

**THIEF RIVER FALLS CITY COUNCIL  
AGENDA  
TUESDAY – AUGUST 7, 2018**

**ASPHULT CHURCH – PIONEER VILLAGE  
4:30 PM**

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 come to the microphone, state their name and address for the record, and limit their remarks to five minutes. The City Council will not take official action on items discussed at this time, with the exception of referral to staff or a committee, board or commission for a future report.*
5. **PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS**
6. **APPROVE AGENDA** – *Council members may add items to the agenda for discussion purposes or staff direction. The Council will not normally take official action on items added to the agenda.*
7. **CONSENT AGENDA** – *These items are considered routine in nature and are approved with one motion without discussion/debate. The Mayor will ask if any Council member wishes to remove an item and place it on the regular agenda for discussion and consideration. If no items are to be removed, the Mayor will then ask for a motion to approve the Consent Agenda.*
  - 7.01 Approval of July 17, 2018 Council Proceedings (page 3-11)
  - 7.02 City of Thief River Falls Bills and Disbursements
  - 7.03 Approval of Request for Proposal for exclusive beverage category supplier agreement (page 12-25)
  - 7.04 Approval of Eagles Club Liquor License Addendum (page 26-29)
8. **NEW BUSINESS**
  - 8.01 Approval of employment of Scott Fogarty as a Part-time Off-sale Clerk (page 30-31)
  - 8.02 Approval of employment of Amber Gilbertson, Concessions Coordinator (page 32-33)

- 8.03 Approval to purchase 206 Ford F-550 4x4 Dump/Plow/Spreader Truck (page 34-37)
- 8.04 Approval of purchase 2005 Ford F-650 with Rush Steam Boiler (page 38-42)
- 8.05 Approval of joint agreement with Pennington County for impound lot/dog pound (page 43-44)
- 8.06 Second reading of Ordinance amendment – Solar Energy Systems (page 45-46)  
Approval of Ordinance amendment – Solar Energy Systems

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

**10. UPCOMING MEETINGS**

- 10.01 Utilities Committee Meeting – August 13<sup>th</sup> at 7:00 a.m.
- 10.02 Public Safety/Liquor Committee Meeting – August 13<sup>th</sup> at 4:30 p.m.
- 10.03 Administrative Services Committee Meeting – August 14<sup>th</sup> at 4:30 p.m.
- 10.04 Public Works Committee Meeting – August 15<sup>th</sup> at 4:30 p.m.
- 10.05 MIF Agreement Amendment Hearing - August 21<sup>st</sup> at 5:30 p.m.
- 10.06 City Council Meeting – August 21<sup>st</sup> at 5:30 p.m.

**11. ADJOURNMENT**

## COUNCIL PROCEEDINGS

#7.01

JULY 17, 2018

The City Council of Thief River Falls, Minnesota, met in regular session at 5:30 p.m. on July 17, 2018 in the Council Chambers of City Hall. The following Councilmembers were present: Holmer, Howe, Prudhomme, Aarestad, Hagen, Sollom, Narverud and Brown. No Councilmembers were absent. Mayor Holmer chaired the meeting.

### **PUBLIC FORUM**

Councilmember Hagen resigned.

### **APPROVAL OF AGENDA**

Councilmember Howe motioned, being seconded by Councilmember Brown, to approve the agenda with the addition of three items. On vote being taken, the motion was unanimously approved.

### **RESOLUTION NO. 7-155-18: APPROVAL OF COUNCIL PROCEEDINGS**

Presented as part of the Consent Agenda, Councilmember Sollom introduced Resolution No. 7-155-18, being seconded by Councilmember Brown, that:

RESOLVED, by the City Council, to approve July 3, 2018 Council Proceedings.

On vote being taken, the resolution was unanimously passed.

### **RESOLUTION NO. 7-156-18: APPROVAL OF PAYMENT OF BILLS**

Presented as part of the Consent Agenda, Councilmember Sollom introduced Resolution No. 7-156-18, being seconded by Councilmember Brown, that:

RESOLVED, by the City Council, to authorize payment of bills and disbursements in the total amount of \$1,464,293.50. A printout of the approved payments and disbursements is attached hereto and made a part hereof.

On vote being taken, the resolution was unanimously passed.

### **RESOLUTION NO. 7-157-18: APPROVAL OF TEMPORARY INTOXICATING LIQUOR LICENSE TO CHAMBER OF COMMERCE DURING RIVERFEST**

Presented as part of the Consent Agenda, Councilmember Sollom introduced Resolution No. 7-157-18, being seconded by Councilmember Brown, that:

RESOLVED, by the City Council, to grant the Chamber of Commerce a Temporary Intoxicating Liquor License, effective August 3 - 4, 2018 at Hartz Park during Riverfest.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-158-18: APPROVAL OF CHANGE ORDER NO. 1 AND 2 WITH WINKELMAN BUILDING COMPANY LLC FOR THE ELECTRIC DEPARTMENT FACILITY**

Presented as part of the Consent Agenda, Councilmember Sollom introduced Resolution No. 7-158-18, being seconded by Councilmember Brown, that:

WHEREAS, Digi-Key Electronics has purchased the former Electric Department facility and has constructed a new parking lot to support their existing business and current expansion. The Electric Department is currently functioning out of several locations on a temporary basis until a new facility can be completed. The city awarded the construction contract for this facility to Winkelman Building Company and the project is currently under construction; and

WHEREAS, during the early stages of construction the contractor and architect proposed an upgrade in the roof system to a standing seam roof over the heated portion of the building along with added insulation and revised roof slope. There were also some increased roof loads that required an increase in footing sizes. The city requested Styrofoam insulation under the exterior sidewalk as well as rain gutters adjacent to the front entrance to the building. Rip Rap was substituted for "Flexamat" at the storm water pond outlet as a reduction in cost. These items make up Change Order No. 1 in the amount of \$13,407.60. Two inches of rigid Styrofoam was recommended at the top of the footings and extended horizontally 24" on both the interior and exterior sides of the footings for added frost protection. This work makes up Change Order No. 2 in the amount of \$4,253.00.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Public Works Committee recommendation to approve Change Order No. 1 and No. 2 with Winkelman Building Company, LLC for the Electric Department Facility construction in the amounts of \$13,407.60 and \$4,253.00, and authorize the Public Works Director to execute the change orders.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-159-18: APPROVAL OF CHANGE ORDER NO. 1 AND FINAL PAYMENT WITH SCHMITZ BUILDERS INC. FOR THE PUBLIC WORKS DEPARTMENT MAINTENANCE FACILITY**

Presented as part of the Consent Agenda, Councilmember Sollom introduced Resolution No. 7-159-18, being seconded by Councilmember Brown, that:

WHEREAS, the City of Thief River Falls recently sold the Electric Department building on Barzen Avenue to facilitate a major expansion of Digi-Key Electronics. This building also housed the Park Department, which now needs a facility to function. The city council established a Public Works Department that consolidated Community Services, Street/Sanitation and Park into one department; and



WHEREAS, throughout the building process several items came up for consideration as code compliance requirements or improvements requested by the city. These items were discussed and approved with the committee as they came up, to be included in one change order at the end of the project for final approval, along with approval of final payment. The contract award was for \$406,000.00. Change Order No.1 is for \$17,692.00. The final payment amount is \$423,692.00.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Public Works Committee recommendation to approve Change Order No. 1 with Schmitz Builders, Inc. for the Public Works Department Maintenance Facility construction in the amount of \$17,692.00 and approve Final Pay Request No. 7, which includes Change Order No. 1, in the amount of \$423,692.00.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-160-18: APPROVAL OF SUPPORTING ACTION TO EXTEND THE CURRENT HRA LEVY LEGISLATION**

Presented as part of the Consent Agenda, Councilmember Sollom introduced Resolution No. 7-160-18, being seconded by Councilmember Brown, that:

WHEREAS, the HRA is a public non-profit entity serving the counties of Kittson, Polk, Marshall, Pennington, Roseau and Red Lake in Northwestern Minnesota. Their mission includes creation and operation of housing programs, along with community and economic development. In addition, they have contracted with various cities and counties to manage programs, such as the Small Cities Housing Redevelopment Program for the City of Thief River Falls; and

WHEREAS, the HRA has had the ability to levy for funds to carry out their mission and leverage several outside funding sources. This ability was established in 2008 for five years and extended five more years in 2013. This legislation was part of a larger bill in 2018 that was vetoed by the Governor. In order to continue the state legislature will need to approve another five year extension in 2019. The HRA is asking the cities and counties they serve to approve resolutions of support as they approach the legislature for the proposed five year extension.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Public Works Committee recommendation to approve a resolution supporting legislative action to extend the current HRA levy through 2024.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-161-18: APPROVAL OF THIEF RIVER FALLS CITY COUNCIL – CODE OF CONDUCT**

Following discussion, Councilmember Prudhomme introduced Resolution No. 7-161-18, being seconded by Councilmember Narverud, that:

BE IT RESOLVED, by the City Council, to approve the Thief River Falls City Council – Code of Conduct as attached hereto and made a part hereof.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-162-18: APPROVAL TO SUBMIT GRANT APPLICATION TO THE RED LAKE RIVER CORRIDOR JOINT POWERS BOARD FOR THE OAKLAND PARK MULTI-USE TRAIL**

A Request for Council Action was reviewed. Following discussion, Councilmember Prudhomme introduced Resolution No. 7-162-18, being seconded by Councilmember Howe, that:

