

**APPROVED
MINUTES
OF THE
EAST GRAND FORKS
CITY COUNCIL
Tuesday, January 20, 2009 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for January 20, 2009 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: Council President Dick Grassel, Council Vice President Henry Tweten, Council Member Marc Demers, Craig Buckalew, Wayne Gregoire, Mike Pokrzywinski, and Greg Leigh.

STAFF PRESENT:

Scott Huizenga, City Administrator; Michelle French, Executive Assistant; Ron Galstad, City Attorney; Greg Boppre, City Engineer; Charlotte Helgeson, Library Director; Nancy Ellis, Planning & Zoning; Jerry Lucke, Finance Director; Dan Boyce, Water & Light Manager; 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.”

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of January 6, 2009.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE “REGULAR MEETING” FOR THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL OF JANUARY 6, 2009.

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

EAST GRAND FORKS CITY COUNCIL
January 20, 2009

Voting Nay: None.

2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of January 12, 2009.

A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE THE “WORK SESSION” FOR THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL OF JANUARY 12, 2009.

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

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 chose.

3. Consider approving the application for an Exempt Gambling Permit for a raffle for Min-Dak Border Chapter of Minnesota Deer Hunters Association to be held March 14, 2009 at the Eagles Club, 227 10th St. NW, East Grand Forks, MN 56721 and waive the 30-day waiting period.
4. Consider approving the application for an Exempt Gambling Permit for a raffle for Knights of Columbus 5341 to be held April 1, 2009 at the Sacred Heart Church, 200 3rd St. NW, East Grand Forks, MN 56721 and waive the 30-day waiting period.
5. Consider approving the following Gas & Oil Installer Licenses pending required bond:
 - a. Bill Hastings Heating & Air Conditioning, 1409 12th Ave. S, Grand Forks, ND 58201.
 - b. Lunseth Plumbing & Heating Co., 1710 N. Washington St., Grand Forks, ND 58203.
6. Consider approving the following Massage Parlor Owner Licenses:
 - a. Maggi Jean Johnson, 1316 S 20th St., Grand Forks, ND 58201.
7. Consider approving the following Master Plumber Licenses pending required bond & license:
 - a. Lunseth Plumbing & Heating Co. – Philip Kraemer, 1710 N. Washington St., Grand Forks, ND 58203.
8. Consider approving the following Vending Wagon License pending approval by the Minnesota Department of Health:
 - a. Blondi’s Lemonade/Sonja Miller, 44705 Zellwood Rd, Sauk Centre, MN 56378.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE CONSENT MOTIONS NUMBER THREE (3) THROUGH EIGHT (8) AS SUBMITTED.

EAST GRAND FORKS CITY COUNCIL
January 20, 2009

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

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

9. The minutes of the Water, Light, Power and Building Commission for December 4, 2008.
10. The minutes of the Water, Light, Power and Building Commission for December 18, 2008.

COMMUNICATIONS: NONE.

OLD BUSINESS: NONE.

NEW BUSINESS:

11. Consider approving the request to file plans and specification for “2009 City Project No. 2 – Curb, Gutter, and Paving – 5th Avenue NE from USTH 2 to 15th Street NE.”

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE REQUEST TO FILE PLANS AND SPECIFICATION FOR “2009 CITY PROJECT NO. 2 – CURB, GUTTER, AND PAVING – 5TH AVENUE NE FROM USTH 2 TO 15TH STREET NE.”

Discussion occurred regarding funding and priority. Mr. Boppre informed City Council that 15th Street NE is not State Aid.

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

12. Consider approving the request to prepare plans and specifications for “2009 City Project No. 3 – Curb, Gutter, and Paving – Cul-De-Sacs along 17th Ave. SE and 14th Ave. SE.”

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER GREGOIRE, TO APPROVE THE REQUEST TO PREPARE PLANS AND SPECIFICATIONS FOR “2009 CITY PROJECT NO. 3 – CURB, GUTTER, AND PAVING – CUL-DE-SACS ALONG 17TH AVE. SE AND 14TH AVE. SE.”

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

13. Consider approving the request to vacate 10 feet of a 20 foot pedestrian easement between Lots 6, 7, 19, and 20, Block 1 (10 foot easement per lot would be reduced to a 5 foot easement per lot) and approve the request to vacate the entire 20 foot pedestrian easement between Lots 6 and 7 Block 2 Peabody’s First Addition.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER LEIGH, TO APPROVE THE REQUEST TO VACATE 10 FEET OF A 20 FOOT

PEDESTRIAN EASEMENT BETWEEN LOTS 6, 7, 19, AND 20, BLOCK 1 (10 FOOT EASEMENT PER LOT WOULD BE REDUCED TO A 5 FOOT EASEMENT PER LOT) AND APPROVE THE REQUEST TO VACATE THE ENTIRE 20 FOOT PEDESTRIAN EASEMENT BETWEEN LOTS 6 AND 7 BLOCK 2 PEABODY'S FIRST ADDITION.

