

**APPROVED MINUTES  
OF THE CITY  
COUNCIL WORK SESSION  
CITY OF EAST GRAND FORKS  
TUESDAY, OCTOBER 22, 2013 - 5:00 P.M.**

**CALL TO ORDER:**

*The Work Session of the East Grand Forks City Council for October 22, 2013 was called to order by Council President Craig Buckalew at 5:05 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 Members Clarence Vetter, Ron Vonasek, Henry Tweten, and Mark Olstad.*

*Dave Aker, Parks & Recreation Superintendent; Greg Boppre, City Engineer; Nancy Ellis, City Planner; Ron Galstad, City Attorney; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Gary Larson, Fire Chief; David Murphy, City Administrator/Clerk-Treasurer; Megan Nelson, Executive Assistant; Jim Richter, EDHA Director; and Jason Stordahl, Public Works Director.*

**DETERMINATION OF A QUORUM:**

*The Council President Determined a Quorum was present*

**1. Engineer Agreement for Waste Water Ponds – Greg Boppre**

Mr. Boppre stated he had sent out a proposed amendment for the council to consider regarding the waste water project. He stated he had met with Council President Buckalew, Mr. Murphy and Mr. Bail to try and address the council's concern that was raised at a meeting a couple weeks ago. He explained that this proposed amendment will hopefully address the concern of the council. He stated this amendment identifies the percentage of fees for design, identifies the 5% for inspections, staking, and administration which is the same as the current contract, and changed the percentage for design from 9% down to 8%.

Mr. Boppre added he is still looking for funding sources for this project but stated how more than likely the City will be getting a PFA loan and possibly some assistance from the state or state agencies. He mentioned some other places they will be looking into as possible funding sources. He then opened the floor for discussion.

Council member Tweten started by saying there were a number of issues with this and he would like to discuss this topic with the entire council present. He added how this project is going to cost a lot of money and the Senate Bonding Committee will be meeting sometime between the 29<sup>th</sup> and 31<sup>st</sup> of October and the council should wait to see what happens at the meeting. He also explained how according to the contract, the fees are geared to be upfront costs and how that should be reworked, commented on projects that will be taking place in the next year or two, and

said how the City has the right to hire other consultants. He stated that there are a lot of things that need to be put in place before this issue should be moved on to council.

Council President Buckalew stated how the design work and preparations for the project are upfront costs and it would not be fair to make them wait to get paid until then end of the project when they have to be paying wages and other costs for working on this project. He added this amendment was supposed to help make things fair for both the City and the engineering firm. He then asked for others if they would like to make comments.

Mr. Boppre stated that he had spoken with Mr. Hallan and had asked him what fees he was charging for a waste water project he is currently working on. Mr. Hallan had informed him that it was 13.5% hourly for design and staking and inspection. Mr. Boppre added that the numbers that he was presenting in the amendment are fair numbers and typical fees currently being charged.

Mayor Stauss stated he had been to meetings around the area and have been speaking with people regarding projects to see what kind of fees they are paying. He asked the council if they should ask another engineer firm to take a look at this project to see if they could save the City money. Discussion followed about how some firms do not have experience working in Minnesota, the other engineer may not know all of the MPCA regulations, how the southern part of the state is being focused on for funding, and how everyone is interested in the final cost of the project.

Council President Buckalew asked Mr. Murphy to explain his experience with a waste water project. Mr. Murphy explained to the council how Belle Plaine had picked a hybrid system due to lack of expansion space. He informed the council that the engineering fees were approximately 14% or 15% on that specific project and in his opinion did a substandard job on that project. He continued by saying that some of the issues were that the engineers grossly underestimated the amount of chemical and electric use costs and the pumps were undersized and had to be replaced.

Mr. Boppre told the council that they are not asking for any money upfront. He added they are following the same process for all of the other projects they do for the City. He stated that he does not charge the City for more than 50% of the project to start with and doesn't get paid the next 50% until after the project has been completed. Mr. Boppre went on to explain that this time they would be charging 75% because this is such a large project and it will take a couple years to complete. Mr. Boppre added the council could still change or alter the amendment.