WHEREAS, Oakland Park was acquired from Pennington County in 2008 as an established park. The City of Thief River Falls has been responsible for the maintenance of the park since 1980. This park of approximately 10 acres borders the Red Lake River on three sides. The park amenities include volleyball, picnic shelters, playground equipment, bathroom facilities, paved parking, kayaking, canoeing, fishing, greenspace and trails. This park is open to the public and often serves as a location for weddings, graduations, birthdays and family reunions. There is a paved trail around the perimeter of the park along the river that has deteriorated to the point that it is non-existent in most locations. The estimated cost to reconstruct this ½ mile long trail is \$135,000.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Public Works Committee recommendation to approve submitting a Grant application to the Red Lake River Corridor Joint Powers Board for the Oakland Park Multi-Use Trail.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-163-18: APPROVAL TO SUBMIT GRANT APPLICATION TO THE RED LAKE RIVER CORRIDOR JOINT POWERS BOARD FOR THE BILL LAFAVE PARK SPLASH PAD**

A Request for Council Action was reviewed. Following discussion, Councilmember Prudhomme introduced Resolution No. 7-163-18, being seconded by Councilmember Howe, that:

WHEREAS, The community has been reviewing construction of a splash pad for consideration since 2016 as an amenity in one of our city parks. Considerable public discussion has occurred regarding the cost and location of a splash pad. The cost of siting a 2,000 square foot (approximate) splash pad including storm water management, water service, bathroom renovations, additional sidewalk, and turf establishment at Bill LaFave Park has been estimated at \$297,000.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Public Works Committee recommendation to approve submitting a Grant application to the Red Lake River Corridor Joint Powers Board for the Bill LaFave Park Splash Pad.

On vote being taken, the resolution was unanimously passed.

**FIRST READING OF ORDINANCE OF THE CITY OF THIEF RIVER FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 152 ENTITLED "ZONING CODE" BY AMENDING 152.056, (C), (4), TO REDUCE THE REQUIRED CLEARANCE AROUND ALL ROOF EDGES FROM 5 FEET FOR A ROOF MOUNTED SYSTEM TO A REDUCED CLEARANCE AREA, AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 10 AND SECTION 152.998, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS**

Councilmember Prudhomme motioned, being seconded by Councilmember Narverud, to call for the first reading amending city code chapter 152 entitled "zoning code" by amending 152.056, (c), (4), to reduce the required clearance around all roof edges from 5 feet for a roof mounted system to a reduced clearance area, and by adopting by reference city code chapter 10 and section 152.998, which, among other things, contain penalty provisions. The motion was unanimously carried.

City Attorney Hasse read the proposed ordinance. No action was taken at this time and this ordinance will again be presented at the next council meeting.

**RESOLUTION NO. 7-164-18: APPROVAL TO CALL FOR HEARING TO CONSIDER AN EXTENSION TO MIF GRANT AGREEMENT WITH ARCTIC CAT**

A Request for Council Action was reviewed. Following discussion, Councilmember Brown introduced Resolution No.7-164-18, being seconded by Councilmember Narverud, that:

WHEREAS, the City of Thief River Falls applied to the Minnesota Department of Employment and Economic Development (DEED) and was awarded Grant #CDAP-15-0013-H-FY16 in the amount of \$850,000 to assist Arctic Cat in their plant expansion. This expansion included a building addition and new powder coat paint system; and

WHEREAS, the grant included a requirement for 39 new full time employees in Thief River Falls in addition to the 985 existing positions at the time of application for a total of 1,024 full time employees by August 1, 2018. Arctic Cat has gone through significant changes with the acquisition by Textron in 2017, which included moving employees around their three locations in Minnesota. They are currently trying to hire approximately 100 new employees in Thief River Falls through an employment agency. After two months of employment they transfer to being qualifying employees of Arctic Cat. They are confident that they will be able to meet the jobs requirement prior to the extended deadline of August 1, 2019.

BE IT RESOLVED, by the City Council, to accept the Public Works Committee recommendation to approve calling for a hearing on August 21, 2018 at 5:30 P.M. to consider an extension to Minnesota Investment Fund Grant Agreement #CDAP-15-0013-H-FY16 with Arctic Cat from August 1, 2018 until August 1, 2019 to allow additional time to meet the new jobs requirement.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-165-18: APPROVAL OF TRF INVESTMENTS (BARNICK PROPERTY) VARIANCE REQUEST**

A Request for Council Action was reviewed. Following discussion, Councilmember Howe introduced Resolution No. 7-165-18, being seconded by Councilmember Sollom, that:

WHEREAS, TRF Investments has secured the former Barnick property to the south of Walmart to construct four 45-unit market rate apartment buildings. The City of Thief River Falls continues to recognize the need for market rate workforce housing. This need is reinforced by the strong local economy and the current expansion of Digi-Key that will add a minimum of 100 new jobs each of the next ten years; and

WHEREAS, the proposed apartment buildings site plan requires the developer to have two parking stalls for each unit, with a garage receiving ½-credit for each stall. The developer is proposing a two car garage for each unit. If they receive full credit for each garage stall they exceed the parking requirement by 92 parking spaces. They are short by 178 parking spaces if they receive ½-credit for each garage stall. The developer could change to one car garages or eliminate garages and meet the requirement, but feel that would be a much less desirable situation and is not consistent with their business model.

THEREFOE, BE IT RESOLVED, by the City Council, to accept the Public Works Committee recommendation to approve a variance for Barnick property, legally described in the attached Hearing Notice, to receive full credit for each garage stall parking space. This approval is contingent upon their leases stating that garages are to be used for automobile parking and not primarily for storage.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-166-18: APPROVAL OF VERIZON WIRELESS CONDITIONAL USE PERMIT**

A Request for Council Action was reviewed. Following discussion, Councilmember Narverud introduced Resolution No. 7-166-18, being seconded by Councilmember Sollom, that:

WHEREAS, Verizon Wireless has secured a lease with Nordhagen Holdings, LLC at 1345 Highway 32 South, for the construction of a 145' high monopole telecommunications tower; and

WHEREAS, towers are only allowed in industrial zoning districts and only with a conditional use permit. Setback distances are defined as an accessory use and require an engineered fall distance. This tower also requires airport review for zoning determination.

BE IT RESOLVED, by the City Council, to accept the Public Works Committee recommendation to approve a Conditional Use Permit for Verizon Wireless to construct a tower on property owned by Nordhagen Holdings, LLC, 1345 Highway 32 South, Thief River Falls, Minnesota. It is legally described in the attached Notice of Hearing. This approval is



contingent upon the Thief River Falls Regional Airport and Sanford Health having no objections.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-167-18: APPROVAL OF JOHN KERTZ PROPERTY  
CONDITIONAL USE PERMIT**

A Request for Council Action was reviewed. Following discussion, Councilmember Brown introduced Resolution No. 7-167-18, being seconded by Councilmember Sollom, that:

WHEREAS, Mr. Kertz purchased this property that is currently zoned Multi-Family Residential District (R-4) to develop housing. The street, Breezy Drive was urbanized in 2015. His original intent was to construct six attached townhomes; and

WHEREAS, Mr. Kertz has now decided to pursue a conditional use for a portion of his property to construct one single family home on the north 60 feet of his development. A single family home is permitted in this zoning district with a conditional use permit. He intends to construct two twin homes at a later date on the remainder of his property, which is an allowable use in this zoning district.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Public Works Committee recommendation to approve a Conditional Use Permit for the John Kertz property, legally described as the north 60 feet of Lot 2, Block 2, Narverud's First Addition to The City of Thief River Falls to construct a single family home.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-168-18: APPROVAL OF RALPH ENGELSTAD ARENA  
NATURAL GAS SUPPLY AGREEMENT WITH CONSTELLATION NEWENERGY  
– GAS DIVISION LLC (CNEG)**

A Request for Council Action was reviewed. Following discussion, Councilmember Howe introduced Resolution No. 7-168-18, being seconded by Councilmember Aarestad, that:

WHEREAS, over the last two year period, the city has purchased \$82,810 in natural gas from Minnesota Energy Resources. Because of the large amount of natural gas used at the arena, the city has the opportunity to purchase natural gas from an alternative supplier, Constellation NewEnergy. Other large natural gas users like Sanford and Arctic Cat purchase gas from Constellation as a cost saving measure.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the Administrative Services Committee recommendation to authorize execution of contract with Constellation NewEnergy – Gas Division LLC (CNEG) for supply of natural gas to the Ralph Engelstad Arena. Agreement subject to City Attorney approval.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-169-18: APPROVAL OF BRETT M. AND EVELYN A. OSSE TO BE PART OF THE SLOW SECOND MORTGAGE PROGRAM**

A Request for Council Action was reviewed. Following discussion, Councilmember Sollom introduced Resolution No. 7-169-18, being seconded by Councilmember Prudhomme, that:

BE IT RESOLVED, by the City Council, to approve Brett M. and Evelyn A. Osse to be part of the City of Thief River Falls Slow Second Mortgage Program and authorize the Mayor and City Administrator to sign the mortgage and agreement when completed by the City Attorney.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-170-18: APPROVAL OF QUOTE FROM RJ ZAVORAL AND SONS CONSTRUCTION FOR WATER TREATMENT PLANT LIME SLUDGE REMOVAL**

A Request for Council Action was reviewed. Following discussion, Councilmember Brown introduced Resolution No. 7-170-18, being seconded by Councilmember Prudhomme, that:

WHEREAS, the Water Treatment Plant has taken bids in the past for the lime sludge cleaning and land application. Due to the construction of new ponds in Rocksbury Township, the existing ponds South of Water Treatment Plant will be cleaned, decommissioned and filled in. As part of the 2018 Street and Utility project the City has access to 40,000 yards of dirt to utilize for this project. Zavorals are the City's contractor for the 2018 Street and Utility project and can coordinate the cleaning and filling in for efficiency and proper timing to keep all projects on schedule.

