

**THIEF RIVER FALLS CITY COUNCIL
AGENDA
TUESDAY – FEBRUARY 2, 2021**

**COUNCIL CHAMBERS
CITY HALL – 405 3RD STREET EAST
5:30 PM**

City of Thief River Falls Mayor Brian Holmer Determination Regarding Conducting Meetings by Telephone or Other Electronic Means – per Directive 2020-6. Some councilmembers may participate by electronic means.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. PUBLIC FORUM** – *Individuals may address the City Council about any item not included on the regular agenda. A maximum of 5 minutes is allotted for the public forum. Speakers are requested to dial: 408-418-9388 and then enter access code: 623 986 425 (If you are having issues connecting call 218-689-3612), state their name and address for the record, and limit their remarks to five minutes. The City Council will not take official action on items discussed at this time, with the exception of referral to staff or a committee, board or commission for a future report.*
- 5. PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS**
- 6. APPROVE AGENDA** – *Council members may add items to the agenda for discussion purposes or staff direction. The Council will not normally take official action on items added to the agenda.*
- 7. CONSENT AGENDA** – *These items are considered routine in nature and are approved with one motion without discussion/debate. The Mayor will ask if any Council member wishes to remove an item and place it on the regular agenda for discussion and consideration. If no items are to be removed, the Mayor will then ask for a motion to approve the Consent Agenda.*
 - 7.01 Approval of January 19, 2021 Council Proceedings (pages 1-8)
 - 7.02 City of Thief River Falls Bills and Disbursements and Council Per Diems (see attachment)
 - 7.03 Extending the State of Emergency for COVID-19 Pandemic through February 12, 2021 (page 9)
- 8. NEW BUSINESS**
 - 8.01 Approval of Commercial Energy Improvement Loan for Jill Stenberg, Owner of Old Bostwick's (pages 10-11)
 - 8.02 Acknowledge of Remote Meeting Etiquette (page 12)
 - 8.03 Approval of Deputy City Clerk Job Description Update and Opening Position for Filling. (pages 13-16)

8.04 Approval of Joint Resolution with North Township for Orderly Annexation of Frankhanel, LLC, Ryan and Jamie Bakken, and Joan Bakke Properties (pages 17-25)

9. COUNCIL BOARDS AND COMMISSIONS REPORTS – *Not all boards or commissions will have met prior to the Council meeting. These reports are intended to keep the other council members informed of actions or proposed actions taken by these boards and commissions. Only those with something to report would be on the agenda.*

10. UPCOMING MEETINGS

- 10.01 Utilities Committee Meeting – February 8th at 7:00 a.m.
- 10.02 Public Safety/Liquor Committee Meeting – February 8th at 4:30 p.m.
- 10.03 2021 Street & Utilities Improvement Project Hearing – February 8th at 7:00 p.m.
- 10.04 Administrative Services Committee Meeting – February 9th at 3:00 p.m.
- 10.05 Public Works Committee Meeting – February 9^h at 6:30 p.m.
- 10.06 City Council Meeting – February 16th at 5:30 p.m.

11. INFORMATIONAL ITEMS

12. CLOSE MEEETING PURSUANT TO MN STATUTE §13D.05 TO DISCUSS SALE OF REAL PROPERTY

Motion by _____ Seconded by _____ to close

13. RECONVENE

14. ADJOURNMENT

City of Thief River Falls complies with the ADA. Individuals with disabilities requiring special aids should contact the City Administrator, 405 Third Street East, Thief River Falls, MN 56701, 218-681-2943, 48 hours prior to the scheduled meeting.

COUNCIL PROCEEDINGS

#7.01

JANUARY 19, 2021

The City Council of Thief River Falls, Minnesota, met in regular session at 5:30 p.m. on January 19, 2021 in the Council Chambers of City Hall. The following Councilmembers were present: Holmer, Lorensen, McCraw, Bolduc, Howe, Narverud, Prudhomme (webex) and Aarestad. No Councilmembers were absent. Mayor Holmer chaired the meeting.

BIKEMN PRESENTATION

Glen Kajewski, Dorian Grilley and Cheryl Lee appeared before the City conducted a BikeMN presentation. BikeMN mission and vision is to unite and strengthen bicycle advocacy, provide education and work for a more bicycle friendly Minnesota. Dorian Grilley, Executive Director of BikeMN indicated that Thief River Falls is doing many of the right things, that some areas to focus on would be to teach bicycle safety education in the schools, update the bike map, more signage, working with businesses, events that celebrate bicycling, ensure that community members are engaged and have access to biking areas. Applications to participate in BikeMN are due in August of 2021.

APPROVAL OF AGENDA

Councilmember Howe motioned, being seconded by Councilmember Bolduc, to approve the agenda as presented. On vote being taken, the motion was unanimously approved.

RESOLUTION NO. 1-12-21: APPROVAL OF COUNCIL PROCEEDINGS

Presented as part of the Consent Agenda, Councilmember Lorensen introduced Resolution No. 1-12-21, being seconded by Councilmember Bolduc, that:

BE IT RESOLVED, by the City Council, to approve January 5, 2021 Council Proceedings as presented.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-13-21: APPROVAL OF PAYMENT OF BILLS

Presented as part of the Consent Agenda, Councilmember Lorensen introduced Resolution No. 1-2-21, being seconded by Councilmember Bolduc, that:

BE IT RESOLVED, by the City Council, to authorize payment of bills and disbursements in the total amount of \$849,168.79 and Council Per Diems in the amount of \$1,852.52. 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.

