

City Council Minutes
February 21, 2023

The Fergus Falls City Council held a regular meeting on Tuesday February 21, 2023 at 5:30 pm in the City Council Chambers. Pastor Roger Sodsod gave the invocation and the Pledge of Allegiance was recited. Mayor Schierer called the meeting to order at 5:32 pm and the following council members were in attendance: Hicks, Fish, Job, Kvamme, Rufer, Kremeier, Thompson and Rachels.

Approval of Agenda

A motion and second were made by Thompson and Hicks approving tonight's agenda as presented and the motion carried.

Proclamation: Year of Charles Beck

Rebecca Petersen commented 2023 would have been the 100-year birthday of local artist Charles Beck. She commented on his work, the exhibitions and celebrations planned throughout the area this year in his honor. Mayor Schierer read a proclamation declaring 2023 as the Year of Beck.

Consent Agenda

The following items were approved under **Resolution #32-2023** by Thompson: A motion approving the following licenses: Mechanical Elite Heating and Air, DKS Properties/David Schroeder, Aquarius Home Services; Minnesota Lawful Gambling Permit Battle Lake Sportsman Club for raffle on May 3, 2023, at Fergus Falls High School (Heart 'O Lakes Fishing Club), Fergus Falls Sunrise Rotary/Rotary International for raffles March 22, 2023-May 30, 2023 at Spies Park and Toast; Chicken Permit Samantha Thatcher, 1414 W. Douglas, Dan & Rachel Venberg, 528 S. Oak. **Resolution #33-2023** accepting Bolton & Menk's professional services for topographic collection, design, and bidding assistance in the amount of \$264,100 and accepting Terracon's professional services for geotechnical work in the amount of \$19,250 for City Project 9148, DeLagoon Park improvements. **Resolution #34-2023** accepting the Preliminary Engineering Feasibility report for City Project 5960, the 2023 Street and Utility Improvement Project No. 1 and setting a preliminary improvement project hearing date for March 6, 2023, at 5:30 pm. **Resolution #35-2023** adopting the Fergus Falls Public Library Meeting Room Use Policy as recommended by the Library Board. **Resolution #36-2023** approving an amendment to the Investment Management Agreement with Galliard Capital Management (reducing fees) and the acceptance of an amended agreement with Principal Custody Solutions establishing custody fees. **Resolution #37-2023** approving a business assistance loan in the amount of \$200,000 to the Flour Mill LLC as recommended by Business Development for Fergus Falls. **Resolution #38-2023** approving a \$25,000 economic development loan and \$25,000 façade Loans for Imraya Properties LLC (Imran Khan) as recommended by Business Development for Fergus Falls. The resolution was seconded by Rufer and was adopted.

Kremeier asked for amendments to the February 15, 2023 Committee of the Whole meeting and offered a motion approving the minutes from the February 6, 2023 City Council open and closed meetings and the February 15, 2023 Committee of the Whole meeting, which was seconded by Rachels and the motion carried.

Ordinance 31, Stormwater Management

Ordinance 31, Eighth Series, Stormwater Management was adopted by a roll call vote.

TIF District Hearing

Hicks stated his opposition to creating a TIF district for the FM Bank proposal to demolish and renovate the former Shopko site as a new location for the bank. He cited other financial institutions in the community and their projects that did not require public assistance. He was grateful for FM Bank's generosity in the community but did not want the taxpayers to give up \$300,000 in TIF financing over the next 7 years to make the project feasible. Fish offered **Resolution #39-2023** setting a public hearing for a redevelopment TIF District for FM Bank for April 17, 2023, at 5:30 pm, which was seconded by Kvamme and was adopted 5-3. Fish, Kvamme, Rufer, Thompson and Rachels voted in favor while Hicks, Job and Kremeier voted in opposition.

Water Quality Project at Lake Alice

Staff asked for authorization to seek a written agreement with Water Quality 3D for the Lake Alice water quality project. The agreement would memorialize the financial commitments of both parties, protect the city's interests, and ensure no surprise costs if the project is fully funded in the bonding bill. The agreement would not impede moving forward with the bonding request or staff applying for the permit from the DNR. Staff was asked to get an estimate on the amount of noise this equipment will generate. Hicks offered **Resolution #40-2023** directing staff to prepare an agreement prior to consenting to the city's participation in a water quality pilot project for Lake Alice, which was seconded by Job and was adopted.

Resolution of Accounts

Fish offered a resolution authorizing the payments and claims in the amount of \$1,548,386.71, which was seconded by Rufer. Kremeier asked an invoice to the Pemberton Law Firm in the amount of \$7,032.50 be removed until he has an opportunity to visit with City Attorney Rolf Nycklemoe. They were to have met last week, but the City Attorney was unable to attend. Nycklemoe apologized for not being able to attend and invited anyone wishing to talk about it contact him. Rachels also requested more information about the bill. He also confirmed the \$9,865.75 of repairs at the Pebble Lake Golf Course will go against their 2023 budget and questioned which budget will cover the \$4,600 charge to Tri-State Air Duct Cleaning for the golf course. This charge will be split between the General Government and golf course budget. Fish and Rufer each consented to reducing the amount of approved claims by \$7,032.50 (\$1,541,354.20 total) and bringing the Pemberton Law bill to the next council meeting and the resolution was adopted.

Phase II Artwork for Downtown Riverfront Project

In 2019 the city was awarded \$100,000 from the National Endowment for the Arts for public art in Phase II of the Downtown Riverfront project if the city provides matching funds. The Dell Trust has agreed to provide \$100,000 for public art to be included in the scope of this project. The Public Arts Commission has developed parameters for artists to provide a proposal and the proposals will be judged on the commission's criteria by a sub-committee of the Public Arts Commission and members of the Dell Trust. The City Council will have the final approval of the public art used in this project. After commenting on the valued partnership and history of the Dell Trust, a motion and second were made by Hicks and Kremeier directing staff to release a call for artists for Phase II of the Downtown Riverfront Project as recommended by the Public Arts Commission and the motion carried.

The meeting adjourned at 5:57 pm

Lynne Olson