

COUNCIL PROCEEDINGS

Tuesday, May 16, 2023

CALL TO ORDER

This meeting is officially called to order at 5:30 p.m. on May 16, 2023. This meeting is being presided over by Mayor Brian Holmer.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

PUBLIC FORUM

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

- Bike Month Proclamation
- American Legion Family National Poppy Day Proclamation

APPROVE AGENDA

Councilmember Jason Aarestad motioned, being seconded by Councilmember Scott Pream, to approve the agenda with the addition 8.10.

On vote being taken, the resolution was unanimously passed.

CONSENT AGENDA

RESOLUTION NO. 05.104.23: Approval of May 2, 2023 Council Proceedings

Presented as part of the Consent Agenda, Councilmember Jason Aarestad introduced Resolution No. 05.104.23, being seconded by Councilmember Michele McCraw, that:

THEREFORE, BE IT RESOLVED By the City Council, to approve May 2, 2023 Council Proceedings.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 05.105.23: City of Thief River Falls Bills and Disbursements

Presented as part of the Consent Agenda, Councilmember Jason Aarestad introduced Resolution No. 05.105.23, being seconded by Councilmember Michele McCraw, that:

THEREFORE, BE IT RESOLVED By the City Council, to authorize payment of bills and disbursements in the total amount of \$565,019.49. 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. 05.106.23: Approve Anne Cummings Beer in the Park Permit

Presented as part of the Consent Agenda, Councilmember Jason Aarestad introduced Resolution No. 05.106.23, being seconded by Councilmember Michele McCraw, that:

WHEREAS, Anne Cummings has applied for a Beer in the Park Permit for a 50th Anniversary Party for 20 to 25 people in Hartz Park.

WHEREAS, The park has been reserved with the Parks and Recreation Department. No financial transactions may occur at this event for charging, directly or indirectly, for the sale of 3.2 malt liquor (i.e. admission, cover charge). The permit allows for the consumption of 3.2 Malt Liquor Only. No strong beer, wine, or intoxicating liquor I allowed.

THEREFORE, BE IT RESOLVED Approve a Beer in the Park Permit to Anne Cummings effective June 30, 2023 for a 50th Anniversary at Hartz Park from 9:00 a.m. to 4:00 p.m.

On vote being taken, the resolution was unanimously passed.

NEW BUSINESS

RESOLUTION NO. 05.107.23: J&M Displays, Inc Fireworks Display Permit Application

Following discussion, Mayor Holmer suggest approving to extend the time from 10:15 to 10:30 p.m., Councilmember Steve Narverud introduced Resolution with change, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, J&M Displays, Inc will be performing at the Pennington County Fair on July 12th from 10 pm to 10:30 pm. Name of supervising operator: Ryan Hansen/ Cory Jehoich – License No. 0 1096 1090.

WHEREAS, Pursuant to Thief River Falls City Code Section 130.26 and Minnesota Statutes, Section 13.04, Subd. 2, that in order to complete the application necessary for licensing within this municipality, you may be required to supply certain private and/or confidential personal data to the City of Thief River Falls via the completed application form. This private and/or confidential personal data, in addition to all other information provided, will be used by employees of the City of Thief River Falls and the Thief River Falls City Council to determine whether or not the “license” may be granted as requested.

WHEREAS, The Permit fee is \$25 per day.

THEREFORE, BE IT RESOLVED To approve a Fireworks Display Permit Application effective July 12 from 10 pm to 10:30 pm for J&M Displays, Inc.

On vote being taken, the resolution was unanimously passed.

Call for first reading to consider an amendment to City Code Chapter 151.42 EASEMENTS, amending easement requirements, and by adopting by reference City Code Chapter 10 and Section 152.998

Councilmember Anthony Bolduc motioned, being seconded by Councilmember Steve Narverud to call for the First Reading of an Ordinance of an Amendment to City Code Chapter 151.42 EASEMENTS, Amending Easement Requirements, and by Adopting by

Reference City Code Chapter 10 and Section 152.998.

Section 1. City Code Chapter 15 I .42 is hereby added to read as follows:

157.42. EASEMENTS.

(A) Utilities. Easements at least ten feet wide centered, overlapping, or adjacent to lot lines shall be provided for utilities where necessary. Easements for water lines or storm or sanitary sewer lines shall be at least 20 feet wide. Easements containing or proposed for more than one utility over six feet in depth shall be at least 30 feet wide. Wider permanent easements or temporary construction easements may be required where installation depths are greater than ten feet. Easements shall have continuity of alignment from block to block. Utility easements shall be kept free of any vegetation, obstructions, fences and structures which would interfere with the free movement of utility service vehicles. The City of Thief River Falls has the right to keep all utility easements free from hazards, structures and other improvements which might hinder the City's ability to serve and maintain such utilities. No fence, structure or trees can be planted or built in a utility easement area without permission from the City through the encroachment permit process.

