

**REGULAR ROSEAU CITY COUNCIL MEETING
MONDAY – FEBRUARY 4TH, 2013 @ 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 Curt Ireland, Pat Novacek, Linda Vatnsdal, and Don Ross. Others present were Community Development Coordinator Todd Peterson, City Superintendent David Drown, Chief of Police Ward Anderson, Liquor Store Manager Brad Wiberg, City Attorney Pat Moren, Fire Chief Jeff Ballard, City Clerk Janet Lundbohm, and Lyle Grindy, Wild 102 – Jack Swanson.

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

The following correction (s) were noted in the January 7th, 2013 minutes.

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- **GILBERTSON BALLFIELD:** Chairman Ron Schwehr, Donn Haugen, Andy Ziegler, Tracy Wensloff, City Representatives- Mayor Jeff Pelowski, Parks and Rec.- Chad Johnson.

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- The County approved the levy and budget for 2013, the levy is unchanged and the budget is slightly in the red. The County approved small appropriation increases for the library, museum and senior travel.

Council member Pat Novacek motioned, Council member Linda Vatnsdal seconded and it was carried by unanimous vote to approve the January 7TH, 2013 minutes with corrections.

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

- Accounts payable claims from January 1st, 2013 through January 31st, 2013 as presented, with a batch number of AP013113 and is filed in edit books in the City Clerk's Office.
- Daily Batch checks written from January 1st, 2013 through January 31st, 2013 were audited, approved and are filed in edit books in the City Clerk's Office.
- Receipt entries December 1st, 2012 through December 31st, 2012 were audited, approved and are filed in edit books in the City Clerk's Office.
- Journal entries November 1st, 2012 through November 30th, 2012 were audited, approved and are filed in edit books in the City Clerk's Office.
- A review of November 2012 General Ledger checks written compared with check images on the bank statements found no irregularities.
- Upcoming meetings –
 - Notice of Event – February 12th, 2013 from 4:30 – 6:30 p.m.
 - March 4th, 2013 Regular meeting at 5:00 p.m
- Approve the use of alcohol in the Community Center - none
- 2012 Year End City Revenues & Expenditures and a 2012 Pie Chart of Actual City Revenues & Expenditures & 2013 Budget Pie Chart of City Revenues & Expenditures.
- January 2013 City Revenues & Expenditures.
- Letter from Minnesota Pollution Control Agency in regards to petroleum tank release site file closure.
- CGMC in Brief: January 17, 2013 & Memo dated January 23, 2013 in regards to Governor Dayton's Proposal on Property Taxes and the LGA Formula; GCMC in Brief 1-17-13 Legislative Action Day Registration Form.pdf and a CGMC copy of a letter to Governor Dayton in regards to LGA.
- LMC Cities Bulletin: January 28, 2013
- Letter from Assistant City Attorney Michelle Moren in regards to On-Sale Intoxicating Liquor Licenses.
- Investment-Roseau EDA Hi Fi as of 01/29/2013 is \$271,598.01.
- Cash in bank-DNR Escrow as of 01/29/2013 is \$832,000.00.
- Cash in bank-Regular checking as of 01/29/2013 is \$2,884,874.30.
- Investment-Regular Hi Fi as of 01/29/2013 is \$1,414,543.25.

- r. Investment of Certificate of Deposit as of 01/29/2013 is \$762,084.05.
- s. Investment of Certificate of Deposit as of 01/29/2013 is \$762,812.48.
- t. Investment of Certificate of Deposit as of 01/29/2013 is \$768,483.10.
- u. Investment of Certificate of Deposit as of 01/29/2013 is \$772,699.63.
- v. Cash in bank - Airport Fuel Sales Credit Card as of 01/29/2013 is \$2,041.53.
- w. Investment - Roseau EDA Money Market as of 01/29/2013 is \$209,692.59.
- x. Cash in bank - Pine to Prairie Birding Trail as of 01/29/2013 is \$3,631.95.
- y. Cash in bank - Scandinavian Festival as of 01/29/2013 is \$3,375.63.
- z. Cash in bank – Welcome to Roseau as of 01/29/2013 is \$1,287.17.
- aa. Cash in bank - Roseau EDA as of 01/29/2013 is 314.14.
- bb. Email from Joe Ingebrand, CSP: February 1, 2013 – Alert Getting On and Off Equipment LMCIT. Doc; Roseau Letter 012313 JI.pdf

Roseau Promotions Director Lyle Grindy reported on the following:

- The Civic and Commerce held their annual banquet Monday, January 21, 2013 and it was very well attended. Mayor Jeff Pelowski was one of the speakers and was very informative and encouraging.
- Lyle has been in contact with the Carson & Barnes Circus out of Oklahoma, they would like to put on an old fashioned Big Top Circus in Roseau.
- Lyle shared an email from a parent of the 10U Blaine girls team.

Roseau County Commissioner Jack Swanson reported on the following:

- The County Sheriff's committee discussed contracting law enforcement with the City of Greenbush.
- Magic Act – Allowing Counties the right to find innovative ways to meet mandates.

After review and discussion Council member Curt Ireland motioned, Council member Don Ross seconded and it was carried by unanimous vote to set a Public Hearing for Bergland Enterprise's (#1-13) Rezoning request from C-2 (Outlying Commercial Zoning District) to R-5 (High Density Multi-Family Residence Zoning District). The Public Hearing will be held February 25th, 2013 at 12:30 pm or as soon as possible thereafter and upon vote being taken the following voted in favor thereof: Pelowski, Ireland, Ross, and Novacek

and the following voted against the same: None

and the following abstained: Vatsndal

and the following were absent: None

whereupon, said motion was declared duly passed and adopted.

After discussion Council member Pat Novacek made a motion to approve Ulteig Work Order No. 12.01621.01 – Airfield Pavement Maintenance (this project includes routing and crack sealing Runway 16/34, the Parallel and Connecting Taxiways) and authorize Community Development Coordinator Todd Peterson to sign agreement, seconded by Council member Linda Vatsndal and it was carried by unanimous vote.

After discussion Council member Pat Novacek made a motion to approve Ulteig Work Order No. 12.00056.01 Amendment 1 – Roseau Land Acquisition for Runway Shift (Adopt a Zoning Ordinance and Update Zoning Map that meets MN/DOT requirements) and authorize Community Development Coordinator Todd Peterson to sign agreement, seconded by Council member Curt Ireland, and it was carried by unanimous vote.

After discussion Council member Linda Vatsndal made a motion to approve Ulteig Work Order No. 12.00056.01 Amendment 2 – Roseau Land Acquisition for Runway Shift and authorize Community Development Coordinator Todd Peterson to sign agreement, seconded by Pat Novacek, and it was carried by unanimous vote.

Community Development Coordinator Todd Peterson reported that the EDA met on January 30th, 2013 and discussed the following:

- EDA Officers -
EDA: President -Robert Foley, Vice President -Jack Swanson, Treasurer -Steve Pavek, Joe Ulwelling, Stuart McFarlane, City Representatives - Mayor Jeff Pelowski, Council member Curt Ireland, Community Development Coordinator Todd Peterson, and Lyle Grindy.
- Write off a loan that was in bankruptcy.
- The EDA took a tour of the old and new Northern Resources Building.

Liquor Store Manager Brad Wiberg reported on the following:

- Pam Johnson had turned in her resignation letter effective January 30th, 2013.
- Liquor Store Monthly Sales Recap January 2013.

After discussion Council member Pat Novacek made a motion to accept Pam Johnson's resignation effective January 30th, 2013 and approve to pay out all unused vacation time and ½ sick leave as per city employee handbook, seconded by Council member Curt Ireland and it was carried by unanimous vote.

Council consensus was to have the City office (Janet and or Char) do the second review of the "Liquor Store Daily Sales Report" receipts as recommended by Liquor Store Manager Brad Wiberg.

Liquor Store Manager Brad Wiberg presented the City Council with a schematic of the proposed addition to the Liquor Store (on file at the Roseau City Office), Council consensus was to have Council member Curt Ireland, Council member Don Ross and Liquor Store Manager Brad Wiberg meet with Richard Rude Architectural in regards to the proposed addition to the Liquor Store and report back to the City Council with costs of the project.

Chief of Police Ward Anderson presented the City Council with the Roseau Police Department 2012 Annual Report (on file at the Roseau City Office).

City Superintendent David Drown reported that Terry Olson had turned in his resignation effective January 31, 2013.

Council member Curt Ireland made a motion to accept Terry Olson's resignation effective January 31, 2013 and approve to pay out all unused vacation time and ½ sick leave as per city employee handbook and to approve to hire a public works operator as recommend by City Superintendent David Drown, seconded by Council member Pat Novacek, and it was carried by unanimous vote.

Council member Linda Vatsndal introduced the following Resolution and moved for its adoption

WAIVER OF SUBDIVISION PLATTING REGULATIONS
BY THE CITY COUNCIL OF THE CITY OF ROSEAU
RESOLUTION NO. R13-13

WHEREAS, provisions of the Subdivision Platting Regulations of the City of Roseau, Minnesota currently in effect restrict certain real estate from being conveyed by a metes and bounds description, and

WHEREAS, Chuck Lindner on behalf of LINDNER-HAGEN HOLDINGS, LLC, a Minnesota limited liability company, has requested from the City of Roseau, Minnesota, a Waiver of said Subdivision Platting Regulations allowing said limited liability company to convey certain real estate located within the confines of the City of Roseau, using a metes and bounds description, and

WHEREAS, the City Council of the City of Roseau, Minnesota, finds that in order to preclude the imposition of an unnecessary hardship upon the current fee owner of the hereinafter described real estate, LINDNER-HAGEN HOLDINGS, LLC, and further upon a determination by the City of Council that failure to comply with the Subdivision Platting Regulations of the City of Roseau regarding the conveyance of real estate by

metes and bounds description, in this particular instance, will not compromise or interfere with said Subdivision Platting Regulations Ordinance of the City of Roseau or any laws of the State of Minnesota.

NOW THEREFORE BE IT RESOLVED, that in accordance with the authority provided by the provisions of M.S. 462.358, Subdivision 4 (b), that the provision of the Subdivision Platting Regulations currently in effect in the City of Roseau, which would restrict certain real estate form being conveyed by a metes and bounds description, are hereby waived and shall not be applicable to the following described real estate located within City of Roseau, Minnesota:

SEE ATTACHED EXHIBIT "A" CONTAINING THE LEGAL DESCRIPTION THAT WAS CONVEYED TO SAID LIMITED LIABILITY COMPANY IN THAT CERTAIN DEED DATED APRIL 23, 2008, AND RECORDED IN THE OFFICE OF THE ROSEAU COUNTY RECORDER ON APRIL 23, 2008, AS DOCUMENT #260712;

AND

SEE THE ATTACHED CERTIFICATE OF SURVEY AS EXHIBIT "B" CONTAINING THE NEW PROPOSED LEGAL DESCRIPTIONS WHICH DESCRIPTIONS ARE THE SUBJECT OF THIS WAIVER.

Adopted by the City Council of the City of Roseau this 4th day of February, 2013.

	AYES	NAYS
_____ Mayor Jeff Pelowski	<u> x </u>	_____
_____ Curt Ireland	<u> x </u>	_____
_____ Linda Vatnsdal	<u> x </u>	_____
_____ Patrick Novacek	<u> x </u>	_____
_____ Don Ross	<u> x </u>	_____

Approved:

s/s: Jeff Pelowski
Jeff Pelowski, Mayor

Attested by:

s/s: Janet Lundbohm
Janet Lundbohm, Clerk

Exhibit A & Exhibit B are on file at the Roseau City Office.

The motion for the foregoing Resolution was duly seconded by Council member Curt Ireland and upon vote being taken the following voted in favor thereof: Pelowski, Vatnsdal, Ireland, Novacek and Ross

and the following voted against the same: None

and the following abstained: None

and the following were absent: None

whereupon, said motion was declared duly passed and adopted.

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

RESOLUTION SUPPORTING APPLICATION

R #14-13

WHEREAS, the City of Roseau supports the grant application made to the Minnesota Department of Natural Resources for the Local Trail Connections Program. The application is to construct .6 miles of paved trail for the Roseau River Recreational Trail System. The trail system runs across the City of Roseau, and

WHEREAS, the City of Roseau recognizes that it has secured \$183,850 in non-state cash matching funds for this project.

NOW, THEREFORE, BE IT RESOLVED, if the City of Roseau is awarded a grant by the Minnesota Department of Natural resources, the City of Roseau agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project. The City of Roseau will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED, the City Council of the City of Roseau names the fiscal agent for the City of Roseau for this project as:

Todd Peterson
Community Development Coordinator
City of Roseau
121 Center Street E; Suite 202
Roseau, MN 56751

BE IT FURTHER RESOLVED, the City of Roseau hereby assures the Roseau River Recreational Trail will be maintained for a period of no less than 20 years.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROSEAU THIS 4TH DAY OF FEBRUARY, 2013.

S/S: JEFF PELOWSKI
JEFF PELOWSKI - MAYOR

ATTEST:

S/S: JANET LUNDBOHM
JANET LUNDBOHM - CITY CLERK

The motion for the adoption of the foregoing Resolution was duly seconded by Council member Don Ross and upon vote being taken the following voted in favor thereof: Pelowski, Novacek, Ross, Ireland and Vatnsdal

and the following voted against the same: None

and the following abstained: None

and the following were absent: None

whereupon, said motion was declared duly passed and adopted.

Community Development Coordinator Todd Peterson reported that the Roseau School and the City of Roseau will not be pursuing the Safe Routes to School grant at this time.

Community Development Coordinator Todd Peterson reported that the Roseau County Affordable Housing Committee will be hosting a meeting with the Governor on Tuesday, February 12, 2013 from 4:30 – 6:30 pm at the Roseau Community Center. Mary Tingerthal, Minnesota Housing Commissioner will in Roseau all day and will have a meeting with representatives from Polaris Industries and Marvin Windows from 1:00 – 3:00 pm.

Community Development Coordinator Todd Peterson updated the City Council on the progress of the East Diversion.

Council member Curt Ireland introduced the following resolution and moved for its adoption

Resolution # 15-13

RESOLUTION AUTHORIZING THE SUBMISSION OF U.S. DEPARTMENT OF COMMERCE – EDA GRANT APPLICATION FOR THE ROSEAU RIVER EAST DIVERSION FLOOD CONTROL PROJECT

WHEREAS, the City of Roseau is a governmental entity that is actively engaged in economic development and betterment of the economic climate of the City of Roseau and NW Minnesota; and

WHEREAS, the City of Roseau has worked cooperatively with the State of Minnesota and the U.S. Army Corps of Engineers to develop a flood control project (the Roseau East Diversion Flood Control Project) which will provide 100 year flood protection to the entire City of Roseau including the entire commercial district of Roseau and Polaris Industries, a major regional employer; and

WHEREAS, the construction of the East Diversion Channel Reach 1-B (the Restriction Structure and Inlet Structure), which is a major component of the overall flood control project, has an estimated cost of \$4,000,000 to complete; and

WHEREAS, The City of Roseau has secured state and local funding for 50% of the cost of constructing the East Diversion Channel Reach 1-B and this funding is committed and readily available as the local share for the sole use of the flood control project; and

WHEREAS, the Roseau flood control project will have a significant impact on the long term success and viability of the city's business community and its major employer Polaris Industries;

NOW, THEREFORE, BE IT RESOLVED, that the City of Roseau authorizes the submission of a grant application in the amount of \$2,000,000 (50% of the project total) to the Department of Commerce, Economic Development Administration for the Roseau East Diversion Flood Control Project to complete the construction of the East Diversion Channel 1-B (the Diversion Structure and Inlet Structure) having an estimated construction cost of \$4,000,000 with the remaining 50% of the project costs being paid by the State of Minnesota and City of Roseau;

AND FURTHER RESOLVES, that the City of Roseau authorizes the Roseau Community Development Coordinator to sign the application and accept any award related to the Roseau East Diversion Flood Control Project.

s/s: Jeff Pelowski
Mayor, City of Roseau

Janet Lundbohm
CERTIFIED/ATTEST

February 4th, 2013
DATE

The motion for adoption of the foregoing Resolution was duly seconded by Council member Linda Vatsdal and upon vote being taken the following voted in favor thereof: Pelowski, Ireland, Vatsdal, Novacek and Ross

and the following voted against the same: None

and the following abstained: None

and the following were absent: None

whereupon, said motion was declared duly passed and adopted.

Mayor Jeff Pelowski noted that the City of Roseau 2013 Final Budget was in the City Council packet.

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

ATTEST:

City Clerk

Mayor

