

**APPROVED
MINUTES OF THE
OF THE
EAST GRAND FORKS
CITY COUNCIL
TUESDAY, AUGUST 2, 2011 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for August 2, 2011 was called to order by Council Vice-President Gregoire at 5:00 P.M.

CALL OF ROLL:

On a Call of Roll the following members of the East Grand Forks City Council were present: Council Vice President Wayne Gregoire, Council Members Marc DeMers, Ron Vonasek, Henry Tweten, Mike Pokrzywinski, and Greg Leigh.

STAFF PRESENT:

Dave Aker, Parks & Recreation Superintendent; Brad Bail, City Engineer; Dan Boyce, Water & Light Manager; Nancy Ellis, Planning & Zoning; Michelle French, Executive Assistant; Ron Galstad, City Attorney; Randy Gust, Fire Chief; Charlotte Helgeson, Library Director; Scott Huizenga, City Administrator; Jim Richter, EDHA Director; and John Wachter, Public Works Superintendent.

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.” If you would like to address the City Council, please come up to the podium to do so.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of July 19, 2011.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER VONASEK, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” FOR THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL OF JULY 19, 2011.

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

SCHEDULED BID LETTINGS:

2. Consider adopting Resolution No. 11-08-63 a Resolution accepting and awarding the bid for improvement of 2010 City Project No. 5 – Bikepath Improvements to R.J. Zavoral and Sons for a bid price of \$197,734.80.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 11-08-63 A RESOLUTION ACCEPTING AND AWARDING THE BID FOR IMPROVEMENT OF 2010 CITY PROJECT NO. 5 – BIKEPATH IMPROVEMENTS TO R.J. ZAVORAL AND SONS FOR A BID PRICE OF \$197,734.80.

Council Member Leigh stated that he will continue to vote no on this project because it is higher costs that what was expected and we need to be more careful in the future. Mr. Bail stated that Mr. Wachter and R.J. Zavoral and Sons is looking at ways to reduce costs.

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

3. Consider adopting Resolution No. 11-08-64 a Resolution accepting and awarding the bid for improvement of 2011 City Project No. 2 – Transportation Enhancement Sidewalk Project to Tony Anderson Construction for a bid price of \$348,748.84.

Mr. Bail announced that the bids came in significantly higher than expected and MnDot has been contacted to see if they can provide further funding. Mr. Bail suggested tabling this item.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO SUSPEND INDEFINITELY RESOLUTION NO. 11-08-64 A RESOLUTION ACCEPTING AND AWARDING THE BID FOR IMPROVEMENT OF 2011 CITY PROJECT NO. 2 – TRANSPORTATION ENHANCEMENT SIDEWALK PROJECT TO TONY ANDERSON CONSTRUCTION FOR A BID PRICE OF \$348,748.84.

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

SCHEDULED PUBLIC HEARINGS:

4. Public Hearing for “2012 Assessment Job No. 1 – Street Reconstruction” – Club Acres Addition.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO OPEN THE PUBLIC HEARING.

Council Member Leigh stated that the City received a petition to not do the work so he felt that this is a non issue. Council Member DeMers asked the residents if they petitioned against the project because of the cost or if there is no need. A resident stated that there was no need for reconstruction.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER VONASEK, TO CLOSE THE PUBLIC HEARING AND SUSPEND INDEFINITELY.

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, and Vonasek.

Voting Nay: None.

Absent: Buckalew.

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 choose.

5. Consider approving the Parade Permit for the Heritage Foundation on August 20, 2011 from 9:30 a.m. to 11:00 a.m. pending MnDot approval.
6. Consider approving the Parade Permit for the Greater Grand Forks Jaycees on September 24, 2011 from 10:30 a.m. to 1:00 p.m. pending MnDot approval.
7. Consider approving the application for an Exempt Gambling Permit for a raffle for the ALS Association, Minnesota Chapter to be held January 21, 2012 at the Eagles Club, 227 10th St. NW, East Grand Forks, MN 56721 and waive the 30-day waiting period.
8. Consider approving the request by the East Grand Forks Police Department to declare eighteen vehicles as surplus property.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO APPROVE CONSENT MOTIONS NUMBER FIVE (5) THROUGH EIGHT (8) AS SUBMITTED.