RESOLUTION NO. 1-14-21: APPROVAL OF BEER IN THE PARK PERMIT FOR ANDREA ADAMS AT LIONS PARK

Presented as part of the Consent Agenda, Councilmember Lorenson introduced Resolution No. 1-14-21, being seconded by Councilmember Bolduc, that:

RESOLVED, by the City Council, to approve a Beer in the Park Permit for Andrea Adams at Lion's Park on June 5, 2021.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-15-21: ADVANCED MUNICIPAL STATE AID RESOLUTION

Presented as part of the Consent Agenda, Councilmember Lorenson introduced Resolution No. 1-15-21, being seconded by Councilmember Bolduc, that:

WHEREAS, the Municipality of Thief River Falls has completed Municipal State Aid Street Projects in 2020 which will require State Aid funds in excess of those available in its State Aid Construction Account, and

WHEREAS, said municipality is prepared to proceed with the construction of said projects through the use of an advance from the Municipal State Aid Street Fund to supplement the available funds in their State Aid Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of 1/11/2021	\$	(466,445.72)
Less estimated disbursements:		
Project # 170-103-007	\$	(70,554.28) Encumbered
Project # 170-103-007	\$	260,004.38
Project # 170-104-002	\$	11,996.46
Project # 170-108-019	\$	1,111,855.49
Project # 170-110-010	\$	64,136.68
Project # 170-111-022	\$	0
Project # 170-010-007	\$	58,894.58
Bond Principle (if any)	\$	
Project Finals (overruns-if any)	\$	
Other	\$	
Total Estimated Disbursements		\$1,436,333.31
Advance Amount (amount in excess of acct balance)		\$1,436,333.31

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.14, Subd. 6 and Minnesota Rules, Chapter 8820.1500, Subp. 10b, and

WHEREAS, the Municipality acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, BE IT RESOLVED that the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved Municipal State Aid Street Project(s) of the Municipality of Thief River Falls in an amount up to \$1,436,333.31. I hereby authorize repayments from subsequent accruals to the Municipal State Aid Street Construction Account of said Municipality from future year allocations until fully repaid.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-16-21: APPROVAL OF HIGHWAY 1 WEST IMPROVEMENTS CHANGE ORDER #4

Presented as part of the Consent Agenda, Councilmember Lorenson introduced Resolution No. 1-16-21 being seconded by Councilmember Bolduc, that:

RESOLVED, to approve Change Order No. 4 for the 2020 Highway No. 1 West Improvements in the amount of \$5,400.00.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-17-21: APPROVAL OF COMMUNITY BOARD AND COMMISSION APPOINTMENTS

A request for action was presented. Following discussion, Councilmember Narverud introduced Resolution No. 1-17-21, being seconded by Councilmember Howe, that:

BE IT RESOLVED, to accept the Mayor's recommendation to make the following reappointments to the various Boards and Commissions:

Housing & Redevelopment Authority (5-year term)
Emery Lee

Planning Commission & Board of Appeals & Adjustments (3-year term)
Emery Lee and Ron Lindberg

Community Development Advisory Board (3-year term)
Nathan Haase and Dave Onkka

Ralph Engelstad Arena History Committee (2-year term)
Dale Wennberg, Scott Bergland, Doug Dallmann, and James Hurst

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-18-21: APPROVAL OF PURCHASE OF BODY CAMERAS AND SERVER FROM BAYCOM

A Public Safety Committee recommendation was presented. Following discussion, Councilmember Aarestad introduced Resolution No. 1-18-21, being seconded by Councilmember Bolduc, that:

WHEREAS, Resolution No. 6-119-20 authorized the Police Department to move forward with the implementation of a body worn camera (BWC) program within the Police Department;

RESOLVED, by the City Council to accept the Public Safety Committee recommendation and authorize the purchase of five body worn cameras and a server from Baycom. Baycom submitted a quote of \$4,850 for the cost of the five cameras, including vest mounts and a three-year device license for each camera and \$10,624 for a server, including IT support during installation.

It should be noted that a body worn camera policy will need to still be finalized and approved by the City Council.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-19-21: AUTHORIZE POLICE DEPARTMENT TO PROCEED INTERNALLY WITH FILLING A POSITION OF SERGEANT

A Public Safety Committee recommendation was presented. Following discussion, Councilmember McCraw introduced Resolution No. 1-19-21, being seconded by Councilmember Aarestad, that:

WHEREAS, the City of Thief River Falls has recently hired several new patrol officers and promoted a Sergeant to the position of Investigator which leaves the department short a Sergeant; and

WHEREAS, adding the third Sergeant will provide better supervision and training for the less experienced officers and the department has in the past operated with three Sergeants on staff.

THEREFORE, BE IT RESOLVED, to accept a Public Safety Committee recommendation to authorize that the Police Department begin the internal process of hiring a Sergeant.

On vote being taken, the resolution was unanimously passed.

