

**APPROVED
MINUTES
OF THE
EAST GRAND FORKS
CITY COUNCIL
TUESDAY, JUNE 1, 2010 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for June 1, 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 (5:02), Council President Dick Grassel, Council Vice President Henry Tweten, Council Member Marc Demers, Craig Buckalew, Wayne Gregoire, Mike Pokrzywinski, and Greg Leigh.

STAFF PRESENT:

Dave Aker, Parks & Recreation Superintendent; Greg Boppre, City Engineer; Dan Boyce, Water & Light Manager; Ron Galstad, City Attorney; Randy Gust, Fire Chief; Mike Hedlund, Police Chief; 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.

Marilyn Egeland appeared on behalf of Heritage Village to encourage Council Members and community members to become members of Heritage Village.

Polk County Deputy Barb Erdman introduced herself to the City Council. Ms. Erdman announced that she was running for the Polk County Sheriff position

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of May 18, 2010.
2. Consider approving the minutes of the “Special Meeting” for the East Grand Forks, Minnesota City Council of May 25, 2010.
3. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of May 25, 2010.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO APPROVE ITEMS ONE (1) THROUGH THREE (3) AS SUBMITTED.

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

Voting Nay: None

SCHEDULED BID LETTINGS:

4. Consider approving the request to award the base bid for “2010 City Project No. 4, Sanitary Sewer Improvements” to Sellen Brothers for a total bid price of \$85,000.00.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GREGOIRE, TO AWARD THE BASE BID FOR THE “2010 CITY PROJECT NO. 4, SANITARY SEWER IMPROVEMENTS” TO SELLEN BROTHERS FOR A TOTAL BID PRICE OF \$85,000.00

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

Voting Nay: None

5. Consider approving the request to award the base bid for “2010 City Project No.6, Intersection Improvements” to H & S Construction for a total bid price of \$237,772.00.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO AWARD THE BASE BID FOR THE “2010 CITY PROJECT NO. 6, INTERSECTION IMPROVEMENTS” TO H & S CONSTRUCTION FOR A TOTAL BID PRICE OF \$237,772.00

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

Voting Nay: None.

6. Consider approving the request to award the base bid for “2010 Assessment Job No.1, Laurel Drive Paving” to Strata Corp. for a total bid price of \$188,774.20.

Item 6 was tabled to coincide with the Assessment Roll hearing on this project scheduled for June 15, 2010.

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.

7. Consider approving the following "Off Sale" Non-Intoxicating Malt Liquor License Applicant Renewal:
 - a. East Side Travel Plaza located at 607 Gateway Drive, East Grand Forks, MN 56721.
8. Consider approving the following "Off Sale" Weekday Liquor License Applicant Renewals:
 - a. Duke's Liquors located at 1502 Central Ave. NE, East Grand Forks, MN 56721.
 - b. Pop's Liquor located at 122 4th St. NE, East Grand Forks, MN 56721.
9. Consider approving the following New Full Liquor License Applicant:
 - a. Mamma Marias Italian Restaurant, Inc. located at 211 DeMers Avenue, East Grand Forks, MN 56721.
10. Consider approving the following "On Sale Weekday & Sunday Liquor & Off Sale" Non Intoxicating Malt Liquor License Applicant Renewals:
 - a. Whitey's Café, Inc located at 121 Demers Ave., East Grand Forks, MN 56721.
11. Consider approving the following "On Sale Weekday & Sunday" Liquor License Applicant Renewals:
 - a. American Legion located at 1009 Central Ave. NW, East Grand Forks, MN 56721.
 - b. Applebee's Neighborhood Grill & Bar located at 415 2nd St. NW, East Grand Forks, MN 56721.
 - c. Blue Moose Bar & Grill located at 507 2nd St. NW, East Grand Forks, MN 56721.
 - d. Boardwalk Bar & Grill located at 415 2nd St. NW Suite C, East Grand Forks, MN 56721.
 - e. Eagles located at 227 10th St. NW, East Grand Forks, MN 56721.
 - f. Mike's Pizza & Pub located at 411 2nd St. NW, East Grand Forks, MN 56721.
 - g. Valley Golf Course located at 2407 River Road NW East Grand Forks, MN 56721.
 - h. Veterans of Foreign Wars Post 3817 located at 312 Demers Ave., East Grand Forks, MN 56721.
12. Consider adopting Resolution 10-06-65 to approve the filing of plans and specifications and ordering advertisement for bids for "2010 City Project No.3 - Paving Central Ave".
13. Consider awarding the quote to H&S Construction for the 2010 State Aid Repair (Bygland Road/Central Ave/2nd Ave NE) for the total cost of \$54,988.58.
14. Consider approving Resolution 10-06-66 a resolution including the replacement of ADA facilities in sidewalks in the City's Sidewalk Replacement program, subject to existing permitting and inspection processes and the maximum reimbursement determined by the City Administrator.

