

City Council Minutes  
October 4, 2021

The Fergus Falls City Council held a regular meeting on October 4, 2021 at 5:30 pm in the City Council Chambers. Pastor David Foss of Bethel Lutheran Church gave the invocation and the Pledge of Allegiance was recited. Mayor Schierer called the meeting to order at 5:32 pm. The following council members were in attendance: Gustafson, Hicks, Fish, Hagberg, Kvamme, Rufer, Thompson, and Arneson.

**Approval of Agenda**

A motion and second were made by Hicks and Gustafson to approve tonight's agenda with the addition of the Westridge Mall Development Agreement (new business) and the removal of two items from the consent agenda and the motion carried.

**Life Saving Award**

Chief of Public Safety Kile Bergren presented Life Saving Awards to Dustin Wynn, Todd Grothe, Anita Boatright, Mike Cieniawski, Kaylee Eckman, Robb Foreman and Abram Silbernagel for their efforts to help save the life of a seventeen year old who collapsed with a cardiac issue at a soccer game last month. He commended these people for their efforts and response to help others in need. Chief Bergren was also recognized and thanked for his actions that day.

**634 W Stanton Avenue**

There was a fire at 634 W Stanton Avenue in June of 2018. To date, the property owners have made no attempts to bring the property back to a livable condition. The city conducted an inspection of the property in July and determined the structure meets the definition of a nuisance by city and state standards. Staff is requesting the council adopt a resolution ordering the abatement and demolition of the structure as the property is in hazardous condition and has been deemed as a danger to the public. The City Attorney verified Irfan Beganovic and Kosa Beganovic are the owners of record and the proper notices of this hearing have been sent to the property owners. The order to demolish gives the owners 30 days to complete the work. If it is not complete at that time, the city will request action at District Court by authorizing summary enforcement to remove the building. If the city has to step in and complete the demolition work, the property owners would be invoiced for the expense and if the claim is not paid, it would be certified to the property taxes. A public hearing was opened. As no one appeared, the hearing was closed. Arneson offered **Resolution #207-2021** ordering the repair, removal or razing of hazardous property at 634 West Stanton Avenue, which was seconded by Thompson and was adopted.

**Retirement Resolution**

Fish offered **Resolution #208-2021** recognizing the acknowledging the retirement and ten years of service Len Taylor provided the Fergus Falls Fire Department, which was seconded by Hagberg and was adopted.

**Consent Agenda**

The following items were approved under **Resolution #209-2021** by Fish: Motion approving the minutes from the September 20, 2021 City Council meeting and the September 29, 2021 Committee of the Whole meeting. Motion approving the following licenses: Mechanical Gustafson Mechanical, Inc. Minnesota Lawful Gambling Permit Claire Ann Shover Nursery School for raffle on October 13

at Pebble Lake Golf Course. Tobacco Casey's General Store #1820 and Store #2161, Little Chief. Off-Sale 3.2% Malt Liquor Little Chief. **Resolution #210-2021** approving a resolution required to accompany the documents to receive state bonding funds for the downtown riverfront project. **Resolution #211-2021** accepting Moore Engineering's professional services agreement for final design and construction for PI 5314, the Union Avenue resurfacing project in the amount of \$170,900. **Resolution #212-2021** authorizing the submission of an Airport Rescue Grant in the amount of \$32,000. **Resolution #213-2021** approving a variance for a detached accessory building outside the rear one-third of the rear yard at 529 W Alcott Avenue as requested by Jess Schoon. Motion directing the City Attorney to draft an ordinance to rezone 1793, 1813, 1817 and 1825 Shoreview Drive (Lots 5 through 8 inclusive in Pebble Lakes Estates Addition) as requested by the City of Fergus Falls. Motion directing the City Attorney to draft ordinance changes to the Industrial and Business Zones and Accessory Buildings and Fences as requested by the Planning Commission. **Resolution #214-2021** accepting an amended Campus View Estates Development petition. **Resolution #215-2021** calling for a public hearing for the Dental Specialists tax abatement project for October 18, 2021 at 5:30 pm in the City Council Chambers. **Resolution #216-2021** decertifying Tax Increment District 4-8. The resolution was seconded by Hagberg and was adopted.

Kvamme requested the item pertaining to the reimbursement grant for Ferber Park be pulled from the agenda. He commented on city parks being positive attractions for the community and the niche that Ferber Park provides for bicycle enthusiasts. This \$78,000 grant has a \$26,000 matching requirement and he felt it was a good investment to provide the community with an asset for 1/3 of the overall cost. Staff confirmed the \$26,000 of matching funds has already been secured by Pedal Fergus Falls. A condition of the grant is the city's commitment to maintain the trail for a minimum of 20 years. Kvamme offered **Resolution #217-2021** accepting a reimbursement grant from the MN DNR for Ferber Park in the amount of \$78,000, which was seconded by Hicks and was adopted.

On August 16, 2021 the council adopted a resolution setting a public hearing for the use of TIF financing for the former dairy property. There has been a request to change the date from October 18 to November 1 to allow Baker Tilly to complete their analysis. Rufer offered **Resolution #218-2021** setting a public hearing for the use of Tax Increment Financing for the former mill property for November 1, 2021 at 5:30 pm in the City Council Chambers, which was seconded by Hicks and was adopted. Fish offered **Resolution #219-2021** approving updated language as required in the redevelopment grant request to DEED for the former mill project, which was seconded by Hagberg and was adopted.

### **Introduction of Property Sale at 725 W Maple Street**

After a home inspection of the property at 725 W Maple Street, the city has been asked to reduce the asking price by \$3,000 to \$142,000. City Code requires the introduction of city property at a meeting with final action taken at least ten days later. The final purchase will be considered at the October 18 council meeting.

### **Resolution of Accounts**

Fish offered a resolution authorizing the payments and claims in the amount of \$3,278,121.70, which was seconded by Hagberg and was adopted.

### **Westridge Mall Development Agreement**

Alex Schwarzhoff of Interstate Engineering addressed the council on behalf of the owners of the Westridge Mall. The owners entered into a Development Agreement with the city on July 6 (Resolution #138-2021) and the agreement was modified on September 7, 2021 (Resolution #190-2021) to allow more time for the work to be completed. The mall ownership is seeking an addendum to the Development Agreement to eliminate the requirement to separate the dedicated water and sanitary sewer lines from connections to privately owned water and sanitary sewer mains located in the parking lot or provide water service shut off valves accessible to the city. The request is being made as it has been difficult to secure the contractors and building materials to complete the work prior to closing on the property. The new buyer would like to bring in a new retail business into the additional square footage that is parceled off next to the existing Dollar Tree store and does not want to move a business in, then have to tear up their floors to accomplish the work after closing and they have indicated the deal will fall through if the mall cannot meet their obligations to the city. The mall ownership had a similar agreement when the theater was recently parceled off. There were concerns about the city not having any recourse if the mall is delinquent in their utility payments. The council requested the mall owners provide a copy of the agreement with the future owners detailing how they propose to share the utility lines. The information was requested for the next Committee of the Whole meeting with the council taking action at the October 18 City Council meeting.

The meeting adjourned at 6:09 pm.

*Lynne Olson*