

**APPROVED
MINUTES
OF THE
EAST GRAND FORKS
CITY COUNCIL
Tuesday, February 17, 2009 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for February 17, 2009 was called to order by Council Vice President Henry Tweten at 5:03 P.M.

CALL OF ROLL:

On a Call of Roll the following members of the East Grand Forks City Council were present: Mayor Lynn Stauss, Council Vice President Henry Tweten, Council Member Marc Demers, Craig Buckalew, and Mike Pokrzywinski.

STAFF PRESENT:

Scott Huizenga, City Administrator; Michelle French, Executive Assistant; Ron Galstad, City Attorney; Brad Bail, City Engineer; Charlotte Helgeson, Library Director; Dave Aker, Parks & Rec Superintendent; Mike Hedlund, Police Chief; Dave Aker, Parks & Rec Superintendent; Randy Gust, Fire Chief; Jim Richter, EDHA Director; and Dan Boyce, Water & Light Manager.

DETERMINATION OF A QUORUM:

The Council President Determined a Quorum was present

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

“An opportunity for members of the public to address the City Council on items not on the current Agenda. Items requiring Council action maybe deferred to staff or Boards and Commissions for research and future Council Agendas if appropriate.”

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of February 3, 2009.

A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE THE “REGULAR MEETING” FOR THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL OF FEBRUARY 3, 2009.

EAST GRAND FORKS CITY COUNCIL
February 17, 2009

Voting Aye: Pokrzywinski, DeMers, Buckalew, and Tweten.
Voting Nay: None.
Absent: Gregoire, Leigh, and Grassel.

2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of February 10, 2009.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE THE “WORK SESSION” FOR THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL OF FEBRUARY 10, 2009.

Voting Aye: Pokrzywinski, DeMers, Buckalew, and Tweten.
Voting Nay: None.
Absent: Gregoire, Leigh, and Grassel.

SCHEDULED BID LETTINGS: NONE.

SCHEDULED PUBLIC HEARINGS: NONE.

CONSENT AGENDA:

Items under the “Consent Agenda” will be adopted with one motion; however, council members may request individual items to be pulled from the consent agenda for discussion and action if they chose.

Council Member DeMers asked that item #4 and #7 be pulled for discussion.

3. Consider approving the request for the establishment of “Lieutenant” position within the East Grand Forks Police Department.
4. Consider approving the Memorandum of Understanding between Law Enforcement Labor Services, In., Local No. 152 (LELS) and the City of East Grand Forks.

Council Member DeMers stated that he felt that this position should not be in the LELS union. Mayor Stauss suggested that the Council accept the recommendation of Chief Hedlund. Council Member DeMers announced that this position is needed but his concern is the union. Chief Hedlund informed City Council that he considered his concern and he contacted the LELS representative to see if there would be a better union fit for this position. Council Vice President Tweten announced that they have had several discussions regarding this issue and the work session is where the questions should be answered.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN LAW ENFORCEMENT LABOR SERVICES, IN., LOCAL NO. 152 (LELS) AND THE CITY OF EAST GRAND FORKS.

Voting Aye: Pokrzywinski, Buckalew, and Tweten.
Voting Nay: DeMers.
Absent: Gregoire, Leigh, and Grassel.

EAST GRAND FORKS CITY COUNCIL
February 17, 2009

5. Consider acknowledging the retirement of Detective Rick A. Blazek effective February 28th, 2009.
6. Consider approving the request to hire a Detective to fill the vacancy created by Mr. Blazek's retirement.
7. Consider approving the Towing Service Agreement with Grand Cities Towing and the City of East Grand Forks for a term commencing February 17, 2009 and terminating February 17, 2010.

Council Member Pokrzywinski, Council Member DeMers, and Chief Hedlund requested that this item be tabled for the next work session. Chief Hedlund stated that the payment schedule is not clear to the citizen and they would also like to address the years of the contract.

8. Consider approving the request that the north side of 17th Street NW from 3rd Avenue NW to 5th Avenue NW be declared a "no parking zone."
9. Consider approving the application for a Parade Permit for the Kem Shrine and Maltalodge 131, on, March 14, 2009 from 3:00 P.M. to 3:30 P.M.
10. Consider approving the application for an Exempt Gambling Permit for a raffle for North Star Quilters Guild to be held June 7, 2009 at Sacred Heart School, 200 3rd St. NW, East Grand Forks, MN 56721 and waive the 30-day waiting period.
11. Consider approving the application for an Exempt Gambling Permit for a raffle for Heritage Village Foundation to be held April 17, 2009 at the VFW Club, 312 DeMers Ave., East Grand Forks, MN 56721 and waive the 30-day waiting period.
12. Consider approving the following Second Hand Dealer Licenses:
 - a. Louie Martinez, 1406 Central Ave. NE, East Grand Forks, MN 56721.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO APPROVE CONSENT MOTIONS NUMBER THREE (3) AND FIVE (5) THROUGH SIX (6) AND EIGHT (8) THROUGH TWELVE (12) AS SUBMITTED.

