

COUNCIL PROCEEDINGS

Tuesday, April 2, 2024

CALL TO ORDER

This meeting is officially called to order at 5:30 p.m. on April 2, 2024. This meeting is being presided over by Mayor Brian Holmer.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

PUBLIC FORUM

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

APPROVE AGENDA

Councilmember Jason Aarestad motioned, being seconded by Councilmember Scott Pream, to approve the agenda with the addition 8.09 and 8.10.

On vote being taken, the resolution was unanimously passed.

CONSENT AGENDA

RESOLUTION NO. 04.66.24: Approval of March 19, 2024 Council Proceedings

Presented as part of the Consent Agenda, Councilmember Anthony Bolduc introduced Resolution No. 04.66.24, being seconded by Councilmember Mike Lorenson, that:

THEREFORE, BE IT RESOLVED By the City Council, to approve the March 19, 2024 Council Proceedings.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 04.67.24: City of Thief River Falls Bills and Disbursements and Council Per Diems

Presented as part of the Consent Agenda, Councilmember Anthony Bolduc introduced Resolution No. 04.67.24, being seconded by Councilmember Mike Lorenson, that:

THEREFORE, BE IT RESOLVED By the City Council, to authorize payment of bills and disbursements in the total amount of \$1,975,755.68 and council per diem in the amount of \$1,365.00. A printout of the approved payments, disbursements are attached hereto and made a part hereof.

On vote being taken, the resolution was unanimously passed.

NEW BUSINESS

RESOLUTION NO. 04.68.24: Approval of TRF Police Department to purchase of 2 Microsoft Surface Pro Tablets for the Chief and Deputy Chief cars

Following discussion, Councilmember Mike Lorenson introduced Resolution No. 04.68.24, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, With Pro Phoenix (CAD/RMS system) the Chief and Deputy Chief will be

able to utilize the Microsoft Surface Pro tablets in the cars to view calls for service, track officer activity, and have access to all records similar to the capabilities of the patrol vehicles without having to purchase more expensive Toughbook type computers. Furthermore, it will replace existing aging laptops.

WHEREAS, Public safety consented to the purchase of the 2 Microsoft surface pro tablets.

WHEREAS, It is respectfully requested that the \$3,340 will be taken from the Public Safety Aid funds.

THEREFORE, BE IT RESOLVED Approval of TRF Police Department to purchase of 2 Microsoft Surface Pro Tablets for the Chief and Deputy Chief cars using Public Safety Aid Funds in the amount of \$3,340 from SHI.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 04.69.24: Approval of TRF Police Department to purchase new office desks for the TRF Police Dept to include 2 additional workstations in the PD Squad room

Following discussion, Councilmember Anthony Bolduc introduced Resolution No. 04.69.24, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, The Police department would like to purchase a total of 7 new desks, and 2 new computers to replace broken and worn-out office furniture. This would also allow us to create 2 additional workstations and allow officers to have personal space to work on cases, do paperwork, and store case information. Each workstation will be shared between 2 officers allowing for a more conducive working environment. 4 desks will be placed in the Squad room, along with new desks for the Chief, Deputy Chief, and Juvenile Investigator.

WHEREAS, This was discussed at the Committee of the Whole and it was recommended to be brought to the Council for approval.

WHEREAS, It is respectfully requested that the \$8,655 will be taken from the Public Safety Aid funds.

THEREFORE, BE IT RESOLVED Approval of TRF Police Department to purchase of new office desks for the TRF Police Dept. from Amazon in the amount of \$6585; also 2 additional workstations in the PD Squad room from Now Micro, Inc. in the amount of \$2070 for a total of \$8655.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 04.70.24: Approve Public Safety Aid Purchase for the purchase of car fire blankets, cordless extrication tool, cordless positive pressure fan, and class B foam

Following discussion, Councilmember Scott Pream introduced Resolution No. 04.70.24, being seconded by Councilmember Anthony Bolduc, that:

WHEREAS, The Fire Department is updating and improving existing equipment

inventory.

