COUNCIL PROCEEDINGS

Tuesday, October 18, 2022

CALL TO ORDER

This meeting is officially called to order at 05:30 PM on October 18, 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, Bolduc and Lorenson. Mayor Holmer chaired the meeting.

PUBLIC HEARING

420 Davis Avenue - Nuisance Declaration

- Police Chief Marissa Adam gave an update on a letter for abatement was sent, after two weeks there was no compliance, additional items were actually added to the yard and residents were cited. The nuisance continues to exist.
- Property owner attended and spoke of on-going issues for herself and her ex-husband's illness.

Council recommendation of a 10 day clean up.

PUBLIC FORUM

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

- Visit TRF 2023 Budget - Amanda Hughes and Dave Carlson

  Dave Carlson introduced Amanda Hughes the new Executive Director of Visit Thief River Falls. Amanda Hughes reviewed the handout regarding 2022 Marketing & 2023 Budget.

- Sanford Entered into Purchase Agreement

  Mayor Holmer mentioned that Sanford has entered into a purchase agreement and will be tearing down building soon

APPROVE AGENDA

Councilmember Jason Aarestad motioned, being seconded by Councilmember Anthony Bolduc, to approve the agenda with addition of 9.7 and 9.8.

On vote being taken, the resolution was unanimously passed.

CONSENT AGENDA

RESOLUTION NO. 10.218.22: Approval Of October 4, 2022 Council Proceedings

Presented as part of the Consent Agenda, Councilmember Rachel Prudhomme introduced Resolution 10.218.22, being seconded by Councilmember Curt Howe, that:

THEREFORE, BE IT RESOLVED By the City Council, to approve the October 4, 2022 Council Proceedings.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10.219.22: City of Thief River Falls Bills and Disbursements and Council Per Diems

Presented as part of the Consent Agenda, Councilmember Rachel Prudhomme introduced Resolution 10.219.22, 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 $1,045,179.03 and council per diems in the total amount of $552.50. 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. 10.220.22: Wade Wallace, Water Treatment Plant Operator, Progression Raise

Presented as part of the Consent Agenda, Councilmember Rachel Prudhomme introduced Resolution 10.220.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, Mr. Wallace has obtained his Class A Water Operator Certificate and is eligible to progress to Step 7 of the Water Treatment Plant Operator salary schedule.

THEREFORE, BE IT RESOLVED Accept a Public Utilities Committee recommendation and grant a progression raise for Wade Wallace, Water Treatment Plant Operator, to Step 7 of the Water Treatment Plant Operator salary schedule, for a new salary of $30.93 effective September 28, 2022.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10.221.22: Approval to Begin Process to Fill Position of Patrol Officer

Presented as part of the Consent Agenda, Councilmember Rachel Prudhomme introduced Resolution 10.221.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, Due to the termination of a patrol officer during their probation, effective September 19th, 2022, the position is vacant and it has been determined to fill the position to continue the efficiency of the department.

THEREFORE, BE IT RESOLVED To begin the process of filling the position of Patrol Officer. The position is a LELS Union Grade Level 5 non-exempt position. The Patrol Officer vacancy will be opened to the public for filling.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10.222.22: Approve Secretary/Data Analyst Job Description

Presented as part of the Consent Agenda, Councilmember Rachel Prudhomme introduced Resolution 10.222.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, This was previously the Parking Maintenance/Secretary position. The parking maintenance was removed, and the data analyst responsibilities were added. Since this will be a new position for Mrs. Johnson, her new anniversary date will be October 19th so she will move to a step 6 on October 19, 2023.

