

**REGULAR ROSEAU CITY COUNCIL MEETING**  
**MONDAY – July 10th, 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, Pat Novacek, Don Ross, Amy Bassingthwaite, and Jane Evans. Absent: None. Others present were City Superintendent David Drown, Police Chief Ward Anderson, Liquor Store Manager Linda Roseborough, Fire Chief Craig McMillin, Clerk-Treasurer Beth Hellquist, Jack Swanson-Wild 102 Radio, Firemen Jeff Ballard, Leon Huot and Rick Bjorkquist, City residents Carter Novacek, John Douglas and his representing attorney.

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 June 5<sup>th</sup>, 2017 Regular meeting minutes as written.

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

1. Presentation of Accounts Payable claims June 1<sup>st</sup>, 2017 through June 30<sup>th</sup>, 2017 Batch AP063017. CK#62682-62750 = \$411,794.77.
2. Presentation of daily checks June 1<sup>st</sup>, 2017 through June 30<sup>th</sup>, 2017  
E#546-585 = \$390,630.10  
CK#62590-62681 = \$500,554.80  
06/15/2017 PR DD = \$34,765.80  
06/30/2017 PR DD = \$41,483.62
3. Presentation of Receipt entries May 1<sup>st</sup>, 2017 through May 31<sup>st</sup>, 2017.
4. Presentation of Journal entries JE043017.
5. Audit Committee review of April 2017 General Ledger checks written compared with images on the bank statement.
6. Notices and Communications –  
Upcoming scheduled meetings:
  - a. August 7<sup>th</sup>, 2017 Regular City Council meeting at 5:00 pm.
7. Approve the use of alcohol in the Community Center-Muirhead/Eckert Wedding – August 26<sup>th</sup>, 2017.
8. Investment–Roseau EDA Hi Fi as of 07/05/2017 is \$81,421.61.
9. Cash in bank-DNR Escrow as of 07/05/2017 is \$2,000.00.
10. Cash in bank-Regular checking as of 07/05/2017 is \$3,114,449.73.
11. Investment-Regular Hi Fi as of 07/05/2017 is \$1,549,335.98.
12. Investment Certificate of Deposit as of 07/05/2017 is \$793,250.70.
13. Investment Certificate of Deposit as of 07/05/2017 is \$788,493.43.
14. Investment Certificate of Deposit as of 07/05/2017 is \$783,694.15.
15. Investment Certificate of Deposit as of 07/05/2017 is \$781,728.03
16. Investment-Roseau EDA Money Market as of 07/05/2017 is \$275,186.60.

- 17. Cash in bank-Pine to Prairie Birding Trail as of 07/05/2017 is \$4,523.38.
- 18. Cash in bank-Roseau EDA as of 07/05/2017 is \$436.74.
- 19. LMC – Liability Coverage Waiver Form
- 20. Approve 2017 Airport Hangar #10 lease – Daniel Whipple
- 21.

RESOLUTION NO. 27-17

RESOLUTION ACCEPTING DONATION

**WHEREAS**, Roger and Bernice Skime have presented to the City of Roseau, a donation of \$500.00 and have designated that this donation be deposited in the City of Roseau Riverview Park Gazebo Concert Fund.

**WHEREAS**, the City Council is appreciative of the donation and commends them for their civic efforts,

**NOW, THEREFORE BE IT RESOLVED**, BY THE City Council of the City of Roseau, Minnesota;

- 1. That the donations are accepted and acknowledged with gratitude, and
- 2. That the donations will be allocated to the Riverview Park Gazebo Concerts.

Adopted by the City Council of the City of Roseau, Minnesota this 10th day of July, 2017.

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
Clerk/Treasurer

- 22. MnDNR awarded the City of Roseau a \$75,000 grant for the Roseau River Trail Connection.
- 23.

