

COUNCIL PROCEEDINGS

Tuesday, September 20, 2022

CALL TO ORDER

This meeting is officially called to order at 5:30 p.m. on September 20, 2022. This meeting is being presided over by Mayor Brian Holmer.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

PUBLIC FORUM

- Mike Barry expressed appreciation and need to keep funds for Advance TRF in the City of Thief River Falls budget for 2023.
- Dave Doherty expressed appreciation to Advance TRF.

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

APPROVE AGENDA

Councilmember Mike Lorenson motioned, being seconded by Councilmember Curt Howe, to approve the agenda with removal of item 12 and the addition of 8.9, 8.10 and 8.11.

On vote being taken, the resolution was unanimously passed.

CONSENT AGENDA

RESOLUTION NO. 09.194.22: Approval of September 6, 2022 Council Proceedings

Presented as part of the Consent Agenda, Councilmember Rachel Prudhomme introduced Resolution 09.194.22, being seconded by Councilmember Jason Aarestad, that:

THEREFORE, BE IT RESOLVED By the City Council, to approve the September 6, 2022 Council Proceedings.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.195.22: City of Thief River Falls Bills and Disbursements And Council Per Diems

Presented as part of the Consent Agenda, Councilmember Rachel Prudhomme introduced Resolution 09.195.22, being seconded by Councilmember Jason Aarestad, that:

THEREFORE, BE IT RESOLVED By the City Council, to authorize payment of bills and disbursements in the total amount of \$702,065.74 and council per diems in the total amount of \$1,202.50. 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. 09.196.22: Approval to Begin Process to Fill Position of Deputy Chief

Presented as part of the Consent Agenda, Councilmember Rachel Prudhomme introduced Resolution 09.196.22, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, Due to the retirement of Deputy Chief Jaeger Bellows, effective October 28th, 2022, the position will be vacant. It is crucial to get this position hired prior to Deputy Chief Bellows retirement so the new Deputy Chief can be trained in.

THEREFORE, BE IT RESOLVED Approve to begin the process of filling the position of Deputy Chief. The position is a Grade Level 9 position. The Deputy Chief position will be posted internally on September 21st, 2022, pending council approval.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.197.22: Fill Part-time Off Sale Clerk Position in Liquor Department

Presented as part of the Consent Agenda, Councilmember Rachel Prudhomme introduced Resolution 09.197.22, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, The position has been determined to be necessary in the continued efficiency and success in the operations of the Liquor Department.

THEREFORE, BE IT RESOLVED Approve to fill a part-time Off Sale Clerk position at Falls Liquors and open the position to Teamster No. 320 Union employees as part of the internal transfer process. In the event that the position is not filled through the Teamster internal transfer process, the position will be opened to the public.

On vote being taken, the resolution was unanimously passed.

NEW BUSINESS

RESOLUTION NO. 09.198.22: Approve 2021 Street and Utilities Improvement-Estimate #3

Following discussion, Councilmember Steve Narverud introduced Resolution 09.198.22, being seconded by Councilmember Michele McCraw, 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 Davidson Construction, Inc. in the amount of \$784,427.45. This project included the following items of work:

1. Franklin Middle School Safe Route to School Multi-Use Trail
2. Oakland Park Multi-Use Trail
3. Fairgrounds Miscellaneous Paving
4. Valley Home Access Realignment
5. Airport Entrance Road Repair
6. Miscellaneous Patching
7. Robson Court Street Construction

Bids for this project were received on September 7th, 2021, from two contractors. The low bid was received from Davidson Construction in the amount of \$784,427.45 and from R.J. Zavoral and Sons in the amount of \$855,753.29.00 The Engineer's estimate was \$689,666.50 The low bid was 14% above the estimate.

