

COUNCIL PROCEEDINGS

#7.01

MARCH 2, 2021

The City Council of Thief River Falls, Minnesota, met in regular session at 5:30 p.m. on March 2, 2021 in the Council Chambers of City Hall. The following Councilmembers were present: Holmer, Lorenson, McCraw, Bolduc, Howe, Narverud, and Aarestad. Councilmember Prudhomme joined by webex at 5:52 p.m. prior to approval of agenda. Mayor Holmer chaired the meeting.

PUBLIC HEARING – MINNESOTA DEED INVESTMENT FUND INCENTIVE PROGRAM – NORTHERN PRIDE EXPANSION

Mayor Holmer opened the Hearing. Public Works Director Mark Borseth presented information on the Northern Pride Expansion. Northern Pride has purchased the former Northwest Beverage facility south of the Water Treatment Plant on Pennington Avenue. After searching for a site to expand for quite some time, the former Northwest Beverage building, directly across the street from the existing Northern Pride, became available and was purchased by Northern Pride.

Northern Pride plans to remodel and repurpose this building to a turkey processing facility. The expansion project will add deboning and multiple products to their market.

The MIF program incentivizes industries to create new jobs. The incentive is also based on the investment in equipment.

The application is anticipated to be valued at \$200,000 to \$250,000 to assist with the \$2.4 million project that will add 22 full-time/year-round employees.

The City of Thief River Falls will be the applicant and will require a Resolution of Support by the City Council. This project will result in no cost to the City.

There were no public comments, and the hearing was closed.

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

Sale of Block 38 Parking Lot (Adjacent to Floyd B. Olson Park)

Mark Borseth Public Works Director reported that a request from a developer was received to purchase Block 38 parking lot adjacent to Floyd B. Olson Park. While the request was similar to a request in 2019 which was rejected, this request does not take away any greenspace from the park.

The current request from a retail chain will fit completely within the parking lot space and will add to the greenspace. The developer is willing to pay \$100,000 for the parcel and will construct a bathhouse, picnic shelter, and sidewalk network and reconstruct Second Street as a parking lot. Proceeds of the sale would go into the park improvements fund.

If the City Council decides to sell the property, it could be listed publicly for sale with a minimum bid of \$10,000 and require the bathhouse, picnic shelter, sidewalks, and Second Street parking lot to also be constructed. This would be transparent and fair to anyone interested and could result in a higher sale price. The City Attorney will review the requirements and process prior to proceeding.

Councilmembers indicated that have been receiving comments from the public and encouraged more citizens to submit their comments to them.

This was for informational purposes only and no action was taken. This item will be discussed again at a later date.

APPROVAL OF AGENDA

Councilmember Howe motioned, being seconded by Councilmember Aarestad, to approve the agenda with the addition of Item 8.05 with regard to opening a Journey Lineworker position. On roll call vote being taken, the motion was unanimously approved.

RESOLUTION NO. 3-43-21: APPROVAL OF COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember McCraw introduced Resolution No. 3-43-21, being seconded by Councilmember Aarestad, that:

BE IT RESOLVED, by the City Council, to approve February 16, 2021 Council Proceedings as presented.

On roll call vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-44-21: APPROVAL OF PAYMENT OF BILLS

Presented as part of the Consent Agenda, Councilmember McCraw introduced Resolution No. 3-44-21, being seconded by Councilmember Aarestad, that:

BE IT RESOLVED, by the City Council, to authorize payment of bills and disbursements in the total amount of \$1,587,276.80 and Council Per Diems in the amount of \$260.00. A printout of the approved payments, disbursements and per diems are attached hereto and made a part hereof.

On roll call vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-45-21: EXTENDING THE STATE OF EMERGENCY FOR COVID-19 PANDEMIC THROUGH MARCH 15, 2021

Presented as part of the Consent Agenda, Councilmember McCraw introduced Resolution No. 3-45-21, being seconded by Councilmember Aarestad, 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

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 March 15, 2021 or until circumstances no longer require a State of Emergency.

On roll call vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-46-21: RESOLUTION OF SUPPORT FOR NORTHERN PRIDE EXPANSION – MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC (DEED) MINNESOTA INVESTMENT FUND INCENTIVE PROGRAM

Following a Public Hearing, Councilmember Narverud introduced Resolution No.3-46-21, being seconded by Councilmember Aarestad, that:

BE IT RESOLVED that the City of Thief River Falls act as the legal sponsor for the project contained in the Minnesota Investment Fund Application to be submitted on or about March 3, 2021 and that Mayor and City Administrator are hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of Northern Pride, Inc.

BE IT FURTHER RESOLVED that the City of Thief River Falls has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to administer the proposed project.

BE IT FURTHER RESOLVED that the City of Thief River Falls has not violated any Federal, State, or local laws pertaining to fraud, bribery, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the State, the City of Thief River Falls may enter into a Grant Contract with the State of Minnesota for the approved project, and that the City of Thief River Falls certifies that it will comply with all applicable laws, statutes, regulations and rules as stated in the Grant Contract and described in the Project Compliance Certification of the Application.

