

COUNCIL PROCEEDINGS

May 17, 2011

The City Council of Thief River Falls, Minnesota, met in regular session at 5:00 p.m. on May 17, 2011 in the Council Chambers of City Hall. The following Councilmembers were present: Cullen, Erickson, Haj, Kajewski, Schmalz, Swanson, and Mayor Nordhagen. Councilmember Holten was absent. Mayor Nordhagen chaired the meeting.

PROCLAMATIONS

- Emergency Medical Services Week Proclamation
- Arctic Cat 50th Anniversary Celebration Proclamation

APPROVAL OF AGENDA

Councilmember Kajewski motioned, being seconded by Councilmember Cullen, to approve the agenda with the addition of five items. On vote being taken, the motion was unanimously approved.

RESOLUTION NO. 5-99-11: APPROVAL OF COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember Kajewski introduced Resolution No. 5-99-11, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to approve the May 3, 2011 Council Proceedings.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-100-11: APPROVAL OF PAYMENT OF BILLS

Presented as part of the Consent Agenda, Councilmember Kajewski introduced Resolution No. 5-100-11, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to authorize payment of bills and disbursements in the total amount of \$1,413,184.58. 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. 5-101-11: APPROVAL OF LYNETTE LANE, ELECTRIC DEPARTMENT BILLING CLERK, PROGRESSION RAISE

Presented as part of the Consent Agenda, Councilmember Kajewski introduced Resolution No. 5-101-11, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to grant Lynette Lane, Electric Department Billing Clerk, a progression raise. Ms. Lane shall progress to Step 5 of the Grade Level 4 salary schedule, effective June 5, 2011.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-102-11: APPROVAL OF BEER IN THE PARK PERMIT FOR MARGARET AND LARRY ANDERSON

Presented as part of the Consent Agenda, Councilmember Kajewski introduced Resolution No. 5-102-11, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to grant Margaret and Larry Anderson a Beer in the Park Permit, effective August 5, 2011 at Oakland Park to allow for the consumption of 3.2% malt liquor in the park.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-103-11: APPROVAL OF TEMPORARY INTOXICATING LIQUOR LICENSE FOR THE THIEF RIVER FALLS SNO DRIFTERS AT PENNINGTON COUNTY FAIRGROUNDS

Presented as part of the Consent Agenda, Councilmember Kajewski introduced Resolution No. 5-103-11, being seconded by Councilmember Schmalz, that:

RESOLVED, by the City Council, to grant Thief River Falls Sno Drifters a Temporary Intoxicating Liquor License, effective July 29-30, 2011 at the Pennington County Fairgrounds. License approval is contingent upon the City receiving the required fees, certification of insurance, and approval by the State of Minnesota.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-104-11: APPROVAL OF COMMUNITY DEVELOPMENT REVOLVING LOAN PROGRAM FOR CUSTOM PRODUCTS, A DIVISION OF OCCUPATIONAL DEVELOPMENT CENTER, INC.

Jeff Lancto, ODC Manager, and Mike Moore, Community Development Director, presented a recommendation. Following discussion, Councilmember Haj introduced Resolution No. 5-104-11, being seconded by Councilmember Cullen, that:

WHEREAS, the Community Development Advisory Board met on May 5, 2011 to consider a loan application submitted by Custom Products, a division of Occupational Development Center, Inc., located at 1724 Hwy 32 S, to assist in the financing of the installation and retrofitting of new air-handling equipment within the Custom Products Building.

WHEREAS, the Community Development Advisory Board has recommended that the City Council approve the loan as requested.

THEREFORE, BE IT RESOLVED, by the City Council, to accept a Community Development Advisory Board recommendation to grant Custom Products, a division of Occupational Development Center, Inc., a \$150,000 Community Development Revolving Loan for the installation and retrofitting of new air-handling equipment within the Custom Products Building. The loan will be payable over seven (7) years at 3.5% interest.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO: 5-105-11: APPROVAL TO PURCHASE CABLE REEL TRAILERS AND A FLAT BED TRAILER TO REPLACE HOME MADE TRAILERS

Arlo Rude, Director of Utilities, presented a recommendation. Following discussion, Councilmember Swanson introduced Resolution No. 5-105-11, being seconded by Councilmember Kajewski, that:

WHEREAS, the following quotes were received for the purchase of trailers:

