

**REGULAR ROSEAU CITY COUNCIL MEETING  
MONDAY – JULY 11TH, 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, City Attorney Pat Moren, City Clerk Janet Lundbohm, Fire Chief Jeff Ballard, Lyle Grindy, Roseau County Commissioner Jack Swanson-WILD 102 Radio.

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

The following correction (s) addition (s) were noted in the June 6<sup>th</sup>, 2011 minutes.

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Lyle traveled to ~~Steinbeck~~ Steinbach, Manitoba at the request of the EDA to explore the possibility of a Tim Horton's restaurant to locate in Roseau.

Council member Curt Ireland motioned, Council member Pat Novacek seconded and it was carried by unanimous vote to approve the June 6<sup>th</sup>, 2011 minutes with corrections.

Council member Pat Novacek motioned, Council member Linda Vatnsdal seconded and it was carried by unanimous vote to approve the June 24<sup>h</sup>, 2011 minutes as presented.

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

- a. Accounts payable claims from June 1st, 2011 through June 30th, 2011 as presented, with a batch number of AP06302011 and is filed in edit books in the City Clerk's Office.
- b. Daily Batch checks written from June 1st, 2011 through June 30th, 2011 were audited, approved and are filed in edit books in the City Clerk's Office.
- c. Receipt entries May 1st, 2011 through May 31st, 2011 were audited, approved and are filed in edit books in the City Clerk's Office.
- d. Journal entries April 1<sup>st</sup>, 2011 through April 30th, 2011 were audited, approved and are filed in edit books in the City Clerk's Office.
- e. A review of April, 2011 General Ledger checks written compared with check images on the bank statements found no irregularities.
- f. Upcoming meetings –
  - a. August 1st, 2011 Regular meeting at 5:00 pm.
- g. Approve the use of alcohol in the Community Center:
  - a. None
- h. Email from League of Minnesota Cities – LMC Cities Bulletin Special Edition: June 30th, 2011 & July 8th, 2011
- i. Email from CGMC - Special Edition, July 1, 2011.
- j. CGMC Dues Assessments for 2012 & CGMC dated July 6<sup>th</sup>, 2011 - Registration form and Agenda for the August 3-5, 2011 summer conference in Grand Rapids.
- k. Donation of \$500.00 from Roseau County Ford to the Roseau Fire Department.
- l. Donation of \$500.00 from Lake Country to the Roseau Fire Department
- m. Donation of \$500.00 from Roseau Area Friends of the Library for the sculpture.
- n. Letter from Minnesota Department of Transportation notifying the City of Roseau of the Potential Temporary Suspension of State Contract Performance.
- o. Letter from the State Demographic Center.
- p. Investment-Roseau EDA Hi Fi as of 07/05/2011 is \$159,464.98.
- q. Cash in bank-DNR Escrow as of 07/05/2011 is \$5,832,000.00.

- r. Cash in bank-Regular checking as of 07/05/2011 is \$1,941,470.66.
- s. Investment-Regular Hi Fi as of 07/05/2011 is \$1,312,110.33.
- t. Investment of Certificate of Deposit as of 07/05/2011 is \$750,000.00.
- u. Investment of Certificate of Deposit as of 07/05/2011 is \$750,000.00.
- v. Investment of Certificate of Deposit as of 07/05/2011 is \$755,727.53.
- w. Investment of Certificate of Deposit as of 07/05/2011 is \$756,767.67.
- x. Cash in bank - Airport Fuel Sales Credit Card as of 07/05/2011 is \$59.65.
- y. Investment - Roseau EDA Money Market as of 07/05/2011 is \$228,197.81.
- z. Cash in bank - Pine to Prairie Birding Trail as of 07/05/2011 is \$4,251.15.
- aa. Cash in bank - Scandinavian Festival as of 07/05/2011 is \$4,397.45.
- bb. Cash in bank – Welcome to Roseau as of 07/05/2011 is \$1,287.17.
- cc. Cash in bank - Roseau EDA as of 07/05/2011 is \$1,888.45.
- dd.

