

**APPROVED MINUTES
OF THE
EAST GRAND FORKS
CITY COUNCIL
TUESDAY, NOVEMBER 16, 2010 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for November 16, 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 (5:04), 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; Dan Boyce, Water and Light Superintendent; Greg Boppre, City Engineer; Nancy Ellis, Planning & Zoning; Ron Galstad, City Attorney; Randy Gust, Fire Chief; Mike Hedlund, Police Chief Charlotte Helgeson, Library Director; Scott Huizenga, City Administrator; Jim Richter, EDHA Director, and Teri Kouba GF EGF MPO.

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 November 4, 2010.

A MOTION WAS MADE BY COUNCIL MEMBER GREGOIRE, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE “REGULAR MEETING” FOR THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL OF NOVEMBER 4, 2010.

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

Voting Nay: None.

2. Consider approving the minutes of the “Special Meeting” for the East Grand Forks, Minnesota City Council of November 9, 2010.

A MOTION WAS MADE BY COUNCIL MEMBER GREGOIRE, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE “SPECIAL MEETING” FOR THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL OF NOVEMBER 9, 2010.

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

Voting Nay: None.

3. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of November 9, 2010.

A MOTION WAS MADE BY COUNCIL MEMBER GREGOIRE, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE “WORK SESSION” FOR THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL OF NOVEMBER 9, 2010.

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

Voting Nay: None.

SCHEDULED BID LETTINGS: NONE.

SCHEDULED PUBLIC HEARINGS:

4. Public Hearing to consider adopting Resolution number 10-11-111 approving the adoption of assessment roll #317 for 2009 Assessment Job No.2 – Paving 17th Ave SE, S 13th St SE for a total assessment amount of \$90,558.67.

Mr. Boppre briefly described the project and the roll. No other public comments.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GREGOIRE, TO CLOSE THE PUBLIC HEARING AND ADOPT RESOLUTION NO. 10-11-111 A RESOLUTION APPROVING THE ADOPTION OF ASSESSMENT ROLL #317 FOR 2009 ASSESSMENT JOB NO.2 – PAVING 17TH AVE SE, S 13TH ST SE FOR A TOTAL ASSESSMENT AMOUNT OF \$90,558.67.

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

Voting Nay: None.

5. Public Hearing approving Resolution number 10-11-112 approving the adoption of assessment roll #318 for 2009 Assessment Job No.4 – Paving 20th Ave SE and 13th St SE for a total assessment amount of \$446,624.07.

Mr. Boppre explained the project. The preliminary assessment hearing was heard in late 2009. The project cost was lower than estimated, so the final assessment would be lower. Mr. Boppre addressed the five concerns from a letter sent to the City Council from residents who receive end benefits under the project.

Warren Strandell, 2024 10th St. SE, spoke on behalf of a group of residents opposed to end benefits on the project. Mr. Strandell questioned several aspects of the city assessment policy, including that end benefits are assessed only half way down the block from the improved road. He thought that other residents in the area were getting a “free ride” based on the city’s policy.

Council President Grassel said that most residents were not getting a free ride. Most residents paid assessments on 10th Street. And, sometimes there is only one assessment.

Council Member Leigh said that the City should look at the current assessment policy.

Council Member DeMers said that staff followed the city policy to the letter. In the past, however, Council has deviated from the policy; and that there are always exceptions. Future policies may need to address how end benefits are calculated.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO CLOSE THE PUBLIC HEARING AND ADOPT RESOLUTION NO. 10-11-112 A RESOLUTION APPROVING THE ADOPTION OF ASSESSMENT ROLL #318 FOR 2009 ASSESSMENT JOB NO.4 – PAVING 20TH AVE SE AND 13TH ST SE FOR A TOTAL ASSESSMENT AMOUNT OF \$446,624.07.

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

Voting Nay: None.

6. Public Hearing approving Resolution number 10-11-113 approving the adoption of assessment roll #319 for 2008 City Project No.1 – First Lutheran Church Parking Lot Stalls for a total assessment amount of \$25,514.80.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO CLOSE THE PUBLIC HEARING AND ADOPT RESOLUTION NO. 10-11-113 A RESOLUTION APPROVING THE ADOPTION OF ASSESSMENT ROLL #319 FOR 2008 CITY PROJECT NO.1 – FIRST LUTHERAN CHURCH PARKING LOT STALLS FOR A TOTAL ASSESSMENT AMOUNT OF \$25,514.80.

