COUNCIL PROCEEDINGS

Tuesday, December 5, 2023

CALL TO ORDER

This meeting is officially called to order at 5:30 PM on December 5, 2023. This meeting is being presided over by Mayor Brian Holmer.

PLEDGE OF ALLEGIANCE

ROLL CALL

The following Councilmembers were present: Holmer, McCraw, Narverud, Pream, Lorenson, Arlt, Aarestad and Bolduc. Mayor Holmer chaired the meeting.

PUBLIC FORUM

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

APPROVE AGENDA

Councilmember Jason Aarestad motioned, being seconded by Councilmember Anthony Bolduc, to approve the agenda with the addition of 8.7.

On vote being taken, the resolution was unanimously passed.

CONSENT AGENDA

RESOLUTION NO. 12.263.23: Approval of November 21, 2023 Council Proceedings

Presented as part of the Consent Agenda, Councilmember Mike Lorenson introduced Resolution No. 12.263.23, being seconded by Councilmember Anthony Bolduc, that:

THEREFORE, BE IT RESOLVED By the City Council, to approve November 21, 2023 Council Proceedings.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.264.23: City of Thief River Falls Bills and Disbursements and Council Per Diems

Presented as part of the Consent Agenda, Councilmember Mike Lorenson introduced Resolution No. 12.264.23, being seconded by Councilmember Anthony Bolduc, that:

THEREFORE, BE IT RESOLVED By the City Council, to authorize payment of bills and disbursements in the total amount of $1,610,231.00 and council per diem in the amount of $1,472.50. A printout of the approved payments, disbursements are attached hereto and made a part hereof.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.265.23: Approval of 2024 City License Renewals

Presented as part of the Consent Agenda, Councilmember Mike Lorenson introduced Resolution No. 12.265.23, being seconded by Councilmember Anthony Bolduc, that:

WHEREAS, Annually City License Renewal forms are distributed to current license/permit holders to be completed by October 27th. Submission of City Application, State Renewal forms, Background Check forms, Certificate of Insurance,

MN Revenue form and appropriate fee's according to City Code.

WHEREAS, License fees are set by City Council and listed in City Code.

WHEREAS, Contingent on all applications, background checks, fees and insurance being met.

THEREFORE, BE IT RESOLVED Approval of 2024 City License Renewals effective January 1, 2024 – December 31, 2024.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.266.23: Approval to Designate the Ralph Engelstad Arena as The City of Thief River Falls Polling Place for All Precincts for 2024 Elections

Presented as part of the Consent Agenda, Councilmember Mike Lorenson introduced Resolution No. 12.266.23, being seconded by Councilmember Anthony Bolduc, that:

WHEREAS, Minnesota Election Law section 204B.16 requires the city council of every municipality to designate a place for holding an election for each precinct every year before December 5, 2023. The designated polling place remains the polling place for these precincts throughout the calendar year unless: Polling place becomes unavailable or an emergency occurs after the deadline to designate a polling place but before the polls close on election day.

THEREFORE, BE IT RESOLVED By the City Council, to designate the Ralph Engelstad Arena, 525 Brooks Avenue North, Thief River Falls as the City of Thief River Falls designated polling place for all precincts within the City limits for 2024 Elections.

On vote being taken, the resolution was unanimously passed.

NEW BUSINESS

Call for Second Reading of City of Thief River Falls – Amend City Code

Councilmember Mike Lorenson motioned, being seconded by Councilmember Steve Narverud to call for the second reading of an ordinance of City Code Chapter 10 and Section 152.998, which, among other things, contain penalty provisions.

WHEREAS, The City of Thief River Falls was very proactive and established a Solar Energy Systems ordinance prior to the State of Minnesota enacting any State Building Codes regulating Solar Energy Systems. We must now update our city ordinance to be in compliance. A Public Hearing was held on November 14th at the Planning and Zoning Commission meeting and recommended to Council for approval.

WHEREAS, The City of Thief River Falls currently requires a setback of five (5) feet from the edge of the roof. Minnesota State Building Codes require only a three (3) foot setback. The State also does not require any certifications on the part of the installer.

THEREFORE, BE IT RESOLVED Call for Second Reading and consider amending City Code 152.056 Solar Energy Systems. Delete requirement 4. Under section (C),

Renumber subsections 5-10 as 4-9. Deleting Community Services Director and replacing it with Building Official under subsection 7 Abandonment.
Under Section (D) Safety, Subsection 1 Compliance with building code, to read "…shall comply with all local, state, and fire building codes."
Under Subsection (D 5) Batteries. Delete " …be placed in a secure container or enclosure meeting,,," and replace with meet.
And under Section E delete "Installer must be NABCEP Certified."

