

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF FOSTON, POLK COUNTY MINNESOTA
JUNE 9, 2014

The regular meeting of the council of the City of Fosston, Polk County Minnesota was held in Council Chambers on Monday, June 9, 2014 at 7:00 p.m.

The meeting was called to order by Mayor Offerdahl with the following members present: Veum, Dufault and Carlson. Member absent: Hoialmen. Also present was DPW Dave Larson, Dean Vikan, Deputy Phil Juve and Lee Cariveau.

Motion was made by Carlson seconded by Veum to approve the agenda with the following modification:

- A) Consider naming the Street that will be accepted in Agenda Item #10.

Motion carried by unanimous vote.

Motion was made by Veum seconded by Dufault to approve consent agenda items A and B. Motion carried by unanimous vote.

- A) To approve the minutes of the regular meeting held May 12 and the special meeting held May 28, 2014 as per copies furnished each member.
- B) To approve Accounts Payable Bill Listing #14-06 in the amount of \$96,906.54 and AP Bill Listing #14-06A in the amount of \$236,561.82

COMMITTEES/BOARDS/COMMISSION:

Law Enforcement: Deputy Phil Juve was present to discuss law enforcement matters:

- Zach Folkert has completed his training and is now on the schedule.
- There has been vandalism in town.
- It's been busy. The Sheriff's Office is taking over the justice center as of the first of the year.
- Carlson has heard a lot of complaints about the number of tickets that are being written in town. We have new guys in Fosston. There's visible patrolling. Juve agrees there needs to be a balance.
- Larson asked if it is illegal to leave your receiver hitch in a vehicle. Not that Juve is aware of. He did look further into it and reports that he could not find a law that says you can't have a hitch out and he also spoke to a trooper who is not aware of it. No tickets for receiver hitches have been issued.

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

- Street sweeping has begun. Mowing and brush pickup is ongoing at this time. A new John Deere mower was purchased and is working well for us. It has a 60" deck.
- Catch basins are being cleaned.
- Curbs are being cleaned and will also be painted.
- We had our pipeline safety inspection on the 27th and 28th. Our Distribution and Integrity Management Plan passed specs.
- Odors at the lagoon are not gone yet but better than they were. We are working with Ulteig and Hawkins was up here sampling also. We are trying to see what we can do to get the odor out of the pond. We have put in 25,000 gallons of chemical.
- Water Tower cleaning and painting is scheduled for the end of the month. The water tower will be drained and inspected.

- There is a lot of electrical work to do this season.

Civic Center/Parks & Recreation: A report was reviewed.

Hospital: There was a water leak in their line and they made the necessary repairs.

Community/Economic Development:

- FEDA met at noon today and ongoing projects were discussed.
- Jim Noyes was present to discuss housing options. Because of a shortage of rental properties, he is experiencing a labor shortage at MDV. There is apparently a need but we need to have some real numbers to address this problem. To subsidize with TIF the units need to be rented to low to moderate income.
- The Mobil station is scheduled to come down on Wednesday.
- Tomorrow we will re-let the bids for the Downtown Project.
- A meeting with Landmark has been scheduled for next Monday, June 16th at 10:00.

Airport:

- The airport has been mowed but not trimmed. Also, a garden hose was chopped up by a lawnmower. There will be a meeting scheduled as we are now a member short since Bill Wilson moved out of the area.

Star Committee:

- Crazy Days and the Mini Carnival are coming up the end of July. Otherwise it is pretty quiet now.
- An advisory board for the Veteran’s Memorial Park has been formed. Laurel is chairing the board with Curt Nelson, Dave Larson, Dean Vikan and Ann Offerdahl on the board. Chuck Lucken and the Mayor will attend as their time allows. The first order of business is to remove the old base of the monument, store the granite sign and bronze flame and work on the raised garden as in the Preliminary Master Plan.

