

COUNCIL PROCEEDINGS

Tuesday, September 5, 2023

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

The following Councilmembers were present: Holmer, McCraw, Narverud, Pream, Lorensen, Arlt and Aarestad. The following Councilmember was absent: Bolduc. Mayor Holmer chaired the meeting.

PUBLIC FORUM

- Chris Anderson & Cheryl Snetting - Mobile Home Park Managers - expressed concerns with water meters, replacement of heat tape. Questioned if Vanguard is licensed in MN and/or bonded.
- John Halsa - Worked for Homark Homes, need a licensed plumber, the code needs to be followed.
- Elizabeth Ortloff - Not clear that heat tape needs to be replaced. Cost could be up to \$500 per home.

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

APPROVE AGENDA

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

On vote being taken, the resolution was unanimously passed.

CONSENT AGENDA

RESOLUTION NO. 09.193.23: Approval of August 15, 2023 Council Proceedings

Presented as part of the Consent Agenda, Councilmember Mike Lorensen introduced Resolution No. 09.193.23, being seconded by Councilmember Michele McCraw, that:

THEREFORE, BE IT RESOLVED By the City Council, to approve August 15, 2023 Council Proceedings.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.194.23: City of Thief River Falls Bills and Disbursements and Council Per Diems

Presented as part of the Consent Agenda, Councilmember Mike Lorensen introduced Resolution No. 09.194.23, 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 \$3,446,825.24 and council per diem in the amount of \$975.00. A printout of the approved payments, disbursements are attached hereto and made a part hereof.

On vote being taken, the resolution was unanimously passed.

NEW BUSINESS

RESOLUTION NO. 09.195.23: Approve the purchase of a used DS75 3 station folder / inserter with OMR reader

Following discussion, Councilmember Mike Lorenson introduced Resolution No. 09.195.23, being seconded by Councilmember Scott Pream, that:

WHEREAS, The City of Thief River Falls' Utility Billing Office has over 5,000 accounts of which approximately 3,800 bills are mailed monthly. This process is done in-house and is in need of a newer machine to complete the task.

THEREFORE, BE IT RESOLVED Approve the purchase of a used DS75 3 station folder / inserter with OMR reader from Dakota Business Solutions in the amount of \$6,495.00 which includes 2 years free maintenance for the Utility Billing Office.

On vote being taken, the resolution was unanimously passed.

Call for First Reading of An Ordinance Creating Chapter 114 "Cannabis" And Section 114.01 "Use Of Cannabis In Public", In The City Code, And Adopting By Reference City Code Chapter 10, Which, Among Other Things, Contain Penalty Provisions.

Councilmember Jason Aarestad motioned, being seconded by Councilmember Mike Lorenson to call for the first reading of an ordinance of An Ordinance Creating Chapter 114 "Cannabis" And Section 114.01 "Use Of Cannabis In Public", In The City Code, And Adopting By Reference City Code Chapter 10, Which, Among Other Things, Contain Penalty Provisions.

Chapter 114 Cannabis

Section 114.01 Use of Cannabis in Public Places.

Subd. 1. It is unlawful to use or consume cannabis flower, cannabis products, lower-potency hemp edibles and hemp-derived consumer products, as defined in Minn. Stat. Section 342.01, in public places anywhere in the City.

(1) City parks, City streets, avenues, roadways, alleys, sidewalks and any private parking lots to which the public has access, except where permission has specifically been granted or licensed by the Council;

(2) City public property; or

Subd. 2. As used in this Section, public places include all areas contained within the City boundaries, except the following:

A. Private residences, including the curtilage and yard; and

B. Private property not generally accessible by the public, unless a person is explicitly prohibited from using or consuming cannabis flower, cannabis products, lower-potency hemp edibles or hemp-derived consumer products on

the property by the owner of the property; and

- C. The premises of an establishment or event licensed to permit on-site consumption of cannabis flower, cannabis products, lower potency hemp edibles or hemp-derived consumer products.

Subd. 3. Violation of this Section is a petty misdemeanor as defined by Minnesota law.

Subd. 4. 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.

Subd. 5. This ordinance shall be in force and effect from and after its passage, approval, and publication.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 08.196.23: Replace the R-22 Ice Plant with Co2 Ice Plant to service both the Ralph Engelstad Arena and the Huck Olson Memorial Civic Center.

