

REGULAR ROSEAU CITY COUNCIL MEETING
MONDAY – April 3rd, 2017 @ 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, Don Ross, Amy Bassingthwaite, and Jane Evans. Absent: Pat Novacek. Others present were Community Development Coordinator Todd Peterson, City Superintendent David Drown, City Attorney Pat Moren, City Attorney Michelle Moren, Police Chief Ward Anderson, Liquor Store Manager Linda Roseborough, Fireman Jeff Ballard, Clerk-Treasurer Beth Hellquist, Lyle Grindy-Promotions Director, Jack Swanson-Wild 102 Radio, Nancy Anacabe & Bethany Sandwick – NWCAA, Tracee Bruggeman – Brady Martz, Karl Frigaard – NWCAA, Tracy Stoll – Roseau Electric, Marcus Watson – KLJ, Bill & Sara O’Connell, and Bruce Stone.

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

Council member Jane Evans motioned, Council member Don Ross seconded and it was carried by unanimous vote to approve March 6th, 2017 Regular meeting minutes with the addition on page 4, paragraph 2, last sentence ... to be open on Sunday “effective July 1st, 2017.”

Council member Amy Bassingthwaite motioned, Council member Don Ross seconded and it was carried by unanimous vote to approve the following Consent Agenda:

1. Presentation of Accounts Payable claims March 1st, 2017 through March 31, 2017 Batch AP033117. CK#62196-62271 = \$128,185.46
2. Presentation of daily checks March 1, 2017 through March 31, 2017
E#431-470 = \$396,299.54
CK#62119-61295 = \$153,905.53
03/15/2017 PR DD = \$32,910.55
03/31/2017 PR DD = \$41,334.39
03/31/2017 PR DD = \$231.66 (SUPPLEMENTAL)
3. Presentation of Receipt entries February 1, 2017 through February 28, 2017.
4. Presentation of Journal entries JE013117.
5. Audit Committee review of January 2017 General Ledger checks written compared with images on the bank statement.
6. Notices and Communications –
Upcoming scheduled meetings:
May 1st, 2017 Regular City Council meeting at 5:00 pm.
7. Approve the use of alcohol in the Community Center-
 - a. Tangan/Hetten wedding reception – September 23, 2017.
8. Investment–Roseau EDA Hi Fi as of 3/28/2017 is \$77,256.70.
9. Cash in bank-DNR Escrow as of 3/28/2017 is \$2,000.00.
10. Cash in bank-Regular checking as of 3/28/2017 is \$2,968,369.66.
11. Investment-Regular Hi Fi as of 3/28/2017 is \$1,548,300.69.
12. Investment Certificate of Deposit as of 3/28/2017 is \$793,250.70.

13. Investment Certificate of Deposit as of 3/28/2017 is \$786,348.74.
14. Investment Certificate of Deposit as of 3/28/2017 is \$783,694.15.
15. Investment Certificate of Deposit as of 3/28/2017 is \$779,601.75
16. Investment-Roseau EDA Money Market as of 3/28/2017 is \$331,522.19.
17. Cash in bank-Pine to Prairie Birding Trail as of 3/28/2017 is \$9,016.38.
18. Cash in bank-Roseau EDA as of 3/28/2017 is \$780.05.
19. Minnesota Department of Health – Sanitary Survey Report
20. LMC – 2017 City of Excellence Awards
21. LMC – C.C. Ludwig & James F. Miller Awards
22. Department of the Army Corps of Engineers Report dated March 14, 2017.
23. FEMA letter dated March 30th, 2017.
24. March 2017 City Revenues & Expenditures
25. Roseau Court Townhomes Audited Financial Statements

Delegations

- a. Tracee Bruggeman from Brady Martz presented to council the City of Roseau audited financial statements for the year ended December 31, 2016. Ms. Bruggeman stated the audit went well and the City of Roseau has healthy fund balances and low debt levels. Ms. Bruggeman also stated that though the Liquor Store sales were down they were still very profitable.
- b. Marcus Watson of KLJ provided council with a Roseau Municipal Airport Master Plan Study Update Project Briefing – April 2017. This study is done to develop plans to meet safety, capacity and demand needs for the airport and community.
The key findings are:
 - Polaris Industries and Valley Med Flight are regular business users of the airport.
 - The aircraft parking apron size and location is incompatible with FAA airport design standards.
 - Lower runway approach minimums would increase airport accessibility by nearly 42 percent.
 - Primary runway 16-34 length of 4,400’ meets user needs currently.
 - A runway length up to 5,000’ is needed if business jet aircraft regularly use the airport. Polaris is currently using it 3 to 4 times a week.
 - Existing terminal building is unusable by Polaris Industries
 - Turf runway 6-24 is needed to meet cross wind coverage recommendations for small aircraft.
 - MnDot proposes to realign Highway 11 around the Runway 34 Clear zone (separate study)

Mr. Watson gave a brief overview of the development and implementation plan for the next 0-10 years, 11-20 years and 20 plus years. The draft plan would cost approximately 3.5 million dollars with \$400,000 being the local share. The airport plan needs to be approved by the end of the year in order to get funding. The first priority is to fix the

apron. It cannot be redone where it is and it has to be fixed before anything else can be done.

