

## COUNCIL PROCEEDINGS

July 10, 2007

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on July 10, 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.

### **RESOLUTION NO. 7-172-07: APPROVAL OF COUNCIL PROCEEDINGS**

The City Council reviewed three sets of Council Proceedings. Following discussion, Councilmember Cullen introduced Resolution No. 7-172-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to approve the June 19, 2007 TIF Hearing Proceedings, the June 19, 2007 Council Proceedings, and the June 26, 2007 Council Committee of the Whole Proceedings, as presented.

On vote being taken, the resolution was unanimously passed.

### **RESOLUTION NO. 7-173-07: APPROVAL OF PAYMENT OF BILLS**

Councilmembers Kajewski and Schmalz indicated they reviewed the bills prior to the meeting. Following discussion, Councilmember Schmalz introduced Resolution No. 7-173-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to authorize payment of the first half of July bills in the amount of \$328,473.42 and the June 18 - 29, 2007 prepayments in the amount of \$415,542.25. 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. 7-174-07: APPROVAL OF LEASE WITH TIM BERGLAND AND SCOTT BERGLAND FOR PRO SHOP AT RALPH ENGELSTAD ARENA**

The City Council reviewed the renewal of a lease at the Ralph Engelstad Arena. Following discussion, Councilmember Kajewski introduced Resolution No. 7-174-07, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to authorize and direct the Mayor and City Administrator to execute a lease with Tim Bergland and Scott Bergland for space at the Ralph Engelstad Arena to operate an ice arena pro shop. Lease is effective June 15, 2007 through June 14, 2008.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-175-07: APPROVAL OF BEER IN THE PARK PERMITS FOR VFW CLUB AND EAGLES CLUB**

The City Council reviewed two applications for Beer in the Park Permits. Following discussion, Councilmember Lee introduced Resolution No. 7-175-07, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to approve the following Beer in the Park Permits:

VFW Club at Oakland Park on August 12, 2007; and,  
Eagles Club at Oakland Park on August 16, 2007

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-176-07: ADOPTION OF GENERAL RECORDS RETENTION SCHEDULE**

As required by the State of Minnesota, cities are required to adopt a retention schedule for managing governmental documents. Following discussion, Councilmember Lee introduced Resolution No. 7-176-07, being seconded by Councilmember Kajewski, that:

WHEREAS, the Minnesota State Department of Administration, Information Policy Analysis Division, and the Minnesota Historical Society have developed a retention schedule to provide a plan for managing governmental records by giving continuing authority to dispose of records under Minnesota Statutes Section 138.17; and,

WHEREAS, this retention schedule has been revised and updated by the Minnesota Clerks and Finance Officers Association.

THEREFORE, BE IT RESOLVED, by the City Council, to approve the General Records Retention Schedule for Minnesota Cities, as revised March 2007.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-177-07: ADOPTION OF ORDINANCE NO. 31, 3<sup>rd</sup> SERIES, AMENDING DEFINITIONS OF PUBLIC NUISANCES**

The Council reviewed an amendment to City Code Section 91.16 "Public Nuisances". Following discussion, Councilmember Lee moved, being seconded by Councilmember Schmalz, to have the first reading of Ordinance No. 31, 3<sup>rd</sup> Series. On vote being taken, the motion was unanimously carried.

Following the reading of the ordinance by City Attorney, Paul Ihle, Councilmember Lee introduced Resolution No. 7-177-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council to adopt Ordinance No. 31, 3<sup>rd</sup> Series, an ordinance amending City Code Section 91.16 by adding Subsection (L) to the conditions declared as a public nuisance affecting health: Construction Debris and Solid Waste.

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

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-178-07: ADOPTING ORDINANCE NO. 32, 3<sup>rd</sup> SERIES, AMENDING DISCHARGE OF FIREARMS AND EXPLOSIVES**

The Council reviewed an amendment to City Code Section 130.26 "Discharge of Firearms and Explosives". Following discussion, Councilmember Lee moved, being seconded by Councilmember Schmalz, to have the first reading of Ordinance No. 32, 3<sup>rd</sup> Series. On vote being taken, the motion was unanimously carried.

Following the reading of the ordinance by City Attorney, Paul Ihle, Councilmember Lee introduced Resolution No. 7-178-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council to adopt Ordinance No. 32, 3<sup>rd</sup> Series, an ordinance amending City Code Section 130.26(B) by adding the following exception to City Code Section 130.26(A) "Discharge of Firearms and Explosives"

"where a permit has been issued by the Chief of Police"

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

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-179-07: ACCEPTANCE OF QUOTE FROM MIDWEST TRENCHLESS FOR INSPECTION AND CLEANING OF SEWER MAINS**

Arlo Rude, Director of Utilities, presented the City Council with a summary of quotes received for the televising and cleaning of sewer mains. Following discussion, Councilmember Kajewski introduced Resolution No. 7-179-07, being seconded by Councilmember Lee, that:

WHEREAS, the following five quotes were received and opened on June 20, 2007 for televising and cleaning sewer mains:

	<u>Televising</u>	<u>Cleaning</u>
Midwest Trenchless	\$13,285.00	\$ 5,985.00
Pipe Services	\$17,395.20	\$ 9,472.56
Veit	\$15,462.40	\$12,521.20
VISU-Sewer	\$16,912.00	No Quote
Roto Rotor	No Quote	\$ 9,254.80

WHEREAS, Midwest Trenchless appears to have submitted the lowest quote.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the quote submitted by Midwest Trenchless in the total amount of \$19,270.00 for televising of 24,160 feet of sewer main and cleaning of 10,888 feet of sewer main.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-180-07: APPROVAL OF RENEWAL OF CHARITABLE GAMBLING LICENSE FOR TRFAHA**

Prior to the State of Minnesota issuing a Lawful Gambling License to an organization wishing to conduct gambling activities within the City limits, the organization must obtain the City's approval for such activity. Following discussion, Councilmember Erickson introduced Resolution No. 7-180-07, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to approve a Lawful Gambling License Renewal Application being submitted to the State of Minnesota by the Thief River Falls Amateur Hockey Association to conduct gambling activities at the following locations, effective September 1, 2007 through August 31, 2009:

- 1) Rusty Nail , 307 Main Avenue North, Thief River Falls
- 2) Schooner Bar & Grill, 212 2<sup>nd</sup> Street East, Thief River Falls

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-181-07: ACCEPTANCE OF DAVIDSON CONSTRUCTION, INC. BID FOR SCHEDULE "B" OF THE 2007 STREET, SIDEWALK, AND UTILITIES IMPROVEMENT PROJECT**

Ron Lindberg, Public Works Director, presented bids received for Schedule "B" of the 2007 Street, Sidewalk, and Utilities Improvement Project. Following discussion, Councilmember Lee introduced Resolution No. 7-181-07, being seconded by Councilmember Bendickson, that:

WHEREAS, pursuant to an advertisement for bids for the 2007 Street, Sidewalk, and Utilities Improvement Project, bids were received, opened, and tabulated according to law and the following bids for Schedule "B" (as authorized by Resolution No. 5-126-07) were received complying with the advertisement:

Davidson Construction, Inc.	\$1,204,932.35
Spruce Valley Corporation	\$1,345,607.25
Christianson Industrial Developers, Inc.	\$1,369,039.55
R.K. Excavating, Inc.	\$1,382,426.95
S.J. Louis Construction, Inc.	\$1,435,472.44
Sellin Brothers, Inc.	\$1,474,189.15
Gladen Construction, Inc.	\$1,520,821.88
Wagner Construction, Inc.	\$1,539,289.00

WHEREAS, Davidson Construction, Inc., is the lowest responsible bidder.

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

- 1) The Mayor and City Administrator are hereby authorized and directed to enter into a contract in the amount of \$1,204,932.35 with Davidson Construction, Inc., of Newfolden, Minnesota, for Schedule "B" of the 2007 Street, Sidewalk and Utilities Improvement Project, according to the Plans and Specifications approved by the City Council and on file in the Office of the City Administrator.
- 2) The City Administrator is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-182-07: APPROVAL OF CALL FOR BIDS FOR LIME SLUDGE REMOVAL AT WATER TREATMENT PLANT PONDS**

Arlo Rude, Director of Utilities, presented a request of the City Council. Following discussion, Councilmember Lee introduced Resolution No. 7-182-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to call for bids for the removal of lime sludge at the Water Treatment Plant ponds.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-183-07: APPROVAL OF REMOVAL OF CONDEMNED GARAGE LOCATED AT 602 MARKLEY AVENUE SOUTH**

The status of a condemned garage in the City was discussed. Following discussion, Councilmember Erickson introduced Resolution No. 7-183-07, being seconded by Councilmember Cullen, that:

WHEREAS, a garage located at 602 Markley Avenue South has been condemned and the owner has not removed such garage; and,

WHEREAS, the City has notified the property owner of the City's intent to remove the garage and debris.

THEREFORE, BE IT RESOLVED, that the City Council, shall direct the Street Department to remove the condemned garage and debris owned by Judith Giese on property legally described as Conley's Third Addition, Block 2, North 50 feet of Lot 1 (Parcel ID# 25.011.006.20). Costs incurred shall be charged to the property owner as a lien against the property on the 2008 property taxes.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-184-07: APPROVAL TO CHANGE LOCATION OF AUGUST 7, 2007 COUNCIL MEETING TO PIONEER VILLAGE CHURCH BASEMENT**

Discussion was held with regard to the location of the next Council meeting. Following discussion, Councilmember Kajewski introduced Resolution No. 7-184-07, being seconded by Councilmember Cullen that:

RESOLVED, by the City Council, to change the location of the August 7, 2007 Council Meeting from the City Council Chambers to the church basement located in Pioneer Village.

On vote being taken, the resolution was unanimously passed.

**BUDGET DISCUSSIONS**

The City Council conducted a review of the following proposed 2008 budgets: Parks and Recreation.

**ADJOURNMENT**

There being no further discussion, Councilmember Cullen moved, being seconded by Councilmember Erickson, to adjourn the meeting at 6:38 p.m. On vote being taken, the Chair declared the motion unanimously carried and the meeting adjourned.

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Steve Nordhagen, Mayor

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