15. Consider approving the LELS Memorandum of Understanding which allows the City to compensate Police Officers for travel on an hourly basis rather than 1.5 times the hourly rate for overtime or compensatory time.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE CONSENT MOTIONS NUMBER SEVEN (7) THROUGH FIFTEEN (15) AS SUBMITTED.

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

Voting Nay: None.

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

16. Minutes of the Library Board Commission Meeting for April 27, 2010.

COMMUNICATIONS: NONE.

OLD BUSINESS: NONE.

NEW BUSINESS:

17. Consider approving the request to award the base bid for “2010 City Project No.7 – Campground Improvements” to RJ Zavoral and Sons in the total amount of \$239,079.50.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER BUCKALEW, TO AWARD THE BASE BID FOR THE “2010 CITY PROJECT NO.7, CAMPGROUND IMPROVEMENTS TO RJ ZAVORAL AND SONS IN THE TOTAL AMOUNT OF \$239,079.50”.

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

Voting Nay: None.

Abstain: DeMers

18. Consider authorizing the Police Department to complete the hiring process for a new Patrol Officer to fill the current vacant position.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO AUTHORIZE THE POLICE DEPARTMENT TO COMPLETE THE HIRING PROCESS FOR A NEW PATROL OFFICER TO FILL THE CURRENT VACANT POSITION.

Council Member Leigh asked if the proposed newly-hired officer would be the first to be laid off if a reduction in force was to occur. Council Member Tweten supported the filling of the position. Council President Grassel stated that something else would have to be cut if it was not a patrol officer position in light of budget cuts resulting from decreased Local Government Aid.

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

Voting Nay: None.

19. Consider approving Resolution 10-06-67 a resolution to request The Polk County Board of Commissioners 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.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 10-06-67 A RESOLUTION REQUESTING THE POLK COUNTY BOARD OF COMMISSIONERS 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.

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

Voting Nay: None.

20. Consider approving 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. (1st Reading)

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO ENACT A CODE OF ORDINANCES FOR THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING, RESTATING, REVISIONS, 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. (1ST READING)

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

Voting Nay: None.

CLAIMS:

21. Consider adopting Resolution No. 10-06-68 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check number 6388 for a total of \$1754.90 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER LEIGH, TO ADOPT RESOLUTION NO. 10-06-68 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBER 6388 FOR A TOTAL OF \$1754.90 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

Voting Nay: None.

