

**REGULAR ROSEAU CITY COUNCIL MEETING  
MONDAY – OCTOBER 4TH, 2010 @ 5:00 P.M.  
ROSEAU CITY CENTER COUNCIL CHAMBERS  
121 Center Street East Suite 201  
Roseau, MN 56751**

The 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, Pat Novacek, Linda Vatnsdal, Curt Ireland. Others present were Community Development Coordinator Todd Peterson, Police Chief Ward Anderson, Liquor Store Manager Brad Wiberg, Attorney Michelle Moren, Lyle Grindy, and Roseau County Commissioner Jack Swanson- KJ102.

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

Council member Gerry Schiltz motioned, Council member Linda Vatnsdal seconded and it was carried by unanimous vote to approve the September 13th, 2010 minutes as presented.

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

- a. Accounts payable claims from September 1st, 2010 through September 30th, 2010 as presented, with a batch number of AP09302010 and is filed in edit books in the City Clerk's Office.
- b. Daily Batch checks written from September 1st, 2010 through September 30th, 2010 were audited, approved and filed in edit books in the City Clerk's Office.
- c. Receipt entries August 1st, 2010 through August 31st, 2010 were audited, approved and are filed in edit books in the City Clerk's Office.
- d. Journal entries JV073110 were audited, approved and filed in the edit books in the City Clerk's Office.
- e. A review of July, 2010 General Ledger checks written compared with check images on the bank statements found no irregularities.
- f. Upcoming meetings –
  - a. November 1, 2010, Regular meeting at 5:00 p.m.
- g. Approve the use of alcohol in the Community Center –
  - a. October 23<sup>rd</sup>, 2010 - Hetteen wedding dance.
- h. Approve August 16<sup>th</sup>, 2010 Oakcrest Golf Board Meeting Minutes
- i. Approve cost-share for annual Roseau County/City/REC Health Fair on October 28, 2010 in the City Center.
- j. Approve rough draft of September 27th, 2010 Planning Commission minutes.
- k. Coalition of Greater Minnesota Cities – September 16<sup>th</sup>, 2010 CGMC in Brief
- l. Coalition of Greater Minnesota Cities – September 23<sup>rd</sup>, 2010 CGMC in Brief

**m. Resolution #30-10**

WHEREAS, the Roseau Veterans of Foreign Wars (VFW) has presented to the City of Roseau a donation of \$1,000.00 and has designated that these donations be deposited in the Memorial Arena Zamboni Replacement Fund in exchange for advertising on the Zamboni; and

WHEREAS, the City Council is appreciative of the donation and commends the Veterans of Foreign Wars (VFW) for their civic efforts,

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Roseau, Minnesota;

1. That the donation is accepted and acknowledged with gratitude.
2. That the donation will be appropriated to the Memorial Arena Zamboni Replacement Fund.

Adopted this 4<sup>th</sup> day of October 2010

By: s/s Jeff Pelowski, Mayor

Attest: s/s Todd Peterson, CDC

**n. Resolution #31-10**

WHEREAS, the Roseau American Legion Forty and Eight Voiture 1436 has presented to the City of Roseau a donation of \$500.00 and has designated that these donations be deposited in the General Fund to be used for Roseau Volunteer Fire Department equipment; and

WHEREAS, the City Council is appreciative of the donation and commends the Roseau American Legion Forty and Eight Voiture 1436 for their civic efforts,

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Roseau, Minnesota;

1. That the donation is accepted and acknowledged with gratitude.
2. That the donation will be appropriated to the Roseau Volunteer Fire Department to be used for fire equipment.

Adopted this 4<sup>th</sup> day of October 2010 By: s/s Jeff Pelowski, Mayor

Attest: s/s Todd Peterson, CDC

**o. Resolution #32-10**

WHEREAS, the Roseau American Legion Post 24 has presented to the City of Roseau a donation of \$500.00 and has designated that these donations be deposited in the City of Roseau General Fund to be used for Roseau Volunteer Fire Department equipment; and

WHEREAS, the City Council is appreciative of the donation and commends the Roseau American Legion for their civic efforts,

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Roseau, Minnesota;

1. That the donation is accepted and acknowledged with gratitude.
2. That the donation will be appropriated to the Roseau Volunteer Fire Department to be used for fire equipment.

