

**APPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, DECEMBER 17, 2013 - 5:00 P.M.**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for December 17, 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.

Karla Anderson, Finance Director; Brad Bail, City Engineer; Ron Galstad, City Attorney; Mike Hedlund, Police Chief; David Murphy, City Administrator/Clerk-Treasurer; 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:

PLAQUE PRESENTATION FOR COMMISSIONER GREGOIRE:

Mayor Stauss told Commissioner Gregoire he appreciated the improvements in the cemetery, thanked him for his time spent on the commission, and work in the cemetery. Mayor Stauss stated that Commissioner Gregoire served on the Cemetery Commission from 1988 until 2012. Commissioner Gregoire thanked the mayor and council for the opportunity to serve on the commission. He told them what a gratifying experience he had serving on the Cemetery Commission.

KENNEDY BRIDGE STUDY PRESENTATION:

Mr. Haugen told the council there was an open house in the Training Room regarding the Kennedy Bridge study and how it will still be going on after the council meeting. He then introduced Mr. Derrick Dasenbrock, from the Minnesota Department of Transportation, who is the project manager of the Kennedy Bridge Project. Mr. Dasenbrock stated how a study was being completed on the Kennedy Bridge to see if the bridge should go through rehabilitation or replacement. He then introduced Mr. Doug Abernethy and said how he was hired to complete the study.

Mr. Abernethy started the presentation by thanking the council for their time and began the presentation. He reviewed how information meetings and study advisory committee meetings have been held throughout the entire process. He explained the current condition of the Kennedy Bridge, how it is historic, and

commented on the daily use of the bridge. He stated there were three options which were to take no action, rehabilitate the bridge, or replace the bridge. He continued by reviewing these options and what their potential costs could be. Mr. Aberer told the council that during this study suggestions had been made to include trails for bicycles and pedestrians so they are able to also utilize the Kennedy Bridge. He added how there were different options to include these trails and reviewed what they would be. Mr. Aberer reminded the council that all of the cost estimates in the presentation were construction only. He added how with rehabbing the bridge the big ticket items would be replacing the deck and fixing pier six since four lanes should be adequate for future use of this bridge. He stated how there could be many unknowns with replacing the bridge which would only increase the costs. He then asked if there were any questions from the council.

Council Vice-President Leigh stated how the bridge can get icy and asked to make sure there is a buffer in the middle of the lanes to prevent people from going into oncoming traffic. Council member Olstad commented how important it is to keep the middle buffer and then asked which option is more cost effective looking at long term costs when comparing rehabbing the bridge or just going with a complete replacement. Mr. Aberer stated how far apart the costs are when comparing a rehabilitation project and a replacement project so even with maintenance on the bridge it will more than likely cost less to move forward with the rehabilitation project than replacing the bridge. He added that a rehabilitation of the bridge would solve many issues for decades. Council member Tweten asked if the East Grand Forks and Grand Forks Police Departments would be asked to help with traffic control. Mr. Aberer stated that would be the responsibility of the contractor and added how there will more than likely be more congestion during peak hours of the day. Council member Tweten stated they had done an excellent job on the presentation and evaluation of the bridge. Mayor Stauss asked if 4th Street that goes under Highway 2 will have to be redone and if all of those costs would be the City's responsibility. He added the City would be looking help with those costs. Mr. Aberer stated that he would have to ask to see if 4th Street was going to be affected. Mr. Haugen stated that since it is a part of the Highway 2 system that MNDOT would have some responsibility with 4th Street if a project has to be completed. Council President Buckalew thanked them for their time and presentation.

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 December 3, 2013.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of December 10, 2013.

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

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

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.

Council President Buckalew told the council the amount for the portable alarms changed from \$15,135 to \$14,784 because of a discount. This also includes the cost of shipping.

3. Consider approving the application for an Exempt Gambling Permit for a raffle for the Whitetails Unlimited – Red River Valley Deer Camp organization to be held February 1, 2014 at the Eagles Club, 227 10th St NW, East Grand Forks, MN 56721 and waive the 30-day waiting period.
4. Consider approving the Site Use Agreement between the City of East Grand Forks and Lutheran Social Services for the use of the kitchen facilities at the East Grand Forks Senior Center.
5. Consider approving the request to purchase four portable alarm systems and radio kits from StopTech LTD for the East Grand Forks Police Department for ~~\$15,135 plus the cost of shipping~~ \$14,784 which includes the cost of shipping.
6. Consider adopting Resolution No. 13-12-121 approving and adopting the Alternative Transportation Modes update to the East Grand Forks Comprehensive Plan.
7. Consider adopting Resolution No. 13-12-122 approving and adopting the Grand Forks-East Grand Forks Long Range Transportation Plan Street and Highway Element update to the East Grand Forks Comprehensive Plan.
8. Consider approving the lease agreement between the City of East Grand Forks and the Metropolitan Planning Organization for leasing office space at City Hall for 2014.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GRASSEL, TO APPROVE ITEMS THREE (3) THROUGH EIGHT (8) INCLUDING THE CHANGE IN COST FOR THE PORTABLE ALARM SYSTEMS

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

Voting Nay: None.

