COUNCIL PROCEEDINGS

Tuesday, August 16, 2022

CALL TO ORDER
This meeting is officially called to order at 5:30 p.m. on August 16, 2022. This meeting is being presided over by Mayor Brian Holmer.

PLEDGE OF ALEGIANCE

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

PUBLIC HEARING

Amending the City Code Chapter 94.04 Farm Animals to allow chickens
Community members expressed opinions.

Public Hearing closed at 6:03 p.m.

PUBLIC FORUM

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

- Certificate of Recognition Presented to Turner Swatzke
- Certificate of Recognition Presented to Brian Joppru
- Annual Report for the Small Business Development Center - Christine Anderson

APPROVE AGENDA
Councilmember Mike Lorenson motioned, being seconded by Councilmember Anthony Bolduc, to approve the agenda.

On vote being taken, the resolution was unanimously passed.

CONSENT AGENDA

RESOLUTION NO. 08.178.22: Approval of August 2, 2022 Council Proceedings

Presented as part of the Consent Agenda, Councilmember Michele McCraw introduced Resolution No. 08-178-22, being seconded by Councilmember Mike Lorenson, that:

THEREFORE, BE IT RESOLVED By the City Council, to approve the August 2, 2022 Council Proceedings.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 08.179.22: City of Thief River Falls Bills and Disbursements And Council Per Diems

Presented as part of the Consent Agenda, Councilmember Michele McCraw introduced Resolution No. 08-179-22, being seconded by Councilmember Mike Lorenson, that:

THEREFORE, BE IT RESOLVED By the City Council, to authorize payment of bills and disbursements in the total amount of $763,357.38 and council per diems in the total amount of $325.00. A printout of the approved payments, disbursements are attached hereto and made a part hereof.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 08.180.22: Approval of Appointment of Mark Bieganek as Co-Fire Chief

Councilmember Jason Aarestad, requested removal from the Consent Agenda for discussion, motioned by Councilmember Michele McCraw, being seconded by Councilmember Curt Howe, that:

RESOLUTION NO. 08.180.22 be placed in New Business for discussion.

RESOLUTION NO. 08.181.22: Approve to Fill Position of Fire Fighter

Presented as part of the Consent Agenda, Councilmember Michele McCraw introduced Resolution No. 08-181-22, being seconded by Councilmember Mike Lorenson, that:

WHEREAS, A position has opened due to the intent to retire submitted by Marty Semanko, effective Sept. 2, 2022 and the internal transfer of Mark Bieganak to the open Co-Fire Chief Position. The department needs to fill the Fire Fighter position to run efficiently.

THEREFORE, BE IT RESOLVED Approve and authorize to fill a vacant position of Fire Fighter, due to the upcoming retirement of Marty Semanko. The position will be opened to the public for filling due to internal transfer of Mark Bieganek to the Co-Fire Chief Position.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 08.182.22: Approve American Legion Post 117 Gambling Premises Permit on the Premises of Mulligans

Presented as part of the Consent Agenda, Councilmember Michele McCraw introduced Resolution No. 08-182-22, being seconded by Councilmember Mike Lorenson, that:

WHEREAS, The American Legion Post 117 is required to obtain the City's approval to conduct lawful gambling on the premises of Mulligans prior to submitting an application to the State of Minnesota.

WHEREAS, $150 Annual Premises Permit Fee, for each permit (non-refundable) to the State of MN.

THEREFORE, BE IT RESOLVED Authorize the American Legion Post 117 to conduct lawful gambling on the premises of Mulligans at 1060 Highway 32 South.

On vote being taken, the resolution was unanimously passed.

NEW BUSINESS

RESOLUTION NO. 08.180.22: Approval of Appointment of Mark Bieganek as Co-Fire Chief

Following discussion, Councilmember Michele McCraw introduced Resolution No. 08-180-22, being seconded by Councilmember Mike Lorenson, that:

WHEREAS, Marty Semanko, has submitted his retirement effective September 2, 2022. To continue efficient operations of the Fire Department, the position needed to be filled prior to him leaving. The City Council adopted Resolution No. 7-166-22 authorizing that the position of Co-Fire Chief be opened to Teamster #320 employees. Mark Bieganek, Fire Fighter, was determined to be qualified to fill the position of Co-Fire Chief.

