

COUNCIL PROCEEDINGS

Tuesday, April 20, 2021

CALL TO ORDER

The City Council of Thief River Falls, Minnesota, met in regular session at 5:30 p.m. on April 20, 2021 in the Council Chambers of City Hall.

PLEDGE OF ALEGIANCE

ROLL CALL

The following Councilmembers were present: Holmer, Lorensen, McCraw, Bolduc, Howe, Aarestad, Narverud and Prudhomme. No Councilmembers were absent. Mayor Holmer chaired the meeting.

PUBLIC FORUM

Police Chief Marissa Adam announced Mark Bruggeman as the 4th Sergeant.

Jim Strandlie introduced himself as representing the Community Fund which replaced United Way. They are willing to raise funds for projects. The committee is interested in looking at discussing the Splash Park again. In addition, Jim spoke on behalf of the Sons of Norway. He would like to request May 16th as Leonard Furuseth Day.

Bruce Williams discussed concerns with CP rail issues with excessive blockage of crossings at 8th street. Bruce would also like an evaluation of the decibel levels to be completed. Evaluate Federal Standards for whistle blowing and potentially look into a quiet zone ordinance.

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

SEXUAL ASSAULT AWARENESS MONTH

- Recognizing the month of April as Sexual Assault Awareness Month

ONCOLOGY NURSING MONTH

- Recognizing the month of May as Oncology Nursing Month

APPROVE AGENDA

Councilmember Jason Aarestad motioned, being seconded by Councilmember Mike Lorensen, to approve the agenda as presented. On vote being taken, the agenda was unanimously passed.

CONSENT AGENDA

Councilmember Steve Narverud motioned, being seconded by Councilmember Curt Howe, to approve the consent agenda. On vote being taken, the consent agenda was unanimously passed.

APPROVAL OF APRIL 6, 2021 COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember Narverud introduced Resolution 4-85-21, being seconded by Councilmember Howe, that:

BE IT RESOLVED, by the City Council, to approve the April 6, 2021 Council Proceedings as presented.

On vote being taken, the resolution was unanimously passed.

CITY OF THIEF RIVER FALLS BILLS AND DISBURSEMENTS AND COUNCIL PER DIEMS

Presented as part of the Consent Agenda, Councilmember Narverud introduced Resolution 4-86-21, being seconded by Councilmember Howe, that:

BE IT RESOLVED, by the City Council, to authorize payment of bills and disbursements in the total amount of \$850,408.36 and Council Per Diems in the amount of \$1,527.50. A printout of the approved payments, disbursements and per diems are attached hereto and made a part hereof.

On vote being taken, the resolution was unanimously passed.

FORMER COUNTY DITCH 70 GRADING

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced Resolution 4-87-21, being seconded by Councilmember Curt Howe, that.

WHEREAS, The Red Lake Watershed District, along with Pennington County and the City of Thief River Falls completed a flood damage reduction project that diverts County Ditch 70 around the City of Thief River Falls. This system drains areas north and west of the city, as well as areas within the city. The former system, which is now under city jurisdiction, runs along Highway 1 & 59 from Highway 59 North to Barzen Avenue along Digi-Key and Arctic Cat, and outlets to the east along Greenwood Street to the Red Lake River.

The strategic partnership between the City, County and Watershed District is complimented by the Minnesota Department of Transportation through cost sharing of these drainage improvements.

WHEREAS, as this project was completed the ditch along the north side of Greenwood Street from Oakland Park Road to Brooks Avenue that was constructed to the design grade was found to be too deep and difficult to maintain. The proposed improvements will raise structures and fill the ditch to an urban design that can be mowed and maintained.

BE IT RESOLVED, to approve the Public Works Committee recommendation and approve a contract with Anderson Excavating to regrade former County Ditch 70 along the north side of Greenwood Street from Oakland Park Road to Brooks Avenue in the amount of \$55,730.11. The Red Lake Watershed District agreed to pay for 50% of the cost. The total city cost is \$27,865.06.

On vote being taken, the resolution was unanimously passed.

