

GRAND RAPIDS CITY COUNCIL MEETING
MONDAY, FEBRUARY 9, 2009 – 5:00 P.M.
CITY COUNCIL CHAMBERS

CALL TO ORDER: Pursuant to due notice and call thereof a Regular Meeting of the Grand Rapids City Council was held on Monday, February 9, 2009 at 5:00 p.m.

CALL OF ROLL: On a Call of Roll, the following members were present: Mayor Dale Adams; Councilmembers: Gary McInerney, Dale Christy, Ed Zabinski, and Joe Chandler. Absent: None.

Others Present: City Administrator Shawn Gillen, City Attorney Chad Sterle, City Staff: Tom Pagel, Shirley Miller, Barb Baird, Bob Cahill, Jeff Davies, Marcia Anderson, Marilyn Isaac, Steve Flaherty, Leigh Serfling, Marlyn Halverson, Lynn DeGrio, Rob Rima, David Calliguri.

PRESENTATIONS/PROCLAMATIONS:

Mayor Adams read a proclamation honoring Chief Warrant Officer 3 Philip E. Windorski Jr., who lost his life January 26, 2009 while serving his country in Iraq.

PUBLIC FORUM: None.

COUNCIL REPORTS:

Councilman Christy, Council representative to the Park/Recreation and Civic Center Board, reported on the most recent Board meeting which included plans for bidding out the old score boards and setting rates for use of buildings/facilities.

Mayor Adams read correspondence received from:

- Don Ness, Mayor of the City of Duluth. Mayor Ness offered his condolences in the loss of Chief Warrant Office Philip E. Windorski Jr.
- Vern Erickson regarding his growing concerns of Buckthorn invasion on our local lakes. Mayor Adams thanked Mr. Erickson for his support and work on the challenging problem of eradication of this noxious plant species.

APPROVAL OF MINUTES:

MOTION BY COUNCILMAN McINERNEY, SECOND BY COUNCILMAN ZABINSKI, TO APPROVE THE COUNCIL MINUTES OF JANUARY 26, 2009 AT 5:00 AND 3:30 P.M. AND SPECIAL COUNCIL MEETING OF FEBRUARY 2, 2009 AS PRESENTED. The following voted in favor thereof: Chandler, McInerney, Zabinski FOR Christy, Adams. Opposed: None, motion passed unanimously.

CONSENT AGENDA:

MOTION BY COUNCILMAN ZABINSKI, SECOND BY COUNCILMAN CHANDLER, TO APPROVE, CONSENT AGENDA ITEMS 1-4 AS PRESENTED, PULL 5, 6 AND 6A A AND PLACE ON REGULAR AGENDA DISCUSSION AND ACTION.

1. Approved LG220 Application for Exempt Permit for raffles to St. Joseph's Catholic Community. Date of event March 17, 2009 at St. Joseph's Church, 315 SW 21st Street. Application acknowledged with no waiting periods.
2. Approved the renewal of Central School lease with Rebecca Walker, dba Yarnworks. Effective date February 1, 2009 through December 31, 2009.
3. Approve the hiring of temporary employees with the IRA Civic Center and Grand Rapids Sports February 1, 2009 through December 31, 2009.
4. Consider approving the purchase to Upgrade Aerial Photography from Pictometry International Corp. in the amount of \$24,647.00 either in full or over 3 annual installments; with an additional Complex beginning February 10, 2009. This expense is covered in the 2009 budget.
- 5, 6 and 6A – removed from consent agenda and moved to regular agenda.

The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, motion passed.

SETTING OF REGULAR AGENDA:

MOTION BY COUNCILMAN McINERNEY, SECOND BY COUNCILMAN CHANDLER, TO APPROVE THE REGULAR AGENDA WITH THE FOLLOWING CHANGES, ADDITION OF AMENDED RCA FOR ITEM 9, ADDITION OF AGENDA ITEM 9A, ADD CONSENT AGENDA ITEM 5 AS 14A, CONSENT AGENDA 6 AS 12A AND CONSENT AGENDA 6A AS 12B. The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, motion passed.

