

**APPROVED
MINUTES
OF THE
EAST GRAND FORKS
CITY COUNCIL
Tuesday, June 2, 2009 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for June 2, 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: 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:

Scott Huizenga, City Administrator; Michelle French, Executive Assistant; Ron Galstad, City Attorney; Greg Boppre, City Engineer; Mike Hedlund, Police Chief; Nancy Ellis, Planning & Zoning; Randy Gust, Fire Chief; Jim Richter, EDHA Director; John Wachter, Public Works Superintendent; and Dan Boyce, Water & Light Manager.

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 May 19, 2009.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER LEIGH, TO APPROVE THE “REGULAR MEETING” FOR THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL OF MAY 19, 2009.

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

Voting Nay: None.

Absent: Buckalew.

2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of May 26, 2009.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GREGOIRE, TO APPROVE THE “WORK SESSION” FOR THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL OF MAY 26, 2009.

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

Voting Nay: None.

Absent: Buckalew.

SCHEDULED BID LETTINGS:

3. Consider approving the request to award the “2009 Flood Cleanup” to RJ Zavorals for a total bid price of \$117,280.00.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE REQUEST TO AWARD THE “2009 FLOOD CLEANUP” TO RJ ZAVORALS FOR A TOTAL BID PRICE OF \$117,280.00.

Council Member Leigh asked how this would be funded. Council President Grassel stated 75% FEMA, 15% State, and 10% Local. Mr. Wachter stated that the City only received one bid. Discussion occurred regarding the difference in the Grand Forks Flood Cleanup bid. Mr. Wachter announced that he sent the bid application out to eight different companies and advertised. The East Grand Forks bid is more complex; it included outfalls, boat ramp, and is based on estimated quantity.

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

Voting Nay: None.

Abstain: DeMers.

Absent: Buckalew.

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.

4. Consider awarding the quote to Swingen Construction to repair the North Pedestrian Bridge for approximately \$25,700.00. (FEMA 75%, State 15%, Local 10%)
5. Consider awarding the quote to Opp Construction for repairs to the intersection at 10th and Bygland Road for \$10,200.00.

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6. Consider awarding the quote to H&S Construction to repair pavers and catch basins at City Hall for approximately \$12,840.00.
7. Consider approving the request for the 190th Street Lighting relocation in Hartsville Township.
8. Consider approving the request to promote Randy Olson, 904 17th Ave. SE, East Grand Forks, MN 56721, to fill the position of the full-time Public Works Equipment Operator, beginning June 1, 2009 at a starting salary of \$19.88 per hour.
9. Consider approving the application for a Special Event for Catfish Days on July 31, 2009 through August 2, 2009 at LaFave Park.
10. Consider approving the VFW Post 3817 application for a Temporary Liquor License for the The Chamber, Catfish Days to be held on July 31, 2009 through August 2, 2009 at LaFave Park, Riverbank in East Grand Forks, MN 56721.
11. Consider approving the application for an Exempt Gambling Permit for a raffle for the East Grand Forks Police Officers Association to be held August 1, 2009 at LaFave Park, Intersection of Hill Street and River Street, East Grand Forks, MN 56721 and waive the 30-day waiting period.
12. Consider approving the application for an Exempt Gambling Permit for a raffle for the Northern Valley Honor Flight to be held September 4, 2009 at the East Grand Forks VFW, 312 DeMers Ave., East Grand Forks, MN 56721 and waive the 30-day waiting period.
13. Consider approving the application for an Exempt Gambling Permit for a raffle for the Northern Valley Honor Flight to be held September 18, 2009 at the East Grand Forks VFW, 312 DeMers Ave., East Grand Forks, MN 56721 and waive the 30-day waiting period.
14. 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.
15. 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.
16. Consider approving the following ““On Sale” Wine and “On Sale” Non-Intoxicating” Liquor License Applicant Renewals:
 - a. Mamma Marias Italian Restaurant, Inc. located at 211 DeMers Avenue, East Grand Forks, MN 56721.
17. 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.