Mr. Watson is holding an open house, downstairs, from 6-8 this evening to answer questions.

- c. Nancy Anacabe from NWCA presented to council information on a recently awarded grant from the state called “Northwest Live Well at Home”. The main focus of this grant is to give rest to the care givers of loved ones, 55 and older with minimal medical needs and companionship to the loved one who has decided to stay in their own home. Currently the cost of long term care in a nursing home is \$7,000 per month. This program is in its infancy stages. Ms. Anacabe asked council for suggestions, referrals and though the grant is ongoing for the next ten years, the program will need sustainable funding in the future.
- d. Karl Frigaard from NWCA and Tracey Stoll from Roseau Electric presented to council a Resolution of Sponsorship for the USDA Rural Business Development Grant Application. Mr. Frigaard and Mr. Stoll attended state wide meetings on internet coverage. Roseau County is part of the largest underserved area. Mr. Frigaard and Mr. Stoll would like the City of Roseau to act as the legal sponsor for the \$25,000 USDA Rural Business Development Grant for Roseau Electric to conduct a feasibility study on providing internet to Roseau Electric customers.

Roseau County donated cash to the feasibility study and offered to be fiscal host. Roseau County would be a better fit to act as legal sponsor for this grant but because of time constraints the County Board cannot meet before the grant must be submitted.

After discussion, Mayor Jeff Pelowski motioned, Council member Jane Evans seconded and it was carried by unanimous vote to approve Resolution #18-17 Resolution of Sponsorship U.S. Department of Agriculture Rural Business Development Grant Application contingent upon City Attorney Michelle Moren’s legal opinion.

- e. Bill & Sara O’Connell, local housing developers, asked for council action to extend or transfer deferral of assessments on Block 2, Lots 1-3 in the Oak Crest Subdivision until O’Connell’s construct a house and sell the lot and newly constructed house.

Council member Jane Evans motioned, Council member Amy Bassingthwaite seconded and it was carried by unanimous vote to approve the transfer of deferral on assessments on Block 2, Lots 1-3 in the Oak Crest Subdivision until a house is constructed and sold with the lot.

- f. Roseau Evangelical Covenant Church requested permission to set up a 20’x20’ tent and the use of the park, at the West Side Park for an Easter egg hunt on Saturday April 15th from 8:00am to 12:00pm. The event is free of charge and open to the community.

Council member Amy Bassingthwaite motioned, Council member Don Ross seconded and it was carried by unanimous vote to approve Roseau Evangelical Covenant Church's request to put up a 20'x20' tent at the West Side Park for an Easter egg hunt on Saturday April 15th from 8:00am to 12:00pm.

5:15 Public Hearing: Unlicensed, Inoperable and Abandoned Vehicle Ordinance – the public hearing was rescinded as the ordinance is a general use ordinance and not a land use ordinance. This ordinance puts the responsibility on the property owner to prove the vehicle in question is operable whereas the previous ordinance put the responsibility of proving the vehicle was inoperable on the police department.

After discussion, Council member Jane Evans motioned, Council member Don Ross seconded and it was carried by unanimous vote to approve Ordinance No. 32 (Third Series)

ORDINANCE NO. 32 (THIRD SERIES)

AN ORDINANCE OF THE CITY OF ROSEAU, MINNESOTA, AMENDING CITY CODE CHAPTER 93 ENTITLED “NUISANCES”

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

SECTION 1. That the City Code of the City of Roseau, Minnesota, Chapter 93 entitled “NUISANCES” is here by amended to read as follows:

§ 93.80 SHORT TITLE.

This subchapter shall be cited as “Abandoned, Inoperable, and Unregistered Vehicles.”

§ 93.81 DEFINITIONS

(A) ***Abandoned Vehicle.*** Means any vehicle that has not been moved for thirty consecutive days or more and is apparently deserted.

(B) ***Antique Vehicle.*** Means any vehicle twenty-five (25) years of age or older that is of limited production or of high value which may or may not be operable but is properly and currently registered with the State of Minnesota.

(C) ***Highway.*** Means any street, alley or public way within the city.

(D) ***Inoperable vehicle***. Means any vehicle that has remained in its current location on the property for over 30 days without moving or exhibiting the ability to move and exhibits any of the following criteria:

1. The vehicle has no value other than nominal salvage value.
2. The vehicle is incapable of being started or kept running for more than a few minutes.
3. The vehicle is in a condition that would prohibit its normal operation. Examples of such condition, without intending to be exhaustive or inclusive of all such conditions, are as follows:
 - a) No headlights
 - b) No tires, missing tires, or multiple flat tires
 - c) Missing, removed, or partially or completely dismantled vehicle parts
 - d) Broken windows, windshield or mirrors
 - e) Vehicle on lifts or blocks, jacks or other structures
 - f) Vegetation or other materials in, on or around the vehicle beyond normal conditions permitted for property maintenance
 - g) Evidence of collision damage to vehicle
 - h) Extensive rust or corrosion of vehicle
 - i) No current Minnesota registration tag

(E) ***Person***. Means any natural person, firm, partnership, association, corporation or other legal entity.

(F) ***Private Property***. Means any real property within the city which is privately owned and which is not public property as defined in this section.

(G) ***Public Property***. Means any street or highway which shall include the entire width between the boundary lines publicly maintained for the purposes of vehicular travel, and any other property or facility owned by a public entity.

(H) ***Unregistered vehicle***. Means any vehicle which is not properly and currently registered with the State of Minnesota.

(I) ***Vehicle***. Means every device, in, upon, or by which any person or property is or may be transported or drawn upon a highway or city street and includes recreational vehicles, including ATVs as defined under Minn. Stat. § 168.002, subd. 18 (b) (c) and snowmobiles as defined under Minn. Rule 6100.0500, subd. 7.

(J) **Vehicle Owner.** Means a person who holds legal title to a vehicle or, in the event a vehicle is the subject of an agreement for conditional sale or lease thereof with the right of purchase upon the performance of the conditions stated in the agreement and with the immediate right of possession vested in the conditional vendee or lessee or in the event of mortgagor of such vehicle is entitled to possession, then such conditional vendee, lessee or mortgagor shall be deemed the owner for the purpose of this section.

§ 93.82 DECLARATION OF NUISANCE

The City Council finds and declares that abandoned vehicles, inoperable vehicles, and unregistered vehicles, whether located upon private property or upon public property, and which have continued to exist in that location and/or in that state for a period exceeding 30 days, constitute a safety hazard and a public nuisance detrimental to the health, safety and welfare of the general public, by harboring disease, providing breeding places for vermin, inviting plundering, creating fire hazards and presenting physical dangers to children and others, and by creating scenic blights which degrade the environment and adversely affect land values and the proper maintenance and development of the city.

§ 93.83 EXEMPTIONS

This section shall not apply to the following:

(A) Any vehicle which is kept within a lawfully erected and entirely enclosed building.

(B) One antique vehicle that is 100% screened with a lawfully erected opaque fence which does not allow the vehicle to be seen, while standing at ground level, from any public highway or adjacent property. No inoperable vehicle may be stored in the front yard of any property regardless of fencing.

(C) A vehicle on the premises of a place of business engaged in the wrecking or junking of motor vehicles, or on the premises of a place of business engaged in the sale of new or used automobiles, provided, however, that the latter business does not store or display inoperable vehicles.

(D) A vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair

operations for a period of not more than 30 days from the date the vehicle became inoperable.

(E) A vehicle, or parts of a vehicle, used as a commercial display or public art, provided that such displays shall not be erected or constructed in residential zones; provided that they are approved by the Planning Commission; provided that such commercial displays and public art are regularly cleaned, painted, and maintained; and provided that the City (through the Planning Commission) reserves the right to revoke previously issued exemptions and approvals of any such commercial displays and public art in the event they are not regularly cleaned, painted and maintained causing them to fall into disrepair, in which case the city will notify the commercial display or art owner that their exemption has been revoked, and the display or public art shall henceforth be treated as any other inoperative vehicle nuisance.

§ 93.84 STORAGE OF UNREGISTERED VEHICLES

No person shall accumulate, store or allow any unregistered vehicle to be located upon any public property or private property within the city for a period exceeding thirty days.

§ 93.85 COVERING VEHICLES

Covering, tarping or otherwise concealing an abandoned, unregistered or inoperable vehicle, except as allowed under the exemptions within this section, will not be considered to resolve an abandoned, inoperable or unregistered vehicle as a public nuisance.

§ 93.86 DUTY TO DISPOSE OF ABANDONED, INOPERABLE, OR UNREGISTERED VEHICLES

Any person, not exempted under this Section, shall dispose of any abandoned, inoperable or unregistered vehicle owned by him or her, and, if the vehicle is located upon private property, the owner or person occupying the private property shall dispose of the abandoned, inoperable or unregistered vehicle, if it has existed in that location and/or in that state for more than 30 days, as set forth in this chapter, upon written notice received from the city commanding the disposition thereof.

