

**APPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, JUNE 17, 2014 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for June 17, 2014 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, Dale Helms, Henry Tweten, Mark Olstad, and Chad Grassel.

Dave Aker, Parks & Recreation Superintendent; Greg Boppre, City Engineer; Dan Boyce, Water & Light Manager; Nancy Ellis, City Planner; Steve Emery, City Engineer; 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; and Jason Stordahl, Public Works Director.

DETERMINATION OF A 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.”

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of June 3, 2014.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of June 10, 2014.

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

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

Voting Nay: None.

SCHEDULED BID LETTINGS: NONE.

3. Public Hearing on proposed 2014 Assessment Job No. 1 – Street Reconstruction – 17th Street NE.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO OPEN THE PUBLIC HEARING.

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

Voting Nay: None.

Mr. Boppre stated the only property owner in attendance was the City.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER OLSTAD, TO CLOSE THE PUBLIC HEARING.

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

Voting Nay: 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 adopting Resolution No. 14-06-52 authorizing the transfer of TIP funds to be used on 14CP2 – Sidewalk Improvements on 20th Street NE and 5th Ave NE.
5. Consider approving the request to advertise and hire an accounting technician for the Administration Office.
6. Consider approving the purchase of a pump for the K8 Lift Station from Minnesota Pump Works for the amount of \$21,141.
7. Consider approving the special event application for Clear Channel Radio for the Bikes and Bites event for July 17th, 2014 from 4:00pm until 8:00pm.
8. Consider adopting Resolution No. 14-06-53 appointing election judges and designating polling locations.

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

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

Voting Nay: None.

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

9. Regular meeting minutes of the Planning Commission for April 3, 2014.

OLD BUSINESS: NONE

NEW BUSINESS:

10. Consider adopting Resolution No. 14-06-54 ordering the improvement and preparation of plans and specifications for 2014 City Project.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 14-06-54 ORDERING THE IMPROVEMENT AND PREPARATION OF PLANS AND SPECIFICATIONS FOR 2014 CITY PROJECT NO. 6 MILL/OVERLAY CEMETERY.

Ms. Nelson stated this was project number 6 for improvements in the cemetery and Lee's Place and apologized for not including that on the agenda. Council member Vetter asked Mr. Boppre if the overlay done at Lee's Place was going to be assessed or if the City was going to cover the cost. Mr. Boppre explained that will be a cost to the City. He added that this lot could not be sold because of utilities and that American Crystal had a large storm drain going through there also. Council member Vetter then asked if the road itself could be narrowed down since it is like an alley which will help cut down the cost. Mr. Boppre said that council be looked into. Council member Grassel stated how if this was narrowed down there will be more for the adjoining properties to mow. Discussion followed. Council member Vetter stated that if they are not being assessed for the project they would more than likely keep mowing the property.

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

Voting Nay: None.

11. Consider approving the "On-sale Weekday & Sunday" Liquor License Application for East Grand Lanes LLC located at 1500 5th Ave NE, East Grand Forks, MN 56721.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER OLSTAD, TO APPROVE THE "ON-SALE WEEKDAY & SUNDAY" LIQUOR LICENSE APPLICATION FOR EAST GRAND LANES LLC LOCATED AT 1500 5TH AVE NE, EAST GRAND FORKS, MN 56721.

Council member Tweten stated there was only one document given asked if these people were from the area since there wasn't much information given. Ms. Nelson explained the new owners are from Grand Forks and how they had passed both the background check and inspection completed by the Minnesota Department of Health. Council President Buckalew asked if they were required to have an on-site manager. Ms. Nelson said yes.

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

Voting Nay: None.

12. Consider adopting Resolution No. 14-06-55 finalizing how the City will be moving forward with building inspection services.

A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER LEIGH, TO ADOPT RESOLUTION NO. 14-06-55 FINALIZING HOW THE CITY WILL BE MOVING FORWARD WITH BUILDING INSPECTION SERVICES BY EXTENDING THE INSPECTION SERVICE CONTRACT TO DECEMBER 2015.