Flat bed Trailer Dove Tail:	
Fleet Distributing Supply	\$3,975.00
Galaxy Auto	\$3,900.00
Single Reel with no Hydraulic Lift(Quantity 2):	
FS3 Inc.	\$3,765.00/Each
	\$7,530.00/Total
Single Reel with Hydraulic Lift(Quantity 2):	
Felling Trailers Inc.	\$8,737.00/Each
	\$17,474.00/Total
Two Reel with no Hydraulic Lift:	
FS3 Inc.	\$9,585.00
Rice Trailer Co.	\$9,875.00
Two Reel with Hydraulic Lift:	
Felling Trailers Inc.	\$18,378.00

WHEREAS, the cost to bring existing trailers to DOT requirements will cost \$13,677.00, labor not included.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Public Utilities Committee recommendation to purchase a flat bed trailer in the amount of \$3,900.00 from Galaxy Auto, two single reel trailers in the total amount of

\$7,530.00 from FS3, and a two reel trailer in the amount of \$9,585.00 from FS3, for a total of \$21,015.00

It should be noted that the City Council has chosen not to accept the quotes for the trailers with Hydraulic lifts.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-106-11: APPROVAL OF LOW QUOTE FROM INFRATECH FOR REPAIR OF MANHOLES

Arlo Rude, Director of Utilities, and Wayne Johnson, Water Systems Superintendent, presented a recommendation. Following discussion, Councilmember Cullen introduced Resolution No. 5-106-11, being seconded by Councilmember Swanson, that:

WHEREAS, the following quotes were received for “Monoform” sanitary sewer structure rehabilitation:

Location	Depth	Service	Quote
James St. @ Conley Ave S	18vf	Monoform	\$5,900.00
LaBree Ave N @ 4 th St E	12vf	Monoform	\$4,350.00
Zeh St W @ Duluth Ave S	14vf	Monoform	\$4,250.00

WHEREAS, the following quotes were received for “Quadex-Dynastone” sanitary sewer system structure rehabilitation:

Location	Unit	Service	Quote
Dawg House @ 1907 Hwy 59S	9vf	Quadex	\$2,625.00
Remove very heavy mineral deposits and seal leaks	T&M	DeNeef	\$210/hr & \$18/gal
Influent Control Structure @ WWTF	8' dia.	Quadex	\$9,960.00

WHEREAS, other quotes were sought and none were received.

THEREFORE, BE IT RESOLVED, that the City Council, hereby accepts the quotes for the repair of manholes as listed above.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-107-11: APPROVAL OF MERCURY MINIMIZATION PLAN GUIDE

Arlo Rude, Director of Utilities, and Wayne Johnson, Water Systems Superintendent, presented a recommendation. Following discussion, Councilmember Swanson introduced Resolution No. 5-107-11, being seconded by Councilmember Kajewski, that:

WHEREAS, the Minnesota Pollution Control Agency is carefully evaluating all mercury discharges in the state and has required the City to report such findings.

THEREFORE, BE IT RESOLVED, to accept a Public Utilities Committee recommendation and approve the Mercury Minimization Plan Guide and authorize its submittal to the Minnesota Pollution Control Agency.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-108-11: APPROVAL OF LOW BID FROM KNIFE RIVER MATERIALS FOR 2011 STREET AND UTILITIES IMPROVEMENT PROJECT

Mark Borseth, Engineering Services Director, presented a recommendation. Following discussion, Councilmember Kajewski introduced Resolution No. 5-108-11, being seconded by Councilmember Haj, that:

WHEREAS, pursuant to an advertisement for bids for the 2011 Street and Utilities Improvement Project, improvements described as:

- 1) Merriam Avenue Water Main Replacement;
- 2) Kendall Avenue Water Main Replacement;
- 3) Miscellaneous Water Main Replacement;
- 4) Dale Street Mill and Overlay;
- 5) Highway 59 SE Frontage Roads Mill and Overlay;
- 6) Hickory Road and Apple Tree Court Mill and Overlay;
- 7) Street/Sanitation Department Salt/Sand Storage Paving; and
- 8) City Park Lot #4 and Oakland Park Parking Lot Edge Mill and Overlay.

WHEREAS, bids were opened at 2:00 pm on May 12, 2011 and the low bidder was Knife River Materials, in the amount of \$629,241.63. Four other bids were also received.