**R# 23-11**  
**CITY OF ROSEAU**  
**RESOLUTION TO SET 2011 TRAVEL AND MEETINGS REIMBURSEMENT RATES**

**WHEREAS**, Roseau City Council members, members of Commissions and Committees may, from time to time, request reimbursement for mileage and meals while conducting official City business; and

**WHEREAS**, the Roseau City Council annually sets the rate of reimbursement for mileage for City employees while using their personal vehicle for official City business as authorized by their Department Head; and

**WHEREAS**, the Roseau City Council annually sets the rate of reimbursement for meals for City employees who are out of town on official City business as authorized by their Department Head; and

**THEREFORE BE IT RESOLVED**, by the Roseau City Council that it hereby approves the mileage reimbursements to be paid for City travel in non-City vehicles shall be set at the approved IRS rate (\$.55 ½ c July 1, 2011),

**BE IT FURTHER RESOLVED**, by the Roseau City Council that it hereby approves the 2011 reimbursement rate for meals while traveling on City business at a rate not to exceed \$30.00 per day.

**BE IT FURTHER RESOLVED**, by the Roseau City Council that meal reimbursement shall be made upon request provided proof of receipts is given.

Adopted by the Roseau City Council this 11<sup>th</sup> day of July , 2011.

\_\_\_\_\_  
City Clerk, Janet Lundbohm

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

ee.

**ROSEAU MEMORIAL ARENA AND NORTH RINK IMPROVEMENT & OPERATION AGREEMENT**  
**EFFECTIVE JULY 1, 2011-JUNE 30, 2015**

**Purpose**

The purpose of this agreement is to outline the responsibilities of the organizations involved in the continued improvement, use, operation and funding of the Roseau Memorial Arena and the CAIA North Rink. These entities are identified as the City of Roseau, Independent School District 682, and the Roseau Youth Hockey Association/Citizens Arena Improvement Association (CAIA).

**Assumptions**

**Independent School District 682**

1. Independent School District 682 shall maintain its multipurpose field house, Ram's Sports Center, for hockey during the MHSL hockey season.
2. Ram's Sports Center shall provide all ice time for the Roseau Ram's Girl's H.S. Varsity and JV (or equivalent) teams as outlined in the City-School Agreement (Appendix B)
3. Independent School District 682 shall continue to use the Roseau Memorial Arena for Roseau Ram's Boy's Varsity and JV hockey games and practice as outlined in the City-School Agreement. (Appendix B)
4. Independent School District 682 shall provide permanent locker rooms for the Roseau Ram's Girl's Varsity and JV teams in its field house.

5. Independent School District 682 shall continue to help make improvements to the Roseau Memorial Arena as outlined in the City-School Agreement. (Appendix B)

**City of Roseau/Arena Board**

1. The City of Roseau shall perform all daily operation and maintenance of the Roseau Memorial Arena. In addition, the City of Roseau may provide limited operation and maintenance support activities, as time and staff permit, during regularly scheduled hours at the North Rink for H.S. Boy's Hockey Games and practice, Roseau Youth Hockey Games and practice, and public skating.
2. The City of Roseau shall be responsible for all scheduling and determining the annual budget and hours of operation of the Roseau Memorial Arena. The City of Roseau shall provide permanent locker rooms for the H.S. Boy's hockey teams as outlined in the City-School Agreement. (Appendix B)
3. The City of Roseau shall be responsible for all scheduling of games, practices, and open skating at the North Rink.
4. The City of Roseau shall participate in capital improvements to the Roseau Memorial Arena as funds are available and in conjunction with School District 682, as outlined in the City-School Agreement. (Appendix B)

