

**APPROVED
MINUTES
OF THE
EAST GRAND FORKS
CITY COUNCIL
TUESDAY, MAY 4, 2010 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for May 4, 2010 was called to order by Council President Dick Grassel 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: Mayor Lynn Stauss, Council President Dick Grassel, Council Vice President Henry Tweten, Council Member Marc Demers, Wayne Gregoire, Mike Pokrzywinski, and Greg Leigh.

STAFF PRESENT:

Dave Aker, Parks & Recreation Superintendent; Greg Boppre, City Engineer; Dan Boyce, Water & Light Manager; Nancy Ellis, Planning & Zoning; Ron Galstad, City Attorney; Randy Gust, Fire Chief; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Scott Huizenga, City Administrator; 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 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.

Chief Hedlund presented the Minnesota Chiefs of Police Association Citizen's Valor Award to Mr. Steve Rand for his efforts in a snowmobile incident from Spring 2009..

APPROVAL OF MINUTES:

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

Council of April 20, 2010.

2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of April 27, 2010.

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

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

Voting Nay: None.

Absent: Buckalew

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 choose.

3. Consider adopting Resolution 10-05-50 recommending to the Technical Advisory Committee and to the full MPO Board of Directors to reverse the funding order of the City’s 2011 and 2012 Transportation Enhancement Projects.
4. Consider adopting Resolution 10-05-51 approving the petition to the state for variance from state procurement rules in regard to the Park Road Access Road.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GREGOIRE, TO APPROVE CONSENT MOTIONS NUMBER THREE (3) THROUGH FOUR (4) AS SUBMITTED.

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

Voting Nay: None.

Absent: Buckalew

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

5. Minutes of the Water, Light, Power and Building Commission for March 18, 2010.
6. Minutes of the Water, Light, Power and Building Commission for April 1, 2010.
7. Minutes of the closed meeting of the Water, Light, Power and Building Commission for April 1, 2010.
8. Minutes of the Resurrection Cemetery Commission Meeting for April 22, 2010.

COMMUNICATIONS: NONE.

OLD BUSINESS: NONE.

NEW BUSINESS:

9. Consider adopting Resolution 10-05-52 approving the Planning and Zoning Commission to recommend an ordinance that includes sidewalk construction in all new developments within the City.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 10-05-52 A RESOLUTION RECOMMENDING AN ORDINANCE THAT INCLUDES SIDEWALK CONSTRUCTION IN ALL NEW DEVELOPMENTS WITHIN THE CITY.

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

Voting Nay: None.

Absent: Buckalew

10. Consider adopting Resolution 10-05-53 to approve the filing of plans and specifications and ordering advertisement for bids for 2010 City Project No.2 – Sidewalk (SRTS).

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 10-05-53 A RESOLUTION ORDERING FILING OF PLANS AND SPECIFICATIONS FOR 2010 CITY PROJECT NO.2 –SIDEWALK (SRTS).

Mr. Boppre briefly described the project and informed the Council that the City is awaiting state approval of plans and specifications in order to advertise for bids.

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

Voting Nay: None.

Absent: Buckalew

11. Consider adopting Resolution 10-05-54 to approve the filing of plans and specifications and ordering advertisement for bids for 2010 City Project No.4 – Sanitary Sewer Improvements.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 10-05-54 A RESOLUTION ORDERING FILING OF PLANS AND SPECIFICATIONS FOR 2010 CITY PROJECT NO.4-SANITARY SEWER IMPROVEMENTS.

Mr. Boppre described the project as Garden Court between 6th and 7th Avenue NW.

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

Voting Nay: None.

Absent: Buckalew

12. Consider adopting Resolution 10-05-55 to approve the filing of plans and specifications and ordering advertisement for bids for 2010 City Project No.6 – Intersection Improvements (1st St SE/3rd Ave SE).

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 10-05-55 A RESOLUTION ORDERING FILING OF PLANS AND SPECIFICATIONS FOR 2010 CITY PROJECT NO. 6 – INTERSECTION IMPROVEMENTS (1ST ST SE/3RD AVE SE).

Mr. Boppre described the project and explained the detour plan for the Point Bridge during construction, which would take most of the summer. Mr. Boppre explained that he is coordinating with the relevant state and local agencies including the City of Grand Forks.