THEREFORE, BE IT RESOLVED, by the City Council, to approve quote from RJ Zavoral and Sons Construction for lime sludge removal and land application from the old lime ponds along Nora Street.

On vote being taken, the resolution was unanimously passed.

**RESOLUTION NO. 7-171-18: APPROVAL TO ACCEPT THE RESIGNATION OF COUNCILMEMBER HAGEN**

Following discussion, Councilmember Brown introduced Resolution No. 7-171-18, being seconded by Councilmember Narverud, that:

BE IT RESOLVED, by the City Council, to accept to resignation of Councilmember Hagen.

On vote being taken, the resolution was unanimously passed.

**UPCOMING MEETINGS/EVENTS**

- City Council Meeting – August 7<sup>th</sup> at 4:30 p.m. at Pioneer Village

- Utilities Committee Meeting – August 13<sup>th</sup> at 7:00 a.m.
- Public Safety/Liquor Committee Meeting – August 13<sup>th</sup> at 4:30 p.m.
- Administrative Services Committee Meeting – August 14<sup>th</sup> at 4:30 p.m.
- Public Works Committee Meeting – August 15<sup>th</sup> at 4:30 p.m.
- City Council Meeting – August 21<sup>st</sup> at 5:30 p.m.

**ADJOURNMENT**

There being no further discussion, Councilmember Prudhomme moved, being seconded by Councilmember Sollom to adjourn. On vote being taken, the Chair declared the motion unanimously carried.

\_\_\_\_\_  
Brian D. Holmer, Mayor

Attest: \_\_\_\_\_  
Rodney Otterness, City Administrator



# City of Thief River Falls

#7.03

Ralph Engelstad Arena  
525 Brooks Avenue North  
Thief River Falls MN 56701-0528

PHONE: 218-681-2183  
FAX: 218-683-7246  
email: msletten@citytrf.net  
www.citytrf.net

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## Request for Council Action

**DATE:** August 7, 2018

**SUBJECT:** Request for Proposal for Exclusive Beverage Category Supplier Agreement

**RECOMMENDATION:** it is respectfully requested the Council consider the following motion:

**MOTION:** to approve the recommendation of the Administrative Services Committee to authorize the approval to send out request for proposal Exclusive Beverage Category Supplier Agreement

**BACKGROUND:** the existing beverage contract will end November 30, 2018.

**LEGAL:** N/A

**FINANCIAL CONSIDERATIONS:**

**DEPARTMENT/RESPONSIBLE PERSON:** Missy Sletten, Arena Manager

**ATTACHMENT:** Beverage Request for Proposal

**STRATEGIC PLAN:** the proposed action assists the city goal of developing a sustainable business model for the REA.



## REQUEST FOR PROPOSAL (RFP)

### Exclusive Beverage Category Supplier Agreement

The City of Thief River Falls, hereafter referred to as “City”, requests proposals for an Exclusive Beverage Supplier Agreement for the Ralph Engelstad Arena and the Huck Olson Memorial Civic Center (HOMCC) in Thief River Falls, MN.

Proposals will be received by the City of Thief River Falls, P.O. Box 528, Thief River Falls, MN 56701 until 2:00 p.m., C.D.S.T., September 18, 2018.

Specifications and the conditions of proposals may be obtained from Melissa Sletten, City of Thief River Falls, P.O. Box 528, Thief River Falls, MN 56701, 218-681-2183, [msletten@citytrf.net](mailto:msletten@citytrf.net).

The City reserves the right to waive any informality in proposals and to reject any and all proposals.

Dated: August 7, 2018

## 1. SCOPE

The City's general goal is to maximize beverage services and by maximizing the availability of product, and by developing creative strategies that benefit the City of Thief River Falls, and the successful Respondent. The City's Ralph Engelstad Arena and the Huck Olson Memorial Civic Center offer a diverse package of sponsorship deliverables that it will provide as an all inclusive amenities package, in return for financial and marketing compensation.

It is anticipated that an exclusive, long-term agreement for Beverages will provide additional revenue, beyond pricing, to support the City's operating and capital needs. The City offers a business opportunity that can be mutually beneficial to the parties.

The City's goal, as it relates to the Beverage category, is to meet the following objectives:

- **Increase Beverage Profits**  
The City wishes to increase profits through state-of-the-art facilities, more efficient Beverage distribution, and more competitive pricing as elements of an exclusive, long-term agreement.
- **Generate Marketing/Sponsorship Profits**  
The City offers a diverse package of sponsorship deliverables, that it will provide to the successful Respondent as an amenities program, in return for financial and marketing compensation through a mutually profitable Beverage agreement.

Respondent should respond to the City with detailed information, data, and specific menu items. This Beverage plan will support Ralph Engelstad Arena and the HOMCC, which in turn helps the City of Thief River Falls. In order to support attainment of the goals outlined in this RFP, the City invites Respondents to provide equipment as necessary to enhance Beverage quality, services, availability, efficiency, and profitability.

Information in this Request for Proposal pertains to the Ralph Engelstad Arena and Huck Olson Memorial Civic Center, 525 Brooks Avenue North; MEC Baseball/Softball Complex Thief River Falls, MN, 56701.

For any clarification or interpretation of this document, interested Respondents are to contact Melissa Sletten, P.O. Box 528, Thief River Falls, MN 56701, (218) 681-2183, facsimile (218) 683-7246, or email [msletten@citytrf.net](mailto:msletten@citytrf.net).

### A. SPECIFICATIONS AND SPECIAL CONDITIONS

#### 1. General

Attached hereto is a Form of Proposal to be used for the submission of information requested herein. The Form of Proposal must be sealed and clearly addressed to Melissa Sletten with a notation on the sealed envelope showing the contents to be proposal for "Exclusive Beverage Agreement" and received no later than Tuesday, September 18, 2018 at 2:00 p.m. C.D.S.T.

#### 2. Evaluation of Award

From the total information requested, determination shall be made of the prospective respondent's ability to furnish an Exclusive Beverage Agreement to Ralph Engelstad Arena, HOMCC, and the MEC. **All information requested below shall be included as a part of the prospective respondent's proposal.** (See Form of Proposal)

As part of evaluation, the City will consider the total net value of the proposal(s) offered. However, the four evaluation criteria below are important to the City.

#### EVALUATION CRITERIA

- Regional Marketing Campaign
- Quality of Product
- Marketing Contribution to Ralph Engelstad Arena and the HOMCC
- Service

### 3. Overview

Thief River Falls' successful events, coupled with its size and far reaching geographic pull, make it a premier potential business customer.

City of Thief River Falls Highlights:

- Business hub of Northwest Minnesota
- County seat for Pennington County
- Over 1000 students at Northland Community and Technical College
- Host of Section 8A Boys Hockey Tourney March 2020
- Host of Section 8AA Boys Hockey Play-offs annually – (7,500 fans)
- Host of Section 8A Boys and Girls Basketball Quarter-Finals and Finals annually - 15 Games (1,000 plus fans)
- Over 30 boys and girls High School games annually
- Over 30 SIJHL Norskie hockey games
- Numerous boys and girls youth hockey games and tournaments each season

### 4. Term of Agreement

The Exclusive Beverage Agreement shall commence on November 1, 2018 and end on October 31, 2023.

*Special Note: As with any mutually beneficial business relationship, the City expects to review its Beverage business annually. This will include a review of current Beverage service, as well as any changes and issues that have arisen since the previous annual review. In addition, product and equipment changes and advances will be reviewed annually. This process will allow both the City and its supplier the opportunity to maintain the highest standards expected in this type of relationship.*

### 5. Timetable

The City anticipates award to successful Respondent by October 1, 2018

### 6. Exclusivity

Exclusivity is defined as follows:

Successful Respondent shall have the exclusive right to supply Beverage items (as described in Exhibit A) at Ralph Engelstad Arena, HOMCC, and the MEC. The City and the successful Respondent agree that Beverage products in the product line and such other products as the successful Respondent and City shall mutually designate the exclusive Beverage products sold at concession locations, vendors, and hawkers at Ralph Engelstad Arena, HOMCC and the MEC.

**Definitions:** "Beverage" or "Beverages" means (a) all carbonated and noncarbonated, nonalcoholic, natural or artificially flavored drinks for independent consumption, and for use as mixers with alcoholic beverages and otherwise, including, but not limited to, non alcoholic drinks with nutritive or nonnutritive sweetens, flavored and/or sweetened mineral water, natural or artificially flavored fruit and/or vegetables juices, fruit and/or vegetable juice-containing drinks and fruit and vegetable flavored drinks (sweeten and unsweetened), cold tea products, hypertonic, isotonic, hypotonic drinks (sports drinks, energy and fluid replacement), ("Sports Drinks"); and (b) all drink or beverages bases, whether in the form of syrups, powders, crystals, concentrates, or otherwise, from which such drinks and beverages could be prepared.

**Permitted Exceptions:** "Beverage" or "Beverages" shall not include milk, flavored milk, beer (alcoholic, low alcoholic, non-alcoholic), freshly brewed coffee, freshly brewed tea, hot chocolate, all juice squeezed fresh, and frozen beverages. Water drawn from the public water supply is a permitted

exception; provided, however, that the exclusion, contained herein shall not apply to any products manufactured, licensed, or distributed by a competitor or any affiliate or joint venture thereof.

