

COUNCIL PROCEEDINGS

March 17, 2009

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m. on March 17, 2009 in the Council Chambers of City Hall. The following Councilmembers were present: Bendickson, Cullen, Erickson, Holten and Lee. Councilmembers Schmalz, Kajewski and Mayor Nordhagen were absent. Councilmember Cullen chaired the meeting.

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

Police Chief Kim Murphy presented Police Commendation awards for: Life Saving to Sergeant Doug Williams and Officer Ryan Basset; Arrest of Two Armed Burglary Suspects to Officer Vern Wittenberg and a Police Letter of Recognition for DWI Arrest and Recovery of a Stolen Vehicle to Officer Seth Vettleon. Also recognized, but not present was Officer Dusty Coauette for Arrest of Armed Robbery Suspect and Preventing a Second and Arrest of Two Armed Burglary Suspects.

APPROVAL OF AGENDA

Councilmember Lee motioned, being seconded by Councilmember Holten, to approve the agenda with the addition of two items and the revision of another. On vote being taken, the motion was unanimously approved and the agenda adopted.

RESOLUTION NO. 3-50-09: APPROVAL OF COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember Bendickson introduced Resolution No. 3-50-09, being seconded by Councilmember Erickson, that:

RESOLVED, by the City Council, to approve the February 26, 2009 Hearing Proceedings and the March 3, 2009 Council Proceedings as presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-51-09: APPROVAL OF PAYMENT OF BILLS

Presented as part of the Consent Agenda, Councilmember Bendickson introduced Resolution No. 3-51-09, being seconded by Councilmember Erickson, that:

RESOLVED, by the City Council, to authorize payment of bills and disbursements in the total amount of \$1,599,731.75. 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. 3-52-09: APPROVAL OF PROGRESSION RAISE FOR MICHAEL OLSON, PARKS/ARENAS MAINTENANCE

Presented as part of the Consent Agenda, Councilmember Bendickson introduced Resolution No. 3-52-09, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to accept a Parks and Recreation Committee recommendation to grant a progression raise to Michael Olson, Parks/Arenas Maintenance employee. Mr. Olson shall progress to Step 4 of the Grade Level 4 Parks/Arena Maintenance salary schedule (post 2006 hire), effective April 4, 2009.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-53-09: CALLING FOR PLASTIC REFUSE BAG QUOTES

Presented as part of the Consent Agenda, Councilmember Bendickson introduced Resolution No. 3-53-09, being seconded by Councilmember Erickson, that:

RESOLVED, by the City Council, to call for quotes for the purchase of 360,000 plastic refuse bags inscribed with "TRF" and "MUST BE TIED". The quotes will be accepted until 1:00 p.m. on April 1, 2009 at which time all quotes will be opened.

BE IT FURTHER RESOLVED that the City of Thief River Falls is also requesting separate quotes for 4,000 1.8 mil thick bags in rolls of 50.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-54-09: APPROVAL OF RENEWAL OF LEASE BETWEEN THE CITY OF THIEF RIVER FALLS AND PENNINGTON COUNTY FOR LEASE OF THE CITY AUDITORIUM GYMNASIUM

Presented as part of the Consent Agenda, Councilmember Bendickson introduced Resolution No. 3-54-08, being seconded by Councilmember Erickson, that:

RESOLVED, by the City Council, to authorize and direct the Mayor and City Administrator to execute the renewal of a lease between the City of Thief River Falls and Pennington County, whereby the City shall lease from Pennington County the gymnasium and office space in the City Auditorium in exchange for in-kind snow removal of specified sidewalks and parking lots. Lease is effective January 1, 2009 through December 31, 2013.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-55-09: ACCEPTANCE OF RESIGNATION/RETIREMENT OF CURTIS HOWE, BUILDINGS AND GROUNDS SUPERVISOR

Presented as part of the Consent Agenda, Councilmember Bendickson introduced Resolution No. 3-55-09, being seconded by Councilmember Erickson, that:

RESOLVED, by the City Council, to accept the resignation/retirement of Curtis Howe, Buildings and Grounds Supervisor, effective May 1, 2009.

The City Council wishes to thank Mr. Howe for his 27 plus years of service to the City of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-56-09: APPROVAL OF BUSINESS DEVELOPMENT INFRASTRUCTURE APPLICATION THIEF RIVER CARE CENTER

Mike Moore, Community Development Director, presented information regarding a Business Development/Infrastructure Application for the Thief River Care Center. Following discussion, Councilmember Lee introduced Resolution No. 3-56-09, being seconded by Councilmember Bendickson, that:

BE IT RESOLVED that the City of Thief River Falls act as the legal sponsor for project(s) contained in the Business Development Infrastructure Application to be submitted on March 18, 2009 and that Steve Nordhagen, Mayor, and Jodie Torkelson, City Administrator, are hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of the City of Thief River Falls.

