AGENDA
CITY COUNCIL
WORK SESSION
CITY OF EAST GRAND FORKS
MAY 25, 2010
5:00 PM

CALL TO ORDER

CALL OF ROLL

DETERMINATION OF A QUORUM

1. Bid Results – 2010 City Project No. 4 – Sanitary Sewer Improvements (City Budget Item) – Brad Bail
2. Bid Results – 2010 City Project No.6 – Intersection Improvements (1st St/3rd Ave SE – FEMA/City Funds) – Brad Bail
3. Bid Results – 2010 Assessment Job No.1 – Laurel Drive Paving (Special Assessment) – Brad Bail
4. Plans & Specifications – 2010 City Project No.3 – Paving – Central Ave – Greg Boppre
5. Filling Vacant Patrol Officer Position – Chief Hedlund
6. 2010 State Aid Repair Quotes (Bygland Road/Central Ave/2nd Ave NE) – John Wachter
7. Rescue Unit Fees –Scott Huizenga
8. Sidewalk Policy (ADA Compliance) – Scott Huizenga
9. LELS MOU – Scott Huizenga
10. Code of Ordinances – Ron Galstad

ADJOURN

Upcoming Meetings

Regular Meeting – June 1, 2010 – 5:00 PM – Council Chambers

Work Session – June 8, 2010 – 5:00 PM – Training Room

Regular Meeting – June 15, 2010 – 5:00 PM – Council Chambers

AGENDA ITEM # 1-2-3

Request for Council Action

Date: May 18, 2010

To: East Grand Forks City Council, Mayor Lynn Stauss, President Dick Grassel, Council Vice President Henry Tweten, Council Members: Marc Demers, Craig Buckalew, Wayne Gregoire, Greg Leigh, and Mike Pokrzywinski.

Cc: File

From: Greg Boppre, P.E.

RE: Bid results

Background:
Brad Bail will be bringing the following bid results to the Tuesday, May 25 City Council Work Session:

1) 2010 City Project No. 4 – Sanitary Sewer Improvements(City Budget item)
2) 2010 City Project No. 6 – Intersection Improvements(1st st/3rd ave se- FEMA/City funds)
3) 2010 Assessment Job No. 1 –Laurel Drive paving(special assessment)

Also, remember we will be having a special meeting to file the assessment roll for 2010 Assessment Job No. 1 – Laurel Drive and send out the notices of the assessment hearting for Tuesday, June 15 at 5:00 PM.

As I mentioned at the previous work session, the bids for 2010 City Project No. 7 – Campground Improvements will be bid Tuesday, June 1 and the results will be presented at the City Council meeting that night.

Recommendation:
Approval to file assessment roll for 2010 AJ#1
Approval to file the bid results

Enclosures:
The bid results will be brought to the meeting

H:\Dump\Greg\docs\council10aj1cp467bids.doc

Request for Council Action

Date: May 19, 2010

To: East Grand Forks City Council, Mayor Lynn Stauss, President Dick Grassel, Council Vice President Henry Tweten, Council Members: Marc Demers, Craig Buckalew, Wayne Gregoire, Greg Leigh, and Mike Pokrzywinski.

Cc: File

From: Greg Boppre, P.E.

RE: Plans and Specifications – 2010 City Project No.3 – Paving – Central Ave

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Background:
I would like to file the plans and specifications for 2010 City Project No. 3 – Paving for Central Ave. This project is due to BNSF installing gate arms and constant warning times at this intersection.

Recommendation:
Approval to file plans and specifications

Enclosures:
A copy of the plans will be presented at the Work Session

Request for Council Action

Date: May 19, 2010

To: East Grand Forks City Council, Mayor Lynn Stauss, President Dick Grassel, Council Vice President Henry Tweten, Council Members: Marc Demers, Craig Buckalew, Wayne Gregoire, Greg Leigh, and Mike Pokrzywinski.

Cc: File

From: Michael S. Hedlund – Chief of Police

RE: Request to move forward with police officer hiring process

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Background: The East Grand Forks Police Department currently has one opening for a police officer due to a recent resignation. We are currently in the process of conducting a background check on the next candidate on our hiring roster and are seeking approval to move forward with that hiring pending successful completion of the background.