Absent: Vonasek.

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

9. Regular meeting minutes of the Cemetery Commission meeting for November 18, 2013.

COMMUNICATIONS:

10. Jon Heffernan has successfully completed his probationary period as a Park Maintenance Worker for the Parks and Recreation Department.

Ms. Nelson stated that Mr. Heffernan was unable to attend the meeting because he was working at the VFW Arena.

OLD BUSINESS: NONE

NEW BUSINESS:

11. Consider authorizing Widseth Smith Nolting to prepare plans and specifications for 2014 City Project No. 2 – Sidewalk Improvements on 20th Street NE and 5th Ave NE.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER OLSTAD, TO AUTHORIZE WIDSETH SMITH NOLTING TO PREPARE PLANS AND SPECIFICATIONS FOR 2014 CITY PROJECT NO. 2 – SIDEWALK IMPROVEMENTS ON 20TH STREET NE AND 5TH AVE NE.

Council Vice-President Leigh asked what the cost to the City is for this project. Mr. Bail stated the council could approve to prepare the plans and specifications for this project but the engineers are looking for direction from the council to which side of the street the sidewalk should be located on. Council member Olstad stated his concerns about having the sidewalk on the east side of the street and said how safety would have to be enhanced due to all of the traffic on this road if the sidewalk was put in on the east side of 5th Ave NE. Council member Vetter asked if the sidewalk can tie into the existing sidewalk already there to cut down on the costs and asked if trees could be saved. Mr. Bail explained how the sidewalks have to meet ADA regulations and it can be difficult to do that with older or existing sidewalks and added how some trees could be saved but if any trees are cut down other trees could be planted to replace them.

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

Voting Nay: None.

12. Consider adopting Resolution No. 13-12-123 authorizing transfers for 2013, 2012, and 2011.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER VETTER, TO ADOPT RESOLUTION NO. 13-12-123 AUTHORIZING TRANSFERS FOR 2013, 2012, AND 2011.

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

Voting Nay: None.

Absent: Vonasek.

13. Consider adopting Resolution No. 13-12-118 Amended approving the 2014 Budget and to authorize specific financial related activities.

A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER LEIGH, TO ADOPT RESOLUTION NO. 13-12-118 AMENDED APPROVING THE 2014 BUDGET AND TO AUTHORIZE SPECIFIC FINANCIAL RELATED ACTIVITIES.

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

Voting Nay: None.

Absent: Vonasek.

14. Consider adopting Resolution No. 13-12-124 approving a 2% cost of living wage increase for City Employees.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 13-12-124 APPROVING A 2% COST OF LIVING WAGE INCREASE FOR CITY EMPLOYEES.

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

Voting Nay: None.

Absent: Vonasek.

15. Consider approving an agreement between the City of East Grand Forks and Lutheran Social Services to allow LSS to provide service to Stay, Play, and Learn LLC.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL TO APPROVE AN AGREEMENT BETWEEN THE CITY OF EAST GRAND FORKS AND LUTHERAN SOCIAL SERVICES TO ALLOW LSS TO PROVIDE SERVICE TO STAY, PLAY, AND LEARN LLC.

Council President Buckalew stated the motion died due to lack of a 2nd.

Council Vice-President asked if there could be a discussion which was allowed. Council Vice-President Leigh asked Mr. Murphy if he and the City Attorney had a meeting to come up with an agreement. Mr. Murphy stated they had met, weren't able to reach anyone at Lutheran Social Services during their meeting, and with different items coming up in both offices, an agreement had not been drafted but they did come up with the items that needed to be included in the agreement. Council Vice-President Leigh stated he would support an agreement that would allow only a one year commitment. Discussion followed about how LSS could only have an agreement with an organization that meets the LSS mission and couldn't be just any group, the agreement couldn't last longer than 1 year, and the City will receive 10% of the amount paid to LSS. Council President Buckalew asked if this agreement could be canceled at any time. Mr. Galstad stated that either the City of LSS could terminate the agreement with 30 days notice just like the site use agreement.

Council member Grassel asked when the projected opening date was for the daycare center. The council was informed that it is proposed for January 2nd. Council member Olstad asked if there was a hold harmless in any of the paperwork so the City would not be held responsible. Mr. Galstad stated there could be an indemnification as a part of the agreement with LSS. Council member Olstad asked if Mr. Galstad had seen all of the paperwork, including the contracts the families would sign for services. Mr. Galstad stated that he had not. More discussion followed about what steps could be taken to protect the City and how so far the City Administrator was told LSS would be agreeable to the terms that had been presented to the City Council.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER LEIGH, TO APPROVE AN AGREEMENT BETWEEN THE CITY OF EAST GRAND FORKS AND LUTHERAN SOCIAL SERVICES TO ALLOW LSS TO PROVIDE SERVICE TO STAY, PLAY, AND LEARN LLC BASED ON THE CITY ATTORNEY'S APPROVAL.

