

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF FOSSTON, POLK COUNTY MINNESOTA
September 12, 2022

The regular meeting of the Council of the City of Fosston, Polk County Minnesota was held in council chambers on Monday, September 12, 2022, 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, Steven Lyseng, Sarah Manecke, Dustin Manecke, Shane Linehan, Stephen Larson, Keith Kinnen, Lee Cariveau, James Juve, Mary Olson, Andrew Hanson, Mike Murray and Kenny Olson.

Recited the Pledge of Allegiance.

Motion was made by Bosselman, seconded by Dufault to approve the agenda with modifications. Motion carried by unanimous vote.

Motion was made by Dufault, seconded by Bosselman to approve Consent Agenda items A., B., C. Motion carried by unanimous vote.

- A) To approve the minutes of the regular meeting held August 8, 2022, as presented.
- B) To approve Accounts Payable Bill Listing #22-09 in the amount of \$116,068.83 and Supplemental AP Bill Listing #22-09A in the amount of \$62,087.45.
- C) To approve Accounts Payable Bill Listing – Omland Court, \$9,123.04.

COMMITTEES/BOARDS/COMMISSION:

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

- Heide noted that she intends to have a special meeting on September 26, 2022, to set the preliminary budget for 2023.
- Heide reported that the city had 110 voters for the primary elections.
- Heide & Manecke will meet with SP Global to discuss the S&P bond rating (A-) on the city's general obligation debt. They are currently in the process of reviewing Fosston's credit rating, so they would like to discuss expected financial performance, future bonding plans, local economy, etc.
- Re-striping of Highway 2 will take place the week of September 19th.

Street/Utilities/Sanitation: Steven Lyseng reported on matters pertaining to his departments

- Lyseng reported that MDV started operations again last week.
- Well inspections were completed at the water treatment plant – water levels have increased.

- Lyseng noted that the wastewater ponds have been tested and they look good for the fall discharge.
- There was one (1) water break in August – 14 total for the year.
- As part of the Department of Health requirements, our staff will need to check each home’s water lines to determine whether they are copper, lead or galvanized.
- Lyseng reported that the industrial feeder project that runs from City Hall to Cenex has been completed.
- Lyseng stated they have 5 new natural gas line installations thus far – 3 have been installed already.
- The street department staff has been busy mowing, picking up yard waste and sweeping.

Civic Center: Karen Graham was not present to report on matters pertaining to her department, but Heide briefed the council on a couple items.

- Just for Kix will be renting the Civic Center again Wednesday evenings beginning September 14th.
- Jen Hubbard resigned from her position as Assistant Aquatics & Recreation Director at the Civic Center.

Police Department: Dustin Manecke reported on matters pertaining to his department

- Manecke reported they had 137 calls for service since last meeting, with five arrests.
- Zurcher software went “live” last week. Manecke noted that five (5) reports have been completed on the new software, but they are still working through some issues.
- Manecke noted that Sergeant James Juve started with the Fosston Police Department on September 1st.
- Manecke attended training at the school on how the PD & school will handle crisis situations.
- Manecke thanked everyone for their help & continued support throughout the process of re-instating our city police department.

Community Development:

- Heide informed the council that the EDA board met at noon today. In addition to regular business, the board discussed the continued work being done at the mobile home park. Only one (1) home remains along Northwood Avenue after the remainder have been moved or demolished.
- Heide noted that staffing at the childcare center continues to be an issue.
- Superintendent Todd Selk was appointed to the EDA board upon resignation of Paul Peltier.

Hospital Board: No report.

Arts & Culture Commission: No report.

City Attorney: No report.

ISD 601 Superintendent: Mr. Selk was not present. No report.

Chief of Police Manecke conducted the swearing in of Sergeant of Police, James Juve. Juve recited the City of Fosston Police Department Oath of Office.

Council considered adopting the amended Avoiding Racial Profiling Model policy per State Board of Peace Officer Standards and Training. Manecke noted that there were a couple verbiage changes made to this policy.

Motion was made by Bosselman, seconded by Mulry to approve the amended Avoiding Racial Profiling Model policy per State Board of Peace Officer Standards and Training. Motion carried by unanimous vote.