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.267.23: Approval to Amend City Code 152.056 Solar Energy Systems

Following discussion, Councilmember Mike Lorenson introduced Resolution No. 12.267.23, being seconded by Councilmember Scott Pream, that:

WHEREAS, The City of Thief River Falls was very proactive and established a Solar Energy Systems ordinance prior to the State of Minnesota enacting any State Building Codes regulating Solar Energy Systems. We must now update our city ordinance to be in compliance. A Public Hearing was held on November 14th at the Planning and Zoning Commission meeting and recommended to Council for approval.

WHEREAS, The City of Thief River Falls currently requires a setback of five (5) feet from the edge of the roof. Minnesota State Building Codes require only a three (3) foot setback. The State also does not require any certifications on the part of the installer.

THEREFORE, BE IT RESOLVED Approve to Amend City Code 152.056 Solar Energy Systems. Delete requirement 4. Under section (C), Renumber subsections 5-10 as 4-9. Deleting Community Services Director and replacing it with Building Official under subsection 7 Abandonment.
Under Section (D) Safety, Subsection 1 Compliance with building code, to read "…shall comply with all local, state, and fire building codes."
Under Subsection (D 5) Batteries. Delete " …be placed in a secure container or enclosure meeting,,," and replace with meet.
And under Section E delete "Installer must be NABCEP Certified."

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.268.23: Approval to accept the signed Teamsters, Local No. 320 (Public) Memorandum of Agreement for Interim 2024 Employee Health Insurance Payments

Following discussion, Councilmember Steve Narverud introduced Resolution No. 12.268.23, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, The City of Thief River Falls desires to increase for 2024 its contribution amounts city-wide to premiums and H.S.A.'s for employees participating in family coverage for its sponsored health plan. This increase would be above the rate specified in the labor agreement that expires on December 31, 2023. The parties are currently negotiating a subsequent labor agreement and the city wants to ensure employees can consider this amount in enrolling in a City-sponsored health plan, it is proposing the attached MOA to the union for its consideration that would allow it to increase its contribution rate for 2024 until the parties execute a subsequent labor agreement.

THEREFORE, BE IT RESOLVED Approval to accept the signed Teamsters, Local No. 320 (Public) Memorandum of Agreement for Interim 2024 Employee Health Insurance Payments.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.269.23: Approval to accept the signed Teamsters, Local No. 320 (Fire) Memorandum of Agreement for Interim 2024 Employee Health Insurance Payments

Following discussion, Councilmember Steve Narverud introduced Resolution No. 12.269.23, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, The City of Thief River Falls desires to increase for 2024 its contribution amounts city-wide to premiums and H.S.A.'s for employees participating in family coverage for its sponsored health plan. This increase would be above the rate specified in the labor agreement that expires on December 31, 2023. The parties are currently negotiating a subsequent labor agreement and the city wants to ensure employees can consider this amount in enrolling in a City-sponsored health plan, it is proposing the attached MOA to the union for its consideration that would allow it to increase its contribution rate for 2024 until the parties execute a subsequent labor agreement.

THEREFORE, BE IT RESOLVED Approval to accept the signed Teamsters, Local No. 320 (Fire) Memorandum of Agreement for Interim 2024 Employee Health Insurance Payments.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.270.23: Approval of Water and Wastewater Rate Increase

Following discussion, Councilmember Jason Aarestad introduced Resolution No. 12.270.23, being seconded by Councilmember Scott Pream, that:

WHEREAS, The Utilities Committee reviewed the proposed 2024, 2025, and 2026 water and sewer rates. It was recommended to continue with a 2% increase from the Northland Securities 5-year plan for water and wastewater.

WHEREAS, Increases are needed to fund the lime sludge project, sewer project upgrades that are mandated by MPCA, pump replacement, phosphorus management plan, sewer main re-lining, and bond payments.

THEREFORE, BE IT RESOLVED By the City Council, to accept a Utilities Committee Recommendation approve setting the 2024, 2025, and 2026 for Water and Wastewater Utilities effective with the January 1, 2024 billing.

Determination of Rate: As provided by City Ordinance, the City shall determine the rate at which a customer is charged.

State Sales Tax: Where applicable, the water utility rates shown below are subject to state sales tax.

Monthly Service Charge: The monthly service charge is the minimum charge and is in addition to any volume charge. A customer served by more than one meter shall be billed a service charge for each meter.

