

COUNCIL PROCEEDINGS

March 18, 2008

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m., on March 18, 2008 in the Council Chambers of City Hall. The following Councilmembers were present: Bendickson, Cullen, Erickson, Kajewski, Lee, Schmalz, and Nordhagen. Councilmember Holten was absent. Mayor Nordhagen chaired the meeting.

RESOLUTION NO. 3-66-08: RESOLUTION REQUESTING ACTION TAKEN FOR BOVINE TUBERCULOSIS CONCERN IN NORTHWEST MINNESOTA

Howard Person appeared before the City Council and presented information regarding Bovine Tuberculosis in the Northwest Minnesota area. Following discussion, Councilmember Bendickson introduced Resolution No. 3-66-08, being seconded by Councilmember Kajewski, that:

WHEREAS, Bovine Tuberculosis is an infectious disease that has been identified in livestock and free ranging white-tail deer in Roseau and Beltrami counties; and,

WHEREAS, 2002 statistics document that the cow/calf business contributes over 40 million dollars to the local economy in a nine county area in northern Minnesota; and,

WHEREAS, the Minnesota Board of Animal Health has made a recommendation to implement a split state strategy due to this downgraded status; and,

WHEREAS, this infectious disease was first identified in 2005 and limited progress has been made to successfully implement a strategy to effectively deal with the problem and eliminate the disease; specifically to reduce the white-tail deer population in the core Bovine TB area; and,

WHEREAS, the City would like to see better communication and public relations take place between the Department of Natural Resources and the concerned parties for the betterment of all; and,

WHEREAS, it is critical that this infectious disease be contained and immediate measures taken to eliminate this problem as expediently and efficiently as possible to prevent a collapse of the livestock industry in Northwest Minnesota.

THEREFORE, BE IT RESOLVED, that the City of Thief River Falls requests the following:

- 1) Significantly reduce the free ranging white-tail deer and elk in the present core and managed areas;
- 2) Continued testing of cattle, white-tail deer, and elk in the Bovine TB managed zones;
- 3) A single point of contact and decision making in the Department of Natural Resources to efficiently facilitate communication, public relations, and solutions;
- 4) Engage Department of Public Health and the Department of Homeland

- Security and Emergency Management with the management of the transmission and spread of this infectious disease;
- 5) Implement an accelerated timeline for the elimination of Bovine TB in both livestock and white-tail deer populations.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-67-08: APPROVAL OF DOWNTOWN BEAUTIFICATION PROJECT CONCEPT

Stacy Myhrer, Chamber of Commerce, appeared before the City Council to present a Downtown Beautification Project. Following discussion, Councilmember Lee introduced Resolution No. 3-67-08, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council of Thief River Falls, to approve the planting of trees along the south side of Third Street in the downtown area as part of the Downtown Beautification Project undertaken by the Chamber of Commerce. The costs associated with the project will be paid for by the Chamber of Commerce through the use of donated funds. The Chamber of Commerce will work with the City Forester on the selection of trees.

BE IT FURTHER RESOLVED, that the support of the City of Thief River Falls is subject to approval of such plans by the Minnesota Department of Transportation.

On vote being taken, the resolution was unanimously passed.

PRESENTATION OF 2008 PROPERTY TAX AND BUDGET INFORMATION

Finance Director Johnson presented the City Council with a Power Point presentation reviewing 2008 Property Tax and Budget Information. This was for information only and no action was taken.

APPROVAL OF AGENDA

Councilmember Kajewski motioned, being seconded by Councilmember Cullen, to approve the agenda with the addition of three items. On vote being taken, the motion was unanimously approved and the agenda adopted.