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

Voting Nay: 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 awarding the Paratransit and Senior Rider contract to Grand Forks Taxi and the proposed option.
8. Consider approving the request to submit the East Grand Forks studies in priority order to Metropolitan Planning Organization for inclusion in 11-12 Unified Planning Work Program.
9. Consider approving Resolution number 10-11-114 approving the re-adoption of assessment roll #316 for 2010 Assessment Job No.1 – Paving Laurel Drive – Point of Woods 5th Addition for a total assessment of \$220,096.17.
10. Consider approving Resolution number 10-11-115 authorizing the City of East Grand Forks' Clerk-Treasurer to make transfers for budget year 2010.
11. Consider approving Resolution number 10-11-116 to allow the Library to take advantage of available grant money to make needed expenditures. The amended budget expenditures were funded by the related grants.
12. Consider approving the lease agreement with Independent school district No. 595, East Grand Forks, Minnesota to the Civic Recreation Center and the VFW Arena for the 2010-2011 school year at the cost of \$93,500.00.
13. Consider adopting Resolution No. 10-11-117 authorizing the City Council to order that the following costs, with interest charged at 10% per year beginning on January 1, 2011 for mowing grass on the listed properties be certified to the County Auditor for collection with the 2010 real estate taxes.
14. Consider adopting Resolution No. 10-11-118 authorizing the City Council to order that the stated costs beginning on January 1, 2011 for sidewalk replacement on the listed properties be certified to the County Auditor for collection with the 2011 real estate taxes.
15. Consider adopting Resolution No. 10-11-119 a Resolution certifying the following delinquent utility account to the County Auditor:
 - a. Steve Etienne, 1600 10th St. SE, \$258.48
 - b. Mike Ogren, 2603 Hwy 2, \$261.59
 - c. Bruce Watkins, 2609 Hwy 2, \$42.71

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

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

Voting Nay: None.

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

16. Regular meeting minutes of the Water, Light, Power and Building Commission for October 21, 2010.

COMMUNICATIONS: NONE.

OLD BUSINESS: NONE.

NEW BUSINESS:

17. Consider adopting Resolution number 10-11-122 to approve the modification to the multi-unit account charge for the Rescue Unit Fee for the city of East Grand Forks, Minnesota.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPTING RESOLUTION NUMBER 10-11-122 APPROVING THE MODIFICATION TO THE MULTI-UNIT ACCOUNT CHARGE FOR THE RESCUE UNIT FEE FOR THE CITY OF EAST GRAND FORKS, MINNESOTA.

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

Voting Nay: None.

18. Consider approving the Teamsters, Local No. 120 Labor Agreement from January 1, 2010 through December 31, 2012; and the Memorandum of Understanding thru December 31, 2010.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE THE TEAMSTERS, LOCAL NO. 120 LABOR AGREEMENT FROM JANUARY 1, 2010 THROUGH DECEMBER 31, 2012; AND THE MEMORANDUM OF UNDERSTANDING THRU DECEMBER 31, 2010.

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

Voting Nay: None.

19. Consider approving the utility easement agreement between the City and the State of Minnesota on behalf of Northland Community and Technical College (NCTC), East Grand Forks to install the three phase cable on the north end near NCTC.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE UTILITY EASEMENT AGREEMENT BETWEEN THE CITY AND THE STATE OF MINNESOTA ON BEHALF OF NORTHLAND COMMUNITY AND TECHNICAL COLLEGE (NCTC), EAST GRAND FORKS TO INSTALL THE THREE PHASE CABLE ON THE NORTH END NEAR NCTC.

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

Voting Nay: None.

CLAIMS:

20. Consider adopting Resolution No. 10-11-120 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check number 7974 for a total of \$1,249.79 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. 10-11-120 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBER 7974 FOR A TOTAL OF \$1,249.79 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

21. Consider adopting Resolution No. 10-11-121 a Resolution authorizing the City of East Grand Forks to approve purchases from Bert’s Truck Equipment the goods referenced in check number 7936 for a total of \$14,883.61 whereas Council Member Gregoire is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 10-11-121 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM BERT’S TRUCK EQUIPMENT THE GOODS REFERENCED IN CHECK NUMBER 7936 FOR A TOTAL OF \$14,883.61 WHEREAS COUNCIL MEMBER GREGOIRE IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

