

MINUTES OF THE WORK SESSION OF THE CITY COUNCIL
OF THE CITY OF FOSSTON, POLK COUNTY MINNESOTA
July 7, 2021

A work session of the Council of the City of Fosston, Polk County Minnesota was held in council chambers on Wednesday, July 7, 2021 at 5:00 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, Sarah Manecke, Stephen Larson, Judy Stenberg, Traci Olson, Rod Olson, Dave & Sue Skunes, Barb & Rynell Johnson and Wanda Marshall.

Mayor Offerdahl stated the purpose of the work session was to discuss Rosebud Township annexation and the law enforcement contract.

Mayor Offerdahl stated the annexation discussion began earlier this year amongst himself and administration. All the properties identified are contiguous to the city limits, urban in nature and have city services or will have the ability to hook up to city services with the natural gas line expansion from CSAH 6 to CSAH 30 to the industrial park. The Utilities Commission approved a natural gas expansion project proposal from NPL (Northern Pipeline) to construct 12,754' of 6" pipe. The new natural gas service is paid for by the users of these services, not assessed to the taxpayers. Although some of these residents already have a city service, the City of Fosston's current policy only allows new services to be provided to property that is within city limits. Mayor Offerdahl stated it was important for the city to discuss with the township board our intentions so that they would be able to relay the information to their constituents before it becomes public at a city council meeting. Rosebud Township held their public meeting on June 21st, 2021.

Heide was in attendance for the township's public meeting and as expected, these township residents were not happy and do not wish to be annexed mainly because it will mean more property taxes payable to the city over the township. Heide stated she feels annexation is the best option for the City of Fosston as it creates fairness and equity for the current residents of the city. Residents bordering the city have long reaped the benefits of all the amenities that the City of Fosston has to offer without having to pay the local taxes for the services. Heide outlined many of the advantages she has identified that residents of the city have. Heide expressed to council there are two ways to manage the annexation process: an orderly annexation or go through with the process with the properties that are contiguous in nature to the city. Through an orderly annexation, the city and township can agree to terms that are important to the residents such as lot size/hobby farm animals being allowed, firearms ordinance, and private well and septic ordinance. Heide encouraged council to keep an open mind and reminded them that they represent the residents of the City of Fosston and what is in their best interest.

City Attorney, Stephen Larson, was also in attendance at the township's public meeting and noted the opposition to the idea of annexation. He stated there are 17 factors to consider such as what the land is like, city services that are already provided, future development and density of the area to name a few. Ultimately, it is a policy decision, but it would be in the city's best interest to reach a compromise with the township. Larson expressed that annexation would be appropriate should the City of Fosston decide to move forward with the process.

Mayor Offerdahl expressed the possibility of a public hearing set for the August council meeting. Larson stated it would be a good idea to have a joint informational meeting that is recorded prior to that meeting.

Mulry inquired of Larson what the mediation process with the township would entail. Larson stated that some of the items addressed during mediation would include reimbursement to the township for utility expenses, land use issues, septic systems, firearms issues, farm animals and hookup fees. If the township does not come to an agreement with the City of Fosston, an administrative law judge will make the ultimate decision.

Mayor Offerdahl allowed a township representative, Dave Skunes, to address the council as to their concerns and reasons for not wanting to be annexed. Some of the concerns he addressed includes an increase in property taxes, concern with the chlorinated city water, switching to city water & sewer from private wells and septic systems, use of firearms and increased lighting. He enjoys the freedom of country living.

Mayor Offerdahl expressed to the council and members of Rosebud Township in attendance that the city is still very early in the annexation process and encourages everyone to have an open mind as we move forward in the process.

After a brief recess, the council began discussion of the law enforcement contract. Mayor Offerdahl, Administrator Heide, Member Dufault and City Attorney Larson have had several meetings with Sheriff Tadman and Deputy Chief Norland to address issues and concerns the city has with the current contract with the Polk County Sheriff's office. Lack of communication between the two contract deputies and Administrator Heide has been identified as a primary concern along with a lack of ordinance enforcement. Heide stated that communication with the contract deputies completely halted this spring. The Sheriff acknowledged that the Fosston deputies were frustrated with administration. He also said that this is an issue within the Sheriff's Office, not with the City of Fosston. Heide expressed the importance to the council of ensuring that our residents are receiving the services they pay for through their property taxes.

Heide is recommending to council that the City of Fosston hire a community code officer that will assume the duties of most of our ordinances and enforcement thereof. This individual can work directly with administration and our city attorney to accomplish compliance of ordinances along with other necessary code/zoning duties. Heide informed the council that the majority of the ordinance violations are handled by herself or Sarah Manecke and law enforcement only needs to get involved with the most egregious offenses. A new employee would report directly to Heide and issue ten-day notices and work with the resident to achieve compliance. The new employee could handle zoning permits and other duties related to codes and zoning. She proposed an amendment to our current contract with Polk County Law Enforcement to provide the equivalent of one full time officer rather than the 2 to accommodate this new position. Bosselman expressed concern only having one deputy in the event backup was needed. Mulry recommended having the new employee serve as a community resource officer in some nature.

Larson stated that the city is in a position where they would either need to cancel the current contract or request an amendment from the Polk County Sheriff's office to reduce the number of contract deputies. Heide was directed by the mayor to inform Sheriff Tadman of our discussion and request an amendment to the current contract. Heide recommended continuing the current contract through the end of 2021, if

possible, but would like to have a new contract reflecting one officer ready for approval no later than the September meeting.

The consensus of the council was to have Heide develop a job description and pay grade for the new employee to present to council and the August meeting.

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