RESOLUTION NO. 3-68-08: APPROVAL OF COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember Lee introduced Resolution No. 3-68-08, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to approve the March 4, 2008 Council Proceedings as presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-69-08: APPROVAL OF PAYMENT OF BILLS

Presented as part of the Consent Agenda, Councilmember Lee introduced Resolution No. 3-69-08, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to authorize payment of the bills and disbursements in the total amount of \$680,077.15. A printout of the approved payments and disbursements is attached hereto and made a part hereof.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-70-08: APPROVAL OF COMMUNITY DEVELOPMENT REVOLVING LOAN TO MINN-DAK ASPHALT, INC.

Community Development Moore presented a Community Development Advisory Board recommendation. Following discussion, Councilmember Lee introduced Resolution No. 3-70-08, being seconded by Councilmember Schmalz, that:

WHEREAS, the Community Development Advisory Board has considered and recommended approval of a loan application to the CDAB from Minn-Dak Asphalt, Inc. for Community Development Revolving Loan funds.

THEREFORE, BE IT RESOLVED, by the City Council, to grant Minn-Dak Asphalt, Inc., a \$100,000.00 Community Development Revolving Loan for job creation and equipment purchase.

Said loan shall be amortized at three and one-half (3.5%) percent interest over a seven (7) year period, with monthly installments.

On vote being taken, the resolution was unanimously approved.

RESOLUTION NO. 3-71-08: APPROVAL OF 2007 BUDGET ADJUSTMENTS

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 3-71-08, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to accept the Administrative Services Committee recommendation to adjust the following General Fund revenue and expenditure budget accounts to reflect actions taken or not taken by the City Council on major unbudgeted items in 2007:

GENERAL FUND

Adopted 2007 General Fund Budget Balance \$ 0

SHARED PARKS & REC – ARENAS/CEMETERY POSITION –The 2007 budget included a shared position between Parks & Recreation – Arena and the Cemetery. There was no need to create this position since the current staff at the Cemetery was willing to continue for another year. It also reduced the need for a larger transfer to the Cemetery fund for 2007.

10.4530.101 Parks & Rec REA – Full-time	\$ 17,000
10.4530.121 Parks & Rec REA – PERA	\$ 1,060
10.4530.122 Parks & Rec REA – FICA	\$ 1,050
10.4530.123 Parks & Rec REA – Medicare	\$ 245
10.4530.131 Parks & Rec REA – Health Insurance	\$ 4,250
10.4530-133 Parks & Rec REA – Life Insurance	\$ 90
10.4670.720 Operating Transfer to Cemetery	\$ 15,598

GOVERNMENT BUILDINGS POSITION – The 2007 budget eliminated a position in the Public Works – Government Buildings department with the anticipated sale of the City Auditorium. The sale was not completed until January 1, 2008, so there was a need for the position for the full calendar year.

10.4194.101 Government Buildings – Full-time	\$ (39,750)
10.4194.121 Government Buildings – PERA	\$ (2,485)
10.4194.122 Government Buildings – FICA	\$ (2,465)
10.4194.123 Government Buildings – Medicare	\$ (575)
10.4194.131 Government Buildings – Health Insurance	\$ (4,700)
10.4194.133 Government Buildings – Life Insurance	\$ (215)

CO-LOCATION STUDY BY HDR ENGINEERING – The City Council requested a co-location study to be completed by HDR Engineering on the feasibility of combining city departments in one physical location.

10.4194.303 Government Buildings – Contracts	\$ (6,820)
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POLICE RELIEF ASSOCIATION CONTRIBUTION – During the 2006 audit, the auditors recommended accounting for the City contribution to the Police Relief Association as a transfer of funds instead of depositing tax levy and state aid dollars directly into the fund.

10.10.3101 Current Ad Valorem Taxes	\$ 14,955
10.30.3349 Misc. State Grants	\$ 3,130
10.4210.475 Police – Relief Association Contribution	\$ (18,030)

FIRE DEPARTMENT – DONATIONS – The Fire Department received donation- from Wal-Mart, State Farm Insurance, TRF Sno Drifters, Red Lake Electric, and Enbridge for the purchase of pagers and hose.

