

**THIEF RIVER FALLS CITY COUNCIL
AGENDA
TUESDAY – MARCH 16, 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: 1-415-655-0001 and then enter access code: 146 802 3795 (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**
 - Nordic Fest Proclamation (page 1)
- 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 March 2, 2021 Council Proceedings (pages 2-8)
 - 7.02 City of Thief River Falls Bills and Disbursements and Council Per Diems (see attachment)
 - 7.03 Approval of Progression Raise for Jeremy Kasprzak, Apprentice Lineworker. (pages 10-11)
 - 7.04 Approval of Progression Raise for Ian Lund, Apprentice Lineworker (pages 12-13)
 - 7.05 Approval of Advanced Engineering and Environmental Services Task Order #14 (pages 14-15)
 - 7.06 Approval of Change Order for Software Reconversion and Consultation (pages 16-17)
 - 7.07 Approval of Temporary Liquor License – Chamber of Commerce Riverfest (pages 18-19)
 - 7.08 Award of Grass Mowing Contracts with Rick's Mowing Service, Wade Cota, and Ashton's Mowing Service (pages 20-21)

- 7.09 Award Sidewalk Snow Removal Contract to Trent Collins (pages 22-23)
- 7.10 Award Stump Grinding Contract to B & K Stump Grinding, LLC. (pages 24-25)
- 7.11 Lease of Copier through Marco (pages 26-27)

8. NEW BUSINESS

- 8.01 Summary of Performance of City Administrator (pages 28)
- 8.02 Approval of Participation in the Speed and Aggressive Driving Special Project with the MN Dept of Public Safety (pages 29-30)
- 8.03 Resolution in Opposition of the MPCA adopting California's Low-Emission Vehicle and Zero-Emission Mandates. (pages 31-32)
- 8.04 Approval of Revision of Power Plant Operator/Journey Lineworker to Power Plant Operator/Construction Worker (pages 33-36)
- 8.05 Approval of Commercial Conditional Use Permit for Farmers Coop Grain and Seed Expansion (pages 37-56)
- 8.06 Oslund Property Rezoning – Megan Bourne (pages) Call for First Reading of Ordinance (pages 57-65)
- 8.07 Approval of Comprehensive Plan Amendment, Lots 10, 11, and 12 Block 6, Riverside Addition (pages 66-68)
- 8.08 Approval of MAK Properties Residential Above Commercial Conditional Use Permit (pages 69-81)
- 8.09 Approval of MAK Properties Impervious Area Conditional Use Permit (pages 82-89)
- 8.10 Approval of MAK Properties Structural Height Conditional Use Permit (pages 90 - 97)
- 8.11 Approval to Vacate Utility Easement Through Lot 1, Block 2 of Lantern Addition (pages 98- 100)
- 8.12 Approval to Fill Vacant Public Works Maintenance Positions (pages 101-104)
- 8.13 Approval of Mural Application and Process (pages 105-111)
- 8.14 Approval of Purchase of Plastic Refuse Bags from Jadcore, Inc (pages 112-113)
- 8.15 Approval of Contract with Danny Larson Construction, LLC for City Hall Depot Wall/Office Project (pages 114-117)
- 8.16 Approval to Fill Vacant Journeyman Electrician/Electronic Tech Position. (pages 118 -121)
- 8.17 Approval of Employment of Renee Olson as Deputy City Clerk (pages 122 - 123)

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 Fire Annual Meeting – March 25th at 10:00 a.m.
- 10.02 Committee of the Whole – March 30th at 5:30 p.m.
- 10.03 City Council Meeting – April 6th at 5:30 p.m.
- 10.04 Utilities Committee Meeting – April 12th at 7:00 a.m.
- 10.05 Public Safety/Liquor Committee Meeting – April 12th at 4:30 p.m.
- 10.06 Administrative Services Committee Meeting – April 13th at 3:00 p.m.
- 10.07 Public Works Committee Meeting – April 14th at 4:30 p.m.
- 10.08 City Council Meeting – April 20th at 5:30 p.m.

11. **INFORMATIONAL ITEMS**

- 11.01 Investment Schedule dated 1/31/21 (pages124-125)

12. **ADJOURNMENT**

Motion by _____ Seconded by _____ to close Time _____



NORDIC FEST A Celebration of All Things Scandinavian PROCLAMATION

WHEREAS, Since Norwegian Heritage Week included all Scandinavians, the festivities will heretofore be known as "NORDIC FEST: A Celebration of All Things Scandinavian" in Thief River Falls, MN; and

WHEREAS, many of the Scandinavian people who crossed the wide Atlantic in search of greater opportunities for themselves and their families settled in Minnesota and, specifically, in Thief River Falls; and

WHEREAS, the 2000 U.S. Census found that 49.8% of all Thief River Falls residents were of Norwegian heritage, making this the most ethnically Norwegian city in the United States greater than 5,000 in population; and

WHEREAS, the Sons of Norway organization's mission is to "promote and to preserve the heritage and culture of Norway and to celebrate our relationship with other Nordic Countries"; and

WHEREAS, in the year 2021, a few community events are planned from May 16 – 22, which includes Syttende Mai (May 17th Norwegian Independence Day), by the Sons of Norway Snorre Lodge #70 highlighting the strong Scandinavian heritage of this area; and

WHEREAS, the Sons of Norway Lodges are willing and eager to share pride in their heritage and benefits of the organization with all Scandinavian peoples, they extend an invitation to everyone to participate in these festivities.

NOW, THEREFORE, LET IT BE KNOWN, that as Mayor of the City of Thief River Falls, I do hereby proclaim that the days of May 16th through May 22nd, 2021 shall be declared "Nordic Fest" in the City of Thief River Falls and call upon all residents to participate in the activities planned to highlight our strong Scandinavian roots.

Brian D. Holmer, Mayor

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, Lorensen, 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 ($61 \frac{1}{2}'$) wide containing approximately three-quarter ($\frac{3}{4}$) 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 $\frac{1}{4}$ SW $\frac{1}{4}$) 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 ($61 \frac{1}{2}'$); thence running West six Hundred Fifty-two feet (652'); thence running North sixty-one and a half feet ($61 \frac{1}{2}'$); 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 $\frac{1}{4}$ SW $\frac{1}{4}$) 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 \$33.51 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 ra-

tio, the City of Thief River Falls must begin the process to hire a fully licensed journey line-worker.

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 Lorensen, 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



City of Thief River Falls

#7.03

ELECTRIC DEPARTMENT

HISTORIC SOO LINE R.R. DEPOT
405 Third Street East . P.O. Box 528
Thief River Falls, MN 56701-0528

PHONE: 218 681-5816

email: dnarlock@citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Progression Raise for Jeremy Kasprzak, Apprentice Lineworker

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

MOTION TO: To accept the Public Utilities Committee recommendation and grant Jeremy Kasprzak, Apprentice Lineworker, a progression raise. Mr. Kasprzak shall progress to Step 5 of 8 of the Grade Level 6/Pay Range 8 Apprentice Lineworker salary schedule, for a new hourly salary of \$30.75 retroactive to February 26, 2021.

BACKGROUND: Jeremy Kasprzak has completed all requirements to progress to Step 5 of the Journey Lineworker apprentice schedule.

DEPARTMENT/RESPONSIBLE PERSON: Dale Narlock, Electric Superintendent

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#7.03

RESOLUTION NO. : APPROVAL OF PROGRESSION RAISE FOR JEREMY KASPRZAK, APPRENTICE LINEWORKER

Presented as part of the Consent Agenda, Councilmember _____ introduced Resolution No., being seconded by Councilmember _____, that:

BE IT RESOLVED, to accept the Public Utilities Committee recommendation and grant Jeremy Kasprzak, Apprentice Lineworker, a progression raise. Mr. Kasprzak shall progress to Step 5 of 8 of the Grade Level 6/Pay Range 8 Apprentice Lineworker salary schedule, for a new hourly salary of \$30.75 retroactive to February 26, 2021.

Presented at the March 16, 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

#7.04

ELECTRIC DEPARTMENT

HISTORIC SOO LINE R.R. DEPOT
405 Third Street East . P.O. Box 528
Thief River Falls, MN 56701-0528

PHONE: 218 681-5816

email: dnarlock@citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Progression Raise for Ian Lund, Apprentice Lineworker

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

MOTION TO: To accept the Public Utilities Committee recommendation and grant Ian Lund, Apprentice Lineworker, a progression raise. Mr. Lund shall progress to Step 6 of 8 of the Grade Level 6/Pay Range 8 Apprentice Lineworker salary schedule, for a new hourly salary of \$31.57 effective April 1, 2021.

BACKGROUND: Ian Lund has progressed through the salary schedule. Mr. Lund has completed the required time in for progression to Step 6.

DEPARTMENT/RESPONSIBLE PERSON: Dale Narlock, Electric Superintendent

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#7.04

RESOLUTION NO. : APPROVAL OF PROGRESSION RAISE FOR IAN LUND,
APPRENTICE LINeworker

Presented as part of the Consent Agenda, Councilmember _____ introduced Resolution No.
, being seconded by Councilmember _____, that:

BE IT RESOLVED, to accept the Public Utilities Committee recommendation and grant Ian Lund, Apprentice Lineworker, a progression raise. Mr. Lund shall progress to Step 6 of 8 of the Grade Level 6/Pay Range 8 Apprentice Lineworker salary schedule, for a new hourly salary of \$31.57 effective April 1, 2021.

Presented at the March 16, 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

#7.05

WATER DEPARTMENT

305 Pennington Ave. S. P.O. Box 528
Thief River Falls, MN 56701-0528

PHONE: 218 681-3809
FAX: 218 681-5820
email: wjohnson@citytrf.net

Request for Council Action

March 16th 2021

Subject: AWIA RRA

Recommendation: It respectfully requested to consider approving Task Order 14 with Advanced Engineering and Environmental Services to complete The Environmental Protection Agency's America's Water Infrastructure Act Vulnerability Tool and a Risk and Resiliency Assessment.

Motion To: Approve Advanced Engineering and Environmental Services Task Order 14 to comply with the AWIA and complete the ERP and the RRA in accordance with the mandate from the EPA .

Background: The Environmental Protection Agency initiated an amendment in 2018 to the Safe Drinking Water Act that requires water utilities to complete a Risk and Resilience Assessment, along with the Emergency Response Plan that had been required previously. Cyber security will also be addressed in the RRA.

Key Issues. The Federal Safe Drinking Water Act has always had a requirement for water utilities to have an Emergency Response Plan that is updated every five years. In 2018 an amendment added a Risk and Resilience Assessment component along with a Vulnerability Self-Assessment Tool. The recent cyber security issues, especially on utility systems, has also added another layer to the program. The RRA and ERP have to be submitted and certified to the EA by June 30th 2021 and December 31st 2021

Financial Considerations: The cost of Task Order 14 is \$24,900 and is a budgeted item.

Legal Considerations: None

Department/Responsible Person:
Wayne Johnson Water Systems Superintendent

**CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION**

#7.05

**RESOLUTION NO. : APPROVAL OF ADVANCED ENGINEERING AND
ENVIRONMENTAL SERVICES TASK ORDER #14**

Presented as part of the Consent Agenda, Councilmember _____ introduced Resolution No.
, being seconded by Councilmember _____, that:

WHEREAS, the Federal Safe Drinking Water Act has always had a requirement for water utilities to have an Emergency Response Plan that is updated every five years. In 2018 an amendment added a Risk and Resilience Assessment component along with a Vulnerability Self-Assessment Tool. The recent cyber security issue, especially on utility systems, has also added another layer to the program. The RRA and ERP have to be submitted and certified to the EA by June 30th 2021 and December 31st 2021

BE IT RESOLVED, to accept a Public Utilities Committee recommendation to approve Advanced Engineering and Environmental Services Task Order 14 to comply with the AWIA and complete the ERP and the RRA in accordance with the mandate from the EPA, in the amount of \$24,900, a budgeted item.

Presented at the March 16, 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

#7.06

PHONE: 218-681-1992

FAX: 218-681-6258

www.citytrf.net

Request for Council Action

SUBJECT: Approval of [REDACTED] Change Order for Additional Software Conversion and Consultation Services

RECOMMENDATION: It is respectfully requested the City Council accept the Administrative Services Committee recommendation to approve payment of Change Order TY-2021-108 with [REDACTED] in the amount of \$28,900 for additional conversion and consultation services for the City's software conversion.

BACKGROUND: The City of Thief River Falls was required to conduct a re-conversion of the newly purchased software programs.

Financial Considerations: The \$28,900 change order will be submitted into the League of Minnesota Insurance for processing.

Department/Responsible Person: Angela Philipp, City Administrator

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#7.06

RESOLUTION NO. : APPROVAL OF [REDACTED] CHANGE ORDER
FOR ADDITIONAL SOFTWARE CONVERSION AND CONSULTATION SERVICES

Presented as part of the Consent Agenda, Councilmember _____ introduced Resolution No.
, being seconded by Councilmember _____, that:

RESOLVED, to accept an Administrative Services Committee recommendation to approve payment of Change Order TY-2021-108 with [REDACTED] in the amount of \$28,900 for additional conversion and consultation services for the City's software conversion. It should be noted that this will amount will be submitted to the League of Minnesota Insurance for processing.

Presented at the March 16, 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

Temporary Intoxicating Liquor License Application

City Code Section 111.086

APPLICANT: Thief River Falls Chamber of Commerce
 (must be a club, charitable, religious, or non-profit organization, duly incorporated as a nonprofit or religious corporation under the laws of Minnesota and in existence for at least three years or a political committee registered under MS 10A.14 and applicant must sponsoring the event that alcohol is being served)

CONTACT PERSON: Vanessa Ellefson

ADDRESS: 102 Main Ave N Thief River Falls

PHONE: 218-1081-3720

TYPE OF EVENT: Riverfest

LICENSING PERIOD: July 30 - July 31st, 2021

HOURS OF OPERATION: 3pm - 1am

FACILITY/PLACE TO BE USED: Hartz Park

Applicant will present this request to the City Administrator's Office who will forward the application to the Public Safety Committee for review. The application must be presented to the City Administrator's Office at least one month before the event. The Public Safety Committee will present their recommendation to the City Council for action.

If approved, the license will not become valid until approved by the Commissioner.

If approved, the applicant must provide suitable Proof of Insurance covering liquor liability. The City of Thief River Falls shall be named as an additional insured.

Cost of the license is \$35.00 per day.

Applicant shall comply with all restrictions, limitations, and regulations for the sale of liquor under the City Code and State Statutes.

Applicant hereby agrees to obtain a resolution of its governing board wherein applicant agrees to indemnify and hold harmless the City of Thief River Falls and its elected officials, employees, and agents, from and against any and all liabilities, judgments, settlements, losses, costs, or charges, including attorneys' fees, incurred by the City of Thief River Falls, and/or any of its elected officials, employees, and agents, as a result of any claim, demand, action, or suit relating to any bodily injury (including death), loss of property and/or property damage caused by, arising out of, or relating to or associated with the granting of a temporary intoxicating liquor license to applicant.

Applicant also understands that all information contained on this application is public data according to Chapter 13 of the Minnesota State Statute. Failure to provide the requested information may result in the application being denied.

Vanessa Ellefson
 SIGNATURE OF APPLICANT

2/19/21
 DATE

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#7.07

**RESOLUTION NO. : APPROVAL OF TEMPORARY INTOXICATING LIQUOR
LICENE TO CHAMBER OF COMMERCE, RIVERFEST**

Presented as part of the Consent Agenda, Councilmember _____ introduced Resolution No.
, being seconded by Councilmember _____, that:

BE IT RESOLVED, by the City Council, to accept the Public Safety/Liquor
Committee recommendation to grant the Chamber of Commerce a Temporary
Intoxicating Liquor License, effective July 30 – 31, 2021 from 3:00 pm to 1:00
am at Hartz Park.

Presented at the March 16, 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

#7.08

PHONE: 218-681-8506
FAX: 218-681-8507
email: mborseth@citytrf.net
www.citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Grass Mowing Contracts

RECOMMENDATION: It is respectfully requested that the Council consider the following Public Works Committee recommendation:

Motion to: Award the following grass mowing contract:

- Grass Mowing Per Parcel – Rick’s Mowing Service
- Other Mowing Per Hour – Wade Cota
- Tractor Mowing Per Hour – Ashton’s Mowing Service

BACKGROUND: The City of Thief River Falls Code requires a property owner control grass and weeds on their property as follows:

§ 91.37 OWNERS RESPONSIBLE FOR TRIMMING, REMOVAL AND THE LIKE.
All property owners shall be responsible for the removal, cutting, or disposal and elimination of weeds, grasses, and rank vegetation or other uncontrolled plant growth on their property, which at the time of notice, is in excess of six inches in height.

Inspections are conducted periodically (typically every other week) during the growing season through the Building Official, with notice sent to noncompliant property owners after each inspection. Property owners are given seven days to mow their grass or it will be completed by the contractor.

KEY ISSUES: Every two years the city requests quotes for these services. An advertisement for bids was placed in the Times. Bids were received for grass mowing per parcel, hourly mowing, and tractor mowing with a low bid established in each category. The city adds a \$10.00 administrative fee and passes the cost on to the property owner.

FINANCIAL CONSIDERATIONS: Summary attached.

LEGAL CONSIDERATION: None.

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works
Director

Encl: (1)

**CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION**

#7.08

RESOLUTION NO. : APPROVAL OF GRASS MOWING CONTRACTS WITH RICK'S MOWING SERVICE, WADE COTA, AND ASHTON'S MOWING SERVICE

Presented as part of the Consent Agenda, Councilmember _____ introduced Resolution No. _____, being seconded by Councilmember _____, that:

WHEREAS, very two years the city requests quotes for these services. An advertisement for bids was placed in the Times. The following bids were received for grass mowing per parcel, hourly mowing, and tractor mowing with a low bid established in each category. The city adds a \$10.00 administrative fee and passes the cost on to the property owner.

SUMMARY OF BIDS GRASS AND WEED MOWING CONTRACT 2021-2022 THIEF RIVER FALLS, MN				
BIDS OPEN: March 9, 2021 2:00 P.M.				
NAME	ADDRESS	GRASS MOWING PER PARCEL	OTHER MOWING PER HOUR	TRACTOR MOWING PER HOUR
1 Ashton's Mowing Service	10289 200th Street Northwest Thief River Falls, MN 56701	\$45.00	\$55.00	\$75.00
2 Wade Cota	801 Kendall Avenue South Thief River Falls, MN 56701	\$39.00	\$25.00	N/A
3 Les Cota	14298 Center Avenue West Thief River Falls, MN 56701	\$50.00	\$30.00	\$80.00
4 Rick's Mowing Service	11573 140th Street Southeast Red Lake Falls, MN 56750	\$35.00	N/A	N/A
5 D & M Enterprises	P.O. Box 294 Karlstad, MN 56732	\$38.00	N/A	N/A

THEREFORE, BE IT RESOLVED, to accept a Public Works Committee recommendation and approval contracts with Rick's Mowing Service for grass mowing per parcel at \$35.00 per parcel, Wade Cota for mowing at \$25.00 per hour, and Ashton's Mowing Service for tractor mowing at \$75.00 per hour.

Presented at the March 16, 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

#7.09

PHONE: 218-681-8506

FAX: 218-681-8507

email: mborseth@citytrf.net

www.citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Sidewalk Snow Removal Contract

RECOMMENDATION: It is respectfully requested that the Council consider the following Public Works Committee recommendation:

Motion to: Award Sidewalk Snow Removal to Trent Collins for a two-year contract

BACKGROUND: The City of Thief River Falls Code requires property owners clear snow from sidewalks adjacent to their property within 48 hours and within 24 hours in the central business district. After the 24 and 48-hour periods staff, through the Building Official, will inspect all sidewalks and authorize the snow to be removed by a private snow removal contractor.

KEY ISSUES: The city contracts for these services. The city advertised in the Times to request quotes for a two-year contract. Identical bids were received from Trent Collins and Ashton's Mowing Service and Snow Removal in the amount of \$25.00 per lot. Because of the tie bid, based on the recommendation from the City Attorney, both names were placed in a hat, one name drawn to be heads, and a coin tossed to decide the winner. Trent Collins won the coin toss. He performed this work for the last two - year contract and provided high quality work with great reliability. The city adds a \$10.00 administrative fee and passes the cost on to the property owner.

FINANCIAL CONSIDERATIONS: Summary attached.

LEGAL CONSIDERATION: None.