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, and Vonasek.

Voting Nay: None.

Absent: Buckalew.

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

9. Regular meeting minutes of the Water, Light, Power and Building Commission for July 7, 2011.

COMMUNICATIONS: NONE.

OLD BUSINESS: NONE.

NEW BUSINESS:

10. Consider adopting Ordinance No. 1 - 4th Series, an Ordinance of the City of East Grand Forks, Minnesota, amending Chapter 150 by adding the Minnesota Electrical Act to the City of East Grand Forks City Code. (2nd Reading).

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT ORDINANCE NO. 1 - 4TH SERIES, AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CHAPTER 150 BY ADDING THE MINNESOTA ELECTRICAL ACT TO THE CITY OF EAST GRAND CITY CODE. (2ND READING).

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, and Vonasek.

Voting Nay: None.

Absent: Buckalew.

11. Consider approving the proposal for Concept and Construction Facilitation Services for the repair and construction of Sherlock Forest Playground in East Grand Forks to Play by Design for \$38,100 plus reimbursables.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWISNKI, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE THE PROPOSAL FOR CONCEPT AND CONSTRUCTION FACILITATION SERVICES FOR THE REPAIR AND CONSTRUCTION OF SHERLOCK FOREST PLAYGROUND IN EAST GRAND FORKS TO PLAY BY DESIGN FOR \$38,100 PLUS REIMBURSABLES.

Council Member Tweten asked if the proposal has been approved by the City Attorney. Mr. Galstad stated that he reviewed all items in the packet. Mr. Huizenga stated that Play By Design will be the consultant for the project. The City sent out a Request for Proposal which was not required by state law and Play By Design was the only proposal received.

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, and Vonasek.

Voting Nay: None.

Absent: Buckalew.

CLAIMS:

12. Consider adopting Resolution No. 11-08-65 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check number 10303 for a total of \$522.71 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWISNKI, SECONDED BY COUNCIL MEMBER LEIGH, TO ADOPT RESOLUTION NO. 11-08-65 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBER 10303 FOR A TOTAL OF \$522.71 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, and Vonasek.

Voting Nay: None.

Absent: Buckalew.

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

Minnesota Dept of Employment	Unemployment Insurance Due/Rolando Rivera/Heidi Peterka	\$602.28
Acme Electric Companies	Safety Glasses, gloves, mosquito spray	\$207.42
Advanced Business Methods Inc	Copier lease	\$222.96
Aker Dave	MRPA Conf Reg	\$475.00
Albrecht Manufacturing	Repair Steering Pivot Shaft	\$123.45
All Seasons Garden Center	Supplies	\$83.92
American Tire Service	Tire Mount, Flat Rprs, Installed Tire on Rim	\$46.60
American Tire Service Inc	Tires #400	\$669.99
Ameripride Linen & Apparel Services	Cleaning Services/Supplies	\$342.21
AT&T Mobility	Jun-11	\$287.77
Baker & Taylor Co	Books	\$195.62
Barnes Distribution	Shop Supplies, Inventory Parts	\$593.97
Blue Cross Blue Shield of ND	EDHA Insurance	\$6,483.10
BNSF Railway Company	10 CP3 RR Crossing/Central Ave	\$2,162.99
Border States Electric Supply	Ground Lugs	\$10.02
Border States Trophy & Awards	Ribbons/Medals	\$569.30
Brodart Co	Books	\$332.96
Bruer Zach	Reimb Boots	\$75.00
Bud & Ralph's Appliance Service Inc	Igniter For Stove	\$39.67
Cash Donald Scott	Dial-A-Ride June 2011	\$2,627.96
Cole Papers Inc	Cleaning supplies	\$692.86
Complete Pest Control Inc	Pest Control	\$160.32
Cummings Bill	Sidewalk Reimb	\$185.50
Department of Public Safety	CJDN Connect	\$1,530.00
Diamond Cleaning Supply Richard Papenfuss	Tissue	\$83.60
Ellingson Curtis	Sidewalk Reimb	\$125.50
Explorer Post #38	Squad Car Cleaning	\$50.00
Exponent	Financial Summary Announcement, 10CP5, 11CP2	\$1,173.14
Farmers Elevator Co of Alvarado	Weed Blast	\$422.73
Fastenal Company	Nuts & Bolts #196, Screws	\$68.88
Filter Care	Washed Filters Inventory	\$185.54
Flaherty & Hood PA	Prof Srv/PD Holiday/RRSRA	\$544.22
Forx Radiator	A/C Condenser/Transmission	\$189.00
FS Engineering	Monthly Services	\$31,566.50
G&K Services	Mats	\$160.37

