

**APPROVED
MINUTES
OF THE
EAST GRAND FORKS
CITY COUNCIL
TUESDAY, SEPTEMBER 21, 2010 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for September 21, 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, Craig Buckalew, Wayne Gregoire, Mike Pokrzywinski, and Greg Leigh.

STAFF PRESENT:

Greg Boppre, City Engineer; Dan Boyce, Water & Light Manager; Michelle French, Executive Assistant; Ron Galstad, City Attorney; Randy Gust, Fire Chief; Charlotte Helgeson, Library Director; Scott Huizenga, City Administrator; 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 September 7, 2010.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of September 14, 2010.

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

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

Voting Nay: None.

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.

Council Member Pokrzywinski pulled item number three.

3. Consider approving the following ““On Sale” Wine and “On Sale” Non-Intoxicating” Liquor License Applicant Renewals:
 - a. LBDMEGF, LLC, Little Bangkok located at 302 DeMers Avenue, East Grand Forks, MN 56721.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER LEIGH, TO APPROVE CONSENT MOTIONS NUMBER FOUR (4) THROUGH SIX (6) AS SUBMITTED.

Council Member Pokrzywinski asked if the owner had to be a US Citizen. Mr. Galstad stated that he would need to look into it. Ms French announced that if this license is approved, it will get sent to the State for approval.

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

Voting Nay: None.

4. Consider approving the application for a Block Party for 18th Ave. SE on September 25, 2010 from 2:00 pm to 12:00 am.
5. Consider approving the request to declare the attached items surplus for the upcoming City Auction.
6. Consider approving the City Administrator Employment Agreement.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER LEIGH, TO APPROVE CONSENT MOTIONS NUMBER FOUR (4) THROUGH SIX (6) AS SUBMITTED.

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

Voting Nay: None.

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

7. Regular Meeting minutes of the Water, Light, Power and Building Commission for August 19, 2010.

COMMUNICATIONS: NONE.

OLD BUSINESS: NONE.

NEW BUSINESS:

8. Consider adopting Resolution No. 10-09-98, a Resolution to support Legislation that bans in the most expeditious manner possible the sale and distribution of synthetic cannabinoids and related substances.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER LEIGH, TO ADOPT RESOLUTION NO. 10-09-98, A RESOLUTION TO SUPPORT LEGISLATION THAT BANS IN THE MOST EXPEDITIOUS MANNER POSSIBLE THE SALE AND DISTRIBUTION OF SYNTHETIC CANNABINOIDS AND RELATED SUBSTANCES.

Council President Grassel stated that residents have contacted him regarding this drug. Council Member DeMers questioned the wording of the first statement but agrees with the rest of the resolution.

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

Voting Nay: None.

9. Consider adopting Ordinance No. 312 3rd Series, an Ordinance of the City of East Grand Forks, Minnesota, amending City Code Title XV entitled "Land Usage" by amending Chapter 152 entitled "Zoning Code" "General Performance Standards" by adding Section 152.293 (G) "Building Performance Standards"; and by adopting by reference City Code Title 1, Chapter 10 and Section 10.99 which, among other things, contain penalty provisions. (2nd Reading)

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADOPT ORDINANCE NO. 312 3RD SERIES, AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE TITLE XV ENTITLED "LAND USAGE" BY AMENDING CHAPTER 152 ENTITLED "ZONING CODE" "GENERAL PERFORMANCE STANDARDS" BY ADDING SECTION 152.293 (G) "BUILDING PERFORMANCE STANDARDS"; AND BY ADOPTING BY REFERENCE CITY CODE TITLE 1, CHAPTER 10 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS. (2ND READING)

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

Voting Nay: DeMers.

10. Consider adopting Ordinance No. 313 3rd Series, an Ordinance of the City of East Grand Forks, Minnesota, amending City Code Title XV entitled "Land Usage" by amending Chapter 151 "Subdivision Regulation" Section 151.106 (B) Street Width and Grade, (12), Sidewalks; and by adopting by reference City Code Title 1, Chapter 10 and Section 10.99 which, among other things, contain penalty provisions. (2ND Reading)

A MOTION WAS MADE BY COUNCIL MEMBER GREGOIRE, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPT ORDINANCE NO. 313 3RD SERIES, AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE TITLE XV ENTITLED “LAND USAGE” BY AMENDING CHAPTER 151 “SUBDIVISION REGULATION” SECTION 151.106 (B) STREET WIDTH AND GRADE, (12), SIDEWALKS; AND BY ADOPTING BY REFERENCE CITY CODE TITLE 1, CHAPTER 10 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS. (2ND READING)

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

CLAIMS:

- 11. Consider adopting Resolution No. 10-09-99 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check number 7465 for a total of \$343.84 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 10-09-99 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBER 7465 FOR A TOTAL OF \$343.84 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.

