

**APPROVED MINUTES  
OF THE CITY COUNCIL  
CITY OF EAST GRAND FORKS  
TUESDAY, AUGUST 18, 2015 - 5:00 P.M.**

**CALL TO ORDER:**

*The Regular Meeting of the East Grand Forks City Council for August 18, 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 (5:04pm), 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; Karla Anderson, Finance Director; 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 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 Moore, 211 Demers Ave, stated that he would like to discuss the easement by the bank building and that he had brought updated plans for the Council to review. He said he would like approval as soon as possible so he is able to try and get the cement work done. Council President Olstad asked if this plan had changed from the last plan the Council had seen. Mr. Moore said it included the suggestions the Council made. Discussion followed about how the curb and gutter would need to be removed for the exit of the drive thru, that snow removal shouldn't be an issue for the fire department, that the requested easement was smaller than originally asked for, and that the old driveway would not be taken out because that is where the water drained to. Council President Olstad asked if Mr. Moore was able to attend the meeting the following Tuesday. Mr. Moore stated yes.

**APPROVAL OF MINUTES:**

1. Consider approving the minutes of the “Special Meeting” for the East Grand Forks, Minnesota City

Council of July 28, 2015.

2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of July 28, 2015.
3. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of August 4, 2015.
4. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of August 11, 2015.

**A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE ITEMS ONE (1) THROUGH FOUR (4).**

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

*Voting Nay: None.*

**SCHEDULED BID LETTINGS: NONE**

**SCHEDULED PUBLIC HEARINGS:**

5. Public Hearing for consideration of the annexation of 40 acres north of 23<sup>rd</sup> Avenue NW and west of Highway 220 North into the city.

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

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

*Voting Nay: None.*

Ms. Ellis reminded the Council this was for the Johnson property. She explained it was being set up as a tax service district with R-3 zoning and Urban Expansion Reserve zoning. There were no further questions or comments.

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

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

*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.*

6. Consider approving the Minnesota Municipal Utilities Association Service Agreement for the Safety Management Program split 50/50 between the City and the Water and Light Department for October 1, 2015 through September 30, 2015.

7. Consider approving the application for an Exempt Gambling Permit for a raffle for Sacred Heart Church and School to be held January 5, 2016 at the Sacred Heart School at 200 3<sup>rd</sup> St NW East Grand Forks, MN 56721 and waive the 30 day waiting period.
8. Consider approving the renewal of the 2AM Closing Application for the Eagles 350 located at 227 10<sup>th</sup> St NW, East Grand Forks, MN 56721.

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GRASSEL, TO APPROVE ITEMS SIX (6) THROUGH EIGHT (8).**

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

*Voting Nay: None.*

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

9. Regular meeting minutes of the Water, Light, Power, and Building Commission for July 16, 2015.

**COMMUNICATIONS: NONE**

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

10. Consider approving Ordinance No. 15 4<sup>th</sup> Series annexing Southeast Quarter of the Southeast Quarter (SE1/4SE1/4), Section Twenty-Six (26), Township One Hundred Fifty-Two (152) North, Range Fifty (50) West Of The Fifth Principal Meridian, Polk County, Minnesota (1<sup>st</sup> Reading).

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO APPROVE ORDINANCE NO. 15 4<sup>TH</sup> SERIES ANNEXING SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4), SECTION TWENTY-SIX (26), TOWNSHIP ONE HUNDRED FIFTY-TWO (152) NORTH, RANGE FIFTY (50) WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, MINNESOTA (1<sup>ST</sup> READING).**

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

*Voting Nay: None.*

11. Consider adopting Resolution No. 15-08-86 accepting a grant and entering into a grant agreement between the City of East Grand Forks and the Minnesota Department of Public Safety for a \$30,825 for the Toward Zero Death Program.

**A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 15-08-86 ACCEPTING A GRANT AND ENTERING INTO A GRANT AGREEMENT BETWEEN THE CITY OF EAST GRAND FORKS AND THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY FOR A \$30,825 FOR THE TOWARD ZERO DEATH PROGRAM.**

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

*Voting Nay: None.*

12. Consider approving the Special Event Application to the Extreme North Dakota Racing Group for the Uff Da Mud Run on September 5, 2015 with the racing taking place from 8:00am until 8:00pm contingent upon the Certificate of Liability being turned into the Administration Office prior to the event.