RESOLUTION NO. 28-17

RESOLUTION ACCEPTING DONATION

**WHEREAS**, the following have presented to the City of Roseau, donations, and have designated that these donations be deposited in the City of Roseau Riverview Park Gazebo Concert Fund.

- Miners Inc. \$500.00;
- Mr. & Mrs. Bob Berglund \$100.00;
- Cash donation \$81.00;

**WHEREAS**, the City Council is appreciative of the donations and commends them for their civic efforts,

**NOW, THEREFORE BE IT RESOLVED**, BY THE City Council of the City of Roseau, Minnesota;

- 1. That the donations are accepted and acknowledged with gratitude, and
- 2. That the donations will be allocated to the Riverview Park Gazebo Concerts.

Adopted by the City Council of the City of Roseau, Minnesota this 10th day of July, 2017.

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
Clerk/Treasurer

24. Volunteer Fire Relief Association Investment Report Card
25. Liquor Store monthly sales report & pictures of Liquor Store Expansion project
26. City Revenues and Expenditures for June 2017

## **Delegations**

### **Committee Reports**

#### **Roseau Promotions Director**

Promotions Director Lyle Grindy was absent.

#### **Planning Commission-**

CDC Todd Peterson was absent.

Mayor Jeff Pelowski informed council a public hearing was held June 26<sup>th</sup>, 2017 at 12:30pm for variance application #2-17 from Lisa Beito for Lots 5 & 6, Block 2 Jenson's Subdivision for the purpose of constructing a 12' x 22' addition to the front of the house with a front setback of 22' in lieu of the 30' setback, an 8' variance. There were no written or oral comments. The Planning commission approved by unanimous vote to recommend to the Roseau City Council to approve Variance Application #2-17 for Lisa Beito.

The Planning Commission cited the following justification for the variance:

- The neighbors did not express any concern
- The proposed setback does not restrict any use by the city in the right of way
- The proposed setback is reasonable for the neighborhood

The Planning Commission also placed the following restrictions on the proposed variance request:

- The addition must be constructed with similar roofing and siding to match the existing structure
- The addition must be constructed in the approved location on the front of the house

After discussion, Council member Don Ross motioned, Council member Jane Evans seconded and it was carried by unanimous vote to approve Variance Application #2-17 from Lisa Beito for Lots 5 & 6, Block 2 Jenson's Subdivision for the purpose of constructing a 12' x 22' addition to the front of the house with a front setback of 22' in lieu of the 30' setback, and 8' variance.

Mayor Pelowski informed council Carter Novacek had submitted a Conditional Use Permit Application #3-17 for the purpose of placing fill on Lot1, S20' Lot 2, Block 3 of Riverside 2<sup>nd</sup> Addition to the City of Roseau. The Planning Commission recommended to the Roseau City Council to deny the Conditional Use Permit Application #3-17 for the purpose of placing fill, as a Conditional Use Permit is not the proper form for seeking approval of fill placement in the

floodplain. Mr. Novacek has been provided information on the proper avenue to seek permission for the placement of fill in the floodplain.

After discussion, Council member Jane motioned, Council member Don Ross seconded, Council member Pat Novacek abstained and it was carried by majority vote to deny the Conditional Use Permit #3-17 as a Conditional Use Permit is not the proper form for seeking approval of fill placement in the floodplain.

Mayor Pelowski informed council, as of the Planning Commission meeting, 9 dilapidated trailers have been removed from the Westside Trailer Court and there are 4 dilapidated trailers left to be removed. Police Chief Ward Anderson stated that there is now just 1 trailer left and the property owner and trailer owner are in discussion about it.

Mayor Pelowski informed council that both the house at 806 2<sup>nd</sup> ST SE and the house at 800 Center St E have been demolished.

Mayor Pelowski informed council the Planning Commission recommended to council to set a Public Hearing on July 24<sup>th</sup>, at 12:30 pm for Rezoning Application #4-17 for the purpose of rezoning Lot 1 and 2, Block 19 Original Town site of Roseau that are part of the City Center Complex that were never rezoned after the group home on those two lots were demolished and became part of the City Center parking lot. The City is seeking to rezone the two lots from R-2 (Residential) to P-2 (Heavy Public Zoning District).

After discussion, Council member Pat Novacek motioned, Council member Jane Evans seconded and it was carried by unanimous vote to set a public hearing on July 24<sup>th</sup> at 12:30 pm for Rezoning Application #4-17.

Council member Pat Novacek inquired as to the possibility that other property may not have the correct zoning. Mayor Pelowski stated it was a possibility.

#### **Roseau County Commissioner –**

Roseau County Commissioner Jack Swanson informed council;

- The County will start to work on the County budget in August, but does not expect any significant changes from previous years.
- The Greenbush highway shop will be completed this fall.
- The County is replacing the Beito buildings with a new structure. The new structure will provide the County Sheriff's office with needed secure storage.

#### **Operation Committee –**

Did not meet.

#### **Oak Crest Golf Course –**

Council members Don Ross and Amy Bassingthwaite stated Oak Crest Golf Course is in good shape.

**Airport Committee –**

Mayor Pelowski stated the airport committee did not meet but introduced the following Resolutions and Grant Agreements for approval. These are 80%/20% grants. Grant agreement 1028718 (Resolution 25-17) is for the Airport Finish Mower and Grant agreement 1027939 (Resolution 26-17) is for the crack seal project.

**Resolution 25-17**

**AUTHORIZATION TO EXECUTE  
MINNESOTA DEPARTMENT OF TRANSPORTATION  
GRANT AGREEMENT FOR AIRPORT IMPROVEMENT  
EXCLUDING LAND ACQUISITION**

It is resolved by the **City of Roseau** as follows:

1. That the state of Minnesota Agreement No. **1028718**,  
“Grant Agreement for Airport Improvement Excluding Land Acquisition,” for State Project No. **A6801-36** at the **Roseau Municipal Airport** is accepted.
2. That the Mayor and Community Development Coordinator are authorized to execute this Agreement and any amendments on behalf of the **City of Roseau**.

Council member Pat Novacek motioned, Council member Amy Bassingthwaite seconded and Resolution 25-17, St of MN Grant Agreement No. 1028718 (Airport Finish Mower) was approved by unanimous vote.

**Resolution 26-17**

**AUTHORIZATION TO EXECUTE  
MINNESOTA DEPARTMENT OF TRANSPORTATION  
GRANT AGREEMENT FOR AIRPORT IMPROVEMENT  
EXCLUDING LAND ACQUISITION**

It is resolved by the **City of Roseau** as follows:

1. That the state of Minnesota Agreement No. **1027939**,  
“Grant Agreement for Airport Improvement Excluding Land Acquisition,” for State Project No. **A6801-35** at the **Roseau Municipal Airport** is accepted.
2. That the Mayor and Community Development Coordinator are authorized to execute this Agreement and any amendments on behalf of the **City of Roseau**.

Council member Pat Novacek motioned, Council member Jane Evans seconded and Resolution 26-17, St of MN Grant Agreement No. 1027939 (Airport Crack Seal Project) was approved by unanimous vote.

Mayor Pelowski introduced to council the Executive Summary and the Implementation Plan in lieu of the full Draft Airport Master Plan as it is hundreds of pages.

After discussion, Council member Jane Evans motioned, Council member Don Ross seconded and is carried by unanimous vote to approve the Draft Airport Master Plan (Executive Summary & Implementation Plan).

### **EDA**

Mayor Pelowski reported the EDA met the 28<sup>th</sup> of June. There were a couple of requests for assistance and discussion on the various projects going on in town.

Council member Pat Novacek inquired as to who had moved into the building vacated by the Department of Corrections. Police Chief Anderson believes that part of the building is still vacant.

### **Department Reports**

#### **Liquor Store-**

Liquor Store Manager Linda Roseborough informed council that construction on the Liquor Store is going well. Construction is 3 weeks ahead of schedule. The new coolers come in next week. The liquor store will remain open as the transition into the new area progresses. Opening the Liquor Store on Sundays was brought up. Manager Roseborough has been researching those liquor stores that are now opened on Sundays. These stores have not seen a significant increase in sales. Sales are just stretched out over one more day. Manager Roseborough recommended the decision on the Sunday Liquor Store opening be discussed after the construction is complete.

#### **Fire Department**

Fire Chief Craig McMillin provided to council a summary on the new fire truck. Chief McMillin commended fire men Jeff Ballard, Leon Huot and Rick Bjorquist on the work that was done researching the new fire truck and its components. The fire department is looking for approval to move on it. The cost will be approximately \$460,000. Council said the fire department had already received approval and the expense has already been budgeted.

Council member Pat Novacek suggested the fire department look into ConCon money to see what is available to them.

Council member Jane Evans suggested the fire department do a "Give a Kid a Ride Home" Contest as a fund raiser for the Fire Department.

### **5:30pm PUBLIC HEARING – VACATION OF A PORTION OF 4<sup>TH</sup> ST NE (FORMERLY KNOWN AS 1<sup>ST</sup> STREET) IN THE CITY OF ROSEAU**

Council member Jane Evans motioned, Council member Don Ross seconded and it was carried by unanimous vote to open the Public Hearing.

Mayor Pelowski asked if there were any written comments. There were none.

Mayor Pelowski asked if there were any oral comments.

The Attorney representing John Douglas came forward and stated the hardships vacating and splitting the ownership of the street between Mr. John Douglas and Mr. Carter Novacek would put on Mr. Douglas. Mr. Douglas has for the past 30 years, maintained and used that portion of 4<sup>th</sup> ST NE for ingress and egress into his garage. Historically there was a garage on the north side and a garage on the south side serviced by that road. Should that street be vacated, Mr. Douglas would have to cut down trees, move an REA pole and haul in gravel in order to build a road to access his garage.

The Attorney representing Mr. Douglas asked if the DNR had been contacted as the road gives access to the levy along a public waterway. Council did not have an answer as to if the DNR had been contacted, but the diversion ditch should eliminate the issue of having to access the levy during high water.

John Douglas stated that the city storm sewer also runs under that street.

Superintendent Drown believes the storm sewer has been rerouted but will have to check into that.

Mr. Carter Novacek stated he would help move trees and poles if the street were vacated. Mr. Novacek needs an answer as he is building a house and the architect needs to know where to set the building. Mr. Novacek stated he may access his new house from a different route if it is easier so he would not use the current road.

After no more oral comments, Council member Don Ross motioned, Council member Amy Bassingthwaite seconded and it carried by unanimous vote to close the Public Hearing.

It was council consensus put Resolution No 24-17 to vacate a portion of 4<sup>th</sup> ST NE on the August 7<sup>th</sup>, 2017 agenda to research if the storm sewer was still connected under the road and if the DNR needed to be contacted.

**CITY OF ROSEAU  
COUNTY OF ROSEAU  
STATE OF MINNESOTA**

**A Motion was made by Councilperson \_\_\_\_\_ for passage of the following Resolution:**

**RESOLUTION NO. 24-17**

**A RESOLUTION VACATING A PORTION OF FOURTH (4<sup>TH</sup>) STREET NORTHEAST  
(ALSO KNOWN AS FIRST (1<sup>ST</sup>) STREET)**

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

**WHEREAS**, the City Council previously passed Resolution No. 23-17 noting its interest in vacating pursuant to Minnesota Statute §412.851, a portion of 4<sup>th</sup> Street Northeast (also known as 1<sup>st</sup> Street), legally described as follows:

**DESCRIPTION OF PART OF STREET TO BE VACATED:**

That portion of 4<sup>th</sup> Street Northeast (formerly known as 1<sup>st</sup> Street) in the City of Roseau, Minnesota, described as follows:

Commencing at the Southeast corner of Lot 1, Block 3 of Riverside Second Addition to the City of Roseau, Minnesota being the point of beginning of that certain portion of 4<sup>th</sup> Street Northeast (formerly known as 1<sup>st</sup> Street) intended to be vacated; thence running Southeasterly to the Northeast corner of Lot 9 of Block 3 in Riverside Addition, thence Westerly on and along the North boundary line of said Lot 9, Block 3 of Riverside Addition to the Northwest corner of said Lot 9, Block 3 of Riverside Addition, thence Northwesterly to the Southwest corner of Lot 1, Block 3 of Riverside Second Addition to the City of Roseau, thence Easterly on and along the South boundary line of said Lot 1, Block 3 of Riverside Second Addition to the City of Roseau, to the point of beginning and there terminating.

and setting a public hearing to consider the vacation of a portion of such street; and

**WHEREAS**, a public hearing to consider the vacation of a portion of such street was held on the 10<sup>th</sup> day of July, 2017, before the City Council in the City Council Chambers located at 121 Center Street East, Suite 201, at 5:30 o'clock P.M., after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk-Treasurer on the \_\_\_\_ day of June, 2017, and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

**WHEREAS**, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

**WHEREAS**, the Council in its discretion has determined that it will be in the best interest of the City of Roseau, Minnesota, to approve the vacation of a portion of said City street in that said street is not serving or is not capable of serving any valuable purpose.

**WHEREAS**, at least four-fifths of all members of the City Council concur in this resolution.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEAU, COUNTY OF ROSEAU, MINNESOTA** that such vacation is hereby granted and the portion of the street described as follows is hereby vacated:



That portion of 4<sup>th</sup> Street Northeast (formerly known as 1<sup>st</sup> Street) in the City of Roseau, Minnesota, described as follows:

Commencing at the Southeast corner of Lot 1, Block 3 of Riverside Second Addition to the City of Roseau, Minnesota being the point of beginning of that certain portion of 4<sup>th</sup> Street Northeast (formerly known as 1<sup>st</sup> Street) intended to be vacated; thence running Southeasterly to the Northeast corner of Lot 9 of Block 3 in Riverside Addition, thence Westerly on and along the North boundary line of said Lot 9, Block 3 of Riverside Addition to the Northwest corner of said Lot 9, Block 3 of Riverside Addition, thence Northwesterly to the Southwest corner of Lot 1, Block 3 of Riverside Second Addition to the City of Roseau, thence Easterly on and along the South boundary line of said Lot 1, Block 3 of Riverside Second Addition to the City of Roseau, to the point of beginning and there terminating.

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk-Treasurer are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

This Motion was seconded by Councilperson \_\_\_\_\_.

Adopted unanimously by the Council this 10<sup>th</sup> day of July, 2017.

EFFECTIVE DATE: July 10, 2017.

	AYES	NAYS
Mayor Jeff Pelowski	_____	_____
Amy Bassingthwaite	_____	_____
Jane Evans	_____	_____
Patrick Novacek	_____	_____
Don Ross	_____	_____

Approved:

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

Attested by:

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Elizabeth Hellquist, City Clerk - Treasurer

**Police Department –**

Police Chief Ward Anderson informed council the new squad is now in use.

Chief Anderson presented to council an IT support proposal from MARCO. The IT support the City is currently receiving from the County will end October 1st. The MARCO proposal is for 36 months for \$ 2,130 minimum per month. The City would receive complete managed IT coverage for up to 20 users. This includes: Anti-virus, Spam filtering, Content Filtering and end user security awareness training. MARCO has over 600 IT specialists. 5 will be assigned to the City of Roseau, with 2 that will deal directly with City personnel.

MARCO came and accessed the City of Roseau’s system. Most of the Cities computers and servers are over 8 years old. Most warranties only go up to 5 years.