10.62.3625 Private Donations	\$ 3,750
10.4220.240 Fire – Small Tools & Minor Equipment	\$ (3,750)

FIRE DEPARTMENT – DNR GRANT – The Fire Department received a matching funds grant from the Minnesota Department of Natural Resources for the purchase of turnout gear.

10.30.3349 Misc. State Grants	\$ 1,200
10.4220.288 Fire Department – Personal Protective Equipment	\$ (1,200)

PARKS & REC – REA CAPITAL OUTLAY – The 2007 budget included capital outlay purchases for the REA in the amount of \$30,000. This amount was spent on tables, pallet jack, used forklift, security system, mud jacking the concrete slab in front of the REA, and repairing an undersized valve with regard to the REA heating system. Since some of the items are maintenance and/or do not meet our threshold for capital outlay, the budget should be adjusted as follows:

10.4530.221 Parks & Rec REA- Equipment Maintenance & Repair	\$ (4,500)
10.4530.224 Parks & Rec REA- Grounds Maintenance & Repair	\$ (500)
10.4530.240 Parks & Rec REA- Small Tools & Minor Equipment	\$ (5,000)
10.4530.540 Parks & Rec REA- Machinery & Equipment	\$ (11,500)
10.4530.550 Parks & Rec REA- Misc. Equipment	\$ (8,500)
10.4530.550 Parks & Rec REA- Misc. Equipment	\$ 30,000

BRANCH LIBRARY – MAINTENANCE OF EFFORT SUPPORT – The City of Thief River Falls was notified that in 2006 the Library Maintenance of Effort was underpaid in the amount of \$5,338. Compounding that error, the 2007 Library Maintenance of Effort calculation was over estimated by \$10,382. Therefore, to fix these offsetting errors, the City can reduce the Maintenance of Effort required by \$5,044.

10.4550.314 Branch Library-Regional Library System Payment	\$ 5,044
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REFINANCING OF SUMMERFIELD PROPERTY 1995 BONDS – During 2006 the City Council approved the request of the Northwest Minnesota Multi-County Housing & Redevelopment Authority to refinance the 1995 bonds for the Summerfield properties located in the City. As part of the refinancing, the City was required to make the \$35,000 operating deficit payment for 2007 on December 15, 2006.

10.4670.299 General Administration – Misc. Operating Expense	\$ 35,000
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STREET DEPARTMENT PICKUP, GOVERNMENT BUILDINGS VEHICLE, AND UNAVAILABLE SAFETY GRANT – The 2007 budget included the purchase of a used pickup for the Street Department. The Street Department was able to acquire a pickup by transferring a vehicle from the Airport. Government Buildings had a need for a used vehicle and purchased a 1998 Olds Bravada at the city auction sale. The 2007 budget anticipated a safety grant for the purchase of the Street Department post pounder/compressor that was not available.

10.4312.540 Street – Machinery & Equipment	\$ 12,000
10.4194.540 Government Buildings – Machinery & Equipment	\$ (3,450)
10.30.3349 Other State Grants	\$ (4,500)

POLICE DEPARTMENT – DONATIONS – The Police Department received donations in 2007 from the Dondelinger Foundation, Hartz Foundation, Wal-Mart Foundation, and Jeff Brouse totaling \$11,500. The Police Department also received donations in 2006 totaling \$3,500. The Chief of Police is proposing to purchase in-car digital cameras and this is just one portion of the funding. The rest of the funding will not be secured in the future, so propose to place these dollars into the revolving capital outlay fund.

10.62.3625 Private Donations	\$ 11,500
Use of Reserves – 2006 Donations	\$ 3,500
10.4210.720 Police – Operating Transfer	\$ (15,000)

POLICE DEPARTMENT – PATROL VEHICLE – Included in the Police Department budget for 2007 was a purchase of a patrol vehicle. This vehicle will not be purchased until February 2008. Recommend transferring these dollars to the revolving capital outlay fund.