Recommendation: Authorize the EGFPD to complete the hiring process for a new officer to fill a current vacancy.

Enclosures: None.

AGENDA ITEM # 6

Request for Council Action

Date: 5-19-10

To: East Grand Forks City Council, Mayor Lynn Stauss, President Dick Grassel, Council Vice President Henry Tweten, Council Members: Marc Demers, Craig Buckalew, Wayne Gregoire, Greg Leigh, and Mike Pokrzywinski.

Cc: File

From: John Wachter

RE: State Aid Street Repairs

We received two proposals for the repairs to Bygland Road, Central Avenue, and 2nd Avenue NE (See attachment). These are state aid streets and are included in the streets repair budget.

Recommendation – Approve H & S Construction for repair on state aid streets.

2010 Street Improvements

Opp Constuction

Est.#	Location	Quote
3	Bygland Rd & north of Flood Wall 4 areas	$ 3,990.00
1	Bygland Rd SE & 5th ST SE	$ 980.00
7	2nd Ave NE & 5th St NE	$ 5,790.00
5	2nd Ave NE & 6th St NE	$ 3,600.00
6	2nd Ave NE &7th St NE	$ 5,040.00
4	2229 Central Ave NW 2 areas	$ 1,820.00
8	2211 Central Ave NW	$ 12,900.00
8a	Option For 2211 Central Ave NW add to 8	$ 12,200.00
		$ 25,100.00
2	Bygland So. Fire Station 5 areas	$ 11,470.00
		$ 11,470.00
	Total	$ 57,790.00

H&S Construction

Est.#	Location	Quote
538	Bygland Rd SE & North of flood wall	$ 4,975.00
543	Bygland Rd SE & 5th ST SE	$ 1,100.00
544	2nd Ave NE & 5th St NE (3 panels)	$ 5,816.00
545	2nd Ave NE & 6th St NE	$ 5,253.26
546	2nd Ave NE & 7th St NE	$ 2,140.10
547	2029 Central Ave NW	$ 5,323.50
548	2211 Central Ave NW	$ 22,006.00
		$ 22,006.00
540	Bygland Rd SE - front of Fire station	$ 1,450.00
539	Bygland Rd SE & 5th Ave SE	$ 1,100.00
542	Bygland Rd SE & S. of Fire Station (2)	$ 2,200.00
541	Bygland Rd SE - Back entrance S. station	$ 3,624.72
		$ 8,374.72
	Total	$ 54,988.58

Request for Council Action

Date: 05/20/10

To: East Grand Forks City Council, Mayor Lynn Stauss, President Dick Grassel, Council Vice President Henry Tweten, Council members: Marc DeMers, Craig Buckalew, Wayne Gregoire Greg Leigh and Mike Pokrzywinski

Cc: File

From: Scott Huizenga, City Administrator

RE: Rescue Unit Fee

I have had a few discussions with Polk County officials over the past several months about a possible service fee for the City's Rescue Unit, which is operated through the Fire Department. We are seeking alternative revenue sources to help compensate for increased expenditures and cuts to Local Government Aid.

There are several Ambulance Districts in Polk County that currently operate on fee bases. East Grand Forks' situation is unique because the City provides rescue services while Altru Hospital has the state-authorized territory for ambulance service. The City has only three minor sources of revenue for the Fire Department: rescue call fees, Rural Fire District Agreements, and the Ambulance Subsidy. The City charges a $40 fee for rescue calls. However, this fee is controversial with residents; and it is difficult to collect. In total, the City collects about $5000 annually from the rescue call fee. The City collects about $35,000 in revenue from Rural Fire Districts to provide fire coverage. And, The City also collects just under $22,000 from the "Ambulance Subsidy.'

The $62,000 in revenue listed above is matched against $1 million annually in expenditures to fund the Fire Department. The City employs 10 FTE to cover about 700 annual calls. Over eighty percent of these calls are for rescue and/or service calls, as opposed to fire or hazardous condition calls.