Voting Aye: Pokrzywinski, DeMers, Buckalew, and Tweten.
Voting Nay: None.
Absent: Gregoire, Leigh, and Grassel.

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

13. The correspondence of the East Grand Forks Planning Commission for January 8, 2009.

COMMUNICATIONS: NONE.

OLD BUSINESS: NONE.

NEW BUSINESS:

14. Consider adoption of Ordinance No. 308 3rd Series and Ordinance an ordinance of the City of East Grand Forks, Minnesota, repealing Subd 7 Resident Manager or Agent of City Code Chapter 3, Entitled “3.2 Percent Malt Liquor, Wine and Intoxicating Liquor Licensing” and by promulgating Subd. 7 designated agent, to code Chapter 3; and adding Subd .25 “Designated Agent” to Section 3.01 definitions and by adopting by reference City Code Chapter 1, which among other things, contain penalty provisions. (1st Reading)

Council Vice President Tweten stated that this would make things much easier. Mr. Galstad announced that the ordinance would just designate an agent or manager and not require them to be an East Grand Forks resident.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPT ORDINANCE NO. 308 3RD SERIES AND ORDINANCE AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, REPEALING SUBD 7 RESIDENT MANAGER OR AGENT OF CITY CODE CHAPTER 3, ENTITLED “3.2 PERCENT MALT LIQUOR, WINE AND INTOXICATING LIQUOR LICENSING” AND BY PROMULGATING SUBD. 7 DESIGNATED AGENT, TO CODE CHAPTER 3; AND ADDING SUBD .25 “DESIGNATED AGENT” TO SECTION 3.01 DEFINITIONS AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 1, WHICH AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS. (1ST READING)

Voting Aye: Pokrzywinski, DeMers, Buckalew, and Tweten.

Voting Nay: None.

Absent: Gregoire, Leigh, and Grassel.

CLAIMS:

15. Consider adopting Resolution No. 09-02-16 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 2290 for a total of \$861.63 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPT RESOLUTION NO. 09-02-16 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 2290 FOR A TOTAL OF \$861.63 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

Voting Aye: Pokrzywinski, DeMers, and Tweten.

Voting Nay: None.

Abstain: Buckalew.

Absent: Gregoire, Leigh, and Grassel.

16. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

EAST GRAND FORKS CITY COUNCIL
February 17, 2009

Acme Electric Companies	3/8" Air Hose	\$100.08
Advanced Business Methods	Copies	\$426.45
Aker Dave	Parks Workshop, Mileage Reimb, Motel Reimb	\$332.51
Albrecht Manufacturing	Repair Part #120 #125	\$217.04
Ameripride Linen & Apparel Services	Mats. Towels, Soap, Cleaning	\$490.97
AMEM	09 Membership Dues	\$100.00
Anytime Plumbing	Drains For Garage Floor Project	\$599.50
Aqua Water Solutions	5 Gallon Water	\$32.37
Batteries Plus #24	Batteries	\$63.71
Becker Arena Products Inc	Goal Frame Pads	\$277.54
Best Western Kelly Inn St Paul	Hotel Room - Grassel, DeMers, Huizenga, Stauss	\$851.67
Blazek Rick	Meal Reimb - Dist Court	\$11.00
Border States Industries	Inv. Parts #614, Battery, Bulbs	\$133.25
Brite-Way Window Cleaning	Riverwalk Center	\$45.00
Brians Flooring	Apt 117 Replace Vinyl & Carpet	\$1,026.77
Butler Machinery Co	Inv Parts #163	\$565.75
C&R Laundry & Cleaners	Dry Cleaning - Fire & PD	\$539.42
Canon Financial Services	Copier Service	\$166.58
The Chamber of EGF/GF	Annual Dinner Table Plus 4 (EDHA)	\$504.00
Coalition of Greater MN Cities	CGMC Legislative Action Day	\$240.00
Cole Papers Inc	Can Liners, Tissue, Supplies	\$136.49
Commercial Maintenance Chemical Corp	Lift Station Degreaser	\$1,299.96
Cummins NPower LLC	Replaced Battery, Injectors Inspection	\$3,147.21
Dakota TV & Appliance	Dryer Felt Kit & Labor	\$106.99
Dave's Snow Removal	Feb Snow Removal	\$180.00
DeMers Marc	Intergovernmental Retreat	\$90.20
Dorsey & Whitney LLP	Legal Services Through Dec 31 08	\$8,000.00
Drummer's Diesel	Oil Filters	\$71.31
Eagle Electric	Repairs & Maintenance	\$3,761.62
Egeland Bobbie	Reimb Gas	\$22.40
Elvin Safety LLC	Air Ample Tubes	\$400.64
Environmental Equipment	Switch RPM #114	\$44.41
Exponent	City Budget, Oridance 307, On Call Fire, 09 CP No 2	\$650.68
FedEx	Copies For 2008 Flood Control Project	\$133.45
Filter Care	Inv Parts	\$64.85
First Mechanical Construction	Inspection/Mobilization Sewer Pipe	\$1,063.00
Floan Sanders	State Aid, Flood Control, 06 CP1, PFA Sewer	\$13,906.40
Fore Matt	Gas Reimb Hockey	\$46.00
G&K Services	Rugs	\$301.60
Gaffaneys	Binders, Heavy Duty Stapler	\$102.25
Galstad, Jensen, & Olson	Prof Services	\$11,075.06
GC Distributing Co	Yellow Bag	\$1,825.74
George's Quick Printing	500 #1 Linen Envelopes	\$95.85
GF City Utility Billing	Jan 09 Landfill	\$11,005.70
GF Fire Equipment	Repair Kit For Ground Light	\$37.82
GF Herald	Home Ownership Programs	\$992.06
Glass Pro's Inc	Materials & Labor - Vandalism Damage, Adjust Door Height	\$234.00
Grand Cities Towing	Towing - Binstock	\$45.00
Gregoire Wayne	Intergovernmental Retreat	\$45.10
Green Danny	Reimb Gas	\$22.00

