City Council Meeting Minutes

Tuesday, November 19, 2024

CALL TO ORDER

This meeting is officially called to order at 05:30 PM on November 19, 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, Lorenson and Aarestad. Bolduc and Arlt were absent. Mayor Holmer chaired the meeting.

PUBLIC FORUM

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

Scott Ingram - Christmas Kick-Off Overview

APPROVE AGENDA

Councilmember Michele McCraw motioned, being seconded by Councilmember Scott Pream, to approve the agenda.

On vote being taken, the resolution was unanimously passed.

CONSENT AGENDA

RESOLUTION NO. 11.248.24: Approval of November 5, 2024 Council Proceedings

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced RESOLUTION 11.248.24, being seconded by Councilmember Scott Pream, that:

THEREFORE, BE IT RESOLVED By the City Council, to approve the November 5, 2024 Council Proceedings.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11.249.24: City of Thief River Falls Bills and Disbursements

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced RESOLUTION 11.249.24, 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 $1,461,053.87. 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. 11.250.24: Certify the results of Tuesday, November 5, 2024 Election

Following discussion, Councilmember Pream introduced Resolution 11.250.24, being seconded by Councilmember Steve Narverud, that:

WHEREAS, The City of Thief River Falls held an election for the office of Mayor and 3 Council Members on Tuesday, November 5, 2024, during the General Election with approximately 4301 persons voting, including absentee votes.

On November 12th, 2024 the canvassing board consisting of the Administrative Services Committee met to canvass the said election results.

The votes tabulated at said election were:

Race of Mayor:

Mike Lorenson	2221
Brian Holmer	1758
Write-in	37

Race of Council Member At Large:

Doug Bergman	1556
Jason Aarestad	2139
Write-in	34

Race of Council Member Ward 2

Julie Bolduc	482
Cainan Langlie	289
Write-in	10

Race of Council Member Ward 4:

Michele McCraw	573
Write-in	10

THEREFORE, BE IT RESOLVED by the Thief River Falls City Council that the official election results for the office of Mayor for the term of 2025-2026 shall be Mike Lorenson, that the official election results for the office of Council Member At Large for the term of 2025-2028 shall be Jason Aarestad, that the official election results for the office of Council Member Ward 2 for the term of 2025-2028 shall be Julie Bolduc, that the official election results for the office of Council Member Ward 4 for the term of 2025-2028 shall be Michele McCraw.

On vote being taken, the resolution was unanimously passed.

<u>RESOLUTION NO. 11.251.24: Authorize purchase of wall partitions, ceiling tile, and furniture for Public Works at City Hall</u>

Following discussion, Councilmember Steve Narverud introduced Resolution 11.251.24, being seconded by Councilmember Scott Pream, that:

WHEREAS, The City of Thief River Falls has been looking at different options to reduce the sound transfer within the Public Works area. This would complete the solution selected. The City would, however be responsible for the ceiling grid, lights and installation of the ceiling on the 3 offices and meeting room of which is not apart of this request for council action.

THEREFORE, BE IT RESOLVED Authorize the purchase from Innovative wall partitions in the amount of $90,946.85, furniture for 3 offices and a meeting room in the amount of $17,775.50 and ceiling tile in the amount of $9,011.00 for the location of Public Works at City Hall.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11.252.24: Approve UtilityConnect with Nuvei credit card processing for Utility Billing, Public Works and Police

Following discussion, Councilmember Mike Lorenson introduced Resolution 11.252.24, being seconded by Councilmember Michele McCraw, that:

WHEREAS, The City of Thief River Falls has seen a significant increase in the cost associated with credit card and debit card usage. The city looked at adding a transaction fee, but had opted to switch processing companies. Implementation will take 3 to 4 months with an anticipated go live in April of 2025.