The current Ambulance Subsidy listed above generates a total of about $54,000 annually. It is funded via a property tax levy to the medical rescue territory, which includes the City and surrounding unincorporated lands. Altru Hospital receives about $32,000, where as the City receives $22,000. This subsidy, which has never been close to adequate, has never been adjusted since its inception several years ago.

A monthly fee to the City's fire/rescue territory could generate $100,000-$200,000 of revenue, depending on rates. We estimate there are approximately 3200 residential and commercial parcels in the area. The exact count is being determined by City and County staff. Therefore, a fee of $5 per month could generate $192,000 in revenue. According to County officials, most rural Ambulance Districts pay $7-10 per month for the service.

If implemented, Polk County would administer the charge on behalf of the City. It would appear on semi-annual property tax statements under Special Assessments although it would actually be a flat fee. The fee would have to be approved by the Polk County Board of Commissioners. Preliminarily, Polk County has indicated its concurrence with the proposal at the conceptual level.

It should be noted that Altru Hospital, which shares the Ambulance Subsidy with the City on a percentage split of approximately 60-40; has also had discussions with the City about increasing the existing Ambulance Subsidy. I prefer to keep separate these two discussions. There are some obvious linkages between the City and Altru by nature of the City providing rescue services under the auspices of the Altru ambulance service territory. Nonetheless, the City's enhanced service via the rescue unit goes largely unreimbursed.

Recommendation:
Recommend to the Polk County Board of Commissioners by resolution the City's request to implement a monthly rescue unit fee of $5-7 per month. Eliminate the $40 rescue unit call fee. And, direct Administration and Water and Light staff to provide the requisite city utility information to Polk County for billing purposes.

Attachment:
Resolution.

RESOLUTION NO. 10-06-XX

A RESOLUTION REQUESTING THE IMPLEMENTATION AND ADMINISTRATION OF A RESCUE UNIT FEE TO THE POLK COUNTY BOARD OF COMMISSIONERS; AND DIRECTING ADMINISTRATION AND THE WATER AND LIGHT DEPARTMENT TO PROVIDE THE REQUISITE PARCEL DATA TO IMPLEMENT THE FEE.

Council Member _____, supported by Council Member _____, introduced the following resolution and moved its adoption:

WHEREAS, the City of East Grand Forks Fire Department provides emergency rescue unit coverage for the City and portions of unincorporated Polk County; and

WHEREAS, the provision of rescue unit services necessitates full-time staffing and equipment without adequate provision for reimbursement; and

WHEREAS, the current County Ambulance Subsidy covers just two percent of the Fire Department's total cost; and

WHEREAS, the Ambulance Subsidy is shared with Altru Hospital and has not increased since its inception; and

WHEREAS, dramatic cuts to Local Government Aid (LGA) from the State of Minnesota necessitate changes to the City's budgeting and finances;

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF EAST GRAND FORKS, that the City requests the implementation and administration of a monthly rescue unit fee to the Polk County Board of Commissioners.

BE IT FURTHER RESOLVED, that the City Council directs Administration and the water and light department to provide the requisite parcel data to implement the fee.

Voting Aye:
Voting Nay:
Absent:

The President declared the resolution passed.

Passed: June 1, 2010

Attest:

_____ _____

City Administrator/Clerk-Treasurer President of Council

I hereby approve the foregoing resolution this 1st of June, 2010.

_____

Mayor

Request for Council Action

Date: 05/20/10

To: East Grand Forks City Council, Mayor Lynn Stauss, President Dick Grassel, Council Vice President Henry Tweten, Council members: Marc DeMers, Craig Buckalew, Wayne Gregoire Greg Leigh and Mike Pokrzywinski

Cc: File

From: Scott Huizenga, City Administrator

RE: Sidewalk Replacement Program

Currently, the City reimburses residents $1.00 per square foot for the replacement of sidewalks on their property. The City also allows for the financing of sidewalk improvements through the special assessment process as affirmed in Resolution No. 06-08-70.