THEREFORE, BE IT RESOLVED, by the City Council, that;

- 1) The Mayor and City Administrator are hereby authorized and directed to enter into a contract with Knife River Materials, the low bidder for the 2011 Street and Utilities Improvement Project, according to the Plans and Specifications approved by the City Council and on file in the Office of the City Administrator.
- 2) The City Administrator is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-109-11: APPROVAL OF SHORT TERM LOAN TO THE THIEF RIVER FALLS REGIONAL AIRPORT AUTHORITY

Joe Hedrick, Airport Authority Manager, presented a recommendation. Following discussion, Councilmember Schmalz presented Resolution No. 5-109-11, being seconded by Councilmember Cullen, that:

WHEREAS, the City received a request from the Thief River Falls Regional Airport Authority for a short term loan in the amount of \$75,000.00 to help cover the upfront cost of the preliminary design for the airport runway rehabilitation; and

WHEREAS, the City was aware when the Authority was formed that short term financing may be needed for the upfront costs of the airport runway rehabilitation until reimbursement for the project is made by the Federal Aviation Administration; and

WHEREAS, the City desires to see the improvements at the Airport take place to provide the necessary infrastructure to support the economic well-being of the City, County and Region.

THEREFORE, BE IT RESOLVED, that the City Council grant approval for a short term loan in the amount of \$75,000.00 to be paid back in full no later than September 30, 2011. Approval of this loan is contingent upon an equal amount of funding being made available for short term financing by Pennington County.

On vote being taken, the resolution was passed by a five yes vote with Councilmember Kajewski and Mayor Nordhagen abstaining.

RESOLUTION NO. 5-110-11: APPROVAL OF EXTENSION OF INDEPENDENT CONTRACT WITH LES COTA FOR GRASS MOWING SERVICES

The City Council reviewed a request by the Building Official to extend the current contract with Les Cota for grass mowing services for two more years. Following discussion, Councilmember Schmalz introduced Resolution No. 5-110-11, being seconded by Councilmember Erickson, that:

WHEREAS, the following quotes were obtained for grass mowing services:

Les Cota, \$39.00 per residential lot - \$35.00 per hour for ditch mowing/lawn mower - \$49.00 per hour for ditch mowing/tractor mower.

Four Seasons Lawnscape, Inc., \$55.00 per lot - \$95.00 for other mowing.

RESOLVED, by the City Council, to approve an Independent Service Contract with Les Cota for grass mowing services for two years (terminating on December 14, 2012).

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-111-11: APPROVAL TO REQUEST FUNDS FROM THE SUSTAINABLE COMMUNITY ENGAGEMENT FUND

Mike Moore, Community Development Director, presented a recommendation. Following discussion, Councilmember Erickson introduced Resolution No. 5-111-11, being seconded by Councilmember Cullen, that:

WHEREAS, the Community Partnership wishes to update the 2005 Thief River Falls Housing Study and is requesting funds from the Sustainable Community Engagement Fund.

THEREFORE, BE IT RESOLVED that the City, on behalf of the Community Partnership, request \$8,250.00 from the Sustainable Community Engagement Fund.

On vote being taken, the resolution was unanimously passed.

MATTER OF CALLING FOR PUBLIC HEARING BY THE CITY COUNCIL ON THE PROPOSED MODIFICATION TO THE DEVELOPMENT PROGRAM FOR DEVELOPMENT DISTRICT NO. 1 AND THE PROPOSED ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT NO. 1-9 THEREIN AND THE ADOPTION OF THE TAX INCREMENT FINANCING PLAN

The City Council discussed a proposed Tax Increment Financing Plan in Rohl's Addition. Following discussion, the City Council tabled this matter until the June 7, 2011 Council meeting.

RESOLUTION NO. 5-112-11: APPROVAL OF HEALTHY U TO APPLY FOR NORTHWEST REGIONAL ENTERPRISE FUND LOAN

The City Council reviewed the request of Healthy U to apply for Northwest Regional Enterprise Fund loan. Following discussion, Councilmember Cullen presented Resolution No. 5-112-11, being seconded by Councilmember Kajewski, that:

RESOLVED, that the City of Thief River Falls is the unit of government in which the project titled Healthy U is located and Healthy U – Melanie Pederson will be applying for a loan from the Northwest Regional Enterprise Fund, Inc. of the Northwest Regional Development Commission.

