

**APPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, APRIL 2, 2013 - 5:00 P.M.**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for April 2, 2013 was called to order by Council Vice-President Greg Leigh 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 Vice President Greg Leigh, Council Members Clarence Vetter, Ron Vonasek, Henry Tweten, Mark Olstad, and Chad Grassel.

Dave Aker, Parks & Recreation Superintendent; Karla Anderson, Finance Director; Greg Boppre, City Engineer; Dan Boyce, Water & Light Manager; Nancy Ellis, City Planner; Ron Galstad, City Attorney; Rod Hajicek, Lieutenant; Charlotte Helgeson, Library Director; Gary Larson, Fire Chief; Megan Nelson, Executive Assistant; and Jim Richter, EDHA Director.

DETERMINATION OF QUORUM:

The Council Vice-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 “Regular Meeting” for the East Grand Forks, Minnesota City Council of March 19, 2013.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of March 26, 2013.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER VETTER, TO APPROVE ITEM ONE (1) THROUGH TWO (2).

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

Voting Nay: None.

Absent: Buckalew

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.

Council Vice President Leigh informed the council the American Legion changed their event to May 18th.

3. Consider approving a temporary liquor license application for the American Legion for May 18, 2013.
4. Consider adopting Resolution No. 13-04-34 approving the agreement between the Minnesota Department of Transportation and the City of East Grand Forks for the installation and maintenance of a battery backup system on stoplights at the intersection of Highways 2 and 220.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER OLSAD, TO ADOPT ITEMS THREE (3) THROUGH FOUR (4).

Council member Tweten asked what the event was that the American Legion was hosting that they needed a temporary liquor license. Ms. Nelson informed the council the Legion was going to host a group that will riding in the area and end up at the American Legion. They wanted to put up a tent in the parking lot as a spot for hosting them when they get to the American Legion.

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

Voting Nay: None.

Absent: Buckalew

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

5. Regular meeting minutes of the Water, Light, Power, and Building Commission for February 21, 2013.
6. Regular meeting minutes of the Water, Light, Power and Building Commission for March 7, 2013.
7. Special meeting minutes of the Water, Light, Power and Building Commission for March 12, 2013.

COMMUNICATIONS: NONE

OLD BUSINESS:

8. Consider adopting Ordinance No. 8 4th Series Amending City Code Provision In Title Vii: Traffic Code, Chapter 72 Entitled "Parking Regulations" By Amending Section 72.10 Paragraph (D) Snow Emergency 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 TWETEN, SECONDED BY COUNCIL MEMBER VONASEK, TO ADOPT ORDINANCE NO. 8 4TH SERIES AMENDING CITY CODE

PROVISION IN TITLE VII: TRAFFIC CODE, CHAPTER 72 ENTITLED “PARKING REGULATIONS” BY AMENDING SECTION 72.10 PARAGRAPH (D) SNOW EMERGENCY AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 10 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS. (2ND READING)

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

Voting Nay: None.

Absent: Buckalew

NEW BUSINESS:

9. Consider adopting Resolution No. 13-04-35 declaring a State of Emergency in the City of East Grand Forks, County of Polk due to flooding of the Red River of the North and the Red Lake River.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 13-04-35 DECLARING A STATE OF EMERGENCY IN THE CITY OF EAST GRAND FORKS, COUNTY OF POLK DUE TO FLOODING OF THE RED RIVER OF THE NORTH AND THE RED LAKE RIVER.

Mayor Stauss asked Chief Larson to email or send notices to the council about when the flood preparation meetings are so they would be able to attend if they liked. Chief Larson said he would make sure that happens.

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

Voting Nay: None.

Absent: Buckalew

10. Consider adopting Resolution No. 13-04-36 requesting Flood Emergence Assistance from the U.S. Army Corps of Engineers if necessary.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER VONASEK, TO ADOPT RESOLUTION NO. 13-04-36 REQUESTING FLOOD EMERGENCY ASSISTANCE FROM THE U.S. ARMY CORPS OF ENGINEERS IF NECESSARY.

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

Voting Nay: None.

Absent: Buckalew

11. Consider adopting Resolution No. 13-04-37 requesting a Limited Use Permit from Commissioner of Transportation of the State of Minnesota for the installation of a bike path in the right of way of Highway 220.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 13-04-37 REQUESTING A LIMITED USE PERMIT FROM COMMISSIONER OF TRANSPORTATION OF THE STATE OF MINNESOTA FOR THE INSTALLATION OF A BIKE PATH IN THE RIGHT OF WAY OF HIGHWAY 220.

Council member Tweten asked if this was for the 10 foot and 6 foot path projects that were to go along Highway 220 and stated that these projects had already been approved. Mr. Boppre informed the council that Council member Tweten was correct but MNDOT is requiring that this resolution and the next resolution to be passed so the city can be approved the limited use permit to complete these projects.

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

Voting Nay: None.

Absent: Buckalew

12. Consider adopting Resolution No. 13-04-38 requesting a Limited Use Permit from Commissioner of Transportation of the State of Minnesota for the installation of a sidewalk in the right of way of Highway 220.

A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER VONASEK, TO ADOPT RESOLUTION NO. 13-04-38 REQUESTING A LIMITED USE PERMIT FROM COMMISSIONER OF TRANSPORTATION OF THE STATE OF MINNESOTA FOR THE INSTALLATION OF A SIDEWALK IN THE RIGHT OF WAY OF HIGHWAY 220.

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

Voting Nay: None.

Absent: Buckalew

13. Consider adopting Resolution No. 13-04-39 committing up to \$1.5 million towards the city pool project to be constructed in 2016.

A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 13-04-39 COMMITTING UP TO \$1.5 MILLION TOWARDS THE CITY POOL PROJECT TO BE CONSTRUCTED IN 2016.

Council member Tweten stated he would support this since our community is projected to keep growing and how the council needs to look at what the city's needs might be years down the line. Council member Vetter stated he had not been on council when the discussion about the pool had started. He continued saying that up to this point the deficiencies have been addressed and is wondering how the city can commit \$250,000 from the building fund with many projects already proposed for the coming years being paid for from this fund. Mayor Stauss said he agreed with Council member Vetter, felt the pool could continue to function for the next couple years, and suggested the possibility of an indoor pool and/or wellness center. He told the council many people walk at the Civic Center and VFW arenas that have asked for a track so they don't have to continue walking on concrete. More discussion followed about the current state of the pool, what money is available from the water and light department for a loan, and if and where the city could possibly build a wellness center. Most of the council felt that if they could commit to funding this portion the Save Our Pool group would be able to start fundraising.

Voting Aye: Leigh, Grassel, Vonasek, Tweten, and Olstad.

Voting Nay: Vetter.

Absent: Buckalew.

14. Consider adopting Resolution No. 13-04-40 authorizing the remediation, demolition, and reconstruction of the Police Department Building for a total cost of \$21,850.00.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER OLSTAD, TO ADOPT RESOLUTION NO. 13-04-40 AUTHORIZING THE REMEDIATION, DEMOLITION, AND RECONSTRUCTION OF THE POLICE DEPARTMENT BUILDING FOR A TOTAL COST OF \$21,850.00.

Council member Grassel asked that this resolution be amended to only include the mold remediation. He explained to the council that since improvements will be done on this building it is not necessary to reconstruct areas that might be demolished again. Council member Tweten expressed his concern the city hiring its own architect for jobs and how he would like to see a complete breakdown of costs. Mr. Boppre explained how he is using the same contract percentage based rates listed in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER VETTER, TO ADOPT AMENDED RESOLUTION NO. 13-04-40 AUTHORIZING THE MOLD REMEDIATION OF THE POLICE DEPARTMENT BUILDING FOR A TOTAL COST OF \$7,250.00.

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

Voting Nay: None.

Absent: Buckalew

15. Consider adopting Resolution No. 13-02-23 ordering the improvements and preparations of plans and specifications for the 2013 City Project No. 3 – Police Building Improvements.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER OLSTAD, TO ADOPT RESOLUTION NO. 13-02-23 ORDERING THE IMPROVEMENTS AND PREPARATIONS OF PLANS AND SPECIFICATIONS FOR THE 2013 CITY PROJECT NO. 3 – POLICE BUILDING IMPROVEMENTS.

Voting Aye: Leigh, Grassel, Vetter, Vonasek, and Olstad.

Voting Nay: Tweten.

Absent: Buckalew.

16. Consider adopting Resolution No. 13-04-41 supporting Local Government Aid reform including an additional appropriation of \$80 million for local government aid and a new, fairer distribution formula contained in HF 1608 and SF 1491.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 13-04-41 SUPPORTING LOCAL GOVERNMENT AID REFORM INCLUDING AN ADDITIONAL APPROPRIATION OF \$80 MILLION FOR LOCAL GOVERNMENT AID AND A NEW, FAIRER DISTRIBUTION FORMULA CONTAINED IN HF 1608 AND SF 1491.

Council member Leigh asked what the provision included in this reformation of the formula. Ms. Nelson informed the council that this formula helped East Grand Forks since they could use housing standards from 1990, not 2000.

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

CLAIMS:

17. Consider adopting Resolution No. 13-04-42 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 15456 for a total of \$545.54 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER VONASEK, TO ADOPT RESOLUTION NO. 13-04-42 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 15456 FOR A TOTAL OF \$545.54 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

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

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

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

COUNCIL/STAFF REPORTS: No one had anything to report this evening.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADJOURN THE APRIL 2, 2013 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:44 P.M.

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

Scott Huizenga, City Administrator/Clerk-Treasurer