

COUNCIL PROCEEDINGS

October 25, 2005

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on October 25, 2005 in the Council Chambers of City Hall. The following Councilmembers were present: Carlson, Cullen, Holten, Schmalz, Worker, and Mayor Wennberg. Councilmembers Blacklance and Kajewski were absent. Mayor Wennberg chaired the meeting.

APPROVAL OF COUNCIL PROCEEDINGS

The City Council reviewed three sets of Council Proceedings. Following discussion, Councilmember Schmalz moved, being seconded by Councilmember Cullen, to approve the October 11, 2005 Council Proceedings and the October 19, 2005 Hearing Proceedings as presented and to approve the September 27, 2005 Adjourned Council Proceedings as amended. On vote being taken, the Chairman declared the motion unanimously carried.

RESOLUTION NO. 10-211-05: 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. 10-211-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to authorize payment of the second half of October bills in the amount of \$309,345.20 and the October 3-21, 2005 prepayments in the amount of \$1,335,376.73. 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. 10-212-05: ADOPTION OF THE 2005 STREET AND UTILITIES IMPROVEMENT PROJECT ASSESSMENT ROLL

Ron Lindberg, Public Works Director, presented the proposed 2005 Street and Utilities Improvement Project Assessment Roll. Following discussion, Councilmember Cullen introduced Resolution No. 10-212-05, being seconded by Councilmember Carlson, that:

WHEREAS, pursuant to proper notice duly given as required by law, the City Council conducted a public hearing on October 19, 2005 for the 2005 Street and Utilities Improvement Project assessment roll.

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

- 1) Such proposed assessments, as amended, a copy of which is on file in the Office of the City Administrator are hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it;

- 2) Such assessment shall be payable in equal annual installments extending over a period of 12 years, the first of the installments to be payable on or before the first Monday in January, 2006 and shall bear interest at the rate of five and one-half percent (5 ½ %) per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2006. To each subsequent installment when due shall be added interest for one year on all unpaid installments;
- 3) The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Administrator, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and may, at any time thereafter, pay to the City Administrator the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31st of the next succeeding year; and,
- 4) The City Administrator shall forthwith transmit a certified duplication of this assessment to the county auditor to be extended on the property tax lists of the county. Such assessment shall be collected and paid over the same manner as other municipal taxes.

On vote being taken, the resolution was approved by a five-yes vote, with Councilmember Schmalz abstaining.

RESOLUTION NO. 10-213-05: APPROVAL OF EMPLOYMENT OF RANDY KONICKSON, STREET SUPERVISOR

A Public Works Committee recommendation was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 10-213-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept the Public Works Committee's recommendation and approve the employment of Randy Konickson as a Street Supervisor. Mr. Konickson shall begin employment on November 21, 2005 at the top of the Grade Level 7 MAPS salary contract for a salary of \$4,175 per month, pending successful completion of the required pre-employment drug and alcohol tests.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10-214-05: APPROVAL OF INCREASE IN PARKING VIOLATION FINES

A Public Safety Committee recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 10-214-05, being seconded by Councilmember Carlson, that:

RESOLVED, by the City Council, to accept a Public Safety Committee recommendation and increase the parking violation fines from \$10 to \$15 per ticket with a \$5 late penalty if the ticket is not paid within ten days, effective January 1, 2006.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10-215-05: APPROVAL OF TASER USE DIRECTIVE FOR POLICE DEPARTMENT

A Public Safety Committee recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 10-215-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept a Public Safety Committee recommendation and adopt a Thief River Falls Police Department "Use of TASER" Directive No. 357, dated October 25, 2005. Said directive authorizes the utilization of the TASER (Thomas A. Swift's Electric Rifle) as a use-of-force option and to provide guidelines for its use.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10-216-05: APPROVAL OF HANDCUFF USE DIRECTIVE FOR POLICE DEPARTMENT

A Public Safety Committee recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 10-216-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept a Public Safety Committee recommendation and adopt a Thief River Falls Police Department "Use of Handcuffs" Directive No. 357, dated October 25, 2005. Said directive provides general guidelines to patrol officers for the use of handcuffs.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10-217-05: APPROVAL OF SUBMITTAL OF UNCLAIMED PROPERTY REPORT TO MINNESOTA DEPARTMENT OF COMMERCE

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 10-217-05, being seconded by Councilmember Carlson, that:

WHEREAS, pursuant to the Minnesota Unclaimed Property Act, the City is annually required to report to the Minnesota Department of Commerce certain funds and other property that remains unclaimed; and,

WHEREAS, the City is currently holding \$313.58 of checks that remain unclaimed, and, by law, are required to remit the value to the State of Minnesota.

THEREFORE, BE IT RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation to authorize that the City remit to the State of Minnesota, Department of Commerce, a check in the amount of \$313.58 for the following unclaimed City warranty checks:

<u>Check No.</u>	<u>Date Issued</u>	<u>Amount</u>	<u>Check No.</u>	<u>Date Issue</u>	<u>Amount</u>
13601	05/16/2002	\$ 3.00	20688	09/11/2003	\$28.33
13624	05/16/2002	\$ 3.00	21491	11/13/2003	\$72.82
19859	07/10/2003	\$37.27	23184	04/15/2004	\$75.39
19912	07/10/2003	\$ 7.32	23514	05/13/2004	\$ 3.86
20214	08/14/2003	\$12.00	23555	05/13/2004	\$ 7.20
20321	08/14/2003	\$53.81	23892	06/10/2004	\$ 9.58

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10-218-05: APPROVAL OF 2005-2010 CAPITAL IMPROVEMENT PLAN

Mike Moore, Community Development Director, presented the City Council with the 2005-2010 Capital Improvement Plan. Following discussion, Councilmember Worker introduced Resolution No. 10-218-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept a Planning Commission recommendation to approve the 2005-2010 Capital Improvement Plan for the City of Thief River Falls, as presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10-219-05: APPROVAL OF EMPLOYMENT OF LISA SORENSON AS CAD OPERATOR

A recommendation was presented to the City Council to fill the recently vacated position of CAD Operator. Following discussion, Councilmember Holten introduced Resolution No. 10-219-05, being seconded by Councilmember Carlson, that:

RESOLVED, by the City Council, to approve the employment of Lisa Sorenson as a CAD Operator in the Electric Department. Ms. Sorenson shall begin at Step 1 of the CAD Operator's salary schedule, with a starting salary of \$11.41 per hour.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10-220-05: APPROVAL OF QUOTE FROM VALLEY PETROLEUM EQUIPMENT, INC. FOR FUEL CONTROL SYSTEM AT THE MUNICIPAL SERVICE CENTER

Arlo Rude, Director of Utilities, presented the City Council with a quote received for the fuel control system at the Municipal Service Center. Following discussion, Councilmember Cullen introduced Resolution No. 10-220-05, being seconded by Councilmember Worker, that:

RESOLVED, by the City Council, to accept the quote submitted by Valley Petroleum Equipment, Inc. in the amount of \$7,783.00 for the purchase and installation of a fuel control system. No other quotes were received.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10-221-05: APPROVAL OF LETTER OF SUPPORT FOR PENNINGTON COUNTY HISTORICAL SOCIETY REQUEST TO BECOME A PERMANENT DONATION SITE FOR THE *BARN AGAIN!* EXHIBITION

The City Council discussed the *Barn Again!* exhibition that was held in Thief River Falls during 2005 and the Pennington County Historical Society willingness to become a permanent donation site for this exhibition. Following discussion, Councilmember Cullen introduced Resolution No. 10-221-05, being seconded by Councilmember Worker, that:

RESOLVED, by the City Council, to submit a letter of support to the Smithsonian Institution on behalf of the Pennington County Historical Society's request to become a permanent donation site for the *Barn Again! Celebrating An American Icon* exhibition.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10-222-05: APPROVAL OF THE TRANSFER OF LOT ONE, BLOCK ONE OF GILBERT INDUSTRIAL PARK TO JOBS, INC.

The City Council discussed the transfer of City-owned property in Gilbert Industrial Park. Following discussion, Councilmember Carlson introduced Resolution No. 10-222-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to authorize and direct the Mayor and City Administrator to execute any and all documents related to the transfer of City-owned property described as Lot One in Block One of Gilbert Industrial Park to Jobs, Inc.

BE IT FURTHER RESOLVED, that 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. 10-223-05: APPROVAL OF TERMINATION OF DALE WENNBERG AS INTERIM ARENAS MANAGER AND REASSIGNMENT TO PARKS AND RECREATION COMMITTEE

As the result of the employment of the Arenas Marketing and Events Manager, Councilmember Carlson introduced Resolution No. 10-223-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to approve the termination of Dale Wennberg as Interim Arenas Manager, effective immediately.

BE IT FURTHER RESOLVED, to reassign Dale Wennberg as a member of the Parks and Recreation Committee, effective immediately.

On vote being taken, the resolution was passed by a five-yes vote, with Mayor Wennberg abstaining.

ADJOURNMENT

There being no further discussion, Councilmember Cullen moved, being seconded by Councilmember Schmalz, to adjourn the meeting. On vote being taken, the Chairman declared the motion unanimously carried and the meeting adjourned until October 31, 2005 at 5:00 p.m. for a City/School Board meeting.

Dale Wennberg, Mayor

Attest: _____
Jodie R. Torkelson, City Administrator