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

Voting Nay: None.

Absent: Buckalew

13. Consider adopting Resolution 10-05-56 to approve the filing of plans and specifications and ordering advertisement for bids for 2010 City Project No.7 – Campground Improvements.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER LEIGH, TO ADOPT RESOLUTION NO. 10-05-56 A RESOLUTION ORDERING FILING OF PLANS AND SPECIFICATIONS FOR 2010 CITY PROJECT NO.7 – CAMPGROUND IMPROVEMENTS.

Mr. Boppre explained that this would expand the campground by 15 spaces, which was let as an alternate as part of the 2009 campground project. The alternate was not awarded due to cost. The project can now be completed using TIF funds as authorized by the State Legislature. Council Member DeMers asked what the balance of the TIF account will be after the project is completed.

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

Voting Nay: None.

Absent: Buckalew

14. Consider adopting Resolution 10-05-57 to approve the filing of plans and specifications and ordering advertisement for bids 2010 Assessment Job No.1 – Paving – Laurel Drive.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 10-05-57 A RESOLUTION ORDERING FILING OF PLANS AND SPECIFICATIONS FOR 2010 ASSESSMENT JOB NO.1 – PAVING – LAUREL DRIVE.

Council Member Leigh asked if Mr. Peabody received the plans and specifications as previously requested. Mr. Boppre replied that he sent the plans and specifications that morning; and that his understanding was that he was to send the plans and specifications before the public hearing on the assessment role, which is June 15.

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

Voting Nay: Leigh

Absent: Buckalew

15. Consider adopting Resolution 10-05-58 to increase the speed limit of River Road to 35 mph from 5th Ave NW to 17th Ave NW.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER LEIGH, TO ADOPT RESOLUTION NO. 10-05-58 A RESOLUTION INCREASING THE SPEED LIMIT ON RIVER ROAD TO 35 MPH.

Council Member Leigh asked if the City could also increase the speed limit on Bygland Road. Mr. Huizenga responded that this is possible, but that it would be best to wait until the summer road projects are completed. Mr. Boppre suggested that the City notify the state of the change because River Road is classified as a state-aid street.

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

Voting Nay: None.

Absent: Buckalew

16. Consider approving Resolution 10-05-59 approving the donation of \$1,000.00 for the 125th Anniversary of the City of East Grand Forks from the VFW Post 3817.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADOPT RESOLUTION NO. 10-05-59 A RESOLUTION ACCEPTING THE DONATION FROM THE VFW POST #3817 FOR THE SUM OF \$1,000.00.

Council Member DeMers asked who is authorized to spend the 125th Anniversary fund. Mr. Huizenga responded that the fund follows the same purchasing policy as other funds. The City Administrator can approve up to \$10,000; and full City Council must approve any purchase above that amount.

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

Voting Nay: None.

Absent: Buckalew

CLAIMS:

17. Consider adopting Resolution No. 10-05-60 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check number 6134 for a total of \$491.76 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. 10-05-60 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBER 6134 FOR A TOTAL

OF \$491.76 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

18. Consider adopting Resolution No. 10-05-61 a Resolution authorizing the City of East Grand Forks to approve purchases from Bert’s Truck Equipment the goods referenced in check number 6100 for a total of \$21.38 whereas Council Member Gregoire is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 10-05-61 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM BERT’S TRUCK EQUIPMENT THE GOODS REFERENCED IN CHECK NUMBER 6100 FOR A TOTAL OF \$21.38 WHEREAS COUNCIL MEMBER GREGOIRE IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

