

COUNCIL PROCEEDINGS

Tuesday, December 6, 2022

CALL TO ORDER

This meeting is officially called to order at 05:30 PM on December 6, 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, Prudhomme arrived at 5:33, Aarestad, Bolduc and Lorenson. Mayor Holmer chaired the meeting.

PUBLIC FORUM

- David Rist of 116 Pine Ave presented pictures of grain elevator dust spreading across the community.

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

APPROVE AGENDA

Councilmember Mike Lorenson motioned, being seconded by Councilmember Rachel Prudhomme, to approve the agenda with addition of 8.5, 8.6 and 8.7.

On vote being taken, the resolution was unanimously passed.

CONSENT AGENDA

RESOLUTION NO. 12.251.22: Approval of November 15, 2022 Council Proceedings

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced Resolution 12.251.22, being seconded by Councilmember Curt Howe, that:

THEREFORE, BE IT RESOLVED By the City Council, to approve the November 15, 2022 Council Proceedings.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.252.22: City of Thief River Falls Bills and Disbursements

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced Resolution 12.252.22, 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 \$2,023,006.20. 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. 12.253.22: Approval of 2023 City License Renewals

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced Resolution 12.253.22, being seconded by Councilmember Curt Howe, that:



THEREFORE, BE IT RESOLVED By the City Council, to approve the following City Licenses, effective January 1, 2023 through December 31, 2023, contingent upon receiving all renewal forms, fees and insurance:

TOBACCO \$150

Station 59
Erl's Market, Inc.
Falls Liquor
Farmer's Union Oil Company
Farmer's Union Oil
Company – Hwy 59
Hugo's #7
Holiday Station Store
King Tobacco
Northdale Oil - Pennington
Main
Northdale Oil - Pennington
Square
Wal-Mart Supercenter #3761

PAWN BROKER'S \$40

Northern Gun & Pawn

JUNK DEALER'S \$45

Phillip's Iron & Metal, Inc.

TAXI \$30 for 1st
\$25 each add'l

Hawks Taxi LLC (1 car)

OFF-SALE 3.2 BEER \$100

Station 59
Erl's Market, Inc.
Holiday Station Store #197

Wal-Mart Supercenter #3761

CLUB ON-SALE LIQUOR
\$500

FOE Aerie 2368 (Eagles)*
VFW 2793 (VFW Post)*

ON-SALE 3.2 BEER \$250

LINE ON 59

OFF-SALE MICRO BREWER \$300

River's & Rails Brewing Co LLC

ON-SALE MICRO BREWER \$400

River's & Rails Brewing Co LLC

ON-SALE LIQUOR \$2,800

La Fiesta Inc. (El Loro Mexican Grill)
American Legion Post 117, Inc.*
SouthTown Lanes & Pizza Pub (South Town Lanes,
Inc)*
Mulligans*

The Schooner Bar & Grill

Fozzie's BBQ

The Hive Bar & Grill

Grzadzy's Inc. (Black Cat Sports Bar & Grill)*

Las Ranitas (Heidi Ortiz)*

16 Penny Inc. (Rusty Nail)

VenuWorks

SUNDAY ON-SALE LIQUOR \$200

Grzadzy's Inc. (Black Cat Sports Bar & Grill)

VenuWorks

16 Penny Inc. (Rusty Nail)

Las Ranitas (Heidi Ortiz)

American Legion Post 117, Inc.

South Town Lanes & Pizza Pub (South Town Lanes,
Inc)

Mulligans

The Schooner Bar & Grill

La Fiesta Inc. (El Loro Mexican Grill)

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.254.22: 2023 Water Treatment Plant Chemical Bids

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced Resolution 12.254.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, The City of Thief River Falls Water Systems Department solicits bids annually for Chemicals used in the Water Treatment Plant to provide budget stability throughout the next twelve months.

WHEREAS, Inflation across the board has significantly increased bids for 2023. The budget has been adjusted accordingly.

THEREFORE, BE IT RESOLVED Approve the low Water treatment Plant Chemical Bids for calendar year 2023 as presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.255.22: Approval to Designate the Ralph Engelstad Arena as The City of Thief River Falls Polling Place for All Precincts for 2023 Elections

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced Resolution 12.255.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, Minnesota Election Law section 204B.16 requires the city council of every municipality to designate a place for holding an election for each precinct every year before December 6, 2022. The designated polling place remains the polling place for these precincts throughout the calendar year unless: Polling place becomes unavailable or an emergency occurs after the deadline to designate a polling place but before the polls close on election day.

