

**REGULAR ROSEAU CITY COUNCIL MEETING  
MONDAY – JULY 6, 2009 @ 5:00 P.M.  
ROSEAU CITY CENTER COUNCIL CHAMBERS  
121 Center Street East Suite 201  
Roseau, MN 56751**

A Regular monthly meeting of the Roseau City Council was held on the above date, time and place. Members present were Mayor Jeff Pelowski, Council members Gerry Schiltz, Linda Vatnsdal, Pat Novacek and Curt Ireland. Absent none. Others present were Clerk-Treasurer Michelle Slater, Community Development Coordinator Todd Peterson, Superintendent David Drown, Police Chief Ward Anderson, Liquor Store Manager Brad Wiberg, City Attorney Pat Moren, Jack Swanson-Roseau County Commission and Wild102, Lyle Grindy-Roseau Promotions, Annette Hermansen, Charlotte Erickson and Andy Jensen.

Mayor Pelowski called the meeting to order and the Pledge of Allegiance was said.

Council member Ireland motioned, Council member Schiltz seconded and it was carried by unanimous vote to approve the June 1, 2009 minutes as presented.

Council member Vatnsdal motioned, Council member Schiltz seconded and it was carried by unanimous vote to approve the following Consent Agenda items:

- a. Approval was given to pay the accounts payable claims from June 5, 2009 through July 6, 2009 as presented, with a batch number of AP063009 and is filed in edit books in the City Clerk's Office.
- b. Daily Batch checks written from June 1, 2009 through June 30, 2009 were audited, approved and are filed in edit books in the City Clerk's Office.
- c. Receipt entries May 1, 2009 to May 31, 2009 were audited, approved and are filed in edit books in the City Clerk's Office.
- d. Journal entries May 1, 2009 through May 31, 2009 were audited, approved and are filed in edit book in the City Clerk's Office.
- e. A review of May 2009 General Ledger checks written compared with check images on the bank statements found no irregularities.
- f. Upcoming meetings –
  - a. August 3, 2009 Regular Council meeting.
  - b. September 14, 2009 Regular Council meeting.
- g. Approve the use of alcohol in the Community Center –
  - a. October 10, 2009 Tara Lee wedding dance.
  - b. October 24, 2009 Hagen/Lundgren wedding dance.
  - c. November 21, 2009 Partners For Health Event.
- h. Liquor Sales report May 2009.
- i. CGMC Legislative Session Report 2009.
- j. League of Minnesota Cities Insurance Trust Liability Coverage Waiver Form: Approve that the City DOES NOT WAIVE the monetary limits on municipal tort liability established by Minnesota Statutes 466.04 and authorize the Clerk to sign the same.
- k. State Representative District 1A David Olin update on the 2009 legislative session as it relates to cities and counties.
- l. Investment – Roseau EDA Hi Fi as of 06/29/09 is \$91,556.18.
- m. Cash in bank – Regular checking as of 06/29/09 is \$1,252,883.23.
- n. Investment – Regular Hi Fi as of 06/29/09 is \$3,807,400.33.
- o. Cash in bank – Liquor Credit Card as of 06/29/09 is \$10,103.85.
- p. Cash in bank – Airport Fuel Sales Credit Card as of 06/29/09 is \$559.03.
- q. Investment – Roseau EDA Money Market as of 06/29/09 is \$114,035.49.
- r. Cash in bank – Pine to Prairie Birding Trail as of 06/29/09 is \$3,655.85.
- s. Cash in bank – Scandinavian Festival as of 06/29/09 is \$2,673.49.
- t. Cash in bank – Roseau Community Youth Project as of 06/29/09 is \$3,324.24.
- r. Cash in bank – Welcome to Roseau as of 06/29/09 is \$1,137.17.
- s. Cash in bank – Roseau EDA as of 06/29/09 is \$4,454.54.

Roseau Friends of the Library (RFOL) representative Annette Hermansen presented a 2007-08 Usage Comparison at the Roseau Public Library. Hermansen also reported the RFOL has been informed there is a Minnesota State Arts Board cultural collaboration grant available that they would like to sponsor, which must involve 2 artists of color or 1 artist of color and a local non-profit. The grant has a \$6000 limit and the artist must live in Minnesota. If he qualifies, the RFOL plans to submit an application to commission two to four paintings from Robert Kakaygeesick to be placed in the Roseau City Center. Council member Novacek motioned, Council member Vatnsdal seconded and it was carried by unanimous vote to authorize the Roseau Friends of the Library to submit a grant application to the Minnesota State Arts Board and if accepted, to allow the Kakaygeesick paintings to be placed in the Roseau City Center..