**Roseau Youth Hockey Association/CAIA**

1. The Roseau Memorial Arena/North Rink shall continue to be the main rinks for all Youth Hockey Activities.
2. The Roseau Youth Hockey Association/CAIA shall make an annual payment to the City of Roseau for scheduled ice time for practices and games. Payment shall be made prior to December 30<sup>th</sup> of each year. (See Appendix A)
3. The Roseau Youth Hockey Association/CAIA shall be allocated ice time at the Ram's Sports Center in the same amount as utilized by the H.S. Boy's hockey team in Memorial Arena as outlined in the City-School Agreement. (Appendix B)
4. The Roseau Youth Hockey Association/CAIA shall be responsible for payment of any bills submitted to the City for the purchase of ice time at the Ram's Sports Center in excess of the time allocated to the City of Roseau through the ice time exchange for the H.S. Boy's hockey team as outlined in the City-School Agreement. (Appendix B)
5. The Roseau Youth Hockey Association/CAIA shall be responsible for providing all maintenance personnel [or participating in the costs associated with maintenance by City Personnel] to operate and maintain the North Rink during periods not regularly scheduled by the City of Roseau in conjunction with Memorial Arena, including any operation prior to the opening of Memorial Arena, or any operation after the closing of Memorial Arena. Maintenance shall include cleaning restrooms and locker rooms, flooding ice when necessary and other miscellaneous cleaning as needed.
6. The Roseau Youth Hockey Association/CAIA shall provide staff to assist City personnel in the operation and maintenance of the North Rink during regularly scheduled hours of operation at Memorial Arena.
7. The Roseau Youth Hockey Association shall continue to collect adequate participation fees from all youth and adult hockey users for annual ice time rental at the Roseau Memorial Arena and other expenses.
8. The Roseau Youth Hockey Association shall manage the revenue collection activities related to the Roseau Arena Banner & Scoreboard Advertising and any other current or future revenue producing activities at the Arena for payment of the annual fee. (All activities must be approved by the Roseau City Council)
9. The CAIA shall manage the revenue collection activities related to the Roseau Memorial Arena Concession Stand. This may take the form of operating the concession stand or leasing the stand to a third party for a fee to be paid to the CAIA. Funds raised through the concession stand management shall be used to pay the annual operation fee to the City and other improvements at/to the Memorial Arena or North Rink. The City of Roseau limits its maintenance obligations at the concession stand to the building itself, including: electrical wiring, flooring, walls, ceiling, fixtures, piping, etc. Any and all other repairs will be at the concession stand operator's expense.
10. The CAIA, in conjunction with the Roseau Youth Hockey Association, will continue to perform annual fund-raisers for arena related capital improvements and the annual fee (e.g. Spaghetti Dinner, Golf Tournament, Raffle, and Fair Stand).
11. The Roseau Youth Hockey Association/CAIA will provide the City of Roseau with a list of advertisers and vendors utilizing the Roseau Memorial Arena for approval by the Roseau Arena Board/City Council. The Roseau Youth Hockey Association/CAIA will also provide the City of Roseau an annual accounting of all advertising fees, vendor payments, and participation fees charged to users of the Roseau Memorial Arena including the number of users and current rates.
12. The CAIA will be responsible for funding capital improvements to the North Rink.

SIGNATURE PAGE:

\_\_\_\_\_  
City of Roseau

\_\_\_\_\_  
Date

\_\_\_\_\_  
Youth Hockey Association/CAIA

\_\_\_\_\_  
Date

APPENDIX A

CITY OF ROSEAU

REVENUES

Arena Rental	\$30,000	(2011-12; 12-13; 13-14; 14-15 CAIA Annual Payment)
Early Opening/Summer Hockey*		

\*All early openings and/or late closings and summer use of the North Rink (outside normal hours & dates of Memorial Arena) will be billed directly to the CAIA for the actual cost to the City for personnel & utilities

2011 BUDGET EXPENDITURES

Personnel	\$ 61,000.00
Supplies	\$ 12,000.00
Utilities	\$104,500.00
Insurance	\$ 14,000.00
Repairs & Maint.	<u>\$ 12,000.00</u>

TOTAL \$203,500.00

ff. Centra Transmission Holdings Inc. & Centra Pipelines Minnesota Inc. – Roseau East Diversion Project Progress Payments.

gg.

