

**APPROVED
MINUTES
OF THE
EAST GRAND FORKS
CITY COUNCIL
Tuesday, December 1, 2009 – 7:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for December 1, 2009 was called to order by Council President Dick Grassel at 7:00 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 President Dick Grassel, Council Vice President Henry Tweten, Council Member Marc Demers, Craig Buckalew, Wayne Gregoire, Mike Pokrzywinski, and Greg Leigh.

STAFF PRESENT:

Scott Huizenga, City Administrator; Michelle French, Executive Assistant; Ron Galstad, City Attorney; Greg Boppre, City Engineer; Mike Hedlund, Police Chief; Randy Gust, Fire Chief; Charlotte Helgeson, Library Director; Jerry Lucke, Finance Director; Dan Boyce, Water & Light Manager; John Wachter, Public Works Superintendent; Dave Aker, Parks & Recreation Superintendent; and Jim Richter, EDHA Director.

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 Com missions 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 November 17, 2009.

2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of November 24, 2009.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE ITEMS ONE (1) THROUGH TWO (2) AS SUBMITTED.

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

Voting Nay: None.

SCHEDULED BID LETTINGS:

3. Consider approving the request to award the bid to Elk River Ford, Inc. for a Ford F250 W2B for a total bid price of \$22,674.04.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER LEIGH, TO APPROVE THE REQUEST TO AWARD THE BID TO ELK RIVER FORD, INC. FOR A FORD F250 W2B FOR A TOTAL BID PRICE OF \$22,674.04.

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

Voting Nay: 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 choose.

4. Consider approving the request by the East Grand Forks Police Department to declare eight abandoned bicycles as surplus property for donation to the Red River Valley Community Action.
5. Consider approving the Recreational Area Use and Maintenance Agreement between Sacred Heart Church and the City of East Grand Forks.
6. Consider approving the request to hire Austin Skjei as the new Fire Fighter to fill the vacancy starting December 8, 2009.
7. Consider adopting Resolution No. 09-12-80 a Resolution authorizing a two year tax abatement for newly constructed homes ready for occupancy in 2010.
8. Consider adopting Resolution No. 09-12-81 a Resolution to approve an interdepartmental loan with the Water, Light, Power and Building Commission and approve the Interdepartmental Loan Agreement.
9. Consider adopting Resolution No. 09-12-82 a Resolution authorizing staff to pursue amending MSA 44.10 and the affected City of East Grand Forks ordinances and personnel rules and regulations establishing a probation period of one year for police officers.

10. Consider adopting Resolution No. 09-12-83 a Resolution to bring RMP into compliance with Federal guidelines, authorize the Mayor and City Administrator to sign all appropriate documents, and approve the Administrative Consent Order.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GREGOIRE, TO APPROVE CONSENT MOTIONS NUMBER FOUR (4) THROUGH TEN (10) AS SUBMITTED.

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

Voting Nay: None.

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

11. The minutes of the Water, Light, Power and Building Commission for November 5, 2009.
12. The minutes of the East Grand Forks Campbell Library Board Meeting for November 24, 2009.

COMMUNICATIONS:

13. Acknowledging the retirement of Mark Kotrba effective December 31, 2009 and thank him for his years of dedicated service to the City of East Grand Forks.

Mr. Wachter announced that there will be a luncheon for Mr. Kotrba on December 18th at 11:30 a.m. at the Public Works building and he invited the City Council to attend.

OLD BUSINESS: NONE.

NEW BUSINESS:

14. Consider awarding the quote for an effluent valve to RJ Zavorals for \$31,030.00.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GREGOIRE, TO AWARD THE QUOTE FOR AN EFFLUENT VALVE TO RJ ZAVORALS FOR \$31,030.00.

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

Voting Nay: None.

Abstain: DeMers.

15. Consider adopting Resolution No. 09-12-84 a Resolution to adjust the City fees and charges for January 1, 2010.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO AMEND RESOLUTION NO. 09-12-84 TO DEDICATE THE GREENWAY FEE TO THE GREENWAY CAPITAL FUND FOR CAPITAL EXPENDITURES ON TRAILS AND TRAILHEADS.

Council Member DeMers asked to amend the resolution to define the purpose of the fee to be used for capital improvements for the trails and trailheads only. Council Member Leigh asked if funds would be able to be used for mowing. Council Member DeMers stated that funds would only be used for improvements such as asphalt or replacing items, not mowing. Council President Grassel informed City Council that the mowing comes from the Public Works budget.

