

## COUNCIL PROCEEDINGS

August 19, 2008

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m. on August 19, 2008 in the Council Chambers of City Hall. The following Councilmembers were present: Bendickson, Cullen, Holten, Kajewski, and Lee. Councilmembers Erickson, Schmalz, and Mayor Nordhagen were absent. Elvera Cullen chaired the meeting.

### **PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION/ ANNOUNCEMENTS**

Mayor Nordhagen signed a proclamation encouraging all educators, local officials, parents, and citizens of the community to recognize the value of the Voice of Democracy Scholarship Program and the efforts of the Veterans for Foreign Wars in assisting our nation's youth in furthering their education.

### **APPROVAL OF AGENDA**

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

### **RESOLUTION NO. 8-203-08: APPROVAL OF COUNCIL PROCEEDINGS**

Presented as part of the Consent Agenda, Councilmember Lee introduced Resolution No. 8-203-08, being seconded by Councilmember Holten, that:

RESOLVED, by the City Council, to approve the August 5, 2008 Council Proceedings as presented.

On vote being taken, the resolution was unanimously passed.

### **RESOLUTION NO. 8-204-08: APPROVAL OF PAYMENT OF BILLS**

Presented as part of the Consent Agenda, Councilmember Lee introduced Resolution No. 8-204-08, being seconded by Councilmember Holten, that:

RESOLVED, by the City Council, to authorize payment of the bills and disbursements in the total amount of \$1,425,771.33. 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. 8-205-08: CERTIFYING UNPAID SIDEWALK SNOW REMOVAL CHARGES TO PENNINGTON COUNTY AUDITOR**

Presented as part of the Consent Agenda, Councilmember Lee introduced Resolution No. 8-205-08, being seconded by Councilmember Holten, that:

WHEREAS, several sidewalk snow removal charges remain unpaid to the City of Thief River Falls; and,

WHEREAS, pursuant to City Code Section 91.01 and Minnesota State Statute 429.101, the City may certify to the Pennington County Auditor the unpaid snow removal charges.

THEREFORE, BE IT RESOLVED, by the City Council, to accept a Public Works Committee recommendation and certify the following unpaid sidewalk snow removal charges to the Pennington County Auditor for collection as part of the property owners property tax statement in 2009:

<u>OWNER</u>	<u>ADDRESS</u>	<u>PARCEL</u>	<u>AMOUNT</u>
Wells Fargo	622 Duluth Ave N	25.015.061.90	\$132.43
Steven Riddle	941 Duluth Ave N	25.021.034.40	\$ 89.00
Kenny Geiser	117 Markley Ave S	25.006.091.60	\$ 45.00
Pilgimage of TRF	201 Tindolph Ave	25.012.035.60	\$ 91.00
David Hanson	215 Kneale Ave N	25.006.144.60	\$ 45.00
Chris Dahlin	343 Kendall Ave N	25.006.015.60	\$ 45.00
Yvonne Suronen	701 Dewey Ave N	25.016.023.60	\$ 97.88
Gaileen Groslie	504 Main Ave N	25.003.086.30	\$ 46.00
Ellen Karnwie-Tuah	511 Arnold Ave N	25.003.043.90	\$ 87.47
Nels Holmberg	203 Merriam Ave N	25.006.170.70	\$ 46.00
Dawn Graves	421 Tindolph Ave S	25.012.123.30	\$ 46.00
Robert Dicken	703 Main Ave N	25.014.016.30	\$ 91.00
Mark Halvorson	619 Duluth Ave N	25.015.051.80	\$ 46.00
Jerome Unruh	1011 Main Ave N	25.021.003.10	\$ 46.00
Sampson Wilson	423 Main Ave N	25.003.144.10	\$ 45.00

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 8-206-08: AUTHORIZATION TO SEEK QUOTES FOR  
SIDEWALK SNOW REMOVAL SERVICES**

A Public Works Committee recommendation was presented. Following discussion, Councilmember Holten introduced Resolution No. 8-206-08, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept a Public Works Committee recommendation to authorize the Public Works Director to seek quotes for sidewalk snow removal services for the 2008/2009 winter season.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 8-207-08: APPROVAL OF ELECTION JUDGES FOR PRIMARY ELECTION**