APPROVAL OF DEPUTY CITY CLERK JOB DESCRIPTION UPDATE AND FILLING OF POSITION TABLED

An Administrative Services Committee recommendation to update the Deputy City Clerk job description and open the vacant position was presented. Following discussion, Councilmember Prudhomme moved to table this item, being seconded by Aarestad. On vote being taken, Prudhomme, Bolduc, Lorensen, Aarestad and McCraw voted aye and Narverud, Howe and Holmer voted nay. The motion carried and the item tabled.

RESOLUTION NO. 1-20-21: CALLING FOR AMENDED FEASIBILITY STUDY FOR POTENTIAL 2021 STREET & UTILITIES IMPROVEMENT

A Public Works Committee recommendation was presented. Following discussion, Councilmember Narverud introduced Resolution No. 1-20-21, being seconded by Councilmember Howe that:

WHEREAS, Resolution No. 12-273-20 called for a Feasibility Study, which since that date requires additional considerations; and,

WHEREAS, the following list of potential improvements is based on items from the City's Capital Improvement Program, items requested by developers, and other departments:

1. Franklin Middle School Safe Route to School Multi-Use Trail
2. Oakland Park Multi-Use Trail
3. Fairgrounds Miscellaneous Paving
4. Valley Home Access Realignment
5. Airport Entrance Road Repair
6. Miscellaneous Patching
7. Robson Court Street Construction

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Public Works recommendation to call for a Feasibility Study for the potential 2021 Street & Utilities Improvements.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-21-21: APPROVAL OF 2021 STREET & UTILITIES IMPROVEMENTS FEASIBILITY REPORT AND CALLING FOR PUBLIC HEARING

A Public Works Committee recommendation was presented. Following discussion, Councilmember Lorenson introduced Resolution No. 1-21-21, being seconded by Councilmember Bolduc, that:

WHEREAS, items outlined in the feasibility report listed below are potential improvements based on items from the City's Capital Improvement Program, items requested by developers, homeowners, and other departments:

1. Franklin Middle School Safe Route to School Multi-Use Trail
2. Oakland Park Multi-Use Trail
3. Fairgrounds Miscellaneous Paving
4. Valley Home Access Realignment
5. Airport Entrance Road Repair
6. Miscellaneous Patching
7. Robson Court Street Construction (option 7B)

THEREFORE, BE IT RESOLVED, by the City Council, that the Council will consider the improvements of such projects in accordance with the report and the invoicing of abutting

property for all or a portion of the cost of the improvements, pursuant to Minnesota Statutes, Chapter 429.

BE IT FURTHER RESOLVED that a public hearing shall be held on such proposed improvements on the 8th day of February 2021 at 7:00 p.m. in the Council Chambers of City Hall and that the City Administrator shall give mailed and published notice of such hearing and improvements as required by law.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-22-21: APPROVAL OF CALENDAR PARKING POLICY CLARIFICATIONS

A Public Works Committee recommendation was presented. Following discussion, Councilmember McCraw introduced Resolution No. 1-22-21, being seconded by Councilmember Narverud, that:

RESOLVED, by the City Council, to accept a Public Works Committee recommendation and approve the Calendar Parking Policy, which contains clarification of classification to Red Lake Boulevard, Alice Drive and Cottonwood Avenue and state highways outside the Central Business District:

CALENDAR PARKING

(A) Streets and Avenues. It is a petty misdemeanor for any person to park or leave standing, between November 15 and March 15 of the following year, any motor vehicle on any street designated as an "avenue" between 6:00 a.m. and 9:00 a.m. on Mondays, Wednesdays, and Fridays (Including Red lake Boulevard, Alice Drive and Cottonwood Avenue), or on any designated street, road, boulevard, circle, court, cul-de-sac, drive, or lane between the hours of 6:00 a.m. and 9:00 a.m. on Tuesdays, Thursdays, Saturdays, and Sundays. State highways outside of the Central Business District are not part of this restriction. State highways in the Central Business District are addressed in (C) below.

(B) Parking Lots. It is a petty misdemeanor for any person to park or leave standing, between November 15 and March 15 of the following year, any motor vehicle in City parking lots identified as the west half of the parking lot east of LaBree Avenue and from Second Street to 150 feet south of Second Street (Municipal Lot No. 1), the west half the parking lot west of LaBree Avenue and north of First Street (Municipal Lot No. 2), the west half of the parking lot located between Second Street and Third Street west of Knight Avenue (Municipal Lot No. 3) and the west half of the parking lot located between LaBree Avenue and Horace Avenue north of Fourth Street (Municipal Lot No. 4) between the hours of midnight and 6:00 a.m. on Mondays, Wednesday, and Fridays, or in City parking lots identified as the east half of the parking lot east of LaBree Avenue and from Second Street to 150 feet south of Second Street (Municipal Lot No. 1), the east half of parking lot west of LaBree Avenue and north of First Street (Municipal Lot No. 2), the east half of parking lot located between Second Street and Third Street west of Knight Avenue (Municipal Lot No. 3) and the east half of the parking lot located between LaBree Avenue and Horace Avenue north of Fourth Street (Municipal Lot No. 4) between the hours of midnight and 6:00 a.m. on Tuesdays, Thursdays, and Saturdays.

