

## **COUNCIL PROCEEDINGS**

**February 20, 2007**

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on February 20, 2007 in the Council Chambers of City Hall. The following Councilmembers were present: Bendickson, Cullen, Erickson, Holten, Kajewski, Lee, Schmalz, and Mayor Nordhagen. No Councilmembers were absent. Mayor Nordhagen chaired the meeting.

### **APPROVAL OF COUNCIL PROCEEDINGS**

The City Council reviewed three sets of Council Proceedings. Following discussion, Councilmember Cullen moved, being seconded by Councilmember Lee, to approve the February 6, 2007 Council Proceedings and the February 7, 2007 Committee of the Whole Proceedings, and the February 13, 2007 Committee of the Whole Proceedings, as presented. On vote being taken, the Chairman declared the motion unanimously carried.

### **RESOLUTION NO. 2-40-07: APPROVAL OF PAYMENT OF BILLS**

Mayor Nordhagen and Councilmember Lee indicated they reviewed the bills prior to the meeting. Following discussion, Councilmember Lee introduced Resolution No. 2-40-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to authorize payment of the second half of February bills in the amount of \$273,410.05 and the February 1 - 16, 2007 prepayments in the amount of \$1,333,937.73. 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. 2-41-07: RESOLUTION OF JURISDICTIONAL APPROVAL FOR CLOUD 9 QUILT SHOPPE'S APPLICATION TO THE NORTHWEST REGIONAL DEVELOPMENT COMMISSION FOR FINANCING**

Presented as part of the Consent Agenda, Councilmember Kajewski introduced Resolution No. 2-41-07, being seconded by Councilmember Lee, that:

BE IT RESOLVED, that the City of Thief River Falls, is the unit of government in which a project titled Cloud 9 Quilt Shoppe is to be located and Cloud 9 Quilt Shoppe, Marlys Moose – owner, will be applying for a loan from the Northwest Regional Enterprise Fund, Inc. of the Northwest Regional Development Commission.

Cloud 9 Quilt Shoppe is hereby authorized to apply to the Northwest Regional Development Commission for financing with the approval of the City of Thief River Falls.

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

**RESOLUTION NO. 2-42-07: APPROVAL TO REJECT WASTEWATER LIFT PUMP BIDS**

Presented as part of the Consent Agenda, Councilmember Kajewski introduced Resolution No. 2-42-07, being seconded by Councilmember Lee, that:

WHEREAS, the City Council, at its January 16, 2007 meeting, called for bids for two lift pumps; and,

WHEREAS, two bids were received and opened on February 9, 2007, after which the Director of Utilities recommended that the bids be rejected, as neither bid met specifications.

THEREFORE, BE IT RESOLVED, by the City Council, to approve to reject the bids received from Electric Pump, Inc. in the amount of \$215,000 and from Quality Flow Systems, Inc. in the amount of \$147,780 for two wastewater collection system lift pumps.

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

**RESOLUTION NO. 2-43-07: APPROVAL TO ACCEPT THIEF RIVER FORD QUOTE FOR ELECTRIC DEPARTMENT PICKUP**

Presented as part of the Consent Agenda, Councilmember Kajewski introduced Resolution No. 2-43-07, being seconded by Councilmember Lee, that:

WHEREAS, the City Council requested further study with regard to the proposed purchase of a  $\frac{3}{4}$  ton, four-wheel drive truck for the Electric Department; and,

WHEREAS, a quote in the amount of \$21,421.00 was received from Thief River Ford, with the State bid for a comparable vehicle listed at \$21,472.00.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the quote submitted by Thief River Ford in the amount of \$21,420.00 for the purchase and delivery of a Ford F-250  $\frac{3}{4}$  ton, four-wheel pickup with an extended cab.

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

**RESOLUTION NO. 2-44-07: APPROVAL OF PROGRESSION RAISES FOR GINGER ALBY, PATROL OFFICER, AND VERN WITTENBERG, PATROL OFFICER**

Presented as part of the Consent Agenda, Councilmember Kajewski introduced Resolution No. 2-44-07, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to approve the following progression raises:

Ginger Alby, Patrol Officer. Officer Alby shall progress to Step 4 of the Grade Level 6 Patrol Officer salary schedule, effective February 15, 2007; and,

Vern Wittenberg, Patrol Officer. Officer Wittenberg shall progress to Step 4 of the Grade Level 6 Patrol Officer salary schedule, effective February 22, 2007.