Member Veum introduced the following resolution and moved its adoption:

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT
FOR 2014 SECOND STREET SOUTH IMPROVEMENTS PROJECT
#14-44

WHEREAS, pursuant to an advertisement for bids for the improvement of the following street:

2nd Street South between Granum Ave. South and Mark Ave. South

WHEREAS, bids were received, opened and tabulated according to law, and two (2) bids were received complying with the advertisement as follows:

Gordon Construction, Inc. 2222 270 th Ave. Mahnomon, MN 56557	Base Bid -	\$ 571,873.35
	Alt Bid #1 -	\$ <u>581,251.14</u>
	TOTAL BID -	\$1,153,124.49
 Spruce Valley	Base Bid -	\$ 670,744.10

39469 130th Ave. NE
Middle River, MN 56737

Alt Bid #1 - \$ 596,000.25
TOTAL BID - \$1,266,944.35

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

1. The Mayor and City Administrator are hereby authorized to enter into an agreement with Gordon Construction of Mahnommen, Mahnommen, Minnesota in the name of the City of Fosston for the 2014 Second Street South Improvements Project, Total Bid of \$1,153,124.49.
2. The City Administrator is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

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: Veum, Dufault, Carlson and Offerdahl

And the following voted against same: None

Whereupon said resolution was declared passed and adopted this 9th day of June, 2014,

James Offerdahl, Mayor

ATTEST:

Charles Lucken, City Administrator

Lee Cariveau was present to update council on City Projects:

- Downtown Project: The Re-bid bid opening is scheduled for tomorrow at 3:00.
- Berge/Stafford Park Pond: We will look at raising the drain pipe to see if that will help.
- Calvary Church Easement: We can get quotes on this. It's 400' of path.
- Cariveau is recommending awarding the Contract for the FIT trail to Hagen Construction. Cariveau informed the council that Hagen could do the path and gravel around the ball fields and cemetery with turf removal and gravel. We have to wait on the County and the Columbia Road Project as that affects Brandt Avenue. Also, paving will not occur until August. The council informed Cariveau that we need to stress to Hagen the importance of getting this money drawn down so we don't lose it. Cariveau assured the council that he will do this. Consensus of the council is to award this contingent upon getting this money drawn down.

Member Carlson introduced the following resolution and moved its adoption:

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT
FOR FOSSTON FIT TRAIL PROJECT

#14-45

WHEREAS, pursuant to an advertisement for bids for the development of the Fosston Inspiration Trail (FIT):

WHEREAS, bids were received, opened and tabulated according to law, and four (4) bids were received complying with the advertisement as follows:

Hagen Construction & Trucking 1055 250 th Ave. Fosston, MN 56542	\$ 251,136.90
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Lenes Sand & Gravel 31201 410 th St SE Fosston, MN 56542	\$ 293,162.63
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Minn-Dak Asphalt Inc. 423 Zeh St. West Thief River Falls, MN 56701	\$ 310,666.00
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Mark Sand & Gravel Co. PO Box 458 Fergus Falls, MN 56538	\$ 351,319.16
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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FOSSTON, MINNESOTA

1. The Mayor and City Administrator are hereby authorized to enter into an agreement with Hagen Construction & Trucking, Fosston, Minnesota, in the name of the City of Fosston for the Fosston Fit Trail Project, Total Bid of \$251,136.90.
2. The City Administrator is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

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: Carlson, Dufault, Veum and Offerdahl

And the following voted against same: None

Whereupon said resolution was declared passed and adopted this 9th day of June, 2014

James Offerdahl, Mayor

ATTEST:

Charles Lucken, City Administrator

Motion was made by Dufault seconded by Veum to approve the Application for Exempt Permit from First Care Medical Services Foundation for a fundraiser on October 18, 2014. Motion carried by unanimous vote.

Council reviewed and discussed the Nuisance Parking and Storage Ordinance and possibly revising such ordinances. The fence ordinance also needs to be looked at so we can clarify the types of fences that are being installed in a few instances. Some of the Chain Link Fences have not been properly installed with all the necessary parts to a nice looking fence. It was the consensus of the council to prohibit installation of chain link fences until we update the ordinance. We will continue discussions on ordinance changes at the next meeting.

Motion was made by Veum seconded by Carlson to approve Partial Payment Estimate #18 in the amount of \$61,289.17 from Gladen Construction for the Wastewater Treatment Facility Expansion project. Motion carried by unanimous vote.

Member Carlson introduced the following resolution and moved its adoption:

**A RESOLUTION ACCEPTING PROPERTY FROM
ULTIMA BANK TO BE USED FOR STREET RIGHT OF WAY
RESOLUTION NO. 14-46**

WHEREAS, Ultima Bank Minnesota has proposed deeding property to the City of Fosston as described in Exhibit A; and

WHEREAS, the proposed property will be used for street right of way; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Fosston, Minnesota hereby acknowledges and agrees to accept said property from Ultima Bank Minnesota on behalf of the citizens of Fosston.

