

COUNCIL PROCEEDINGS

June 16, 2009

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m. on June 16, 2009 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.

RESOLUTION NO. 6-135-09: ACCEPTANCE OF PRESENTATION OF BIRD WATCHING EAGLE SCOUT PROJECT AT WASTEWATER PONDS BY ANISH PATEL

Anish Patel appeared before the City Council to present his description of a bird watching shelter for his Eagle Scout Project. Following discussion, Councilmember Kajewski introduced Resolution No. 6-135-09, being seconded by Councilmember Erickson, that:

WHEREAS, Anish Patel presented his Eagle Scout Project proposal to build a 10' x 10' enclosed shelter at the Thief River Falls Wastewater Treatment Ponds for area bird watchers. The shelter will have a concrete floor and sliding windows placed at different heights for bird watchers to pursue their hobby. The shelter will be handi-capped accessible. A bench will also be provided inside of the enclosure.

THEREFORE, BE IT RESOLVED, that the City Council hereby accepts the proposed Eagle Scout project as presented by Anish Patel.

On vote being taken, the resolution was unanimously passed.

APPROVAL OF AGENDA

Councilmember Bendickson motioned, being seconded by Councilmember Kajewski, 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. 6-136-09: APPROVAL OF COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember Cullen introduced Resolution No. 6-136-09, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to approve the June 2, 2009 Council Proceedings, as presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 6-137-09: APPROVAL OF PAYMENT OF BILLS

Presented as part of the Consent Agenda, Councilmember Cullen introduced Resolution No. 6-137-09, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to authorize payment of bills and disbursements in the total amount of \$1,064,831.05. 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. 6-138-09: APPROVAL OF BEER IN THE PARK PERMIT FOR THIEF RIVER FALLS MN DEER HUNTER'S ASSOCIATION

Presented as part of the Consent Agenda, Councilmember Cullen introduced Resolution No. 6-138-09, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to grant the Thief River Falls Minnesota Deer Hunter's Association a Beer in the Park Permit for Oakland Park on Wednesday, June 24, 2009 from 4:00 p.m. until 9:30 p.m.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 6-139-09: APPROVAL OF FRASER'S SPORTS CAFÉ INTOXICATING LIQUOR LICENSE EXTENSION TO OUTDOOR PATIO

Presented as part of the Consent Agenda, Councilmember Cullen introduced Resolution No. 6-139-09, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to grant an extension of the intoxicating liquor license held by William S. Fraser, d.b.a. Fraser's Sports Café, 1582 Highway 59 SE, to include an outdoor patio area as described in the application.

It should be noted that Mr. Fraser has completed the required documentation and obtained permission from the owner of the property to utilize the sidewalk for this purpose. Mr. Fraser has obtained a Permit to Place Objects on Sidewalks from the City of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 6-140-09: APPROVAL OF AGREEMENT BETWEEN CITY OF THIEF RIVER FALLS, UNIVERSITY OF MINNESOTA, AND PENNINGTON COUNTY FAIRBOARD FOR 4-H FOOD STAND AT PENNINGTON COUNTY FAIRGROUNDS

Presented as part of the Consent Agenda, Councilmember Cullen introduced Resolution No. 6-140-09, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to authorize and direct the Mayor and City Administrator to enter into an agreement between the City of Thief River Falls, the Regents of the University of Minnesota, and the Pennington County Fairboard Association, to allow for the 4-H Food Stand to be located and operated

on City-owned property at the Pennington County Fairgrounds, effective July 1, 2009 through June 30, 2010.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 6-141-09: APPROVAL TO DECLARE BICYCLES AS SURPLUS PROPERTY AND DESIGNATE THEIR USE TOWARD THE COMMUNITY BIKE PROGRAM

Presented as part of the Consent Agenda, Councilmember Cullen introduced Resolution No. 6-141-09, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to accept a Public Safety Committee recommendation and declare the following bicycles in possession of the Thief River Falls Police Department as surplus property:

Free Spirit – 25", 10 speed, Black, Serial No. U7652525
Huffy – 26", Grey, Serial No. K66C7-9C39721F5243
Next – 26", 18 speed, Maroon, Serial No. 03TD7129959
Husky – 26", Green, Serial No. 56641K
Unknown Brand – 26", 15 speed, Black/Blue, Serial No. 78043403
Challenger – 26", 15 speed, Blue/Gold, Serial No. CH00800855
GT – 26", 15 speed, Red/Black, Serial No. S8HK22595
ITOH – 26", 10 speed, Silver, Serial No. 456419
Unknown Brand – 26", 10 speed, Red/Blue/Yellow, Serial No. 25
Huffy – 26", 15 speed, Blue, Serial No. K66790035011M1161
Schwinn – 26", 15 speed, Red/Silver, Serial No. SNFSDOGE88612
Raleigh – 26", 10 speed, Light Blue, Serial No. PA41714
Unknown Brand – 26", Blue, Serial No. SNFSD88AY2817
Huffy – Green, Serial No. 26504-9025421H7092
Ridgeway – 26" Serial No. 36627916172287661
Huffy – 10 speed, Black, Serial No. 079106722
Unknown Brand – Serial No. SNXDS05K22661

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 6-142-09: APPROVAL OF QUOTE FROM TITAN MACHINERY FOR 2008 CASE LOADER

A Public Works Committee recommendation was presented to the City Council. Following discussion, Councilmember Erickson introduced Resolution No. 6-142-09, being seconded by Councilmember Bendickson, that:

WHEREAS, the following quotes were received for a Case Z-Bar Loader:

Titan Machinery - Quote #1 (State Bid)

New Case Loader	\$136,856.00
Less Trade In	<u>-\$35,850.00</u>
Total	\$101,006.00 excluding sales tax

Titan Machinery - Quote #2

New Case Loader	\$134,527.00
Less Trade In	<u>-\$35,850.00</u>
Total	\$ 98,677.00 excluding sales tax

Titan Machinery - Quote #3

Used Case Loader	\$129,570.00
Less Trade In	<u>-\$35,850.00</u>
Total	\$ 93,720.00 excluding sales tax

THEREFORE, BE IT RESOLVED, to accept the Public Works Committee recommendation and accept the quote received by Titan Machinery in the total amount of \$93,720.00 (excluding sales tax) for a Used Case 721E Z-Bar Wheel Loader.

It should be noted that the approval is based upon the trade in of the City's Case 721B Case Loader (Serial No. JEE005140).

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 6-143-09: APPROVAL OF APPOINTMENT OF MARK BORSETH AS ENGINEERING SERVICES DIRECTOR

A Public Works Committee recommendation was presented. Following discussion, Councilmember Bendickson introduced Resolution No. 6-143-09, being seconded by Councilmember Kajewski, that:

WHEREAS, the Public Works Director retired and, as a result, the organizational structure and position descriptions were reviewed; and,

WHEREAS, the Public Works Committee determined that by eliminating the Public Works Division, the organizational structure would not have as many managerial layers and, in addition, save public dollars; and,

WHEREAS, an approved position description already existed for an Engineering Services Director at a MAPS Grade Level 10.

THEREFORE BE IT RESOLVED, by the City Council, to appoint Mark Borseth as the Engineering Services Director. The appointment shall be effective July 1, 2009 and his wage shall be at the designated MAPS Grade Level 10 salary.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 6-144-09: APPROVAL TO PROCEED WITH CLEANING/
TELEVISIONING OF STORM SEWERS**

A Public Works Committee recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 6-144-09, being seconded by Councilmember Erickson, that:

RESOLVED, by the City Council, to accept a Public Works Committee recommendation to direct the Engineering Services Director to obtain quotes for cleaning/televising storm sewers.

BE IT FURTHER RESOLVED, to authorize the Engineering Services Director to proceed with awarding the quote with the stipulation that the quote accepted not be higher than the \$27,000 2009 budgeted amount for this service.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 6-145-09: APPROVAL OF A MINNKOTA POWER
COOPERATIVE, INC. AND NORTHERN MUNICIPAL POWER AGENCY
CONSERVATION IMPROVEMENT PROGRAM PARTICIPATION AGREEMENT**

The City Council reviewed a Conservation Improvement Program Agreement between Minnkota Power Cooperative, Northern Municipal Power Agency and City of Thief River Falls. Following discussion, Councilmember Lee introduced Resolution No. 6-145-09, being seconded by Councilmember Bendickson, that:

WHEREAS, Minnkota Power Cooperative, Inc. has developed a Conservation Improvement Program which should result in a cost savings to all involved; and,

WHEREAS, Minnkota Power Cooperative, Inc., will be the clearing agent for all rebate expenditures for the Conservation Improvement Program; and,

WHEREAS, the City shall pay rebates to utility customers and then bill Minnkota on a periodic basis. Minnkota will then reimburse the City and accumulate the billings from all participating cooperatives and municipals. On a three-year pro-rata kilowatt-hour purchase basis, Minnkota will re-bill back to the individual participants; and,

WHEREAS, the purpose of the agreement is to allow this billing and rebilling to occur and will avoid having any individual cooperative or municipal bearing a cost other than the pro-rata appropriate cost level.

RESOLVED, by the City Council, to authorize and direct the Mayor and City Administrator to execute the Minnkota Power Cooperative, Inc., Northern Municipal Power Agency, and City of Thief River Falls Conservation Improvement Program Participation Agreement.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 6-146-09: APPROVAL OF COMBINATION OF WATER DEPARTMENT AND WASTEWATER DEPARTMENT INTO THE WATER SYSTEMS DEPARTMENT AND APPOINTMENT OF WAYNE JOHNSON AS WATER SYSTEM SUPERINTENDENT

A Public Utilities Committee recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 6-146-09, being seconded by Councilmember Kajewski, that:

BE IT RESOLVED, by the City Council, to accept the Public Utilities Committee recommendation to approve the combination of the Water Department and Wastewater Department into a department entitled the Water Systems Department, effective July 1, 2009.

BE IT FURTHER RESOLVED, by the City Council, to accept the Public Utilities Committee recommendation and approve the Water Systems Superintendent's job description as a Grade Level 11 Management, Administration, Professional and Supervisory (MAPS) position and appoint Wayne Johnson as the Water Systems Superintendent, effective July 1, 2009. Mr. Johnson's wage shall be at the designated Grade Level 11 salary.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 6-147-09: APPROVAL OF PURCHASE OF COPIER FROM TONY DORN, INC. FOR ELECTRIC DEPARTMENT

A second Public Utilities Committee recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 6-147-09, being seconded by Councilmember Schmalz, that:

WHEREAS, the following quotes were received for the purchase of a copier at the Electric Department:

<u>Tony Dorn Inc. (State Bid)</u>	
Copier	\$4,631.00
Trade In	<u>-\$ 400.00</u>
	\$5,031.00
Service Cost \$.015 per copy	\$ 48.81
3,254 copies	\$2,928.60
Cost over 5 years	\$7,959.60
<u>Tony Dorn Inc. (Bid #2)</u>	
Copier	\$5,567.00
Trade In	<u>-\$ 0</u>

	\$5,567.00
Service Cost \$.010 per copy	\$ 32.54
3,254 copies	\$1,952.40
Cost over 5 years	\$7,519.40

Marco

Copier	\$4,916.00
Trade In	-\$ 400.00
	\$5,316.00
Service Cost \$.010 per copy	\$ 37.00
3,254 copies	\$2,220.00
Cost over 5 years	\$7,536.00

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Public Utilities Committee recommendation to accept the Tony Dorn, Inc. (Bid #2) quote for the purchase of a copier in the amount of \$5,567.00. Rationale for the approval is that the five year cost is lower than the other two quotes received.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 6-148-09: APPROVAL OF A JOINT RESOLUTION AUTHORIZING AND DIRECTING THE CREATION OF AN AIRPORT AUTHORITY PURSUANT TO MINNESOTA STATUTES §360.0427 WITH SAID AIRPORT AUTHORITY EMPOWERED AS A SPECIAL TAX DISTRICT TO ADOPT AND CERTIFY A PROPERTY TAX LEVY PURSUANT TO MINNESOTA STATUTES §275.066, IN ADDITION TO OTHER STATUTORY POWERS