18. 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. Liberty Lanes located at 1500 5th Ave. NE, East Grand Forks, MN 56721.
 - g. Mike’s Pizza & Pub located at 411 2nd St. NW, East Grand Forks, MN 56721.
 - h. Valley Golf Course located at 2407 River Road NW East Grand Forks, MN 56721.
 - i. Veterans of Foreign Wars Post 3817 located at 312 Demers Ave., East Grand Forks, MN 56721.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO APPROVE CONSENT MOTIONS NUMBER FOUR (4) THROUGH EIGHTEEN (18) AS SUBMITTED.

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

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

- 19. The minutes of the Water, Light, Power and Building Commission for April 16, 2009.
- 20. The minutes of the Water, Light, Power and Building Commission for May 7, 2009.

COMMUNICATIONS: NONE.

OLD BUSINESS: NONE.

NEW BUSINESS:

- 21. Consider adopting Resolution No. 09-06-36 a Resolution approving plans and specifications and ordering advertisement for bids for 2009 Assessment Job No. 1 – Utilities – 17th Avenue SE.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADOPT RESOLUTION NO. 09-06-36 A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR 2009 ASSESSMENT JOB NO. 1 – UTILITIES – 17TH AVENUE SE.

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

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22. Consider adopting Resolution No. 09-06-37 a Resolution approving plans and specifications and ordering advertisement for bids for 2009 City Project No. 1 – Curb, Gutter, and Paving – 23rd Street NW, once the City receives MnDot concurrence to advertise for the project.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 09-06-37 A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR 2009 CITY PROJECT NO. 1 – CURB, GUTTER, AND PAVING – 23RD STREET NW, ONCE THE CITY RECEIVES MNDOT CONCURRENCE TO ADVERTISE FOR THE PROJECT.

Council Member Pokrzywinski inquired about the concurrence. He also asked if there were any other obstacles to be aware of. Mr. Boppre stated that MnDot needs to approve the project and he is working on the encroachment agreements with Viking Gas for the next work session. Council Member Leigh stated that the ditch by the cemetery is full of water and is wondering if that is part of this project. Mr. Boppre will look into the ditch issue.

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

23. Consider adopting Resolution No. 09-06-38 a Resolution declaring adequacy of petition, including with the project the City’s action to include 13th Street SE Construction and set public hearing for July 7, 2009.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 09-06-38 A RESOLUTION DECLARING ADEQUACY OF PETITION, INCLUDING WITH THE PROJECT THE CITY’S ACTION TO INCLUDE 13TH STREET SE CONSTRUCTION AND SET PUBLIC HEARING FOR JULY 7, 2009.

Mr. Boppre announced that the developer had pulled his name off the petition. Mr. Boppre stated that a public hearing will be held on July 7. Crary Development will move the equipment off the road so the Street Department can blade the road.

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

24. Consider approving the request to file the assessment roll for “2009 Assessment Job No.3 – Paving – Peabody 1st Addition/Greenway 1st Addition.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE REQUEST TO FILE THE ASSESSMENT ROLL FOR “2009 ASSESSMENT JOB NO.3 – PAVING – PEABODY 1ST ADDITION/GREENWAY 1ST ADDITION.

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Mr. Boppre announced that the assessment hearing will be held on July 16th. Notice went to all the property owners. He stated that he has a meeting with Mr. Peabody on Wednesday to discuss his special assessments.

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

CLAIMS:

25. Consider adopting Resolution No. 09-06-39 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check number 3219 for a total of \$300.81 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. 09-06-39 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBER 3219 FOR A TOTAL OF \$300.81 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

