extension of Eaton Avenue from 11th Street NE to 400th ST SE (Bransvold Township).

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 Eaton Avenue improvements project is 2021.

THEREFORE BE IT RESOLVED, that the City of Fosston hereby agrees to the design, construction, 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 Bosselman and upon vote being taken thereon the following members voted in favor thereof: Anderson, Bosselman, Dufault, Mulry and Offerdahl.

and the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 11th day of January, 2021.

James Offerdahl, Mayor

ATTEST:

Cassie Heide, City Administrator

Member Anderson introduced the following resolution and moved its adoption:

**A RESOLUTION ON THE RISING COST OF WATER AND WASTEWATER ISSUES
AND THE IMPACT ON BUSINESSES AND RESIDENTS OF OUR CITY**

RESOLUTION NO. 21-09

WHEREAS the costs to provide water and wastewater services required by MN Department of Health and MN Pollution Control continue to rise and create increased costs to cities; and

WHEREAS the cost to maintain water and wastewater services (replace water mains, water tower maintenance, add mechanical plants and repair/replace lift stations) continue to rise; and

WHEREAS the cost of debt service payments for water and wastewater are part of the overall cost of operation; and

WHEREAS the accumulation of all these costs to provide these services in relationship to the number of and the number of EDUs (Equivalent Dwelling Units) to cover the costs

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FOSTON, MINNESOTA AS FOLLOWS:

Request State legislators to begin a conversation with cities to learn about the challenges of providing clean, safe water and wastewater services for cities and the burdens it creates for businesses and residents of our city. We propose that the State Legislators investigate the equity for the cost of providing clean, safe water and wastewater treatment throughout the State and realize the ability to achieve the goal of clean water vary a lot based on geography, population and the existing quality of water.

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, Bosselman, Dufault, Mulry and Offerdahl.

and the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 11th day of January, 2021.

James Offerdahl, Mayor

Attest: _____
Cassie Heide, City Administrator

Member Anderson introduced the following resolution and moved its adoption:

**CITY OF FOSSTON
COUNTY OF POLK
STATE OF MINNESOTA
RESOLUTION NO. 21-10**

**RESOLUTION RESCINDING REAL ESTATE TRANSACTION AND AUTHORIZING
CANCELLATION OF PURCHASE AGREEMENT**

WHEREAS, the Council previously authorized the sale of Lots Four (4) and Five (5), Block Three (3), Aspen Addition to the City of Fosston, to David Burggraf and Brook Burggraf (“Real Estate Transaction”).

WHEREAS, the Real Estate Transaction was entered into by the execution of a purchase agreement by the parties dated September 3, 2020, a copy of which is attached hereto as Exhibit A (“Purchase Agreement”).

WHEREAS, David Burggraf and Brook Burggraf, and the City of Fosston no longer desire to consummate the Real Estate Transaction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FOSSTON, MINNESOTA, AS FOLLOWS:

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

1. The previous action by the Council to authorize the sale Lots Four (4) and Five (5), Block Three (3), Aspen Addition to the City of Fosston, to David Burggraf and Brook Burggraf is hereby rescinded.

2. That the Mayor and the City Administrator are authorized and directed to execute a cancellation of the Purchase Agreement.

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

and the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 11th day of January, 2021.

James Offerdahl, Mayor

ATTEST:

Cassie Heide, City Administrator

Council considered approval of engineer services agreement with Widseth Smith Nolting and Associates, Inc. DBA "Widseth" for 2021 services. Engineer Cariveau informed the council that the only change from last year includes a rate increase.

Motion was made by Anderson, seconded by Bosselman to approve the engineer services agreement with Widseth for 2021 services. Motion carried by unanimous vote.

Member Mulry introduced the following resolution and moved its adoption:

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

RESOLUTION NO. 21-11

RESOLUTION AGREEING TO MAINTAIN FACILITIES

WHEREAS: The Federal Highway Administration (FHWA) requires that states agree to operate and maintain facilities constructed with federal transportation funds for the useful life of the improvement and not change the use of right of way or property ownership acquired without prior approval from the FHWA; and

WHEREAS: Transportation Alternatives projects receive federal funding; and

WHEREAS: the Minnesota Department of Transportation (MnDOT) has determined that for projects implemented with alternative funds, this requirement should be applied to the project proposer; and

WHEREAS: [city county or agency name] is the sponsoring agency for the transportation alternatives project identified as [project name].

THEREFORE BE IT RESOLVED THAT: the sponsoring agency hereby agrees to assume full responsibility for the operation and maintenance of property and facilities related to the aforementioned transportation alternatives project.

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

and the following voted against same: none.

Whereupon said resolution was declared passed and adopted this 11th day of January, 2021.

James Offerdahl, Mayor

ATTEST:

Cassie Heide, City Administrator

Lee Cariveau, Widseth was present to discuss the 2021 street improvement project and the wastewater expansion. Cariveau reported that they are 98% complete with the plans & specifications for Eaton Ave N. In addition to the mill & overlay from 4th to 6th street and a 2nd lift from 6th to 8th street on Eaton Ave N, it was discussed to possibly do other mill & overlays throughout the city along with some sidewalks instead of the Eaton Ave N extension. Staff will have further discussion with Cariveau.

Cariveau reported that 125 holes were drilled into the wastewater ponds to analyze the sludge. There is about 6-8" of sludge in each pond. Cariveau will be meeting with Northern Technologies this week to find out whether the soil is good enough to require a liner or not.

Keith Kinnen, Karvakko was present to discuss the Highway 2 Corridor study and Airport. Airport – Kinnen had a meeting with the FAA to discuss the 2021 projects. The wetland project has been approved, but they were not supportive of a taxiway reconfiguration at this time. Kinnen reported that the FAA was not going to accept the Type II Buy America Waiver for the purchase of a new tractor for the airport. They recommended one of the front-end loader options. 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.

Cassandra Heide, City Administrator