Abstain: Buckalew

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

6341	ABD Publications	Books	119.95
6342	Acme Electric Companies	General Supplies	1065.34
6343	Advanced Business Methods Inc	Copier lease	238.54
6344	Advertising & Supply	Swim Pool Tags	202
6345	All Pro Embroidery	Embroidery/Caps	45
6346	American Legion Post 157	Tacos for Flood Workers	100
6347	American Tire Service	Truck Tires/Flat Repairs	2848.04
6348	Ameripride Linen Services	Custodial Services	582.86
6349	Anderson Jeff	Inspection Class/St. Cloud/Reimburse Meals	64
6350	Baker & Taylor Co	Books	537.4
6351	Beauchamp Justin	Landscaping Incentive Reimbursement	160
6352	Benco Equipment	Hoist Inspections	310.59
6353	Bergeron Mike	Landscape Incentive Refund	500
6354	Blue Cross Blue Shield of ND	Health Insurance Payments	5764.5
6355	Border States Trophy & Awards	Hershey Track Ribbons	85.4
6356	Brodart Co	Books	330.14
6357	Bud & Ralph's Appliance Service Inc	Sunshine Terrace Repair	7.3
6358	Carquest Auto Parts	Parts	19.09
6359	Claitor's Law Book & Publishers	Book	48.9
6360	Cole Papers Inc	Supplies	237.94
6361	Comstock Custom	Flood Cleanup	10429.74
6362	Dakota TV & Appliance	Dryer Repair	172.44
6363	Dan's Excavating Inc	Coupler/Adaptor	206.5
6364	Demco Educational Corp	Summer Reading Supplies	118.6
6365	Diamond Cleaning Supply	Gleme/Cups	76.31
6366	East Side Express	EDHA Board Meeting Meal	48.53
6367	EBSCO Subscription Service	Magazine Subscription Adjustment	5.49
6368	Ellis Nancy	Reimburse/Refreshments for Planning Meeting	9.24
6369	Environmental Equipment	Sweeper Parts #114	1457.28
6370	Environmental Toxicity Control Inc	Acute Toxicity Test	775
6371	Explorer Post #38	Patrol Car Washes	50
6372	Exponent	Advertising/Publishing	1564.26
6373	Flaherty & Hood PA	Labor & Employment Services/April 2010	169.32
6374	Forum	Newspaper Subscription	220

6375	FS Engineering	Professional Services	33345.6
6376	G&K Services	Mats/Custodial	179.19
6377	Gale	Books	46.74
6378	Gall's Inc	Gun Lock For Squad	142.12
6379	Garden Hut Inc	Toro Parts #351	2862.64
6380	Gerrell's Sport Center	Baseball Scorebooks/Baseballs	1734.8
6381	GF Herald	Cleanup Ad	573.75
6382	GF Welding & Machine	Flat Iron Material/Bar Gate	269.69
6383	GGF Convention & Visitors Bureau	Lodging Tax/Plaza Motel	253.17
6384	GLSports Inc	Baseball Caps	916.49
6385	Gust Randy	Inspection Class/St. Cloud	187.5
6386	H&S Construction	Professional Services	65523.36
6387	Hajicek Rick	Cleaning 5/10-5/12-5/14	142.5
6388	Hardware Hank	General Supplies	1754.9
6389	Heartland Paper	Supplies	496.24
6390	Helgeson Charlotte	Books	31.92
6390	Helgeson Charlotte	DVD	20
6391	Holiday Credit Office	Fuel	396.36
6392	Home of Economy	Rain Gear/Chain	224.18
6393	House Of Vacuums	Cord Repair/Rewire	23.34
6394	Hugo's	Supplies	315.25
6395	Kellermeyer Building Service	2 Weekly Cleanings/April	748.13
6396	Kelly Services	A. Finley/Reception/Switchboard Work	276.5
6397	Knott Kayla	Gas Reimburse/Pool Motor	7
6398	League of MN Cities	Patrol Online Training	63.75
6399	League of MN Cities	Workers Comp Audit Adjustment	9346.99
6400	Librarians' Book Express	Books	286.07
6401	Marco Inc	Sales & Usage Tax/May	300.81
6402	Meritcare	UDS/George W.	21
6403	Micro-Marketing LLC	Books on CD	371.9
6404	Midcontinent Communications	April/May Cable/Sr. Center	109.54
6405	Mike's Pizza	Lunch for State Aid Task Force Meeting	63.62
6406	Minnesota City/County Mgmt Assoc.	MCMA Membership Sues/S.Huizenga	86.6
6407	MN Chief of Police Association	Permits To Acquire	168.69
6408	MN Commissioner of Transport	Traffic Signal Maint/Repair/C. Gross	256.93
6409	MN Dept of Health EHSS	Permit Fee/2010 CP No.7	150
6410	MN Dept of Revenue ****VOID****	Sales/Use Tax 0410	1459
6411	MN Fire Service Certification Board	Fire Certification Dues/J.Weber/R. Freitag	40
6412	MN Pollution Control Agency	Training and Cert Fees	900
6413	MN Pollution Control Agency	Application Fee/2010 CP No.7	310
6414	MN POST Board	3 year Post License Renewal	450
6415	Nevco Inc	Score Board Parts/Reflectors	295.39
6416	O'Reilly Auto Parts	General Supplies	1206.2