10.4210.540 Police – Machinery & Equipment	\$ 25,000
10.4210.720 Police – Operating Transfer	\$ (25,000)

PARKS & RECREATION DEPARTMENT – NORTHROP PARK IMPROVEMENTS

– The improvements of Northrop Park were completed with private donations, the majority from the Kiwanis Club, and the City contribution from dedicated park funds.

10.4510.530 Parks & Rec – Improvements	\$ (55,000)
10.62.3625 Private Donations	\$ 34,240
Use of Reserves – previously donated for Northrop Park	\$ 10,760
Use of Reserves – Dedicated Park Funds	\$ 10,000

BRANCH LIBRARY – ACCESSIBILITY AND CONSTRUCTION GRANT – The Thief River Falls Branch Library received a Public Library Accessibility and Construction Grant in the amount of \$70,000. It is a matching grant, so the total project is anticipated to be \$140,000, with the Northwest Regional Library contributing

\$40,000 and the City \$30,000. The City's share was originally part of the 2005 budget for schematic drawings for a new library. These funds were set aside in the Revolving Capital Outlay Fund. This project was done over two years with \$65,000 being spent in 2006, and \$35,000 being spent in 2007. The project is now complete with the city expenditures totaling \$100,000 as anticipated.

10.30.3348	Other State Grants	\$ 26,200
10.90.3923	Misc. Transfers In	\$ 8,800
10.4550.560	Branch Library – Improvements	\$ (35,000)

DONATIONS – TREES – The City received a donation on behalf of the Chamber of Commerce for the purchase of trees along the boulevards in the downtown business district. Recommend placing these funds in dedicated reserves to be expended in 2008.

10.62.3625	Private Donations	\$ 6,000
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AUCTION SALE PROCEEDS – The City auction sale was held and the proceeds, per City Code, were placed in the General Fund.

10.62.3626	Miscellaneous Revenue	\$ 23,000
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ADJUSTED 2007 GENERAL FUND BUDGET BALANCE \$ 31,117

AIRPORT FUND

Adopted 2007 Airport Budget Balance \$ 52,513

PURCHASE NEW FURNACE – The Airport Fund was in need of a new furnace for the terminal building. State aid at 80% was also secured to assist in the purchase.

66.4850.223	Building Maintenance & Repair	\$ (19,000)
66.30.3349	State Grants	\$ 15,200

AIRPORT MASTER PLAN – The Airport Fund continues to complete the Airport Master Plan with 95% federal funding to complete the project.

66.4890.303	Contracts Expense	\$ (77,300)
66.30.3316	Federal Grants	\$ 73,400

PURCHASE OF LOADER/SNOW BROOM – The Airport fund was in need of a Loader/Snow Broom and was able to secure federal funding to purchase.

66.1640	Machinery & Equipment	\$(503,250)
66.30.3316	Federal Grants	\$ 468,916

ADDITIONAL AIRPORT MAINTENANCE AIDS – The Airport Fund was awarded additional airport maintenance aids from the State of Minnesota due to the increased crosswind runway to maintain.

66.30.3349 State Grants \$ 34,000

ADJUSTED 2007 AIRPORT BUDGET BALANCE \$ 42,579

POLICE RELIEF PENSION FUND

Adopted 2007 Police Relief Budget Balance \$ (7,850)

POLICE RELIEF ASSOCIATION CONTRIBUTION – During the 2006 audit, the auditors recommended accounting for the city contribution to the Police Relief Association as a transfer of funds instead of depositing tax levy and state aid dollars directly into the fund.

