

## COUNCIL PROCEEDINGS

April 25, 2006

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on April 25, 2006 in the Council Chambers of City Hall. The following Councilmembers were present: Black-lance, Carlson, Cullen, Holten, Kajewski, Schmalz, Worker, and Mayor Wennberg. No Councilmembers were absent. Mayor Wennberg chaired the meeting.

### **APPROVAL OF COUNCIL PROCEEDINGS**

The City Council reviewed the April 11, 2006 Council Proceedings. Following discussion, Councilmember Carlson moved, being seconded by Councilmember Cullen, to approve the April 11, 2006 Council Proceedings as presented. On vote being taken, the Chairman declared the motion unanimously carried.

### **RESOLUTION NO. 4-80-06: 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. 4-80-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to authorize payment of the second half of April bills in the amount of \$308,742.46 and the April 3-21, 2006 prepayments in the amount of \$933,295.56. 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.

### **NATIONAL HOSPITAL WEEK PROCLAMATION**

Chris Harff, CEO of NWMC, Wally Sparby, Chairman of the Board of NWMC, and Jodi Mutnansky, Community Relations Director of NWMC, appeared before the City Council to accept a National Hospital Week proclamation. Following discussion, Councilmember Worker moved, being seconded by Councilmember Schmalz, to designate May 7-13, 2006 as Hospital Week in Thief River Falls and residents are urged to express their appreciation for the healthcare available in this community. On vote being taken, the Chairman declared the motion unanimously carried.

### **RESOLUTION NO. 4-81-06: ACCEPTING PENNINGTON COUNTY ASSESSOR'S RECOMMENDATION FOR MARKET VALUATIONS ON APPEALS PRESENTED AT THE BOARD OF APPEAL AND EQUALIZATION**

Adeline Olson, Pennington County Assessor, presented the City Council with a written report containing a review of the property, comparable sales, and recommendations on appeals submitted by property owners at the April 11, 2006 Board of Appeals and Equalization held at the Pennington County Courthouse. Following review and discussion of each of the appeals, Councilmember Kajewski introduced Resolution No. 4-81-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept the Pennington County Assessor's recommendations with regard to each of the following appeals submitted at the April 11, 2006 Board of Appeals and Equalization:

Mr. Darcy Harbott, 125 Fern Road (Parcel No. 25-092-009-60): Accept recommendation that no change be made to the original 2006 estimated market value of \$366,100;

Mr. Darcy Harbott, 301 Knight Avenue North (Parcel No. 25-003-200-70): Accept recommendation that no change be made to the original 2006 estimated market value of \$85,200;

Mr. William Robson, 301 Baken Street (Parcel No. 25-097-008-10): Accept recommendation that no change be made to the original 2006 estimated market value of \$169,300;

Mr. William Robson, vacant lots in Robson's Addition (Parcel No.s 25-097-004-10 through 25-097-007-10 and 25-097-010-10 through 25-097-014-10): Accept recommendation that no change be made to the original 2006 estimated market value of \$15 per front foot of vacant lots with no road access, \$60 per front foot on vacant lots that have road access, and \$100 per front foot on lots that have homes on them and an additional value added for larger lots; and,

Village of the Northland Limited Partnership, Northland Village, (Parcel No. 25-047-020-00): Accept recommendation that no change be made to the original 2006 estimated market value of \$1,859,200.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 4-82-06: APPROVAL OF CONTRACT WITH LES COTA FOR GRASS MOWING SERVICES**

Presented as part of the Consent Agenda, Councilmember Worker introduced Resolution No. 4-82-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to authorize and direct the Mayor and City Administrator to execute an Independent Service Contract with Les Cota to provide grass mowing services from May 1, 2006 through October 31, 2006.

On vote being taken on the Consent Agenda, the resolution was unanimously passed.

**RESOLUTION NO. 4-83-06: APPROVAL OF TRANSFER OF ON-SALE WINE, ON-SALE 3.2% MALT LIQUOR, OFF-SALE 3.2% MALT LIQUOR, AND TOBACCO LICENSES TO STEVEN PAUL CARLSON d.b.a. SCHOONER BAR AND GRILL**

Presented as part of the Consent Agenda, Councilmember Worker introduced Resolution No. 4-83-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to authorize the transfer of an On-Sale Wine License, an On-Sale 3.2 Malt Liquor License, an Off-Sale 3.2% Malt Liquor License, and a Tobacco License from Roger and Palma Anderson to Steven Paul Carlson, d.b.a. Schooner Bar and Grill, effective May 21, 2006 through December 31, 2006.

On vote being taken on the Consent Agenda, the resolution was unanimously passed.

**RESOLUTION NO. 4-84-06: APPROVAL OF TOBACCO LICENSE AND OFF-SALE 3.2% MALT LIQUOR LICENSE FOR MURPHY OIL USA, INC.**

Presented as part of the Consent Agenda, Councilmember Worker introduced Resolution No. 4-84-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to authorize the issuance of a Tobacco License and an Off-Sale 3.2% Malt Liquor License for Murphy Oil USA, Inc., effective May 17, 2006 through December 31, 2006.