Recently, Administration received a request to install an ADA-compliant curb cut with detectable warning panels (truncated domes) as part of a residential sidewalk replacement. City policy is currently silent on the replacement of such facilities. Therefore, I have not acted on the request.

However, the City has installed such facilities on a number of City-sponsored projects over the last several years. It is more cost efficient to install curb cuts and truncated domes when an entire sidewalk is under construction. Therefore, a reimbursement policy for ADA-compliant facilities is consistent with the City's broader policies for sidewalks and infrastructure.

Recommendation:
Approve the resolution to include the replacement of ADA facilities in sidewalks in the City's Sidewalk Replacement program, subject to existing permitting and inspection processes and a maximum reimbursement determined by the City Administrator.

Attachments:
Draft Resolution
Draft Sidewalk Policy Sheet - Amended

RESOLUTION NO. 10-06-65

A RESOLUTION TO INCLUDE THE INSTALLATION OF FACILITIES THAT ARE COMPLIANT WITH THE AMERICANS WITH DISABILITIES ACT (ADA) AS PART OF THE CITY'S SIDEWALK REPLACEMENT PROGRAM

Council Member _____, supported by Council Member _____, introduced the following resolution and moved its adoption:

WHEREAS, the City of East Grand Forks affirmed its support and administration for a Sidewalk Replacement Reimbursement policy per Resolution 06-08-70; and

WHEREAS, the City includes the installation of facilities that are complaint with the Americans with Disabilities Act (ADA) in city projects; and

WHEREAS, the City Council desires to all new facilities to comply with ADA standards as they are replaced; and

WHEREAS, the City currently reimburses residents $1.00 per square foot for sidewalk replacement; and

WHEREAS, the City has no established policy regarding the reimbursement of ADA-compliant sidewalk facilities.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF EAST GRAND FORKS, that the City of East Grand Forks will reimburse the residents for the installation of ADA-compliant sidewalk facilities; subject to permitting and inspection standards.

BE IT FURTHER RESOLVED, that the City Council directs the City Administrator to develop guidelines for reimbursement, including, but not limited to, maximum reimbursement thresholds.

Voting Aye:
Voting Nay:
Absent:

The President declared the resolution passed.

Passed: June 1, 2010

Attest:

_____ _____

City Administrator/Clerk-Treasurer President of Council

I hereby approve the foregoing resolution this 1st of June, 2010.

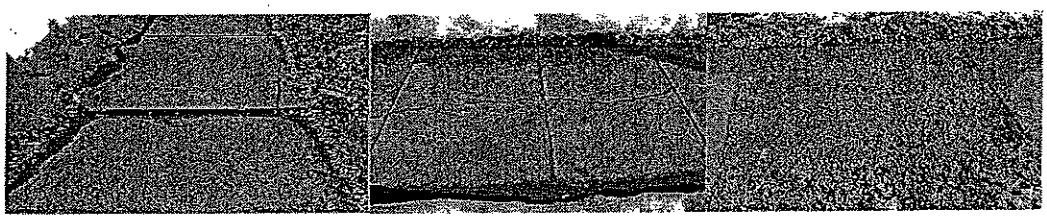
_____

Mayor

City of East Grand Forks Sidewalk Replacement Program

According to the East Grand Forks City Code, the construction, repair and maintenance of sidewalks are the responsibility of the property owner. The City understands the importance of safe sidewalks and wishes to encourage residents to replace damaged and deteriorated sidewalks with safer and more user friendly sidewalks.

Shown below are examples of sidewalks needing replacement.



The City of East Grand Forks currently has a sidewalk replacement program that reimburses residents $1.00 per square foot of sidewalk replaced upon inspection by a building inspector. Additionally, The City will reimburse residents for the installation of sidewalk and curb facilities that are compliant with the Americans with Disabilities Act (ADA) in connection with sidewalk replacement projects. Along with the sidewalk reimbursement the city has started a program to financially help city residents replace their sidewalk.

Program Details Include:

1. The city will assess the costs of sidewalk replacement over a period of five years for regular lots and seven years for corner lots, providing that both sidewalks leading to the corner are replaced.