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

3D Specialties	Telespar & Rivets For Signs	\$1,884.63
Aker Dave	Reimb Meal/Mileage Bemidji	\$142.00
American Tire Service	Flat Repair #147 & 614/New Tire #144	\$570.01
Ameripride Linen & Apparel Services	Cleaning Supplies	\$765.76
Anderson Bros Body Shop	08 Chec Impala09 Crown Vic/07 Suizuki Hail Repair	\$5,943.35
Aqua Water Solutions	5 Gallon Water & Deposit	\$67.60
Bauer Joanne	Security Deposit Refund	\$358.21
Bobcat of Grand Forks	Tire For Right Rear #144	\$199.58
Boushee Jeff	Reimb Meals/Roseville MN	\$46.00
Brite-Way Window Cleaning	Window Cleaning RW Mall	\$50.00
Bruce Jay	Clean Demers Building	\$75.00
C&R Laundry & Cleaners	Dry Cleaning/PD & FD	\$401.64
Canon Financial Services	Copier Contract	\$167.10
Cariveau Concrete Construction	Slab For Columbarium	\$2,670.00

Carquest Auto Parts	A/C Hose Fitting #320/Fittings For Hydro Test #137	\$73.16
Cash Donald Scott	Dial-A-Ride Aug 2010	\$1,772.88
Cedar Rapids Tire	Toro Mower Tires	\$1,341.88
Clear Channel Communications	Advertising	\$550.00
Coalition of Greater MN Cities	2011 CGMC Dues	\$11,006.00
Complete Pest Control Inc	Pest Control	\$710.76
Craguns	Lodging/Bert Roberts & J. Grenier	\$634.86
D&M Auto Body	Repairs Unit 400	\$1,000.00
D&M Distributing	Starter #412	\$288.21
Dakota TV & Appliance	Service Air Conditioner/Washer/Dryer	\$276.59
Danielson Paul & Kristine	Deferred Loan	\$5,000.00
Deitz Business Promotions	Patches w/ Seal	\$372.74
Drummer's Diesel Inc	DOT #155	\$153.51
Eagle Electric	Pref Services	\$3,193.49
Explorer Post #38	Squad Car Cleaning	\$40.00
Exponent	Public Hrg/Coulee View Addition/Winter Ad/2010 AJ 2	\$464.70
Federal Signal Corp Emergency Products	4 Lightbars/4 Bracket Kits/4 Signal Master Control	\$6,498.00
Fettig Lud	Sidewalk Reimb	\$375.00
Filter Care	Washed Air Filters	\$260.09
Forx Radiator	Crimp Hose Fitting For A/C	\$15.63
G&K Services	Rugs	\$348.21
Gaffaneys	Ink/Markers/Folders	\$101.29
Galstad Jensen & McCann PA	Prof Services	\$7,140.75
Garden Hut Inc	Indicator Lights/Air Filters	\$115.71
George's Quick Printing	Notary Stamp S.Huizenga/Business Cards C.Olson	\$162.73
GF City Utility Billing	August 2010 Landfill Charges	\$14,685.35
GF Fire Equipment	Shelves/Racks/holders (AFG Grant)/3 Helmets/Fronts	\$10,107.11
GF Herald	Sr.Center Dace Ad	\$68.04
GF Welding & Machine	Repair Cylinder Block/Drive Shaft for Front Mount	\$561.59
GGF Convention & Visitors Bureau	July 2010 Lodging Tax/Plaza Motel/Rec #110319	\$615.21
Godfathers Exterminating Inc	Worms In The Bathhouse	\$69.47
Grand Cities Towing	Towing/GMC Yukon	\$53.44
Gulbranson Dale	Reimb Meal/Crookston	\$11.00
H&S Construction	Pavers / Street Construction	\$34,520.83
Hadden Garry	Reimb Meal & Mileage/Grand Rapids	\$210.00
Hajicek Rick	Cleaning 8/30 - 9/3	\$142.50
Hardware Hank	Maint Supplies	\$343.84
Heartland Paper	Paper/Cleanser/Towels/Soaps/Supplies	\$1,817.42
Herrick Enterprises	Boat Equip	\$245.65
Holiday Credit Office	Fuel	\$455.59
Hugo's	Misc Supplies	\$207.37
Huizenga Scott	Reimb Meal/Intergovernmental Mtg/Lions Membership	\$132.67
Indian Springs Manufacturing Co	Training DVDS	\$252.28

