

December 23, 2009

**CITY COUNCIL AGENDA**

**Tuesday, December 29, 2009**

**4:00 p.m.**

**Council Chambers, 315 N. Broadway**

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1. Call to Order – Wastewater Treatment Facility-300 West Mill
2. Tour Wastewater Facility to Inspect Project
3. Reconvene at City Hall – 5:00 p.m.
4. Additions / Deletions to Agenda
5. Approval of Minutes – 12/14/09
6. Approval of Accounts Payable Listing
7. WWTF Improvement and Pay Requests – Gridor Construction and Interstate Engineering
8. Liquor Store Report
9. 2010 License Approvals – Cigarette, Recreational Game, Business, Charitable Gambling and Plumbers Registration
10. Police Union 2010-2011 Contract
11. Non-Union Personnel 2010 Wages/Benefits

## **CITY OF PELICAN RAPIDS COUNCIL MEETING MINUTES – 12-29-09**

The City Council of Pelican Rapids met in regular session at 4:00 p.m., on Tuesday, 12-29-09, at the Wastewater Treatment Facility office. Mayor Ben Woessner, Council Members Kevin Ballard, Richard Peterson and John E. Waller, III were present. Administrator Don Solga, Clerk-Treasurer Glenys Ehlert and Utilities Superintendent Brent E. Frazier were also present.

Mayor Woessner called meeting to order at 4:00 p.m. at the Wastewater Treatment Facility. City Council reviewed building and equipment additions that were part of the 2008 Improvement Project No. 75.

At Council Chambers, City Hall, 5:00 p.m., Council Member Steve Foster, City Attorney Greg Larson, Street and Park Superintendent Brian Olson, Tom Runningen, Rick Sauer, Don Perrin, Stan Zierke, Chet Nettetstad, James Johnson, Dave Bjorgo, Blake Meland, Sharon Bjorgo, Bob Bjorgo, Gary Waasdorp and Kelley Gorman of the Pelican Rapids Press were also present. Utilities Superintendent Brent E. Frazier did not attend reconvened meeting.

Mayor Woessner reconvened the meeting at 5:00 p.m. at Council Chambers, City Hall. All present stood, addressed the flag and said the Pledge of Allegiance.

Additions and deletions to the City Council Agenda were considered as several members of the public expressed concerns about a letter regarding a vehicle with expired plates, downtown snow removal from sidewalks and trailer impoundment.

Motion by Waller, seconded by Peterson to add Rick Sauer's vehicle letter, Blake Meland's trailer impoundment and snow removal downtown to the agenda. Motion passed unanimously.

Motion by Peterson, seconded by Waller to approve the minutes of 12-14-09 as presented. Motion passed unanimously.

Motion by Waller, seconded by Ballard to approve the Accounts Payable Listing of 12-29-09 as presented for \$36,771.71 for city bills payable in 2009 and \$23,499.10 for city bills payable in 2010. Motion passed unanimously.

Liquor Store report was reviewed.

Motion by Waller, seconded by Ballard to approve the following licenses:  
Cigarette Licenses for Cynthia Stotesbery at Larry's Supermarket, Jeanne Hovland at Southtown C Store, Galen Teichert at Park Region Co-op, Robert Leslie at the Municipal Liquor Store, and Rick Loerzel at Pelican Tesoro;

Recreational Game Licenses for five games at the VFW Gilmore Weik Post 5252 and for three games at the Pelican Rapids Pool Hall, L.L.C.;

Business License for Z & Z Associates for a Mobile Home Park;

Charitable Gambling Licenses for VFW Gilmore Weik Post 5252 and for VFW Gilmore Weik Post 5252 Auxiliary; and

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Registered the following plumbers: Marty Hanson as Pelican Plumbing, Rodney Hanson as Hanson's Plumbing & Heating, Glen Smith as Smith Appliance Repair, Corley B. Benson as Grant's Mechanical, and Howard Wrigley as Wrigley Mechanical. Motion passed unanimously and licenses and registrations approved.

Administrator Don Solga reviewed the Certificate of Substantial Completion date for Wastewater Treatment Facility (WWTF) project with final date of 11-4-09. The scheduled date agreed upon in the contract between Gridor Construction and the City of Pelican Rapids was 10-01-09. Motion by Foster, seconded by Ballard to authorize Mayor Woessner to sign the Certificate of Substantial Completion with 11-04-09 as the date substantial completion was reached. Motion passed unanimously.

City Attorney Greg Larson reviewed that the project reached substantial completion 34 days later than the contract date. The contract included language stating that \$1750 per day would be assessed as liquidated damages totaling \$59,500.

Gridor Construction did not request a change in the contract terms for date of substantial completion. Engineer Alex Schwartzgraf said the contractor discussed being behind but always told Interstate Engineering and the City that they would meet the required date of substantial completion.

Motion by Waller, seconded by Foster to exercise the City's right under the contract to assess liquidated damages. Motion passed unanimously.

Motion by Waller, seconded by Peterson to approve Pay Request No.10 in the amount of \$17,081.44 to Interstate Engineering for the Wastewater Treatment Facility Improvements for P-Management, Improvement Project No. 75. Motion passed unanimously.

Gridor Construction presented Pay Request No.14 in the amount of \$163,160.00 for Wastewater Treatment Facility (WWTF) Improvements for P-Management, Improvement Project No. 75. Administrator Don Solga recommended subtracting the liquidated damages in the amount of \$59,500 from Gridor's pay request. Motion by Peterson, seconded by Foster to pay Gridor Construction in the amount of \$103,660.00, as recommended. Motion passed unanimously.

Rick Sauer asked about his letter regarding vehicle violation. Sauer said, "If you had just said expired license, I could have fixed it." Administrator Solga said he wrote the letter as a form letter to address a variety of violations on numerous properties in the city and he will review it. Administrator Solga said, "In the interest of fairness, all violations must be addressed."

Bob Bjorgo said his sidewalk downtown was scraped clean and salted. The city bobcat tracked snow from neighboring property across his property three times. Also at 9:30 a.m. the bobcat was filling the parking lane with snow from the sidewalks so people had to exit cars into the driving lane.

Motion by Peterson, seconded by Waller to discontinue removing snow from downtown sidewalks. Question called. Voting yes: none. Voting no: all. Motion failed. Mayor Woessner said, "We will continue to remove snow from the downtown business district."

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Blake Meland questioned the impoundment of a trailer after a recent snowfall. On street parking of vehicles and trailers was discussed. Street and Park Superintendent Brian Olson commented that removal of vehicles and/or trailers is made in accordance with the snow plow policy to facilitate snow removal.

Administrator Don Solga reported on police union negotiations. They will extend the offer of dental insurance at the employee's cost to union employees. They also clarified language that authorizes the use of sick leave for medical and dental appointments.

The police union negotiated a two year contract for 2010 and 2011. There will be no cost of living adjustment or increase in benefits in the first year of the police union agreement. In the second year of the contract, there will be a 20 cent increase to each union employee's hourly wage on the employee's anniversary date. Administrator Solga explained that in meeting with the police union representatives, the City stressed concerns with Local Government Aid (LGA) funding issues and economic conditions.

Motion by Waller, seconded by Ballard to approve the police union wage negotiations and contract as presented and authorize the Mayor and Administrator to sign the contract. Motion passed unanimously.

Administrator Don Solga said for year 2010 the committee suggested no cost of living adjustment to the hourly wages and no increase in benefits of non-union employees. Motion by Waller, seconded by Foster to approve the 2010 wages and benefits of non-union employees with no cost of living adjustment to the hourly wages and no increase in benefits. Motion passed unanimously.

Mayor Woessner concluded, "I thank you for attending this meeting. We try to represent the citizens of Pelican Rapids the best we can. There will be an election this fall if you'd like to be part of the process."

Motion by Peterson, seconded by Ballard to adjourn the meeting at 6:20 p.m. Motion passed unanimously.

Glenys Ehlert, CMC  
Clerk-Treasurer