81.10.3101 Current Ad Valorem Taxes \$ (13,080)
 81.30.3349 Market Value Homestead Credit \$ (1,470)
 81.30.3349 State Grants \$ (3,100)
 81.62-3647 Employer Contribution \$ 18,085

ADJUSTED 2007 POLICE RELIEF BUDGET BALANCE \$ (7,415)

CEMETERY FUND

Adopted 2007 Cemetery Budget Balance \$ 2,500

SHARED PARKS & REC – ARENAS/CEMETERY POSITION –The 2007 budget included a shared position between Parks & Recreation – Arena and the Cemetery. There was no need to create this position since the current staff at the Cemetery was willing to continue for another year. It also reduced the need for a larger transfer from the General Fund for 2007.

82.90.3923 Misc. Transfers In \$ (15,598)
 82.4820.101 Full-time Salaries \$ 27,858
 82.4820.104 Part-time Salaries \$ (30,320)
 82.4820.106 Temporary Salaries \$ 10,200
 82.4825.121 PERA Contributions \$ 1,775
 82.4825.131 Health Insurance \$ 5,955
 82.4825.133 Life Insurance \$ 130

ADJUSTED 2007 CEMETERY BUDGET BALANCE \$ 2,500

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-72-08: APPROVAL TO MOVE FALLS LIQUOR STORE NSF CHECKS TO UNCOLLECTIBLE ACCOUNTS

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 3-72-08, being seconded by Councilmember Bendickson, that:

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation to write off the following Falls Liquor Store NSF checks totaling \$4,073.86:

<u>NAME</u>	<u>DATE OF CHECK</u>	<u>AMOUNT</u>
Albaugh, Gerald	7/26/05	\$51.57
Albaugh, Gerald	7/28/05	\$50.00
Albaugh, Gerald	7/29/05	\$82.07
Albaugh, Gerald	8/01/05	\$54.04
Albaugh, Gerald	8/08/05	\$81.43
Bangen, Timothy	2/21/05	\$101.84
Brown, Alexander	11/29/05	\$28.63
Brown, Alexander	11/29/05	\$ 3.81
Brown, Alexander	12/06/05	\$28.92
Burkland, Jeff & Carol	2/14/05	\$28.32
Burkland, Jeff & Carol	11/07/05	\$60.20
Carol's Café	5/17/05	\$29.40
Critchley, Angela	6/14/05	\$22.21
Davis, Charles	9/27/05	\$29.41
Ellefson, Seth	8/23/05	\$14.70
Finnie, Brian	10/5/05	\$15.45
Gamer, Jason	05/13/05	\$39.22
Gamer, Jason	05/26/05	\$43.58
Graves, Michelle	02/11/05	\$33.31
Ground, Loni	06/15/05	\$ 6.53
Hagl, Tina	09/21/05	\$45.60
Hamm, Irvin	08/16/05	\$25.27
Hanson, Dale	07/19/05	\$43.30
Hendrickson, Paul	04/05/05	\$40.00
Johnson, Carol	08/25/05	\$22.80
Karlstad, Linda	02/15/05	\$20.00
Komplien, Tasha	08/24/04	\$15.69
Loeffler, Bobbi J.	09/19/05	\$41.59
Meckle, Dawn	08/30/05	\$22.78
Meckle, Dawn	08/30/05	\$79.30
Merrill, Marcia	06/29/05	\$40.00
Ness, Janell	07/12/05	\$36.98
Olson, Kevin	05/03/05	\$20.00
Olson, Mark & Torie	12/29/05	\$ 8.06
Paulson, Chad	07/26/05	\$23.00
Paulson, Richard	08/30/05	\$20.00
Richards, Jeffrey	12/27/05	\$33.97
Sebo, James	12/27/05	\$75.00
Smith, Roy	06/09/05	\$20.00

