

November 6, 2007

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on November 6, 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.

PUBLIC FORUM

By request of the Mayor, Chris Twomey, CEO of Arctic Cat, appeared before the City Council to explain his role as of CEO and relationship between himself, the Board of Directors, and the managers of each department.

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION/ANNOUNCEMENTS

American Education Week Proclamation – the week of November 11-17, 2007 has been designated as American Education Week in Thief River Falls.

APPROVAL OF AGENDA

Councilmember Cullen motioned, being seconded by Councilmember Schmalz, to remove Item No. 7.02 (Approval to Amend City Administrator's Job Description) from the Agenda. On vote being taken, the motion failed by a five-no, three-yes (Cullen, Schmalz, and Erickson) vote. Councilmember Bendickson then moved, being seconded by Councilmember Kajewski, to approve the agenda as presented. On vote being taken, the motion was passed by a six-yes, two-no (Cullen and Schmalz) vote.

RESOLUTION NO. 11-283-07: APPROVAL OF COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 11-283-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to approve the October 16, 2007 Council Proceedings, the October 23, 2007 Hearing Proceedings, the October 23, Committee of the Whole Proceedings, and the October 29, 2007 Adjourned Council Proceedings.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11-284-07: APPROVAL OF PAYMENT OF BILLS

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 11-284-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to authorize payment of the bills and disbursements in the total amount of \$1,539,542.04 as presented. A printout of the approved disbursements is attached hereto and made a part hereof.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11-285-07: APPROVAL OF LAWFUL GAMBLING LICENSE RENEWAL APPLICATION FOR HERITAGE COMMUNITY CENTER

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 11-285-07, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to approve a Minnesota Lawful Gambling License Renewal Application submitted by the Heritage Community Center, 301 4TH Street East, Thief River Falls, effective February 1, 2008 through January 31, 2010. Said application will also require approval by the State of Minnesota Gambling Control Board.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11-286-07: APPROVAL TO FILL PUBLIC WORKS MAINTENANCE STREETS/SANITATION EMPLOYEE

The City Council reviewed a recommendation from Public Works Director, Ron Lindberg, with regard to a vacant position in the Public Works Division. Following discussion, Councilmember Kajewski introduced Resolution No. 11-286-07, being seconded by Councilmember Schmalz, that:

WHEREAS, a vacancy was created in the Street Department with the retirement of a Heavy Equipment Operator in May of 2007; and,

WHEREAS, it has been the intent of the City to not fill the position of Heavy Equipment Operator positions, but instead to replace those positions with persons hired as Public Works Maintenance Streets/Sanitation employees.

THEREFORE, BE IT RESOLVED, by the City Council, to begin the process to fill the Public Works Maintenance Streets/Sanitation employee vacancy in the Street Department by posting the vacancy to Teamster Union #320 employees as per union contract. If no qualified Teamster employee applies, the position will then be opened to the public for filling.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11-287-07: APPROVAL TO MOVE FORWARD TO AMEND CITY ADMINISTRATOR'S JOB DESCRIPTION

The City Council reviewed a recommendation from the Mayor's Ad-Hoc Committee as it related to the position of City Administrator and the organizational structure of the

City. Following discussion, Councilmember Lee introduced Resolution No. 11-287-07, being seconded by Councilmember Bendickson, that:

WHEREAS, a Mayor-appointed Ad-Hoc Committee has researched the structure of comparable cities as it relates to the responsibilities of the City Administrator, reviewed information collected by the League of Minnesota Cities, the City Code of the City of Thief River Falls, documents from the history of the City of Thief River Falls, and the current job description of the City Administrator; and,

WHEREAS, it is the recommendation of the Ad-Hoc Committee to move forward amending the City Administrator's job description.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Ad-Hoc Committee's recommendation to amend the City Administrator's job description to not only be responsible for the day to day operations of the City, but to also have heads of the Divisions and Departments report to the City Administrator.

On vote being taken, the resolution was passed by a five-yes, three-no (Erickson, Cullen, and Schmalz) vote.

RESOLUTION NO. 11-288-07: ADOPTION OF ORDINANCE NO. 34, 3rd SERIES, AMENDING CITY CODE TO REFLECT CHANGES OF RESPONSIBILITIES OF CITY ADMINISTRATOR

Councilmember Bendickson moved, being seconded by Councilmember Lee, to have the first reading of Ordinance No. 34, 3rd Series. On vote being taken, the Chair declared the motion carried by a five-yes, three-no (Erickson, Cullen, and Schmalz) vote.