A list of proposed election judge appointments for the primary election was presented to the City Council. Following discussion, Councilmember Bendickson introduced Resolution No. 8-207-08, being seconded by Councilmember Lee, that:

BE IT RESOLVED, by the City Council, to appoint the following citizens as election judges for the state primary election to be held on September 9, 2008:

**WARD ONE**

Mary Dupree  
Val Johnson  
Barb Storm  
LeAnn Engelstad  
Snooki Bondy  
Sheron Stewart  
James Matson

**SECOND WARD**

\*Judith Habedank  
\*Karen Bjerken  
Marlene Beedy  
Louise McLean  
Kay Melvie-Tesch  
Myrna Giauque  
Dee Wollenzien

**THIRD WARD**

\*Opal Dargus  
Joyce Bulger  
Lorrie Prickett  
Lisa LeClaire  
Rosemary DeMeyere  
Vivian Brekke

**WARD FOUR**

\*Melba Laidley  
Audrey Hermanson  
Myrtle Lee  
Linda Ramsey  
Theresa Vanyo  
Dorene Enge

**WARD FIVE**

\*Donna Koehmstedt  
Curtis Bruzek  
Olive Goldsberry  
Janice Dillion  
Mary Cox  
Judity Reger  
Deb Lunke

\* Chief Judges

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 8-208-08: AUTHORIZING ISSUANCE, AWARDING SALE, PRESCRIBING THE FORM AND DETAILS AND PROVIDING FOR THE PAYMENT OF \$1,630,000 GENERAL OBLIGATION STATE-AID STREET BONDS, SERIES 2008A**

Following a presentation by George Eilertson of Northland Securities and Finance Director Johnson, Councilmember Bendickson introduced Resolution No. 8-208-08, being seconded by Councilmember Kajewski, that:

BE IT RESOLVED by the City Council of the City of Thief River Falls, Minnesota (the Issuer), as follows:

SECTION 1. AUTHORIZATION AND SALE.

1.01. Authorization. This Council, by resolution duly adopted on July 15, 2008, authorized the issuance and sale of \$1,630,000 aggregate principal amount of General Obligation State-Aid Street Bonds, Series 2008A (the Bonds) of the Issuer to finance, together with any additional funds of the City which might be required, the construction of a new bridge across the Red Lake River connecting Greenwood Street and other state-aid street improvement projects within the City (collectively, the Projects). The Issuer has previously established a system of municipal state-aid streets in accordance with the rules of the Commissioner of Transportation and approved by written order of such Commissioner. The average annual debt service due on the Bonds and any other obligations issued by the Issuer under Minnesota Statutes, Section 162.18, does not exceed 90 percent of the amount of the last annual allotment received by the Issuer from the construction account in the municipal state-aid street fund established under Minnesota Statutes, Chapter 162.

1.02. Sale. Pursuant to the Official Statement prepared on behalf of the Issuer by Northland Securities, Inc., sealed proposals for the purchase of the Bonds were received at or before the time specified for receipt of proposals. The proposals have been opened, publicly read and considered and the purchase price, interest rates and net interest cost under the terms of each proposal have been determined. The most favorable proposal received is that of Piper Jaffray & Co. in Kansas City, Missouri (the Purchaser), to purchase the Bonds at a price of \$1,614,399.15 plus accrued interest on all Bonds to the day of delivery and payment, on the further terms and conditions hereinafter set forth.

1.03. Award. The sale of the Bonds is hereby awarded to the Purchaser, and the Mayor and City Administrator are hereby authorized and directed to execute a contract on behalf of the Issuer for the sale of the Bonds in accordance with the terms of the proposal. The good faith deposit of the Purchaser shall be retained by the Issuer until the Bonds have been delivered, and shall be deducted from the purchase price paid at settlement.

SECTION 2. BOND TERMS; REGISTRATION; EXECUTION AND DELIVERY.

2.01. Issuance of Bonds. All acts, conditions and things which are required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed precedent to and in the valid issuance of the Bonds having been done, existing, having happened and having been performed, it is now necessary for the Council to establish the form and terms of the Bonds, to provide security therefore and to issue the Bonds forthwith.