AS APPLICABLE, BE IT FURTHER RESOLVED that the City of Thief River Falls has obtained credit reports and credit information on Northern Pride, Inc. Upon review by the City of

Thief River Falls and City Attorney no adverse findings or concerns regarding, but not limited to, tax liens, judgments, court actions, and filings with state, federal and other regulatory agencies were identified. Failure to disclose any such adverse information could result in revocation or other legal action.

NOW, THEREFORE BE IT RESOLVED that the Mayor and City Administrator, or their successors in office, are hereby authorized to execute the Grant Contract and amendments, thereto, as are necessary to implement the project on behalf of the City of Thief River Falls.

On roll call vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-47-21: APPROVAL OF ORDINANCE NO. 131, 3rd SERIES OF THE CITY OF THIEF RIVER FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 152 ENTITLED "ZONING CODE" BY AMENDING THE CITY ZONING DISTRICTS MAP, AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 10 AND SECTION 152.998, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

Councilmember Bolduc motioned, being seconded by Councilmember Lorenson, to call for the second reading of an ordinance of the City of Thief River Falls, Minnesota, by amending City Code Chapter 152 Entitled "Zoning Code" by amending the City Zoning Districts Map, and by adopting by reference City Code Chapter 10 and Section 152.998, which, among other things, contain penalty provisions. The motion carried. City Attorney Sparby read the proposed ordinance.

Councilmember Narverud introduced Resolution No.3-47-21, being seconded by Councilmember Lorenson, that:

THE CITY COUNCIL OF THIEF RIVER FALLS ORDAINS:

Section 1. The City Zoning Districts Map is hereby amended by changing the zoning designation of the following described real property from Multi-Family Residential District (R-4) to General Business District (C-2):

A tract of land containing approximately one and one half acres (1 ½), more or less and more particularly described as follows:

Beginning at a point located 230½ feet South and 20 feet West of the 1/16 corner, at the Northeast corner of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼), Section Thirty-Three (33), Township One Hundred Fifty-Four (154) North of Range Forty-three (43) West; thence from said point of beginning running South ninety-six and one-half feet (96 ½') thence running West six hundred fifty-two feet (652'); thence again running North ninety-six and one half feet (96 ½'); and thence running East six hundred fifty-two feet (652') to the Point of Beginning

and

Three tracts of land lying in Section Thirty-Three (33), Township One Hundred Fifty-four (154) North, Range Forty-three (43) West, more fully described as:

- (1) Beginning at a point located three hundred twenty-seven feet (327') South and twenty feet (20') West of the 1/16 corner at the Northeast corner of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) of Section Thirty-three (33), in Township One Hundred Fifty-four (154) North of Range Forty-three (43) West; thence from said point of beginning point running South thirty-five feet (35'); thence running West six hundred fifty-two feet (652'); thence running North thirty-five feet (35'); and thence running East to the point of beginning. Excepting therefrom any highways on or across said premises, in Pennington County.
- (2) A tract of land sixty-one and one-half feet (61 ½') wide containing approximately three-quarter (¾) acre of land, more or less, and more particularly described as follows: Beginning at a point located 362 feet South, and about 20 feet West of the 1/16 corner at the Northeast corner of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) in Section Thirty-three (33), Township One Hundred Fifty-Four (154) North of Range Forty-three (43) West of the Fifth Principal Meridian, in Pennington County, Minnesota; thence from the said starting point running South sixty-one and a half feet (61 ½'); thence running West six Hundred Fifty-two feet (652'); thence running North sixty-one and a half feet (61 ½'); thence running East Six Hundred Fifty-two feet (652') to the point of beginning, but less and excepting therefrom all of the street or highway running across the East end of the said above described premises.
- (3) Beginning at a point six hundred seventy-two feet (672') West of the 1/16 corner at the Northeast corner of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) in Section Thirty-three (33) in Township One Hundred Fifty-four (154) North of Range Forty-three (43) West of the Fifth Principal Meridian, in Pennington County, Minnesota; thence from said point of beginning running South Four Hundred Twenty-three feet (423.5'); thence East approximately three hundred forty feet (340') feet to the Westerly right of way line of Minnesota Trunk Highway 32; thence Southwesterly along the westerly right of way line of Minnesota Trunk Highway 32 a distance of approximately one thousand two hundred fifty feet (1250') to the centerline of Greenwood Street extended; thence West along the extended centerline of Greenwood Street a distance of approximately fifty feet (50') to the Easterly right of way line of the Great Northern Railroad; thence northeasterly along the easterly right of law line of the Great Northern Railroad, a distance of approximately one thousand four hundred twenty feet (1420) to the point of beginning.

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.