WATER UTILITY RATES EFFECTIVE JANUARY 2024 BILLING

Service Size:	**2024**	**2025**	**2026**
5/8" & 3/4"	$24.28	$24.77	$25.26
1"	$48.10	$49.07	$50.05
1 1/4"	$74.80	$76.30	$77.83
1 1/2"	$108.36	$110.53	$112.74
2"	$191.80	$195.64	$199.55
3"	$431.76	$440.40	$449.21
4"	$768.35	$783.71	$799.39
6"	$1,728.47	$1,763.04	$1,798.30

Volume Charge per 1,000 gallons: The volume charge, to be billed monthly, is as follows:

Usage:	**2024**	**2025**	**2026**
Up to 10,000 gallons	0.00594	0.00606	0.00618
10,001 to 2,000,000 gallons	0.00609	0.00621	0.00634
More than 2,000,000 gallons	0.00533	0.00543	0.00554
	Charge per 1,000 gallons	Charge per 1,000 gallons	Charge per 1,000 gallons

WASTEWATER RATES EFFECTIVE JANUARY 2024 BILLING

Service Size:	**2024**	**2025**	**2026**
5/8" & 3/4"	$9.99	$10.19	$10.39
1"	$21.97	$22.41	$22.86
1 1/4"	$33.96	$34.63	$35.33
1 1/2"	$48.34	$49.30	$50.29
2"	$85.22	$86.92	$88.66
3"	$190.81	$194.62	$198.51
4"	$338.74	$345.52	$352.43
6"	$761.64	$776.88	$792.41

Usage:	**2024**	**2025**	**2026**
All gallons	0.00170	0.00174	0.00177
	Charge per 1,000 gallons	Charge per 1,000 gallons	Charge per 1,000 gallons

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.271.23: 2024 MMUA (Minnesota Municipal Utilities Association) Service Agreement

Following discussion, Councilmember Jason Aarestad introduced Resolution No. 12.271.23, being seconded by Councilmember Anthony Bolduc, that:

WHEREAS, This agreement provides for the services of a person engaged by MMUA, in the capacity of a Regional Safety Coordinator. This person will plan, organize and /or conduct regular monthly safety meetings at Thief River Falls Municipal Utilities. They will maintain a standard of safety management, record keeping and reporting system. They will also meet with the City of Thief River Falls 24 days per year.

THEREFORE, BE IT RESOLVED To authorize the City Administrator to sign the 2024 MMUA Service Agreement. This agreement is dated and in force from October 1, 2023 through December 31, 2024.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.272.23: On-Sale Liquor License to Show Time Enterprises LLC, DBA: The Piggy BBQ

Following discussion, Councilmember Jason Aarestad introduced Resolution No. 11.272.23, being seconded by Councilmember Steve Narverud, that:

WHEREAS, Show Time Enterprises LLC, DBA: The Piggy BBQ has applied for an On-Sale Liquor License to include Sunday sales.

WHEREAS, The license fee is $2800 annually for the On-Sale Liquor and $200 annually for the Sunday On-Sale Liquor License.

WHEREAS, Contingent on all applications, background checks, fees and insurance being met.

THEREFORE, BE IT RESOLVED Approve the On-Sale Liquor License to Show Time Enterprises LLC, DBA: The Piggy BBQ effective January 1, 2024.

On vote being taken, the resolution was unanimously passed.

COUNCIL BOARDS AND COMMISSIONS REPORTS

- Councilmember Jason Aarestad mentioned the Business Development Association had a good turn out for the Christmas in the Floyd B. Olson park on November 25th. A shout out to Sara Lunke for a great event.
- Councilmember Mike Lorenson mentioned there are still defective street lights. If you see one please report the pole identification number located on the pole.
- Mayor Holmer mentioned the Corp is looking for comments regarding the Red Lake Control project. Also, reminder to make your appointments with Hydro Corp for water meter replacement.
- Councilmember Jason Aarestad mentioned there is a Dine with Santa at the Heritage Community Center prior to the Holiday Train, free will offering.

UPCOMING MEETINGS

- Committee of Whole Immediately following Council - December 5, 2023

- Public Utilities Committee Meeting - December 11th at 7:00 a.m.
- Public Safety Liquor Committee Meeting - December 11th at 4:30 p.m.
- Administrative Services Committee Meeting - December 12th at 4:30 p.m.
- Public Works Committee Meeting - December 13th at 4:30 p.m.
- Holiday Train – December 14th at 7:30 P.M.
- City Council Meeting - December 19th at 5:30 p.m.

INFORMATIONAL ITEMS

ADJOURNMENT TO TRUTH IN TAXATION HEARING AT 6:00 P.M. TONIGHT

There being no further discussion, Mayor Holmer recessed to the Truth in Taxation Hearing tonight at 5:44 p.m.

TRUTH IN TAXATION

Mayor Holmer opened the Hearing. City Administrator Angela Philipp presented an overview of the 2024 draft budget. There being no further discussion, the hearing was closed at 6:16 p.m. and the regular session reconvened.

ADJOURNMENT

There being no further discussion, Councilmember Michele McCraw moved, being seconded by Councilmember Scott Pream to adjourn at 6:17 p.m to Committee of Whole. On vote being taken, the Chair declared the motion unanimously carried.

COMMITTEE OF WHOLE IMMEDIATELY FOLLOWING COUNCIL - DECEMBER 5, 2023

Brian D. Holmer, Mayor

Attest: _____
Angela Philipp, City Administrator