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works
Director

Encl: (1)

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#7.09

RESOLUTION NO. : APPROVAL OF SIDEWALK SNOW REMOVAL TO TRENT COLLINS

Presented as part of the Consent Agenda, Councilmember _____ introduced Resolution No. _____, being seconded by Councilmember _____, that:

WHEREAS, the city contracts for these sidewalk snow removal services. The city advertised in the Times to request quotes for a two-year contract. Identical bids were received from Trent Collins and Ashton's Mowing Service and Snow Removal in the amount of \$25.00 per lot. One other quote was received from DBS Backhoe & Excavation in the amount of \$80.00 per lot. Because of the tie bid, based on the recommendation from the City Attorney, both names were placed in a hat, one name drawn to be heads, and a coin tossed to decide the winner. Trent Collins won the coin toss. He performed this work for the last two - year contract and provided high quality work with great reliability. The city adds a \$10.00 administrative fee and passes the cost on to the property owner.

THEREFORE, BE IT RESOLVED, to accept a Public Works Committee recommendation and approve the sidewalk snow removal contract with Trent Collins in the amount of \$25.00 per lot.

Presented at the March 16, 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

#7.10

PHONE: 218-681-8506
FAX: 218-681-8507
email: mborseth@citytrf.net
www.citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Stump Grinding

RECOMMENDATION: It is respectfully requested that the Council consider the following Public Works Committee recommendation:

Motion to: Approve the low bid to grind stumps, clean up, backfill, and seeding from B & K Stump Grinding, LLC for services to be provided from July 1, 2021 to June 30, 2023.

BACKGROUND: The City actively manages the urban forest throughout the city with a City Forester. The responsibilities for this position include inspection and managed removal of diseased trees on public and private property, tree pruning, tree planting, inspection of wood piles and public relations regarding forestry. Stump grinding services are contracted out to the private sector. The volume of this work varies greatly on the number of diseased elm trees that are removed each year.

KEY ISSUES: A request for sealed bids was published in the Times. A quote was submitted by B & K Stump Grinding, LLC. This was the only quote received. B & K has done this work for the city in the past and provides reliable quality services.

FINANCIAL CONSIDERATIONS: Summary attached.

LEGAL CONSIDERATION: None.

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works Director.

Encl: (1)

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#7.10

RESOLUTION NO. : APPROVAL OF STUMP GRINDING SERVICES TO B & K STUMP GRINDING, LLC

Presented as part of the Consent Agenda, Councilmember _____ introduced Resolution No., being seconded by Councilmember _____, that:

WHEREAS, the City actively manages the urban forest throughout the city with a City Forester. The responsibilities for this position include inspection and managed removal of diseased trees on public and private property, tree pruning, tree planting, inspection of wood piles and public relations regarding forestry. Stump grinding services are contracted out to the private sector. The volume of this work varies greatly on the number of diseased elm trees that are removed each year.

WHEREAS, one bid was received from B & K Stump Grinding, LLC.

THEREFORE, BE IT RESOLVED, to accept a Public Works Committee recommendation approve the bid from B & K Stump Grinding, LLC for stump grinding, cleanup and backfill in the amount of \$3.25 per inch from July 1, 2021 through June 30, 2023.

Presented at the March 16, 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: March 16, 2021

SUBJECT: MARCO STAX agreement on a Konica c650i- 65-ppm copier for City Hall and a Konica c450i 45-ppm for the Public Works Department.

RECOMMENDATION: It is respectfully requested the Council consider the following recommendation from the Administrative Services Committee to approve a 60-month STAX Agreement with Marco.

MOTION TO: Approve the Marco 60-month STAX Agreement for \$980.34 per month on a new Konica C650i 65 ppm for City Hall and a new Konica C450i 45-ppm for Public Works Department. And authorize the City Administrator to sign the agreement.

KEY ISSUES: The new STAX agreement no longer has a per copy charge and now includes unlimited prints. There are no meter count collections either. The agreement includes all travel time, all parts, labor, drums, and toner supplies. It also includes hard drive removal at no charge which would be bizhub secure as well. The City will be saving \$555.29 per month with this agreement.

FINANCIAL CONSIDERATION:

LEGAL CONSIDERATION: none

REVIEWED BY: Angela Philipp, City Administrator

**CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION**

#7.11

**RESOLUTION NO. : APPROVAL OF MARCO AGREEMENT FOR CITY HALL
COPIERS**

Presented as part of the Consent Agenda, Councilmember _____ introduced Resolution No.
, being seconded by Councilmember _____, that:

BE IT RESOLVED, to accept an Administrative Service Committee recommendation and approve a Marco 60-month STAX Agreement in the amount of \$980.34 per month for a new Konica C650i 65 ppm copier for City Hall and a new Konica C450i 45-ppm copier for Public Works Department. And authorize the City Administrator to sign the agreement.

Presented at the March 16, 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

#8.01

SUMMARY OF PERFORMANCE EVALUATION OF ANGELA PHILIPP, CITY ADMINISTRATOR

At the March 2, 2021 meeting of the City Council, the meeting was closed by the council to evaluate the job performance of Angie Philipp, City Administrator. 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 Angie Philipp and as a summary of its conclusions, the council found that Ms. Philipp was performing exceptionally well. She is well versed in the finances of the City and has been very responsive and available to requests and inquiries from Council Members. She is very good at follow up and works well with citizens and the council. It was mentioned that she needs to delegate more of the duties she is presently doing. It was felt that when the new billing software is implemented, this would help relieve some of the extra duties assumed. Overall, the council felt that she is doing a good job representing the City as it's Administrator.

Presented at the March 16, 2021 Council Meeting

Seconded by: _____

Roll Call (if required):

___Holmer___Howe___Bolduc___Lorenson___McCraw___Prudhomme___Aarestad___Narverud

Notes: _____



City of Thief River Falls

#8.02

Jaeger Bellows, Deputy Chief of Police

Thief River Falls Police Department
102 1st St W • PO Box 413
Thief River Falls MN 56701-0528

PHONE: 218-681-6161
FAX: 218-683-7006
email: jbellows.trfpd@citytrf.net
www.citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Approval to participate in the Speed and Aggressive Driving Special Project with the MN Department of Public Safety (DPS)

RECOMMENDATION: It is respectfully requested that the Council consider the following Public Safety Committee recommendation:

MOTION TO: Approve participation in a grant opportunity offered by the MN DPS

BACKGROUND: The MN DPS determined that high speeds contributed to a higher number of traffic fatalities in 2020 and has created an enforcement wave called Speed and Aggressive Driving Special Project to promote safer driving habits. The TRF Police Department has acquired a pending award of \$5,800 for overtime traffic enforcement activities.

KEY ISSUES: The total award of \$5,800 will be split with the Pennington County Sheriff's Office. The grant requires a 20% match for a total of \$1,160 (responsibility also to be shared with the PCSO). The match is not a monetary match, rather it requires on-shift officers to log any speed/aggressive driving traffic enforcement activities and this time, based on the officer's hourly straight-pay wage, is counted towards the match requirement. The enforcement wave will continue through July 31, 2021.

FINANCIAL CONSIDERATION: This is considered a match grant but will not require any budgetary adjustments or contributions. The match will be made by officers/deputies logging on-shift (straight time) traffic enforcement activities until an equivalent of \$1,160 (20% of total grant) is met.

LEGAL CONSIDERATION: The grant administrators request that the attached resolution agreement be signed by the Mayor and returned to DPS.

DEPARTMENT/RESPONSIBLE PERSON: Chief Marissa Adam

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#8.02

RESOLUTION NO. : APPROVAL OF PARTICPATION IN THE SPEED AND AGGRESIVE DRIVING SPECIAL PROJECT WITH MN DEPARTMENT OF PUBLIC SAFETY (DPS)

A Public Safety Committee recommendation was presented. Following discussion, Councilmember _____ introduced Resolution No., being seconded by Councilmember _____, that:

BE IT RESOLVED, that Thief River Falls Police Department enter into a grant agreement with the Minnesota Department of Public Safety, Speed and Aggressive Driving Special Project during the period from February 1st, 2021 through July 31st 2021.

The City of Thief River Falls is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of Thief River Falls Police Department and to be the fiscal agent and administer the grant.

Presented at the March 16, 2021 Council Meeting

Seconded by: _____

Roll Call (if required):

___Holmer___Howe___Bolduc___Lorenson___McCraw___Prudhomme___Aarestad___Narverud

Notes: _____

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#8.03

RESOLUTION NO. : RESOLUTION IN OPPOSITION OF THE MPCA ADOPTING CALIFORNIA'S LOW-EMISSION VEHICLE AND ZERO-EMISSION MANDATES

An Administrative Services Committee recommendation was presented. Following discussion, Councilmember _____ introduced Resolution No. , being seconded by Councilmember _____, that:

WHEREAS, the City of Thief River Falls is responsible for providing essential government services such as transportation infrastructure and solid waste management that promote a vibrant community;

WHEREAS, the City of Thief River Falls works tirelessly to be good stewards of our tax dollars and provide these programs in a cost-effective and efficient manner;

WHEREAS, the Minnesota Pollution Control Agency (MPCA) is in the process of adopting California's Low-Emission Vehicle (LEV) and Zero-Emission (ZEV) mandates, which are expected to phase-out the sale of fuel-powered passenger vehicles by 2035;

WHEREAS, the adoption of these rules is being conducted by rulemaking, which limits the scope of the discussion to a narrow set of issues, precluding a broader policy debate on the economic development, transportation, energy, and waste disposal impacts of the policy. The proposed rule and process for adopting it also fail to address many of the Minnesota-specific concerns related to our City's demographics and climate.

WHEREAS, the MPCA's own documents show that the plan to mandate California's LEV and ZEV standards is likely to increase the cost of all light- and medium-duty vehicles sold in Minnesota by an average of \$1,139;

WHEREAS, the MPCA estimates the rule will displace 674 million gallons of fuel by 2034, before the phasing-out of fuel-powered vehicles, but the MPCA's documents do not address the long-term consequences on our City's transportation revenues (or the impacts on our local ethanol plant/biofuels industry);

WHEREAS, batteries in electric vehicles weigh ten-times as much as batteries in vehicles with internal combustion engines and include more toxic elements, exposing our City to increased disposal costs and liabilities;

THEREFORE, BE IT RESOLVED, that the City of Thief River Falls opposes the MPCA's attempt to adopt California's mandates through rulemaking without consulting the Legislature; and

BE IT FURTHER RESOLVED, the City of Thief River Falls encourages the Walz administration to withdraw its proposed rulemaking and bring a proposal to the Legislature where a more comprehensive policy can be considered; and

BE IT FURTHER RESOLVED that the City of Thief River Falls stands ready to advise the Governor, his administration, and our regional Legislators on proactive methods to achieve

the goals raised by Governor Walz without adversely impacting our ability to provide public services; and

BE IT FURTHER RESOLVED, that the City of Thief River Falls will advocate against this rulemaking to ensure that our concerns about increased costs, lost transportation revenues, and battery waste are contemplated and mitigated.

Presented at the March 16, 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

#8.04

ELECTRIC DEPARTMENT

HISTORIC SOO LINE R.R. DEPOT
405 Third Street East . P.O. Box 528
Thief River Falls, MN 56701-0528

PHONE: 218 681-5816

email: dnarlock@citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Revision of Power Plant Operator/Journey Lineworker position to Power Plant Operator/Construction Worker

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

MOTION TO: To revise the position of Power Plant Operator/Journey Lineworker job position and job description to Power Plant Operator/Construction Worker and designation of McLean Stennes (Power Plant Operator/Journey Lineworker) into the Power Plant Operator/Construction Worker position, effective immediately.

FURTHER: That the position of Power Plant Operator/Construction Worker will require to be rebanded and graded and shall be sent into Fox Lawson. Mr. Stennes's wage shall be frozen at his current wage of \$28.31, until regraded and successful completion of step requirements.

BACKGROUND: 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 requirements of apprentice journey lineworker regulations, the City must immediately decertify an apprentice lineworker in its employment.

DEPARTMENT/RESPONSIBLE PERSON: Dale Narlock, Electric Superintendent

THIEF RIVER FALLS JOB DESCRIPTION

BAND C	GRADE 4	SUBGRADE I	
JOB TITLE Power Plant Operator/Journey Lineworker Construction Worker		DEPARTMENT Electric	EFFECTIVE DATE March 21, 2017
IMMEDIATE SUPERVISOR: Electric Foreman			
JOB SUMMARY Performs a variety of technical tasks involved in the installation, servicing and maintenance construction of high voltage and secondary voltage distribution systems. Performs various technical duties involved in the proper operation of electrical equipment, power generation equipment, power plant facilities, street lighting and meter reading. 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.			

In

TASK NO.	ILLUSTRATIVE TASK	FRE- QUENCY	BAND/ GRADE
1.	Installs, maintains and repairs power generation equipment.	Daily 40%	
2.	Installs maintains, and repairs secondary voltage and high voltage electrical distribution system apparatus and equipment. Line workers work at the journey level with minimum direct supervision.	Daily 40%	
3.	Determines proper installation of high voltage apparatus according to safety codes and industry standards. Works in conjunction with line department in accordance to safety codes and industry standards.	Daily 5%	

4.	Compiles and maintains inventory records of operational and maintenance material.	Daily 2%	
5.	Performs a variety of communication/administrative activities such as: providing routine information and assistance; receiving and resolving complains from the public; responding to routine inquiries both internal and external; preparing written material; and recording and filing information.	Daily 5%	
6.	Performs general maintenance duties to plant facilities including painting.	Daily 8%	
7.	Performs other tasks of a similar nature or level.	As required	

MINIMUM QUALIFICATIONS:

One year of specialized/technical training in electrical line work ~~and one year of previous experience as an electrical line worker at the apprenticeship level~~ involving construction and maintenance of a ~~high voltage and~~ secondary voltage distribution system or an equivalent combination of education, training or work experience which provides sufficient evidence for the successful performance of the various tasks listed.

Also, one year of specialized/technical training in diesel operations or a related field and one or more years of previous experience in the installation, servicing and repair of power generation equipment and electrical equipment or an equivalent combination of education, training or work experience which provides sufficient evidence for the successful performance of the various tasks listed.

A valid State of Minnesota Class B driver's license or evidence of equivalent mobility is also required.

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#8.04

**RESOLUTION NO. : APPROVAL OF REVISION OF POWER PLANT OPERATOR/
JOURNEY LINEWORKER TO POWER PLANT OPERATOR/CONSTRUCTION
WORKER**

A Public Utilities Committee recommendation was presented. Following discussion, Councilmember _____ introduced Resolution No., being seconded by Councilmember _____, 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 requirements of apprentice journey lineworker regulations, the City must immediately decertify an apprentice lineworker in its employment.

THEREFORE BE IT RESOLVED, to accept the findings of the Labor Committee and the recommendation of Public Utilities Committee to revise the position of Power Plant Operator/Journey Lineworker job position and job description to Power Plant Operator/Construction Worker and designation of McLean Stennes (Power Plant Operator/Journey Lineworker) into the Power Plant Operator/ Construction Worker position, effective immediately.

BE IT FURTHER RESOLVED, That the position of Power Plant Operator/ Construction Worker will require to be rebanded and graded and shall be sent into Fox Lawson. Mr. Stennes's wage shall be frozen at his current wage of \$28.31, until regraded and successful completion of step requirements.

Presented at the March 16, 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

#8.05

DIRECTOR OF PUBLIC WORKS

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

PHONE: 218-681-8506

FAX: 218-681-8507

email: mborseth@citytrf.net

www.citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Commercial Conditional Use Permit – Farmers Coop Grain and Seed Expansion

RECOMMENDATION: It is respectfully requested that the Council consider the following Planning Commission recommendation:

Motion to: Approve Conditional Use Permit to allow the expansion of the Farmers Coop Grain and Seed Elevator at Eighth Street and Dewey Avenue with the following conditions:

- Acquire MPCA air quality permit.
- Install dust collection on existing facility.
- Use best practice on trains crossing Eighth Street to minimize traffic delays.
- Complete buffer requirements as per city code.
- Follow noise requirements as per city code.
- Bring storm water runoff into compliance for direct discharge to storm sewer.

BACKGROUND: Farmers Coop Grain and Seed has operated a grain elevator facility on the north side of Eighth Street along the Canadian Pacific Railroad for several years. They recently purchased the former TRF Pallet property to the east of their elevator to facilitate significant expansion.

KEY ISSUES: The Coop entered a joint venture involving the grain facility with Riverland Ag Corp., a subsidiary of Ceres Global Ag. This new joint venture is called Farmers Grain, LLC. A grain elevator is an allowable use in the General Industrial District (I-2) but does require a Conditional Use Permit due to the presence of dust and noise.

FINANCIAL CONSIDERATIONS: All costs associated with the CUP will be the responsibility of the property owner.

LEGAL CONSIDERATION: This action requires a public hearing held at the Planning Commission meeting and approval by the City Council.

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works
Director

Encl: (6)



Application To Planning Commission/BOZA

City of Thief River Falls
Community Services
405 3rd Street East - P.O. Box 528
Thief River Falls, MN 56701
218-681-8506

- ☐ REZONING (Fee \$150.00) ☐ APPEALS (Fee \$50.00)
- ☐ VARIANCE (Fee \$150.00)
- ☐ LAND SUBDIVISION (Fee \$300.00)
- ☒ **CONDITIONAL USE PERMIT** (Fee \$150.00)

Applicant

Name Farmers Grain LLC		Phone # 218-681-6281	
Address 503 8th St E	City Thief River Falls	State MN	Zip 56701

Property Owner (if different from Applicant)

Name Farmers Coop Grain and Seed		Phone # 218-681-6281	
Address PO Box 525	City Thief River Falls	State MN	Zip 56701

Approximate Location of Property

Address 823 Dewey Ave N	Legal Description * See Attached *
-------------------------	------------------------------------

Present Zoning Classification

Present Use

Description of Request

Property Owner Signature (required)

Samuel Miller - Farmers Grain LLC

Date

2-18-2021

Applicant Signature

[Signature] Farmers Grain LLC

Date

2-18-2021

Review (For office use only)

Date of Publication

Date on Planning Commission Agenda

Action Taken By Commission

Action Taken By City Council:

City Council Resolution / Ordinance Number

Fee Paid

Farmers Coop and Seed

Conditional Use Permit supplemental information

"Farmers Coop Grain and Feed has been operating the 1.75 million bushel grain storage facility at 503 8th St E in Thief River Falls. The Coop entered a Joint Venture involving the grain facility with Riverland Ag Corp., a subsidiary of Ceres Global Ag. The newly formed Joint Venture is called Farmers Grain, LLC and is looking to expand the business to be able to handle unit trains of up to 134 railcars rather than the 25 car sets they handle today. To handle this type of volume, the elevator is looking to increase the storage capacity by 1.5 million bushels including 5 new bins and a new grain drier.

With this expansion it is planned that the vast majority of the outbound volume will move via the rail. It is anticipated that 80% of the volume will move by rail compared to only about 20% of the volume today. This should account for many less trucks loading at the facility and leaving south through Thief River Falls. The volume handled at the facility is project to increase by 60%.

The new expansion project will be adding dust collection to the facility for added safety of the elevator. Farmers Grain, LLC is in the process of applying for an Option D registration permit with the Minnesota Pollution Control Agency."

Legal Description's

(1)

A parcel of Land which is part of Government Lot Four (4), Section Twenty-seven (27), Township One Hundred Fifty-four (154) North, Range Forty-three (43) West of the Fifth Principal Meridian, Pennington County, Minnesota, described as follows:

Commencing at a point which lies East along the North line of said Government Lot 4 a distance of 178.6 feet from the West line of said Section 27; thence South along a line parallel to said West line a distance of 30 feet to the point of beginning; thence from this point of beginning continuing South along a line parallel to and 178.6 feet Easterly from the said West line of Section 27 a distance of 634.00 feet more or less to the North line of Riverside Addition to Thief River Falls, Minnesota; thence Easterly along said North line of Riverside Addition to the West line of Dewey Avenue; thence North 0 degrees 48 minutes West a distance of 599.50; thence North 11 degrees 35 minutes West a distance of 72.00 feet more or less to a point 30.00 feet South of the North line of said Government Lot 4; thence Westerly along a line parallel to and 30 feet South of the North line of said Government Lot 4 to the point of beginning.

(5)

Leasehold interest in all commercial structures and other structural and leasehold improvements described in Lease No. 29300 and Lease No. 9405-D contained within the following described parcel:

Those parts of Lots One (1), Two (2) and Three (3), Block Four (4), Riverside Addition to Thief River Falls and Government Lot 4 of Section 27, Township 154 North, Range 43 West, Pennington County, Minnesota, being bounded and described as lying North of the North line of the Plat of Riverside Addition to Thief River Falls, Minnesota; South of the line known as the North City Limits of the City of Thief River Falls in the Southwest Quarter of Section 27, Township 154 North, Range 43 West; East of the West line of said Section 27, and West of the following described line: Beginning at the Northwest corner of the Southwest Quarter of said section 27, thence East along the North line of Government Lot 4 a distance of 178.6, thence South parallel to said West line a distance of 30 feet, thence continuing South along a line parallel to and 178.6 feet Easterly from the said West line of Section 27, a distance of 634, more or less to the North line of Riverside Addition to Thief River Falls, Minnesota, and said line there terminating.

