

COUNCIL Meeting Minutes

Tuesday, September 3, 2024

CALL TO ORDER

This meeting is officially called to order at 5:30 pm on September 3, 2024. This meeting is being presided over by Mayor Brian Holmer.

PLEDGE OF ALLEGIANCE

ROLL CALL

The following Councilmembers were present: Holmer, McCraw, Narverud, Pream, Arlt, Lorensen, Bolduc and Aarstad. 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.

CONSENT AGENDA

RESOLUTION NO. 09.190.24 : Approval of August 20, 2024 Council Proceedings

Presented as part of the Consent Agenda, Councilmember Anthony Bolduc introduced RESOLUTION 09.190.24, being seconded by Councilmember Scott Pream, that:

THEREFORE, BE IT RESOLVED By the City Council, to approve the August 20, 2024 Council Proceedings.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.191.24 : City of Thief River Falls Bills and Disbursements and Council Per Diems

Presented as part of the Consent Agenda, Councilmember Anthony Bolduc introduced RESOLUTION 09.191.24, being seconded by Councilmember Scott Pream, that:

THEREFORE, BE IT RESOLVED By the City Council, to authorize payment of bills and disbursements in the total amount of \$1,714,310.39 and council per diem in the amount of \$2117.50. A printout of the approved payments and disbursements are attached hereto and made a part hereof.

On vote being taken, the resolution was unanimously passed.

NEW BUSINESS

RESOLUTION NO. 09.192.24 : Approve Ecklund-Holmstrom American Legion Post 117 Temporary Intoxicating Liquor License

Following discussion, Councilmember Jason Aarestad introduced Resolution 09.192.24, being seconded by Councilmember Megan Arlt, that:

WHEREAS, Ecklund-Holmstrom American Legion Post 117 has applied for a Temporary Intoxicating Liquor License.

THEREFORE, BE IT RESOLVED Approve a Temporary Liquor License effective October 19, 2024, from 8pm to 1am at the Curling Club, Thief River Falls.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.193.24 : Approve the Employment of Jim Nelson as Power Plant Operator

Following discussion, Councilmember Mike Lorensen introduced Resolution 09.193.24, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, The Council approved the position be opened on July 16, 2024.

THEREFORE, BE IT RESOLVED To approve the employment of Jim Nelson for the position of Power Plant Operator. Jim will be placed at Grade 5 Step 3 at a rate of \$32.45 effective September 16, 2024. The position is a Teamster Union #320 position.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.194.24: Approve agreement between MNDOT and the City of Thief River Falls to allow MNDOT to act as the City of Thief River Falls' agent in accepting federal aid in connection projects S.P. 170-105-014, S.P. 170-111-023 & S.P. 170-111-025.

Following discussion, Councilmember Steve Narverud introduced Resolution 09.194.24, being seconded by Councilmember Scott Pream, that:

WHEREAS, This agreement will be effective upon execution by the Local Government and by appropriate State officials, pursuant to Minnesota Statutes Section 16C.05, and will remain in effect for five (5) years from the effective date or until all obligations set forth in the agreement have been satisfactorily fulfilled, whichever occurs first.

THEREFORE, BE IT RESOLVED Be it resolved by the City Council of the City of Thief River Falls, Minnesota, that, pursuant to Minnesota Statute, Sec. 161.36, the Commissioner of Transportation be appointed as Agent of City of Thief River Falls to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

The Mayor and City Administrator are hereby authorized and directed for and on behalf of the City of Thief River Falls to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in

"Minnesota Department of Transportation MNDOT Contract Number 105711," a copy of which said agreement was before the City Council and which is made a part of hereof by reference.

On vote being taken, the resolution was unanimously passed.

Second Reading for Valley Assisted Living Rezoning Request

Councilmember Jason Aarestad motioned, being seconded by Councilmember Michele McCraw to call for the second reading of an ordinance of Valley Assisted Living Rezoning Request.