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

Voting Nay: None.

Absent: Vonasek.

16. Consider approving the labor agreement between the City of East Grand Forks and Law Enforcement Labor Services, Inc Local No. 152 for 2014-2015.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE LABOR AGREEMENT BETWEEN THE CITY OF EAST GRAND FORKS AND LAW ENFORCEMENT LABOR SERVICES, INC LOCAL NO. 152 FOR 2014-2015.

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

Voting Nay: None.

Absent: Vonasek.

17. Consider approving the labor agreement between the City of East Grand Forks and the International Association of Fire Fighters Local No. 3423 for 2013-2015.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER LEIGH, TO APPROVE THE LABOR AGREEMENT BETWEEN THE CITY OF EAST GRAND FORKS AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL NO. 3423 FOR 2013-2015.

Mr. Murphy informed the council there was a question about some language used in Article 19. He stated the intent will stay the same but some of the wording might change.

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

Voting Nay: None.

Absent: Vonasek.

18. Consider approving the labor agreement between the City of East Grand Forks and AFSCME Council 65 for 2014-2015.

A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER GRASSEL, TO APPROVE THE LABOR AGREEMENT BETWEEN THE CITY OF EAST GRAND FORKS AND AFSCME COUNCIL 65 FOR 2014-2015.

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

Voting Nay: None.

19. Consider authorizing the hiring of Mr. Carl Neu for a goal setting/visioning session on January 10th and 11th for \$8500 plus hotel expenses.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER OLSTAD, TO AUTHORIZE THE HIRING OF MR. CARL NEU FOR A GOAL SETTING/VISIONING SESSION ON JANUARY 10TH AND 11TH FOR \$8500 PLUS HOTEL EXPENSES.

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

Voting Nay: None.

Absent: Vonasek.

20. Consider adopting Resolution No. 13-12-125 reapportioning the special assessments among the various lots on the Replat of Outlot B, Point of Woods 5th Addition.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER LEIGH, TO ADOPT RESOLUTION NO. 13-12-125 REAPPORTIONING THE SPECIAL ASSESSMENTS AMONG THE VARIOUS LOTS ON THE REPLAT OF OUTLOT B, POINT OF WOODS 5TH ADDITION.

Mr. Murphy told the council how the first plat was not recorded for this area and a second plat had been completed with single family homes. He explained how before the assessments were assessed to on parcel which was the entire outlot B. He stated how now there are nine parcels and the remaining assessments had to be reapportioned. He reviewed the assessment roll that was agreed upon by Mr. Peabody. Council President Buckalew asked if plats usually go through the City and the City completes the process. Mr. Galstad explained why this process was different and that procedures are being reviewed so this case will not be an issue in the future. Council President Bucklew asked if more fees were collected since occurrence was taking more time and expense. Mr. Murphy stated he was not sure and added he will be recommending a checklist be created for this process. Discussion followed regarding if new fees had been collected, if previous fees were considered forfeit, and how this situation will be prevented in the future.

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

Voting Nay: None.

Absent: Vonasek.

CLAIMS:

21. Consider adopting Resolution No. 13-12-126 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 17555 for a total of \$168.70 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER LEIGH, TO ADOPT RESOLUTION NO. 13-12-126 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 17555 FOR A TOTAL OF \$168.70 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

Voting Nay: None.

Absent: Vonasek.

Abstain: Buckalew.

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

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

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

Voting Nay: None.

Absent: Vonasek.

COUNCIL/STAFF REPORTS:

Mayor Stauss stated how this was the last meeting of the year. He wished everyone a Merry Christmas and a Happy New Year. He also commented how well the council had worked together this year and wished Mr. Tweten Happy Birthday.

Council member Buckalew wished everyone a Merry Christmas.

Council Member Tweten stated how this had been a good year, how the City's outlook is excellent, and how there is optimism in the community. He added that the next year will be another good year with the council working together.

Council member Leigh thanked Public Works for the good job they are doing on snow removal.

Mr. Murphy informed the council he was finally moving into an apartment.

Mr. Galstad wished everyone a Happy Hanukah and a Merry Christmas.

Mr. Bail wished everyone Merry Christmas.

Ms. Anderson reminded everyone about the potluck at City Hall from 11:30am until 1:00pm on Thursday.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER LEIGH, TO ADJOURN THE DECEMBER 17, 2013 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:20 P.M.

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

Voting Nay: None.

Absent: Vonasek.

David Murphy, City Administrator/Clerk-Treasurer