ACKNOWLEDGE BOARD/COMMISSION MINUTES:

The Council acknowledged the receipt of:
Grand Rapids Economic Development Authority minutes of January 8, 2009.
Housing and Redevelopment Authority minutes of December 17, 2008.

DEPARTMENT HEAD REPORT:

- Composition of Grand Rapids HRA – public housing which are subsidized, and affordable/moderate rate rental housing complexes.
- Are eligible in applying for and obtaining Capital Fund Improvement money for fiscal year 2009.

- Planning construction projects in both public buildings.
- Un-audited findings for fiscal year 2008 show that the GRHRA operated in positive numbers for all three funds.
- Noted that the GRHRA contributes to the tax base of Grand Rapids.

The full report has been made a part of the agenda packet.

ENGINEERING DEPARTMENT:

9. Consider purchasing permanent and temporary easements from the property owners identified above, in a total amount of \$39,900.00 with MSAS construction, and/or MSAS maintenance funds and approval of payment.

City Engineer Pagel handed out a revised RCA with an addition of temporary and permanent easements from GR/Itasca County Airport Commission at a cost of \$10,090.00 increasing the total amount to \$49,990.00.

MOTION BY COUNCILMAN CHRISTY, SECOND BY COUNCILMAN McINERNEY, TO APPROVE PURCHASING PERMANENT AND TEMPORARY EASEMENTS FROM RAY AND ELIZABETH BECKERS (\$29,500.00), ARMUS AND KAREN YUHALA (\$10,400.00), AND GR/ITASCA COUNTY AIRPORT COMMISSION (\$10,090.00) FOR A TOTAL AMOUNT OF \$49,990.00 WITH MSAS CONSTRUCTION, AND/OR MSAS MAINTENANCE FUNDS AND AUTHORIZE PAYMENT. The following voted in favor thereof: McInerney, Zabinski, Christy, Chandler, Adams. Opposed: None, motion passed.

9A. Consider authorizing the Mayor and Interim City Clerk to execute the necessary permanent and temporary easement required for CP 2005-5, 7th Avenue SE.

MOTION BY COUNCILMAN ZABINSKI, SECOND BY COUNCILMAN CHRISTY, TO AUTHORIZE THE MAYOR AND INTERIM CITY CLERK TO EXECUTE THE NECESSARY PERMANENT AND TEMPORARY EASEMENT REQUIRED FOR CP 2005-5, 7TH AVENUE SE. The following voted in favor thereof: Zabinski, Christy, Chandler, McInerney. Opposed: None, motion passed.

FIRE DEPARTMENT:

10. Consider allowing out-of-state travel for the members of the Aerial Truck Replacement Committee to attend the Pre-Construction meeting, located at Pierce Mfg. in Appleton, Wisconsin. Dates of travel are February 23-27, 2009.

During staff presentation Chief Flaherty stated this is one of three site visits to the plant, and all three visits are a part of the scope of the project and required by Pierce Manufacturing. Pierce Manufacturing has agreed to pay the travel and lodging expenses for each of the members of the Committee during the visits.

Council inquired if they could authorize all three out of state travel into this one motion. City Attorney Sterle indicated they could, therefore the following motion was made.

MOTION BY COUNCILMAN McINERNEY, SECOND BY COUNCILMAN CHRISTY, TO AUTHORIZE OUT-OF-STATE TRAVEL FOR THE MEMBERS OF THE AERIAL TRUCK REPLACEMENT COMMITTEE TO ATTEND PRE-CONSTRUCTION MEETINGS, LOCATED AT PIERCE MFG. IN APPLETON, WISCONSIN. DATES OF TRAVEL, FEBRUARY 23-27, 2009, SECOND AND THIRD VISIT DATES TO BE DETERMINED. The following voted in favor thereof: Christy, Chandler, McInerney, Zabinski, Adams. Opposed: None, motion passed.