ORDINANCE NO. ____, 3rd SERIES

AN ORDINANCE OF THE CITY OF THIEF RIVER FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 152 ENTITLED "ZONING CODE" BY AMENDING THE CITY ZONING DISTRICTS MAP, AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 10 AND SECTION 152.998, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY COUNCIL OF THIEF RIVER FALLS ORDAINS:

Section 1. The City Zoning Districts Map is hereby amended by changing the zoning designation of the following described real property from General Business District (C-2) to General Residential District (R-2):

Part of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty-three (33), Township One Hundred Fifty-four (154) North, Range Forty-three (43) West of the Fifth Principal Meridian, Pennington County, Minnesota, described as follows:

Commencing at the northeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence South 88 degrees 18 minutes 41 seconds West, assumed bearing, along the north line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, a distance of 672.00 feet to the point of beginning; thence South 00 degrees 01 minute 03 seconds West 195.87 feet; thence North 89 degrees 40 minutes 57 seconds East 179.63 feet; thence South 45 degrees 19 minutes 03 seconds East 89.58 feet; thence South 89 degrees 40 minutes 57 seconds West, a distance of 344.96 feet, more or less, to the easterly right of way of the Burlington Northern Santa Fe Railroad; thence northerly along a curve being concave to the northwest, along said easterly right of way, having a radius of 3869.83 feet, a central angle of 03 degrees 54 minutes 05 seconds, an arc length of 263.51 feet, the chord of said curve bears North 11 degrees 20 minutes 58 seconds East and has a chord length of 263.46 feet to the north line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 88 degrees 18 minutes 41 seconds East, along said north line, a distance of 50.00 feet, more or less, to the point of beginning.

Section 2. City Code Chapter 10 entitled "General Provisions" and Section 152.998 entitled "Violation" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall be in force and effect from and after its passage, approval, and publication.

Passed by the unanimous vote of the City Council of Thief River Falls, Minnesota, on the 3rd day of September, 2024.

Mayor

ATTEST:

City Administrator

City Attorney Sparby read the proposed ordinance. Approval follows.

RESOLUTION NO. 09.195.24: Approve the Rezoning Request – Valley Assisted Living

Following discussion, Councilmember Steve Narverud introduced Resolution 09.195.24, being seconded by Councilmember Scott Pream, that:

WHEREAS, Valley Assisted Living, LLC has recently purchased back a portion of parcel ID# 2500103730 that they had sold to MAK Construction; the purpose is for the construction of a parking lot for use by Discovery Place Early Learning Center that will be leasing a portion of their facility for a childcare center.

The Property is legally described as follows:

Part of the Southeast Quarter of the Southwest Quarter of Section 33, Township 154 North, Range 43 West of the Fifth Principal Meridian, Pennington County, Minnesota, described as follows:
Commencing at the northeast corner of said Southeast Quarter of the Southwest Quarter; thence South 88 degrees 18 minute 41 seconds West, assumed bearing, along the north line of said Southeast Quarter of the Southwest Quarter, a distance of 672.00 feet to the point of beginning; thence South 00 degrees 01 minute 03 seconds West 195.87 feet; thence North 89 degrees 40 minutes 57 seconds East 179.63 feet; thence South 45 degrees 19 minutes 03 seconds East 89.58 feet; thence South 89 degrees 40 minutes 57 seconds West, a distance of 344.96 feet, more or less, to the easterly right of way of the Burlington Northern Santa Fe Railroad; thence northerly along a curve being concave to the northwest, along said easterly right of way, having a radius of 3869.83 feet, a central angle of 03 degrees 54 minutes 05 seconds, an arc length of 263.51 feet, the chord of said curve bears North 11 degrees 20 minutes 58 seconds East and has a chord length of 263.46 feet to the north line of said Southeast Quarter of the Southwest Quarter; thence North 88 degrees 18 minutes 41 seconds East, along said north line, a distance of 50.00 feet, more or less, to the point of beginning.

Said described parcel contains 0.75 acres, more or less, and is subject to any and all easements, reservations, restrictions and conveyances of record, if any.

WHEREAS, The property was zoned from R-2 General Residential District to C-2 General Business District when MAK Construction was proposing a multi-use development called the Angle. This is simply rezoning the property back to R-2 General Residential District from C-2 General Business

District as the appropriate zoning district for the childcare center is R-2 General Residential District.

THEREFORE, BE IT RESOLVED Approve the rezoning of a recently purchased property by Valley Assisted Living, LLC, which is a portion of parcel ID# 2500103730 from General Business District (C-2) to General Residential District (R-2).

On vote being taken, the resolution was unanimously passed.

Second Reading of Amendment to Ordinance 152.069 Off-Street Parking Requirements.

Councilmember Steve Narverud motioned, being seconded by Councilmember Jason Aarestad to call for the second reading of an ordinance of amendment to Ordinance 152.069 Off-Street Parking Requirements.

