

COUNCIL PROCEEDINGS

October 21, 2008

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m. on October 21, 2008 in the Council Chambers of City Hall. The following Councilmembers were present: Bendickson, Cullen, Erickson, Kajewski, Lee, Schmalz, and Mayor Nordhagen. Councilmember Holten was absent. Mayor Nordhagen chaired the meeting.

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION/ ANNOUNCEMENTS

Councilmember Lee presented the City Council with a check in the amount of \$15,000 from the TRF Rotary to go toward the Ralph Engelstad Arena basketball floor.

APPROVAL OF AGENDA

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

RESOLUTION NO. 10-252-08: APPROVAL OF COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember Cullen introduced Resolution No. 10-252-08, being seconded by Councilmember Bendickson, that:

RESOLVED, by the City Council, to approve the September 27, 2008 Adjourned Council Proceedings, the October 2, 2008 Adjourned Council Proceedings, and the October 7, 2008 Council Proceedings as presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10-253-08: APPROVAL OF PAYMENT OF BILLS

Presented as part of the Consent Agenda, Councilmember Cullen introduced Resolution No. 10-253-08, being seconded by Councilmember Bendickson, that:

RESOLVED, by the City Council, to authorize payment of the bills and disbursements in the total amount of \$1,486,395.21. 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. 10-254-08: RESOLUTION CORRECTING RESOLUTION 9-205-88 – APPROVING THE SALE OF LOT 10, BLOCK 3 OF CONLEY'S SECOND ADDITION (612 SOUTH ST. PAUL AVENUE)

An error was found in a resolution that was adopted in 1988 and needs correction. Following discussion, Councilmember Cullen introduced Resolution No. 10-254-08, being seconded by Councilmember Kajewski, that:

WHEREAS, Resolution No. 9-205-88 approved the sale of property legally described as Lot 10 of Block 3 in Conley's 2nd Addition to Lila Kauppila; and,

WHEREAS, while the title of the resolution was correct, the legal description in the body of the resolution incorrectly identified the property as Lot 10 of Block 3 of Conley's Third Addition.

THEREFORE, BE IT RESOLVED, by the City Council, correct Resolution No. 9-205-88, adopted on September 12, 1988, to identify the property being sold to Lila Kauppila as: Lot 10 in Block 3 of Conley's Second Addition.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10-255-08: RESOLUTION APPROVING A LEASE WITH PENNINGTON COUNTY FOR THE LAW ENFORCEMENT CENTER AND DISPATCH/RECORDS

A lease with Pennington County for the Law Enforcement Center and dispatch/records was discussed. Following discussion, Councilmember Cullen introduced Resolution No. 10-255-08, being seconded by Councilmember Schmalz, that:

WHEREAS, an updated agreement on the Law Enforcement Center has been needed for many years, and,

WHEREAS, negotiations between Pennington County and the City of Thief River Falls have produced an agreement which is acceptable to both parties.

THEREFORE, BE IT RESOLVED, by the City Council, to approve the attached Law Enforcement Lease Agreement and Dispatch/Records Agreement.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10-256-08: APPROVAL OF ELECTION JUDGES FOR GENERAL ELECTION

A proposed list of election judges for the November 4, 2008 General Election was presented to the City Council. Following discussion, Councilmember Lee introduced Resolution No. 10-256-08, being seconded by Councilmember Erickson, that:

RESOLVED, by the City Council, to appoint the following citizens as election judges for the general election to be held on November 4, 2008:

WARD ONE
Mary Dupree
Val Johnson

WARD FOUR
*Melba Laidley
Audrey Hermanson

Barb Storm
LeAnn Engelstad
Snooki Bondy
*Sheron Stewart
James Matson

Myrtle Lee
Linda Ramsey
Theresa Vanyo
Dorene Enge
Gerry Stocks

SECOND WARD

*Judith Habedank
*Karen Bjerken
Marlene Beedy
Louise McLean
Kay Melvie-Tesch
Peggy Bergsnev
Dee Wollenzien