11. Consider allowing the Mayor and Fire Chief to sign the Cooperative Fire Protection Agreement with the MN Dept. of Natural Resources Division of Forestry.

MOTION BY COUNCILMAN ZABINSKI, SECOND BY COUNCILMAN CHANDLER, TO AUTHORIZE THE MAYOR AND FIRE CHIEF TO SIGN THE COOPERATIVE FIRE PROTECTION AGREEMENT WITH MN DEPT. OF NATURAL RESOURCES DIVISION OF FORESTRY. The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, motion passed.

FINANCE DEPARTMENT:

12. Consider adopting a resolution declaring the official intent of the City of Grand Rapids to reimburse certain expenditures from the proceeds of bonds to be issued by the City. (purchase of fire truck).

MOTION BY COUNCILMAN CHANDLER, SECOND BY COUNCILMAN McINERNEY, TO ADOPT RESOLUTION NO. 09-14 – A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF GRAND RAPIDS TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY. The following voted in favor thereof: Christy, Chandler, McInerney, Zabinski, Adams. Opposed: None, whereby the resolution was declared duly passed and adopted.

12A. Moved from consent agenda (6). Consider accepting the low bid of \$32,072.24 from Maasch and Watkins Construction Inc., for the construction of a cold storage maintenance building.

Councilman McInerney stated he pulled this from the consent agenda in order to clarify that three bids were received and the low bid was Maasch and Watkins Construction, Inc.

MOTION BY COUNCILMAN McINERNEY, SECOND BY COUNCILMAN CHANDLER, TO ACCEPT THE LOW BID OF \$32,072.24 FROM MAASCH AND WATKINS CONSTRUCTION INC. FOR THE CONSTRUCTION OF A COLD STORAGE MAINTENANCE BUILDING. The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, motion passed.

12B. Moved from consent agenda (5A). Consider allowing staff to conduct a sealed bid auction to sell the two old scoreboards being removed from the Civic Center and place the money in the Civic Center Capital Fund.

Councilman Zabinski explained that because the Council had not had an opportunity to read the RCA prior to the meeting he asked that this be pulled and put on the regular agenda to allow an opportunity to review and discuss if necessary.

MOTION BY COUNCILMAN ZABINSKI, SECOND BY COUNCILMAN CHRISTY TO ALLOW STAFF TO CONDUCT A SEALED BID AUCTION TO SELL THE TWO OLD SCOREBOARDS BEING REMOVED FROM THE CIVIC CENTER AND PLACE THE MONEY IN THE CIVIC CENTER CAPITAL FUND. The following voted in favor thereof: McInerney, Zabinski, Christy, Chandler, Adams. Opposed: None, motion passed.

GOLF COURSE:

13. Consider entering into the attached contract with The Lodge at Sugar Lake, Inc. for a fee of \$34,000 for 2009 services.

MOTION BY COUNCILMAN CHANDLER, SECOND BY COUNCILMAN ZABINSKI, TO AUTHORIZE THE CITY ENTERING INTO A CONTRACT WITH THE LODGE AT SUGAR LAKE, INC., FOR GOLF COURSE SERVICES IN THE AMOUNT OF \$34,000 FOR 2009 SERVICES. The following voted in favor thereof: Zabinski, Christy, Chandler, McInerney, Adams. Opposed: None, motion passed.

14A. Previous consent agenda number 5. Approve the purchase of a new 2009 Mack snow plow truck cab and chassis from Nuss Truck Group as per state contract #435530 for \$98,308.21 plus sales tax \$6,390.03 for a grand total of \$104,698.24. This is a budgeted item.

Councilman Chandler pulled this from the consent agenda to discuss the State Contract procedure.

MOTION BY COUNCILMAN ZABINSKI, SECOND BY COUNCILMAN McINERNEY, TO APPROVE THE PURCHASE OF A NEW 2009 MACK SNOW PLOW TRUCK AND CHASSIS FROM NUSS TRUCK GROUP AS PER STATE CONTRACT #435530 FOR \$98,308.21 PLUS SALES TAX OF \$6,390.03 FOR A GRAND TOTAL OF \$104,698.24. The following voted in favor thereof: Christy, Chandler, McInerney, Zabinski, Adams. Opposed: None, motion passed.

