

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF FOSSTON, POLK COUNTY MINNESOTA
NOVEMBER 14, 2016

The regular meeting of the Council of the City of Fosston, Polk County Minnesota was held in council chambers on Monday, November 14, 2016 at 7:00 p.m.

The meeting was called to order by Mayor Offerdahl with the following members present: Veum, Hoialmen, Anderson and Dufault. Also present: was Chuck Lucken, Laurel Skala, Dave Larson, Jeff Stowbridge, Karen Graham, Ed Lavelle, Keith Kinnen, Arlene Gustafson, Cassie Heide, Jim Tadman, Lee Cariveau and Kelly Viken.

Motion was made by Anderson seconded by Hoialmen to approve the agenda with no modifications. Motion carried by unanimous vote.

Motion was made by Veum seconded by Anderson to approve Consent Agenda items A and B. Motion carried by unanimous vote.

- A) To approve the minutes of the regular meeting held October 10, 2016 and the Planning Commission Public Hearing Minutes held October 31, 2016 as per copies furnished each member.
- B) To approve Accounts Payable Bill Listing #16-11 in the amount of \$94,841.63 and AP Bill Listing #16-11A in the amount of \$4,618.19.

COMMITTEES/BOARDS/COMMISSION:

Law Enforcement: Jim Tadman was present to discuss law enforcement matters:

- There were just over 200 calls for service in October.
- Deputies have been busy but report no major issues.

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

- Street sweeping is still being done but could end soon with winter weather coming.
- Alleys have been touched up and mowers have been put away for the season.
- Gravel is in stock for the winter and crews are getting the snow plow equipment ready.
- The elevator needs a new 600 amp service for the seed plant expansion as well as a gas service.
- Two ponds were dumped this fall.
- The IPF is starting to make methane.

Civic Center/Parks & Recreation: Karen Graham reported on Civic Center matters:

- The lights at the hockey rink need to be checked to see how many need to be replaced.
- She has had some issues with the chlorinator pump as well as the lift pump. The lift pump will not come back on by itself after a power outage and Graham asked if it was possible for the Civic Center to have a generator. They are expensive but the Civic Center also serves as an emergency shelter. Cost estimates will be gathered to see if this is feasible.
- The state inspector was here and all went well.

Star Committee: Cassie Heide reported:

- They gave Rotary roses to seniors
- Light Up the Night is on Friday

- Santa Claus day is December 3rd.

The public hearing to consider adoption of the proposed assessments for the 2016 Street and Utility Improvement Project was opened at 7:00 p.m. As the Mayor stated, we assess the minimum required by state law of 20%. Council reviewed the costs that were assessed for each parcel. Those along the alleys were assessed at \$56.50/linear foot and the residential part of the Street Project were at \$22.50 per square foot. Notices were sent to all affected property owners. Arlene Gustafson was present. She stated she has no problem with the \$1,500 assessment but wonders why her driveway was blocked off. Mayor Offerdahl informed her that we would discuss that later. This is a public hearing for the assessments only. There were no other questions or comments and the public hearing was closed at 7:05 p.m.

Lee Cariveau spoke to the driveway issue. When the water line was done they had to block the driveway while it was being put in. For the most part there was temporary access to the property during construction. There were times when they were blocked off to make progress go forward and at other times the contractor was told to make other adjustments to give access. In Arlene's case he spoke to the contractor to make access more accessible. Lucken further explained that there used to be one driveway that went into an alleyway. These were split and she wants one back. Previous to construction the driveway access was in the alley right-of-way. Now each property owner gets their own driveway. Each neighbor now has their own driveway and it was put onto property to line up for the ramp and for any future improvements to her property. The Mayor informed Gustafson there is nothing that can be done this year. Council members will look at the property and give more consideration.

Member Anderson introduced the following resolution and moved its adoption:

**RESOLUTION ADOPTING ASSESSMENT
FOR 2016 STREET AND UTILITIES IMPROVEMENT PROJECT
RESOLUTION NO. 16-43**

WHEREAS, pursuant to proper notice duly given as required by law, the council met and heard and passed upon all objections to the proposed assessment for the improvement of the following streets by bituminous overlay and replacement of water and/or sewer:

Alley right-of-way between Johnson Avenue South and Inderlee Avenue South
Second Street NW between Mark Avenue North and Stephens Blvd.
Newton Avenue between First Street West (Hwy #2) and 2nd Street NW

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

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefitted by the proposed improvement in the amount of assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January,

2017, and shall bear interest at the rate of six (6) percent per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2017. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Administrator, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. He may at any time thereafter, pay to the City Administrator the entire amount of the assessment remaining unpaid, with interest accrued to December 31, of the year in which said payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.
4. The City Administrator shall forthwith transmit a certified duplicate of this assessment to the County Auditor-Treasurer to be extended on the property tax lists of the County. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

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

And the following voted against same: None

Whereupon said resolution was declared passed and adopted this 14th day of November, 2016.

James Offerdahl, Mayor

ATTEST:

Charles Lucken, City Administrator

Council met as a canvassing board to certify the results of the November 8, 2016 General Election.