Adopted this 4<sup>th</sup> day of October 2010 By: s/s Jeff Pelowski, Mayor

Attest: s/s Todd Peterson, CDC

- p. Investment-Roseau EDA Hi Fi as of 09/28/2010 is \$150,515.75.
- q. Cash in bank-DNR Escrow as of 09/28/2010 \$289,000.00.
- r. Cash in bank-Regular checking as of 09/28/2010 is \$1,280,770.18.
- s. Investment-Regular Hi Fi as of 09/28/2010 is \$3,510,828.19.
- t. Investment – Certificate of Deposit as of 09/28/2010 is \$750,000.00.
- u. Cash in bank-Airport Fuel Sales Credit Card as of 09/28/2010 is \$1,430.73.
- v. Investment-Roseau EDA Money Market as of 09/28/2010 is \$84,733.42.
- w. Cash in bank-Pine to Prairie Birding Trail as of 09/28/2010 is \$2,672.71.
- x. Cash in bank-Scandinavian Festival as of 09/28/2010 \$3,514.56.
- y. Cash in bank-Roseau Community Youth Project as of 09/28/2010 is \$3,324.14.
- z. Cash in bank-Welcome to Roseau as of 09/28/2010 is \$1,212.17.
- s. Cash in bank-Roseau EDA as of 09/28/2010 is \$3,266.96.
- t. Liquor Store September, Quarterly and YTD financial statements
- v. Subordination Agreement

Whereas, the City of Roseau possesses a valid and enforceable lien against the following described real property located in the County of Roseau, State of Minnesota, to wit:

Lot Three (3), in Block Three (3) of Meade's Third Addition to the City of Roseau. According to the Recorded Plat thereof, Roseau County Minnesota, as evidenced by a Repayment Agreement dated June 13, 2006, and filed of record in the Office of the Roseau County Recorder on August 29, 2006, as Document Number 255095, and

Whereas, Stacy L. Otto, a single person and fee owner of the above described real property, has applied for a mortgage loan from Border State Bank; and

Whereas, Border State Bank has indicated that it is unwilling to accept a mortgage upon the above-described real property in security for said loan unless the City of Roseau shall subordinate its mortgage to the lien to be created by said Border State Bank on said property;

Now Therefore, in consideration for the premises and as an inducement to Border State Bank to accept said mortgage, the City of Roseau hereby agrees to subordinate, and hereby does subordinate, its lien against the above described real property to the mortgage lien of Border State Bank against said property, said mortgage to have the same validity, force and effect as if executed, delivered, and recorded prior to the date of execution of said City of Roseau Mortgage.

In Testimony Whereof, the City of Roseau has caused the present-to be executed by Jeff Pelowski, Mayor this 4<sup>th</sup> day of October, 2010.

STATE OF MINNESOTA)ss  
COUNTY OF ROSEAU)

By: s/s Jeff Pelowski, Mayor

Councilmember Curt Ireland asked a question about the procedure for the transfer of a liquor license from one business to another. It was discussed that liquor licenses can be transferred so long as the party seeking the transfer qualified for licensure under state liquor law. The Clerk's Office would process that transfer.

Promotions Director Lyle Grindy reported on the following:

- The Civic and Commerce has two new members: T&T Printing of Warroad who prints the News & Views and Puro Beads of Roseau owner Nancy Kasprovicz
- The Civic and Commerce has partnered with the Women of Today supporting "Diva Day" November 6<sup>th</sup> at the Roseau City Center
- The C&C will have their annual Moonlight Madness and Appreciation Dinner at the Roseau City Center this Thursday from 4:00 pm to 7:00 pm
- October 20<sup>th</sup> and 21<sup>st</sup> as a member of the Board of Directors Lyle Grindy will be attending the Annual Minnesota Heartland Tourism meeting in Bemidji.
- For the Roseau EDA Lyle Grindy will be travelling the outlying areas visiting with possible retailers that might be interested in starting a business in Roseau.