BE IT FURTHER RESOLVED that the City Council of the City of fosston designates said property for street right of way.

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: Carlson, Dufault, Veum and Offerdahl

And the following voted against same: None

Whereupon said resolution was declared passed and adopted this 9th day of June, 2014.

James Offerdahl, Mayor

ATTEST:

Charles Lucken, City Administrator

The Mayor suggested that since the property was given to the City by Ultima Bank/Arnie Skeie, we should consider naming this street after him.

Member Veum introduced the following resolution and moved its adoption:

**RESOLUTION NAMING STREET FOR
ARNIE SKEIE**

Resolution No. 14-47

WHEREAS, Arnie Skeie as owner to Ultima Bank Minnesota has proposed deeding property to the City of Fosston as described in Exhibit A; and

WHEREAS, the proposed property will be used for street right of way; and

WHEREAS, Arnie has been supportive of the City, First Care Medical Services and other organizations; and

WHEREAS, Arnie has been passionate in his efforts to promote the growth and prosperity of the City for its residents and taxpayers through is leadership on the Fosston Economic Development Authority; and

NOW, THEREFORE, BE IT RESOLVED that in appreciation to Arnie Skeie for his service to the City and his donation of property, the City Council hereby approves the naming of the street described in Exhibit A as **Skeie Drive**.

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

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 9th day of June, 2014.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Council considered Application for Variance from Provisions of Zoning Ordinance from Larry Roed. Lucken informed the council that he has moved his East and West setbacks in to 15' on either side. The back, however, is proposed to be 5' from the line. Setback requirement is 30'. Even though Roed is the owner of the lot adjacent to this on the back side, he still needs a variance. Motion was made by Veum seconded by Dufault to call for the Public Hearing on Monday, July 14. Motion carried by unanimous vote.

Council reviewed a quote from Federal Signal Corp for a new warning siren and a quote from Roger's Two Way Radio for a new receiver. We've been discussing this for over a year now. Some areas of town cannot hear the siren we have. After further discussion motion was made by Dufault seconded by Carlson authorizing Administrator Lucken to proceed with the final plans to make this purchase happen this year. Motion carried by unanimous vote.

Member Dufault introduced the following resolution and moved its adoption:

**A RESOLUTION APPOINTING ELECTION JUDGES FOR THE
AUGUST 12, 2014 PRIMARY ELECTION AND THE
NOVEMBER 4, 2014 GENERAL ELECTION
RESOLUTION NO. 14-48**

WHEREAS, a State Primary Election will be held on August 12, 2014; and

WHEREAS, a General Election will be held on November 4, 2014; and

WHEREAS, Minnesota Statute 204B.21, subd. 2, requires election judges for precincts in a municipality be appointed by the governing body of the municipality; and

WHEREAS, the City of Fosston has one precinct; and

WHEREAS, the following City of Fosston residents have applied to serve as election judges and meet the qualifications established by the State of Minnesota.

NOW THEREFORE BE IT RESOLVED, that the City of Fosston Council, in accordance with State Law, hereby appoints the following persons to serve as election judges for the Primary Election on August 12, 2014 and the General Election on November 4, 2014.

Mavis Anderson Marlene Henney Sally Hanson Dorothy Brown Linda Hand

Rosalie Larson Al Heide Bill Malwitz Darlene Berg

BE IT FURTHER RESOLVED, that the City of Fosston Council approves payment of an hourly wage of \$10.00 per hour during election judge training and time served on election day and approves payment of an hourly wage of \$10.50 per hour for a Chief Judge during time served on election day.

BE IT FURTHER RESOLVED, that in case an appointed judge is unable to serve, the City Administrator is authorized to find a substitute judge of the same political party for the judge who cannot serve.

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, Carlson, Dufault and Offerdahl

and the following voted against same: None

Whereupon said resolution was declared adopted and passed by the Council of the City of Fosston this 9th day of June, 2014.

James Offerdahl, Mayor

ATTEST:

Charles Lucken, City Administrator

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

Charles Lucken, City Administrator