

**APPROVED  
MINUTES OF THE  
OF THE  
EAST GRAND FORKS  
CITY COUNCIL  
TUESDAY, DECEMBER 20, 2011 – 5:00 PM**

**CALL TO ORDER:**

*The Regular Meeting of the East Grand Forks City Council for December 20, 2011 was called to order by Council President Buckalew 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 Craig Buckalew, Council Vice President Wayne Gregoire, Council Members Marc DeMers, Ron Vonasek, Henry Tweten, Mike Pokrzywinski, and Greg Leigh.*

**STAFF PRESENT:**

*Dave Aker, Parks & Recreation Superintendent; Karla Anderson, Finance Director; Brad Bail, City Engineer; Nancy Ellis, Planning & Zoning; Michelle French, Executive Assistant; Ron Galstad, City Attorney; Dale Gulbranson, Parks Foreman; Mike Hedlund, Police Chief; Scott Huizenga, City Administrator; Dillon Nelson, Wastewater Operator; Jim Richter, EDHA Director; and John Wachter, Public Works Superintendent.*

**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.” If you would like to address the City Council, please come up to the podium to do so.*

**Presentation to John Wachter for his service to the City of East Grand Forks**

Mayor Stauss presented a plaque to Mr. Wachter and thanked him for service. City Council also thanked him for his service.

**APPROVAL OF MINUTES:**

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of December 6, 2011.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of December 13, 2011.

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER LEIGH, TO APPROVE ITEMS ONE (1) AND TWO (2) AS SUBMITTED.**

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

*Voting Nay: None.*

**SCHEDULED BID LETTINGS: NONE.****SCHEDULED PUBLIC HEARINGS:**

3. Public hearing to consider adopting Ordinance No. 3, 4<sup>th</sup> Series, an Ordinance of the City of East Grand Forks, Minnesota, amending City Code Title XV entitled “Land Usage” by amending Chapter 151 “Subdivision Regulation” with the addition of Sections 151.030 “Development Agreement” and 151.121 “Improvement Financing”. Section 151.120 “Required Improvement” is also amended with the addition of the underlined portions.

**A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER LEIGH, TO OPEN THE PUBLIC HEARING.****A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO CLOSE THE PUBLIC HEARING.**

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

*Voting Nay: 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 choose.*

4. Consider approving the bid from Minco Technology Center for five (5) Panasonic Toughbook 31 Mobile Data Computers in the amount of \$20,000.59.
5. Consider adopting Resolution No. 11-12-124 a Resolution adjusting the winter interment fee to \$1,250 with the additional \$50 for snow removal for the Resurrection Cemetery.
6. Consider adopting Resolution No. 11-12-125 a Resolution approving the filing of plans and specifications and ordering the advertisement for bids for 2011 Assessment Job No. 2 & 3 – Utilities and Street Construction – Industrial Park Second Addition.

7. Consider approving the promotion of Dillon Nelson to Wastewater Operator effective January 2, 2012.
8. Consider approving the promotion of Dale Gulbranson to Parks Foreman effective January 2, 2012.

City Council congratulated Mr. Nelson and Mr. Gulbranson on their promotions.

**A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER VONASEK, TO APPROVE CONSENT MOTIONS NUMBER FOUR (4) THROUGH EIGHT (8) AS SUBMITTED.**

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

*Voting Nay: None.*

**ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:  
NONE.**

**COMMUNICATIONS:**

9. Acknowledging the resignation of John Wachter effective January 6, 2012.

**OLD BUSINESS: NONE.**

**NEW BUSINESS:**

10. Consider adopting Resolution No. 11-12-126 a Resolution adjusting the waste water rates beginning April 1, 2012.

**A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADOPT RESOLUTION NO. 11-12-126 A RESOLUTION ADJUSTING THE WASTE WATER RATES BEGINNING APRIL 1, 2012.**

Council Member Pokrzywinski stated that this is the first step in a long process.

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

*Voting Nay: None.*

11. Consider adopting Resolution No. 11-12-127 a Resolution to rescind the Transportation Enhancement award of \$90,000 back to the State of Minnesota Department of Transportation ATP District 2 and not construct the above referenced project.

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADOPT RESOLUTION NO. 11-12-127 A RESOLUTION TO RESCIND THE TRANSPORTATION ENHANCEMENT AWARD OF \$90,000 BACK TO THE STATE OF MINNESOTA DEPARTMENT OF TRANSPORTATION ATP DISTRICT 2 AND NOT CONSTRUCT THE ABOVE REFERENCED PROJECT.**

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

*Voting Nay: None.*

12. Consider adopting Resolution No. 11-12-128 a Resolution to accept responsibility as the sponsoring agency for the Transportation Enhancement Proposed Project for 2014-2015.

**A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 11-12-128 A RESOLUTION TO ACCEPT RESPONSIBILITY AS THE SPONSORING AGENCY FOR THE TRANSPORTATION ENHANCEMENT PROPOSED PROJECT FOR 2014-2015.**

Council Member Leigh asked if this will be on the eastside of 5<sup>th</sup>. Ms Ellis stated that the current sidewalks are on private property and lead from the parking lot to the front door.

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

*Voting Nay: None.*

13. Consider adopting Resolution No. 11-12-129 a Resolution to construct a sidewalk along Hwy 220 from 14<sup>th</sup> St. NE and 20<sup>th</sup> St. NE using FTA operating funds.

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER VONASEK, TO ADOPT RESOLUTION NO. 11-12-129 A RESOLUTION TO CONSTRUCT A SIDEWALK ALONG HWY 220 FROM 14<sup>TH</sup> ST. NE AND 20<sup>TH</sup> ST. NE USING FTA OPERATING FUNDS.**

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

*Voting Nay: None.*

14. Consider adopting Ordinance No. 3, 4<sup>th</sup> Series, an Ordinance of the City of East Grand Forks, Minnesota, amending City Code Title XV entitled "Land Usage" by amending Chapter 151 "Subdivision Regulation" with the addition of Sections 151.030 "Development Agreement" and 151.121 "Improvement Financing". Section 151.120 "Required Improvement" is also amended with the addition of the underlined portions. (1<sup>st</sup> Reading)

**A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADOPT ORDINANCE NO. 3, 4<sup>TH</sup> SERIES, AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE TITLE XV ENTITLED "LAND USAGE" BY AMENDING CHAPTER 151 "SUBDIVISION REGULATION" WITH THE ADDITION OF SECTIONS 151.030 "DEVELOPMENT AGREEMENT" AND 151.121 "IMPROVEMENT FINANCING". SECTION 151.120 "REQUIRED IMPROVEMENT" IS ALSO AMENDED WITH THE ADDITION OF THE UNDERLINED PORTIONS. (1<sup>ST</sup> READING)**

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

*Voting Nay: None.*

15. Consider approving the transfer of liquor license of Applebee's to Thai Orchid, LLC dba Drunken Noodle pending background check.

Ms French stated that the background check came back good but we are waiting for the letter of transfer. She asked if we could amend the motion to approve the transfer/new application pending documentation. Discussion occurred regarding the liquor license process.

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO APPROVE THE TRANSFER/NEW APPLICATION OF LIQUOR LICENSE TO THAI ORCHID, LLC DBA DRUNKEN NOODLE PENDING DOCUMENTATION.**

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

*Voting Nay: None.*

**CLAIMS:**

16. Consider adopting Resolution No. 11-12-130 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check number 11613 for a total of \$1,448.32 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. 11-12-130 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBER 11613 FOR A TOTAL OF \$1,448.32 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.**

*Voting Aye: Leigh, Pokrzywinski, DeMers, Vonasek, Tweten, and Gregoire.*

*Voting Nay: None.*

*Abstain: Buckalew.*

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

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

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

*Voting Nay: None.*

**COUNCIL/STAFF REPORTS:**

Mayor Stauss and Council Members wished everyone a Merry Christmas and Happy New Year. They also wished Mr. Wachter good luck in the future and congratulated the staff on promotions.

Mr. Huizenga stated that there will not be a work session on December 27, 2011.

**ADJOURN:**

**A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADJOURN THE DECEMBER 20, 2011 REGULAR MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:32 P.M.**

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

*Voting Nay: None.*

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Scott Huizenga, City Administrator/Clerk-Treasurer