Council Member Gregoire asked for clarification regarding the easement. Ms Ellis announced that the Planning Commission requires a pedestrian easement because of the length of the block. Mr. Galstad asked if the utility and pedestrian easement is the same. Mr. Boyce stated that in this case it is and it would be manageable.

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

Voting Nay: None.

14. Consider approving the request to dedicate a 10 foot pedestrian easement between Lots 4 & 5 and Lots 8 & 9, Block 2 Peabody's First Addition (5 foot easement per lot).

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE THE REQUEST TO DEDICATE A 10 FOOT PEDESTRIAN EASEMENT BETWEEN LOTS 4 & 5 AND LOTS 8 & 9, BLOCK 2 PEABODY'S FIRST ADDITION (5 FOOT EASEMENT PER LOT).

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

Voting Nay: None.

15. Consider adopting Resolution No. 09-01-09 a Resolution delegating authority to pay claims to the positions of City Administrator/Clerk Treasurer and Finance Director and in their absence, to the Deputy Clerk-Treasurer.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 09-01-09 A RESOLUTION DELEGATING AUTHORITY TO PAY CLAIMS TO THE POSITIONS OF CITY ADMINISTRATOR/CLERK TREASURER AND FINANCE DIRECTOR AND IN THEIR ABSENCE, TO THE DEPUTY CLERK-TREASURER.

Council President Grassel asked who the Deputy Clerk-Treasurer is. Mr. Huizenga stated that it is basically the same as the Finance Director. Mr. Galstad informed City Council that the Resolution should be modified to reflect the proper titles.

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

Voting Nay: None.

16. Consider adoption of Ordinance No. 307 3rd Series and Ordinance an ordinance of the City of East Grand Forks, Minnesota, amending City Code Chapter Two Entitled "Administration" by adding to Section 2.30, Claims and Disbursements a subdivision 5 to grant the City Administrator/Clerk Treasurer and/or other designated officials authority; and by adopting by reference City Code Chapter 1 and Section 2.99 which, among other things, contain penalty provisions. (2nd Reading)

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADOPT OF ORDINANCE NO. 307 3RD SERIES AND ORDINANCE AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE CHAPTER TWO ENTITLED “ADMINISTRATION” BY ADDING TO SECTION 2.30, CLAIMS AND DISBURSEMENTS A SUBDIVISION 5 TO GRANT THE CITY ADMINISTRATOR/CLERK TREASURER AND/OR OTHER DESIGNATED OFFICIALS AUTHORITY; AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 1 AND SECTION 2.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS. (2ND READING)

Council Member Leigh stated that Department Heads are given authority to prove up to \$2000, he felt that this could add up quickly with the tight budget. Mr. Huizenga announced that the job comes with some responsibility.

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

Voting Nay: None.

17. Consider adopting Resolution No. 09-01-10 a Resolution authorizing the recommended transfers for budget year 2008.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPT RESOLUTION NO. 09-01-10 A RESOLUTION AUTHORIZING THE RECOMMENDED TRANSFERS FOR BUDGET YEAR 2008.

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

Voting Nay: None.

18. Consider adopting Resolution No. 09-01-11 a Resolution enabling elected and/or appointed officials of the City of East Grand Forks to be covered by the Minnesota Workers Compensation Law.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 09-01-11 A RESOLUTION ENABLING ELECTED AND/OR APPOINTED OFFICIALS OF THE CITY OF EAST GRAND FORKS TO BE COVERED BY THE MINNESOTA WORKERS COMPENSATION LAW.

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

Voting Nay: None.

CLAIMS:

19. Consider adopting Resolution No. 09-01-12 a Resolution authorizing the City of East Grand Forks to approve purchases from Bert’s Truck for the goods referenced in check number 1993 for a total of \$597.48 whereas Council Member Gregoire is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 09-01-12 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM BERT’S TRUCK FOR THE

EAST GRAND FORKS CITY COUNCIL
January 20, 2009

GOODS REFERENCED IN CHECK NUMBER 1993 FOR A TOTAL OF \$597.48 WHEREAS COUNCIL MEMBER GREGOIRE IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

20. Consider adopting Resolution No. 09-01-13 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 2025 for a total of \$229.33 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. 09-01-13 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 2025 FOR A TOTAL OF \$229.33 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