Except:

Parts of Lots One (1), Two (2) and Three (3), Block Four (4), Riverside Addition to Thief River Falls and of Government Lot Four (4) of Section 27, Township 154 North, Range 43 West, Pennington County, Minnesota, described as follows:

Beginning at a point in the line known as the North City Limits of Thief River Falls 136.6 feet East of the West line of said Section 27; thence North parallel with and 136.6 feet East of the West line of said Section 27, 322.5 feet to a point; thence West at right angles to last described line 71 feet to a point; thence Southerly a distance of 450.00 feet to a point in the North line of Eighth Street North in said City of Thief River Falls; which point is 69.4 feet West of the point of intersection of the North line of Eighth Street North with the West line of Davis Street; thence East along the said North line of Eighth Street North, 69.4 feet; thence Northerly to the place of beginning.

And Except:

A parcel of land in Government Lot 4 in Section Twenty-seven (27), Township One Hundred Fifty-four (154) North, Range Forty-three (43) West, Pennington County, Minnesota, bounded and described as follows:

Commencing at a point in the North line of Riverside Addition in the City of Thief River Falls, which point is 136.6 feet East of the West line to Section 27; thence North parallel with and 136.6 feet East of said West line of Section 27, a distance of 322.5 feet to the point of beginning of the description of the parcel of land hereby conveyed; thence continuing North parallel with said West line of Section 27 a distance of 118 feet; thence West at right angles a distance of 71 feet; thence South at right angles a distance of 118 feet; thence East to the point of beginning.

Pennington County, Minnesota Abstract Property

**NOTICE OF HEARING
PLANNING COMMISSION
CITY OF THIEF RIVER FALLS**

Notice is hereby given pursuant to Chapter 152 of the Thief River Falls ("City") City Code that Farmers Coop Grain Seed Association, 823 Dewey Avenue North, Thief River Falls, MN 56701 has applied for a Conditional Use Permit to allow an expansion of the existing grain elevator operation. The property is described as follows:

A parcel of Land which is part of Government Lot Four (4), Section Twenty-seven (27), Township One Hundred Fifty-four (154) North, Range Forty-three (43) West of the Fifth Principal Meridian, Pennington County, Minnesota, described as follows:
Commencing at a point which lies East along the North line of said Government Lot 4 a distance of 178.6 feet from the West line of said Section 27; thence South along a line parallel to said West line a distance of 30 feet to the point of beginning; thence from this point of beginning continuing South along a line parallel to and 178.6 feet Easterly from the said West line of Section 27 a distance of 634.00 feet more or less to the North line of Riverside Addition to Thief River Falls, Minnesota; thence Easterly along said North line of Riverside Addition to the West line of Dewey Avenue; thence North 0 degrees 48 minutes West a distance of 599.50; thence North 11 degrees 35 minutes West a distance of 72.00 feet more or less to a point 30.00 feet South of the North line of said Government Lot 4; thence Westerly along a line parallel to and 30 feet South of the North line of said Government Lot 4 to the point of beginning.

And

Leasehold interest in all commercial structures and other structural and leasehold improvements described in Lease No. 29300 and Lease No. 9405-D contained within the following described parcel:

Those parts of Lots One (1), Two (2) and Three (3), Block Four (4), Riverside Addition to Thief River Falls and Government Lot 4 of Section 27, Township 154 North, Range 43 West, Pennington County, Minnesota, being bounded and described as lying North of the North line of the Plat of Riverside Addition to Thief River Falls, Minnesota; South of the line known as the North City Limits of the City of Thief River Falls in the Southwest Quarter of Section 27, Township 154 North, Range 43 West; East of the West line of said Section 27, and West of the following described line: Beginning at the Northwest corner of the Southwest Quarter of said section 27, thence East along the North line of Government Lot 4 a distance of 178.6, thence South parallel to said West line a distance of 30 feet, thence continuing South along a line parallel to and 178.6 feet Easterly from the said West line of Section 27, a distance of 634, more or less to the North line of Riverside Addition to Thief River Falls, Minnesota, and said line there terminating.

Except:

Parts of Lots One (1), Two (2) and Three (3), Block Four (4), Riverside Addition to Thief River Falls and of Government Lot Four (4) of Section 27, Township 154 North, Range 43 West, Pennington County, Minnesota, described as follows:
Beginning at a point in the line known as the North City Limits of Thief River Falls 136.6 feet East of the West line of said Section 27; thence North parallel with and 136.6 feet East of the West line of said Section 27, 322.5 feet to a point; thence West at right angles to last described line 71 feet to a point; thence Southerly a distance of 450.00 feet to a point in the North line of Eighth Street

North in said City of Thief River Falls; which point is 69.4 feet West of the point of intersection of the North line of Eighth Street North with the West line of Davis Street; thence East along the said North line of Eighth Street North, 69.4 feet; thence Northerly to the place of beginning.

And Except:

A parcel of land in Government Lot 4 in Section Twenty-seven (27), Township One Hundred Fifty-four (154) North, Range Forty-three (43) West, Pennington County, Minnesota, bounded and described as follows:

Commencing at a point in the North line of Riverside Addition in the City of Thief River Falls, which point is 136.6 feet East of the West line to Section 27; thence North parallel with and 136.6 feet East of said West line of Section 27, a distance of 322.5 feet to the point of beginning of the description of the parcel of land hereby conveyed; thence continuing North parallel with said West line of Section 27 a distance of 118 feet; thence West at right angles a distance of 71 feet; thence South at right angles a distance of 118 feet; thence East to the point of beginning.

Pennington County, Minnesota Abstract Property

Notice is further given that the Planning Commission will conduct a Hearing on the Conditional Use Permit Request at 5:00 P.M. on Tuesday, March 9, 2021, in the City Council Chambers, City Hall, 405 Third Street East, Thief River Falls, MN 56701. All persons wishing to comment on the Conditional Use Permit will have the option to be heard at this time. Persons who wish to submit written comments prior to the Hearing or who have questions should address them to the Office of the Public Works Director, City Hall, P. O. Box 528, Thief River Falls, MN 56701, or telephone 218-681-8506.

If you have a disability and need an accommodation in order to attend this Hearing; please contact the undersigned as soon as possible or at least 3 working days in advance of the Hearing at the above telephone number.

Dated this 19th day of February 2021

CITY OF THIEF RIVER FALLS

/s/ Mark Borseth

Mark Borseth
Public Works Director
& Zoning Administrator

Published in the Wednesday, February 24, 2021, edition of The Times.

CHECKLIST FOR CONDITIONAL USE REQUEST

- [illegible]

Is the proposed Special Use consistent with the Comprehensive Plan? Yes

11. **Have other pertinent segments of the Comprehensive Plan been considered?** Yes. This property is served by a state highway, a county state aid highway and railroad.
13. **Does the property provide, either now or potentially, enough area for adequate off-street parking?** Yes.
 - A. **Will off-street parking be located in the side yard area or the rear yard area?** Combination.
 - B. **Will off-street parking be suitably screened from view?** Screening is only required to the north.

C. Is there adequate room on the property for loading space(s)? Yes

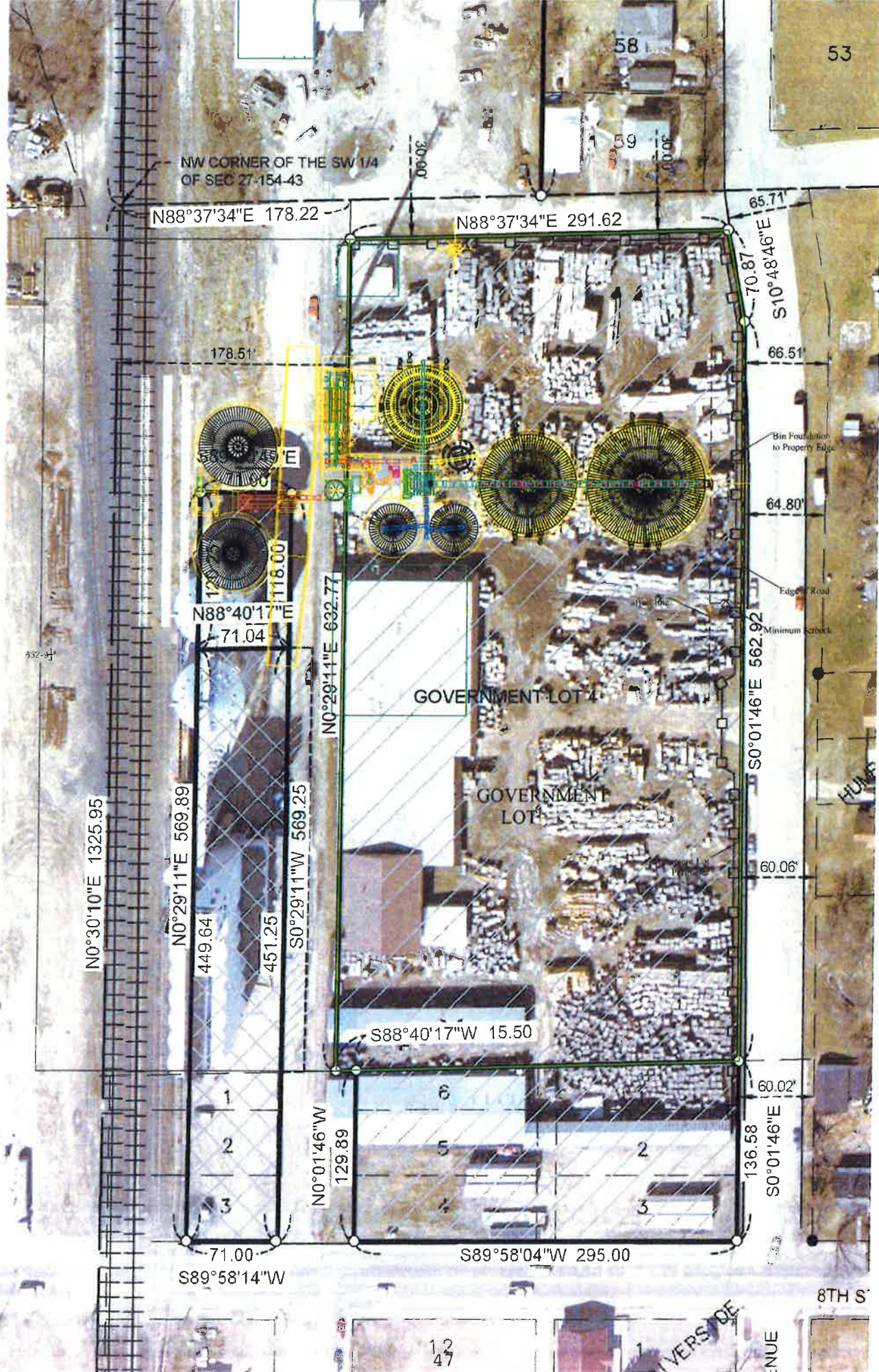
- 14. If it is a heavy industry, is it readily available to a major thoroughfare and rail lines? Yes**
- 15. Should screening be provided along the boundaries of this property? Yes, to the north where residential property screening is required.**
- 16. Are screened storage and trash areas provided? Yes**
- 17. Are vehicular accessways adequate? Yes**
- 18. Will the use impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district? No. The proposed use is consistent with the comprehensive plan.**
- 19. Can it be found that there is a public necessity for the Special Use? The elevator has indicated that the need for additional capacity is required to utilize unit trains and remain competitive.**
- 20. What is the general character of the neighborhood? The area is commercial, industrial, and residential.**
- 21. Are Wetlands or Shore land impacted by this request? No.**

COMMENTS:

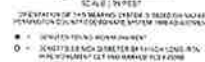
The proposed use is consistent with the comprehensive plan and allowed in the General Industrial District (I-2) with a Conditional use Permit.

CRITERIA FOR GRANTING CONDITONAL USE PERMITS

1. The establishment, maintenance, or operation of a conditional use will not be detrimental to or endanger the public health, safety, morals, or general welfare.
2. The conditional use will not create an excessive burden on existing parks, schools, streets, and other public facilities and services which serve or are proposed to serve the area.
3. The conditional use will be sufficiently compatible with or separated by distance or screening from adjacent Agriculture or Residential zoned or used land.
4. The structure and site shall have an appearance that will not have an adverse effect upon adjacent agricultural or residential zoned or used land.
5. The conditional use is related to the overall needs of the City and to existing land use.
6. The conditional use is consistent with the purpose of this Chapter and requirements of the Zoning District.
7. The conditional use is not in conflict with the Comprehensive Plan.
8. Adjacent business will not be adversely affected because of curtailment of customer trade brought on by the intrusion of noise, glare, or general unsightliness.

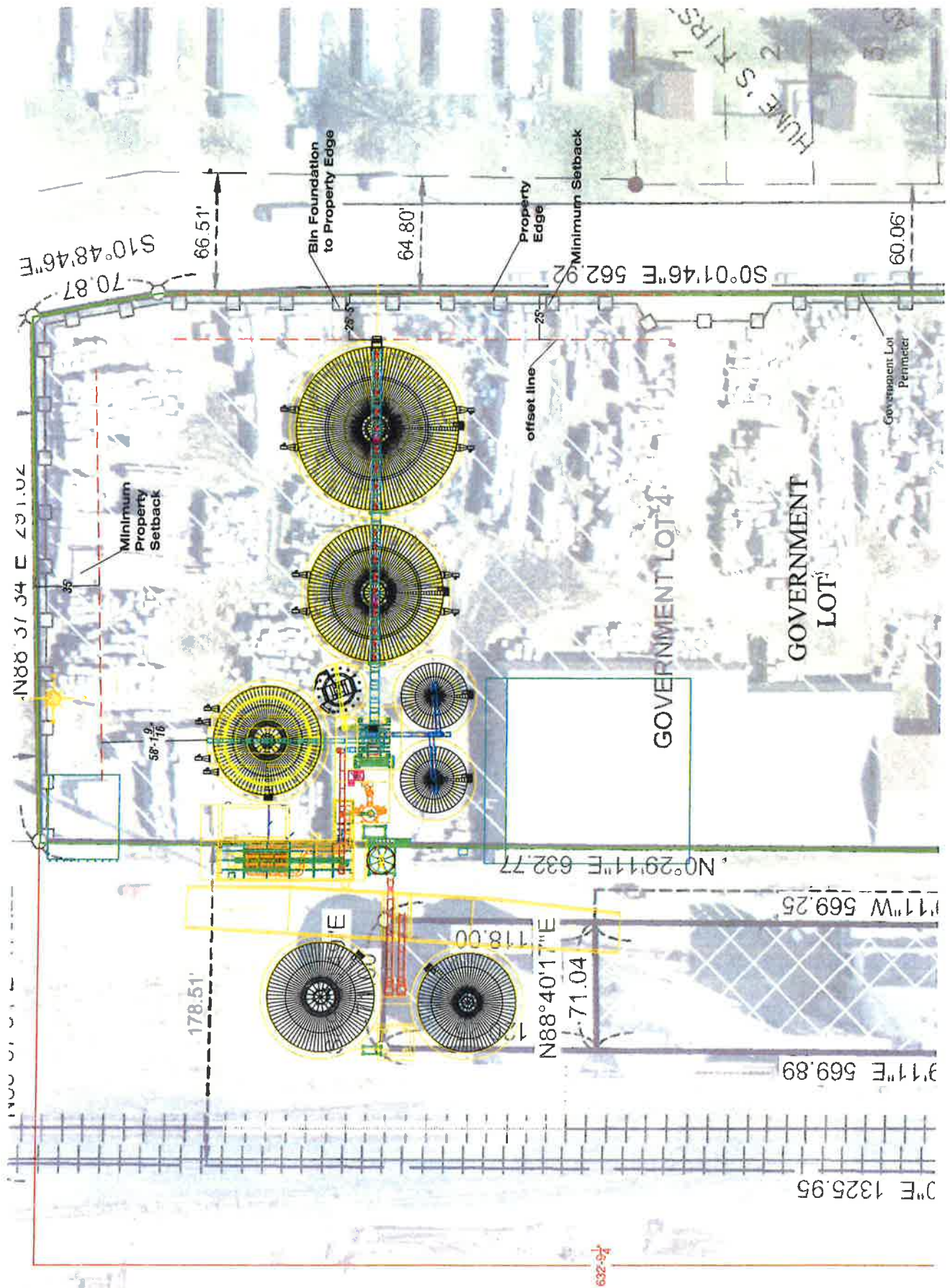


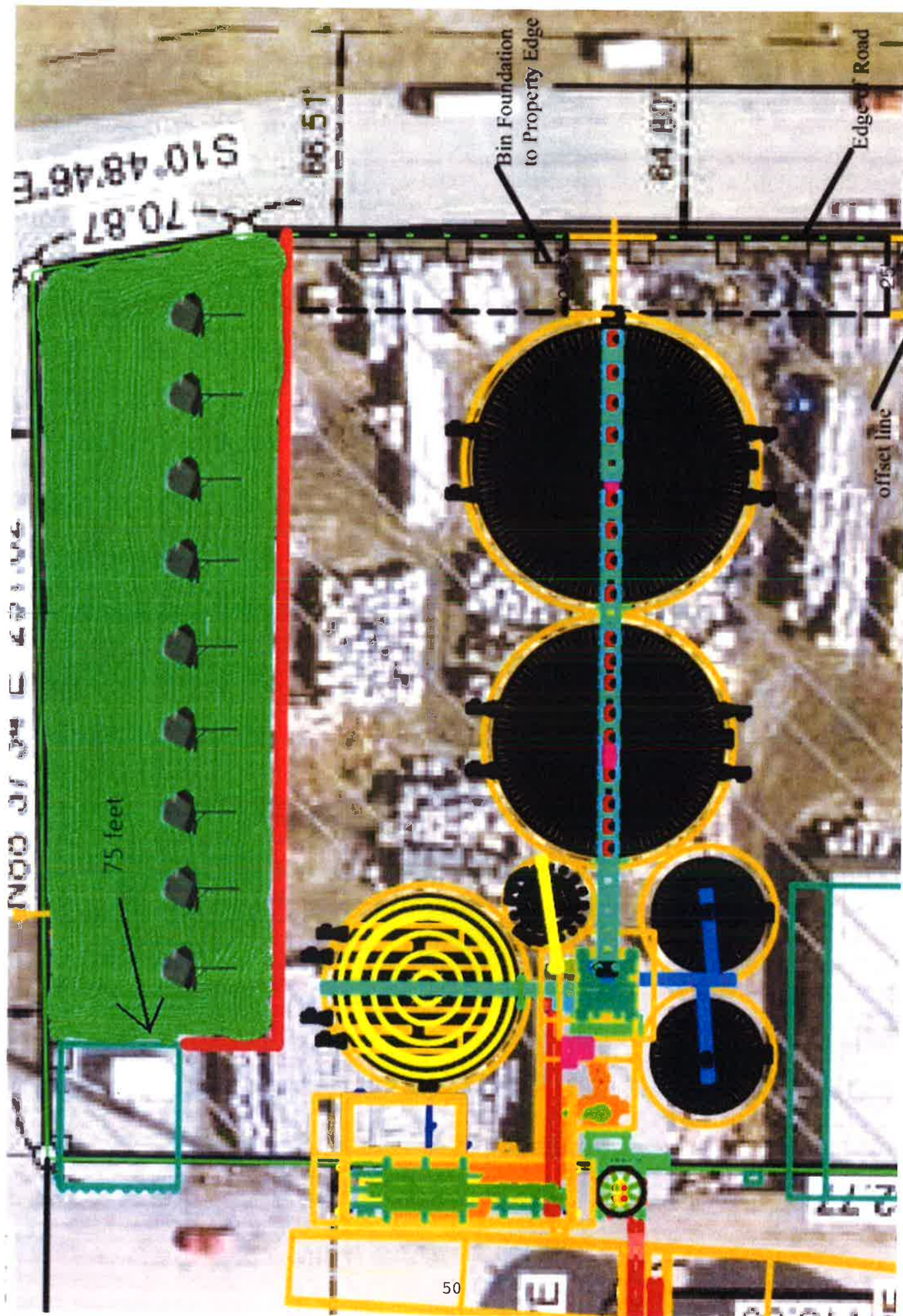
THAT PART OF SEC. 27, T. 154 N., R. 43 W. OF THE 5TH PRINCIPAL MERIDIAN, PENNINGTON COUNTY, MN



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WIDSETH SMITH NOLTING
Engineering | Architecture | Surveying | Environmental





To whom this may concern 3/1/21

I am concerned about the elevator that is building grain bins next to my house. I have lived in my home since July of 1981. Home Lumber was next door to us on the south side. Since then it has been sold several times and now the elevator bought it.

