

COUNCIL PROCEEDINGS

February 6, 2007

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on February 6, 2007 in the Council Chambers of City Hall. The following Councilmembers were present: Bendickson, Cullen, Erickson, Holten, Kajewski, Schmalz, and Mayor Nordhagen. Councilmember Lee was absent. Mayor Nordhagen chaired the meeting.

APPROVAL OF COUNCIL PROCEEDINGS

The City Council reviewed two sets of Council Proceedings. Following discussion, Councilmember Kajewski moved, being seconded by Councilmember Cullen, to approve the January 16, 2007 Council Proceedings and the January 23, 2007 Committee of the Whole Proceedings as presented. On vote being taken, the Chairman declared the motion unanimously carried.

RESOLUTION NO. 2-24-07: APPROVAL OF PAYMENT OF BILLS

Councilmembers Cullen and Bendickson indicated they reviewed the bills prior to the meeting. Following discussion, Councilmember Cullen introduced Resolution No. 2-24-07, being seconded by Councilmember Bendickson, that:

RESOLVED, by the City Council, to authorize payment of the first half of February bills in the amount of \$329,479.51 and the January 2 – 31, 2007 pre-payments in the amount of \$1,641,991.97. 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. 2-25-07: APPROVAL OF REA MARKETING PANEL

The proposed candidates for a panel to assist in marketing ideas for the Ralph Engelstad Arena were introduced to the City Council. Following discussion, Councilmember Kajewski introduced Resolution No. 2-25-07, being seconded by Councilmember Erickson, that:

WHEREAS, the City of Thief River Falls recognizes a need to market the Ralph Engelstad Arena to bring in outside events and utilize it to its fullest potential; and,

WHEREAS, the City Council has reviewed the concept of a panel to assist the City in the marketing of the Ralph Engelstad Arena; and,

WHEREAS, with the approval of the City Council, the Mayor has presented a list of persons who have indicated their willingness to volunteer their time and expertise to serve on such a panel; and,

WHEREAS, the panel would meet on an as needed basis with the Marketing and Events Coordinator and periodic reports will be made to the City Council on their suggestions and ideas.

THEREFORE, BE IT RESOLVED, by the City Council, to create the REA Panel and approve the Mayor's recommendation to appoint the following persons:

Joel Hallstrom, Snowmobile Product Manager – Arctic Cat
John Tranby, Marketing Communications Manager – Arctic Cat
Tony Harris, Director of Internet Marketing – Digi-Key
Jay R. Larsen, MBA Operations Analyst – NW Medical Center
Jodi Mutnansky, Community Relations/Communications – NW Medical Center

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-26-07: APPROVAL TO SEEK RFP'S FOR A FERC DAM INSPECTION

The City Council reviewed a recommendation presented by Arlo Rude, Director of Utilities. Following discussion, Councilmember Kajewski introduced Resolution No. 2-26-07, being seconded by Councilmember Cullen, that:

WHEREAS, at five-year intervals, an independent consultant inspection of the Thief River Falls dam is required by the Federal Energy Regulatory Agency (FERC); and,

WHEREAS, also required to be completed this year is a Potential Failure Mode Analysis and a Surveillance and Monitoring Plan of the dam.

THEREFORE, BE IT RESOLVED, by the City Council, to authorize and direct the Director of Utilities to prepare and send out Request for Proposals to engineering firms approved by the FERC to complete a required Dam Safety Inspection, Potential Failure Modes Analysis, and a Surveillance Monitoring Program. Return date of the RFP's shall be February 28, 2007.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-27-07: APPROVAL OF CITY'S SHARE OF COSTS FOR IMPROVEMENT OF HIGHWAY 32

The City Council reviewed a recommendation from Ron Lindberg, Public Works Director. Following discussion, Councilmember Cullen introduced Resolution No. 2-27-07, being seconded by Councilmember Erickson, that:

WHEREAS, MnDOT has notified the City that it wishes to advance the planned 2008 improvements of Highway 32 through the City of Thief River Falls to be a part of the 2007 construction season; and,

WHEREAS, the City was not notified in time to include this expenditure in the 2007 budget, the City does not have a designated construction reserves fund, and MnDOT has estimated the City's share of the project cost to be less than 3% of the total project cost.

