

COUNCIL PROCEEDINGS

December 26, 2006

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on December 26, 2006 in the Council Chambers of City Hall. The following Councilmembers were present: Blacklance, Cullen, Kajewski, Schmalz, Worker, and Acting Mayor Carlson. Councilmember Holten was 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 December 12, 2006 Council Proceedings as presented. On vote being taken, the Chairman declared the motion unanimously carried.

RESOLUTION NO. 12-249-06: APPROVAL OF PAYMENT OF BILLS

Councilmembers Worker and Cullen indicated they reviewed the bills prior to the meeting. Following discussion, Councilmember Worker introduced Resolution No. 12-249-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to authorize payment of the second half of December bills in the amount of \$211,046.18 and the December 4 - 22, 2006 prepayments in the amount of \$1,163,296.50. 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. 12-250-06: APPROVAL OF ANIMAL CONTROL AGREEMENT WITH DANIEL AND JANECE TRONTVET

Presented as part of the consent agenda, Councilmember Kajewski introduced Resolution No. 12-250-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept the Public Safety Committee's recommendation to authorize and direct the Mayor and City Administrator to execute an agreement with Daniel and Janece Trontvet whereby the Trontvets' will provide and maintain an animal disposal site for use by the City on their property for calendar year 2007.

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

RESOLUTION NO. 12-251-06: APPROVAL OF PROGRESSION RAISE FOR DOUGLAS WILLIAMS, PATROL OFFICER

Presented as part of the consent agenda, Councilmember Kajewski introduced Resolution No. 12-251-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept the Public Safety Committee's recommendation to grant Douglas Williams, Patrol Officer, a progression raise. Mr. Williams shall progress to Step 6 of the Grade Level 6 Patrol Officer's salary schedule, effective January 6, 2007.

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

RESOLUTION NO. 12-252-06: APPROVAL OF TRF CREDIT BUREAU LEASE OF OFFICE SPACE IN THE CITY AUDITORIUM

Presented as part of the consent agenda, Councilmember Kajewski introduced Resolution No. 12-252-06, being seconded by Councilmember Cullen, 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 with TRF Credit Bureau for rental of office space in the City Auditorium, effective January 1, 2007 through December 31, 2007.

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

RESOLUTION NO. 12-253-06: APPROVAL OF EXTENSION OF VACATION LEAVE USAGE FOR MARK JOSEPHSON, AIRPORT MANAGER

Presented as part of the consent agenda, Councilmember Kajewski introduced Resolution No. 12-253-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept the Public Works Committee's recommendation to authorize a 90-day extension for the usage of seven accumulated vacation days to Mark Josephson, Airport Manager, due to a shortage of personnel at the Regional Airport.

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

RESOLUTION NO. 12-254-06: APPROVAL OF CONTRACT WITH JOBS, INC., FOR SERVICES OF COMMUNITY DEVELOPMENT DIRECTOR AND SECRETARY

Presented as part of the consent agenda, Councilmember Kajewski introduced Resolution No. 12-254-06, 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 contract with Jobs, Inc., whereby Jobs, Inc., shall reimburse the City for a portion of the salaries of the Community Development Director and the Community Development Secretary in exchange for their assistance in the activities of Jobs, Inc. for calendar year 2007.

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

RESOLUTION NO. 12-255-06: APPROVAL OF 2006 BUDGET ADJUSTMENTS

Lisa Johnson, Finance Director, presented an Administrative Services Committee recommendation. Following discussion, Councilmember Kajewski introduced Resolution No. 12-255-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept the Administrative Services Committee to accept the following General Fund revenue and expenditure budget accounts that should be adjusted to reflect actions taken or not taken by the City Council on major unbudgeted items in 2006:

Adopted 2006 General Fund Budget Balance \$ 0

FIRE DEPARTMENT – JAWS OF LIFE DONATION - The Fire Department received a donation from the TRF Volunteer Fire Department for the purchase of the Jaws of Life.

10.62.3625 Private Donations	\$ 16,708
10.4220.540 Fire – Machinery & Equipment	\$ (16,708)

FIRE DEPARTMENT – DONATIONS – The Fire Department received donations from Wal-Mart and Red Lake Electric for the purchase of flashlights and pagers, respectively.

10.62.3625 Private Donations	\$ 1,000
10.4220.240 Fire – Small Tools & Minor Equipment	\$ (1,000)

POLICE DEPARTMENT – GREAT GRANT – The Police Department did not receive a \$14,000 GREAT grant for calendar year 2006. The City did not spend the allotted grant supplies budgeted in the amount of \$4,200. The Police Department also had personnel changes that created a savings in salary for calendar year 2006.