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

Acme Electric Companies	Repair Kit	\$34.21
Aggregate Industries	Est No.10-Final 2006 City Proj No.1	\$18,946.07
American Tire Service	Tire Repair #163	\$109.00
Ameripride Linen & Apparel Services	Cleaning Service	\$218.34
Bartlette Steve	Reimb Ref Fees	\$90.00
Bert's Truck Equipment	Work On Plow	\$597.48
Border States Industries	Refl Lamp	\$143.70
Brite-Way Window Cleaning	December Service	\$45.00
Building Vision	LLC	\$6,664.00
Business Essentials	Tape, Envelopes	\$40.18
Business Solutions Online	CD Reference	\$864.00
C&R Laundry & Cleaners	Dry Cleaning Dec Police & Fire, Oct Police	\$1,099.11
Canon Financial Services	Copier Services	\$166.58
Center Point Large Print	Books	\$1,488.00
Cole Papers Inc	Tissue, Cleaner	\$276.42
Commercial Printing	Christmas Cards	\$31.10
Dave's Snow Removal	Jan 09 Snow Removal	\$180.00
East Side Travel Plaza	Car Wash, Gas For PD	\$25.89
Egeland Bobbie	Gas Reimb Pee Wee Hockey	\$53.00
EGF Bambino Club	Cal Ripken Ump Fees - Replace Voided Ck 035626	\$1,180.00
Elliott Mark	Hockey Assoc Fees	\$250.00
Emergency Apparatus Maintenance Inc	Repair Valve on Unit 409	\$457.87

EAST GRAND FORKS CITY COUNCIL
January 20, 2009

Emphasys Computer Solutions	Monthly Software Maint Agreement	\$541.91
Exponent	Pedestrian Easement Dedication, Police Auction Ad	\$110.15
Explorer Post #38	Car Wash #1	\$90.00
FSH Communication LLC	Pay Phone Civic Center	\$63.34
G&K Services	Rugs	\$74.78
Galstad Jensen & Olson	Criminal, Civil, Reimb, CORPS	\$13,113.31
George's Quick Printing	Notice Stickers, Building Permits	\$233.24
GF City Utility Billing	Dec Landfill	\$11,626.15
GF Fire Equipment	26 Fire Helmets	\$4,498.00
GF Herald	Sr.Dance	\$62.99
GGF Convention & Visitors Bureau	Nov 08 Lodging Tax	\$454.62
Glass Pro's Inc	Install Insulated Glass	\$486.00
Grand Forks Taxi Company	Dec Service	\$2,381.40
Green Danny	Gas Reimb Tournament In Bemidji	\$30.00
Hajicek Rick	Cleaning	\$370.50
Hardware Hank	General Supplies, Maint Supplies	\$229.33
Heartland Paper	Tissue, Air Dispenser & Supplies, Flush Valve	\$557.80
Hjelle Garret	Reimb Hockey Coaches Clinic Level 2	\$55.00
Hugo's	Sr Center Dances	\$84.57
Jackman Todd and Nicole	Housing Incentive Program Tax Rebate	\$2,488.63
JDC	LLC	\$25,690.00
Kaler Doeling Law Office	Craft Comp Of EGF Bankruptcy	\$55.60
Keith's Lock & Key	Labor/ Open Door	\$65.00
Kellermeyer Building Service	Dec Services	\$1,917.00
Knoff Kory	Housing Incentive Program Tax Rebate	\$1,734.93
Kulas Mary	Supplies For Handcrafts Class, Artist Pres	\$750.00
Lumber Mart	Mall Construction Supplies	\$2,272.97
M&W Services	Plow Snow, Outside Rink Maint	\$1,282.50
Marco - Fargo Inc	Contract For Jan 09	\$41.87
MBPTA	Organization Renewal Fee	\$50.00
McGinnis Edward & Natalie	Housing Incentive Program Tax Rebate	\$657.43
Misty McIntosh and Terry Ziegler	Housing Incentive Program Tax Rebate	\$1,309.96
Menards	Maint Supplies, Door Stop	\$143.82
Metzgar Paul and Robin	Housing Incentive Program Tax Rebate	\$2,003.66
Midcontinent Communications	Sen Center, Sunshine Terrace Cable	\$858.76
Mike's Pizza	Lunch Nancy Ellis	\$55.92
Mitch Yoney Snow Removal	Snow Removal 12/11/08 - 12/29/08	\$1,267.50
MN Commissioner of Transport	Agreement 90284 Audit	\$8,318.36
MN Dept of Labor & Industry	Jay Bruce Boiler License, Building Permit Surcharge	\$3,746.40
MN Juvenile Officers	Dec/Sept	\$210.00
Neil Jim	Conference Registration - Mike Swang	\$210.00
Newman Signs	Reimb Work Boots	\$75.00
Olson Bruce	Sign Rent Jan 09	\$2,370.00
Opp Construction	Reimb Ref Fees Level 3	\$90.00
O'Reilly Auto Parts	Estimate No.3 2007 City Project No.8, Estimate No.4	\$4,122.90
Pamida	08AJ3	\$64.90
Party America Corp Offices	Anti-Freeze, Maint Supplies	\$83.87
Peterson Veterinarian Clinic P.C.	Supplies	\$34.59
Piche Tom	Decorations	\$703.35
	Dec Charges/3 Cats 7 Dogs	\$42.93
	Gas Reimb	