THEREFORE, BE IT RESOLVED Approve the Teamster #320 Internal Transfer of Mark Bieganek from Fire Fighter to Co-Fire Chief, effective September 3, 2022. Mr. Bieganek's wage shall be frozen at his current rate of $30.43 per hour and effective September 3, 2022, he shall begin receiving a $400/month stipend along with his hourly wage. It should be noted that Mr. Bieganek has 30 days to return to his former position, as per Union Contract.

On vote being taken, the resolution was unanimously passed.

First Reading of Amending City Code Chapter 94 Entitled "Animals" By Adding Sections 94.17 Through 94.30, "Chickens", and Adopting By Reference City Code Chapter 10

Following discussion Councilmember Rachel Prudhomme moved to table this item to send back to Public Safety/Liquor Committee, being seconded by Councilmember Jason Aarestad, that:

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. 08.183.22: 2023 HRA Levy Legislation

Following discussion, Councilmember Steve Narverud introduced Resolution No. 08-183-22, being seconded by Councilmember Michele McCraw, that:

WHEREAS, The HRA is a public non-profit entity serving the counties of Kittson, Polk, Marshall, Pennington, Roseau and Red Lake in Northwestern Minnesota. Their mission includes creation and operation of housing programs, along with community and economic development. In addition, they have contracted with various cities and counties to manage programs, such as the Small Cities Housing Redevelopment Program for the City of Thief River Falls on numerous occasions.

WHEREAS, The HRA has had the ability to levy for funds to carry out their mission and leverage several outside funding sources. This ability was established in 2008 for five years and extended five more years in 2013. This legislation was part of a larger bill in 2018 that was vetoed by the Governor. It was approved by the state legislature for another five-year extension in 2019 that will sunset with taxes payable in 2024. The HRA is asking the cities and counties they serve to approve resolutions of support as they approach the legislature for a proposed ten-year extension that will take them through 2033.

WHEREAS, The HRA needs the levy extension to function effectively. There is no cost to the city for this resolution of support.

THEREFORE, BE IT RESOLVED Approve a resolution supporting legislative action to extend the current HRA levy through 2033.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 08.184.22: F4 LLC – Conditional Use Permit Request

Following discussion, Councilmember Curt Howe introduced Resolution No. 08-184-22, being seconded by Councilmember Steve Narverud, that:

WHEREAS, F4 LLC purchased the vacant property south of Cenex for the purpose of constructing a car and truck wash. This property is located at 2050 US Highway 59 Southeast and is currently zoned General Business District (C-2). This is an allowable use in this zoning district with a conditional use permit.

WHEREAS, The city recently added "Car and Truck Wash Business" as a conditional use in General Business District (C-2), and Central Business District (C-3) to allow input from the Water Systems Superintendent. This type of business generally does not qualify as a significant user that would require wastewater monitoring and or treatment by the Minnesota Pollution Control Agency (MPCA). The requirement of a conditional use permit will allow the city the ability to place conditions regarding wastewater discharge on a case-by-case basis.

WHEREAS, Costs associated with the Conditional Use Permit are paid by the applicant.

WHEREAS, A Public Hearing was held by the Planning Commission to review this request.

THEREFORE, BE IT RESOLVED Approve a Conditional Use Permit for F4 LLC Car and Truck Wash with the following conditions:

- Subject to final site plan review
- Subject to policies on chemical usage
- Subject to security cameras on-site
- Subject to wastewater sampling as testing as per Water Systems Superintendent

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 08.185.22: Gracewin Senior Housing Cooperative – Housing District Tax Increment Financing

Following discussion, Councilmember Steve Narverud introduced Resolution No. 08-185-22, being seconded by Councilmember Anthony Bolduc, 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, The developer has requested Housing Tax Increment Financing to assist with development costs. His request is based on rising interest rates and construction costs. This project is unique in the fact that it will put 36 single family homes on the market as the units are sold. Mr. Anderson has also agreed to reconstruct Vanrooy Drive as a paved urban section street to city standards in place of the existing aggregate rural section roadway near and adjacent to his property as a TIF eligible cost and turn it over to the city when completed.

WHEREAS, Nile will be responsible for all costs associated with the development of the TIF. If approved this TIF is allowable up to 26 years.

WHEREAS, A Public Hearing needs to be held prior to approval as well as notification to Pennington County and ISD #564.

THEREFORE, BE IT RESOLVED Adopt a resolution amending the public hearing date scheduled for Tuesday, September 6, 2022, to Tuesday, October 4, 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.

This date change is required to allow time to revise the legal description of the parcel

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 08.186.22: Approve Resolution on Special Session to include an LGA Increase

Following discussion, Councilmember Jason Aarestad introduced Resolution No. 08-186-22, being seconded by Councilmember Steve Narverud, that:

THEREFORE, BE IT RESOLVED That the City Council of Thief River Falls, Minnesota urges through this Resolution to Governor Walz to declare a special session and to its lawmakers to work in a bipartisan way to pass a bonding bill and a tax bill that includes an LGA increase; and

BE IT FURTHER RESOLVED that this resolution be transmitted to US 7th Congressional Representative Michelle Fischbach, Senator Amy Klobuchar. Senator Tina Smith, Speaker of the House Melissa Hortman, Senate Majority Leader Jeremy Miller, House Minority Leader Kurt Daudt. Senate Minority Leader Melissa Lopez Franzen, and Governor Tim Walz.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 08.187.22: Approve Chief's Coulee Improvement Project

Following discussion, Councilmember Jason Aarestad introduced Resolution No. 08-187-22, being seconded by Councilmember Anthony Bolduc, that:

WHEREAS, The City of Thief River Falls has been planning and designing Flood Damage Reduction and Water Quality Improvements on the Chief's Coulee in the Northwest quadrant of the City. The proposal is to divert some of the Agricultural runoff North to County Ditch 70. Regrading the Coulee, properly sizing the culverts, and installing Water Quality Improvement Structures will reduce flooding and improve Water Quality before it enters the Red Lake River near Red Robe Park.

WHEREAS, The Water Quality in Chief's Coulee is impaired with several contaminants, and it discharges ahead of the City's Drinking Water Source which contributes to Treatment challenges. Landowner partnerships are also key to the successful project, to keep contaminants out of the channel.

WHEREAS, Engineers' estimate for this project is $ 1,812,700.00 and will be funded through Clean Water grants and local shares.

THEREFORE, BE IT RESOLVED Approve a Project Partnership with the Red Lake Watershed Board of Managers for the improvement of Chief's Coulee in Thief River Falls.

On vote being taken, the resolution was unanimously passed.

COUNCIL BOARDS AND COMMISSIONS REPORTS

- Councilmember Mike Lorenson mentioned there is a number of scam calls circulating regarding paying your utility bill and getting 25% off your bill. This is a scam.
- Councilmember Rachel Prudhomme thanked everyone for coming to the Night to Unite. Thank you to the Chamber and volunteers, it was good to see so many out for the Riverfest. On August 17th, at the Pioneer Village, there is car seat checks, child ids and ECFE and explore and play from 10 a.m. to noon. Also, Westside Motors Tackle Cancer Fundraiser cookout - August 18th from 11 a.m. to 2 p.m.

UPCOMING MEETINGS

- Joint City, County and School in the Imperial Room - August 29th at 5:30 p.m.
- City Council Meeting - September 6th at 5:30 P.M.
- Committee of Whole - September 6th following City Council Meeting
- Utilities Committee - September 12th at 7:00 A.M.
- Public Safety/Liquor Committee - September 12th at 4:30 P.M.
- Administrative Services Committee - September 13th at 4:30 P.M. Room 201 City Hall
- Public Works Committee - September 14th at 4:30 P.M.
- City Council Meeting - September 20th at 5:30 P.M.

INFORMATIONAL ITEMS

- Investment Summary 7/2022

ADJOURNMENT

There being no further discussion, Councilmember Anthony Bolduc, being seconded by Councilmember Mike Lorenson to adjourn at 6:51 p.m. On vote being taken, the Chair declared the motion unanimously carried.

Brian D. Holmer, Mayor

Attest:

Angela Philipp, City Administrator