Council member Pat Novacek was concerned about MARCO duplicating the switches the City currently has with Wikstrom’s and Sjoberg’s and with the City of Roseau’s security requirements especially concerning the Police Department. The MARCO proposal also does not include any hardware, upgrades or back up to the Cloud which Chief Anderson stated would be an additional \$250.00 per month. Council member Novacek would like to try negotiating a price before entering into a contract with MARCO.

Chief Anderson stated that MARCO talks to all of the software vendors we have and knew the security requirements of the Police Department, Chief Anderson felt an urgency to move forward with this proposal.

After a lengthy discussion, Council member Jane Evans motioned to move forward with the MARCO proposal; Council member Amy Bassingthwaite seconded the motion. Upon further discussion, Council member Jane Evans amended her motion to move forward with the MARCO proposal contingent upon the issues in question be resolved, Council member Amy Bassingthwaite seconded the amended motion, and it carried by unanimous vote.

**Superintendent-**

City Superintendent David Drown had nothing new for council; all the projects were going well.

Council member Jane Evans inquired as to how often the City crew was spraying for mosquitoes. Superintendent Drown stated they had been spraying twice a week but would be spraying every night the week of the fair.

Council member Evans stated the gate at the end of 9<sup>th</sup> Street will need to be open for the ALS Walk/Run. Superintendent Drown will check on it.

Council member Evans inquired about the monthly rate on the campground as the Park board and Council had not set any monthly rate and apparently a few campers had been paying a monthly rate of \$200.00 but were informed it was no longer available.

City Superintendent Drown was not aware that a monthly rate had been offered until he was questioned about it this season. The campsites were never intended to be long term and Superintendent Drown informed council that \$200.00 per month would not cover the utilities used.

Council member Evans inquired as to whether there could be a few sites that would be designated as long term.

After a lengthy discussion, it was council consensus to table the discussion until the August meeting and wait for a recommendation from the Roseau Park Board.

City Superintendent informed council the street projects were going well. The Splash Pad should have water by Wednesday and the contractors were wiring the bathroom/changing building.

**City Attorney** – City Attorney Michelle Moren was absent.

**Community Development Coordinator-**  
CDC Todd Peterson was absent

**Mayor Council-**

Mayor Pelowski informed council that Federated Insurance would no longer be offering the group AD&D and Life insurance policies the City has used along with Minnesota Life for Life insurance and AD&D insurance to cover its employees. Mayor Pelowski also informed council Minnesota Life would increase the City's basic life benefit from its current \$5,000 to \$10,000 to cover the Federated portion and would not change its current rate per \$1,000 for Life and AD&D. The new cost based on current rates would be \$.25 (Life and AD&D) x10 (\$10,000 basic life) = \$2.50 per employee. Using Minnesota Life for all of the coverage is actually cheaper than splitting the coverage between Federated and Minnesota Life.

After discussion, Council member Pat Novacek motioned, Council member Amy Bassingthwaite seconded and it carried by unanimous vote to change the Life and AD&D coverage from Federated Insurance to Minnesota Life as soon as possible.

Mayor Pelowski presented to council Floodplain Changes Roseau East Diversion LOMR – Roseau City Limits to council. Effective July 31<sup>st</sup>, 2017 the new Letter of Map Revision removes the vast majority of the properties within the Roseau City Limits from the 100 year regulatory flood plain. For those paying flood insurance that wish to cancel their flood insurance information and instructions are listed on the city website to help with this 3 step process. The homeowners should then get a prorated refund on any unused portion of the premium.

Council member Novacek inquired as to how the city can help the 3 or 4 properties that did not get out of the flood plain. Council affirmed to work with them.

**Unfinished Business-**

There being no further business Councilmember Jane Evans motioned to adjourn the City Council meeting, seconded by Councilmember Amy Bassingthwaite and carried by unanimous vote.

ATTEST:

\_\_\_\_\_  
City Clerk- Treasurer Elizabeth Hellquist.

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