

COUNCIL PROCEEDINGS

March 2, 2010

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m. on March 2, 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 Kajewski motioned, being seconded by Councilmember Cullen, to approve the agenda with additions. On vote being taken, the motion was unanimously approved and the agenda.

RESOLUTION NO. 3-39-10: APPROVAL OF COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 3-39-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to approve the February 16, 2010 Council Proceedings and the March 1, 2010 Adjourned Council Proceedings, as presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-40-10: APPROVAL OF PAYMENT OF BILLS

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 3-40-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to authorize payment of bills and disbursements in the total amount of \$1,335,753.52. 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. 3-41-10: DECLARING EXCESS FIRE DEPARTMENT TURNOUT GEAR AS SURPLUS PROPERTY AND DONATION TO VIKING FIRE DEPARTMENT

The City Council reviewed a request from the Viking Fire Department. Following discussion, Councilmember Cullen introduced Resolution No. 3-41-10, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to declare excess Fire Department Turnout Gear as surplus property and donate the Turnout Gear to the Viking Fire Department.

BE IT FURTHER RESOLVED, that the City of Thief River Falls shall not incur any expense in the delivery of the gear to the Viking Fire Department and that a Re-

lease Document shall be signed which holds the City harmless and that all applicable state and federal rules shall be followed.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-42-10: RESOLUTION ACCEPTING MINNESOTA HISTORICAL AND CULTURAL PROGRAM GRANT FOR THE CARNEGIE LIBRARY RESTORATION PROJECT

The City Council reviewed a proposed grant for renovation of the Carnegie Library building. Following discussion, Councilmember Bendickson introduced Resolution No. 3-42-10, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept a Minnesota Historical and Cultural Program Grant (Grant No. 3290L-10-PE) in the amount of \$99,000.00 awarded by the Minnesota Historical Society to the City of Thief River Falls for the Carnegie Library Restoration Project.

BE IT FURTHER RESOLVED, to authorize and direct City Administrator Torkelson to execute any and all documents necessary in relation to this grant.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-43-10: RESOLUTION ON THE GOVERNOR'S SUPPLEMENTAL BUDGET CUTS TO LGA PAYMENT

The City Council discussed the proposed LGA unallotments by Governor Pawlenty. Following discussion, Councilmember Bendickson introduced Resolution No. 3-43-10, being seconded by Councilmember Cullen, that:

WHEREAS, the December 2009 State Budget Forecast predicts a budget deficit of \$1.2 billion for the current biennium; and,

WHEREAS, Governor Pawlenty unallotted scheduled Local Government Aid (LGA) in 2008, 2009, and 2010 to address State budget deficits; and,

WHEREAS, these unallotments to the LGA program totaled \$201 million; and,

WHEREAS, LGA represents only 2.9% of the State 2010-2011 general fund budget, but has accounted for 16% of the Governor's unallotments; and,

WHEREAS, these programs are critical to restraining property taxes and providing for essential City services such as police, fire, snow plowing, libraries, parks, sewer and water infrastructure, and other services that makes our community a vital and desirable place to live and work; and,

WHEREAS, the City of Thief River Falls has been unallotted state aid in the amounts of \$166,246 in 2008, and \$141,368 in 2009, and \$326,190 in 2010; and,

WHEREAS, the 2010 LGA total appropriation will be reduced by over 40% from the certified amount under the Governor Pawlenty's supplemental budget for 2010-2011; and,

WHEREAS, the City of Thief River Falls's 2010 LGA would be reduced by \$353,053 under the Governor Pawlenty's supplemental budget for 2010-2011 with additional cuts even beyond; and,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Thief River Falls urges the legislature to reject the Governor's supplemental budget LGA cuts for 2010; and,

BE IT FURTHER RESOLVED, that upon passage, this resolution shall be forwarded to Governor Tim Pawlenty, Speaker Margaret Anderson Kelliher, House Minority Leader Kent Zellers, Senate Majority Leader Larry Pogemiller, Senate Minority Leader David Senjem, and to the members of the State Legislature representing our City.

BE IT FURTHER RESOLVED, that the City Administrator shall draft a letter to the Governor advising him that the City of Thief River Falls successfully streamlined, reorganized, became more efficient, and reduced local property taxes for 2006, 2007, 2008 and 2009 prior to reductions in LGA. The City has struggled to maintain no increase in local property taxes during the past two budget cycles even with the cuts made in Local Government Aid. The City has no where further to cut without reducing services and will invite the Governor to meet with City officials to discuss the current economic situation and ramifications the continued loss of additional LGA will have on this community.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-44-10: ACCEPTANCE OF PROPOSED 2010 IMPROVEMENT PROJECT FEASIBILITY STUDY AND CALLING FOR PUBLIC HEARING

The 2010 Improvement Project Feasibility Report was presented to the City Council from Engineering Services Director Borseth. Following discussion, Councilmember Lee introduced Resolution No. 3-44-10, being seconded by Councilmember Erickson, that:

WHEREAS, pursuant to Resolution No. 2-34-10, a report has been prepared by the Engineering Services Director with reference to the following proposed improvements, noting that a proposed mud jacking project to the approaches at the L.B. Hartz Park Pedestrian Bridge was removed from being part of this project and therefore, was not included in the Feasibility Report:

- 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) Storm sewer repair: 11th Street between LaBree Avenue and Horace Avenue;
- 5) Bituminous paving adjacent to Street Department salt/sand storage;
- 6) Reclaim and resurface: Brooks Avenue - 3rd Street to 6th Street;
- 7) Bituminous edge milling and resurfacing: East Greenwood Street – Spruce Avenue to Hanson Drive;
- 8) Reclaim and resurface: Spruce Avenue - 1st Street to Greenwood Street; and
- 9) Reclaim and resurface: Nora Street – Spruce Avenue to Pennington Avenue.