WHEREAS, Public Safety Aid,

THEREFORE, BE IT RESOLVED Approve future spending around \$22,932 from the Public Safety Aid money for the purchase of car fire blankets, cordless extrication tool, cordless positive pressure fan, and class B foam.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 04.71.24: To Accept the awarded grant from the 2024 James Metzen Mighty Ducks Grant Program

Following discussion, Councilmember Scott Pream introduced Resolution No. 04.71.24, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, The City of Thief River Falls applied for the 2024 James Metzen Mighty Ducks Grant program due to the Ice Plant project with the Ralph Engelstad Arena and the Huck Olson Memorial Civic Center. The Ice Plant project consists of the replacement of the phased out R22 system to a Co2 ice plant system.

THEREFORE, BE IT RESOLVED To accept the awarded grant from the 2024 James Metzen Mighty Ducks Grant Program in the amount of \$166,367 for the Ice plant project at the Ralph Engelstad Arena and Huck Olson Memorial Civic Center. And to authorize the Mayor and City Administrator to sign and send the documents.

On vote being taken, the resolution was unanimously passed.

Call for the Second Reading to Amend City Code Chapter 152.087.2 Excluded Signs of a governmental body

Councilmember Steve Narverud motioned, being seconded by Councilmember Mike Lorensen to call for the second reading of an ordinance of Amending City Code Chapter 152.087 EXCLUDED SIGNS, Subsection (2): Traffic signs or similar regulatory devices, legal devices, or warnings at railroad crossings of a duly constituted governmental body. All other signs of a duly constituted governmental body not excluded herein shall be subject to a conditional use permit. And adopting by reference City Code Chapter 10, which, among other things, contain penalty provisions.

WHEREAS, While researching a concern about the old brick sign at the Challenger School, it was discovered that under Sec. 152.087 – EXCLUDED SIGNS, our current ordinance reads as follows:

Sec. 152.087. - Excluded signs.

The following shall be deemed to be excluded from the definition of sign as it applies to this subchapter:

2. Signs of a duly constituted governmental body, including traffic signs or similar regulatory devices, legal devices, or warnings at railroad crossings;

A Public Hearing was held on March 12, 2024, at the Planning and Zoning Commission

Meeting and recommended to Council for Approval of the above amendment to City Code Chapter 152.087.2

WHEREAS, As it currently reads, signs of a duly constituted governmental body are excluded from our sign ordinance. This allows any governmental unit located in the city proper to erect any sign of their choosing, with no limitations to size, height, or how it is lit. The proposed language change would still allow traffic signs or similar regulatory devices, legal devices, or warnings at railroad crossings to be excluded, but would require all other signs of a governmental body to be subject to a conditional use permit.

THEREFORE, BE IT RESOLVED Call for the Second Reading to consider amending City Code Chapter 152.087 EXCLUDED SIGNS, Subsection (2):

Traffic signs or similar regulatory devices, legal devices, or warnings at railroad crossings of a duly constituted governmental body. All other signs of a duly constituted governmental body not excluded herein shall be subject to a conditional use permit. And adopting by reference City Code Chapter 10, which, among other things, contain penalty provisions.

On vote being taken, second reading was approved. The City Attorney Sparby read the proposed ordinance.

RESOLUTION NO. 04.72.24: Approve to Amend City Code Chapter 152.087.2 Excluded Signs of a governmental body

Following discussion, Councilmember Mike Lorenson introduced Resolution No. 04.72.24, being seconded by Councilmember Michele McCraw, that:

Sec. 152.087. Excluded signs.

The following shall be deemed to be excluded from the definition of sign as it applies to this subchapter:

1. Signs on the inside of windows and doors, provided they are not flashing signs;
2. ~~Signs of a duly constituted governmental body, including traffic signs or similar regulatory devices, legal devices, or warnings at railroad crossings;~~ Traffic signs or similar regulatory devices, legal devices, or warnings at railroad crossings of a duly constituted governmental body. All other signs of a duly constituted governmental body not excluded herein shall be subject to a conditional use permit.
3. Publicly owned memorial tablets or signs;
4. Signs required to be maintained by law or governmental order rule or regulation, provided that they do not exceed 48 square feet in sign surface area;
5. Signs displayed for the direction or convenience of the public, including signs which identify restrooms, location of public telephones, or public pedestrian entrances. The total sign surface area shall not exceed six square feet per sign on any premises and shall not contain any advertising or the name of the occupant or use;
6. Signs, provided that they do not exceed 48 square feet in sign surface area, relating to active construction projects;
7. Rummage or yard sale signs, provided that no person shall attach the signs to street name posts, traffic control signs posts, trees, or utility poles in or along any street right-of-way within the city and that no person shall attach the sign to any building, fence or

wall, or other property of another person without having first obtained the consent of the owner of the property. The maximum time limit for display of the signs is five days in any 30 day period. The signs shall not exceed three square feet in sign surface area;