**A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE THE SPECIAL EVENT APPLICATION TO THE EXTREME NORTH DAKOTA RACING GROUP FOR THE UFF DA MUD RUN ON SEPTEMBER 5, 2015 WITH THE RACING TAKING PLACE FROM 8:00AM UNTIL 8:00PM CONTINGENT UPON THE CERTIFICATE OF LIABILITY BEING TURNED INTO THE ADMINISTRATION OFFICE PRIOR TO THE EVENT.**

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

*Voting Nay: None.*

13. Consider adopting Resolution 15-08-88 authorizing the transfer from the lot sale fund to the special assessment fund.

**A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPT RESOLUTION 15-08-88 AUTHORIZING THE TRANSFER FROM THE LOT SALE FUND TO THE SPECIAL ASSESSMENT FUND.**

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

*Voting Nay: None.*

**CLAIMS:**

14. Consider adopting Resolution No. 15-08-87 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 22208 for a total of \$626.23 whereas Council Member Buckalew is personally interested financially in the contract.

**A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 15-08-87 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 22208 FOR A TOTAL OF \$626.23 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.**

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

*Voting Nay: None.*

*Abstain: Buckalew.*

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

*Voting Nay: None.*

### **SUSPENSION OF RULES**

**A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO VOTE TO SUSPEND RULES FOR DISCUSSION AND VOTING ON INFILL BUILDING ELEVATOR AND RECOMMENDATION FROM AUDIT COMMITTEE FOR CONSULTATION SERVICES.**

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

*Voting Nay: None.*

Ms. Ellis explained there were issues with the elevator in the Infill building. She explained the elevator sometimes gets stuck when there is freight being hauled in it and won't open, or get stuck in between floors. She said that the estimate from OTIS is \$57,000 and how there will be additional charges for the electric work which she didn't have enough time to get before the meeting.

Council member Pokrzywinski said this was discussed at the EDA meeting that had been held earlier in the day. He stated how this was a passenger elevator being used as a freight elevator and that there haven't been issues when it is only passengers riding in the elevator. He said that he would vote to approve getting the elevator fixed because of the potential liability and asked if there was a way to prohibit freight from being hauled in the elevator. Discussion followed about delivery people are not in favor of using stairs during deliveries. Council Vice-President Grassel said there was a concern about the safety of passengers without freight. He added it was highly important to get this fixed and keep issues from reoccurring. Council member Pokrzywinski commented how it was considered to wait to fix the elevator until a maintenance agreement was done but it isn't known when that would be complete. Ms. Ellis reminded the Council that there was a common area agreement which includes the use of the elevator but the maintenance agreement was never completed. Discussion followed about what funds could be used to cover the costs of the repair, what the capacity was for elevator, and what can be done in the future regarding the elevator.

**A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER GRASSEL, TO AUTHORIZE THE REPAIR WORK TO THE ELEVATOR NOT TO EXCEED \$70,000.**

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

*Voting Nay: None.*

Mr. Murphy stated the audit committee had met three times and had discussed how with the current job openings and potential job openings made this a prime time to look at how work more efficiently within the departments. He explained they had reviewed three proposals for a consulting firm to assist in this process and the committee recommended The Idea Circle from Bemidji. Council member Pokrzywinski asked who was on the audit committee. Mr. Murphy stated it was Mr. Loven, Ms.

Ogden, Mr. Thompson, Mr. Boyce, Ms. Anderson, and himself. Council member Buckalew said he understood why this is being done and asked why it couldn't be done in-house. Mr. Murphy explained how the consultant will be looking at all of the departments, not just within each department, and how they will do it with a fresh set of eyes. Discussion followed about how the consulting firm will review the job descriptions, not redo the job descriptions, and look at how duties can be streamlined.

**A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPT RESOLUTION 15-08-89 ENTERING INTO A CONTRACT BETWEEN THE CITY OF EAST GRAND FORKS AND THE IDEA CIRCLE FOR CONSULTING SERVICES NOT TO EXCEED \$7,495.**

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

*Voting Nay: None.*

**COUNCIL/STAFF REPORTS:**

Mayor Stauss informed the Council the funds had run out for caring for the flowers so the flowers will no longer be watered.

Council Member Pokrzywinski stated he was impressed with the work being done on the mill and overlay and seal coat project. He also introduced two new members of Ward 2, Winston and Warren Pokrzywinski, and how both mom and boys are doing well.

Council Member Buckalew thanked the volunteers and folks who helped out with Heritage Days. He said that he wasn't able to attend but his family was able to enjoy the parade and people he spoke with commented how there was an excellent showing at the Heritage Village.

**ADJOURN:**

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER VETTER, TO ADJOURN THE AUGUST 18, 2015 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:35 P.M.**

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

*Voting Nay: None.*

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David Murphy, City Administrator/Clerk-Treasurer