(B) Encroachments. The City can require any obstructions in an easement or right of way be removed at the owner's expense. In non-emergency situations, the City will try to give the property owner a reasonable amount of time to remove the obstruction. However, if the property owner does not remove the obstruction as requested or if there is an emergency situation, the City can remove the obstruction and charge the property owner for the expenses. The City will not be required to compensate the property owner for the cost of repair, replacement or removal of the obstruction.

(C) Water courses. When a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water courses and with such further width or construction as may be determined to be necessary by the Public Works 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.

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 151.42 includes easement requirements. Periodically, when warranted these regulations are reviewed and amended to address circumstances as requested.

WHEREAS, Section 151.42 outlines the requirements for easements and encroachments,

as well as addressing encroachment permits for any obstructions allowable in an easement.

THEREFORE, BE IT RESOLVED Call for first reading to consider an amendment to City Code Chapter 151.42 EASEMENTS, amending easement requirements, 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. 05.108.23: Approve Summer Work Hours for City Hall

Following discussion, Councilmember Jason Aarestad introduced Resolution, being seconded by Councilmember Megan Bourne, that:

WHEREAS, Customer service is a high priority and will continue to be so. One of the main conditions is that summer hours will not be an added cost to the City in any way.

This is an added convenience to the customer being open at 7am 5-days a week. This schedule also provides an additional hour during the week the doors to City Hall are open.

It will be the City Administrator and Department heads job to ensure customer satisfaction.

THEREFORE, BE IT RESOLVED Set summer hours for the City of Thief River Falls City Hall and other departments as appropriate, effective Sunday, May 21st and to conclude on September 2nd. Summer hours are defined as four nine-hour days starting at 7:00 a.m. to 4:30 p.m. on Monday through Thursday and one-half day from 7:00 a.m. to 12:00 noon on Friday. Evaluation of hours to be conducted before summer hours end with the potential for year-round change.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 05.109.23: Authorize the purchase of a 2023 Squad Car

Following discussion with correction of DWI fund to be \$17,000, Councilmember Mike Lorenson introduced Resolution with change, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, This was brought up for discussion in public safety to address an aging fleet.

WHEREAS, This is utilizing the budget for 2023, trade in of 2 squad cars, and Fund from the DWI Fund. Additionally utilizing the remaining budget from the Toughbook and Camera budget to go toward the purchase of the squad. This would then change the regular purchase of the next squad car to 2025.

THEREFORE, BE IT RESOLVED To authorize the purchase of a fully equipped 2023 Ford Explorer Police Interceptor utilizing the trade in of 2-2014 Squad cars, the 2023 vehicle and vehicle equipment budget, and \$17,000 from the DWI fund. The total purchase would be for \$63,378.27 through Guardian Fleet.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 05.110.23: Approval of Employment of Liza Hams-Cardinal for the Inventory position.

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

WHEREAS, On Resolution Number 1-21-23 the City Council approved the Inventory position job description and authorized filling the vacant Inventory position. The job was posted to Teamsters Union first and then advertised to the public. Interviews were conducted on Feb 2, 2023, March 23, 2023, and May 1, 2023.

WHEREAS, The city council has authorized filling this position.

WHEREAS, This is a budgeted position.

THEREFORE, BE IT RESOLVED Approve the employment of Liza Hams-Cardinal for the Inventory position. Mrs. Hams-Cardinal shall be placed at Step 1 of the Grade Level 3 Inventory salary schedule for a starting salary of \$24.35 per hour, effective May 30, 2023, pending successful completion of all pre-employment backgrounds and testing.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 05.111.23: Agreement for Federal Participation in Construction

Following discussion, Councilmember Steve Narverud introduced Resolution, being seconded by Councilmember Scott Pream, that:

WHEREAS, Pursuant to Minnesota Stat. Sec. 161.36 the Commissioner of Transportation be appointed as Agent of the local agency to accept as its agent federal aid funds which may be made available for eligible transportation related projects.

WHEREAS, This agreement allows federal agencies to distribute funds to eligible municipalities.

THEREFORE, BE IT RESOLVED The Mayor and Administrator are hereby authorized and directed for and on behalf of the City of Thief River Falls, MN to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 1052037, a copy of which said agreement was before the city Council/County Board and which is made a part hereof by reference.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 05.112.23: Approve 2023 Street Improvements Project

Following discussion, Councilmember Steve Narverud introduced Resolution, being seconded by Councilmember Michele McCraw, 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 10th, 2023, from three contractors. The low bid was received from Agassiz Asphalt, LLC in the amount of \$1,262,015.40. The Engineer's Estimate was \$1,405,359.00. The low bid was 11% below the engineer's estimate.