EAST GRAND FORKS CITY COUNCIL
February 17, 2009

Hajicek Rod	Meal / Crookston (2)	\$22.00
Hajicek Rick	Cleaning 1/19 - 1/23 & 1/26 - 1/30	\$256.50
Hardware Hank	Supplies	\$861.63
Hawkins Chemical	Calibration On Meters	\$163.00
Heartland Paper	Disinfectant, Deoderant	\$36.50
Hearn Jason	Reimb Gas	\$67.78
Hedlund Mike	Meal Reimb - Training	\$29.00
Henke - Alamo Group Company	Inventory Parts #118	\$94.87
Holiday Credit Office	Unleaded - Suzuki	\$37.82
Holiday Inn and Suites Duluth	Conference Lodging Mike Swang	\$277.98
Hugo's	Rod Thoms's Cake, Coffee For Training, Medicine	\$90.10
Huizenga Scott	Mileage Reimb	\$145.20
Integra Telecom	Phone Charges	\$216.43
Josh Jones Productions	Music Editing	\$150.00
Kar Products	Inv Parts	\$60.04
Keith's Lock & Key	Keys/Janitor Room, Fix Lock Box, Trip Charge	\$176.47
Kellermeyer Building Service	Services For The Month	\$2,896.80
Laser Systems	Ink Cart	\$685.96
League of MN Cities	Claim # 11067343 Deductible Police Accident, EDHA Premium	\$9,400.00
Lucke Gerald	MN GFOA Dues, Reimb Expenses For Training Conf	\$549.80
Lukasz Karen	Mileage Reimb Jul - Dec 08	\$278.52
Lumber Mart	Door Casing, Tile Grout, Primer	\$76.96
Lunseth Plumbing & Heating	Repair Copper Pipe For Sprayer	\$82.50
Lund Ross	Reimb Ref Fees	\$80.00
M&W Services	Outdoor Rink Water, Riverwalk Center Push Snow	\$424.00
Maintainer Custom Bodies Inc	Aluminum Bumper Corner	\$28.86
McDonald's of EGF	Prisoner Meals 1/17 - 2/6	\$51.13
Meritcare	Drug Test, Vaccine Hep A	\$116.00
Midcontinent Communications	Broadcast Month End 1/25/09, Broadcast Month End 12/27/08	\$3,960.00
Mitch Yoney Snow Removal	7.25 Hrs Snow Removal	\$471.25
MN Commissioner of Transport	Striping	\$6,265.48
MN Ice Arena Mgr's Association	2009 Membership Dues - Civic Center	\$140.00
MN Pollution Contrl	Permit Application & Transmittal Form 09 AJ No 1	\$780.00
MN Rec & Park Association	Prof Dues	\$60.00
Newman Signs	Signs For St Dept, Signs For Levee (N&S), Sign Rental	\$4,419.70
Northern Lights Figure Skating	Figure Skating Costumes	\$393.18
Northern Plumbing Supply	Air Filters	\$102.48
Norman Troy	Reimb Ref Fees Level 3	\$90.00
NW MN Household Hazardous Waste Mgmt	Fall Cleanup Hazardous Waste	\$326.28
Orchard Oil Company	Unleaded Fuel, Diesel Fuel 50/50 Dyed	\$26,154.84
O'Reilly Auto Parts	Thinner, Wrench, Oil	\$66.81
Pamida	Roast	\$12.98
Pesch Tim	Reimb Gas Hockey	\$49.73
Polk County Recorder	Copies - Nancy Ellis, Rec Fees	\$52.00
Power Equipment Shop	Ice Edger Parts	\$358.48
Premium Waters Inc	Water	\$71.59
PS Door Services	Remote Door #5, Door #3 Broken Spring, Door #1 Bushing	\$2,083.66
Quill Corp	Office Supplies	\$684.85
Qwest	Local Service Feb 09	\$173.11
RDO Truck Centers	Inv Parts #156, Ignition Switch	\$146.16