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

**RESOLUTION NO. 2-45-07: APPROVAL TO SELL MESABA UNPAID BANKRUPTCY CLAIMS TO ARGO PARTNERS**

Presented as part of the Consent Agenda, Councilmember Kajewski introduced Resolution No. 2-45-07, being seconded by Councilmember Lee, that:

WHEREAS, Mesaba Airlines filed for bankruptcy protection in 2005 due to lack of payments from Northwest Airlines during NWA's bankruptcy protection; and,

WHEREAS, the City of Thief River Falls currently has \$5,017.15 of unpaid claims against Mesaba Airlines; claims not guaranteed to be paid to the City of Thief River Falls; and,

WHEREAS, the City has received an offer from Argo Partners to purchase the claim against Mesaba Airlines, which would save the City time and resources in having to deal with Mesaba Airlines directly to obtain payment.

THEREFORE, BE IT RESOLVED, by the City Council, to enter into an Assignment of Claim with Argo Partners to sell the City's \$5,017.15 claim of unpaid fees against Mesaba Airlines for an amount equal to \$.91 on the dollar for a cash payment within ten days of \$4,565.61.

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

**RESOLUTION NO. 2-46-07: ACCEPTANCE OF WAL-MART GRANT FOR POLICE DEPARTMENT IN-CAR CAMERA SYSTEMS**

Presented as part of the Consent Agenda, Councilmember Kajewski introduced Resolution No. 2-46-07, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to accept a Wal-Mart Grant in the amount of \$1,000.00 to be used towards the purchase and installation of Police Department in-car camera systems for enforcement, evidence gathering, and preservation of criminal activities in and around Thief River Falls.

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

**RESOLUTION NO. 2-47-07: CALLING FOR PUBLIC HEARING ON ANNEXATION OF PROPERTY PETITIONED BY MMCDC IN ROCKSBURY TOWNSHIP**

The City Council considered a petition for annexation by the Midwest Minnesota Community Development Corporation, sole owner of property located in Rocksbury Township. Following discussion, Councilmember Cullen introduced Resolution No. 2-47-07, being seconded by Councilmember Lee, that:

WHEREAS, the City Council of the City of Thief River Falls, Minnesota, has received a Petition of Property Owner, Midwest Minnesota Community Development Corporation, for annexation of Unincorporated Real Property to the City of Thief River Falls, and

WHEREAS, the Petition requests the real property to be annexed by Ordinance, and

WHEREAS, the City is required to hold a hearing to consider the petition proceeded by notice to certain parties,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Thief River Falls, Minnesota:

1. The Council will consider the petition for annexation and a public hearing shall be held on the proposed annexation on the 10th day of April, 2007, before the City Council in the City Council Chambers, 405 3rd Street East, Thief River Falls, Minnesota, at 4:25 p.m., and
2. The required notice shall be provided by certified mail as required by law.

On vote being taken, the resolution was unanimously passed.

**APPROVAL TO CALL FOR SANITATION DEPARTMENT GARBAGE BAGS QUOTES**

The Public Works Director requested that the City begin the process of collecting quotes for the purchase of garbage bags for residential customers. Following discussion, Councilmember Lee moved, being seconded by Councilmember Schmalz, to authorize the Public Works Director to call for quotes for the purchase of approximately 40,000 garbage bags, with quotes to be opened on March 8, 2007. On vote being taken, the Chairman declared the motion unanimously carried.

**RESOLUTION NO. 2-48-07: RESOLUTION ORDERING THE 2007 STREET, SIDEWALK, AND UTILITIES IMPROVEMENT PROJECT AND PREPARATION OF PLANS AND SPECIFICATIONS**

Ron Lindberg, Public Works Director, discussed the findings presented at a hearing on the 2007 Street and Utilities Improvement Project. Following discussion, the following actions were taken:

WHEREAS, pursuant to Resolution No. 1-23-07, adopted on January 16, 2007 a date was established to conduct a public hearing on the following proposed assessments:

- 1) First Street Bituminous Reclamation;
- 2) West Greenwood Utilities Improvements and Street Construction – Gilbert Industrial Park;
- 3) Spruce Avenue Curb and Gutter and Sidewalk Replacement Adjacent to Franklin Middle School;
- 4) VanRooy Drive Water Main Extension and Frontage Road Street Improvements;
- 5) MMCDC Phase I Housing Site Development – Area South of Challenger Elementary School;
- 6) Alice Drive Curb and Gutter and Bituminous Base Installation;
- 7) Cartway Drive and Oak Avenue North Street Improvements; and,
- 8) East Greenwood Street Housing Development Area.

WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given, the hearing was held on the 15<sup>th</sup> day of February, 2007 at which time all persons desiring to be heard were given an opportunity to be heard thereon.