I am writing down my concern since I really didn't have any with the other 2 owners. Home Lumber was very clean and quiet. The pallet place was quiet but it looked like a dump.

{1} I have celiac disease. That is a condition to which I have allergies to wheat and grain I have to buy special foods. I know breathing in this grain dust is not good for me. I am very concerned about this. My sister {Bonnie} comes to my house to stay for 2 weeks at a time when she has Dr App or is sick. She lives in Warroad Bonnie has COPD and emphysema very bad and only

has 12 present of her lung's that are working.

She is on oxygen a nebulizer inhalers adora, albuterol and prednisone. I take her to the Dr

App in Grand Forks for MRI and kat scans and I take her to DR app in TRF. Bonnie can't walk very far at all. I love setting outside with

her and now she won't be able to breath with the dust so will have to sit inside. I am all she has to help her. All my other sisters live in Grand Rapids area.

I am concerned about the dust that will be all over my yard and vehicles which can't be good for the paint on my car. What about the grain dust that gets in my vents and motor on the car that can't be good. I already have some dust all over but it will be a lot worse.

{2} Traffic will increase and I have small grandchildren that play outside all summer that means I am outside all summer on days the grain dust is not bad so I don't get sick. There is no cure and there is no medicine for celiac disease. It is only what you eat.

Also with the extra traffic come more dust and more dust from the wheat.

I have been late for work a few times because I am blocked in by the semi trucks that line up in the driveway and blocked me in. If I knew ahead of time I would park on the road.

{3} I will have no view once all the bins go up and have been told there are going to be a lot more bins once this project gets started. I can't imagine looking out and all I see will be bins. Right now the noise from the dryers with the bins that are already behind my garage are so loud we can't talk without yelling when the dryer is running and we sit out side. That will only double in noise once the new bin are up and running. The smell of rotten grain is so bad some days its unbearable and also will get worse. When filling semi trailers there is a guy that constantly yells loud, Go ahead or stop every 15 /20 seconds. Literally drives me nuts. I

can't relax or read a book out side. I know that's his job, but there are things like walkie talkies or some kind of headphones.

The semi drivers have knocked our fence down on the corner 2 or 3 times in the past. Yes they fixed it. They go way to fast to turn in the driveway and like I said I have kids that play in my yard all summer. I have had to call the cops at one point because the guy driving the semi almost hit my grandson and my great-granddaughter and the semi driver got very upset almost to a point of a fight. Many families walk, bike, and many young kids that are not with adults are always walking or biking past our house {toward the elevator} wether going to the park or store

This is a shortcut for them.

{4} The safety of my grandkids and my health is the most important thing to me and the fact that I won't be able to sell my house for the assessed value because there is no value left in our house once the elevator goes up.

Who would want to live that close to this large complex.

I feel like I am boxed in a corner and the only option I will have is to walk away and I won't do that. As I got older I couldn't wait to retire and now I won't be able to sit out side and enjoy myself without the noise and dust from the road and grain dust not to mention the beautiful bin's is all I will see.

My deck is in front of my garage so I don't see the grain bins when I am on my deck that is nice. Once these grain bins are up there is no where I can go inside or outside that I don't see or here these grain bins. Forgot, I am sure there will be more rat and mouse problem's. On that one I will have to call 911. At this point I will be done.

Joyce Klos.
Dana C. Klos

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#8.05

**RESOLUTION NO. : APPROVAL OF COMMERCIAL CONDITIONAL USE PERMIT
FOR FARMERS COOP GRAIN AND SEED EXPANSION**

A Public Works Committee recommendation was presented. Following discussion, Councilmember _____ introduced Resolution No., being seconded by Councilmember _____, that:

WHEREAS, Farmers Coop Grain and Seed has operated a grain elevator facility on the north side of Eighth Street along the Canadian Pacific Railroad for several years. They recently purchased the former TRF Pallet property to the east of their elevator to facilitate significant expansion; and

WHEREAS, The Coop entered a joint venture involving the grain facility with Riverland Ag Corp., a subsidiary of Ceres Global Ag. This new joint venture is called Farmers Grain, LLC. A grain elevator is an allowable use in the General Industrial District (I-2) but does require a Conditional Use Permit due to the presence of dust and noise.

NOW, THEREFORE, BE IT RESOLVED, to accept a Planning Commission and Public Works Committee recommendation to grant Farmers Coop Grain and Seed a Conditional Use Permit to allow the expansion of the Farmers Coop Grain and Seed Elevator at Eighth Street and Dewey Avenue with the following conditions:

- Acquire MPCA air quality permit.
- Install dust collection on existing facility.
- Use best practice on trains crossing Eighth Street to minimize traffic delays.
- Complete buffer requirements as per city code.
- Follow noise requirements as per city code.
- Bring storm water runoff into compliance for direct discharge to storm sewer.

It should be noted that all costs associated with the Conditional Use Permit will be the responsibility of the property owner.

Presented at the March 16, 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

#8.06

PHONE: 218-681-8506
FAX: 218-681-8507
email: mborseth@citytrf.net
www.citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Rezoning – Oslund Property

RECOMMENDATION: It is respectfully requested that the Council consider the following Planning Commission recommendation:

Motion to: Call for First Reading to consider rezoning Lots 10, 11 and 12, Block 6, Riverside Addition to Thief River Falls from General Industrial District (I-2) to General Business District (C-2).

BACKGROUND: This property is owned by Andy Oslund of Grygla, Minnesota. It is a vacant lot zoned General Industrial District (I-2) and has been used primarily for equipment storage. Mr. Oslund has a purchase agreement to sell the property contingent on rezoning to General Business District (C-2).

KEY ISSUES: The buyer of this property, Megan Bourn, plans to build a car wash and laundry facility on this parcel. The proposed use is allowable in the General Business District.

FINANCIAL CONSIDERATIONS: None.

LEGAL CONSIDERATION: This action requires a public hearing held at the Planning Commission meeting and two readings of the proposed zoning amendment.

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works
Director

Encl: (6)

**NOTICE OF HEARING
PLANNING COMMISSION
CITY OF THIEF RIVER FALLS**

Notice is hereby given, pursuant to Chapter 152 of the Thief River Falls City Code, that Andy Oslund, PO Box 162, Grygla, MN 56727 has submitted a request to re-zone certain real property from General Industrial District (I-2) to General Business District (C-2). The property is legally described as follows:

Lots 10, 11 and 12, Block 6, Riverside Addition of Thief River Falls

Notice is further given that the Planning Commission will conduct a Hearing on the Re-Zoning Request at 5:00 P.M. on Tuesday, March 9, 2021, in the City Council Chambers, City Hall, 405 Third Street East, Thief River Falls, MN 56701. All persons wishing to comment on the Re-Zoning Request will have the option to be heard at this time. Persons who wish to submit written comments prior to the Hearing or who have questions should address them to the office of the Public Works Director, City Hall, P.O. Box 528, Thief River Falls, MN 56701, or telephone 218-681-8506.

If you have a disability and need an accommodation to attend this Hearing, please contact the undersigned as soon as possible or at least 3 working days in advance of the Hearing at the above telephone number.

Dated this 19th day of February 2021.

CITY OF THIEF RIVER FALLS

/s/ Mark Borseth

Mark Borseth
Public Works Director
& Zoning Administrator

Published in the Wednesday, February 24, 2021, edition of The Times.

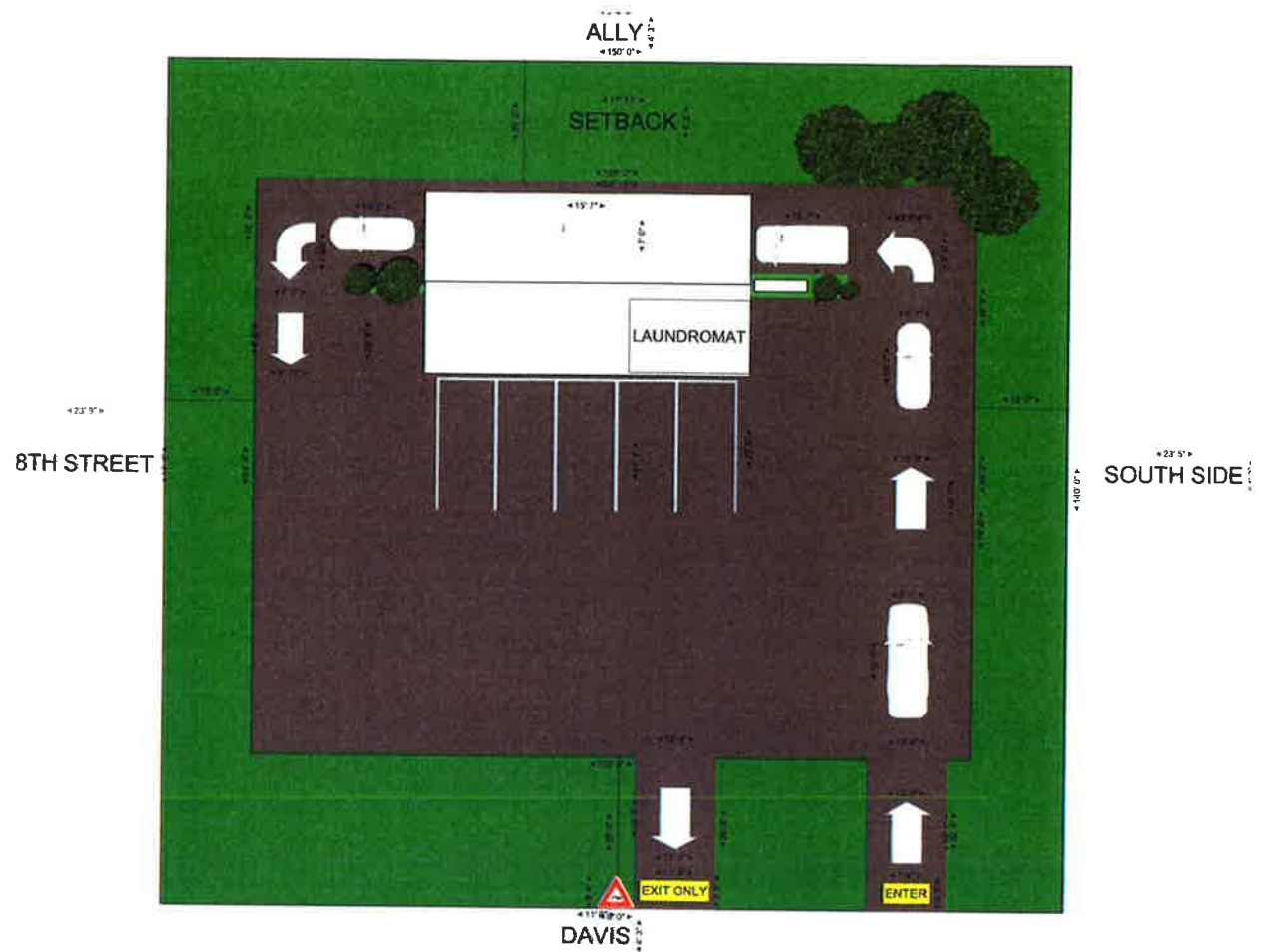


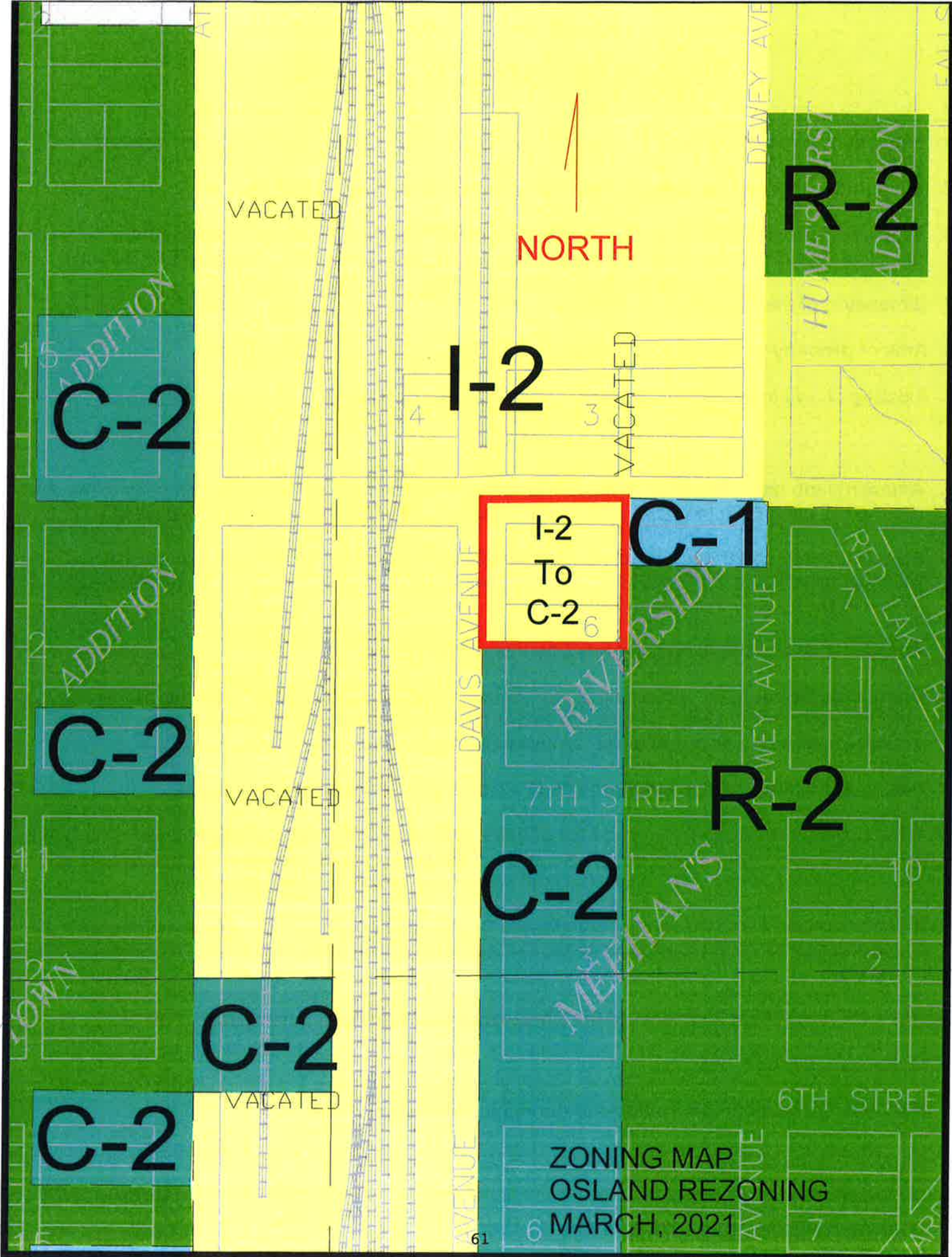
Application To Planning Commission/BOZA

City of Thief River Falls
Community Services
405 3rd Street East – P.O. Box 528
Thief River Falls, MN 56701
218-681-8506

<input checked="" type="checkbox"/> REZONING (Fee \$150.00)		<input type="checkbox"/> APPEALS (Fee \$50.00)	
<input type="checkbox"/> VARIANCE (Fee \$150.00)			
<input type="checkbox"/> LAND SUBDIVISION (Fee \$300.00)			
<input type="checkbox"/> CONDITIONAL USE PERMIT (Fee \$150.00)			
Applicant			
Name Andy Oslund		Phone # 218-242-0677	
Address PO Box 162	City Grygla	State MN	Zip 56727
Property Owner (if different from Applicant)			
Name		Phone #	
Address	City	State	Zip
Approximate Location of Property			
Address		Legal Description RIVERSIDE ADDITION Lots - 10, 11, & 12 Block- 6	
Present Zoning Classification Industrial		Present Use Storing Machinery	
Description of Request			
<h2>Rezone for car wash</h2>			

Property Owner Signature (required) <i>Andy Oslund</i>		Date 2-11-21
Applicant Signature		Date
Review (For office use only)		
Date of Publication		Date on Planning Commission Agenda
Action Taken By Commission:		
Action Taken By City Council:		
City Council Resolution / Ordinance Number		
Fee Paid		





CHECKLIST FOR REZONING REQUESTS

- 1. Applicant (Name/Address/Tel:** Andy Oslund, PO Box 162, Grygla, MN 56727, 218-242-0677.
- 2. General location of the request:** 724 Davis Avenue North, Thief River Falls.
- 3. Proposed use and/or zoning:** The owner is Requesting that the zoning be amended from General Industrial District (I-2) to General Business District (C-2) to allow for the construction of a car wash.
- 4. Dimension of the request:** **Frontage -** 150' **Depth -** 140'
- 5. Area of property in request:** **Sq. Feet -** 21,000 **Acres –** 0.48
- 6. Existing characteristics:** **Zoning -** General Industrial District **Use:** Industrial/Vacant
 Conforming - Yes **Non-Conforming -** No
- 7. Adjacent land use:** This location borders an Edward Jones office and residential property to the east, commercial property to the south, and Farmers Coop Grain and Seed to the north and west.
- 8. Adjacent zoning districts:** The location borders General Business District (C-2) to the south, Neighborhood Business District (C-1), General Residential District (R-2) to the east, and General Industrial District (I-2) to the north and west.
- 9. Are Wetlands or Shorelands impacted by this request?** No.
- 9. Characteristics of soils:** According to the "Pennington County Soil Survey," soils are predominately Smiley Series. The Smiley Series consists of poorly drained soils in plane or slightly concave basins on glacial lake plains. Slopes range from 0-2%.
- 11. Has an adequate site plan been provided?** Zoning map and site plan are attached.
- 12. What provisions have/can be made for utilities, drainage, and adequate easements?** This site is served by storm sewer and water main to the west and north, and sanitary sewer to the east. Power and communication lines are available adjacent to the property and through the adjacent alley.
- 13. Is the proposed rezoning consistent with the Comprehensive Plan?** No. The comprehensive plan indicates this area as industrial consistent with present zoning and would require an amendment to the plan.
- 14. Have other pertinent segments of the Comprehensive Plan been considered?** N/A
- 15. Is the area platted?** Yes.

If so, will the existing lots conform to the requested district? Yes.
- 16. If the area is to be residential:** No.

A. What is the holding capacity? N/A

B. Street access? N/A

C. Has a subdivision plan been submitted? No.

17. If the request is for a commercial use: Yes.

A. Is there an economic need? Yes

B. Is there a provision for adequate screening? N/A

C. What is the traffic situation? This property is adjacent to a state highway and also on Davis Avenue which is a State Aid street.

D. What is the distance to schools? 0.65 miles to Lincoln High School, 0.93 miles to Franklin Middle School, and 1.97 miles to Challenger Elementary School

18. If the request is for industrial: N/A

A. Is the area readily accessible to major thoroughfares? N/A

B. Is it served by a railroad? N/A

C. Is it suitably separated from a residential area? N/A

19. Comments: Megan Bourne is purchasing this property from Andy Osland to build a car wash. This property is currently zoned General Industrial District (I-2). It would need to be rezoned to General Business District (C-2) for this use.

See Notice of Hearing, Checklist, Site Plan, Zoning Map and Comprehensive Plan.

CRITERIA FOR GRANTING ZONING AMENDMENTS

In granting a request for a rezoning, the City Council shall consider the effect of the proposed zoning amendment upon the health, safety, morals, and general welfare of occupants of surrounding lands. Among other things, the City Council shall make the following findings where applicable:

1. That the rezoning conforms to the Comprehensive Plan for the City, as well as present land uses.
2. That the rezoning will not impede the normal and orderly development and improvement of surrounding property for uses predominant in the area.
3. That the rezoning will not adversely affect property values of adjacent landowners.
4. That the rezoning will not impose other undue hardship on adjacent landowners such as noise, electrical display signs, odors, or other nuisances.
5. That necessary utilities be available to serve the use intended.
6. That additional public services needed by the rezoning be considered.
7. That alternate areas previously zoned for the intended use be considered.
8. That there is a public need for the proposed land use.

ORDINANCE NO. __, 3RD SERIES

AN ORDINANCE 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.

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 General Industrial District (I-2) to General Business District (C-2):

Lots 10, 11 and 12, Block 6, Riverside Addition to Thief River Falls

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.

Passed by the City Council of Thief River Falls, Minnesota, on the __th day of March, 2021.

Voting Aye:

Voting No:

Abstaining:

Absent:

Mayor

ATTEST:

City Administrator

Published _____, 2021 in the Times newspaper.