Roseau Promotions Director Lyle Grindy reported;

- A June 16, 2009 bike tour that originated in Grand Forks, ND made a stop in Roseau with 65 bikers participating.
- The Scandinavian Festival had good weather and good crowds with 25 vendors participating.
- The 9<sup>th</sup> District American Legion convention held in Roseau was a great success with over 200 attendees.
- The 5<sup>th</sup> annual Car Show was a success having a large number of spectators and a total of 130 vehicles participating.
- He and Council member Vatnsdal met with Polaris on new Welcome to Roseau signs. Polaris created the design in-house and has agreed to pay the entire cost of the signs.
- The Commissioner of the Minnesota Department of Agriculture will be in Roseau for a Town Meeting at the Roseau City Center on August 19, 2009.

The Planning Commission met on June 29, 2009 and was updated on various property clean-up issues. One clean-up property discussed was the former Jensen's Seed and Wool property leased to Howell Steel and owned by Burlington Northern Railroad. Community Development Coordinator Peterson reported Burlington Northern Railroad requires an environmental assessment before selling potentially contaminated sites. Burlington Northern Railroad has asked Peterson to obtain quotes to remove buildings and debris.

Council member Ireland motioned, Council member Schiltz seconded and it was carried by unanimous vote to approve the Border State Bank application to waive platting regulations (on the former Dan Hamilton/Rachel Jacobson property) with the stipulation that the property must be platted. The property description is as follows:

A parcel of land located in the Southwest Quarter of the Northeast Quarter (SW ¼ NE ¼) of Section Thirteen (13), Township One Hundred Sixty-two (162) North, Range Forty (40) West of the Fifth Principal Meridian in Minnesota, according to the United States Government Survey thereof, described as follows, to-wit:  
Beginning at the Northwest corner of Lot 1, Block 1, of Larsen's Second Addition to the City of Roseau, thence North parallel to the West line of the NE ¼ a distance of 260 feet; thence Easterly a distance of 472.15 feet; thence Southerly a distance of 179.99 feet; thence Westerly a distance of 110.00 feet; thence South a distance of 80.01 feet; thence Westerly a distance of 362.15 feet to the point of beginning.

Roseau County Commissioner Jack Swanson;

- Thanked the Council for allowing him to be a part of the East Diversion Ground Breaking Ceremony held June 29, 2009.
- Reported the County Commissioners approved converting its County television translator system to digital later this summer. The upgrade means people who watch the county-provided free, over-the-air TV must have a digital TV or a converter box to receive the signal.

The Operations Committee met;

- To discuss a request from the Roseau City Employees Association to clarify an apparent change made to the definition of "immediate family" in the employee handbook without notification to the Association. The Operations Committee consensus was this was a non-issue and that if the City Employees want changes in the handbook, they can request to renegotiate their entire salary and benefits package.
- To discuss a request from City employee Charlotte Erickson asking that her job be reevaluated. The revision of duties was submitted to Employers Association, Inc. (George Gmach), who concluded the job description he received was similar to a job that was left vacant (Deputy Clerk)

in their 2006 report, concluding the overall job rates at 223 points, which is a Grade 6. The Operations Committee did not come to a consensus on this issue.

- To discuss a part-time employee budgeted, negotiated and hired by the Beautification Committee (April Kasprovicz) at \$13.50 per hour in 2009, which does not comply with the part-time pay chart. The Council approved a pay chart based on full-time salaries for Seasonal and Summer part-time employees in May of 2008 and the Beautification Committee were not made aware of the change. The Operations Committee did not come to a consensus on this issue.

Council consensus was agreement with the Operations Committee that the definition of “immediate family” is a non-issue and the City Employees Association can request to renegotiate their salary and benefits package along with that portion of the employee handbook if they want changes made, as recommended by the Operations Committee. No action was taken.

Council member Novacek motioned, Council member Ireland seconded and it was carried by unanimous vote to authorize the upgrade of employee Charlotte Erickson from Grade 5, Off The Chart to Grade 6, Step K, retroactive to January 1, 2009, based upon Employers Association, Inc. reevaluation.

Discussion was held on whether a new job description review for all City employees should be included in the 2010 budget. No action was taken.

Council member Ireland motioned, to pay April Kasprovicz the negotiated part-time hourly rate of \$13.50 for the summer of 2009; however, in 2010 the hourly rate must be based on the summer part-time pay chart.

The foregoing was duly seconded by Council member Vatnsdal and upon vote being taken, the following voted in favor thereof: Ireland, Vatnsdal, Schiltz and Pelowski

and the following voted against the same: None

and the following abstained: Novacek

and the following were absent; None

whereupon said motion was declared duly passed and adopted.

Community Development Coordinator Peterson noted a better effort will be made to make sure City Employees receive an updated handbook when changes are made, including providing annual updates and signature pages to each employee.