Council member Vetter asked for some clarifications. He stated that according to the amendment the City will be paying the design fee of 8% based on construction costs. He then added that the construction costs are still unknown which could turn out to being a different percentage than the proposed 75%. Mr. Boppre agreed with that and added that if the City was overcharged they would be getting money back. Discussion followed with clarifications about terms on the memo and how the other 5% will cover staking and inspecting of the project. Council member Vetter pointed out that in the current contract the higher the cost of the project the lower the percentages get. He then asked Mr. Boppre if they were willing to take less than the proposed 8%. Mr. Boppre said yes.

Council member Vonasek asked if the cost will drop in staking since so much can be done with GPS. Mr. Boppre explained how they can be done but there is still double checking that needs to be done to make sure the project is being done correctly. Council member Vonasek asked to see if they were willing to negotiation this amendment. Mr. Boppre stated that they were. Council member Vonasek suggested tabling this until after the negotiating had taken place. Mr. Boppre mentioned that he would be willing to sit with the council or committee; however the council would like to proceed. Discussion followed about how the council should proceed.

This item will be referred to a committee and brought back to the next work session for more discussion.

## **2. 2<sup>nd</sup> & 3<sup>rd</sup> Quarterly Reports – Karla Anderson**

Mr. Murphy explained how Ms. Anderson was not able to be present at the meeting but he would be able to answer questions. Council member Vetter said thanks for including the financials and added it was nice to be able to see them.

## **3. Credit Card System Update – Karla Anderson**

Mr. Murphy explained this was an update for the council and how there had been a change from using Wells Fargo to US Bank. Ms. Nelson added that terms seemed to have changed and there were going to be costs and fees for the City to use the system through Wells Fargo. She added that Ms. Anderson did more checking and found there would not be any costs to the City to use US Bank's system so she is preparing everything and once all the paperwork is ready she will be bringing the information back to the council to vote on.

## **4. Boiler Inspections – Nancy Ellis/David Murphy**

Ms. Ellis stated how it is getting close to the end of the year and the labor unions will be renegotiating their contracts. She asked the Public Works Teamster contract to include up to 5 employees for boiler inspection and to have the boiler inspection to be included in the job description of the park maintenance workers. Ms. Ellis explained how it would not be feasible to hire a custodian or a retired inspector to inspect boilers every day. She also asked the council if the park maintenance workers could move forward with training so by the time the next contract is negotiated the park maintenance workers will be trained and possibly licensed to inspect.

Mayor Stauss asked if inspecting the boilers also included cleaning and other maintenance. Ms. Ellis stated that it did not. Mr. Stordahl and Ms. Helgeson informed the council that they have a contract for general boiler maintenance at each of their locations.

Council President Buckalew asked who was going to be in charge of the scheduling of these inspections. Ms. Ellis stated that she would work with the staff, have them give input on the weekend they are in charge of inspections, and then give the list to each building that needs to be inspected. Council member Olstad asked if they would have to sign off on a hold harmless agreement. Discussion followed about if a hold harmless agreement needs to be signed, why a department head is not eligible for inspecting, why it will be included in a specific job classification, and how these people will be held accountable when it is their weekend to complete the inspection.

Council President Buckalew stated that hopefully this can be finalized when the labor contract is settled. Mr. Murphy asked if the council had any issues or concerns for this process and with that input he would work on including this into the next contract and have training set up for these employees. Council member Vetter stated he thought that the training already was going to take place. Discussion followed about how the decision to move forward with training for the park maintenance workers was already agreed upon.

#### **5. Cleaning Services – Nancy Ellis**

Ms. Ellis stated that she has found better cleaners to clean City Hall since the current cleaners are getting paid for not doing much. She stated the cleaner she found has good references, cheaper than most, and would clean the carpets once a year for free. She explained how she included the additional costs in the budget for 2014. Mr. Murphy added that in his experience East Grand Forks has the nicest City Hall he has ever seen and it would be a shame to not keep it clean. Council member Olstad asked what was currently being charged and what the new monthly charge will be. Ms. Ellis stated that the City pays about \$750 a month and the new monthly charge will be \$1200 and that included tax. Ms. Ellis explained how there has been issues with the performance and security of the building with the current cleaners. She told the council that the potential new cleaner has background checks done on all employees and they are all fully trained before they are allowed to go clean facilities.