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

Voting Nay: None.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 09-12-84 A RESOLUTION TO ADJUST THE CITY FEES AND CHARGES FOR JANUARY 1, 2010 AS AMENDED.

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

Voting Nay: None.

16. Consider adopting Resolution No. 09-12-85 a Resolution approving the 2009 Tax Levy, Collectable in 2010.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO AMEND RESOLUTION NO. 09-12-85 A RESOLUTION APPROVING THE 2009 TAX LEVY, COLLECTABLE IN 2010.

Voting Aye: Gregoire, Pokrzywinski, DeMers, Grassel, and Buckalew.

Voting Nay: Tweten and Leigh.

Mr. Huizenga stated that the levy amount is still the same; however, he maximized the General Operations and reduced the LGA Unallotment Levy.

Council Member DeMers proposed an amendment to add \$100,000 to the levy, bringing the increase to about \$222,000 or 8.3%. Council Member Leigh stated that he didn't think the timing of the amendment was appropriate since they spent a lot of time in the past four months to come up with 4.6%. Mayor Stauss agreed with Council Member Leigh and informed City Council that he would like to keep taxes down as long as possible. Council Vice President Tweten stated that this is not timely and this is why we have work sessions. He announced that both the elderly and the young are struggling.

Council Member Pokrzywinski stated that a number has not been agreed upon and nothing is wrong with the amendment. He would like to see the increase spread over time rather than sprung upon us all at once. Council Member DeMers announced that the proposed property tax statements were based on a 12.8% increase. Council Member Buckalew stated that the City lacked information on the tax burden and he would like to see small steps rather than one large step.

Mr. Hitchcock, 2112 8th St. SE, asked the Council if they are ready to make the decision tonight. He stated that he would like to see preventative maintenance done. Mayor Stauss stated that he will veto anything over 5%.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADOPT RESOLUTION NO. 09-12-85 A RESOLUTION APPROVING THE 2009 TAX LEVY, COLLECTABLE IN 2010, AS AMENDED.

Voting Aye: Gregoire, Pokrzywinski, DeMers, Grassel, and Buckalew.

Voting Nay: Tweten and Leigh.

17. Consider adopting Resolution No. 09-12-86 a Resolution to adopt the 2010 Budget and to authorize specific financial related activities.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO AMEND RESOLUTION NO. 09-12-86 A RESOLUTION TO ADOPT THE 2010 BUDGET AND TO AUTHORIZE SPECIFIC FINANCIAL RELATED ACTIVITIES.

Council Member DeMers would like to amend the Resolution to reflect the additional \$100,000 to be used in capital.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADOPT RESOLUTION NO. 09-12-86 A RESOLUTION TO ADOPT THE 2010 BUDGET AND TO AUTHORIZE SPECIFIC FINANCIAL RELATED ACTIVITIES, AS AMENDED.

Voting Aye: Gregoire, Pokrzywinski, DeMers, Grassel, and Buckalew.

Voting Nay: Tweten and Leigh.

CLAIMS:

18. Consider adopting Resolution No. 09-12-87 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check number 4808 for a total of \$830.89 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 09-11-79 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBER 4693 FOR A TOTAL OF \$318.39 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

Voting Nay: None.

Abstain: Buckalew.