THEREFORE, BE IT RESOLVED, that City Council, determines the following:

- 1) First Street Bituminous Reclamation - motion by Lee, seconded by Kajewski, to order the improvement as proposed. On vote being taken, the project was unanimously approved.
- 2) West Greenwood Utilities Improvements and Street Construction – motion by Erickson, seconded by Cullen, to order the improvements as proposed. On vote being taken, the project was unanimously approved.
- 3) Spruce Avenue Curb and Gutter and Sidewalk Replacement – motion by Lee, seconded by Cullen, to order the improvements as proposed. On vote being taken, the project was unanimously approved.
- 4) VanRooy Drive Water Main Extension and Frontage Road Street Improvements - motion by Lee, seconded by Kajewski, to order the improvements as proposed. On vote being taken, the project was unanimously approved.
- 5) MMCDC Phase I Housing Site Development - motion by Lee, seconded by Schmalz, to order the improvements as proposed. On vote being taken, the project was unanimously approved.

6) Alice Drive Curb and Gutter and Bituminous Base Installation – motion by Cullen, seconded by Kajewski, to order the improvements as proposed. On vote being taken, the project was unanimously approved.

7) Cartway Drive and Oak Avenue North Street Improvements – motion by Bendickson, seconded by Lee, to separate the improvements into two separate proposals and vote on each one individually. On vote taken, the motion was unanimously carried;

Cartway Drive Improvements – motion by Kajewski, seconded by Cullen, to order the improvements as proposed. On vote being taken, the project was unanimously approved.

Oak Avenue Improvements – motion by Lee, seconded by Kajewski, to revise the proposed improvement to include only Oak Avenue northerly 100' of the Cartway Drive/Oak Avenue intersection. On vote being taken, the project, as revised, was unanimously approved.

8) East Greenwood Street Housing Development Area - motion by Cullen, seconded by Kajewski, to amend the proposal to exclude the developed properties contingent upon platting being finalized, petition for annexation being received prior to bids and specifications being sent out, and 100% of the cost being assessed to the developer. On vote being taken, the improvement as revised was approved by a seven-yes vote, with Mayor Nordhagen abstaining.

THEREFORE, BE IT RESOLVED, by the City Council, that:

- 1) Such improvements are necessary, cost-effective, and feasible as detailed in the Feasibility Report;
- 2) Such improvements are hereby ordered as proposed by Council Resolution No. 1-23-07 and including amendments listed above;
- 3) The Engineering Technical Services Department shall assist Widseth, Smith, and Nolting, the designated engineers for these improvements. They shall prepare plans and specifications for the making of such improvements; and,
- 4) The City Council declares its official intent to provide interim financing of the improvements through the use of reserves. The City Council also declares that it may reimburse itself for the costs of the improvements from the proceeds of tax exempt bonds, if necessary.

On vote being taken, the resolution was passed.

**RESOLUTION NO. 2-49-07: APPROVAL OF HDR ENGINEERING LEASE**

The City Council reviewed the renewal of a lease for office space by HDR Engineering in the City-owned building east of the Fire Hall. Following discussion, Councilmember Bendickson introduced Resolution No 2-49-07, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to authorize and direct the Mayor and City Administrator to execute a Lease with HDR Engineering, Inc., whereby HDR Engineering shall rent office space in the building located east of the Fire Hall, effective May 1, 2007 through February 28, 2009.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 2-50-07: DIRECTING PUBLIC WORKS DIRECTOR TO DEVELOP A REQUEST FOR FUNDS FROM PENNINGTON COUNTY FOR SUPPORT OF THE TRF MUNICIPAL AIRPORT**

The City Council discussed potential funding sources for the Thief River Falls Municipal Airport. Following discussion, Councilmember Lee introduced Resolution No. 2-50-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to direct the Public Works Director to develop a request for funds from Pennington County for support of the Thief River Falls Municipal Airport.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 2-51-07: AMENDING RESOLUTION NO. 2-26-07 TO CHANGE FERC DAM INSPECTION RFP'S SUBMITTAL DEADLINE**

As a result of additional information being received from the Federal Energy Regulatory Agency (FERC), it is in the best interest of the City to extend the deadline to submit Request for Proposals for a mandatory inspection of the dam. Following discussion, Councilmember Schmalz introduced Resolution No. 2-51-07, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to amend Resolution No. 2-26-07, by changing the return date of the RFP's for a Dam Safety Inspection, Potential Failure Modes Analysis, and Surveillance Monitoring Program from February 28, 2007 to March 16, 2007

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 2-52-07: AMENDING RESOLUTION NO. 2-33-07 TO CHANGE PUBLIC HEARING DATE FOR TAFT STREET ALLEY VACATION**

The City Council reviewed a request to change the public hearing date for the proposed vacation of a portion of alley along Taft Street. Following discussion, Councilmember Lee introduced Resolution No. 2-52-07, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to amend Resolution No. 2-33-07, by changing the public hearing date on the proposed vacation of the alley abutting 1003 and 1013 Taft Street East from March 13, 2007 to March 20, 2007 at 4:55 p.m.

On vote being taken, the resolution was unanimously passed.

**ADJOURNMENT**

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

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Steve Nordhagen, Mayor

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