2.02. Maturities, Interest Rates; Denominations and Payment. The Bonds shall be originally dated as of September 1, 2008, shall be in the denomination of \$5,000 each, or any integral multiple thereof, of single maturities, shall mature on April 1 in the respective years and amounts stated below, and shall bear interest from date of issue until paid or duly called for redemption at the respective annual rates set forth opposite such years and amounts, as follows:

<u>Year</u>	<u>Amount</u>	<u>Rate</u>
2009	\$165,000	2.000%
2010	140,000	2.250
2011	145,000	2.600
2012	150,000	2.850
2013	155,000	3.050
2014	160,000	3.625
2015	170,000	3.625
2016	175,000	3.625
2017	180,000	3.750
2018	190,000	3.875

The Bonds shall be issuable only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof shall be payable by check or draft issued by the Registrar described herein; provided that, so long as the Bonds are registered in the name of a securities depository, or a nominee thereof, in accordance with Section 2.08 hereof, principal and interest shall be payable in accordance with the operational arrangements of the securities depository.

2.03. Dates and Interest Payment Dates. Each Bond shall bear a date of original issue of September 1, 2008. Upon initial delivery of the Bonds pursuant to Section 2.07 hereof, and upon any subsequent transfer or exchange pursuant to Section 2.06 hereof, the date of authentication shall be noted on each Bond so delivered, exchanged or transferred. Interest on the Bonds shall be payable on April 1 and October 1 in each year, commencing April 1, 2009, to the owner of record thereof as of the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day. Interest shall be computed on the basis of a 360-day year composed of twelve 30-day months.

2.04. Redemption. Bonds maturing in 2016 and later years shall be subject to redemption and prepayment at the option of the Issuer, in whole or in part, in such order of maturity dates as the Issuer may select and, within a maturity, by lot as selected by the Registrar (or, if applicable, by the bond depository in accordance with its customary procedures) in multiples of \$5,000, on April 1, 2015 and on any date thereafter, at a price equal to the principal amount thereof and accrued interest to the date of redemption. The City Administrator shall cause notice of the call for redemption thereof to be published as required by law and, at least thirty (30) but no more than sixty (60) days prior to the designated redemption date, shall cause no-

tice of call for redemption to be mailed, by first class mail, to the registered holders of any Bonds to be redeemed at their addresses as they appear on the bond register described in Section 2.06 hereof, but no defect in or failure to give such mailed notice of redemption shall affect the validity of proceedings for the redemption of any Bond not affected by such defect or failure. Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified and from and after such date (unless the Issuer shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon partial redemption of any Bond, a new Bond or Bonds will be delivered to the owner without charge, representing the remaining principal amount outstanding.

2.05. Appointment of Initial Registrar. The Issuer hereby appoints Northland Trust Services, Inc., in Minneapolis, Minnesota, as the initial bond registrar, transfer agent and paying agent (the Registrar). The Mayor and the City Administrator are authorized to execute and deliver, on behalf of the Issuer, a contract with said Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar. The Issuer agrees to pay the reasonable and customary charges of the Registrar for the services performed. The Issuer reserves the right to remove the Registrar upon thirty (30) days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Bonds in its possession to the successor Registrar and shall deliver the bond register to the successor Registrar.

2.06. Registration. The effect of registration and the rights and duties of the Issuer and the Registrar with respect thereto shall be as follows:

Register. The Registrar shall keep at its principal corporate trust office a bond register in which the Registrar shall provide for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

Transfer of Bonds. Upon surrender for transfer of any Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until such interest payment date.

Exchange of Bonds. Whenever any Bonds are surrendered by the registered owner for exchange the Registrar shall authenticate and deliver one or more new

Bonds of a like aggregate principal amount and maturity, as requested by the registered owner or the owner's attorney in writing.

Cancellation. All Bonds surrendered upon any transfer or exchange shall be promptly canceled by the Registrar and thereafter disposed of as directed by the Issuer.

Improper or Unauthorized Transfer. When any Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

Persons Deemed Owners. The Issuer and the Registrar may treat the person in whose name any Bond is at any time registered in the bond register as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Bond and for all other purposes, and all such payments so made to any such registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Taxes, Fees and Charges. For every transfer or exchange of Bonds (except for an exchange upon a partial redemption of a Bond), the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

Mutilated, Lost, Stolen or Destroyed Bonds. In case any Bond shall become mutilated or be destroyed, stolen or lost, the Registrar shall deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Bond or in lieu of and in substitution for any such Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that such Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the Issuer and the Registrar shall be named as obligees. All Bonds so surrendered to the Registrar shall be canceled by it and evidence of such cancellation shall be given to the Issuer. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it shall not be necessary to issue a new Bond prior to payment.