(C) Central Business District Streets and Avenues. It is a petty misdemeanor for any person to park or leave standing year around, any motor vehicle on any street or avenue in the Central Busi-

ness District between 2:00 a.m. and 6:00 a.m. on any day between November 15 and March 15 of the following year. This area is bordered by Fourth Street on the north, Knight Avenue on the west, First Street on the south, and the Canadian Pacific Railroad on the east (including LaBree Avenue east to the former hospital emergency entrance). This restriction includes Highway 32 (Main Avenue) from Zeh Street to Fourth Street and Highway 59 (Third Street) from Duluth Avenue to Atlantic Avenue.

(D) Snow Emergency. The Mayor has the ability to declare a snow emergency and start calendar parking city wide before November 15th or after March 15th of the following year.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 1-23-21: APPROVAL OF POLICY REVISIONS TO REFUSE COLLECTION SECTION OF RATES AND FEES SCHEDULE REGARDING DUMPSTERS

A Public Works Committee recommendation was presented. Following discussion, Councilmember Howe introduced Resolution No. 1-23-21, being seconded by Councilmember Narverud, that:

RESOLVED, to accept a Public Works Committee recommendation and amend the Refuse Collection Charges section of the Rates and Fees Schedule regarding dumpsters and fees:

For residential customers in addition to their regular service. Dumpsters are available for a maximum of two weeks for customer convenience of non-TRF bags. A minimum of two weeks is required without a dumpster between each two-week period with a rented dumpster. Dumpster rates are for twice a week pickup at 100% capacity. One minimum dump fee will be charged for each two-week period or the actual number of dumps, whichever is greater.

Effective on January 1, 2022, multi-family building owners will be charged the Level 1 rate for each unit in their building in addition to a dumpster fee. Tenants will not be charged directly for sanitation services.

Renters that do not have dumpster access will be provided garbage bags as per the traditional schedule as a homeowner.

On vote being taken, the resolution was unanimously passed.

COUNCIL BOARDS AND COMMISSION REPORTS

- Holmer discussed the COVID-19 pilot vaccine program to persons 65 years old and older and school staff. Thief River Falls has been picked as a program site.
- Howe commented on the struggles with getting registered for the vaccine – MN VA has shots available and may call 701-335-4380 to inquire.
- Narverud asked that the public pick up after their dogs when walking and barking dogs are an issue and should be discussed by the Public Safety Committee.
- Narverud questions the COVID-19 shot process.

UPCOMING MEETINGS/EVENTS

- Utilities Committee Meeting – February 8th at 7:00 a.m.
- Public Safety/Liquor Committee Meeting – February 8th at 4:30 p.m.
- 2021 Street & Utilities Improvement Project Hearing – February 8th at 7:00 p.m.
- Administrative Services Committee Meeting – February 9th at 3:00 p.m.
- Public Works Committee Meeting – February 10th at 4:30 p.m.
- City Council Meeting – February 2nd at 5:30 p.m.

INFORMATIONAL ITEMS

- Investment Summary, dated 12/31/20.

ADJOURNMENT

There being no further discussion, Councilmember Lorenson moved, being seconded by Councilmember McCraw to adjourn at 7:00 p.m. On vote being taken, the Chair declared the motion unanimously carried.

Brian D. Holmer, Mayor

Attest:

Angela Philipp, City Administrator

**CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION**

| #7.03 |

**RESOLUTION NO. : EXTENDING THE STATE OF EMERGENCY FOR COVID-19
PANDEMIC THROUGH FEBRUARY 12, 2021**

Presented as part of the Consent Agenda, Councilmember _____ introduced Resolution No. _____
, being seconded by Councilmember _____, 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 February 12, 2021 or until circumstances no longer require a State of Emergency.

Presented at the February 2, 2021 Council Meeting

Introduced by:

Seconded by:

Roll Call (if required):

___ Holmer ___ Howe ___ Bolduc ___ Lorenson ___ McCraw ___ Prudhomme ___ Aarestad ___ Narverud

Notes:



REQUEST FOR COUNCIL ACTION

DATE: February 2, 2021

SUBJECT: Approval to grant Jill Stenberg owner of Old Bostwick's a Commercial Energy Improvement Loan

RECOMMENDATION: It is respectfully requested the Council consider the following recommendation from the Community Development Advisory Board (CDAB).

MOTION TO: authorize the Mayor and City Administrator to sign documents granting a seven (7) year Commercial Energy Improvement Loan in the amount of \$76,082.00 with interest rate of 2%, secured by a mortgage on property with monthly auto payment from their bank account.

BACKGROUND: The Community Development Advisory Board makes recommendation for energy and business loans. The project located at 224 LaBree Ave N, Thief River Falls includes improvements to the windows and doors for the building.

Total project cost is estimated at \$190,205.94 with additional financing coming from a local bank.

KEY ISSUES: None

FINANCIAL CONSIDERATION: Funds are available for the loan.

LEGAL CONSIDERATION: City Attorney Delray Sparby will draft the necessary loan documents secured by a mortgage on the property.

DEPARTMENT/RESPONSIBLE PERSON: Angela Philipp, City Administrator

**CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION**

| #8.01 |

**RESOLUTION NO. : APPROVAL OF COMMERCIAL ENERGY IMPROVEMENT
LOAN FOR JILL STENBERG, OWNER OF OLD BOSTWICK'S**

A request for action was presented. Following discussion, Councilmember _____ introduced Resolution No. _____, being seconded by Councilmember _____, that:

WHEREAS, the Community Development Advisory Board has presented a recommendation to the City Council to grant Jill Stenberg, owner of Old Bostwick's a Commercial Energy Loan.