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

Acme Electric Companies	General Supplies/Screwdriver Set/Wand	679.02
Aker Dave	MPRA Conference Reimburse/Mystic Lake-TC	595.29
Albrecht Manufacturing	Auger Lock Assy	120.18
American Tire Service	Flat Repair Labor	147
Ameripride Linen & Apparel Services	Custodial Services	289.88
Atlantic Safety Product	Exam Gloves	92.65
Auto Glass & Aftermarket Inc	Windshields	289
Baker & Taylor Co	Books	189.17
Batteries Plus	Alkaline AA/9Volt	25.86
Bert's Truck Equipment	x Seal Hyd Pump #109	21.38
Blue Cross Blue Shield of ND	Health Insurance Payments	4977.2
Bobcat of Grand Forks	Brush Attachments Water & Light	384.99
Brady Martz & Associates	Audit Services for 2009 Year	3600
Brodart Co	Books	370.1
Bubendorf Jeanette	Security Deposit Refund	165.51
Cabela's Retail	Boat Plug/Anglers/Nuvi 205W New	375.6
Cardmember Service	Picostation2/100mW 2.4 Ghz (PO 25349)	120.59
Carquest Auto Parts	Ball Valve/Hyd Fittings	141.96
Casteel Michael	Front End Alignment (Labor)	57.7

Cole Papers Inc	Toilet Paper	71.81
Commemorative Publications	2010 Winter Games Comm. Book	59.95
Dacotah Paper Co	Towel Roll	49.37
Dakota Supply Group	Light Bulb for City Hall	15.31
Diamond Cleaning Supply Richard Papenfuss	Neutral Cleaner	68.39
Display Sales Co	Custom Banner/Set Up/Design	4205.53
Electric Pump	Lift Station #4 Service Call	543.46
Explorer Post #38	Squad Car Cleaning	50
Exponent	2010 AJ No.1/Spring Home Improvement Ad	321.77
EZ Locksmith	Master Keys & Locks for WW Lift	145.5
Fredlund William and Molly	New Construction Incentive Program 1624 Laurel Drive	5000
FS Engineering	Professional Services	28072.97
G&K Services	Custodial/Mats	179.19
Gaffaneys	Calendars	11.2
Gale	Books	70.11
Garden Hut Inc	Toro Mower Parts	967.39
George's Quick Printing	Color Business Cards-T. Spoor	80.16
GF Herald	Classified Orders	344.26
GF Welding & Machine	Repair Boat/Welding Supplies	156.19
GGF Convention & Visitors Bureau	East Grand Inn Lodging Tax	1073.18
Grand Forks City	1st Qtr Bus Service 2010	57405
Greenberg Roofing	Replace Check # 5852/Remove Snow VFW Roof	500
Hajicek Rick	Cleaning Service	285
Hajicek Rod	Crookston Interview/Reimburse Meals	8.25
Hardware Hank	General Supplies	491.76
Hedlund Mike	MN CoP Assoc. Executive Training Institute/PD Vacuum	716.45
Holiday Credit Office	PD-Fuel	26.56
Hugo's	Misc Grocery Supplies	59.34
ICMA	City Admin Membership Renewal	492.79
Junior Library Guild	Books	2176.2
Ken Reilly Seminars	RCRA Seminar for Ron B.	695
Knudson Terry	PERA Employer Seminar Fergus Falls/Reimbursement	150
Lab Safety Supply	Earplugs	128.63
Laker Chemical	Fine Road Patch	1709.47
Larson Clint	Buying Back 2 Cemetery Plots	500
League of MN Cities	Safety Workshop/Mahnomen/Fire Truck	20
League of MN Cities	Add RCV to Auto's 74 and 94	128.99
Lee Kendra	Clean Apartment #304	135
Liberty Business Systems	Monthly Lease & Maint Agreement/Kyocera 181	73.59
Lithia Payment Processing	Inventory for PD Cars	700.51
Lorene Keehr	Signs for Haz Waste	357.61
Lud Fettig	River Heights Addition Loan	5000
Lumber Mart	Plywood/Studs/Screws	236.58