Member Bosselman introduced the following resolution and moved its adoption:

**City Resolution on Special Session
Resolution No. 22-31**

City of Fosston
State of Minnesota

WHEREAS, the people of Minnesota have critical infrastructure needs, including the replacement and upgrade of aging drinking water systems, sewage treatment, roads, and bridges that cannot be delayed, and

WHEREAS, without additional funding through a bonding bill, cities will have to drastically raise water rates or taxes on residents and business to pay for necessary infrastructure projects made even more expensive due to inflation, and

WHEREAS, the Minnesota Legislature failed to pass a bonding bill in the 2022 legislative session, and

WHEREAS, the City of Fosston has a \$13 million wastewater expansion project with MN PFA and is in dire need of small cities street aid; and

WHEREAS, Local Government Aid (LGA) is an essential aid program to Minnesota cities, helping to restrain local property taxes, and

WHEREAS, the LGA appropriation has not kept up with city needs and inflation, making it more difficult for cities to provide the public safety, core infrastructure, libraries, and other services without imposing significant property tax increases or service cuts, and

WHEREAS, the Legislature failed to pass a tax bill in the 2022 legislative session that would have increased the LGA appropriation, and

WHEREAS, the state of Minnesota has a multi-billion-dollar budget surplus, and

WHEREAS, additional funds are required to match millions of dollars in available federal funds;

BE IT RESOLVED that the City Council of Fosston, Minnesota urges through this Resolution to Governor Walz to declare a special session and to its lawmakers to work in a bipartisan way to pass a bonding bill and a tax bill that includes an LGA increase; and

BE IT FURTHER RESOLVED that this resolution be transmitted Representative Deb Keil, Senator Mark Johnson, Speaker of the House Melissa Hortman, Senate Majority Leader Jeremy Miller, House Minority Leader Kurt Daudt, Senate Minority Leader Melissa López Franzen, and Governor Tim Walz.

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.

Passed by the City Council of Fosston, Minnesota this 12th day of September, 2022.

James Offerdahl, Mayor

Attested:

Cassie Heide, City Administrator

Heide noted that Attorney Larson brought to our attention that there was no proper chain of title and no resolution indicating the city authorized the deed on the following property.

**CITY COUNCIL OF FOSSTON, MINNESOTA
RESOLUTION NO. 22-32**

At a regular meeting of the City of Fosston, State of Minnesota, held on September 12, 2022, council member Dufault offered the following Resolution which was seconded by council member Mulry.

**RESOLUTION AUTHORIZING AND RATIFYING THE SALE
OR DISPOSAL OF REAL PROPERTY**

WHEREAS, it is in the best interest of the City of Fosston of the State of Minnesota (“City”) to ratify the previous sale, transfer, or disposal of real property located in the City of Fosston, County of Polk, State of Minnesota, as follows: Lots 5 and 6, Subdivision of Block 2, Stadsvold and Lohn’s Addition to Fosston (“Land”).

WHEREAS, the City of Fosston previously conveyed the Land to Arlen Halvorson and Debra Halvorson, as joint tenants, under the Quit Claim Deed dated April 23, 1993 and recorded April 28, 1993 as Document No. 521430 (“Conveyance”).

NOW, THEREFORE, IT IS RESOLVED by the City of Fosston’s council as follows:

1. The previous disposal of the Land by and through the Conveyance is hereby ratified and approved; and
2. The Conveyance which was previously signed and delivered is ratified and otherwise approved.

Upon the call of ayes and nays the vote stood as follows:

Council members voting in the affirmative: Anderson, Bosselman, Dufault, Mulry and Offerdahl.

Council members voting in the negative: None.

Upon this vote, the Mayor declares this resolution adopted and, if passed, effective the 12th day of September 2022.

James Offerdahl, Mayor

Attest:

Cassie Heide, City Administrator

Council considered award of Veterans Memorial Park gazebo and walks project. Heide noted that two contractors, Lenex Sand & Gravel and Quam Construction, were given plans for this project, but Lenex Sand & Gravel was the only contractor to submit a bid. Their base bid of \$21,473 is for the flat concrete work for the Gazebo pad. Their alternate bid of \$31,638.50 is for the concrete walks connecting Veterans Memorial Park to the Heritage Center. Despite the total amount of the project, \$53,111.50, being over our Veterans Park budget, Heide feels confident there are enough funds to do this project and recommends awarding the Veterans Memorial Park gazebo and walks project to Lenex Sand & Gravel.