Smith, Roy	06/10/05	\$48.83
Stevenson, Jacob	04/22/05	\$32.51
Swanson, Jasen	01/12/05	\$19.10
Underdahl, Jeremy	07/25/05	\$29.91
Vigil, Tamara	12/06/05	\$49.16
Zeidlik, Dale	01/24/05	\$37.34
Abel, Jacob	05/30/06	\$16.30
Alfaro, Oscar	01/20/06	\$86.52
Anderson, Daniel & Lori	08/30/06	\$33.90
Barry, Kelly	09/13/06	\$100.00
Bergerson, Skip	01/05/06	\$33.93
Bouffleur, Lara	03/20/06	\$13.06
Cooper, Steven	11/03/06	\$20.00
Cota, Matt	12/26/06	\$23.08
Craig, Kim	11/07/06	\$21.76
Doak, Nicole	03/01/06	\$28.42
Dunrud, Amber	12/22/06	\$20.69
Ekman, Christopher	11/28/06	\$103.06
Ekman, Christopher	12/04/06	\$154.37
Engstrom, Gary	05/15/06	\$10.89
Fineday, Raylene	02/17/06	\$14.00
Gooderson Sr., Brandy & Robert	06/20/06	\$112.15
Gooderson Sr., Brandy & Robert	06/23/06	\$97.44
Granum, Timothy	11/08/06	\$47.26
Graves, Verna	02/06/06	\$18.31
Graves, Verna	02/06/06	\$15.34
Gregory, Hans & Kelly	04/25/06	\$24.00
Grorud, Meghan	06/27/06	\$ 6.89
Hanson, Kramer	07/03/06	\$29.90
Hargreaves, Dawn	05/04/06	\$20.00
Hoard, Stephanie	06/15/06	\$15.24
Hoard, Stephanie	06/16/06	\$14.49
Hoard, Stephanie	06/23/06	\$36.20
Hoskins, Christopher	05/16/06	\$18.01
In Touch Wireless	06/08/06	\$100.00
Jones, Cassondra	01/25/06	\$35.78
Lake, Shannon	11/13/06	\$165.85
LeClaire, Tracy	02/07/06	\$24.16
Lehnhoff, Lewis	10/09/06	\$48.96
Little, Jedidiah	08/08/06	\$21.67
Manning, Jason & Tawnya	01/24/06	\$14.95
Maruska, Melissa	10/11/06	\$11.98
McCauley, James & Jamie	03/06/06	\$19.41
Melin, Kelly	09/19/06	\$57.57
Meyer, Desiree	09/18/06	\$100.00
Mroz, Nicole	07/20/06	\$41.39
Olson, Amanda	10/06/06	\$14.94
Olson, Bradley A.	11/14/06	\$100.00
Olson, M. Dean & Jackie	04/26/06	\$26.20
Ostby, Justyn	01/05/06	\$18.51
Powassin, Jennifer	05/12/06	\$16.55
Powassin, Jennifer	05/15/06	\$20.70

Rojas, Carlos	01/25/06	\$19.45
Rott, Warren & Lisa	09/05/06	\$33.29
Rott, Warren & Lisa	09/05/06	\$72.34
Ruseng, Heather	05/30/06	\$26.53
Skogland, Stephanie	01/18/06	\$25.24
Walls, John	06/27/06	\$22.00
Westerlund, Asta	04/17/06	\$24.15
Westerlund, Milo	07/31/06	\$20.00
Wik, Galen	08/09/06	\$30.00

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-73-08: APPROVAL OF JADCORE, INC. QUOTE FOR PLASTIC REFUSE BAGS

A Public Works Committee recommendation was presented. Following discussion, Councilmember Bendickson introduced Resolution No. 3-73-08, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept the Public Works Committee recommendation, to accept the low quote submitted by Jadcore, Inc. for the purchase of plastic refuse bags in the total amount of \$28,357.96. On other quote was received in the amount of \$28,790.56 from DYNA-Pak Corporation.