**Competitive Products:** During the entire term of this agreement and any renewal or extension thereof except for permitted exceptions as noted, the City will establish a program at Ralph Engelstad Arena, HOMCC, and the MEC so that it can ensure that:

- a) **Vending:** All beverage products distributed through vending machines at Ralph Engelstad Arena, HOMCC and the MEC would have to be the successful respondent's products. No competitive beverage products may be sold or dispensed by a competitor anywhere.
- b) **Concessions:** All concession beverage products distributed at the Ralph Engelstad Arena, HOMCC, and the MEC shall be the product of the successful respondent. No competitive beverage products may be sold or dispensed by a competitor anywhere in the Ralph Engelstad Arena, HOMCC or the MEC.
- c) **Marketing:** No competing brand will be allowed to market or distribute their beverage product or logo at any controlled event.

## **7. Award of Exclusive Beverage Agreement**

The Exclusive Beverage Agreement will be awarded based upon the criteria set forth in this Request For Proposal and guidelines set forth according to Form of Proposal.

The Respondents may explain and clarify their proposal on September 18, 2018 at 2:00 p.m. at the Ralph Engelstad Arena, Thief River Falls.

## **B. REQUIREMENT OF RESPONDANT**

Technical surveys of the Ralph Engelstad Arena, Huck Olson Memorial Civic Center and the Multi-Events Center concession requirements were performed. Attachment A is a non-inclusive list of recommended equipment needs. Any reference to a particular manufacturer's product is not intended to restrict to opportunities of other respondents to offer comparable equipment.

### **1. Dispensing Equipment**

- Non Returnable/Non-carbonated beverage equipment must be supplied, installed, and maintained by the vendor at no cost to the City. This includes, but is not limited to, glass fronts and barrel coolers.
- All equipment must be new or refurbished like new and state-of-the-art and remain in that condition throughout the life of the contract.
- All dispensers must be equipped with locks and/or shut off devices at no cost to the City.
- Two (2) 200 square-foot walk-in coolers must be supplied and installed.
- Seven (7) two-door refrigeration coolers.
- Six (6) single-door refrigeration coolers.
- Two (2) 500 lb. capacity ice machines.
- Two (2) portable bars.
- Ten (10) 25 gallon barrel coolers



2. **Finished Product:**  
The beverage supplier will be required to provide its complete line of carbonated and noncarbonated beverage products including but not limited to juice, punch, tea, isotonic products at all locations. Specific products at each location will be mutually agreed upon.
3. **Special Concession Requirements:**
  - *Service/Repairs:* Suppliers to provide equipment service or repair free of charge, seven days a week within 24-hour time limit, all parts included.
  - *Menu Boards:* The successful respondent shall provide illuminated menu boards as requested at no cost to the City. Menu boards to be furnished shall be determined by mutual agreement of the City and the successful respondent as to type, style, size and location.
  - *Non Returnable/NCB Service:* The successful respondent must supply adequate on site service for the distribution of non returnable product to concession stands during all events.

### C. REQUIREMENTS/VENDING

Surveys of the City's vending equipment were performed. Attachment A is a non-inclusive list of recommended equipment needs and upgrades. Any reference to a particular manufacturer's product is not intended to restrict the opportunity to other respondents of offer comparable equipment.

1. **Vending Equipment:**
  - Vending equipment must be supplied, installed, and maintained by the beverage supplier at no cost to the City.
  - Placement, removal, or expansion of vending locations will be determined by mutual agreement to best maximize revenues and resultant commissions. A list of current vending machine locations is given as Attachment A.
2. **Vended Products:**
  - The successful respondent will be required to provide its complete line of carbonated and noncarbonated vended products including but not limited to juice, punch, tea, and isotonic products at all vending locations.
  - If and when the supplier enters new beverage categories, produces new beverages products or makes changes to existing products, the City and the successful respondent will decide whether those products will be vended at the Ralph Engelstad Arena, Huck Olson Memorial Civic Center and the Multi-Events Center during the term of the agreement.
3. **Accounting/Commissions:**  
Appropriate accounting and inventory systems shall be maintained to assure the City complete accountability of all financial transactions. The right to review and audit is reserved by the City.
4. **Special Vending Requirements:**
  - The successful respondent is expected to provide, repair, and service seven days a week, within a 24-hour time limit, all parts included.
  - All vending machines shall meet the United States Department of Health, Education and Welfare Sanitation Code for "The Vending of Foods and Beverages."

### D. STRATEGIC MARKETING BENEFITS

1. **Dasher Boards:** See attached Beverage RFP Advertising Package.
2. **Backlit Signs:** See attached Beverage RFP Advertising Package.

3. **Tickets:** The successful respondent will receive four tickets to each City event controlled by the City. These tickets can be used for customers or any other retail promotion region wide.

**E. AMENITIES MATRIX**

1. The values assigned to the elements included in the amenities package are based on estimated **present value**. This package will not change over the life of the Exclusive Beverage Agreement, unless mutually agreed upon by both parties. Assuming standard inflationary increase, this package represents exceptional value based on the length of the Exclusive Beverage Agreement.
2. The City amenities package is designed to provide the successful Respondent with a total package. The package is an essential element of the relationship and is provided **in total** to the successful Respondent. Although the City understands that specific elements of the package may not be high priority elements for the successful Respondents, it is intended to be an all-inclusive package.
3. ESTIMATED PRESENT VALUE OF AMENITIES MATRIX ITEMS

<u>Item</u>	<u>Annual Amount</u>
Two (2) Dasher Boards-REA	1,700
Two (2) Dasher Boards-HOMCC	700
Backlit	1,500
Tickets	500
Exclusive Category Region Wide Marketing Rights	
Exclusive Category Advertising Rights in the Ralph Engelstad Arena-Thief River Falls	
Exclusive Category Direct Marketing Rights in the Ralph Engelstad-Thief River Falls	
Exclusive Category Architectural Signs and Visibility	

**II. PROPOSALS**

**A. Submissions and Form of Proposals:**

1. Seven (7) copies of the proposal must be submitted on the “Form of Proposal” accompanying these specifications and must be enclosed in a sealed envelope plainly marked “Proposal for Furnishing an Exclusive Beverage Agreement”, and addressed, mailed, or delivered to Melissa Sletten. Respondent shall be responsible for actual delivery of proposal during business hours at the above address, and it shall not be sufficient to show that a proposal was mailed in time to be received before closing date and time for receipt of proposals.
2. All respondents shall include prices in their proposals and shall assume and pay all State, Federal and Municipal taxes and contributions, which are payable by virtue of the furnishings and delivery of items(s) specifies herein.
3. The City reserves the right to waive informalities in proposals and to reject any and all proposals.

**B. Signing of Proposals:**

1. Proposals which are signed for a partnership shall be signed in firm name by at least one partner or in firm name by Attorney-in-fact, there should be attached to the proposal a Power of Attorney evidencing authority to sign proposals, dated the same date as the proposal, and executed by all partners of the firm.
2. Proposals which are signed for a corporation shall have the correct corporate name thereon and the signature of an authorized officer of the corporation manually written below the corporate name. Title of office held by the person signing for the corporation shall appear below the signature of officer.

3. Proposals which are signed by an individual doing business under a firm name shall be signed in the name of the individual doing business under the proper firm name and style.

**C. Statement of Respondent's Qualifications:**

Each Respondent submitting a proposal shall present evidence of its' experience, qualifications, financial responsibility, and ability to carry out the terms of the Exclusive Beverage Agreement by completing and submitting with his proposal the schedule of information set forth in the form furnished with the Form of Proposal.

**D. Award of Exclusive Beverage Agreement:**

In awarding the Exclusive Beverage Agreement, the City may take into consideration the skill, facilities, capacity, experience, ability, responsibilities, reputation, previous work, and financial standing of the Respondent; the amount of other work being carried on by the Respondent; the period of time within which the equipment of services is to be furnished and delivered; and the necessity of prompt delivery of the items herein described. The inability of any Respondent to meet the requirements mentioned above may be cause for rejection of this proposal.

**E. Execution and Form of Exclusive Beverage Agreement:**

The successful Respondent shall, within thirty (30) days after the receipt of formal notice of award of the Exclusive Beverage Agreement to it, enter into a written Exclusive Beverage Agreement, in triplicate, prepared by the City

**F. Assignment of Exclusive Beverage Agreement:**

The Exclusive Beverage Agreement to be awarded and any amounts to be paid thereunder shall not be transferred, sublet, or assigned without prior approval of the City.

**G. Patent and Copyright**

1. The Respondent and his Surety shall pay for all royalties, license fees and patent or invention rights, or copyrights or trade and service marks and defends all suits or claims for the infringement of any patent or invention right or copyrights or trade and service marks involved in the items furnished hereunder.
2. The Respondent and his Surety shall hold and save the City and its officers, agents, servants, and employees harmless from liability of any nature of kind, including cost and expenses for, or on account of, any patented or unpatented invention, process, article, or appliance furnished in the performance of Exclusive Beverage Agreement, including its use by the Owner, unless otherwise specifically stipulated.
3. Copyrights for any item specified shall be the property of the City and inure to its benefit and Respondents shall execute such documents as the City may require for the perfection thereof.

**H. "Or Approved Equal Clause":**

Whenever, in any of the Exclusive Beverage Agreement documents, any product is designated by the Name of the Manufacturer or Respondent or by any proprietary or trade name, the standard products of manufacturers other than those specified may be accepted provided that in the City's opinion the Respondent has supplied sufficient information with his proposal to enable the City to determine that the proposal is based on the furnishing of product which is equal (in design, strength, durability, usefulness, efficiency, quality, and convenience for the purpose intended) to the product designated in the Exclusive Beverage Agreement documents.