The City Council reviewed a Joint Powers Agreement between Pennington County and the City of Thief River Falls for the operation and maintenance of the Thief River Falls Regional Airport. Following discussion, Councilmember Lee introduced Resolution No. 6-148-09, being seconded by Councilmember Cullen, that:

WHEREAS, the City of Thief River Falls, Minnesota (hereinafter "City"), and the County of Pennington, Minnesota (hereinafter "County"), desire to enter into a Joint Powers Agreement (hereinafter "Agreement"), for the joint operation and maintenance of the Thief River Falls Regional Airport (hereinafter "Airport"); and,

WHEREAS, the City and County desire to jointly avail themselves of recently enacted legislative authorization under Minnesota Statutes §360.031 to §360.0427 to create an Airport Authority (hereinafter "Airport Authority") with the power of an independent Special Taxing District with the authority under Minnesota Statutes §275.066 to levy property taxes for Airport purposes on a uniform jurisdiction-wide basis; and,

WHEREAS, the Authority shall have all other powers as allowed by Minnesota Statutes, but shall not exercise those powers regarding airport zoning; and,

WHEREAS, uniform county-wide tax levy authority, as well as potential multi-county tax levy authority, presents a fiscally responsible plan for furthering joint operation of the Airport and serving the interests of the public.

THEREFORE, BE IT RESOLVED, by the City Council of Thief River Falls, to authorize and direct the Mayor and City Administrator to execute the Joint Powers Agreement for the joint operation and maintenance of the Thief River Falls Regional Airport.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 6-149-09: CITY SUPPORT FOR SPECIAL LEGISLATION TO ALLOW AIRPORT AUTHORITY TO USE SCHOOL DISTRICT TAXING FORMULA

The City Council discussed supporting special legislation for the Airport Authority to use the School District taxing formula or another acceptable taxing formula. Following discussion, Councilmember Bendickson introduced Resolution No. 6-149-09, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to indicate the City Council's support to work with Pennington County toward special legislation allowing the Airport Authority to set the tax levy using the School District #564's taxing formula or another acceptable taxing formula.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 6-150-09: ACCEPTING QUOTES FOR WATER TREATMENT CHEMICAL BIDS

The City Council reviewed bids for the Water Treatment Plant chemicals. Following discussion, Councilmember Lee introduced Resolution No. 6-150-09, being seconded by Councilmember Cullen, that:

WHEREAS, the following bids were received for the purchase of Water Treatment Plant chemicals:

Quicklime:			
Graymont	\$209.30/ton		\$46,046.00 total bid
Anionic Polyacrylamide Flocculant			
Fremont Industries	\$1.74/pound		\$2,958.00 total bid
SNF Polydyne	\$1.25/pound		\$2,125.00 total bid
Nalco	\$1.55/pound		\$2,635.00 total bid

Powdered Activated Carbon

Norit	\$0.876/pound	\$148,920.00 total bid
Thatcher	\$0.830/pound	\$141,100.00 total bid

THEREFORE, BE IT RESOLVED, that the City Council, hereby accepts the following bids for the Water Treatment Plant chemicals:

Quicklime: Graymont \$209.30/ton \$46,046.00 total bid
Anionic Polyacrylamide Flocculant: Nalco \$1.55/pound \$2,635.00 total bid. Note: The bid submitted by SNF Polydyne did not meet specs.
Powdered Activated Carbon: Thatcher \$0.830/pound \$141,100.00 total bid.

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 – June 15, 2009 at 7:00 p.m.
- City Council Meeting – July 7, 2009 at 5:00 p.m.

ADJOURNMENT

There being no further discussion, Councilmember Kajewski moved, being seconded by Councilmember Erickson, to adjourn the meeting at 6:00 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