BE IT FURTHER RESOLVED, to approve the quote from Jadcore, Inc. in the amount of \$922.20 for 6,000 1.8 mil thick bags in 75-bag rolls. One other quote was received from DYNA-PAK Corporation in the amount of \$1,042.27.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-74-08: APPROVAL OF PROCEEDING WITH DEVELOPMENT OF GREENWOOD STREET BRIDGE RAILROAD UNDERPASS

A Public Works Committee recommendation was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 3-74-08, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept the Public Works Committee recommendation, to direct the Public Works Director to proceed with the development of a future railroad underpass in conjunction with the construction of the Greenwood Street Bridge including pursuing acquiring the necessary right-of-way and securing funding.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-75-08: APPROVAL OF 2007 STREET, SIDEWALK, AND UTILITIES IMPROVEMENT PROJECT ASSESSMENT ROLL BY ADDING PARCEL NO. 25-102-002-10 AND 25-102-003-10

The City Council reviewed an addition to the 2007 Street, Sidewalk and Utilities Assessment Roll. Following discussion, Councilmember Kajewski introduced Resolution No. 3-75-08, being seconded by Councilmember Schmalz, that:

WHEREAS, certain parcels of property that had improvements accomplished as part of the 2007 Street, Sidewalk, and Utilities Improvement Project, including concrete driveway construction, frontage road construction, and water main assessments were not included as part of the 2007 Street, Sidewalk, and Utilities assessment roll.

THEREFORE, BE IT RESOLVED, by the City Council, to approve including Parcel No. 25-102-002-10 in the amount of \$20,718.00 and Parcel No. 25-102-003-10 in the amount of \$27,603.35 to the 2007 Street, Sidewalk, and Utilities Improvement Project assessment roll,

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-76-08: ACCEPTANCE OF PROPOSED 2008 STREET, SIDEWALK AND UTILITIES IMPROVEMENT PROJECT FEASIBILITY STUDY AND CALLING FOR PUBLIC HEARING

A Public Works Committee recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 3-76-08, being seconded by Councilmember Schmalz, that:

WHEREAS, pursuant to Resolution No. 12-325-07, a report has been prepared by the Public Works Director with reference to the following proposed improvements:

- 1) Willow Court Street Construction;
- 2) LaBree Avenue and 12th Street Construction – 11th Street to 13th Street and East of Main Avenue;
- 3) South 10th Street Utilities and Street Construction from Alice Drive to Tindolph Avenue;
- 4) Kneale Avenue Water Main Replacement and Street Improvements from 1ST Street to Nora Street;
- 5) Brooks Avenue Bituminous Reclaim and Paving from 3rd Street to 6th Street;
- 6) Eastwood Drive Excavation and Aggregate Backfill;
- 7) Miscellaneous Sidewalk Repairs; and,
- 8) Greenwood Street Bridge Approach Construction and Utilities Improvements – Oakland Park Road to Pennington Avenue.

WHEREAS, the report provides information regarding whether the proposed projects are necessary, cost-effective, and feasible.

NOW, THEREFORE, BE IT RESOLVED, by the City Council, that the Council will consider the improvements of such projects in accordance with the report and the invoicing of abutting property for all or a portion of the cost of the improvements pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of \$553,000.

BE IT FURTHER RESOLVED, that a public hearing shall be held on such proposed improvements on the 15th day of April, 2008 in the Council Chambers of the City Hall at 7:30 p.m. and that the City Administrator shall give mailed and published notice of such hearing and improvements as required by law.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-77-08: APPROVAL OF VARIANCE FOR STEVEN AND MARLEEN HAUGEN, 1205 RIVERDALE DRIVE

Community Development Director Moore presented a Board of Adjustments and Appeals recommendation. Following discussion, Councilmember Erickson introduced Resolution No. 3-77-08, being seconded by Councilmember Cullen, that:

WHEREAS, pursuant to proper notice, the Board of Adjustments and Appeals conducted a public hearing on March 18, 2008 on a variance request submitted by Steven and Marleen Haugen to allow for the replacement of their current residence, which was destroyed by a fire; and,

