

**APPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, FEBRUARY 19, 2013 - 5:00 P.M.**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for February 19, 2013 was called to order by Council President Craig 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 Greg Leigh, Council Members Clarence Vetter, Ron Vonasek, Henry Tweten, and Chad Grassel.

Dave Aker, Parks & Recreation Superintendent; Karla Anderson, Finance Director; Greg Bopp, City Engineer; Dan Boyce, Water & Light Manager; Nancy Ellis, City Planner; Ron Galstad, City Attorney; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Scott Huizenga, City Administrator; Megan Nelson, Executive Assistant; Jim Richter, EDHA Director; and Jason Stordahl, Public Works Director.

DETERMINATION OF 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.”

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Special Meeting/Waste Water Public Forum” for the East Grand Forks, Minnesota City Council of February 4, 2013.
2. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of February 7, 2013.
3. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of February 12, 2013.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER VETTER, TO APPROVE ITEM ONE (1) THROUGH THREE (3).

Voting Aye: Grassel, Vetter, Vonasek, Buckalew, Tweten, and Leigh.
Voting Nay: None.
Absent: Olstad

SCHEDULED BID LETTINGS: NONE

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 choose.

4. Consider approving the application for a Special Event for the Grand Cities Art Fest on June 8, 2013 from 8:00 a.m. to 8:00 p.m. and June 9, 2013 from 8:00 a.m. to 8:00 p.m. and waive the Transient Merchant License Fee.
5. Consider approving the temporary liquor license application for the Sacred Heart Church & School for April 13, 2013 and contract with Liberty Lanes for liquor services.
6. Consider approving the application for a Special Event and liquor agreement for the wedding reception and dance of Dustin Dinnler and Stacey Heggen at the Civic Center.
7. Consider approving the request to declare surplus property of the 2009 Ford Crown Victoria to trade and purchase a 2013 Ford Police Interceptor SUV from Nelson Motors for \$23,921.82 and for additional equipment and installation of equipment from Code 4 Services for \$6,746.91 for a total of \$30,668.73.
8. Consider approving the request to declare the list of firearms surplus property and allow the East Grand Forks Police Department to trade them in towards the purchase of equipment and supplies for the police department.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER VETTER, TO ADOPT ITEMS FOUR (4) THROUGH EIGHT (8) AS SUBMITTED.

Council member Tweten told the council he thinks renting out the Civic Center for receptions should only be done sparingly. He doesn't want to take away business from places in town. Vice-President Leigh agreed with Council member Tweten and that council should have a discussion about renting out the arenas for events like this. Mr. Huizenga informed the council this topic is going to be brought up at the next work session.

Voting Aye: Grassel, Vetter, Vonasek, Buckalew, Tweten, and Leigh.
Voting Nay: None.
Absent: Olstad

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS, AND COMMISSIONS:

9. Regular meeting minutes of the Water, Light, Power, and Building Commission for January 17, 2013.

COMMUNICATIONS: NONE

OLD BUSINESS:

10. Consider adopting Ordinance No. 6 4th Series amending City Code Title XV Land Usage by adding Chapter 154 entitled “Illicit Discharge and Connection Ordinance” and by adopting by reference City Code Chapter 10 and Section 10.99 which, among other things, contain penalty provisions. (2nd Reading)

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT ORDINANCE NO. 6 4th SERIES AMENDING CITY CODE TITLE XV LAND USAGE BY ADDING CHAPTER 154 ENTITLED “ILLICIT DISCHARGE AND CONNECTION ORDINANCE” AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 10 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS. (2nd Reading)

Voting Aye: Grassel, Vetter, Vonasek, Buckalew, Tweten, and Leigh.

Voting Nay: None.

Absent: Olstad

11. Reconsider approving amended Resolution No. 13-01-14 waiving the limit of tort liability without purchasing the extra coverage.

Council President Buckalew informed the council this item will have to be tabled until all of the members that voted on this item the first time are present before this issue can be addressed again.

NEW BUSINESS:

12. Consider adopting Resolution No. 13-02-23 ordering improvement and preparation of plans and specifications for 2013 City Project No. 3 – Police Building Improvements.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER VONASEK, TO ADOPT RESOLUTION NO. 13-02-23 ORDERING IMPROVEMENT AND PREPARATION OF PLANS AND SPECIFICATIONS FOR 2013 CITY PROJECT NO. 3 – POLICE BUILDING IMPROVMENTS.

Council member Tweten expressed his concerns about this project. He did agree the Police Department building needs to be fixed. Council Vice-President Leigh commented how this project had been discussed and budgeted for during the budget meetings last fall. He said how he is worried about the health and safety of the employees in this building and asked to have a mold test done before any work starts so everything is done right. Council member Vonasek withdrew his second of the motion. The motion failed to pass without a second.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER

GRASSEL, TO TABLE THE ORDERING OF PLANS AND SPECIFICATIONS FOR 2013 CITY PROJECT NO. 3 – POLICE BUILDING IMPROVEMENTS PENDING THE RESULTS OF THE MOLD INSPECTION.

Voting Aye: Grassel, Vetter, Vonasek, Buckalew, Tweten, and Leigh.

Voting Nay: None.

Absent: Olstad

13. Consider approving a Special Use Permit for the Water and Light Department to rehabilitate the Central Substation and install a new transformer, switches, power, switchgear building, and security fencing.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GRASSEL, TO APPROVE A SPECIAL USE PERMIT FOR THE WATER AND LIGHT DEPARTMENT TO REHABILITATE THE CENTRAL SUBSTATION AND INSTALL A NEW TRANSFORMER, SWITCHES, POWER, SWITCHGEAR BUILDING, AND SECURITY FENCING.

Ms. Ellis explained to the council why a special use permit is required for this project. She does not foresee any special requirements the city would need to impose on the Water and Light Department since security, noise level, etc are already being addressed. Mr. Boyce informed the council what the project consists of and showed pictures of what it will be like when the project is completed. Discussion followed about what landscaping will take place once the project is complete, possible improvements to roads in the area, and the time line of the project.

Voting Aye: Grassel, Vetter, Vonasek, Buckalew, Tweten, and Leigh.

Voting Nay: None.

Absent: Olstad

14. Consider approving Ordinance No. 7 4th Series revoking in its entirety Title IX, Chapter 99: Background Checks; Municipal Employees and Appointees and replacing it with Chapter 99 Ordinance relating to Criminal History Background for Applicants for City Employment and City Licenses. (1st Reading)

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER VETTER, TO APPROVE ORDINANCE NO. 7 4th SERIES REVOKING IN ITS ENTIRETY TITLE IX, CHAPTER 99: BACKGROUND CHECKS; MUNICIPAL EMPLOYEES AND APPOINTEES AND REPLACING IT WITH CHAPTER 99 ORDINANCE RELATING TO CRIMINAL HISTORY BACKGROUND FOR APPLICANTS FOR CITY EMPLOYMENT AND CITY LICENSES. (1st READING)

Voting Aye: Grassel, Vetter, Vonasek, Buckalew, Tweten, and Leigh.

Voting Nay: None.

Absent: Olstad

15. Consider approving the hiring of a police officer from the hiring register currently being developed.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER

GRASSEL, TO APPROVE THE HIRING OF A POLICE OFFICER FROM THE HIRING REGISTER CURRENTLY BEING DEVELOPED.

Voting Aye: Grassel, Vetter, Vonasek, Buckalew, Tweten, and Leigh.
Voting Nay: None.
Absent: Olstad

16. Consider approving the recruitment and hiring of a park maintenance worker.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER LEIGH, TO APPROVE THE RECRUITMENT AND HIRING OF A PARK MAINTENANCE WORKER.

Voting Aye: Grassel, Vetter, Vonasek, Buckalew, Tweten, and Leigh.
Voting Nay: None.
Absent: Olstad

17. Consider adopting Resolution No. 13-02-24 authorizing the continuation of the new construction incentive tax rebate program through 2015.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER VONASEK, TO ADOPT RESOLUTION NO. 13-02-24 AUTHORIZING THE CONTINUATION OF THE NEW CONSTRUCTION INCENTIVE TAX REBATE PROGRAM THROUGH 2015.

Voting Aye: Grassel, Vetter, Vonasek, Buckalew, Tweten, and Leigh.
Voting Nay: None.
Absent: Olstad

CLAIMS:

18. Consider adopting Resolution No. 13-02-25 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check number 15097 for a total of \$433.00 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER VONASEK, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 13-02-25 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBER 15097 FOR A TOTAL OF \$433.00 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

Voting Aye: Grassel, Vetter, Vonasek, Tweten, and Leigh.
Voting Nay: None.
Abstain: Buckalew
Absent: Olstad

19. 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 VETTER, TO AUTHORIZE THE CITY ADMINISTRATOR/CLERK-TREASURER TO ISSUE PAYMENT OF RECOMMENDED BILLS AND PAYROLL.

Voting Aye: Grassel, Vetter, Vonasek, Buckalew, Tweten, and Leigh.
Voting Nay: None.
Absent: Olstad

SUSPENSION OF RULES:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GRASSEL, TO SUSPEND RULES.

Voting Aye: Grassel, Vetter, Vonasek, Buckalew, Tweten, and Leigh.
Voting Nay: None.
Absent: Olstad

20. Acknowledge the hiring of Lynda Katka as the new Accounting Technician in the Administration Office.

Mr. Huizenga informed the council that Lynda Katka was hired as the new accounting technician. The Administration Office is now fully staffed and we are glad to have her.

21. Consider adopting Resolution No. 13-02-26 approving the appointment of Tim Loven to the Civil Service Commission.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER LEIGH, TO ADOPT RESOLUTION NO. 13-02-26 APPROVING THE APPOINTMENT OF TIM LOVEN TO THE CIVIL SERVICE COMMISSION.

Voting Aye: Grassel, Vetter, Vonasek, Buckalew, Tweten, and Leigh.
Voting Nay: None.
Absent: Olstad

22. Consider adopting Resolution No. 13-02-27 accepting donations for the East Grand Forks Police Department's Bike Patrol Program.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER VONASEK, TO ADOPT RESOLUTION NO. 13-02-27 ACCEPTING DONATIONS FOR THE EAST GRAND FORKS POLICE DEPARTMENT'S BIKE PATROL PROGRAM.

Council member Tweten said he has no objections for the police department to get bikes and if they need them they should go purchase them. Vice-President Leigh expressed his concern about the possibility of slower response times to emergencies with an officer on a bike. Chief Hedlund told the council the

department is still in the beginning stages of setting up this program so there are issues that will need to be worked out. He continued explaining the situations when an officer could be on a bike. Council member Vetter felt that having bikes might actually help response times because using the bike would help the officer get back to their vehicle faster compared to being on foot. It was also discussed how officers on bikes will be more visible and interact more with the public.

Voting Aye: Grassel, Vetter, Vonasek, Buckalew, Tweten, and Leigh.

Voting Nay: None.

Absent: Olstad

COUNCIL/STAFF REPORTS:

Council Member Vetter welcomed Lynda to the city.

Council Member Vonasek welcomed Lynda to the city.

Council Member Buckalew welcomed Lynda to the city and extended thanks to Jason and his crew for getting the streets cleaned so quickly after the blizzard.

Council Member Tweten welcomed Lynda to the city and congratulated Jason and his crew on how quickly they were able to get the snow cleared off the streets.

Council Member Leigh said hi again to Ms. Katka.

Council Member Grassel welcomed Lynda to the city.

Mr. Huizenga reminded the council about the meeting on Thursday morning with the MPCA in Detroit Lakes and the Intergovernmental Retreat on Friday at the Boardwalk Bar & Grill.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO ADJOURN THE FEBRUARY 19, 2013 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:45 P.M.

Voting Aye: Grassel, Vetter, Vonasek, Buckalew, Tweten, and Leigh.

Voting Nay: None.

Absent: Olstad

Scott Huizenga, City Administrator/Clerk-Treasurer