2. The assessment interest rate will be 5.5% and the amortization method will be equal annual installments.

3. The city will pay the contractor hired by the homeowner after receiving a signed assessment agreement from the homeowner.

4. The square foot reimbursement amount will be subtracted from assessment amount.

5. The program does not include interior walks or sidewalks in new areas.

Please contact the Administration office at 218-773-2483 for further information on the program.

AGENDA ITEM # 9

Request for Council Action

Date: 5/20/10

To: East Grand Forks City Council, Mayor Lynn Stauss, President Dick Grassel, Council Vice President Henry Tweten, Council members: Marc DeMers, Craig Buckalew, Wayne Gregoire Greg Leigh and Mike Pokrzywinski

Cc: File

From: Scott Huizenga, City Administrator

RE: LELS MOU re: travel

I have attached an MOU from Law Enforcement Labor Services (LELS) that allows the City to compensate Police Officers for travel on an hourly basis rather than at 1.5 times the hourly rate for overtime or compensatory time. The agreement allows Police Department personnel to take advantage of training opportunities – both mandatory and optional – while minimizing the overtime concerns that can result from travel time and minimum staffing levels during travel periods.

Recommendation:
Approve the MOU.

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
CITY OF EAST GRAND FORKS
AND
LAW ENFORCEMENT LABOR SERVICES
POLICE DEPARTMENT LOCAL NO. 152

This Memorandum of Agreement is entered into between the City of East Grand Forks (hereafter "City") and Law Enforcement Labor Services, Inc. (hereafter "Union").

WHEREAS, the City and the Union are parties to a collective bargaining agreement containing Article 15.1 which calls for assigned training to be included in the normal 2080 hour work year; and

WHEREAS, the collective bargaining agreement also contains Article 15.3 which requires time and one half (1½) cash compensation or compensatory time for all hours worked in excess of an employees working hours; and

WHEREAS, the Union and the City mutually desire to expand training opportunities for members of the bargaining unit without incurring excessive overtime costs; and

WHEREAS, the City wishes to distinguish compensatory time earned while training as rescheduled time off (RTO);

NOW, THEREFORE, the parties agree as follows:

- RTO will be the term used for compensatory time earned at a straight time basis for purposes of authorized training; and
- Authorized training and drive time occurring on an employees scheduled day off shall be compensated with RTO on a straight time basis; and
- An employee's shift start and end time may be adjusted to accommodate authorized training and drive time; and
- In the event an employees training and drive time exceeds the length of a normal work shift such extended time shall be compensated with RTO on a straight time basis; and
- It is expected that RTO earned while training shall be taken as time off, but in any case the Employer may schedule time off for any RTO hours earned while training, beginning the same month one year after the RTO hours were earned.
- This MOU will remain in full force and effect until such time as it is memorialized in the collective bargaining agreement, or repudiated in writing by either party. In the event of repudiation, this agreement will remain in effect until the current collective bargaining agreement has expired.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Agreement on the dates indicated by their respective signatures.

Signed:

_____	_____
City of East Grand Forks	LELS Union Steward
Date: _____	Date: 2/1/10
_____	_____
City of East Grand Forks	Douglas Biehn, LELS Business Agent
Date: _____	Date: 1-27-10

MEMORANDUM OF UNDERSTANDING
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Date:	Date: 2/1/10
City of East Grand Forks	Douglas Biehn, LELS Business Agent
Date:	Date: 1-27-10

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IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Agreement on the dates indicated by their respective signatures.

Signed:

_____	_____
City of East Grand Forks	LELS Union Steward
Date: _____	Date: 2/1/10
_____	_____
City of East Grand Forks	Douglas Biehn, LELS Business Agent
Date: _____	Date: 1-27-10

AGENDA ITEM # 10

Request for Council Action

Date: May 14, 2010

To: East Grand Forks City Council, Mayor Lynn Stauss, Council President Grassel, Council Vice President Tweten, Council Members Mike Pokrzywinski, Wayne Gregoire, Craig Buckalew, Greg Leigh and Marc Demers

Cc: File

From: Ron Galstad

RE: code of ordinance

Dear Scott:

Attached please find the proposed ordinance enacting a code of ordinances for the city of East Grand Forks. It is a codification of the entire city code and it replaces the code currently in use. Please put on the council agenda for the first reading at the next city council meeting unless you believe that it should be first brought to the council of the whole.

