

## COUNCIL PROCEEDINGS

July 24, 2007

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on July 24, 2007 in the Council Chambers of City Hall. The following Councilmembers were present: Bendickson, Cullen (arrived at 5:40 p.m.), Erickson, Holten, Kajewski, Lee, Schmalz, and Mayor Nordhagen. No Councilmembers were absent. Mayor Nordhagen chaired the meeting.

### **RESOLUTION NO. 7-186-07: APPROVAL OF COUNCIL PROCEEDINGS**

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

RESOLVED, by the City Council, to approve the July 10, 2007 Council Proceedings and the July 19, 2007 Committee of the Whole Proceedings, as presented.

On vote being taken, the resolution was unanimously passed.

### **RESOLUTION NO. 7-187-07: APPROVAL OF PAYMENT OF BILLS**

Councilmembers Holten and Erickson indicated they reviewed the bills prior to the meeting. Following discussion, Councilmember Holten introduced Resolution No. 7-187-07, being seconded by Councilmember Erickson, that:

RESOLVED, by the City Council, to authorize payment of the second half of July bills in the amount of \$1,551,550.19 and the July 2 - 13, 2007 prepayments in the amount of \$965,424.73. 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. 7-188-07: ADOPTION OF ORDINANCE NO. 33, 3<sup>rd</sup> SERIES – METER ACCURACY**

The City Council reviewed a proposed ordinance amending a provision relating to meter accuracy. Following discussion, Councilmember Schmalz moved, being seconded by Councilmember Lee, to call for the first reading of Ordinance No. 33, 3<sup>rd</sup> Series. On vote being taken, the Chairman declared the motion unanimously carried.

Following the reading of the ordinance by City Attorney, Paul Ihle, Councilmember Lee introduced Resolution No. 7-188-07, being seconded by Councilmember Erickson, that:

RESOLVED, by the City Council, to adopt Ordinance No. 33, 3<sup>rd</sup> Series, an ordinance amending City Code Section 50.25, increasing the time allowable

to correct underpayments or overpayments of meter errors from six months to six years.

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

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

**RESOLUTION NO. 7-189-07: APPROVAL OF EMPLOYMENT OF MARISSA ADAM AND SETH VETTESON AS PATROL OFFICERS**

Kim Murphy, Chief of Police, presented a recommendation from the Police Civil Service Commission. Following discussion, Councilmember Erickson introduced Resolution No. 7-189-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to approve the employment of the following two patrol officers:

Marissa Adam - effective August 6, 2007 at Step 1 of the Patrol Officer's Grade Level 6 salary schedule; and,

Seth Vetteson – effective August 13, 2007 at Step 1 of the Patrol Officer's Grade Level 6 salary schedule.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-190-07: APPROVAL OF PROMOTION OF CHARLES LINDGREN TO RANK OF SERGEANT**

Kim Murphy, Chief of Police, presented the City Council with a recommendation to promote a patrol officer to sergeant status. Following discussion, Councilmember Erickson introduced Resolution No. 7-190-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to approve the promotion of Patrol Officer, Charles Lindgren, to the rank of Sergeant, effective August 1, 2007. Mr. Lindgren's salary shall be at the Grade Level 7 designation.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-191-07: APPROVAL OF PROGRESSION RAISE FOR ANDREW HART, PATROL OFFICER**

Kim Murphy, Chief of Police, presented a proposed progression raise. Following discussion, Councilmember Kajewski introduced Resolution No. 7-191-07, being seconded by Councilmember Erickson, that:

RESOLVED, by the City Council, to grant Andrew Hart, Patrol Officer, a progression raise. Mr. Hart shall progress to Step 2 of the Grade Level 6 Patrol Officer's salary schedule, effective July 31, 2007.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-192-07: 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. 1-8 THEREIN AND THE ADOPTION OF THE TAX INCREMENT FINANCING PLAN THEREFORE**

Mike Moore, Community Development Director, requested that the City Council call for a public hearing for a proposed TIF district. Following discussion, Councilmember Lee introduced Resolution No. 7-192-07, being seconded by Councilmember Kajewski, 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 August 21, 2007, at approximately 4:45 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. 1-8, 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 469.134 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. 1-8 (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 August 21, 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. 7-193-07: APPROVAL OF CONDITIONAL USE PERMIT FOR PENNINGTON COUNTY FAIR BOARD AND TRI-VALLEY OPPORTUNITY COUNCIL**

Mike Moore, Community Development Director, presented a Planning Commission recommendation. Also present was Mike Frisch, Manager of Tri-Valley Opportunity Council. Following discussion, Councilmember Lee introduced Resolution No. 7-193-07, being seconded by Councilmember Schmalz, that:

WHEREAS, the Planning Commission conducted a public hearing on a Conditional Use Permit request submitted by the Pennington County Fair Board and Tri-Valley Opportunity Council to allow for the construction of a transit (bus) building on the Pennington County Fairgrounds. Tri-Valley will store their buses in the building and, during the Fair, the Pennington County Fair Board will use the building as offices and handicapped restrooms; and,

WHEREAS, the Planning Commission recommends that the City Council grant the Conditional Use Permit, based upon the fact that the request meets all eight of the Criteria For Granting Conditional Use Permits as required by City Code.

