

COUNCIL PROCEEDINGS

December 13, 2005

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on December 13, 2005 in the Council Chambers of City Hall. The following Councilmembers were present: Blacklance, Carlson, Cullen, Holten, Kajewski (arrived at 5:35 p.m.) Schmalz, and Mayor Wennberg Worker. No Councilmembers were absent. Mayor Wennberg chaired the meeting.

APPROVAL OF COUNCIL PROCEEDINGS

The City Council reviewed two sets of Council Proceedings. Following discussion, Councilmember Cullen moved, being seconded by Councilmember Carlson, to approve the November 22, 2005 Council Proceedings and the November 29, 2005 Adjourned Council Proceedings as presented. On vote being taken, the Chairman declared the motion unanimously carried.

RESOLUTION NO. 12-242-05: APPROVAL OF PAYMENT OF BILLS

Councilmembers Carlson and Blacklance indicated they reviewed the bills prior to the meeting. Following discussion, Councilmember Carlson introduced Resolution No. 12-242-05, being seconded by Councilmember Blacklance, that:

RESOLVED, by the City Council, to authorize payment of the first half of December bills in the amount of \$380,961.41 and the November 21 – December 9, 2005 prepayments in the amount of \$697,055.70. 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. 12-243-05: APPROVAL TO WRITE OFF UNCOLLECTIBLE UTILITY ACCOUNTS TO BAD DEBT EXPENSE

A Public Utilities Committee recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 12-243-05, being seconded by Councilmember Carlson, that:

RESOLVED, by the City Council, to accept the Public Utilities Committee recommendation to write off a total of \$24,139.61 of uncollectible utility accounts to Bad Debt Expense. A printout of the utility account number and dollar amount is attached hereto and made a part hereof.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-244-05: APPROVAL OF TRANSFER OF AQUILA, INC. GAS FRANCHISE TO WPS MINNESOTA UTILITIES, INC.

A Public Utilities Committee recommendation was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 12-244-05, being seconded by Councilmember Cullen, that:

WHEREAS, on October 10, 1989 the city granted a franchise agreement (the “Agreement”) to Northern Minnesota Utilities, a division of UtiliCorp United Inc. (now known as Aquila, Inc. or “Aquila”) as Ordinance No. 155 2nd Series; and,

WHEREAS, Aquila has requested written approval for assignment of the Agreement to WPS Minnesota Utilities, Inc. (“WPS”); and,

WHEREAS, the City has determined that WPS is suitable to carry out Aquila’s obligations under the Agreement.

THEREFORE, BE IT RESOLVED, that the City Council approves the assignment of the Agreement from Aquila to WPS, subject to WPS filing their agreement to assume the franchise with the City, and appoints the City Administrator to send written notice of the City Council’s approval to Aquila.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-245-05: APPROVAL OF FINAL PAYMENT TO MARK II OF FOSTON FOR 2005 IMPROVEMENT PROJECT

A Public Works Committee recommendation was presented. Following discussion, Councilmember Cullen introduced Resolution No. 12-245-05, being seconded by Councilmember Carlson, that:

RESOLVED, by the City Council, to accept the Public Works Committee recommendation and approve the final payment to Mark II of Fosston for Schedule A in the amount of \$38,244.30 and Schedule B in the amount of \$4,554.23 for the 2005 Street and Utilities Improvement Project.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-246-05: APPROVAL OF PREPARATION OF THE 2006 IMPROVEMENT PROJECT FEASIBILITY PROJECT

The Public Works Committee recommendation for street and utilities improvements during 2006 was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 12-246-05, being seconded by Councilmember Cullen, that:

WHEREAS, the following street and utilities improvements are being proposed for completion in 2006:

- 1) Hanson Drive – street and storm sewer improvements;
- 2) Hanson Drive – utilities extension to County Road 62;
- 3) Oakland Park Road and MMCDC Development Area – bituminous wearing course placement;
- 4) Countryside Mobile Home Park – bituminous street reclamation;
- 5) Northern Motors/UPS – frontage road reconstruction;

- 6) Greenwood Street – street and utilities improvements for Ault/Beito/Ness properties;
- 7) Ace Hardware/JC Penney’s Alley – reconstruction;
- 8) Atlantic Avenue and Second Street – bituminous reclamation of two blocks;
- 9) First Street from Main Avenue to Knight Avenue – bituminous reclamation;
- 10) Brooks Avenue South of Third Street – bituminous reclamation and right-turn-lanes;
- 11) Greenwood Street relocation to north of AmericInn Motel property;
- 12) Clean and televise 10% of the City’s storm sewers per Storm Water Utility;
- 13) Install miscellaneous drain tile and sump connections per Storm Water Utility; and,
- 14) Miscellaneous water main repairs for Water Department.