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

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| ABD Publications | Books | \$107.84 |
| Acme Electric Companies | Tools For Shop/Ladder/Platform For Floodwall | \$2,081.59 |
| Advanced Business Methods Inc | Copier Lease | \$160.06 |
| Aker Dave | Reimb Travel Exp/Mileage/Postage | \$207.90 |
| Alltel | Cell Phone | \$379.23 |
| Altru Health System | Legal Blood Draw/ Michael Hollis | \$74.50 |
| American Tire Service | Tires #614 | \$3,998.93 |
| AmericInn Moundsvie | Lodging/Jennifer Bushee | \$83.49 |
| Ameripride Linen & Apparel Services | Towels/Mats/Mops | \$377.47 |
| Aquatic Technology Inc | Vaccum Hose/Head | \$600.61 |
| Association of Training Officers of MN | FTO Training/D.Szczepanski/J.Schnathorst | \$850.00 |
| Baker & Taylor Co | Books | \$313.25 |
| Becker Arena Products Inc | Cones/Faceplate/Support | \$1,154.17 |
| Blue Cross Blue Shield of ND | EDHA Health Insurance | \$4,977.20 |
| Boardwalk Bar & Grill | Board Meal | \$100.16 |
| Bonlie Richard & Lucille | Sidewalk Reimb | \$375.00 |
| Brodart Co | Books | \$368.77 |
| Business Essentials | Scheduling Materials | \$69.31 |
| C&L Pest Control | Pest Control/Sunshine Terrace | \$125.00 |
| Canon Financial Services | Copier Fees | \$167.10 |
| Carquest Auto Parts | Inv Parts #174 | \$16.74 |
| Cash Don | Dial A Ride October 2009 | \$1,959.23 |
| Cities Area Transit | GFI Farebox & Data Equipment | \$16,670.00 |
| Cole Papers Inc | Can Liners/Tissue/Cleaning Supplies | \$369.78 |
| Community Bank of the Red River Valley | Late Payment | \$31.00 |
| Demco Educational Corp | Processing Materials/Storytime Chairs | \$346.66 |
| Diamond Cleaning Supply Richard Papenfuss | Supplies For PW | \$593.73 |
| Diamond Lake Book Co | Books | \$274.55 |
| Dragich Mark | Reimb Mealls/Mileage/Fargo/Safety Forum | \$123.20 |
| EBSCO Subscription Service | Magazine Subscriptions | \$878.48 |
| Erickson-Spokely Linda | Sidewalk Reimb | \$380.00 |
| Explorer Post #38 | Squad Cleaning | \$50.00 |
| Exponent | Ord. No 309 3rd Series/PN/Snow Removal/Workers | \$374.80 |
| Floan Sanders | Professional Services | \$28,262.48 |
| G&K Services | Mats | \$126.76 |
| Gaffaneys | Binders | \$23.57 |
| Gale | Books | \$93.48 |
| Gerrells Sport Center | Pucks/Puck Bags/Net/Homeplate | \$2,231.07 |
| GF Herald | Auction/Honda Ridgeline | \$239.63 |
| GF Welding & Machine | High Test Chain | \$47.50 |
| GGF Convention & Visitors Bureau | Lodging Tax Sept 09 (Plaza Motel)/Oct 09 Plaza Motel | \$1,037.44 |
| Grand Forks Public Health Dept | Aerial Mosquito Spray | \$4,460.94 |
| Grassel Richard | Reimb Meal & Mileage/Grassel/CGMC Fall Conf | \$275.50 |

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| Greater Northwest EMS | EMS Conf Registration/M.Manias/A.Hansen | \$198.00 |
| Hajicek Rick | Cleaning 11/2/09 - 11/13/09 | \$266.00 |
| Hardware Hank | Maint Supplies | \$830.89 |
| Heartland Paper | Ice Melt/Soap | \$645.15 |
| Helgeson Charlotte | Reimb For DVD Purchase | \$220.00 |
| Hemsing Rachel | Reimb Hockey Reg/ Figure Skating | \$700.00 |
| Holiday Credit Office | Fire Dept/EDHA/Police Gas | \$332.36 |
| Hugo's | Supplies | \$171.84 |
| Huizenga Scott | Reimb Mileage/CGMC Fall Conf/Lions Membership | \$244.60 |
| Hussey Plumbing | Repairs In Compressor Room | \$143.70 |
| International Public Mgmt Assoc. for HR | Test For Asst Chief & Eng Promotions | \$260.00 |
| Kar Products | Inv Parts | \$145.17 |
| Knutson Denise | Reimb Figure Skating/Justin | \$60.00 |
| Larson Brian | Safety Glasses | \$145.00 |
| Larson Darin | Reimb For Hockey | \$325.00 |
| Laser Systems | Toner Cartridge | \$89.00 |
| Librarians' Book Express | Books | \$27.18 |
| MacQueen Equipment | Quad Valve #614 | \$776.47 |
| Marco - Fargo Inc | Copier Usage | \$279.54 |
| Marshall Cavendish | State Books | \$117.52 |
| MN Dept of Revenue | | |
| VOID****VOID****VOID*** | Sales & Use Tax Oct 09 | \$205.00 |
| Nan McKay & Associates | INV131876 | \$99.00 |
| Nelson Katie | Reimb Basic Skills Supplies | \$12.05 |
| NW Regional Small Business Devlop. Center | 2009 SBDC Funding Commitment | \$250.00 |
| O'Reilly Auto Parts | Hand Cleaner/Shop Supplies/Carburetor/Wiper Blades | \$664.85 |
| Odland Fitzgerald Reynolds & Harbott PLLP | First Appearances | \$236.00 |
| Opp Construction | 09 AJ 4 Est No 2 | \$1,857.60 |
| Pamida | EDHA Supplies-Customer Id 02790447 | \$16.03 |
| Party America Corp Offices | Dinner & Dance Supplies | \$25.21 |
| Polk County Recorder | Filing Fee/Rasmusson | \$46.00 |
| Quality Books Inc | Books | \$235.13 |
| Quill Corp | Office Supplies | \$144.00 |
| Qwest | Phone Service | \$2,115.59 |
| RJ Zavoral & Sons | Repair Outfall to Pre-Flood Conditions | \$2,500.00 |
| RMB Environmental Lab Inc | Sec Pond Discharge | \$115.00 |
| Safety Kleen Corp | Parts Washer Service | \$455.33 |
| Sell Hardware Inc | Emergency Buttons | \$20.61 |
| Shooting Star Casino | Lodging M Manias | \$67.13 |
| Smart Apple Media | Books | \$222.40 |
| Spruce Valley Corporation | 09 CP1 Est 3 23rd St | \$165,590.50 |
| Stauss Lynn | Reimb Meal & Mileage/Stauss/CGMC Fall Conf | \$228.10 |
| Stengl Matt | Reimb Coaches Clinc Level I | \$30.00 |