City of Thief River Falls

DIRECTOR OF PUBLIC WORKS

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

#8.07

PHONE: 218-681-8506
FAX: 218-681-8507
email: mborseth@citytrf.net
www.citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Comprehensive Plan Amendment

RECOMMENDATION: It is respectfully requested that the Council consider the following Planning Commission recommendation:

Motion to: Amend the Comprehensive Plan to designate Lots 10, 11 and 12, Block 6, Riverside Addition to Thief River Falls as General Business District (Highway Commercial).

BACKGROUND: The City of Thief River Falls has a comprehensive plan in place to use as a tool for development and planning. The city's zoning regulations reference certain aspects of the comprehensive plan for compatibility.

KEY ISSUES: The city is considering rezoning the above-described property from General Industrial District (I-2) to General Business District (C-2) to allow for the construction of a car wash. The 2040 Comprehensive Plan identifies this property as Industrial, which is consistent with the previous use adjacent to railroad property. Rezoning it to general Business District will require amending the comprehensive plan to identify this property as Highway Commercial. The city has been working to rezone the industrial properties along the railroad from industrial to commercial to create a better transition and compatibility to adjacent residential districts.

FINANCIAL CONSIDERATIONS: None.

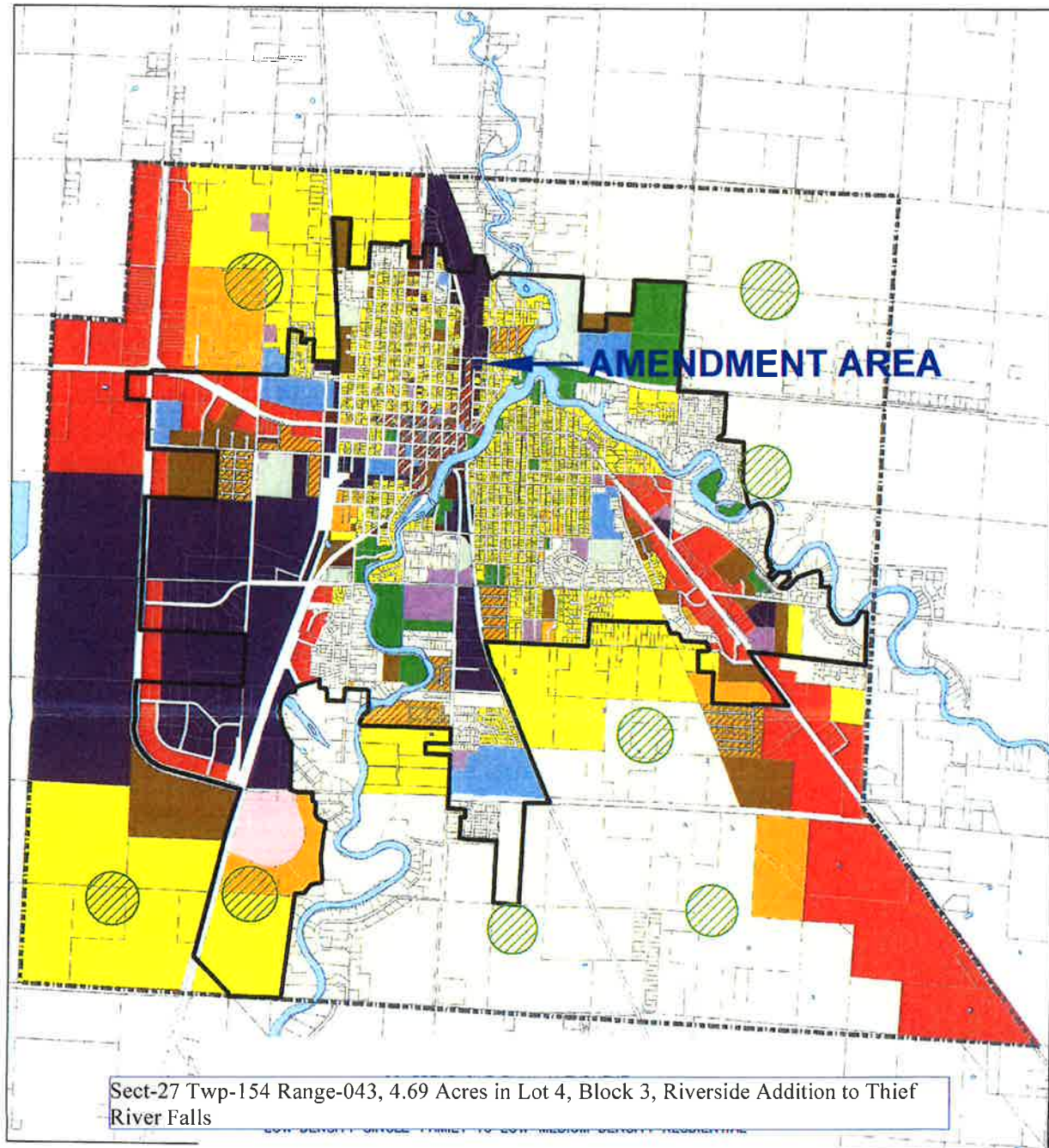
LEGAL CONSIDERATION: This action will be contingent upon the rezoning approval.

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works
Director

Encl: (1)

Proposed Land Use - Thief River Falls

September 20, 2019



March, 2021 0.75 1.5 Miles



Data Sources: City of Thief River Falls, Pennington County, MNDNR, NAC Inc.



NORTHWEST ASSOCIATED CONSULTANTS, INC.

11400 13th Avenue NW, Suite 100, Golden Valley, MN 55427
 Phone: 763.263.2000 Fax: 763.263.2001 Website: www.nac-inc.com

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#8.07

**RESOLUTION NO. : APPROVAL OF COMMERCIAL CONDITIONAL USE PERMIT
FOR FARMERS COOP GRAIN AND SEED EXPANSION**

A Public Works Committee and Planning Commission recommendation was presented. Following discussion, Councilmember _____ introduced Resolution No., being seconded by Councilmember _____, that:

WHEREAS, The city is considering rezoning the above-described property from General Industrial District (I-2) to General Business District (C-2) to allow for the construction of a car wash. The 2040 Comprehensive Plan identifies this property as Industrial, which is consistent with the previous use adjacent to railroad property. Rezoning it to general Business District will require amending the comprehensive plan to identify this property as Highway Commercial. The city has been working to rezone the industrial properties along the railroad from industrial to commercial to create a better transition and compatibility to adjacent residential districts.

NOW, THEREFORE, BE IT RESOLVED, to accept a Public Works Committee recommendation and Planning Commission recommendation to amend the Comprehensive Plan to designate Lots 10, 11 and 12, Block 6, Riverside Addition to Thief River Falls as General Business District (Highway Commercial).

Presented at the March 16, 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

#8.08

PHONE: 218-681-8506
FAX: 218-681-8507
email: mborseth@citytrf.net
www.citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Residential above Commercial Conditional Use Permit - MAK Properties, LLC

RECOMMENDATION: It is respectfully requested that the Council consider the following Planning Commission recommendation:

Motion to: Approve Conditional Use Permit to allow Residential above a Commercial Space.

BACKGROUND: 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. Serviceability of sanitary sewer has been verified by their engineering consultant and an access exchange through the Minnesota Department of Transportation on Highway 32 has been initiated.

KEY ISSUES: MAK Properties has submitted application for a Conditional Use Permit (CUP), which is required for the proposed mixed-use occupancy.

FINANCIAL CONSIDERATIONS: All costs associated with the CUP will be the responsibility of the property owner.

LEGAL CONSIDERATION: This action requires a public hearing held at the Planning Commission meeting and approval by the City Council.

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works
Director

Encl: (4)

CHECKLIST FOR CONDITIONAL USE REQUEST

- [illegible]

B. Will off-street parking be suitably screened from view? Screening is only required to the north.

C. Is there adequate room on the property for loading space(s)? Yes

- 14. If it is a heavy industry, is it readily available to a major thoroughfare and rail lines?** N/A
- 15. Should screening be provided along the boundaries of this property?** N/A
- 16. Are screened storage and trash areas provided?** Yes
- 17. Are vehicular accessways adequate?** Yes
- 18. Will the use impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?** No. The proposed use is consistent with the comprehensive plan.
- 19. Can it be found that there is a public necessity for the Special Use?** Currently Thief River Falls has a housing shortage and a daycare shortage. This project will be a great benefit to address these shortages.
- 20. What is the general character of the neighborhood?** The area is commercial, industrial, and residential.
- 21. Are Wetlands or Shore land impacted by this request?** No.

COMMENTS:

See rezoning application materials.

CRITERIA FOR GRANTING CONDITONAL USE PERMITS

1. The establishment, maintenance, or operation of a conditional use will not be detrimental to or endanger the public health, safety, morals, or general welfare.
2. The conditional use will not create an excessive burden on existing parks, schools, streets, and other public facilities and services which serve or are proposed to serve the area.
3. The conditional use will be sufficiently compatible with or separated by distance or screening from adjacent Agriculture or Residential zoned or used land.
4. The structure and site shall have an appearance that will not have an adverse effect upon adjacent agricultural or residential zoned or used land.
5. The conditional use is related to the overall needs of the City and to existing land use.
6. The conditional use is consistent with the purpose of this Chapter and requirements of the Zoning District.
7. The conditional use is not in conflict with the Comprehensive Plan.
8. Adjacent business will not be adversely affected because of curtailment of customer trade brought on by the intrusion of noise, glare, or general unsightliness.

11. Signs: 5 feet.

12. Storage buildings: 30 feet.

(e) A water-oriented accessory structure may be located on the lot at less setback in conformance with this Chapter; and,

(f) **Lot area:** not less than 6,000 square feet for each dwelling unit in a multiple-family structure having four dwelling units or less and an additional 750 square feet for each dwelling unit over four dwelling units.

(F) **Additional restrictions.** Performance standards and supplemental restrictions are set forth in this Chapter.

§ 152.027 MULTI-FAMILY RESIDENTIAL DISTRICT (R-4).

(A) **Purpose.** The purpose of this District is to allow areas of multi-family use at higher densities of nine to 19 dwelling units per acre for both permanent and transient families. It is appropriate only in areas served by adequate public utilities, immediate accessibility to arterial or collector streets, and public services.

(B) **Permitted uses.**

(1) **Health.** Convalescent homes, nursing homes, orphanages and retirement homes.

(2) **Residential.** Apartments, condominiums, cooperatives, duplexes and townhouses.

(C) **Conditional uses.**

(1) **General.** All conditional uses of the R-2 District.

(2) **Residential.** Single-family and two-family dwellings.

(D) **Accessory uses.** All accessory uses of the R-2 District.

(E) Yard requirements.**(1) General yard requirements.**

	<i>One Family</i>	<i>Two Family</i>	<i>Multi Family</i>	<i>Accessory Buildings</i>	<i>All Other Uses</i>
Lot area, minimum sq. ft.	7,000	12,000	18,000		14,000
Lot frontage, minimum at front yard setback	50 feet	75 feet	75 feet		75 feet
Lot frontage for shoreland, minimum at front yard setback					
Sewered lots	75 feet	115 feet	175 feet		75 feet
Unsewered lots	100 feet	150 feet	225 feet		100 feet
Front yard setback	25 feet	25 feet	25 feet	25 feet	25 feet
Rear yard setback	35 feet	35 feet	35 feet	5 feet	35 feet
Side yard setback					
Interior	7 feet	10 feet	10 feet	7 feet Attached	10 feet
Corner	10 feet	15 feet	15 feet	3 feet Detached 10 feet Attached 10 feet Detached	15 feet
Shoreland setback					
Sewered lots	50 feet	50 feet	50 feet	30 feet	50 feet
Unsewered lots	100 feet	100 feet	100 feet	30 feet	100 feet
Sewage treatment system					75 feet

(2) Nongeneral yard requirements. The above general yard requirements shall apply, except as follows:

(a) Lot area: Not less than 3,000 square feet for each of the first four dwelling units and 2,000 square feet for each dwelling unit thereafter in a multi-family structure. This is subject to the minimum 18,000 square feet requirement set forth in paragraph (1) General Yard Requirements above. All lots with multi-family dwelling units shall have a maximum impervious coverage of 40% or up to 60% with a Conditional Use Permit.

(b) Where adjacent structures within the same block have front yard setbacks different from those required, the front yard minimum setback shall be the average of the adjacent structures. If there is one adjacent structure, the minimum front yard setback shall be the average of the adjacent structure and the required setback. In no case shall the front yard setback be less than 15;

(c) Buffers and essential services shall have no setback requirements, and parking lots shall have no setback requirements except in shoreland;

(d) Signs: additional yard requirements for signs are in this Chapter;

(e) Setbacks for the following uses located within the shoreland shall not be less than:

- | | |
|----------------------------|----------|
| 1. Boat docks: | 0 feet. |
| 2. Boathouses: | 10 feet. |
| 3. Detached decks: | 10 feet. |
| 4. Fences: | 0 feet. |
| 5. Gazebos: | 10 feet. |
| 6. Parking lots: | 30 feet. |
| 7. Pumphouses: | 5 feet. |
| 8. Recreational equipment: | 10 feet. |
| 9. Satellite dishes: | 30 feet. |
| 10. Screen houses: | 10 feet. |
| 11. Signs: | 5 feet. |
| 12. Storage buildings: | 30 feet. |

(e) A water-oriented accessory structure may be located on the lot at less setback in conformance with this Chapter.

(F) **Additional restrictions.** Performance standards and supplemental restrictions are set forth in this Chapter.

§ 152.028 PERFORMANCE STANDARDS FOR ALL RESIDENTIAL DISTRICTS.

(A) **Structure height.** Structures within shoreland shall be limited to 30 feet in height. Structures outside of shoreland shall be limited to 25 feet in height at the lowest point of egress for persons on the top floor of the structure and in no case, more than 47 feet in height at the structure peak.

A Conditional Use Permit may be requested to exceed the above height limitations provided that:

- (1) The Fire Chief and Building Official have approved;
- (2) The height of the structure will not destroy the scenic view, will not shut off light or air to surrounding properties, or otherwise be detrimental to the public; and
- (3) Structures over the above 30 foot or 25 foot height limitations shall provide an additional 5 feet of side yard for each 5 feet in height over the above 30 foot or 25 foot height limitations, respectively.

(B) Minimum Dwelling Size.

(1) Single-family and two-family dwellings located in the R-1, R-2, and R-4 Districts shall provide not less than 950 square feet of gross floor area per dwelling unit, shall be not less than 20 feet wide at the narrowest point, and shall be affixed to a permanent foundation as defined in the State Building Code. In addition to the requirements of the State Building Code, the permanent foundation, whether masonry, concrete, or treated wood, shall be constructed as continuous walls, which walls shall not have any openings except as required by the State Building Code or for windows.

(2) Single-family and two-family dwellings located in R-3 District shall provide 720 square feet of gross floor area per dwelling unit and shall be 12 feet wide at the narrowest point.

(3) Multi-family dwellings having four or more units shall provide a minimum of 330 square feet of gross floor area per living unit.

(C) Accessory buildings.

(1) **Maximum floor area.** The combined maximum floor area of all accessory buildings shall not exceed 1,500 square feet in R-1, R-2, and R-3 Districts.

(2) **Maximum side wall height.** Maximum side wall height shall be 11 feet in height. It shall be allowable to have one accessory building of up to a maximum of 775 square feet in floor area which may have side walls of up to 12 feet in height. There shall be no home occupation or commercial business in any accessory building with side walls in excess of 11 feet in height.

(D) Multiple-family standards (apartments, condominiums, cooperatives, and townhouses).

(1) Shall be located on arterial or collector streets or in areas specifically designed for high density development.

(2) May be placed as buffers in appropriate zoning districts between less dense residential uses and nonresidential uses.

Amended Ordinance 68, 3rd Series (9/16/2014) & Ordinance 78, 3rd Series (7/7/2015) & Ordinance 100, 3rd Series (7/5/17)

(3) Each multiple-family development containing four or more dwelling units shall have a recreation area. The size and equipment provided shall be determined with the assistance of the Parks and Recreation Division.

(4) Sidewalks shall be provided from parking areas, trash collection areas, and recreation areas to a principal building.

(5) A multiple-family development shall have a front yard setback on any abutting street.

(E) *Supplemental lot regulations.*

(1) A single-family dwelling may be erected on a lot in the R-1 District having less than the minimum required area and width, provided the lot existed by virtue of a recorded plat or deed existing prior to September 26, 1967. In no event shall a single-family dwelling be erected on a lot less than 7,000 square feet in area or less than 50 feet in width measured at front building line.

(2) A single-family dwelling may be erected on a lot in the R-2 District having less than the minimum required area and width, provided the lot existed by virtue of a recorded plat or deed existing prior to September 26, 1967. In no event shall a single-family dwelling be erected on a lot less than 5,000 square feet in area or less than 40 feet in width measured at front building line.

(F) **Lighting.** Lighting used to illuminate a nonresidential use or sign shall be arranged so as to deflect light away from adjoining residential property.

(G) **Planned unit development (residential).** The placing of residential dwelling units into compact groupings may be permitted in any Residential District following the completion and approval of a Preliminary and Final Plat for a planned unit development.

(1) Common open space may be preserved as open recreation space for recreational facilities or for preservation of natural or scenic resources.

(2) Except for height limitations for the district in which the development is proposed, altered dimensional standards may be allowed as exceptions to this Chapter for a planned unit development, provided that:

(a) The planned unit development shall not increase the overall density as regulated by the requirements of the district in which it is located;

(b) A minimum of 40% of the site shall be kept in its natural state or utilized for recreation; and,

(c) Planned unit developments shall be two continuous acres or more in area.

(H) *Bed and breakfast inns.*

(1) Prior to applying for a Conditional Use Permit for a bed and breakfast inn, an applicant shall cause the Fire Marshal to inspect the premises and the Fire Marshal's report shall accompany the application for a Conditional Use Permit.

(2) The location and operation of the bed and breakfast inn shall comply with the following:

(a) The inn shall be licensed for a specific number of guest rooms not to exceed four in number;

(b) The inn shall be a owner occupied single-family dwelling having a minimum of 2,000 square feet of residential floor area. The owner must reside on the premises and be the operator of the inn;

(c) No cooking facilities shall be permitted in any guest room and meals provided by the operator shall be served only to registered overnight guests, subject to Subsection (i) below;

(d) Off-street parking shall be provided in accordance with the parking requirements of this Chapter; provided, that in no event shall there be less than one off-street parking space per guest room, subject to Subsection (i) below;

(e) There shall be a minimum distance of 350 feet between each inn as measured between the nearest lot lines;

(f) An on-premises sign advertising an inn located in any zoning district shall be limited to three square feet in area, shall be located on the building, shall be consistent with the character of the building, and shall be limited to identifying not more than the name and address of the inn. There shall be only one such sign per inn which may not be illuminated;

(g) All inns shall comply with applicable State Health and Building Code requirements;

(h) No other commercial enterprise, including a home occupation, shall be operated in the inn, subject to Subsection (i) below; and,

(i) An inn shall be allowed to serve meals to other than registered overnight guests upon the following conditions:

1. The Conditional Use Permit shall specifically allow this use and set parameters consistent with this Subsection;

2. Meals are served only to those who have advanced reservations;

3. No more than ten persons may be seated for meals at any one time; and,

4. One parking stall for every two dining seats shall be provided on site, in addition to the parking required by Subsection (d) above.

§ 152.029 NONRESIDENTIAL DISTRICTS.

The purpose of the Nonresidential Districts is as follows:

- (A) Group compatible commercial and industrial land uses;
- (B) Promote quality commercial and industrial development that will minimize land use, traffic, and environmental conflicts;
- (C) Encourage the development of commercial and industrial sites that produce an attractive image through architecture and landscaping; and,
- (D) Encourage commercial and industrial developers to provide for the capital improvements necessary to service the development.

§ 152.030 NEIGHBORHOOD BUSINESS DISTRICT (C-1).

(A) **Purpose.** The Neighborhood Business District is intended for business establishments for use by persons residing in adjacent residential areas. Uses within the district shall not attract community-wide consumer traffic.

(B) **Permitted uses.** Retail: barber or beauty shops, grocery stores without gas pumps. All uses shall not exceed 3,000 square feet in gross floor area.

