

COUNCIL PROCEEDINGS

January 5, 2010

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m. on January 5, 2010 in the Council Chambers of City Hall. The following Councilmembers were present: Bendickson, Cullen, Erickson, Holten, Kajewski, Lee, Schmalz, and Mayor Nordhagen. No Councilmembers were absent. Mayor Nordhagen chaired the meeting.

APPROVAL OF AGENDA

Councilmember Bendickson motioned, being seconded by Councilmember Cullen, to approve the agenda. On vote being taken, the motion was unanimously approved and the agenda adopted.

RESOLUTION NO. 1-1-10: APPROVAL OF COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember Lee introduced Resolution No. 1-1-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to approve the December 14, 2009 Adjourned Council Proceedings; December 15, 2009 Hearing Proceedings and the December 15, 2009 Council Proceedings as presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-2-10: APPROVAL OF PAYMENT OF BILLS

Presented as part of the Consent Agenda, Councilmember Lee introduced Resolution No. 1-2-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to authorize payment of bills and disbursements in the total amount of \$1,833,146.53. 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. 1-3-10: ACCEPTANCE OF RESIGNATION OF JERALD BROWN, PUBLIC WORKS MAINTENANCE (GOVERNMENT BUILDINGS)

Presented as part of the Consent Agenda, Councilmember Lee introduced Resolution No. 1-3-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept the resignation of Jerald Brown, Public Works Maintenance (Government Buildings), effective January 31, 2010.

The City Council wishes to express its gratitude to Mr. Brown for his employment with the City of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-4-10: ACCEPTANCE OF RESIGNATION OF STEVEN SWANSON, WATER SYSTEMS SUPERVISOR

Presented as part of the Consent Agenda, Councilmember Lee introduced Resolution No. 1-4-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept the resignation of Steven Swanson, Water Systems Supervisor, effective December 31, 2009.

The City Council wishes to express its gratitude to Mr. Swanson for his employment with the City of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-5-10: APPROVAL TO DESIGNATE THE TIMES NEWSPAPER AS THE OFFICIAL NEWSPAPER

An annual item of business was presented. Following discussion, Councilmember Kajewski introduced Resolution No. 1-5-10, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to designate The Times as the official newspaper of the City of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-6-10: APPROVAL OF OFFICIAL DEPOSITORIES FOR CITY FUNDS

An annual item of business was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 1-6-10, being seconded by Councilmember Cullen, that:

RESOLVED, the City Council, to appoint the following institutions as official depositories for City funds for calendar year 2010:

Minnesota Municipal Money Market Fund
c/o PMA Financial Inc.
City Gate Lane 7th Floor
Naperville, IL 60563

Wells Fargo Bank West, NA
208 Main Avenue North
Thief River Falls, MN 56701

Northern State Bank
201 Third Street East

Border State Bank
1528 Highway 59 South
Thief River Falls, MN 56701

Piper Jaffray
800 Nicollet Mall, Suite 880
Minneapolis, MN 55402-7020

Wells Fargo Investments LLC
406 Main Avenue, 1st Floor

Thief River Falls, MN 56701

Fargo, ND 58126

RBC Dain Rauscher, Inc.
60 South Sixth Street
Minneapolis, MN 55402

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 1-7-10: APPROVAL OF NORTHERN STATE BANK
COLLATERAL IN EXCESS OF FDIC INSURANCE FOR 2010**

An annual item of business was presented. Following discussion, Councilmember Lee introduced Resolution No. 1-7-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to approve an agreement with Northern State Bank for collateral in excess of the FDIC Insurance of \$250,000 per account for 2010.