**I. Confidentiality of Information:**

All data made available to the Respondent by the City are and remain the property of the City and must be treated as confidential information. All listings which may reveal names or identification number of individuals or employees, or other information regarding the City, if not returned to the City, must be properly destroyed so as to keep such information confidential.

**J. Audit of Respondent:**

In the event that time and materials are a portion of this proposal, the City reserves the right to audit Respondent's records concerning this proposal. The Respondent agrees to cooperate fully with any auditors selected by the City effecting any audit under this paragraph, this includes, but is not limited to, necessary books, records, files, and electronic data pertaining to the City

**K. Insurance and Indemnification:**

Successful Respondent is required to indemnify the City of Thief River Falls through insurance and agreement from all liability resulting from successful Respondent's activities.

**L. Right of the City to Terminate Exclusive Beverage Agreement:**

In the event any provisions of the Exclusive Beverage Agreement are violated by successful Respondent, the City may serve written notice upon successful Respondent setting forth the violations and demanding compliance with Exclusive Beverage Agreement. Unless within ten (10) days after serving such notice, such violations shall cease and satisfactory arrangements for correction be made, the City may terminate the Exclusive Beverage Agreement by serving written notice upon the successful Respondent; but the liability of successful Respondent for such violation and for any and all damages resulting therefrom, as well as from such termination, shall not be affected by any such termination.

**M. Delivery:**

Delivery shall be accomplished in the manner and to the place and the time required.

**N. Payment**

1. The first payment will be made November 1, 2018. This payment will be one half the proposed annual payment amount. The second half of the payment amount will be January 1, 2019 with each annual consecutive payment made on the first of November each year.
2. The City may withhold payment or make such deductions as may be necessary to protect the City from loss or damage on account of defective work, claims, damages, or to pay for repair or corrections of equipment furnished hereunder.

**O. Exclusive Beverage Agreement Specifications and Special Conditions:**

Exclusive Beverage Agreement Specifications and Special Conditions should be consulted for additional provisions and amendments to the General Conditions.

**P. Exclusive Beverage Agreement Documents:**

The Exclusive Beverage Agreement Documents shall include the Request for Proposal, Specifications, and Addenda, Exhibits, Form of Proposal.

**Q. OSHA Compliance:**

All items or services to be furnished hereunder shall meet all applicable State and Federal requirements of the Occupational Safety and Health Act. All alleged violations and deviations from said State and Federal regulations or standards of the items or services to be furnished hereunder must be set forth on the Form of Proposal at the time of submission of the proposals. Or if at any later date the items or services contained herein shall not meet all applicable State Federal requirements after the Respondent is awarded the Exclusive Beverage Agreement hereunder, the Respondent must notify the City immediately by registered mail.

**R. Equal Opportunity:**

The City is an equal opportunity employer, pursuant to Federal and State laws and regulations, and all Respondents submitting proposals shall be considered to be an equal opportunity employer in compliance with Federal and State laws, unless the Respondent set forth on the Form of Proposal to the contrary.



## Form of Proposal

Respondent will provide an annual payment for the EXCLUSIVE beverage agreement.

Respondent will provide a minimum of all requested items, equipment, and services defined in RFP.

Respondent will provide a price of all brands and packages of products proposed.

Flavor	Package	Price per Package
--------	---------	-------------------

Respondent will provide a list of all proposed exclusive and non-exclusive items, including price and size.

Respondent will provide (2) dozen T-shirts annually for concession staff.

### Additional Information

- i) The City of Thief River Falls has a pre-existing agreement with the Pennington County Fair Association which allows them to abide by their own exclusivity agreement and serve Pepsi products while utilizing the Huck Olson Memorial Civic Center during the duration of the annual Pennington County Fair.
- ii) The city invites Respondent to be creative in marketing ideas, event ideas, and business relationships that will continue to ensure the Ralph Engelstad Arena and the City of Thief River Falls will be a successful venue in the upper mid west region *Examples:*
  - 1) What will Respondent do in addition if the Ralph Engelstad Arena and the HOMCC host a sectional or state hockey or basketball tournament?
  - 2) What other marketing partners can Respondent involve with the Ralph Engelstad Arena, MEC, and the HOMCC?

### Respondent's Certificate

The Respondent hereby certifies:

That this proposal is genuine and is not made in the interest of or on behalf of any undisclosed person, firm, or corporation, and is not submitted in the conformity with any agreement or rules of any group, association, or corporation;

That it has not directly or indirectly induced or solicited any other Respondent to put in a false or sham proposal;

That it has not solicited or induced any person, firm, or corporation to refrain from responding; and

That it has not sought by collusion or otherwise to obtain for himself advantage over any other Respondent or over the City.

Respondent will not discriminate against any employee or applicant for employment because of Race, Creed, Color, Sex, National Origin, Age, or Disability in connection with the performance of the work.

By virtue of the policy of the City and by the virtue of statutory authority, a preference will be given to materials, products, supplies, provisions and all other articles produced, manufactured, mined, or grown within the State of Minnesota.

**IF A CORPORATION:**

\_\_\_\_\_  
Name of Corporation

\_\_\_\_\_  
Name of Title of Officer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address for Communication

\_\_\_\_\_  
Address for Communication

\_\_\_\_\_  
Telephone Number/800 Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
E-mail

1. Incorporated under the laws of the State of:

\_\_\_\_\_

2. Licensed to do business in

\_\_\_\_\_

\_\_\_\_\_ Yes \_\_\_\_\_ No  
(Check One)

**Attachment "A"**

A. Catering/Retail Equipment

Glass Front Coolers

<i>Unit Type</i>	<i>Number of Units</i>				
	<u>Main Floor</u>	<u>HOMCC</u>	<u>Imperial Room</u>	<u>Press Box</u>	<u>MEC</u>
Two-Door	4	1			2
Single-Door	2	1	1	1	1

Barrel Coolers

<i>Unit Type</i>	<i>Number of Units</i>
25 gallon	10

Ice Machines

<i>Unit Type</i>	<i>Number of Units</i>			
	<u>Main Floor</u>	<u>HOMCC</u>	<u>Imperial Room</u>	<u>Press Box</u>
Nugget	1		1	

Portable Bar

<i>Number of Units</i>
2

B. Vending Equipment

<i>Unit Type</i>	<i>Number of Units</i>		
	<u>Ice Level</u>	<u>Main Floor</u>	<u>HOMCC</u>
Pop	1	1	1

## **Ralph Engelstad Arena & Huck Olson Memorial Civic Center Advertising Package**

### **Dasher Boards**

Sponsor will receive two (2) 3'X 9' dasher boards in the REA arena and two (2) 3' X 9' dasher boards in the HOMCC. Dasher location will be selected according to Grid A (See below).

### **Concourse Backlit Signage**

Sponsor's corporate logos and colors will be assigned to one (1) 3'X 6' backlit panel to be located in the main concourse of the Ralph Engelstad Arena-Thief River Falls.

#### **Package Cost:**

<b>Dasher board sponsorship*</b>	<b>\$2,400</b>
<b>Backlit sponsorship</b>	<b>1,500</b>
<b>Tickets</b>	<b>500</b>
<b>Total Advertising Package</b>	<b><u>4,400</u></b>

\*Sponsor will be responsible for any and all logos, production and any additional advertising costs associated with this advertising package.

**CITY OF THIEF RIVER FALLS  
PROPOSED RESOLUTION**

#7.03

**RESOLUTION NO. : APPROVAL OF REQUEST FOR PROPOSAL FOR EXCLUSIVE BEVERAGE CATEGORY SUPPLIER AGREEMENT**

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

WHEREAS, the existing beverage contract will end November 30, 2018.

THEREFORE, BE IT RESOLVED, by the City Council, to accept the recommendation of the Administrative Services Committee to authorize the approval to send out request for proposal Exclusive Beverage Category Supplier Agreement

**Presented at the August 7, 2018 Council Meeting**

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Roll Call (if required):**

\_\_\_Holmer\_\_\_ Howe \_\_\_ Sollom \_\_\_ Hagen \_\_\_ Brown \_\_\_ Prudhomme \_\_\_ Aarestad \_\_\_ Narverud

**Notes:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# City of Thief River Falls

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

#7.04

PHONE: 218-681-2943  
FAX: 218-681-6223  
email: [jnelson@citytrf.net](mailto:jnelson@citytrf.net)  
[www.citytrf.net](http://www.citytrf.net)

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## REQUEST FOR COUNCIL ACTION

**DATE:** August 7, 2018

**SUBJECT:** Eagles Liquor License Addendum

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

**MOTION TO:** to approve an Intoxicating Liquor License addendum effective August 11 – 19th.

**BACKGROUND:** The Eagles has applied for a liquor license addendum to include outdoor area for the Eagles picnic and Backyard BBQ.

**KEY ISSUES:** Yearly the Eagles uses the outside area for a couple events within a week.

**FINANCIAL CONSIDERATION:** None

**LEGAL CONSIDERATION:** None

**DEPARTMENT/RESPONSIBLE PERSON:** Jennifer Nelson/Deputy City Clerk





CITY OF THIEF RIVER FALLS

On-Sale Intoxicating Liquor License Application Addendum  
\*\*\*\*TEMPORARY\*\*\*\*

- Attach a detailed drawing of the outside premises
- Applicant must submit a Certificate of Insurance specifically adding the approved outside premises to the applicant's liquor liability coverage.

