

COUNCIL PROCEEDINGS

March 20, 2007

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on March 20, 2007 in the Council Chambers of City Hall. The following Councilmembers were present: Bendickson, Cullen, Erickson, Kajewski, Lee, and Schmalz. Councilmember Holten and Mayor Nordhagen were absent. Vice-Mayor Cullen chaired the meeting.

APPROVAL OF COUNCIL PROCEEDINGS

The City Council reviewed the March 6, 2007 Council Proceedings. Following discussion, Councilmember Schmalz moved, being seconded by Councilmember Kajewski, to approve the March 6, 2007 Council Proceedings, as presented. On vote being taken, the Chair declared the motion unanimously carried.

RESOLUTION NO. 3-59-07: APPROVAL OF PAYMENT OF BILLS

Councilmember Erickson indicated he reviewed the bills prior to the meeting. Following discussion, Councilmember Erickson introduced Resolution No. 3-59-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to authorize payment of the second half of April bills in the amount of \$404,076.91 and the March 1-16, 2007 prepayments in the amount of \$1,104,431.75. 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. 3-60-07: APPROVAL TO ACCEPT DONATIONS TOWARD RALPH ENGELSTAD ARENA BASKETBALL ACTIVITY IMPROVEMENTS

Dale Wennberg, Marketing and Events Manager, appeared before the City Council to discuss the condition of the portable basketball floor and equipment at the Ralph Engelstad Arena. Following discussion, Councilmember Lee introduced Resolution No. 3-60-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City of Thief River Falls, to accept donations toward improving the portable basketball floor and other basketball equipment at the Ralph Engelstad Arena. Such donations will be accepted for one year.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-61-07: ACCEPTANCE OF RESIGNATION OF ALLAN WILSON, WATER PLANT OPERATOR

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 3-61-07, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to accept the resignation of Allan Wilson, Water Plant Operator, effective March 12, 2007.

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

RESOLUTION NO. 3-62-07: APPROVAL OF LGH VENTURE, INC. ON-SALE INTOXICATING LIQUOR LICENSE

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 3-62-07, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to approve the issuance of an On-Sale Intoxicating Liquor License to LGH Venture, Inc, effective May 1, 2007 through December 31, 2007.

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

RESOLUTION NO. 3-63-07: APPROVAL OF TEMPORARY 3.2% MALT LIQUOR LICENSE TO CHAMBER OF COMMERCE

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 3-63-07, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to approve the issuance of a Temporary 3.2% Malt Liquor License to the Chamber of Commerce effective September 8, 2007, to conduct a beer garden on LaBree Avenue during the Great American Block Party festivities.

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

RESOLUTION NO. 3-64-07: APPROVAL OF RURAL FIRE AGREEMENT WITH THE TOWNSHIPS OF EXCEL, NORDEN, NORTH, ROCKSBURY, SILVERTON, AND SMILEY

The renewal of an agreement with area townships for fire protection by the City Fire Department was presented. Following discussion, Councilmember Lee introduced Resolution No. 3-64-07, being seconded by Councilmember Kajewski, that:

WHEREAS, as per conditions outlined in an agreement, the City of Thief River Falls agrees to furnish fire service and fire protection to all property within designated townships.

THEREFORE, BE IT RESOLVED, by the City Council, to authorize and direct the Mayor and City Administrator to execute a Rural Fire Agreement between the City of Thief River Falls and the townships of Excel, Norden, North, Rocksbury, Silvertown, and Smiley, effective April 1, 2007 through March 31, 2010.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-65-07: APPROVAL OF "LETTERS TO THE EDITOR" POLICY WRITTEN BY CITY EMPLOYEES AND CITY COUNCILMEMBERS

A policy regarding "Letters to the Editor" written by employees of the City of Thief River Falls was discussed. Following discussion, Councilmember Schmalz introduced Resolution No. 3-65-07, being seconded by Councilmember Kajewski, that:

WHEREAS, "Letters to the Editor" written by residents concerning the City's handling of an issue should not be responded to by City staff in any manner that would imply that the employee is speaking on behalf of the City unless the employee has been explicitly authorized to write such a letter by the City Council.

THEREFORE, BE IT RESOLVED, by the City Council, to adopt a policy instructing City employees and Councilmembers that any "Letters to the Editor" written by them shall include the disclaimer that, "The views expressed herein are my own and do not necessarily represent the view of the City of Thief River Falls." Any "Letters to the Editor" written by employees without the authorization of the City Council shall not be written on City time or using City resources.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-66-07: APPROVAL OF DYNA-PAK CORPORATION REFUSE BAG QUOTE

A tabulation of quotes was reviewed for the purchase of refuse bags. Following discussion, Councilmember Kajewski introduced Resolution No. 3-66-07, being seconded by Councilmember Erickson, that:

WHEREAS, the following two quotes were received for the purchase of 410,000 refuse bags:

Dyna-Pak, Corporation	\$25,862.80
Jadcore, Inc.	\$26,301.50

WHEREAS, Dyna-Pak Corporation submitted the lowest quote.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the quote of Dyna-Pak Corporation in the amount of \$25,862.80 for the purchase of 410,000 refuse bags.