Authenticating Agent. The Registrar is hereby designated authenticating agent for the Bonds, within the meaning of Minnesota Statutes, Section 475.55, Subdivision 1, as amended.

(j) Valid Obligations. All Bonds issued upon any transfer or exchange of Bonds shall be the valid obligations of the Issuer, evidencing the same debt, and entitled to the same benefits under this Resolution as the Bonds surrendered upon such transfer or exchange.

2.07. Execution, Authentication and Delivery. The Bonds shall be prepared under the direction of the City Administrator and shall be executed on behalf of the Issuer by the signatures of the Mayor and City Administrator, provided that all signatures may be printed, engraved or lithographed facsimiles of the originals. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery. Notwithstanding such execution, no Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on such Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on each Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been so prepared, executed and authenticated, the City Administrator shall deliver the same to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser shall not be obligated to see to the application of the purchase price.

2.08. Securities Depository. (a) For purposes of this section the following terms shall have the following meanings:

“Beneficial Owner” shall mean, whenever used with respect to a Bond, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant, or such person’s subrogee.

“Cede & Co.” shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

“DTC” shall mean The Depository Trust Company of New York, New York.

“Participant” shall mean any broker-dealer, bank or other financial institution for which DTC holds Bonds as securities depository.

“Representation Letter” shall mean the Representation Letter pursuant to which the sender agrees to comply with DTC’s Operational Arrangements.

(b) The Bonds shall be initially issued as separately authenticated fully registered bonds, and one Bond shall be issued in the principal amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of such Bonds shall be registered in the bond register in the name of Cede & Co., as nominee of DTC. The Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, if any, giving any notice permitted or required to be given to registered owners of Bonds under this resolution, registering the transfer of Bonds, and for all other purposes whatsoever; and neither the Registrar nor the Issuer shall be affected by any notice to the contrary. Neither the Registrar nor the Issuer shall have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any Participant, or any other person which is not shown on the bond register as being a registered owner of any Bonds, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of or interest on the Bonds, with respect to any notice which is permitted or required to be given to owners of Bonds under this resolution, with respect to the selection by DTC or any Participant of any person to receive payment in the event of a partial redemption of the Bonds, or with respect to any consent given or other action taken by DTC as registered owner of the Bonds. So long as any Bond is registered in the name of Cede & Co., as nominee of DTC, the Registrar shall pay all principal of and interest on such Bond, and shall give all notices with respect to such Bond, only to Cede & Co. in accordance with DTC's Operational Arrangements, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than DTC shall receive an authenticated Bond for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal and interest. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to such new nominee in accordance with paragraph (e) hereof.

(c) In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds in the form of bond certificates, the Issuer may notify DTC and the Registrar, whereupon DTC shall notify the Participants of the availability through DTC of Bonds in the form of certificates. In such event, the Bonds will be transferable in accordance with paragraph (e) hereof. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Issuer and the Registrar and discharging its responsibilities with respect thereto under applicable law. In such event the Bonds will be transferable in accordance with paragraph (e) hereof.

(d) The execution and delivery of the Representation Letter to DTC, if not previously filed with DTC, by the Mayor or City Administrator is hereby authorized and directed.

(e) In the event that any transfer or exchange of Bonds is permitted under paragraph (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Registrar of the Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of this resolution. In the event Bonds in the form of certificates are issued to owners other than Cede & Co., its successor as nominee for DTC as owner of all the Bonds, or another securities depository as owner of all the Bonds, the provisions of this resolution shall also apply to all matters relating thereto, including, without limitation, the printing of such Bonds in the form of bond certificates and the method of payment of principal of and interest on such Bonds in the form of bond certificates.