ORDINANCE NO. 129, 3rd SERIES

AN ORDINANCE OF THE CITY OF THIEF RIVER FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 152 ENTITLED "ZONING CODE" BY AMENDING SECTION 152.069 "OFF STREET PARKING REQUIREMENTS", AND ADOPTING BY REFERENCE CITY CODE CHAPTER 10, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY COUNCIL OF THIEF RIVER FALLS ORDAINS:

Section 1. City Code Chapter 152.0869 is hereby amended to read as follows:

Sec. 152.069. - Off-street parking requirements.

1. *Single-family. Two stalls per dwelling unit and one stall per accessory apartment, subject to specific uses set forth in divisions 10. through 21. of this section.*
2. *Duplex. Two stalls per dwelling unit, subject to specific uses set forth in divisions 10. through 21. of this section.*
3. *Townhouses and condominiums. Two stalls per dwelling unit, subject to specific uses set forth in divisions 10. through 21. of this section.*
4. *Multi-family. Two stalls per dwelling unit, subject to specific uses set forth in divisions 10. through 21. of this section. A garage stall shall equal one half of a parking stall in determining the number of parking stalls available.*
5. *Neighborhood business district. One stall per 200 square feet of sales floor area, plus one stall per employee on maximum shift, subject to specific uses set forth in divisions 10. through 21. of this section.*
6. *General business district. One stall per 400 square feet of sales floor area, plus one stall per employee on maximum shift, subject to specific uses set forth in divisions 10. through 21. of this section.*
7. *Central business district. One stall per 1,000 square feet of sales floor area, plus one stall per employee on maximum shift, subject to specific uses set forth in divisions 10. through 21. of this section.*
8. *Downtown fringe district. One stall per 200 square feet of sales floor area, plus one stall per employee on maximum shift, subject to specific uses set forth in divisions 10. through 21. of this section.*
9. *Industrial district. One stall per two employees on maximum shift and one stall per*

- commercial vehicle, subject to specific uses set forth in divisions 10. through 21. of this section.*
- 10. Bar. One stall per three seats based on the design capacity of the establishment.*
 - 11. Cafes, restaurants, and clubs. One stall per 30 square feet of dining area and one stall per two employees on maximum shift.*
 - 12. Theaters. For the first 100 stalls, one stall per three fixed seats, after the first 100 stalls, one stall per six fixed seats.*
 - 13. Professional offices. One stall per 400 square feet of gross floor area, and one stall per two employees.*
 - 14. Motels and hotels. One stall per rental unit and five stalls.*
 - 15. Home occupation. One stall for every 300 square feet of home occupation area.*
 - 16. Schools.*
 - a. College and high school. Three stalls per classroom and one stall per employee.*
 - b. Junior high and elementary. One stall per employee.*
 - 17. Federal, state, city and county buildings. Ten stalls and one stall per two employees.*
 - 18. Elderly housing. One stall per three dwelling units.*
 - 19. Hospitals, rest homes, and nursing homes. Two stalls per 1,000 square feet of gross floor area.*
 - 20. Churches, auditoriums, and mortuaries. One stall per six seats.*
 - 21. Day Care Facilities. One stall 1 parking space for every 12 day care attendees and one stall for each employee based upon peak maximum staffing.*

Section 2. City Code Chapter 10 entitled "General Provisions" and Section 152.998 entitled "Violation" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall be in force and effect from and after its passage, approval, and publication.

Passed by the City Council of Thief River Falls, Minnesota, on the 3rd day of September, 2024, by majority vote.

Mayor

ATTEST:

Angela Philipp
City Administrator

City Attorney Sparby read the proposed ordinance. Approval to follow.

RESOLUTION NO. 09.196.24 : Approval of Amendment to Ordinance 152.069 Off-Street Parking Requirements.

Following discussion, Councilmember Jason Aarestad introduced Resolution 09.196.24, being seconded by Councilmember Michele McCraw, that:

WHEREAS, Currently City Code Section 152.069 – Off-Street Parking Requirements does not address the parking requirements for daycare facilities. Such a requirement is needed with the development of the future Discovery Place Early Learning Center to be located at Valley Assisted Living, 523 Arnold Ave. S.

We utilized the U.S. General Services Administration’s Child Care Center Design Guide and area city ordinances in setting the parking requirements.