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

Acme Electric Companies	Blade/Squeege/Forklift Rental(Flood)	\$3,007.08
Advanced Business Methods	Copier Lease	\$194.63
All Pro Embroidery	Crest Logo	\$20.00
Alltel	PD Cell Phone	\$246.14
Ameripride Linen & Apparel Services	Cleaning Supplies/Services	\$462.34
B&M Recognition	Plaques	\$77.85
Bailey Nurseries Inc	Trees	\$6,109.36
Baker & Taylor Co	Books	\$314.20
Barta Alex	Start Up/Ice Equip	\$132.00
Batteries Plus	Batteries	\$52.73
Blue Cross Blue Shield of ND	EDHA Insurance	\$4,977.20
Boardwalk Bar & Grill	Meal	\$68.80
Border States Electric Supply	Light Bulbs	\$89.00
Border States Trophy & Awards	Track Ribbons	\$192.15
Brodart Co	Books	\$217.78
Bushee Jennifer	Permit Tech Seminar	\$75.00
Business Essentials	Finance Charges	\$6.50
Capstone Press Inc	Books	\$151.72
CDW Government Inc	Printer For PD Dispatch	\$246.75
Club House Hotel	J Grenier Hotel Room	\$10.96
Cole Papers Inc	Supplies	\$409.69

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Commercial Printing	Summer Brouchure/Receipt Book	\$1,984.10
Dacotah Paper Co	Hand Soap/Shampoo	\$61.09
Dakota Student	Ad For Employment	\$32.00
Dan's Excavating Inc	Repair Water Leak	\$499.50
Daydreams Specialities	Skyberg Retirement Plaque	\$40.00
Demco Educational Corp	Processing Supplies	\$492.36
Direct USA Online	Reference Materials	\$769.00
Eagle Electric	Exhaust Fan	\$172.80
Emphasys Computer Solutions	Monthly Maint Software Agreement	\$541.91
Exponent	Notice On Grass & Weeds/Flood Clean Up Bid	\$131.25
FedEx	Shipping	\$7.68
Fert L Lawn	Weed Control Application	\$159.75
Floan Sanders	Prof Services	\$17,904.09
G&K Services	Mats	\$119.84
Gale	Books	\$116.85
Galstad Jensen & Olson PA	Attorney Fees	\$13,622.47
Gerrells Sport Center	Cal Ripken Hats/Minor League Hats	\$843.75
Glass Pro's Inc	Reset Arm & Door	\$58.00
Grand Forks Environmental Lab	Water Testing	\$25.00
Grassel Richard	Meal/Mileage Reimb CGMC	\$276.75
Hajicek Rick	Cleaning 5/11/09 - 5/16/09	\$133.00
Hajicek Rod	Meal Reimb Moorehead/Crookston	\$16.50
Hardware Hank	Maint Supplies	\$300.81
Heartland Paper	Can Liners/Gloves/Bath Tissue/Cleaning Supplies	\$282.15
Helgeson Charlotte	Reimb Conference Registration/Mileage Reimb	\$418.00
Holiday Credit Office	Police Dept/EDHA Gas	\$168.65
Huizenga Scott	Cell Phone/Meal Reimb	\$42.11
Hussey Plumbing	Repair Swim Pool Locker Room	\$75.60
ICMA	City Admin Membership Renewal	\$710.48
Independent School District #595	Busing For Students	\$109.97
Ink Inc Imprinted Sportswear	Jackets	\$86.86
International Public Mgmt Association for HR	Lieutenant Police Test	\$130.00
Interstate Power Systems	Pump For Flood Prep	\$170.95
Jeff Hatcher	Installing New Awnings Riverwalk Center	\$1,176.37
Junior Library Guild	Books	\$2,067.00
Knutson Printing Company	#10 Window Envelopes/Notecards/Envelopes	\$490.00
Lake Agassiz Babe Ruth	2 Babe Ruth Teams/2 Prep Teams	\$1,130.00
League of MN Cities	09 Joint Legislative Conference	\$160.00
Librarians' Book Express	Books	\$224.34
Lynne Gladwin	Uniforms	\$258.53
Marco - Fargo Inc	Copier Maint	\$278.57
MCFOA	MCFOA Membership/Scott Huizenga	\$35.00
Metropolitan Planning Organization	Planning/Transit Hours/Local Share	\$4,687.61
Micro-Marketing LLC	Books	\$232.82
O'Reilly Auto Parts	Wire	\$5.31
Odland Fitzgerald Reynolds & Harbott PLLP	Criminal	\$388.00
Olson Chris	Meal Reimb Crookston	\$16.50
Opp Construction	08 Asses Job No3 Estimate No 5	\$3,470.15
Pamida	Sunscreen/Coffee/Food/Dance Supplies	\$51.83
Pape Bros. LLP	Ag Lime For Ball Diamonds	\$1,000.00