TRF Eagles Club  
LICENSEE NAME (Corp. Partnership, Individual)

305 Red Lake Blvd  
LICENSEE ADDRESS (Street, City, State, Zip)

TRF Eagles Club      681-2406  
BUSINESS NAME/TRADE NAME      BUSINESS PHONE      HOME PHONE

305 Red Lake Blvd  
BUSINESS ADDRESS

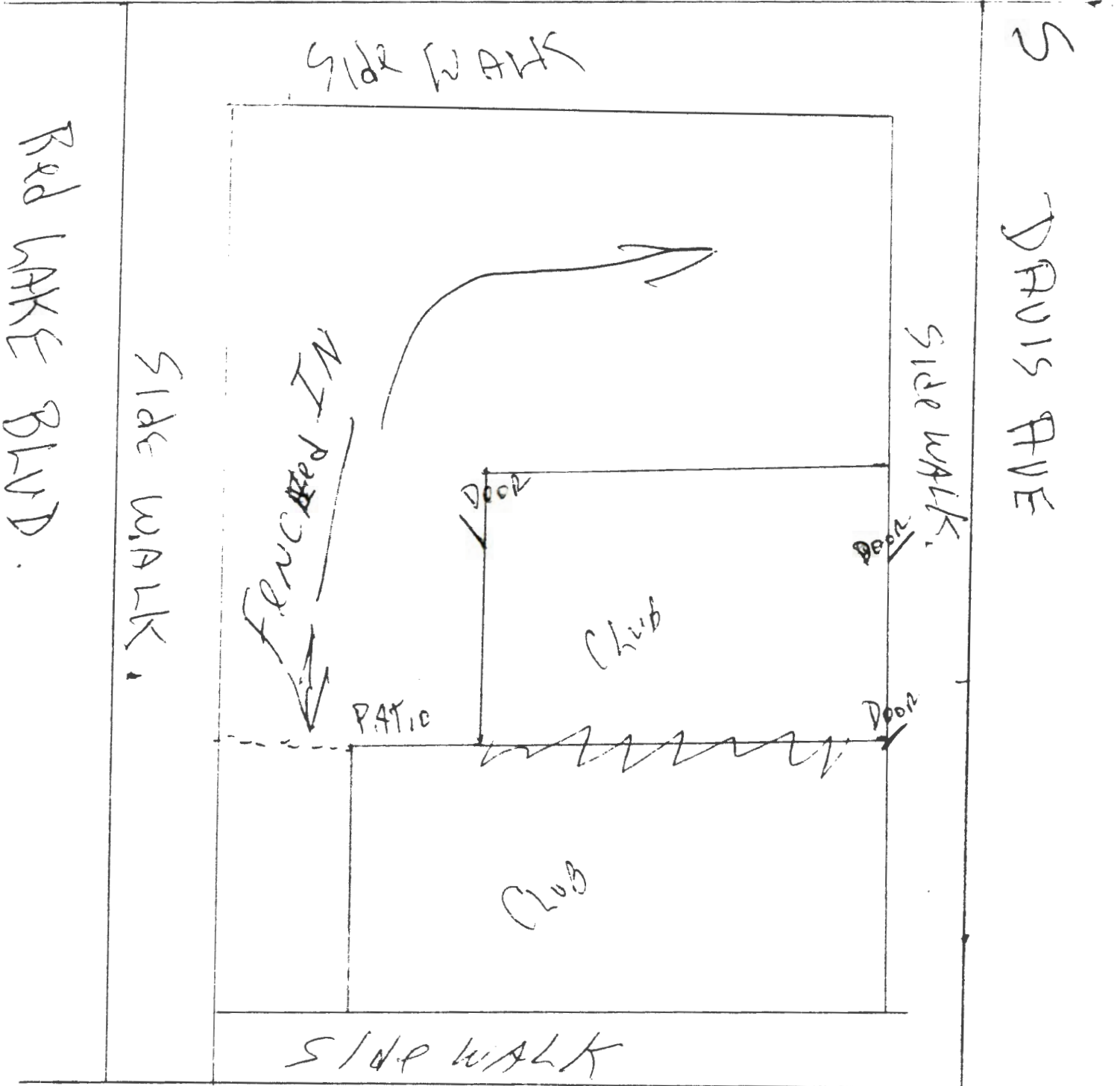
DATE OF EVENT: August 11<sup>th</sup>-19<sup>th</sup> HOURS: 8AM-12AM

I, hereby, under oath, state that the information contained in this application is true and correct to the best of my knowledge. I will notify the City of Thief River Falls immediately should any of the information in this application change. I further acknowledge that the falsification of any information contained in this application or willful omission will be cause for denial of the license or for revocation of a license which has been issued.

Stephanie Myrland      Secretary      7-31-18  
SIGNATURE OF APPLICANT      TITLE      DATE

(S)  
E HIWAY # 59

3



(N) E + S W

**CITY OF THIEF RIVER FALLS  
PROPOSED RESOLUTION**

#7.04

**RESOLUTION NO. : APPROVAL OF EAGLES CLUB LIQUOR LICENSE ADDENDUM**

Councilmember \_\_\_\_\_ introduced Resolution No. , being seconded by Councilmember \_\_\_\_\_, that:

RESOLVED, by the City Council, to approve temporary extension of the Eagles Club On-Sale Intoxicating Liquor License to an outside fenced off designated area effective August 11, 2018 to August 19, 2018

**Presented at the August 7, 2018 Council Meeting**

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Roll Call (if required):**

\_\_\_Holmer\_\_\_ Howe \_\_\_ Sollom \_\_\_ Hagen \_\_\_ Brown \_\_\_ Prudhomme \_\_\_ Aarestad \_\_\_ Narverud

**Notes:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# City of Thief River Falls

#8.01

## Liquor

*Falls Liquors*  
P.O. Box 528  
Thief River Falls, MN 56701-0528

PHONE: 218 681-1992  
email: fallsliquor@citytrf.net

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### Request for Council Action

**DATE:** August 7, 2018

**SUBJECT:** Approval of Employment of Scott Fogarty as a Part-Time Off-Sale Clerk

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

**MOTION TO:** Approve the employment of Scott Fogarty as a part-time Off-Sale Clerk, effective August 8, 2018, pending successful completion of pre-employment requirements. Mr. Fogarty shall be placed at Step 2 of the Off-Sale Clerk salary schedule for an hourly wage of \$16.79 per hour.

**BACKGROUND:** The City Council had recently authorized that the Liquor Store fill the position of a part-time Off-Sale Clerk

**KEY ISSUES:** Filling of the position will bring Falls Liquor to full staffing levels.

**FINANCIAL CONSIDERATIONS:** The position is included in the 2018 budget.

**DEPARTMENT/RESPONSIBLE PERSON:** Steve Olson, Liquor Store Manager

**CITY OF THIEF RIVER FALLS  
PROPOSED RESOLUTION**

#8.01

**RESOLUTION NO. : APPROVAL OF EMPLOYMENT OF SCOTT FOGARTY AS  
A PART-TIME OFF-SALE CLERK**

A Request for Council Action was reviewed. Following discussion, Councilmember \_\_\_\_\_ introduced Resolution No., being seconded by Councilmember \_\_\_\_\_, that:

WHEREAS, the City Council had recently authorized that the Liquor Store fill the position of a part-time Off-Sale Clerk.

THEREFORE, BE IT RESOLVED, by the City Council, to approve the employment of Scott Fogarty as a part-time Off-Sale Clerk, effective August 8, 2018 pending successful completion of pre-employment requirements. Mr. Fogarty shall be placed at Step 2 of the Off-Sale Clerk salary schedule for an hourly wage of \$16.79 per hour.

**Presented at the August 7, 2018 Council Meeting**

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Roll Call (if required):**

\_\_\_ Holmer \_\_\_ Howe \_\_\_ Sollom \_\_\_ Hagen \_\_\_ Brown \_\_\_ Prudhomme \_\_\_ Aarestad \_\_\_ Narverud

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# City of Thief River Falls

#8.02

Ralph Engelstad Arena  
525 Brooks Avenue North  
Thief River Falls MN 56701-0528

PHONE: 218-681-2183  
FAX: 218-683-7246  
email: msletten@citytrf.net  
www.citytrf.net

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## Request for Council Action

**DATE:** August 7, 2018

**SUBJECT:** Approval of Employment of Amber Gilbertson, Concessions Coordinator

**RECOMMENDATION:** it is respectfully requested the Council consider the following motion:

**MOTION:** Approve the employment of Amber Gilbertson, Concessions Coordinator, effective August 27, 2018, pending successful completion of pre-employment requirements. Ms. Gilbertson shall be placed at Step 3 of the Non-Union, Non-Exempt Grade Level 4 salary schedule for a wage of \$20.70 per hour.

**BACKGROUND:** The City Council had recently authorized a full-time Concessions Coordinator position be filled.

**LEGAL:**

**FINANCIAL CONSIDERATIONS:**

**DEPARTMENT/RESPONSIBLE PERSON:** Missy Sletten, Arena Manager and Rod Otterness, City Administrator



**CITY OF THIEF RIVER FALLS  
PROPOSED RESOLUTION**

#8.02

**RESOLUTION NO. : APPROVAL OF EMPLOYMENT AMBER GILBERTSON,  
CONCESSIONS COORDINATOR**

A Request for Council Action was reviewed. Following discussion, Councilmember \_\_\_\_\_ introduced Resolution No., being seconded by Councilmember \_\_\_\_\_, that:

WHEREAS, the City Council had recently authorized a full-time Concessions Coordinator position be filled.

THEREFORE, BE IT RESOLVED, by the City Council, to approve the employment of Amber Gilbertson, Concessions Coordinator, effective August 8, 2018, pending successful completion of pre-employment requirements. Ms. Gilbertson shall be placed at Step 3 of the Non-Union, Non-Exempt Grade Level 4 salary schedule for a wage of \$20.70 per hour.