Chief Hedlund added that they have been looking for a new cleaning service for the police department and are looking at the same company for services. He added that the additional cost is already included in the 2014 budget.

This item will be referred to a council meeting for action.

#### **6. DNR Fire Dept Co-op Agreement – Gary Larson**

Chief Larson informed the council that in the past the City had an agreement with the DNR for mutual aid. He added how this agreement allows the City to be reimbursed by the DNR when the City comes to the aid of the DNR. He stated that the last agreement the City had expired in 2010 and recommended to the City Council that it should be renewed. Discussion followed on language used in the contract regarding when the fire department would be required to assist on a call and when they would be able to leave the call. Council President Buckalew asked to make sure the fire department was comfortable with the wording of the agreement before it is approved by the council.

This item will be referred to a council meeting for action.

#### **7. Siren Alarms – Gary Larson**

Chief Larson informed the council that there are old sirens still up from many years ago. He added that these sirens have not been in service for many years and that people call and complain they are not working. He stated that the Water and Light Department offered to take these sirens down. Chief Larson told the council that his recommendation would be to declare these sirens as surplus and to be sold as scrap metal since he was told they are obsolete. Council President Buckalew asked if they needed to be replaced. Chief Larson said they did not.

This item will be referred to a council meeting for action.

**8. ISD #595 Civic Center & VFW Lease Agreement – Dave Aker**

Mr. Aker informed the council how he and Mr. Murphy had met with the Mr. Pace and others at the school to review the lease agreement. He stated that the lease agreement was the same as last year with the addition on page 3 which requires supervision of players at all times. Discussion followed about the locker room situation, how much it would cost to put in another locker room in the Civic Center, and Council President Buckalew asked Mr. Aker if he was comfortable with the amount the school would be paying. Mr. Aker stated he was.

This item will be referred to a council meeting for action.

**9. Winter Fees for 2013-2014 – Dave Aker**

Mr. Aker explained that fees had been raised and he apologized for not getting this to a meeting sooner. He went over the list of raises and what percentages they had gone up. Council President Buckalew asked if sign up had already taken place and if people were charged the new rates. Mr. Aker said yes and added they raised the rates because they were not expecting the same number of participants as the year before and how this would help cover costs.

Council member Vetter asked if coaches are charged to come in and coach during figure skating private ice. Mr. Aker stated the coaches are charged if they are not a part of the program. Council member Vetter asked if there was a checks and balances system to make sure those using ice during private ice time have paid their fees. Mr. Aker stated how they will try to. Council member Vetter recommended putting something in place, possibly a badge system so you can visibly see they have paid their fees.

This item will be referred to a council meeting for action.

**OTHER:**

Mayor Stauss told the council that people at an event he recently attended stated how 5<sup>th</sup> Ave NE needs repairs, especially around the area of the train tracks. Council member Vetter asked if it was a private line and if that was the case they would need to check with the owner to see if they wanted the rails left or removed. He reminded the council the MPO is working on a rail study. Ms. Ellis stated that the MPO is looking into areas that would give people rail access so the council might want to wait on taking action regarding these rails until after the study is complete. Mr. Stordahl added he spoke with some people at Ryan Potato and they were going to contact the owners and see if they will use them or if they could be removed. He added there was an issue because the rails go through the American Crystal property.

Mayor Stauss also stated the sidewalks by the new apartment building were recently poured and now the brick needs to be put back in place. He added that this is a safety hazard. Ms. Ellis stated that section of the sidewalk was MNDOT property and added that Mr. Shea will be putting the bricks back in. She said that she would contact him to see when it will be completed.

Mr. Murphy stated he would like to meet with the negotiating committee as soon as possible to set strategy because he would like to try and have all labor contracts settled by the beginning of

2014. He finished by informing the council he had taken a tour of the Public Works Facility and was very impressed.

**ADJOURN:**

**A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER OLSTAD, TO ADJOURN THE OCTOBER 22, 2013 WORK SESSION OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:30 P.M.**

*Voting Aye: Tweten, Olstad, Vetter, Vonasek, and Buckalew.*

*Voting Nay: None.*

---

David Murphy, City Administrator/Clerk-Treasurer