WHEREAS, the report provides information regarding whether the proposed projects are necessary, cost-effective, and feasible.

NOW, THEREFORE, BE IT RESOLVED, by the City Council, that the Council will consider the improvements of such projects in accordance with the report and the invoicing of abutting property for all or a portion of the cost of the improvements pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of \$1,266,000.

BE IT FURTHER RESOLVED, that a public hearing shall be held on such proposed improvements on the 25th day of March, 2010 in the Council Chambers of the City Hall at 7:00 p.m. and that the City Administrator shall give mailed and published notice of such hearing and improvements as required by law.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-45-10: RESOLUTION AGREEMENT CONCERNING PRIORITY OF MICHAEL AND TANYA MASSETH HEAT PUMP LOAN WITH CITY

City Attorney Sparby presented an Agreement Concerning Priority to the City Council for consideration. Following discussion, Councilmember Schmalz introduced Resolution No. 3-45-10, being seconded by Councilmember Lee, that:

WHEREAS, the City did loan Michael and Tanya Masseth a Heat Pump Loan on property located at Lot 5 of Block 5 in Elementary First Addition; and,

WHEREAS, the Masseths also have a home mortgage loan through U.S. Bank, N.A.; and,

WHEREAS, the parties did have an understanding as to the priority of these loans, but the mortgage documents were not recorded in the proper order and the parties desire to establish the priority of the mortgage.

THEREFORE, BE IT RESOLVED, that the City Council direct the Mayor and City Administrator to execute an Agreement Concerning Priority which determines that the priority of the mortgage for the US Bank Loan and the City Heat Pump Loan is as follows: 1) First Priority Loan: Mortgage for Bank Loan; and 2) Second Priority Loan: City Loan.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-46-10: ACCEPTANCE OF RETIREMENT OF LARRY RAHN, PUBLIC WORKS MAINTENANCE STREET/SANITATION EMPLOYEE

A letter of retirement was reviewed by the City Council. Following discussion, Councilmember Cullen introduced Resolution No. 3-46-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept the retirement of Larry Rahn, Public Works Maintenance Street/Sanitation employee, effective March 25, 2010.

The City Council would like to thank Mr. Rahn for his 20 years of service to the City of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-47-10: APPROVAL OF PROGRESSION RAISE FOR JENNIFER LUNDEEN, SECRETARY/PARKING MAINTENANCE EMPLOYEE

The City Council considered a proposed progression raise. Following discussion, Councilmember Schmalz introduced Resolution No. 3-47-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to approve a progression raise for Jennifer Lundeen, Secretary/Parking Maintenance employee in the Police Department. Ms. Lundeen shall progress to Step 4 of the Grade Level 3 Non-Union (post 2006 hire) salary schedule, effective March 3, 2010.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-48-10: ACCEPTANCE OF FEDERAL ENHANCEMENT FUNDS GRANT FOR PHASE I MULTI-USE TRAIL PROJECT

Engineering Services Director Borseth notified the City Council that the City has been awarded Federal Enhancement Funds for the proposed Phase I Multi-Use Trail Project. Following discussion, Councilmember Lee introduced Resolution No. 3-48-10, being seconded by Councilmember Kajewski, that:

WHEREAS, Resolution No. 1-20-09 authorized that the City of Thief River Falls submit a Transportation Enhancement Project Funds grant application to the Minnesota Department of Transportation - District 2 Area Transportation Partnership to be used toward the Phase I Multi-Use Trail Project, scheduled to be constructed in 2014; and,

WHEREAS, the City has been notified that the project was approved has been awarded \$162,400 of federal dollars toward the project. The grant is an 80/20 (federal/local) share for construction only, with no engineering costs being eligible.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the \$162,400 grant from the Minnesota Department of Transportation – District 2 Area Transportation Partnership toward the Phase I Multi-Use Trail Project.

On vote being taken, the resolution was passed by a seven-yes, one-no (Mayor Nordhagen) vote.

UPCOMING MEETINGS

- Public Safety/Parks and Recreation Committee – March 8, 2010 at 4:30 p.m.
- Planning Commission Meeting – March 8, 2010 at 7:00 p.m.
- Public Utilities Committee – March 9, 2010 at 4:30 p.m.
- Public Works Committee – March 10, 2010 at 4:30 p.m.
- Administrative Services Committee – March 11, 2010 at 4:30 p.m.
- City Council Meeting – March 16, 2010 at 5:00 p.m.

ADJOURNMENT

There being no further discussion, Councilmember Bendickson moved, being seconded by Councilmember Cullen, to adjourn the meeting at 6:01 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