

**APPROVED MINUTES  
OF THE CITY  
COUNCIL WORK SESSION  
CITY OF EAST GRAND FORKS  
MONDAY, JULY 13, 2015 – 5:00 PM**

**CALL TO ORDER:**

*The Work Session of the East Grand Forks City Council for July 13, 2015 was called to order by Council President Mark Olstad 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: Council President Mark Olstad, Council Vice-President Chad Grassel, Council Members Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, and Marc DeMers.*

*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; Paul Gorte, EDA Director; 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*

**1. Update on Wine Ordinance – Ron Galstad**

Mr. Galstad explained to the Council that he had completed research and based on the description of what would be served at the proposed business it does not meet the definition of a meal. He informed the Council they would be able to change the definition but that it would be stretching the definition. He said that it was his opinion to ask the State legislature to look into this and see if they would make an exception for art studios like they had for culinary classes. Council member Buckalew asked if there was another way. Mr. Galstad stated they would have to either contract for services or modify an ordinance. Discussion followed about how this could set a precedent which could open the flood gate for other requests.

Council member Pokrzywinski stated he would like to see this business open but he would not go against the recommendation of the attorney. Council Vice-President Grassel asked if Ms. Cramer had contacted anyone to possible contract liquor services. Ms. Cramer stated she had but none were able to provide services five nights a week. More discussion followed about how the Council would like to see this business open but was not willing to change definitions in the ordinances. Council President Olstad stated the City would see if the State legislature would make a change for this exception and how they would send a letter of recommendation to help.

## **2. Request to File Plans & Specs 2014 City Project No. 3 Lift Station 5 – Steve Emery**

Mr. Emery told the Council that this project would replace Lift Station No. 5 and was located by the corner of 5<sup>th</sup> Street NE and 10<sup>th</sup> Ave NE. He stated the funds were available in the sewage fund for this project or the Council would have the ability to bond for this project. He stated he would be asking to file plans and specifications at the next meeting, advertise for bids, and set the bid opening date. Council President Olstad asked when this project would be completed. Mr. Emery stated it would be completed late next summer or early in the fall. Council member Tweten said if the City was going to be bonding to make sure that all projects are put together so the City would get a better bid. Mr. Galstad asked if there would be any easements. Mr. Emery said there shouldn't be because the City purchased the property where the new lift station was going to be located.

Council member DeMers asked if there was enough funds in the sewage fund to cover the project or if they needed to bond. Mr. Stordahl stated there were enough funds available in the fund to cover the project. Council member DeMers said there should be an adequate balance left in the fund. He added that the Council needs to understand the funding and where it is coming from for projects so everyone is on the same page. He stated there had been too many times when the Council has rejected bids and how they should be committing to projects if they are bid. He added that if there would be an adequate balance left he didn't have a problem moving forward.

Council member Buckalew asked if there was anything included in the project to help with smells. Mr. Emery stated the building would be large enough to add in chemical treatment if it was needed. Mr. Boppre said it was maintenance that dealt with odor issues.

This item will be referred to a City Council Meeting for action.

## **3. Request to File Plans & Specs 2015 City Project No. 5 Campground Improvements – Steve Emery**

Mr. Emery stated that he would be asking to file plans and specifications, advertise, and set the bid date for this project at the next work session. He explained this project would be adding utility services to 24 sites in the campground area. He said that 18 sites would have full services and six sites would just be getting electric services. He added that the DNR is in agreement and the City received \$250,000 from the DNR but would need to receive the bids before they would know what the actual cost would be for the project. Mr. Murphy said that this would be short term construction. Council Vice-President Grassel asked if this was similar to the previous expansion. Mr. Boppre stated it was but this time services were being adding from existing lines. Mr. Aker asked if a shelter was going to be included. Mr. Emery stated this was a utility project and that shelters were not included.

This item will be referred to a City Council Meeting for action.

## **4. 2015 City Project No. 1 Wastewater Improvements – Greg Boppre**

Mr. Boppre stated that he had a new draft of the facility plan for the waste water project. He explained that he had used net present value when looking at what route the City should move

forward with. He informed the Council he had met with AE2S and officials from Grand Forks regarding the project, that the Corps is now requiring a 50 foot depth when going under the levee system, and that he would know more information after a meeting later on in the week. He said that the costs of the project if the interconnect connected to Lift Station No. 17 would cost approximately \$4.5 million and a direct line to the mechanical plant would cost approximately \$8.4 million.

Mr. Boppre stated that he will be requesting to file the facility plan and submit it to MPCA for review. Mr. Murphy asked if the City could work with the Corps of Engineers regarding the new depth requirement. Mr. Boppre stated it would lengthen out the amount of pipe needed but he was not worried about the depth. Council member Pokrzywinski asked when there would be cost estimates ready. Mr. Boppre said he may have them the next week and that the 20% contingency may cover the costs for the extra pipe. Council member Vetter asked if Mr. Boppre knew what the COSA would be if the pipe went directly to the mechanical treatment plant. Mr. Boppre stated that was being looked into. Council member Vetter stated the upfront cost may be higher for the direct route but it could bring down the COSA costs.

#### **5. Change Order for Work on 4<sup>th</sup> Street NW – Dan Boyce**

Mr. Stordahl stated that the Water and Light Department were working on water main replacement projects. He said how there was a project scheduled for 4<sup>th</sup> Street NW by Fire Station No. 1 but it was delayed because of the Sorlie Bridge Project. He stated how since traffic is flowing well they may start working on 4<sup>th</sup> Street. He explained how the sanitary and storm sewer also need repair work in this area and that this would be a good time to make these repairs. He stated that Mr. Boyce was going to bring a change order before the Water and Light Commission for the repair work which would cost approximately \$15,819 for the storm sewer repair and \$15,702 for the sanitary sewer repair. He added how Public Works would pay for these repairs out of the storm and sanitary funds. Discussion followed about how the change order would cover the additional repairs and how the estimated start date was July 17<sup>th</sup> with a tentative completion of August 22<sup>nd</sup>.

This item will be referred to a City Council Meeting for action.

#### **6. Kennedy Bridge Information – David Murphy**

Mr. Murphy stated the packet included an email explaining a change to the Kennedy Bridge project. He said the City was being asked for a letter of concurrence regarding the change to how the driving lanes and pedestrian walkway was going to be done. Mr. Murphy stated the biggest change was that the median was going to be removed. Discussion followed about if the City was going to send a letter of concurrence and if Grand Forks was going to submit a letter of concurrence. Council President Olstad asked to have Grand Forks contacted regarding this before moving forward.

#### **7. Updates to City Policies – Megan Nelson**

Ms. Nelson stated there were some updates to City policies. She reviewed how the auction policy had been updated, asked for comments on the background check policy, stated the medical eligibility policy was updated to include seasonal and part time employees, and how the

wireless policy changed from \$30 per month to \$35 per month which was the current practice. Mr. Galstad stated he would need to look into the auction policy because not all employees would be eligible for bidding on items. Council member Vetter asked if employees under the age of 18 would be included in background checks. Ms. Nelson stated that had been a question and wasn't sure if those under 18 could have a background done on them. Council member DeMers asked to have as many as possible have a background check completed. Discussion followed about what employees would have background checks completed and how staff would be checking to see if background checks could be run on employees under the age of 18.

This items will be referred to a City Council Meeting for action.

### **8. Midcontinent Franchise Agreement – David Murphy**

Mr. Murphy told the Council that Bemidji recently had their franchise agreement updated. He stated that he had talked with other administrators and how there had been specific legislation prohibiting the addition of internet use to the franchise agreement. He explained that after a brief review of the agreement this could be completed internally with help from the city attorney. He suggested moving forward with an extension because the current contract will be expiring and this will allow time to make sure the agreement is clear and concise.

### **9. Budget Discussion – David Murphy**

Mr. Murphy said salaries and wages budgets for 2015 and 2016 had been provided along with the actual numbers for 2014 and half of the year for 2015. He asked if there were any questions. There were none.

### **10. Union Negotiation Discussion – David Murphy**

Mr. Murphy asked for direction from the Council on how they would like to move forward with union negotiations since it had been suggested to use a couple council members as well as the entire group. Discussion followed about how it had been done both ways, how it could be difficult to find times when everyone would be able to meet, and that this process could take some time. Council member Vetter stated the Council should be kept informed day in and day out during this process. Council member DeMers stated more effort could be made to keep the Council informed about the negotiations. More discussion followed and it was determined that Council President Olstad, Council member Vetter, and Council member DeMers would represent the City in the negotiation process.

### **11. Stauss Park Building Maintenance – David Murphy**

Mr. Murphy explained to the Council the old warming house at Stauss Park was in a state of disrepair. He stated how the siding was in need of replacement which had been estimated to cost \$12,740. He also informed the Council how the plumbing is all original and needed to be replaced. He said this hadn't been included in the budget and there wasn't enough in the maintenance fund to cover the project. He asked how the Council if they would like to move forward with these repairs or wait until next year. Council President Olstad stated that since this was not included in the budget to wait until next year. Council member Vetter agreed to wait with this project until next year. Council member Tweten commented how more should be spent

on park maintenance and how all of the parks need some attention. Council Vice-President Grassel asked the Council to consider at least replacing the bathroom area even though it is not in the budget. He added that if the building wasn't going to be repaired to take it down. More discussion followed about how action does need to be taken but maybe wait until next year when the funds were included in the budget for this project.

## **12. Sales tax Discussion – Marc DeMers**

Council member DeMers commented that the Council would have to notify the County if there was going to be a special election and asked to have a discussion about if the Council would like to move forward with a special election. Council President Olstad suggested submitting the information to the State legislature and putting this on the ballot for the following November. Mr. Murphy stated there would be a regular election in 2016 that would be budgeted for. He added how a special election could cost up to \$15,000. Council member Tweten asked the Council members to speak with businesses in town to see how a sales tax could be affecting them. Council member Vetter stated the election should happen sooner rather than later. Discussion followed about how to move forward, when a special election may need to be held, and if an election or the request to the state legislature should be done first.

Council President Olstad stated that if everything was approved there would be a 60 day notification period before the tax would be collected. Council member Pokrzywinski reminded the Council if it fails there wouldn't be any sales tax collected. Council member DeMers asked to have everything that needs to be funded put together in a memo. Council member Vetter commented that the Council will also need to determine how the additional items will be paid for.

## **13. Charter Update Discussion – Marc DeMers**

Council member DeMers asked if the Council was interested in reviewing the charter and if so how they would like to move forward with that process. Mr. Galstad stated he hadn't researched this item but there would need to be a charter commission. Mr. Murphy said the information he reviewed from the League of Minnesota Cities stated that once a charter commission is set up it is always there unless it is dissolved by resolution. He explained that he wasn't sure if the commission had been dissolved or how many members since these commissions could vary from seven up to 15 members. Discussion followed about how what the makeup of the commission should be, how often the commission should meet, how often the charter should be reviewed, and how proposals should be submitted to the commission for consideration.

Mr. Murphy stated that a person would qualify for being on the commission as long as they are a qualified voting resident of the City. Council member Vetter suggested having a council, staff, and residents on the board. Mr. Galstad stated another thing to consider is if the City should stay a home charter city or if it should change to a statutory city. Council President Olstad asked to have information brought back to another meeting.

## **14. Other**

Mr. Murphy informed the Council that he would be out of the office most of the following week.

Mr. Hedlund stated there was going to be a ceremony being held in the Training Room recognizing retired officers at 3:00pm on Thursday, July 16<sup>th</sup> and invited the Council.

Council President Olstad reminded the Council about the event at the Good Samaritan beginning at 5:00pm. He added that some Council will be heading over to the Service Safety Committee meeting in Grand Forks at 5:30pm. He ended by informing the Council that the Save Our Pool Group was going to be fundraising at Tesoro pumping gas and receiving 25 cents for every gallon they pumped from 11:00am until 1:00pm on Tuesday, July 14<sup>th</sup>.

**ADJOURN:**

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADJOURN THE JULY 13, 2015 WORK SESSION OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:38 P.M.**

*Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.*

*Voting Nay: None.*

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David Murphy, City Administrator/Clerk-Treasurer