Community Development Coordinator Peterson reported that since the Roseau Municipal Airport is not zoned properly and does not lie within the City Council’s jurisdiction the options are;

- To ask Spruce Township to implement and oversee the zoning ordinance.
- To ask Roseau County to implement and oversee the zoning ordinance.
- To form a joint board consisting of members of the Roseau City Council, Spruce Township and County Commissioner’s to administer the zoning.
- If Spruce Township does not wish to go through the zoning process it can be turned back to the City to proceed with the zoning.

Commissioner Jack Swanson indicated that the County has no interest in implementing the zoning ordinance. Peterson agreed to contact Spruce Township as requested by the Council to determine their interest in participation in the zoning process.

Community Development Coordinator Peterson gave an update on the AURI gasification project.

Manager Wiberg presented the June 2009 and 3<sup>rd</sup> quarter 2009 Liquor monthly sales report.

Police Chief Anderson had a request to allow the road to be blocked off from Highway 310 east to 2<sup>nd</sup> Avenue NW and south along 2<sup>nd</sup> Avenue NW to Main Avenue N on July 18, 2009 for approximately 1 ½ hours for a wedding reception in the Robert Carr yard. By Council consensus the request was approved.

A memorandum was received from Assistant City Attorney Michelle Moren regarding Chief Anderson's previous request to hire Keith Nelson as a part-time police officer and concerns the Council had regarding a possible conflict of interest. Chief Anderson reported Nelson has taken a job elsewhere, therefore no action was taken.

Council member Novacek motioned, Council member Ireland seconded and it was carried by unanimous vote to suspend the Administrative Fines Ordinance effective August 1, 2009 pending clarification of the new Administrative Fines statutes.

Council member Novacek motioned, Council member Ireland seconded and it was carried by unanimous vote to allow ball game umpires at Gilbertson Field to be paid upon receipt of the claim and that the Council will audit the same at their next regular council meeting.

Community Development Coordinator Peterson reported that Simplex would like to put together a formal package for a sound system in the Council Chambers before meeting with the Council. The matter will be added to the August agenda.

Community Development Coordinator Peterson;

- Requested the Comprehensive Plan Work Session the Council scheduled for July 13, 2009 at 5:00 p.m. be rescheduled and that a Notice of Event be sent to the Council for July 13, 2009 at 7:00 p.m. to allow the Council to attend a Corp of Engineers East Diversion landowners meeting, which the Council approved.
- Reported he would like to meet with the Park Committee to discuss their vision with regard to the East Diversion Project.
- Reported he has submitted a capital project request to the state to keep the East Diversion Project going and to secure funding for 2010.
- Updated the Council on how the East Diversion land acquisition is progressing.
- Reported Minnesota Northern Railroad is seeking authorization to abandon the rail line between Roseau and Warroad. If approved, a railroad bridge would not be required as part of the East Diversion Project and the cost savings would be redirected to other parts of the project. Minnesota Railroad would continue to use the rail line in Roseau to access the grain elevators.

Council member Novacek introduced the following resolution and moved for its adoption and that the contract be executed:

**#R 24-09**

**RESOLUTION ACCEPTING BID**

**WHEREAS**, pursuant to an advertisement for bids for the East Diversion Bridges Project, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

Dallco, Inc.	\$2,848,271.80
Swingen Contruction Co.	\$2,913,947.10
Robert R. Schroder Construction, Inc.	\$2,951,280.25

**AND WHEREAS**, it appears that Dallco Inc. of Finlayson, Minnesota is the lowest responsible bidder,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ROSEAU, MINNESOTA;**

1. The mayor and clerk are hereby authorized and directed to enter into a contract with Dallco Inc., of Finlayson, Minnesota in the name of the City of Roseau for the construction of two bridges for the East Diversion Project therefore approved by the city council and on file in the office of the city clerk.
2. The city clerk 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.

Adopted by the city council this 6th day of July, 2009.

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City Clerk

\_\_\_\_\_  
Mayor

The motion was duly seconded by Council member Ireland and upon vote being taken, the following voted in favor thereof: Novacek, Schiltz, Ireland, Vatnsdal and Pelowski

and the following voted against the same: None

and the following abstained: None

and the following were absent: None

whereupon said motion was declared duly passed and adopted.

In conjunction with the Roseau County Historical Society Women's History Month, March 2010 "One Women 2010" event, a request for City of Roseau nominations from the Council will be added to the August 3, 2009 Regular monthly meeting agenda.

Mayor Pelowski reported that as a part of Governor Pawlenty's budget fix, the City of Roseau was unallotted \$57,000 in Local Government Aid for 2009. Council consensus was the 2009 Local Government Aid unallotment will be absorbed and the 2010 anticipated unallotment will be addressed during the 2010 budget process.

Council member Novacek reported he is applying funding for NIMS training.

Council member Novacek motioned, Council member Vatnsdal seconded and it was carried by unanimous vote that there was no further business, therefore the meeting be adjourned.

ATTEST:

s/s Michelle Slater  
Clerk-Treasurer

s/s Jeff Pelowski  
Mayor