THEREFORE, BE IT RESOLVED Approve revisions and title as Secretary/Data Analyst job description and delegation of Jennifer Johnson, Parking Maintenance/Secretary as Secretary/Data Analyst with a designation as a Grade Level 3, Teamster, non-exempt position. Jennifer will be placed at a step 5 on Grade Level 3 for $27.79 per hour effective October 19, 2022.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10.223.22: Approval of Appointment of Michael Roff as Deputy Chief of Police

Presented as part of the Consent Agenda, Councilmember Rachel Prudhomme introduced Resolution 10.223.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, Jaeger Bellows, has submitted his retirement effective October 28, 2022. To continue efficient operations of the Police Department, the position needed to be filled. The City Council adopted Resolution No. 9-196-22 authorizing that the position of Deputy Chief of Police be opened to LELS employees. Interviews were conducted on October 6, 2022, and Michael Roff, Investigator, was determined to be qualified to fill the position of Deputy Chief of Police.

THEREFORE, BE IT RESOLVED To approve the internal transfer of Mike Roff from Investigator to Deputy Chief of Police, effective October 29, 2022. Mr. Roff's wage shall be frozen at his current rate of $34.81 per hour and effective October 29, 2022, he shall be placed at Grade 9, Step 1 of the Deputy Police Chief salary schedule for a starting salary of $6,482.67 per month. With Mr. Roff moving to the Deputy Chief of Police position, it is approved that the Investigator vacancy be opened to the public for filling.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10.224.22: Utility Connection Permit replacement costs

Presented as part of the Consent Agenda, Councilmember Rachel Prudhomme introduced Resolution 10.224.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, The city has found better construction and cost stability by hiring concrete and asphalt contractors through city resources. This cost has been charged up front to the customer requesting the utility permit. Construction costs have risen significantly, and those increases need to be accounted for in the issuance of the permit.

THEREFORE, BE IT RESOLVED To approve updated construction prices on concrete and asphalt for replacement of materials used to reconstruct utility connections.

- Curb and Gutter $55.00/lineal ft.
- 4" sidewalk $14.00 square ft.
- 4" asphalt $50.00 square yd.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10.225.22: St Bernard Church Gambling Premises Permit

Presented as part of the Consent Agenda, Councilmember Rachel Prudhomme introduced Resolution 10.225.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, St. Bernard Church is required to obtain the City's approval to conduct lawful gambling on the premises of St. Bernard's School prior to submitting an application to the State of Minnesota.

THEREFORE, BE IT RESOLVED Authorize the St. Bernard Church to conduct lawful gambling on the premises of St. Bernard's School at 117 Knight Ave N.

On vote being taken, the resolution was unanimously passed.

NEW BUSINESS

Call for first reading to consider an amendment to City Code Chapter 152.020 FLOOD PLAIN DISTRICT

Councilmember Steve Narverud motioned, being seconded by Curt Howe Councilmember to call for the first reading of an ordinance of an ordinance of the city of Thief River Falls, Minnesota, amending city code chapter 152.020 entitled "Flood Plain District" (FP) by removing the current regulations in their entirety and replacing them with the Minnesota Department of Natural Resources Model Ordinance, 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. Chapter 152.020 Flood Plain District (FP) regulates activities in the flood plain. Periodically when warranted these regulations are reviewed and amended to address circumstances as requested.

WHEREAS, This floodplain ordinance would amend the city's floodplain regulations to comply with the standards of the National Flood Insurance Program (NFIP) including adoption of the effective Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report. The City of Thief River Falls must adopt a conforming ordinance by December 1, 2022 in order to continue participation in the National Flood Insurance Program (NFIP). As written, this ordinance prohibits new buildings within the floodplain, but reasonably accommodates for other common types of development (existing buildings can continue as nonconformities).

This model ordinance is intended for communities that have little or no existing structures within the floodplain and that meet the following criteria:

- Floodplains are largely undeveloped or protected as parks or open space.
- Each developable parcel should be able to accommodate for building sites outside of the floodplain.

THEREFORE, BE IT RESOLVED Call for first reading to consider an amendment to City Code Chapter 152.020 FLOOD PLAIN DISTRICT (FP), by removing the current regulations in their entirety and replacing them with the Minnesota Department of Natural Resources Model Ordinance, and by adopting by reference City Code Chapter 10 and Section 152.998, which, among other things, contain penalty provisions.