On vote being taken on the Consent Agenda, the resolution was unanimously passed.

**RESOLUTION NO. 4-85-06: APPROVAL OF PROGRESSION RAISE FOR GREG MELIN, LINEWORKER**

Presented as part of the Consent Agenda, Councilmember Worker introduced Resolution No. 4-85-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to grant Greg Melin, Lineworker, a progression raise. Mr. Melin shall progress to Step 8 (top) of the Lineworker's salary schedule for a new hourly rate of \$21.99 per hour, retroactive to February 16, 2006. It should be noted that the 2006 Teamster Union Contract for 2006 has not been settled as of this date.

On vote being taken on the Consent Agenda, the resolution was unanimously passed.

**RESOLUTION NO. 4-86-06: ADOPTION OF ORDINANCE NO. 23, 3<sup>rd</sup>, SERIES, ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND AMENDMENT TO THE BOARD OF ADJUSTMENTS AND APPEALS DUTIES**

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Cullen moved, being seconded by Councilmember Blacklance, to have the first reading of Ordinance No. 23, 3<sup>rd</sup> Series. On vote being taken, the Chairman declared the motion unanimously passed.

Following the reading of the ordinance by City Attorney, Paul Ihle, Councilmember Schmalz introduced Resolution No. 4-86-06, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept the Administrative Services Committee recommendation to adopt Ordinance No. 23, 3<sup>rd</sup> Series, an ordinance amending City Code Section 150.01 by adopting the International Property Maintenance Code and amending City Code

Section 91.71 amending the duties of the Board of Adjustments and Appeals. Said ordinance shall be published in The Times newspaper and on file in the Office of the City Administrator and also made available at the public library.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 4-87-06: APPROVAL OF REVISED POSITION DESCRIPTION FOR MARKETING AND EVENTS COORDINATOR**

A Parks and Recreation Committee recommendation was presented. Following discussion, Councilmember Cullen introduced Resolution No. 4-87-06, being seconded by Councilmember Blacklance, that:

RESOLVED, by the City Council, to accept the Parks and Recreation Committee's recommendation and approve revisions to the position description for the Arenas Marketing and Events Manager and change of position title to "Marketing and Events Coordinator".

BE IT FURTHER RESOLVED, to open the position to the public for filling.

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

**RESOLUTION NO. 4-88-06: APPROVAL OF PARKS AND RECREATION USER FEES AND RATES**

A Parks and Recreation Committee recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 4-88-06, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept the Parks and Recreation Committee's recommendation and approve the following user fees and rates:

	<u>Resident</u>	<u>Non-Resident</u>
<u>Youth Boys/Girls Baseball</u>		
7-Year Olds	\$38.50	\$44.00
8 & 9 Year Olds	\$44.00	\$49.50
10, 11 & 12 Year Olds	\$55.00	\$60.50
Family Cap:	\$110.00	\$120.00
<u>Youth Tennis</u>	\$38.50	\$44.00
<u>Men's Slowpitch</u>	\$165.00 per team	
<u>Women's Slowpitch</u>	\$165.00 per team	
<u>Thieves Baseball</u>	\$165.00 per team	
<u>Girl's Softball</u>	\$16.50 per participant	
<u>Baseball Association</u>	\$16.50 per participant	
<u>Co-Rec Volleyball</u>	\$71.50 per team	
<u>Women's Volleyball</u>	\$71.50 per team	
<u>Men's Basketball</u>	\$66.00 per team	

<u>Tourist Park</u>	
Camping	\$8.00 per night
Electricity	\$13.00 per night with cable
Full Hook-Up	\$16.00 per night
<u>Softball Field Rental</u>	\$25.00 per chalked field \$300 per day for complex (includes field maintenance and personnel).
<u>Staging</u>	\$50.00 per set
<u>Bleachers</u>	\$100.00 per set
<u>Picnic Tables</u>	\$5.00 per table – customer moves \$20.00 per table – City personnel moves
<u>Picnic Kit</u>	\$5.00 weekday (\$20.00 deposit) \$10.00 weekend (\$20.00 deposit)
<u>Park Shelter Reservations</u>	\$10.00
<u>Larvicide Briquettes</u>	\$1.25 per briquette \$25.00 per pack of 20 briquettes
<u>Mosquito Spraying</u>	\$165.00 per hour – minimum of 1 hour charge (includes equipment/labor/chemical)
<u>Firewood</u>	\$2.00 per bundle
<u>Wood Chips</u>	Free to City Residents \$10.00 per pickup load for non-residents

On vote being taken, the resolution was unanimously passed.

### **STORM SEWER CLEANING AND TELEVISIONING QUOTES**

A Public Works Committee recommendation was presented. Following discussion, Councilmember Worker moved, being seconded by Councilmember Kajewski, to authorize the Public Works Director to seek quotes for storm sewer cleaning and televising. On vote being taken, the Chairman declared the motion unanimously carried.