It is proposed to assess the benefited property for all or a portion of the cost of the improvements, pursuant to Minnesota Statutes, Chapter 429.

NOW, THEREFORE, BE IT RESOLVED, by the City Council, that the proposed improvements be referred to the Public Works Director for study and that he be instructed to report to the Council with all due speed advising the Council in a preliminary way as to whether the proposed improvements are necessary, cost-effective, and feasible and as to whether they should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvements as recommended.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-247-05: APPROVAL OF RENEWAL OF TRF CREDIT BUREAU LEASE OF OFFICE SPACE IN CITY AUDITORIUM

A Public Works Committee recommendation was presented. Following discussion, Councilmember Blacklance introduced Resolution No. 12-247-05, being seconded by Councilmember Worker, that:

RESOLVED, by the City Council, to accept a Public Works Committee recommendation to authorize and direct the Mayor and City Administrator to execute a Lease with the TRF Credit Bureau, whereby TRF Credit Bureau shall lease office space at the City Auditorium in the amount \$825 per month, effective January 1, 2006 through December 31, 2006.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-248-05: APPROVAL TO WRITE OFF LIQUOR STORE NSF CHECKS TO BAD DEBT EXPENSE

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Cullen introduced Resolution No. 12-248-05, being seconded by Councilmember Carlson, that:

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation to write off the following Liquor Store NSF checks totaling \$2,240.20:

<u>NAME</u>	<u>DATE OF CHECK</u>	<u>AMOUNT</u>
Anderson, Lori	04/07/2004	\$21.30
Anderson, Shayne	07/26/2004	\$17.55
Belgarde, Denise	08/20/2004	\$37.04
Brateng, Michael	08/12/2004	\$15.00
Brinkman, Jeanne	04/15/2004	\$25.36
Butler, Earl	04/20/2004	\$120.00
Chase In Winter, Cory	07/21/2004	\$47.15
Chase In Winter, Cory	07/26/2004	\$44.63
Davidson, David	06/23/2004	\$20.00
Delage, Meloni	07/21/2004	\$50.00
Duffy, Sara	06/14/2004	\$87.20
Edwards, Charles	07/06/2004	\$11.87
England, Connie	11/16/2004	\$50.00
Forsberg, Lynsey	03/30/2004	\$10.45
Forsberg, Lynsey	04/16/2004	\$9.85
Fultz, Sami	09/01/2004	\$30.45
Fultz, Sami	09/08/2004	\$35.00
Galizia, Crystal	01/19/2004	\$19.45
Galizia, Crystal	01/19/2004	\$24.32
Giestrum, Cynthia	11/23/2004	\$8.01
Giestrum, Cynthia	11/23/2004	\$26.86
Graves, Karen	08/30/2004	\$39.91
Graves, Michelle	04/13/2004	\$35.00
Graves, Michelle	04/15/2004	\$21.55
Holmes, Carmen	12/15/2004	\$22.85
Holmes, Carmen	12/15/2004	\$14.36
Housey, Travis	08/24/2004	\$27.20
Iceman, Ervin	06/14/2004	\$21.30
Ignaszewski, Roger & Pauline	07/27/2004	\$20.00
Jelle, Michael & Shonda	12/06/2004	\$58.83
Josephs, Travis J.	08/02/2004	\$50.10
Josephs, Travis J.	08/02/2004	\$32.59
Josephs, Travis J.	08/02/2004	\$40.80
Josephs, Travis J.	08/02/2004	\$41.30
Livingston, Shawn	12/14/2004	\$30.00
Livingston, Shawn	12/14/2004	\$30.00
Mead, James	09/14/2004	\$144.20
Mead, James	09/14/2004	\$89.29
Mitchell, Dawn	10/14/2004	\$50.00
Nelson, Patricia	04/20/2004	\$100.00
Olson, Derrick	10/19/2004	\$36.00
Parkhurst, Vincent	04/05/2004	\$50.27
Parsons, Lisa	06/03/2004	\$20.00
Paetznick, Clayton	12/06/2004	\$14.00
Perez, Roque	08/30/2004	\$13.07
Powell, Margie	07/19/2004	\$21.87