8. Gasoline price signs, provided they are attached to sign structure for other permitted signs or to pump island canopies and provided the total sign surface area of all such signs is equal to or less than the following for the applicable zoning district.

Zoning District	Total Maximum Sign Surface Area in Square Feet
C-1 Neighborhood Business District	6
C-2 General Business District	40
C-3 Central Business District	20
C-4 Downtown Fringe District	12

9. Message board signs, provided they are attached to sign structure for other permitted freestanding signs and provided the total sign surface area of such a sign is equal to or less than the following for the applicable zoning district.

Zoning District	Total Maximum Sign Surface Area in Square Feet
PR Park and Recreation District	40
C-2 General Business District	40
C-3 Central Business District	30
C-4 Downtown Fringe District	24
I-1 Light Industrial District	40
I-2 General Industrial District	40

a. Message board signs may not be erected to circumvent the intent of this subchapter or the maximum sizes permitted for business and identification signs and may be used to advertise or direct attention only to:

i. A commodity, entertainment, product, or service sold or offered upon the premises where the sign is located or to which it is attached; or

ii. Any bona fide bazaar, carnival, fair, festival, horse show, or similar event when conducted by a public agency or for the benefit of any civic or charitable cause;

b. Only one message board sign shall be permitted in accordance with this division (9) for a business, lot, or shopping center; or

c. Businesses which elect to erect a message board sign as an excluded sign, in accordance with this division (9), shall be prohibited from displaying temporary mobile signs, in accordance with section 152.092.

10. Political campaign signs of any size may be posted from August 1 in a state general election year until ten days following the state general election. In nonstate general election years, political campaign signs may be posted from August 1 in an election year until ten days following the election. Every campaign sign shall contain the name and address of persons responsible for the sign and those persons shall be responsible for its removal. If the signs are not removed within ten days following the election, the city shall have the right to remove and destroy the signs and assess a fee of

one dollar per sign to the responsible persons.

11. Static signs and banners adorning fences located in permitted outdoor recreational facilities, provided that they are placed with the intent to be primarily viewed internal to the play field area and are not placed so as to orient a direct commercial message toward an adjacent public road right-of-way.

(Ord. No. 118, 3rd Series 1-2-19)

On vote being taken, the resolution was unanimously passed.

Call for the Second Reading to consider Amendment to C-2 Yard Setback Requirements. City Code 152.095.4C

Councilmember Steve Narverud motioned, being seconded by Councilmember Scott Pream to call for the second reading of an ordinance of Amendment to City Code Chapter 152.095, Performance standards in zoning districts, Subsection (4) (C) General Business District (C-2) Yard Requirements.

WHEREAS, The previous City Planner, Mark Borseth, left a list of things he felt the Planning & Zoning Commission should address in current City Ordinances, one of these being to clarify the sign setback distance along frontage roads as currently they could be measured from either the lot line, or the interior edge of the frontage street. The proposed change will clarify and standardize this setback. A Public Hearing was held on March 12, 2024, at the Planning and Zoning Commission Meeting and recommended to Council for approval. A First Reading was held at the March 19, 2024 City Council meeting.

WHEREAS, The proposed changes are the addition of the words “road right of way” to line five (5) and the words “whichever distance is further” was added to line 6 of the revised recommended ordinance proposed above.

THEREFORE, BE IT RESOLVED Call for the Second Reading to consider Amendment to City Code Chapter 152.095, Performance standards in zoning districts, Subsection (4) (C) General Business District (C-2) Yard Requirements.