2.09. Form of Bonds. The Bonds shall be prepared in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF MINNESOTA  
CITY OF THIEF RIVER FALLS

GENERAL OBLIGATION STATE-AID STREET BOND, SERIES 2008A

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
%	April 1, 20__	September 1, 2008	

Registered Owner: CEDE & CO.  
Principal Amount: THOUSAND DOLLARS

CITY OF THIEF RIVER FALLS, MINNESOTA (the Issuer), acknowledges itself to be indebted and for value received hereby promises to pay to the registered owner specified above, or registered assigns, the principal sum specified above on the maturity date specified above, with interest thereon from the date of original issue specified above or from the most recent interest payment date to which interest has been paid or duly provided for, at the annual rate specified above, payable on April 1 and October 1 in each year, commencing April 1, 2009, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month, all subject to the provisions referred to herein with respect to the redemption of the principal of this Bond before maturity. Interest hereon shall be computed on the basis of a 360-day year composed of twelve 30-day months. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful

money of the United States of America by check or draft drawn on Northland Trust Services, Inc., in Minneapolis, Minnesota, as Bond Registrar and Paying Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the Issuer have been and are hereby irrevocably pledged.

This Bond is one of an issue in the aggregate principal amount of \$1,630,000, issued pursuant to a resolution adopted by the City Council on August 19, 2008 (the Resolution), to finance the construction and improvement of various state-aid streets in the Issuer and is issued pursuant to and in full conformity with the Constitution and laws of the State of Minnesota thereunto enabling, including Minnesota Statutes, Chapter 475 and Section 162.18. The Bonds are issuable only in fully registered form, in denominations of \$5,000 or any integral multiple thereof, of single maturities.

Bonds maturing in 2016 and later years are each subject to redemption and prepayment at the option of the Issuer, in whole or in part, and if in part in such order of maturity dates as the Issuer may select and by lot as selected by the Registrar (or, if applicable, by the bond depository in accordance with its customary procedures) in multiples of \$5,000 as to Bonds maturing on the same date, on April 1, 2015, and on any date thereafter, at a price equal to the principal amount thereof plus accrued interest to the date of redemption. Prior to the date specified for the redemption of any Bond prior to its stated maturity date, the Issuer will cause notice of the call for redemption to be published as required by law, and, at least thirty and no more than sixty days prior to the designated redemption date, will cause notice of the call to be mailed by first class mail, to the registered owner of any Bond to be redeemed at the owner's address as it appears on the bond register maintained by the Registrar. Upon partial redemption of any Bond, a new Bond or Bonds will be delivered to the registered owner without charge, representing the remaining principal amount outstanding.

The Bonds have been designated by the Issuer as "qualified tax exempt obligations" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the Issuer at the principal office of the Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner's attorney; this Bond may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the Issuer will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or

governmental charge required to be paid with respect to such transfer or exchange.

The Issuer and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the Issuer nor the Registrar shall be affected by any notice to the contrary.

Notwithstanding any other provisions of this Bond, so long as this Bond is registered in the name of Cede & Co., as nominee of The Depository Trust Company, or in the name of any other nominee of The Depository Trust Company or other securities depository, the Registrar shall pay all principal of and interest on this Bond, and shall give all notices with respect to this Bond, only to Cede & Co. or other nominee in accordance with the operational arrangements of The Depository Trust Company or other securities depository as agreed to by the Issuer.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the Issuer in accordance with its terms, have been done, do exist, have happened and have been performed as so required; that, prior to the issuance hereof, the City Council has by the Resolution irrevocably pledged and appropriated to a separate and special sinking fund, to be maintained for the payment of this and other bonds issued under Section 162.18, as long as any of such bonds are outstanding, an amount of the moneys allotted and to be allotted to the Issuer from its account in the Municipal State-Aid Street Fund of the State of Minnesota sufficient to pay when due the principal of and interest on all bonds; that, if in any year the moneys so allotted and transferred to the sinking fund should be insufficient to pay all such principal and interest due in such year, the Issuer is obligated to pay such deficiency out of its general fund and to levy a direct, irrepealable, ad valorem tax upon all taxable property within its corporate limits for the repayment of such deficiency, which levy may be made without limitation as to rate or amount; that the issuance of this Bond, together with all other indebtedness of the Issuer outstanding on the date of issuance of this Bond, does not cause the indebtedness of the Issuer to exceed any constitutional or statutory limitation of indebtedness.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Registrar by manual signature of one of its authorized representatives.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 8-209-08: APPROVAL OF PURCHASE OF GARDEN VALLEY TELEPHONE SYSTEM LEASE FOR CITY HALL TELEPHONE SYSTEM**