It was reported that the next Oakcrest Golf Board meeting will be in November.

Roseau County Commissioner Jack Swanson reported on the following:

- Commission Swanson reported that the Roseau County TB Task Force is seeking cooperation from local deer hunters to bring in samples of deer taken in this year's harvest for testing in an attempt to reduce the quotas of deer taken by USDA sharpshooters.

Community Development Coordinator Todd Peterson reported on the following:

- The Roseau EDA approved two new business loans in the transfer of Kerri B & Co. to new owners
- AURI will be drawing down the remaining funds on the DEED grant for the gasifier project by the end of the year
- The Roseau EDA approved supporting Caryl Turnow, Northwest Minnesota Foundation, in her efforts to provide regular meeting times to work with persons interested in starting new businesses in Roseau
- The Roseau EDA developed a list of businesses to pursue
- The Roseau EDA discussed some additional business prospects that have expressed interest in opening in Roseau

Liquor Store manager Brad Wiberg reported on the following:

- Liquor store monthly sales September 2010.

Councilmember Curt Ireland reported that both Fire Chief Tim Skime and he have received letters from the Department of Homeland Security that the process for emergency access to Canada will change. Currently both the Roseau Ambulance and Roseau Fire Department which both service SE Manitoba have keys to open the border gate after the border is closed. The gate system is proposed to be changed to a key code. However in order to receive the code emergency responders will need to call the Roseau County Sheriff's Office, the Roseau County Sheriff will then need to contact Grand Forks for a code and relay that to the first responders. There was considerable concern that this may delay response times.

Councilmember Pat Novacek reported that the Fireman's Dinner and Ball was very successful with over 800 people attending.

Police Chief Ward Anderson reported on the following:

- The Homecoming Parade will be Friday at 4:00 pm
- A Level-3 Sex offender has been in the community since October 2<sup>nd</sup> living in the West Side Trailer Court. The Department of Corrections will do a public meeting at the Roseau City Center

concerning this sex offender. It was noted that this offender has indicated plans to move out into rural Roseau County in the future.

Assistant City Attorney Michelle Moren reported on the following:

- Proposed Ordinance #19 Third Series.

Council member Gerry Schiltz introduced Ordinance No. 19 Third Series and moved for its adoption

**ORDINANCE NO. 19 THIRD SERIES**  
**(Codified)**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ROSEAU, MINNESOTA, TO AMEND TITLE III OF THE ROSEAU CITY CODE ENTITLED “ADMINISTRATION”, CHAPTER 32 ENTITLED “CITY POLICIES” BY AMENDING SECTION § 32.03 ENTITLED “EMPLOYEE RESPONSE TIME AND/OR RESIDENCY REQUIREMENTS/CITY EMPLOYEES PROHIBITED FROM SERVING AS MAYOR OR COUNCIL MEMBER OF CITY OF ROSEAU”**

The City Council of the City of Roseau, Minnesota, does ordain as follows:

**SECTION 1.** That Title III of the Roseau City Code entitled “Administration”, Chapter 32 entitled “City Policies”, Section 32.03 entitled “Employee Response Time and/or Residency Requirements/City Employees Prohibited from Serving as Mayor or Council Member of City of Roseau”, Subdivision (E) entitled “Public Office” is hereby amended to read as follows:

- (E) Public Office. No full-time employee and/or regular part-time employee, and/or any department head of the City of Roseau shall be eligible to serve as mayor or member of the Roseau City Council.

This prohibition shall not apply to the following, except as set forth in paragraphs i, and ii. below:

- a. Temporary employee
  - b. Seasonal employee
  - c. Paid-for-call employee
- i. Should any of the employees as set forth in a. through c. of this section have supervisory authority over any other city employees, they shall be considered as ineligible to serve as mayor or member of the Roseau City Council.
  - ii. No department of the City of Roseau shall be allowed to have more than two of the above classified employees serve as a council member and/or mayor during the same time period. The purpose of this paragraph is to insure that the Council shall always have a quorum in order to make decisions regarding individual departments as could members who are employed by particular City departments generally abstain from taking any action on issues pertaining to their department.