**Presented at the August 7, 2018 Council Meeting**

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Roll Call (if required):**

\_\_\_ Holmer \_\_\_ Howe \_\_\_ Sollom \_\_\_ Hagen \_\_\_ Brown \_\_\_ 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

#8.03

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

## Request for Council Action

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**DATE:** August 7, 2018

**SUBJECT:** Purchase of 2006 Ford F-550 4X4 Dump/Plow/Spreader Truck

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

**Motion to:** Approve the purchase of a 2006 Ford F-550 4X4 Dump/Plow/Spreader Truck from the Richfield, MN school district through Public Surplus in the amount of \$29,040.00 and declare an existing 1994 Ford ¾ ton 4X4 truck with plow as surplus property.

**BACKGROUND:** The Public Works Department Park employees operate a fleet of vehicles for park maintenance, mowing, trimming, flower bed planting, miscellaneous hauling and snow plowing. A 1994 Ford ¾ ton pickup (Vin No. 1FTHF26H9RNBO06201) with a plow that originated as an Electric Department vehicle is in very poor condition and in need of replacement. It has been determined that a one ton truck with a dump body and snow plow would be the most universal and practical vehicle for these applications. The Budget Committee approved purchasing a new replacement truck in 2019, but advance purchasing would save costs because of the opportunity to purchase this specific vehicle.

**KEY ISSUES:** Richfield Minnesota School District No. 280 currently has a 2006 F-550 4X4 diesel truck with an aluminum dump body, Boss v-plow and Hiniker stainless steel salt/sand spreader for sale. The truck was purchased new by the school district and only has 10,900 miles on it. They are changing their operation and no longer need this truck. Purchasing this truck now will save approximately \$25,000 and will serve the city very well for several years. The versatility of this truck will also add efficiencies to operations. Our city mechanic, John Houske, has had a conversation with the Richfield school district mechanic to review the truck history and service records. John is comfortable with the history and recommends the purchase.

**FINANCIAL CONSIDERATIONS:** Angie Philipp, Finance Director, has reviewed the expenses and endorses the purchase as a cost saving measure.

**LEGAL CONSIDERATIONS:** The auction purchase fulfills the competitive purchasing requirement.

**DEPARTMENT/RESPONSIBLE PERSON:** Mark Borseth – Public Works Director.

Encl: (1)

Year: 2006  
Make: Ford  
Model: F-550 4X4  
Mileage: 10,980  
VIN: 1FDAF57P26ED71722  
Running Condition: Excellent  
Engine: 6.0 Power Stroke V8 Diesel  
Transmission: Automatic  
Tires: Good-Fair Condition



You are bidding on a 2006 Ford F-550 6.0L Diesel - Dump Truck. The mileage is actual at 10,980.

- Dump Box - Aluminum 11' X 96" Fold Down Sides
- Hiniker Stainless, Electric Salt Spreader
- Boss 10' V-plow

This vehicle was primarily used to plow snow for our school district. The vehicle runs and drives great. As you can see from the pictures, the front tires are in very good condition, and the rear tires are around 25% remaining. We also just replaced the cutting edges on the plow for this sale.

The truck and equipment have been meticulously maintained by our district mechanics. We have all of the vehicles service and maintenance records on file.

Vehicle inspection are by appointment only. Questions and appointments can be scheduled by contacting the following numbers:

Dan McGinn 612-798-6077 - Mechanic

Dan Kretsinger 612-798-6081 - Facilities & Transportation Director

**Buyer Notes:**

**This vehicle is being purchased AS IS, NO WARRANTY.**

**Title signing will be conducted at the Department of Motor Vehicles in Richfield Minnesota upon vehicle Pickup, unless purchased by a dealer.**

**Payment must be made within 48 hours from the close of the auction.**

Condition: GOOD



#2140026 - 2006 Ford F-550 4X4 Dump Truck, Plow, and Spreader

Image 13 of 92

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**CITY OF THIEF RIVER FALLS  
PROPOSED RESOLUTION**

#8.03

**RESOLUTION NO. : APPROVAL TO PURCHASE 2006 FORD F-550 4X4  
DUMP/PLOW/SPREADER TRUCK**

A Request for Council Action was reviewed. Following discussion, Councilmember \_\_\_\_\_ introduced Resolution No. \_\_\_\_\_, being seconded by Councilmember \_\_\_\_\_, that:

WHEREAS, the Public Works Department Park employees operate a fleet of vehicles for park maintenance, mowing, trimming, flower bed planting, miscellaneous hauling and snow plowing. A 1994 Ford ¾ ton pickup (Vin No. 1FTHF26H9RNBO06201) with a plow that originated as an Electric Department vehicle is in very poor condition and in need of replacement. It has been determined that a one ton truck with a dump body and snow plow would be the most universal and practical vehicle for these applications. The Budget Committee approved purchasing a new replacement truck in 2019, but advance purchasing would save costs because of the opportunity to purchase this specific vehicle; and

WHEREAS, Richfield Minnesota School District No. 280 currently has a 2006 F-550 4X4 diesel truck with an aluminum dump body, Boss v-plow and Hiniker stainless steel salt/sand spreader for sale. The truck was purchased new by the school district and only has 10,900 miles on it. They are changing their operation and no longer need this truck. Purchasing this truck now will save approximately \$25,000 and will serve the city very well for several years. The versatility of this truck will also add efficiencies to operations. Our city mechanic, John Houske, has had a conversation with the Richfield school district mechanic to review the truck history and service records. John is comfortable with the history and recommends the purchase.

BE IT RESOLVED, by the City Council, Approve the purchase of a 2006 Ford F-550 4X4 Dump/Plow/Spreader Truck from the Richfield, MN school district through Public Surplus in the amount of \$29,040.00 and declare an existing 1994 Ford ¾ ton 4X4 truck with plow as surplus property.

**Presented at the August 7, 2018 Council Meeting**

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Roll Call (if required):**

\_\_\_ Holmer \_\_\_ Howe \_\_\_ Sollom \_\_\_ Hagen \_\_\_ Brown \_\_\_ Prudhomme \_\_\_ Aarestad \_\_\_ Narverud

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# City of Thief River Falls

DIRECTOR OF PUBLIC WORKS

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

#8.04

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## Request for Council Action

---

**DATE:** August 7, 2018

**SUBJECT:** Purchase of 2005 Ford F-650 with Rush Steam Boiler

**RECOMMENDATION:** It is respectfully requested that the Council consider the following Budget Committee recommendation:

**Motion to:** Approve the purchase of a 2005 Ford F-650 truck with Rush steam boiler from ATE Sales in the amount of \$53,250.00 and declare the existing 1992 GMC truck with Steamer as surplus property.

**BACKGROUND:** The Public Works Department and Water Department share a truck mounted steam boiler for the purpose of locating water main breaks in frozen ground and to thaw frozen catch basins, storm sewers and culverts. The city's current boiler is inspected annually by our insurance company and has failed the inspection. The boiler will require substantial repairs, estimated at \$20,000, and be re-inspected prior to use. A discussion was held with the Budget Committee to plan for purchasing a replacement truck and boiler in 2019.

**KEY ISSUES:** In the process of researching the cost of a replacement truck and boiler we encountered the 2005 Ford F-650 truck with Rush steam boiler online as an equipment auction item in Narrows, Virginia. This truck is very adequate for the needs we have and is a good value at \$53,250.00 (delivered). A new truck is estimated at \$200,000. Based on the authorization from the Budget Committee we have hired a certified boiler and mechanical company to inspect and fire the boiler. The recommendation to purchase is contingent upon a satisfactory inspection report.

**FINANCIAL CONSIDERATIONS:** The delivered cost of the truck is \$52,350.00. This cost would be split equally between the Water Department and Storm Water Utility. Angie Phillip, Finance Director, has approved this funding mechanism.

**LEGAL CONSIDERATIONS:** The auction purchase fulfills the competitive purchasing requirement.

**DEPARTMENT/RESPONSIBLE PERSON:** Mark Borseth – Public Works Director and Wayne Johnson – Water Systems Superintendent.

