

## COUNCIL PROCEEDINGS

December 12, 2006

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on December 12, 2006 in the Council Chambers of City Hall. The following Councilmembers were present: Blacklance, Cullen, Holten, Kajewski, Schmalz, Worker, and Acting Mayor Carlson. No Councilmembers were absent. Acting Mayor Carlson 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 Kajewski, to approve the November 28, 2006 Council Proceedings and the November 28, 2006 Adjourned Council Proceedings, as presented. On vote being taken, the Chairman declared the motion unanimously carried.

### **RESOLUTION NO. 12-235-06: APPROVAL OF PAYMENT OF BILLS**

Councilmembers Holten and Kajewski indicated they reviewed the bills prior to the meeting. Following discussion, Councilmember Holten introduced Resolution No. 12-235-06, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to authorize payment of the first half of December bills in the amount of \$320,897.30 and the November 27 - 30, 2006 prepayments in the amount of \$85,019.86. 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. 12-236-06: APPROVAL OF 2007 CITY LICENSES**

Presented as part of the consent agenda, Councilmember Worker introduced Resolution No. 12-236-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to approve the issuance of the following licenses, effective January 1, 2007 through December 31, 2007:

#### **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

#### **CIGARETTE LICENSES continued**

K-Mart 9534  
Kum & Go #106  
Lantern Restaurant & Lounge  
Law Enforcement Center  
Murphy USA  
Pennington Main  
Pennington Square  
Roger's Conoco  
Rusty Nail  
Super One Foods  
The Schooner Bar & Grill

#### **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  
Murphy USA  
The Schooner Bar & Grill  
Super One Foods  
Wal-Mart Supercenter #3761

#### **JUNK DEALER'S LICENSE     \$45**

Phillip's Iron & Metal, Inc.

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

Northland Taxi  
Aabra Transportation

#### **SEWAGE DUMPING LICENSE     \$35**

Michael Skjerven  
Dick's Septic Service

**VFW Post #2793**

Wal-Mart Supercenter #3761

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

**ON-SALE WINE LICENSE \$250**

Steven P. Carlson (The Schooner Bar)  
LGH Venture, Inc. (Danny's Pizza)

**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)  
VFW Post #2793

**CLUB ON-SALE LIQUOR \$500**

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

On vote being taken for the consent agenda, the resolution was unanimously passed.

**RESOLUTION NO. 12-237-06: APPROVAL OF SUBORDINATION AGREEMENT WITH CHARLES T. KUZNIA AND BOBBY JO M. KUZNIA**

Presented as part of the consent agenda, Councilmember Worker introduced Resolution No. 12-237-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept the Administrative Services Committee's recommendation to authorize and direct the Mayor and City Administrator to execute a Subordination Agreement with Charles T. Kuznia and Bobby Jo M. Kuznia with regard to a Slow Second Mortgage on property legally described as Lot Seven, Block One, Oakland Park Fourth Addition to the City of Thief River Falls.

On vote being taken for the consent agenda, the resolution was unanimously passed.

**RESOLUTION NO. 12-238-06: APPROVAL OF RETIREMENT OF TONY BRENNAN, UTILITY CONSTRUCTION WORKER**

Presented as part of the consent agenda, Councilmember Worker introduced Resolution No. 12-237-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept the Public Utilities Committee recommendation and accept the retirement of Tony Brennan, Utility Construction Worker, effective January 2, 2007.

On vote being taken for the consent agenda, the resolution was unanimously passed.

**RESOLUTION NO. 12-239-06: APPROVAL TO WRITE OFF UTILITY UNCOLLECTIBLE ACCOUNTS AND APPROVAL TO CERTIFY UNPAID UTILITY BILLS**

Presented as part of the consent agenda, Councilmember Worker introduced Resolution No. 12-239-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept the Public Utilities Committee recommendation to approve to write off \$17,458.72 of uncollectible accounts to Bad Debt Expense. Efforts shall continue for collection of these accounts.

BE IT FURTHER RESOLVED, to certify the following unpaid three accounts to the Pennington County Auditor for collection as a lien on the property owner's 2007 property tax:

Brian Wilde	Parcel No. 25-046-008-50	\$640.81
Sandra K. Jones	Parcel No. 25-006-084-90	\$791.76
Gregory W. Melin	Parcel No. 25-006-370-10	\$111.06

On vote being taken for the consent agenda, the resolution was unanimously passed.

**RESOLUTION NO. 12-240-06: APPROVAL OF A BRUSH CHIPPER FROM VERMEER**

A Parks and Recreation Committee recommendation was presented. Following discussion, Councilmember Cullen introduced Resolution No. 12-240-06, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept the Parks and Recreation Committee's recommendation to purchase a brush chipper, using the approved State bid process, in the amount of \$20,767.50 from Vermeer.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-241-06: APPROVAL OF PURCHASE OF HEAT RECLAIM SYSTEM FROM BRODIN'S**

A Parks and Recreation Committee recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 12-241-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept the Parks and Recreation Committee's recommendation to approve the low quote submitted by Brodin's in the amount of \$5,162.00 to repair the heat reclaim system at the Huck Olson Memorial Civic Center. One other quote was received in the amount of \$5,579.54 from Lynn's Refrigeration.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-242-06: ACCEPTANCE OF GREATER MINNESOTA BUSINESS DEVELOPMENT INFRASTRUCTURE GRANT PROGRAM FOR GREENWOOD STREET IMPROVEMENTS**

Mike Moore, Community Development Director, presented an Administrative Services Committee recommendation. Following discussion, Councilmember Kajewski introduced Resolution No. 12-242-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation to accept a Greater Minnesota Business Development Infrastructure Grant in the amount of \$237,800 for proposed urbanization of Greenwood Street through the Gilbert Industrial Park area.

