

**REGULAR ROSEAU CITY COUNCIL MEETING  
MONDAY – DECEMBER 5<sup>TH</sup>, 2011 @ 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 Linda Vatnsdal, Gerry Schiltz, Curt Ireland, and Pat Novacek. Others present were Community Development Coordinator Todd Peterson, City Superintendent David Drown, Chief of Police Ward Anderson, Liquor Store Manager Brad Wiberg, City Attorney Pat Moren, Fire Chief Jeff Ballard, City Clerk Janet Lundbohm, Lyle Grindy and Shane McFarlane.

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

The following correction (s) were noted in the November 7<sup>th</sup>, 2011 minutes.

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- In addition to giving away \$4,000.00 in Roseau Dough, Polaris has donated a “Youth ~~Razor~~ RZR” to be given away with a value of \$4,299.00.

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- ~~The county will be addressing the Market Value Homestead Credit Exclusion commercial tax.~~

Council member Linda Vatnsdal motioned, Council member Gerry Schiltz seconded and it was carried by unanimous vote to approve the November 7th, 2011 minutes with corrections.

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

- Approval was given to pay the accounts payable claims from November 1st, 2011 through November 30th, 2011 as presented, with a batch number of AP11302011 and is filed in edit books in the City Clerk’s Office.
- Daily Batch checks written from November 1st, 2011 through November 30th, 2011 were audited, approved and are filed in edit books in the City Clerk’s Office.
- Receipt entries October 1st, 2011 through October 31st, 2011 were audited, approved and are filed in edit books in the City Clerk’s Office.
- Journal entries September 1<sup>st</sup>, 2011 through September 30th, 2011 were audited, approved and are filed in edit books in the City Clerk’s Office.
- A review of September, 2011 General Ledger checks written compared with check images on the bank statements found no irregularities.
- Upcoming meetings –
  - January 9th, 2012 - Regular Council meeting at 5:00 p.m.
- Approve the use of alcohol in the Community Center:
  - March 31st, 2012 – Thorkelson wedding dance
- LMC Cities Bulletin: November 16, 2011 & December 2, 2011.
- CGMC November 21, 2011 ACTION ALERT; Sample Letter to the Editor – Day of Reckoning. Docx, CGMC in Brief November 23, 2011, CGMC November 28, 2011 ACTION ALERT; FINAL Greater Minnesota Advocate 102511.pdf; Truth in Taxation Power/Point.pptx., CGMC December 2, 2011 ACTION ALERT; Action Alert Lobbying Packet.pdf.
- E-mail invitation to the “State Aviation System Plan Luncheon”.
- \$4,500.00 donations to the Outdoor Art Sculpture in memory of Carol Fredrickson from the following:
  - Mertrice & Niclolas D’Amore \$ 25.00
  - Ann Skrutvold \$ 25.00
  - Helen Thompson \$ 250.00
  - Jacob & Mae Twito \$ 250.00

- Roland Fredrickson & Family \$ 600.00
- Warren & Marsha Hagen \$ 1,500.00
- Michael & Cherlyn Kvarnlov \$ 1,500.00  
& all of her grandchildren

- l. Investment-Roseau EDA Hi Fi as of 11/29/2011 is \$182,001.47.
- m. Cash in bank-DNR Escrow as of 11/29/2011 is \$832,000.00.
- n. Cash in bank-Regular checking as of 11/29/2011 is \$1,782,359.65.
- o. Investment-Regular Hi Fi as of 11/29/2011 is \$1,344,977.64.
- p. Investment of Certificate of Deposit as of 11/29/2011 is \$754,700.34.
- q. Investment of Certificate of Deposit as of 11/29/2011 is \$754,834.93.
- r. Investment of Certificate of Deposit as of 11/29/2011 is \$761,594.46.
- s. Investment of Certificate of Deposit as of 11/29/2011 is \$763,485.07.
- t. Cash in bank - Airport Fuel Sales Credit Card as of 11/29/2011 is \$5,950.91.
- u. Investment - Roseau EDA Money Market as of 11/29/2011 is \$188,184.25.
- v. Cash in bank - Pine to Prairie Birding Trail as of 11/29/2011 is \$2,359.15.
- w. Cash in bank - Scandinavian Festival as of 11/29/2011 is \$3,327.86.
- x. Cash in bank - Welcome to Roseau as of 11/29/2011 is \$1,287.17.
- y. Cash in bank - Roseau EDA as of 11/29/2011 is \$1,465.62.

z.

#### 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:

See Attachment

as evidenced by a Repayment Agreement dated July 2, 2004, and filed of record in the Office of the Roseau County Recorder on July 22, 2004, as Document Number 246740, and

WHEREAS, Robert D. Moser and Heidi M. Moser, husband and wife and fee owner of the above-described real property, has applied for a mortgage loan from Wells Fargo; and

WHEREAS, Wells Fargo 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 Wells Fargo on said property;

NOW THEREFORE, in consideration of the premises and as an inducement to Wells Fargo 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 Wells Fargo 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 these present-to be executed by Jeff Pelowski, Mayor

This 5<sup>th</sup> day December, 2011.

By: s/s Jeff Pelowski  
Mayor of Roseau

STATE OF MINNESOTA)ss  
COUNTY OF ROSEAU)

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of December, 2011, by Jeff Pelowski, Mayor of Roseau, a body corporate and politic of the State of Minnesota.

s/s: Janet E Lundbohm

Notary Public

Roseau County, Minnesota

My Commission expires: Jan. 31, 2014

DOCUMENT DRAFTED BY WYNNE CONSULTING, INC. P.O. BOX 33 WANNASKA, MN 56761  
EXEMPT FROM REGISTRATION TAX UNDER MINNESOTA STATUE 287.04

- aa. LMCIT - 2011-12 Coverage Changes, Rates, and Dividends.
- bb. Nationwide agreement authorizes Nationwide's affiliates to offer participants additional products and services related to assets outside the plan.
- cc. Year to Date City Revenues & Expenditures (December 5, 2011).

Fire Chief Jeff Ballard reported on the following:

- The fire department has received a DNR Grant of \$5,000.00, the Fire Department spends \$2,500.00 the DNR will match \$2,500.00.
- The Fire Department is starting a new year December 1, 2011 and the fire department has responded to 69 calls in 2011, Jeff will break down what each call was.

Lyle Grindy reported on the following:

- The Women of Today and the Civic and Commerce promoted and held Diva Days at the City Center registering vendors from across the state and it was a great success.
- The Civic and Commerce is promoting Roseau with its Holiday Fantasy.
- The craft show held at the school Thanksgiving weekend had less Vendors this year and traffic was also down from last year.
- Lyle has heard many positive comments about the lighted decorations around town.

After review and discussion Council member Pat Novacek motioned, Council member Linda Vatsndal seconded and it was carried by unanimous vote to approve the Shane McFarlane (#6-2011) Variance as recommended by the Planning Commission with a contingency that the two lots owned by Shane McFarlane in two different subdivisions with an alley in between are considered together and cannot be sold separately. This Variance is for the purpose of building an addition to an existing garage which will increase the square footage to 1,337.25 feet in lieu of the 1,000 square feet maximum allowed, a 337.25 square foot Variance. Justification for approval of the Variance was Shane had gotten the impression that he could combine the two lots he owned and poured the cement slab for the garage (before winter), and then found out he could not combine the lots because the lots were located in two different subdivisions and there is an alley in between the lots. The location of the garage is in the alley which is not visible. Shane does own the back lot and the fairgrounds is located behind the house which has a lot of open space.

Community Development Coordinator Todd Peterson expressed his concerns for the size of Shane McFarlane's garage. CDC Peterson did not think Shane McFarlane presented the hardship for this Variance request and that by approving this Variance it will reopen the debate and everyone will come in asking for a Variance without the hardship.

The Police Department is going to be setting up cameras at the dumpsters located at West Side Trailer Court to monitor for illegal dumping of garbage (Police Officer Marc Hodge has issued some citations for illegal dumping of garbage at the dumpsters as he has witnessed the individuals doing it). The Police Department has issued 4 or 5 citations for unlicensed vehicles.

The Department of Health has informed CDC Peterson that it could take considerable time for the owners of West Side Trailer Court to remove the vacant trailers at West Side Trailer Court due to acquiring titles for the trailers and logistically finding places to haul the trailers to, but there has been considerable progress on other clean up issues at West Side Trailer Court.

Council member Gerry Schiltz motioned, Council member Pat Novacek seconded and it was carried by unanimous vote to approve the Ron Olson request to install an outdoor wood burning furnace as recommended by Building Official Kevin Wiskow. Outdoor wood burning furnaces are considered on a case by case basis in accordance with Roseau City Code.

Council member Linda Vatnsdal expressed appreciation to the Volunteers that have decorated the Christmas tree at the City Center and through out the city and the City crew for the lights on Main street and the city streets, its looking like Christmas.

Community Development Coordinator Todd Peterson reported that the EDA met on November 30<sup>th</sup>, 2011 and discussed the following:

- The EDA approved extending the funding for the position of Promotions Director held by Lyle Grindy for one more year, after a review of the position and Lyle. The CVB also agreed to fund the position for one more year and the Civic and Commerce will meet soon to discuss funding the position.
- The EDA discussed a number of projects but are waiting for more concrete prospects.

Liquor Store Manager Brad Wiberg reported on the following:

- Liquor Store Monthly Sales Recap November 2011.
- Liquor Store Sales 2011.
- Brad overestimated the cost of goods for 2011 which reduces the cost of goods by \$25,000.00 in the 2012 budget.
- Brad would like to hire a part time person for a shift of 7 hours every two weeks which will add about \$1,600.00 to the budget and give him more time to do his paperwork instead of working at the cash register.

City Superintendent David Drown proposed to the City Council a new meter deposit policy that would include different options for collection for 2012. Council Consensus was to table the meter deposit policy until the January 9<sup>th</sup>, 2012 City Council meeting and requested City Superintendent David Drown to bring the amount that is outstanding due to the current policy.

At 6:00 pm the final 2012 Levy and Budget discussion was held and the opportunity for “public comment and consideration.” Mayor Pelowski called for any comments from the public and there were none. As there was not anyone from the public in attendance, Mayor Jeff Pelowski proceeded to review the City of Roseau “2012 TAX LEVY AND TAX RATE INFORMATION”, DETERMINING YOUR CITY PROPERTY TAX (on file at the Roseau City Office) printout handed out at the meeting.

City Attorney Pat Moren reported that he had reviewed the 457 Hartford Retirement Plan and did not find any issues with the plan, (the City Council approved the plan at the November 7<sup>th</sup>, 2011 City Council meeting contingent upon City Attorney Pat Moren’s review).

Community Development Coordinator Todd Peterson reported that he had contacted Tracee Bruggeman from Brady Martz & Associates in regards to the GASB Statement 54 Fund Balance Classification. Tracee indicated that there is no reason to restrict funds other than the ones already restricted and the city should have an unreserved fund balance available to pay the bills.

Council member Pat Novacek introduced the following Resolution and moved for its adoption:

#### **RESOLUTION NO. 35-11**

#### **IN THE MATTER OF ESTABLISHING A GENERAL FUND’S UNRESERVED FUND BALANCE POLICY**

**WHEREAS**, the City Council has determined for sound financial practices that a policy be established to set the General Fund’s unreserved fund balance of no less than 35% of the next

year's expenditure budget for cash flow needs and for volatility of State Aid Revenues. For accounting purposes, the General Fund balance would be adjusted with transfers from enterprise funds at year end to meet the minimum General Fund's unreserved fund balance. However, at no time would the unreserved fund balance of the General Fund and all Enterprise funds fall below 35% of the city's total operating expenditures for the current year.