THEREFORE, BE IT RESOLVED By the City Council, to designate the Ralph Engelstad Arena, 525 Brooks Avenue North, Thief River Falls as the City of Thief River Falls designated polling place for all precincts within the City limits for 2023 Elections.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.256.22: Approve employment of Elliot Dahlen as Public Works Maintenance worker

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced Resolution 12.256.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, The City Council, by Resolution No. 10-217-22, authorized that the City of Thief River Falls begin the process to fill the position of Public Works Maintenance due to the termination of Scott Beito, effective October 4, 2022. Applications from the public were accepted and interviews conducted on November 28, 2022.

WHEREAS, The filling of the position will complete filling all vacancies in the department.

THEREFORE, BE IT RESOLVED Approve the employment of Elliot Dahlen as Public Works Maintenance worker, effective December 7, 2022. Mr. Dahlen's salary will start at Step 1 of Grade 3 for \$23.87 per hour with a 2% COLA increase January 1, 2023. Mr. Dahlen will be eligible to move to step 2 of Grade 3 on December 7, 2023 with City Council approval. Employment is contingent upon successful completion of all required background pre-employment requirements.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.257.22: Approval of Employment of Brenda Osborne Donarski as Part-Time Off Sale Clerk

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced Resolution 12.257.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, This 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 the employment of Brenda Osborne Donarski as part-time Off-Sale Clerk, effective December 7, 2022. Ms. Donarski shall be placed at Step 6 of Grade 1 of the Off-Sale Clerk salary schedule for an hourly wage of \$24.03 per hour. Ms. Donarski is currently working at Falls Liquors in a temporary position.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.258.22: Approval of Employment of Tara Weigel as Part-Time Off Sale Clerk

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced Resolution 12.258.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, This 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 the employment of Tara Weigel as part-time Off-Sale Clerk, effective December 7, 2022. Ms. Weigel shall be placed at Step 2 of Grade 1 of the Off-Sale Clerk salary schedule for an hourly wage of \$20.85 per hour.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.259.22: On-Sale Intoxicating Liquor License Sunday to Line on 59

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced Resolution 12.259.22, being seconded by Councilmember Curt Howe, that:

WHEREAS, Line on 59 had not applied for an On-Sale Intoxicating Liquor License for Sunday for 2022.

WHEREAS, Line on 59 is Hosting a Holiday Brunch Buffet to be held on December 11th to include Mimosas.

THEREFORE, BE IT RESOLVED Approve the On-Sale Intoxicating Liquor License Sunday to Line on 59.

On vote being taken, the resolution was unanimously passed.

NEW BUSINESS

RESOLUTION NO. 12.260.22: Approve the City of Thief River Falls, MN, Request for Proposals for Tow Company Services

Following discussion, Councilmember Jason Aarestad introduced Resolution 12.260.22, being seconded by Councilmember Michele McCraw, that:

WHEREAS, The purpose of the RFP is to establish a contract with a qualified company to provide Towing Services.

REQUEST FOR PROPOSALS:

The City of Thief River Falls, MN, Request for Proposals for Tow Company Services Proposals shall be received by City Administrator, City Hall, 405 3rd Street East, P.O. Box 528, Thief River Falls, MN 56701, not later than 10:00 am December 23rd, 2022.

Proposals shall be publicly opened in City Hall, 1st Floor, at 10:30 a.m.

The RFP is available by request from the City Administrator's office.

The City of Thief River Falls reserves the right to reject any or all bids, waive technicalities, and make award(s) as deemed to be in the best interest of the City. The proposal will be awarded on January 3, 2023 during the City Council meeting at 5:30 pm.

1.01 Purpose of the RFP

This Request for Proposal (RFP) is issued by the City of Thief River Falls, MN, (hereinafter referred to as the "City"). The purpose of this RFP is to establish a contract with a qualified Tow Company Service.

1.02 Contact Person, Telephone, Fax Number, and Email

Angela Philipp, City Administrator, is the point of contact for this RFP. Unauthorized contact regarding the RFP with other City employees may result in the vendor being disqualified.

