

City Council Minutes
November 20, 2023

The Fergus Falls City Council held a regular meeting on Monday November 20, 2023, at 5:30 pm in the City Council Chambers. Scott Kvamme gave the invocation, and the Pledge of Allegiance was recited. Mayor Schierer called the meeting to order at 5:33 pm and the following council members were in attendance Job, Kvamme, Kremeier, Thompson, Rachels, Hicks and Fish. Rufer was absent.

Approval of Agenda

A motion and second were made by Hicks and Thompson approving tonight's agenda with the removal of the certification of delinquent accounts from the consent agenda and the motion carried.

Rotary Splash Pad Donation

The Centennial project for the Noon Rotary Club was raising funds for the splashpad. Club representative Zach Stach presented a check in the amount of \$85,000 towards the project.

Tony Neville's Fire Department Retirement

Fish offered **Resolution #199-2023** acknowledging Tony Neville's retirement and 43 years of service to the Fergus Falls Fire Department, which was seconded by Kvamme and was adopted.

Consent Agenda

The following items were approved under **Resolution #200-2023** by Fish: Motion approving the minutes from the November 6, 2023, City Council meeting and the November 15, 2023, Committee of the Whole meeting. Motion approving the following 2023 licenses: Fireworks Display for Over the River Festival on December 2. 2024 Licenses: Excavator Earl Strande Excavating, Ripley's Inc.; Demo/Hauler of Building Waste Earl Strande Excavating, Denzel's Region Waste, BC's Disposal; Sign Hanger Newman Signs; Mechanical St. Cloud Refrigeration/SCR, G & R Controls; Tobacco Fleet Farm Group. **Resolution #201-202** authorizing the Mayor and City Administrator to sign an ingress/egress easement for 3809 Pebble Shores Drive. **Resolution #202-2023** providing support for the Local Road Improvement Program grant application and authorizing the grant's submission to MnDOT. The resolution was seconded by Thompson and was adopted.

Certification of Delinquent Special Assessments

Hicks asked the Finance Director to explain the delinquent billing process. Special assessments are generated from city projects and the funds are pledged for bond payments. The city bills these assessments annually in August with payment due by the end of September. If unpaid, a 10% penalty is assessed, and they are sent to the county to be certified onto their taxes. Hicks offered **Resolution #203-2023** certifying delinquent special assessments, which was seconded by Rachels and was adopted.

Certification of Delinquent Miscellaneous Invoices

The city needs to invoice certain services performed including cleaning up nuisance properties, mowing or snow removal, and diseased trees. The city sends out notices seeking payment and those who do not pay within 30 days are assessed a 10% fee and get sent to the county to be certified onto their taxes. Hicks offered **Resolution #204-2023** certifying delinquent miscellaneous invoices, which was seconded by Rachels and was adopted.

Certification of Delinquent Utility Accounts

The city bills for utility services (garbage, sewer, water, and stormwater) monthly. If unpaid, a 10% penalty is assessed, and the bills are sent to the county to be certified with their taxes. Hicks asked about the outstanding bills of the West Ridge Mall and felt the city has been more than accommodating to their needs, but they continue to not pay their bills in a timely manner. The city cannot turn off the mall’s water line without affecting the water and fire suppression to the surrounding businesses. Staff are working with these entities to separate the parcels and put the services on individual lines. The other businesses have been trying to persuade the mall’s owner to rectify the situation and get current on their bills. Hicks and Kremeier said they are no longer willing to do the mall ownership any favors. Mayor Schierer spoke about the importance of ensuring the other business owners affected by the mall’s services are given every opportunity to continue operating. Hicks offered **Resolution #205-2023** certifying the delinquent utility accounts, which was seconded by Rachels and was adopted.

Ordinance 44, Eighth Series

Ordinance 44, Eighth Series, Franchise Agreement with Otter Tail Power was adopted by a roll call vote.

Ordinance 45, Eighth Series

Ordinance 45, Eighth Series, Franchise Agreement with Great Plains Natural Gas was adopted by a roll call vote.

Ordinance 46, Eighth Series

Ordinance 46, Eighth Series, Franchise Agreement with Lake Region Electric Cooperative was adopted by a roll call vote.

Community Arena Agreement, Exhibit A

The city has user agreements for the community arena for the winter season with the Fergus Falls School District, Fergus Falls Hockey Association, and the Fergus Falls Skating Club. The groups have agreed to the 2024 hourly rates which include the cost of the utilities.

Organization Name	Contract Hours	Percent of funding	Annual User Fee	Monthly Payment
ISD #544	700	29.0%	\$157,500	\$26,250
FF Hockey	1240	42.0%	\$229,400	\$38,233
FF Skating	355	11.50%	\$ 62,125	\$10,354

The city does not have a written agreement with the curling club, but they are charged \$175 per hour. Kvamme offered **Resolution #206-2023** approving Exhibit A for the Community Arena User Agreements, which was seconded by Hicks and was adopted.

Resolution of Accounts

Fish offered a resolution authorizing the payments and claims in the amount of \$3,523,646.69, which was seconded by Kvamme and was adopted.

The meeting adjourned at 6:02 pm

Lynne Olson