**EAST GRAND FORKS CITY COUNCIL
January 20, 2009**

Praxair Distribution	Cylinder	\$16.67
Premium Waters Inc	Water	\$21.59
Quill Corp	Supplies	\$224.94
Qwest	Phone Service	\$7,393.39
Resharpit Inc	Blade Sharpening	\$120.00
Rydell Chevrolet	Electrical Repair #542	\$619.84
Schull Wayne & Diane	Housing Incentive Program Tax Rebate	\$2,001.96
Scholand Tyler	Gas Reimb Grafton	\$15.66
Shern Gerald and Penny	Housing Incentive Program Tax Rebate	\$2,177.14
Simonson Station Stores	Squad Car Wash	\$32.76
SimplexGrinnell	Labor For Alarm & Detection Board, Batteries	\$441.20
Sterling Development Group	Tax Increment Payment	\$34,183.00
Straw William	Ref Fees Level 1, Gas Reimb	\$69.25
Strandell Kary	Reimb Gas Squirt Hockey	\$41.40
Stuart's Towing	Tow Bus 320	\$950.00
Sun Dot Communications	APSL & DSL Service Jan	\$138.49
Taser International	Training Materials Recert-Gahlon	\$95.00
Titan Access Account	Balance Due On Parts	\$8.67
Tony Dorn Inc	Copies	\$144.76
True Temp	Service On Fuse For Control Board	\$50.00
Try-County Refrigeration	Service Furnace	\$65.00
Unique Snow Removal	Snow Removal - Riverwalk Center	\$100.00
USA Hockey	Coaches Insurance Brian Larson	\$30.00
US Bearings & Drives	Round 3 Hole	\$6.41
Vilandre Heating & A/C	Furnace Repair, Frozen Pipe Repair	\$2,435.87
Waste Mgmt	Disposal/Recycle Dec 08	\$2,664.39
Water & Light Department	Postage 4th Qtr Planning	\$4,147.12
Water & Light Department	PR Batch 070.01.2009 Misc Water & Light	\$50.00
Water & Light Department	PR Batch 070.01.2009 W&L Teamsters Drive	\$10.00
Wavra Mitchel	Housing Incentive Program Tax Rebate	\$3,436.62
Xcel Energy	Sunshine Terrace Nov 08	\$2,579.00
Ziegler	Cutting Edges	\$3,017.04
Zimprich Carrie	Day Care	\$96.00
	Total	\$197,914.06

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

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

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Council Member Demers informed City Council that he had the opportunity to go to the Capitol for Legislative Action Day. He stated that the City will need to prioritize projects and possibly look at cuts.

Council Vice President Tweten stated that the Public Works Department has been doing an excellent job on snow removal and plowing down to the black top will save the City money on sand.

EAST GRAND FORKS CITY COUNCIL
January 20, 2009

Council Member Leigh asked that Mr. Huizenga work with the Public Works Department and Police Department to discuss parking on 4th Ave. NW and 17th Street by Valley Dairy. He stated that with the snow and vehicles parking on the street, it makes it difficult for vehicles to travel on 17th Street.

Council President Grassel informed City Council that “no parking” signs will need to be put up along 17th Street. He inquired regarding Stuart’s Towing charge on the bills. Mr. Leigh stated that he heard that Stuart’s Towing had to tow back the bus used for hockey. Mr. Huizenga will look into this. Council President Grassel also informed City Council that the Governor will need to look at how to correct the deficit and the City is going to need to look at how the City can cut and what can the City save. He also stated that Mr. Wagner talked to him about American Crystal Sugar going to taxation court.

Mr. Huizenga stated that the annual Chamber meeting will be next week.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADJOURN THE JANUARY 20, 2009 REGULAR MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:35 P.M.

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

Voting Nay: None.

Scott Huizenga, City Administrator/Clerk-Treasurer