BE IT FURTHER RESOLVED, to authorize the City Administrator to execute any and all documents necessary relating to this agreement.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 1-8-10: APPROVAL OF APPOINTMENT OF PROCESS SERVER
FOR 2010**

An annual item of business was presented. Following discussion, Councilmember Lee introduced Resolution No. 1-8-10, being seconded by Councilmember Bendickson, that:

RESOLVED, by the City Council, to appoint the Chief of Police as the process server for calendar year 2010.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 1-9-10: APPROVAL OF COUNCILMEMBER APPOINTMENTS
TO COMMUNITY AND STATEWIDE BOARDS, COMMISSIONS, AND
COMMITTEES**

An annual item of business was presented. Following discussion, Councilmember Kajewski introduced Resolution No. 1-9-10, being seconded by Councilmember Cullen, that:

RESOLVED, to approve the following appointments to various community/state boards and committees for calendar year 2010:

Airport Zoning Board
Airport Advisory Board

Ken Schmalz & Conrad Holten
Conrad Holten

Airport Authority City/County Committee	Steve Nordhagen & Glen Kajewski
City Employee Safety Committee	Conrad Holten
Coalition of Greater Minnesota Cities	Elvera Cullen
Community Development Advisory Board	Ken Schmalz
Community Development Advisory Board (Ex-Officio)	Steve Nordhagen
Community Education Advisory Board	Elvera Cullen
Convention and Visitors Bureau Board	Floyd Erickson
Jobs, Inc. (Ex-Officio)	Emery Lee
Joint Rocksbury/North/City Zoning Board	Conrad Holten
League of Minnesota Cities	Steve Nordhagen
MEC Joint Powers Board	Floyd Erickson
MN Department of Transportation Variance Board	Steve Nordhagen
Northwest Regional Development Commission	Elvera Cullen
Pennington County Building Committee	Ken Schmalz
Pennington County Historical Society	Odette Bendickson
Pennington County Solid Waste Committee	Ken Schmalz
Pennington County Water Quality Task Force	Glen Kajewski
Planning Commission/Board of Appeals & Adjustments	Conrad Holten
Red Lake River Corridor Enhancement Project	Glen Kajewski
TRF Chamber of Commerce Board of Directors	Odette Bendickson
TRF Library Board/Northwest Regional Library Board	Odette Bendickson
TRF Youth Development Committee	Floyd Erickson

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-10-10: APPROVAL OF APPOINTMENT OF COUNCILMEMBER LEE AS ACTING MAYOR IN ABSENCE OF MAYOR NORDHAGEN FOR CALENDAR YEAR 2010

An annual item of business was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 1-10-10, being seconded by Councilmember Bendickson, that:

RESOLVED, by the City Council, to appoint Emery Lee as Acting Mayor in the absence of Mayor Nordhagen for calendar year 2010.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-11-10: APPROVAL OF INDEPENDENT SERVICES CONTRACT WITH JOBS INCORPORATED

A recommendation was presented by Community Development Director Moore. Following discussion, Councilmember Kajewski introduced Resolution No. 1-11-10, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to authorize and direct the Mayor and City Administrator to execute a contract with Jobs, Inc., whereby Jobs, Inc., shall re-

imburse the City for a portion of the salaries of the Community Development Director and the Community Development Secretary in exchange for their assistance in the activities of Jobs, Inc. for calendar year 2010.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-12-10: APPROVAL OF APPOINTMENT OF MARK BRUGGEMAN AS A PATROL OFFICER

Chief of Police Murphy presented a recommendation to the City Council. Following discussion, Councilmember Cullen introduced Resolution No. 1-12-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to approve the appointment of Mark Bruggeman, as a Patrol Officer, effective January 24, 2010. Mr. Bruggeman shall be placed at the Law Enforcement Labor Service Step 1, Grade Level 6 salary pending successful completion of required pre-employment testing.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-13-10: APPROVAL TO VACATE A PORTION OF FIFTH STREET

The City Council reviewed information presented at a hearing held prior to the Council Meeting. Following discussion, Councilmember Lee introduced Resolution No. 1-13-10, being seconded by Councilmember Bendickson, that:

WHEREAS, the City Council previously passed Resolution No. 12-274-09 noting its interest in vacating, pursuant to Minnesota Statute 412.851, a portion of Fifth Street legally described as that part of Fifth Street lying between Atlantic Avenue North and the Soo Line Railroad Company right of way in the City of Thief River Falls, Pennington County, Minnesota, and setting a public hearing to consider the vacation of such street; and,

WHEREAS, a public hearing to consider the vacation was held on January 5, 2010 before the City Council after due published and posted notice had been given, as well as mailed notice to all affected property owners on December 10, 2009, and all interested and affected persons were given an opportunity to voice their concerns to be heard; and,

WHEREAS, the City Council, in its discretion, has determined that the vacation will benefit the public interest because the street was never developed and is not needed; and,

WHEREAS, four-fifths of all members of the City Council concur in this resolution.

THEREFORE, BE IT RESOLVED, by the City Council, that the vacation is hereby granted and that portion of Fifth Street described as follows is hereby vacated: that part of Fifth Street lying between Atlantic Avenue North and the Soo Line Railroad Company right of way in the City of Thief River Falls, Pennington County, Minnesota.

BE IT FURTHER RESOLVED, that the Mayor and City Administrator are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-14-10: CALLING FOR TAX ABATEMENT PUBLIC HEARING

Community Development Director Moore presented a recommendation to the City Council. Following discussion, Councilmember Lee introduced Resolution No. 1-14-10, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to call for a public hearing on January 19, 2010 at 4:55 p.m. to consider a Tax Abatement request submitted by James and Carol Lambert for property located at 932 Spruce Avenue South, legally described as Lot 8 of Block 4 in Allwood Acres Addition (Parcel No. 25.064.040.40).

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-15-10: APPROVAL OF REQUEST FOR ADVANCEMENT OF MINNESOTA STATE AID STREET FUNDS FOR 2010 PROJECTS

Engineering Services Director Borseth presented a request to the City Council. Following discussion, Councilmember Lee introduced Resolution No. 1-15-10, being seconded by Councilmember Erickson, that:

WHEREAS, the Municipality of Thief River Falls is planning to implement Municipal State Aid Street Projects(s) in 2010 which will require State Aid funds in excess of those available in its State Aid Construction Account; and,

WHEREAS, said Municipality is prepared to proceed with the construction of said project(s) through the use of an advance from the Municipal State Aid Street Fund to supplement the available funds in their State Aid Construction Account; and,

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of 1/1/2010	\$456,064
Less Estimated Disbursements:	
Project #170-115-008	(\$ 75,000)

Project #170-124-001	(\$430,897)	
Project #170-115-012	(\$161,826)	
Bond Principle	<u>(\$188,341)</u>	
Total Estimated Disbursements		<u>(\$856,064)</u>
Advance Amount (amount in excess of account balance)		(\$400,000)

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.14 Subd. 6 and Minnesota Rules 8820.1500, Subp. 10b; and,

WHEREAS, the Municipality acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

THEREFORE, BE IT RESOLVED, that the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved Municipal State Aid Street Project(s) of the Municipality of Thief River Falls in an amount up to \$400,000. The City hereby authorizes repayments from subsequent accruals to the Municipal State Aid Street Construction Account of said Municipality from future year allocations until fully repaid.

On vote being taken, the resolution was unanimously passed.

UPCOMING MEETINGS

- Capital Acquisitions Committee Meeting – January 11, 2010 at 4:30 p.m.
- Budget/Finance Committee Meeting – January 12, 2010 at 4:30 p.m.
- Long Range Planning/Annexation Committee Meeting – January 13, 2010 at 4:30 p.m.
- Personnel/Labor Committee Meeting – January 14, 2010 at 4:30 p.m.
- Public Hearing on Tax Abatement – January 19, 2010 at 4:55 p.m.
- City Council Meeting – January 19, 2010 at 5:00 p.m.

ADJOURNMENT

There being no further discussion, Councilmember Bendickson moved, being seconded by Councilmember Kajewski, to adjourn the meeting at 5:15 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