10.30.3316 Federal Grants	\$(14,000)
10.4210.442 Police - GREAT Grant Expenditures	\$ 4,200
10.4210.101 Police Full-time Salaries	\$ 13,800
10.4210.131 Police – Health Insurance	\$ (4,000)

POLICE DEPARTMENT – DONATIONS – The Police Department received a donation from Wal-Mart in the amount of \$3,000. The Chief of Police is proposing to purchase in-car digital cameras and this is just one portion of the funding. The rest of the funding will not be secured until 2007, so propose to place these dollars into the revolving capital outlay fund.

10.62.3625 Private Donations	\$ 3,000
10.4210.540 Police – Machinery and Equipment	\$ (3,000)

PARK & RECREATION DEPARTMENT – MOSQUITO FOGGER – The Park & Recreation Department received Council authorization to purchase a mosquito fogger this year with excess funds due to the dry weather conditions and originally budgeted for mosquito spraying:

10.4510.224.1 Park & Rec – General – Park Maint & Repair	\$ 6,800
10.4510.540 Park & Rec – General – Machinery & Equipment	\$ (6,800)

BRANCH LIBRARY – ACCESSIBILITY AND CONSTRUCTION GRANT – The Thief River Falls Branch Library received a Public Library Accessibility and Construction Grant in the amount of \$70,000. It is a matching grant, so the total project is anticipated to be \$140,000, with the Northwest Regional Library contributing \$40,000 and the City \$30,000. The City’s share was originally part of the 2005 budget for schematic drawings for a new library. These funds were set aside in the Revolving Capital Outlay Fund. This project will carry over into the 2007 Budget also, but total expenditures to date total \$65,000.

10.30.3348 Other State Grants	\$ 32,500
10.30.3371 Local Grants	\$ 18,850
10.90.3923 Misc. Transfers In	\$ 13,650
10.4550.560 Branch Library – Improvements	\$ (65,000)

GENERAL ADMINISTRATION – SEVERANCE OPERATING TRANSFER – The 2006 Budget included setting aside funds for future severance payments in the amount of \$50,000. The Police Department had an unanticipated retirement in 2006, so suggest adjusting transfer by the amount of severance payment.

10.4670.720 General Administration – Operating Transfer	\$ 36,200
10.4210.111 Police – Severance Pay	\$(36,200)

REFINANCING OF SUMMERFIELD PROPERTY 1995 BONDS – The City Council approved the request of the Northwest Minnesota Multi-County Housing & Redevelopment Authority to refinance the 1995 bonds for the Summerfield properties located in the City. As part of the refinancing, the City was required to make the \$35,000 operating deficit payment for 2007 on December 15, 2006. The City plans on using reserves to make this payment, and the payment will not need to be made in the 2007 budget therefore replenishing the reserves used in 2006.

10.4670.299 General Administration – Misc. Operating Expense	\$ 35,000
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2006 BUDGET BALANCE AFTER ABOVE ADJUSTMENTS \$(35,000)

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-256-06: APPROVAL OF DISCONTINUATION OF THE CITY’S HEARING AID PROGRAM

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Kajewski introduced Resolution No. 12-256-06, being seconded by Councilmember Blacklance, that:

RESOLVED, by the City Council, to accept the Administrative Services Committee's recommendation to discontinue the Hearing Aid Program and remove Section 5.35 from the Supervisor's Manual, effective immediately.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-257-06: APPROVAL OF MANAGEMENT, ADMINISTRATIVE, PROFESSIONAL AND SUPERVISORY SALARY AND BENEFITS CONTRACT

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 12-257-06, 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 the Management, Administrative, Professional and Supervisory contract settlement retroactive to January 1, 2006 through December 31, 2008.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-258-06: APPROVAL OF CITY ADMINISTRATOR AND FINANCE DIRECTOR SALARY AND BENEFITS MEMORANDUMS OF UNDERSTANDING

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Kajewski introduced Resolution No. 12-258-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation to authorize and direct the Mayor and City Administrator to execute Memorandums of Understanding with the City Administrator and the Finance Director, for their salary and benefits, retroactive to January 1, 2006 through December 31, 2008.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-259-06: APPROVAL OF REVISED COMMUNITY DEVELOPMENT DIRECTOR JOB DESCRIPTION AND GRADE LEVEL

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 12-259-06, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation to approve the revised Community Development Director job description, as presented, and to approve the valuation of the position as MAPS Grade Level 13, effective December 31, 2006.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-260-06: APPROVAL OF WESTWARD INDUSTRIES PARKING ENFORCEMENT VEHICLE FROM CUSHMAN MOTOR COMPANY

A Public Safety Committee recommendation was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 12-260-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept the Public Safety Committee's recommendation to approve the quote submitted by Cushman Motor Company, Inc., in the amount of \$23,975.00 for a 2007 Westward Industries parking enforcement vehicle.