DECLARE SURPLUS PROPERTY

Presented as part of the Consent Agenda, Councilmember Narverud introduced Resolution 4-88-21,

being seconded by Councilmember Howe, that:

WHEREAS, the City of Thief River Falls owns numerous equipment, vehicles, tools, and miscellaneous items that are used to carry out work functions. These items are typically declared surplus to be sold in the most efficient manner when no longer needed.

WHEREAS, the items listed are Public Works Department items either damaged, wore out or no longer needed. Eliminating these items frees up valuable storage space and provides some revenue for the city.

BE IT RESOLVED, to approve the Public Works Committee recommendation and Declare the following item as surplus property.

1. Dart XL 120 Diazo Printer Serial No. 128484
2. KTF Bandsaw Serial No. 39637
3. Build-All DM-32 Parts Washer Serial No. 691602
4. Lincoln SP-100 Wire Welder Serial No. 9725-AC834260
5. Homemade Paint Trailer Unit 5523 Vin #DPS MN 922133
6. Bench Vise

On vote being taken, the resolution was unanimously passed.

EXTEND THE STATE OF EMERGENCY FOR COVID-19

Presented as part of the Consent Agenda, Councilmember Narverud introduced Resolution 4-89-21, being seconded by Councilmember Howe, that:

WHEREAS, a State of Emergency for the COVID-19 Pandemic Event was declared by the City of Thief River Falls originally per Resolution No. 3-55-20 on March 17, 2020; and extended per Resolution No. 2.26.21 through February 12, 2021; and the State of Emergency has been extended again through April 15, 2021;

WHEREAS, the State of Emergency has been extended again.

NOW, THEREFORE, the City of Thief River Falls declares the City of Thief River Falls, Minnesota in a State of Emergency through May 14, 2021 or until circumstances no longer require a State of Emergency.

On vote being taken, the resolution was unanimously passed.

NEW BUSINESS

SUMMARY OF PERFORMANCE OF WATER SYSTEMS SUPERINTENDENT

At the April 6th, 2021, meeting of the City Council, the meeting was closed by the council to evaluate the job performance of Wayne Johnson, Water Systems Superintendent. As required by Minnesota State Statute 13D.05 Subd. 3 (a), at its next open meeting, the public body shall summarize its conclusions regarding the evaluation.

The council conducted an evaluation of Mr. Johnson and found that Mr. Johnson was knowledgeable, timely in responses, punctual, factual and prepared. That he is always looking to be prepared for future issues and works to improve services and efficiencies. That he is straight forward and has good

communication with the council and other department heads. He is a good supervisor. He has done a good job representing the City regarding the water intake issue, other various projects and always has the best interests of the City in mind.

CITY OF THIEF RIVER FALLS - CONDITIONAL USE PERMIT REQUEST

Following discussion, Councilmember Jason Aarestad introduced Resolution 4-90-21, being seconded by Councilmember Rachel Prudhomme, that:

WHEREAS, TRF plans to purchase a sign that says #TRF. These signs have become popular in several communities to provide a photo backdrop for tourists and community members. People take these photos and post them on social media which in turn provides exposure and organic marketing for the community with no expense beyond the cost of the sign; and

WHEREAS, Visit TRF has requested this sign be placed at Red Robe Park because they would like the confluence of the Red Lake River and Thief River in the background. The Public Works Committee has approved this site. The sign has been classified as a message board and is allowable up to 40 SF in a Park and Recreation Zoning District and is exempt from a permit. A conditional use permit is required because it will be illuminated. The conditional use permit requirement allows a review to assure there are no negative impacts to adjacent properties from the illuminated sign.

NOW, THEREFORE, to accept the Planning Commission recommendation and approve a Conditional Use Permit for the City of Thief River Falls for an illuminated sign at Red Robe Park.

On vote being taken, the resolution was unanimously passed.

APPROVAL OF TRANSFER OF GREGORY HUFNAGLE TO THE BUILDING OFFICIAL POSITION

Following discussion, Councilmember Anthony Bolduc introduced Resolution 4-91-21, being seconded by Councilmember Steve Narverud, that:

WHEREAS, Minnesota statutes require that the Commissioner of Administration adopt minimum standards for building construction and remodeling that govern structural materials, design and construction, fire protection, health, safety, and sanitation. The purpose of these standards, which collectively make up the state building code, is to help protect the health and safety of the state's residents while containing construction costs. The city of Thief River Falls position of Building Official of Record has been Mark Borseth since Elvin Erickson left City employment. Mr. Hufnagle has successfully obtained his Building Official License and is qualified to transfer into the position of Building Official, and

WHEREAS, The City of Thief River Falls has adopted the State Building Code and is required to enforce the code through a State of Minnesota Licensed Building Official, making this a necessary position. The position of Building Inspector vacated by Mr. Hufnagle will not be filled,

THEREFORE, BE IT RESOLVED, to accept a Public Works Committee recommendation and approve approve the transfer of Gregory Hufnagle from Building Inspector to Building Official, effective April 21, 2021 at the MAPS salary of 95% of Grade Level 6 at \$5,920.40 per month with the next eligible progression to the top pay of \$6,232.00 in one year.

On vote being taken, the resolution was unanimously passed.

FIRST READING FOR CITY OF THIEF RIVER FALLS - AMEND CITY CODES 152.031 & 152.032

Councilmember Curt Howe motioned, being seconded by Councilmember Steve Narverud to call for the first reading of an ordinance of the City of Thief River Falls, Minnesota, to consider amending 152.031 (C), Conditional Uses, to add (5) Car and Truck Wash Business; and 152.032 (C), Conditional Uses, to add (7) Car and Truck Wash Business.

City Attorney Sparby read the proposed ordinance. No action was taken at this time and this ordinance will again be presented at the next Council Meeting.

TERRY BENSON, WATER TREATMENT PLANT OPERATOR PROGRESSION RAISE

Councilmember, Mike Lorensen introduced Resolution 4-92-21, being seconded by Councilmember Anthony Bolduc, that:

WHEREAS, Mr. Benson has obtained his Water Class C Certification as of March 5, 2021 and is eligible for a step progression raise, to Step 5 of the Water Treatment Plant Operator salary schedule, for a new salary of \$26.99 per hour effective March 5, 2021.

BE IT RESOLVED, to approve the Public Utilities Committee recommendation and accept a Public Utilities Committee recommendation and grant a progression raise for Terry Benson, Water Treatment Plant Operator to Step 5 of the Water Treatment Plant Operator salary schedule, for a new salary of \$26.99 per hour effective March 5, 2021.

On vote being taken, the resolution was unanimously passed.

VARIANCE REQUEST - MAK PROPERTIES, LLC

Following discussion, Councilmember, Anthony Bolduc introduced Resolution 4-93-21, being seconded by Councilmember Michele McCraw, that:

WHEREAS, MAK Properties of Grand Forks, North Dakota has completed the purchase of the vacant property south of Valley Home. They are proposing a mixed-use building with residential apartments above commercial space, which is allowable with a conditional use permit, which has been approved.

WHEREAS, MAK Properties has submitted application for a 35' variance to the 35' buffer along the easterly 300' of the north property line, and a 20' variance to the remainder of the north property line. This variance is required due the access location necessary to accomplish a perpendicular approach of Oakland Park Road and to allow playground equipment adjacent to the proposed daycare. They are also requesting a 10' variance to the 20' rear yard setback along the Minnesota Northern Railroad R/W.

THEREFORE, BE IT RESOLVED, to approve the Planning Commission recommendation to approve a 35' variance to the 35' buffer along the easterly 300' of the north property line, and a 20' variance to the 35' buffer along the remainder of the north property line; and a 10' variance to the 20' rear setback.

On vote being taken, the resolution was unanimously passed.

SMALL CITIES DEVELOPMENT GRANT – CONTRACT FOR SERVICES

Following discussion, Councilmember, Jason Aarestad introduced Resolution 4-94-21, being seconded by Councilmember Michele McCraw, that:

WHEREAS, the City of Thief River Falls received a DEED grant in 2016 for \$556,600 to renovate 22 owner occupied single-family homes in a target area for low to moderate income households. This program was administered by the NW MN Multi-County HRA and was completed in November of 2020. The City of Thief River Falls continues to have needs for improvements to existing housing.

