COUNCIL PROCEEDINGS

Tuesday, June 21, 2022

CALL TO ORDER

This meeting is officially called to order at 5:30 p.m. on June 21, 2022. This meeting is being presided over by Mayor Brian Holmer.

PLEDGE OF ALEGIANCE

ROLL CALL

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

PUBLIC FORUM

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

1. 2021 Audit – Hoffman, Philipp & Martell Pllc – Crystelle Philipp
2. Northland Securities - George Eilertson
3. HDR Recertification of the Dam Presentation - Nate Dalager

APPROVE AGENDA

Councilmember Mike Lorenson motioned, being seconded by Councilmember Steve Narverud, to approve the agenda.

On vote being taken, the resolution was unanimously passed.

CONSENT AGENDA

RESOLUTION NO. 06.121.22: Approval of June 7, 2022 Council Proceedings

Presented as part of the Consent Agenda, Councilmember Jason Aarestad introduced Resolution No 6.121.22, being seconded by Councilmember Curt Howe, that:

THEREFORE, BE IT RESOLVED By the City Council, to approve June 07, 2022 Council Proceedings.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.122.22: City of Thief River Falls Bills and Disbursements and Council Per Diems

Presented as part of the Consent Agenda, Councilmember Jason Aarestad introduced Resolution No 6.122.22, being seconded by Councilmember Curt Howe, that:

THEREFORE, BE IT RESOLVED By the City Council, to authorize payment of bills and disbursements in the total amount of $586,155.11 and council per diems in the total amount of $2,502.50. A printout of the approved payments, disbursements are attached hereto and made a part hereof.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.123.22: Accept and Authorize the Electric Department to Begin the Process to Open a Position of a Full-Time Journey Lineworker

A Councilmember requested removal from the Consent Agenda for discussion, Councilmember Jason Aarestad, introduced Resolution, being seconded by Councilmember Curt Howe, that:

RESOLUTION NO. 06.123.22 be placed in New Business for discussion.

RESOLUTION NO. 06.124.22: Approval of Appointment of Jeremy Treitline as Senior Billing Clerk

Presented as part of the Consent Agenda, Councilmember Jason Aarestad introduced Resolution No 6.123.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, Patsy Lindquist, has submitted her retirement effective September 2, 2022. To continue efficient operations of the Billing Office, the position needed to be filled prior to her leaving. This allows sufficient time for training before her retirement. The City Council adopted Resolution No. 5-92-22 authorizing that the position of Senior Billing Clerk be opened to Teamster #320 Public Work employees. Jeremy Treitline, Billing Clerk II, was determined to be qualified to fill the position of Senior Billing Clerk.

THEREFORE, BE IT RESOLVED To approve the Teamster #320 Internal Transfer of Jeremy Treitline from Billing Clerk II to Senior Billing Clerk, effective June 22, 2022. Mr. Treitline's wage shall be frozen at his current rate of $29.25 per hour and effective September 3, 2022, he shall be placed at Step 1 of the Senior Billing Clerk salary schedule for a starting salary of $30.66 per hour. It should be noted that Mr. Treitline has 30 days to return to his former position, as per Union Contract.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.125.22: Approve Progression Raise for Ricky Swanson, Public Works Maintenance

Presented as part of the Consent Agenda, Councilmember Jason Aarestad introduced Resolution No 6.124.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, The City Council, by Resolution No. 5-118-21, appointed Ricky Swanson as Public Works Maintenance, at Step 2 of the Grade Level 4 Public Works Maintenance salary schedule for a starting salary of $19.53 per hour, effective May 5, 2021. Mr. Swanson moved to Step 3 of the Grade Level 4 on November 5, 2021 for a salary of $22.24 per hour.