WHEREAS, With changes to multiple subsections of Ordinance 152.069, it is recommended to re-adopt this section of the City Code.

THEREFORE, BE IT RESOLVED Approve an amendment to City Code Chapter 152 by amending section 152.069 “Off-Street Parking Requirements.” By adding section 21. Day Care Facilities. 1 stall, 1 parking space, for every 12 daycare attendees, and one stall, 1 parking space for each employee based upon peak maximum staffing and the re-adoption of section 152.069 with renumber sections based upon the proposed addition of section 21. And adopting by reference City Code Chapter 10, which among other things, contains penalty provisions.

On vote being taken, the resolution was unanimously passed.

Second Reading of “Interim Use Ordinance.”

Councilmember Jason Aarestad motioned, being seconded by Councilmember Scott Pream to call for the second reading of an ordinance of Interim Use Ordinance.

ORDINANCE NO. 129, 3rd SERIES

AN ORDINANCE OF THE CITY OF THIEF RIVER FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 152 ENTITLED "ZONING CODE" BY ADDING SECTION 152.037 “INTERIM USE” , AND ADOPTING BY REFERENCE CITY CODE CHAPTER 10, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY COUNCIL OF THIEF RIVER FALLS ORDAINS:

Section 1. City Code Chapter 152.037 is hereby added to read as follows:

Sec. 152.037. Purpose of interim uses.

An interim use is a use not currently allowed by this ordinance, which may be allowed as a temporary use of property until an established date, until the occurrence of a particular event, or until the zoning regulations no longer allow it.

Sec. 152.038. Authorization of interim use.

The City Council may approve an interim use of property as defined and authorized by Minnesota Statutes 462.3597.

Sec. 152.039. Application for interim use.

Any person having a legal or equitable interest in a property may file an application to use such land for

one or more interim uses. An application for interim use shall be filed with the City Planner on an approved form, and shall be accompanied by such information as is requested by the City Planner to facilitate review.

Sec. 152.040. Hearing on application for interim use.

The Planning Commission shall hold a public hearing on each valid and complete application for an interim use as provided in Section 152.038. After the close of the hearing on a proposed interim use, the Planning Commission shall make findings, and shall submit the same together with its recommendations to the City Council.

Sec. 152.041. Action by City Council on interim uses.

The City Council shall make the final decision regarding all applications for interim use. Approval shall require a majority vote of the City Council.

Sec. 152.042. Interim use findings and conditions.

(A) Required findings. The City Council shall make the following findings in order to approve an interim use:

- (1) The proposed interim use will utilize property where it is not reasonable to utilize it in a manner provided for in the City's Land Use Plan/Comprehensive Plan.
- (2) The proposed interim use is presently acceptable but, given anticipated development, will not be acceptable in the future.

(B) Conditions and guarantees. Any City Council approval of an interim use shall be subject to the following conditions:

- (1) Except as otherwise authorized by this section, an interim use shall conform to this ordinance as if it were established as an allowed conditional use.
- (2) The date or event that will terminate the interim use shall be identified with certainty, but in no event will it extend beyond 3 years, unless specifically stated and approved by the City Council.
- (3) In the event of a public taking of property after the interim use is established, the property owner shall not be entitled to compensation for any increase in value attributable to the interim use.
- (4) Such conditions and guarantees as the City Council deems reasonable and necessary to protect the public interest, neighborhood interests and to ensure compliance with the standards of this ordinance and policies of the Land Use Plan.

Sec. 152.043. Termination of interim use.

An approved interim use shall terminate upon the occurrence of any of the following events:

- (1) The termination date specified with approval of the interim use, or at the end of 3 years, whichever is greater.
- (2) Any violation of the conditions under which the interim conditional use was approved.
- (3) A change in this ordinance which would render the interim conditional use nonconforming.

Section 2. City Code Chapter 10 entitled "General Provisions" and Section 152.998 entitled "Violation" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall be in force and effect from and after its passage, approval, and publication.

Passed by the City Council of Thief River Falls, Minnesota, on the 3rd day of September, 2024, by majority vote.

Mayor

ATTEST:

Angela Philipp
City Administrator

City Attorney Sparby read the ordinance. Approval to follow.

RESOLUTION NO. 09.197.24: Approval of “Interim Use Ordinance.”