(C) **Conditional uses.**

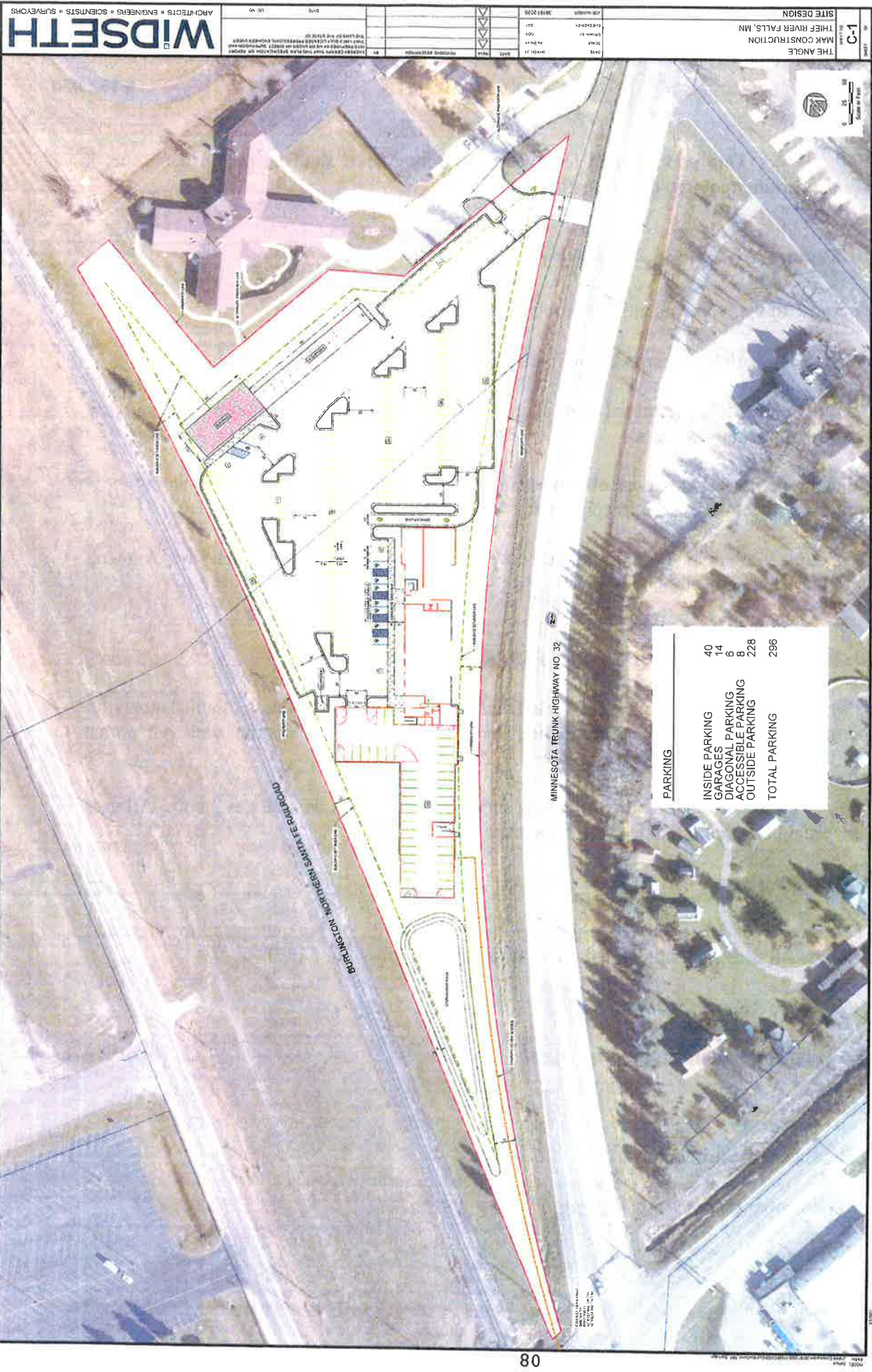
(1) **Retail:** barber or beauty shops, grocery stores with or without gasoline sales, and office buildings. All uses shall not exceed 5,000 square feet in gross floor area.

Ordinance No. 19, 3rd Series

(2) **Signs:** freestanding business signs.

(D) **Accessory uses.**

- (1) Accessory buildings.
- (2) Essential services.
- (3) Fences.
- (4) Parking lots.



CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#8.08

**RESOLUTION NO. : APPROVAL OF MAK PROPERTIES RESIDENTIAL ABOVE
COMMERCIAL CONDITIONAL USE PERMIT**

A Public Works Committee and Planning Commission recommendation was presented. Following discussion, Councilmember _____ introduced Resolution No., being seconded by Councilmember _____, 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. Serviceability of sanitary sewer has been verified by their engineering consultant and an access exchange through the Minnesota Department of Transportation on Highway 32 has been initiated; and,

WHEREAS, MAK Properties has submitted application for a Conditional Use Permit (CUP), which is required for the proposed mixed-use occupancy.

THEREFORE, BE IT RESOLVED, to accept the Planning Commission and Public Works Committee recommendation to approve a Conditional Use Permit for MAK Properties on property purchased by them south of Valley Home to allow Residential above a Commercial Space, subject to final site plan review.

It should be noted that all costs associated with the Conditional Use Permit will be the responsibility of the property owner.

Presented at the March 16, 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

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#8.09

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Request for Council Action

DATE: March 16, 2021

SUBJECT: Impervious Area Conditional Use Permit – MAK Properties, LLC

RECOMMENDATION: It is respectfully requested that the Council consider the following Planning Commission recommendation:

Motion to: Approve a Conditional Use Permit for MAK Properties to allow up to 60% impervious area. (Subject to final site plan review)

BACKGROUND: 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. City code requires a maximum of 40% impervious area or up to 60% impervious area with a Conditional Use Permit.

KEY ISSUES: MAK Properties has applied for a Conditional Use Permit to allow up to 60% impervious area. This is the area of all roofs, sidewalks, and parking lots. In order to maximize the number of units, meet the parking requirements of two stalls for each apartment, allow for commercial use parking spaces, allow room for a storm water treatment pond and make the project economically feasible this Conditional Use Permit is necessary.

FINANCIAL CONSIDERATIONS: All costs associated with the CUP will be the responsibility of the property owner.

LEGAL CONSIDERATION: This action requires a public hearing held at the Planning Commission meeting and approval by the City Council.

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works Director

Encl: (2)

CHECKLIST FOR CONDITIONAL USE REQUEST

- 1. Applicant (Name/Address/Tel:** MAK Properties, 4575 32nd Avenue South Suite 5, Grand Forks, ND 58201, Marc Kuhn, 701-330-5739.
 - 2. General location of the request:** Vacant property south of Valley Home Assisted Living at the intersection of Highway 32 and Greenwood Street.
 - 3. Proposed use and/or zoning:** The owner has requested that the zoning be amended from Multi-Family Residential District (R-4) to General Business District (C-2) to construct multi-family residential housing above commercial space. They are requesting a Conditional Use Permit to exceed the maximum impervious coverage of 40%. Impervious coverage may be up to 60% with a Conditional Use Permit. The proposed project has a total impervious coverage of up to 60%.
 - 4. Dimension of the request:** **Frontage -** 1320' **Depth -** 194'
 - 5. Area of property in request:** **Sq. Feet -** 255,549 **Acres –** 5.87
 - 6. Existing characteristics:** **Zoning -** Multi-Family Residential **Use:** Greenspace
 Conforming - Yes **Non-Conforming -** No
 - 7. Adjacent land use:** The existing property is being used primarily as greenspace. The location borders Valley Home to the north, Highway 32 to the east, Minnesota Northern railroad to the west and Greenwood Street to the south.
 - 8. Adjacent zoning districts:** The location borders General Residential District (R2) to the north, General Industrial District (I-2) to the west and south, and General Business District (C-2) and Park and Recreation District (PR) to the east.
 - 9. Characteristics of soils:** According to the “Pennington County Soil Survey,” soils are predominately Wyandotte Clay Loam. This soil consists of nearly level, poorly drained, in plane or slightly concave basins on glacial lake plains.
 - 10. Can the property be adequately serviced by:** **A. Storm and sanitary sewer?** Yes
 B. Water and electrical? Yes
 C. Easement size? As Recorded
- Is the proposed Special Use consistent with the Comprehensive Plan? Yes
- 11. Have other pertinent segments of the Comprehensive Plan been considered?** Yes. This property is served by Minnesota Highway 32.
 - 13. Does the property provide, either now or potentially, enough area for adequate off-street parking?** Yes. This project has 240 parking stalls. (Subject to final site plan review)

- A. **Will off-street parking be located in the side yard area or the rear yard area?** Combination.
- B. **Will off-street parking be suitably screened from view?** Screening is only required to the north.
- C. **Is there adequate room on the property for loading space(s)?** Yes
14. **If it is a heavy industry, is it readily available to a major thoroughfare and rail lines?** N/A
15. **Should screening be provided along the boundaries of this property?** N/A
16. **Are screened storage and trash areas provided?** Yes
17. **Are vehicular accessways adequate?** Yes
18. **Will the use impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?** No. The proposed use is consistent with the comprehensive plan.
19. **Can it be found that there is a public necessity for the Special Use?** Currently Thief River Falls has a housing shortage and a daycare shortage. This project will be a great benefit to address these shortages.
20. **What is the general character of the neighborhood?** The area is commercial, industrial, and residential.
21. **Are Wetlands or Shore land impacted by this request?** No.

COMMENTS:

See rezoning application materials.

CRITERIA FOR GRANTING CONDITONAL USE PERMITS

1. The establishment, maintenance, or operation of a conditional use will not be detrimental to or endanger the public health, safety, morals, or general welfare.
2. The conditional use will not create an excessive burden on existing parks, schools, streets, and other public facilities and services which serve or are proposed to serve the area.
3. The conditional use will be sufficiently compatible with or separated by distance or screening from adjacent Agriculture or Residential zoned or used land.
4. The structure and site shall have an appearance that will not have an adverse effect upon adjacent agricultural or residential zoned or used land.
5. The conditional use is related to the overall needs of the City and to existing land use.
6. The conditional use is consistent with the purpose of this Chapter and requirements of the Zoning District.
7. The conditional use is not in conflict with the Comprehensive Plan.
8. Adjacent business will not be adversely affected because of curtailment of customer trade brought on by the intrusion of noise, glare, or general unsightliness.

11. Signs: 5 feet.

12. Storage buildings: 30 feet.

(e) A water-oriented accessory structure may be located on the lot at less setback in conformance with this Chapter; and,

(f) **Lot area:** not less than 6,000 square feet for each dwelling unit in a multiple-family structure having four dwelling units or less and an additional 750 square feet for each dwelling unit over four dwelling units.

(F) **Additional restrictions.** Performance standards and supplemental restrictions are set forth in this Chapter.

§ 152.027 MULTI-FAMILY RESIDENTIAL DISTRICT (R-4).

(A) **Purpose.** The purpose of this District is to allow areas of multi-family use at higher densities of nine to 19 dwelling units per acre for both permanent and transient families. It is appropriate only in areas served by adequate public utilities, immediate accessibility to arterial or collector streets, and public services.

(B) **Permitted uses.**

(1) **Health.** Convalescent homes, nursing homes, orphanages and retirement homes.

(2) **Residential.** Apartments, condominiums, cooperatives, duplexes and townhouses.

(C) **Conditional uses.**

(1) **General.** All conditional uses of the R-2 District.

(2) **Residential.** Single-family and two-family dwellings.

(D) **Accessory uses.** All accessory uses of the R-2 District.

(E) Yard requirements.**(1) General yard requirements.**

	<i>One Family</i>	<i>Two Family</i>	<i>Multi Family</i>	<i>Accessory Buildings</i>	<i>All Other Uses</i>
Lot area, minimum sq. ft.	7,000	12,000	18,000		14,000
Lot frontage, minimum at front yard setback	50 feet	75 feet	75 feet		75 feet
Lot frontage for shoreland, minimum at front yard setback					
Sewered lots	75 feet	115 feet	175 feet		75 feet
Unsewered lots	100 feet	150 feet	225 feet		100 feet
Front yard setback	25 feet	25 feet	25 feet	25 feet	25 feet
Rear yard setback	35 feet	35 feet	35 feet	5 feet	35 feet
Side yard setback					
Interior	7 feet	10 feet	10 feet	7 feet Attached 3 feet Detached	10 feet
Corner	10 feet	15 feet	15 feet	10 feet Attached 10 feet Detached	15 feet
Shoreland setback					
Sewered lots	50 feet	50 feet	50 feet	30 feet	50 feet
Unsewered lots	100 feet	100 feet	100 feet	30 feet	100 feet
Sewage treatment system					75 feet

(2) Nongeneral yard requirements. The above general yard requirements shall apply, except as follows:

(a) Lot area: Not less than 3,000 square feet for each of the first four dwelling units and 2,000 square feet for each dwelling unit thereafter in a multi-family structure. This is subject to the minimum 18,000 square feet requirement set forth in paragraph (1) General Yard Requirements above. All lots with multi-family dwelling units shall have a maximum impervious coverage of 40% or up to 60% with a Conditional Use Permit.

(b) Where adjacent structures within the same block have front yard setbacks different from those required, the front yard minimum setback shall be the average of the adjacent structures. If there is one adjacent structure, the minimum front yard setback shall be the average of the adjacent structure and the required setback. In no case shall the front yard setback be less than 15;

(c) Buffers and essential services shall have no setback requirements, and parking lots shall have no setback requirements except in shoreland;

(d) Signs: additional yard requirements for signs are in this Chapter;

(e) Setbacks for the following uses located within the shoreland shall not be less than:

- | | |
|----------------------------|----------|
| 1. Boat docks: | 0 feet. |
| 2. Boathouses: | 10 feet. |
| 3. Detached decks: | 10 feet. |
| 4. Fences: | 0 feet. |
| 5. Gazebos: | 10 feet. |
| 6. Parking lots: | 30 feet. |
| 7. Pumphouses: | 5 feet. |
| 8. Recreational equipment: | 10 feet. |
| 9. Satellite dishes: | 30 feet. |
| 10. Screen houses: | 10 feet. |
| 11. Signs: | 5 feet. |
| 12. Storage buildings: | 30 feet. |

(e) A water-oriented accessory structure may be located on the lot at less setback in conformance with this Chapter.

(F) **Additional restrictions.** Performance standards and supplemental restrictions are set forth in this Chapter.

§ 152.028 PERFORMANCE STANDARDS FOR ALL RESIDENTIAL DISTRICTS.

(A) **Structure height.** Structures within shoreland shall be limited to 30 feet in height. Structures outside of shoreland shall be limited to 25 feet in height at the lowest point of egress for persons on the top floor of the structure and in no case, more than 47 feet in height at the structure peak.

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#8.09

RESOLUTION NO. : APPROVAL OF MAK PROPERTIES, LLC IMPERVIOUS AREA
CONDITIONAL USE PERMIT

A Public Works Committee and Planning Commission recommendation was presented. Following discussion, Councilmember _____ introduced Resolution No., being seconded by Councilmember _____, 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. City code requires a maximum of 40% impervious are or up to 60% impervious area with a Conditional Use Permit; and,

WHEREAS, MAK Properties has applied for a Conditional Use Permit to allow up to 60% impervious area. This is the area of all roofs, sidewalks, and parking lots. In order to maximize the number of units, meet the parking requirements of two stalls for each apartment, allow for commercial use parking spaces, allow room for a storm water treatment pond and make the project economically feasible this Conditional Use Permit is necessary.

THEREFORE, BE IT RESOLVED, to accept the Planning Commission and Public Works Committee recommendation to approve a Conditional Use Permit for Prairie Lakes Management for MAK Properties to allow up to 60% impervious area, subject to final site plan review.

It should be noted that all costs associated with the Conditional Use Permit will be the responsibility of the property owner.

Presented at the March 16, 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

#8.10

PHONE: 218-681-8506
FAX: 218-681-8507
email: mborseth@citytrf.net
www.citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Structure Height Conditional Use Permit - MAK Properties, LLC

RECOMMENDATION: It is respectfully requested that the Council consider the following Planning Commission recommendation:

Motion to: Approve Conditional Use Permit to allow structure height exceeding 25 feet to the lowest point of egress of the top floor; and exceeding 47 feet in height at the structure peak. (Subject to final approval by Fire Chief and Building Official)

BACKGROUND: 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.

KEY ISSUES: MAK Properties has submitted application for a Conditional Use Permit (CUP) to allow structure height in excess of 25 feet to the lowest point of egress of the top floor or a maximum height of 47 feet. MAK is proposing a height of 33 feet 6 inches to the lowest point of egress of the top floor and 52 feet in height at the structure peak. This is allowable by City Code with a Conditional Use Permit provided that:

- (1) The Fire Chief and Building Official have approved;
- (2) The height of the structure will not destroy the scenic view, will not shut off light or air to surrounding properties, or otherwise be detrimental to the public; and
- (3) Structures over the above 30 foot or 25-foot height limitations shall provide an additional 5 feet of side yard for each 5 feet in height over the above 30 foot or 25-foot height limitations, respectively

FINANCIAL CONSIDERATIONS: All costs associated with the CUP will be the responsibility of the property owner.

LEGAL CONSIDERATION: This action requires a public hearing held at the Planning Commission meeting and approval by the City Council.

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works
Director

Encl: (3)

CHECKLIST FOR CONDITIONAL USE REQUEST

- [illegible]

- A. **Will off-street parking be located in the side yard area or the rear yard area?** Combination.
- B. **Will off-street parking be suitably screened from view?** Screening is only required to the north.
- C. **Is there adequate room on the property for loading space(s)?** Yes
14. **If it is a heavy industry, is it readily available to a major thoroughfare and rail lines?** N/A
15. **Should screening be provided along the boundaries of this property?** N/A
16. **Are screened storage and trash areas provided?** Yes
17. **Are vehicular accessways adequate?** Yes
18. **Will the use impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?** No. The proposed use is consistent with the comprehensive plan.
19. **Can it be found that there is a public necessity for the Special Use?** Currently Thief River Falls has a housing shortage and a daycare shortage. This project will be a great benefit to address these shortages.
20. **What is the general character of the neighborhood?** The area is commercial, industrial, and residential.
21. **Are Wetlands or Shore land impacted by this request?** No.

COMMENTS:

See rezoning application materials.

CRITERIA FOR GRANTING CONDITIONAL USE PERMITS

1. The establishment, maintenance, or operation of a conditional use will not be detrimental to or endanger the public health, safety, morals, or general welfare.
2. The conditional use will not create an excessive burden on existing parks, schools, streets, and other public facilities and services which serve or are proposed to serve the area.
3. The conditional use will be sufficiently compatible with or separated by distance or screening from adjacent Agriculture or Residential zoned or used land.
4. The structure and site shall have an appearance that will not have an adverse effect upon adjacent agricultural or residential zoned or used land.
5. The conditional use is related to the overall needs of the City and to existing land use.
6. The conditional use is consistent with the purpose of this Chapter and requirements of the Zoning District.
7. The conditional use is not in conflict with the Comprehensive Plan.
8. Adjacent business will not be adversely affected because of curtailment of customer trade brought on by the intrusion of noise, glare, or general unsightliness.

(c) Buffers and essential services shall have no setback requirements, and parking lots shall have no setback requirements except in shoreland;

(d) Signs: additional yard requirements for signs are in this Chapter;

(e) Setbacks for the following uses located within the shoreland shall not be less than:

- | | |
|----------------------------|----------|
| 1. Boat docks: | 0 feet. |
| 2. Boathouses: | 10 feet. |
| 3. Detached decks: | 10 feet. |
| 4. Fences: | 0 feet. |
| 5. Gazebos: | 10 feet. |
| 6. Parking lots: | 30 feet. |
| 7. Pumphouses: | 5 feet. |
| 8. Recreational equipment: | 10 feet. |
| 9. Satellite dishes: | 30 feet. |
| 10. Screen houses: | 10 feet. |
| 11. Signs: | 5 feet. |
| 12. Storage buildings: | 30 feet. |

(e) A water-oriented accessory structure may be located on the lot at less setback in conformance with this Chapter.

(F) *Additional restrictions.* Performance standards and supplemental restrictions are set forth in this Chapter.

§ 152.028 PERFORMANCE STANDARDS FOR ALL RESIDENTIAL DISTRICTS.

(A) *Structure height.* Structures within shoreland shall be limited to 30 feet in height. Structures outside of shoreland shall be limited to 25 feet in height at the lowest point of egress for persons on the top floor of the structure and in no case, more than 47 feet in height at the structure peak.

A Conditional Use Permit may be requested to exceed the above height limitations provided that:

- (1) The Fire Chief and Building Official have approved;
- (2) The height of the structure will not destroy the scenic view, will not shut off light or air to surrounding properties, or otherwise be detrimental to the public; and
- (3) Structures over the above 30 foot or 25 foot height limitations shall provide an additional 5 feet of side yard for each 5 feet in height over the above 30 foot or 25 foot height limitations, respectively.

(B) Minimum Dwelling Size.