THEREFORE, BE IT RESOLVED Approve Ricky Swanson, Public Works Maintenance, the one-year progression raise to Step 4 of the Grade Level 4 Public Works Maintenance salary schedule, for a new hourly wage of $25.46 effective May 5, 2022.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.126.22: Approve Progression Raise for Turner Sawatzke, Public Works Maintenance

Presented as part of the Consent Agenda, Councilmember Jason Aarestad introduced Resolution No 6.125.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, The City Council, by Resolution No. 5-107-21, appointed Turner Sawatzke as Public Works Maintenance, at Step 4 of the Grade Level 4 Public Works Maintenance salary schedule for a starting salary of $24.96 per hour, effective May 10, 2021.

THEREFORE, BE IT RESOLVED Approve Turner Sawatzke, Public Works Maintenance, the one-year progression raise to Step 5 top of the Grade Level 4, for a new hourly wage of $28.18 effective May 10, 2022.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.127.22: Approve Progression Raise for Keaton Huot, Public Works Maintenance

Presented as part of the Consent Agenda, Councilmember Jason Aarestad introduced Resolution No 6.126.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, The City Council, by Resolution No. 5-107-21, appointed Keaton Huot as Public Works Maintenance, at Step 2 of the Grade Level 4 Public Works Maintenance salary schedule for a starting salary of $19.53 per hour, effective May 10, 2021. Mr. Huot moved to Step 3 of the Grade Level 4 on November 10, 2021 for a salary of $22.24 per hour.

THEREFORE, BE IT RESOLVED Approve Keaton Huot, Public Works Maintenance, the one-year progression raise to Step 4 of the Grade Level 4 Public Works Maintenance salary schedule, for a new hourly wage of $25.46 effective May 10, 2022.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.128.22: Approval of Form for Brewer Notification to Furnish Malt Liquor for Sampling Application, and Approval of Application of Rivers & Rails Brewery for a Sampling Event at The Pennington County Fairgrounds on July 17, 2022.

Presented as part of the Consent Agenda, Councilmember Jason Aarestad introduced Resolution No 6.127.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, Minnesota State Statute 340.510, provides for State approval of Malt Liquor Sampling;

WHEREAS, Rivers & Rails Brewery, a licensed microbrewery, has applied to provide notification of a proposed malt liquor Sampling Event to be held on July 17, 2022 during the Pennington County Fair from 12:00 p.m. to 8:00 p.m.;

THEREFORE, BE IT RESOLVED By the City Council, to approve:

1. The attached application form for Brewer Notification To Furnish Malt Liquor For

Sampling;
2. A $35.00 application fee for said applications;
3. Rivers & Rails Brewery, a licensed microbrewery, holding a Sampling Event to be held on July 17, 2022 during the Pennington County Fair from 12:00 p.m. to 8:00 p.m., contingent upon State approval, provision of a signed indemnification and hold harmless agreement, and provision of proof of insurance for said site location and event, which names the City of Thief River Falls, MN, as an additional insured.

On vote being taken, the resolution was unanimously passed.

NEW BUSINESS

RESOLUTION NO. 06.123.22: Accept and Authorize the Electric Department to Begin the Process to Open a Position of a Full-Time Journey Lineworker

Following discussion Councilmember Mike Lorenson moved to table this item, being seconded by Councilmember Michele McCraw, that:

WHEREAS, The City of Thief River Falls has an existing 30-year license for the dam that expires August 31, 2028. Relicensing takes several years to complete. A pre-application document and a Notice of Intent must be submitted in 2023 and the Final License Application submitted by November of 2026. Throughout the relicensing process the City and HDR will track the budget associated with the relicensing support activities with the understanding that additional budget may be required for specific tasks. Those will be addressed in a timely manner if they become necessary.

WHEREAS, The cost of the relicensing will be from the Electric department funds.

THEREFORE, BE IT RESOLVED to accept the proposal from HDR, INC for the FERC relicensing of the Municipal Power Dam Hydroelectric Project in the amount of $260,000.00.