Roberts, Shantelle	02/19/2004	\$111.18
Sabo, Ryan	01/05/2004	\$18.75
Shimpa, Scott & Julie	08/31/2004	\$60.00
Skornicka, James	07/26/2004	\$27.02
Tanner, William & Beth	10/26/2004	\$20.00
Thibideau, Terri	04/07/2004	\$20.00
Thorson, Marnie	06/22/2004	\$40.00
Thyes, Carrie	10/18/2004	\$39.58
Verbout, Michael	03/30/2004	\$13.07
Verbout, Michael	04/01/2004	\$14.16
Waldal, John	11/16/2004	\$25.00
Weady, Paul & April	06/23/2004	\$31.50
Wilberg, Jared	03/24/2004	\$36.10
Zeidlik, Dale & Arnetta	11/23/2004	\$47.86

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-249-05: APPROVAL OF 2006 BUDGET SUMMARY

An Administration Services Committee recommendation was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 12-249-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to adopt the City-wide 2006 Budget in the amount of \$21,389,811 of revenue from all funds and \$21,479,056 of expenditures from all funds, with a use of fund reserves of \$89,245.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-250-05: APPROVAL OF CERTIFICATION OF 2006 TAX LEVY

The City Council discussed the proposed Tax Levy for 2006. Following discussion, Councilmember Carlson introduced Resolution No. 12-250-05, being seconded by Councilmember Blacklance, that:

RESOLVED, by the City Council, to certify the City of Thief River Falls 2006 Tax Levy at \$1,709,623 to the Pennington County Auditor, representing a 2.0% decrease from the 2005 Tax Levy. The breakdown of the 2006 Tax Levy is as follows:

Base Levy	\$1,110,765
Regional Library Maintenance	\$ 144,643
Bonded Indebtedness	\$ 307,000
Mosquito Control	\$ 18,500
Public Pension Liability	\$ 14,955
City Hall Lease Payment	<u>\$ 113,760</u>
NET TAX LEVY	<u>\$1,709,623</u>
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On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-251-05: APPROVAL OF 2006 CITY LICENSES

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 12-251-05, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to approve the issuance of the following licenses, effective January 1, 2006 through December 31, 2006:

CIGARETTE LICENSES \$24

American Legion
Arnold Avenue Store
Best Western Inn
Black Cat Sports Bar & Grill
BPOE Elk's Lodge 1308
BP/Amoco 24
Eagles Club
Erl's Market, Inc.
Evergreen Eating Emporium
Falls Liquor
Farmer's Union Oil Company
Holiday Stationstore #197
Hugo's #7
K-Mart 9534
Kum & Go #106
Lantern Restaurant & Lounge
Law Enforcement Center
Pennington Main
Pennington Square
Roger's Conoco
Rusty Nail
Super One Foods
The Schooner Bar & Grill
VFW Post #2793

SEWAGE DUMPING LICENSE \$35

Beitos Septic Tank Pumping
Dick's Septic Service

ON-SALE LIQUOR LICENSE \$2,800

Best Western of TRF, Inc.
Evergreen J&J Inc. (Evergreen Eating Emporium)
Bemidji Bowl Inc. (Family Bowl)
Hallsy (Black Cat Sports Bar and Grill)
Lantern of TRF (Lantern Restaurant & Lounge)
Spike Inc. (Rusty Nail)

ON-SALE 3.2 BEER LICENSE \$250

Danny's Pizza
Pizza Hut
The Schooner Bar & Grill

OFF-SALE 3.2 BEER LICENSE \$100

Erl's Market, Inc.
Holiday Stationstore #197
Kum & Go #106
Pamida, Inc.
The Schooner Bar & Grill
Super One Foods

JUNK DEALER'S LICENSE \$45

Phillip's Iron & Metal, Inc.