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Peak Performance	Toner Cartridge For Fax Machine	\$157.88
Peltier Jim	Refund Baseball/Nathan	\$125.00
Polk County Recorder	EDHA Recording Fees	\$46.00
Quill Corp	Office Supplies	\$278.03
Qwest	Phone	\$1,207.49
Reed Business Information	11th Ave Bid	\$250.92
Right Choice Electric Inc	Repair Gate Arm	\$426.73
Robertson Dennis	Meal Reimb	\$105.00
Rotary Club of East Grand Forks	Dues	\$100.00
Roto Rooter		\$200.00
Service Providers for Seniors	Geriatric Health Conference	\$65.00
Simonson Lumber & Hardware	Vinyl Patch	\$55.44
Spoor Tom	Mileage Reimb Detroit Lake	\$125.40
Stone's Mobile Radio	Radio Repair	\$142.55
Strata Corp	Signs	\$260.00
Streichers	Uniforms/Patrol	\$167.97
Szczepanski Darren	Meal Reimb DRE Training MPLS	\$94.75
Thomas Bouregy & Co	Books	\$139.50
Tiger Direct.com	Computer Monitor/Computer	\$1,163.85
True Temp	Install Head Pressure Controls/-A/C Repair Unit	\$1,271.93
United States Post Office	6 Rolls .44 Stamps	\$264.00
USTA	Membership	\$35.00
Wagner Construction	08 CP1 Est 9 / Wastewater Improvements	\$145,006.50
Water & Light Department	Monthly Service	\$20,199.90
Whalen Mark	Meal Reimb/Cloquet	\$105.00
World Media	Books	\$158.68
Xcel Energy	Monthly Service	\$1,536.54
	Total	<u>\$246,926.24</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: Gregoire, Leigh, Pokrzywinski, DeMers, Grassel, and Tweten.

Voting Nay: None.

Absent: Buckalew.

COUNCIL/STAFF REPORTS:

Mayor Stauss stated that the City needs to take care of the dandelions on City property if we expect the residents too. He also stated that last year the City Council toured all the City buildings and with the LGA cuts, buildings still need to be maintained. Mayor Stauss asked Council President Grassel to appoint a committee to meet with the Water and Light Commission and Dan Boyce to look at the maintenance of all buildings.

Council Member DeMers announced that American Crystal Sugar is producing an odor on the south end. He will look into this issue on his own. Council Member DeMers suggested creating a sunset with contractors to pave a new development by a certain number of years. He would like this to be discussed at a future work session. Council Member DeMers also congratulated Sacred Heart on their trip to State. He also informed

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everyone that the neighborhood lemonade sale raised \$890 for a family member who is fighting cancer. He stated that it's nice to see people come together and use the City parks.

Council Vice President Tweten informed City Council that Mr. Aker had a sprayer break down so he was unable to take care of the dandelions. He also informed everyone of a book of history for \$14 through Gerald Amiot.

Council Member Leigh announced that whoever sells lots within the City should make the potential buyer aware of all costs to come.

Council Member Pokrzywinski discussed the odor from American Crystal Sugar and would like them to send the Council a letter on why the odor has increased. The Chamber is forming a task force to determine how it's going so far.

Council President Grassel suggested contacting Steve Clausen regarding American Crystal Sugar odor. He congratulated Sacred Heart softball and those who went to State in track and golf as well. Council President Grassel stated that people need to show up for public hearings for special assessments. Mayor Stauss stated that the banker or realtor should talk to the potential buyer on all upcoming costs.

Mr. Galstad announced that if the special assessments are not certified, there are no numbers available for the potential buyer. Mr. Boppre announced that the policy in the past has been 50% petitioned. At some point, paving will be done.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO ADJOURN THE JUNE 2, 2009 REGULAR MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:38 P.M.

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

Voting Nay: None.

Absent: Buckalew.

Scott Huizenga, City Administrator/Clerk-Treasurer