Following the reading of the ordinance by City Attorney, Paul Ihle, Councilmember Lee introduced Resolution No. 11-288-07, being seconded by Councilmember Kajewski, that:

WHEREAS, pursuant to Resolution No. 11-287-07, the City Council indicated its desire to move forward with a change in the duties and responsibilities of the City Administrator.

THEREFORE, BE IT RESOLVED, to adopt Ordinance No. 34, 3rd Series, an ordinance amending City Code Chapter 31 to reflect changes to City Code Sections 13.001 through 31.010 as they relate to the responsibilities of the of City Administrator.

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 five-yes, three-no (Erickson, Cullen, and Schmalz) vote.

RESOLUTION NO. 11-289-07: APPROVAL TO GRANT LISA THOMPSON, D.B.A. CAFÉ LABREE, A STOREFRONT RENOVATION LOAN - 315 LABREE AVENUE SOUTH

Mike Moore, Community Development Director, presented a recommendation from the Community Development Advisory Board. Following discussion, Councilmember Lee introduced Resolution No. 11-289-07, being seconded by Councilmember Schmalz, that:

WHEREAS, the Community Development Advisory Board met on October 18, 2007 to review a Storefront Renovation Loan application submitted by Lisa Thompson, d.b.a. Café LaBree located at 315 LaBree Avenue South; and,

WHEREAS, the Community Development Advisory Board gave this loan request a positive recommendation and recommends approval by the City Council.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Community Development Advisory Board's recommendation and grant Lisa Thompson, d.b.a. Café LaBree, 315 LaBree Avenue South, a Storefront Renovation Loan in the amount of \$15,000 amortized at three and one-half percent (3.5%) for five (5) years.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11-290-07: APPROVAL OF ADDITIONAL SLOW SECOND MORTGAGE PROGRAM SLOTS

Mike Moore, Community Development Director, presented a recommendation from the Community Development Advisory Board. Following discussion, Councilmember Lee introduced Resolution No. 11-290-07, being seconded by Councilmember Schmalz, that:

WHEREAS, the City of Thief River Falls has a Slow Second Mortgage Program whereby individuals whose gross projected income, not exceeding 115% of the State Median income, can apply for a zero percent interest loan payable within ten years for the construction of a new, single family home or the purchase of a previously unsold spec home within Thief River Falls; and,

WHEREAS, the Community Development Advisory Board has reviewed the Program guidelines, noting that even though all of the 48 available loans have been issued to qualified applicants there are funds available for more loan slots; and,

WHEREAS, the Community Development Advisory Board has recommended that the guidelines of the program remain the same and to add ten additional loan slots.

THEREFORE, BE IT RESOLVED, to accept the Community Development Advisory Board's recommendation to continue the Slow Second Mortgage Program with no changes to the guidelines except to add ten additional loan slots for qualified applicants.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11-291-07: APPROVAL OF CONTRACT FOR PRIVATE DEVELOPMENT IN DEVELOPMENT DISTRICT NO. 1 AND TAX INCREMENT FINANCING DISTRICT NO. 1-8 – WHEATLAND ESTATES PROJECT

Mike Moore, Community Development Director, presented a Contract for Private Development as prepared by Dorsey & Whitney, LLP, relating to TIF District 1-8. Following discussion, Councilmember Lee introduced Resolution No. 11-291-07, being seconded by Councilmember Bendickson, that:

RESOLVED, by the City Council, to authorize and direct the Mayor and City Administrator to execute a Contract For Private Development in Development District No. 1 and Tax Increment Financing District No. 1-8 between the City of Thief River Falls and Summit Development, Inc. for the Wheatland Estates Project.

On vote being taken, the resolution was unanimously passed.

MATTER OF RELEASING FIRST RIGHT OF REFUSAL AND AGREEING TO CONVEY REAL ESTATE

The City Attorney requested that the matter of the City releasing its right of first refusal contained in a lease between the City and Northwest Minnesota Multi-Council Housing and Redevelopment Authority be tabled at this time. Following discussion, Councilmember Lee moved, being seconded by Councilmember Kajewski, to table this matter. On vote being taken, the Chair declared the motion unanimously carried.

RESOLUTION NO. 11-292-07: APPROVAL OF SNOW PLOWING POLICY

The City Council reviewed proposed revisions to the current Snow Plowing Policy. Following discussion, Councilmember Schmalz introduced Resolution No. 11-292-07, being seconded by Councilmember Cullen, that:

BE IT RESOLVED, by the City Council, to adopt a Snow Plowing Policy for the City of Thief River Falls, which outlines the procedure to be followed by City crews after a snowfall:

The scheduled starting time after a snowfall of approximately two inches is 2:30 a.m.