THEREFORE, BE IT RESOLVED Approve Application for Payment Estimate #3 in the amount of \$212,318.31, from Davidson Construction for work completed on the 2021 Street and Utilities Improvement project.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.199.22: Approve 2022 Street Improvements Project

Following discussion, Councilmember Curt Howe introduced Resolution 09.199.22, being seconded by Councilmember Rachel Prudhomme, that:

WHEREAS, The proposed work was bid as a result of meetings with department heads, Council Committees, developers, and according to items in the City's Capital Improvement Plan.

WHEREAS, Bids for this project were received on May 5th, 2022 from three contractors. The low bid was received from Agassiz Asphalt, LLC in the amount of \$1,657,013.45. The Engineer's Estimate was \$1,791,328.00. The low bid was 8% below the estimate.

THEREFORE, BE IT RESOLVED Approve Application for Payment Estimate #2 in the amount of \$53,243.86, from Agassiz Asphalt, LLC for work completed on the 2022 Street Improvements Project.

On vote being taken, the resolution was unanimously passed.

First Reading Camping Ordinance

Councilmember Jason Aarestad motioned, being seconded by Rachel Prudhomme Councilmember to call for the first reading of an ordinance of the city of Thief River Falls, Minnesota, amending city code chapter 130 entitled "general offenses" by adding provisions prohibiting camping and temporary lodging to park regulations, and by adopting by reference city code chapter 10 and section 152.998, which, among other things, contain penalty provisions.

Councilmember Rachel Prudhomme motioned, being seconded by Jason Aarestad Councilmember to change Parks and Recreation Director to Public Works Director.

WHEREAS, An ordinance of the city of Thief River Falls, Minnesota, amending city code chapter 130 entitled "general offenses" by adding provisions prohibiting camping and temporary lodging to park regulations, 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. City Code is hereby amended by adding §130.03 (C), to read as follows:

(C) No person shall establish or maintain any camp or other temporary lodging or sleeping place in any public park unless authorized by permit or with the express consent of the Parks and Recreation Director.

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.

THEREFORE, BE IT RESOLVED Call for First Reading of an ordinance of an ordinance of the city of Thief River Falls, Minnesota, amending city code chapter 130 entitled "general offenses" by adding provisions prohibiting camping and temporary lodging to park regulations, and by adopting by reference city code chapter 10 and section 152.998, which, among other things, contain penalty provisions.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.200.22: Adopt the City of Thief River Falls Preliminary 2023 Budget

Following discussion, Councilmember Mike Lorenson introduced Resolution 09.200.22, being seconded by Councilmember Rachel Prudhomme, that:

THEREFORE, BE IT RESOLVED By the City Council, to adopt the City of Thief River Falls Preliminary 2023 Budget. A summary of the 2023 revenue and expenditures is as follows:

	2023 REVENUE	2023 EXPENSE	FUND BALANCE RESERVES + OR -
General Fund	\$ 9,785,645.00	\$ 9,785,645.00	\$ -
Liquor Dispensary	\$ 5,226,350.00	\$ 5,385,751.00	\$ (159,401.00)
Electric Utility Fund	\$ 17,065,000.00	\$ 17,031,832.00	\$ 33,168.00
Storm Water Utility Fund	\$ 347,000.00	\$ 347,000.00	\$ -
Water Utility Fund	\$ 3,092,342.00	\$ 2,530,197.00	\$ 562,145.00
Wastewater Utility Fund	\$ 1,207,150.00	\$ 1,082,408.00	\$ 124,742.00
Police Relief Pension Fund	\$ 10,610.00	\$ 14,304.00	\$ (3,694.00)
Debt Service Fund	\$ 1,377,147.00	\$ 1,323,117.00	\$ 54,030.00
TOTALS	\$ 38,111,244.00	\$ 37,500,254.00	\$ 610,990.00

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.201.22: Approval of Proposed 2023 Tax Levy

Following discussion, Councilmember Steve Narverud introduced Resolution 09.201.22, being seconded by Councilmember Michele McCraw, that:

WHEREAS, That the Truth-n-Taxation public meeting will be held on December 6, 2022 at 6:00 p.m. to discuss the 2023 budget & levy. Final budget and levy will be adopted at the December 20, 2022 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 2023, upon taxable property in the City of Thief River Falls, for a total proposed levy of \$3,374,156.00. This represents \$414,332.00 or approximately 14% increase over last year's levy.

It should be noted that with the proposed tax capacity increase for 2023, a 14% tax levy increase results in an estimated 1.047% decrease in the tax capacity rate.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.202.22: Resolution declaring cost to be assessed and ordering preparation of assessment roll for the 2022 Street & Utilities Improvements Project

Following discussion, Councilmember Rachel Prudhomme introduced Resolution 09.202.22, 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. The Project was awarded to Agassiz Asphalt in the amount of \$1,657,013.45. The Engineer's Estimate was \$1,791,328.00.

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 2022 Street & Utilities Improvements Project and order the preparation of the assessment roll. The estimated amount to be assessed is approximately \$762,526.72.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.203.22: Resolution establishing a public hearing with regard to proposed assessments on the 2022 Street & Utilities Improvements Project

Following discussion, Councilmember Curt Howe introduced Resolution 09.203.22, being seconded by Councilmember Mike Lorensen, that:

WHEREAS, Pursuant to Resolution No. 9-202-22, the City Administrator and Community Services Director were directed to prepare the proposed assessments of the 2022 Street and Utilities Improvements Project; and

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

THEREFORE, BE IT RESOLVED By the City Council of Thief River Falls, that:

1. A hearing shall be held on the 18th day of October, 2022 in the Council

Chambers of City Hall at 7:00 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment; and

2. The City Administrator is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and the City Administrator shall state in the notice the total cost of the improvement, The City Administrator shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing; and
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the Pennington County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Administrator, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. The property owner may at any time thereafter, pay to the City the entire amount of the assessment remaining unpaid, with interest accrued to December 31st of the year in which such payment is made. Such payment must be made before November 15th or interest will be charged through December 31st of the succeeding year.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.204.22: Approve Front End Loader Lease (644 John Deere)

Following discussion, Councilmember Michele McCraw introduced Resolution 09.204.22, being seconded by Councilmember Rachel Prudhomme, that:

WHEREAS, The city owns and maintains a fleet of vehicles and equipment for snow removal and other street maintenance operations. The efficient plowing of streets and removing snow in the central business district requires the use of two front end loaders. The city currently owns a 2008 Case 721, and a 2016 John Deere 624 Front End Loader(s). It has been discussed with the Electric Department that a larger loader would be beneficial for their department when maneuvering transformers. Upon further investigation with snow removal personnel, a larger loader would be beneficial for snow removal as well.

WHEREAS, The city currently owns two front end loaders. Transitioning to a larger loader requires a new JRB attachment coupler. The transition would separate the larger loader for use of snow removal, snow blowing, material moving(bucket), jib boom(electric).

THEREFORE, BE IT RESOLVED Approve a Front End Loader(John Deere 644) Lease agreement with RDO Equipment for the 2023 through the 2028 snow seasons.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.205.22: Approval to appoint Wayne Johnson as General Manager of Water, Wastewater, and Electric.

Following discussion, Councilmember Rachel Prudhomme introduced Resolution

09.205.22, being seconded by Councilmember Michele McCraw, that:

WHEREAS, Following the retirement of Dale Narlock, Electric Superintendent, the City looked into restructuring the utilities department. A General Manager position was developed to coordinate the duties of the Electric and Water Systems and was approved for opening with Resolution Number 7-165-22.

THEREFORE, BE IT RESOLVED Approve the transfer of Wayne Johnson from Water Systems Superintendent to the General Manager position effective September 21, 2022. Mr. Johnson's wage would be \$54.45 per hour. It should be noted that Mr. Johnson has 30 days to return to his former position, as per Union Contract.

On vote being taken, Holmer, McCraw and Prudhomme voted aye; Aarestad, Howe, Narverud and Lorenson voted nay, the resolution failed.

RESOLUTION NO. 09.206.22: Approval of Fire Chief Job Description and Authorization to advertise to fill the Fire Chief position

Following discussion, Councilmember Steve Narverud introduced Resolution 09.206.22, being seconded by Councilmember Rachel Prudhomme, that:

WHEREAS, A position has opened due to the request from Mark Bieganek to return to the firefighter position from Co-Chief and a letter of intent from Richard Beier to also return to a firefighter position from Co-Chief effective September 26, 2022. A fire chief is needed to ensure efficient operations of the fire department.

THEREFORE, BE IT RESOLVED Approval of Fire Chief Job Description to include NIMS and Emergency Management and Authorization to advertise to fill the Fire Chief position.

On vote being taken, Holmer, McCraw, Howe, Narverud, Lorenson and Prudhomme voted aye; Aarestad voted nay the resolution passed.

Messy Yards Discussion

Councilmember Curt Howe asked Police Chief Marissa Adam and City Attorney Delray Sparby to explain the process/status of a messy yard complaint at 420 Davis Ave N. Police Chief Adam stated a letter to abate was sent July 19, 2022 and a citation was issued on August 15, 2022. Delray Sparby states this is the first he's heard of this incident. He will follow up with Nathan Haase and report back to the council.

Councilmember Curt Howe states this is still a mess and more items being added to the yard and it feels like nothing is being done after two months.

The ordinance states we can have resident come to a council meeting. Councilmember Jason Aarestad states Marissa Adam has done her job. Councilmember Jason Aarestad asks how long does court take, it's a due process. Councilmember Jason Aarestad would like Delray Sparby to look into the court. Councilmember Rachel Prudhomme asks for Mr. Haase to provide Councilmember Curt Howe with court dates. City Attorney and City Administrator will review how to proceed.

COUNCIL BOARDS AND COMMISSIONS REPORTS

- Councilmember Steve Narverud mentioned the Long Rang Planning Committee met

with MNDOT regarding the future reconstruction on Highway 59S. A complete and total rebuild, water management, pedestrian and bike safety were key issues.

Assessment of corridor is to be done with a shared cost with MNDOT.

- Mayor Holmer and Wayne Johnson met with Corp of Engineers preliminary cost of river sampling of base.
- Mayor Holmer and Councilmember Curt Howe have an Airport meeting September 21, 2022.
- Councilmember Rachel Prudhomme mentioned that the Chamber is responsible for the hanging flower baskets and will be removing soon. Also, thanked all who participated in the Pioneer Village Jail & Bail fundraiser.
- Mayor Holmer thanked Melissa for the flowers in the City they look very vibrant.

UPCOMING MEETINGS

- Grand Opening Beach Playground Equipment Picture – October 4th at 4:30 P.M.
- City Council Meeting - October 4th at 5:30 P.M.
- Committee of Whole - Immediately following City Council October 4th - Re: Strategic Plan
- Utilities Committee - October 10th at 7:00 A.M.
- Public Safety/Liquor Committee - October 10th at 4:30 P.M.
- Administrative Services Committee - October 11th at 4:30 P.M. Room 201 City Hall
- Public Works Committee - October 12th at 4:30 P.M.

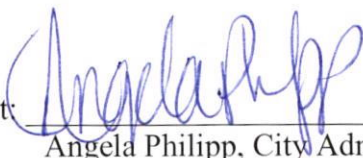
INFORMATIONAL ITEMS

- Investment Summary 8/2022

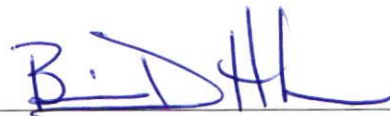
ADJOURNMENT

There being no further discussion, Councilmember Jason Aarestad, being seconded by Councilmember Mike Lorenson to adjourn at 6:35 p.m. On vote being taken, the Chair declared the motion unanimously carried.

Attest:



Angela Philipp, City Administrator



Brian D. Holmer, Mayor