

**REGULAR ROSEAU CITY COUNCIL MEETING
MONDAY – NOVEMBER 3, 2014 @ 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, and Linda Vatnsdal. Absent: Curt Ireland. Others present were Community Development Coordinator Todd Peterson, Superintendent David Drown, City Attorney Pat Moren, Assistant City Attorney Michelle Moren, Liquor Store Manager Linda Roseborough, Fire Chief Jeff Ballard, City Clerk-Treasurer Elizabeth Hellquist, Roseau County Commissioner Jack Swanson - WILD102 Radio

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

Council member Don Ross motioned, Council member Pat Novacek seconded and it was carried by unanimous vote to approve the October 6th, 2014 Regular meeting minutes.

Council member Pat Novacek motioned, Council member Don Ross seconded and it was carried by unanimous vote to approve the October 22, 2014 Special Council meeting minutes.

Council Don Ross motioned, Council member Pat Novacek seconded and it was carried by unanimous vote to approve the October 23, 2014 Special Council meeting minutes.

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

1. Accounts payable claims from October 1st, 2014 through October 31st, 2014 as presented, with a batch number of AP103114 and is filed in edit books in the City Clerk's Office.
2. Daily Batch checks written from October 1st, 2014 through October 31st, 2014 were audited, approved and are filed in edit books in the City Clerk's Office.
3. Receipt entries September 1st, 2014 through September 30th, 2014 were audited, approved and are filed in edit books in the City Clerk's Office.
4. Journal entries batch JV083114 were audited, approved and are filed in edit books in the City Clerk's Office.
5. A review of August 2014 General Ledger checks written compared with check images on the bank statements found no irregularities.
6. Notices and Communications – Upcoming scheduled meetings –
 - a. November 10th, 2014 Special Election Canvas meeting at 12:00noon
 - b. December 1st, 2014 Regular Council meeting at 5:00p.m. / Truth in Taxation Public Hearing at 6 p.m.
7. Approve the use of alcohol in the Community Center
 - a. 13 Sisters Fashion Show (Guest House) to be served November 29, 2014.
 - b. Roseau Civic & Commerce Annual Banquet to be served January 19, 2015.
8. Investment-Roseau EDA Hi Fi as of 10/29/14 is \$247,191.97.
9. Cash in bank-DNR Escrow as of 10/29/14 is \$2,000.00
10. Cash in bank-Regular checking as of 10/29/14 is \$2,064,702.99.
11. Investment-Regular Hi Fi as of 10/29/14 is \$1,490,910.50.
12. Investment-Certificate of Deposit as of 10/29/14 is \$768,941.21
13. Investment of Certificate of Deposit as of 10/29/14 is \$772,977.66.
14. Investment of Certificate of Deposit as of 10/29/14 is \$775,595.95.
15. Investment of Certificate of Deposit as of 10/29/14 is \$782,403.53.
16. Cash in bank - Airport Fuel Sales Credit Card as of 10/29/14 \$10,351.81.
17. Investment - Roseau EDA Money Market as of 10/29/14 is \$75,929.93.
18. Cash in bank - Pine to Prairie Birding Trail as of 10/29/14 is \$6,237.12.
19. Cash in bank - Scandinavian Festival as of 10/29/14 is \$2,488.12.

20. Cash in bank – Welcome to Roseau as of 10/29/14 is \$1,312.17.
21. Cash in bank - Roseau EDA as of 10/29/14 is \$490.48.
22. “2014 Christmas Lighting Contest” (to be the same categories as 2013 with prizes awarded in Roseau Dough)
23. Approve 2015 (December 1, 2014 – November 30, 2015) liquor Licenses contingent upon all paperwork is obtained by the Clerk’s Office.
 - North Country Inn & Suites
 - Brickhouse Bar & Grill of Roseau, Inc + Sunday
 - Roseau Motel & Diner
 - Sparetime Bowl (Legends) + Sunday
 - The Pourhouse Bar & Grill + Sunday
 - Gene’s Bar & Grill
 - Oakcrest Golf Club + Sunday
 - American Legion Club + Sunday
 - VFW Club
 - Guest House Eatery & Pub + Sunday
24. Approve 2015 (January 1, 2015 – December 31, 2015) 3.2 Beer Licenses contingent upon all paperwork is obtained by the Clerk’s Office.
 - Holiday – Off Sale
 - Super One Foods (Miner’s) – Off Sale
 - The Pour House Bar & Grill – Off Sale
 - Shopko – Off Sale
25. Ambassador Talking Points – Information only
26. MN Dept. of Human Services – Notice – New Foster Care License issued.
27. Liquor Store September 2014 monthly sales
28. October 2014 City Revenues and Expenses

Committee Reports

Roseau Promotions – No new business

Planning Commission

CDC Todd Peterson informed council that Louise Herling appeared before the Roseau Planning Commission to give an update on her progress of abating the nuisance conditions on her property, and to ask for additional time to finish the clean-up. It was the recommendation of the Planning Commission to provide Mrs. Herling additional time, until the November 24, 2014 Planning Commission meeting to complete the removal of the snowmobiles, vehicles and repair the fence.

Council member Don Ross motioned, Council member Pat Novacek seconded, and it was carried by unanimous vote to provided Mrs. Herling additional time, until the November 24, 2014 Planning Commission meeting to complete the removal of the snowmobiles, vehicles and repair the fence.

CDC Todd Peterson informed council that the Planning Commission has made the final edits to the proposed draft Sign Ordinance and has turned it over to the City Attorney’s Office to put in final ordinance form.

CDC Todd Peterson also informed the council on the progress Officer Marc Hodge is making in the removal of unlicensed and inoperable vehicles in town. CDC Peterson also reported the Westside Trailer Court is another area that still has numerous abandoned and vacant trailers to be cleaned-up.

Roseau County Commissioner

Roseau County Commissioner Jack Swanson informed the City Council, Far North Transit is merging with Paul Bunyan Transit. This merger is expected to improve service and reduce cost. The City of Roseau owns the land where Far North Transit operates, but not the building. The building was constructed from 80% MN DOT and 20% Roseau Committee on the Aging funds. The operation of the transit service is funded 85% by MN DOT. City Attorney Pat Moren’s Office will research the original lease agreement and draft a new lease agreement between the City of Roseau and the Roseau Committee on the Aging / Paul Bunyan Transit.

Operation Committee – No New Business

Oak Crest Golf Course – No New Business

Airport Committee – No New Business

Beautification Committee – No New Business

EDA

CDC Todd Peterson informed the City Council the EDA met October 29, 2014. There were two main topics discussed.

1. Alex Cheput of Cobblestone Hotels gave the EDA a presentation about their hotel chain. Cobblestone Hotels may be interested in building in the City of Roseau. They are seeking information and local investors.
2. Rani Bhattacharyya of the Extension Service gave a presentation of statistics of Roseau County, its economic wellbeing, and programs that would benefit.

Department Reports

Liquor Store

Liquor Store Manager Linda Roseborough informed the City Council, an architect would be up on Wednesday, November 5, 2014, to go over plans and answer questions concerning the proposed expansion of the Roseau Municipal Liquor Store.

Fire Department

Fire Chief Jeff Ballard informed Council the Fire Department would be adding a few more guys to its department, as some of the firefighters are retiring.

Police Department - No new business

Superintendent

City Superintendent informed council the water breaks in the Oakcrest West Street project were fixed and both water towers were working.

City Attorney

Assistant City Attorney Michelle Moren updated the City Council on revised data policy requirements for municipalities and provided recommendations for modifications to the existing city data practices policy. Based upon the recommendations, the city council approved the following resolution:

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

RESOLUTION NO. 32-14

**A RESOLUTION FOR THE MINNESOTA DATA PRACTICES ACT
ADOPTION OF POLICY FOR ENSURING SECURITY OF NON PUBLIC DATA**

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

WHEREAS, at the regular meeting of the City Council of the City of Roseau, Minnesota, held on Monday, November 3, 2014, a Motion was made by **Pat Novacek** for passage of the following resolution:

WHEREAS, the Minnesota Data Practices Act (Minnesota Statutes, Chapter 13) requires government entities to maintain a policy regarding dissemination of government data; and

WHEREAS, Minn. Stat. 13.05 subd. 5 requires a responsible authority (City designee) to establish procedures ensuring the appropriate access to not public data.

WHEREAS, the Minnesota Data Practices Act further requires the government entity to appoint a responsible authority and data practices compliance official to implement and follow the requirements of the data practices act; and

WHEREAS, the City Council of the City of Roseau, wishes to amend prior data practices policies and adopt additional data practices policies consistent with the recommendations of the Minnesota Department of Administration Information Policy Analysis Division; and

WHEREAS, this matter was fully discussed by the City Council of the City of Roseau.

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

Amends the City Data Practice Policy so:

THAT Beth Hellquist
Roseau City Clerk-Treasurer
121 Center Street East
Roseau, MN 56751
Phone: 218-463-1542
Fax: 218-463-1252
E-mail: rosoclrk@mncable.net

be appointed as the Responsible Authority's data practices designee.

THAT Beth Hellquist
Roseau City Clerk-Treasurer
121 Center Street East
Roseau, MN 56751
Phone: 218-463-1542
Fax: 218-463-1252
E-mail: rosoclrk@mncable.net

be appointed as the Data Practices Compliance Official.

BE IT FURTHER RESOLVED, that the City of Roseau shall adopt the recommendations of the Minnesota Department of Administration Information Policy Analysis Division regarding establishment of procedures to ensure the appropriate access to not public data (as attached).

BE IT FURTHER RESOLVED, that the City of Roseau City will prepare a Data Inventory which identifies and describes all not public data on individuals maintained by the City. To comply with the requirement in Minn. Stat. 13.05 subd. 5, the City will also include in its Data Inventory the position titles of the employees who have access to not public data.

BE IT FURTHER RESOLVED, that all other terms and conditions of the data practices policy adopted by the City of Roseau on November 5, 2012 remain in full force and effect except as otherwise amended by State or Federal law.

THIS MOTION FOR RESOLUTION was seconded by Councilperson Linda Vatnsdal and upon a vote being taken, the following voted in favor:

The following voted against the same: None

The following were absent: Curt Ireland

Adopted by the Council this 3rd day of November, 2014.

EFFECTIVE DATE: November 3, 2014

Signed:

Jeff Pelowski, Mayor

Attest:

Beth Hellquist, Clerk-Treasurer

The Policy

CITY OF ROSEAU Policy for Ensuring the Security of Not Public Data

Legal requirement

The adoption of this policy by the City of Roseau satisfies the requirement in Minn. Stat. 13.05 subd. 5 to establish procedures ensuring the appropriate access to not public data. By incorporating employee access to not public data into the City's Data Inventory (required by Minn. Stat. 13.025 subd. 1), in the individual employee's position description, or both, the City's policy limits access to not public data to employees whose work assignment reasonably requires access.

Please direct all questions regarding this policy to the City of Roseau's Data Practices Compliance Official:

City Clerk Beth Hellquist

rosoclrk@mncable.net

Phone: (218) 463-1542

Fax: (218) 463-1252
Roseau City Center
121 Center Street East, Suite 202
Roseau, Minnesota 56751

Procedures implementing this policy

Data inventory

Under the requirement in Minn. Stat. 13.025 subd. 1, the City will prepare a Data Inventory which identifies and describes all not public data on individuals maintained by the City. To comply with the requirement in Minn. Stat. 13.05 subd. 5, the City will also include in its Data Inventory the position titles of the employees who have access to not public data.

In the event of a temporary duty as assigned by a manager or supervisor, an employee may access certain not public data for as long as the work is assigned to the employee.

In addition to the employees listed in the City's Data Inventory, the Responsible Authority, the Data Practices Compliance Official, the City's Senior Management Team, and the City Attorney may have access to all not public data maintained by the City if necessary for specified duties. Any access to not public data will be strictly limited to the data necessary to complete the work assignment.

Employee position descriptions

Position descriptions may contain provisions identifying any not public data accessible to the employee when a work assignment reasonably requires access.

Data sharing with authorized entities or individuals

Federal or state law may authorize the sharing of not public data in specific circumstances. Not public data may be shared with another entity if a federal or state law allows or mandates it. Individuals will have notice of any sharing in applicable Tennessee warnings or the City will obtain the individual's informed consent. Any sharing of not public data will be strictly limited to the data necessary or required to comply with the applicable law.

Ensuring that not public data are not accessed without a work assignment

Within the City, departments may assign tasks by employee or by job classification. If a department maintains not public data that all employees within its division do not have a work assignment allowing access to the data, the department will ensure that the not public data are secure.

Recommended actions for ensuring appropriate access include:

- Assigning appropriate security roles, limiting access to appropriate shared network drives, and implementing password protections for not public electronic data.
- Password protecting employee computers and locking computers before leaving workstations.
- Securing not public data within locked work spaces and in locked file cabinets.
- Shredding not public documents before disposing of them.

Penalties for unlawfully accessing not public data

The City will utilize the penalties for unlawful access to not public data as provided for in Minnesota Statutes section 13.09, if necessary. Penalties include suspension, dismissal or referring the matter to the appropriate prosecutorial authority who may also pursue a criminal misdemeanor charge.

Assistant City Attorney Michelle Moren also addressed a question on the City of Roseau's authority to name or change the names of its streets. The City of Roseau does have the authority to name or change the names of its streets. The question arose as there is a wish to name a corner street by the arena to recognize someone who has been a significant donor.

Community Development Coordinator

Franchise Agreements-

CDC Todd Peterson informed council, franchise agreements between the City of Roseau and Sjobergs, and MN Energy Resources have expired. CDC Peterson asked council approval to renew the 5 year franchise agreements.

After discussion Council Member Pat Novacek motioned, Council Member Don Ross seconded, and it was carried by unanimous vote to approve the renewal of the 5 year lease agreements with Sjoberg's and MN Energy Resources, keeping the existing rate.

Approve the 2015 Roseau Court Townhomes Budget-

CDC Todd Peterson presented council with the budget provided by DW Jones for the Roseau Court Townhomes. CDC Peterson informed council the budget for the Roseau Court Townhomes has generally remained flat. DW Jones is proposing a \$50 per month increase in apartment rent. CDC Peterson asked for council approval of the 2015 Roseau Court Townhomes Budget.

After discussion Council Member Linda Vatnsdal motioned, Council Member Don Ross seconded and it was carried by unanimous vote to approve the 2015 Roseau Court Townhomes Budget.

Coast True Value

CDC Todd Peterson presented council a letter from Coast True Value inquiring as to the possibility of purchasing the lot on the north side of Lundbohm Accounting. The lot previously sold for \$6000 and Coast True Value would pay that amount if acceptable.

After discussion Council Member Pat Novacek motioned, Council Member Linda Vatnsdal seconded and it was carried by unanimous vote to sell the lot on the north side of Lundbohm Accounting to Coast True Value for \$6,000.

Park Board

CDC Todd Peterson informed council the Park Board had been awarded a Northwest Minnesota Foundation grant; council had previously approved the submittal in Resolution #29-14, of \$4750. This grant is to go towards drafting the master plan by Karvakko Engineering. CDC Todd Peterson asked council to accept the grant approved by Resolution #29-14 and authorize Karvakko Engineering to do the work.

After discussion Council Member Pat Novacek motioned, Council Member Don Ross seconded and it was carried unanimously to accept the grant approved by Resolution #29-14 and hire Karvakko Engineering, to develop the master plan for the for the South Riverview Park Site.

DEED Lease

CDC Todd Peterson informed council; Bonnie Stechman from DEED had approached him about the possibility of leasing office space for DEED. The lease is up at DEED's current location. DEED maintains a two person office. DEED is looking at the Northland Community College space or possibly locating within the City Offices. Ms. Stechman is checking with St Paul on what options they can pursue. There is not a lot of foot traffic, and DEED currently holds meetings in the Library meeting room. The DEED cubicles would have separate phones and internet systems. CDC Peterson asked if Council would be accepting of this.

It was Council consensus to leave the discussion open for now and see what develops.

Health Insurance

CDC Todd Peterson informed council, both the Police and Employee Associations voted to stay with Medica versus Health Partners. Medica Focus would cover the month of December. Medica Passport would cover the whole year of 2015. The employees are aware; the Mayo Clinic will be out of network (except in emergencies) with Medica Focus for the month of December. The main reason for staying with Medica is due to Medica and Health Partners covering prescription drugs differently. Several drugs are not covered under Health Partners. CDC Peterson asked council to approve staying with Medica for the city employees' health insurance.

After discussion Council Member Linda Vatnsdal motioned, Council Ross seconded and it was carried by unanimous vote to approve Medica Focus as the city employee health insurance for the month of December and Medica Passport for the calendar year 2015.

Diversion Ditch

CDC Todd Peterson informed council the digging in the channel has begun. The 24 hour operation will start soon. The restriction structure is also underway.

Parkland Place

CDC Todd Peterson informed council the Parkland Place \$460,000 loan agreement is waiting on a financing package from the bank.

Tamarak Place

CDC Todd Peterson informed council, Tamarak Place is in the midst of a lot of paperwork. Tamarak Place is seeking additional bonding authority.

School Spec House

CDC Todd Peterson provided council with a picture of the progress on the school spec house. Building is going well.

Mayor and Council

- a. 2015 Preliminary Budget-
After discussion it was council consensus to wait for more information before proceeding with the budget.

Unfinished Business- No unfinished business.

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

ATTEST:

City Clerk-Treasurer

Mayor