RESOLVED, by the City Council to accept the Community Development Advisory Board recommendation to authorize the Mayor and City Administrator to sign documents granting a seven (7) year Commercial Energy Improvement Loan in the amount of \$76,082.00 with interest rate of 2%, secured by a mortgage on property identified as 224 LaBree Avenue North, Thief River Falls.

Presented at the February 2, 2021 Council Meeting

Introduced by: _____

Seconded by: _____

Roll Call (if required):

___Holmer ___Howe ___Bolduc ___Lorenson ___McCraw ___Prudhomme ___Aarestad ___Narverud

Notes:

**CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION**

#8.02

RESOLUTION NO. : ACCEPTANCE OF ONLINE/REMOTE MEETING ETIOUETTE

A request for action was presented. Following discussion, Councilmember
introduced Resolution No. , being seconded by Councilmember , that:

WHEREAS, the Committee of the Whole on January 26, 2021 reviewed a document prepared by the City Attorney with regard to etiquette for online/remote meeting.

RESOLVED, by the City Council to accept the etiquette for online/remote meeting guidelines as follows:

1. Wear appropriate clothes: Dress as you would in the office conference room
2. A professional setting is good etiquette: Pick a location with plenty of light and neutral background. No beds or messy rooms or open closets
3. Stay seated and stay present: Give a virtual meeting your full attention. It is disrespectful to flick through papers or check emails, multitask or completely do something other than your meeting. Use attentive body language and focus your eyes toward the camera
4. Limit meeting distractions: Keep background noise to a minimum, you might miss key information
5. Mute your microphone when your not talking: Typing on the keyboard or other background noises are amplified in a virtual setting
6. Speak clearly and use good manners: Try to ensure no one speaks over anyone else, although there may be unavoidable lags due to slower connections
7. Follow League of Minnesota Cities memo's regarding meetings and Minnesota State statutes
 - a. All councilmembers must be able to hear and see each other and all discussion and testimony presented at any location at which at least one councilmember is present
 - b. All members of the public at the regular meeting location must be able to hear and see all discussion, testimony, and votes of all councilmembers
 - c. Votes to be taken by roll call
 - d. Each location at which a councilmember is present must be open and accessible to the public (under Governor's pandemic executive order there is more flexibility, open and accessible is not necessary and appearance by telephone is allowable)
 - e. The public body shall provide notice of the regular meeting location and notice of any site where a member of the public body will be participating in the meeting by interactive television.

Presented at the February 2, 2021 Council Meeting

Introduced by:

Seconded by:

Roll Call (if required):

___Holmer___Howe ___Bolduc ___Lorenson ___McCraw ___Prudhomme ___Aarestad ___Narverud

Notes:



City of Thief River Falls

CITY ADMINISTRATOR

405 Third Street East
Thief River Falls MN 56701-0528

#8.03

PHONE: 218-681-1992
FAX: 218-681-6258
email: lkruse@citytrf.net
www.citytrf.net

Request for Council Action

Date: February 2, 2021

Subject: Approval of Changes to Deputy City Clerk Job Description and Opening Position to the Public

Recommendation: It is respectfully requested the council consider the following:

Motion To: To accept the Administrative Services Committee's recommendation and reviewed by the Committee of the Whole on January 26, 2021, to approve minor changes to the job description of the Deputy City Clerk and open the position to the public for filling.

Background:

Jennifer Nelson has resigned from the position of Deputy City Clerk. Minor updates were made to the Non-Union job description position. To continue efficient operation of the City Administration Department, the position is needed to be filled.

Financial Considerations: The Deputy City Clerk position is a Grade Level 4, Non-Union budgeted position in 2021.

Responsible Person/Department: Angela Philipp, City Administrator

THIEF RIVER FALLS JOB DESCRIPTION

BAND B	GRADE 2	SUBGRADE 2	
JOB TITLE Deputy City Clerk		DEPARTMENT Administrative Services	EFFECTIVE DATE
IMMEDIATE SUPERVISOR: City Administrator			
JOB SUMMARY			
<p>Performs skilled administrative and staff support work supporting the City Council, City Administrator, and Finance Director other City Departments. Processes City licenses; records Council and Committee meeting minutes, City Code updates, and data practices compliance. Assists in Works closely with administration of elections.</p> <p>While these areas are the primary focus of the position, we believe strongly in teamwork and employees will be called upon to perform a variety of duties as a part of their role with the City.</p>			

TASK NO.	ILLUSTRATIVE TASK	FRE-QUENCY
1.	Answers incoming telephone calls; provides standard information; transfers calls and/or takes messages. Refers concerns or issues to appropriate party for resolution. Opens, sorts, and distributes daily office mail.	Weekly 10%
2.	Assists the City Administrator with City Council support. including drafting Creates Council and Committee meeting agendas, Council resolutions, and Council minutes. Maintains the City's official Minute books. May be Required to attend City Council or Committee meetings. Ensures follow-through on all Council actions including obtaining necessary signatures, informing affected parties of decisions, and filing appropriate documents. Ensures the City Code is updated and in compliance with changes in State or Federal laws.	Weekly 50%
3	Assisting the Finance Director with elections including Coordinates with the City Administrator in the administration of the election process including hiring election judges, coordinating training, organizing polling locations, election supplies and official publications, reports to comply with state election laws.	5% 5%
4	Processes City license applications, ensures that local and state laws are met.	15%
5	Develops, maintains, and oversees the City-wide record retention system and policies, instructs personnel and public on data practices compliance. Is the appointed Data Compliance Officer.	

