

COUNCIL PROCEEDINGS

February 22, 2005

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on February 22, 2005 in the Council Chambers of City Hall. The following Councilmembers were present: Carlson, Worker, Holten, Blacklance, Cullen, Schmalz, and Mayor Wennberg. Councilmember Kajewski was absent. Mayor Wennberg chaired the meeting.

APPROVAL OF COUNCIL PROCEEDINGS

The City Council reviewed the February 8, 2005 Council Proceedings. Following discussion, Councilmember Cullen moved, being seconded by Councilmember Carlson, to approve the February 8, 2005 Council Proceedings as presented. On vote being taken, the Chairman declared the motion unanimously carried.

RESOLUTION NO. 2-40-05: APPROVAL OF PAYMENT OF BILLS

Mayor Wennberg and Councilmember Holten indicated they reviewed the bills prior to the meeting. Following discussion, Councilmember Holten introduced Resolution No. 2-40-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to authorize payment of the second half of bills in the total amount of \$162,283.76. A printout of the bills approved for payment is attached hereto and made a part hereof.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-41-05: APPROVAL OF CONDITIONAL USE PERMIT FOR 109 THIRD STREET EAST

A Planning Commission recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 2-41-05, being seconded by Councilmember Carlson, that:

WHEREAS, pursuant to proper notice, the Planning Commission conducted a hearing on February 15, 2005 on a request for a Conditional Use Permit submitted by Bob Benson, 700 Reserve Avenue of Thief River Falls, MN 56701, owner of property located at 109 Third Street East, on behalf of Cari Harbott, who intends to operate a pet grooming business at that location; and,

WHEREAS, the Planning Commission, noting that the request meets all eight of the Criteria for Granting Conditional Use Permits, recommended that the City Council approve the Conditional Use Permit request, with conditions stipulated.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Planning Commission recommendation and grant Bob Benson, on behalf of Cari Harbott, a Conditional Use Permit for property legally described as the East 14 feet of the West 28 feet

of the East 52 feet of Lots 2—24 in Block 29 of Original Townsite (zoned Central Business District (C-3)), with the following conditions being met:

- 1) All animals must be kept inside and the Conditional Use Permit does not allow for overnight boarding; and,
- 2) That patrons abide by the City's Leash Law when bringing their animals to the place of business.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-42-05: APPROVAL OF VALLEY HOME ADDITION FINAL PLAT

A Planning Commission recommendation was presented. Following discussion, Councilmember Cullen introduced Resolution No. 2-42-05, being seconded by Councilmember Worker, that:

WHEREAS, pursuant to proper notice, the Planning Commission conducted a hearing on February 15, 2005 to review the Final Plat of Valley Home Addition, as preliminarily approved by Resolution No. 12-291-04; and,

WHEREAS, noting that the Final Plat contains changes as directed by City Departments during their review of the Preliminary Plat, the Planning Commission recommends that the City Council approve the Final Plat of Valley Home Addition.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Planning Commission's recommendation to approve the Final Plat of Valley Home Addition, as presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-43-05: APPROVAL OF FINAL PLAT OF MEADOWLARK ESTATES SECOND ADDITION

A Planning Commission recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 2-43-05, being seconded by Councilmember Blacklance, that:

WHEREAS, pursuant to proper notice, the Planning Commission conducted a hearing on February 15, 2005 to review the Final Plat of Meadowlark Estates Second Addition, as preliminarily approved by Resolution No. 12-293-04; and,

WHEREAS, noting that the Final Plat contains changes as directed by City Departments during their review of the Preliminary Plat, the Planning Commission recommends that the City Council approve the Final Plat of Meadowlark Estates Addition.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Planning Commission's recommendation to approve the Final Plat of Meadowlark Estates Addition, as presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-44-05: ADOPTION OF ORDINANCE NO. 14, 3RD SERIES, AMENDING THE COMPREHENSIVE PLAN

A Planning Commission recommendation was presented. Following discussion, Councilmember Carlson introduced Resolution No. 2-44-05, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to accept the Planning Commission recommendation and adopt Ordinance No. 14, 3rd Series, an ordinance amending the 1995 Comprehensive Plan by designating as commercial property the property legally described as:

that area lying southwesterly of Nelson Drive to Highway 59 from the point of intersection of Nelson Drive and Stevens Drive and thence southeasterly 960 feet on Nelson Drive

Said ordinance shall be published in The Times newspaper and on file in the Office of the City Administrator.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-45-05: APPROVAL OF PROGRESSION RAISE FOR DARCY CARDINAL, LINEWORKER

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 2-45-05, being seconded by Councilmember Blacklance, that:

RESOLVED, by the City Council, to accept a Public Utilities Committee recommendation and grant Darcy Cardinal, Lineworker, a progression raise. Mr. Cardinal shall progress to Step 7 of the Apprentice Lineworker salary schedule for a new salary of \$21.14 per hour, retroactive to February 1, 2005.

On vote being taken for the Consent Agenda, the resolution was unanimously passed.

RESOLUTION NO. 2-46-05: APPROVAL OF BEER IN THE PARK PERMIT

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 2-46-05, being seconded by Councilmember Blacklance, that:

RESOLVED, by the City Council, to approve the issuance of a Beer in the Park Permit to Debra Grorud on July 9, 2005 at Oakland Park.

On vote being taken for the Consent Agenda, the resolution was unanimously passed.

RESOLUTION NO. 2-47-05: APPROVAL TO REQUEST PLANNING COMMISSION CONSIDER PLATTING OF LAND ALONG EASTWOOD DRIVE

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Carlson introduced Resolution No. 2-47-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept the Administrative Services Committee recommendation and submit a request to the Planning Commission that they consider platting of portion of land owned by the City located north of Eastwood Drive and west of Pennington Avenue.

