

City Council Meeting  
August 7, 2023

The Fergus Falls City Council held a regular meeting on Monday August 7, 2023 at 5:30 pm in the City Council Chambers. Pastor Tim Molter 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: Kvamme, Rufer, Kremer, Thompson, Rachels, Hicks, Fish and Job.

**Approval of Agenda**

A motion and second were made by Rachels and Hicks to add direction to the City Attorney to draft an ordinance prohibiting the use of cannabis products in public to the consent agenda and the motion carried. A motion and second were made by Fish and Job adopting tonight's agenda with this addition and the motion carried.

**Open Forum**

Rich Wentzel, a rural Underwood resident asked the council to create a joint powers committee to secure the land for a possible future highway extension connecting County Road 1 and Highway 1 through the former Hoot Lake Power Plant site. He felt this new road connection would provide an essential transportation corridor and pedestrian trail and asked a roundabout at the intersection of Highway 210 and County Road 29 also be considered. The council took no action on this request.

Maura Morberg, a resident of the city asked the city to revise their "report a concern" request form on the city's website and have it available in paper format. She provided a handout of the form she would like to have available. The council took no action on this request.

**Consent Agenda**

The following items were approved under **Resolution #142-2023** by Rufer: Motion approving the minutes of the July 17, 2023, City Council meeting and the August 2, 2023, City Council work session. Motion approving the following licenses: Food Truck Permit Dang! That's Good, The Clucked Farmer, Los Jarocho Mexican Food; Excavator Mark & Brenda Construction/Delzer's, Mark Bergerud; Mechanical Richards HVAC and Solar; Sidewalk/Paving Buck's Paving; Chicken Permit Kisha Bailly; Demo Waste Hauler Casey Duckwitz Trucking; THC License Empire 2/Little Chief; Minnesota Lawful Gambling Permit Church of Our Lady of Victory for raffle, BINGO and tipboards at the church on September 17, 2023. Motion appointing Jim Fish to the Visit Fergus Falls board. Motion directing the City Attorney to draft an ordinance prohibiting the public use of cannabis products. The resolution was seconded by Thompson and was adopted.

**Surplus Equipment/New Roll-Off Truck**

Unit #240, a 2011 International Turck with 9,500 hours and 218,571 miles is being declared as surplus property. Staff is recommending the purchase of a 2023 Freightliner 114SD truck with a 475 HP Cummins diesel engine, an Allison 4500 transmission and other equipment to meet the city's needs. The new vehicle would be purchased from Northland Truck Sales at a cost of \$280,000 for the chassis and equipment with a \$33,000 trade-in value for Unit 240 for a total due of \$247,000. The equipment would be paid from the 2023 equipment fund budget. A photo and explanation of a roll off truck's function was shared. Rachels offered **Resolution #143-2023** declaring Unit #240 as surplus equipment and authorizing its trade-in and authorizing the purchase of the new truck, which was seconded by Fish and was adopted.

### **Historic District Eligibility Grant**

In February of 2023 the Heritage Preservation Commission (HPC) received council authorization to submit a \$10,000 grant application to the State Historic Preservation Commission's Certified Local Government program to fund a study to determine eligibility of a possible downtown historic district. The application was approved and the HPC released an RFP to seek a consultant to perform this study. Pigeon Consulting was chosen for this work. Chris Schuelke, Chair of the Commission asked the council for authorization to enter into agreements with the State Historic Preservation Office and Pigeon Consulting for the study. The \$10,000 grant has a \$3,000 match which allows already completed studies of the downtown area, staff time and materials by the Otter Tail County Historical Society, City of Fergus Falls and Downtown Riverfront Council be considered. The boundaries of the study area are limited to the blocks comprising the local commercial corridor along from Union Avenue to Cascade Avenue along Lincoln Avenue. Other areas could be considered later if more funding was available. If the district is approved for national registration, it would provide grant opportunities as well as historic tax credits. Hicks offered **Resolution #144-2023** authorizing entering into agreements with the State Historic Preservation Office and Pigeon Consulting to study the eligibility of a possible downtown historic district with a \$10,000 grant and \$3,000 in-kind match, which was seconded by Rufer and was adopted.

### **Resolution of Accounts**

Fish offered a resolution authorizing the payments and claims in the amount of \$2,264,250.85, which was seconded by Rufer and was adopted.

### **Meadow Hill Lane Parcel**

The city was approached by a neighboring property owner of Parcel #71004500004000 located between 916 Meadow Hill Lane and 937 Westside Drive. They are interested in purchasing a portion of the parcel abutting their property. Staff felt a three-way split between the property owner and adjacent properties is feasible. The driveway portion would be sold to the property owner who has used the parcel for egress/ingress since the home was built in 1995. The parcel was likely retained as a future extension of Meadow Hills Lane. If it were sold, future access to any areas could be developed in that vicinity would only be accessible by Douglas Avenue. The land is not a right of way, but a parcel within the plat and is not eligible to be vacated. Council members asked about the city's future development plans and the importance of offering more than one access point to the development in this neighborhood. If the sale does not go through, an ingress/egress easement would be necessary. A motion and second were offered by Hicks and Rachels directing staff to pursue conversations regarding the possible land sale with the three affected property owners or allow the easement and the motion carried.

### **Closed Meeting/Settlement Agreement**

The meeting adjourned to a closed meeting at 6:02 pm to discuss threatened litigation per Minnesota Statutes 13D.05, subd 3(b) and the council will reconvene. At 6:21 pm the council reconvened. Hicks offered **Resolution #145-2023** accepting a settlement agreement containing a mutual release of all claims that have been or could have been asserted with Shenhon in the amount of \$112,500, which was seconded by Fish and was adopted.

The meeting adjourned at 6:21 pm

*Lynne Olson*