(1) Single-family and two-family dwellings located in the R-1, R-2, and R-4 Districts shall provide not less than 950 square feet of gross floor area per dwelling unit, shall be not less than 20 feet wide at the narrowest point, and shall be affixed to a permanent foundation as defined in the State Building Code. In addition to the requirements of the State Building Code, the permanent foundation, whether masonry, concrete, or treated wood, shall be constructed as continuous walls, which walls shall not have any openings except as required by the State Building Code or for windows.

(2) Single-family and two-family dwellings located in R-3 District shall provide 720 square feet of gross floor area per dwelling unit and shall be 12 feet wide at the narrowest point.

(3) Multi-family dwellings having four or more units shall provide a minimum of 330 square feet of gross floor area per living unit.

(C) Accessory buildings.

(1) ***Maximum floor area.*** The combined maximum floor area of all accessory buildings shall not exceed 1,500 square feet in R-1, R-2, and R-3 Districts.

(2) ***Maximum side wall height.*** Maximum side wall height shall be 11 feet in height. It shall be allowable to have one accessory building of up to a maximum of 775 square feet in floor area which may have side walls of up to 12 feet in height. There shall be no home occupation or commercial business in any accessory building with side walls in excess of 11 feet in height.

(D) Multiple-family standards (apartments, condominiums, cooperatives, and townhouses).

(1) Shall be located on arterial or collector streets or in areas specifically designed for high density development.

(2) May be placed as buffers in appropriate zoning districts between less dense residential uses and nonresidential uses.

Amended Ordinance 68, 3rd Series (9/16/2014) & Ordinance 78, 3rd Series (7/7/2015) & Ordinance 100, 3rd Series (7/5/17)



City of Thief River Falls

PUBLIC WORKS DEPARTMENT

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

PHONE: 218-681-8506 • FAX: 218-681-8507
email: mborseth@citytrf.net

March 9, 2021

Thief River Falls Planning Commission

RE: MAK Properties, LLC – Height Restriction Conditional Use Permit

In reviewing the proposed plan for The Angle, MAK Properties, LLC we have made the following observations.

They intend to have market rate apartments above commercial with commercial space on the main floor. The commercial space will be comprised of heated parking, daycare, coffee shop, and fitness center. The 4-story structure will be Type V-B construction and the building will be sprinklered. The rated wall assemblies are as follows:

Rated Walls: *(Subject to building code requirements)*

- Primary Structural Frame: 1-hour
- Interior Bearing Walls: 1-hour
- Floor Construction: 1-hour
- Roof Construction: 1-hour
- Occupancy Separations: 1-hour based on anticipated commercial use
- Corridors: 1-hour
- Stair Towers: 2-hour
- Elevator Shaft: 2-hour

The city's maximum allowable height is 25 feet to the lowest point of egress for persons on the top floor and 47 feet in height to the structure peak. MAK is requesting a height of 33'-6" to the lowest point of egress for persons on the top floor and 52 feet in height to the structure peak.

We have reviewed the proposed plan and approve of the increased height requested by conditional use permit.

Marty Semanko – Co-Chief
Thief River Falls Fire Department

Mark Borseth – Building Official
City of Thief River Falls

Rick Beier – Co-Chief
Thief River Falls Fire Department

**CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION**

#8.10

**RESOLUTION NO. : APPROVAL OF MAK PROPERTIES STRUCTURAL HEIGHT
CONDITIONAL USE PERMIT**

A Public Works Committee and Planning Commission recommendation was presented. Following discussion, Councilmember _____ introduced Resolution No. , being seconded by Councilmember _____, 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; and,

WHEREAS, MAK Properties has submitted application for a Conditional Use Permit (CUP) to allow structure height in excess of 25 feet to the lowest point of egress of the top floor or a maximum height of 47 feet. MAK is proposing a height of 33 feet 6 inches to the lowest point of egress of the top floor and 52 feet in height at the structure peak. This is allowable by City Code with a Conditional Use Permit provided that:

- (1) The Fire Chief and Building Official have approved;
- (2) The height of the structure will not destroy the scenic view, will not shut off light or air to surrounding properties, or otherwise be detrimental to the public; and
- (3) Structures over the above 30 foot or 25-foot height limitations shall provide an additional 5 feet of side yard for each 5 feet in height over the above 30 foot or 25-foot height limitations, respectively

THEREFORE, BE IT RESOLVED, to accept a Planning Commission and Public Works Committee recommendation to grant MAK Properties of Grand Forks a Conditional Use Permit to allow structure height exceeding 25 feet to the lowest point of egress of the top floor; and exceeding 47 feet in height at the structure peak. (Subject to final approval by Fire Chief and Building Official).

It should be noted that all costs associated with the Conditional Use Permit will be the responsibility of the property owner.

Presented at the March 16, 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

#8.11

DIRECTOR OF PUBLIC WORKS

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

PHONE: 218-681-8506

FAX: 218-681-8507

email: mborseth@citytrf.net

www.citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Lantern Addition Easement Vacation

RECOMMENDATION: It is respectfully requested that the Council consider the following Public Works Committee recommendation:

MOTION TO: Approve vacating a utility easement through Lot 1, Block 2 of Lantern Addition, legally described in attachment.

BACKGROUND: Lantern Addition was platted in 2016 as part of the Greenwood Street realignment project. Through the property acquisitions and negotiations Mike Barry, owner of the Lantern restaurant at that time, ended up owning the property inside the realigned roadway now platted as Lot 1, Block 2 of Lantern Addition.

KEY ISSUES: The City of Thief River Falls included a drainage and utility easement that encompasses a large triangular area in the northeast corner of the site. Mr. Barry is proposing to construct a new building and open a new business in Thief River Falls but needs to have a portion of this easement vacated to accomplish this. There are no current utilities in this portion of the easement and there is no required future public use. Dale Narlock, Electric Superintendent, has reviewed the request, no longer needs the easement, and supports the vacation.

FINANCIAL CONSIDERATIONS: None

LEGAL CONSIDERATION: None

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works Director

Encl: (1)

**PART OF LOT 1, BLOCK 2, LANTERN ADDITION TO THE
CITY OF THIEF RIVER FALLS, MN**

The vacation of part of an existing drainage and utility easement over, under, and across that part of Lot 1, Block 2, LANTERN ADDITION, to the City of Thief River Falls, Minnesota according to the official plat of record and on file in the office of the County Recorder in and for the County of Pennington and State of Minnesota described as follows:

Beginning at the northern most corner of said Lot 1, thence South 49 degrees 19 minutes 10 seconds West, assumed bearing, along the northerly line of said Lot 1, a distance of 150.00 feet; thence South 69 degrees 11 minutes 05 seconds East, a distance of 200.72 feet, more or less, to the westerly right of way of U. S. Highway 59, as is presently constructed and existing; thence North 40 degrees 49 minutes 55 seconds West, along the westerly right of way of said U. S. Highway 59, a distance of 133.00 feet, more or less, to the point of beginning.

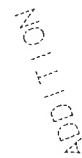
Said parcel contains 0.22 acres, more or less, and is subject to easements, restrictions, or reservations of record, if any.

BOUNDARY LINE
SECTION LINE
QUARTER SECTION LINE
CL OF ROAD
RIGHT OF WAY
WATERMAIN
PLAT LINE



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON NAD 83
PENNINGTON COUNTY COORDINATE SYSTEM, 1996 ADJUSTMENT

● = DENOTES FOUND IRON MONUMENT



DATE	3/2/2021	DATE		BY		PREPARED FOR: CITY OF THIEF RIVER FALLS I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
SCALE	AS SHOWN	AMENDMENTS				
DRAWN BY	R.H.W.					
CHECKED BY	C.R.A.					
FILE NUMBER	2021-10736					
						GARRETT R. BORDOWICZ DATE 3/2/2021 LIC. NO. 4006

WIDSETH
ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS

**CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION**

#8.11

RESOLUTION NO. : APPROVAL TO VACATE UTILITY EASEMENT THROUGH LOT 1, BLOCK 2 OF LANTERN ADDITION

A Public Works Committee recommendation was presented. Following discussion, Councilmember _____ introduced Resolution No., being seconded by Councilmember _____, that:

WHEREAS, Lantern Addition was platted in 2016 as part of the Greenwood Street realignment project. Through the property acquisitions and negotiations Mike Barry, owner of the Lantern restaurant at that time, ended up owning the property inside the realigned roadway now platted as Lot 1, Block 2 of Lantern Addition; and,

WHEREAS, The City of Thief River Falls included a drainage and utility easement that Public Works Committee recommendation to approve vacating a utility easement through Lot 1, Block 2 of Lantern Addition.

THEREFORE, BE IT RESOLVED, to accept a Public Works Committee recommendation and approve the vacation of part of an existing drainage and utility easement over, under, and across that part of Lot 1, Block 2, Lantern Addition, to the City of Thief River Falls, Minnesota according to the official plat of record and on file in the office of the County Recorder in and for the County of Polk and State of Minnesota described as follows:

Beginning at the northern most corner of said Lot 1; thence South 49 degrees 19 minutes 10 seconds West, assumed bearing, along the northerly line of said Lot 1, a distance of 150.00 feet; thence South 89 degrees 11 minutes 05 seconds East, a distance of 200.73 feet, more or less, to the westerly right of way of U.S. Highway 59, as is presently constructed and existing; thence North 40 degrees 49 minutes 55 seconds West, along the westerly right of way of said U.S. Highway 59, a distance of 133.00 feet, more or less, to the point of beginning.

Said parcel contains 0.22 acres, more or less, and is subject to easements, restrictions, or reservations of record, if any.

Presented at the March 16, 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

#8.12

PHONE: 218-681-8506

FAX: 218-681-8507

email: mborseth@citytrf.net

www.citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Approval to fill two vacant Public Works Maintenance positions

RECOMMENDATION: It is respectfully requested the Council consider the following Public Works Committee recommendation:

Motion To: Authorize to begin the process to fill two vacant positions of Public Works Maintenance. These positions shall be offered to Teamster #320 employees as per union contract and if not filled, shall be opened to the public.

BACKGROUND: Shaun Hawkinson, Public Works Maintenance, has resigned from his position effective March 18, 2021, and Brian R. Harger (Randy) will retire on April 30, 2021. These positions are considered necessary to keep the Public Works Department operating efficiently.

FINANCIAL CONSIDERATIONS: The two positions of Public Works Maintenance are budgeted positions.

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works Director

Encl: (1)

THIEF RIVER FALLS JOB DESCRIPTION

BAND	GRADE	SUBGRADE
B	2	2
JOB TITLE	DEPARTMENT	EFFECTIVE DATE
Public Works Maintenance	Public Works Department –	September 17, 2019
IMMEDIATE SUPERVISOR:		
Public Works Director		
JOB SUMMARY		
<p>Collects refuse, performs general maintenance and assists in the construction and maintenance of the City's parks, streets, alleys, bridges, and parking lots, including associated storm sewer, through the safe and efficient use of all heavy and light equipment.</p> <p>The City believes strongly in teamwork and employees will be called upon to perform a variety of duties as part of their role with the City.</p>		

TASK NO.	ILLUSTRATIVE TASK	FRE-QUENCY	BAND/ GRADE
1.	Participates in the construction of public streets parking lots, parking, recreation facilities, sidewalks and trails.	13%	
2.	Jointly implements the maintenance and repair of public streets parking lots, parking, recreation facilities, sidewalks and trails including bituminous crack filling and patching, mowing, pavement sweeping, and sign installations.	20%	
3.	Participates in street, alley, and parking lot snow removal and sanding operations.	20%	
4.	Drives refuse collection vehicle in a safe manner and according to an established route.	12%	
5.	Picks up refuse from residential and municipal locations; deposits refuse into collection vehicle and operates hydraulic compaction mechanism.	20%	
6.	Inspects department vehicles, equipment and buildings and performs minor maintenance, repairs, and cleaning.	5%	
7.	Collects leaves, brush and yard waste; safely operates trailered leaf vacuum and collection trucks according to an established route.	5%	

8.	Jointly implements the maintenance and repair of storm sewer system, including thawing of culverts and piping through the operations of a high-pressure steam boiler.	5%	
9.	Implements other tasks of a similar nature or level, including assisting other Public Works Divisions or city departments with duties as assigned by the supervisor.	As required	

MINIMUM QUALIFICATIONS:

Two or more years of previous experience in general road construction, heavy equipment operation and trash collection or an equivalent combination of training and work experience that provides sufficient evidence for the successful performance of the various tasks listed. Must have a Minnesota State Class B Driver's License and the ability to safely lift a minimum of 40 pounds. May be required to obtain a Minnesota Class A Driver's License and/or a Minnesota State High Pressure Steam Boiler's License.

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#8.12

**RESOLUTION NO. : APPROVAL OF FILL TWO VACANT PUBLIC WORKS
MAINTENANCE POSITIONS**

A Public Works Committee recommendation was presented. Following discussion, Councilmember _____ introduced Resolution No. , being seconded by Councilmember _____, that:

WHEREAS, Shaun Hawkinson, Public Works Maintenance, has resigned from his position effective March 18, 2021, and Brian R. Harger (Randy) has decided to retire effective April 30, 2021. These positions are considered necessary to keep the Public Works Department operating efficiently.

THEREFORE, BE IT RESOLVED, to accept a Public Works Committee recommendation to authorize to begin the process to fill two vacant positions of Public Works Maintenance. These positions shall be offered to Teamster #320 employees as per union contract and if not filled, shall be opened to the public.

Presented at the March 16, 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

#8.13

PHONE: 218-681-8506
FAX: 218-681-8507
email: mborseth@citytrf.net
www.citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Mural Application

RECOMMENDATION: It is respectfully requested that the Council consider the following Public Works Committee recommendation:

Motion to: Approve Mural Application and Process

BACKGROUND: The city has received several inquiries over the past couple years regarding proposed murals on buildings in our community. We currently have no process or guidance on how to deal with these requests other than our sign ordinance if they contain advertising. Murals have become popular for people and communities to express arts and culture.

KEY ISSUES: In an effort to recognize the value of art interest in murals the city has developed an application process to encourage interaction with the city to assure building owners are aware of the project and authorize it being done. The application process also requires details on the methods and materials along with associated cost and discusses future maintenance. The city has limited control over colors, patterns, etc. that people place on their own buildings, but the application process will help ensure awareness to some of the details and initiate third party review by the area arts council to insure there is artistic value and that it is appropriate for public viewing.

FINANCIAL CONSIDERATIONS: None.

LEGAL CONSIDERATION: None.

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works
Director

Encl: (1)

Application to Planning Commission

City of Thief River Falls
Public Works Department
405 3rd Street East – P.O. Box 528
Thief River Falls, MN 56701
218-681-8506

Artist-Initiated Public Art in the City of Thief River Falls

MURAL PROPOSAL APPLICATION

Murals help make communities more dynamic and creative, engage people, and stimulate dialogue and exchange of ideas. They improve the visual quality, design, and experience of spaces, and foster connection between artists and communities. To ensure artistic merit and quality, and to determine that a mural is appropriate to its site, architecture, and social context, the City of Thief River Falls requires that any artwork, including murals, proposed for property owned by the City, under the jurisdiction of the City, or both, be approved by the Thief River Falls Planning Commission and City Council.

Please complete the application to the best of your ability. This is a process that may take substantial time to complete and any information not available at the time of initial application may be added prior to final review as a condition of approval.

ARTIST DATA

Date Submitted: _____
Title of Project: _____
Applicant Name: _____
Contact Person: _____
Address: _____
City/State/Zip: _____
Phone (day): _____
Phone (evening): _____
Email Address: _____

MURAL LOCATION DATA

Proposed Site Address or Location: _____
Building or Site Name: _____
Property Owner Contact Information: _____
Permission of Owner: _____

MURAL PROPOSAL AND MATERIALS

1. Describe the concept, composition, and purpose of the proposed mural: _____

2. Describe mural's relevance to its location and the community that will be impacted by it: _____

3. From what intersections/viewpoints can pedestrians and vehicles see the mural? _____

4. What is the composition and condition of the wall the mural is to be placed on and how will you prepare the wall appropriately? _____

5. What are the mural's dimensions? _____
6. List the product names of the paint and other materials you plan to use. _____

7. How will you plan for mitigating the possibility of graffiti/vandalism? (Design, UV/graffiti coat etc.) _____

8. Maintenance and removal: What plan do you have?: _____

9. Project Timeline: _____

(If you need more space, additional pages may be added.)

10. Timeline for removal or painting over: _____

MURAL FEASIBILITY

1. Describe the artist's experience creating murals: _____

2. Describe your funding strategy for the mural project: _____

COMMUNITY SUPPORT

1. Describe the public outreach that has been done to date (meetings with the neighborhood association, business community, surrounding neighbors etc.) _____

2. Is there a sponsoring organization for this mural project? If so, please provide their contact info: _____

3. Attach Letters of support from sponsoring organizations and/or neighbors.

EXPENSES	
Artist Fees	\$
Assistant Fees	\$
Supplies/Materials	\$
Insurance	\$
Wall Preparation	\$
Scaffolding/Ladders/Lifts	\$
Publicity/Promotion	\$
Fundraising Expenses	\$

Maintenance /Removal	\$
Other Expenses	
TOTAL EXPENSES	\$

INCOME (Funds raised or donated by sponsors)	
Foundation	\$
Business	\$
Individual	\$
Fundraisers	\$
Other	\$
TOTAL INCOME	\$

IN-KIND INCOME (volunteer time/donation of materials)	
Artist Fees	\$
Assistant Fees	\$
Supplies/Materials	\$
Wall Preparation	\$
Publicity/Promotion	\$
Fundraising Expenses	\$
Other In-Kind	\$
TOTAL IN-KIND	\$

PROJECT BUDGET

Total Project Expenses: \$ _____

Total Project Income: \$ _____

Total Project In-Kind: \$ _____

Total Project Budget: \$ _____

ATTACHMENTS

1. Images of the mural design
2. Resumes of participating artists
3. Letter of support from neighborhood
4. Images of past art
5. Photos of proposed mural location

GUIDELINES

1. Complete the Application Form and return to City Hall. Must obtain property owner's signature. Signatures binding on owner's successors and assigns.
2. Meet with the Thief River Falls Planning Commission to informally discuss your project
3. Provide all required supplementary materials
4. Review by Northwest Minnesota Arts Council
5. Review by Planning Commission. Options: Recommendation to approve; Recommendation to approve with conditions; or Recommendation to deny. Planning Commission recommendation will be forwarded to City Council for final decision

REVIEW CRITERIA

1. **Scale and Design:** Appropriateness of scale and design to the wall and surrounding area
2. **Context:** Relevance to the site and community
3. **Community Support:** General support/users, surrounding neighborhood
4. **Feasibility:** Ability to complete the mural on time and within budget
5. **Media:** Appropriate media to ensure the mural's longevity and durability
6. **Permission:** Signed Permission from building owner
7. **Public Accessibility, safety, and lighting:** Plan to comply with City codes for safety, accessibility, and lighting
8. **Advertising:** Any advertising will require a sign permit and an additional application
9. **Professional Review:** Comments by Northwest Minnesota Arts Council

Review *(For office use only)*

Date of Publication

Date on Planning Commission Agenda

Action Taken by Commission:

Action Taken by City Council:

City Council Resolution / Ordinance Number

Fee Paid

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#8.13

RESOLUTION NO. : APPROVAL OF MURAL APPLICATION AND PROCESS

A Public Works Committee recommendation was presented. Following discussion, Councilmember _____ introduced Resolution No. , being seconded by Councilmember _____, that:

WHEREAS, the City has received several inquiries over the past couple years regarding proposed murals on buildings in our community. We currently have no process or guidance on how to deal with these requests other than our sign ordinance if they contain advertising. Murals have become popular for people and communities to express arts and culture; and,

WHEREAS, in an effort to recognize the value of art interest in murals the city has developed an application process to encourage interaction with the city to assure building owners are aware of the project and authorize it being done. The application process also requires details on the methods and materials along with associated cost and discusses future maintenance. The City has limited control over colors, patterns, etc. that people place on their own buildings, but the application process will help ensure awareness to some of the details and initiate third party review by the area arts council to insure there is artistic value and that it is appropriate for public viewing.

THEREFORE, BE IT RESOLVED, to approve the application and process. Said process will include that applications be turned into the City and presented to the Planning Commission for their recommendation, which will include review by the Northwest Minnesota Arts Council, and final presentation to the City Council.

Presented at the March 16, 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

#8.14

PHONE: 218-681-8506
FAX: 218-681-8507
email: mborseth@citytrf.net
www.citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Plastic Refuse Bags

RECOMMENDATION: It is respectfully requested that the Council consider the following Public Works Committee recommendation:

Motion to: Approve the purchase of plastic refuse bags from Jadcore, Inc. in the amount of \$27,761.79.