BE IT FURTHER RESOLVED, to purchase from Dyna-Pak Corporation an additional 6,000 refuse bags for the Ralph Engelstad Arena at a cost of \$1,200.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-67-07: RESOLUTION CALLING FOR A PUBLIC HEARING BY THE CITY COUNCIL ON THE PROPOSED ADOPTION OF A MODIFICATION TO THE DEVELOPMENT PROGRAM FOR DEVELOPMENT DISTRICT NO. 1 AND THE PROPOSED ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT NO. 1-7 THEREIN AND THE ADOPTION OF THE TAX INCREMENT FINANCING PLAN THEREFORE

The City Council reviewed requirements to establish a TIF District south on Challenger at the request of MMCDC. Following discussion, Councilmember Lee introduced Resolution No. 3-67-07, being seconded by Councilmember Schmalz, that:

BE IT RESOLVED by the City Council (the "Council") for the City of Thief River Falls, Minnesota (the "City"), as follows:

Section 1. Public Hearing. This Council shall meet on April 24, 2007, at approximately 5:00 P.M., to hold a public hearing on the proposed adoption of a Modification to the Development Program for Development District No. 1, the proposed establishment of Tax Increment Financing District No. 1-7, a housing district, and the proposed adoption of a Tax Increment Financing Plan therefore, all pursuant to and in accordance with Minnesota Statutes, Sections 469.124 through 469.165, and Sections 469.174 through 469.1799, inclusive, as amended, in an effort to encourage the development and redevelopment of certain designated areas within the City; and

Section 2. Notice of Public Hearing, Filing of Program Modification and Plan. City staff is authorized and directed to work with Ehlers & Associates, Inc., to prepare a Modification to the Development Program for Development District No. 1 and a Tax Increment Financing Plan for Tax Increment Financing District No. 1-7 (the "Program Modification and Plan") and to forward documents to the appropriate taxing jurisdictions including Pennington County and Independent School District No. 564. The City Administrator is authorized and directed to cause notice of the hearing, together with an appropriate map as required by law, to be published at least once in the official newspaper of the City not later than 10, nor more than 30, days prior to April 24, 2007, and to place a copy of the Program Modification and Plan on file in the City Administrator's office at City Hall and to make such copy available for inspection by the public.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-68-07: APPROVAL OF 2007 STREET, SIDEWALK, AND UTILITIES IMPROVEMENT PROJECT PLANS AND SPECIFICATIONS AND CALLING FOR BIDS – SCHEDULE "A"

Ron Lindberg, Public Works Director, presented the Plans and Specifications for a portion of the 2007 Street, Sidewalk, and Utilities Improvement Project, noting that the project will now be divided into a Schedule "A" and Schedule "B". Following discussion, Councilmember Lee introduced Resolution No. 3-68-07, being seconded by Councilmember Bendickson, that:

WHEREAS, pursuant to Resolution No. 2-48-07, Widseth, Smith, and Nolting and the City's Engineering Technical Services Department have prepared plans and specifications (Schedule "A") for the following improvements:

- 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) Alice Drive Curb and Gutter and Bituminous Base Installation;
- 6) Cartway Drive and a portion of Oak Avenue North Street Improvements; and,

AND WHEREAS, they have presented such plans and specifications to the City Council for approval.

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

- 1) Such plans and specifications, a copy of which is on file in the Office of the City Administrator, are hereby approved; and,
- 2) The City Administrator shall prepare and cause to be published in The Times newspaper and in the Construction Bulletin an advertisement for bids upon the making of such improvements under such approved plans and specifications. The advertisement shall be published for 21 days, shall specify the work to be done, shall state that bids will be publicly opened, tabulated, and the responsibility of the bidders will be considered in the Council Chambers of City Hall on May 3, 2007 at 11:00 a.m. by the City Administrator and Public Works Director. They shall present their recommendation to the City Council on May 15, 2007 at 5:00 p.m. in the Council Chambers of City Hall, at which time the City Council may act upon the recommendation. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Administrator and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the City Administrator for five percent of the amount of such bid.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 3-69-07: APPROVAL OF EMPLOYMENT OF TRENT COLLINS
AS A PART-TIME PUBLIC WORKS MAINTENANCE (AIRPORT) EMPLOYEE**

Ron Lindberg, Public Works Director, presented the City Council with a recommendation to fill the vacant position of a part-time Public Works Maintenance (Airport) employee. Following discussion, Councilmember Kajewski introduced Resolution No. 3-69-07, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to approve the employment of Trent Collins a part-time Public Works Maintenance employee, pending successful completion of pre-employment requirements. Mr. Collins shall begin employment at Step 1 of the Public Works Maintenance (Airport) Grade Level 4 salary schedule.

On vote being taken, the resolution was unanimously passed.

ADJOURNMENT

There being no further discussion, Councilmember Lee moved, being seconded by Councilmember Schmalz, to adjourn the meeting at 5:30 p.m. On vote being taken, the Chair declared the motion unanimously carried and the meeting adjourned.

Elvera Cullen, Vice-Mayor

Attest: _____
Jodie R. Torkelson, City Administrator