Thank you for your assistance in this matter. If you or the Council have any questions please contact me for clarification.

Respectfully yours,

Ron Galstad

ORDINANCE NO. _____3rd SERIES
CITY OF EAST GRAND FORKS
STATE OF MINNESOTA

AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING, RESTATING, REVISING, UPDATING, CODIFYING, AND COMPILING CERTAIN ORDINANCES OF THE CITY DEALING WITH THE SUBJECTS EMBRACED IN THE CODE OF ORDINANCES, AND PROVIDING PENALTIES FOR THE VIOLATION OF THE CODE OF ORDINANCES.

THE CITY OF EAST GRAND FORKS ORDAINS:

WHEREAS Minnesota Statutes §§ 415.02 and 415.021 authorize the city to cause its ordinances to be codified and printed in a book,

NOW THEREFORE the City Council of the City of East Grand Forks, Minnesota, ordains:

Section 1. The general ordinances of the city as amended, restated, revised, updated, codified, and compiled in book form, including penalties for the violations of various provisions thereof, are adopted and shall constitute the Code of Ordinances of the City of East Grand Forks. This Code of Ordinances also adopts, by reference, certain statutes and administrative rules of the State of Minnesota as named in the Code of Ordinances.

Section 2. The Code of Ordinances as adopted in Section 1 shall consist of the following titles:

TITLE I: GENERAL PROVISIONS

TITLE III: ADMINISTRATION

TITLE V: PUBLIC WORKS

TITLE VII: TRAFFIC CODE

TITLE IX: GENERAL REULATIONS

TITLE XI: BUSINESS REGULATIONS

TITLE XIII: GENERAL OFFENSES

TITLE XV: LAND USAGE

Section 3. All prior ordinances pertaining to subjects treated in the Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance, except as they are included and re-ordained in whole or in part in the Code of Ordinances; provided this repeal shall not affect any offense committed or penalty incurred, or any right established prior to the effective date of this ordinance, nor shall this repeal affect the provisions of ordinances levying taxes; appropriating money; annexing or detaching territory; establishing franchises; granting special rights to certain persons; authorizing public improvements; authorizing the issuance of bonds or borrowing of money; authorizing the purchase or sale of real or personal property; granting or accepting easements, plat or dedication of land to public use; or vacating or setting the boundaries of streets or other public places; nor shall this repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code of Ordinances. All fees established in prior ordinances shall remain in effect unless amended in this Code of Ordinances, or until an ordinance adopting a fee schedule is adopted or amended.

Section 4. This ordinance adopting the Code of Ordinances shall be a sufficient publication of any ordinance included in it and not previously published in the city's official newspaper. The city clerk shall cause a substantial quantity of the Code of Ordinances to be printed for general distribution to the public at actual cost, and shall furnish a copy of the Code of Ordinances to the County Law Library or its designated depository. The official copy of this Code of Ordinances shall be marked and be kept in the office of the city administrator.

Section 5. The Code of Ordinances is declared to be prima facie evidence of the law of the city and shall be received in evidence as provided by Minnesota Statutes by the courts of the State of Minnesota.

Section 6. This ordinance adopting the Code of Ordinances, and the Code of Ordinances itself, shall take effect upon publication of this ordinance in the city's official newspaper.

VOTING AYE:

VOTING NAY:

ABSTAINED:

PRESIDENT DECLARED ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF EAST GRAND FORKS, MINNESOTA THIS _____ DAY OF _____.

APPROVED:

_____
DICK GRASSEL
COUNCIL PRESIDENT

ATTESTED:

_____
SCOTT HUIZENGA
CITY ADMINISTRATOR/CLERK-TREASURER

I HEREBY APPROVE THE FOREGOING ORDINANCE THIS _____DAY OF_____, 2010.

_____
LYNN STAUSS
MAYOR