Following discussion, Councilmember Mike Lorensen introduced Resolution 09.197.24, being seconded by Councilmember Anthony Bolduc, that:

WHEREAS, An “interim use” is a use currently not allowed by an applicable zoning ordinance, which may be allowed as a temporary use of a property until an established date or termination, until the occurrence of a particular event, or until the zoning regulations no longer allow it. The City Council may approve an interim use of property as defined and authorized by Minnesota State Statutes 462.3597, after proper application and hearing.

Zoning regulations may permit the governing body to allow interim uses. The regulations may set conditions on interim uses. The governing body may grant permission for an interim use of property if:

- (1) the use conforms to the zoning regulations;
- (2) the date or event that will terminate the use can be identified with certainty;
- (3) permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
- (4) the user agrees to any conditions that the governing body deems appropriate for permission of the use.

Any interim use may be terminated by a change in zoning regulations.

WHEREAS, We currently do not have an Interim Use Ordinance in place. The difference between a “Conditional Use and an “Interim Use” are: A “Conditional Use Permit” is filed with the County Recorder and remains in effect as long as the conditions agreed upon are observed. An “Interim Use Permit” is a temporary use of the property until a particular date, occurrence of a specific event, or until zoning regulations no longer allow it. There is no recording with the County Recorder, so it does not stay with the property upon the sale of the property.

THEREFORE, BE IT RESOLVED Approve an amendment to City Code Chapter 152 to include section 152.037 “Interim Use”, and adopting by reference city code Chapter 10, which among other things, contains penalty provisions. And to set the initial application fee at \$150.00.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.198.24 : Adopt the City of Thief River Falls Preliminary 2025 Budget

Following discussion, Councilmember Jason Aarestad introduced Resolution 09.198.24, being seconded by Councilmember Steve Narverud, that:

THEREFORE, BE IT RESOLVED By the City Council, to adopt the City of Thief River Falls Preliminary 2025 Budget. A summary of the 2025 revenue and expenditures is as follows:

	2025 REVENUE	2025 EXPENSE	FUND BALANCE RESERVES + OR -
General Fund	\$ 11,158,335.00	\$ 11,173,335.00	\$ (15,000.00)
Liquor Dispensary	\$ 5,070,350.00	\$ 5,620,570.00	\$ (550,220.00)
Electric Utility Fund	\$ 17,995,000.00	\$ 17,785,413.00	\$ 209,587.00
Storm Water Utility Fund	\$ 372,000.00	\$ 372,000.00	\$ -
Water Utility Fund	\$ 3,212,342.00	\$ 3,704,601.00	\$ (492,259.00)
Wastewater Utility Fund	\$ 1,258,150.00	\$ 1,207,982.00	\$ 50,168.00
Police Relief Pension Fund	\$ 12,585.00	\$ 15,467.00	\$ (2,882.00)
Debt Service Fund	\$ 1,578,076.00	\$ 1,550,755.00	\$ 27,321.00
TOTALS	\$ 40,656,838.00	\$ 41,430,123.00	\$ (773,285.00)

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.199.24: Approval of Proposed 2025 Tax Levy

Following discussion, Councilmember Mike Lorenson introduced Resolution 09.199.24, being seconded by Councilmember Steve Narverud, that:

WHEREAS, That the Truth-n-Taxation public meeting will be held on December 3, 2024 at 6:00 p.m. to discuss the 2025 budget & levy. Final budget and levy will be adopted at the December 17, 2024 council meeting.

THEREFORE, BE IT RESOLVED By the City Council of Thief River Falls, County of Pennington, Minnesota, that the following sums of money be levied for the current year, collectible in 2025, upon taxable property in the City of Thief River Falls, for a total proposed levy of \$4,051,075.00. This represents \$390,115.00 or approximately 10.66% increase over last year's levy.

It should be noted that with the proposed tax capacity increase for 2025, a 10.66% tax levy increase results in an estimated 3.181% to 3.784% increase in the tax rate.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.200.24: Approve the renewal for Civic Clerk including agenda and meeting management

Following discussion, Councilmember Mike Lorenson introduced Resolution 09.200.24, being seconded by Councilmember Scott Pream, that:

WHEREAS, The City of Thief River Falls has been utilizing Civic Plus/Civic Clerk software for

several years for our website, agenda and meeting management, along with code management just recently added.

THEREFORE, BE IT RESOLVED To authorize the City Administrator and Mayor to fully execute the contract with Civic Clerk including agenda and meeting managements for term starting October 30, 2024.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.201.24: Approve an agreement with Bolton & Menk, Inc.

