

COUNCIL PROCEEDINGS

May 18, 2010

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m. on May 18, 2010 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.

PRESENTATION: BRIANNA DREVLOW – GIRL SCOUT GOLD AWARD PROJECT

Brianna Drevlow presented a Girl Scout Gold Award Project entitled “RiverWalk Junior Rangers”. The project provides people of all ages with an educational and historic look at Thief River Falls, while allowing young tourists and young local residents to earn a junior ranger badge, in a fun and interactive way.

APPROVAL OF AGENDA

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

RESOLUTION NO. 5-98-10: APPROVAL OF COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 5-98-10, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to approve the May 4, 2010 Council Proceedings, with corrections.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-99-10: APPROVAL OF PAYMENT OF BILLS

Presented as part of the Consent Agenda, Councilmember Schmalz introduced Resolution No. 5-99-10, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to authorize payment of bills and disbursements in the total amount of \$1,378,041.70. 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. 5-100-10: APPROVAL OF WORK ORDER NO. 2 AND NO. 3 WITH ULTEIG ENGINEERS, INC. FOR REHABILITATION OF THE THIEF RIVER FALLS REGIONAL AIRPORT TERMINAL BUILDING AND INSTALLATION OF SUPPLEMENTARY WIND CONES

A Public Works Committee recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 5-100-10, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to accept a Public Works Committee recommendation to authorize and direct the City Administrator to execute Work Order No. 2 with Ulteig Engineers, Inc. for rehabilitation of the Thief River Falls Regional Airport Terminal Building.

BE IT FURTHER RESOLVED, to authorize and direct the City Administrator to execute Work Order No. 3 with Ulteig Engineers, Inc. to install Supplementary Wind Cones at the Thief River Falls Regional Airport. The City is mandated by the Federal Aviation Administration to install the cones by mid November of 2010 to satisfy safety issues.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-101-10: DESIGNATION OF FIVE PARKING STALLS IN MUNICIPAL PARKING LOT #2 SOUTH OF POST OFFICE AS TWO-HOUR PARKING

A Public Works Committee recommendation was presented. Following discussion, Councilmember Kajewski introduced Resolution No. 5-101-10, being seconded by Councilmember Bendickson, that:

WHEREAS, in response to concerns of a shortage of downtown short-term parking spots, the Public Works Committee has reviewed the structure of the municipal parking lots; and,

THEREFORE, BE IT RESOLVED, that the City Council accepts a Public Works Committee recommendation to designate five parking stalls in the municipal parking lot south of the Post Office as two-hour parking stalls. The five parking stalls will be located in the southwest corner of the parking lot, adjacent to First Street.

On vote being taken, the resolution was unanimously passed.

MATTER OF DISCONTINUANCE OF RESIDENTIAL BRUSH PICKUP BY CITY

Councilmember Erickson moved, being seconded by Councilmember Bendickson, to remove an agenda item to discontinue the practice of curbside pickup of brush by the City and refer this back to the Public Works Committee for further study. On vote being taken,

the Chair declared the motion unanimously carried and the item removed from the agenda from action and referred back to the Public Works Committee.

RESOLUTION NO. 5-102-10: APPROVAL OF PURCHASE OF TWO POLICE DEPARTMENT PATROL VEHICLES BY STATE BID

A Public Safety Committee recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 5-102-10, being seconded by Councilmember Kajewski, that:

WHEREAS, the Police Department planned for, and budgeted for in the 2010 budget, the purchase of a new patrol vehicle; and,

WHEREAS, a patrol vehicle was recently totaled during an accident and is inoperable.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Public Safety Committee's recommendation and authorize the Police Department to purchase two patrol vehicles by State bid.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-103-10: APPROVAL OF APPOINTMENT OF FRANCIS TRUDEAU AND SCOTT WALKER AS VOLUNTEER FIREFIGHTERS

A Public Safety Committee recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 5-103-10, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to accept a Public Safety Committee recommendation to appoint Francis Trudeau and Scott Walker as Volunteer Firefighters, effective upon successful completion of the required background checks and physical examinations.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-104-10: APPROVAL TO DECLARE LIFT STATION #9 MOTORS AS SURPLUS PROPERTY

A Public Utilities Committee recommendation was presented. Following discussion, Councilmember Bendickson introduced Resolution No. 5-104-10, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to accept a Public Utilities Committee recommendation to declare the motors from Lift Station #9 as surplus property, with the intent to sell the surplus motors as scrap metal.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-105-10: ACCEPTANCE OF RETIREMENT OF ALAN NEWTON, CUSTOMER SERVICE REPRESENTATIVE

A Public Utilities Committee recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 5-105-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City of Thief River Falls, to accept a Public Utilities Committee recommendation to accept the retirement of Alan Newton, Customer Service Representative, effective May 31, 2010.