§ 93.86 NOTICE

(A) If the abandoned, inoperable, or unregistered vehicle displays registration plates or decals from which the last known vehicle owner may be determined in a reasonably expeditious manner, notices as set forth in this chapter shall be sent to the last registered vehicle owner, and, if the vehicle is located upon private property, to the owner or occupant of the private property upon which the vehicle is located.

(B) All notices provided by the section shall be sent by registered or certified mail, return receipt requested, postage prepaid. Notice to one vehicle owner will be considered notice to all vehicle owners and notice to one owner or occupant of private property will be considered notice to all owners and/or occupants of private property upon which the vehicle is located. The date of notice for purposes of this section shall be the day after such notice was deposited with the United States postal service. Notice may be personally served by a city police officer or other law enforcement agent authorized by the City Council upon the vehicle owner, or, if the vehicle is located upon private property, upon an owner or an occupant of the private property above the age of fifteen (15) years, in which case the date of notice shall be the date of personal service.

(C) If the vehicle is located upon public property the notice will be substantially in the form set forth in this subsection.

NOTICE TO REMOVE VEHICLE FROM PUBLIC PROPERTY

TO: Name _____ Date _____

Address _____

A Vehicle Described as: Type _____ Make _____ Model _____
Year _____ Color _____ with registration
plates number _____ (the Vehicle) is registered in the name(s) of

_____ with the State of _____. The Vehicle is located at _____ outside of an enclosed building and is deemed to be an Abandoned, Inoperable or Unregistered vehicle under Section § 93.86 of the City of Roseau Municipal Code of Ordinances (the Ordinance). You are hereby notified that the Vehicle must be removed, disposed of, or placed in an enclosed building within fourteen (14) days of the day after the date this Notice was deposited with the United States Postal Service. If you fail to remove, dispose of, or place the Vehicle in an enclosed building within the specified period, or within any extension granted by the City Police Chief, the City may cause the towing or removal of the Vehicle without further notice to you, and you may be charged with a violation of the Ordinance and may be subject to penalties pursuant to Section § 93.88 of the City of Roseau Municipal Code of Ordinances. In addition, the costs of towing and storage, including court costs and reasonable attorney’s fees may be assessed against you.

(D) If the vehicle is located upon private property, the notice shall be substantially in the form set forth in this subsection.

NOTICE TO REMOVE VEHICLE FROM PRIVATE PROPERTY

TO: Name _____ Date _____

Address _____

A Vehicle Described as: Type _____ Make _____ Model _____
Year _____ Color _____ with registration

plates number _____ (the Vehicle) is registered in the name(s) of _____ with the State of _____. The Vehicle is located at _____ outside of an enclosed building and is deemed to be an Abandoned, Inoperable or Unregistered vehicle under Section § 93.86 of the City of Roseau Municipal Code of Ordinances (the Ordinance). You are hereby notified that the Vehicle must be removed, disposed of, or placed in an enclosed building within fourteen (14) days of the day after the date this Notice was deposited with the United States Postal Service. You may request a hearing on the matter of whether the above described vehicle is an Abandoned, Inoperable or Unregistered Vehicle in violation of Section § 93.86 of the Ordinance by submitting a written request for such a hearing to the Roseau City Clerk addressed as set forth below, within seven (7) days of the day after the date this Notice was deposited with the United States Postal Service. If you submit such a request for a hearing, a hearing date will be set and you will be advised of the time, date and place of such hearing at least three (3) days in advance of the date of such hearing. The City Clerk shall, upon good cause being shown, grant an extension of the hearing of not more than thirty (30) days if you submit to the City Clerk an affidavit that the Vehicle is being held for sale or for expeditious repair as defined by Section § 93.87 (B) of this ordinance. To request a hearing, you must hand deliver or deliver by certified mail, return receipt requested, a request for such a hearing in writing to the City Clerk, City of Roseau, 121 Center Street E; Suite 202; Roseau, MN 56751. If you fail to request a hearing within seven (7) days of the day after the date this Notice was deposited with the United States Postal Service, and you do not remove, dispose of, or place this Vehicle in an enclosed building within that specified period, or within any extension granted by the City Clerk after a hearing, the City may seek a judicial warrant to search and to seize the Vehicle and to cause the towing or removal of the Vehicle without further notice to you, and you may be charged with a violation of the Ordinance and may be subject to penalties pursuant to Section § 93.88 of the City of Roseau Municipal Code of Ordinances. In addition, the costs of towing and storage, including court costs and reasonable attorney's fees may be assessed against you.