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

Acme Electric Companies	Shop Supplies/Tools	\$1,054.73
Aker Dave	Reimb/Meals/Mileage/Bloomington	\$583.00
Albrecht Manufacturing	Repairs/Weld #117/#114/Wing Push Bar	\$938.36
American Tire Service	Flat Repair #157	\$54.25
American Tire Service Inc	Tires #543/545/546/548	\$2,317.94
Ameripride Linen & Apparel Services	Cleaning Services/Supplies	\$226.03
Anderson Marcy	Refund FS Fees	\$155.00
Anderson Robert	Paint Gate At Green Site	\$250.00
Aqua Water Solutions	Water Service	\$38.85
Bert's Truck Equipment	New Sander Box/Hyd Filter Head #104/Cutting Edge #173	\$14,883.61
Border States Electric Supply	Bulbs/Lamps/Filler Plate	\$286.78
Border States Trophy & Awards	Rec Skate Buttons	\$330.93
Bruce Jay	Phone Reimb/Clean Demers Bldg	\$106.74
C&R Laundry & Cleaners	Dry Cleaning / PD/FD	\$287.22
Carquest Auto Parts	Repairs #104/Main Gear Box Oil Filters	\$99.16

Carrot Top Industries Inc	US & MIA Flags	\$182.62
Cash Donald Scott	Oct 2010 Dial-A-Ride & Senior Rider	\$3,447.36
Cole Papers Inc	Laundry Det/Cleaning Supplies	\$474.55
Creative Product Source Inc	Stick On Badges	\$131.22
Crookston City	Safe & Sober/Labor Day/October Wave	\$1,916.04
Diamond Cleaning Supply Richard Papenfuss	Round Up/Shop Supplies	\$347.88
Dragich Mark	Meal Reimb/Minneapolis	\$156.00
East Side Travel Plaza	Propane	\$28.80
Emergency Apparatus Maintenance Inc	Pump Test	\$1,620.65
Environmental Equipment	Hopper Transition #114	\$625.64
Erickson-Spokely Linda	Reimb Mileage/Crookston	\$25.00
Explorer Post #38	Squad Car Cleaning	\$50.00
Exponent	FD Job Ad/09 AJ2,09 AJ4, 08 CP1 Public Hearing Notice	\$1,091.09
Filter Care	Washed Filters	\$104.31
Flaherty & Hood PA	Teamster Negotiations	\$72.33
Foxit Corporation	PDF Software	\$436.00
G&K Services	Mats	\$241.95
Gaffaneys	Ink	\$90.79
Galstad Jensen & McCann PA	Professional Services	\$9,501.25
Garden Hut Inc	Gasket Hydro Trans #137	\$7.58
George's Quick Printing	PD Logo Envelopes/Permit Signs	\$285.36
GF City Utility Billing	Landfill Disposal Charges Oct 2010	\$14,817.45
GF Herald	Home Improvement Section	\$609.00
GF Welding & Machine	Iron #120	\$6.41
Godfathers Exterminating Inc	Sunshine Terrace	\$133.59
Gompf Displays	Flagpole	\$1,271.81
Gopher State Lawn Sprinklers	River St. Sprinklers	\$118.01
Grand Cities Towing	Towing	\$100.00
Greenberg Roofing	VFW Roof Repair	\$6,757.00
Gulbranson Dale	Boot Allowance	\$75.00
H&S Construction	Repair 10th St NE	\$3,660.00
Hajicek Rick	Cleaning 10/25/10 - 11/5/10	\$285.00
Hardware Hank	Misc Supplies	\$1,249.79
Heartland Paper	Soap/Cleaner/Paper Towels	\$219.15
Hugo's	Supplies/Acct End 0821	\$79.76
Integra Telecom	LD Phone	\$151.41
Integrated Process Solutions Inc	Installation Of New Transmitter/Check Lift 15	\$2,192.82
JobsHQ	Wanted Ad/FD	\$1,165.17
Johnson Catherine	Reimb Meal/Mileage Naturalist Meeting	\$182.37
Kellermeyer Building Service	Cleaning Services	\$2,671.88
Kelly Services	Temp Services	\$637.00
League of MN Cities	MCSC Contributions	\$565.00
Leisureland RV	Trailer Breakaway Cable & Switch #221	\$24.93

