

COUNCIL PROCEEDINGS

Tuesday, December 3, 2024

CALL TO ORDER

This meeting is officially called to order at 5:30 pm on December 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, Lorensen and Aarestad. Arlt, Pream and Bolduc were absent. Mayor Holmer chaired the meeting.

PUBLIC FORUM

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

RESOLUTION NO. : Retirement Plaque Presentation - Trevor Swanson, Volunteer Fire Fighter

RESOLUTION NO. : Megan Maloney, Executive Director, *Visit TRF* - 2025 Budget
Presentation

APPROVE AGENDA

Councilmember Jason Aarestad motioned, being seconded by Councilmember Steve Narverud, to approve the agenda with the addition of 8.5, 8.6 and 8.7.

On vote being taken, the resolution was unanimously passed.

CONSENT AGENDA

RESOLUTION NO. : Approval of November 19, 2024 Council Proceedings

Presented as part of the Consent Agenda, Councilmember Michele McCraw introduced RESOLUTION, being seconded by Councilmember Mike Lorensen, that:

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

On vote being taken, the resolution was unanimously passed.

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

Presented as part of the Consent Agenda, Councilmember Michele McCraw introduced RESOLUTION, being seconded by Councilmember Mike Lorensen, that:

THEREFORE, BE IT RESOLVED By the City Council, to authorize payment of bills and disbursements in the total amount of \$1,521,678.77. 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. : Step Reclassifications in Water Department

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

WHEREAS, Labor Ad Hoc Committee reviewed the current steps with seven employees after meeting with the Superintendent

THEREFORE, BE IT RESOLVED To approve the Step Reclassification of the following Water Systems Employees effective December 4, 2024:

Nicholas Trudeau, Water Systems Foreman, from Grade 7 Step 4 to Grade 7 Step 6

Wade Wallace, Water Plant Operator, from Grade 5 Step 5 to Grade 5 Step 7

Terry Benson, Water Plant Operator, from Grade 5 Step 3 to Grade 5 Step 5

Trentyn Groslie, Water Plant Operator, from Grade 5 Step 2 to Grade 5 Step 4

Wade Cardinal, Water Systems Operator, from Grade 5 Step 4 to Grade 5 Step 6

Ben Myers, Water Systems Operator, from Grade 5 Step 4 to Grade 5 Step 6

Austin Stavenes, Water Systems Operator, from Grade 5 Step 2 to Grade 5 Step 4

The step changes are not retroactive and do not affect Anniversary dates.

On vote being taken, the resolution was unanimously passed.

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

Councilmember Jason Aarestad motioned, being seconded by Councilmember Michele McCraw to call for the second 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 342.27, Subd. 7 on Cannabis operations.
MN State Statute 342.27, 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.

THEREFORE, BE IT RESOLVED Hold the Second 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. After discussion, it was motioned for the Council to approve the ordinance.

RESOLUTION NO. : Approval of Ordinance 114.02 - Cannabis and Lower Potency Hemp Edibles.

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

WHEREAS, 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.

WHEREAS, • 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 342.27, Subd. 7 on Cannabis operations.

MN State Statute 342.27, 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.

THEREFORE, BE IT RESOLVED Approve 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.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. : Authorize City Administrator to advertise for Council Member Ward 3 January 2025 vacancy

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

WHEREAS, Mike Lorenson, current Ward 3 Council Member won the Mayor seat in the November 5th General Election. Mr. Lorenson will be sworn into the Mayor seat on January 7, 2025. This will create a vacant Ward 3 Council Member seat. The City of Thief River Falls can take applications and then interview applicants after January 7, 2025.

WHEREAS, to be eligible for appointment a person must be a United States citizen, a resident of the city within ward 3 district, and at least 21 years old. This term expires December 31, 2026.

THEREFORE, BE IT RESOLVED Advertise two weeks in December in The Times and Watch for the City of Thief River Falls to accept applications to fill a vacancy of Council Member Ward 3 on the Thief River Falls City Council that will be vacant after January 7, 2025.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. : Approve agreement with KNOWink for electronic poll pad systems

Following discussion, Councilmember Steve Narverud introduced Resolution 12.272.24, being seconded by Councilmember Mike Lorensen, that:

WHEREAS, The poll books will be used in the 2026 election, and thereafter, replacing rosters and voter registration applications.

THEREFORE, BE IT RESOLVED Approve the Software License and Services Agreement with KNOWiNK to provide, install and set-up along with training of an electronic poll books system and authorize the City Administrator to execute the Agreement.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. : Approval of a Resolution to accept the transfer and conveyance of real property located at 517 Crocker Ave South, Thief River Falls, MN 56701, to be deeded over to the City by the owner, Orin Haakenson.

Following discussion, Councilmember Steve Narverud introduced Resolution 12.273.24, being seconded by Councilmember Michele McCraw, that:

WHEREAS, The City had sent a letter to Orrin Haakenson related to a hazardous building located at 517 Crocker Avenue South. The house is presently in need of demolition. By accepting the conveyance, the City can schedule demolition of the hazardous building and attempt to recoup the costs related thereto by sale of the empty lot.

WHEREAS, This is to clear up a hazardous building in the City. The owner is voluntarily cooperating with the City in the transfer and conveyance.

THEREFORE, BE IT RESOLVED to approve a Resolution to accept the conveyance of certain real property located at 517 Crocker Avenue South from owner, Orin Haakenson, with the City to cover all costs and fees associated with said transfer.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. : Safe Route to School Support

Authorize the Mayor of Thief River Falls to sign a letter of support for the Safe Routes To School grant for Thief River Falls School District ISD 564.

COUNCIL BOARDS AND COMMISSIONS REPORTS

UPCOMING MEETINGS

RESOLUTION NO. : Public Utilities Committee - December 9th at 7:00 a.m.

RESOLUTION NO. : Public Safety/Liquor Committee - December 9th at 4:30 p.m.

RESOLUTION NO. : Administrative Services Committee - December 10th at 4:30 p.m. Room 201 City Hall

RESOLUTION NO. : Public Works Committee - December 11th at 4:30 p.m.

RESOLUTION NO. : City Council Meeting - December 17th at 5:30 p.m.

INFORMATIONAL ITEMS

RESOLUTION NO. : Canadian Pacific Holiday Train 12/15/2024 - Cookies and Hot Chocolate will be at the Heritage Center. Port-a-Potties will be available in the City Hall gravel parking lot due to construction. The event is free to the public with CP encouraging attendees to make a monetary or heart-healthy food donation to benefit the local food shelf. Estimated time of arrival is 7:45 pm (time will vary). Dress warm and be mindful of street closures and pedestrians.

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

TRUTH IN TAXATION

Council meeting adjourned to the Truth In Taxation hearing at 6 pm. Angie Philipp, City Administrator, presented the report. The hearing adjourned to the normal council meeting at 6:47 pm.

ADJOURNMENT

There being no further discussion, Council member Mike Lorensen being seconded by Councilmember Jason Aarestad to adjourn at 6:30 pm. On vote being taken, the Chair declared the motion unanimously carried.