Marco Inc	Usage Fees/April	285.83
Micro-Marketing LLC	Books	295.72
Minnesota Dept of Employment	Unemployment Benefits & Reimb 1 st Qtr 2010	13.76
MN Dept of Natural Resources-OMB	Public Waters Permit-Culver	150
MN Dept of Revenue VOID**** VOID***	Use Tax 0310	511
MN Municipal Utilities Assoc	Pre-Employment Drug Testing	171
MN Pollution Control Agency	App Fee/2010 Water& Forcemain Replacement	240
MN State Treasurer - Treasury Division	Property Seizure Cash Disbursement	5.9
Netterlund Diane	Landscaping Reimbursement	373
Odland Fitzgerald Reynolds & Harbott PLLP	First Appearances/Hearing on R. Fabian	648
Olson Chris	Crookston Interviews/Reimburse Meal	8.25
Opp Construction	Streets-Paint Stripe	183
O'Reilly Auto Parts	General Supplies	23.06
Otis Elevator Company	Troubleshoot Elevator @ Sunshine Terrace	311.21
Pamida	Figure Skating Supplies	54.96
Polk County Attorney-Widseth	Property Seized Cash Distribution	11.8
Polk County Auditor Treasurer	2010 RE Taxes/Parcels	106628.1
Premium Waters Inc	Water Service-FD	78.5
Quality Books Inc	Books	177.62
Quill Corp	Office Supplies	461.48
Qwest	#9454nash	46.37
RDO Powerplan OIB	Fuel Cap & Key	30.16
Reznicek Anthony	MN CoP Assoc. Award Banquet/Reimburse Meal	21.75
Richter James	Reimburse Meals/Tourism Conference-TRF	30
Richter James	Reimburse EDHA Board Meeting Lunch	102.48
RJ Zavoral & Sons	Professional Services	21197.5
Roto Rooter	Check Main Swr Line	50
Sam's Club	Paper Plates/Cups/Towels/Bowls	72.87
Schmaltz Leonard	Reimburse Boiler License	45
Sharla Johnson Scott Sirek Galstad	Down Payment Assistance Program	7500
Showcases	DVD/CD Cases	167.99
Spray Advantage	Solenoid/Brass Ball Valves	340.56
St Cloud State Univ	MMCI Conf/S.Huizenga	260
Stone's Mobile Radio Inc	Antenna Repair (Labor) #51	47.62
Streichers	Uniforms - Patrol	1309.83
Stuart's Towing	Flat Repair On Squad Car	10
Sunshine Terrace	Replace Petty Cash	62.76
Tristeel Manufacturing	Bearing Set/Weld Hub/Rekey	75.16
True Temp	Air Filter/Filter Contracts/3 Pole Coil Contractor	598.18
Try-County Refrigeration	Repair Vent Pipe	285
US Bearings & Drives	x Tapper Lock Bushing	18.59
Valley Petroleum Equipment	Repairs On Fuel Island	111.19
Valley Truck	DOT & Repairs	1586.81

Vilandre Heating & A/C	Valve Replacement/Plugged Toilet	347.67
Water & Light Department	Utility	38522.44
Weber George	Reimburse Mosquito Control Training Fee	20
Wizard's Enterprises Inc.	Custodial Services	490
Xcel Energy	Utilities	4858.31
Xerox Corporation	Base Charge for March	31.12
Ziegler	Equipment Rentals	5733.85

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

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

Voting Nay: None.

Absent: Buckalew.

COUNCIL/STAFF REPORTS:

Mayor Stauss described his experience at the Board of Alternative Appeals hearing from the previous week. He felt that the valuation process is unfair. He also asked what could be done about a property on Bygland Road with excess dandelions.

Council Member DeMers said he thought that the property valuation process was fair but that the property tax itself is regressive. He also complimented this year's Household Hazardous Waste drop off process.

Council Member Tweten thanked the Mayor for raising funds for the 125th Anniversary celebration. He also encouraged people to ask all gubernatorial candidates for their views on funding for Local Government Aid.

Council Member Gregoire thanked staff for spring cleanup. He also asked for center pin on River Road NW with the increased speed limit.

Council Member Leigh mentioned that some of the roads in the campground are starting to show significant wear.

Council President Grassel said that he and Mayor would look at an old steel boat that a resident wanted to donate to the City for display purposes.

Mr. Huizenga said that the Governor announced he would propose additional cuts to Local Government Aid in light of uncertainty regarding federal funding for low-income health care.

Mr. Aker reported that approximately 25 students were in East Grand Forks for cleanup as part of "The Big Event" the past weekend.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL

MEMBER GREGOIRE, TO ADJOURN THE APRIL 20, 2010 REGULAR MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:11 P.M.

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

Voting Nay: None.

Absent: Buckalew.

Scott Huizenga, City Administrator/Clerk-Treasurer