6.	Maintains accounts receivable records, prepares monthly statements and delinquency notices. Receipts incoming revenue and prepares statements. Performs a variety of financial and administrative duties such as bank reconciliation, logdging tax compliance and reporting, unclaimed property compliance, and updating City website, including assisting other departments in website maintenance.	Weekly 10%
7.	Assists with payroll/personnel functions as needed. Performs payroll/personnel duties as directed, Works with confidential personnel and negotiation data. May be required to assist other departments on an as-needed basis.	5%
8.	Performs other tasks of a similar nature or level.	As Required

MINIMUM QUALIFICATIONS:

A minimum of two years of previous general administrative experience including familiarity with accounting principles or an equivalent combination of education, training or work experience which provides sufficient evidence for the successful performance of the various tasks listed. Must have proficient computer skills.

**CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION**

#8.03

**RESOLUTION NO. : APPROVAL OF UPDATED DEPUTY CITY CLERK JOB
DESCRIPTION AND APPROVAL OF OPENING POSITION FOR FILLING**

A request for action was presented. Following discussion, Councilmember _____ introduced Resolution No. , being seconded by Councilmember _____, that:

WHEREAS, Jennifer Nelson has resigned from the position of Deputy City Clerk; and,

WHEREAS, the Deputy City Clerk job description was reviewed and updated.

THEREFORE, BE IT RESOLVED, to accept the Administrative Services Committee recommendation and reviewed by the Committee of the Whole, to approve the updated Deputy City Clerk job description and authorize the non-union position be advertised for filling to the general public.

Presented at the February 2, 2021 Council Meeting

Introduced by: _____

Seconded by: _____

Roll Call (if required):

___Holmer___Howe___Bolduc___Lorenson___McCraw___Prudhomme___Aarestad___Narverud

Notes:



City of Thief River Falls

DIRECTOR OF PUBLIC WORKS

405 Third Street East • PO Box 528
Thief River Falls MN 56701-0528

#8.04

PHONE: 218-681-8506

FAX: 218-681-8507

email: mborseth@citytrf.net

www.citytrf.net

Request for Council Action

DATE: February 2, 2021

SUBJECT: Property Annexation

RECOMMENDATION: It is respectfully requested that the Council consider the following resolutions:

Motion to: Approve a joint resolution with North Township for orderly annexation of the Fankhanel, LLC, Ryan and Jamie Bakken, and Joan Bakke properties, consisting of 49.50 acres in part of the East ½ of Section 32, T.154N., R.43W., and 2.96 acres in Blocks 1 and 5 of Nelson's First Addition.

BACKGROUND: Nelson Drive property owners Ryan and Jamie Bakken (formerly Rakosnik), and Joan Bakke had previously begun the annexation process but has not been completed. Water and sanitary sewer services were stubbed out to their properties in 2018 and not connected to yet. Both these property owners are now interested in connecting to these utilities. Fankhanel, LLC has purchased the remaining vacant Noper property between Technology Street and First Street east of County State Aid Highway No. 16. Fankhanel has requested annexation as the first step in the development process and will need public utilities.

KEY ISSUES: Fankhanel, Bakken, and Bakke have all formally requested annexation. A petition has been provided to North Township and a joint resolution will be considered at their February 1, 2021 meeting. The city council will also need to approve a joint resolution to move the annexation forward.

FINANCIAL CONSIDERATIONS: The total cost of the annexation is the responsibility of the requesting parties.

LEGAL CONSIDERATION: A public hearing is not required because the requesting parties are the only ones affected.

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works Director

**JOINT RESOLUTION ESTABLISHING AN
ORDERLY ANNEXATION AGREEMENT BETWEEN
NORTH TOWNSHIP AND THE CITY OF THIEF RIVER FALLS**

WHEREAS, The City of Thief River Falls, Minnesota, (hereafter "City"), did receive a Petition for Annexation of Real Property into the City due to the need of utilities, transportation and other services provided by the City, and

WHEREAS, The owners of the Real Property to be annexed pursuant to this Agreement did sign a Joint Petition for Annexation, and

WHEREAS, The respective governing bodies of North Township (hereafter "Town") and City had expressed their desire to encourage future development of Real Property near the City so as to promote the development of municipal services and urban growth as much as is practical, while respecting the existing rural residential lifestyles of other areas within the Town, and

WHEREAS, The Petition for Annexation concerned that Real Property located within the Township of North, County of Pennington, and State of Minnesota described as follows:

That part of Nelson Drive 70 feet right-of-way lying adjacent to Lots Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17), Block One (1), Nelson's First Addition;

AND

The Easterly 25 feet of Lot One (1), Block Five (5) and Lot Seventeen (17), Block One (1), Nelson's First Addition to Thief River Falls, Minnesota, according to the Official Plat thereof on record;

AND

The westerly 40 feet of Lot Thirteen (13), Block One (1), Nelson's First Addition to Thief River Falls as measured parallel to the westerly line;

The westerly 40 feet of Lot Fourteen (14), Block One (1), Nelson's First Addition to Thief River Falls as measured parallel to the westerly line;

Lot Fifteen (15), Block One (1), Nelson's First Addition to the City of Thief River Falls.