BACKGROUND: The City of Thief River Falls purchases plastic refuse bags on an annual basis for distribution to the residents of the city. The number of bags required has decreased due to allowing regular non-city bags in dumpsters. The city has historically used black garbage bags with "TRF" printed on them to distinguish from black bags purchased at a store. Staff was directed to explore a green colored bag, not readily available in stores, as an option to reduce printing costs. Green flex bags with drawstrings were purchased in 2020. There were some issues with transparency and film thickness.

KEY ISSUES: Staff was directed to explore heavier bags with less transparency for purchase in 2021. With the recent rapid increase in petroleum product costs the resin for green opaque bags has risen dramatically. This increase, along with limited suppliers of drawstring bags has put us in a position to reconsider historically purchased black printed bags with twist ties as the lowest cost option. The city received quotes on March 4, 2021 for the purchase this year. The bags need to be purchased and delivered in preparation for June distribution.

FINANCIAL CONSIDERATIONS: See attached bid tabulation.

LEGAL CONSIDERATION: None.

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works Director.

Encl: (1)

CITY OF THIEF RIVER FALLS

PROPOSED RESOLUTION

#8.14

RESOLUTION NO. : APPROVAL OF PURCHASE OF PLASTIC REFUSE BAGS FROM JADCORE, INC.

A Public Works Committee recommendation was presented. Following discussion, Councilmember _____ introduced Resolution No., being seconded by Councilmember _____, that:

WHEREAS, the City of Thief River Falls received the following bids for the purchase of plastic refuse bags; and,

2021 TABULATION OF QUOTES							
PLASTIC REFUSE BAGS							
CITY OF THIEF RIVER FALLS, MN							
Quote Deadline: March 4, 2021 2:00 p.m.							
FIRM NAME AND ADDRESS		ROLLS (INDIVIDUALLY BOXED/SLEEVED) 25/ROLL					
		COST/1,000 BAGS					
		355,000 1.3 mil non-flex	355,000 1.5 mil non-flex	355,000 1.75 mil non-flex	355,000 1.3 mil flex	355,000 1.5 mil flex	355,000 1.75 mil flex
1	Jadcore, Inc. 200 N. Frisbridge Ave. Terra Haute, IN 47803	Twist Tie Green Black	\$39,192.00 \$27,761.79	\$45,298.00	\$52,824.00	No Bid	No Bid
2	DynalPak 112 Helton Drive Lawrenceburg, TN 38464	Drawstring Green	\$53,258.00	\$61,486.00	\$71,718.00	No Bid	No Bid
3	WasteZero 11943 Grandhaven Circle Murrells Inlet, SC 29576	Drawstring Green (30" x 22") Black	\$65,823.50 \$58,367.50 \$51,794.50	\$75,757.00 No Bid	\$88,661.25 No Bid	\$70,382.25 \$63,100.00 \$56,090.00	\$81,916.25 No Bid No Bid
4	Plasticplace 300 Blvd of the Americas Ste 1 Lakewood, NJ 08701	Drawstring Green	\$118,995.00	\$148,674.00	\$181,182.00	No Bid	No Bid
5	Bagbam 975 Industrial Dr #11 Madison, IN 47250	Drawstring Green	\$65,575.60	\$72,221.20	\$83,446.30	No Bid	No Bid

WHEREAS, Jadcore, Inc. is the lowest bidder.

THEREFORE, BE IT RESOLVED to accept a Public Works Committee recommendation and approve the bid of Jadcore, Inc. in the amount of \$27,761.79 for 355,000 black, twist tie 1.3 mil non-flex bags.

Presented at the March 16, 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

#8.15

PHONE: 218-681-8506
FAX: 218-681-8507
email: mborseth@citytrf.net
www.citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Depot Office Improvements

RECOMMENDATION: It is respectfully requested that the Council consider the following Public Works Committee recommendation:

Motion to: Approve contract with Danny Larson Construction, LLC for Depot office improvements.

BACKGROUND: The City of Thief River Falls Public Works Department administrative offices are housed on the main floor of City Hall. A large open area provides the office work area for the Administrative Assistant, Building Official, GIS Technician, and future Community Development employee. This area is adjacent to utility billing that does business with hundreds of people each month.

KEY ISSUES: This environment is very noisy and difficult to function properly with numerous distractions on a daily basis. It also lacks privacy for utility billing customers often discussing private issues, as well as a lack of privacy for building permit applicants, and future economic development and community development issues that require confidentiality. It also provides a barrier for air born virus spread as we witnessed over the past year with Covid 19. The proposed wall and office construction will provide the separation required between the two departments without negatively impacting the integrity and historic value of the building.

FINANCIAL CONSIDERATIONS: Quote attached.

LEGAL CONSIDERATION: None.

DEPARTMENT/RESPONSIBLE PERSON: Mark Borseth, Public Works
Director

Encl: (1)

DLC

DANNY LARSON CONSTRUCTION LLC

LIC. # BC755101

PROPOSAL

DATE:3-2-2021

Thief River Falls City Hall
403 3rd St E
Thief River Falls, MN 56701

Materials and labor

\$20,525

Description- 3 offices surrounded by 95 FT of 8 FT walls, 382 SQ FT of ceiling, 24 ft of 13 FT high dividing wall and 7 FT of 4.5 FT half wall.

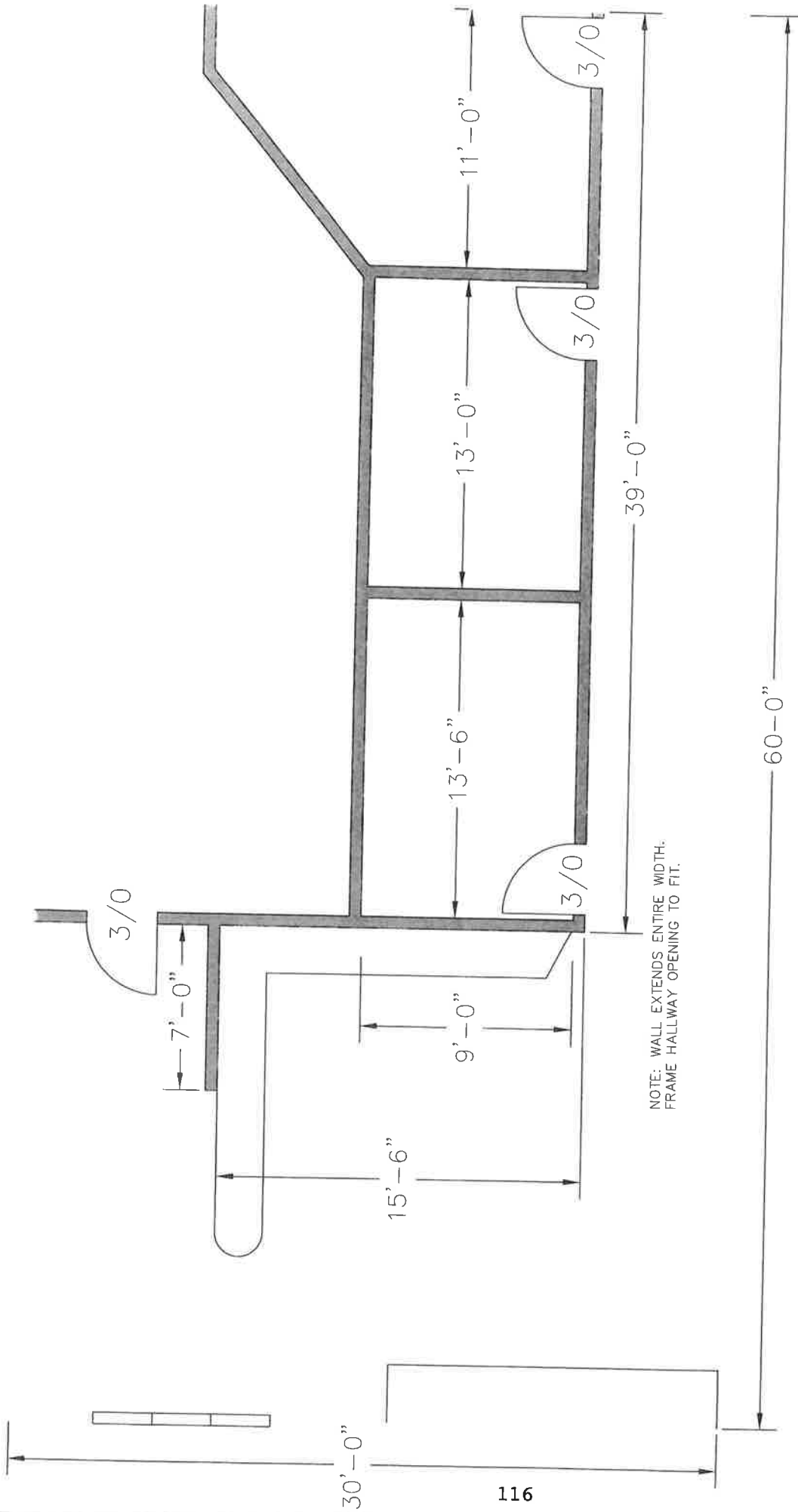
- frame walls and ceiling
- insulate walls and ceiling (sound barrier)
- sheetrock walls and ceiling
- OSB above ceiling
- taping and texturing
- painting
- Install trim work
 - 4 3/0 doors with knobs
 - 112 FT of 1x4 crown trim
 - 252 FT of 1x4 baseboard
 - 140 FT of 1x4 casing

DLC

Danny Larson Construction,
LLC

30488 140th Ave
NE
Middle River, MN
56737

PHONE (218)686-2878
EMAIL larsodanny@gmail.com



CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#8.15

**RESOLUTION NO. : APPROVAL OF CONTRACT WITH DANNY LARSON
CONSTRUCTION, LLC FOR CITY HALL OFFICE IMPROVEMENTS**

A Public Works Committee recommendation was presented. Following discussion, Councilmember _____ introduced Resolution No., being seconded by Councilmember _____, that:

WHEREAS, the City of Thief River Falls Public Works Department administrative offices are housed on the main floor of City Hall. A large open area provides the office work area for the Administrative Assistant, Building Official, GIS Technician, and future Community Development employee. This area is adjacent to utility billing that does business with hundreds of people each month; and,

WHEREAS, this environment is very noisy and difficult to function properly with numerous distractions on a daily basis. It also lacks privacy for utility billing customers often discussing private issues, as well as a lack of privacy for building permit applicants, and future economic development and community development issues that require confidentiality. It also provides a barrier for air born virus spread as we witnessed over the past year with Covid 19. The proposed wall and office construction will provide the separation required between the two departments without negatively impacting the integrity and historic value of the building.

THEREFORE, BE IT RESOLVED, to accept a Public Works Committee recommendation and approve contract with Danny Larson Construction, LLC for City Hall office improvements on the main floor as proposed on 3/2/21 in an amount of \$20,525.

Presented at the March 16, 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

#8.16

ELECTRIC DEPARTMENT

HISTORIC SOO LINE R.R. DEPOT
405 Third Street East . P.O. Box 528
Thief River Falls, MN 56701-0528

PHONE: 218 681-5816

email: dnarlock@citytrf.net

Request for Council Action

DATE: March 16, 2021

SUBJECT: Open position of Journeyman Electrician/Electronic Technician

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

MOTION TO: To open a full time Electric Department Journeyman Electrician/Electronic Technician for filling. Position shall be advertised to the Teamsters #320 as required by Labor Contract and if not filled internally shall be opened to the public for filling.

BACKGROUND: As a result of the resignation of Jeremy Srnsky, Journeyman Electrician/Electronic Technician effective March 18, 2021, the position has been vacated and is need to be filled.

DEPARTMENT/RESPONSIBLE PERSON: Dale Narlock, Electric Superintendent

THIEF RIVER FALLS JOB DESCRIPTION

BAND	GRADE	SUBGRADE
C	4	1
JOB TITLE A Journeyman Electrician/Electronic Technician		DEPARTMENT Electric
		EFFECTIVE DATE August 16, 2017
IMMEDIATE SUPERVISOR: Electric Superintendent		
JOB SUMMARY Performs a variety of technical duties involved in the installation, maintenance and repair of electronic equipment, particularly control, instrumentation and communication systems. Performs a variety of technical duties involved in the installation and maintenance of electric wiring for buildings, street lighting, electric distribution system (secondary & primary voltage), electric metering systems. Incumbents in this class perform electrical work at the journey level.		

TASK NO.	ILLUSTRATIVE TASK	FRE-QUENCY	BAND/ GRADE
1	Installs and maintains building wiring systems, street lighting and other electric systems. Maintains licensing as a journey electrician.	Weekly	
2	Schedules maintenance of systems to ensure their efficient and effective operation. Maintains records of all maintenance activities and prepares reports as required.	Daily	
3	Installs new and calibrates and maintains existing control, instrumentation and communications systems. Makes recommendations regarding the proper equipment for such systems.	Daily	
4	Installs conduits, wires, relays, pull boxes, switch boards, and switches required in making additions, extensions or alterations in electrical systems.	Daily	

TASK NO.	ILLUSTRATIVE TASKS	FRE-QUENCY	BAND/ GRADE
5	Repairs and replaces defective parts in motors, generating pumps, relays, and other fixtures and appliances to ensure their effective and safe operation.	Weekly	
6	Assist lineworkers, master electrician, and other electric department personnel in the construction and maintenance of the secondary and primary voltage electric distribution system. Performs maintenance and modifications on electrical systems and equipment for various municipal buildings.	Weekly	
7	Performs other tasks of a similar nature or level.	As Required	

MINIMUM QUALIFICATIONS:

Journey electrician license and one or more years of previous experience in the installation, operation, and maintenance of electric generation equipment and apparatus, control, instrumentation and communication equipment or an equivalent combination of education, training or work experience which provides sufficient evidence for the successful performance of the various tasks listed. A valid State of Minnesota class B driver's license or evidence of equivalent mobility is also required.

Employee must be able to work indoors and outdoors and in severe weather conditions.

**CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION**

#8.16

**RESOLUTION NO. : APPROVAL TO FILL VACANT JOURNEYMAN ELECTRICIAN/
ELECTRONIC TECHNICIAN POSITION IN ELECTRICAL DEPARTMENT**

A Public Utilities Committee recommendation was presented. Following discussion, Councilmember _____ introduced Resolution No. , being seconded by Councilmember _____, that:

WHEREAS, due to the resignation of Jeremy Srnsky, Journeyman Electrician Electronic Technician effective March 18, 2021, a position is vacant in the Electric Department.

THEREFORE, BE IT RESOLVED, to accept the Public Utilities Committee recommendation to authorize to fill the Journeyman Electrician/Electronic Technician position. Position shall be offered to Teamster 320 employees are required by union contract, and if not filled opened to the public for filling.

Presented at the March 16, 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

#8.17

CITY ADMINISTRATOR

405 Third Street East
Thief River Falls MN 56701-0528

PHONE: 218-681-1992

FAX: 218-681-6258

www.citytrf.net

Request for Council Action

SUBJECT: Approval of Employment of Renee Olson, Deputy City Clerk

RECOMMENDATION: It is respectfully requested the City Council to approve the employment of Renee Olson as Deputy City Clerk. Ms. Olson shall be placed at Step 3 of the Non-Union wage scale for a starting salary of \$22.24 per hour, effective March 17, 2021.

BACKGROUND: The Deputy City Clerk position was vacated by the resignation of Jennifer Nelson and the City Council authorized to fill the position.

Financial Considerations: This is a budgeted position.

Department/Responsible Person: Angela Philipp, City Administrator

CITY OF THIEF RIVER FALLS
PROPOSED RESOLUTION

#8.17

RESOLUTION NO. : APPROVAL OF EMPLOYMENT OF RENEE OLSON AS DEPUTY CITY CLERK

Following discussion, Councilmember _____ introduced Resolution No., being seconded by Councilmember _____, that:

WHEREAS, interview were conducted on March 12, 2021 for the position of Deputy City Clerk.

NOW, THEREFORE, BE IT RESOLVED, to approve the employment of Renee Olson as Deputy City Clerk, effective March 17, 2021 at a starting wage of \$22.24 (Step 3 of the Non-Union Salary Schedule). Employment is contingent upon successful completion of all required background tests.

Presented at the March 16, 2021 Council Meeting

Introduced by: _____

Seconded by: _____

Roll Call (if required):

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

Notes: _____

02/28/2021

**CITY OF THIEF RIVER FALLS
INVESTMENT SUMMARY**

#11.01

BANK/BROKER	TYPE AND DESCRIPTION OF SECURITY	PAR	MATURITY DATE	YIELD OR INTEREST RATE	CALL DATE	CURRENT MARKET VALUE
<u>RBC</u>						
American Express Centurion Bank	Certificate of Deposit - Brokered	\$247,000	05-Apr-21	2.30%	05-Apr-21	\$247,550.81
Discover BK CD 1.4	Certificate of Deposit - Brokered	\$120,000	13-Jul-21	1.45%	13-Jul-21	\$120,640.80
Discover BK CD 1.5	Certificate of Deposit - Brokered	\$125,000	20-Jul-21	1.50%	20-Jul-21	\$125,726.25
Goldman Sachs BK SLT Lake City	Certificate of Deposit - Brokered	\$200,000	24-Jan-22	2.95%	23-Jul-19	\$205,282.00
Texas Exchange Bk Croowley	Certificate of Deposit - Brokered	\$249,000	25-Mar-22	1.00%	27-Apr-20	\$251,522.37
Albertville Ala Taxable GO	Certificate of Deposit - Brokered	\$255,000	01-Jun-22	0.64%	01-Jun-21	\$256,379.55
Sallie Mae BK Salt lake City	Certificate of Deposit - Brokered	\$82,000	23-Aug-22	2.35%	23-Aug-22	\$84,756.02
Bank Hapoalim BM New York	Certificate of Deposit - Brokered	\$171,000	26-Feb-21	0.25%	26-Aug-22	\$171,386.46
BMO Harris Bank Natl Assn	Certificate of Deposit - Brokered	\$183,000	26-Jun-23	0.60%	26-Sep-20	\$183,080.52
BWV Bnk North Amer Salt Lake	Certificate of Deposit - Brokered	\$209,000	11-Oct-23	1.85%	11-Apr-20	\$218,120.76
Comenity Cap Bk Utah CD 1.2	Certificate of Deposit - Brokered	\$249,000	15-May-24	2.75%	15-May-19	\$269,066.91
Port Houston Auth Tex Harris	Certificate of Deposit - Brokered	\$500,000	01-Oct-24	2.25%	12-Aug-20	\$530,635.00
Morgan Stanley Pvt Bk	Certificate of Deposit - Brokered	\$245,000	27-Feb-25	1.80%	27-Aug-20	\$259,082.60
State Bk India New York NY	Certificate of Deposit - Brokered	\$183,000	10-Jun-25	1.05%	10-Dec-20	\$187,873.29
JPMorgan Chase Bank N A CD CLL	Certificate of Deposit - Brokered	\$246,000	30-Sep-25	0.40%	31-Mar-21	\$244,900.38
Defiance Ohio City Sch Dist	Certificate of Deposit - Brokered	\$550,000	01-Dec-28	0.00%	01-Dec-28	\$473,682.00
Thief River Falls Minn Indpt	Bond - Brokered	\$190,000	01-Feb-27	1.01%	01-Feb-27	\$187,068.30
Plattsburgh NY Pub Impt Bnds	Bond - Brokered	\$200,000	01-Nov-22	2.25%	02-Nov-17	\$204,816.00
	RBC INVESTMENTS					\$4,221,570.02
Border State Bank	Certificate of Deposit	\$100,000	16-Dec-19	0.65%	16-Dec-21	\$100,000.00
	BORDER STATE BANK INVESTMENTS					\$100,000.00

Texas Capital Bank	Certificate of Deposit - Brokered	\$249,500	17-Sep-21	0.200%	\$249,500.00
Old Plank Trail Community Bank	Certificate of Deposit - Brokered	\$238,800	18-Jun-21	2.247%	\$238,800.00
Western Alliance Bank	Certificate of Deposit - Brokered	\$245,300	20-Apr-21	1.616%	\$245,300.00
Servisfirst Bank	Certificate of Deposit - Brokered	\$248,600	02-Jul-21	0.500%	\$248,600.00
4M INVESTMENTS					\$982,200.00
TOTAL CD INVESTMENTS					\$5,303,770.02
Piper Jaffray	First American Gov't Obligations Fund			1.43%	\$3,167,650.31
RBC	US Govt Money Market Fund			0.95%	\$215.51
League of Minnesota Cities	4M Money Market Fund			2.16%	\$3,477,816.83
League of Minnesota Cities	4M Plus Fund			2.20%	\$25,768.29
TOTAL MONEY MARKET SAVINGS					\$6,671,450.94
GRAND TOTAL					02/28/2021 \$11,975,220.96

*Interest paid every 6 months.