Angela Philipp, City Administrator
405 3rd Street East
P.O. Box 528
Thief River Falls, MN 56701
Phone: (218) 681-2943
Cell : (218) 689-3612
Email: aphilipp@citytrf.net

1.03 Return Mailing Address and Deadline for Receipt of Proposals

Offerors must submit one (1) original hard copy (marked "Original") and three (3) hard copies of the proposal in a sealed envelope or package.

Envelopes or packages containing proposals must be clearly addressed as described below to ensure proper delivery and to avoid being opened by the City before the deadline for receipt. Envelopes or packages must be addressed as follows:

City of Thief River Falls, Attn: Angela Philipp
Tow Company Services
405 3rd Street East, P.O. Box 528
Thief River Falls, MN 56701

Proposals must be received by the City Office at the location specified no later than 10:00 a.m., Central Standard Time, on December 23, 2022. Proposals will be publicly opened at 10:30pm in the City Council Chambers. Proposals may not be delivered orally, by facsimile transmission, by other telecommunication, or electronic means. Offerors assume the risk of the method of dispatch chosen. The City assumes no responsibility for delays caused by any delivery service. Postmarking by the due date will not substitute for actual proposal receipt by the City. An Offeror's failure to submit its proposal prior to the deadline will cause the proposal to be rejected. Late proposals or amendments will not be opened or accepted for evaluation. Proposal will be awarded on January 3, 2023 during the City Council meeting at 5:30 pm.

SCOPE OF WORK

2.01 Storage

The tow service companies' scope of duties will be to tow and deliver vehicles and/or other property to their impound and to store, manage and release such vehicles or other property under the direction of the Thief River Falls Police Department.

2.02 Hours of Operation

The tow service company can/will be able to provide services twenty-four (24) hours a day, seven (7) days a week, three hundred sixty-five (365) days a year, with exception of certain weather events out of our control.

2.03 Fees and Deposits

- Provide a list of fees
 - Tow Fees
 - Storage Fees
 - Fees for other services

2.04 Holding Area for Law Enforcement Assists

The City of Thief River Falls will have the option of having separate inside storage for vehicles/items that are involved in criminal investigations stored in our Law Enforcement Center.

2.05 Record Maintenance

There will be an annual independent review of complete up-to-date records related to each tow done at the tow company's expense.

2.06 Equipment and Storage capabilities

- Provide a list of equipment
- Provide a list of towing capabilities
- Provide a list of storage capabilities

2.07 Authorization

2.07a. All tows must be authorized by City of Thief River Falls Police Department/personnel.

2.07b. Scofflaw violations, all accidents, traffic hazards and stolen vehicle tows will be authorized for towing to tow companies impound lot by police officer requesting the tow.

2.07c. Any tows performed by the tow company without proper authorization will be done at tow companies own risk.

2.07d. The fee schedules may also be used for towing any vehicle registered to the City of Thief River Falls or the Equipment Leasing Authority to any location as authorized by City of Thief River Falls administrator.

2.07e. City of Thief River Falls will not be responsible for the payment of any fees and/or charges for privately owned vehicles that are towed to tow companies impound lot. The towing company shall collect payment for these services from the owner prior to releasing the vehicle.

2.08 Response time

The tow company shall provide what their response time would be when called for service.

2.09 Cleanup of Debris

The tow service company driver responding to the City of Thief River Falls Police Department's towing request are responsible for cleaning up all accident-related debris at the scene, pursuant to the specific direction of law enforcement. Scene must be swept clean and the tow company won't leave scene without police approval.

2.10 Storage Location

Please describe the vehicle storage location. Tow service company must use their impound lot for all Thief River Falls Police Department ordered impounds. The area is preferred to be sufficiently fenced, secured with lights and have video surveillance. The tow service company shall keep and maintain the premises where the vehicles will be stored.

2.11 Impound/Storage Lot access

Authorized City of Thief River Falls Police Department employees shall have access to any and all vehicles towed to the tow company. A log of persons authorized to access the impound/storage area shall be kept and maintained by the tow company.

2.11a. If the vehicle is ordered to be "held", the tow company shall deny access to all individuals except as authorized by the City of Thief River Falls Police Department that the restriction has been removed. The tow company shall immediately notify the Thief River Falls Police Department if unauthorized access was gained and/or attempted to the vehicle.