Following discussion, Councilmember Mike Lorensen introduced Resolution 09.201.24, being seconded by Councilmember Michele McCraw, that:

WHEREAS, The Original Project included the design and construction of a lift station, a 20-inch sanitary sewer force main, and a 20-inch HDPE discharge pipe to convey wastewater collected in the city's sanitary sewer collection system into Primary Pond 1, a treatment pond owned by the city at the city's wastewater treatment facility, and appurtenant facilities. This Agreement concerns the portion of the Original Project consisting of the installation of the 20-inch HDPE discharge pipe to convey wastewater into the city's treatment pond. This discharge piping was designed to be submerged in the pond by use of concrete weights. After the Original Project was completed, the discharge piping broke free of the concrete weights and floated to the surface of the pond. The city entered into a settlement agreement with multiple other parties involved in the Original Project pursuant to which the contractor hired to complete the Original Project will replace the existing weights with new weights, reinstall the first 100 feet of pipe that runs under a dike forming the embankment to the pond and into the pond, and resubmerge the pipe using the new weights (the "Repair Project"). The scope of the Repair Project agreed to in the settlement agreement is detailed on Change Order No. 2024-001, attached hereto as Exhibit 1 and incorporated herein by reference. Bolton & Menk, Inc. will provide professional services in support of the settlement agreement, including construction observation and other services detailed herein, and through our colleague Robert M. Brown, P.E., of Community Health and Environment, LLC, Engineer of Record Services as detailed on Exhibit 1.

Subject to the terms and conditions appended hereto, Bolton & Menk, Inc. agrees to perform various professional services in support of the Repair Project as follows (the "services"):

1. Coordinate the provision of Engineer of Record services as detailed in Exhibit 1 through Robert M. Brown, P.E. of Community Health and Environment, LLC, or Bolton & Menk, Inc. staff;
2. Coordination with General Contractor and on-site construction administration services to ensure Repair Project work complies with the scope of work detailed in Exhibit 1.

THEREFORE, BE IT RESOLVED To authorize the City Administrator to fully execute the contract with Bolton & Menk, Inc. to authorize Robert M. Brown to provide professional services for the lift station 9 improvements and force main replacement settlement implementation for the City of Thief River Falls.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.202.24: Approval to rescind resolution no. 8.189.24 Approve Opening Investigator Position

Following discussion, Councilmember Aarstad introduced Resolution 09.202.24, being seconded by

Councilmember Lorenson, that:

THEREFORE, BE IT RESOLVED Rescind resolution no. 8.189.24 dated 8/20/224 to approve opening Investigator Position.

On vote being taken, the resolution was unanimously passed.

COUNCIL BOARDS AND COMMISSIONS REPORTS

- Surplus Auction is available on the website. Closes September 9, 2024.
- Mike Lorenson discussed credit card transaction and convenience fees going to the next Utilities Committee meeting.

UPCOMING MEETINGS

- Public Utilities Committee - September 9th at 7:00 a.m.
- Public Safety/Liquor Committee - September 9th at 4:30 p.m.
- Administrative Services Committee - September 10th at 4:30 p.m. Room 201 City Hall
- Public Works Committee - September 11th at 4:30 p.m.
- City Council Meeting - September 17th at 5:30 p.m.

INFORMATIONAL ITEMS

- Summary of Performance Evaluation and Termination of City of Thief River Falls employee Tom Harbott.
 - The City Council concluded that Thomas Harbott was not qualified and unable to perform all essential functions of Cemetery Technician. The City Council approved a motion that Thomas Harbott be removed from employment with the City of Thief River Falls, effective August 21, 2024, which will be his last date of employment with the City, for non-disciplinary reasons as specified in City Administrator Angela Philipp's letter to Thomas Harbott dated July 31, 2024.
- Annual Meals on Wheels volunteer day is in October. Signup will be sent to department heads.
- Committee of the Whole meeting after City Council 9/3/2024

ADJOURNMENT

There being no further discussion, Councilmember Mike Lorenson being seconded by Councilmember Scott Pream to adjourn at 5:58 p.m. to the Committee of the Whole meeting. On vote being taken, the Chair declared the motion unanimously carried.

Brian D. Holmer, Mayor

Attest: _____
Angela Philipp, City Administrator