§ 93.87 HEARING

(A) The person or persons to whom the notice a specified in Section § 93.86 is directed, shall have the right to a hearing before the Planning Commission on the matter of whether the vehicle cited in such notice is an abandoned, inoperable or unregistered vehicle in violation of this chapter. To obtain such a hearing, a written request for such a hearing must be hand delivered or delivered by certified mail, return receipt requested to the City Clerk, City of Roseau, 121 Center Street E; Suite 202; Roseau, MN 56751, within seven days of the day after the date this notice was deposited with the United States Postal Service. In the event that a hearing is so requested, the City Clerk, shall as soon as reasonably practicable, set

a time, date and place for the hearing before the Planning Commission, and shall cause the person or persons so requesting the hearing to be provide with written notice of the time, date, and place of the hearing at least three days in advance of the date of the hearing. Enforcement of this chapter shall be stayed pending the hearing and determination by the Planning Commission.

(B) The owner of the vehicle, the owner or occupant of the private property upon which the vehicle is located, may apply for an extension of the time of the hearing by submitting to the City Clerk an affidavit that the vehicle is being held for sale or expeditious repair. Upon receipt of any such application for an extension of time, the City Clerk shall, upon good cause being shown, grant an extension of the hearing of not more than thirty days. As used in this section “expeditious repair” means:

1. That the necessary parts for repair have been ordered but are not available for installation in the vehicles for reasons not within the control of the owner of the vehicle;
2. That the vehicle is scheduled to be repaired by a person whose regular course of business includes the repair of vehicles and the scheduled repair date is within thirty (30) days; or
3. That the vehicle is in such condition of being inoperable as a result of a vehicular accident, and the owner of the vehicle or any third party to whom, or from whom, a claim for the damages sustained in such accident is anticipated, is investigating or preparing a claim for such damages.

§ 93.88 TOWING

(A) Public Property. In the event the notice provided for in Section § 93.86 is not complied with, the City, may cause the towing or removal of the abandoned, inoperable or unregistered vehicle from public property without further notice to the vehicle owner.

(B) Private Property. In the event the notice provided for in Section § 93.86 is not complied with, the city, excepted as provided in subsection (B)(1) of this section, may seek a judicial warrant to search and to seize the abandoned, inoperable or unregistered vehicle and to cause the towing or removal thereof from private property

- A. In the event a request for a hearing before the Planning Commission is made as set forth in Section § 93.87 and the Planning Commission determines the vehicle is an abandoned, inoperable or unregistered

vehicle, the Planning Commission shall set a reasonable date by which the vehicle shall be disposed of or enclosed within a building. The date shall be no less than seven fourteen days after the date of the hearing. In the event the vehicle is not disposed of or enclosed within a building by the date set by the Planning Commission, the city may seek a judicial warrant to search and seize the abandoned, inoperable or unregistered vehicle and to cause the towing or removal of the vehicle from private property without further notice to the vehicle owner or to the owner or occupant of the private property.

(C) It shall be the responsibility of the vehicle owner or, the owner of the private property upon which the vehicle is located, if applicable, to deliver a written notice to the City Clerk, and to provide documentation and/or demonstration of operability of the vehicle, and that the vehicle has been properly registered, if the vehicle has been put into operable condition and/or registered with the State of Minnesota following issuance of the notice described in Section § 93.86 hereof. In the event no such written notice and evidence of compliance herewith is received by the City Clerk, it shall be presumed that the vehicle remains abandoned, inoperable or unregistered and the city may immediately cause the towing or removal of the vehicle from public property, or, if locate upon private property, seek a judicial warrant to search and to seize the vehicle and to cause the towing or removal of the vehicle from private property without further notice to the vehicle owner or to the owner or occupant of the private property.

(D) Whenever a vehicle is towed or removed by a towing service pursuant to the provisions of this chapter, the owner of the vehicle and the owner or occupant of the property upon which the abandoned, inoperable or unregistered vehicle is located, if applicable, shall be jointly and severally responsible for all towing and storage charges.

(E) Within forty-eight (48) hours of the removal of the vehicle, the city will send notice to the vehicle owner and any lien holder, if known, and to the owner or occupant of the private property from which the vehicle was removed, if applicable, that the vehicle has been impounded and stored for violation of this section. This notice shall give the location of the vehicle and the costs, if any, incurred by the city for removal.

(F) Any vehicle towed or removed pursuant to the provisions of this section will be stored and claimed or disposed of in accordance with the applicable provisions of Minnesota Statutes.

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 3 day of April, 2017.

APPROVED:

Jeff Pelowski, Mayor

ATTEST:

City Clerk-Treasurer

(Publication in the Roseau Times Region Newspaper on the ____day of _____, 2017.)

Committee Reports

Roseau Promotions Director

Promotions Director Lyle Grindy had to leave early.

Planning Commission-

CDC Todd Peterson reported that the Planning Commission did not meet.

