

## COUNCIL PROCEEDINGS

August 23, 2005

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on August 23, 2005 in the Council Chambers of City Hall. The following Councilmembers were present: Kajewski, Holten, Worker, Carlson, Blacklance, Cullen, Schmalz, and Mayor Wennberg. No Councilmembers were absent. Mayor Wennberg chaired the meeting.

### **APPROVAL OF COUNCIL PROCEEDINGS**

The City Council reviewed four sets of Council Proceedings. Following discussion, Councilmember Cullen moved, being seconded by Councilmember Kajewski, to approve the August 9, 2005 Hearing Proceedings, the August 9, 2005 Adjourned Council Proceedings, the August 9, 2005 Council Proceedings, and the August 10, 2005 Adjourned Council Proceedings as presented. On vote being taken, the Chairman declared the motion unanimously carried.

### **RESOLUTION NO. 8-166-05: APPROVAL OF PAYMENT OF BILLS**

Councilmember Holten and Mayor Wennberg indicated they reviewed the bills prior to the meeting. Following discussion, Councilmember Holten introduced Resolution No. 8-166-05, being seconded by Councilmember Carlson, that:

RESOLVED, by the City Council, to authorize payment of the second half of August bills in the amount of \$324,260.38, the August 1-5, 2005 prepayments in the amount of \$243,382.66, the August 8-12, 2005 prepayments in the amount of \$67,464.54, and the August 15-19, 2005 prepayments in the amount of \$650,079.64. 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. 8-167-05: APPROVAL OF CROSSWIND RUNWAY PROJECT CLOSEOUT DOCUMENTS**

Mike Karvacko and Brian Grund, representatives of Freeberg & Grund, Inc., appeared before the City Council to present information with regard to the completion of the Regional Airport's Crosswind Runway Project. Following discussion, Councilmember Blacklance introduced Resolution No. 8-167-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to approve project closeout documents relating to the completion of the Thief River Falls Regional Airport's Crosswind Runway Project.

On vote being taken, the Chairman declared the resolution was unanimously passed.

### **RESOLUTION NO. 8-168-05: APPROVAL OF CROSSWIND RUNWAY PROJECT CONSTRUCTION FINAL SUMMARY**

Representatives of Freeberg & Grund, Inc. appeared before the City Council to present information regarding the completion of the Regional Airport's Crosswind Runway Project. Fol

Following discussion, Councilmember Blacklance introduced Resolution No. 8-168-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to amend the engineering services contract for project overages and an error in the overhead rate and to authorize and direct the Mayor and City Administrator to execute the Crosswind Construction Final Summary.

On vote being taken, the Chairman declared the resolution was unanimously passed.

**RESOLUTION NO. 8-169-05: APPROVING CONTRACT AMENDMENT TO REVISE THE AIRPORT LAYOUT PLAN**

Representatives of Freeberg & Grund, Inc. appeared before the City Council to present information regarding the completion of the Regional Airport's Crosswind Runway Project. Following discussion, Councilmember Blacklance introduced Resolution No. 8-169-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council to approve an amendment to the engineering services contract with Freeberg and Grund, Inc., to revise the Airport Layout Plan to reflect as-built conditions.

On vote being taken, the Chairman declared the resolution was unanimously passed.

**RESOLUTION NO. 8-170-05: APPROVAL OF ST. BERNARD'S SCHOOL LEASE OF AUDITORIUM GYMNASIUM**

A Public Works Committee recommendation was presented. Following discussion, Councilmember Holten introduced Resolution No. 8-170-05, being seconded by Councilmember Blacklance, 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 the renewal of a lease with St. Bernard's School to lease the gymnasium at the City Auditorium from 11:45 p.m. until 2:45 p.m. (or times otherwise agreed upon) on Tuesdays and Thursdays effective October 1, 2005 through April 30, 2006 at a rate of \$315 per month, to allow St. Bernard's School to conduct physical education classes in the gymnasium.

On vote being taken, the Chairman declared the resolution was unanimously passed.

