

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF FOSSTON, POLK COUNTY MINNESOTA
OCTOBER 10, 2016

The regular meeting of the council of the City of Fosston, Polk County Minnesota was held in Council Chambers on Monday, October 10, 2016 at 7:00 p.m.

The meeting was called to order by Mayor Offerdahl with the following members present: Hoialmen, Veum, Dufault and Anderson. Also present was Chales Lucken, Laurel Skala, Celina Gilbertson, Chief Deputy Tadman, Cassie Heide, Karen Graham, Greg Mireault, Lee Cariveau, Casey Holland, Leah Hemmingsen and Dave Larson.

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

Motion was made by Hoialmen 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 September 12, 2016 and the special meeting held September 19, 2016 as per copies furnished each member.
- B) To approve Accounts Payable Bill Listing #16-10 in the amount of \$93,449.82 and AP Bill Listing #16-10A in the amount of \$17,908.56.

COMMITTEES/BOARDS/COMMISSION:

Law Enforcement: Chief Deputy Tadman was present to discuss law enforcement matters:

- There's been a lot of activity this past month. A lot of traffic matters – speeding, etc. but nothing serious.
- Morning and afternoon patrol around schools is being done.

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

- Street sweeping continues and some mowing is still being done. Leaf pickup will be ongoing not until the snow falls.
- Gates have been installed at the entrance to the burnsite. We hope to deter dumping of unacceptable materials up there. This happens on occasional weekends. If the county disposal site was open on Saturday perhaps people wouldn't dump at our site.
- There were eight gas installs this year.
- Our wells were tested and all are good.
- Pond 2 is being dumped.
- MDV is running and the IPF is taking wastewater. The temperature is up to 87 degrees. A lot of sampling is being done at the IPF and monitoring is ongoing.

Civic Center/Parks & Recreation: Karen Graham reported on matters pertaining to her department:

- Killian Construction poured an apron on the east end of the hockey rink.
- Gregg Roragen filled dirt around the newly installed benches along the FIT trail. Grass seed will be put in those areas as well. Roragen has been cleaning the public bathrooms and they will be closed for winter in the near future.
- Council reviewed an estimate from Swedebro for a ceramic carpet system to replace the tile in the pool area. The Bid #3 was the cost to install right over existing tile at \$39,400.00. The Bid #4

was the cost to demo existing tile and install at a cost of \$44,900.00. Graham prefers Bid #3 but after discussion of the council, it was determined that for another \$5,000 it might be best to have the existing tile removed to avoid problems down the road. Council also directed Graham to get a bid from another company to compare costs. This project won't happen until sometime in 2018 so there is time for further review.

Bus:

- Laurel informed the council that the state has granted \$78,000 in funding for 2017 transportation service.

Community/Economic Development:

- The FEDA board met at noon today. There are new owners of the Mobile Home Park who were present to discuss current conditions and how they are cleaning up the property. The gentlemen own about five mobile home parks as well as apartment complexes so we are confident our Park will get cleaned and maintained the way it should.

Airport:

- The airport dedication went well with over 100 in attendance. It was a very good crowd and a beautiful day.

Star Committee: Cassie gave the following report:

- Businesses are decorating pumpkins
- The manufacturer's appreciation has been postponed until next year.

No bids were received for gasoline, diesel fuel and emergency equipment rental. Council directed Lucken to contact potential bidders again.

Member Dufault introduced the following resolution and moved its adoption:

RESOLUTION DETERMINING SUFFICIENCY OF
PETITION AND ORDERING IMPROVEMENT
PURSUANT TO PETITION BY 100% OF OWNERS
OF AFFECTED PROPERTY
RESOLUTION No. 16-36

WHEREAS, the City Council has received a petition pertaining to improvements to Fosston Auto and Tractor owned by Adam and Dustin Carlson.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Fosston, Minnesota as follows:

- a. The aforesaid petition is signed by all the owners of real property named as the location of the improvement in the petition,
- b. The said property owners request in the petition that the improvement be constructed and that the entire cost of the improvement be assessed against their property,
- c. Said improvement is necessary, cost-effective, and feasible and can best be made as proposed and said improvement is hereby ordered.

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

And the following voted against same: None

Whereupon said resolution was declared duly passed and adopted this 19th day of October, 2016.

James Offerdahl, Mayor

ATTEST:

Charles Lucken, City Administrator

Council discussed the sale of the City parking lot on Block 7. At its last meeting, the council decided to sell what was behind Nord's building to John Nord. Since then, Greg Mireault has requested purchasing a spot where he parks his delivery truck. A 12' area would be sufficient for his needs. Seven and a half feet from the Sjulson building north will be retained by the City; twelve feet and north to our line to be sold to Mireault and from that line to the right-of-way to be sold to Nord. The depth will be determined by City Engineer to be sure the City retains 25' of alley. Holland's and Sjulson's are also interested in purchasing property behind their buildings and we have not spoken to the restaurant owner yet to see if she is interested in purchasing as well. Motion was made by Dufault seconded by Hoialmen to rescind the September 12, 2016 motion to sell 60' x 107' feet to John Nord. Motion carried by unanimous vote. Motion was made by Dufault seconded by Hoialmen to proceed with the sale of the property at \$.75/square foot to the property owners as discussed pending final measurements by City Engineer and reviewed by City. Motion carried by unanimous vote.

Member Hoialmen introduced the following resolution and moved its adoption:

**RESOLUTION RELATING TO THE BYLAWS OF
FIRST CARE MEDICAL SERVICES
FOSSTON, MINNESOTA
RESOLUTION NO. 16-37**

WHEREAS, the City of Fosston is a party to that certain Affiliation Agreement by and among Critical Access Group, f/k/a ECHC and the City of Fosston, Minnesota (the "Affiliation Agreement").