**TAXI LICENSE \$25 for 1st,
\$15 each add'l**

Aabra Transportation
Northland Taxi

PAWN BROKER'S \$40

Northern Gun & Pawn

SUNDAY ON-SALE LIQUOR \$200

American Legion Club #117
Bemidji Bowl Inc. (Family Bowl)
Best Western of TRF, Inc.
Hallsy Inc. (Black Cat Sports Bar and Grill)
Edward C. Turenne (The Hayloft)
Lantern of TRF (Lantern Restaurant & Lounge)
Rhombus House of Pizza (Café Rhombus)
Spike Inc. (Rusty Nail)
BPOE Lodge 1308 (Elks)
VFW Post #2793

CLUB ON-SALE LIQUOR \$500

Edward C. Turenne (The Hayloft)
Rhombus House of Pizza (Café Rhombus)

American Legion Club #117
BPOE Lodge 1308 (Elks)
FOE Aerie 2368 (Eagles)
VFW Post #2793

ON-SALE WINE LICENSE \$250

Roger & Palma Anderson (The Schooner Bar)
KMZ, Inc. (Danny's Pizza & Italian Restaurant)

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-252-05: APPROVAL OF AJ INDOOR ADVERTISING LEASE RENEWAL

A Parks and Recreation Committee recommendation was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 12-252-05, being seconded by Councilmember Cullen, 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 Lease Agreement with Jack and Debra Thompson, d.b.a. AJ Indoor Advertising, effective January 1, 2005 through December 31, 2006.

On vote being taken, the resolution was unanimously passed.

It should be noted that Councilmember Kajewski arrived at this time.

RESOLUTION NO. 12-253-05: APPROVAL OF RESOLUTION IN SUPPORT OF A GRANT APPLICATION FOR THE THIEF RIVER FALLS PUBLIC LIBRARY – AMENDMENT TO RESOLUTION NO. 11-234-05

The City Council was presented with an amendment to Resolution No. 11-234-05, adopted on November 22, 2005. Following discussion, Councilmember Worker introduced Resolution No. 12-253-05, being seconded by Councilmember Carlson, that:

Whereas, the Thief River Falls Public Library building and public library services should be easily accessible to all residents, and;

Whereas, the City of Thief River Falls has title to the site and building where the Thief River Falls Public Library is located, and;

Whereas, the City of Thief River Falls has determined that various modifications are necessary to make the Thief River Falls Public Library more accessible to patrons, and;

Whereas, the City of Thief River Falls has determined that such modifications will cost approximately \$140,000, and;

Whereas, the City of Thief River Falls has determined that it will need a matching grant from the Department of Education to pay for such modifications, and;

Whereas, the City of Thief River Falls shall provide matching funds for expenditures relating to the public library accessibility project in an amount equal to the amount of the grant from non-state sources and that such match shall be dollar-for-dollar and not matched by in-kind contributions, and;

Whereas, the source of the matching funds will be from the Revolving Capital Fund and General Revenue, and;

Whereas, the City of Thief River Falls understands and agrees to adhere to the list of assurances as stated in the grant application;

NOW, THEREFORE BE IT RESOLVED, that the City of Thief River Falls hereby amends Resolution No. 11-234-05 to authorize the Mayor and City Administrator to submit a grant application totaling \$70,000 to make accessibility related modifications at the Thief River Falls Public Library building. Further, they are authorized to sign and submit all applicable contracts, documents and agreements associated with the application or grant agreement on behalf of the City of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-254-05: RESOLUTION OF SUPPORT FOR GRAND FORKS SANITATION DEPARTMENT TO PROCEED WITH DEVELOPMENT AND IMPLEMENTATION OF A NEW SANITATION LANDFILL

The City Council reviewed a request for support from the Grand Forks Sanitation Department to develop a new landfill site. Following discussion, Councilmember Kajewski introduced Resolution No. 12-254-05, being seconded by Councilmember Cullen, that:

RESOLVED, that the City Council of Thief River Falls wishes to express its support for the Grand Forks Sanitation Department to develop and implement a new landfill site for our region.

On vote being taken, the resolution was unanimously passed.

ITEMS FOR INFORMATION

- 1) The City Council was provided with the 2005 Annual Forestry Report.
- 2) The Holiday Train will be in Thief River Falls on Wednesday, December 14, 2005.

ADJOURNMENT

There being no further discussion, Councilmember Cullen moved, being seconded by Councilmember Carlson, to adjourn the meeting at 5:53 p.m. On vote being taken, the Chairman declared the motion unanimously carried and the meeting adjourned until December 14, 2005 at 7:00 p.m. in the City Hall parking area for the Holiday Train.

Dale Wennberg, Mayor

Attest: _____
Jodie R. Torkelson, City Administrator