**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:**

**The North Eight Feet (8') of Lot Eight (8), and all of Lots Nine (9) and Ten (10), of Block (3), in the Original Townsite of Roseau, according to the Plat thereof on file and of record in the office of the County Recorder for Roseau County, Minnesota.**

**as evidenced by a Repayment Agreement dated March 8<sup>th</sup>, 2006, and filed of record in the Office of the Roseau County Recorder on November 2, 2006, as Document Number 255805, and**

**WHEREAS, Jeffery D. Fevold and Rhonda J. Fevold, husband and wife, and Clifford T. Fevold and Jeanine C. Fevold, husband and wife 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 of 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 these present-to be executed by \_\_\_\_\_, Mayor.**

This \_\_\_day of July, 2011.

STATE OF MINNESOTA)ss By: \_\_\_\_\_

COUNTY OF ROSEAU) Mayor of Roseau

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2011, by \_\_\_\_\_, Mayor of Roseau, a body corporate and politic of the State of Minnesota.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_ County, Minnesota

My Commission expires:

**DOCUMENT DRAFTED BY WYNNE CONSULTING, INC. P.O. BOX 33 WANNASKA, MN 56761 EXEMPT FROM REGISTRATION TAX UNDER MINNESOTA STATUTE 287.06**

- hh. Oakcrest Golf Board Meeting – June 12, 2011 minutes & Oakcrest Golf Club Financial Report January through June 2011.
- ii. Liquor Store Monthly Sales Recap June 2011.
- jj. Liquor Store Quarterly Sales Recap 2<sup>nd</sup> Quarter 2011.
- kk. Liquor Store Sales 2011.
- ll. Year to Date City Revenues & Expenditures (June 30, 2011).
- mm. FAA Memorandum of Agreement (authorize the Mayor and Clerk to sign).

Roseau Promotions Director Lyle Grindy reported on the following:

- The C & C will be sponsoring the Farmers Market when the gardens are ready. The times and location are the same as last year.
- Crazy Day will be the next C & C promotion to be held Thursday August 4<sup>th</sup>, 2011.
- The CVB helped promote the following:
  - Roseau Cruise-In Car Show.
  - Scandinavian Festival.
  - Quilt S'more Shop Hop Tour – they will have four buses stopping in Roseau and one will originate from Roseau having overnight guests. This will run from July 29<sup>th</sup> to August 14<sup>th</sup>, 2011.
- Roseau will be hosting the Heartland Board of Director's meeting on August 31<sup>st</sup>, 2011 and the next day the general meeting.

Council member Curt Ireland motioned, Council member Linda Vatnsdal seconded and it was carried by unanimous vote to approve the Deland Broten (#3-11) Variance request to add a 10' x 20' front porch to his home with a front yard setback of 14'6" in lieu of the 30' front yard setback required, a 15' 6" front yard setback Variance as recommended by the Planning Commission.

**JUSTIFICATION FOR APPROVAL:**

- At the May 23, 2011 Planning Commission meeting, Deland Broten had provided information on other existing homes on 9<sup>th</sup> Ave SE and their setbacks and stated that his home would not be the closest home to the street on 9<sup>th</sup> Ave SE.
- The Planning Commission noted that allowing this Variance will be an improvement to the property aesthetically.
- Community Development Coordinator Todd Peterson noted that the house is already non-compliant so any construction that would add on to the house would require a Variance.