WHEREAS, Section 7 of the Affiliation Agreement provides that the Fosston City Council shall approve any amendments to section 4.2 and 4.3 of the First Care Medical Services Bylaws.

WHEREAS, it has been proposed that the Bylaws be amended to reduce the number of voting directors from nine (9) voting directors to three (3) voting directors which consists of two (2) members appointed by Innovis Health, LLC and one (1) member appointed by the Fosston City Council.

WHEREAS, it has been proposed that the Bylaws be amended to reduce the number of consecutive three year terms a person may serve from five (5) terms to three (3) terms.

BE IT RESOLVED THAT:

Pursuant to its rights under the Affiliation Agreement, the council does hereby approve the amendments to Sections 4.2 and 4.3 of the First Care Medical Services Bylaws.

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

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 10th day of October, 2016

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Lee Cariveau was present to update council on city projects:

- The 2016 Sewer & Water Improvement project is wrapping up. Seeding needs to be done as well as some minor cleanup. This project went well.
- Sixteen spot repairs were done at various locations through town.
- The Second Street area north of the new grocery store is not paved yet. The issue now is with the curb/street/draining. These were not issues before the project began but work needs to be done there for proper drainage before it is blacktopped. Cariveau mentioned that Second Street could be a 2017 project from Kaiser to Mark or further. Larson stated that we have to get the topographic survey first. It may not be as bad as it looks. The main thing right now is to fix it so the drainage is right. We need to have a consensus on how we fix this right away as the patch is going to be done on Tuesday. We could do the prep work now and if there is an overlay in 2017 it is done. Consensus of the council is to prep it for next year, make sure to get the water flow correct and there is nice curvature to that area of Second Street.

Motion was made by Anderson seconded by Veum to approve Partial Payment Estimate No. 3 from Gordon Construction in the amount of \$146,758.05 for the 2016 Street and Utility Improvements. Motion carried by unanimous vote.

Motion was made by Dufault seconded by Anderson to approve Change Orders for the 2016 Street and Utility Improvement Project as follows: Motion carried by unanimous vote.

- A. Change Order #2 – Spot repairs for water main breaks in the amount of \$16,276.00;
- B. Change Order #3 - \$24,692.50 assessed to NAPA
- C. Change Order #4 – Completion Date Extension of 10 days.

Motion was made by Veum seconded by Anderson to approve the Farm Land Lease with Mike Grandbois for three years at \$95/acre. Motion carried by unanimous vote.

Motion was made by Veum seconded by Anderson to approve the Farm Land Lease with Mike Affeldt for 2017 for \$80/acre. Motion carried by unanimous vote.

Motion was made by Hoialmen seconded by Anderson to approve Payment Application #5 from Dennis Killian Construction in the amount of 47,020.65 for the Veteran's Memorial Project. Motion carried by unanimous vote.

Member Anderson introduced the following resolution and moved its adoption:

**RESOLUTION DECLARING COST TO BE ASSESSED
AND ORDERING PREPARATION OF PROPOSED ASSESSMENT
RESOLUTION NO. 16-38**

WHEREAS, a contract has been let (costs have been determined) for the improvement of Alley right-of-way between Johnson Avenue South and Inderlee Avenue South, Second Street NW between Mark Avenue North and Stephens Blvd. and Newton Avenue between First Street West (Hwy #2) and 2nd Street NW and the contract price for such improvement is \$399,903, and the expenses incurred or to be incurred in making such improvement amount to \$60,000 so that the total cost of the improvement will be \$459,903.

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

1. The portion of the cost of such improvement to be paid by the City and State is hereby declared to be \$459,903 and the portion of the cost to be assessed against benefited property owners is declared to be \$42,303.
2. Assessments shall be payable in equal annual installments extending over a period of ten 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 6 percent per annum from the date of adoption of the assessment resolution.
3. The City Administrator, with the assistance of the city consulting engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in the office for public inspection.
4. The City Administrator shall upon the completion of such proposed assessment, notify the Council thereof.

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

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 10th day of October, 2016.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

Member Anderson introduced the following resolution and moved its adoption:

**RESOLUTION DECLARING COST TO BE ASSESSED
AND ORDERING PREPARATION OF PROPOSED ASSESSMENT
RESOLUTION NO. 16-39**

WHEREAS, a contract has been let (costs have been determined) for the improvement of Alley right-of-way between Johnson Avenue South and Inderlee Avenue South, Second Street NW between Mark Avenue North and Stephens Blvd. and Newton Avenue between First Street West (Hwy #2) and 2nd Street NW and the contract price for such improvement is \$399,903, and the expenses incurred or to be incurred in making such improvement amount to \$60,000 so that the total cost of the improvement will be \$459,903.

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

1. The portion of the cost of such improvement to be paid by the City and State is hereby declared to be \$459,903 and the portion of the cost to be assessed against benefited property owners is declared to be \$42,303.
2. Assessments shall be payable in equal annual installments extending over a period of ten 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 6 percent per annum from the date of adoption of the assessment resolution.
3. The City Administrator, with the assistance of the city consulting engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in the office for public inspection.
4. The City Administrator shall upon the completion of such proposed assessment, notify the Council thereof.

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

and the following voted against same: None

Whereupon said resolution was declared passed and adopted this 10th day of October, 2016.

James Offerdahl, Mayor

Attest:

Charles Lucken, City Administrator

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