On roll call vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-48-21: APPROVAL OF ORDINANCE NO. 132, 3rd SERIES OF THE CITY OF THIEF RIVER FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 152 ENTITLED "ZONING CODE" BY AMENDING THE CITY ZONING DISTRICTS MAP, AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 10 AND SECTION 152.998, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

Councilmember Bolduc motioned, being seconded by Councilmember McCraw, to call for the second reading of an ordinance of the City of Thief River Falls, Minnesota, by amending City Code Chapter 152 Entitled "Zoning Code" by amending the City Zoning Districts Map, and by adopting by reference City Code Chapter 10 and Section 152.998, which, among other things, contain penalty provisions. The motion carried. City Attorney Sparby read the proposed ordinance.

Councilmember Howe introduced Resolution No. 3-48-21, being seconded by Councilmember McCraw, that:

THE CITY COUNCIL OF THIEF RIVER FALLS ORDAINS:

Section 1. The City Zoning Districts Map is hereby amended by changing the zoning designation of the following described real property from Light Industrial District (I-1) to Central Business District (C-3):

Original Townsite of Thief River Falls, Lots 23 through 30, Block 63; and Original Townsite of Thief River Falls, Lots 31 & 32, Block 63, and West 10 feet of Vacated Alley in Block 63, and West 160 feet of Vacated Bay Street adjacent to Lot 32 and Vacated Alley, Thief River Falls, Minnesota.

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.

On roll call vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-49-21: APPROVAL OF APPOINTMENT OF KJELL JOHNSRUD AS SERGEANT

Police Chief Adam presented a recommendation. Councilmember Bolduc introduced Resolution No. 3-49-21, being seconded by Councilmember Aarestad, that:

WHEREAS, as authorized by Resolution No. 2-41-21, the Police Department completed the process of an internal promotion to Sergeant within the Department.

NOW, THEREFORE, the City of Thief River Falls, to promote Kjell Johnsrud, Patrol Officer, to Sergeant effective March 3, 2021 at a salary of \$33.61 per hour.

On roll call vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 3-50-21: APPROVAL TO OPEN POSITION OF LICENSED JOURNEY LINEWORKER

Dale Narlock Electric Superintendent presented findings from the Labor Committee. Councilmember Lorenson introduced Resolution No. 3-50-21, being seconded by Councilmember Bolduc, that:

WHEREAS, as a result of being notified by the Department of Labor and Industry that the City of Thief River Falls is not in compliance with journey lineworker to apprentice lineworker ratio, the City of Thief River Falls must begin the process to hire a fully licensed journey lineworker.

THEREFORE, BE IT RESOLVED, to open a full-time Electric Department Licensed Journey Lineworker position. Position shall be advertised to the Teamster #320 as required by Labor Contract and if not filled internally shall be opened to the public for filling.

On roll call vote being taken, the resolution was unanimously passed.

COUNCIL BOARDS AND COMMISSION REPORTS

- None

UPCOMING MEETINGS/EVENTS

- Utilities Committee Meeting – March 8th at 7:00 a.m.
- Public Safety/Liquor Committee Meeting – March 8th at 4:30 p.m.
- Administrative Services Committee Meeting – March 9th at 3:00 p.m.
- Public Works Committee Meeting – March 10th at 4:30 p.m.
- City Council Meeting – March 16th at 5:30 p.m.

INFORMATIONAL ITEMS

- Investment Schedule dated 01/31/2021.

- Councilmember Aarestad questioned to call off calendar parking due to nice weather forecasted. The Council gave the Mayor authority to lift the calendar parking requirement effective immediately.
- Councilmember Narverud indicated the City has been trying to clean off most of the walking trails and are overall clear, but to watch for ice during cold weather. Also, clean up after your pets.
- Councilmember McCraw questioned the City conducting snow removal from sidewalk. Borseth indicated it is based upon snow events and sidewalk coverage. Borseth indicated there is no set timetable, but instead based upon weather events and they are following City policy. Borseth reminded the Council that elderly or disabled may call Sentence to Serve for snow removal assistance.
- Councilmember Howe reminded the public to contact their councilmember to voice their comments regarding the possible sale of Block 38 parking lot.

CLOSURE OF COUNCIL MEETING PURSUANT TO MN STATUTE §13D.05 TO CONDUCT PERFORMANCE APPRAISAL OF CITY ADMINISTRATOR

Councilmember Bolduc moved, being seconded by Councilmember Aarestad, to close the Council Meeting as per Minnesota Statute 13D.05 to conduct a performance evaluation of the City Administrator, Angela Philipp at 6:11 p.m. Motion unanimously carried.

RECOVENE COUNCIL MEETING

Councilmember Aarestad moved, being seconded by Councilmember Lorenson, to reconvene the meeting at 6:25 p.m. On roll call vote being taken, the meeting was unanimously voted to reconvene.

ITEM FOR INFORMATION

- Dale Narlock Electric Superintendent warned the residents that with the warm weather coming up and the strong flow the river that the ice will be dangerous. While the edges of the river have thicker ice as you go further midstream the ice is thinner.

ADJOURNMENT

There being no further discussion, Councilmember Aarestad moved, being seconded by Councilmember McCraw to adjourn at 6:29 p.m. On roll call vote being taken, the Chair declared the motion unanimously carried.

Brian D. Holmer, Mayor

Attest: _____
Angela Philipp, City Administrator