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Kajewski introduced Resolution No. 8-209-08, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation to authorize the Mayor and City Administrator to execute a lease with Garden Valley Telephone for the leasing of a telephone system at City Hall, at a five-year cost of \$331.75 per month, with the City retaining ownership of the phone system at the end of the lease.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 8-210-08: DESIGNATION OF THUNE INSURANCE NETWORK AS THE CITY'S LEAGUE OF MINNESOTA CITIES INSURANCE TRUST INSURANCE AGENT**

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 8-210-08, being seconded by Councilmember Bendickson, that:

WHEREAS, the City of Thief River Falls sent out a request for qualifications to interested insurance agents to be designated as the City's local agent for the League of Minnesota Insurance Trust property/casualty and worker's compensation program for the City of Thief River Falls; and,

WHEREAS, after review of three proposals that were submitted to the City, the Administrative Services Committee has recommended that the proposal submitted by Thune Insurance Network be accepted.

RESOLVED, by the City Council, to accept an Administrative Services Committee recommendation to designate Thune Insurance Network as the City's League of Minnesota Cities Insurance Trust Insurance Agent. Thune Insurance Network shall receive a fee of 8% on the premiums written for property and casualty and shall provide assistance on worker's compensation issues at no additional cost.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 8-211-08: APPROVAL OF PUBLIC USE OF FOUND/ABANDONED BICYCLE PROGRAM**

A Public Safety Committee recommendation was presented. Following discussion, Councilmember Kajewski introduced Resolution No. 8-211-08, being seconded by Councilmember Lee, that:

WHEREAS, the City annually sells found/abandoned bicycles at public auction; and,

WHEREAS, the City proposes to instead provide these bicycles for public transportation to the general public in 2009.

THEREFORE, BE IT RESOLVED, to accept a Public Safety Committee recommendation and approve the use of bicycles found/abandoned to the general public for public transportation.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 8-212-08: APPROVAL OF RENEWAL OF TRFAHA CONCESSION SERVICES REIMBURSEMENT AGREEMENT**

The City Council reviewed the renewal of an agreement with the Thief River Falls Amateur Hockey Association for concession stand services. Following discussion, Councilmember Bendickson introduced Resolution No. 8-212-08, being seconded by Councilmember Kajewski, that:

RESOLVED, to authorize and direct the Mayor and City Administrator to execute a reimbursement agreement between the City of Thief River Falls and the Thief River Falls Amateur Hockey Association (TRFAHA) whereby the City shall reimburse TRFAHA for services of its members as concession stand workers at the Ralph Engelstad Arena and Huck Olson Memorial Civic Center for a period of August 1, 2008 through July 31, 2009. The City shall pay TRFAHA a total of 13% of gross sales, net of sales tax, during the events that TRFAHA has provided concession services.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 8-213-08: ACCEPTANCE OF MIDWEST TRENCHLESS TECHNOLOGIES, INC. QUOTE FOR STORM SEWER CLEANING AND TELEVISIONING**

The City Council reviewed quotes received for storm sewer cleaning and televising. Following discussion, Councilmember Lee introduced Resolution No. 8-213-08, being seconded by Councilmember Kajewski, that:

WHEREAS, pursuant to Resolution No. 8-202-08, the following quotes were opened on Monday, August 18, 2008:

Bidder	Charge/ Hour	Charge/ Foot	Total
Midwest Trenchless Technologies, Inc.	\$161.50/hr	\$.70/ft	\$28,050
Infratech Technologies	\$205.00/hr	\$.62/ft	\$31,040
Pipe Services Corporation	\$210.00/hr	\$.68/ft	\$32,560
Roto-Rooter Sewer & Drain Service	\$225.00/hr	\$.63/ft	\$33,210
Veit & Company, Inc.	\$230.00/hr	\$.62/ft	\$33,540

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

THEREFORE, BE IT RESOLVED, by the City Council, to accept the quote submitted by Midwest Trenchless Technologies, Inc. for televising and cleaning approximately 17,000 feet of trunk and leads of storm sewer in the City of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 8-214-08: ACCEPTANCE OF INFRATECH TECHNOLOGIES QUOTE FOR SANITARY SEWER CLEANING AND TELEVISIONING**

Wastewater Supervisor Swanson presented the City Council with quotes received for sanitary sewer cleaning and televising. Following discussion, Councilmember Bendickson introduced Resolution No. 8-214-08, being seconded by Councilmember Kojewski, that:

WHEREAS, the following quotes were opened on August 13, 2008 for sanitary sewer cleaning (9,741 feet) and televising (26,139 feet):

Bidder	TV per Foot	Cleaning per Foot
Infratech Technologies	\$.59/foot	\$1.00/foot
Roto-Rooter Sewer & Drain Service	no quote	\$.87/foot
Veit & Company, Inc.	\$.64/foot	\$1.15/foot
VISU Sewer	\$.82/foot	no quote

WHEREAS, Infratech Technologies appears to have submitted the lowest qualified quote for sanitary sewer televising services and Roto-Rooter Sewer & Drain Services appears to have submitted the lowest quote for cleaning of the sanitary sewer.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the quote submitted by Infratech Technologies in the amount of \$0.59 per foot for televising 26,139 feet of sanitary sewer (total cost \$15,422.01) and the quote of Roto-Rooter Sewer & Drain Service in the amount of \$.87 per foot for cleaning of 9,741 feet of sanitary sewer (total cost \$8,474.67).

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 8-215-08: APPROVAL OF TEMPORARY INTOXICATING LIQUOR LICENSE TO PATHFINDER'S SNOWMOBILES**

The City Council reviewed an application for a temporary intoxicating liquor license by the Pathfinder's Snowmobile Club. Following discussion, Councilmember Holten introduced Resolution No. 8-215-08, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to approve the issuance of a Temporary Intoxicating Liquor License to Pathfinder's Snowmobile, Inc. effective August 29, 30, and 31, 2008 at the Pennington County Fairgrounds during the Kick'n Up Kountry festivities.

Approval is contingent upon approval by the State of Minnesota and Pathfinder's Snowmobile, Inc. obtaining the required insurance and paying the required fees.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 8-216-08: APPROVAL OF VARIANCE FOR KEVIN DUFFY – 809 ALICE DRIVE**

A Board of Adjustments and Appeals recommendation was presented. Following discussion Councilmember Lee introduced Resolution No. 8-216-08, being seconded by Councilmember Kajewski, that:

WHEREAS, pursuant to proper notice, the Board of Adjustments and Appeals conducted a public hearing on August 18, 2008 for a variance request submitted by Kevin Duffy, 809 Alice Drive, to allow for the construction of a 12' x 12' attached deck on the north side of the residence; and,

WHEREAS, following the hearing, the Board of Adjustments and Appeals recommended that the City Council approve the variance as submitted, based upon the fact that the request meets all six of the criteria for granting variances.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Board of Adjustments and Appeals recommendation and grant a 12-foot variance to the 35-foot Rear Yard Setback requirements as it pertains to City Code Section 152.024(E)(1) on property legally described as Lot 5 in Block 2 of First Southeast Addition.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 8-217-08: APPROVAL OF VARIANCE FOR JARED AND CADY SUNSDAHL – 320 CARDINAL AVENUE**

A Board of Adjustments and Appeals recommendation was presented. Following discussion Councilmember Bendickson introduced Resolution No. 8-217-08, being seconded by Councilmember Kajewski, that:

WHEREAS, pursuant to proper notice, the Board of Adjustments and Appeals conducted a public hearing on August 18, 2008 for a variance request submitted by Jared and Cady Sundahl, 320 Cardinal Avenue, to allow for the construction of an attached garage on the north side of their property; and,

WHEREAS, following the hearing, the Board of Adjustments and Appeals recommended that the City Council approve the variance as submitted, based upon the facts that the request meets all six of the criteria for granting variances and that the property is smaller lot and that the house is situated in such a way to hamper other development.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Board of Adjustments and Appeals recommendation and grant a 7-foot variance to the 10-foot Side Yard Setback requirements as it pertains to City Code Section 152.024(E)(1) on property legally described as Lot 14 in Block 1 of Gunderson-Iverson Second Addition.

On vote being taken, the resolution was unanimously passed.

**UPCOMING MEETINGS**

- Planning Commission – August 18, 2008 at 7:00 p.m.
- Council Meeting – September 2, 2008 at 5:00 p.m.

**ADJOURNMENT**

There being no further discussion, Councilmember Bendickson moved, being seconded by Councilmember Kajewski, to adjourn the meeting at 6:45 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