BE IT FURTHER RESOLVED, that Healthy U – Melanie Pederson is hereby authorized to apply to the Northwest Regional Enterprise Fund, Inc. of the Northwest Regional Development Commission for financing with the approval of the City of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-113-11: MATTER OF ANNEXATION OF LAND FOR THE NEW SANFORD HOSPITAL SITE

Mike Moore, Community Development Director, presented a recommendation. Following discussion, Councilmember Kajewski introduced Resolution No. 5-113-11, being seconded by Councilmember Haj, that:

WHEREAS, the City of Thief River Falls is filing a Notice of Intent to Annex Property owned by Sanford Health and John Tofte by way of orderly annexation of the unincorporated land described herein: that the City of Thief River Falls believes it will be to the benefit and to the benefit of the respective owners; and

WHEREAS, Minnesota Statutes § 414.0325 provides a procedure whereby the City of Thief River Falls and Rocksbury Township may agree on a process of orderly annexation of the designated area; and

WHEREAS, on May 25, 2011 a Notice of Intent to include property in an orderly annexation area will be published pursuant to the requirements of Minnesota Statutes § 414.0325 Subd. 1b; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Thief River Falls, that the Notice of Intent will be published and notification of such Intent will be made to Rocksbury Township, Pennington County Minnesota.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-114-11: APPROVAL TO CALL FOR BIDS FOR WATER TREATMENT PLANT CHEMICALS

The City Council considered a request from the Director of Utilities. Following discussion, Councilmember Schmalz introduced Resolution No. 5-114-11, being seconded by Councilmember Cullen, that:

RESOLVED, by the City Council, to authorize calling for bids for water treatment plant chemicals, with bids to be opened on June 15, 2011. Chemical shipments will be for delivery July 1, 2011 to June 30, 2012.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 5-115-11: APPROVAL OF CHANGE ORDERS WITH INNES CONSTRUCTION CO, INC. FOR PHASE ONE OF THE HISTORIC CARNEGIE LIBRARY RESTORATION

The City Council reviewed change orders for phase one of The Historic Carnegie Library Restoration. Following discussion, Councilmember Cullen introduced Resolution No. 5-115-11, being seconded by Councilmember Kajewski, that:

WHEREAS, changes to the original scope of the project have necessitated additional work for the contractor; and

WHEREAS, these change orders have been determined by the project management team to be necessary for the successful completion of the project.

RESOLVED, by the City Council to approve the following change orders and authorize Innes Construction Co. Inc. to proceed:

Change Order G-1

Provide 2" storm from interior sump pit to south catch basin, and revise plumbing per M2.0 revision MPR#1 in the amount of \$8,993.00.

Change Order G-2

Revise Elevator PVC race way per new drawing PR#2 in the amount of \$1,130.00.

Change Order G-3

Demo channel in existing rock next to foundation to install exterior drain tile in the amount of \$276.00.

Change Order E-1

Underground electrical changes per E2.0 EPR-1 in the amount of \$1,110.00.

Change Order MPR#2

Revise underground plumbing per new M2.0 MPR#2 and M3.1 MPR#2 in the amount of \$9,394.00.

These change orders will increase the Innes Construction contract by \$20,903.00 resulting in a new total contract of \$102,403.00.

On vote being taken, the resolution was unanimously passed.

FIRST READING OF AN ORDINANCE REZONING A PORTION OF ROHL'S ADDITION

The City Council considered a request for rezoning. Following discussion, Councilmember Schmalz moved, seconded by Councilmember Cullen, to call for the first reading of an ordinance to rezone the South 70 feet of Lot Two (2) and all of Lots Three (3), Four (4) and Five (5), Block One (1) of Rohl's Addition, from General Residential (R-2) to Multi-Family Residential Zoning District (R-4). On vote being taken the motion was passed.

Co-City Attorney Sparby read the ordinance. A second reading of the ordinance will be presented at the June 7, 2011 Council Meeting.

MATTER OF A CONDITIONAL USE PERMIT (BUILDING HEIGHT) FOR RIVER FALLS ESTATES I, LLC

The City Council discussed a conditional use permit in Rohl's Addition. Following discussion, the City Council tabled this matter until the June 7, 2011 Council meeting.

UPCOMING MEETINGS/EVENTS

- City/County Meeting – June 7, 2011 at 7:00 a.m. at Dee's Kitchen
- City Council Meeting – June 7, 2011 at 5:00 p.m.

INFORMATIONAL ITEMS

- Residential Sanitation Bag Handout, June 6 – 10, 7 a.m. to 5 p.m. at the Street/Sanitation Building, 1121 Atlantic Ave

ADJOURNMENT

There being no further discussion, Councilmember Schmalz moved, being seconded by Councilmember Cullen, to adjourn the meeting at 5:45 p.m. On vote being taken, the Chair declared the motion unanimously carried and the meeting adjourned until 7 a.m. at the City/County meeting on June 7, 2011.

Steve Nordhagen, Mayor

Attest: _____
Jodie R. Torkelson, City Administrator