

## COUNCIL PROCEEDINGS

June 14, 2005

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on June 14, 2005 in the Council Chambers of City Hall. The following Councilmembers were present: Kajewski, Worker, Carlson, Holten, Blacklance, and Mayor Wennberg. Councilmembers Cullen and Schmalz were absent. Mayor Wennberg chaired the meeting.

### **APPROVAL OF COUNCIL PROCEEDINGS**

The City Council reviewed two sets of Council Proceedings. Following discussion, Councilmember Worker moved, being seconded by Councilmember Carlson, to approve the May 24, 2005 Council Proceedings and the June 6, 2005 Adjourned Council Proceedings as presented. On vote being taken, the Chairman declared the motion unanimously carried.

### **RESOLUTION NO. 6-108-05: APPROVAL OF PAYMENT OF BILLS**

Councilmembers Carlson and Blacklance indicated they reviewed the bills prior to the meeting. Following discussion, Councilmember Blacklance introduced Resolution No. 6-108-05, being seconded by Councilmember Carlson, that:

RESOLVED, by the City Council, to authorize payment of the May prepayments in the amount of \$1,202,753.70, June 1-10, 2005 prepayments in the amount of \$267,206.89, and the first half of June bills in the amount of \$500,851.48. 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. 6-109-05: APPROVAL OF TRFAHA GAMBLING LICENSE RENEWAL**

Presented as part of the Consent Agenda, Councilmember Worker introduced Resolution No. 6-109-05, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to approve a Lawful Gambling License Renewal Application being submitted to the State of Minnesota by the Thief River Falls Amateur Hockey Association to conduct gambling activities at the following locations, effective September 1, 2005 through August 31, 2007 :

- Site 1) Rusty Nail, 307 Main Ave North, Thief River Falls MN;
- Site 2) Huck Olson Memorial Arena, Highway 1 West, Thief River Falls, MN (raffle only);
- Site 3) Schooner Bar and Grill, 212 2<sup>nd</sup> Street East, Thief River Falls; MN; and,
- Site 4) Ralph Engelstad Arena, 525 Brooks Ave N, Thief River Falls, MN (raffle only).

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

**RESOLUTION NO. 6-110-05: APPROVAL OF PUBLIC DANCE LICENSE AND TEMPORARY 3.2% MALT LIQUOR LICENSE TO THE CHAMBER OF COMMERCE DURING GREAT AMERICAN BLOCK PARTY**

Presented as part of the Consent Agenda, Councilmember Worker introduced Resolution No. 6-110-05, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council to accept an Administrative Services Committee recommendation and grant the following licenses to the Chamber of Commerce, effective September 10, 2005 (the Great American Block Party):

Public Dance License: public dance on LaBree Avenue from 6 p.m. until 12 a.m. on September 10, 2005; and,

Temporary 3.2% Malt Liquor License: temporary 3.2% malt liquor sales on LaBree Avenue on September 10, 2005 from 6 p.m. until 12 a.m.

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

**RESOLUTION NO. 6-111-05: APPROVAL OF TEMPORARY 3.2% MALT LIQUOR LICENSE AND PARADE PERMIT TO PENNINGTON COUNTY FAIR ASSOCIATION**

Presented as part of the Consent Agenda, Councilmember Worker introduced Resolution No. 6-111-05, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation to grant the Pennington County Fair Association a Temporary 3.2% Malt Liquor License at the Pennington County Fairgrounds effective July 13 – July 17, 2005 during the Pennington County Fair.

BE IT FURTHER RESOLVED, to grant the Pennington County Fair Association a Parade Permit for a parade to be conducted on July 16, 2005 pending approval by the Minnesota Department of Transportation.

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

**RESOLUTION NO. 6-112-05: APPROVAL OF BEER IN THE PARK PERMIT FOR MN DEER HUNTERS ASSOCIATION**

Presented as part of the Consent Agenda, Councilmember Worker introduced Resolution No. 6-112-05, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation and grant the MN Deer Hunters Association a Beer in the Park Permit for June 30, 2005 at Oakland Park.

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

**RESOLUTION NO. 6-113-05: APPROVAL OF TEMPORARY EXTENSION OF HALLSY, INC. (BLACK CAT SPORTS BAR AND GRILL) ON-SALE INTOXICATING LIQUOR LICENSE**

Presented as part of the Consent Agenda, Councilmember Worker introduced Resolution No. 6-113-05, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation to grant Hallsy, Inc. (Black Cat Sports Bar and Grill) an extension of the premises of their On-Sale Liquor License to include a contiguous area attached to the building, totally fenced, with controlled access for the dates of August 5 and August 6, 2005.

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

**RESOLUTION NO. 6-114-05: APPROVAL OF LEASE RENEWAL WITH THE TRF ARCHERY CLUB AND THE TRF RIFLE CLUB FOR UPSTAIRS OF THE OLD ARENA**

Presented as part of the Consent Agenda, Councilmember Worker introduced Resolution No. 6-114-05, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation to authorize and direct the Mayor and City Administrator to execute a Lease between the City of Thief River Falls and the TRF Archery Club and TRF Rifle Club whereby the TRF Archery and TRF Rifle Clubs shall lease the second floor of the Old Arena for a rental fee of \$10, effective July 1, 2005 through June 30, 2006.

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

**RESOLUTION NO. 6-115-05: APPROVAL OF LEASE RENEWAL WITH TRFAHA OF THE OLD ARENA**

Presented as part of the Consent Agenda, Councilmember Worker introduced Resolution No. 6-115-05, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation to authorize and direct the Mayor and City Administrator to execute a Lease between the City of Thief River Falls and the Thief River Falls Amateur Hockey Association (TRFAHA) whereby TRFAHA shall lease the rink area, bleacher area, lobby, and basement of the Old Arena for a rental fee of \$10 plus payment of all utilities, effective July 1, 2005 through June 30, 2006.

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

**RESOLUTION NO. 6-116-05: APPROVAL OF SHEFLAND AVIATION, INC. LEASE**

A Public Works Committee recommendation was presented. Following discussion, Councilmember Kajewski introduced Resolution No. 6-116-05, being seconded by Councilmember Worker, that:

RESOLVED, by the City Council, to accept the Public Works Committee's recommendation to authorize and direct the Mayor and City Administrator to execute a Lease between the City of Thief River Falls and R.C. Shefland Flying Service, Inc., whereby R.C. Shefland Flying Service shall lease property at the TRF Regional Airport for a fee of \$450.00 per month and pay a five cent per gallon surcharge on all aviation fuel pumped, effective June 1, 2005 through May 31, 2006.

On vote being taken, the resolution was unanimously passed.

**MATTER OF TRAFFIC SIGNAL AGREEMENT WITH MNDOT FOR WAL-MART ACCESS**

This item, tabled from the May 24, 2005 Council Meeting, was not brought back to the table for discussion.

**RESOLUTION NO. 6-117-05: APPROVAL OF PURCHASE OF JOHN DEERE LAWN MOWER FROM EVERGREEN IMPLEMENT, INC., FOR TRF REGIONAL AIRPORT**

Ron Lindberg, Public Works Director, indicated that he received two quotes for a lawn mower at the Regional Airport, which is in need of replacement. Following discussion, Councilmember Blacklance introduced Resolution No. 6-117-05, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept the low quote submitted by Evergreen Implement, Inc. in the amount of \$9,172.85 (tax included) for a John Deere (72" cut - 27 horsepower) lawn mower. One other quote received was from Hubert's Outdoor Power in the amount of \$9,186.69.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 6-118-05: APPROVAL OF TRANSFER OF 40' OF FRONTAGE ROAD AT THE PROPOSED WAL-MART SITE TO ANNE C. BARNICK, AS TRUSTEE OF THE REVOCABLE TRUST OF JACOB M. BARNICK DATED SEPTEMBER 15, 2003, AND TO ANNE C. BARNICK, AS TRUSTEE OF THE REVOCABLE TRUST OF ANNE C. BARNICK DATED SEPTEMBER 15, 2003**

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Carlson introduced Resolution No. 6-118-05, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation to confirm the execution by the Mayor and City Clerk of any and all documents relating to the transfer of that real property located in the County of Pennington and State of Minnesota described as follows:

That part of Frontage Road, Barnick's First Addition to the City of Thief River Falls, said plat being on record in the office of the County Recorder, Section 35, Township 154 North, Range 43 West, Pennington County, Minnesota described as follows:

Beginning at the northwest corner of said Barnick's First Addition; thence North 51 degrees 31 minutes 22 seconds East on an assumed bearing along the Northwest line of Lot 1, Block 1 and its southwesterly extension a distance of 40.00 feet to the westerly most corner of said Lot 1; thence South 38 degrees 28 minutes 38 seconds East a distance of 300.00 feet to the Northwest line of Lot 4, said Barnick's First Addition; thence South 51 degrees 31 minutes 22 seconds West along said northwest line a distance of 40.00 feet to the northwest corner of said Lot 4; thence North 38 degrees 28 minutes 38 seconds West along the southwest line of Barnick's First Addition a distance of 300.00 feet to the point of beginning.

It should be noted the transfer of the real property does not affect the Comprehensive Plan and therefore this transfer does not have to be reviewed by the Planning Commission.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 6-119-05: APPROVAL OF TAX ABATEMENT PROGRAM PROPOSAL**

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Carlson introduced Resolution No. 6-119-05, being seconded by Councilmember Blacklance, that:

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation that a Tax Abatement Proposal, operated under MN State Statute 469.1813, allowing for the abatement of property taxes as established by the City of Thief River Falls, Pennington County, and School District #564, be adopted for a three-year period. The Tax Abatement Proposal program parameters include:

- 1) The three primary taxing authorities (City, County, and School District) all agree to participate in the incentive program;
- 2) The program will apply to new residential construction only. New construction is defined as modular homes, manufactured homes, and stick built homes all built on fixed and permanent foundations;
- 3) The program will apply to single-family dwellings ready for occupancy within two years of acquisition of the undeveloped real property. A minimum of six contiguous lots suitable for development in order to qualify as a tax abatement district;

- 4) The abatement of real property taxes will be for three years. The abatement will start and be applied to taxes the first year after the home is occupied and certified as such by the building official;
- 5) The City (Community Development Department) is responsible for notifying the County and School as to which properties are in the program, when the real property was acquired, and for arranging for the proper hearings;
- 6) Once the home is occupied and taxes are set for the property, the owner submits their tax statement for verification. Then:
  - a) The taxpayer pays the property taxes;
  - b) A statement is sent to the County and School for their individual share of the property taxes. Included is a copy of the tax statement plus a letter indicating that the property owner is participating in the Tax Abatement Program and that the taxes have been paid and that a rebate is due. The individual rebate amounts will be defined. The County and School can send a rebate directly to the property owner; and,
  - c) The City receives similar documentation and responds in-kind.
- 7) The program, at the end of five years, will close for review by the three participating governmental entities (City of Thief River Falls, Independent School District #564, and Pennington County). Closure will not affect those properties enrolled in the program; they will be allowed to complete their full-term of three years. The program could also close prior to that point, or at any time, as a result of changes to Minnesota State Statutes governing tax abatement which may negatively impact the City of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 6-120-05: APPROVAL OF STUMP REMOVAL QUOTE OF JARED WILDE**

A Parks and Recreation Committee recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 6-120-05, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept the Parks and Recreation Committee's recommendation and approve the low quote submitted by Jared Wilde for tree stump grinding with clean-up and fill in the amount of \$1.25 per inch. One other quote was received in the amount of \$1.50 per inch from Stan Tvedt.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 6-121-05: APPROVAL OF MASS DISPENSING AGREEMENT WITH INTER COUNTY NURSING SERVICES FOR USE OF THE RALPH ENGELSTAD ARENA AND HUCK OLSON MEMORIAL CIVIC CENTER**

A Parks and Recreation Committee recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 6-121-05, being seconded by Councilmember Carlson, that:

RESOLVED, by the City Council, to accept the Parks and Recreation Committee's recommendation to authorize and direct the Mayor and City Administrator to execute a Mass Dispensing Agreement with Inter County Nursing Service whereby the City shall make the Ralph Engelstad Arena (REA) and Huck Olson Memorial Civic Center (HOMCC), including grounds and equipment, available for mass clinics required in the conduct of disease prevention and control activities. Inter County Nursing shall replace or provide reimbursement to the City for any costs incurred by the City resulting from the use of the REA or HOMCC. The Agreement shall remain in effect until terminated by either party upon 30 days written notice.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 6-122-05: APPROVAL OF SUPPORT FOR TRI-VALLEY OPPORTUNITY COUNCIL, INC.'S GRANT APPLICATION FOR TRANSPORTATION VEHICLE STORAGE ON PENNINGTON COUNTY FAIRGROUND PROPERTY**

The City Council reviewed a proposed letter of support requested by Tri-Valley Opportunity Council to construct a vehicle storage building on property located at the Pennington County Fairgrounds. Following discussion, Councilmember Kajewski introduced Resolution No. 6-122-05, being seconded by Councilmember Worker, that:

RESOLVED, by the City Council, to indicate the City's support of Tri-Valley Opportunity Council, Inc.'s grant application to construct a building on the Pennington County Fairgrounds for storage of its transportation vehicles. No financial support is being requested of the City for this project.

It should be noted that this support is contingent upon that the request meets all zoning requirements as dictated by City Code.

On vote being taken, the resolution was unanimously passed.

**ADJOURNMENT**

There being no further discussion, Councilmember Kajewski moved, being seconded by Councilmember Carlson, to adjourn the meeting at 5:50 p.m. On vote being taken, the Chairman declared the motion unanimously carried and the meeting adjourned.

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Dale Wennberg, Mayor

Attest: \_\_\_\_\_  
Jodie R. Torkelson, City Administrator