RESOLUTION NO. 10.226.22: TIF 1-14 Discussion with MAK Construction

Following discussion Councilmember Mike Lorenson moved to table Resolution 10.226.22, to bring back to Council on November 1, 2022 after discussions with County and School Boards, being seconded by Councilmember Rachel Prudhomme.

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

RESOLUTION NO. 10.227.22: Vacation of Street Right-of-Way

Following discussion, Councilmember Mike Lorenson introduced Resolution 10.227.22, being seconded by Councilmember Michele McCraw, that:

WHEREAS, This street right-of-way was dedicated to the city when Wonderland Addition was platted in 1919. The portion north of Tenth Street was vacated in 1927. The remaining segment to be vacated has all public utilities and the street has never been improved.

WHEREAS, All three adjacent property owners have requested the street vacation. This includes Corey Morin, Cainan and Shayla Langlie, and Ana and Adam Tongen. Travis Giffen, Public Works Director, has requested a cul-de-sac be considered on the south portion of the section proposed for vacation or other options to facilitate snow removal equipment, sanitation trucks, and adequate drainage.

THEREFORE, BE IT RESOLVED Consider the vacation of State Avenue North adjacent to Lots 5 – 10, Block 1, Wonderland Addition to Thief River Falls. A utility easement would be retained over the entire vacated portion and a roadway easement retained for snow storage and future cul-de-sac over the south 60 feet of the vacated portion. This vacation is contingent upon a 10' x 60' temporary construction easement for roadway purposes from the Langlie and Morin properties adjacent to the south 60 feet of the vacated State Avenue to construct a future cul-de-sac. This temporary easement would remain in effect until concrete curb, gutter, and bituminous surfacing is completed.

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

RESOLUTION NO. 10.228.22: Approval Of Visit Thief River Falls 2023 Budget

Following discussion, Councilmember Jason Aarestad introduced Resolution 10.228.22, being seconded by Councilmember Rachel Prudhomme, that:

THEREFORE, BE IT RESOLVED By the City Council, to approve the Visit Thief River Falls 2023 budget, as was presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10.229.22: Downtown snow load removal rates 2022-2023 Snow Season

Following discussion, Councilmember Steve Narverud introduced Resolution 10.229.22, being seconded by Councilmember Anthony Bolduc, that:

WHEREAS, The current contract has expired, and it is time to draft a new contract agreement. Setting the contract amount for the entire season gives public works the ability to understand our snow removal obligations for the entire snow season.

THEREFORE, BE IT RESOLVED To approve the new snow load removal rate for the applicable downtown area of $50.00 per truckload.

On vote being taken, the resolution was unanimously passed.

Fire Discussion

Full-time firefighters requested to talk with council regarding why a switch from the Co-Chief system to a single Chief. Expressed concerns with a 6 man rotation. Blair Lund, Devin Spears and Scott Walker were available to comment.

Following discussion, Councilmember Mike Lorenson recommended suspending job applications and bringing the Co-Chief/Chief back to the Public Safety Committee for further discussion, being seconded by Councilmember Anthony Bolduc.

On vote being taken, the motion was unanimously passed.

RESOLUTION NO. 10.230.22: Investment Opportunity

Following discussion, Councilmember Steve Narverud introduced Resolution 10.230.22, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, The City of Thief River Falls has a CD maturing on November 1st with RBC Capital Markets that was yielding .62% in the amount of $202,032.50. The City has an account balance at RBC in the amount of $8,461.90 which can be reinvested along with the maturing CD. The City would be moving an additional $52,434.60 of cash into our investment fund.

