

**REGULAR ROSEAU CITY COUNCIL MEETING
MONDAY – March 4th, 2019 at 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, Councilmembers: Pat Novacek, Amy Bassingthwaite, Jane Evans, and Brady Johnson Absent: None. Others present were, Community Development Coordinator Todd Peterson, Police Chief Ward Anderson, Liquor Store Manager Linda Roseborough, Fire Chief Craig McMillin, City Attorney Michelle Moren, Clerk-Treasurer Beth Carlson, Jack Swanson – Wild 102 radio, Police Officer Zach Manka, Robert Tuttle, Dean Dorholt and Tom Lien of the Roseau County Masonic Lodge #268, and Thomas Pringle.

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

Council member Amy Bassingthwaite motioned, Council member Jane Evans seconded and it was carried by unanimous vote to approve the February 4th, 2019 regular meeting minutes with the correction on page 2 changing the name of Guardian Med Flight to Air Med Care.

Council member Jane Evans motioned, Council member Pat Novacek seconded and it was carried by unanimous vote to approve the February 12th, 2019 special 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, as written

1. Presentation of Accounts Payable claims February 1st, 2019 through February 28, 2019 Batch AP02282019.
CK# 65906-65953 = \$185,096.45
2. Presentation of daily checks February 1, 2019 through February 28, 2019
CK# 65824-65905 = \$253,495.33
E# 1333-1370 = \$432,426.73
PR 02/15/19 = \$39,219.62
PR 02/28/19 = \$40,936.16
3. Presentation of Receipt entries January 1, 2019 through January 31, 2019.
4. Presentation of Journal entries JE123118.
5. Audit Committee review of December 2018 General Ledger checks written compared with images on the bank statement.
6. Notices and Communications –
Upcoming scheduled meetings:
 - a. April 1st, 2019 Regular council meeting at 5:00 p.m.
7. Approve the use of alcohol in the Community Center- none
8. Investment–Roseau EDA Hi Fi as of 02/26/2019 is \$138,658.10.
9. Cash in bank-Regular checking as of 02/26/2019 is \$2,228,496.15.
10. Investment-Regular Hi Fi as of 02/26/2019 is \$1,555,513.07.
11. Investment Certificate of Deposit as of 02/26/2019 is \$804,832.79
12. Investment Certificate of Deposit as of 02/26/2019 is \$795,430.80.
13. Investment Certificate of Deposit as of 02/26/2019 is \$795,119.03.
14. Investment Certificate of Deposit as of 02/26/2019 is \$790,786.32.

15. Investment-Roseau EDA Money Market as of 02/26/2019 is \$308,441.20.
16. Cash in bank-Roseau EDA as of 02/26/2019 is \$916.27.
17. Correction to the January 7th, 2019 meeting minutes Item #2
18. LG240B-Excluded Bingo-Veterans Park-VFW Post 8663 April 9th, 2019.
19. LG240B-Excluded Bingo-Girl Scouts-VFW Post 8663 March 14th, 2019.
20. LMC-2019 Ludwig & Miller Award
21. LMC-2019 City of Excellence Award
22. LMC-2019 Safety & Loss Control Workshops
23. February 2019 City Revenues & Expenditures
24. February 2019 Liquor Store Revenue & Expenditures

Delegations/Petitions/Complaints

Robert Tuttle, Dean Dorholt, and Tom Lien of the Roseau County Masonic Lodge 268 presented to council requests and goals of the Roseau County Masonic Lodge 268, 1st Annual Hoodwinked Hog BBQ Cook-off that will be held Saturday May 18, 2019 on 2nd Avenue, between the Memorial Arena and the American Legion.

Topics of discussion and requested items were:

- Gain city support for this event
- Section off 2nd Avenue and possibly 3rd ½ St NW and allow for alcohol to be served/consumed. Mr. Tuttle informed council that the American Legion would be serving the alcohol in a fenced off area. As the alcohol may be carried off the American Legion property City Attorney Michelle Moren and Police Chief Ward Anderson will look into what needs to be done and if a temporary liquor license will be needed from the state.
- Outdoor seating options
- Electricity options from Memorial Arena
- Security plan to be worked out with the Roseau Police Department.
- Trash options
- DW Mechanical to provide portable toilets and hand wash stations
- Identify a possible city-wide signature project to dedicate funds raised at this event. Mr. Dorholt requested that the City recommend a city project geared towards kids to receive a donation by the Lodge from this event. Council member Jane Evans mentioned bringing this request to the Park Board for ideas.

Goals

- A fun event that can be scheduled annually – Mr. Tuttle attended an annual cook-off in Hallock and enjoyed the day. He feels that this will be a great event for Roseau to hold.
- Generate income for the lodge
- Work closely with the American Legion to pull this off.
- 25-30 competition cooks – Mr. Tuttle stated that Greenbush and Warroad Fire Departments are interested in joining the competition. Fire Chief McMillin stated that the Roseau Fire Department will be competing in the cook-off as well.
- Serve 300 people (3-bones/coleslaw/bun/drink)
- Cook 200 racks of ribs
- Create a spring event for all to enjoy

- Invite other city entities or private organizations to build around the event - Mr. Tuttle has met with some business owners and members of the C & C, all seem excited to be a part of this event. The possibility of holding side walk sales and opening the farmers market early was discussed.
- Work with C&C & CVB- Mr. Tuttle will be meeting with the C&C on Wednesday to discuss ways to capitalize on this “cabin fever” day.

After discussion, Council member Jane Evens motioned Council member Pat Novacek seconded and it carried by unanimous vote to approve the 1st Annual Hoodwinked Hog BBQ Cook-off and to authorize City personnel to help work out the details to make it happen.

Committee Reports

Planning Commission –

The Planning Commission did not meet.

Roseau County Commissioner

County Commissioner Jack Swanson informed council that Dave Anderson, Roseau County Social Services Director, will be retiring in July.

Operations Committee – did not meet.

Oakcrest Golf Course – did not meet

Airport Committee

The airport committee did not meet but CDC Peterson requested council approval to accept State Grant Agreement SP6801-40 for fuel system construction \$267,265.00 and to pass a resolution for the same. CDC Peterson had not received the grant agreement as of the council meeting so he presented a sample resolution for council to approve as the City needs to secure this money this month.

Total Estimated Project Costs-Construct Fuel System = \$ 356,354.11
 Total State Funding = \$ 267,265.00
 Total Local Funding = \$ 89,089.11

After discussion, Council member Pat Novacek motioned, Council member Amy Bassingthwaite seconded and it was carried by unanimous vote to accept State Grant Agreement A6801-40, authorize CDC Peterson to sign agreement A6801-40 with the state, and pass a resolution for the same.

Resolution 19-19

CDC Peterson informed council that the new terminal is almost complete and things from the old terminal are being moved over. CDC Peterson will be meeting on Monday with MnDOT, Sjobergs and MARCO concerning the new aviation equipment that will be installed in the new terminal building. Sjobergs will be replacing CenturyLink. It is hoped that MnDOT will be paying for most of the equipment.

EDA

CDC Peterson informed council of the work that is being done through the Northwest Minnesota Foundation concerning the regional workforce shortage. CDC Peterson has met with Brenda Bauman of Warroad and Brenda Sather of Greenbush to promote the area. There will be another meeting in a couple of weeks.

Department Reports

Liquor Store

No new business.

Fire Department

Fire Chief Craig McMillin presented to council the 2019 Fire Department appointments and asked for council approval.

Chief	Craig McMillin
Assistant Chief	Mark Bernat
Captain	Troy Hammer
First Lieutenant	Leon Huot
Second Lieutenant	Jeremy Grindeland
President	Evan Rosemore
Vice President	Jon Brandt
Training Officer	Kyle Hitner & Seth Novotny
Secretary	Ben Edwards

Council member Jane Evans motioned, Council member Pat Novacek seconded and it was carried by unanimous vote to accept the 2019 Fire Department Appointments.

Police Department

Police Chief Ward Anderson reported that the Police Department offices have replaced the lighting with new LED fixtures and lights.

Council member Pat Novacek stated that the City of Roseau is very supportive of our officers. In the wake of officer involved shootings that have happened in rural Minnesota, Council member Novacek would like to see additional training, not just for our officers but for the benefit of our citizens as well.

5:30 pm Public Hearing (Determination of nuisance or hazardous buildings. City Council may take action to proceed with the abatement process to the mandates of Minnesota Statutes §463.) Consider abatement on properties located at 304 5th Ave. NW, and 317 4th Ave. NW.

At 5:30 pm a public hearing was held to determine nuisance and/or hazardous buildings.