Lithia Payment Processing	#541 Front End Alignment & Tire Check	\$266.04
Lumber Mart	Oak Boards #104	\$39.27
Marco	Copier Maint	\$85.54
McDonald's of EGF	Prisoner Meals	\$62.16
Metropolitan Planning Organization	Planning/Transit Hours Sept 2010/Local Share Sept 2010	\$8,073.79
Mike's Pizza	State Aid Task Force Meeting	\$55.08
Newman Signs	Sign Rental	\$1,580.00
Northern Plumbing Supply	Maint Supplies	\$14.89
O'Reilly Auto Parts	Maint Supplies/Inventory	\$392.52
Odland Fitzgerald Reynolds & Harbott PLLP	First Appearances	\$360.00
Olson Chris	Reimb Meals/Bemidji	\$12.00
Opp Construction	Striping 5th St NE/Repair 3rd & 4th Ave/7th St & Bygland Rd	\$28,390.00
Pamida	Paper Towels/Cust ID 02790447	\$14.96
Pape Nicole	Refund/Cooper Basic Hockey	\$65.00
Party America Corp Offices	Placemats/Acct # 40401114	\$42.61
Paul Grzadzieleski	Stump Removal	\$823.00
Peterson Veterinarian Clinic P.C.	Oct 2010 Pound Report	\$427.50
Polk County Recorder	Registration Tax & Recording Fee DPA Loan/C. Coquette	\$56.35
Polk County Sheriff's Office	Safe & Sober/October Wave/Labor Day	\$1,646.50
Praxair Distribution	Cylinder Rental	\$19.08
Premium Waters Inc	Water Service	\$78.62
Quill Corp	Supplies	\$97.57
Quirk Michelle	Reimb Mileage/Crookston	\$25.00
Quirk Mike	Reimb Mileage/Crookston	\$25.00
Qwest	Phone Service	\$382.30
RDO Powerplan OIB	Adjust Hyd Circuit Relief Valve	\$397.80
Richter James	Reimb Board Meals	\$64.75
Rotary Club of East Grand Forks	Rotary Dues/Oct-Dec 2010	\$100.00
Rydell Chevrolet	Remote Transmitter & Ign Keys #511	\$310.04
S&S Landscaping	Erosion Control Straw Wattle	\$214.50
Schumacher Todd	Coaches Clinic	\$50.00
Skala Larry	Tree Removal	\$2,301.00
Skinner Roofing	Repair Roof	\$172.00
Stennes Granite	5/Openings & Closings	\$2,375.00
Stone's Mobile Radio Inc	Portable Radio Repair	\$92.12
Streichers	Jacket(Hart)	\$235.99
Stuart's Towing	Towing	\$30.00
Sun Dot Communications	ADSL/DSL Internet	\$265.48
Sunshine Terrace	Laundry Money/July - Dec 2010	\$300.00
Swang Mike	Reimb Meal/Mileage/TZD Conf/St.Paul	\$76.00
The Retrofit Companies Inc	Electric Clean Up	\$1,766.12
Titan Access Account	Inv	\$100.69
True Temp	Replace Gas Regulator	\$1,009.57

Vilandre Heating & A/C	Repair Floor Heat/Boiler Line	\$453.17
Wagner's Landscaping	10 CP 7 Campground Improv/Trees	\$13,883.25
Wald Ronald	Straw Bales	\$50.00
Waste Mgmt	Monthly Services	\$42,085.55
Water & Light Department	Phone/Monthly Services	\$36,088.80
WDAZ TV	Fall Clean Up Ad	\$322.00
Xcel Energy	Monthly Services	\$2,017.89
Xerox Corporation	Copier Fee	\$21.79
	Total	<u>\$227,239.86</u>

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

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

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Mayor Stauss reported on the fall conference of the Coalition of Greater Minnesota Cities. He plans to meet with new Legislators as quickly as possible.

Council Member DeMers reiterated that the council and others should speak with Legislators at every possible opportunity to educate them on LGA and other city issues.

Council Member Buckalew gave a “belated” congratulations to Council President Grassel and Vice President Tweten on their re-elections.

Council Member Tweten said that he hoped the economy improves and that the Legislature recognizes LGA. He also discussed budget plans of Northland Technical and Community College to move its auto service program from East Grand Forks to the Thief River Falls campus.

Council Member Pokrzywinski condemned a reported “closed meeting” in which certain city officials from Fargo and Moorhead discussed flood issues without media access or access by other council members in both cities.

Council President Grassel also emphasized contact with legislators and said that “we would be in good shape” if the city received restored LGA.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADJOURN THE NOVEMBER 16, 2010 REGULAR MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:38 P.M.

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

Voting Nay: None.

Scott Huizenga, City Administrator/Clerk-Treasurer