THEREFORE, BE IT RESOLVED Approve the City of Thief River Falls to implement UtilityConnect with Nuvei credit card processing for the Departments of Utility Billing, Public Works and Police. The credit card processing fee for customers will be 3.5% per transaction on credit/debit cards and a $1.00 fee for eCheck through the new portal or website.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11.253.24: Approval of TRF Police Department have garage door opener installed in ITS building Northwest garage.

Following discussion, Councilmember Jason Aarestad introduced Resolution 11.253.24, being seconded by Councilmember Scott Pream, that:

WHEREAS, The Police department is storing the mobile command/SRT trailer in the northwest garage bay of the ITS building. It currently has a garage door installed but must be opened manually from the inside. There is not walk through door in that bay so Officers must enter through ITS to get to the back bay to enter and exit the bay. A garage door opener with keypad will make retrieving the trailer in an emergency more efficient.

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

THEREFORE, BE IT RESOLVED Approval of TRF Police Department to spend $1,965 to have North Country overhead door install a garage door opener on ITS garage housing Mobile command trailer.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11.254.24: Purchase 2025 Ford F350 Crew Cab Truck

Following discussion, Councilmember Jason Aarestad introduced Resolution 11.254.24, being seconded by Councilmember Scott Pream, that:

WHEREAS, The Fire Department is updating aging wildland firefighting equipment at an approximate cost of $85,000 - $90,000. The volunteer firefighters have committed $40,000, the Rural Fire Association has committed $20,000, and the city has committed up to $30,000 from the Public Safety Aid money.

WHEREAS, The current first due wildland unit is a 2004 model (20 years old), and the second response unit is a 1990 model (34 years old). The 2004 would become the secondary unit and the 1990 would be sold at auction.

THEREFORE, BE IT RESOLVED Approve the purchase of a 2025 Ford F350 for $53,101.00.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11.255.24: Fire Department flooring replacement.

Following discussion, Councilmember Jason Aarestad introduced Resolution 11.255.24, being seconded by Councilmember Steve Narverud, that:

WHEREAS, The carpet in the office and basement sleeping quarters is original to when the building was built in 1978 (46 years old) and in need of replacement. The tile flooring in the bathrooms is also original and in need of repair, it will be replaced with the LVT.

WHEREAS, General building maintenance and improvements.

THEREFORE, BE IT RESOLVED Approve the estimate of $4670.71 from Five Star Flooring for new carpet and LVT.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11.256.24: ESRI Software Enterprise License Agreement

Following discussion, Councilmember Mike Lorenson introduced Resolution 11.256.24, being seconded by Councilmember Michele McCraw, that:

WHEREAS, The City of Thief River Falls has licensure independently. Pennington and Red Lake Counties have had a shared licensure that is ending. ESRI reached out to the city as a service provider on how to maximize benefits with minimal costs.

THEREFORE, BE IT RESOLVED To approve the three-year ESRI Small Municipal and County Government Enterprise Agreement (SGEA) in the amount of $93,789.00. This three-year agreement will be billed for three annual years at the price of $31,263.00 and the licensure will cover the City of Thief River Falls, Pennington County and Red Lake County. Each entity will be responsible for $10,421.00 annually. The City of Thief River Falls will act as "Managing Customer" on the agreement. A memorandum of understanding will be created for the financial management of the agreement.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11.257.24: Ralph Engelstad Arena Site Improvements

Following discussion, Councilmember Jason Aarestad introduced Resolution 11.257.24, being seconded by Councilmember Scott Pream, that:

WHEREAS, East entrance concrete steps and walkway have been deteriorating and need replacement.

THEREFORE, BE IT RESOLVED To approve solicitation of bids for the REA site improvements plan sheets in accordance of the City's procurement policy.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11.258.24: Approval of 6th street land conveyance, C.S.5701(01=033) 001 parcel 1, Pennington County purchase

Following discussion, Councilmember Steve Narverud introduced Resolution 11.258.24, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, MNDOT has moved said property to sell and has offered local municipalities the first option of purchase. Location of property has previously been flagged in the Thief River Falls 2040 Comprehensive Plan(land use plan) as possible relocation site of fairgrounds facilities. The Electric Department has expressed interest in the on-site cold storage building for storage of transformers, etc.