AND

That part of the East Half of Section 32, Township 154 North, Range 43 West of the Fifth Principal Meridian, described as follows:

Commencing at the northeast corner of the Southwest Quarter of said Section 32; thence South 0 degrees 13 minutes 00 seconds West, assumed bearing, along the east line of said Southeast Quarter, a distance of 599.01 feet to the southeast corner of that tract of land conveyed by Document No. 172243 in the office of the Pennington County Recorder; thence North 89 degrees 37 minutes 30 seconds West, along the south line of said parcel conveyed by Document No. 172243 a distance of 952.16 feet to the southwest corner of said parcel conveyed by Document No. 172243 and the point of beginning of that tract of land to be described herein; thence North 89 degrees 37 minutes 30 seconds West along the south line of that tract of land conveyed by Document No. 190669, a distance of 1728.75 feet to the West line of said Southwest Quarter; thence North 0 degrees 04 minutes 05 seconds West, along said west line, a distance of 522.48 feet to the northwest corner of said Southeast Quarter; thence North 0 degrees 04 minutes 05 seconds West, along the west line of the Northeast Quarter of said Section 32, a distance of 722.17 feet to the southwest corner of Nopers Fifth Addition to the City of Thief River Falls, Minnesota; thence South 89 degrees 31 minutes 12 seconds East, along the south line of First Street as platted in Nopers Third, Fourth and Fifth Additions to the City of Thief River Falls, as distance of 1740.65 feet to the northwest corner of said parcel conveyed by Document No. 172243; thence South 0 degrees 28 minutes 48 seconds West, along the west line of said parcel conveyed by Document No. 172243, a distance of 1241.43 feet to the point of beginning.

WHEREAS, The City and Town desire to accommodate the Petition for Annexation to encourage growth in a cooperative, planned, and orderly fashion, and

WHEREAS, This Joint Resolution creating an Orderly Annexation Agreement (hereafter "Agreement") is beneficial to both parties to promote orderly planning, the orderly transition of government within the Real Property proposed to be annexed, promote continuity of City boundaries, and establish the condition under which such annexation shall take place, and

WHEREAS, The Town and City jointly request the immediate annexation of the Real Property described herein into the City,

NOW, THEREFORE, BE IT RESOLVED, In consideration of the mutual terms and conditions contained herein, Town and City hereby enter into this Agreement to provide for the orderly annexation of the Real Property herein described into the City upon the following terms and conditions:

1. Real Property Designated For Annexation. The unincorporated Real Property designated for orderly annexation is located in the Township of North, County of Pennington and State of Minnesota and is described as follows:

That part of Nelson Drive 70 feet right-of-way lying adjacent to Lots Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17), Block One (1), Nelson's First Addition;

AND

The Easterly 25 feet of Lot One (1), Block Five (5) and Lot Seventeen (17), Block One (1), Nelson's First Addition to Thief River Falls, Minnesota, according to the Official Plat thereof on record;

AND

The westerly 40 feet of Lot Thirteen (13), Block One (1), Nelson's First Addition to Thief River Falls as measured parallel to the westerly line;

The westerly 40 feet of Lot Fourteen (14), Block One (1), Nelson's First Addition to Thief River Falls as measured parallel to the westerly line;

Lot Fifteen (15), Block One (1), Nelson's First Addition to the City of Thief River Falls.

AND

That part of the East Half of Section 32, Township 154 North, Range 43 West of the Fifth Principal Meridian, described as follows:

Commencing at the northeast corner of the Southwest Quarter of said Section 32; thence South 0 degrees 13 minutes 00 seconds West, assumed bearing, along the east line of said Southeast Quarter, a distance of 599.01 feet to the southeast corner of that tract of land conveyed by Document No. 172243 in the office of the Pennington County Recorder; thence North 89 degrees 37 minutes 30 seconds West, along the south line of said parcel conveyed by Document No. 172243 a distance of 952.16 feet to the southwest corner of said parcel conveyed by Document No. 172243 and the point of beginning of that tract of land to be described herein; thence North 89 degrees 37 minutes 30 seconds West along the south line of that tract of land conveyed by Document No. 190669, a distance of 1728.75 feet to the West line of said Southwest Quarter; thence North 0 degrees 04 minutes 05 seconds West, along said west line, a distance of 522.48 feet to the northwest corner of said Southeast Quarter; thence North 0 degrees 04 minutes 05 seconds West, along the west line of the Northeast Quarter of said Section 32, a distance of 722.17 feet to the southwest corner of Nopers Fifth Addition to the City of Thief River Falls, Minnesota; thence South 89 degrees 31 minutes 12 seconds East, along the south line of First Street as platted in Nopers Third, Fourth and Fifth Additions to the City of Thief River Falls, as distance of 1740.65 feet to the northwest corner of said parcel conveyed by Document No. 172243; thence South 0 degrees 28 minutes 48 seconds West, along the west line of said parcel conveyed by Document No. 172243, a distance of 1241.43 feet to the point of beginning.