Council member Pat Novacek motioned, Council member Curt Ireland seconded and it was carried by unanimous vote to approve the Glen R. Johnson (#2-11) Variance request to create a lot that would be 8,094 square feet in lieu of 10,000 square feet requirement which would be a 1,906 square foot Variance as recommended by the Planning Commission. (Glen R. Johnson has met the requirement of a signed certificate of survey).

**JUSTIFICATION FOR APPROVAL:**

- The original structures were built with City approval.
- The two structures should be on their own individual parcels and the proposed split is the most reasonable given the existing property.

Police Officer Marc Hodge reported that he had sent out letters to property owners on the clean up report and to the individual owners of trailers at west side trailer court.

The Planning Commission reviewed the letter received from the owners of West Side Trailer Court and after much discussion on the problems of citizens dumping tires, TV's, appliances etc. around the dumpsters, the Planning Commission recommended to the City Council to have the dumpsters at West Side Trailer Court moved to within the Trailer Court property instead of City of Roseau right-of-way as recommended by City Superintendent David Drown. Council consensus was to table it and directed City Superintendent David Drown to contact the property owners of West Side Trailer Court and discuss the removal of the dumpsters from the City of Roseau right-of-way to within the West Side Trailer Court property. (Each resident of the trailer court pays a residential garbage charge and West Side Trailer Court pays dumpster fees).

The Planning Commission requested Community Development Coordinator Todd Peterson research how the City of Bloomington handles their nuisance abatement. CDC Peterson has contacted the City of Bloomington and was informed that mobile home parks are licensed by the State of Minnesota and it was suggested that when the state is operational again, the city should request a mobile home inspector to come and review the trailer park.

The Planning Commission discussed the areas of town where there is obstruction of views at intersections from hedges, trees etc. and it was recommended that Dave Anderson and Police Officer Marc Hodge would visit with City Superintendent David Drown about these areas of concern.

Roseau County Commissioner Jack Swanson reported that the Roseau County Board has spent a considerable amount of time on how the state shutdown is affecting the County.

Community Development Coordinator Todd Peterson reported that Diane Sandland indicated that they will not be paying for the Airport phone that is in the office at the Airport formerly used by Roseau Aviation and would like to know if the city wants it removed or would the city take it over. Following discussion by the City Council, Council member Curt Ireland motioned, Council member Pat Novacek seconded and it was carried by unanimous vote to have the phone removed from the office and use the City of Roseau City office as the contact number.

Community Development Coordinator Todd Peterson reported that Ulteig **missed the State of Minnesota shutdown deadline to provide MnDOT-Aeronautics with all of the information necessary to submit an application to FAA for a grant agreement on the Airport Apron/Taxiway Project which will delay the project and potentially jeopardize funding.**

Council member Linda Vatnsdal **reported on behalf of the Beautification Committee** that the flowers have all been planted and they are being maintained.

Community Development Coordinator Todd Peterson reported that the EDA met two weeks ago and they are still working to attract new businesses to the area.

Fire Chief Jeff Ballard reported that he had gotten the application in to the State of Minnesota before the shut down for the Roseau Volunteer Fire Department to be licensed.

Council member Pat Novacek introduced the following resolution and moved for its adoption;

**RESOLUTION NO. R24-11**

**A RESOLUTION RECEIVING FEASIBILITY REPORTS, WAIVING THE NECESSITY OF CALLING FOR A PUBLIC HEARING ON STREET IMPROVEMENTS, ORDERING THE IMPROVEMENT, DESIGNATING THE ENGINEER FOR THE STREET IMPROVEMENT PROJECT AND DIRECTING THE CITY SUPERINTENDENT TO PROCEED TO OBTAIN TWO (2) OR MORE QUOTATIONS FOR THE COST OF THE COMPLETION OF THE PROJECT**