THEREFORE, BE IT RESOLVED To approve the agreement of land Conveyance 2023-0004, C.S. 5701 (01=033) 001 Parcel 1 in Pennington County, MN.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11.259.24: Independent Contract Service - Melissa Benoit

Following discussion, Councilmember Scott Pream introduced Resolution 11.259.24, being seconded by Councilmember Michele McCraw, that:

WHEREAS, Melissa Benoit has previously worked as a seasonal employee for the City of Thief River Falls.

THEREFORE, BE IT RESOLVED To approve the Independent Contract and to hire Melissa Benoit for a lump sum of $16,500.00 to provide services for 10 locations of flower gardens. The scope of this agreement is the prepping of the gardens, designs, ordering of plants, planting, maintenance, watering and removal of plants in the parks for one season.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11.260.24: 2024 Street and Utilities Improvements

Following discussion, Councilmember Steve Narverud introduced Resolution 11.260.24, being seconded by Councilmember Mike Lorenson, that:

WHEREAS, This project was bid, as a result of meetings with department heads, council committees, and according to items in the City's Capital Improvement Plan. It was awarded to Agassiz Asphalt in the amount of $1,262,015,.40.

WHEREAS, The City of Thief River Falls assesses benefitted property owners for these improvements.

THEREFORE, BE IT RESOLVED Declare the cost to be assessed for the 2024 Street & Utilities Improvements Project and order the preparation of the assessment roll.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11.261.24: 2024 Street and Utilities Improvements - Assessment Hearing

Following discussion, Councilmember Mike Lorenson introduced Resolution 11.261.24, being seconded by Councilmember Steve Narverud, that:

WHEREAS, This project was bid as a result of meetings with department heads, council committees, and according to items in the City's Capital Improvement Plan. It was awarded to Agassiz Asphalt in the amount of $1,262,015,.40.

WHEREAS, The City of Thief River Falls assesses benefited property owners for these improvements.

THEREFORE, BE IT RESOLVED Call for the assessment hearing to be held at 5:30 P.M. on December 17, 2024, in the City Council Chambers.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11.262.24: Challenger Park Utility Easement

Following discussion, Councilmember Mike Lorenson introduced Resolution 11.262.24, being seconded by Councilmember Steve Narverud, that:

WHEREAS, While working with Garden Valley Technologies, the owner discovered that the utilities had not been installed in the existing easement, but, instead in a 20-foot swath between 20 feet and 40 feet from the northerly and southernly property boundaries. The owner is amicable to vacating the original 20-foot easement and establishing a new 20-foot easement.

WHEREAS, Several of the tenants' storage sheds currently lie in the new easement area and will require the issuance of an encroachment permit

THEREFORE, BE IT RESOLVED Establish a utility easement, over, under, and across the following described real property located in the County of Pennington and State of Minnesota:

The southerly 20.00 feet of the northerly 40.00 feet of Block 2, Challenger's First Addition, according to the official recorded plat, on file in the office of the County Recorder, in and for the County of Pennington, and the State of Minnesota.

AND

The northerly 20.00 feet of the southerly 43.00 feet of Block 5, Challenger's First Addition, according to the official recorded plat, on file in the office of the County Recorder, in and for the County of Pennington, and the State of Minnesota.

AND

The southerly 30.00 feet of the northerly 42.00 feet of Lots 1, 2, and 3, Block 2, Challenger's First Addition, according to the official recorded plat on file and of record in the office of the County Recorder, in and for the County of Pennington, and the State of Minnesota, Less the easterly 30.00 feet thereof.

On vote being taken, the resolution was unanimously passed.