Roseau County Commissioner –

Roseau County Commissioner Jack Swanson informed council Sue Grafstrom is the new County Emergency Manager. Ms. Grafstrom is working on getting certified but this is a several year process. Ms. Grafstrom will be meeting with Police Chief Ward Anderson and Fire Chief Craig McMillin to discuss conducting a tornado drill. Ms. Grafstrom will also look to them for information and advice.

Operation Committee –

CDC Peterson reported the Operations Committee met on March 15th 2017.

Topics of discussion were:

- Employee reviews should be conducted. CDC Peterson uses a form like Marvin's and Mayor Pelowski has one the County uses. The City will create a form modeled after these.
- Computer use and Social media policy. IT security is a major potential liability for the city according to the League Insurance Trust and they have provided a model computer use and social media policies for the city to adopt.

CDC Peterson will circulate a model policy before the next meeting, to be reviewed and considered for adoption at the next meeting.

Oak Crest Golf Course –

Council member Don Ross stated the golf course maintenance shop is up and running. The golf course is close to ready and the ropes will come off soon.

Airport Committee –

CDC Peterson stated the airport committee did meet and Marcus Watson from KLJ discussed the topics earlier in this council meeting.

EDA

CDC Todd Peterson reported the EDA met to discuss updates on current projects and transactions. There was no action taken.

Department Reports

Liquor Store-

Liquor Store Manager Linda Roseborough presented the March Liquor Store sales report. March was a better month as sales had picked up with the warmer weather.

CDC Peterson stated the Liquor Store Expansion project is out for bids and the bids will be opened sometime this month.

Fire Department

Fireman Jeff Ballard informed council the department is working on purchasing a new fire truck. The fire department has help from a couple of engineers and is tracking expenses on a spread sheet. The cost of the truck is higher than expected with budgetary quotes of \$450,000. Part of the added expense is a custom flat nose cab. It is safer, with roll over protection and airbags for the firemen. These cabs also last longer. Fireman Ballard stated the Fire Relief Association is putting \$100,000 towards the purchase of the truck. Badger is interested purchasing the old truck for \$40,000. And \$50,000 a year is budgeted for the new truck. As the truck wouldn't be delivered until next year the \$50,000 budgeted this year could be used as a down payment, so it would be the same yearly payment as in the past.

ISO completed a Public Protection Classification Survey. Insurance companies get their rates from this survey which will be conducted every 5 years. Fireman Ballard stated ISO has changed the classifications but it looked like Roseau was at the same rating or even better than in the past. The fire department has been maintaining better records, training and inventory.

Police Department – Police Chief Ward Anderson stated there was no arrival date for the new police vehicle yet, otherwise no new business.

Superintendent-

City Superintendent David Drown informed council there were 4 bidders for the 2017 Street Reconstruction project. R & Q Trucking, Inc. turned in the lowest bid of \$153,873.00. Superintendent Drown asked that council award the 2017 Street Reconstruction Project to R & Q Trucking.

Council member Don Ross motioned, Council member Jane Evans seconded and it was carried by unanimous vote to award R & Q Trucking the contract for the 2017 Street Reconstruction Project.

Superintendent Drown estimated the R&Q contract and the black top contract would come to about \$300,000. Superintendent Drown asked council permission to research another road as there is \$500,000 in the budget. City Attorney Michelle Moren stated any contract over \$100,000 would have to be rebid.

It was council consensus to let Superintendent Drown research another road or portion of road for reconstruction and have City Attorney Moren review the contract or contracts to make sure they would not have to go out for rebidding, and that the total 2017 Street reconstruction stays within the \$500,000 budget.

City Superintendent Drown presented to council the City of Roseau Automatic Meter Reading Policy for review and approval. All properties receiving electrical services through the City of Roseau shall utilize an automatic reading (AMR) meter unless the residential user opts out. For any applicant that opts out of the AMR, they will be required to pay a monthly manual reading fee of \$75.00.

After discussion Council member Jane Evans motioned, Council member Amy Bassingthwaite seconded and it was carried by unanimous vote to approve the City of Roseau Automatic Meter Reading Policy.

Superintendent Drown also stated when a person moves into a place where the meter has been turned off, the person that moves into the place will have to fill out a form as to what day and time they will be present so the meter can be turned on.

Council member Amy Bassingthwaite motioned, Council member Don Ross seconded and it was carried by unanimous vote to approve Resolution #17-17 appointing Todd Peterson Director and David Drown advisor as City of Roseau representatives on the NMPA board.

R # 17-17

**RESOLUTION APPOINTING DIRECTOR AND ADVISOR AS CITY OF ROSEAU REPRESENTATIVES
ON
THE NORTHERN MUNICIPAL POWER AGENCY BOARD**

BE IT RESOLVED, that Todd Peterson is hereby appointed Director and David Drown is appointed Advisor as City of Roseau representatives on the Northern Municipal Power Agency Board for May 1, 2017 to April 30, 2018.