Motion was made by member Hoialmen to adoption to adopt the following resolution:

**CITY OF FOSSTON
RESOLUTION TO CERTIFY RESULTS OF THE
TUESDAY, NOVEMBER 8, 2016 GENERAL ELECTION
RESOLUTION NO. 16-44**

WHEREAS the City of Fosston held an election for the office of Mayor and two Council Members for a four year regular term, November 8, 2016 during the General Election; and

WHEREAS on this 14th day of November, 2016, the City Council has met to canvass said election results;

WHEREAS the votes tabulated at said election were:

	<u>TOTAL</u>
<u>OFFICE OF MAYOR:</u>	
Two (2) Year Term	
James Offerdahl	616

WRITE-IN FOR MAYOR

Doug Hoialmen	2
Nicholas Carlin	2
Tom Lano	1
H. Sands	1
Mike Brouse	1
David K. Larson	1
Robin Coster Sr.	1

	<u>TOTAL</u>
<u>OFFICE OF COUNCILMEMBER</u>	
Four (4) Year Term	
Roy Dufault	466
Doug Hoialmen	378
Chris Hagen	233
George Bosselmann	99

	<u>TOTAL</u>
<u>WRITE-IN FOR COUNCIL</u>	
Joe Schmidt	2
Thomas Hemphill	2
Neil Schmidt	1
David Larson	1

Heidi Danos	1
John Hopply	1
Norris Holland	1
Kevin Moore	1
Ashley Cartier	1

THEREFORE BE IT RESOLVED by the Council of the City of Fosston that the official election results for the office of Mayor and City Council are accepted as summarized by the Election Judges.

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

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 14th day of November, 2016.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Council considered a proposal from Bonnie Stewart to establish an Arts and Heritage Commission for the City of Fosston. As Stewart explained, she has found a grant opportunity called Our Town. However, you have to be a unit of government to apply. The Arts and Heritage are good economic drivers and we have a rich source of resources in Fosston. She presented her plan for steps to be completed by December 2016 for the \$750 fee. It includes recruiting a steering committee; placemaking; identify our assets and take cultural asset inventory. She further stated that this is perfect timing with the city updating its comprehensive plan. After she completes this contract the city could determine if a commission gets established. She would then seek a grant to cover her costs if we move forward. Both Hoialmen and Anderson like the arts and are in favor of it but we have not budgeted for this either in 2016 or 2017. After further discussion it was determined that we could use \$750 from unallocated. Motion was made by Anderson seconded by Hoialmen to approve the contract between the City and Stewart for \$750.00. Motion carried by unanimous vote.

Motion was made by Veum seconded by Dufault to approve the 2017 Law Enforcement Contract with Polk County for \$180,115.00. Motion carried by unanimous vote. This is up 4.4% over 2016.

Lee Cariveau reported on the following matters:

- City Project Update: The 2016 Street Project construction is done. Cariveau recommends keeping \$22,000 in retainage through the spring in case any issues arise.
- 2017 Street & Utility Project: Council reviewed a report with proposed projects for 2017. After reviewing and discussing the various projects the council directed Cariveau to look at Mark Avenue – Second Street NW to Third Street NW; Mark Avenue – BNSF Rail Crossing – Second St. SW to First St. NW; and Industrial Avenue – industrial park corner for 2017 projects.
- Status of demand letters sent to Gordon Construction, Hagen Construction and Lakes Concrete. Offerdahl stated that we won't get into this now. We will be meeting with Gordon and Hagen as we still hold bonds. That meeting will dictate how we handle Lakes Concrete and see if we can work together.

Motion was made by Anderson seconded by Hoialmen to approve Partial Pay Estimate No. 4 from Gordon Construction in the amount of \$94,574.26 for the 2016 Street and Utility Improvements. Motion carried by unanimous vote.

Motion was made by Hoialmen seconded by Veum to approve the Application for Variance from Provisions of the zoning Ordinance from Fosston Tri Co-op Elevator as recommended by the Planning Commission. Motion carried by unanimous vote.

Motion was made by Anderson seconded by Hoialmen to approve the increase in the rate schedule for Sanitation Service for 2017. This increase is a little less than 3% which is about a 24 cent increase for residential per month. Motion carried by unanimous vote.

Motion was made by Veum seconded by Anderson to enter into a Development Agreement with the NW Multi-County HRA for purchase and placement of two new mobile homes in West End Mobile Court. Motion carried by unanimous vote. This agreement has very minimal to nonexistent risk to the City. They just ask that the city carry costs – utilities, insurance. HRA and the new owners of the court will work on selling them.

Motion was made by Veum seconded by Anderson to approve the Agreement for Waiver, Transfer and Repayment of Federal Airport Entitlement Funds with Mahnomens County Airport. Motion carried by unanimous vote.

Council reviewed a letter from David Drown Associates relating to refunding opportunity for \$2.2 million G.O. Housing Redevelopment Refunding Bonds. These are the assisted living bonds and they have been refinanced once. Lucken doesn't think it looks like much of a savings and there is some risk as well. This item was tabled.

Keith Kinnen informed the council that he has contractors interested in bidding the sports complex building. He proposes bidding early January with bid opening on January 31st.

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

Charles Lucken, City Administrator