Gajeski Casey	Reimb Baseball Coaching Class	\$24.95
Gale	Books	\$70.18
Garden Hut Inc	Toro Mower Parts Inventory/Spindle Shaft/Steering Spindle Bushings	\$684.49
George's Quick Printing	Business Cards For Haj	\$58.79
Gerrells Sport Center	Clicker/Air Pump	\$13.88
GF Welding & Machine	Brackets, Woodruff Key, Bolts, PTO Drive Shaft & End Yoke, U-Joint	\$399.61
GGF Convention & Visitors Bureau	Grand Inn Lodging Tax	\$577.42
GLSports Inc	Caps	\$226.58
Gopher State Lawn Sprinklers	1" Diaphragm/1" EZ-Flo Valve	\$166.82
H&S Construction	Street Rprs	\$29,592.00
Hager Darrin	Reimb Baseball Coaching Class	\$24.95
Hajicek Rick	Cleaning 7/4 - 7/22	\$427.50
Hanson Kevin	Safety Glasses Reimb	\$100.00
Hardware Hank	Spray Paint/Ear Plugs/Level/Concrete Mike/Soil/Misc items	\$522.71
Hart Tony	Rocky Alpha Force Zip	\$80.74
Hawkins Chemical	Chlorine #150	\$1,482.89
Helgeson Charlotte	Supplies	\$121.57
Holiday Credit Office	Fuel	\$96.60
Horizon Commercial Pool Supply	O Ring Cap	\$34.34
Hough Inc	10AJ2 Est2 Northstar Terrace	\$119,679.99
Hugo's	Plastic Cups/Summer Program Snacks	\$65.63
Huizenga Scott	MMCI Expense Reimb	\$1,130.35
Integra Telecom	LD Phone	\$78.99
Interact Public Safety Systems	Mobile Cop	\$2,587.50
Johnson Shane	Sidewalk Reimb	\$495.00
League of MN Cities	Workers Comp Retro Pay 2010/Claim#11072142	\$2,777.18
Liberty Business Systems	Kyocera Lease	\$73.59
Lithia Payment Processing	Blower Motor	\$57.27
Lukkason Michael	Reimb Baseball Coaching Class	\$24.95
Lumber Mart	Lumber/Posts/Concrete Mix	\$524.73
Lunseth Plumbing & Heating	Pool Work	\$38.60
M&W Services	Weed Spraying/Mowing	\$2,209.64
Marco	Copier Maintenance	\$48.82
Marco Inc	Copier Mtce	\$294.31
Menards	Brush/Paint Cup	\$50.76
Midcontinent Communications	Cable Services	\$934.64
Midwest Specialty Sales Inc	Inventory & Parts For #136 & #139 Filters	\$1,502.55
Mike's Pizza	Meals	\$41.87
Minn-Dak Asphalt Inc	Asphalt Repairs	\$35,625.00
MN Dept of Revenue VOID****VOID	Sale & Use Tax 2011	\$1,671.00
Moen Terry	Cemetery Lot Reimb Maxine Moen	\$250.00