AT 5:58 THE MAYOR RECESSED THE REGULAR MEETING TO CONDUCT THE 6:00 P.M. SCHEDULED PUBLIC HEARING.

19. Consider conducting a Public Hearing on the proposed Amended 2009-2013 Capital Improvement Plan.

Mayor Adams stated this is the time and place according to law to conduct a public hearing on the proposed Amended 2009-2013 Capital Improvement Plan. Interim City Clerk Alto noted all required notices have been met.

Barb Baird, Assistant Finance Director, provided a power-point presentation recapping the CIP for years 2009-2013. Ms. Baird stated during the 2009 budget process, all departments were required to prepare capital request worksheets for proposed purchases, these worksheets contained all the information required per State Statute for a Capital Improvement Plan.

MOTION BY COUNCILMAN McINERNEY, SECOND BY COUNCILMAN CHRISTY TO OPEN THE PUBLIC HEARING FOR PUBLIC COMMENTS. The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, motion passed.

No one wished to speak and no written documentation was received therefore the following motion was made.

MOTION BY COUNCILMAN ZABINSKI, SECOND BY COUNCILMAN CHANDLER, TO CLOSE THE PUBLIC HEARING FOR COUNCIL DISCUSSION AND ACTION. The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, motion passed.

MAYOR ADAMS RECONVENED THE REGULAR MEETING.

20. Consider approving a resolution adopting the Amended 2009-0213 Capital Improvement Plan.

MOTION BY COUNCILMAN McINERNEY, SECOND BY COUNCILMAN CHANDLER, TO ADOPT RESOLUTION 09-15 - A RESOLUTION ADOPTING AN AMENDED CAPITAL IMPROVEMENT PLAN. The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, whereby the resolution was declared duly passed and adopted.

GOLF COURSE:

14. Consider approval of the appropriation of \$175,000 in FY 2009 and \$175,000 in FY 2010 for the Pokegama Golf Course Park Place project.

MOTION BY COUNCILMAN CHANDLER, SECOND BY COUNCILMAN McINERNEY, TO APPROVE THE APPROPRIATION OF \$175,000 IN FY 2009 AND PLEDGING \$175,000 IN FY 2010, AND AN INTER-FUND LOAN OF UP TO \$175,000 FOR THE POKEGAMA GOLF PARK PLACE PROJECT WITH THE CAVEAT THAT THE FUND RAISING CONTRIBUTIONS AND PLEDGES MEET 75% OF THEIR GOAL BY THE END OF JULY. The following voted in favor

thereof: McInerney, Zabinski, Christy, Chandler, Adams. Opposed: None, motion passed.

LIBRARY:

15. Consider authorizing a contract with DSGW to draft specifications for repairs, advertise project, tabulate bids, and perform site inspections relating to the repairs of the central wall in the Library.

MOTION BY COUNCILMAN McINERNEY, SECOND BY COUNCILMAN ZABINSKI, TO AUTHORIZE A CONTRACT WITH DSGW TO DRAFT SPECIFICATIONS FOR REPAIRS, ADVERTISE PROJECT, TABULATE BIDS, AND PERFORM SITE INSPECTIONS RELATING TO THE REPAIRS OF THE CENTRAL WALL IN THE LIBRARY, NOT TO EXCEED \$2,000.00. The following voted in favor thereof: Zabinski, Christy, Chandler, McInerney, Adams. Opposed: None, motion passed.

ADMINISTRATION DEPARTMENT:

16. Consider approving the Memorandum of Understanding with Law Enforcement Labor Services, Inc. (Sergeant bargaining unit).

MOTION BY COUNCILMAN CHRISTY, SECOND BY COUNCILMAN CHANDLER, TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH LAW ENFORCEMENT LABOR SERVICES, INC. (SERGEANT BARGAINING UNIT). The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, motion passed.

17. Consider approving the Memorandum of Understanding with the Law Enforcement Labor Services, Inc. (Patrol Officers).

MOTION BY COUNCILMAN ZABINSKI, SECOND BY COUNCILMAN McINERNEY, TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH THE LAW ENFORCEMENT LABOR SERVICES, INC. (PATROL OFFICERS). The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, motion passed.

VERIFIED CLAIMS:

18. Consider approving the verified claims for the period January 17, 2009 through February 2, 2009 in the total amount of \$1,273,600.83, of which \$860,000 are investments.

MOTION BY COUNCILMAN McINERNEY, SECOND BY COUNCILMAN CHANDLER, TO APPROVE THE VERIFIED CLAIMS FOR THE PERIOD JANUARY 17, 2009 THROUGH FEBRUARY 2, 2009 AS PRESENTED.

ASV, INC.	3,847.24	AVI SYSTEMS INC	1,030.71
-----------	----------	-----------------	----------

AMERICAN BANK	260,000.00	GR RPIDS NEWSPAPERS INC	667.00
AMERIPRIDE LINEN & APPAREL	159.63	GRAND RAPIDS STATE BANK	600,025.00
ANDERSON GLASS	26.85	AURIMY GROOM	210.00
D. ANDERSON -CHANGE FUND	3,000.00	HEIMAN INC	73.71
STEVE ANDERSON	150.00	HUSKY SPRING	381.76
ARROWHEAD HUMAN RESOURCES	30.00	ICTV	17,024.74
AUTO VALUE -GRAND RAPIDS	912.10	INDUSTRIAL FLUID TECH.	1,091.17
EVERETT BAUMGARNER	150.00	INTERSTATE POWER SYSTEMS	731.89
BECKER ARENA PRODUCTS INC	152.94	IT COUNTY ATTORNEY OFFICE	99.00
EUGENE BENNETT	685.00	ICPWC	30.00
BILL BLOCK	650.00	IT COUNTY SHERIFFS DEPT	12,566.66
BRENT BRADLEY	650.00	ITASCA COUNTY SHERIFFS DEPT	10.00
BRIER CLOTHING	18.50	ITASCA COUNTY TREASURER	35.72
BURGGRAF'S ACE HARDWARE	842.95	ITASCA UTILITIES INC	735.00
CDW GOVERNMENT INC	133.96	BRIAN N. JOHNSON	685.00
JEFF CARLSON	685.00	TED JOHNSON	293.70
CARQUEST AUTO PARTS	156.32	K-MART CORPORATION	158.44
CASPER CONSTRUCTION INC	637.50	K.E.E.P.R.S. INC	271.18
KEN CHAMBERS	150.00	KEVIN KOETZ	184.00
JOSEPH CHANDLER	217.80	L&M SUPPLY	8.59
DALE R. CHRISTY	381.60	LEAGUE OF MN INS. TRUST	600.00
CLAREY'S SAFETY EQUIP. INC	199.98	LEE LONGORIA	101.10
CLUSIAU SALES & RENTAL	335.63	SHERRIE LUNDQUIST	150.00
TRAVIS COLE	92.45	MINNESOTA PIE	150.00
COLE HARDWARE INC	421.87	MACQUEEN EQUIPMENT INC	584.32
JAMES COLUMBUS	150.00	MARKETPLACE FOODS	12.35
D.C.R. COMMUNICATIONS INC	30.00	MICHAEL J. MCINERNEY	150.00
JEFF DAVIES	34.00	MID-AMERICA BUSINESS SYS	3,419.01
DAVIS OIL	2,445.62	S.MILLER -PETTY CASH FUND	42.56
JAMES DENNY	650.00	MN ENERGY RESOURCES	19,562.55
DIMICH LAW OFFICE	6,250.00	MPPF PAC FUND	90.00
TIM DORHOLT	685.00	MN STATE RETIREMENT SYS	41,521.54
EARL F. ANDERSEN & ASSOC.	4,074.69	MINUTEMAN PRESS	250.26
EARTHGRAINS -FERGUS FALLS	111.66	CHAD MOEN	150.00
RON EDMINSTER	99.00	MONTAVON MOTORS	204.23
EMERALD LAWNS INC	1,387.59	ANDY MORGAN	685.00
ESRI INC	5,479.08	KELLY MORRIS	150.00
EXXON MOBIL FLEET SERV.	4,361.55	RANDY MYHRER	198.00
FERRELLGAS	1,012.01	NARDINI FIRE EQUIP. CO. INC	261.60
RAY FOX	150.00	NEOPOST INC	1,000.00
G & K SERVICES	81.02	MICHELLE NORRIS	685.00
GALL'S INC	52.97	NORD AUTO PARTS	408.51
GARTNER REFRIGERATION CO	130.50	NORTH COUNTRY VET CLINIC	85.50
WILBERT GIESE	685.00	NORTHERN 2-WAY SERVICE LLC	118.48
SHAWN GILLEN	622.75	NORTHERN BUSINESS PROD. INC	892.17
GLOBE DRUG/MEDICAL EQUIP	207.42	NORTHLAND HUMAN RESOURCE	60.00
MATTHEW GOOKINS	685.00	NORTHLAND ENT ASSOCIATES P.A.	5.52
GRAND ITASCA CLINIC	290.29	NORTHLAND NEUROLOGY & MYOLOG	70.52
GRAND ITASCA HOSPITAL	604.08	NORTRAX EQUIPMENT COMPANY	64.09
GR RPIDS CITY PAYROLL	188,581.17	NORVEND INC	99.00
GRAND RAPIDS HIGH SCHOOL	228.13	GARY O'BRIEN	805.00

