

COUNCIL PROCEEDINGS

February 16, 2010

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m. on February 16, 2010 in the Council Chambers of City Hall. The following Councilmembers were present: Bendickson, Erickson, Holten, Kajewski, Lee, Schmalz, and Mayor Nordhagen. Councilmember Cullen was absent. Mayor Nordhagen chaired the meeting.

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION/ANNOUNCEMENTS

Representatives from the Epiphany Station, St. Hilaire Parish, and the Northland Mission in Grand Forks appeared before the City Council to discuss the issue of homelessness in the area. This was for information only and no action was taken.

APPROVAL OF AGENDA

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

RESOLUTION NO. 2-31-10: APPROVAL OF COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember Lee introduced Resolution No. 2-31-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to approve the February 2, 2010 Council Proceedings as presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-32-10: APPROVAL OF PAYMENT OF BILLS

Presented as part of the Consent Agenda, Councilmember Lee introduced Resolution No. 2-32-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to authorize payment of bills and disbursements in the total amount of \$888,939.50. 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. 2-33-10: APPROVAL OF TRANSFER OF THE LANTERN OF TRF, INC. INTOXICATING LIQUOR LICENSE

Presented as part of the Consent Agenda, Councilmember Lee introduced Resolution No. 2-33-10, being seconded by Councilmember Kajewski, that:

WHEREAS, the City is required to approve and report to the State of Minnesota a change of ownership of an intoxicating liquor license; and,

WHEREAS, Brenda Jeanne Wright is the new owner of The Lantern of TRF, Inc., d.b.a. The Lantern Restaurant and Lounge.

THEREFORE, BE IT RESOLVED, to accept an Administrative Services Committee recommendation to approve the transfer of the Intoxicating Liquor License and the Sunday Liquor License to The Lantern of TRF, Inc., under the ownership of Brenda Jeanne Wright, effective immediately.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-34-10: APPROVAL TO CALL FOR 2010 IMPROVEMENT PROJECT FEASIBILITY REPORT

A Public Works Committee recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 2-34-10, being seconded by Councilmember Erickson, that:

WHEREAS, the following street and utilities improvements are being proposed for consideration by the City Council for construction in 2010:

- 1) Water main replacement: State Avenue - 3rd Street to 7th Street;
- 2) Water main replacement: Duluth Avenue - 4th Street to 6th Street;
- 3) Replace seven existing water main gate valves in Noreen's First Addition (Southtown).
- 4) Mud jacking both end approaches at L.B. Hartz Park Pedestrian Bridge;
- 5) Storm sewer repair: 11th Street between LaBree Avenue and Horace Avenue;
- 6) Bituminous paving adjacent to Street Department salt/sand storage;
- 7) Reclaim and resurface: Brooks Avenue - 3rd Street to 6th Street;
- 8) Greenwood Street mill and resurface;
- 9) Reclaim and resurface: Spruce Avenue - 1st Street to Greenwood Street; and
- 10) Reclaim and resurface: Nora Street – Spruce Avenue to Pennington Avenue.

Consideration will be included in the Feasibility Report to assess the benefited properties for all or a portion of the cost of the improvements, pursuant to Minnesota Statutes, Chapter 429.

NOW, THEREFORE, BE IT RESOLVED, by the City Council, that the proposed improvements be referred to the Engineering Services Director for study and that he be instructed to report to the Council with all due speed advising the Council in a preliminary way as to whether the proposed improvements are necessary, cost-effective, and feasible and as to whether they should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvements as recommended.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-35-10: APPROVAL OF AGREEMENT WITH WIDSETH SMITH NOLTING & ASSOC., INC. FOR GREENWOOD STREET UNDERPASS RAILROAD BRIDGE DESIGN

A Public Works Committee recommendation was presented. Following discussion, Councilmember Erickson introduced Resolution No. 2-35-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept a Public Works Committee recommendation to authorize and direct City Administrator to execute an agreement with Widseth Smith Nolting Assoc., Inc. for engineering services relating to the Greenwood Street Underpass Railroad Bridge, which shall include:

- 1) Coordinate bridge design with shoo-fly design by HDR, Greenwood Street design, and CP Rail requirements;
- 2) Coordinate final track elevation with CP Rail;
- 3) Design bridge to accommodate sidewalk and trail as part of Greenwood Street design;
- 4) Coordinate abutment/wingwall design with design of retaining walls, which will be part of the street design – partial retaining walls may be required along the cemetery and the manufactured home park;
- 5) Submit preliminary plans to the City, CP Rail, and Mn/DOT for their review and comment;
- 6) Submit final plans to the City, CP Rail, and Mn/DOT for their review and comment;
- 7) Finalize plans based on all agency review and final Greenwood Street plans;
- 8) Assist with completion of project memorandum and permits; and,
- 9) Review of contractor's proposed shoring design.

Estimated cost of the railroad bridge design is \$81,654.00. This cost shall not be exceeded without prior approval by the City Council. Design of the new street, storm sewer, utility relocations, retaining walls, preparation of a federal project memorandum, coordination of soil borings and utility relocates, and right-of-way work and construction related services for staking, material testing, and construction observation will be billed hourly in addition to the bridge design.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-36-10: APPROVAL OF WATER SYSTEMS FOREMAN JOB DESCRIPTION AND GRADE LEVEL DETERMINATION

A Public Utilities Committee recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 2-36-10, being seconded by Councilmember Bendickson, that:

RESOLVED, by the City Council, to accept a Public Utilities Committee recommendation and approve the Water Systems Foreman job description as presented and approve its evaluation as a Grade Level 6.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-37-10: APPROVAL OF SUBORDINATION AGREEMENT WITH SHELLY RAE HANSON AND BORDER STATE BANK

A proposed Subordination Agreement was presented to the City Council. Following discussion, Councilmember Lee introduced Resolution No. 2-37-10, being seconded by Councilmember Schmalz, 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 Shelly Rae Hanson, to Border State Bank on property legally described as Lot Fourteen (14), Block Two (2), of Oakland Park Third Addition.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 2-38-10: APPROVAL OF TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE EXTENSION TO OUTSIDE AREA FOR EAGLES AERIE CLUB

The City Council reviewed an application for the extension of an intoxicating liquor license held by the Eagles Club. Following discussion, Councilmember Schmalz introduced Resolution No. 2-38-10, being seconded by Councilmember Bendickson, that:

RESOLVED, by the City Council, to approve a temporary extension of the Eagles Club On-Sale Intoxicating Liquor License to an outside designated area effective on February 27, 2010 from 2:00 p.m. until 8:00 p.m.

On vote being taken, the resolution was unanimously passed.

CITY COUNCIL COMMITTEE REPORTS

- Public Safety/Parks and Recreation Committee
- Public Works Committee
- Administrative Services Committee
- Public Utilities Committee

UPCOMING MEETINGS

- City Council/County Commissioners 7:00 a.m.
- City Council – March 2, 2010 at 5:00 p.m.

ITEMS FOR INFORMATION

- 2009 Fire Department Annual Report
- City of Thief River Falls Investment Summary – January 31, 2010

ADJOURNMENT

There being no further discussion, Councilmember Schmalz moved, being seconded by Councilmember Lee, to adjourn the meeting at 5:55 p.m. On vote being taken, the Chair declared the motion unanimously carried and the meeting adjourned until 7:00 a.m. on March 1, 2010 at Dee's Kitchen.

Steve Nordhagen, Mayor

Attest: _____
Jodie R. Torkelson, City Administrator