Innovative Office Solutions LLC	Computer Paper	\$125.58
Interstate Power Systems	A/C Condenser Fans #320	\$194.35
Jolanda Streifel	Plaque/Name Tags	\$32.00
K&K Trucking Inc	Gravel	\$1,960.00
Keepers Inc	17 Glock Pistols	\$2,529.77
Keith's Security World	PWD Keys	\$26.69
Kellermeyer Building Service	Cleaning Service City Hall/Riverwalk Ctr	\$2,671.88
Kelly Services	Temp Services	\$857.50
Lab Safety Supply	PH DO2 Meter & Sampling	\$1,552.65
Larson Lois	Reimb Meal/Roseville MN	\$30.00
League of MN Cities	2010 Regional Meeting	\$240.00
League of MN Cities	3rd Qtr Municipality Insurance	\$52,778.70
Little Falls Machine Inc	12' Snow Plow Wing/# 118	\$13,754.81
Loffler Companies Inc	Mirraiv Service Cont	\$1,815.00
Lumber Mart	Treated Lumber/Screws/Split Arm Operator	\$91.79
M&K Porta Potties	Porta Potty Rental	\$105.00
M&W Services	Application/Weed Control	\$160.31
Maintainer Custom Bodies Inc	Golight On Rescue Truck/Repair Rescue Truck	\$5,720.57
Marco	Copier Contract	\$84.14
Menards	Maint Supplies	\$23.44
Meritcare	DOT Recert J.Stordahl	\$55.00
Metro Fire	Valve kit	\$95.33
Michael & Julie Barksdale & American Federal	Deferred Loan	\$5,000.00
Midcontinent Communications	Cable Sr Center/Sunshine Terrace	\$797.47
Midwest Playscapes	Campground Playground Equip	\$40,000.00
Mike's Pizza	Meals	\$67.72
MN Pollution Control Agency	WW Seminar/J.Grenier & B.Roberts	\$600.00
MN State Fire Chief Association	Fire Chiefs Confrence: Rochester	\$175.00
MTI Distributing Company	Inventory Parts/Toro	\$198.00
Newman Signs	Sign Rental	\$1,580.00
NFPA	Banners	\$106.15
Northern Plumbing Supply	Hose Connection Vacum Breaker	\$103.76
O'Reilly Auto Parts	Maint Supplies	\$261.35
Opp Construction	Striping	\$4,292.50
Orchard Richard	7000 Gallons Diesel Fuel/7999 Gal Unleaded Fuel	\$36,464.70
Pamida	EDHA/Coffee & Water	\$16.75
Paul Grzadzieleski	Stump Removal	\$50.00
Peterson Veterinarian Clinic P.C.	Pound Fees Aug 2010	\$888.93
Polk County Recorder	Fax File/File Fee	\$54.00
Praxair Distribution	Work Gloves	\$171.21
Premium Waters Inc	Water Service	\$67.12
Quill Corp	Office Supplies	\$194.97
Qwest	Phone Service	\$2,298.83

Railroad Mgmt Co III LLC	6 Sewer Pipeline Crossing 12/10 - 12/11	\$598.98
Ringuette Jeannette	Refund Impound Fees	\$25.00
Riverport Inn & Suites	Lodging/D.Grassel/L.Stauss	\$306.00
RJ Zavoral & Sons	Regrade Field/Dig Up & Repair Valve Box 8th St NW	\$5,428.65
Roto Rooter	Cleaning Sanitary Sewers	\$14,875.00
Rydell Chevrolet	Parking Brake Lever Assy	\$160.27
Sam's Club	Office Supplies	\$19.73
Schmidt Sharon	Landscaping Reimb	\$500.00
Simonson Station Stores	Book Of Car Washes	\$29.75
Stone's Mobile Radio Inc	Camera Recording Equip/Antenna End	\$4,442.43
Stordahl Kenley	Lot Mowing & Maint	\$6,350.00
Summit Fire Protection	Annual Fire Sprinkler Inspection	\$190.00
Sun Dot Communications	ADSL Internet	\$138.49
T.R. Construction	1104 Yds Clay	\$2,760.00
The Chamber of EGF/GF	Sen.Dorgan Recognition Lunch	\$120.00
Tiger Direct.com	Computer Repair/Monitor For Conf Room/Printer	\$1,668.25
Titan Access Account	Bolts For #171	\$3.08
True Temp	Maint RTU's	\$218.14
Try-County Refrigeration	AC Unit Repair	\$1,808.00
Univar USA Inc	Mosquito Chemicals	\$2,865.40
Victory Corps	Flags	\$185.61
Waste Mgmt	Disposal Services	\$35,248.76
Water & Light Department	Monthly Service	\$5,473.55
WCS	Dog Catcher Poles	\$228.42
WDAZ TV	Campground Promo	\$1,275.00
Weber James	Reimb Station Supllies	\$37.67
Xerox Corporation	Base Charge For August	\$21.79
	Total	<u>\$383,007.37</u>

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

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Mayor Stauss stated that he is opposed to sidewalks but he will not veto. He feels the yards look more beautiful without them.

Council Member DeMers asked when the grand opening is for the new restaurant. He announced that he is working on a meeting with residents on 14th. He also reminded everyone of the Curbside Chat on Monday, September 27, 2010 at 6:30 pm.

Council Vice-President Tweten discussed the article found in the Minneapolis Tribune about the surplus of water in the Fall.

Mr. Huizenga announced that he will be attending a League of Minnesota Cities Regional Meeting in Crookston at 1:00 pm on September 22, 2010. He also stated that he will be in Chicago all of Thursday.

Mr. Boppre stated that he is working on the Corp of Engineers on loose ends and looking at James Avenue. He gave an update on 23rd.

Mr. Wachter announced that Fall Cleanup will be October 4-8 on your regular scheduled pickup day with hazardous waste and electronic drop off on October 9th from 9:00 am to 3:00 pm at the Public Works Department.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADJOURN THE SEPTEMBER 21, 2010 REGULAR MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:27 P.M.

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

Voting Nay: None.

Scott Huizenga, City Administrator/Clerk-Treasurer