OPERATING ENG LOCAL #49	1,590.00	TROY SCOTT	685.00
PEACHTREE BUSINESS PROD.	300.00	SEARS AUTHORIZED RETAIL	298.18
PEPSI-COLA	2,771.40	LEIGH SERFLING	766.29
PINCHERRY HEATING	140.00	LEIGH SERFLING/PETTY CASH	500.00
PIONEER MUTUAL LIFE INS CO	1,033.42	TONY SIMONSON	150.00
PORTABLE JOHN	370.64	SIM SUPPLY INC	757.24
PROGRESSIVE BUSINESS PUB	133.65	ROBERT STEIN	685.00
PUBLIC UTILITIES COMMISSION	3,008.15	STERLE LAW OFFICE	11,822.00
P.U.C.	6,500.95	STOKES PRINTING COMPANY	129.79
QUILL CORPORATION	386.67	SUPERAMERICA 4758	287.53
QWEST	6.70	TDS Metrocom	1,823.66
R.R. NELSON REAL ESTATE	11,500.00	TREASURE BAY PRINTING INC	185.31
RAPIDS BODY SHOP	447.30	TRUSTMARK VOL. BENEFIT	2,244.51
RAPIDS ELECTRIC INC	2,143.05	US BANK -CREDIT INQUIRIES	25.00
RAPIDS SUPPLY INC	65.23	UNITED PARCEL SERVICE	101.53
REGENCE BCBS	636.00	UPPER LAKE FOODS INC	691.32
PATRICK RENDLE	220.32	VIKING ELECTRIC SUPPLY INC	229.77
RURAL CELLULAR CORP.	2,141.63	W.W. WALLWORK INC	272.55
SANDSTROM COMPANY INC	3,758.77	RYAN WHITING	745.50
STEVEN SCHAAR	650.00	ALLEN WINDT	150.00
FRANK SCHERF	81.99	REBECCA HAMPTON	35.00
ERIK SCOTT	64.35	ARMAS S. YUHALA	10,400.00

**The following voted in favor thereof: Christy, Chandler, McInerney, and Zabinski.
Opposed: None, motion passed.**

ADJOURN:

There being no further business the meeting adjourned at 6:43 p.m.

Respectfully submitted:

Karen Alto, Interim City Clerk