**SECTION 2.** All ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed.

**SECTION 3.** This ordinance shall take effect and be in full force after its passage and publication.

Dated this 4<sup>th</sup> day of October, 2010.

APPROVED:  
s/s Jeff Pelowski  
Mayor

ATTEST:  
s/s Janet Lundbohm  
City Clerk

The motion was duly seconded by Council member Linda Vatsdal and upon vote taken, the following voted in favor thereof: Gerry Schiltz, Linda Vatsdal, Jeff Pelowski, Curt Ireland and Pat Novacek.

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.

- The City Attorney's Office has drafted a lease agreement for property occupied by Johnson Oil that is owned by the City of Roseau. Pat Novacek made a motion to recommend approval of the proposed lease agreement with Johnson Oil, seconded by Curt Ireland and carried by unanimous vote.

#### COMMERCIAL LEASE AGREEMENT

THIS AGREEMENT is made and entered into this 4th day of October, 2010, by and between the City of Roseau, a Minnesota Municipal Corporation, party of the first part, hereinafter referred to as "lessor", and Johnson Oil Co. of Hallock, Inc., a Minnesota Corporation, party of the second part, hereinafter referred to as "lessee".

#### RECITALS

1. That on or about October 16, 2008, lessor acquired from BNSF Railway Company (BNSF) certain real estate in the City of Roseau, Minnesota, located with in the confines of the real estate included in that certain Quit Claim Deed attached to this agreement as Exhibit "A".
2. Prior to the acquisition of the above described real estate by lessor, lessee had been leasing a portion thereof from BNSF.
3. That on or about June 19, 2006, lessee purchase from lessor a parcel of real estate located in the City of Roseau Industrial Park to which said location lessee moved a portion of its business assets, including a number of petroleum tanks. However, a portion of lessee's business assets including two (2) structures and eight (8) Petroleum Tanks remain on a portion of the land acquired by lessor from BNSF.
4. The subject matter of this lease is that portion of the real estate shown on Exhibit "A" lying East of Main Avenue South, in the City of Roseau, Minnesota, previously leased by lessee from BNSF.
5. That the above described two (2) structures and eight (8) petroleum tanks are all currently out of compliance with certain provisions of the Roseau City Code. It is the intent of the parties hereto that said structures and tanks be brought into compliance with the provisions of the Roseau City Code including a requirement of painting the structures located on said real estate, if they are to be retained, and that the smaller tanks either be stored within the structures or moved to a new location other than the land owned by lessor. It is the further intent of the parties hereto that lessee shall grade the site to facilitate regular mowing and upkeep of the grounds, and further, that lessee perform said regular mowing in order to be in compliance with the City of Roseau weed and long grass ordinance.
6. That this lease agreement has been drafted by Patrick D. Moren, City Attorney for the City of Roseau, Minnesota, as legal counsel for lessor. Lessee is aware of its right and opportunity to consult with legal counsel of its own choice with respect to its rights and obligations hereunder.

NOW THEREFORE, in consideration of the mutual promises herein contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree and covenant as follows:

#### ARTICLE I.

##### LEASE OF REAL ESTATE

Lessor hereby leases to lessee, and lessee hereby leases from lessor that portion of the real estate lying East of Main Avenue South, in the City of Roseau, contained in the attached Exhibit "A", which had been previously leased by lessee herein from BNSF.

#### ARTICLE II.

##### TERM OF LEASE

Subject to early termination as hereinafter provided, the term of this lease shall be one (1) year commencing October 15, 2010.

#### ARTICLE III.

RENTAL PAYMENT

Lessee shall pay to lessor as and for rental of the real estate which is the subject of this lease the sum of Five Hundred and no/100 (\$500.00) Dollars for the full term of this one (1) year lease which rental payment shall be made at the time of the execution of this lease agreement by the parties.

ARTICLE IV.

REAL ESTATE TAXES

Lessor shall be responsible for the payment of all real estate taxes assessed against the real estate during the full term of this lease.

ARTICLE V.