Moon Deb	Reimb Mileage Jan-June 2011	\$38.21
Newman Signs	Signs	\$1,891.69
NorthStar Telcom	Cell Phone Holders	\$64.02
Odland Fitzgerald Reynolds & Harbott PLLP	First Apperaances	\$347.50
Old Dominion Brush	Mirrors #112	\$122.89
Opp Construction	Paint Striping Crosswalks & Parking Lots	\$4,446.50
Opstad Linda	Landscaping Reimb	\$434.90
Overhead Door Co	Repair And Adjusted Overhead A	\$75.00
PDQ Sanitary Services	Portable Toilet Rental	\$280.00
Polk County Highway Department	Liquid Calcium Chloride	\$4,342.00
Popular Subscription Service	Magazine subscriptions	\$806.29
Premium Waters Inc	Water Service	\$25.50
Quill Corp	Office Supplies	\$329.72
Qwest	Monthly Phone Service	\$969.44
Ray Shanon	Landscaping Reimb	\$403.88
Richter James	Reimb Mileage Jan-June 2011/Board Mtg Meal Reimb 7-12-11	\$190.63
RMB Environmental Lab Inc	Secondary Pond Discharge	\$150.00
Rosenbauer Firefighting Technology	General Safety Equipmen parts	\$244.33
SGC Horizon LLC	Publishing 10CP5 & 11CP2	\$651.00
Simonson Lumber & Hardware	Mortar Patch/Grout	\$81.14
Spray Advantage	Banjo Couplers, Hose, Fittings,Supplies for Pump	\$173.10
Sterling Carpet One	Repair Glass Door	\$364.35
Stone's Mobile Radio Inc	Repair pager	\$104.62
Stordahl Kenley	Mowing & Trimming	\$3,000.00
Strata Corp	10CP1 Est 8 - New Final Bill	\$16,706.62
Stuart's Towing	Towing #547	\$53.44
TAC 10 Inc.	Software Maintenance Con	\$4,327.00
Thomas Bouregy & Co	Books	\$139.50
Tiger Direct.com	Keyboard/EDHA Software	\$2,552.66
Titan Access Account	Recalibrated Engine	\$122.03
Tristeel Manufacturing	Bulk PTO Tubing & Shaft For #194	\$188.78
True Temp	Sunshine Terrace & Mikes Pizza Rprs	\$798.25
Try-County Refrigeration	Air Conditioner Repair At Par	\$242.50
US Bearings & Drives	Seals, Bearings	\$708.88
Valley Petroleum Equipment	Thermal Printer Paper/Graco Air Hose Reel	\$497.67
Valley Truck	Rear Brake Parts #157 & Oil Filters Inventory 4100D Toros	\$498.49
Vilandre Heating & A/C	City Hall & Mikes Pizza Rpr	\$386.61
Water & Light Department	Phone Services/IT Services/Monthly Utility Service	\$25,237.21
Weber James	Supplies	\$38.20
Wilbur-Ellis	Weed Killer	\$131.85
Wizard's Enterprises Inc.	Custodial Services	\$490.00
Xcel Energy	Montly Services	\$3,685.61
YMCA Family Center	YMCA Pool Re-Certification CPR	\$95.00

Z Wireless Verizon Wireless	Phone Cases/Car Charger	\$64.02
Zavoral Paul	Clay/Pedestrian Bridge Cleanup/Southend Boat Ramp Cleanup	\$5,080.00
	Total	<u>\$339,739.77</u>

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

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, and Vonasek.

Voting Nay: None.

Absent: Buckalew.

COUNCIL/STAFF REPORTS:

Council Member Pokrzywinski stated that he is concerned with the American Crystal Sugar issues and he wished the new owners of Whitey's good luck.

Council Vice-President Gregoire gave his condolences to the Stauss family on their loss.

Mr. Huizenga announced that he and Council Member DeMers would be at the Coalition meeting from Wednesday to Friday.

Ms Ellis informed City Council on the Northwest East Grand Forks Street Network Study meeting that will be at 6:30 pm to 8 pm at the Campbell Library on Thursday, August 11th. The Steering Committee meeting will also be on August 11th at 2 pm at the City Hall Training Room.

Mr. Aker gave a brief baseball update and announced that the RRSRA playground and kiosk dedication will be on August 13th.

Mr. Gust announced that the river is expected to rise again with the current rainfalls.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADJOURN THE AUGUST 2, 2011 REGULAR MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:21 P.M.

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, and Vonasek.

Voting Nay: None.

Absent: Buckalew.

Scott Huizenga, City Administrator/Clerk-Treasurer