WHEREAS, the Planning Commission recommends that the City Council approve the variance as requested, based upon the fact that the request meets all six of the criteria for granting variances as required by City Code Section 152.149. It was also noted by the Planning Commission that the property is classed as a non-conforming structure with no other viable option or use.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Board of Adjustments and Appeals recommendation and grant Steven and Marleen Haugen a four-foot variance to the Side Yard Setback requirement as it pertains to City Code, Section 152.026(E)(1), Yard Requirements for the High Density Residential District (R-3) for property located at 1205 Riverdale Drive, property legally described as: the South 25' of Lot 12 and the North 50' of Lot 11 of Owner's Rearrangement of Lots 3, 4, 5, 6, 7, and 8 of Heinze Addition.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-78-08: APPROVAL OF CONDITIONAL USE PERMIT FOR JENNY AND TONY HOFFARD, D.B.A. OIL BOYZ, 102 2ND STREET EAST

Community Development Director Moore presented a Planning Commission recommendation. Following discussion, Councilmember Lee introduced Resolution No. 3-78-08, being seconded by Councilmember Erickson, that:

WHEREAS, pursuant to proper notice, the Planning Commission conducted a public hearing on March 18, 2008 on a request submitted by Tony and Jenny Hoffard for a Conditional Use Permit to own and operate an automotive repair shop at 102 2nd Street East; and,

WHEREAS, the Planning Commission recommends that the City Council approve the request as submitted, noting that the request meets all eight of the criteria for granting Conditional Use Permits as required by City Code Section 152.148.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Planning Commission recommendation and grant Tony and Jenny Hoffard a Conditional Use Permit under City Code Chapter 152.032(C)(5) to operate an automobile repair shop (d.b.a Oil Boyz Automotive) on property located at 102 2nd Street East, property legally described as: West 75' of Lot 15, Block 57, Original Townsite of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-79-08: APPROVAL OF CONDITIONAL USE PERMIT FOR MINN-DAK ASPHALT, INC., 423 ZEH STREET

Community Development Director Moore presented a Planning Commission recommendation. Following discussion, Councilmember Lee introduced Resolution No. 3-79-08, being seconded by Councilmember Kajewski, that:

WHEREAS, pursuant to proper notice, the Planning Commission conducted a public hearing on March 18, 2008 on a request submitted by Minn-Dak Asphalt, Inc. (Bob Herkenhoff, CEO) for a Conditional Use Permit to own and operate an office, repair shop, and truck terminal on property located at 423 Zeh Street; and,

WHEREAS, the Planning Commission recommends that the City Council approve the request as submitted, noting that the request meets all eight of the criteria for granting Conditional Use Permits as required by City Code Section 152.148.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Planning Commission recommendation and grant Minn-Dak Asphalt, Inc. a Conditional

Use Permit under City Code Chapter 152.034(C) to operate an office, repair shop, and truck terminal on property located at 423 Zeh Street, property legally described as: the NE ¼ of the SW ¼ of Section 33, Township 154, Range 43 of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

COUNCIL BOARDS AND COMMISSIONS REPORTS

- Administrative Services Committee – Odette Bendickson reported.
- Parks and Recreation/Public Safety Committee – Elvera Cullen reported.
- Public Works Committee – Steve Nordhagen reported.

UPCOMING MEETINGS

- School Board/City Council – March 31, 2008 at 5:00 p.m. at City Hall.
- Board of Appeal & Equalization – April 10, 2008 at 9:00 a.m.

ITEM FOR INFORMATION

- 2007 Fire Department Annual Report

ADJOURNMENT

There being no further discussion, Councilmember Bendickson moved, being seconded by Councilmember Cullen, to adjourn the meeting at 6:15 p.m. On vote being taken, the Chair declared the motion unanimously carried and the meeting adjourned until March 31, 2008 at 5:00 p.m.

Steve Nordhagen, Mayor

Attest: _____
Jodie R. Torkelson, City Administrator