

CITY OF GRAND RAPIDS
CITY COUNCIL MEETING
MONDAY, JANUARY 26, 2009 – 5:00 P.M.
CITY HALL COUNCIL CHAMBERS – 420 NORTH POKEGAMA AVENUE
GRAND RAPIDS, MINNESOTA

CALL TO ORDER: Pursuant to due notice and call thereof a Regular Meeting of the Grand Rapids City Council was held on Monday, January 26, 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, Bob Cahill, Jeff Davies, Marcia Anderson, Marilyn Isaac, Steve Flaherty, Lynn DeGrio, Cindy Hendrickson, Frank Scherf.

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

PRESENTATIONS/PROCLAMATIONS: None.

PUBLIC FORUM: None.

COUNCIL REPORTS: None.

APPROVAL OF MINUTES:

MOTION BY COUNCILMAN McINERNEY, SECOND BY COUNCILMAN CHANDLER, TO APPROVE THE MINUTES OF JANUARY 12, 2009 AT 5:00 AND 3:30, AND SPECIAL MEETING OF JANUARY 14, 2009 AS PRESENTED. The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, motion passed.

CONSENT AGENDA:

MOTION BY COUNCILMAN ZABINSKI, SECOND BY COUNCILMAN McINERNEY, TO APPROVE CONSENT AGENDA ITEMS 1-6 AND 8 AS PRESENTED; REMOVE #7 AND PLACE ON REGULAR AGENDA AS 14A.

1. Approve payment of \$12,566.66 to the Itasca County Sheriff's department for the Computer Cost Sharing Maintenance Agreement as well as the 2009 Radio Fees and Crime Tip Line. This is a 2009 budgeted item.
2. Adopt Res. 09-09 – accepting a donation of \$100.00 from Erik Scott and Jamie Bennett to the Domestic Animal Control Facility to be used for daily operations.

3. Approve LG220 Application for Exempt Permit to Grand Rapids Youth Firearm Safety Instructors Inc., for raffles. Date of event: 3/4/09 and 3/14/09 at Madden's DutchRoom, 702 NW 4th Street.
4. Approve LG220 Application for Exempt Permit to Grand Rapids Minnesota Jaycees for raffles. Date of event: March 20-22, 2009.
5. Approve LG220 Application for Exempt permit to Grand Rapids Chapter of the Ruffed Grouse Society for raffles. Date of event: April 16, 2009 at Sawmill Inn, 2301 S. Pokegama Ave.
6. Adopt Res. 09-10 – a resolution of the City of Grand Rapids, At Risk Youth Multi-Discipline Team.
8. Approve a lease agreement with Pitney Bowes and authorize appropriate signatures. This is a budgeted item.

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

SETTING OF REGULAR AGENDA:

MOTION BY COUNCILMAN CHRISTY, SECOND BY COUNCILMAN ZABINSKI TO APPROVE THE REGULAR AGENDA WITH THE FOLLOWING CHANGES:

- **ADD CONSENT AGENDA ITEM NUMBER 7 AS 14a**
- **ADD AGENDA ITEM 15a**
- **AMEND VERIFIED CLAIMS – NEW AMOUNT \$944,297.63**

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

ACKNOWLEDGE BOARD AND COMMISSION MINUTES:

The Council acknowledged the receipt of the Public Utilities Commission minutes of December 10, 2008.

DEPARTMENT HEAD REPORT:

Fire Chief Steve Flaherty provided is semi-annual department report to the Council highlighting the following:

- 2008 report on injuries. Zero reports of injuries among the fire department members.
- Response to calls – 174 calls for service in 2008.
- Department budget.
- MnSCU Tuition Voucher Credit Program.
- Roster changes in 2008.

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

COMMUNITY DEVELOPMENT DEPARTMENT:

11. Consider approving an agreement with UPM Blandin, regarding the contracted demolition of several Blandin owned structures in the downtown and west riverfront area through the use of an IRR Commercial Redevelopment Grant, and authorize the execution of agreement.

MOTION BY COUNCILMAN ZABINSKI, SECOND BY COUNCILMAN CHANDLER, TO APPROVE AN AGREEMENT WITH UPM BLANDIN, REGARDING THE CONTRACTED DEMOLITION OF SEVERAL BLANDIN OWNED STRUCTURES IN THE DOWNTOWN AND WEST RIVERFRONT AREA THROUGH THE USE OF AN IRR COMMERCIAL REDEVELOPMENT GRANT, AND FURTHER AUTHORIZE THE MAYOR TO EXECUTE SAID AGREEMENT. The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, motion passed.

12. Consider adopting a resolution authorizing the Mayor's execution of a grant agreement with Iron Range Resources, providing an award of \$125,000 to the City through the IRR Commercial Community Redevelopment Program.

MOTION BY COUNCILMAN McINERNEY, SECOND BY COUNCILMAN CHRISTY TO ADOPT RESOLUTION NO. 09-12 – A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH IRON RANGE RESOURCES. The following voted in favor thereof: McInerney, Zabinski, Christy, Chandler, Adams. Opposed: None, whereby the resolution was declared duly passed and adopted.

13. Consider approval of a quit claim deed transferring title of the recently purchased five acre tract in the SW/SE, of Section 33 to GREDA, subject to the necessary easements for 33rd Street SE and 7th Avenue SE being dedicated, and further authorize the Mayor to execute said quit claim deed and related documents.

MOTION BY COUNCILMAN ZABINSKI, SECOND BY COUNCILMAN McINERNEY, TO APPROVE THE QUIT CLAIM DEED TRANSFERRING TITLE OF THE RECENTLY PURCHASED FIVE ACRE TRACT IN THE SW/SE OF SECTION 33 TO GREDA, SUBJECT TO THE NECESSARY EASEMENTS FOR 33RD STREET SE AND 7TH AVENUE SE BEING DEDICATED, AND FURTHER AUTHORIZE THE MAYOR TO EXECUTE SAID QUIT CLAIM DEED AND RELATED DOCUMENTS. The following voted in favor thereof: Zabinski, Christy, Chandler, McInerney, Adams. Opposed: None, motion passed.

FINANCE:

14A. Adopt a resolution approving the following transfers: (one resolution)
\$124,995 from the General Fund to the Street Light and Utility Service Fund, up to \$40,000 from the General Fund to the Domestic Animal Control Facility fund,

\$15,891 from the Capital Equipment Replacement Fund to the Library Fund; and \$31,320 from the Municipal State Aid Fund to the Park Acquisition and Development Fund as of December 31, 2008.

MOTION BY COUNCILMAN CHRISTY, SECOND BY COUNCILMAN CHANDLER, TO ADOPT RESOLUTION NO. 09-12 – A RESOLUTION TO AUTHORIZE THE FOLLOWING TRANSFERS: \$124,995 FROM THE GENERAL FUND TO THE STREET LIGHT AND UTILITY SERVICE FUND, APPROXIMATELY \$40,000 FROM THE GENERAL FUND TO THE DOMESTIC ANIMAL CONTROL FACILITY, \$15,891 FROM THE CAPITAL EQUIPMENT REPLACEMENT FUND TO THE PUBLIC LIBRARY FUND, AND \$31,320 FROM MUNICIPAL STATE AID MAINTENANCE FUND TO PARK ACQUISITION AND DEVELOPMENT FUND AS OF DECEMBER 31, 2008. The following voted in favor thereof: Christy, Chandler, McInerney, Zabinski, Adams. Opposed: None, whereby the resolution was declared duly passed and adopted.

ENGINEERING:

14. Consider approval of Supplemental Letter Agreement 2003-6, with SEH in an estimated amount of \$69,958.00 as determined in the Master Municipal Engineering Agreement.

MOTION BY COUNCILMAN CHRISTY, SECOND BY COUNCILMAN ZABINSKI, TO APPROVE SUPPLEMENTAL LETTER AGREEMENT 2003-6, WITH SEH IN AN ESTIMATED AMOUNT OF \$69,958.00 AS DETERMINED IN THE MASTER MUNICIPAL ENGINEERING AGREEMENT. The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, motion passed.

GOLF COURSE:

15. Consider adopting an ordinance amending Chapter 2 (Administration), Article V (Boards and Commissions), Division 4 (Golf Course Board), amending the composition of the Golf Course Board.

MOTION BY COUNCILMAN CHRISTY, SECOND BY COUNCILMAN CHANDLER, TO ADOPT ORDINANCE 09-01-01 – AN ORDINANCE TO AMEND THE GRAND RAPIDS CITY CODE, SPECIFICALLY CHAPTER 2 (ADMINISTRATION, ARTICLE V (BOARDS AND COMMISSION, DIVISION 4 (GOLF COURSE BOARD)). The following voted in favor thereof: McInerney, Zabinski, Christy, Chandler, Adams. Opposed: None, whereby the ordinance was declared duly passed and adopted.

POLICE DEPARTMENT:

15A. Consider repealing Section 10-44 of the Grand Rapids City Code, License and Registration, and adopt rewritten section 10-44.

MOTION BY COUNCILMAN CHRISTY, SECOND BY COUNCILMAN CHANDLER, TO ADOPT ORDINANCE 09-01-02 – AN ORDINANCE RESCINDING CHAPTER 10, ARTICLE 2, SECTION 10-44 – LICENSE AND REGISTRATION, IN ITS ENTIRETY AND ADOPTING NEW SECTION 10-44. The following voted in favor thereof: Zabinski, Christy, Chandler, McInerney, Adams. Opposed: None, whereby the ordinance was declared duly passed and adopted.

ADMINISTRATION DEPARTMENT:

16. Consider adopting a resolution amending Resolution No. 08-157 – establishing compensation and benefits for City of Grand Rapids non-bargaining unit exempt employees.

MOTION BY COUNCILMAN McINERNEY, SECOND BY COUNCILMAN CHANDLER, TO ADOPT RESOLUTION NO. 09-13 – A RESOLUTION AMENDING RESOLUTION 08-157 ESTABLISHING COMPENSATION AND BENEFITS FOR CITY OF GRAND RAPIDS NON-BARGAINING UNIT EXEMPT EMPLOYEES. The following voted in favor thereof: Christy, Chandler, McInerney, Zabinski, Adams. Opposed: None, whereby the resolution was declared duly passed and adopted.

17. Consider granting permanent status to Tracy Kampa in her position as Children's Library Assistant effective December 12, 2008.

MOTION BY COUNCILMAN CHRISTY, SECOND BY COUNCILMAN McINERNEY, TO GRANT PERMANENT STATUS TO TRACY KAMPA IN HER POSITION AS CHILDREN'S LIBRARY ASSISTANT EFFECTIVE DECEMBER 12, 2008. The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, motion passed.

18. Consider granting permanent status to Will Richter in his position as Reference Librarian effective January 7, 2009.

MOTION BY COUNCILMAN ZABINSKI, SECOND BY COUNCILMAN CHRISTY, TO GRANT PERMANENT STATUS TO WILL RICHTER IN HIS POSITION AS REFERENCE LIBRARIAN EFFECTIVE JANUARY 7, 2009. The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, motion passed.

19. Consider granting permanent status to Darla Kirwin in her position as Children's Librarian effective December 1, 2008.

MOTION BY COUNCILMAN CHANDLER, SECOND BY COUNCILMAN ZABINSKI, TO GRANT PERMANENT STATUS TO DARLA KIRWIN IN HER POSITION AS CHILDREN'S LIBRARIAN EFFECTIVE DECEMBER 1, 2008. The

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

20. Consider amending the Council's By-Laws Appendix B incorporating the Local Board of Appeal and Equalization and changes to the Golf Course Board membership.

MOTION BY COUNCILMAN ZABINSKI, SECOND BY COUNCILMAN CHANDLER, TO AMEND THE COUNCIL BY-LAWS – APPENDIX B INCORPORATING THE LOCAL BOARD OF APPEAL AND EQUALIZATION AND CHANGES TO THE GOLF COURSE BOARD MEMBERSHIP. The following voted in favor thereof: Chandler, McInerney, Zabinski, Christy, Adams. Opposed: None, motion passed.

VERIFIED CLAIMS:

Consider approving the verified claims for the period January 6, 2009 through January 16, 2009, in the total amount of \$3,415,305.15, of which \$525,000 are investments.

ASV, INC.	1,588.89	WILBERT GIESE	360.39
ACHESON TIRE COMPANY INC	188.18	SHAWN GILLEN	378.05
ALLINA HOSPITALS & CLINICS	55.92	GRAND ITASCA CLINIC	577.02
AMERICAN BANK	525,000.00	GRAND ITASCA HOSPITAL	638.80
AMERIPRIDE LINEN & APPAREL	35.04	CITY OF GRAND RAPIDS	1,110.79
D. ANDERSON -CHANGE FUND	2,240.00	GR RPIDS CITY PAYROLL	196,716.54
ANIMAL CARE EQUIP & SERV INC	91.88	H & L MESABI	3,150.27
ARROWHEAD REG. FIRE FIGHTR	60.00	HAMMERLUND CONST. INC	1,584.00
AUTO VALUE -GRAND RAPIDS	184.11	HEIMAN INC	1,069.15
AZTECA SYSTEMS INC	1,200.00	ICTV	9,477.28
LMC INS TRUST	104,309.00	INDUSTRIAL FLUID TECH.	452.04
BNY MIDWEST TRUST CO.	109,822.50	INT'L ASSOC OF FIRE CHIEFS	190.00
BRAUN INTERTEC CORP.	1,201.00	MARILYN ISAAC	36.19
BURGGRAF'S ACE HARDWARE INC	504.09	IT CNTY FIRE CHIEFS ASSC	100.00
CANON USA INC	2,198.16	ITASCA COUNTY RECORDER	122.00
CARGILL INCORPORATED	8,400.43	ITASCA COUNTY SHERIFFS DEPT	250.00
CARQUEST AUTO PARTS	55.75	ITASCA COUNTY TREASURER	4,568.51
CASPER CONSTRUCTION INC	1,805.00	ITASCA SURGICAL CLINIC PA	203.76
CENTRAL PARTS WAREHOUSE	324.83	THE J.P. COOKE COMPANY	219.61
CHILDRENS MENTAL HEALTH SER	143.25	KIM JOHNSON-GIBEAU	28.84
CLUSIAU SALES & RENTAL	937.60	K-MART CORPORATION	68.06
COLE HARDWARE INC	267.30	KENNEDY & GRAVEN	1,292.00
DAVIS OIL	4,259.69	L&M SUPPLY	114.87
DEER RIVER HEALTHCARE CNTR	2,636.00	LEAGUE OF MINNESOTA CITIES	70.00
DENVER CHIROPRACTIC CLINIC	12.60	LEAGUE OF MINNESOTA CITIES	570.00
DULUTH CLINIC , LTD	102.08	MIKE LECLAIRE	1,348.00
EARTHGRAINS -FERGUS FALLS	114.33	LET'S PLAY HOCKEY/SOFTBALL	776.32
FERRELLGAS	961.96	LIVE WIRE SIGNS	147.75
FIRE MARSHALS ASSOC OF MN	45.00	MACQUEEN EQUIPMENT INC	1,008.40
FLAHERTY & HOOD	716.06	MAIN STREET DESIGN INC	21,470.40
G & K SERVICES	131.11	MARKETPLACE FOODS	94.69
GALL'S INC	653.61	ROBERT MATTEI	98.51
GARTNER REFRIGERATION CO	347.13	DR RONALD MCBRIDE JR	11.78
GENERAL PET SUPPLY	227.50	MIDWEST IMMUNOLOGY CLINIC	31.23

MINNESOTA DEPT OF ADMN	352.81	DAVID PROTELSCH	47.00
MCMA	150.00	PUC	9,948.34
MN BCA/TRAINING & DEVEL.	390.00	P.U.C.	22,928.73
MINNESOTA GFOA	120.00	QWEST	402.86
MN STATE FIRE CHIEFS ASSOC	185.00	RANGE BUILDING MAINTENANCE	1,079.38
MINNESOTA ENERGY RESOURCES	90.66	RAPIDS BODY SHOP	999.04
MINNESOTA ICE ARENA MANAGERS	140.00	RAPIDS SUPPLY INC	33.28
MN PUBLIC EMP.INS PROG	34,105.32	RAPIDS WELDING SUPPLY INC	136.24
MINNESOTA SALES & USE TAX	1,936.68	PATRICK RENDLE	206.33
MN STATE FIRE DEPT ASSOC.	360.00	SEH-RCM	28,374.59
MN UNEMPLOYMENT COMP FD	7,927.50	SMDC MEDICAL CENTER	166.89
ANDY MORGAN	55.47	SANDSTROM COMPANY INC	3,059.85
KELLY MORRIS	343.65	LEIGH SERFLING	40.00
THE MOTOR SHOP	24.85	FOUR POINT SHERATON HOTEL	567.00
NLEAC	50.00	SIM SUPPLY INC	678.43
NARDINI FIRE EQUIP CO. INC	1,257.62	SONDER CHIROPRACTIC, P.A.	88.26
NEOPOST RATE CHANGE DEPT	276.90	SOUTHWEST ELEMENTARY SCHOOL	186.68
NEW SPIRIT WOMENS CLINIC PA	15.21	STOKES PRINTING COMPANY	530.08
RAY NIKKEL	708.33	SUPERAMERICA 4758	446.05
NORD AUTO PARTS	295.36	SUPERIOR USA BENEFITS CORP	339.00
NORTH COUNTRY VET CLINIC	112.80	ELLEN S. TEIGLAND	29.58
NORTHERN LIGHTS TRUCK	1,548.28	U S BANK	2,168,247.51
NORTHLAND COUNSELING CENTER	27.40	UNITED PARCEL SERVICE	169.89
NORTHLAND ENT ASSOCIATES P.A.	37.32	UPPER LAKE FOODS INC	748.14
NORTHSIDE LUMBER COMPANY	121.46	VIKING ELECTRIC SUPPLY INC	140.04
NORTRAX EQUIPMENT COMPANY	1,270.78	VISA	2,158.80
NUCH'S IN THE CORNER	17.04	W.W. WALLWORK INC	115.94
OCCUPATIONAL DEVEL. CTR	1,608.00	WASTE MANAGEMENT	420.32
OFFICE DEPOT	66.73	WELLS FARGO BANK NA	71,007.50
OFFICE NORTH INC	678.84	GARY WHEELLOCK, DC	47.10
OPERATING ENG LOCAL #49	24,600.00	ZEE SERVICE COMPANY	31.07
PEPSI-COLA	2,654.72	ZIEGLER INC	97.31
PIONEER MUTUAL LIFE INS CO	1,007.24	BRYAN ZUEHLKE	142.70

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

ADJOURN:

There being no further business the meeting adjourned at 6:40 p.m.

Respectfully submitted:

Karen Alto, Interim City Clerk