The City Council wishes to thank Mr. Newton for his 20 years of service to the City of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-106-10: APPROVAL OF APPOINTMENT OF ARLO RUDE AS DIRECTOR AND BARRY FROILAND AS ADVISOR TO THE NORTHERN MUNICIPAL POWER AGENCY

A Public Utilities Committee recommendation was presented. Following discussion, Councilmember Bendickson introduced Resolution No. 5-106-10, being seconded by Councilmember Lee, that:

RESOLVED, by the City Council, to accept a Public Utilities Committee recommendation and appoint Arlo Rude as Director and Barry Froiland as Advisor to the Northern Municipal Power Agency, with terms effective June 1, 2010 through May 31, 2011.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-107-10: APPROVAL OF AGREEMENT BETWEEN THE CITY OF THIEF RIVER FALLS AND INTER COUNTY COMMUNITY COUNCIL AS PART OF THE MINNKOTA POWER COOPERATIVE/NORTHERN MUNICIPAL POWER AGENCY CONSERVATION IMPROVEMENT PROGRAM

Director of Utilities Rude presented a Public Utilities Committee recommendation to the Council. Following discussion, Councilmember Lee introduced Resolution No. 5-107-10, being seconded by Councilmember Cullen, that:

WHEREAS, the City of Thief River Falls has agreed to participate in certain residential low-income energy conservation programs (CIP) offered by Minnkota Power Cooperative and Northern Municipal Power Agency; and,

WHEREAS, Inter County Community Council, in its respective service territory, desires for low-income residents who are also customers of the City of Thief River Falls, to be able to participate in and enjoy the benefits of the CIP Program.

THEREFORE, BE IT RESOLVED, that the City Council, accept a Public Utilities Committee recommendation to authorize and direct the Mayor and City Administrator to execute an agreement with Inter County Community Council, Inc. to allow Inter County Community Council, Inc. to participate in the Conservation Improvement Program through the City of Thief River Falls, effective January 1, 2010 through December 31, 2010.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-108-10: APPROVAL OF 2010 SALARY AND BENEFIT PACKAGE FOR THE CITY ADMINISTRATOR AND FINANCE DIRECTOR

A Labor Committee recommendation was presented. Following discussion, Councilmember Schmalz introduced Resolution No. 5-108-10, being seconded by Councilmember Kajewski, that:

RESOLVED, by the City Council, to accept the Labor Committee's recommendation to approve the salary and benefit package memorandum of understanding for the City Administrator and Finance Director, retroactive to January 1, 2010.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-109-10: APPROVAL OF A CONDITIONAL USE PERMIT (BUILDING HEIGHT) FOR ST. FRANCIS HEALTH SERVICES AT 2000 SOUTH 11TH STREET

A Planning Commission recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 5-109-10, being seconded by Councilmember Schmalz, that:

WHEREAS, pursuant to proper notice, the Planning Commission conducted a public hearing on May 10, 2010, for a Conditional Use Permit request submitted by St. Francis Health Services to allow for construction a new seventy bed nursing home facility on property located at 2000 South 11th Street; and,

WHEREAS, while nursing homes are a permitted use in the Multi-Family Residential District (R-4), the height of this nursing home as proposed, exceeds the allowable 35 feet and therefore requires a Conditional Use Permit; and,

WHEREAS, following the public hearing, the Planning Commission recommends that the City Council grant the Conditional Use Permit, based on the

findings that the request meets all eight of the Criteria for Granting Conditional Use Permits as outlined by City Code Section 152.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Planning Commission's recommendation and grant St. Francis Health Services a Conditional Use Permit to allow for the construction of a nursing home facility, with a structure height of 38' at 2000 South 11th Street, legally described as 37.51 acres in Government Lot 2, less highway and less 5.3 acres, Section 02, Township 153, Range 43.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-110-10: APPROVAL OF A VARIANCE FOR PARKING STALLS - ST. FRANCIS HEALTH SERVICES AT 2000 SOUTH 11TH STREET

A Planning Commission recommendation was presented. Following discussion, Councilmember Lee introduced Resolution No. 5-110-10, being seconded by Councilmember Schmalz, that:

WHEREAS, City Code Section 152.069 requires that parking requirements for nursing homes be calculated at two stalls per 1,000 square feet of gross floor area; and,

WHEREAS, using that formula, the St. Francis Health Services nursing home would be required to provide for 157 parking stalls instead of the 93 parking stalls they propose to construct; and,

WHEREAS, pursuant to proper notice, the Planning Commission conducted a public hearing for a Variance request submitted by St. Francis Health Services to allow for construction of fewer parking stalls than required by City Code Section 152.069, at a new seventy bed nursing home facility being built on property located at 2000 South 11th Street; and,

WHEREAS, following the public hearing, the Planning Commission recommends that the City Council grant the Variance for 93 parking stalls for the St. Francis Health Services nursing home, based on the finding that the request meets all eight of the Criteria for Granting Variances as outlined by City Code Section 152. Also taken into consideration are the maximum shift employee census and the type of population that will reside at the skilled nursing home.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Planning Commission's recommendation and grant St. Francis Health Services a Variance to allow for the construction a parking lot holding 93 parking stalls at 2000 South 11th Street, legally described as 37.51 acres in Government Lot 2, less highway and less 5.3 acres, Section 02, Township 153, Range 43.

On vote being taken, the resolution was unanimously passed.

COUNCIL COMMITTEE REPORTS

- Public Utilities Committee - report by Bendickson
- Public Safety/Parks & Recreation Committee – report by Nordhagen
- Public Works Committee – report by Erickson
- Administrative Services Committee – report by Cullen

UPCOMING MEETINGS

- City Council Meeting – June 1, 2010 at 5:00 p.m.
- City Council/County Commissioner Meeting – June 7, 2010 at 7:00 a.m. at Dee's Kitchen.
- Public Utilities Committee – June 7, 2010 at 4:30 p.m.
- Public Safety/Parks & Recreation Committee – June 8, 2010 at 4:30 p.m.
- Public Works Committee – June 9, 2010 at 4:30 p.m.
- Administrative Services Committee – June 10, 2010 at 4:30 p.m.

ITEMS FOR INFORMATION:

- April Investment Summary

ADJOURNMENT

There being no further discussion, Councilmember Cullen moved, being seconded by Councilmember Kajewski, to adjourn the meeting at 5:37 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