WHEREAS, the proposed grant would be for renovations to multi-family rental units. The criteria for this grant would allow any location within the city limits. The proposed grant application would be for \$600,000 and fund approximately 40 units. The building owner would be responsible for 30% of the project cost and 20% in a low interest loan. The remaining 50% would be a grant. The eligible SCDP funds (loan and grant) for each unit would be \$12,500.

BE IT RESOLVED, to approve the Public Works Committee recommendation and Approve an agreement with NW MN Multi-County HRA to prepare a grant application for the DEED Small Cities Development Program; and authorize the Mayor to execute the agreement.

On vote being taken, the resolution was unanimously passed.

FIRST READING REZONING - WILLIAM NESS PROPERTY

Councilmember Jason Aarestad motioned, being seconded by Councilmember Anthony Bolduc to call for the first reading of an ordinance of the City of Thief River Falls, Minnesota, to consider rezoning the following described parcel from Agricultural District (AG) to Multi-Family Residential District (R-4).

That part of Government Lot 7, Section 2, Township 153 North, Range 43 West of the Fifth Principal Meridian, Pennington County, Minnesota, described as follows:

Beginning at the northwest corner of Lot 1, Block 2, NESS FIRST ADDITION to the City of Thief River Falls, Minnesota, according to the official plat of record in the office of the County Recorder, in and for the County of Pennington, and the State of Minnesota; thence south, along the west line of said Block 2, a distance of 318.45 feet; thence southeasterly, along the west line of said Block 2, a distance of 20.51 feet, more or less, to the most southern corner of Lot 2, said Block 2; thence south, along a line parallel to the east line of COUNTRY ACRES SECOND ADDITION, on file at said Recorder's Office, a distance of 1002.23 feet, more or less, to the south line of said Government Lot 7; thence westerly, along the south line of said Government Lot 7, a distance of 471.59 feet, more or less, to a line being 439.00 feet distant from and parallel to the east line of said COUNTRY ACRES SECOND ADDITION; thence north, along a line being 439.00 feet distant from and parallel to the east line of said COUNTRY ACRES SECOND ADDITION, a distance of 1373.26 feet, more or less, to the north line of said Government Lot 7, thence easterly, along the north line of said Government Lot 7, a distance of 477.28 feet, more or less, to the northerly extension of the west line of Block 2, said NESS FIRST ADDITION; thence south, along the northerly extension of Block 2, said NESS FIRST ADDITION, a distance of 33.02 feet, more or less, to the point of beginning.

Said parcel contains 14.76 acres, more or less, and is subject to easements, restrictions, or reservations of record, if any.

City Attorney Sparby read the proposed ordinance. No action was taken at this time and this ordinance will again be presented at the next Council Meeting.

FIRST READING REZONING - GRANDBOIS PROPERTY

Councilmember Mike Lorenson motioned, being seconded by Councilmember Jason Aarestad to call for the first reading of an ordinance of the City of Thief River Falls, Minnesota, to consider rezoning Lots 2, 3, and the north 36' of Lot 4, Block 2, Narverud's First Addition of Thief River Falls from Multi-Family Residential District (R-4) to Suburban Residential District (R-1).

City Attorney Sparby read the proposed ordinance. No action was taken at this time and this ordinance will again be presented at the next Council Meeting.

APPROVAL TO FILL VACANT PUBLIC WORKS MAINTENANCE POSITION

Following discussion, Councilmember Anthony Bolduc introduced Resolution 4-95-21, being seconded by Councilmember Steve Narverud, that:

WHEREAS, Wade Cota, Public Works Maintenance, has resigned from his position effective April 9, 2021. This position is considered necessary to keep the Public Works Department operating efficiently.

BE IT RESOLVED, to approve the Public Works Committee recommendation and Authorize to begin the process to fill the vacant position of Public Works Maintenance. This position shall be offered to Teamster #320 employees as per union contract and if not filled, shall be opened to the public.