2.11b. Unless the tow company is notified that the towed vehicle is to be held as evidence in criminal proceedings, the tow company agrees that the storage, release, and duties related to impounded vehicles and/or property is governed by the City of Thief River Falls Police Department, the Thief River Falls Municipal Code and applicable MN State Statute.

2.12 Record Keeping and Financial Review

The tow service company must keep any information as deemed necessary by the City of

Thief River Falls Police Department. All forms must be filled out completely, legibly and submitted in a timely fashion.

2.12a The tow service company shall maintain complete, up to date records of all vehicles towed at the request of the Thief River Falls Police Department and shall be available at all times to the Thief River Falls Police Department. At a minimum, such records must contain the following information:

1. Date and location of tow
2. Make, model and year of vehicle towed
3. Serial/VIN number of vehicle towed
4. License plate number and issuing state
5. Total cost of each tow, with a breakdown of all costs
6. Copy of receipts provided to claimant showing claimant's signature
7. Date of release
8. Copy of claimant's proof of ownership and identification
9. Received vehicle keys to be given to the Thief River Falls Police Department

2.13 Monthly reporting

The tow service company shall furnish to the Thief River Falls Police Department each month, a report containing information regarding vehicles that were towed under the contract and stored during the previous month that have not been claimed at the end of the month. The tow company shall deliver the monthly report on the first business day of each month.

2.14 Invoicing

The tow service company shall invoice the City of Thief River Falls Police Department owned vehicles if deemed necessary to the following:

City of Thief River Falls
City Administrator
405 3rd St. E
Thief River Falls, MN 56701

2.15 Confidentiality

The tow service company agrees not to divulge or release any information obtained in conjunction with any aspect of its performance under the contract, except to authorized City of Thief River Falls Police Department personnel or upon prior written approval of the City of Thief River Falls Administrator or as otherwise required by law.

2.16 Compliance with Laws

The tow company shall fully obey and comply with all laws, ordinances, resolutions and administrative regulations which are or show be applicable to any work performed under the contract.

2.17 Notifications required by MN Statute 168B.06

Impound operator shall be responsible for providing all statutorily required notice under MN Statute 168B.06. Copies and verification of the same shall be accessible to the Thief River Falls Police Department upon request.

2.18 Forfeited Vehicles

Forfeited vehicles, either criminally or by civil process shall be the property of the City of Thief River Falls and shall be forfeited pursuant to applicable MN Statute. Include in section

2.03 Fees and Deposits your forfeited long term storage fees.

2.19 Indemnification

The tow service company will indemnify and hold the City harmless from all demands, claims, causes of action or judgments, and from all expenses that may be incurred in investigating or resisting the same, arising from, or growing out of, any intentional act or neglect of the company, its contractors, agents, or servants in connection with the performance of related duties.

2.20 Termination

The City reserves the right to terminate the awarded bidders' contract at any time with or without cause by either party upon 30 days' written notice to the other party.

2.21 Contract Term

The term of the contract shall be a three-year term (January 1, 2023– December 31,2025).

2.22 Authorized Signature

An individual authorized to bind the Offeror to the provisions of the RFP must sign all proposals.

2.23 City Not Responsible for Preparation Costs

The City will not pay any cost associated with the preparation, submittal, presentation, or evaluation of any proposal.

2.24 Special Conditions

The City reserves the right to reject any and all proposals, to waive formalities, and to select the proposal and developer(s) that, in the City's sole discretion, are in the best interests of the City.

In the event the contract changes to a different tow company, the new contract holder will tow existing City of Thief River Falls impounded vehicles to their lot.

The City reserves the right to:

- A. Amend, modify, or withdraw this RFP.
- B. Revise any requirements under this RFP.
- C. Require supplemental statements of information from any responding party.
- D. Extend the deadline for submission of responses hereto.
- E. Negotiate or hold discussions with any bidder to correct insufficient responses that do not completely conform to the instructions contained herein.
- F. Waive any nonconformity with this RFP.
- G. Cancel, in whole or in part, this RFP if the City deems it is in its best interest to do so.
- H. Request additional information or clarification of information provided in the response without changing the terms of the RFP.
- I. Waive any portion of the selection process in order to accelerate the selection and negotiation with the top-ranked Firm.
- J. Not award a contract as a part of, or result of, this RFP process.