**NOW, THEREFORE, BE IT RESOLVED THAT** a General Fund's Unreserved Fund Balance Policy is therefore established this 5<sup>th</sup> day of December, 2011.

Passed and adopted this 5<sup>th</sup> day of December, 2011.

Approved this 5<sup>th</sup> day of December, 2011.

s/s: Jeff Pelowski  
Mayor

s/s: Janet Lundbohm  
City Clerk

The motion for adoption of the foregoing resolution was duly seconded by Council member Curt Ireland and upon vote being taken thereon, the following voted in favor thereof: Pelowski, Novacek, Ireland, Vatnsdal and Schiltz

and the following voted against the same: None

and the following voted abstained: None

and the following were absent: None

whereupon, said motion was declared duly passed and adopted.

Community Development Todd Peterson reported that there are six bins and cement under three of the bins that are in the way of next years East Diversion project that will have to be removed. Richard Larsen and Ryan Larsen have made an offer of \$6,800.00 for the 6 bins and they will remove the bins and the cement under three of the bins.

After discussion Council member Curt Ireland made a motion to accept Richard and Ryan Larsen's offer of \$6,800.00 for the 6 bins and the removal of the cement under three of the bins. The \$6,800.00 would have to be paid by December 9<sup>th</sup>, 2011 and the removal of the bins and cement and clean up of the area would have to be completed within 60 days from the payment date of December 9<sup>th</sup>, 2011, seconded by Council member Gerry Schiltz and it was carried by unanimous vote.

Community Development Coordinator Todd Peterson discussed the "City of Roseau Projected Year End Financial Condition" handout (on file at the Roseau City Office).

After discussion Council member Gerry Schiltz made a motion that the City of Roseau does not approve of the amendments to the CGMC Bylaws as approved by the CGMC General Membership at the November 18, 2011 General Membership meeting, seconded by Council member Pat Novacek and carried by unanimous vote.

Mayor Jeff Pelowski reported that he and Council member Linda Vatnsdal represented the City Council and have met with the Roseau City Employee Association representatives and the Roseau Police Department representatives on a 2012 - 2013 Wage and Benefit Proposal.

After discussion Council member Curt Ireland motioned to approve the 2012-2013 City Employees Association Wage and Benefit Package and the 2012-2013 Roseau City Police Department Wage and Benefit Package as approved by the Roseau City Employees Association and the Roseau Police Association and the Roseau City Council and authorize signature of a contract.

**CITY OF ROSEAU/ROSEAU CITY EMPLOYEES ASSOCIATION  
WAGE & BENEFIT PACKAGE 2012 – 2013**

HEALTH INSURANCE:

Health Insurance coverage Medica; however should a premium increase exceeding 15% be incurred for 2013, the city reserves the right to re-negotiate the plan, the premium cost-share, the HSA contribution, and the out-of-pocket caps.

Premium cost-share: 90% City-10% employee

The City will deposit \$1,800 into each employee's HSA in semi-annual payments for 2012 and 2013

The City will establish a \$3,300 cap for employee family policy.

The City will establish a \$2,600 cap for employee single policy.

The City will pay out-of-pocket reimbursements for claims eligible to health insurance under in-network providers only

COST OF LIVING STEP INCREASES"

2% Cost of Living Adjustment (COLA) increase for 2012

2% cost of Living Adjustment (COLA) increase for 2013

Employees will receive step increase(s), if applicable, (per Handbook/Pay Structure Plan), for 2012 and 2013

All Other benefits to remain the same.

\* When the Police Department has completed negotiations, should they receive a better package than what the EA has agreed to, then the EA will receive the same as the Police Department.

\_\_\_\_\_  
Mayor Jeff Pelowski

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Robert Wokasch

\_\_\_\_\_  
Council Member Linda Vatnsdal

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Neal Vatnsdal

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Shane McFarlane

Adopted this 5<sup>th</sup> day of December, 2011.