**AUTHORIZATION FOR DIRECTOR OF PUBLIC WORKS TO ACCEPT QUOTES TELEVISIONING AND CLEANING STORM WATER SEWER**

A Public Works Committee recommendation was presented. Following discussion, Councilmember Schmalz moved, being seconded by Councilmember Kajewski, to call for quotes for televising and cleaning approximately 20,000 feet of storm sewer. On vote being taken, the motion was unanimously carried.

**RESOLUTION NO. 8-171-05: APPROVAL OF PROGRESSION RAISE FOR VERN WITTENBERG, PATROL OFFICER**

A Public Safety Committee recommendation was presented. Following discussion, Councilmember Cullen introduced Resolution No. 8-171-05, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept the Public Safety Committee's recommendation to grant Vern Wittenberg, Patrol Officer, a progression raise. Mr. Wittenberg shall progress to Step 2 of the Patrol Officer's salary schedule for a new salary of \$15.78 per hour, retroactive to August 22, 2005.

On vote being taken, the Chairman declared the resolution was unanimously passed.

**RESOLUTION NO. 8-172-05: ACCEPTANCE OF DEPARTMENT OF AERONAUTICS GRANT FOR AIRPORT MASTER PLAN UPDATE**

The City Council was informed the City has been awarded a grant for the update of the Regional Airport's Master Plan. Following discussion, Councilmember Worker introduced Resolution No. 8-172-05, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept a grant from the Department of Aeronautics for the update of the Thief River Falls Regional Airport's Master Plan.

BE IT FURTHER RESOLVED to direct the City Administrator or the Public Works Director to sign any and all documents relating to the grant acceptance on behalf of the City.

On vote being taken, the Chairman declared the resolution was unanimously passed.

**RESOLUTION NO. 8-173-05: APPROVAL OF EMPLOYMENT OF MICHEAL PLADSON, CAD OPERATOR**

The City Council was presented with a recommendation for filling of the CAD Operator position. Following discussion, Councilmember Schmalz introduced Resolution No. 8-173-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to approve the employment of Micheal Pladson, CAD Operator. Mr. Pladson shall be placed at Step 3 of the CAD Operator salary schedule for a starting wage of \$14.45 per hour, effective September 6, 2005.

On vote being taken, the Chairman declared the resolution was unanimously passed.

**RESOLUTION NO. 8-174-05: APPROVAL OF AMENDMENT TO AYRES & ASSOCIATES, INC. CONTRACT FOR ADDITIONAL ENGINEERING SERVICES ON THE CITY'S DAM**

Arlo Rude, Director of Utilities, presented information to the City Council with regard to the need for an engineering study to be completed on the City's dam for a stoplog system installation. On vote being taken, Councilmember Kajewski introduced Resolution No. 8-174-05, being seconded by Councilmember Cullen, that:

WHEREAS, the City is in need for professional engineering services for completion of an evaluation for a gantry crane system and design of steel stoplogs for the Thief River Falls dam; and,

WHEREAS, the City has a previous contract for services with Ayres & Associates, approved by Resolution No. 1-21-03, for engineering services relating to the Thief River Falls dam.

NOW, THEREFORE, BE IT RESOLVED, by the City Council, to authorize and direct the Mayor and City Administrator to execute an amendment to the agreement with Ayres Associates, approved by Resolution No. 1-21-03, for professional engineering services relating to a gantry crane system and steel stoplogs at the Thief River Falls dam. Compensation to Ayres shall be on an hourly basis, plus reimbursable expenses, with an estimated cost of \$9,500.00.

On vote being taken, the Chairman declared the resolution was unanimously passed.

**RESOLUTION NO. 8-175-05: APPROVAL OF READOPTION OF CITY'S DATA PRACTICES ACT POLICY**

The City Administrator presented the City's Data Practices Act Policy developed by the City of Thief River Falls, noting that the State of Minnesota requires readoption of the policy each year. Following discussion, Councilmember Cullen introduced Resolution No. 8-175-05, being seconded by Councilmember Worker, that:

WHEREAS, pursuant to Minnesota State Statute, Chapter 13, each governmental entity must comply with established procedures with regard to the creation, collection, and release of governmental data.

NOW, THEREFORE BE IT RESOLVED, by the City Council, to readopt the City's Data Practices Act Policy entitled "Public Access to Government Data and Rights of Subjects of Data".