The Real Property is shown on the map attached hereto and made a part hereof as Exhibit "A".

2. Acreage and population. The Real Property consists of approximately 52.46 acres, the population of the Real Property is currently 7.

3. Jurisdiction. Upon approval by the Town Board and City Council, this Agreement shall confer jurisdiction upon the Chief Administrative Law Judge, as defined in Minnesota Statutes, Section 414.011 (Subd. 12) (hereafter "Chief Judge"), to accomplish said annexation in accordance with the terms of this Agreement.

4. Review and Comment by Chief Judge. The Town and City mutually agree and state that this Agreement sets forth all the conditions for annexation and that no consideration by the Chief Judge is necessary for annexation to occur within the Real Property in accordance with this Agreement. Additionally, no alteration of the boundaries by the Chief Judge is appropriate. The Chief Judge may review and comment, but shall, within thirty days, order the annexation in accordance with the terms of this Agreement.

5. Effective Date. This Agreement is effective on the date it is last adopted by the Town and City. The annexation provided for by this Agreement shall be effective upon the issuance of the Order by the Chief Judge. The provisions of this Agreement shall be binding unless otherwise modified by a joint resolution of both the Town and City. This Agreement is only meant to apply to the Real Property and not to any other area within the Town.

6. Reasons for Annexation. The reasons for the annexation of the Real Property include the Town's and City's collective determination that: The Real Property is now, or is about to become, urban or suburban in character; that the Real Property is in need of utilities such as sanitary sewer, storm sewer, water and electrical; the annexation is needed for the City to maintain transportation roadways, the type of development proposed for the Real Property is more consistent with development within the City; and at this time the annexation would be in the best interest of the Petitioners, the City, and the Town.

7. Timing of Tax Levy. Pursuant to Minnesota Statutes, Section 414.0325, Subd. 4b, for the purposes of taxation, if the annexation becomes effective on or before August 1 of a levy year, the municipality may levy on the annexed area beginning with that same levy year. If the annexation becomes effective after August 1 of a levy year, the town may continue to levy on the annexed area for that levy year, and the municipality may not levy on the annexed area until the following levy year.

8. Property Tax Reimbursement. Pursuant to Minnesota Statutes, Section 414.036, the reimbursement from the City to the Town shall be as follows:

First Year	90%
Second Year	70%
Third Year	50%
Fourth Year	30%
Fifth Year	10%

9. Road Maintenance. The City shall be responsible for road repairs and maintenance during the pending period of the annexation.

10. Planning and Land Use Control. The City shall exercise planning and land use control over the Property pursuant to City ordinances.

11. Authorization. The appropriate officers of the Town and City are hereby authorized to carry out the terms of this Agreement.

12. Entire Agreement. The terms, covenants, conditions, and provisions of this Agreement, including Exhibit "A", which is attached hereto and incorporated herein by reference, shall constitute the entire Agreement between the Town and City, unless amended by joint resolution of Town and City.

13. Governing Law. This Agreement is made pursuant to, and shall be construed in accordance with, the laws of the State of Minnesota.

Adopted by affirmative vote of all the members of the North Township Board on this ____ day of February, 2021.

Town of North

By: _____
Its Chairperson

By: _____
Its Town Clerk

Adopted by affirmative vote of all the members of the City of Thief River Falls on this
____ day of _____, 2021, as part of RESOLUTION NO. _____.

City of Thief River Falls

By: _____
Its Mayor

By: _____
City Administrator

Ryan Bakken

Dated:

Jamie Bakken

Dated:

Joan O. Bakke, as Trustee of the Joan O. Bakke Trust dated December 15, 2014.

Joan O. Bakke, Trustee

Dated:

Fankhanel, LLC

John Fankhanel, President

Dated:

**CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION**

#8.04

RESOLUTION NO. : APPROVAL OF JOINT RESOLUTOIN WITH NORTH TOWNSHIP FOR ORDERLY ANNEXATION OF PROPERTY OWNED BY FRANKHANEL, LLC, RYAN AND JAMIE BAKKEN, AND JOAN BAKKE PROPERTIES

A request for action was presented. Following discussion, Councilmember _____ introduced Resolution No. _____, being seconded by Councilmember _____, that:

WHEREAS, The City of Thief River Falls, Minnesota, (hereafter "City"), did receive a Petition for Annexation of Real Property into the City due to the need of utilities, transportation and other services provided by the City, and

WHEREAS, The owners of the Real Property to be annexed pursuant to this Agreement did sign a Joint Petition for Annexation, and

NOW, THEREFORE BE IT RESOLVED, to authorize the Mayor and City Administrator to execute a Joint Resolution Agreement with North Township for the Orderly Annexation of property owned by Frankhanel, LLC, Ryan and Jamie Bakken, and Joan Bakke properties, consisting of 49.50 acres in part of the East ½ of Section 32, T.154N., R.43W., and 2.96 acres in Blocks 1 and 5 of Nelson's First Addition.

Presented at the February 2, 2021 Council Meeting

Introduced by:

Seconded by:

Roll Call (if required):

___Holmer ___Howe ___Bolduc ___Lorenson ___McCraw ___Prudhomme ___Aarestad ___Narverud

Notes: