

## COUNCIL PROCEEDINGS

December 4, 2007

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on December 4, 2007 in the Council Chambers of City Hall. The following Councilmembers were present: Bendickson, Cullen, Erickson, Holten, Lee, and Schmalz. Councilmember Kajewski and Mayor Nordhagen were absent. Vice-Mayor Cullen chaired the meeting.

### **APPROVAL OF AGENDA**

Councilmember Schmalz motioned, being seconded by Councilmember Erickson, to approve the agenda as presented. On vote being taken, the motion was unanimously approved and the agenda adopted.

### **RESOLUTION NO. 12-303-07: APPROVAL OF COUNCIL PROCEEDINGS**

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 12-303-07, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to approve the November 20, 2007 Council Proceedings, the November 26, 2007 Adjourned Council Proceedings, and the November 27, 2007 Committee of the Whole Proceedings.

On vote being taken, the resolution was unanimously passed.

### **RESOLUTION NO. 12-304-07: APPROVAL OF PAYMENT OF BILLS**

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 12-304-07, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to authorize payment of the bills and disbursements in the total amount of \$911,610.08. 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. 12-305-07: ACCEPTANCE OF RETIREMENT OF OBERT SUNSDAHL, METER READER**

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 12-305-07, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to accept the retirement of Obert Sundahl, Meter Reader in the Electric Department, effective December 31, 2007.

The City of Thief River Falls wishes to express its thanks and appreciation for serving the City of Thief River Falls for over 25 years.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-306-07: APPROVAL TO WRITE OFF UNCOLLECTIBLE UTILITY ACCOUNTS AND CERTIFY UNPAID UTILITY ACCOUNTS TO PENNINGTON COUNTY AUDITOR**

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 12-306-07, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to approve to write off \$22,552.31 of uncollectible utilities accounts to Bad Debt Expense. Efforts shall continue for collection of these accounts.

BE IT FURTHER RESOLVED, to certify the following unpaid three accounts to the Pennington County Auditor for collection as a lien on the property owner's 2008 property tax:

James Kindrick	Parcel No. 25-003-074-20	\$408.20
Dennis D. Knutson	Parcel No. 25-022-027-00	\$791.76
Amy Jelle	Parcel No. 25-004-020-50	\$421.76

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-307-07: APPROVAL TO CERTIFY UNPAID GRASS MOWING CHARGES TO PENNINGTON COUNTY AUDITOR AS A SPECIAL ASSESSMENT**

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 12-307-07, being seconded by Councilmember Lee, that:

WHEREAS, pursuant to Minnesota State Statute 429.101, the City may place unpaid grass mowing charges due to the City of Thief River Falls onto the owner's property tax statement for collection as a special assessment.

THEREFORE, BE IT RESOLVED, by the City Council, to certify the following unpaid grass mowing charges to the Pennington County Auditor for collection as part of the owner's 2008 property tax statement:

<u>OWNER</u>	<u>PARCEL NUMBER</u>	<u>AMOUNT</u>
Elsa R. Moreno	25-017-129-40	\$ 76.42
Black Magic Msrp	25-027-019-00	\$ 73.08
State of MN	25-048-018-00	\$124.00
State of MN	25-059-002-00	\$155.00
State of MN	25-011-006-20	\$ 93.00
State of MN	25-059-004-00	\$124.00
State of MN	25-003-198-60	\$ 60.00
HRA	25-013-035-60	\$ 41.00

HRA

25-059-028-00

\$144.00

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-308-07 CREATING A PRIORITIZED BRIDGE REPLACEMENT LIST**

The City Council reviewed an application for bridge funding. Following discussion, Councilmember Lee introduced Resolution No. 12-308-07, being seconded by Councilmember Bendickson, that:

WHEREAS, the City of Thief River Falls has reviewed the pertinent data on bridges requiring construction, replacement, rehabilitation, or removal, supplied by local citizenry and its own comprehensive plan first adopted in the 1970's; and,

WHEREAS, the City of Thief River Falls has identified those bridges that are high priority and that require construction, replacement, rehabilitation, or removal within the next five years.

NOW, THEREFORE BE IT RESOLVED that the following non-existing bridge is a high priority and the City of Thief River Falls intends to construct the following Bridge No. 57516 as soon as possible when funds are available,

Old Bridge Number	Road Number or Name	Total Project Cost	Township or State Bridge Funds	Federal Funds	Local or State Aid Funds	Proposed Construction Year
NONE*	MSAS 115	\$3,807,366	\$1,526,381	\$689,500	\$871,485	2008

\*This is a new bridge, therefore there is no old bridge number. New bridge is 57516.

FURTHERMORE, the City of Thief River Falls does hereby request authorization to construct, replace, rehabilitate, or remove such bridges.

On vote taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-309-07: RESOLUTION RELEASING FIRST RIGHT OF REFUSAL AND AGREEING TO CONVEY REAL ESTATE BETWEEN THE CITY OF THIEF RIVER FALLS AND THE NORTHWEST MULTI-COUNTY HOUSING AND REDEVELOPMENT AUTHORITY**

Councilmember Lee moved, being seconded by Councilmember Schmalz to remove from the table the matter of releasing first right of refusal and agreeing to convey real estate that was presented and tabled at the November 6, 2007 Council meeting. On vote being taken, the motion was unanimously carried.

Following discussion, Councilmember Lee introduced Resolution No. 12-309-07, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, that the City does hereby release its right of first refusal contained within that lease dated March 29, 1995, by and between the City and Northwest Minnesota Multi-County Housing & Redevelopment Authority concerning the apartments located on that real property located in the County of Pennington and State of Minnesota described as:

That part of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 27, Township 154 North, Range 43 West of the 5<sup>th</sup> Principal Meridian, further described as follows: Commencing at an iron monument at the southeast corner of said Section 27; thence North 01 degrees 42 minutes 22 seconds East, assumed bearing, along the east line of said Section 27 a distance of 1321.79 feet to an iron pipe monument at the northeast corner of the southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of said Section 27; thence north 89 degrees 25 minutes 37 seconds West, along the north line of the said southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  a distance of 1319.32 feet to an iron pipe monument at the southeast corner of the said northwest  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$ ; being the point of beginning of the tract to be described; thence continuing along the south line of the said northwest  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  a distance of 647.23 feet to an iron pipe monument, being the southeast corner of that certain tract of land described in Book 134 of Records, page 605 on file with the Pennington County Recorder as Document No. 100478; thence North 01 degrees 42 minutes 22 seconds east, along the east line of the above tract (Document No. 100478), also being parallel with the east line of the said southeast  $\frac{1}{4}$  of Section 27 a distance of 450.00 feet to an iron pipe monument; thence south 89 degrees 25 minutes 37 seconds east, parallel with the south line of the said Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  a distance of 647.37 feet to an iron pipe monument on the east line of the said Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ ; thence south 01 degrees 43 minutes 24 seconds west along said east line 450 feet to the point of beginning; containing 6.69 acres, more or less,

BE IT FURTHER RESOLVED, that the Mayor and City Administrator are authorized and directed to sign a quit claim deed to convey said real property, as described above, to Latisha Blake for the sum of \$1.00 and other valuable consideration.

BE IT FURTHER RESOLVED, that the sale of said real property does not affect the City of Thief River Falls Comprehensive Plan and therefore does not have to be reviewed by the City of Thief River Falls Planning Commission.

On vote taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-310-07: APPROVAL TO CALL FOR PUBLIC HEARING ON TAX ABATEMENT PROGRAM REQUEST BY TODD AND DEANNA WOODS**

Community Development Director Moore informed the City Council that Todd and Deanna Woods have applied for a tax abatement as per the Tax Abatement Policy,

adopted by Resolution No. 6-119-05. Following discussion, Councilmember Lee introduced Resolution No. 12-310-07, being seconded by Councilmember Holten, that:

WHEREAS, Todd and Deanna Woods, 928 Spruce Avenue South, have applied for a tax abatement on property legally described as Lot Seven (7), Block Four (4) of Allwood Acres Addition.

THEREFORE, BE IT RESOLVED, to call for a public hearing on the application at 5:00 p.m. on Tuesday, December 18, 2007 in the City Council Chambers of City Hall.

On vote taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-311-07: APPROVAL OF EMPLOYMENT OF JUSTIN STEINBRINK AS APPRENTICE LINEWORKER**

Director of Utilities Rude presented a recommendation for filling of a Lineworker's vacancy in the Electric Department. Following discussion, Councilmember Erickson introduced Resolution No. 12-311-07, being seconded by Councilmember Bendickson, that:

RESOLVED, by the City Council, to approve the employment of Justin Steinbrink as an Apprentice Lineworker. Mr. Steinbrink shall begin employment on January 2, 2008 at Step 6 of the Grade Level 6/Pay Range 8 Apprentice Lineworker salary schedule, pending successful completion of pre-employment requirements.

On vote taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-312-07: APPROVAL OF AMENDMENT TO METER READER JOB DESCRIPTION**

The City Council reviewed proposed changes to the job description of the Meter Reader position. Following discussion, Councilmember Lee introduced Resolution No. 12-312-07, being seconded by Councilmember Erickson, that:

RESOLVED, by the City Council, to approve the revised Meter Reader job description, dated December 4, 2007.

It should be noted that less than 20% of the job duties were revised, therefore a re-evaluation of the job description's grade level is not warranted.

On vote taken, the resolution was unanimously passed.

**RESOLUTION NO. 12-313-07: APPROVAL OF POSTING OF METER READER POSITION VACANCY**

As a result of the retirement of the Meter Reader effective December 31, 2007, the Electric Department has requested to fill the position. Following discussion, Councilmember Erickson introduced Resolution No. 12-313-07, being seconded by Councilmember Lee, that:

RESOLVED, to open the Meter Reader position for filling through the internal Teamster #320 process. If the City is unable to fill the position through the internal process, the City shall publicly advertise through the Minnesota Workforce Center.

On vote being taken, the resolution was unanimously passed.

**COUNCIL BOARDS AND COMMISSIONS REPORTS:**

Pennington County Historical Society – Odette Bendickson reported that Faye Auchenpaugh applied for three grants for the Pennington County Historical Society for fund archival, sesquicentennial projects, and ongoing community activities.

NWRDC – Elvera Cullen reported that Northwest Regional Development Committee had met in East Grand Forks. A sesquicentennial report was given, an award for Grygla to Gully road information, and a tour of the new movie theater in East Grand Forks was conducted.

**INFORMATIONAL ITEMS**

The December 2007 meeting calendar was reviewed.

**ADJOURNMENT**

There being no further discussion, Councilmember Bendickson moved, being seconded by Councilmember Erickson, to adjourn the meeting. On vote being taken, the Chair declared the motion unanimously carried and the meeting adjourned until 7:00 a.m. Monday, December 10, 2007 at Dee's Kitchen.

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Steve Nordhagen, Mayor

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