The City may exercise the foregoing rights at any time without notice and without liability to any bidder, or any other party, for expenses incurred in the preparation of responses hereto or otherwise.

THEREFORE, BE IT RESOLVED To approve the recommendation of the Public Safety / Liquor committee to advertise the attached request for proposal for towing services.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.261.22: Small Cities Development Grant Program Administrative Contract #CDAP-21-0037-O-FY23

Following discussion, Councilmember Jason Aarestad introduced Resolution 12.261.22, being seconded by Councilmember Rachel Prudhomme, that:

WHEREAS, Minnesota Department of Employment and Economic Development (DEED) through their Small Cities program has grant funds available for housing rehabilitation for low to moderate income residents. The city entered into an agreement with the NW MN Multi-County HRA to prepare a preliminary and final grant application for this program, as the City of Thief River Falls continues to have needs for improvements to existing housing.

WHEREAS, The City of Thief River Falls was awarded this grant for renovations to multi-family rental units. This grant is for \$600,000 and will fund approximately 44 units within the city limits. The financing package will be 50% SCDP deferred loan (0% for five years) and forgiven if ownership is retained and grant conditions continue, 20% low interest loan (3% for 5 years) and 30% owners share. The maximum SCDP funding per unit is \$12,500 and the average is expected to be \$12,000 per unit. The Northwest Minnesota Multi-County HRA has committed \$50,000 in leverage funding from their HRA Levy to assist property owners having difficulty meeting the 30% match requirement.

The city needs to execute an agreement with the HRA to administer the new grant program.

THEREFORE, BE IT RESOLVED Approve an administrative contract with the Northwest Minnesota Multi-County Housing and Redevelopment Authority (HRA) to administer the Department of Employment and Economic Development (DEED) Small Cities Grant Program and authorize the Mayor and Administrator to execute the agreement.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.262.22: Approval of Volunteer Fire Relief Association Pension Increase and Amendment to the Fireman's Relief Association Bylaws

Following discussion, Councilmember Curt Howe introduced Resolution 12.262.22, being seconded by Councilmember Jason Aarestad, that:

THEREFORE, BE IT RESOLVED To approve that Article VIII. Section 1, of the Restated Bylaws of the Thief River Falls Firemen's Relief Association be amended as follows:

ARTICLE VIII

DEATH BENEFITS AND PENSIONS

Section 1. The Association shall pay to each Member who: separates from active service with the Fire Department; reaches age 50; completes at least 20 years of active service as an active Member of the municipal fire department to which the Relief Association is associated; and completes at least 20 years of active membership with the Association before separation from active service; the sum of \$3,500.00 for each year that the Member has served as an active Member of the Thief River Falls Fire Department.

FURTHER RESOLVED, that Article VIII. Section 2, of the Restated Bylaws of the Thief River Falls Firemen's Relief Association be amended as follows:

ARTICLE VIII DEATH BENEFITS AND PENSIONS

Section 2. A Member of the Association who has completed 20 years of active service with the Thief River Falls Fire Department, who has completed 20 years of active membership in the Association, and who separates from active service and membership before reaching age 50 may apply for a deferred service pension. The deferred service pension starts when the former Member separates from active service and membership and when the former Member makes a valid written application. The Association shall add interest to the deferred benefit amount, compounded annually, at a rate equal to five percent. The deferred service pension shall be governed by and shall be calculated under the general statute, special law, Association's Articles of Incorporation, or Association Bylaw provisions applicable on the date on which the Member separated from active service with the Thief River Falls Fire Department and active membership in the Association. This Section applies to anyone who has separated from active service and membership from and after January 1, 1998. This Section only applies to Members who have commenced active service with the Thief River Falls Fire Department and active membership in the Association prior to January 1, 2023.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.263.22: Approval of 2023 Memorandum of Understandings for Teamster #320 Public and Fire Unions, LELS, MAPS, and memorandums for Non-Union, City Administrator, Human Resources Coordinator for implementation of Market Study performed by David Drown Associates

Following discussion, Councilmember Mike Lorenson introduced Resolution 12.263.22 and amended to table MAPS until the December 20th City Council meeting, being seconded by Councilmember Curt Howe, that:

WHEREAS, The current union contracts had a wage re-opener for 2023 due to the Market Study and the wage portion will be expiring on December 31, 2022. The Teamster #320 Union, LELS, MAPS, and the Ad-Hoc Labor Committee have met in negotiations for the last couple of months and have reached an agreement. Items agreed upon are acceptance of the salary scale moving to eight steps to reach top pay. As part of implementation an additional step will be granted for each 10 years of service. Implementation will be retro to October 1, 2022, and on January 1, 2023, employees will receive a 2% COLA increase.