It should be noted that no other quotes were received, as no other company manufactures or sells these types of vehicles.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-261-06: PROMOTING THE USE OF INTRASTATE MUTUAL AID AGREEMENTS FOR THE NATIONAL INCIDENT MANAGEMENT SYSTEM

The City Council reviewed a proposed resolution with regard to the National Incident Management System. Following discussion, Councilmember Cullen introduced Resolution No. 12-261-06, being seconded by Councilmember Worker, that:

WHEREAS, Chapter 12, Section 12.331 allows for Intrastate Mutual Aid, and direct, timely assistance between jurisdictions is critical; and,

WHEREAS, the possibility of the occurrence of natural and other disasters of major size and destructiveness exists and is increasing; and,

WHEREAS, there is a need to ensure that preparations of the City of Thief River Falls will be adequate to deal with disasters; generally protect the public peace, health, and safety; and preserve the lives and property of the people of the state; and,

WHEREAS, it is necessary to provide for the rendering of mutual aid among the political subdivisions of the state and to cooperate with the federal government with respect to carrying out emergency management functions; and,

WHEREAS, it is the policy of Minnesota that all emergency response functions of this state be coordinated to the maximum extent with the comparable functions of the state government, including its various departments and agencies, of other states and localities, and of private agencies of every type, to the end that the most effective preparations and uses may be made of the state's labor supply, resources, and facilities for dealing with any disaster that may occur; and,

NOW, THEREFORE BE IT RESOLVED that the City of Thief River Falls promotes the efficiency and effectiveness of intrastate mutual aid by designating the City Administrator, Public Works Director, Chief of Police, and Co-Fire Chiefs to dispatch equipment and personnel as considered necessary if a danger of fire, hazard, casualty, or another similar occurrence exists outside the political subdivision and by its suddenness it would be impractical for the governing body of the City of Thief River Falls itself to authorize the dispatch of equipment and personnel to combat that emergency or disaster.

BE IT FURTHER RESOLVED, be it resolved that the City of Thief River Falls shall attempt to have in place mutual aid agreements wherever possible prior to the dispatch of equipment and personnel, which mutual aid agreements should contain an understanding regarding liability and a hold harmless clause.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-262-06: APPROVAL OF UTILITIES INFRASTRUCTURE BILLING SETTLEMENT FOR WALT RAEDEL

A Public Works Committee recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 12-262-06, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept the Public Works Committee's recommendation to require payment from Walt Raedel of the following amounts, in full, for satisfaction of past due 2001 utilities installation charges:

Lot 4 Block One Raedel's First Addition	
\$8,763.00 plus \$804.44 interest to 7/1/03	\$9,567.44

Lot 5 Block One Raedel's First Addition \$7,680.00 plus \$705.02 interest to 7/1/03	\$8,385.02
Lot 6 Block One Raedel's First Addition \$7,298.00 plus \$692.88 interest to 7/1/03 *Excludes future \$1,800 connection fee in lieu of assessment for water main	\$7,990.88*
Lot 7 Block One Raedel's First Addition \$8,763.00 plus \$804.44 interest to 7/1/03	<u>\$9,567.44</u>

The total amount of \$35,510.78 is to be paid in full by May 1, 2007.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-263-06: APPROVAL OF AMENDMENT TO SHERWOOD AVENUE EASEMENT

A Public Works Committee recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 12-263-06, being seconded by Councilmember Kajewski, that:

WHEREAS, by Resolution No. 12-247-06, the City did grant to Emery E. Lee and Francisca Lee an easement on a portion of unused Sherwood Avenue near its intersection with Nelson Drive, and

WHEREAS, the easement specifically allowed parking of operable vehicles that are for sale as part of a used car business, and

WHEREAS, the easement is to be amended to allow parking of operable vehicles as an accessory use to the principal use of the benefited area.

RESOLVED, that the easement granted to Emery E. Lee and Francisca Lee to allow the parking of operable vehicles on a portion of unused Sherwood Avenue shall be amended to allow parking of operable vehicles as an accessory use to the principal use of any business lawfully located on Lot 1 of Block 1 of Swanson-Lee First Addition to the City of Thief River Falls and for the placement of signage as permitted by City ordinance and State law.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12-264-06: APPROVAL OF WATER UTILITY RATES EFFECTIVE WITH FEBRUARY 2007 BILLING

A Public Utilities Committee recommendation was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 12-264-06, being seconded by Councilmember Kajewski, that:

WHEREAS, the City of Thief River Falls owns and operates a municipal water utility; and,

WHEREAS, the City Council sets the rates for the sale of water to retail customers; and,

WHEREAS, the City Council uses the revenue from the sale of water to retail customers for operation, maintenance, installation of water distribution system, financing loans and bonds, and other expenses of the Water Department; and,

WHEREAS, the City Council has determined that a change in water rates is needed.