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

**WHEREAS**, the City of Roseau did at its regular monthly meeting held on May 2, 2011, accept a Petition dated April 25, 2011, from real property owners Chris Flaig, Marc Halvorson, Tammy Dahlquist and Chad J. Wulff, requesting street improvements to a portion of 6<sup>th</sup> Avenue Northeast, running from 8<sup>th</sup> Street Northeast to 9<sup>th</sup> Street Northeast in the City of Roseau, said Petition including language that the property owners were in agreement with the roadway being constructed as soon as possible and that petitioners understood that the cost of the road would be pro-rated into their property assessments; and

**WHEREAS**, the City of Roseau did on July 7, 2011, receive a Consent to join in said Petition executed by Kelly Flaig, spouse of Chris Flaig, Katy Halvorson, spouse of Marc Halvorson, Kurt Dahlquist, spouse of Tammy Dahlquist and Eileen Wulff, spouse of Chad J. Wulff, the initial petitioners, said spouses consenting to, and joining in the Petition of their respective spouses dated April 25, 2011; and

**WHEREAS**, the original petitioners and their respective spouses are the owners of 100% of the real property affected by the requested street improvement project; and

**WHEREAS**, the City Council of the City of Roseau did at its regular meeting held on May 2, 2011, accept the initial Petition for street improvements and did authorize City Engineers Freeburg & Grund to conduct a feasibility study and preliminary cost estimate for improvements for the extension of 6<sup>th</sup> Avenue Northeast which action was passed by unanimous vote of the City Council; and

**WHEREAS**, the City of Roseau did receive on May 2, 2011, from City Engineers Freeburg & Grund, an initial estimate for the cost of improvements for the proposed project on 6<sup>th</sup> Avenue Northeast, which reflected a total estimated cost of \$137,334.73; and

**WHEREAS**, the City of Roseau in an attempt to reduce the over all cost of the proposed project did obtain a second estimate for the cost of said 6<sup>th</sup> Avenue Northeast special assessment project from another Licensed Engineer, dated June 27, 2011; and

**WHEREAS**, on Monday, July 11, 2011, the City Council of the City of Roseau, at its regular monthly meeting, did review the estimate of said Licensed Engineer, which reflected a total cost for construction of the 6<sup>th</sup> Avenue Northeast special assessment project at \$65,608.00; and

**WHEREAS**, the petitioners and the consenters to the Petition representing 100% of the property owners, having been advised of the cost estimates received from both Freeburg & Grund and another Licensed Engineer, have determined to move forward with the 6<sup>th</sup> Avenue Northeast street improvement project, which is to be specially assessed to them; and

**WHEREAS**, the City of Roseau following receipt of the feasibility reports and the cost estimates have been provided the necessary information as to whether the proposed improvement is necessary, cost-effective and feasible, and whether it should be made as proposed or in connection with some other

improvement; the estimated cost of the improvement as recommended and a description of the methodology used to calculate individual assessments for the affected parcels.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEAU, COUNTY OF ROSEAU, MINNESOTA, AS FOLLOWS:**

1. In view of the fact that 100% of the affected property owners have either petitioned, or joined in on the Petition for the improvement of a portion of 6<sup>th</sup> Avenue Northeast, in the City of Roseau, the City hereby waives any requirement for holding a Public Hearing with respect to the proposed 6<sup>th</sup> Avenue Northeast improvement project, to be specially assessed to the real property owned by the petitioners.
2. That the street improvement for 6<sup>th</sup> Avenue Northeast which is the subject of the Petition is hereby ordered.
3. That the City Superintendent is hereby authorized and directed to obtain two (2) or more quotations for the cost of completing the project without having to advertise for bids or otherwise comply with the requirements of competitive bidding. All quotations obtained shall be kept on file for a period of at least one (1) year after receipt thereof.

Adopted by the Council this 11th day of July, 2011.

ATTEST:

s/s Janet Lundbohm  
City Clerk

s/s Jeff Pelowski  
Mayor

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

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.