The Teamster Union #320 members have voted on, and approved, the proposed MOU as negotiated.

The LELS Union members have voted on, and approved, the proposed MOU as negotiated.

The Non-Union, City Administrator, and Human Resources Coordinator have approved the proposed memorandums as negotiated.

THEREFORE, BE IT RESOLVED Approve the Memorandum of Understandings for Teamster #320 Public and Fire Unions, LELS, and memorandums for Non-Union, City Administrator, Human Resources Coordinator for implementation of Market Study performed by David Drown Associates. MAPS will be tabled to the December 20th, City Council meeting.

On vote being taken, the resolution was passed Councilmember Jason Aarestad abstaining.

RESOLUTION NO. 12.264.22: A Resolution Of The City Of Thief River Falls, Minnesota, Providing For The Summary Publication Of Ordinance No. : 129, Adding Chapter 94.17 Through 94.31 Relating To The Keeping Of Chickens In The City.

Following discussion, Councilmember Rachel Prudhomme introduced Resolution 12.264.22 , being seconded by Councilmember Mike Lorenson, that:

WHEREAS, On November 15, 2022, at a Regular Meeting of the City of Thief River Falls City Council, On vote being taken, McCraw, Lorenson, Bolduc, Prudhomme, Aarestad and Holmer voted aye; Howe and Narverud, voted nay. The resolution was passed, the City Council adopted Ordinance No.: 129, amending the City Code, to add Sections 94.17 through 94.31 related to the keeping of chickens in the City ; and

WHEREAS, State law requires that all ordinances adopted be published prior to becoming effective; and

WHEREAS, the City Council for the City of Thief River Falls has determined that publication of the title and a summary of Ordinance No. 129 would clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, the City Council for the City of Thief River Falls has reviewed the summary of Ordinance No. 129 attached and incorporated herein as Exhibit A; and

WHEREAS, the City Council for the City of Thief River Falls has determined that the text of the summary clearly informs the public of the intent and effect of Ordinance No. 129.

NOW THEREFORE BE IT RESOLVED, the City Council for the City of Thief River Falls hereby:

1. Approves the text of the summary of Ordinance No.129 attached as Exhibit A.

2. Directs the City Administrator to post a copy of the entire text of Ordinance No. 129 in any public locations designated by the City Council.
3. Directs the City Administrator to publish the summary in the City's legal newspaper within ten days.
4. Directs the City Administrator to file the executed Ordinance upon the books and records of the City along with proof of publication.
5. Said Resolution was passed by at least 4/5ths vote.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 12.265.22: Official Summary Of An Ordinance Of The City Of Thief River Falls, Minnesota, Amending City Code, By Adopting Ordinance 129, Adding Sections 94.17 Through 94.30, And, By Adopting By Reference City Code Sec. 10.99, Which, Among Other Things, Contain Penalty Provisions.

Following discussion, Delray Sparby introduced Resolution 12.265.22, of the Official Summary of Ordinance, that:

The following is the official summary of Ordinance Chapter 129, said ordinance being approved and passed by the City Council of the City of Thief River Falls, Minnesota on November 15, 2022. Because of the lengthy nature of Ordinance Chapter 129, the following summary of the ordinance was prepared and approved for publication.

