

COUNCIL PROCEEDINGS

January 19, 2010

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m. on January 19, 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.

PRESENTATION/PROCLAMATIONS/PUBLIC INFORMATION/ANNOUNCEMENTS

State Representative Dave Olin was present at the City Council meeting to discuss upcoming 2010 legislative issues. This was for information only and no action was taken.

APPROVAL OF AGENDA

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

RESOLUTION NO. 1-16-10: APPROVAL OF COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 1-16-10, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to approve the January 5, 2010 Hearing Proceedings and the January 5, 2010 Council Proceedings as presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-17-10: APPROVAL OF PAYMENT OF BILLS

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 1-17-10, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to authorize payment of bills and disbursements in the total amount of \$357,304.15. 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. 1-18-10: MATTER OF TAX ABATEMENT REQUEST FROM JAMES AND CAROL LAMBERT

The City Council reviewed information presented at the Tax Abatement Hearing held on January 19, 2010. Following discussion, Councilmember Lee introduced Resolution No. 1-18-10, being seconded by Councilmember Erickson, that:

WHEREAS, a public hearing was conducted on January 19, 2010 at 4:55 p.m. with regard to a Tax Abatement request and it was determined that the request meets the eligibility requirements of the City's Tax Abatement Program.

NOW, THEREFORE, BE IT RESOLVED, by the City Council to approve the following tax abatement:

James and Carol Lambert: Parcel No. 25.064.040.40 – Lot 8 of Block 4 in Allwood Acres Addition. Tax Abatement is \$444.74 for 2009 property tax.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-19-10: APPROVAL TO SUBMIT CITY'S ELECTRICAL CONTRACTOR'S LICENSE APPLICATION TO THE STATE OF MINNESOTA

Following discussion, Councilmember Kajewski introduced Resolution No. 1-19-10, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to authorize that the City of Thief River Falls submit an Electrical Contractor's License to the State of Minnesota.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-20-10: APPROVAL OF GRANT APPLICATION SUBMITTAL AND SPONSORSHIP OF PHASE I MULTI-USE TRAIL PROJECT

Engineering Services Director Borseth presented a proposed grant application. Following discussion, Councilmember Lee introduced Resolution No. 1-20-10, being seconded by Councilmember Kajewski, that:

WHEREAS, the Safe, Accountable, Flexible, Efficient, Transportation Equity Act provides funding for eligible enhancement projects under the Surface Transportation Program apportionment; and,

WHEREAS, the Transportation Enhancement Program is intended to strengthen the cultural, aesthetic, and environmental aspects of the transportation system; and,

WHEREAS, District 2 Area Transportation Partnership has announced the solicitation for enhancement projects for the year 2014.

THEREFORE, BE IT RESOLVED, that the City of Thief River Falls act as the sponsoring agency for a Transportation Enhancement Project identified as Phase I Multi-Use Trail and acknowledges herewith that it is willing to be the project sponsor; knowing full well that such sponsorship includes a willingness to secure and guarantee the local share of costs associated with this project and responsibility for

seeing through to its completion, with compliance of all applicable laws, rules, and regulations.

BE IT FURTHER RESOLVED, that Mark Borseth, Engineering Services Director, is hereby authorized to act as agent on behalf of the City of Thief River Falls; and,

WHEREAS, that the Federal Highway Administration (FHWA) requires that municipalities agree to operate and maintain facilities constructed with Federal Transportation Funds for the useful life of the improvement and not change the use of right-of-ways acquired without prior approval from the FHWA; and,

WHEREAS, Transportation Enhancement Projects receive federal funding from the reauthorization of the Surface Transportation Program of the Intermodal Surface Transportation Efficiency Act of 1991; and,

WHEREAS, the Minnesota Department of Transportation has determined that for projects implemented with transportation enhancement funds, this requirement should be applied to the project sponsor; and,

WHEREAS, the City of Thief River Falls is the project sponsor for the Transportation Enhancement Project identified as Phase I Multi-Use Trail.