THEREFORE, BE IT RESOLVED, by the City Council, that the existing water utility rates shall be in effect only for billings up to and including January 31, 2007; and,

BE IT FURTHER RESOLVED, that the following water utility rates shall be in effect for billings from and after February 1, 2007, until thereafter amended:

WATER UTILITY RATES EFFECTIVE FEBRUARY 2007 BILLING

Determination of Rate: As provided by City Ordinance, the City shall determine the rate at which a customer is charged.

State Sales Tax: Where applicable, the water utility rates shown below are subject to state sales tax.

Monthly Service Charge: The monthly service charge is the minimum charge and is in addition to any volume charge. A customer served by more than one meter shall be billed a service charge for each meter.

Monthly Service Charge:

Service Size	Charge
5/8" & 3/4"	\$11.25
1"	\$22.50
1-1/4"	\$36.00
1-1/2"	\$50.00
2"	\$89.00
3"	\$201.00
4"	\$356.00
6"	\$802.00

Volume Charge per 1,000 gallons: The volume charge, to be billed monthly, is as follows:

Usage	Charge
First 10,000 gallons	\$2.71 per 1,000 gallons
10,001 to 2,000,000 gallons	\$2.81 per 1,000 gallons
More than 2,000,001 gallons	\$2.45 per 1,000 gallons

On vote being taken, the resolution was passed by a six-yes, one-no (Blacklance) vote.

RESOLUTION NO. 12-265-06: APPROVAL OF WASTEWATER UTILITY RATES EFFECTIVE WITH FEBRUARY 2007 BILLING

A Public Utilities Committee recommendation was presented. Following discussion, Councilmember Cullen introduced Resolution No. 12-265-06, being seconded by Councilmember Kajewski, that:

WHEREAS, the City of Thief River Falls owns and operates a municipal wastewater utility; and,

WHEREAS, the City Council sets the rates for the sale of wastewater service to retail customers; and,

WHEREAS, the City Council uses the revenue from the sale of wastewater service to retail customers for operation, maintenance, installation of water distribution system, financing loans and bonds, and other expenses of the Wastewater Department; and,

WHEREAS, the City Council has determined that a change in wastewater rates is needed.

THEREFORE, BE IT RESOLVED, by the City Council, that the existing wastewater utility rates shall be in effect only for billings up to and including January 31, 2007; and,

BE IT FURTHER RESOLVED, that the following wastewater utility rates shall be in effect for billings from and after February 1, 2007, until thereafter amended:

WASTEWATER UTILITY RATES EFFECTIVE FEBRUARY 2007 BILLING

Determination of Rate: As provided by City Ordinance, the City shall determine the rate at which a customer is charged.

Monthly Service Charge: The monthly service charge is the minimum charge and is in addition to any volume charge. A customer served by more than one meter shall be billed a service charge for each meter.

Monthly Service Charge:

Service Size	Charge
5/8" & 3/4"	\$3.98
1"	\$9.13
1-1/4"	\$14.30
1-1/2"	\$20.60
2"	\$36.50
3"	\$82.20
4"	\$146.20
6"	\$328.90

Volume Charge per 1,000 gallons: The volume charge, to be billed monthly, is as follows:

Usage	Charge
All gallons	\$0.77 per 1,000 gallons

On vote being taken, the resolution was passed by a six-yes, one-no (Blacklance) vote.

PRESENTATION OF PLAQUES TO OUTGOING CITY COUNCILMEMBERS WITH THANKS FROM THE CITY

Vice-Mayor Cullen presented the outgoing City Councilmembers with plaques to convey the City's appreciation for their elected service to the City of Thief River Falls. Those receiving plaques were 5th Ward Councilmember Terry Blacklance, 3rd Ward Councilmember Harriet Worker, Acting Mayor and former Councilmember David Carlson, and former Mayor and Councilmember Dale Wennberg.

SWEARING-IN OF COUNCILMEMBERS FOR 2007

The newly elected City officials were sworn in to their respective offices as of January 1, 2007. Mayor Steve Nordhagen, 2nd Ward Councilmember Floyd Erickson, 3rd Ward Councilmember Odette Bendickson, and 5th Ward Councilmember Emery Lee were sworn-in by City Attorney Paul Ihle

ADJOURNMENT

There being no further discussion, Councilmember Schmalz moved, being seconded by Councilmember Cullen, to adjourn the meeting at 5:45 p.m. On vote being taken, the Chairman declared the motion unanimously carried and the meeting adjourned until 5 p.m. on January 2, 2007.

Steve Nordhagen, Mayor

Attest: _____
Jodie R. Torkelson, City Administrator