CAPITAL IMPROVEMENTS

No capital improvements shall be made upon the subject real estate without the expressed written consent of the lessor. In the event that lessee makes such capital improvements with the consent of lessor it will not be reimbursed for such improvements.

ARTICLE VI.

UTILITIES

Lessee shall be solely responsible for all utilities including, but not limited to heat, water, gas, electricity and sewer services. In addition, lessee shall be solely responsible for all mowing, snow removal, disposal of garbage, telephone or related communication expenses.

ARTICLE VII.

MAINTENANCE & RELATED

Lessee shall keep the leased premises in a clean and sanitary condition and shall not make any changes, additions or alterations without first obtaining the written consent of the lessor. In addition, lessee shall cause the structures and the petroleum tanks located on the premises to be brought into compliance with the provisions of the Roseau City Code including the requirement of painting the structures located on said real estate, if they are to be retained. In the event that said structures are to be retained on the premises all of the petroleum tanks shall be moved into said structures or be moved to another location other than the land lessor acquired from BNSF. In addition, lessee shall grade the site to facilitate regular mowing and upkeep of the grounds. In this regard lessee shall perform said regular mowing in such a manner as to be in compliance with the City of Roseau weed and long grass ordinance.

ARTICLE VIII.

INSURANCE

Lessee during the full term of this lease shall keep in full force and effect a policy of public liability and property damage insurance with respect to the leased premises of which limits of public liability shall be not less then One Million (\$1,000,000.00) Dollars per person and One Million (\$1,000,000.00) Dollars per accident. In addition, lessor and lessee shall each maintain such insurance including insurance against damage by fire, windstorm and the elements as each party deems necessary to protect its interests.

ARTICLE IX.

SIGNS

Lessee shall be permitted to display such signs as it may desire on the leased premises provided the same shall conform with applicable laws, ordinances, codes or other governmental regulations.

ARTICLE X.

NONASSIGNABILITY

The rights and duties of lessee pursuant to the terms of this lease shall not be assignable nor shall the premises be sublet by the lessee without the express written consent of lessor.

ARTICLE XI.

DEFAULT

In the event lessee defaults in any of its requirements with the terms of this lease; or if lessee makes any use of said premises which is in violation of any laws of the State of Minnesota, United States of America, or ordinances of the City of Roseau, Minnesota, or the Roseau City Code, lessee hereby authorizes and fully empowers said lessor or its agents to cancel and annul this lease at once, and to reenter and take possession of said premises, without any previous notice of intention to reenter. In such event of default lessee shall remove all structures and petroleum tanks from the premises, all at lessee's expense.

ARTICLE XII.

ABANDONMENT

If lessee at any time during the term of this lease abandons the demised premises, or any part thereof, lessor may, at its option, enter the demised premises by any means without being liable for any prosecution therefore, and without becoming liable to lessee for damages for any payment of any kind whatsoever, and may, at its discretion, as agent for lessee, have the structures and petroleum tanks located on the premises removed to a location designated by lessee; provided however, that if said location lies within the City of Roseau lessee shall be required to comply with all laws, ordinances and regulations in force within the corporate limits of the City of Roseau. The cost of such removal and relocation shall be at the sole expense of the lessee.

ARTICLE XIII.

COMPLIANCE WITH LAWS

Lessee shall comply with all laws of the United States of America, State of Minnesota, all ordinances of the City of Roseau, the Roseau City Code and all the rules and regulations governing the operation of a commercial business in the City of Roseau, Minnesota.

ARTICLE XIV.

SEVERABILITY

If any provision of this lease is held invalid by a Court of competent jurisdiction, it shall be considered deleted from this lease, provided however, that such invalidity shall not affect the remaining provisions that could be given effect without reference to the invalid provision or provisions.

ARTICLE XV.

RECITALS INCLUSIVE

The above Recitals are inclusive and form an integral part of this agreement.

ARTICLE XVI.

LAW GOVERNING

This lease shall be governed by the laws of the State of Minnesota.

ARTICLE XVII.

ENTIRE AGREEMENT

This lease constitutes the entire agreement between the parties and shall not be amended except by written agreement executed by both parties.