Council member Olstad explained how his motion would include extending the contract with Indepth Inspections to the end of 2015 per the understanding the council will continue to look at hiring a full time inspector or keep the contracted service. He added how this will give the council time to finalized what will be done with the Community Development Office, the EDHA office, and allow the council to review job descriptions. Council member Tweten stated doing this would be kicking the can down the road. He stated that with the effort from a new qualified EDHA director and the council they will be keeping the building inspector very busy. He commented on the very successful experience after the flood with a full time building inspector and not hiring a full time building inspector is saying that East Grand Forks is not going to grow and he believes differently.

Council member Olstad said the big reason he would like to continue with the contracted services until 2015 is to finish the process with Community Development Office and establishing the positions needed. He stated that this would also give the City time to find a new economic development director, determine the makeup of EDHA, and make sure the City is taking is correct steps and hiring a new full time inspector right now is premature. Council Vice-President Leigh stated he thinks they are moving in the right direction with the Community Development Office which is still evolving because job duties are still being determined. He stated that he would like to hold off hiring a full time building inspector. He added that he is not against hiring a full time inspector but the time is not right and there is not enough information.

Council member Vetter asked if the City did hire a new building inspector what the salary would be. Mr. Murphy stated it would depend on how the position was pointed. He said it would most likely be in the range of \$45,000 to \$50,000. Council member Leigh stated that the amount in benefits would need to be added to that. He added how if things are busy Indepth Inspections will make a little more and if it is slow they won't make as much but someone won't just be sitting around. Council member Vetter asked if hiring a full time person with benefits would cost around \$55,000-\$60,000 and the cost with Indepth Inspections with reduced office hours will be around \$80,000 the City would be saving money hiring a full time inspector. Mr. Murphy stated potentially yes.

Mayor Stauss said there should be an in-house inspector because the City Hall was built to house all of the offices and everyone knew where to go and where the offices were located. He stated that the office should be in City Hall and if there isn't enough for the inspector to do they will need to be assigned more. Council member Helms asked for clarification on the length of the contract extension. Council member Olstad stated the contracted would be extended until the end of 2015. Council member Helms said he was on the fence because he feels the City could use a full time building inspector but he agrees with there are many things that need to determined before moving forward. He added that he didn't know if he agreed with a year and half extension to the contract either.

Council President Buckalew stated the he liked how this worked out with the budget process and how the council will know more when they are going over the budget the following year, figuring out the office hours, and scheduling appointments. Ms. Ellis stated that when a phone call is received about a

permit or the code, they take down the information, and within an hour or two the building inspector gets back to the person. She stated how they have set up a variety of meetings on different days and times and added how they are working on getting a system down but everyone has been addressed or helped. Mr. Murphy clarified the cost of salary and benefits for hiring a new inspector would be around \$60,000 to \$65,000. He added that there are benefits both ways, how this is a council decision, and whichever the way the council goes staff will work with.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER LEIGH, TO MOVE THE QUESTION.

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

Voting Nay: None.

Council President Buckalew stated discussion was closed and called for the vote.

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

Voting Nay: Tweten, Vetter, and Helms.

13. Consider adopting Resolution No. 14-06-56 establishing the Grade and Step of the Community Development Director.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER LEIGH, TO ADOPT RESOLUTION NO. 14-06-56 ESTABLISHING THE GRADE AND STEP OF THE COMMUNITY DEVELOPMENT DIRECTOR AT GRADE 20 STEP 2.

Council member Grassel asked if that was the middle option that was presented. Mr. Murphy stated that was an approximate \$360 per year increase to what she is already making which was the first option. Council member Grassel asked if the City is going to continue using Springsted why the council would have to continue to analyze each position and how the City needs to keep following what they set out. Council Vice-President Leigh stated that he is voting for this because this is what has been past practice and until that policy is changed that is what the City should continue to follow. Council member Olstad stated that past practice would have been choosing the second option so he would be voting no to this motion.

Council Vice-President Leigh stated that he withdrew his motion and thought that was what Council member Vetter had made a motion based on past practice. Council President Buckalew asked if there was a second to the motion for Grade 20 Step 2. There was not. He announced the motion died for lack of a second and asked if there was another motion.

A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 14-06-56 ESTABLISHING THE GRADE AND STEP OF THE COMMUNITY DEVELOPMENT DIRECTOR AT GRADE 20 STEP 4.

Council member Vetter stated that not all past practices have always been correct and it is not correct in this instance so he will be voting no. Council member Helms asked what step Ms. Ellis was at currently. Mr. Murphy stated Ms. Ellis was at Grade 18 Step 5. Council Vice-President Leigh asked if the council

didn't follow past practice and having paid Springsted to come up with the pay equity plan, where would have Ms. Ellis ended up. Discussion followed about how Springsted recommended the grade but not the step, how jobs that have more responsibility have more points for a higher grade, and how this would be Ms. Ellis's placement until her next review and with a satisfactory review she would move up a step.

Voting Aye: Buckalew, Olstad, Leigh, Grassel, and Helms.

Voting Nay: Tweten and Vetter.

14. Consider adopting Resolution No. 14-06-57 accepting and awarding the bid for 2014 City Project No. 2 – Sidewalk Improvements to Hanson Construction for \$145,112.13 contingent upon MNDOT approval.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER VETTER, TO ADOPT RESOLUTION NO. 14-06-57 ACCEPTING AND AWARDING THE BID FOR 2014 CITY PROJECT NO. 2 – SIDEWALK IMPROVEMENTS TO HANSON CONSTRUCTION FOR \$145,112.13 CONTINGENT UPON MNDOT APPROVAL.

Council Vice-President Leigh asked what was figured out and if most of the berm trees could be saved. Mr. Boppre stated that most of the trees will have to come down. Council Vice-President Leigh asked if any trees were going to be replanted. Mr. Boppre stated that at this time there wasn't a plan to replant trees but this is something that could be considered once the sidewalk is in place.

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

Voting Nay: None.

15. Consider adopting Resolution No. 14-06-58 accepting and awarding the bid for 2014 Assessment Job No. 1 – Street Reconstruction 17th Street NE to Paras Contracting for \$1,009,017.65.

A MOTION WAS MADE BY COUNCIL MEMBER HELMS, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 14-06-58 ACCEPTING AND AWARDING THE BID FOR 2014 ASSESSMENT JOB NO. 1 – STREET RECONSTRUCTION 17TH STREET NE TO PARAS CONTRACTING FOR \$1,009,017.65.

Mr. Boppre asked if there were any parades coming up because this project will be starting after July 4th. Discussion followed if there were special events in this area because this street will be out of commission at that point and how the street could be made passable for the Heritage parade if necessary.

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

Voting Nay: None.

CLAIMS:

16. Consider adopting Resolution No. 14-06-59 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 18990 for a total of \$1,642.94 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER OLSTAD, TO ADOPT RESOLUTION NO. 14-06-59 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 18990 FOR A TOTAL OF \$1,642.94 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

Voting Nay: None.

Abstain: Buckalew.

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

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

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Mayor Stauss stated that he is not in full agreement with number 12 and will be vetoing that. He stated that they will need to work on getting someone in-house.

Council Member Helms stated the community will be losing Mr. Scanlan who was hired as Bemidji State's Girls Hockey Coach and added congratulations how they will be gaining a fine man and our community will be losing one.

Council Member Buckalew wished Mr. Scanlan the best of luck and lots of success. He added that hopefully they can find someone to take on and continue what he had started.

Council Member Tweten state that he joins Mr. Helms with his comments and how great Mr. Scanlan has been to deal with through the years.

Council Member Grassel agreed with the previous comments and added how Bemidji picked up a great hockey coach. He continued by saying the school district is losing a very good person who took care of the kids and coaches.

Mr. Murphy stated he had spoken with Mr. Sinclair who will have his review of the case in draft form on Friday and that he would be available on Tuesday at 5:00 to meet with both the EDHA and Council in closed session with the work session to follow. He added that both he and Mr. Helms will be gone Thursday and Friday at the League Annual Conference. He also told the council that he might be taking a week off the following week because he will be closing on a house and there are projects that he will need to get done before this family can move in.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER OLSTAD, TO ADJOURN THE JUNE 17, 2014 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:35 P.M.

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

Voting Nay: None.

David Murphy, City Administrator/Clerk-Treasurer