**CITY OF ROSEAU/ROSEAU CITY POLICE DEPARTMENT  
WAGE & BENEFIT PACKAGE 2012-2013**

HEALTH INSURANCE:

Health Insurance coverage Medica; however should a premium increase exceeding 15% be incurred for 2013, the city reserves the right to re-negotiate the plan, the premium cost-share, the HSA contribution, and the out-of-pocket caps.

Premium cost-share: 90% City-10% employee

The City will deposit \$1,800 into each employee’s HSA in semi-annual payments for 2012 and 2013

The City will establish a \$3,300 cap for employee family policy.

The City will establish a \$2,600 cap for employee single policy.

The City will pay out-of-pocket reimbursements for claims eligible to health insurance under in-network providers only

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2% Cost of Living Adjustment (COLA) increase for 2012

2% cost of Living Adjustment (COLA) increase for 2013

Employees will receive step increase(s), if applicable, (per Handbook/Pay Structure Plan), for 2012 and 2013

All Other benefits to remain the same.



\_\_\_\_\_  
Mayor Jeff Pelowski

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Jeff Klein

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Council Member Linda Vatnsdal

\_\_\_\_\_  
Brian DeMars

\_\_\_\_\_  
Daniel Berggren

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Marc Hodge

Adopted this 5<sup>th</sup>, day of December 2011.

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

and the following voted against the same: Novacek

and the following abstained: None

and the following were absent: None

whereupon said motion was declared duly passed and adopted.

Council member Curt Ireland motioned to approve the 2012-2013 Roseau City Department Heads Wage & Benefit Package 2012-2013 as approved by the Roseau City Department Heads and the Roseau City Council and authorize signature of a contract.

**CITY OF ROSEAU/ROSEAU CITY DEPARTMENT HEADS  
WAGE & BENEFIT PACKAGE 2012 – 2013**

HEALTH INSURANCE:

Health Insurance coverage Medica; however should a premium increase exceeding 15% be incurred for 2013, the city reserves the right to re-negotiate the plan, the premium cost-share, the HSA contribution, and the out-of-pocket caps.

Premium cost-share: 90% City-10% employee

The City will deposit \$1,800 into each employee’s HSA in semi-annual payments for 2012 and 2013

The City will establish a \$3,300 cap for employee family policy.

The City will establish a \$2,600 cap for employee single policy.

The City will pay out-of-pocket reimbursements for claims eligible to health insurance under in-network providers only

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2% cost of Living Adjustment (COLA) increase for 2013

Employees will receive step increase(s), if applicable, (per Handbook/Pay Structure Plan), for 2012 and 2013

All Other benefits to remain the same.

\_\_\_\_\_  
Mayor Jeff Pelowski

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Todd Peterson

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Council Member Linda Vatnsdal

\_\_\_\_\_  
David Drown

\_\_\_\_\_  
Ward Anderson

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Brad Wiberg

Adopted this 5<sup>th</sup> day of December 2011.

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

and the following voted against the same: Novacek

and the following abstained: None

and the following were absent: None

whereupon said motion was declared duly passed and adopted.

After discussion Council member Linda Vatnsdal nominated Irene Olson for “One woman 2012” for the Historical Society’s Celebration of Women’s History Month, seconded by Council member Gerry Schiltz and it was carried by unanimous vote.

Council member Curt Ireland introduced the following Resolution and moved for its adoption:



**R# 36-11**  
**RESOLUTION ADOPTING FINAL 2011 PAYABLE 2012 TAX LEVY**

**WHEREAS**, on September 12, 2011 the City Council of the City of Roseau, Minnesota, motioned and approved holding a Truth in Taxation Hearing at 6:00 pm, December 5, 2011 Regular Council meeting,

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Roseau, County of Roseau, after holding its Truth in Taxation Public Hearing hereby adopts the final 2011 payable 2012 property tax levy in the amount of \$1,049,242 and with a breakdown as follows:

**2011 PAYABLE 2012  
FINAL TAX LEVY**

1.	General Levy	\$1,000,242
	Library Expenses	<u>\$ 42,000</u>
	Total General	<b>\$1,042,242</b>
2.	Special Levies -	
	(602) PFA Loan \$237,000	\$ 2,000
	(602) PFA Loan \$950,000	\$ 5,000
	2011 Payable 2012 Final Levy Grand Total	<b>\$1,049,242</b>

**BE IT FURTHER RESOLVED**, that the Community Development Coordinator submits to the Roseau County Auditor the proper documentation certifying the levy has been adopted.

Adopted this 5<sup>th</sup> day of December, 2011.

Attest:

s/s: Janet Lundbohm  
Janet Lundbohm, City Clerk

s/s: Jeff Pelowski  
Jeff Pelowski, Mayor

The motion for adoption of the foregoing resolution was duly seconded by Council member Linda Vatnsdal and upon vote being taken thereon, the following voted in favor thereof: Pelowski, Ireland, Vatnsdal, Schiltz

and the following voted against the same: Novacek

and the following abstained: None

and the following were absent: None

whereupon, said motion was declared duly passed and adopted.

The City Council reviewed the proposed 2012 budget and following discussion gave direction to Community Development Coordinator Todd Peterson to make the necessary changes to the 2012 City Budget of reducing the cost of goods by \$25,000 and the adding of one part time shift for roughly a cost of \$1,600.00 as proposed by Liquor Store Manager Brad Wiberg.

Council member Curt Ireland introduced the following resolution and moved for its adoption;

**#R 37-11**  
**RESOLUTION**  
**2012 FINAL BUDGET**

**WHEREAS**, the City of Roseau is required to adopt a Tax Levy and annual operating budget,

**AND WHEREAS**, the City of Roseau has held a Truth in Taxation Public Hearing and adopted a 2011 payable 2012 Tax Levy,

**NOW THEREFORE BE IT FURTHER RESOLVED** that the 2012 General Fund, Special Revenue Funds and Enterprise Funds annual operating budget is hereby adopted, and the staff is directed to ensure its implementation as follows:

<b>2012 FINAL BUDGET</b>			
	REVENUE	DISBURSEMENTS	+ OR ( ) BALANCE
101 General	\$ 2,792,748	\$ 4,615,107	\$ (1,822,359)
228 Lodging Tax	\$ 42,000	\$ 53,790	\$ (11,790)
229 Polaris Promissory Note	\$ 15,000	\$ -0-	\$ 15,000
233 2001 TIF	\$ 54,118	\$ 52,400	\$ 1,718
331 \$2,335,000 G. O. Refdg	\$ 72,780	\$ -0-	\$ 72,780
601 Water	\$ 396,470	\$ 373,608	\$ 22,862
602 Sewer	\$ 355,525	\$ 282,110	\$ 73,415
603 Garbage	\$ 391,195	\$ 345,842	\$ 45,353
604 Electric	\$ 4,192,362	\$ 3,588,692	\$ 603,670
609 Liquor	\$ 1,552,275	\$ 1,358,835	\$ 193,440
Total All Funds	\$ 9,864,473	\$ 10,670,384	\$ (805,911)

Adopted this 5<sup>th</sup> day of December, 2011.

s/s: Janet Lundbohm

City Clerk

s/s: Jeff Pelowski

Mayor

The motion for adoption of the foregoing resolution was duly seconded by Council member Linda Vatsndal and upon vote being taken thereon, the following voted in favor thereof: Pelowski, Ireland, Vatsndal, Schiltz

and the following voted against the same: Novacek

and the following abstained: None

and the following were absent: None

whereupon, said motion was declared duly passed and adopted.

Council member Curt Ireland motioned, Council member Linda Vatsndal seconded, and it was carried by unanimous vote that there was no further business, therefore the meeting be adjourned.

ATTEST:

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City Clerk

\_\_\_\_\_  
Mayor