Motion was made by Anderson, seconded by Bosselman to approve the award of Veterans Memorial Park gazebo and walks project to Lenex Sand & Gravel in the amount of \$53,111.50. Motion carried by unanimous vote.

Council considered approval of Task Order No. 004 from Karvakko, PA for construction engineering services for the Veterans Memorial Park Gazebo and Walks project. The scope of services will provide construction administration, construction staking, and material testing for the proposed construction in the park this fall. Karvakko will only provide services as needed per a “time & expense” basis with an estimated total cost of \$3,500.

Motion was made by Dufault, seconded by Anderson to approve Task Order No. 004 from Karvakko, PA for construction engineering services for the Veterans Memorial Park Gazebo and Walks project. Motion carried by unanimous vote.

Council considered approval of an annual donation to the East Polk Heritage Center in the amount of \$4,000 for 2023. Building inspections have found several maintenance issues that need to be addressed so funding from the City of Fosston is appreciated and needed.

Motion was made by Anderson, seconded by Bosselman to approve an annual donation to the East Polk Heritage Center in the amount of \$4,000 for 2023. Members in favor: Anderson, Bosselman, Dufault and Offerdahl. Members abstained: Mulry. Motion carried.

Council considered approval of purchase of a 930M wheel loader and snow pusher. Lyseng noted that Ziegler Cat will provide a trade allowance of \$88,000 towards the purchase of the new machine. The city would be responsible for \$114,161 plus \$16,500 for the snow pusher. Heide stated this is state bid. The wheel loader and snow pusher would be delivered in 2023 and Heide will work with American Federal bank to set up lease payments, with the first payment being made in 2024.

Motion was made by Mulry, seconded by Anderson to approve the purchase of a 930M wheel loader and snow pusher. Motion carried by unanimous vote.

Council considered approval of an application for exempt permit from the Fosston Area Sportsmen Club for annual sportsman banquet.

Motion was made by Dufault, seconded by Mulry to approve the application for exempt permit from the Fosston Area Sportsmen Club for annual sportsman banquet. Motion carried by unanimous vote.

Cariveau, Widseth was present to discuss the Wastewater Expansion project. Cariveau stated that he and Gail Levenson met with city staff to discuss other funding options as well as re-designing the project to eliminate some items to see if that’s more cost effective. Cariveau also noted that he will provide an update to the 2023 street improvement project next month.

Keith Kinnen, Karvakko was present to discuss the Airport, FIT Trail Expansion, Industrial Park/ T Hanger/Airport utilities project & Safe Routes to School project.

Since the Veterans Memorial Park gazebo and walks project was approved, Kinnen hopes for the project to begin next week. The concrete pad for the Gazebo will be completed first, then the sidewalk along the south side of the library and finally the concrete walks connecting Vets Park to the Heritage Center.

Airport – Kinnen noted that they are approximately halfway through the design phase of the airport reconstruction plans. The Airport Layout Plan (ALP) is also being worked on with the FAA.

SRTS – Kinnen reported that Gordon Construction did a great job on the SRTS sidewalks; however, seven (7) loads of concrete failed the spec strength test despite passing the concrete test prior to being poured. There are areas, especially along Amber Ave S, where the sidewalks are lower than they should be. An independent individual/company will be brought in to test the concrete. Kinnen noted there will be three (3) options: bring the concrete back to spec, leave as is or remove & replace the areas that don't meet spec.

FIT Trail Expansion – No report.

Industrial Park, T Hanger & Airport Utilities project – no major updates. SHPO wants an archeological review of a 60-acre field near the airport.

Council considered approval of pay estimate No. 2 for the 2022 SRTS Sidewalk Improvements. Polk County is the sponsoring agency and responsible for payments to Gordon Construction. The amount owed to the County for work completed to date by the contractor is \$26,919.39, pending obtaining the EEO-13 & certified payroll. Kinnen noted this amount excludes the concrete in question.

Motion was made by Anderson, seconded by Mulry to approve pay estimate No. 2 in the amount of \$26,919.39 for the 2022 SRTS Sidewalk Improvements. Motion carried by unanimous vote.

A forum for members of the public present to speak was held. No one from the public wished to speak during this forum.

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

Cassandra Heide, City Administrator