<u>RESOLUTION NO. 11.263.24: Challenger Park Utility Easement Vacation</u>

Following discussion, Councilmember Mike Lorenson introduced Resolution 11.263.24, being seconded by Councilmember Scott Pream, that:

WHEREAS, While working with Garden Valley Technologies, the owner discovered that the utilities had not been installed in the existing easement, but, instead in a 20-foot swath between 20 feet and 40 feet from the northerly and southernly property boundaries. The owner is amicable to vacating the original 20-foot easement and establishing a new 20-foot easement.

WHEREAS, With the establishment of a new easement, this easement is no longer necessary for City purposes.

THEREFORE, BE IT RESOLVED adopt a resolution granting vacation of a portion of certain utility easements located in Challenger's First Addition to the City of Thief River Falls, Minnesota and to issue a Quit Claim Deed to LRP, Inc. for said real property.

LEGAL DESCRIPTION

The northerly 20.00 feet of Block 2, Challenger's First Addition, according to the official recorded plat on file and of record in the office of the County Recorder, in and for the County of Pennington, and State of Minnesota, LESS the easterly 40.00 feet thereof.

AND

The southerly 20.00 feet of Block 5, Challenger's First Addition, according to the official recorded plat on file and of record in the office of the County Recorder, in and for the County of Pennington and State of Minnesota.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 11.264.24: First Reading of Ordinance 114.02 - Cannabis and Lower Potency Hemp Edibles.

Councilmember Jason Aarestad motioned, being seconded by Councilmember Scott Pream to call for the first reading of an ordinance of The Minnesota State Legislature has adopted Minnesota State Statute 342. Cannabis, which regulates the cultivation, manufacturing, transportation, wholesale and retail sales, and adult use of Cannabis products and Lower Potency Hemp Edibles and Topical products. Section 342.13 addresses Local Control.
A local unit of government may adopt reasonable restrictions on the time, place, and manner of the operation of a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses. A local unit of government may prohibit the operation of a cannabis business within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field.

Per Minnesota State Statute 342.13 – Local Control, NO fewer than one retail registration for every 12,500 residents is allowed.

- The City of Thief River Falls may establish, own, and operate one municipal cannabis retail business subject to the restrictions in Minnesota State Statute 342 and the same retail license requirements and procedures applicable to all other applicants. The municipal cannabis retail store shall not be included in any limitation of the number of registered cannabis retail businesses.
- The recommended prohibited distance from schools, daycare centers, residential treatment centers, and city park attractions has been set at 300 feet which allows location of cannabis businesses in the C-3 - Central Business District and along our C-2 General Business Corridors. Setting a prohibited distance limit greater than that results in nearly no locations to place a cannabis business.
- Section 3.3 sets the Hours of Operation to follow Minnesota State Statute 347.27, Subd. 7 on Cannabis operations.

MN State Statute 347.27, Subd. 7 currently reads:
Subd. 7.Hours of operation.
(a) Except as provided by paragraph (b), a cannabis business with a license or endorsement authorizing the retail sale of cannabis flower or cannabis products may not sell cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between 2:00 a.m. and 8:00 a.m. on the days of Monday through Saturday nor between 2:00 a.m. and 10:00 a.m. on Sunday.
(b) A city or county may adopt an ordinance to prohibit sales for any period between

9:00 p.m. and 2:00 a.m. the following day or between 8:00 a.m. and 10:00 a.m. on the days of Monday through Saturday.
(c) A cannabis business with a license or endorsement authorizing the retail sale of cannabis flower or cannabis products may not be open to the public or sell any other products at times when the cannabis business is prohibited from selling cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products.