### **RESOLUTION NO. 4-89-06: APPROVAL OF AMENDMENT TO ELECTRIC RATES**

A Public Utility Committee recommendation was presented. Following discussion, Councilmember Kajewski introduced Resolution No. 4-89-06, being seconded by Councilmember Schmalz, that:

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

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

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

THEREFORE, BE IT RESOLVED, by the City Council, to amend certain rates for the sale of electricity at retail; and,

BE IT FURTHER RESOLVED, that the rates listed below be in effect for the June 2006 electric utility billing and thereafter until amended; and,

BE IT FURTHER RESOLVED, that certain rates in effect prior to the June 2006 electric utility billing are hereby amended as set forth below.

ELECTRIC UTILITY RATES EFFECTIVE WITH JUNE 2006 BILLING

Rate R1 in effect prior to June 1, 2006 is hereby amended as follows:

Rate R1. Electric Residential Service - All Purpose Uncontrolled.

A. Availability. The following rate shall be charged and collected for the use of electricity for light and power in private residences and in all flats and rooms used solely for private residence purposes on an uncontrolled basis (without a City provided load control device).

B. Rate No. R1 (Software Billing No. 1)

Customer Charge:	\$4.00 per month
For the first 1,500 KWHs per month	5.450 cents/KWH
Excess KWHs per month	6.200 cents/KWH

Rate R3 in effect prior to June 1, 2006 is hereby amended as follows:

Rate R3. Electric Residential Service - Dual fuel - 100% Controlled.

A. Availability. Available to all present and future space heating with/without electric water heater installations. In order to qualify for Rate R3, 100% interruptible electric heating rate, the customer must agree that electric heat and electric water heater shall be controlled on an interruptible basis without notice and that the customer shall have an alternate source of heat acceptable to the City. The alternate heating source shall heat the residence for an indefinite period of time.

B. Rate No. R3 (Software Billing No. 3)

Winter Months (Bills due in November, December, January, February, March, April, May and June)

Customer Charge:	\$4.00 per month
Energy Charge:	(With load control - 100%)
For the first 1,000 KWHs per month	5.450 cents/KWH
Excess KWHs per month	3.530 cents/KWH

Summer Months (Bills due in July, August, September and October)  
The rate shall be Rate R1.

Rate R4 in effect prior to June 1, 2006 is hereby amended as follows:

Rate R4. Electric Residential Service - Residential Heating Dual Fuel - 100%  
Controlled - Separately Metered.

A. Available to all present and future space heating installations that are separately metered. In order to qualify for Rate R4, 100% interruptible electric heating rate, the customer must agree that electric heat and electric water heaters shall be controlled on an interruptible basis without notice and that the customer shall have an alternate source of heat acceptable to the City. The alternate heating source shall heat the residence for an indefinite period of time. This meter may be a submeter.

B. Rate No. R4 (Software Billing No. 4)  
Customer Charge: None  
Energy Charge: (With load control - 100%)  
All KWHs per month 3.530 cents/KWH

Rate CH3 in effect prior to June 1, 2006 is hereby amended as follows:

Rate CH3. Commercial Heat - 100% controlled

A. Availability. Available only for customers with electricity as the primary heat source. Available to commercial heating service installation supplied through a separate meter for the use of electric energy in all establishments other than that used solely for residential purposes.

B. Rate No. CH3 (Software Billing No. 13, 30)

Winter months (Bills due in November, December, January, February, March, April, May and June)

Customer Charge: \$11.00 per month  
Energy Charge: (With 100% Load Control)  
All KWHs per month 3.530 cents/KWH

Summer Months (Bills due in July, August, September and October)  
The rate shall be Rate C1.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 4-90-06: APPROVAL OF CONDITIONAL USE PERMIT FOR  
NORTHLAND COMMUNITY AND TECHNICAL COLLEGE WORKFORCE CENTER**

A Planning Commission recommendation was presented. Following discussion, Councilmember Worker introduced Resolution No. 4-90-06, being seconded by Councilmember Kajewski, that:

WHEREAS, pursuant to proper notice, the Planning Commission conducted a Public Hearing on April 17, 2006 on a Conditional Use Permit request, as submitted by Northland Community College, 1101 Highway One East, Thief River Falls, MN; and,

WHEREAS, the Planning Commission recommends that the City Council approve the Conditional Use Permit, based on the fact that the request meets all eight of the "Criteria For Granting Conditional Use Permits", as detailed in City Code Section 152.024(C)(2) .

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Planning Commission's recommendation to grant Northland Community and Technical College a Conditional Use Permit to allow for the construction of a new addition, which will house the Minnesota State Workforce Center, and renovation of existing space to house additional classrooms. Affected property is zoned Suburban Residential District (R-1) and legally described as: part of Section 27, Township 154, Range 43, the South half of the Southeast Quarter.

On vote being taken, the resolution was unanimously passed.

#### **ITEMS FOR INFORMATION**

- 1) Mayor Wennberg signed a proclamation that Friday, April 28, 2006 shall be observed as Arbor Day in the City of Thief River Falls.

#### **ADJOURNMENT**

There being no further discussion, Councilmember Cullen moved, being seconded by Councilmember Kajewski, to adjourn the meeting at 6:50 p.m. On vote being taken, the Chairman declared the motion unanimously carried and the meeting adjourned.

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Dale Wennberg, Mayor

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