Council member Amy Bassingthwaite motioned, Council member Jane Evans seconded and it was approved by unanimous vote to open the public hearing as to whether the properties located at 304 5th Ave. NW, and 317 4th Ave. NW constitutes a nuisance and/or hazardous building and property.

There were no written or oral comments received by the City before the public hearing.

City Attorney Michelle Moren submitted to council, the police report of the inspection of the properties located at 304 5th Ave. NW and 317 4th Ave. NW, pictures of the properties, notices that have been sent to Mr. Thomas Pringle and Mr. Keith Pringle, and a draft resolution to be completed after the hearing. City Attorney Moren clarified that the property is owned by Thomas G. Pringle as trustee of the William K. Day Family Trust and as trustee of the William K. Day Family Trust FBO Ida Mae Day.

City Attorney Michelle Moren introduced Officer Zack Manka. Officer Manka worked with the Planning Commission on their annual city tour (May 21st, 2018) to identify nuisance or hazardous properties. The Evergreen Motel site was among those properties identified as having the worst violations. On May 29th, 2018 Officer Manka sent to Mr. Keith Pringle and Mr. Thomas Pringle a notice of violations that stated what corrective actions needed to be taken. As the property is close to the fairgrounds, the owners were instructed to have it cleaned up before the fair. Some corrective action was taken but not completed. The house was burned by the Roseau fire department for training but the cement steps and the 6 ft. deep basement remains as well as a trench where the hotel used to be. Tall grass and weeds have also taken over the property and piles of dirt were hauled in; still leaving the properties with serious violations. Officer Manka provided to council several pictures showing; the remnants of the basement, piles of dirt, the trench, tall weeds, brush, and heavy equipment parked there by Norwest Construction.

City Attorney Moren then stated that the Roseau City Council, at their November 5th, 2018 council meeting, voted to initiate the abatement process by sending a letter of compliance giving the owner of the former Evergreen Motel property 60 day to voluntarily take action and setting a public hearing for February 4th, 2019. This letter of compliance was dated and hand delivered by Officer Manka on November 28th, 2018. This letter advised the owners that the violations were to be removed no later than February 4th, 2019. The violations remained. Notice was then served on the owners stating that a public hearing would be held February 4th, 2019. The Public hearing was continued to March 4th, 2019 at 5:30 pm. for which a notice was also served.

Thomas Pringle appeared at the public hearing about his properties located at 304 5th Ave. NW and 317 4th Ave. NW. The Pringles did mark off the foundation with posts and tape. Mr. Pringle stated that if the existing building (garage) is not sold by spring it will be tore down. The garage can be picked up and moved. The basement concrete and concrete steps were to be pushed in the basement hole and the dirt piles on the property are to fill in the basement and level the lots but winter came.

Mr. Pringle stated that they could have the lots cleaned up 30 to 60 days after the snow melt. Council member Johnson asked if the garage is currently heated as there is an exhaust pipe for heating on the building. Mr. Pringle stated that it is not heated, though it may have housed a boiler unit in the past.

Council discussed giving the Pringles 120 days to comply. June 30th, 2019 would be the deadline. This would still give the city time to hire the properties cleaned up before the fair and charge the costs back to the land owner's property taxes.

City Attorney Moren advised council to adopt Resolution 18-19 ordering the abatement of a nuisance/razing of a hazardous building/removal of debris so the abatement process would not have to start over in the event the Pringles did not get the properties cleaned up. The sample resolution will need to be amended for the extended time and blanks will need to be filled in.

Council member Pat Novacek motioned, Council member Brady Johnson seconded and it was carried by unanimous vote to close the public hearing.

After discussion, Council member Jane Evans motioned, Council member Amy Bassingthwaite seconded and it was carried by unanimous vote to approve Resolution 18-19 pending modification, filling in the blanks with the council member's names and the (120 day) June 30th deadline.

**RESOLUTION ORDERING THE ABATEMENT OF A NUISANCE/RAZING
OF A HAZARDOUS BUILDING/REMOVAL OF DEBRIS**

**CITY OF ROSEAU
RESOLUTION NO. 18-19**

**RESOLUTION ORDERING THE ABATEMENT OF A NUISANCE AND
RAZING OF THE HAZARDOUS BUILDINGS LOCATED AT 304 5th AVE. NW
and 317 4th AVE. NW, IN THE CITY OF ROSEAU.**

WHEREAS, a Public Hearing was held at the Roseau City Council Chambers on March 4, 2019, to determine whether buildings, materials, and debris located at 304 5th Ave. NW and 317 4th Ave. NW, Roseau, Minnesota 56751, which property is owned by Thomas G. Pringle, as Trustee(s) of the William K. Day Family Trust effective June 6, 2014 and as Trustee(s) of the William K. Day Family Trust FBO Ida Mae Day, constitute a nuisance and/or hazardous building (hereinafter referred to as "Nuisance").

WHEREAS, Officer Zach Manka of the Roseau Police Department advised the Council that he had been working with the City of Roseau Planning Commission in regard to identifying properties in the City of Roseau which were in need of cleanup. In May of 2018, the subject property was identified as one in need of cleanup. Officer Manka presented documentary evidence to the City Council, which documentation is attached hereto and incorporated herein as Exhibit "A", including correspondence dated and hand delivered, on November 28,

2018 to T(h)omas Pringle and Keith Pringle, identified as owners/occupants (hereinafter referred to as “Owners/Occupants”) of said property, which documents outlined the cleanup requirements. The owners/occupants had been advised of the necessity of cleanup with a specific request that the subject nuisance be abated no later than the Fair in 2018, which was in July. Said abatement was not completed in a timely fashion; as such, the correspondence dated November 28, 2018, was personally served upon the owners/occupants of said property.

WHEREAS, said Owners/Occupants were advised that the subject Nuisance (buildings, materials, and debris) were to be removed in their entirety no later than February 4, 2019.

WHEREAS, said correspondence was served upon the Owners/Occupants by personal service by Roseau Police Chief Ward Anderson on November 28, 2018. Chief Anderson also served upon them on said date, a Notice of City Council Meeting and Public Hearing indicating that a Public Hearing would be held on February 4, 2019, at 5:30 p.m., at the Roseau City Council Chambers located at 121 Center Street East, Suite 201, Roseau, Minnesota 56751. The purpose of said Notice was in the event that the Owners/Occupants had not taken the necessary action to abate the alleged Nuisance and/or remove the hazardous buildings, materials, and debris.

WHEREAS, the Roseau City Council continued the Public Hearing to March 4, 2019 at 5:30 p.m. Chief Anderson also personally served upon the Owners/Occupants on February 11, 2019, a Notice of City Council Meeting and Public Hearing (Continued) indicating that the Public Hearing would be held on March 4, 2019, at 5:30 p.m., at the Roseau City Council Chambers located at 121 Center Street East, Suite 201, Roseau, Minnesota 56751.

WHEREAS, at the Continued Public Hearing on March 4, 2019, Officer Manka presented photographs of the subject site. The photographs depicted that there remained a number of items which needed to be abated, including, but not limited to, a building, a trench, debris and other building materials on the subject property.

WHEREAS, Thomas Pringle appeared on behalf of the owners at the hearing on March 4, 2019, and advised the Council that the owners/occupants had planned and had made arrangements to abate said building, materials, debris, etc., in the spring of 2019. He further presented information that the owners/occupants had attempted to abate per the City’s request in the fall of 2018, however, due to

timing issues with contractors, etc., they were unable to finish the abatement. He stated they had started the process and had moved black dirt onto the subject property for purposes of filling in the trench. Mr. Pringle indicated he was in agreement with having the subject property abated no later than June 30, 2019.

WHEREAS, pursuant to Chapter 93 of the General Regulations of the Roseau City Code, the City Council of Roseau finds that the buildings, materials, and debris located at 304 5th Ave. NW and 317 4th Ave. NW, Roseau, Minnesota 56751, constitutes a nuisance and further, pursuant to Minn. Stat. §§ 463.15 and 463.261, said buildings, materials, remnants and debris further constitute hazardous buildings for the following reasons:

1. Said building(s) is/are no longer structurally sound.
2. That hazardous materials from the building(s) abandoned remain on the lots at 304 5th Ave. NW and 317 4th Ave. NW, Roseau, Minnesota 56751.
3. That the building(s), materials, and debris pose a safety threat to the public.
4. That the building(s), materials and debris have been abandoned and inadequately maintained, and is/are dilapidated.
5. That the building(s), materials, and debris are unsanitary.

WHEREAS, the conditions listed above are more fully documented in the correspondence from Officer Zach Manka dated May 29, 2018, from Chief Anderson dated November 28, 2018, together with the attached photographs and other documents. (Copies of which are attached to this Resolution as Exhibit A.)

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

1. That pursuant to the foregoing findings and in accordance with Chapter 93 of the Roseau City Code and Minn. Stat. §§ 463.15 and 463.261, the Council orders the record owners of the above described nuisance and hazardous buildings/property or their representatives to make the following corrections on the property located at: 304 5th Ave. NW and 317 4th Ave. NW, Roseau, Minnesota 56751
 - a. The building(s), all remnants, materials, debris, together with loose items, must be removed from said property no later than June 30,

2019, and further the trench/hole must be filled no later than June 30, 2019.

- b. The corrective action must be completed in compliance with all applicable City Codes and State and Federal regulations.
- c. That a Motion for summary enforcement of the Order will be made to the District Court of Roseau County in which the nuisance and hazardous building or property is situated unless corrective action is taken; or, unless an Answer is filed within the time specified in Minnesota Statutes §463.18 which is 20 days.
- d. That if the City of Roseau must take action to enforce this Order, all enforcement costs will be specially assessed against the Owners/Occupants of said real property and collected in accordance with Minnesota Statutes §§ 463.22, 463.161, and 463.21.
- e. That the City Attorney (by and through the City Police Department) is authorized to serve this Order upon the owners of the subject property at P.O. Box 275, Roseau, Minnesota 56751.
- f. That the City Attorney is authorized to proceed with the enforcement of this Order as provided in Minnesota Statutes §§ 463.15 and 463.261.

Adopted by the City Council of the City of Roseau on March 4, 2019.

Approved:

Jeff Pelowski, Mayor

Todd Peterson, Community
Development Coordinator

Attested:

Beth Carlson, City Clerk/Treasurer

Superintendent

Superintendent David Drown was absent. CDC Peterson presented to council the Opinion of Probable Cost for 2019 Utility Improvement Projects. This includes the repair and replacement of the water main project on Center Street at the bridge. This line broke the winter of 2017 and was shut off. It needs to be repaired to form the loop again. The other part of the project is moving the water main that is located where the new Polaris Lobby is going to be built. The probable cost estimate is in excess of \$50,000 over budget. Engineering firms usually don't charge 50% on project so that will be questioned.

CDC Peterson asked for council approval to advertise for bids on the 2019 Utility Improvement Project.

After discussion, Council member Amy Bassingthwaite motioned, Council member Jane Evans seconded and it was approved by unanimous vote to advertise for bids on the 2019 Utility Improvement Project.

City Attorney

City Attorney Michelle Moren had no new business.

Community Development Coordinator

CDC Peterson presented to council a cost estimate on the Roseau School Project (house build) provided by Tim Anacabe from Northwest Community Action. This cost estimate raised a lot of concerns. The total projected cost is \$264,740. The construction costs alone are \$200,000. This exceeds the amount council authorized. The previous School Building Project total cost to finish house was \$199,087.84 and sold for \$199,271.28. There is already a house for sale in that area for \$224,000. It has been on the market for about a year. It does not seem feasible to proceed with the Roseau School House Project.

CDC Peterson stated that there is a value gap program that may under write the loss. This is a one-time solicitation that does not get approved until July. Even if Roseau is awarded this, the house project could not be done this year. CDC Peterson has contacted John Wynne who will write an application. Every year the City of Roseau will have to reapply for funding.

Council member Amy Bassingthwaite questioned the appliance cost. As the owner of an appliance store she feels that cost could be scaled back. CDC Peterson stated that these costs were on the high side so that there would not be any cost overages at the end of the project.

CDC Peterson stated that using students that can only work two hours a day drags the projects on so that contractors costs are higher. Even with the students labor, contractors, electricians, plumbers, concrete workers, etc. still have to be hired so the costs of the school house project cannot be compared to a private contractors house where the contractor can do most of the work himself.

CDC Peterson will be getting more information.

No action needed.

CDC Peterson stated Brady Martz, the city auditors, were in this past week and the audit went well.

CDC Peterson stated that the general manager for the NMPA has retired and there are two candidates being interviewed for the position on March 15th.

Mayor and Council

There was no new business.

Unfinished Business-

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

ATTEST:

Elizabeth Carlson Clerk-Treasurer

Mayor Jeff Pelowski