Following discussion by the City Council, Council member Curt Ireland motioned, Council member Pat Novacek seconded and it was carried by unanimous vote to award R & Q Contracting for the 6<sup>th</sup> Avenue Special Assessment Project in the amount of \$65,608.00.

Community Development Coordinator Todd Peterson reported on the following:

- East Diversion project progress.
- CDC Peterson attended the LMC Conference in June and one of the sessions was on the Traffic Sign Management & Retroreflectivity Compliance mandate and its potential impact on the City of Roseau.

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



**RESOLUTION NO. R25-11**

**WAIVER OF SUBDIVISION PLATTING REGULATIONS**  
**BY THE CITY OF ROSEAU, MINNESOTA**

**WHEREAS**, Glen R. Johnson has been granted a Variance for the purpose of allowing Glen R. Johnson and Esther Johnson, to split their real property and create a parcel for their rental property which is smaller than 10,000 square feet, to-wit: 8,094 square feet, which results in a 1,906 square foot lot size variance; and

**WHEREAS**, the current property contains two (2) parcels and two (2) structures; and

**WHEREAS**, the Johnsons required the variance from the minimum square footage requirement in order to get each structure on its own parcel; and

**WHEREAS**, imposition of the City of Roseau Subdivision Platting Regulations with respect to the real estate which is the subject of the Variance granted to the Johnsons would create an unnecessary hardship and the failure to comply with the restrictions created by the City of Roseau Subdivision Platting Regulations Ordinance does not interfere with the purpose of the said Subdivision Platting Regulations.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Roseau, Minnesota, that the provisions of the Subdivision Platting Regulations currently in effect, which restrict certain real estate from being split, and/or conveyed by a metes and bounds description, shall be waived and shall not be applicable to the following described real estate situated within the corporate boundaries of the City of Roseau, Minnesota:

The West 142 feet of the North 50 feet of Lot 2 of Auditor's Plat No. 1 of Block 25 of the Correction Plat of Roseau, according to the Plat thereof on file and of record in the Office of the County Recorder in and for Roseau County, Minnesota.

AND

The West 142 feet of Lot 1 of Auditor's Plat No. 1 of Block 25 of the Correction Plat of Roseau, according to the Plat thereof on file and of record in the Office of the County Recorder in and for Roseau County, Minnesota.

That the aforesaid restrictions set forth in the Subdivision Platting Regulations or other ordinances or laws of the City of Roseau or State of Minnesota are hereby waived by the City Council of the City of Roseau, in order to preclude the imposition of an unnecessary hardship on the present fee owners of said real estate, or the heirs and assigns of said fee owners, and upon determination by the City Council that failure to comply with the Subdivision Platting Regulations of the City of Roseau in

this particular instance will not compromise or interfere with the purposes or intents of any such regulations, ordinances or laws.

This waiver is made pursuant to the provisions of M.S. 462.358, Subdivision 4 (b).

Adopted by the Council this 11th day of July, 2011.

ATTEST:

s/s Janet Lundbohm  
City Clerk

s/s Jeff Pelowski  
Mayor

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

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.

Mayor Jeff Pelowski presented to the Roseau City Council an agreement with the Roseau River Watershed District Board in regards to the West Intercept Ditch Assessment. Following discussion Council member Pat Novacek motioned, Mayor Jeff Pelowski seconded to enter into an agreement to pay the \$13,000.00 past due Assessment and the 2011 Assessment for a total of \$18,510.00 and that City Superintendent David Drown and Rob Sando Roseau River Watershed District Administrator will meet to discuss any (2012 and beyond) future Assessments. (Example: The RRWD would set the 2012 assessment amount recommended by Rob & David at their public hearing in September 2011-the City would include that amount in the 2012 City Budget).

The following voted in favor thereof: Pelowski, Novacek, Ireland and Vatnsdal

and the following voted against the same: Schiltz

and the following abstained: None

and the following were absent: None

whereupon, said motion was declared duly passed and adopted.

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

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