Encl: (2)





**Affordable Trucks & Equipment, Inc**  
 127 Clendennin Rd  
 Narrows, VA 24124  
 (540) 921-1515  
 dean@atesales.net  
 www.atesales.net

# INVOICE

**BILL TO**

CITY OF THIEF RIVER FALLS  
 405 THIRD ST EAST P.O.  
 BOX 528  
 call Mark Borseth 218 684  
 1012 CELL  
 THIEF RIVER FALLS, MN  
 56701

**SHIP TO**

CITY OF THIEF RIVER  
 FALLS  
 405 THIRD ST EAST P.O.  
 BOX 528  
 call Mark Borseth 218 684  
 1012 CELL  
 THIEF RIVER FALLS, MN  
 56701

**INVOICE # 3981**

**DATE** 07/19/2018  
**DUE DATE** 07/19/2018  
**TERMS** Due on receipt

DATE	ACTIVITY	QTY	RATE	AMOUNT
07/19/2018	<b>Sales</b> 2005 FORD F-650 SUPER DUTY VIN #3FRNF65R05V113723 MILES 56,031 EQUIPPED WITH RUSH BOILER SYSTEM.	1	49,500.00	49,500.00
07/19/2018	<b>shipping fee</b> shipping fee 1300 MILES	1	2,850.00	2,850.00

All Items Are sold AS-IS No warranty  
 Wire Instructions  
 National Bank 100 South Main Street  
 Blacksburg VA. 24060  
 ROUTING # 051403122  
 ACCOUNT # 7938822

**BALANCE DUE**

**\$52,350.00**

2005 FORD F650 XL RUSH BOILER STEAM STEAMER TRUCK CIPP CURED IN PLACE  
PIPE 100 HP STEAMER UNIT, VERY NICE , DELIVERY AVAILABLE



[More Photos](#)

Equipment

**Type:** BOILER STEAM

**Make:** FORD / RUSH

**Model:** F650 XL / RSU084

**Year:** 2005

**Mileage:** 56031

**Vehicle title:** Clear

**Number of axles:** Single

**Engine make:** Caterpillar

**Engine Horsepower:** C-7 230

**Fuel type:** Diesel

**For sale by:** Dealer

**Transmission type:** Manual

**Suspension type:** Spring

**Tire size:** 22.5

**Condition:** Used

## Description

- 2005 FORD F650 XL
- ACTUAL MILES 56,031
- 1 OWNER TRUCK
- CATERPILLAR C-7 TURBO DIESEL
- 7 SPEED TRANSMISION
- HYDRAULIC BRAKES AND 26K GVW NO CDL LICENCE NEEDED
- EQUIPED WITH RUSH OVERLAND PROPANE BOILER STEAM UNIT MOUNTED ON 16 FT STEEL FLATBED
- 4.5 MILLION BTU
- 250 GALLON PROPANE TANK
- 100 HP STEAMER
- 335 GALLON WATER TANK
- PTO DRIVEN HYDRAULIC PUMP
- NICE STORAGE BOXES ON BED AND BEHIND CAB ETC
- HARD TO FIND UNIT
- VERY CLEAN TRUCK INSIDE AND OUT AND VERY NICE CLEAN BOILER UNIT THAT ALL IN GREAT SHAPE
- WOULD COST AROUND 275K TO BUILD TODAY FOR A COMPARABLE UNIT
- PRICED TO SELL
- DELIVERY AVAILABLE EMAIL ZIP FOR QUOTE
- CALL DEAN WITH QUESTIONS M-F 9-5 540 921 1515

**CITY OF THIEF RIVER FALLS  
PROPOSED RESOLUTION**

#8.04

**RESOLUTION NO. : APPROVAL TO PURCHASE 2005 FORD F-650 TRUCK WITH RUSH STEAM BOILER**

A Request for Council Action was reviewed. Following discussion, Councilmember \_\_\_\_\_ introduced Resolution No., being seconded by Councilmember\_\_\_\_\_, that:

WHEREAS, the Public Works Department and Water Department share a truck mounted steam boiler for the purpose of locating water main breaks in frozen ground and to thaw frozen catch basins, storm sewers and culverts. The city’s current boiler is inspected annually by our insurance company and has failed the inspection. The boiler will require substantial repairs, estimated at \$20,000, and be re-inspected prior to use. A discussion was held with the Budget Committee to plan for purchasing a replacement truck and boiler in 2019; and

WHEREAS, in the process of researching the cost of a replacement truck and boiler we encountered the 2005 Ford F-650 truck with Rush steam boiler online as an equipment auction item in Narrows, Virginia. This truck is very adequate for the needs we have and is a good value at \$53,250.00 (delivered). A new truck is estimated at \$200,000. Based on the authorization from the Budget Committee we have hired a certified boiler and mechanical company to inspect and fire the boiler. The recommendation to purchase is contingent upon a satisfactory inspection report.

THEREFOE, BE IT RESOLVED, by the City Council, to approve the purchase of a 2005 Ford F-650 truck with Rush steam boiler from ATE Sales in the amount of \$53,250.00 and declare the existing 1992 GMC truck with Steamer as surplus property.

**Presented at the August 7, 2018 Council Meeting**

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Roll Call (if required):**

\_\_\_ Holmer \_\_\_ Howe \_\_\_ Sollom \_\_\_ Hagen \_\_\_ Brown \_\_\_ Prudhomme \_\_\_ Aarestad \_\_\_ Narverud

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# City of Thief River Falls

CITY ADMINISTRATOR

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Thief River Falls MN 56701-0528

#8.05

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---

## Request for Council Action

**DATE:** August 7, 2018

**SUBJECT:** Joint impound lot/dog pound

**RECOMMENDATION:** it is respectfully requested the City Council approve recommendation to

**MOTION TO:** to authorize execution of an agreement with Pennington County to allow for the use of the solid waste transfer station as a joint vehicle impound lot (city and county) and to allow use of part of the office for a city dog pound.

**BACKGROUND:** the City of Thief River Falls Police Department currently impounds vehicles at the Public Works building on Atlantic. Because of space limitations and conflicting uses, the Police Department has been exploring possible relocation of the impound lot and is recommending a joint facility with Pennington County at the Solid Waste Transfer Station. City/County staff and equipment would be used to grade and otherwise prepare the site with no out-of-pocket costs except for a new gate which cost would be jointly paid by the city and the county.

The existing city dog pound is also located at the Public Works building on Atlantic. The building is in need of remodeling/renovation. Rather than remodel at the existing location, remodeling a portion of the office space at the transfer station building is a possibility. Remodeling that building for use as a dog-pound is estimated to cost approximately \$25,000. If the dog-pound is relocated to that location the existing dog-pound building would be torn down.

The Public Works, Public Safety/Liquor and Budget Committees have discussed this proposal.

**LEGAL:** the city attorney has prepared the agreement with Pennington County.

**FINANCIAL CONSIDERATIONS:** out-of-pocket costs for the impound lot will be minimal. Costs for the dog-pound will be budgeted into the 2019 capital budget. After review and approval by the Public Works and Budget Committees, the remodel could be advanced for completion this year.

**DEPARTMENT/RESPONSIBLE PERSON:** Mark Borseth, Public Works Director, Dick Wittenberg, Police Chief, Rod Otterness, City Administrator

**CITY OF THIEF RIVER FALLS  
PROPOSED RESOLUTION**

#8.05

**RESOLUTION NO. : APPROVAL OF JOINT AGREEMENT WITH PENNINGTON COUNTY FOR IMPOUND LOT/DOG POUND**

A Request for Council Action was reviewed. Following discussion, Councilmember \_\_\_\_\_ introduced Resolution No. , being seconded by Councilmember\_\_\_\_\_, that:

WHEREAS, the City of Thief River Falls Police Department currently impounds vehicles at the Public Works building on Atlantic. Because of space limitations and conflicting uses, the Police Department has been exploring possible relocation of the impound lot and is recommending a joint facility with Pennington County at the Solid Waste Transfer Station. City/County staff and equipment would be used to grade and otherwise prepare the site with no out-of-pocket costs except for a new gate which cost would be jointly paid by the city and the county; and

BE IT RESOLVED, by the City Council, to accept the Public Works, Public Safety/Liquor and Budget Committees recommendation to authorize execution of an agreement with Pennington County to allow for the use of the solid waste transfer station as a joint vehicle impound lot (city and county) and to allow use of part of the office for a city dog pound.

**Presented at the August 7, 2018 Council Meeting**

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Roll Call (if required):**

\_\_\_\_Holmer\_\_\_\_Howe\_\_\_\_Sollom\_\_\_\_Hagen\_\_\_\_Brown\_\_\_\_Prudhomme\_\_\_\_Aarestad\_\_\_\_Narverud

**Notes:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





# City of Thief River Falls

DIRECTOR OF PUBLIC WORKS

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www.citytrf.net

## Request for Council Action

---

**DATE:** August 7, 2018

**SUBJECT:** Ordinance Amendment – Solar Energy Systems

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

**Motion to:** Call for Second Reading and consider approval of Ordinance No. xxx to approve amending 152.056 (C) (4) as follows:

The proposed amendment removes the 5' setback requirement from roof all edges and states that they must comply with the Minnesota State Building Code and adds a requirement for 5' pathways when there are solar panels on opposing roof surfaces.

**BACKGROUND:** In 2016 the city established a solar energy systems ordinance to establish land use regulations for these systems. A developer was proposing solar energy homes at that time. Their proposed systems were used a partial basis for the standard. The ordinance currently requires a 5' clearance around all roof edges for roof-mounted systems.

**KEY ISSUES:** The developer that worked with the city in 2016 did not construct any solar homes. Another resident of the city is now proposing to install a roof-mounted system on an existing home. The current ordinance with the 5' buffer on all roof edges does not work well for this application. They have requested the planning commission review the existing requirements to consider an amendment that would for their situation as well as others that may come up.

**FINANCIAL CONSIDERATIONS:** None.

**LEGAL CONSIDERATION:** An ordinance amendment typically receives two readings.

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

Encl: (1)

**ORDINANCE NO. \_\_\_\_\_, 3rd SERIES**

AN ORDINANCE OF THE CITY OF THIEF RIVER FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 152 ENTITLED "ZONING CODE" BY AMENDING 152.056, (C), (4), TO REDUCE THE REQUIRED CLEARANCE AROUND ALL ROOF EDGES FROM 5 FEET FOR A ROOF MOUNTED SYSTEM TO A REDUCED CLEARANCE AREA, 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. City Code Chapter 152.056, (C), (4) is hereby amended to read as follows:

- (4) **Coverage.** A roof mounted solar energy system's surface shall not exceed the greater of one-half the footprint of the principal structure or 600 square feet, whichever is greater. Solar energy systems must comply with the Minnesota State Building Code. Where solar panels are on opposing roof surfaces on residential structures, access pathways must be a minimum of five feet (5') wide.

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 \_\_\_\_ day of July, 2018.

Voting Aye:

Voting No:

Abstaining:

Absent:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator