

**APPROVED MINUTES  
OF THE CITY COUNCIL  
CITY OF EAST GRAND FORKS  
TUESDAY, JULY 21, 2015 - 5:00 P.M.**

**CALL TO ORDER:**

*The Regular Meeting of the East Grand Forks City Council for July 21, 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: Mayor Lynn Stauss(5:02pm), Council President Mark Olstad, Council Members Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, and Marc DeMers.*

*Karla Anderson, Finance Director; Greg Boppre, City Engineer; Dan Boyce, Water & Light Manager; Nancy Ellis, City Planner; Ron Galstad, City Attorney; Paul Gorte, EDA Director; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Gary Larson, Fire Chief; Megan Nelson, Executive Assistant; and Jason Stordahl, Public Works Director.*

**DETERMINATION OF 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.” If you would like to address the City Council, please come up to the podium to do so.”*

Mr. Bob Pulkrabek, 2023 10<sup>th</sup> St SE, told the Council that he had lived in East Grand Forks since 1957. He explained how a lady was interested in starting a new business in East Grand Forks, that she wanted to obtain a wine and beer license, how the Council had been supportive, but then it was said how either the Council or State Legislature would have to make changes in order for this business be able to get a wine and beer license. He commented how this council is not a business oriented Council and congratulated them on turning business away since they weren't willing to change the ordinance.

Mr. Galstad apologized if he was misunderstood about this but that the business had the ability to contract with an establishment for services but they were not able to find someone that would be able to provide services five days a week. He continued to say either the State or City would have to amend the qualifications to obtaining a license. He explained that this business did not meet the definition of a restaurant to qualify for a wine license and the primary way for this to change would be for the State to make an exception which was done for culinary classes. Mayor Stauss commented how business is important and if there were ways to make it work the City would help and try. Mr. Galstad stated the City was not stopping her from opening. Council President Olstad stated how she had the same business

in Moorhead, stated how this business would not qualify as a restaurant because they didn't serve enough food, and that the City wasn't acting as a road block but offered assistance to help try and get the statue amended. Council member Pokrzywinski commented that if the Council following legal advice is being anti-business that is unfortunate and added Moorhead is following the same laws as East Grand Forks.

#### **APPROVAL OF MINUTES:**

1. Consider approving the minutes of the "Regular Meeting" for the East Grand Forks, Minnesota City Council of July 7, 2015.
2. Consider approving the minutes of the "Work Session" for the East Grand Forks, Minnesota City Council of July 13, 2015.

#### **A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE ITEMS ONE (1) THROUGH TWO (2).**

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

*Voting Nay: None.*

*Absent: Grassel.*

#### **SCHEDULED BID LETTINGS:**

3. Consider adopting Resolution No. 15-07-75 approving the plans and specifications and ordering advertisement for bids for 2014 City Project No. 3 – Lift Station No. 5 Replacement.

Council President Olstad stated it had been requested to remove this item because of timing issues. Mr. Boppre explained that they were working with subcontractors on this project. He stated a timeline date had been given a week later than it should. He added it had been requested to hold a special meeting before the work session next week to file the plans and specifications and this would allow for the project to keep the same timeline.

4. Consider adopting Resolution No. 15-07-76 approving the plans and specifications and ordering advertisement for bids for 2015 City Project No. 5 – Campground Improvements.

#### **A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 15-07-76 APPROVING THE PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR 2015 CITY PROJECT NO. 5 – CAMPGROUND IMPROVEMENTS.**

Mayor Stauss asked that no more trees should be taken out and to work around them when possible. Mr. Boppre stated they would only be putting in services coming off the main lines that were already in place.

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

*Voting Nay: None.*

*Absent: Grassel.*

**SCHEDULED PUBLIC HEARINGS:**

5. Public Hearing considering budget modifications for the preparation of the decertification of both TIF Districts.

**A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO OPEN THE PUBLIC HEARING.**

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

*Voting Nay: None.*

*Absent: Grassel.*

Mr. Gorte informed the Council the two TIF districts were going to be decertified at the end of 2016. He stated one account was short while the other had additional funds and the City is allowed to make adjustments as necessary. He stated this was needed for next year and the remaining funds would be retained for TIF like projects. He added this process was being done with TIF advisors and once approved there would be approximately \$99,000 in one fund and \$88,000 in the other fund.

Council member DeMers asked the increased tax capacity would be. Mr. Gorte estimated the amount in taxes per year was around \$80,000 with a third going to the school and another third going to the County. Council member DeMers commented about an article he read and how there is a change to LGA when there is a change in the tax capacity. Ms. Anderson stated that she would check and see if LGA is affected by the decertification of the TIF districts.

**A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO CLOSE THE PUBLIC HEARING.**

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

*Voting Nay: None.*

*Absent: Grassel.*

**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 Olstad asked if there were any items that should be pulled. Council member Pokrzywinski requested to pull item six and Council member DeMers requested to pull item nine.

6. Consider adopting the updated Auction Policy allowing some city employees to bid on surplus items when an outside agency runs the auction.
7. Consider adopting the Background Check Policy setting guidelines on background checks for employees, volunteers, and those applying for city licenses as required by the Municipal Code.
8. Consider adopting the updated Medical Insurance Eligibility Policy which includes the requirements regarding the eligibility for insurance for both part time and seasonal employees.
9. Consider adopting the updated Wireless Communication Policy and Allowance setting the maximum

allowance to \$35.00 per month.

10. Consider adopting Resolution No. 15-07-77 approving the amendments to the waste water facility plan and submit the plan to Minnesota Pollution Control Agency for review.
11. Consider adopting Resolution No. 15-07-78 approving the sanitary and storm sewer repairs on 4<sup>th</sup> Street NW by the Fire Station No. 1.
12. Consider adopting Resolution No. 15-07-79 approving an extension to the cable franchise agreement between the City of East Grand Forks and Midcontinent Communications.
13. Consider approving the renewal of the 2AM Closing Application for the VFW Post 3817 located at 312 Demers Ave, East Grand Forks, MN 56721.

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE ITEMS SEVEN (7), EIGHT (8), AND TEN (10) THROUGH THIRTEEN (13).**

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

*Voting Nay: None.*

*Absent: Grassel.*

6. Consider adopting the updated Auction Policy allowing some city employees to bid on surplus items when an outside agency runs the auction.

Council President Olstad asked Mr. Galstad about how this would work with online auctions. Mr. Galstad stated that had been addressed in the policy. He explained how there were exceptions and that no employees were able to bid on forfeited or seized items. Discussion followed about how no employees were allowed to bid on any seized or forfeited property, how a list of eligible items could be made so employees knew what items they were allowed to bid on, how language may need to be added down the road for clarification, and how council members are not eligible to bid on any of the items.

**A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT THE UPDATED AUCTION POLICY ALLOWING SOME CITY EMPLOYEES TO BID ON SURPLUS ITEMS WHEN AN OUTSIDE AGENCY RUNS THE AUCTION.**

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

*Voting Nay: None.*

*Absent: Grassel.*

9. Consider adopting the updated Wireless Communication Policy and Allowance setting the maximum allowance to \$35.00 per month.

Council member DeMers asked if this covered only City employees or if EDA and Water & Light employees were included. Ms. Nelson stated this covered City and EDA employees being primarily department heads. Council member DeMers asked if devices included or covered. Ms. Nelson explained that this covered sticks for the police department, a couple tablets, and the rest were cell

phones. Council member DeMers asked to have the policy wording changed from phones to devices and he also asked about what happens with those using their personal phone for city use. Ms. Nelson explained they get reimbursed for the phone use, nothing else at this time. Council member DeMers asked who decides what is reimbursed. Ms. Nelson stated that if it was an employee the Department Head would have to sign off on the reimbursement or if it was for a Department Head the City Administrator would sign off on the reimbursement. Discussion followed about how many phones were in the plan and the process of turning in the paperwork for a reimbursement.

**A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED COUNCIL MEMBER BUCKALEW, TO AMEND THE POLICY AND CHANGE THE WORD PHONES TO DEVICES AND CELL PHONE TO WIRELESS DATA SERVICE.**

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

*Voting Nay: None.*

*Absent: Grassel.*

Mr. Galstad informed the Council that background checks could be done on minors and that the parents need to sign the consent form.

**A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED COUNCIL MEMBER BUCKALEW, TO APPROVE THE WIRELESS COMMUNICATION POLICY AND ALLOWANCE SETTING THE MAZIMUM ALLOWANCE TO \$35.00 PER MONTH WITH THE APPROVED LANGUAGE CHANGE.**

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

*Voting Nay: None.*

*Absent: Grassel.*

**ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS, AND COMMISSIONS:  
NONE**

**COMMUNICATIONS:**

14. Acknowledge Officer Alex Schilke for being named to the Statewide DWI Enforcer All-Star Team.

Chief Hedlund informed the Council that Officer Schilke would have been recognized at a Twins game but was unable to attend. He added how there was a short ceremony held at the City Hall and what a great job he has done since joining the department.

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

15. Consider adopting Resolution No. 15-07-80 approving modifications to the tax increment plan for TIF District 1-1.

**A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 15-07-80 APPROVING**

**MODIFICATIONS TO THE TAX INCREMENT PLAN FOR TIF DISTRICT 1-1.**

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

*Voting Nay: None.*

*Absent: Grassel.*

16. Consider adopting Resolution No. 15-07-81 approving modifications to the tax increment plan for TIF District 1-2.

**A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER VETTER, TO ADOPT RESOLUTION NO. 15-07-81 APPROVING MODIFICATIONS TO THE TAX INCREMENT PLAN FOR TIF DISTRICT 1-2.**

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

*Voting Nay: None.*

*Absent: Grassel.*

17. Consider approving the transit contract between the City of East Grand Forks and Northland Community and Technical College for the school year of 2015-2016.

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE THE TRANSIT CONTRACT BETWEEN THE CITY OF EAST GRAND FORKS AND NORTHLAND COMMUNITY AND TECHNICAL COLLEGE FOR THE SCHOOL YEAR OF 2015-2016.**

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

*Voting Nay: None.*

*Absent: Grassel.*

18. Consider adopting Resolution No. 15-07-82 approving the appointment of Karl Ohrn as a replacement for Anne Temte on the Library Board.

**A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER VETTER, TO ADOPT RESOLUTION NO. 15-07-82 APPROVING THE APPOINTMENT OF KARL OHRN AS A REPLACEMENT FOR ANNE TEMTE ON THE LIBRARY BOARD.**

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

*Voting Nay: None.*

*Absent: Grassel.*

**CLAIMS:**

19. Consider adopting Resolution No. 15-07-83 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 22006 for a total of \$1,021.24 whereas Council Member Buckalew is personally interested financially in the contract.

**A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 15-07-83 AUTHORIZING THE CITY**

**OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 22006 FOR A TOTAL OF \$1,021.24 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.**

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

*Voting Nay: None.*

*Abstain: Buckalew.*

*Absent: Grassel.*

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

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

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

*Voting Nay: None.*

*Absent: Grassel.*

**COUNCIL/STAFF REPORTS:**

Council Member Pokrzywinski stated there was an article about a property in Grand Forks regarding hoarding issues. He said how this can be frustrating for neighbors, how this affects property values, and how it can make it impossible to sell a home in the neighborhood. He continued by saying he is bringing this forward because this is an issue in many communities and that there needs to be a better process or solution for these kinds of situations.

Council Member DeMers commended Chief Hedlund and all those involved who put on the event recognizing retired police officers and said how it was a great event. He added that CNBC reported that Minnesota is ranked first in the country for business and how the City should use this to help sell itself showing that we have plenty to offer.

Council President Olstad reminded the Council about the meeting with the DNR Commissioner and said to meet at the state recreation park office first.

Mr. Boppre said he would try to keep the Council informed about the waste water project. He asked to meet with the committee once a month to help keep the Council informed. Council President Olstad stated that had been discussed and was the intention of the committee.

Mr. Gorte told the Council the EDA Board met earlier in the day and created a loan committee. He stated this committee will review the loan applications, check their eligibility, and be another set of eyes to help in the process.

Ms. Ellis reminded the Council of the open house for the Bygland Road study at the Senior Center on Thursday, July 23<sup>rd</sup> beginning at 5:30pm.

**ADJOURN:**

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADJOURN THE JULY 21, 2015 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:44 P.M.**

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

*Voting Nay: None.*

*Absent: Grassel.*

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David Murphy, City Administrator/Clerk-Treasurer