

COUNCIL PROCEEDINGS

November 3, 2009

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m. on November 3, 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.

APPROVAL OF AGENDA

Councilmember Kajewski motioned, being seconded by Councilmember Lee, to approve the agenda with revisions. On vote being taken, the motion was unanimously approved and the agenda adopted.

RESOLUTION NO. 11-250-09: APPROVAL OF COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember Bendickson introduced Resolution No. 11-250-09, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to approve the October 20, 2009 Council Proceedings as presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11-251-09: APPROVAL OF PAYMENT OF BILLS

Presented as part of the Consent Agenda, Councilmember Bendickson introduced Resolution No. 11-251-09, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to authorize payment of bills and disbursements in the total amount of \$811,969.40. 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. 11-252-09: APPROVAL TO CERTIFY UNPAID GRASS MOWING CHARGES TO PENNINGTON COUNTY AUDITOR AS A SPECIAL ASSESSMENT

Presented as part of the Consent Agenda, Councilmember Bendickson introduced Resolution No. 11-252-09, being seconded by Councilmember Cullen, that:

WHEREAS, pursuant to Minnesota State Statute 429.101, the City may place unpaid grass mowing charges due to the City of Thief River Falls onto the owner's property tax statement for collection as a special assessment.

THEREFORE, BE IT RESOLVED, by the City Council, to certify the following unpaid grass mowing charges to the Pennington County Auditor for collection as part of the owner's 2010 property tax statement:

<u>OWNER</u>	<u>PARCEL NUMBER</u>	<u>AMOUNT</u>
Daniel Huber	25.003.446.80	\$230.30
Aaron Jimison	25.010.022.30	\$ 79.47
Samuel Kotas	25.006.025.60	\$333.62
Crystal Ringling	25.011.075.80	\$234.91
Dense Stepp	25.006.354.00	\$401.28
Mark Huebner	25.064.012.11	\$ 44.96
Angela Kollman	25.003.011.30	\$410.76
Kent & Karen Hanson	25.011.078.90	\$ 59.50
Steven & Patty Wasley	25.003.170.30	\$110.64
Federal National Mortgage	25.015.032.50	\$246.78
Von Hutchinson	25.031.066.00	\$ 43.65
Duane Molstad	25.036.003.10	\$153.14
James Oleson	25.026.068.50	\$152.00
Troy C. Wilson	25.005.052.80	\$ 43.00
Edell M Spina	25.006.429.40	\$ 92.50
HRA	25.059.028.00	\$198.00

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 11-253-09: APPROVAL OF OFF-SITE GAMBLING
APPLICATION FOR THIEF RIVER FALLS AMATEUR HOCKEY ASSOCIATION
(TRFAHA) TO CONDUCT RAFFLE AT THE RALPH ENGELSTAD ARENA**

Presented as part of the Consent Agenda, Councilmember Bendickson introduced Resolution No. 11-253-09, being seconded by Councilmember Cullen, that:

WHEREAS, the Thief River Falls Amateur Hockey Association (TRFAHA) is required to obtain the City's approval to conduct a raffle at the Ralph Engelstad Arena, prior to TRFAHA submitting an Off-Site Gambling application to the State of Minnesota.

THEREFORE, BE IT RESOLVED, by the City Council, to authorize the Thief River Falls Amateur Hockey Association to conduct a raffle at the Ralph Engelstad Arena, 525 Brooks Avenue North, Thief River Falls; property located in the City limits of Thief River Falls, on April 17, 2010.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11-254-09: ACCEPTANCE OF JERRY UNRUH QUOTE FOR 2009/2010 SEASON SIDEWALK SNOW REMOVAL

Presented as part of the Consent Agenda, Councilmember Bendickson introduced Resolution No. 11-254-09, being seconded by Councilmember Cullen, that:

WHEREAS, the City requested quotes to provide sidewalk snow removal services for the City of Thief River Falls for the 2009/2010 winter season; and,

WHEREAS, the following quotes were received and tabulated:

Jerry Unruh	\$20.00 per location
Aune Snow Removal	\$22.00 per location
Bill Johnson	\$25.00 per location
H&S Construction	\$35.00 per location

THEREFORE, BE IT RESOLVED, by the City Council, to accept the quoted fee for sidewalk snow removal in the amount of \$20.00 per location as submitted by Jerry Unruh and to also authorize and direct the City Administrator and Mayor to execute an Independent Service Contract with Jerry Unruh to perform sidewalk snow removal services on behalf of the City of Thief River Falls, effective November 1, 2009 through March 31, 2010.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11-255-09: APPROVAL OF AGREEMENT NO. 94935 FOR ANNUAL AIRPORT MAINTENANCE FUNDING

Presented as part of the Consent Agenda, Councilmember Bendickson introduced Resolution No. 11-255-09, being seconded by Councilmember Cullen, that:

WHEREAS, the City desires the financial assistance of the State for maintenance and operation of the Thief River Falls Regional Airport, and

WHEREAS, the State is willing and authorized by Minnesota Statutes Sections 360.015 and 360.305 to provide financial assistance to the City for its airport.

THEREFORE, BE IT RESOLVED, that:

1. This Agreement is effective upon execution by the City and the State, and will remain in effect for the State fiscal years 2010 and 2011.
2. The City agrees to the limits of State cost participation based upon a formula using runway infrastructure costs. The City has reviewed the runway infrastructure costs assigned its airport as provided by the State and agrees the costs accurately reflect the infrastructure in place.

3. If paint striping of the airport is a part of this agreement as identified in the runway infrastructure costs, the State will contract for the periodic striping of the airport runways and taxiways. The City agrees to the runway infrastructure deduct assigned as its share of airport paint striping. The City agrees to cooperate with the marking operation.
4. The City will keep the landing area and the area around the lights mowed. The grass will be mowed at least 7 feet beyond the lights, and at no time will the grass exceed 6 inches in height on the landing area.
5. If the airport is to remain operational during the winter months, the City will keep at least one landing area, associated taxiway and apron area cleared of snow and ice to the same priority as arterial roads. Snow banks will be kept down so that aircraft wings will clear the, and landing strip markers and/or lights will remain visible.
6. The airport must pass periodic inspections performed by a representative of the Office Aeronautics for compliance with the rules of the Department of Transportation and for compliance with this Agreement. If the airport is not so maintained, then no reimbursement will be made hereunder.
7. The State will reimburse the City for 2/3 of the direct, actual maintenance and operation costs, not to exceed \$102,274.00 of State aid for each State fiscal year.
8. The City will submit a breakdown of its incurred costs to the Director, Office of Aeronautics, quarterly, on forms supplied by the Office of Aeronautics. Costs are to be submitted as follows:
 - a. In October for the period July 1, through September 30.
 - b. In January for the period October 1 through December 31.
 - c. In April for the period January 1 through March 31.
 - d. In July for the period April 1 through June 30.

In any and all events, costs must be submitted to the Director, Office of Aeronautics, on or before August 1 for each State fiscal year ending June 30. No requests received after August 1 for the preceding State fiscal year will be honored by the State. The State reserves the right to reject items that may not be eligible for reimbursement, and reimbursement may be denied entirely if the airport is not properly maintained in accordance with this Agreement.

9. The City has established a zoning authority for the airport, and such authority has completed, or is in the process of and will complete, with

due diligence, an airport zoning ordinance in accordance with Minnesota Statutes Section 360.061 to 360.074.

10. The State may immediately terminate this agreement if the funds necessary to pay the State's share are not received from the Minnesota Legislature or other funding source. The State will provide notice of such lack of funding as soon as possible. Upon such termination, the State will pay the City a pro-rata share for work performed prior to such notice, to the extent that funds are available.

BE IT FURTHER RESOLVED, that the City agrees to State of Minnesota Grant No. 94935 for Airport Maintenance and Operation at the Thief River Falls Regional Airport and that the Mayor and City Administrator are authorized to execute this agreement and any amendments on behalf of the City of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11-256-09: APPROVAL OF SUBORDINATION AGREEMENT WITH ANTHONY AND BRENDA BRUGGEMAN REGARDING SLOW SECOND MORTGAGE LOAN

The City Council reviewed a proposed Subordination Agreement request pertaining to a Slow Second Mortgage loan held by Anthony and Brenda Bruggeman. Following discussion, Councilmember Lee introduced Resolution No. 11-256-09, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, that the City hereby agrees to subordinate its position on a slow second mortgage with Anthony and Brenda Bruggeman to Wells Fargo Bank on property legally described as Lots 24, 25, and 26 of Block 7 in Knox's Addition to Red Lake Rapids.

On vote being taken, the resolution was unanimously passed.

CITY COUNCIL COMMITTEE REPORTS

- Detroit Lakes meeting with Paul Marquart, Chair of the Minnesota House Property and Local Sales Tax Division, regarding property tax and airport authority.

UPCOMING MEETINGS

- Parks and Recreation Committee – November 9, 2009 at 4:30 p.m.
- Administrative Services Committee – November 10, 2009 at 4:30 p.m.
- Public Works Committee – November 12, 2009 at 4:30 p.m.
- Public Utilities Committee – November 16, 2009 at 4:30 p.m.
- Planning Commission – November 16, 2009 at 7:00 p.m.
- City Council – November 17, 2009 at 5:00 p.m.

ITEM FOR INFORMATION

- Governor Pawlenty is in Thief River Falls this weekend for the Governor's Deer Hunting Opener event.

ADJOURNMENT

There being no further discussion, Councilmember Cullen moved, being seconded by Councilmember Bendickson, to adjourn the meeting at 5:05 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