On vote being taken, the Chairman declared the resolution was unanimously passed.

**RESOLUTION NO. 8-176-05: APPROVAL OF CONDITIONAL USE PERMIT FOR VALLEY HOME SOCIETY**

Mike Moore, Community Development Director, presented a Planning Commission recommendation. Following discussion, Councilmember Cullen introduced Resolution No. 8-176-05, being seconded by Councilmember Carlson, that:

WHEREAS, pursuant to proper notice, the Planning Commission conducted a public hearing on August 15, 2005 to consider a Conditional Use Permit request submitted by Valley Home Society to construct an addition onto its present facility located at 523 Arnold Avenue South to operate a memory loss/assisted living facility; and,

WHEREAS, following the hearing, the Planning Commission recommended that the City Council grant the Conditional Use Permit, based upon the fact that the request met all eight of the criteria for granting Conditional Use Permits, as regulated by City Code.

NOW, THEREFORE, BE IT RESOLVED, that the City Council, based on the above information, hereby grants Valley Home Society a Conditional Use Permit to operate a memory loss/assisted living facility in a facility to be constructed onto their present facility at 523 Arnold Avenue South, Thief River Falls.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 8-177-05: APPROVAL OF JORDE SECOND SUBDIVISION PRELIMINARY PLAT**

Mike Moore, Community Development Director, presented a Planning Commission recommendation. Following discussion, Councilmember Schmalz introduced Resolution No. 8-177-05, being seconded by Councilmember Worker, that:

WHEREAS, Glen Jorde has submitted the Preliminary Plat of Jorde Second Subdivision, prepared by Widseth, Smith, Nolting of Crookston, MN for review by the Planning Commission; property legally described as: part of Government Lots 7, 8, and 9, part of the Southeast Quarter of the Northeast Quarter, part of the East Half of the Southeast Quarter of Section 16, Township 154 North, Range 43 West of the 5<sup>th</sup> Principal Meridian, and all of Lot 1, Block 2 of Jorde First Subdivision; and,

WHEREAS, pursuant to proper notice, the Planning Commission conducted a hearing to review the Preliminary Plat on August 15, 2005 and after consideration, has recommended that the Jorde Second Subdivision Preliminary Plat be approved by the City Council, with changes as recommended by City staff.

NOW, THEREFORE, BE IT RESOLVED, by the City Council, to accept the Planning Commission's recommendation and approve the Preliminary Plat of Jorde Second Subdivision, provided that recommendations noted by the Public Works Director, City Attorney, and Director of Utilities are brought forward to the Surveyor and incorporated as changes to the Final Plat.

On vote being taken, the resolution was unanimously passed.

**COUNCIL MEETING CLOSED FOR PERSONNEL ACTION**

At 7:10 p.m. the City Council announced that a personnel matter needed to be discussed and therefore the Council meeting would be conducted in closed session at this time. At 7:45 p.m. the Council meeting was reopened.

**RESOLUTION NO. 8-178-05: APPROVAL OF SUSPENSION AND TERMINATION OF WAYNE JOHNSON, WATER DISTRIBUTION FOREMAN**

A Public Utilities Committee recommendation was presented. Following discussion, Councilmember Kajewski introduced Resolution No. 8-178-05, being seconded by Councilmember Carlson, that:

WHEREAS, the City Council has considered in closed session a recommendation presented by the Public Utilities Committee regarding the employment of Wayne Johnson, Water Distribution Foreman.

NOW, THEREFORE, BE IT RESOLVED, by the City Council, to accept the Utilities Committee recommendation to issue Wayne Johnson, Water Distribution Foreman, a five-day suspension (without pay) effective August 24, 2005 followed by his termination from employment with the City of Thief River Falls, based on two previous reprimands and a recent third incident.

On vote being taken, the resolution was unanimously passed.

**ADJOURNMENT**

There being no further discussion, Councilmember Cullen moved, being seconded by Councilmember Carlson, to adjourn the meeting at 7:45 p.m. On vote being taken, the Chairman declared the motion unanimously carried and the meeting adjourned until August 29, 2005 at 5:00 p.m. for a joint School District #564/City Council meeting.

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Dale Wennberg, Mayor

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