THEREFORE, BE IT RESOLVED Authorize the City Administrator to wire $52,434.60 for purchase of an Unlimited GO investment which yields 4.8%. This would be in addition to the reinvestment of a CD we have maturing on November 1st in the amount of $202,032.50 and the interest balance at RBC in the amount of $8,461.90 totaling

$262,929.00.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 10.231.22: Adopt Nuisance Order

Following discussion, Councilmember Steve Narverud introduced Resolution 10.231.22, being seconded by Councilmember Curt Howe, that:

1) Notice of violation was hand delivered to tenant, Christian Johnson, on July 29 ' 2022 by Sgt. Doug Williams.
2) Nuisance was not abated and a Notice of Hearing regarding declaration of a Nuisance and call for Abatement was set for 10/18/22 at 5:30 at City Council chambers. Notice served by posting at the subject premises and by certified mail on 10/12/22. Certified Mail notice was undeliverable to the subject address.
3) Hearing:
   a. City officer (Chief Adam) presented report of the finding of a nuisance at the subject premises and provided the council with her report and photographs.
   b. The Owners and Occupants of property were provided notice and an opportunity to be heard.
   c. The City Council determined the existing conditions of the premises to be a nuisance as defined by city ordinance 91.18 and 91.80, (as set forth below), and that said nuisance was a public health and/or safety hazard.
   d. The City Council ordered that the nuisance be abated by the Owners and/or tenant within - days.
   e. lf not abated within time prescribed, the City Council directed the City Attorney's office to apply to the Court for an injunction and summary enforcement Order to abate the nuisance.
   f. Cost of the abatement process is to be paid by the property owner.

Ordinance Language:
Public Nuisance Affecting Peace and Safety: 91.18 (p) Accumulations in the open of discarded or disused machinery, household appliances, automobile bodies, or other material in a manner conducive to the harboring or rats, mice, snakes, or vermin, or the rank growth of vegetation ENFORCEMENT ORDER - CITY COUNCIT OF THE CITY OF THIEF RIVER FALLS, MN among the items so accumulated, or in a manner creating fire, health or safety hazards from accumulation.

Other Public Nuisances: 91.80. The Storage or accumulation of building materials, demolition materials, dilapidated fence, junk, trash and rubbish upon any private property within the City is declared a public nuisance.

(4) Junk - junk shall include, without limitation, parts of machinery or motor vehicles, unused furniture, stoves, refrigerators or other appliances, unused televisions or other electronics, remnants of wood, metal, or any other cast off material of any kind, whether or not the same could be put to any reasonable use.

(5) Trash and Rubbish. Trash and rubbish shall include any and all forms of debris not herein otherwise classified.

FINDINGS AND ORDER:

PLEASE BE ADVISED, That the City Council of the City of Thief River Falls, M N, after proper notice and hearing, did declare that a nuisance affecting public health and/or safety presently exists at the premises located at 420 Davis Avenue North in the City of Thief River Falls, MN, and said City Council did order the abatement of the same within 10 days from October 18,2022. If not abated within that time, the City Attorney's office is directed to apply to the District Court for a Order of Summary Enforcement of the City Council Order for Abatement and seek injunctive relief and costs associated with said nuisance.

On vote being taken, Bolduc, Lorenson, Aarestad, McCraw, Narverud, Howe and Holmer voted aye and Prudhomme abstained. The resolution was passed.

COUNCIL BOARDS AND COMMISSIONS REPORTS

- Councilmember Jason Aarestad Thank you to Wojo Rodeo and VenuWorks
- Councilmembers Jason Aarestad and Mike Lorenson discussed better communication with Planning & Zoning Committee
- Councilmember Steve Narverud mentioned leaf pickup to keep in short piles

UPCOMING MEETINGS

- 2022 Thief River Falls Chamber/TRF Radio Candidate Debate - October 19th at the Eagles Club starting at 6:00 P.M.
- City Council Meeting - November 1st at 5:30 P.M.
- Utilities Committee – November 7th at 7:00 A.M.
- Public Safety Committee – November 7th at 4:30 P.M.
- Administrative Services Committee - November 8th at 4:30 P.M. Room 201 City Hall
- Public Works Committee - November 9th at 4:30 P.M.

INFORMATIONAL ITEMS

- Investment Summary 9/2022
- Marissa Adam Introduced New Deputy Chief - Mike Roff
- Retirement Party for Deputy Chief Jaeger Bellows - October 27th from 1 to 3:00 P.M.

ADJOURNMENT TO ASSESSMENT HEARING AT 7:00 P.M.