Following discussion, Councilmember Jason Aarestad introduced Resolution No. 09.196.23, being seconded by Councilmember Scott Pream, that:

WHEREAS, The current ice plant is at the end of it's useful life. The current refrigerant R-22 has a high Global Warming Potential and is no longer manufactured for use in the U.S. The life expectancy for this current model of Ice Plant is 20 to 25 years.

WHEREAS, The quote from CIMCO as arranged thru the bidding process from Sourcewell is listed at \$3,225,000 and would be bonded.

THEREFORE, BE IT RESOLVED To accept the scope of work quoted by CIMCO Refrigeration.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.197.23: Approve Metcalf Archaeology Study

Following discussion, Councilmember Mike Lorenson introduced Resolution No. 09.197.23, being seconded by Councilmember Michele McCraw, to include changes to the resolution that:

WHEREAS, In 2022, several infrastructure assets of the City of Thief River Falls sustained damage due to high water and flooding conditions. In June of that year, FEMA declared a disaster state to a three-county region for public assistance funds. Three of the infrastructure improvement projects have been required to complete an archaeology study before conducting any construction activities. This study encompasses the currently requested research for all three locations.

WHEREAS, Archaeology study costs are eligible for reimbursement on mitigation projects that have been granted funds through FEMA disaster declarations.

WHEREAS, An archaeology study has been required by Environmental Historic Preservation division of FEMA, and will be necessary to proceed with mitigation projects listed above before any disaster funds are awarded to those projects.

THEREFORE, BE IT RESOLVED To approve contract with Metcalf Archaeology or Duluth Archaeology Center in the amount up to \$8,200.00 for services associated with an archaeology study located at Red Robe Park, Boy Scout Park, and Elks Park in Thief River Falls, MN.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.198.23: Approve Hiring of Richard Baker as Economic/Community Development Director

Following discussion, Councilmember Scott Pream introduced Resolution No. 09.198.23, being seconded by Councilmember Steve Narverud, that:

WHEREAS, It was approved on Resolution Number 06-140-23 to open the Economic/Community Development Director position to the public for filling. Interviews were conducted on August 22, 2023.

WHEREAS, This is a 2023 budgeted position.

THEREFORE, BE IT RESOLVED Approve the hiring of Richard Baker as Economic/Community Development Director. Mr. Baker will start at a Grade 13 Step 2 for \$46.53 per hour, which is a monthly salary of \$8,065.20.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.199.23: Approve Tobacco License for Licensee Name: TH Specialty Store Inc., Trade Name: King Tobacco Thief River 2

Following discussion, Councilmember Jason Aarestad introduced Resolution No. 09.199.23, being seconded by Councilmember Mike Lorenson, that:

WHEREAS, King Tobacco Thief River 2 is planning on opening a second tobacco shop/smoke shop and has applied for a tobacco license.

WHEREAS, The Tobacco license for 2023 is \$150.

WHEREAS, License is contingent on receiving all applications, forms and fees.

THEREFORE, BE IT RESOLVED Approve a new Tobacco License to TH Specialty Store Inc, DBA King Tobacco Thief River 2, effective September 11, 2023 through December 31, 2023.

On vote being taken, the resolution was unanimously passed.

COUNCIL BOARDS AND COMMISSIONS REPORTS

- Councilmember Jason Aarestad mentioned school has started and he asks that the

residents slow down and watch for the children.

UPCOMING MEETINGS

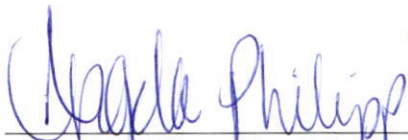
- Committee of Whole Meeting - Immediately following City Council
- Utilities Committee Meeting - September 11th at 7:00 a.m.
- Public Safety Liquor Committee Meeting - September 11th at 4:30 p.m.
- Administrative Services Committee Meeting - September 12th at 4:30 p.m.
- Public Works Committee Meeting - September 13th at 4:30 p.m.
- City Council Meeting - September 19th at 5:30 p.m.

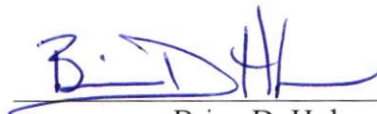
INFORMATIONAL ITEMS

ADJOURNMENT

There being no further discussion, Councilmember Mike Lorenson, being seconded by Councilmember Scott Pream to adjourn at 6:00 p.m. On vote being taken, the Chair declared the motion unanimously carried.

Attest:


Angela Philipp, City Administrator


Brian D. Holmer, Mayor