EAST GRAND FORKS CITY COUNCIL
February 17, 2009

RDO Equipment Co	Inv. Parts #131	\$464.70
Rolczynski Dan & Irene	Refund Lot	\$500.00
Roto Rooter	Clean Mop Sink Drains	\$149.00
Rusek Rafal and Stacey	Housing Incentive Program Tax Rebate	\$2,095.81
Safety Kleen Corp	Vacum Hazardous Waste @ Park Shop	\$686.18
Sam's Club	Supplies	\$55.69
Sew Fine	4 Belts w/ Buckles	\$28.82
Signs By Design	No Parking Sign	\$64.05
Sigma Controls Inc	Standby Transducer #1	\$1,126.52
Simonson Station Stores	Squad Car Washes	\$20.77
Sonnis Specialties Inc	Striping At Several Locations	\$1,181.25
Stauss Lynn	Mileage Reimb	\$269.50
Stennes Granite	1 O/C Cariveau	\$625.00
Strandell Warren	Book Project 26.75 Hrs	\$802.50
Straw William	Reimb Gas PeeWee Hockey	\$24.31
Sunshine Terrace	Reimb Petty Cash	\$83.20
Sun Dot Communications	ADSL/DSL Service Feb 09	\$138.49
Swang Mike	MN Juvenile Officers Conference	\$108.51
Tiger Direct.com	Fan For Michelle's Computer	\$32.98
Todays Organized Living LLC	Clean Out 117	\$93.72
Tony Dorn Inc	Copy Mtc Jan 09	\$136.36
Tretter Tyler	Gas Reimb Roseau	\$24.00
True Temp	Replace Valve's #304 & #104, Replace Valve's #103 & 213	\$796.68
Valley Truck	Hyd Filters, Oil Filters, Oil	\$366.08
Vasek Ron	Reimb Gambling Permit	\$50.00
Verizon Wireless	Cell Phone	\$477.42
Waste Mgmt	Collection Fees	\$9,104.36
Water & Light Department	Services For The Month	\$50,959.90
Weber James	Station Supplies	\$26.70
Whitey's Cafe Inc	10 Dinners EDHA	\$72.31
Widseth Smith Nolting & Associates	Scientist II/TIF	\$321.00
Wizard's Enterprises	Custodial Services	\$490.00
Wumbus Corp	Defensive Driving Snow Plows Video	\$495.00
Corporation	Lease Agreement	\$115.09
RJ Zavoral & Sons	07 City Project No. 9	\$45,056.26
	Total	\$246,891.99

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO AUTHORIZE THE CITY ADMINISTRATOR/CLERK-TREASURER TO ISSUE PAYMENT OF RECOMMENDED BILLS AND PAYROLL.

Voting Aye: Pokrzywinski, DeMers, Buckalew, and Tweten.

Voting Nay: None.

Absent: Gregoire, Leigh, and Grassel.

COUNCIL/STAFF REPORTS:

Council Member Buckalew acknowledged Detective Blazek's retirement and thanked him for his years of service.

EAST GRAND FORKS CITY COUNCIL
February 17, 2009

Council Member Pokrzywinski announced that he doesn't object to any discussion held at a meeting to answer any necessary questions.

Council Vice President Tweten stated that there was an article regarding the stimulus package with more information to come.

Mr. Huizenga informed City Council that the legislatures are on the road and for more information on when and where to contact him.

Mr. Galstad stated that he has been working a lot on the 23rd Street project regarding construction easements.

Mr. Aker announced that Winter Fest was cancelled last week but the snowmobile race will be this upcoming weekend.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER DEMERS, TO ADJOURN THE FEBRUARY 17, 2009 REGULAR MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:32 P.M.

Voting Aye: Pokrzywinski, DeMers, Buckalew, and Tweten.

Voting Nay: None.

Absent: Gregoire, Leigh, and Grassel.

Scott Huizenga, City Administrator/Clerk-Treasurer