On vote being to table, Prudhomme, Bolduc, Lorenson, Aarestad and McCraw, Narverud, Howe and Holmer voted aye. The motion carried and the item tabled.

RESOLUTION NO. 06.130.22: Approve that the Resolution No. 10-233-15 Amendment to Water Wastewater Rate Resolution No. 1-138-14 is hereby rescinded effective June 22, 2022

Following discussion, Councilmember Mike Lorenson introduced Resolution No 6.129.22, being seconded by Councilmember Rachel Prudhomme, that:

WHEREAS, On January 21, 2014 the City Council adopted Resolution Number 01-38-14 for Approval of Water and Wastewater Rate Increase Effective with the February 2014 Billing.

On October 19, 2015 the City Council adopted Resolution Number 10-233-15 for Approval of Amendment to Water Wastewater Rate Resolution No. 1-138-14 whereas, the City shall charge a $25.00 per month fee to those customers who do not allow the installation of the water meter communication modules on the outside of their buildings.

THEREFORE, BE IT RESOLVED Approve that the Resolution No. 10-233-15

Amendment to Water Wastewater Rate Resolution No. 1-138-14 is hereby rescinded effective June 22, 2022.

On vote being taken, the resolution was unanimously passed.

Call for First Reading to Consider Amendment to City Code Chapter 152.154 to add INDOOR GUN RANGE CONDITIONAL USE PERMIT and by adopting by reference City Code Chapter 10 and Section 152.998, which, among other things, contain penalty provisions.

Councilmember Jason Aarestad motioned, being seconded by Councilmember Mike Lorenson to call for the first reading of an ordinance of to Consider Amendment to City Code Chapter 152.154 to add INDOOR GUN RANGE CONDITIONAL USE PERMIT and by adopting by reference City Code Chapter 10 and Section 152.998, which, among other things, contain penalty provisions.

WHEREAS, The City of Thief River Falls has sections in the city code within land usage that controls among other things the zoning code. Periodically when warranted these regulations are reviewed and amended to address circumstances as requested.

WHEREAS, The City of Thief River Falls currently does not allow an indoor gun range. Recent inquires by people interested in opening an indoor gun range have prompted the Planning Commission to study requirements to allow them in our community. The ordinance being considered was developed to safely allow this type of business and identify the locations where they can be.

THEREFORE, BE IT RESOLVED Call for first reading to consider amendment to City Code Chapter 152.154 to add INDOOR GUN RANGE CONDITIONAL USE PERMIT and by adopting by reference City Code Chapter 10 and Section 152.998, which, among other things, contain 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. Councilmember Rachel Prudhomme opposed to the reading.

RESOLUTION NO. 06.131.22: Approve Conditional Use Permit for illuminated sign at Zion Lutheran Church, 505 Main Avenue North.

Following discussion, Councilmember Steve Narverud introduced Resolution No 6.130.22, being seconded by Councilmember Michele McCraw, that:

WHEREAS, The City of Thief River Falls has sections in the city code within land usage that controls among other things the zoning code. This section includes requirements for signs. This section governs all sign regulations including those excluded from a permit, prohibited signs, and definitions.

WHEREAS, Zion Lutheran Church, 505 Main Avenue North, has applied for a Conditional Use Permit to allow an illuminated sign. The conditional use permit requirement allows a review to assure there are no negative impacts to adjacent properties from the illuminated sign.

THEREFORE, BE IT RESOLVED Approve Conditional Use Permit for illuminated sign at Zion Lutheran Church, 505 Main Avenue North.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.132.22: Adopt a resolution calling for a public hearing on Tuesday, September 6, 2022, at 5:30 PM by the City Council on the proposed Modification to the Development Program for Development District No. 1 and the proposed Establishment of Tax Increment Financing District No. 1-15 therein and the adoption of the Tax Increment Financing Plan therefor; Authorizing a gap analysis; and authorizing the collection of certain related costs.

Following discussion, Councilmember Mike Lorenson introduced Resolution No 6.131.22, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, Nathan Anderson of Nile has purchased property and is developing plans for the Gracewin Senior Housing Cooperative. This project is a 36-unit multi-family age restricted housing for purchase project. It is located along Vanrooy Drive south of Altra Care Chiropractic Clinic. Mr. Anderson has been working on this project for approximately 18 months to presell units. He is under construction with a similar project in Baxter, Minnesota.

WHEREAS, Nathan Anderson of Nile has purchased property and is developing plans for the Gracewin Senior Housing Cooperative. This project is a 36-unit multi-family age restricted housing for purchase project. It is located along Vanrooy Drive south of Altra Care Chiropractic Clinic. Mr. Anderson has been working on this project for approximately 18 months to presell units. He is under construction with a similar project in Baxter, Minnesota.

THEREFORE, BE IT RESOLVED Adopt a resolution calling for a public hearing on Tuesday, September 6, 2022, at 5:30 PM by the City Council on the proposed Modification to the Development Program for Development District No. 1 and the proposed Establishment of Tax Increment Financing District No. 1-15 therein and the adoption of the Tax Increment Financing Plan therefor; Authorizing a gap analysis; and authorizing the collection of certain related costs.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.133.22: Resolution Relating To $2,820,000 General Obligation Bonds, Series 2022a; Authorizing The Issuance, Awarding The Sale, Prescribing The Form And Details, Providing For The Payment Thereof.

Following discussion, Councilmember Curt Howe introduced Resolution No 6.132.22, being seconded by Councilmember Steve Narverud, that:

BE IT RESOLVED by the City Council (the "Council") of the City of Thief River Falls, Minnesota (the "City"), as follows:

Section 1. Authorization; Purpose. It is hereby determined to be in the best interests of the City to issue its General Obligation Bonds, Series 2022A (the "Bonds"), as authorized pursuant to Minnesota Statutes, Chapters 429, 444, and 475, for the purpose of financing various street and water utility improvement projects within the City and funding costs of issuance of the Bonds.

Section 2. Notice of Sale. Northland Securities, Inc., municipal advisor to the City, has presented to this Council a form of Notice of Sale for the Bonds which is attached hereto and hereby approved and which shall be placed on file by the City Administrator. Each and all of the provisions of the Notice of Sale are hereby adopted as the terms and conditions of the Bonds and of the sale thereof, subject to adjustment for issue price compliance terms that may be required prior to the date of sale. Northland Securities, Inc., as independent municipal advisor, pursuant to Minnesota Statutes, Section 475.60, Subdivision 2, paragraph (9), is hereby authorized to solicit bids for the Bonds on behalf of the City on a competitive basis without requirement of published notice.

Section 3. Adjustment of Principal Amount of Bonds. The principal amount of the Bond issue shall be adjusted in accordance with staff recommendations upon receipt of bids for the financed projects, provided that the principal amount shall be approximately $2,820,000.

Section 4. Award and Sale. The City Council shall meet at the times and place shown in the attached Notice of Sale for the purpose of considering sealed bids for the purchase of the Bonds and of taking such action thereon as may be in the best interest of the City.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.134.22: Approval to Authorize The City of Thief River Falls to Enter Into a Municipal Advisory Service Agreement with Northland Securities, Inc. for General Obligation Bonds, Series 2022a.

Following discussion, Councilmember Mike Lorenson introduced Resolution No 6.133.22, being seconded by Councilmember Michele McCraw, that:

BE IT RESOLVED, by the City Council, to authorize the City of Thief River Falls to enter into an agreement with Northland Securities, Inc. for Financial Planning Services for the General Obligation Bonds, Series 2022A at approximately $20,104.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.135.22: Resolution Establishing Procedures Relating to Compliance with Reimbursement Bond Regulations Under The Internal Revenue Code

Following discussion, Councilmember Steve Narverud introduced Resolution No 6.134.22, being seconded by Councilmember Curt Howe, that:

BE IT RESOLVED by the City Council (the "Council") of the City of Thief River Falls, Minnesota (the "City"), as follows:

1. Recitals.

(a) The Internal Revenue Service has issued Treasury Regulations, Section 1.150-2 (as the same may be amended or supplemented, the "Regulations"), dealing with "reimbursement bond" proceeds, being proceeds of bonds used to reimburse the City for any project expenditure paid by the City prior to the time of the issuance of those bonds.

(b) The Regulations generally require that the City (as the issuer of or the primary obligor under the bonds) make a declaration of intent to reimburse itself for such prior expenditures out of the proceeds of subsequently issued bonds, that such declaration be made not later than 60 days after the expenditure is actually paid, and that the bonding occur and the written reimbursement allocation be made from the proceeds of such bonds within 18 months after the later of (1) the date of payment of the expenditure or (2) the date the project is placed in service (but in no event more than 3 years after actual payment).

(c) The City heretofore implemented procedures for compliance with the predecessor versions of the Regulations and desires to amend and supplement those procedures to ensure compliance with the Regulations.

(d) The City's bond counsel has advised the City that the Regulations do not apply, and hence the provisions of this Resolution are intended to have no application, to payments of City project costs first made by the City out of the proceeds of bonds issued prior to the date of such payments.

2. Official Intent Declaration. The Regulations, in the situations in which they apply, require the City to have declared an official intent (the "Declaration") to reimburse itself for previously paid project expenditures out of the proceeds of subsequently issued bonds. The Council hereby authorizes the Administrator to make the City's Declarations or to delegate from time to time that responsibility to other appropriate City employees. Each Declaration shall comply with the requirements of the Regulations, including without limitation the following:

(a) Each Declaration shall be made not later than 60 days after payment of the applicable project cost and shall state that the City reasonably expects to reimburse itself for the expenditure out of the proceeds of a bond issue or similar borrowing. Each Declaration may be made substantially in the form of the Exhibit A which is attached to and made a part of this Resolution, or in any other format which may at the time comply with the Regulations.

(b) Each Declaration shall (1) contain a reasonably accurate description of the "project," as defined in the Regulations (which may include the property or program to be financed, as applicable), to which the expenditure relates and (2) state the maximum principal amount of bonding expected to be issued for that project.

(c) Care shall be taken so that the City, or its authorized representatives under this Resolution, not make Declarations in cases where the City doesn't reasonably expect that reimbursement bonds will be issued to finance the subject project costs, and the City officials are hereby authorized to consult with bond counsel to the City concerning the requirements of the Regulations and their application in particular circumstances.

(d) The Council shall be advised from time to time on the desirability and timing of the issuance of reimbursement bonds relating to project expenditures for which the City has made Declarations.

3. Reimbursement Allocations. If the City is acting as the issuer of the reimbursement bonds, the designated City officials shall also be responsible for making the "reimbursement allocations" described in the Regulations, being generally written allocations that evidence the City's use of the applicable bond proceeds to reimburse the original expenditures.

4. Effect. This Resolution shall amend and supplement all prior resolutions and/or procedures adopted by the City for compliance with the Regulations (or their predecessor versions), and, henceforth, in the event of any inconsistency, the provisions of this Resolution shall apply and govern.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.136.22: Allow Food Trucks to be Present and Parked in the Grass at the Floyd B. Olson Park During the Farmers Market Schedule on Saturdays from 9:00 am-noon.

Following discussion, Councilmember Rachel Prudhomme introduced Resolution No 6.135.22, being seconded by Councilmember Anthony Bolduc, that:

THEREFORE, BE IT RESOLVED Allow Food Trucks to be Present and Parked in the Grass at the Floyd B. Olson Park During the Farmers Market Schedule on Saturdays from 9:00 am-noon.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.137.22: To lend the Thief River Falls Regional Airport Authority up to One Hundred Thousand ($100,000) Dollars at 5% interest with annual payments over a ten (10) year period to be used to help finance the airport driveway rehabilitation project that is adjacent to the college entrance.

Following discussion, Councilmember Steve Narverud introduced Resolution No 6.136.22, being seconded by Councilmember Anthony Bolduc, that:

THEREFORE, BE IT RESOLVED To lend the Thief River Falls Regional Airport Authority up to One Hundred Thousand ($100,000) Dollars at 5% interest with annual payments over a ten (10) year period to be used to help finance the airport driveway rehabilitation project that is adjacent to the college entrance.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.138.22: Appoint Councilmember Jason Aarestad to all opioid meetings the City of Thief River Falls is invited to.

Following discussion, Councilmember Anthony Bolduc introduced Resolution No 6.137.22, being seconded by Councilmember Rachel Prudhomme, that:

THEREFORE, BE IT RESOLVED Appoint council member Jason Aarestad to all opioid meetings the City of Thief River Falls is invited to. The attendance of this meeting would qualify for a per diem submission.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.139.22: Appoint Councilmember Rachel Prudhomme to the Child Care Task Force to attend on behalf of the City of Thief River Falls.

Following discussion, Councilmember Mike Lorenson introduced Resolution No 6.138.22, being seconded by Councilmember Anthony Bolduc, that:

THEREFORE, BE IT RESOLVED Appoint Rachel Prudhomme to the Child Care Task Force board. The attendance of this meeting would qualify for a per diem submission.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 06.140.22: Approve landscaping estimate from the Cider Mill to plant the newly purchased plants for the REA Rain gardens, install new block edging, installation of weed fabric, and installation of rock for the amount of $13,531.25. Completing this list of tasks would bring the current SWCD contract into compliance. Completion of the work proposed, would also bring a fresh look to the front of the Ralph Englestad Arena.

Following discussion, Councilmember Curt Howe introduced Resolution No 6.139.22, being seconded by Councilmember Anthony Bolduc, that:

WHEREAS, In 2021, Venuworks, Inc. submitted a request to Public Works Committee for the raingardens at the REA to be restored to original condition. This request was supported by an existing contract that the city signed with the SWCD. The Public Works Department took on the role to try and reach the needs of the contract. On 4/19/2022 City Council approved the purchase of the necessary replacement plants. The plants are ready to be planted.

THEREFORE, BE IT RESOLVED Approve landscaping estimate from the Cider Mill to plant the newly purchased plants for the REA Rain gardens, install new block edging, installation of weed fabric, and installation of rock for the amount of $13,531.25. Completing this list of tasks would bring the current SWCD contract into compliance. Completion of the work proposed, would also bring a fresh look to the front of the Ralph Englestad Arena.

On vote being taken, the resolution was unanimously passed.

COUNCIL BOARDS AND COMMISSIONS REPORTS

- Councilmember Mike Lorenson reminds residents that the water table is high and to pump water to the street.

UPCOMING MEETINGS

1. Committee of Whole - June 21st immediately following Council Meeting
2. City Council Meeting - July 5th at 5:30 P.M.
3. Utilities Committee - July 11th at 7:00 A.M.
4. Public Safety/Liquor Committee - July 11th at 4:30 P.M.
5. Administrative Services Committee - July 12th at 4:30 P.M. Room 201 City Hall

6. Public Works Committee - July 13th at 4:30 P.M.

INFORMATIONAL ITEMS

- Investment Summary 5/2022

ADJOURNMENT

There being no further discussion, Councilmember Anthony Bolduc, being seconded by Councilmember Mike Lorenson to adjourn at 6:49 p.m. On vote being taken, the Chair declared the motion unanimously carried.

Brian D. Holmer, Mayor

Attest:

Angela Philipp, City Administrator