Central Business Area – This area includes Fourth Street on the north, Knight Avenue on the west, First Street on the south, and the Canadian Pacific Railroad on the east (including LaBree Avenue east to the hospital emergency entrance).

The motor graders will plow the Central Business Area roadways first, and then proceed to clean the following main arteries.

Atlantic Avenue, First Street, Brooks Avenue, Barzen Avenue, Pennington Avenue (Urban Section), Evergreen Street to Challenger Elementary School entrance road, Nora Street, Spruce Avenue, Greenwood Street, Arnold Avenue South of Third Street, Sixth Street, Davis Avenue and Highway 59 Southeast frontage roads.

When the motor graders are clearing the Central Business Area streets and avenues, one loader and four trucks will clear and remove snow from the alleys and alternate municipal parking lots as per calendar parking ordinance. Removal of snow piles from private and public businesses will be on a time available basis, in accordance with executed Snow Removal Agreements.

At approximately 6 a.m., after the Central Business Area and main arteries are cleared, the two motor graders will separate and clear the streets and avenues on either side of town (the east and the west side of the river) based on the following schedules:

Monday, Wednesday and Friday: Avenues, including Red Lake Boulevard
Tuesday, Thursday and Saturday: Streets, Courts, Cul-de-sacs, Drives or Lanes

At the same time the Parks and Recreation Department snow blower will begin clearing most of the snow from sidewalks along the north side of First Street from Main Avenue to Crocker Avenue and the south side of First Street from Crocker Avenue to Highway 59; also, the east side of Spruce Avenue from First Street to Gulf Street; also, the north side of Highway 59 from First Street to Tindolph Avenue and both sides of Highway 59 to Davis Avenue; also, the north side of Eighth Street from Main Avenue to east of the Red Lake River. Residents are obligated to clear the balance of remaining snow from the above sidewalks adjacent to their properties within 24 hours of the snowfall, according to City ordinance.

Once the streets and/or avenues have been cleared of snow, all roads on the outskirts of town are then plowed, (including township or county force accounts).

After an unusually heavy snowfall, the 10-yard truck with a one way plow will assist the two motor patrols to open up all City streets and avenues as soon as possible.

The night that previously plowed snow is removed from the Central Business Area, one loader with a snow blower and four trucks will start at 12 midnight. This operation will occur approximately 48 hours after initial snow plowing to allow business owners time to shovel sidewalks and plow private parking lots. Once all Central Business Area streets and avenues are cleared they will remove piles of snow from private and public businesses on a time available basis in accordance with executed snow removal agreements.

The Sanitation Department plows snow from the residential alleys and is assisted by the Street Department in cases of unusually heavy snowfall.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11-293-07: ADOPTION OF ORDINANCE NO. 35, 3rd SERIES, AN ORDINANCE INCORPORATING MUNICIPAL PARKING LOTS INTO CALENDAR PARKING REGULATIONS

Councilmember Lee moved, being seconded by Councilmember Bendickson, to have the first reading of Ordinance No. 35, 3rd Series. On vote being taken, the Chair declared the motion unanimously carried.

Following the reading of the ordinance by City Attorney, Paul Ihle, Councilmember Bendickson introduced Resolution No. 11-293-07, being seconded by Councilmember Kajewski, that:

BE IT RESOLVED, by the City Council, to adopt Ordinance No. 35, 3rd Series, an ordinance adding City Code Section 72.08 (B) adding calendar parking restrictions to municipal parking lots.

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 unanimously passed.

UPCOMING MEETINGS: The upcoming meetings were noted:

- Wednesday, November 7th – Friday, November 9th – Coalition of Greater MN Cities conference in Alexandria
- Tuesday, November 13th – 4:30 p.m. Committee of the Whole meeting
- Monday, November 19th – 7:00 p.m. Planning Commission meeting
- Tuesday, November 20th – 5:00 p.m. City Council meeting
- Tuesday, November 27th – 12:00 p.m. City Council/MnDOT meeting
- Tuesday, November 27th – 4:30 p.m. Committee of the Whole meeting
- Thursday, November 29th – 6:30 p.m. Sesquicentennial Community Conversation at Heritage Center

ITEMS FOR INFORMATION

- 1) An update on the Northern Municipal Power Agency Bond Issue was given.

ADJOURNMENT

There being no further discussion, Councilmember Lee moved, being seconded by Councilmember Schmalz to adjourn the meeting at 5:55 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