BE IT FURTHER RESOLVED, to authorize and direct the Mayor and City Administrator to execute any and all documents in regard to acceptance of the above grant.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-243-06: APPROVAL OF 2007 BUDGET SUMMARY**

An Administration Services Committee recommendation was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 12-243-06, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to adopt the City-wide 2007 Budget in the amount of \$22,287.824 of revenue from all funds and \$22,410,869 of expenditures from all funds, with a use of fund reserves of \$123,045.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-244-06: APPROVAL OF 2007 TAX LEVY**

The City Council discussed the proposed Tax Levy for 2007. Following discussion, Councilmember Worker introduced Resolution No. 12-244-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to certify the City of Thief River Falls 2007 Tax Levy at \$1,675,430 to the Pennington County Auditor, representing a 2.0% decrease from the 2006 Tax Levy. The breakdown of the 2007 Tax Levy is as follows:

Base Levy	\$1,148,864
Regional Library Maintenance	\$ 145,351
Bonded Indebtedness	\$ 234,000
Mosquito Control	\$ 18,500
Public Pension Liability	\$ 14,955
City Hall Lease Payment	\$ 113,760
NET TAX LEVY	\$1,675,430
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On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-245-06: APPROVAL OF 2006 SUNDAY LIQUOR LICENSE FOR EVERGREEN EATING EMPORIUM**

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Cullen introduced Resolution No. 12-245-06, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation to grant the Evergreen Eating Emporium a Sunday Liquor License, effective through December 31, 2006.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-246-06: APPROVAL OF FARM LAND RENTAL AGREEMENTS WITH RONDORF, AULT, GESKE, REIERSON, MEHRKENS, AND CARLSON**

Ron Lindberg, Public Works Director, presented a Public Works Committee recommendation to renew several farm land rental contracts. Following discussion, Councilmember Schmalz introduced Resolution No. 12-246-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to authorize and direct the Mayor and City Administrator to execute the following 2007 – 2009 farm land rental contracts:

James S. Rondorf – 211 acres at \$19.00 per acre for payment of \$4,009 per year for a total contract fee of \$12,198.00;

Everett Ault – 8 acres at \$30.00 per acre for payment of \$240.00 per year for a total contract fee of \$720.00.00;

Leonard Geske – 1 acre at \$20.00 per acre for payment of \$20.00 per year for a total contract fee of \$60.00;

Garret Reierson – 29 acres at \$28.00 per acre for payment of \$812.00 per year for a total contract fee of \$2,436.00;

Ken Mehrkens – 53 acres at \$30.00 per acre for payment of \$1,590.00 per year for a total contract fee of \$4,700.00

Ken Mehrkens – 22.5 acres at \$25.00 per acre for payment of \$562.50 per year for a total contract fee of \$1,687.50;

Pete Carlson – (land in Industrial Park) 44 acres at \$33.00 per acre for a payment of \$1,452.00 in 2008 and 2009 for a total contract fee of \$2,904.00, noting that no payment will be charged in 2007 due to the proposed street and utility improvement project;

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-247-06: APPROVAL OF SHERWOOD AVENUE EASEMENT**

A Public Works Committee recommendation was presented. Following discussion, Councilmember Kajewski introduced Resolution No. 12-247-06, being seconded by Councilmember Schmalz, that:

WHEREAS, the City needed to move the location of Sherwood Avenue where it intersects with Nelson Drive, and

WHEREAS, the adjacent property owner was willing to give the City an easement on his adjacent property for use for Sherwood Avenue, and

WHEREAS, in exchange for the easement for Sherwood Avenue, the adjacent property owner desires an easement from the City to enable the adjacent property owner to use the unused portion of Sherwood Avenue for the parking of vehicles.

THEREFORE, BE IT RESOLVED, That in exchange for the easement for Sherwood Avenue, the City shall grant to Emery Lee a twenty-five year easement to park vehicles on that portion of Sherwood Avenue that is unused near its intersection with Nelson Drive.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-248-06: ORDERING PREPARATION OF 2007 IMPROVEMENT PROJECT FEASIBILITY REPORT**

The Public Works Committee recommendation for street and utilities improvements during 2007 was presented. Following discussion, Councilmember Cullen introduced Resolution No. 12-248-06, being seconded by Councilmember Kajewski, that:

WHEREAS, the following street and utilities improvements are being proposed for completion in 2007:

- 1) Greenwood Street Industrial Park – street and utilities improvements;
- 2) Spruce Avenue – curb and sidewalk replacement at Franklin School;
- 3) First Street west of Brooks Avenue – bituminous reclamation/resurfacing;
- 4) Alice Drive – curb and gutter and bituminous paving;
- 5) MMCDC Phase I Housing Site Development – lift station, sanitary sewer, water main and service lines, and partial street improvements;
- 6) Cartway Drive – street improvements west of Sherwood Avenue;
- 7) VanRooy Drive south of Wendt Drive – water main and street improvements; and,
- 8) East Greenwood Street – utilities improvements.

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.

**ITEMS FOR INFORMATION**

- 1) Arlo Rude, Director of Utilities, presented the City Council with a proposed rate increase for water and wastewater rates.
- 2) The Holiday Train will arrive on Thursday, December 14, 2006. Activities will begin at 4:30 p.m.

**ADJOURNMENT**

There being no further discussion, Councilmember Schmalz moved, being seconded by Councilmember Cullen, to adjourn the meeting at 5:48 p.m. On vote being taken, the Chairman declared the motion unanimously carried and the meeting adjourned.

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David B. Carlson, Acting-Mayor

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