On vote being taken, the resolution was unanimously passed.

SUMMER WORK HOURS FOR CITY HALL

Following discussion, Councilmember Jason Aarestad introduced Resolution 4-96-21, being seconded by Councilmember Steve Narverud, 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; and

WHEREAS, it will be the City Administrator and Department heads job to make sure this works or else it will be discontinued.

THEREFORE, BE IT RESOLVED, by the City Council, to set summer hours for the City of Thief River Falls City Hall and other departments as appropriate, effective Sunday, May 24th and to conclude on September 5th. 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.

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

TRENCHING AND PLOWING SERVICE CHARGE FOR THE 2021 CONSTRUCTION SEASON

Following discussion, Councilmember Anthony Bolduc introduced Resolution 4-97-21, being seconded by Councilmember Rachel Prudhomme, that:

WHEREAS, Last time rates were changed were in 2019, with additional costs for materials and equipment it would be my recommendation to adjust all fees for the 2021 Construction season; and

WHEREAS, The City of Thief River Falls is not in the construction business these charges are only for the services of Joint Trench only. The Electric Department has worked with the Cable TV and Phone Companies for many years and have provided a joint trench agreement pre construction to help determine cost of service to our customers in Thief River Falls;

THEREFORE, BE IT RESOLVED, to accept a Public Utilities Committee recommendation and to approve the fees for the 2021 construction season for Mainline trenching, Boring. Secondary line trenching and boring. Street light trenching and boring.

On vote being taken, the resolution was unanimously passed.

PRICING FOR 2021 EQUIPMENT AND LABOR

Following discussion, Councilmember Rachel Prudhomme introduced Resolution 4-98-21, being seconded by Councilmember Mike Lorensen, that:

WHEREAS, Last time equipment and labor charge were changed was in 2019; and,

WHEREAS, Do to the purchasing of new equipment and changes in HSEM(homeland security emergency management)construction code as well as labor costs, it is my recommendation to follow the HSEM cost code guidelines.

THEREFORE, BE IT RESOLVED, to accept a Public Utilities Committee recommendation to approve pricing for 2021 equipment and labor.

On vote being taken, the resolution was unanimously passed.

COUNCIL BOARDS AND COMMISSIONS REPORTS

Prudhomme indicated the Historical Society meeting scheduled for April 22nd was moved to Monday, April 26th at the Pennington County Government Center. If interested in becoming a member contact Rachel Prudhomme.

Narverud mentioned leaf vac will be end next week. Spring Clean Up will be May 1st, 8:00 am to noon. The RV dump site will open within the next 2 weeks at the Pennington County Historical Society across from the Tourist Park.

Mayor Holmer mentioned City Wide Garage Sale will be May 15th.

Aarestad mentioned that the Animal Ordinance is going through some changes such as addressing barking and picking up after your animals. Recommendations will be brought to the council soon.

UPCOMING MEETINGS

1. COMMITTEE OF WHOLE - APRIL 27TH AT 5:30 P.M.
2. SPRING CLEAN UP - MAY 1ST AT 8 A.M. TO NOON
3. CITY COUNCIL MEETING - MAY 4TH AT 5:30 P.M.
4. UTILITIES COMMITTEE - MAY 10TH AT 7:00 A.M.

5. PUBLIC SAFETY/LIQUOR COMMITTEE - MAY 10TH AT 4:30 P.M.
6. ADMINISTRATIVE SERVICES COMMITTEE - MAY 11TH AT 3:00 P.M.
7. PUBLIC WORKS COMMITTEE - MAY 12TH AT 4:30 P.M.
8. CITY COUNCIL MEETING - MAY 18TH AT 5:30 P.M.

INFORMATIONAL ITEMS

INVESTMENT SUMMARY - ENDING MARCH 31, 2021

ADJOURNMENT

There being no further discussion, Councilmember Prudhomme moved, being seconded by Councilmember McCraw to adjourn at 6:43 p.m. On vote being taken, the Chair declared the motion unanimously carried.