On vote being taken, the resolution was passed by a six-yes, one-no (Wennberg) vote.

RESOLUTION NO. 2-48-05: RESOLUTION ORDERING THE 2005 STREET AND UTILITIES IMPROVEMENT PROJECT AND PREPARATION OF PLANS AND SPECIFICATIONS

Ron Lindberg, Public Works Director, discussed the findings presented at a hearing on the 2005 Street and Utilities Improvement Project and a recommendation from the Public Works Committee. Following discussion, Councilmember Blacklance introduced Resolution No. 2-48-05, being seconded by Councilmember Carlson, that:

WHEREAS, pursuant to Resolution No. 1-21-05, adopted on January 25, 2005, a date was established to conduct a public hearing on the following proposed assessments:

- 1) Spruce Avenue and Woodland Court (south of Allwood Court) – installation of street, storm sewer, sanitary sewer and water main improvements;
- 2) Alice Drive (south of Greenwood Street) – street, storm sewer, and utilities extension;
- 3) Meadowlark Court East – street construction, including curb and gutter and bituminous paving, and utilities extensions;
- 4) Oak Avenue (south of Cartway Drive) – street construction, curb and gutter installation, and bituminous paving;
- 5) Gausen Court – street construction and utilities extension;
- 6) Nelson Drive (from Hwy 59 to Stevens Drive) – street construction, curb and gutter, and bituminous paving;
- 7) Allwood Court – construction of curb and gutter, concrete driveways, and bituminous surfacing; and,
- 8) Barzen Avenue (south of First Street) – aggregate base street improvements and bituminous paving.

WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given, the hearing was held on the 17th day of February, 2005 at which time all persons desiring to be heard were given an opportunity to be heard thereon.

THEREFORE, BE IT RESOLVED, by the City Council, that:

- 1) Such improvements are necessary, cost-effective, and feasible as detailed in the Feasibility Report;
- 2) Such improvements are hereby ordered as proposed in Resolution No. 1-20-05, adopted January 25, 2005;
- 3) The Engineering Technical Services Division shall assist Widseth, Smith, & Nolting, as the designated engineers for these improvements. They shall prepare plans and specifications for the making of such improvements; and,
- 4) The City Council declares its official intent to provide interim financing of the improvements through the use of reserves.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-49-05: APPROVAL OF DYNA PAK CORPORATION QUOTE FOR CITY REFUSE BAGS

A Public Works Committee recommendation was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 2-49-05, being seconded by Councilmember Cullen, that:

WHEREAS, pursuant to Council authorization on January 11, 2005 the following quotes were received and tabulated on February 17, 2005 for the purchase of 390,000 City refuse bags:

Dyna Pak Corporation	\$27,812.55
American Solution for Business	\$27,941.60
Jadcore, Inc.	\$30,383.50

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Public Works Committee recommendation and accept the low quote submitted by Dyna Pak Corporation for the purchase of 390,000 City refuse bags at a total cost of \$27,812.55.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-50-05: APPROVAL OF AGREEMENT WITH UNIVERSAL SCREENPRINT FOR APPAREL SALES AT THE RALPH ENGELSTAD ARENA

A Parks and Recreation Committee recommendation was presented. Following discussion, Councilmember Cullen introduced Resolution No. 2-50-05, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to accept the Parks and Recreation Committee recommendation and authorize and direct the Mayor and City Administrator to execute an agreement with Universal Screenprint to allow Universal Screenprint to conduct apparel sales at the Ralph Engelstad Arena through March 8, 2005 with the City receiving 25% of gross sales, net sales tax.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-51-05: APPROVAL TO REJECT QUOTES RECEIVED FOR A PARKS AND RECREATION VEHICLE

The Parks and Recreation Committee had reviewed quotes received for a used pickup. Following discussion, Councilmember Carlson introduced Resolution No. 2-51-05, being seconded by Councilmember Blacklance, that:

WHEREAS, two quotes were received for a used pickup for use by the Parks and Recreation Department and, after reviewing the quotes, it was determined that the low quote was for a roll-over vehicle, which is not acceptable.

THEREFORE, BE IT RESOLVED, by the City Council, to reject the quotes received for a used Parks and Recreation Department vehicle.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-52-05: APPROVAL OF PETE CARLSON LAND LEASE

The City Council reviewed a proposed renewal of a land lease with Pete Carlson. Following discussion, Councilmember Carlson introduced Resolution No. 2-52-05, being seconded by Councilmember Worker, that:

RESOLVED, by the City Council, to authorize and direct the Mayor and City Administrator to execute a Farm Lease with Pete C. Carlson, effective February 1, 2005 through November 15, 2006 for a rental fee to the City totaling \$2,904.00.

On vote being taken, the resolution was unanimously passed.

ITEMS FOR INFORMATION:

- 1) The Mayor endorsed an "I Love to Read Day" proclamation for March 2, 2005.
- 2) The Council unanimously reaffirmed its support of the Greenwood Street Bridge Project in the Capital Improvement Plan for 2008.
- 3) The Council discussed the need for the City Administrator and Public Works Director to write letters to local representatives to ensure the City's Essential Air Service funding be continued for the Thief River Falls Regional Airport.

ADJOURNMENT

There being no further discussion, Councilmember Cullen moved, being seconded by Councilmember Schmalz, to adjourn the meeting at 6:40 p.m. On vote being taken, the Chairman declared the motion unanimously carried and the meeting adjourned until March 7, 2005.

Dale Wennberg, Mayor

Attest: _____
Jodie R. Torkelson, City Administrator