Dated this 3rd day of April, 2017.

Elizabeth Hellquist Clerk-Treasurer

Jeff Pelowski, Mayor

City Attorney –

City Attorney presented to council a policy for review regarding solicitation at the City Center and a map where leafleting is allowed.

After discussion, Council member Jane Evans motioned, Council member Amy Bassingthwaite seconded and it was carried by unanimous vote to approve the Policy Regarding Solicitation at the City Center.

Community Development Coordinator-

CDC Peterson presented Resolution 16-17 adopting the Roseau County All-Hazard Mitigation Plan. All six cities in Roseau County need to do resolutions accepting the county plan. These resolutions will then get forwarded down to the state.

Council member Amy Bassingthwaite motioned, Council member Don Ross seconded and it was carried by unanimous vote to approve Resolution 16-17 adopting the Roseau County All-Hazard Mitigation Plan.

**RESOLUTION OF THE CITY OF ROSEAU
R # 16-17
ADOPTION OF THE
ROSEAU COUNTY ALL-HAZARD MITIGATION PLAN**

WHEREAS, the City of Roseau has participated in the hazard mitigation planning process as established under the Disaster Mitigation Act of 2000, and

WHEREAS, the Act establishes a framework for the development of a multi-jurisdictional County Hazard Mitigation Plan; and

WHEREAS, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and businesses; and

WHEREAS, the Roseau County Plan includes a risk assessment including past hazards, hazards that threaten the County, an estimate of structures at risk, a general description of land uses and development trends; and

WHEREAS, the Roseau County Plan includes a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and

WHEREAS, the Roseau County Plan includes a maintenance or implementation process including plan updates, integration of the plan into other planning documents and how Roseau County will maintain public participation and coordination; and

WHEREAS, the Plan has been shared with the Minnesota Division of Homeland Security and Emergency Management and the Federal Emergency Management Agency for review and comment; and

WHEREAS, the Roseau County All-Hazard Mitigation Plan will make the county and participating jurisdictions eligible to receive FEMA hazard mitigation assistance grants; and

WHEREAS, this is a multi-jurisdictional Plan and cities that participated in the planning process may choose to also adopt the County Plan.

NOW THEREFORE BE IT RESOLVED that the City of Roseau supports the hazard mitigation planning effort and wishes to adopt the Roseau County All-Hazard Mitigation Plan.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Clerk-Treasurer this 3rd day of April, 2017.

Attest:

CDC Peterson informed Council, bids were opened for the South River View Park project and came in again higher than expected. The low bid was Scott Johnson Construction with a bid of \$267,900. \$220,000 was the budget. If the low bid is awarded to Scott Johnson Construction there will be little contingency money. Council discussed ways to further cut expenses. City Attorney informed council though the bid bond is not necessary the \$8,000 performance bond is. Superintendent Drown said the city crew could do some of the work such as shingling. The Mayor and council would like to see all of the Phase One project completed and would authorize

another \$42,000 from the City. The playground equipment will not be added until the end, giving more time to research the cost.

After discussion Council member Jane Evans motioned, Council member Don Ross seconded and it was carries by unanimous vote to award Scott Johnson Companies the low base bid of \$267,900 with alt #1, 2 & 3.

CDC Peterson and Mayor Pelowski reviewed the flood plan maps and discussed possible options. This discussion will be continued at the FEMA town hall meeting April 4th, 2017 at 7:00 p.m. FEMA, the Army Corps of Engineers, and representatives from all three congressional offices are expected to attend.

**RESOLUTION NO. 15-17
OF THE CITY OF ROSEAU REGARDING SUMMARY PUBLICATION OF
FLOOD PLAIN MANAGEMENT ORDINANCE NO. 31**

At the regular meeting of the City Council of the City of Roseau, Minnesota, held on Monday, April 3, 2017, at 5:00 p.m., a Motion was made by Councilperson _____ for passage of the following Resolution:

THE CITY COUNCIL OF THE CITY OF ROSEAU, MINNESOTA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, The City Council of the City of Roseau has determined the publication of the title and a summary of ORDINANCE NO. 31 (THIRD SERIES) AN ORDINANCE OF THE CITY OF ROSEAU, MINNESOTA, AMENDING CITY CODE TITLE XV: LAND USAGE, SECTION 151.001 – 151.999 ENTITLED “FLOOD PLAIN MANAGEMENT”

WHEREAS, Pursuant to Minnesota Statues 412.191, Subdivision 4 and M.S. 331A.01, Subd. 10, the Council may, by a majority vote of its members, direct that only the title of the Ordinance and a summary be published with notice that a printed copy of the Ordinance is available for inspection by any person during regular office hours at the City Offices; and,