IN WITNESS WHEREOF, the parties have executed this lease the day and year first above written.

CITY OF ROSEAU

\_\_\_\_\_  
By: Jeff Pelowski, Mayor

\_\_\_\_\_  
By: Janet Lunbohm, City Clerk

JOHNSON OIL CO. OF HALLOCK, INC.

\_\_\_\_\_  
By: Todd W. Johnson, Vice-President

- The City Attorney’s Office drafted a resolution for the sale of a flood buyout property to Tim & Janelle Kofstad for \$500. Councilperson Pat Novacek made a motion to adopt the following resolution:

**RESOLUTION #33-10**

WHEREAS, the City of Roseau, Minnesota, is the owner of the following described real estate having acquired said property from Bradley L. Bayerkohler, a single person, in conjunction with a flood buy-out program following the devastating flood which inundated the City of Roseau, Minnesota, in the year 2002; and

WHEREAS, the following described real estate consists of a bare lot only, following removal of the flood damaged structure previously located on said premises, and;

WHEREAS, Timothy L. Kofstad and Janell K. Kofstad, husband and wife, the adjoining property owners have indicated their desire to purchase the following described real estate; and

WHEREAS, it is deemed to be in the best interest of the City of Roseau that said real estate be sold to Timothy L. Kofstad and Janell K. Kofstad, husband and wife, for the sum of Five Hundred and no/100 (\$500.00) Dollars, the same being the accepted offer of said vacant lot which is described as follows:

**Legal Description:**

**Lot Thirteen (13), in Block Two (2) of Highland Park Addition to the Village (now City) of Roseau, according to the Plat thereof on file and of record in the office of the County Recorder of Roseau County, Minnesota.**

NOW THEREFORE BE IT RESOLVED, that the City of Roseau, Minnesota, accepts the offer of, Timothy L. Kofstad and Janell K. Kofstad to purchase the above described real estate for said sum of Five Hundred and no/100 (\$500.00) Dollars and that the Mayor and the City Clerk of the City of Roseau are hereby authorized and directed to execute a deed of conveyance running from the City of Roseau, as Grantor, to Timothy L. Kofstad and Janell K. Kofstad, husband and wife, Grantees, as joint tenants, conveying the above described real estate, and;

BE IT FURTHER RESOLVED, that the above described real estate is exempt for real estate taxes in the year 2010. The purchasers, Timothy L. Kofstad and Janell K. Kofstad, shall be responsible for any remaining special assessments and for all real estate taxes due and payable in the year 2011 and thereafter.

The motion for adoption of the foregoing Resolution was duly seconded by Councilperson Curt Ireland and upon a vote being taken thereon, the following voted in favor thereof: Councilpersons: Mayor Jeff Pelowski, Councilperson Pat Novacek, Councilperson Linda Vatnsdal, Councilperson Gerry Schiltz and Councilperson Curt Ireland.

Voting against said Resolution: NONE

s/s Jeff Pelowski  
Mayor

ATTEST:

s/s Todd Peterson  
Community Development Coordinator

- The City Attorney's Office drafted a resolution for the sale of a flood buyout property to Elmer & Beverly Olson for \$500. After discussion Councilmember Linda Vatnsdal introduced the following resolution and moved for its adoption:

**RESOLUTION #34-10**

WHEREAS, the City of Roseau, Minnesota, is the owner of the following described real estate having acquired said property from David A. Vejtasa and Kiley E. Vejtasa, husband and wife; and Scott A. Wilson, a single person, in conjunction with a flood buy-out program following the devastating flood which inundated the City of Roseau, Minnesota, in the year 2002; and

WHEREAS, the following described real estate consists of a bare lot only, following removal of the flood damaged structure previously located on said premises, and;

WHEREAS, Elmer G. Olson and Beverly J. Olson, husband and wife, the adjoining property owners have indicated their desire to purchase the following described real estate; and

WHEREAS, it is deemed to be in the best interest of the City of Roseau that said real estate be sold to Elmer G. Olson and Beverly J. Olson, husband and wife, for the sum of Five Hundred and no/100 (\$500.00) Dollars, the same being the accepted offer of said vacant lot which is described as follows:

**Legal Description:**

**The East 175 feet of Lot Ten (10) of Auditor's Plat No. 32 of the Southeast Quarter of the Northeast Quarter (SE¼ NE¼) of Section Twenty-four (24), in Township One Hundred Sixty-two (162) North, Range Forty (40) West, according to the Plat thereof on file and of record in the office of the County Recorder of Roseau County, Minnesota.**

NOW THEREFORE BE IT RESOLVED, that the City of Roseau, Minnesota, accepts the offer of, Elmer G. Olson and Beverly J. Olson to purchase the above described real estate for said sum of Five Hundred and no/100 (\$500.00) Dollars and that the Mayor and the City Clerk of the City of Roseau are hereby authorized and directed to execute a deed of conveyance running from the City of Roseau, as Grantor, to Elmer G. Olson and Beverly J. Olson, husband and wife, Grantees, as joint tenants, conveying the above described real estate, and;

BE IT FURTHER RESOLVED, that the above described real estate is exempt for real estate taxes in the year 2010. The purchasers, Elmer G. Olson and Beverly J. Olson, shall be responsible for any remaining special assessments and for all real estate taxes due and payable in the year 2011 and thereafter.

The motion for adoption of the foregoing Resolution was duly seconded by Councilperson Pat Novacek and upon a vote being taken thereon, the following voted in favor thereof: Councilpersons: Mayor Jeff Pelowski, Councilperson Pat Novacek, Councilperson Linda Vatnsdal, Councilperson Gerry Schiltz and Councilperson Curt Ireland.

Voting against said Resolution: NONE

s/s Jeff Pelowski  
Mayor

ATTEST:

Todd Peterson  
Community Development Coordinator

- Assistant City Attorney discussed the vacation of the right-of-way the city maintains on north Main Avenue. The right-of-way is no longer utilized by the City of Roseau after it abandoned the sanitary sewer main that ran through this right-of-way and therefore this right-of-way is of no further use by the City and it was determined that it should be vacated. After discussion Councilmember Pat Novacek made a motion to vacate the right-of-way on Main Avenue North



between the properties located at 505 Main Avenue N (Manley Olmstead) and 601 Main Avenue N (Marvin Simonson), seconded by Gerry Schiltz, and upon vote being taken thereon, the following voted in favor of the motion: Novacek, Ireland, Schiltz, Pelowski, and Vatnsdal. And the following voted against the motion: None. The motion was passed.

Community Development Coordinator Todd Peterson reported on the following:

- The City's computer server is old and in need of replacement. It was planned for replacement in the 2011 budget year, but needed to be replaced as soon as possible. The cost of a new computer server is estimated at \$12,000. After discussion Councilmember Pat Novacek made a motion to purchase a new server in 2010 with a maximum cost of \$12,000 and recommended that the City work with the County to investigate possible savings from a government contract with Dell Computer company. The motion was seconded by Councilmember Curt Ireland and passed by unanimous vote.
- Roseau East Diversion Project Update (September 28<sup>th</sup>, 2010) on file at the Roseau City Office. Construction on the Diversion Project has been halted by the high water in the river and may not resume until next summer. Delays in the completion of Reach 2A work should not create any delay in future construction work.
- Year to Date City Revenues & Expenditures (September 2010).

By consensus the City Council approved the budget meeting dates of October 26<sup>th</sup> and October 27<sup>th</sup> at 5:00 p.m.

By consensus the City Council approved holding the November Election Canvassing meeting as required by law on the date specified

Mayor Jeff Pelowski reported on the following:

- The City/School committee met and discussed some potential joint capital improvement projects for 2011.

By consensus the City Council approved changing the Audit Committee meeting time from 4:00 pm to 4:30 pm.

Council member Curt Ireland motioned, Council member Pat Novacek seconded, and it was carried by unanimous vote that there was not further business, therefore the meeting be adjourned.

ATTEST:

\_\_\_\_\_  
Community Development Coordinator

\_\_\_\_\_  
Mayor

