

**APPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, AUGUST 20, 2013 - 5:00 P.M.**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for August 20, 2013 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 Greg Leigh, Council Members Clarence Vetter, Henry Tweten, Mark Olstad, and Chad Grassel.

Dave Aker, Parks & Recreation Superintendent; Karla Anderson, Finance Director; Brad Bail, City Engineer; Dan Boyce, Water & Light Manager; Nancy Ellis, City Planner; Ron Galstad, City Attorney; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Gary Larson, Fire Chief; Karl Lindquist, Interim 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:

PRESENTATION FROM THE COALITION OF GREATER MINNESOTA CITIES:

Council President Buckalew introduced Ms. Amanda Duerr from the Coalition of Greater Minnesota Cities who was here to give the council a legislative update. Ms. Duerr started the presentation with an overview of the changes and challenges of the 2012 legislative session and reviewed the goals the Coalition wanted to achieve during the session. She explained further how LGA was reformed and how cities and counties would be tax exempt beginning in January of 2014.

Ms. Duerr informed the council there was a formation of the Greater MN Economic Development Partnership to help provide a more effective voice for Greater MN economic development and how this group focused on four initiatives and had two of them passed into laws. Ms. Duerr touched on funds that were available for job creation, investment funds, and a redevelopment program.

The last three topics Ms. Duerr brought up were transportation, annexation, and environment. She stated in the final transportation bill the legislature was trying to maintain current funding, have 300 million for Corridors of Commerce, 37 million for the southwest corridor LRT, and 10 million for Greater MN Transit. Ms. Duerr explained that there was a bill defeated late in session to weaken annexation by ordinance and change orderly annexation rules that was being pushed by townships. She also commented that greater Minnesota was allotted more through the legacy funds and how this set a

precedent.

Ms. Duerr reminded the council about upcoming events in November and March of next year and then asked if there were any questions. Council member Tweten said he had two comments. He explained that border towns have to deal with what the other state governments do and how North Dakota has put East Grand Forks in a non-competitive position. He said that the City needs tax increment financing. He said the statute regarding tax increment financing has time limitations and how multiple dwellings have not been covered. He stated how the City would be able to enlarge the tax base tremendously if this was changed. He asked for support from the Coalition and try to pass a bill making these changes to tax increment financing.

Council member Tweten also brought up an expressway that was promised many years ago that would tie East Grand Forks to Duluth. He asked to see if there could be special consideration to have Highway 2 could be extended farther east. He commented how much this highway would be used by travelers and could help improve commerce. He added that there will need to be maintenance of the system and funding needs to be there to keep up infrastructure in the state. He ended by asking for a bill to be drafted and sent to the City to be reviewed regarding tax increment financing.

Ms. Duerr said she would refer this also to the people in her office that deal with economic development and tax issues. Mayor Stauss commented how the Coalition is really working on economic development and how they are looking for support in our area. He added that the Coalition is working hard on transportation and how this is evident with the work that has been done in the region and how much it is appreciated. Mayor Stauss then asked Ms. Duerr why Thief River Falls and Crookston, two cities that East Grand Forks compares themselves to, receive so much more in LGA. Ms. Duerr stated she would be asking someone from the Coalition who works with LGA more than she does to send a response to that question so she doesn't speak incorrectly. The mayor said that would be greatly appreciated. Council member Tweten stated that after a disaster, like in Wadena, there are funds that come from both the Federal and State governments but not everything gets covered. He went on to say that cities that have had disasters need to have special consideration because of the new construction that was put up after the disasters when it comes to LGA.

Council President Buckalew asked if there were any other questions for Ms. Duerr. She said she would be leaving some business cards in case the council ever has a question. Council member Tweten said the Coalition is doing a good job for outstate Minnesota. Council President Buckalew thanked Ms. Duerr.

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” for the East Grand Forks, Minnesota City Council of August 5, 2013.

2. Consider approving the minutes of the “Regular Meeting for the East Grand Forks, Minnesota City Council of August 6, 2013.
3. Consider approving the minutes of the “Special Meeting” for the East Grand Forks, Minnesota City Council of August 13, 2013.
4. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of August 13, 2013.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER VETTER, TO APPROVE ITEMS ONE (1) THROUGH FOUR (4).

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

Voting Nay: None.

Absent: Vonasek.

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.

5. Consider adopting Resolution No. 13-08-79 entering into an agreement with the State of Minnesota to provide fixed route transportation services in East Grand Forks for 2014.
6. Consider adopting Resolution No. 13-08-80 entering into an agreement with the State of Minnesota to provide paratransit transportation services in East Grand Forks for 2014.
7. Consider adopting Resolution No. 13-08-81 hiring Mr. Marquardt as a part-time temporary Management Intern from September 3, 2013 until December 31, 2013.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE ITEMS FIVE (5) THROUGH SEVEN (7).

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

Voting Nay: None.

Absent: Vonasek.

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

8. Regular meeting minutes of the Water, Light, Power, and Building Commission for August 1, 2013.

COMMUNICATIONS:

9. Acknowledge that Ms. Katka has successfully completed her six month probationary period for Accounting Technician.

OLD BUSINESS:

10. Acknowledge that the Altru Clinic is not required to obtain a massage parlor license from the City as stated by Minnesota Statute 471.709 which prohibits a municipality from requiring a massage therapist, employed by a medical professional, to obtain a license or permit.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GRASSEL, TO ACKNOWLEDGE THAT THE ALTRU CLINIC IS NOT REQUIRED TO OBTAIN A MASSAGE PARLOR LICENSE FROM THE CITY AS STATED BY MINNESOTA STATUTE 471.709 WHICH PROHIBITS A MUNICIPALITY FROM REQUIRING A MASSAGE THERAPIST, EMPLOYED BY A MEDICAL PROFESSIONAL, TO OBTAIN A LICENSE OR PERMIT.

Mr. Galstad stated he was told to look into this matter at the last work session and found this state statute. He added that we just need to inform Altru they do not need to apply.

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

Voting Nay: None.

Absent: Vonasek.

NEW BUSINESS:

11. Consider adopting Resolution No. 13-08-82 directing the City Attorney to prepare and file the necessary documents with the Minnesota Department of Management and Budget to determine how pay equity is to be reported.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER VETTER, TO ADOPT RESOLUTION NO. 13-08-82 DIRECTING THE CITY ATTORNEY TO PREPARE AND FILE THE NECESSARY DOCUMENTS WITH THE MINNESOTA DEPARTMENT OF MANAGEMENT AND BUDGET TO DETERMINE HOW PAY EQUITY IS TO BE REPORTED.

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

Voting Nay: None.

Absent: Vonasek.

12. Consider rejecting all of the bids submitted for cleaning services at City Hall, Public Works, and the Police Department.

A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER GRASSEL, TO REJECT ALL OF THE BIDS SUBMITTED FOR CLEANING SERVICES AT CITY HALL, PUBLIC WORKS, AND THE POLICE DEPARTMENT.

Ms. Ellis stated what was required for being award the cleaning contract. She said that three of the bidders only bid on one or two buildings and only two bidders bid all three. She added that out of the two that bid all three buildings one was very high and the other bidder was reasonable but received negative remarks from references. She said how she met with both Chief Hedlund and Mr. Stordahl to

review the bids and they decided each would look for their own cleaners. Mayor Stauss asked what the lowest bid came in at. Ms. Ellis stated it was \$1985 which is more than what is paid for cleaning all three buildings currently. Council President asked Ms. Ellis if she was going to be monitoring the contracts and she stated that she would.

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

Voting Nay: None.

Absent: Vonasek.

13. Consider approving the Final Replat of Outlot B Block 2 Point of Woods 5th Addition and all recommendations.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE FINAL REPLAT OF OUTLOT B BLOCK 2 POINT OF WOODS 5TH ADDITION AND ALL RECOMMENDATIONS.

Mr. Galstad stated that he spoke with Mr. Lindquist and Ms. Ellis about the replat and has one concern regarding the area going from Laurel Drive to Brandon Boulevard since it is designated at a 60 foot access and utility easement. He stated if possible this should be replatted and state that it is a dedicated road right-of-way or have a discussion with the property owners to see if they would sign an access and roadway easement which would provide public access. He commented how there is a similar situation on the north end of town. Ms. Ellis stated at the north end there is currently an access easement. Mr. Galstad explained where the holding ponds are and how he believes there is a substantial pipe that is under this access and utility easement. He stated that this is not dedicated as public use and wants to have this corrected so it won't have to be corrected in the future.

Ms. Ellis asked if the Army Corps of Engineers wanted this dedicated as easement and if something was recorded at that time as public access. She added that this is something that should be looked into since this was carried forward from an early plat and commented how this isn't the section that is being replatted. She continued by saying it might be in the best interest to approve this replat and work with Mr. Peabody and put together a document stating this will be public access and add it to the file.

Mr. Galstad stated that if that was the case it would state it on the plat but he can look at the previous plats. He said that he would also check the title. He stated that he had spoken with Mr. Peabody who is willing to work on making this dedicated as public access. Mr. Lindquist stated that this is different property but the council was not voting on that property at this time. Discussion followed about if this road dedication should be included on this replat. Council member Vetter asked to table this item until there is further information so this issue can be straightened out. Ms. Ellis stated they could bring it back in two weeks to the next council meeting.

COUNCIL VICE-PRESIDENT WITHDREW HIS MOTION. COUNCIL MEMBER TWETEN ALSO WITHDREW HIS SECOND TO THE MOTION. THIS ITEM IS TABLED UNTIL THE FIRST COUNCIL MEETING IN SEPTEMBER.

14. Consider approving the Point of Woods Townhome PUD Concept Development Plan.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GRASSEL, TO APPROVE THE POINT OF WOODS TOWNHOME PUD

CONCEPT DEVELOPMENT PLAN.

Ms. Ellis informed the council that this area was rezoned in 2007 to a PUD for townhomes. She added that they no longer want townhomes and instead would like to have single family homes in this area. She said that instead of rezoning this again the PUD can be amended to fit single family homes and how that would not affect the plat. Council President Buckalew stated there was some discussion about the development agreement and Ms. Ellis stated it wasn't with the development agreement but about the plat. Council member Olstad asked when the road is complete who is going to have to fix the curbstops. Mr. Galstad stated that Mr. Peabody would be in charge of fixing these curbstops, not the City.

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

Voting Nay: None.

Absent: Vonasek.

15. Consider awarding the job of PLC SCADA system repairs at Lift Station No. Five to IPS for the amount of \$18,822.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER OLSTAD, TO AWARD THE JOB OF PLC SCADA SYSTEM REPAIRS AT LIFT STATION NO. FIVE TO IPS FOR THE AMOUNT OF \$18,822.

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

Voting Nay: None.

Absent: Vonasek.

CLAIMS:

16. Consider adopting Resolution No. 13-08-83 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 16612 for a total of \$1834.54 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 13-08-83 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 16612 FOR A TOTAL OF \$1834.54 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

Voting Nay: None.

Absent: Vonasek.

Abstain: Buckalew.

17. Consider authorizing the Interim City Administrator to issue payment of recommended bills and payroll.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER OLSTAD, TO AUTHORIZE THE INTERIM CITY ADMINISTRATOR TO ISSUE

PAYMENT OF RECOMMENDED BILLS AND PAYROLL.

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

Voting Nay: None.

Absent: Vonasek.

SUSPENSION OF RULES:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO SUSPEND RULES TO APPROVE AN APPLICATION FOR AN EXEMPT GAMBLING PERMIT FOR SACRED HEART CHURCH & SCHOOL.

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

Voting Nay: None.

Absent: Vonasek.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE APPLICATION FOR AN EXEMPT GAMBLING PERMIT FOR A RAFFLE FOR SACRED HEART CHURCH & SCHOOL TO BE HELD JANUARY 6, 2014 AT SACRED HEART SCHOOL, 200 3RD ST NW, EAST GRAND FORKS, MN 56721 AND WAIVE THE 30-DAY WAITING PERIOD.

Ms. Nelson stated that she missed this item when putting the packet together. She stated Sacred Heart is holding a raffle which will be drawn at the beginning of January and passing this application should give them enough time to sell their tickets before the drawing.

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

Voting Nay: None.

Absent: Vonasek.

COUNCIL/STAFF REPORTS:

Mayor Stauss informed the council that he had attended a meeting on Monday where Senator Klobuchar gave an award to Ideal Aerosmith. He said how he and Mr. Richter listened to a list of projects and other countries Ideal Aerosmith works with and how they were asking to try and lift some restrictions so they are able to do business with more places. Mayor Stauss then commented how they took Sentaor Klobuchar to Northern Valley Machine but the Senator didn't have enough time to walk through so she said she will walk through the next time she is in town. Mayor Stauss commented how both of these businesses have some big-time, worldwide contracts and hopes these businesses keep growing. Mayor Stauss also wanted to thank the Heritage group for putting on another great Heritage celebration like they do every year. He added they need help with funding to keep this going every year. Mayor Stauss commented on how this event is good for the community because it draws people from the region and not just the community. Mayor Stauss also added that more of an effort needs to be made by the council to attend events like this. He ended by saying how Abe and Mary Lincoln did a good job.

Council Member Tweten commented on how he was successfully at adding 24 new members to the Heritage Foundation. He added how they need money for maintenance for the Heritage Village. He stated how most of the officers are Grand Forks residents and how there should be more of a community

effort from East Grand Forks.

Mr. Lindquist said the thought this had already been decided but asked the council what color the top of police building should be, white or blue. Mayor Stauss said he thought that it was going to be white after the meetings he was a part of. Council Vice-President Leigh said it should be white so it matches City Hall. Council member Vetter said the only problem is that it has a blue entryway and if the rest was white it would look funny so he thinks it should be blue. Chief Hedlund stated he thought it originally should be blue but would like either and if they paint the entryway it will just add more maintenance to the building every year. Mayor Stauss informed Chief Stauss that Mr. Bydal was making a large star for the county and to stop by to see if he would like something like that on the Police Building. Council Vice-President Leigh suggested that each of the council members go by on their way home and send an email to Karl tomorrow with what color they should go with for the roof. Council President said that would be a great idea.

Mr. Galstad commented on how during Heritage days the Lincoln exhibit was set up at City Hall and what a great idea that was. He added that maybe the City should host more exhibits to bring people into City Hall. He also explained how the City received a call regarding a tree on 1st Ave. He stated that if a tree is diseased it would fall under our public nuisance ordinance but if it is still alive and only has ants he wasn't sure if it did. He suggested the City call in a forester to inspect the tree and make a determination.

Engineer Bail reminded the council there is a blue tint to the windows of the entryway to the police department. He added that residents will be moving into Minnesota Heights the following day.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER OLSTAD, TO ADJOURN THE AUGUST 20, 2013 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:57 P.M.

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

Voting Nay: None.

Absent: Vonasek.

Karl Lindquist, Interim City Administrator