THEREFORE, BE IT RESOLVED, by the City Council, to grant a Conditional Use Permit to Pennington County Fair Board to allow for the construction of a transit building on property legally described as the NW ¼ of the NW ¼ of Section 33, Township 154, Range 43.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-194-07: APPROVAL OF ELEMENTARY FIRST ADDITION PRELIMINARY PLAT**

Mike Moore, Community Development Director, presented a Planning Commission recommendation. Following discussion, Councilmember Lee introduced Resolution No. 7-194-07, being seconded by Councilmember Kajewski, that:

WHEREAS, the Planning Commission conducted a public hearing on the proposed "Elementary First Addition" Preliminary Plat submitted by the Midwest Minnesota Community Development Corporation; and,

WHEREAS, the Planning Commission recommends approval of the Preliminary Plat of Elementary First Addition, with conditions and stipulations.

THEREFORE, BE IT RESOLVED, that the City Council accepts the Planning Commission's recommendation and approves the Preliminary Plat of Elementary First Addition, with the following conditions and stipulations:

- 1) That a formal agreement be reached regarding the 5% Public Land Dedication requirement utilizing the trail system as defined;

2) That a formal agreement be reached regarding the maintenance of the trails and easements; and,

3) That the temporary cul-de-sacs are agreed upon for emergency access to Washington Avenue and Northrop Avenue.

On vote being taken, the resolution was unanimously passed.

It should be noted that Councilmember Cullen arrived at this time.

**RESOLUTION NO. 7-195-07: APPROVE THE EMPLOYMENT OF LEEANN LUND AS A PART-TIME COMMUNITY DEVELOPMENT SECRETARY**

Mike Moore, Community Development Director, presented a recommendation to fill the vacancy created by the resignation of Melissa Bushy. Following discussion, Councilmember Kajewski introduced Resolution No. 7-195-07, being seconded by Councilmember Erickson, that:

RESOLVED, by the City Council, to approve the employment of LeeAnn Lund as a part-time Community Development Secretary. Ms. Lund's wage shall be the top of the Grade Level 4 Non-Union salary schedule.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-196-07: APPROVAL TO FILL POSITION OF UTILITIES BILLING CLERK**

Barry Froiland, MIS Director/Billing Office Manager, presented a request to the City Council. Following discussion, Councilmember Lee introduced Resolution No. 7-196-07, being seconded by Councilmember Kajewski, that:

WHEREAS, LeeAnn Lund, Utility Billing Clerk, has accepted the position of Community Development Secretary, therefore a vacancy has been created in the Utilities Billing Office.

THEREFORE, BE IT RESOLVED, by the City Council, to authorize the Utilities Office to proceed with filling the position of a full-time Utilities Billing Office.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-197-07: APPROVAL OF MNDOT GRANT OFFER FOR TRF REGIONAL AIRPORT LOADER AND BROOM**

Ron Lindberg, Public Works Director, presented a proposed grant from MnDOT. Following discussion, Councilmember Lee introduced Resolution No. 7-197-07, being seconded by Councilmember Erickson, that:

THEREFORE, BE IT RESOLVED, by the City Council, to accept a MnDOT Grant Agreement whereby the City shall receive 95% of the cost of a loader and broom from MnDOT. The City shall receive \$478,916 of the \$504,123 purchase price of the loader/with radio and runway broom.

It should be noted that this purchase is not a budgeted item and the City share plus warranty costs (totaling \$25,737.11) shall be taken from the Revolving Capital Loan Fund and paid back within two years.

On vote being taken, the resolution was unanimously passed.

### **RECESS**

A five-minute recess was taken at this time.

### **BUDGET DISCUSSIONS**

The City Council conducted a review of the following proposed 2008 budgets: Cemetery, TRF Branch Library, Debt Service, General City Revenue, and Tax Levy.

### **ADJOURNMENT**

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

---

Steve Nordhagen, Mayor

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