WARD FIVE

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

THIRD WARD

*Opal Dargus
Joyce Bulger
Janice Peterson
Lisa LeClaire
Rosemary DeMeyere
Vivian Brekke

* Chief Judges

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10-257-08: RESOLUTION APPROVING CONDITIONAL USE PERMIT FOR REDEEMER LUTHERAN CHURCH, 1300 EAST NORA STREET

A Planning Commission recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 10-257-08, being seconded by Councilmember Bendickson, that:

WHEREAS, Redeemer Lutheran Church, 1300 East Nora Street, has applied for a Conditional Use Permit which will allow the church to construct a 24' x 30' detached garage on the south side of the church for storage of church vehicles and other equipment to safeguard them from the elements; and,

WHEREAS, following a public hearing on October 20, 2008, the Planning Commission recommends approval of the Conditional Use Permit based upon the fact that the request meets all eight of the Criteria for Grand Conditional Use Permits, as governed by City Code 152.048. Also noted is that religious entities operate with a Conditional Use Permit in the Suburban Residential District (R-2) and must conform to the requirements of City Code 152.024(C)(7), along with the accessory building provisions listed in City Code 152.024(E)(1).

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Planning Commission's recommendation to grant Redeemer Lutheran Church a Conditional Use Permit which will allow Redeemer Lutheran Church to construct a garage on property legally described as: Outlot A, Lots 1, 7,8, 9, and 10 of Block One and Lots 1, 2, 3, 4, 5, 22, 23, 24, 25, 26, 27, 31, 36, 37, and 38 of Block Three all in First Southeast Addition.

On vote being taken, the resolution was unanimously passed.

UPCOMING MEETINGS

- Council Meeting on November 4, 2008 at 5:00 p.m.

RECESS OF MEETING

The City Council recessed the meeting at 5:20 p.m. to conduct the 2008 Street, Sidewalk, and Utilities Improvement Project public hearing at 6:30 p.m.

RESUMPTION OF MEETING

The City Council resumed the City Council meeting at 6:34 p.m. to discuss the findings presented at the 2008 Street, Sidewalk, and Utilities Improvement Project public hearing.

RESOLUTION NO. 10-258-08: ADOPTION OF 2008 STREET, SIDEWALK, AND UTILITIES IMPROVEMENT PROJECT ASSESSMENT ROLL

Following discussion of the public hearing held with regard to the assessment roll for the 2008 Street, Sidewalk, and Utilities Improvement Project, Councilmember Lee introduced Resolution No. 10-258-08, being seconded by Councilmember Bendickson, that:

WHEREAS, pursuant to proper notice duly given as required by law, the City Council conducted a public hearing on October 21, 2008 for the 2008 Street, Sidewalk, and Utilities Improvement Project assessment roll.

THEREFORE, BE IT RESOLVED, by the City Council, that:

- 1) Such proposed assessments, a copy of which is on file in the Office of the City Administrator are hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it;
- 2) Such assessment shall be payable in equal annual installments extending over a period of 12 years, the first of the installments to be payable on or before the first Monday in January, 2009 and shall bear interest at the rate

of five and one-half percent (5 ½ %) per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2009. To each subsequent installment when due shall be added interest for one year on all unpaid installments;

- 3) The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Administrator, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and may, at any time thereafter, pay to the City Administrator the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15th or interest will be charged through December 31st of the next succeeding year; and,
- 4) The City Administrator shall forthwith transmit a certified duplication of this assessment to the county auditor to be extended on the property tax lists of the county. Such assessment shall be collected and paid over the same manner as other municipal taxes.

On vote being taken, the resolution was unanimously passed.

ADJOURNMENT

There being no further discussion, Councilmember Cullen moved, being seconded by Councilmember Lee, to adjourn the meeting at 6:35 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