THEREFORE, BE IT RESOLVED Approve the low bid of \$1,262,015.40 from Agassiz Asphalt, LLC and award the 2023 Street Improvements Project.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 05.113.23: Approve Bicycle and pedestrian advisory group

Following discussion, Councilmember Mike Lorensen introduced Resolution, being seconded by Councilmember Scott Pream, that:

WHEREAS, The city supports increased bicycling and walking for commuting, general transportation, recreation, and healthy living. A safe, connected, convenient, and comfortable network of pedestrian and bicycling facilities contributes positively to quality of life, equity, and health. Increased walking, bicycling, and access to transit is needed to support transportation solutions in Thief River Falls and contribute to energy efficiency, reduced greenhouse gas emissions, and better air quality. Walk- and bike-friendliness are key economic drivers for cities of all sizes, strengthening the local economy by attracting business investment and skilled workers that have the option to locate anywhere. Bike Thief River Falls, a chapter of the Bicycle Alliance of Minnesota has as its main mission of working with the city to make it more bike, walk and roll friendly. Bike TRF membership is open to anyone and serves as an important resource to the community.

THEREFORE, BE IT RESOLVED Approve Bike Thief River Falls as a recognized advisory group to the Thief River Falls City Public Works Committee. The purpose of the advisory group is to provide suggestions on policies, engineering projects, funding and grant opportunities and educational programs to help make Thief River Falls a more walk, bike and roll friendly community.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 05.114.23: Approval of step change for Investigator Position

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

WHEREAS, This is a budgeted position

THEREFORE, BE IT RESOLVED Upon further review of the Investigator pay for Brady Meunier, it was determined that Mr. Meunier's wage shall be moved from the current Grade 7 Step 1 of \$34.27 per hour to Grade 7 Step 2 of \$35.73 per hour,

effective May 17th, 2023. Mr. Meunier will then move to Grade 7 Step 3 of \$37.16 on October 18, 2023, which is his original anniversary date.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 05.115.23: Bank reconstruction for handicap ramp fishing pier

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

WHEREAS, Scope of work lies within FEMA disaster declaration area from high water conditions sustained in 2022. The proposed work will help restore and improve conditions to help combat any further damage to the handicap accessible fishing pier.

WHEREAS, FEMA site inspections included area of reconstruction for awarded funding. Proposed construction engineered to best match requirements funded with recovery funds. The total work is estimated to be approximately \$17,000.00.

THEREFORE, BE IT RESOLVED Authorize Quality Spray Foam to perform operations to recompact materials and restore area damaged by 2022 flood impacts.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 05.116.23: Authorize Support of Safe Routes to School Boost Grant

Following discussion, Councilmember Jason Aarestad introduced Resolution, being seconded by Councilmember Megan Bourne, that:

WHEREAS, This project will expand many of the offerings that we already provide to our community, such as bike repair stations and bike maintenance classes. It will also expand the Safety on Wheels helmet education program to our 3rd grade students and bring bike rodeo activities to our community. With these activities our citizens will be traveling safer and children will gain more confidence in their bicycling skills.

WHEREAS, We look forward to this new partnerships we have with Safe Kids Grand Forks and the addition of Safety on Wheels. We know this will lead to greater partnerships within the field of wheeled sports safety for the children of Thief River Falls.

THEREFORE, BE IT RESOLVED Authorize Mayor Brian Holmer to sign letter of support of Safe Routes to School Boost Grant.

On vote being taken, the resolution was unanimously passed.

COUNCIL BOARDS AND COMMISSIONS REPORTS

- Councilmember Mike Lorensen mentioned when mowing grass - cannot put on road or sidewalks.
- Councilmember Steve Narverud mentioned leaf vac will go through next week.
- Mayor Holmer mentioned children will be out of school next week, please be aware.

UPCOMING MEETINGS

- City Council Meeting - June 6th at 5:30 p.m.
- Committee of Whole Meeting - June 6th Immediately following City Council
- Utilities Committee Meeting - June 12th at 7:00 a.m.
- Public Safety Liquor Committee Meeting - June 12th at 4:30 p.m.
- Administrative Services Committee Meeting - June 13th at 4:30 p.m. (Rm 201)
- Public Works Committee Meeting - June 14th at 4:30 p.m.
- City Council Meeting - June 20th at 5:30 p.m.

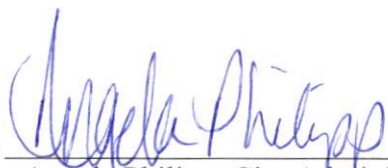
INFORMATIONAL ITEMS

- April 2023 Investment Summary

ADJOURNMENT

There being no further discussion, Councilmember Mike Lorenson, being seconded by Councilmember Scott Pream to adjourn at 6:22 p.m. On vote being taken, the Chair declared the motion unanimously carried.

Attest:



Angela Philipp, City Administrator



Brian D. Holmer, Mayor