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| Strata Corp | 09 CP3 Est 3 | \$57,802.31 |
| Streichers | Shirt Patches | \$587.28 |
| Sunshine Terrace | Laundry Money/Oct - Dec 09 | \$150.00 |
| Surface Specialists of NW Minnesota | Fiberglass Tub Cut-Down | \$150.00 |
| Surplus Center | Molding #614 | \$16.22 |
| The Chamber of EGF/GF | City Membership Dues/EDHA Membership Dues | \$850.00 |
| The Child's World Inc | Books | \$102.56 |
| Thomas Bouregy & Co | Books | \$139.50 |
| True Temp | Furnace Repair | \$82.89 |
| University Enterprises Inc | WW Treatment Manuals | \$568.00 |
| US Figure Skating Association | Figure Skating Insurance | \$551.00 |
| Valley Truck | Wheel Dolly Super Single/Air Dryer Parts #614 | \$380.53 |
| Vilandre Heating & A/C | Winterize Parks | \$500.73 |
| Wagner Construction | 08 CP1 - Wastewater Improvements | \$41,456.00 |
| Water & Light Department | Utilities/Phone Service | \$31,786.89 |
| Weber George | Reimb Ref Fee/Level III | \$90.00 |
| Weigl Publishers Inc. | Books | \$523.18 |
| Wizard's Enterprises Inc. | Custodial Services | \$490.00 |
| World Media | Books | \$234.46 |
| Wumbus Corp | Safety Training - Confined Spaces | \$218.95 |
| Xcel Energy | Utilities | \$7,069.12 |
| Zee Medical Service | Refill First Aid Kit | \$53.41 |
| | | <u>\$400,354.10</u> |

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: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, Grassel, and Buckalew.

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Council Member DeMers thanked the engineering firm, attorney, and all others involved in informing the residents on the construction projects within the City.

Council Member Buckalew thanked the department heads for the hard work on the budget.

Mayor Stauss asked City Council if they have a recommendation for a representative on the Planning & Zoning Commission to let him know.

Council President Grassel reminded everyone about the calendar parking that is in effect.

Mr. Huizenga stated that he has been working with the County the past four weeks to get the tax capacity before setting our budget. He stated that the County had some software issues and not all the property tax statements are 100% correct.

Mr. Wachter reminded everyone that a snow emergency consists of two or more inches of snow; therefore, there is no parking allowed on the streets. Council Member DeMers would like to see something on the website to send out an email if there is a snow emergency. Mr. Wachter also wanted to remind everyone to stay at least 50 feet behind the sanders and plows. He informed City Council that 23rd Ave. NW is open and to please use caution since there is no shoulder.

Mr. Aker inquired about the use of the Greenway Fee.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADJOURN THE DECEMBER 1, 2009 REGULAR MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 7:55 P.M.

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

Voting Nay: None.

Scott Huizenga, City Administrator/Clerk-Treasurer