WHEREAS, Prior to the publication of the title and summary, the Council has read and approved the text of the summary and determined that it clearly informs the public of the intent and effect of the Ordinance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEAU, MINNESOTA, that the County of Roseau, Minnesota that the title

and summary of ORDINANCE NO. 31 (THIRD SERIES) AN ORDINANCE OF THE CITY OF ROSEAU, MINNESOTA, AMENDING CITY CODE TITLE XV: LAND USAGE, SECTION 151.001 – 151.999 ENTITLED “FLOOD PLAIN MANAGEMENT” is available in its entirety for inspection by any person during regular office hours at the City Offices.

BE IT FURTHER RESOLVED: the publication shall read as follows:

" On April 3rd, 2017 the City Council of the City of Roseau approved

ORDINANCE NO. 31 (THIRD SERIES)

AN ORDINANCE OF THE CITY OF ROSEAU, MINNESOTA, AMENDING CITY CODE TITLE XV: LAND USAGE, SECTION 151.001 – 151.999 ENTITLED “FLOOD PLAIN MANAGEMENT”

The following is a summary of the Ordinance. The Ordinance, in its entirety is available for review and/or photocopying during regular office hours at the City of Roseau Offices, at 121 Center Street East, Suite 201, in the City of Roseau, Minnesota, or by standard or electronic mail.

The newly adopted ordinance 31 codifies the various Floodplain regulations including, but not limited to Statutory Authorization, Findings of Fact and Purpose, General Provisions, Establishment of Zoning Districts, Requirements for all Flood Plain Districts, Floodway District (FW), Flood Fringe District (FF), General Floodplain District (GF), Subdivision Standards, Public Utilities, Railroads, Roads, and Bridges, Manufactured Homes and Recreational Vehicles, Administration, Nonconformities, Violations and Penalties, and Amendments.

The city council hereby finds as follows:

The Purpose of this Ordinance is as follows:

1. This ordinance regulates development in the flood hazard areas of the City of Roseau. These flood hazard areas are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. It is the purpose of this

ordinance to promote the public health, safety, and general welfare by minimizing these losses and disruptions.

2. National Flood Insurance Program Compliance. This ordinance is adopted to comply with the rules and regulations of the National Flood Insurance Program codified as 44 Code of Federal Regulations Parts 59 -78, as amended, so as to maintain the community's eligibility in the National Flood Insurance Program.

3. This ordinance is also intended to preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.

The Lands to Which Ordinance Applies: This ordinance applies to all lands within the jurisdiction of the City of Roseau shown on the Official Zoning Map and/or the attachments to the map as being located within the boundaries of the Floodway, Flood Fringe, or General Floodplain Districts. The boundaries of the zoning districts are determined by scaling distances on the Flood Insurance Rate Map, or as modified in accordance with 2.12 below.

1. The Floodway, Flood Fringe and General Floodplain Districts are overlay districts that are superimposed on all existing zoning districts. The standards imposed in the overlay districts are in addition to any other requirements in this ordinance. In case of a conflict, the more restrictive standards will apply.

2. Where a conflict exists between the floodplain limits illustrated on the official zoning map and actual field conditions, the flood elevations shall be the governing factor in locating the regulatory floodplain limits.

3. Persons contesting the location of the district boundaries will be given a reasonable opportunity to present their case to the Planning Commission and to submit technical evidence.

Ordinance No. 31 shall be in full force and effect from and after the date of its passage (April 3rd, 2017) and this summary publication according to law.”

This Motion for Resolution was seconded by Councilperson _____, and upon a vote being taken, the following voted in favor: _____.

The following voted against the same: _____.

The following abstained: _____.

The following were absent: _____.

Adopted by the Council this __ day of _____, 2017.

EFFECTIVE DATE: _____.

Mayor

ATTEST:

City Clerk

Mayor Council-

Mayor Pelowski informed council that having to adopt the flood plan maps in the current FEMA time frame will affect about 180 more homes and will be an additional cost to the City of Roseau and its residents of approximately \$100,000 for nothing. The Grand Forks Herald indicated they may attend the town hall meeting.

Council member Jane Evans inquired as to the ease of creating an account on the new on-line utility billing system. CDC Peterson stated it is up and running now and there has been good participation.

Unfinished Business-

There being no further business Councilmember Jane Evans motioned to continue the City Council meeting at the FEMA Town Hall meeting April, 4th, 2017 at 7:00 p.m. in the Community Room downstairs, seconded by Councilmember Don Ross and carried by unanimous vote.

ATTEST:

City Clerk- Treasurer Elizabeth Hellquist.

Mayor Jeff Pelowski