

REGULAR ROSEAU CITY COUNCIL MEETING

MONDAY – July 11, 2022

Regular meeting at 5:00 P.M.

In person meeting

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 Dan Fabian, Councilmembers: Pat Novacek, Amy Bassingthwaite, Brady Johnson, Absent: Mary Hayes. Others present were Community Development Coordinator Todd Peterson, City Superintendent David Drown, Police Chief Ward Anderson, Fire Chief Leon Huot, Liquor Store Manger Niki Johnson, City Attorney Michelle Moren, Clerk-Treasurer Beth Carlson, Mike Picard – City Utilities, Roseau County Commissioner Jack Swanson, Connie Nelson, Pat Westman, Derek Zimney and Robin Wisner.

Mayor Dan Fabian called the meeting to order, and the Pledge of Allegiance was said.

Council member Amy Bassingthwaite motioned, Council member Pat Novacek seconded, and it was carried by unanimous vote to approve the June 6, 2022, regular meeting minutes as written.

Council member Brady Johnson motioned, Council member Amy Bassingthwaite seconded, and it was carried by unanimous vote to approve the following Consent Agenda as written.

1. Presentation of Accounts Payable claims June 1, 2022, through June 30, 2022, Batch AP06302022.
CK# 72443-72484 = \$152,569.06.
2. Presentation of daily checks June 1, 2022, through June 30, 2022
CK# 72269-72442= \$434,737.90.
E# 2933-2973 = \$386,789.59.
PR 06/15/2022 = \$44,832.21
PR 06/30/2022 = \$61,325.95
KS PR 06/30/22 = 1507.36
Void Ck#72385
3. Presentation of Receipt entries May 1, 2022, through May 31, 2022.
4. Presentation of Journal entries JE04302022.
5. Audit Committee review of April 2022 General Ledger checks written compared with images on the bank statement.
6. Notices and Communications –

Mayor
Dan Fabian

Council
Pat Novacek
Amy Bassingthwaite
Brady Johnson
Mary Hayes

City Attorney
Michelle E. Moren

Police Chief
Ward Anderson

Manager Liquor Store
Niki Johnson

City Clerk-Treasurer
Elizabeth Carlson

**Community
Development Coordinator**
Todd Peterson

City Superintendent
David Drown

Upcoming scheduled meetings:

a. August 1, 2022, Regular council meeting at 5:00 p.m.

7. Approve the use of alcohol in the Community Center- MN Deer Hunters-10/10/22
8. Investment–Roseau EDA Hi Fi as of 07/06/2022 is \$104,409.93.
9. Cash in bank-Regular checking as of 07/06/2022 is \$2,417,851.39
10. Investment-Regular Hi Fi as of 07/06/2022 is \$1,565,355.83
11. Investment Certificate of Deposit as of 07/06/2022 is \$827,213.22
12. Investment Certificate of Deposit as of 07/06/2022 is \$822,673.03.
13. Investment Certificate of Deposit as of 07/06/2022 is \$822,966.60.
14. Investment Certificate of Deposit as of 07/06/2022 is \$815,610.81.
15. Investment-Roseau EDA Money Market as of 07/06/2022 is \$149,127.48.
16. Cash in bank-Roseau EDA as of 07/06/2022 is \$25.29.
17. LG220 Application Roseau Wrestling Club - Raffle 07/24-7/26/2022
18. LG220 Application Roseau Fire Relief - Raffle 09/17/2022
19. LG220 Application Deer Hunters Association – Raffle 10/10/2022
20. LMC – Workers Compensation Claims and Costs
21. LMC – Dues
- 22.

RESOLUTION NO. 34-22

RESOLUTION ACCEPTING DONATIONS

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

Czeh, Wilson & Wilmer \$50.00

Messelt Family Sales, LLC \$50.00

Karl Manufacturing \$200.00

LifeCare Medical Center \$500.00

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 City of Roseau Gazebo Concert Series Fund.

Adopted by the City Council of the City of Roseau, Minnesota this 11th day of July, 2022.

By: _____
Mayor

Attest: _____
Clerk/Treasurer

23.

RESOLUTION NO. 35-22
RESOLUTION ACCEPTING DONATIONS

WHEREAS, the general public presented \$60.72 to the City of Roseau, and have designated that these donations be for the Roseau Fire Department.

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 City of Roseau Fire Department

Adopted by the City Council of the City of Roseau, Minnesota this 11th day of July, 2022.

By: _____
Mayor

Attest: _____
Clerk/Treasurer

24. RESOLUTION NO. 36-22
RESOLUTION ACCEPTING GRANT

WHEREAS, the Northwest Minnesota Foundation has presented to the City of Roseau, a grant of \$11,000 and has designated that this grant be deposited in the “Roseau Housing Cooperative” project to purchase construction equipment.

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 “Roseau Housing Cooperative” project to purchase construction equipment.

Adopted by the City Council of the City of Roseau, Minnesota this 11th day of July, 2022.

By: _____
Mayor

Attest: _____
Clerk/Treasurer

25. June 2022 City Revenue & Expenditures

Liquor Store

Liquor Store Manager Niki Johnson council asked for guidance on ordering drinks that contain THC as the law that makes it legal to sell certain edibles and beverages infused with THC (cannabis). City Attorney Moren informed council that she has been in contact with the League

of Minnesota Cities for guidance and will research the implications of this law before council considers allowing the Roseau Municipal Liquor Store to purchase products containing THC.

Liquor Store Manager Johnson stated that she is waiting on quotes for new shelving for the Liquor Store to complete the preliminary budget for CDC Peterson.

Delegations

Connie Nelson representing the VFW 8663 asked if Council and City Attorney Moren had time to review the June 6th request of allowing those representing the VFW permission to set up outside (inside if bad weather) of the Liquor Store each May for a few days during one week in May for poppy distribution for donations. City Attorney Moren stated that there are no legalities against this if it is donations and not a sale.

There was concern that if council were to approve this, it would open the City to issues in the future. City Attorney and Council discussed the current City policy pertaining to the City Center and all city properties in which each person or entity has to seek approval from the City Council to hold events on City property. The City council can regulate all events held on all city properties.

Council member Pat Novacek motioned, Council member Brady Johnson seconded, and it was approved by unanimous vote to allow those representing the VFW permission to set up outside (inside if bad weather) of the Liquor Store each May for a few days during one week in May for poppy distribution for donations, and to revisit this decision if there becomes an issue.

At 5:15 pm a Public Hearing on Proposed Ordinance 44 “City of Roseau Communal Housing and Short-Term Housing Ordinance” was held.

Council member Brady Johnson motioned, seconded by Council member Amy Bassingthwaite and it was carried by unanimous vote to open the public hearing on proposed Ordinance 44 “City of Roseau Communal Housing and Short-Term Housing Ordinance”

City Attorney Moren informed council that a Summary Publication of the proposed Ordinance has been published in the Roseau Times Region. The publication also stated that a printed copy of the original proposed Ordinance is available for inspection by any person during regular office hours at the City Offices.

CDC Peterson stated that there were no written or oral comments before the public hearing. There were no written or oral comments from the public during the public hearing.

CDC Peterson and City Attorney Moren noted that the licensing application fee should be set by the fee schedule not on the ordinance, so a public hearing would not have to be called every time a fee adjustment was needed.

City Attorney reviewed the Ordinance. The conditional use permit allows council to regulate communal housing and short-term housing.

Council discussed the approval process for the licenses being the same process as any conditional use permit. The application first goes to the Planning Commission, which upon the Planning Commission's recommendation would come to the City Council for approval. The original application would need a building official's inspection to make sure the building is up to code. The fee for the building official's inspection is an hourly rate set by the building official. Annual licensing renewals may be administratively done, and a building officials' inspection may also be required for renewals.

There was discussion on lodging tax as lodging tax or a flat annual fee is required for short-term housing under 30 days.

After discussion, Council member Pat Novacek motioned, Council member Amy Bassingthwaite seconded, and it was carried by unanimous vote to close the public hearing.

Council member Pat Novacek introduced the following Ordinance and moved for its adoption with changes. The fee rate will be removed from the ordinance and rates will be discussed at the August meeting. The original application will require a building officials' approval and an inspection by the building official may be required upon renewal. The City Clerk-Treasurer will be the official signing the licenses once council has approved.

CITY OF ROSEAU COMMUNAL HOUSING AND SHORT-TERM HOUSING ORDINANCE

Permitted Uses - Single Family, Two Family and Multi-Family Residential Districts

SECTION 1.00 PURPOSE AND INTENT.

1.01 Purpose. The purpose of this ordinance is to establish standards for all communal housing and short-term housing establishments and to protect the health, safety, and general welfare of the people of the City of Roseau.

1.02 Intent. The intent of this ordinance is to allow the use of communal housing and short-term housing rentals in appropriate zoning districts, with established standards with the intent of mitigating or eliminating potential impacts of the health, safety, and general well-being of neighboring property owners and tenants.

SECTION 2.00 SCOPE

This ordinance shall provide for the licensing and inspection of all communal and short term housing establishments.

SECTION 3.00 DEFINITIONS.

3.01 Communal Housing. Means a means building(s) or structure(s) providing housing or accommodation in either shared or private suites in a communal setting, together with services which may include shared

kitchen/dining facilities, sanitary facilities, laundry facilities, amenities, and other facilities to the residents living therein.

3.02 Family: A single person or a group of persons *related by blood, marriage or adoption*. The following groups of individuals are also designated as being permitted to occupy a single-family residence or each unit within a two-family or multiple-family dwelling unit as if it was a family:

- a. A family as defined above plus one (1) additional unrelated individual; one (1) unrelated legally married couple, or one (1) unrelated single parent with one (1) single child;
- b. A family as defined above plus up to four (4) children living with the family in a licensed foster care or host home; or
- c. A group of no more than three (3) persons regardless of their familial relationship

Related by Blood, Marriage or Adoption: Means father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparents or grandchildren, to include the half as well as the whole blood.

3.03 Owner. Means the property of record of the real estate located in the City of Roseau.

3.04. Owner’s Authorized Representative or Agent. Means a person who has written authority to act on behalf of the owner.

3.05 Short- term Rental: means a private single-family dwelling, such as a home, cabin, condominium, townhome, bed and breakfast, vacation property, home sharing accommodation, or other similar single family unit for any time period, that is advertised or held out to be a place where sleeping accommodations are furnished to the public on a nightly, weekly period or a time period which is less than 30 days and is not a permitted use such as a, resort, hotel, or motel, provided that such dwelling units are not used exclusively for short-term rental use 365 days a year, or if marketed for rental 365 days-a-year such dwelling must be occupied by property owner, or manager, on a full-time basis.

3.06 Bedroom. means an area that is (a) a room designed or used for sleeping; or (b) a room or area of a dwelling that has a minimum floor area of 70 square feet with access to and from the living room or living area hallway and has a separate window for ingress and egress.

3.07 Shareable Housing means any communal housing, single room occupancy, boarding house, or other multifamily use housing.

SECTION 4.00 CONDITIONAL USE AND LICENSURE REQUIREMENT FOR SHAREABLE HOUSING IN SINGLE FAMILY AND TWO-FAMILY RESIDENTIAL DISTRICTS

4.01 Conditional Use Permit any owner seeking to operate shareable housing must first apply for and obtain a conditional use permit (CUP) from the City.

4.02 Requirements to obtain CUP sharable dwellings must meet the following requirements:

- No more than four unrelated persons, or family units, may occupy any dwelling regardless of the number of bedrooms provided in the dwelling, and no more than 6 persons total may occupy any sharable dwelling.
- Each person, or family unit, residing in the dwelling must be provided their own bedroom with a minimum habitable area of 70 square feet for one person and square for two people. All bedrooms must be located above grade, have ceilings at least 7 ½ feet from the floor, and be lockable by the individual tenant.
- The dwelling must contain at least one bathroom with a working toilet, wash sink and shower/tub facility for every four (4) persons residing in the dwelling. All bathrooms must have working locks and be accessible to all residents from their own bedroom of the dwelling without having to access through any other bedroom in the dwelling.
- Bedrooms shall not contain a kitchen or kitchenette. A refrigerator and/or microwave oven may be contained within the unit, but heat producing equipment including, but not limited to hot-plates, electric fry pans, toaster ovens, crock pots, ovens, ranges, coffee pots, electric kettles, air fryers, pressure cookers, or any other cooking items may not be housed in individual bedrooms.
- The sharable dwelling must provide a communal kitchen and dining area available to all residents of the dwelling unit with a working wash sink, and working cooking facilities including a range, oven, and refrigerator/freezer.
- Sufficient off-street parking must be made available to each tenant that does not require the parking of vehicles in any front or side yard lawn area. Front and side yard lawn areas may be used for temporary off-street parking during the months of November through March during snow removal.

4.03 Annual Licensure Requirement. No shareable dwelling may be operated without a valid shareable dwelling license issued by the city pursuant to this ordinance.

- All shareable dwelling licenses are an annual license and must be renewed each year. License renewal applications for rental operations in the following year must be submitted prior to any rental activity.
- The owner or owner’s authorized agent shall permit access to the property and all permitted units at any reasonable time for the purposes of inspection upon request of the city of Roseau building official or designee.
- It is the owner or owner’s authorized agent’s responsibility to contact the Minnesota Department of Health regarding lodging license requirements. If proof of MDH license is provided, the city of Roseau licensing fee will be waived however all other provisions of the ordinance still apply.

4.04 License Application Requirement. The following information shall be provided to the city on the license application:

- the name, mailing address, email address and telephone number of the owner of the home for which the license is to be issued.
- Physical address of the home and personal identification number.
- The name, address, telephone number and email address of the owner's authorized agent.
- All other information as requested on the application form.
- No application for an initial or renewal of the license will be accepted if there are past due property taxes on the property described in the license application.
- Applicants must submit proof of adequate homeowners insurance and liability insurance in an amount to be determined by the city.
- An application fee of \$50.

4.05 License Transfer. The license shall not be transferable upon any change in ownership of the license property, or otherwise and any new owner of the property will be required to apply for new licensure if said new owner wishes to operate the property as a shareable dwelling.

SECTION 5.00 CONDITIONAL USE AND LICENSURE REQUIREMENT FOR SHAREABLE HOUSING IN MULTIFAMILY AND COMMERCIAL ZONING DISTRICTS.

5.01 Conditional Use Permit any owner seeking to operate a shareable housing in a multifamily or commercial zoning district must first apply for and obtain a conditional use permit (CUP) from the City.

5.02 Requirements to obtain CUP sharable dwellings must meet the following requirements:

- Each person, or family unit, residing in the dwelling must be provided their own bedroom with a minimum habitable area of 70 square feet for one person, plus 50 square for each additional person. No more than two adults, who must be related, may inhabit a single unit regardless of the unit size. All bedrooms must be located above grade, have ceilings at least 7 ½ feet from the floor, and be lockable by the individual tenant.
- The dwelling must contain at least one bathroom with a working toilet, wash sink and shower/tub facility for every ten (10) persons residing in the dwelling. All bathrooms must have working locks and be accessible to all residents from their own dwelling unit of the without having to access through any other dwelling unit.
- Individual bedroom units shall not contain a kitchen or kitchenette. A refrigerator and/or microwave oven may be contained within the unit, but heat producing equipment including, but not limited to hot-plates, electric fry pans, toaster ovens, crock pots, ovens, ranges or any other cooking items may not be housed in individual bedrooms.
- The sharable dwelling must provide a communal kitchen and dining area available to all residents of the dwelling unit with a working wash sink, and working cooking facilities including a range, oven, and refrigerator/freezer.
- Sufficient off-street parking must be made available to each tenant that does not require the parking of vehicles in any front or side yard lawn area. Front and side yard lawn

areas may be used for temporary off-street parking during the months of November through March during snow removal.

5.03 Annual Licensure Requirement. No shareable dwelling may be operated without a valid shareable dwelling license issued by the city pursuant to this ordinance.

- All shareable dwelling licenses are an annual license and must be renewed each year. License renewal applications for rental operations in the following year must be submitted prior to any rental activity.
- The owner or owner's authorized agent shall permit access to the property and all permitted units at any reasonable time for the purposes of inspection upon request of the city of Roseau building official or designee.
- It is the owner or owner's authorized agent's responsibility to contact the Minnesota Department of Health regarding lodging license requirements. If proof of MDH license is provided, the city of Roseau licensing fee will be waived however all other provisions of the ordinance still apply.

5.04 License Application Requirement. The following information shall be provided to the city on the license application:

- the name, mailing address, email address and telephone number of the owner of the home for which the license is to be issued.
- Physical address of the home and personal identification number.
- The name, address, telephone number and email address of the owner's authorized agent.
- All other information as requested on the application form.
- No application for an initial or renewal of the license will be accepted if there are past due property taxes on the property described in the license application.
- Applicants must submit proof of adequate homeowners insurance and liability insurance in an amount to be determined by the city.
- An application fee of \$50.

5.05 License Transfer. The license shall not be transferable upon any change in ownership of the license property, or otherwise and any new owner of the property will be required to apply for new licensure if said new owner wishes to operate the property as a shareable dwelling.

SECTION 6.00 SHORT-TERM RENTALS

6.01 Conditional Use Permit any owner seeking to operate a short term rental property must first apply for and obtain a conditional use permit (CUP) from the City.

6.02 Requirements to obtain CUP short term rentals must meet the following requirements:

- Anyone seeking to operate a short-term rental in the City of Roseau, must maintain a permanent residence within 60 miles of the short-term rental property, or must maintain a full-time property manager that is available during rental periods and within 60 miles of the short-term rental property.
- Anyone seeking to operate a short-term rental must provide proof of homeowners and liability insurance in an amount and in a form acceptable to the City of Roseau.
- Anyone seeking to operate a short-term rental must establish a means for the automatic collection and remittance of lodging taxes for all stays of less than 30 days in accordance with City Ordinance 106. In lieu of collecting lodging taxes, as required under City Ordinance 106, a short-term rental operator may pay a flat annual fee (\$XXX) to the City of Roseau for each short-term rental property operated.
- Property owners or operators seeking to establish a short-term rental in a single-family residential neighborhood must obtain written consent from all contiguous neighboring property owners.
- No signage advertising a short-term rental is permitted within a single family or two-family zoning districts. Short-term rental advertising signage is permitted in all other zoning districts as allowed by that district.
- No on-street parking is permitted for any short-term rental property. No short-term rental shall permit parking on the front or side yard lawn of the short-term rental property. Parking cannot restrict access by emergency vehicles or the traveling public and shall not impede any ingress or egress a property owner.
- No short-term rental operator shall allow properties to be used as venues for large parties, events, gatherings, or any other non-residential use.
- Quiet hours are between the hours of 11:00 PM to 7:00 AM, Sunday through Thursday; and 1:00 AM to 7:00 AM Friday and Saturday. The owner of the short-term rental is expected to enforce this rule failure to do so may result in enforcement action as provided below.

6.03 Annual Licensure Requirement. No short term rental may be operated without a valid shareable dwelling license issued by the city pursuant to this ordinance.

- All shareable dwelling licenses are an annual license and must be renewed each year. License renewal applications for rental operations in the following year must be submitted prior to any rental activity.
- The owner or owner's authorized agent shall permit access to the property and all permitted units at any reasonable time for the purposes of inspection upon request of the city of Roseau building official or designee.
- It is the owner or owner's authorized agent's responsibility to contact the Minnesota Department of Health regarding lodging license requirements. If proof

of MDH license is provided, the city of Roseau licensing fee will be waived however all other provisions of the ordinance still apply.

6.04 License Application Requirement. The following information shall be provided to the city on the license application:

- the name, mailing address, email address and telephone number of the owner of the home for which the license is to be issued.
- Physical address of the home and personal identification number.
- The name, address, telephone number and email address of the owner's authorized agent.
- All other information as requested on the application form.
- No application for an initial or renewal of the license will be accepted if there are past due property taxes on the property described in the license application.
- Applicants must submit proof of adequate homeowners insurance and liability insurance in an amount to be determined by the city.
- An application fee of \$50.

6.05 License Transfer. The license shall not be transferable upon any change in ownership of the license property, or otherwise and any new owner of the property will be required to apply for new licensure if said new owner wishes to operate the property as a short-term rental.

SECTION 7.00 ENFORCEMENT

7.01 Enforcement. The city of Roseau will investigate all complaints and alleged violations of this ordinance within a reasonable time period. The owner or owner's authorized agent shall address any substantiated complaints and/or violations as directed by the city of Roseau. All substantiated complaints and/or violations which are not resolved as directed by the city of Roseau building official, or law enforcement officer or designee, will result in enforcement action as provided in 7.04 below.

7.02 Substantiated Complaints. If 3 substantiated complaints and/or violations have occurred within a one year time period, then the city of Roseau may revoke the license for the operation of the unit.

7.03 Misdemeanor. Any owner or owner's authorized agent who fails to comply with this section or who violates, disobeys, omits, neglects, refuses to comply with, or resists enforcement of any of the provisions of this ordinance may be subject to misdemeanor prosecution, forfeiture of their license, or both.

7.04 One year revocation. Any license revoked under this section shall not be reissued for a period of one year from the date of revocation.

The motion for adoption of the forgoing Ordinance was duly seconded by Council member Brady Johnson and after full discussion thereof, and upon a vote being taken thereof, the following voted in favor there of: Mayor Dan Fabian, Council members Pat Novacek, Amy Bassingthwaite, and Brady Johnson.

And the following voted against the same:

Council member Mary Hayes was absent.

Adopted the 11th day of July, 2022.

By: _____
Mayor

Attest: _____
Clerk/Treasurer

Council member Amy Bassingthwaite motioned, Council member Brady Johnson seconded, and it was carried by unanimous vote to approve a summary publication of the approved Ordinance #44 in the Roseau Times Region.

Delegations/Petitions/Complaints

City resident Derek Zimney was present to discuss a temporary shed he has on his property. Mr. Zimney had been notified by the City that the temporary shed was in violation of City Code and it would have to be removed. Mr. Zimney stated that he did not see the regulation of temporary structures in City Code only buildings in disrepair.

CDC Peterson provided to council and Mr. Zimney §154.290 of the City Code that states the “exterior materials and finish must match or compliment the exterior finish of the principal structure in material, color and texture.”

Mr. Zimney stated that he had inquired about building a permanent structure but found he did not have enough set back. Council informed Mr. Zimney that he could apply for a variance to the Planning Commission and Council would consider granting a variance upon the Planning Commission’s recommendation.

City resident Robin Wisner requested consideration of the City to sell a portion of property in the Oak Crest West Subdivision adjacent to his parcel. The property is surplus land north of the bike trail along Main Avenue South. Mr. Wisner stated that he currently maintains most of the property already. CDC Peterson and City Superintendent informed council that the City does not have any use for any of the property north of the bike trail. The land is part of an outlot for drainage and other city use.

CDC Peterson and Superintendent Drown recommended the sale to Mr. Wisner of the parcel which is less than 1/3. City Attorney Moren stated that if council were to sell this parcel to Mr. Wisner there would be cost in getting it surveyed and replating, in addition to the cost of the lot set by council. Council also discussed retaining easement for ditch cleaning and bike path repair. Currently an acre of land is valued at approximately \$4,000 so the cost of 1/3 acre, the recording fee, land survey, etc. so the exact cost of the land sale is yet to be determined. City Attorney Moren informed council that the transfer of ownership could be done by a quit claim deed but requires a resolution.

Council member Pat Novacek motioned, Council member Brady Johnson seconded, and it was carried by unanimous vote to move forward with the sale of surplus land north of the bike trail along Main Avenue South in the Oak Crest Subdivision to Mr. Robin Wisner. The City is to retain easements.

Committee Reports

Planning Commission

The Planning Commission met Monday June 27, 2022, at 12:00 pm. CDC Peterson reviewed the minutes.

- The Planning Commission reviewed a proposal from Garrett Larson, Ronnings, for a new Marquee sign at their Roseau Store. The Planning Commission would like to review a signage plan for the Planning Commission's review.
- CDC Peterson informed the Planning Commission that letters were sent out for Tour of the City properties. The 30 days has run for all of the properties and citations will begin to be issued on properties that are still non-compliant and haven't responded to the Police Department on plans for abatement efforts. There was no action taken.

Roseau County Commissioner

Roseau County Commissioner informed Council on the following:

- Scott Johnson will be filling the vacant seat on the board of the Roseau County Commissioners due to the passing of Commissioner John Horner. Mr. Johnson is not seeking reelection, so Mr. Johnson will not be on the ballot.
- Roseau County Treasurer Diane Gregerson has retired. A public hearing was held, and the County Board has decided not to fill the Treasurer department head position but to combine the Treasurer position with the County Auditor position.
- There are three Roseau County Commissioner seats up for reelection.
- Fuel costs are up.

Operations Committee

No new business to report

Oakcrest Golf Course

No new business to report.

Airport Committee

The Airport Committee did not meet.

EDA

CDC Peterson informed council the EDA met June 29, 2022 and provided to Council the EDA meeting minutes. There was nothing needing council action.

CDC Peterson noted that Mr. Geroy is still awaiting paperwork on the transfer of the lots into his name. Once that is complete Mr. Geroy will notify the EDA of his ownership and a negotiation on an exchange could be completed. The land Mr. Geroy is attempting to acquire is adjacent to the Eleven01 project and could be used for a Phase II project if the need arises. D.W. Jones Management and Cole Architects have done a preliminary look at the site and believe it could house another 50+ unit complex to complement the Eleven01.

Department Reports

Fire Department

- Fire Chief Leon Huot provided to council a Fire Department Budget & Expenditure overview. Fire Chief noted a few of line items such as repairs and maintenance, physicals and training are over budget due to increased costs, but some training costs are reimbursed.
- Fire Chief Huot gave council an apparatus update. The truck committee is working on specification to send out for quotes to replace the oldest tender/tanker. Council inquired if there would be a sale of the current tender Fire Chief Huot stated that there are times that it is handy to have 3 tenders. It was discussed keeping the older tender as the City Utility Crew would have a use for it as well.
- Fire Chief Huot informed council that new radios have been ordered. The invoice has not been received, but they should be under budget.
- Fire calls are a little below average for the year at around 30 but the cost of fuel is up significantly.

Police Department

Police Chief Ward Anderson informed council that the police department passed their post audit with flying colors. The audit consists of the review of records such as mandated policies, training records, use of force, etc. Some of the audit was onsite and some information was sent to the auditor.

Superintendent

City Superintendent David Drown called on Mike Picard to give an update on the policy of co-generation (renewable energy). The state mandated that municipalities have a policy in place outlining the use of solar and wind power scheduled to take effect in 2021. This was pushed to 2022 due to COVID. The City of Roseau started the process with Star Energy to update the City co-generation policy in 2021. Star Energy leads the industry and are experts in this field. Minnkota Power and other surrounding cities are using Star Energy as well. How it works. When a resident wishes to set up with solar or wind energy the resident has the company that is going to install the panels and/or equipment contact Star Energy to start the process. There is also a portal on the City website that has information and contact information to get started. Currently there is not the infrastructure in this area to use much of the green energy that is generated. The infrastructure will be very costly so it will have to be largely subsidized with grants. Windmills are being shut off as the power cannot be disbursed.

City Superintendent Drown informed council on the following:

- Due to the increased fuel prices and the heavy snowfall this winter, the city's fuel costs will go over budget. The cost of parts has also increased significantly.
- Mark Miller from Central Boiler contacted Mr. Drown and would like to do a photo op of their Altoz mowers at the city gazebo and splash park tomorrow morning.
- The City of Warroad and Springsteel Island have City of Roseau water pumps as Lake of the Woods is still extremely high.
- The arena roof is scheduled to be repaired before the roofer leaves this fall.
- One of the in-house staff may be interested in the Park and Rec position and would like to try it first.

CDC Peterson informed council that CDC Peterson will schedule the youth soccer. A youth that helped run the kid youth ball said he may be interested in helping with the soccer but does not have a driver's license so will see if he would have transportation. Soccer has volunteer coaches the young helper makes sure the coaches have what they need.

The work required by the MPCA for managing the storm water at the Oak Crest Estates will be completed. The planning, design and funding process for the remaining phases is still being worked on, but an application for funding should be submitted yet this month.

City Attorney

City Attorney Michelle Moren informed council on the following:

- City Attorney Moren has reviewed the Marco Managed IT Contract proposal. Attorney Moren stated that the contract is very one sided. Attorney Moren is trying to contact Marco to see if they would be willing to negotiate. Currently the contract is for 60 months, and it will automatically renew unless a direct notice is sent to terminate. The City of Roseau is with Corporate Technologies until the end of August. CDC Peterson informed council that the City owns all of the equipment. The IT company just installs their own software to get into our system. Marco is giving the City a different rate for the 5-year contract. After discussion, it was council consensus to put the Marco Managed IT contract on the agenda for the August 1 meeting.
- City Attorney Moren informed council that there are approximately 10 boxes of Floan Sanders litigation files that are 20 years old. According to the General Records Retention Schedule for Minnesota Cities that the council has adopted, the retention period is 10 years after last court activity. The files are not relevant so the only reason to keep them is for historic value. It was council consensus to have the Floan Sanders litigation files from 20 years ago shredded.
- City Attorney Moren informed council that there have been zoom meetings with the League of Minnesota Cities and their attorneys as a July 1 state law made selling products containing THC legal. It is City Attorney Moren's stance to not buy or sell

anything containing THC cannabis at the Roseau Municipal Liquor Store as the legal and licensing requirement among other things are not clear. The City of Roseau may want to regulate it within the City through license requirements, proximity to churches and schools. City Attorney Moren stated that her office would work on an Ordinance for council to review at the next meeting. Police Chief Anderson stated the some of the edibles may show up in a person's system for a month, so an employees should be made aware of this.

Community Development Coordinator

CDC Todd Peterson reported on the following.

- Daniel Lightfoot from the League of Minnesota Cities provided information on Federal funding sources for some projects the city is considering. IJJA Programs funding coming into the state requires a state match which is not available but there are federal discretionary grant programs that will remain available to cities subject to parameters and timing of the funding. There is an amount guaranteed to rural communities. Some of the key programs are water/wastewater, EPA Connection to Publicly Owned Treatment Works program, roads/other infrastructure, DEED Redevelopment grants and USDA rural development. CDC Peterson and Superintendent Drown informed council that the City of Roseau has 5 projects slated for the next 5 years and would like to take advantage of this funding. Superintendent Drown would like to contact engineering firms to put the project plans together estimating that it may cost \$100,000 in engineering fees. It was council consensus to put this on the agenda for the August meeting.
- Greater Minnesota Regional Parks and Trails Commission sent a Designation Administrative Review letter on the Roseau River Water Trail, ranking the application status as high. The next step is to complete a Master Plan for Greater Minnesota Regional designation. More site-specific information and detailed budgets for maintenance is needed. Support letters from the commission are also needed. It was also recommended to pursue a State River Trail designation in addition to the Greater Minnesota Regional Park designation.
- The revised costs for Oak Crest Estates Phase II. Houston Engineering estimates the new construction cost to be just over \$1 million for infrastructure (not including the storm drainage costs being discussed with the Watershed District). This cost is approximately 25% higher than the estimates generated in 2020 (\$750,000). Costs for piping etc. have gone up drastically. CDC Peterson stated that the city may have to adjust assessments and lot fees. These adjustments can be part of the budget discussions. The city still has 6 lots in phase one, but prices are not going down. We can put phase 2 costs in the budget now and take it out in December. CDC Peterson informed council that a budget has to be put together now according to a new state law so may have put potential expenses in now and adjust some of them out later.
- CDC Peterson has been working with Craig McMillin on behalf of BBDiversified to redevelop the old Sorenson Auto Dealership into a new manufacturing facility. There is

more wrong with this site than BBDiversified realized. They are seeking assistance in getting the site and buildings back to a level where they are useable and can benefit the City. CDC Peterson has contacted Chet Bodin with the Mn Dept. of Employment and Economic Development about state grant assistance for the project. The deadline for applications is August 1. CDC Peterson is meeting with Craig McMillin for more information in order to submit an application. A resolution by the City Council is required for the application so this would need to be acted upon at the July meeting. The goal is to seek a grant from the state in the amount to assist with the regrading of the site, storm water work, watermain and other site issues. The City would need to match any State grant that is awarded, and the City could provide TIF for the city share of match, which is a tax break to cover city cost.

After discussion, Council member Pat Novacek motioned, Council member Amy Bassingthwaite seconded, and it was approved by unanimous vote to pass resolution #37-22 to submit a DEED Redevelopment Grant application.

- CDC Peterson informed council that the City of Roseau Municipal airport has been selected to receive an estimated \$60,000 from Mn Dept of Transportation Aeronautics for the Crack Seal Airfield Pavements project. This will be a project for next year. A letter of intent to pursue this grant is required by August 8, 2022. City Superintendent Drown and council discussed having the city crew do the crack sealing and pay ourselves to do it as more can be done for the same amount of money.
It was council consensus to pursue the grant for an estimated \$60,000 for the Crack Seal Airfield Pavements project.

Mayor and Council

- The City of Roseau R #5-22 sets their mileage rate at the approved IRS rate. The IRS rate increased July 1, 2022, to 62.5 cents per mile.
After discussion Council member Amy Bassingthwaite motioned, Council member Pat Novacek seconded, and it was approved by unanimous vote to amend R #5-22 to follow the approved IRS rate.
- CDC Peterson informed council that this year the County is required to provide each property owner with a supplemental insert that contains summary budget information that is parcel specific per MN Statute 275.065 subd 3. The county will need to collect the budget and levy information earlier than normal. CDC Peterson asked for council guidance on what numbers to use as this budget is very preliminary and the COLA and health insurance is not set yet. Council discussed creating their negotiations committee at the August meeting.
- Mayor Fabian informed council that Bill Yon, representing the Roseau Rams Hockey Reunion, had contacted him requesting the street be blocked in front of the Memorial Arena and fencing off the street by the Legion Saturday July 16th for the hockey reunion.

Council member Pat Novacek motioned, Council member Amy Bassingthwaite seconded, and it was approved by unanimous const to approve blocking the street in front of the Memorial Arena and fencing off the street by the Legion Saturday July 16th for the hockey reunion.

- Council discussed 2 missing gazebo pavers. Lewin Brick was contacted, and they had never received an order to make them. Pam Hetten has contacted Sara Hamman to see if any checks were received.

There being no further business Council member Amy Bassingthwaite motioned to adjourn the meeting, seconded by Council member Pat Novacek, and approved by unanimous vote.

ATTEST:

Elizabeth Carlson, City Clerk-Treasurer

Mayor Dan Fabian