- A cannabis retail registration application and fee schedule need to be established. A local unit of government may impose an initial retail registration fee of $500 or up to half the amount of the applicable initial license fee under section 342.11, whichever is less. The local unit of government may also impose a renewal retail registration fee of $1,000 or up to half the amount of the applicable renewal license fee under section 342.11, whichever is less. The initial registration fee shall include the fee for initial registration and the first annual renewal. Any renewal fee imposed by the local unit of government shall be charged at the time of the second renewal and each subsequent annual renewal thereafter. Note: the initial license fee for a microbusiness is $0. It is also $0 for the license and renewal of a medical cannabis cultivator, a medical cannabis processor and a medical cannabis retailer.
- Per Minnesota State Statute 342.22, Subd. 4 – A local unit of government shall conduct compliance checks of every cannabis business and hemp business with a retail registration issued by them. The checks shall assess compliance with age verification requirements, the applicable operation requirements, and the applicable limits on the types of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products being sold.

Hold the First Reading of Ordinance 114.2 an amendment to City Code Chapter 114 entitled "Cannabis" by adding section 114.02 - Cannabis and Lower Potency Hemp Edibles Ordinance, and adopting by reference city code Chapter 10, which, among other things, contains penalty provisions.

City Attorney Sparby read the proposed ordinance. No action was taken at this time and this ordinance will again be presented at the next Council Meeting.

<u>RESOLUTION NO. 11.265.24: Approval to Advertise the Scrap Metal RFP</u>

Following discussion, Councilmember Jason Aarestad introduced Resolution 11.265.24, being seconded by Councilmember Michele McCraw, that:

WHEREAS, the council approves to advertise for Request for Proposals to entities experienced in scrap metal recycling to submit proposals to the City of Thief River Falls Electric Department.

THEREFORE BE IT RESOLVED to approve to advertise for proposals.

On vote being taken, the resolution was unanimously passed.

<u>RESOLUTION NO. 11.266.24: Approval of 2025 City License Renewals</u>

Following discussion, Councilmember Jason Aarestad introduced Resolution 11.266.24, being seconded by Councilmember Steve Narverud, that:

WHEREAS, Annually, City License Renewal forms are distributed to current license/permit holders to be completed by October 18th. Submission of City Application, State Renewal forms, Background Check forms, Certificate of Insurance, MN Revenue form and appropriate fees according to City Code.

THEREFORE, BE IT RESOLVED Approval of 2024 City License Renewals effective January 1, 2025 – December 31, 2025.

On vote being taken, the resolution was unanimously passed.

COUNCIL BOARDS AND COMMISSIONS REPORTS

Mike Lorenson reported the repairs to the elevator at Carnegie Library are complete and it is operational. He also noted there is no leaking at the Carnegie as repairs have been made.

UPCOMING MEETINGS

- City Council Meeting - December 3rd at 5:30 p.m. - Truth and Taxation at 6 p.m.
- Public Utilities Committee - December 9th at 7:00 a.m.
- Public Safety/Liquor Committee - December 9th at 4:30 p.m.
- Administrative Services Committee - December 10th at 4:30 p.m. Room 201 City Hall
- Public Works Committee - December 11th at 4:30 p.m.
- City Council Meeting - December 17th at 5:30 p.m.

INFORMATIONAL ITEMS

- October 2024 Investment Summary
- Christmas Kick-off at Floyd B. Olson Park on November 30 from 3-6 p.m.
- City offices will be closed Thursday, November 28 and Friday, November 29 for Thanksgiving. There will be no garbage pickup
- Calendar Parking Begins November 15, 2024 - March 15, 2024
    - No Parking 6 am – 9 am Monday, Wednesday, Friday on Avenues, Alice Drive & Red Lake Blvd
    - No Parking 6 am – 9 am Tuesday, Thursday, Saturday, Sunday on streets, Drive, Lane, Circle, Court, Road, Blvd, Cul-de-sac

ADJOURNMENT

There being no further discussion, Council Member Scott Pream being seconded by Councilmember Mike Lorenson to adjourn at 6:25 pm. On vote being taken, the Chair declared the motion unanimously carried.

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Brian D. Holmer, Mayor

Attest: ________________________________
Angela Philipp, City Administrator