- 2022 Street & Utilities Improvement Assessments

Travis Giffen Public Works Director presented the 2022 Street & Utilities Improvement Assessments.

  - Mark Aune - Northern Lodge #236

CLOSE MEETING PURSUANT TO MN STATUTE §13D.05, SUBDIVISION 3 (B)

Councilmember Mike Lorenson moved, being seconded by councilmember Steve Narverud, to close the Council Meeting as permitted by section Pursuant to MN Statutes, section §13D.05, subdivision 3 (b) to discuss the City's need to absolute confidentiality outweighs the purposes served by the open-meeting law in this case based on the following:

- Absolute confidentiality is necessary so that the City Council and legal counsel can have a candid and open discussion to determine the available legal options to handle the litigation, including response strategy and possible areas of reconciliation.
- The purpose of the closed meeting is not to make a decision behind closed doors, but instead, the purpose of the meeting is to determine the legal options for handling the litigation.
- The only business to be discussed is the pending litigation.
- An open session would be detrimental because it may take place in the presence of individuals involved in the litigation.
- A closed session would benefit the public because the ultimate outcome of the litigation may impact the finances of the city.

On vote being taken, the motion was unanimously passed. The meeting closed at 7:27 p.m.

Pending/Threatened Litigation – 20'' Wastewater Force Main Project

RECOVENE MEETING

The meeting reconvened at 7:48 p.m.

- Tolling Agreement

  Following discussion, Councilmember Jason Aarestad introduced Resolution, being seconded by Councilmember Anthony Bolduc, that:

  WHEREAS, in 2O20, the construction of the Lift Station 9lmprovements and Force Main Replacement - Phase I Wastewater Force Main Project (the "Project") began in Thief River Falls, Minnesota, which generally consisted of improvements to the Lift Station 9 and the Wastewater Treatment Ponds; installation of force main and control valves, air release valves and manholes, bypass-piping, and appurtenances; installation of 20" HDPE pipe in Primary Pond l; removal and replacement of a knife gate valve on overflow manhole to Primary Pond 2; removal and disposal of a knife gate valve actuator in overflow manhole in Secondary Pond; and associated appurtenances and surface restoration;

  WHEREAS, the City is the owner of the Project; Engineer designed the Project and serves as the Owner's representative for the Project; Contractor is the general contractor for the Project; and Surety furnished a performance bond to Contractor for the Project;

  WHEREAS, as part of the Project, in November 2020, Contractor began the installation of a20" HDPE pipe by fully submerging it within Primary Pond l, secured with concrete anchors beneath the surface of the pond:

WHEREAS, in the spring of 2021, portions of the 20" HDPE pipe became unattached from the concrete anchors that had secured the 20" HDPE pipe beneath the surface of the pond and began floating on the surface of Primary Pond 1;

WHEREAS, in the time since the 20" HDPE pipe was fully submerged, the initial portions of the 20" HDPE pipe broke free from the concrete anchors and rose to the surface of the pond, the remaining portions of the pipe have gradually done the same such that the entire length of the 20" HDPE pipe is now unsecured and floating on the surface of the pond (the "Defective Condition");

WHEREAS. the Parties generally agree that repairs are necessary and a 20" HDPE pipe must be reinstalled: however. disputes between the Parties exist concerning the nature and scope of the repair and reinstallation necessary to remedy the defective condition, whether the defective condition was caused by improper installation of the 20" HDPE pipe by contractor in violation of the plans and specifications for the Project, and/or by an error(s) in the Project design by Engineer, and attendant financial responsibility for the necessary repairs among the Parties; and

WHEREAS, for the purpose of facilitating informal settlement discussions and/or formal dispute resolution processes, the Parties seek to postpone any applicable contractual time limitations, statutes of limitations or repose, and all estoppel, laches or any other time-related defenses (collectively, the "Time-Related Defenses"), which have not already expired and which might apply to any claims, crossclaims, counterclaims, third-party claims, or other claims and,/or defenses arising out of or relating to the Project, including but not limited to the design, construction, or management of the Project or any contact relating thereto, whether asserted or unasserted, which could be brought by any Party against any other Party (the "Claims"), pending the Parties' completion of their informal settlement efforts, or any formal dispute resolution processes that the Parties may agree to participate in. up to and including formal mediation or arbitration.

NOW THEREFORE, in consideration of the mutual covenants and conditions set forth herein. the Parties agree as follows:

Terms

1) Recitals. The recitals set forth above are and for all purposes shall be interpreted as being an integral part of this Agreement. constituting acknowledgment and agreements by and between the Parties, and are incorporated into this Agreement by reference.
2) Tolling Agreement. The Parties agree that all applicable time periods related to the Time Related Defenses with application to any Claims are hereby tolled from the date this Agreement is signed by all Parties (the "Effective Date") until the date this Agreement is terminated as set forth below.
3) Reservation of Rights. All claims. crossclaims, counterclaims. third-party claims or other claims and/or defenses by any Party that exist on the Effective Date shall be retained and preserved. This Agreement shall not be construed as a waiver of any Time-Related Defenses that have become wholly or partially established as of the Effective Date or which would arise after the date of termination of this

Agreement. excluding the period during which this Agreement has operated to toll such periods related to the Time-Related Defenses. The running of all such periods related to the Time-Related Defenses shall automatically commence again on the termination of this Agreement. This Agreement shall not be admissible into evidence in any litigation between the Parties for any purpose other than to prove the contents of the document itself and its impact on any time period related to the Time Related Defenses.

4) Termination. Any of the Parties may terminate this Agreement upon sixty (60) days written notice. via email, to all attorneys for the other Parties. but such notice may not be given until on or after December 31, 2022.
5) No Third-Party Beneficiaries. This Agreement is intended for the sole benefit of the Parties and shall not inure to the benefit of any other party not named herein. Nothing herein shall be construed as a waiver or release of any claim or defense any Party may have as against any other Party or a person or entity not a Party.
6) No Admission of Liability or Wrongdoing. This Agreement shall not be construed, nor rs it intended, as an admission of any liability or wrongdoing on the part of any Party, which liability is expressly denied.
7) General Terms
    a. Voluntary and Knowing Action. The Parties, by executing this Agreement, state that they have carefully read this Agreement and understand fully the contents thereof; that in executing this Agreement they voluntarily accept all terms described in this Agreement without duress, coercion, undue influence, or otherwise, and that they intend to be legally bound thereby.
    b. Authorized Signatories. The Parties each represent and warrant to the other that (l) the persons signing this Agreement are authorized signatories for the entities represented, and (2) no further approvals. actions, or ratifications are needed for the full enforceability of this Agreement against it: each party indemnifies and holds the other harmless against any breach of the foregoing representation and warranty.
    c. Counterparts. This Agreement may be executed in one or more counterparts. each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. It is further agreed that a facsimile or other electronic copy of a signed document will be binding and effective upon receipt and that a facsimile or other copy of this Agreement will be deemed an original.
    d. Modifications/Amendment. Any alterations, variations. modifications, amendments, or waivers of the provisions of this Agreement shall only be valid when they have been reduced to writing and signed by an authorized representatives of the Parties.
    e. Data Practices. The Parties acknowledge that this Agreement is subject to the requirements of Minnesota's Government Data Practices Act, Minnesota Statutes, Section 13.01 al seg.
    f. Governing Law. This Agreement shall be deemed to have been made and accepted in Pennington County. Minnesota, and the laws of the State of Minnesota shall govern any interpretations or constructions of this Agreement without regard to its choice of law or conflict of laws principles.

IN WITNESS WHEREOF. the parties have caused this Agreement to be executed as of the date first above mentioned.

On vote being taken, the resolution was unanimously passed.

ADJOURNMENT

There being no further discussion, Councilmember Jason Aarestad, being seconded by Councilmember Mike Lorenson to adjourn at 8:00 p.m. On vote being taken, the Chair declared the motion unanimously carried.

Brian D. Holmer, Mayor

Attest:

Angela Philipp, City Administrator