All Signs, except directional and temporary signs, shall be subject to the same setback and yard requirements as all other permitted accessory uses. In the case of a corner lot, all signs, except directional and temporary signs, shall abide by the front yard setback for both sides abutting a public street. All directional, temporary, and freestanding signs shall set back a minimum of six feet from the lot line, road right of way, or where adjacent to a frontage street, six feet from the interior edge of the frontage street, whichever distance is further. And adopting by reference City Code Chapter 10, which, among other things, contain penalty provisions.

On vote being taken, second reading was approved. The City Attorney Sparby read the proposed ordinance.

RESOLUTION NO. 04.73.24: Approve Amendment to C-2 Yard Setback Requirements. City Code 152.095.4C

Following discussion, Councilmember Steve Narverud introduced Resolution No.

04.73.24, being seconded by Councilmember Anthony Bolduc, that:

WHEREAS, The previous City Planner, Mark Borseth, left a list of things he felt the Planning & Zoning Commission should address in current City Ordinances, one of these being to clarify the sign setback distance along frontage roads as currently they could be measured from either the lot line, or the interior edge of the frontage street. The proposed change will clarify and standardize this setback. A Public Hearing was held on March 12, 2024, at the Planning and Zoning Commission Meeting and recommended to Council for Approval. A First Reading was held at the March 19, 2024 City Council meeting and a second reading at the April 2, 2024 City Council meeting.

WHEREAS, The proposed changes are the addition of the words “road right of way” to line five (5) and the words “whichever distance is further” was added to line 6 of the revised recommended ordinance proposed above.

THEREFORE, BE IT RESOLVED Approve An amendment to City Code Chapter 152.095, Performance standards in zoning districts, Subsection (4) (C) General Business District (C-2) Yard Requirements.

All Signs, except directional and temporary signs, shall be subject to the same setback and yard requirements as all other permitted accessory uses. In the case of a corner lot, all signs, except directional and temporary signs, shall abide by the front yard setback for both sides abutting a public street. All directional, temporary, and freestanding signs shall set back a minimum of six feet from the lot line, road right of way, or where adjacent to a frontage street, six feet from the interior edge of the frontage street, whichever distance is further.

And adopting by reference City Code Chapter 10, which, among other things, contain penalty provisions.

On vote being taken, the resolution was unanimously passed.

Call for First Reading of an Ordinance Enacting a Code of Ordinances for The City Of Thief River Falls, Minnesota, Amending, Restating, Revising, Updating, Codifying and Compiling Certain Ordinances of The City Dealing with The Subjects Embraced in The Code of Ordinances, and Providing Penalties for The Violation of The Code of Ordinances.

Councilmember Mike Lorensen motioned, being seconded by Councilmember Steve Narverud to call for the first reading of an ordinance of Enacting A Code Of Ordinances For The City Of Thief River Falls, Minnesota, Amending, Restating, Revising, Updating, Codifying And Compiling Certain Ordinances Of The City Dealing With The Subjects Embraced In The Code Of Ordinances, And Providing Penalties For The Violation Of The Code Of Ordinances.

WHEREAS, Minnesota Statutes Sections §415.02 and §415.021 authorize the city to cause its ordinances to be codified and printed in a book,

NOW THEREFORE, the City Council of the City of Thief River Falls, Minnesota, ordains:

Section 1. The general ordinances of the City as amended, restated, revised, updated, codified and compiled in book form, including penalties for the violations of various provisions thereof, are hereby adopted and shall constitute the "Code of Ordinances of the City of Thief River Falls, Minnesota." This Code of Ordinances also adopts by reference certain statutes and administrative rules of the State of Minnesota as named in the Code of Ordinances.

Section 2. The Code of Ordinances as adopted in Section 1 shall consist of the following titles:

General Provisions	Snowmobile; All-Terrain Vehicles
City Standards	Fair Housing
City Council and City Officials	Nuisances
Departments, Divisions,	Streets and Sidewalks
Boards and Commissions	Shade Tree Pest Control
City Policies	Animals
Emergency Management	Hazardous Substances
Utilities Generally	General Licensing and Regulations
Garbage and Refuse	Alcoholic Beverages
Electricity	Tobacco Regulations
Sewers	Taxicabs
Water	General Offenses
General Provisions	Building Regulations
Traffic Regulations	Subdivisions
Parking Regulations	Zoning Code
Roller Blades, Roller-	
Skates and Skateboards	

Section 3. All prior ordinances, pertaining to the subjects treated in the Code of Ordinances, shall be deemed repealed from and after the effective date of this ordinance, except as they are included and re-ordained in whole or in part in the Code of Ordinances; provided, this repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall this repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall this repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code of Ordinances. All fees established in prior ordinances codified in this Code shall remain in effect unless amended in this code or until an ordinance adopting a fee schedule is adopted or amended.