THEREFORE, BE IT RESOLVED, by the City Council, to authorize an expenditure of approximately \$8,000.00 for the City's share of costs to bituminous mill and overlay Highway 32 parking lanes through the City of Thief River Falls. Said expenditure shall be taken out of City reserves. Cost of the improvements to the driving lanes will be 100% paid by State and Federal Funds.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-28-07: APPROVAL OF 3.2% MALT LIQUOR LICENSE FOR JDM, INC. – D.B.A. BP AMOCO, 1580 HIGHWAY 59 SOUTHEAST

The City Council reviewed a recommendation from Lisa Johnson, Finance Director. Following discussion, Councilmember Schmalz introduced Resolution No. 2-28-07, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to grant JDM, Inc., d.b.a. BP Amoco, 1580 Highway 59 Southeast, a 3.2% Malt Liquor License. License shall be effective through December 31, 2007.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-29-07: APPROVAL OF ESTABLISHING MEAL AND MILEAGE REIMBURSEMENT RATE TO FOLLOW FEDERAL STANDARD REIMBURSEMENT RATES

The City Council reviewed a recommendation from Jodie Torkelson, City Administrator. Following discussion, Councilmember Kajewski introduced Resolution No. 2-29-07, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, effective with travel costs incurred after February 6, 2007, to amend the mileage and meals reimbursement rates for City employees traveling on City business to follow the federal government rates and as increases are enacted at the federal level, they be automatically increased at the local level.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-30-07: APPROVAL TO FILL VACANT POLICE OFFICER POSITION AND PROMOTE TO FILL VACANT SERGEANT POSITION

The City Council reviewed a recommendation from Chief of Police Kim Murphy. Following discussion, Councilmember Erickson introduced Resolution No. 2-30-07, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to authorize the Police Department to begin the process to fill a vacant police officer position through the Police Civil Service Commission selection process.

BE IT FURTHER RESOLVED, to pursue filling a current sergeant position vacancy from promotion within the Police Department.

It should be noted that the City Council will approve the employment and promotion of those selected at a later date.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-31-07: APPROVAL OF MIXED MARTIAL ARTS FIGHTING MATCH AT RALPH ENGELSTAD ARENA

Dale Wennberg, REA Marketing and Events Manager, presented a proposed event at the REA. Following discussion, Councilmember Schmalz introduced Resolution No. 2-31-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to authorize a Mixed Martial Arts Fighting Match conducted by KO Productions at the Ralph Engelstad Arena at 7:30 p.m. on May 5, 2007. KO Productions shall pay a flat rental fee for the REA, with the City receiving the concession stand proceeds. If beer is sold, the City shall negotiate a percentage of the sales.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-32-07: APPROVAL OF CITY LOAN AND GRANT TO FLEET SUPPLY FOR ENERGY SAVING COMMERCIAL LIGHTING INSTALLATION

An application through the Energy Conservation Program was discussed. Following discussion, Councilmember Cullen introduced Resolution No. 2-32-07, being seconded by Councilmember Kajewski, that:

RESOLVED, BY THE City Council, to grant Fleet Supply a \$2,000.00 matching Energy Conservation Program grant for lighting improvements at their store location.

BE IT FURTHER RESOLVED, to grant Fleet Supply an \$8,000.00 (0%) zero-percent and a \$3,108.00 (5%) five-percent Energy Conservation Program loan to assist with financing the remainder of the lighting improvement cost.

On vote being taken, the resolution was unanimously passed.

PROPOSED PURCHASE OF ELECTRIC DEPARTMENT TRUCK TABLED FOR FURTHER STUDY

The City Council reviewed a request to accept the State bid for the purchase of a ¾ ton, four-wheel drive truck for the Electric Department. Following review of the bids received for the truck, Councilmember Bendickson moved, being seconded by Councilmember Cullen, to refer this matter to the City Attorney and Director of Utilities to negotiate with local dealers for this purchase. On vote being taken, the Chairman declared the motion unanimously carried.

RESOLUTION NO. 2-33-07: RESOLUTION CALLING FOR PUBLIC HEARING ON PROPOSED VACATION OF PORTION OF TAFT STREET ALLEY

The City Council reviewed a Planning Commission recommendation. Following discussion, Councilmember Holten introduced Resolution No. 2-33-07, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to call for a public hearing on the proposed vacation of the alley abutting 1003 and 1013 Taft Street East. The hearing shall be held at 4:25 p.m. on March 13, 2007.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-34-07: ADOPTION OF ORDINANCE NO. 27, 3RD SERIES, AMENDING CERTAIN FEES IN THE ZONING CODE

A Planning Commission recommendation was presented. Following discussion, Councilmember Cullen moved, being seconded by Councilmember Schmalz, to call for the first reading of an ordinance to amend certain fees in the zoning code. On vote being taken, the Chairman declared the motion unanimously carried.