SUMMARY

Section 1. City Ordinance Code, Chapter 94 is hereby amended by adding Sections 94.17 through 94.30, "Chickens" and is hereby added to the City's Ordinances to state as follows:

The City hereby ordains and enacts these new sections of this code relating to the permitting and keeping of chickens within the City. Said sections provide for:

Annual permitting application, fees, licensing and education requirements; restrictions as to locations; regulations relating to handling and disposal of manure; chicken coop construction requirements; sanitation requirements; no animals to run at large; animal cruelty provisions, prohibition against slaughter; prohibition against offering eggs for sale; contains chicken coop and run requirements; prohibits the keeping of roosters and sets the limit of chickens that can be kept at 4 hens; chickens are to be secured during non-day-light hours; provides guidelines on the care and keeping of chickens; requires regular cleaning of coop and run areas; allows the City to prohibit and eliminate all chickens if a pandemic regarding fowl and poultry is declared; requires veterinary services as required; allows for inspections of any chicken coop or run by the City Animal Control officer or other designated City Agent; existing protective covenants are not affected; and provides for violations, remedies and penalty enforcement.

Section 2. City Code Chapter 10 entitled "General Provisions, Section 152.998 entitled "Violation" and Section 94.00 entitled "Penalty" are 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 Summary Publication.

Section 4. A full and complete copy of the said Ordinance 129 is available for inspection by any person at the office of the City Administrator and available in electronic form upon request.

PASSED AND ADOPTED by the City Council of the City of Thief River Falls, Minnesota this 15 day of November, 2022, by majority vote.

No vote was taken.

RESOLUTION NO. 12.266.22: Approve Administrative Correction to City Code Chapter 152.020 FLOOD PLAIN DISTRICT (FP), by replacing two incorrect Flood Insurance Rate Map Panels in Section 3.2.

Following discussion, Councilmember Jason Aarestad introduced Resolution 12.266.22, 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. 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 was recently amended 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. FEMA has indicated there were two incorrect Flood Insurance Rate Map Panels in Section 3.2. The city is required to complete and administrative correction to change the two panel numbers.

THEREFORE, BE IT RESOLVED To approve administrative correction to City Code Chapter 152.020 FLOOD PLAIN DISTRICT (FP), by replacing two incorrect Flood Insurance Rate Map Panels in Section 3.2.

On vote being taken, the resolution was unanimously passed.

COUNCIL BOARDS AND COMMISSIONS REPORTS

- Delray Sparby gave an update on the 420 Davis property. They were given 20 days to appeal and didn't. A summary application was to go onto the property. Waiting for a court order to go onto the property. Possible options would be have the city crew or sentence to serve or hire a third party to clean up property.
- Mayor Holmer gave an update with Coalition and press release regarding the 17.6 Billion in surplus.
- Councilmember Curt Howe wanted to recognize the TRF Fire Department for an excellent rescue of a Trophy Buck from the partially frozen river.

- Councilmember Rachel Prudhomme mentioned she felt it was disheartening the negative feedback regarding budget and Advance Thief River.
- Travis Giffen, Public Works Director introduced Elliot Dahlen who was just hired for Public Works Maintenance worker.
- Councilmember Jason Aarestad mentioned for the community to be nice this holiday season.
- Councilmember Rachel Prudhomme thanked everyone for coming out and supporting Small Business Saturday. Great turnout.

UPCOMING MEETINGS

Utilities Committee - December 12th at 7:00 A.M.

Public Safety/Liquor Committee - December 12th at 4:30 P.M.

Administrative Services Committee - December 13th at 4:30 P.M. Room 201 City Hall

Public Works Committee - December 14th at 4:30 P.M.

Holiday Train – December 15th at 7:30 P.M.

City Council Meeting - December 20th at 5:30 P.M.

INFORMATIONAL ITEMS

ADJOURNMENT TO TRUTH IN TAXATION HEARING AT 6:00 P.M. TONIGHT

There being no further discussion, Mayor Holmer moved to the Truth in Taxation Hearing tonight at 6:01 p.m.

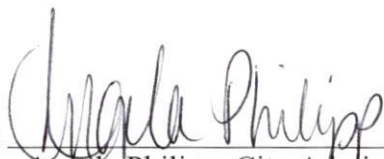
TRUTH IN TAXATION

Mayor Holmer opened the Hearing. City Administrator presented an overview of the 2023 draft budget. There being no further discussion, the hearing was closed at 6:14 p.m. and the regular session reconvened.

ADJOURNMENT

There being no further discussion, Councilmember Jason Aarestad moved, being seconded by Councilmember Mike Lorensen to adjourn at 6:14 p.m. On vote being taken, the Chair declared the motion unanimously carried.

Attest:


Angela Philipp, City Administrator



Brian D. Holmer, Mayor