6417	Odland Fitzgerald	First Appearances/Certified Copies	450.8
6418	Old Dominion Brush	Sweeper Parts #112	570.54
6419	Olson Chris	Reimburse Meals/Elk River Rifle School	89.25
6420	Olson Randy	Work Boot Reimbursement	59.99
6421	Opp Construction	Curb Repair on 15th Near Duke's	140
6422	Pamida	Bounty Paper Towels	19.98
6423	Peak Performance	Diagnostic Charge/Wrong Cartridge	50
6424	Polk County Recorder	Filing Fee/N.Axtman	46
6425	Premium Waters Inc	Water Delivery Service/April	79
6426	Quill Corp	General Supplies	848.26
6427	Qwest	Phone Services	2140.67
6428	Richter James	Sec 8 Voucher Order/Reimburse	203
6429	Robertson Dennis	Reimburse Meals	139.5
6430	Rotary Club of East Grand Forks	April-June Balance Dues/J.Richter	100
6431	Roto Rooter	Jetting/Jetted Sewer Lines	3000
6432	S&S Towing & Repair	Starter/Battery	232.23
6433	Share Corp	Citra Scrub	253.86
6434	Skala Larry	Stump Removal/Parks/Campground	2900
6435	Spray Advantage	Gasket Cap	6.06
6436	Star Tribune	CP No.1 Ad in Star Tribune	2475.2
6437	Steever Kyle	Reimburse for Glowing Keyboard Stickers	15.48
6438	Strata Corp	Concrete	872.35
6439	Streichers	Patrol Uniforms	193.81
6440	Surplus Center	General Supplies	36.28
6441	The Retrofit Companies	Electronic Collection	5841.69
6442	Thomas Bouregy & Co	Books	139.5
6443	Tiger Direct.com	Ergo Keyboard	54.48
6444	Tristeel Manufacturing	Key Hub & Weld to Coupler	69.12
6445	True Temp	Fan Manager/Time Delay Relay	382.55
6446	UPS	Shipping for WW Sample	157.34
6447	US Bearings & Drives	Bearings #353	84.24
6448	Valley Truck	General Supplies	300.98
6449	Victory Corps	Flag	91.29
6450	Vilandre Heating & A/C	Professional Services	1649.74
6451	W.D. Larson Companies LTD Inc	x Wiper Arm	45.11
6452	Water & Light Department	Utilities	19750.41
6453	Weber James	Dish Soap/Laundry Detergent	23.42
6454	Wilbur-Ellis	Spray Solution	641.64
6455	Wizard's Enterprises Inc.	Custodial Services	490
6456	Xcel Energy	Utilities	2122.49
6457	Xerox Corporation	Base Charge/April	21.79
6458	Zavoral Joseph and Jenna	Reimburse for Mailbox	48.75
6459	Zee Medical Service	First Aid Kit Refill	53.93

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

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Mayor Stauss asked about a lift station on the Point. He also asked about asphalt repair to some to the trails behind the VFW Arena

Council President Grassel said that he received a complaint about the noise generated by the recent helicopter ride event.

Council Member Gregoire said that the recent fees that have been discussed by the City Council are "Pawlenty's plan at work."

Council Member Leigh asked if the City should consider using the City logo rather than the Water and Light logo on utility bills because the bills contain fees that are not generated by electricity or water use.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO ADJOURN THE JUNE 1, 2010 REGULAR MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:36 P.M.

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

Voting Nay: None.

Scott Huizenga, City Administrator/Clerk-Treasurer