Following the reading of the proposed ordinance by City Attorney, Paul Ihle, Councilmember Schmalz introduced Resolution No. 2-34-07, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to adopt Ordinance No. 27, 3rd Series, an ordinance amending the following sections of the City Code, to include in part:

City Code Section 151.22(B)	Preliminary Plat Filing Fee - \$300.00
City Code Section 152.147(B)(2)	Zoning Amendment Fee - \$150.00
City Code Section 152.148(E)(1)	Conditional Use Permit Fee - \$150.00
City Code Section 152.149(C)(1)	Variance Application Fee - \$150.00

The ordinance, in full, shall be published in The Times newspaper and on file in the Office of the City Administrator.

On vote being taken, the resolution was unanimously passed.

FIRST READING OF PROPOSED ORDINANCE TO AMEND THE 2006 COMPREHENSIVE PLAN

A Planning Commission recommendation was presented to approve the 2006 Comprehensive Plan. Following discussion, Councilmember Cullen moved, being seconded by Councilmember Kajewski, to have the first reading of a proposed ordinance to adopt the 2006 Comprehensive Plan. On vote being taken, the Chairman declared the motion unanimously carried.

City Attorney Paul Ihle read the proposed ordinance.

RESOLUTION NO. 2-35-07: ACCEPTANCE OF \$340,000 MNDOT GRANT FOR CONSTRUCTION OF WEST GREENWOOD STREET IN THE GILBERT INDUSTRIAL PARK

Public Works Director Ron Lindberg informed the City Council that the City has been awarded a MnDOT grant for West Greenwood Street Improvements, as outlined in the 2007 Street and Utilities Improvement Project Feasibility Report. Following discussion, Councilmember Schmalz introduced Resolution No. 2-35-07, being seconded by Councilmember Cullen, that:

WHEREAS, the City of Thief River Falls has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Local Road Improvement Project No. 170-115-11; and,

WHEREAS, the Commissioner of Transportation has given notice that funding for this local road improvement project is available; and,

WHEREAS, the amount of the grant has been determined to be \$340,000.00 with the final amount to be determined by reason of the lowest responsible bid.

THEREFORE, BE IT RESOLVED, that the City Council of the City of Thief River Falls does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, Section 174.52, Subdivision 5, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the road project, but not required.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-36-07: APPROVAL TO FILL VACANT PARKS AND RECREATION FULL-TIME EMPLOYEE

The City Council discussed the vacant Parks Maintenance/Arena employee position. Following discussion, Councilmember Cullen introduced Resolution No. 2-36-07, being seconded by Councilmember Erickson, that:

RESOLVED, by the City Council, to approve filling the vacant full-time position in the Parks and Recreation Department after further discussion by the Committee of the Whole.

It should be noted that the job description for this position will be reviewed and may be amended by the Committee of the Whole.

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

RESOLUTION NO. 2-37-07: APPROVAL OF COMMITTEE OF THE WHOLE MEETING TO DEVELOP A REVISED PARKS AND RECREATION EMPLOYEE JOB DESCRIPTION

Councilmember Cullen introduced Resolution No. 2-37-07, being seconded by Councilmember Schmalz, that:

RESOLVED, that at 4:30 p.m. on Wednesday, February 7, 2007 a Committee of the Whole meeting will be conducted to develop the job description for the revised Parks and Recreation job description.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-38-07: APPROVAL TO DECLARE BOOM PARTS ON DIGGER DERRICK TRUCK AS SURPLUS PROPERTY

The City Council was informed of property that is considered surplus by the City. Councilmember Bendickson introduced Resolution No. 2-38-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to declare the boom and apparatus of the Digger Derrick truck as surplus property so it may be sold. It should be noted that the chassis shall be retained by the City and used with underground boring equipment.

On vote being taken, the resolution was unanimously passed.

ITEMS FOR INFORMATION

- 1) The Growth Partnership Agreement that was approved by Resolution No. 11-218-06 was presented to the City Council for their information.

ADJOURNMENT

There being no further discussion, Councilmember Erickson moved, being seconded by Councilmember Kajewski, to adjourn the meeting at 6:10 p.m. On vote being taken, the Chairman declared the motion unanimously carried and the meeting adjourned until 4:30 p.m. on February 7, 2007.

Steve Nordhagen, Mayor

Attest: _____
Jodie R. Torkelson, City Administrator