BE IT FURTHER RESOLVED that the City of Thief River Falls has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the City of Thief River Falls has not violated any Federal, State, or local laws pertaining to fraud, bribery, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the City of Thief River Falls may enter into an agreement with the State of Minnesota for the above-referenced project(s), and that it will comply with all applicable laws and regulations as stated in all contract agreements.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the City of Thief River Falls will commit \$375,000.00 towards the local match requirement.

The City of Thief River Falls certifies that it will comply with all applicable laws, regulations, and rules of the Business Development Infrastructure Application.

NOW, THEREFORE BE IT RESOLVED that the Steve Nordhagen, Mayor, and Jodie Torkelson, City Administrator, or their successors in office, are hereby authorized to execute such agreements and amendments thereto, as are necessary to implement the project(s) on behalf of the applicant.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-57-09: ADOPTION OF ORDINANCE NO. 40, 3RD SERIES, AN ORDINANCE REZONING A PORTION OF SOUTH EASTWOOD ADDITION

A Planning Commission recommendation was presented. Following discussion, Councilmember Lee moved, being seconded by Councilmember Bendickson, to have the first reading of Ordinance No. 40, 3rd Series. On vote being taken, the Chairman declared the motion unanimously carried.

Following the reading of the ordinance by City Attorney Ihle, Councilmember Lee introduced Resolution No. 3-57-09, being seconded by Councilmember Holten, that:

WHEREAS, pursuant to proper notice, the Planning Commission conducted a public hearing on March 16 and 17, 2009 on a zoning amendment request submitted by the City of Thief River Falls for rezoning of property located in South Eastwood Addition from Park and Residential (PR) to Suburban Residential District (R-1); and,

WHEREAS, following the hearing, the Planning Commission recommends that the City Council adopt an ordinance approving the zoning amendment request, based upon the fact that the request meets all eight of the Criteria for Granting Rezoning Amendments as regulated by City Code Section 152.147.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Planning Commission's recommendation and adopt Ordinance No. 40, 3rd Series, an ordinance rezoning Lot(s) One (1) through Eight (8) of Block One (1), Lot One (1) of Block Two (2) and Outlots A and B of Block Two (2) all in South Eastwood Addition from Park and Residential (PR) to Suburban Residential District (R-1). Said ordinance shall be on file in the Office of the City Administrator and published in The Times newspaper.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-58-09: APPROVAL OF 2009 – 2011 TEAMSTER LOCAL #320 UNION PUBLIC WORKS AND FIRE EMPLOYEES LABOR AGREEMENTS

An Ad Hoc Labor Committee recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 3-58-09, being seconded by Councilmember Holten, that:

RESOLVED, by the City Council, to approve the Teamster Union #320 Public Works and Firefighters Labor Agreements, effective January 1, 2009 through December 31, 2011 as presented.

On vote being taken, the resolution was unanimously passed.

CITY COUNCIL COMMITTEE REPORTS

- Public Utilities Committee – Odette Bendickson, Chair
- Parks & Recreation/Public Safety Committee – Steve Nordhagen, Chair
- Public Works Committee – Floyd Erickson, Chair
- Administrative Services Committee – Elvera Cullen, Chair

UPCOMING MEETINGS

- Planning Commission Meeting – March 16th @ 7:00 p.m.
- City/School Board Meeting – March 30th @ 5:00 p.m.
- City Council Meeting – April 7th @ 5:00 p.m.
- Town Hall with State Representative Dave Olin and Senator LeRoy Stump – March 20, 2009 from 4:30 – 7:00 p.m.
- Loss Control Workshop – April 7th from 8:30 a.m. – 3:30 p.m. in Mahnomen.

INFORMATIONAL ITEM

- Fire Department 2008 Annual Report.

ADJOURNMENT

There being no further discussion, Councilmember Lee moved, being seconded by Councilmember Erickson, to adjourn the meeting at 5:32 p.m. until Friday, March 20, 2009 at 4:30 p.m. for the Town Hall. On vote being taken, the Chair declared the motion unanimously carried and the meeting adjourned.

Steve Nordhagen, Mayor

Attest: _____
Jodie R. Torkelson, City Administrator