Section 4. This ordinance adopting the Code of Ordinances shall be a sufficient publication of any ordinance included in it and not previously published in the City's official newspaper. The City Administrator of the City shall cause a substantial quantity of the Code of Ordinances to be printed for general distribution to the public at actual

cost and shall furnish a copy of the Code of Ordinances to the County Law Library or its designated depository. The official copy of this Code of Ordinances shall be marked and kept in the office of the City Administrator.

Section 5. The Code of Ordinances is declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by Minnesota Statutes by the Courts of the State of Minnesota.

Section 6. This ordinance adopting the Code of Ordinances, and the Code of Ordinances itself, shall take effect upon publication of this ordinance in the City's official newspaper.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 04.74.24: Approval of Ordinance Enacting a Code of Ordinances for The City Of Thief River Falls, Minnesota, Amending, Restating, Revising, Updating, Codifying and Compiling Certain Ordinances of The City Dealing with The Subjects Embraced in The Code of Ordinances, and Providing Penalties for The Violation of The Code of Ordinances.

Following discussion, Councilmember Steve Narverud introduced Resolution No. 04.74.24, being seconded by Councilmember Michele McCraw, to suspend second reading and approve the Ordinance Enacting a Code of Ordinances for The City Of Thief River Falls, Minnesota, Amending, Restating, Revising, Updating, Codifying and Compiling Certain Ordinances of The City Dealing with The Subjects Embraced in The Code of Ordinances, and Providing Penalties for The Violation of The Code of Ordinances.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 04.75.24: Approval of Employment of Christopher Matter as Forester

Following discussion, Councilmember Anthony Bolduc introduced Resolution No. 04.75.24, being seconded by Councilmember Scott Pream, that:

WHEREAS, On resolution number 12-291-23 the City Council authorized filling the vacant Forester position, created by the resignation of Louis Brown. The position was first offered to Teamster members and then was advertised and filled by the public advertising process.

WHEREAS, The city council has authorized filling this position.

WHEREAS, This is a budgeted position.

THEREFORE, BE IT RESOLVED Approve the employment of Christopher Matter as Forester. Mr. Matter shall be placed at Step 1 of the Grade Level 4 Forester salary schedule for a starting salary of \$27.09 per hour, effective April 8, 2024, pending successful completion of all pre-employment backgrounds and testing. If Mr. Matter, within 6 months from date of employment, obtains his herbicide/pesticide certification; and his tree inspection certification, he will move Step 2 with a wage of \$28.23 per hour.

On vote being taken, the resolution was unanimously passed.

COUNCIL BOARDS AND COMMISSIONS REPORTS

- Councilmember Steve Narverud mentioned Spring Clean Up will be May 4th from 8 a.m. to noon.

UPCOMING MEETINGS

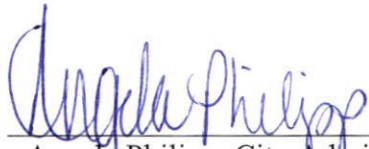
- Public Utilities Committee - April 8th at 7:00 a.m.
- Public Safety/Liquor Committee - April 8th at 4:30 p.m.
- Administrative Services Committee - April 9th at 4:30 p.m. Room 201 City Hall
- Public Works Committee - April 10th at 4:30 p.m.
- City Council Meeting - April 16th at 5:30 p.m.

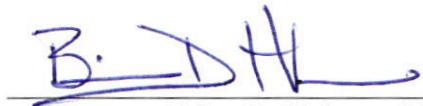
INFORMATIONAL ITEMS

ADJOURNMENT

There being no further discussion, Councilmember Mike Lorenson being seconded by Councilmember Scott Pream to adjourn at 5:51 p.m. On vote being taken, the Chair declared the motion unanimously carried.

Attest:


Angela Philipp, City Administrator


Brian D. Holmer, Mayor