THEREFORE, BE IT RESOLVED, that the City of Thief River Falls hereby agrees to assume full responsibility for the operation and maintenance of property and facilities related to the Phase I Multi-Use Trail Project.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-21-10: APPROVAL OF LEASE WITH NORTHWEST ACCELERATION FOR RENTAL OF RALPH ENGELSTAD ARENA LOWER LEVEL FOR FITNESS CENTER

Following discussion, Councilmember Cullen introduced Resolution No. 1-21-10, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to authorize and direct the Mayor and City Administrator to execute a lease with Northwest Acceleration, Tim Bergland, owner, for lease of 3,000 sq. ft. of space in the lower level of the Ralph Engelstad Arena for the purpose of conducting fitness center activities. The lease shall be effective February 1, 2010 through January 31, 2011 with a rental fee of \$618.00 per month.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-22-10: APPROVAL OF APPOINTMENTS TO BOARDS AND COMMISSIONS

An annual item of business was presented. Following discussion, Councilmember Kajewski introduced Resolution No. 1-22-10, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to accept the Mayor's recommendations and approve the following appointments, effective February 1, 2010:

HOUSING AND REDEVELOPMENT AUTHORITY – 5 year term
Evie Johnson (reappointment)

PLANNING COMMISSION & BOARD OF ADJUSTMENTS AND APPEALS – 3 year term
Rick Reiersen (reappointment)
Donald Barron (reappointment)
LeAnn Nelson (reappointment)

COMMUNITY DEVELOPMENT ADVISORY BOARD – 3 year term
Roger Reuter (reappointment)
Steve Lillestol (reappointment)

TRF LIBRARY BOARD – 3 year term
Sandy Parker (reappointment)
Mary Cullen
Ben Anderson

NW REGIONAL LIBRARY BOARD – 3 year term
Chuck Smith

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-23-10: APPROVAL OF CITY COUNCIL COMMITTEE ASSIGNMENTS FOR CALENDAR YEAR 2010

An annual item of business was presented. Following discussion, Councilmember Bendickson introduced Resolution No. 1-23-10, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to appoint the following City Council Committees and Committee Members for calendar year 2010:

Crosscutting Committees

Budget/Finance (Third Mondays in April, July, October)
Holten, Chair

Bendickson
Erickson
Cullen

Long Range Planning/Annexation (Third Wednesdays in April, July, October)

Schmalz, Chair
Cullen
Bendickson
Lee

Personnel/Labor (Third Thursdays in April, July, October)

Kajewski, Chair
Erickson
Schmalz
Nordhagen

Functional Committees

Utilities (Second Monday of the Month)

Bendickson, Chair
Kajewski
Lee
Nordhagen

Parks and Recreation/Public Safety (Second Tuesday of the Month)

Nordhagen, Chair
Bendickson
Lee
Schmalz

Public Works (Second Wednesday of the Month)

Erickson, Chair
Holten
Cullen
Kajewski

Administrative Services (Second Thursday of the Month)

Cullen, Chair
Schmalz
Holten
Erickson

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 1-24-10: APPROVAL OF COMMUNITY DEVELOPMENT
REVOLVING LOAN TO WHEATLAND ESTATES APARTMENTS**

Community Development Director Moore presented a Community Development Advisory Board recommendation. Following discussion, Councilmember Kajewski introduced Resolution No. 1-24-10, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept a Community Development Advisory Board recommendation and grant Wheatland Estates Apartments a \$100,000.00 Community Development Revolving Loan for completion of the apartment complex construction located on Cottonwood Avenue. Said loan shall be amortized over 15 years at three percent (3%) interest, with a balloon payment due after five years for the balance of the loan.

On vote being taken, the resolution was passed, with Mayor Nordhagen abstaining from the vote.

**RESOLUTION NO. 1-25-10: APPROVAL OF SUBORDINATION AGREEMENT WITH
BRADLEY AND JENNIFER HERZBERG**

Following discussion regarding a subordination agreement with Bradley and Jennifer Herzberg, Councilmember Lee introduced Resolution No. 1-25-10, 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 issued by the City of Thief River Falls to Bradley and Jennifer Herzberg to Homeloan Center, Inc. on property legally described as Lot Three (3), Block Two (2), Oakland Park Third Addition.

On vote being taken, the resolution was unanimously passed.

CITY COUNCIL COMMITTEE REPORTS

- Capital Acquisitions Committee – Emery Lee, Chair
- Long Range Planning/Annexation Committee – Ken Schmalz, Chair
- Personnel and Labor Committee – Glen Kajewski, Chair

UPCOMING MEETINGS

- City Council Meeting – February 2, 2010 at 5:00 p.m.

ADJOURNMENT

There being no further discussion, Councilmember Cullen moved, being seconded by Councilmember Lee, to adjourn the meeting at 5:47 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