

**APPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, SEPTEMBER 15, 2015 - 5:00 P.M.**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for September 15, 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(5:03), 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; 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; 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.”

Ms. Kathy Solem informed the Council that she moved to East Grand Forks in 2004, that she had lived in three other cities prior to East Grand Forks and no other cities had so many fees on the water and light bill. She asked why the Council didn't apply for grants from the federal government to cover some of these costs instead of going to the people. She explained what her lease stated was her responsibility, how the fees on the bill included should be specifically stated on the lease agreement, and that there should be a low income rate for the water and light bill. Mr. Murphy said the flood control project was paid for by federal funds and how it was the City's responsibility to maintain the system. Ms. Solem had more questions regarding if the fees were legal. Mr. Murphy explained that they were legal as well as the process used setting the fees.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of September 1, 2015.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of September 8, 2015.

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

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

Voting Nay: None.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS: NONE

CONSENT AGENDA: NONE

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.

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

3. Regular meeting minutes of the Water, Light, Power, and Building Commission for August 20, 2015.
4. Regular meeting minutes of the Planning Commission for June 25, 2015.

COMMUNICATIONS:

5. Acknowledgement of the retirement of Deb Hadden after 35 years of service.

Mr. Aker stated how Ms. Hadden had worked for the City for the last 35 years, that he has had lots of good years working with Deb, and that he will miss her tremendously. He then presented Ms. Hadden a plaque for her years of service. Council member Tweten said he hopes the City is fortunate enough to hire a carbon copy of Ms. Hadden. Mayor Stauss commented how he had worked with Ms. Hadden many times over the years; that she has worked with many groups over the years, and how sometimes the job could be difficult. He thanked her for all of her years of service and wished her good luck in the future. Council Vice-President Grassel thanked Ms. Hadden for her service to the City. Council member Buckalew commented how Ms. Hadden was always able to keep a cheery face and thanked her for doing an awesome job.

OLD BUSINESS: NONE

NEW BUSINESS:

6. Consider approving the application for an Exempt Gambling Permit for a raffle and paddlewheel for the Red River Lions Club to be held on November 12, 2015 at the American Legion located at 1009 Central Ave NW East Grand Forks, MN 56721 and waive the 30 day waiting period.

A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER VETTER, TO APPROVE THE APPLICATION FOR AN EXEMPT GAMBLING PERMIT FOR A RAFFLE AND PADDLEWHEEL FOR THE RED RIVER LIONS CLUB TO BE HELD ON NOVEMBER 12, 2015 AT THE AMERICAN LEGION LOCATED AT 1009 CENTRAL AVE NW EAST GRAND FORKS, MN 56721 AND WAIVE THE 30 DAY WAITING PERIOD.

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

Voting Nay: None.

7. Consider adopting Resolution No. 15-09-100 authorizing the request for \$5.3 million for the waste water interconnect to be included in the 2016 State Bonding Bill.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPT RESOLUTION NO. 15-09-100 AUTHORIZING THE REQUEST FOR \$5.3 MILLION FOR THE WASTE WATER INTERCONNECT TO BE INCLUDED IN THE 2016 STATE BONDING BILL.

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

Voting Nay: None.

8. Consider authorizing the City Engineers to prepare a report of feasibility for the proposed 2016 street repairs which will be prepared at no cost to the City.

A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO AUTHORIZE THE CITY ENGINEERS TO PREPARE A REPORT OF FEASIBILITY FOR THE PROPOSED 2016 STREET REPAIRS WHICH WILL BE PREPARED AT NO COST TO THE CITY.

Council member Tweten stated that he objected to this. He said that this was for next year's project and that this should be discussed on January 1st so he would be voting against it.

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

Voting Nay: Tweten.

9. Consider adopting Resolution No. 15-09-101 appointing Randy Olson to the Lead Equipment Operator at a salary of \$24.01 per hour.

Ms. Nelson asked when the motion is made for both items 9 and 10 to include when it should take effect.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPT RESOLUTION NO. 15-09-101 APPOINTING RANDY OLSON TO THE LEAD EQUIPMENT OPERATOR AT A SALARY OF \$24.01 PER HOUR AND TO TAKE EFFECT AFTER PASSAGE OF THE RESOLUTION.

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

Voting Nay: None.

10. Consider adopting Resolution No. 15-09-102 appointing Dillon Nelson to the Lead Wastewater Operator at a salary of \$27.02 per hour.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 15-09-102 APPOINTING DILLON NELSON TO THE LEAD WASTEWATER OPERATOR AT A SALARY OF \$27.02 PER HOUR AND TO TAKE EFFECT AFTER PASSAGE OF THE RESOLUTION.

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

Voting Nay: None.

11. Consider approving the amendment to the Wireless Communication Ordinance of the City Code (1st Reading).

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE THE AMENDMENT TO THE WIRELESS COMMUNICATION ORDINANCE OF THE CITY CODE (1ST READING).

Council member Pokrzywinski asked if this had been approved by the Planning Commission and if there were any changes. Ms. Ellis stated it had been approved by the Planning Commission and the recommended changes were in red and reviewed some of the changes. Council member Tweten asked where the towers will specifically go. Mr. Littlejohn introduced himself and Mr. Eddie Buell who were working on this and explained one location had been picked out by the south end fire station and the other location was going to be somewhere by or on the golf course area. Council member Tweten requested a map be provided to the Council of the possible locations.

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

Voting Nay: None.

12. Consider approving the preliminary addition of Northview 1st Addition contingent upon the road right-of-way being increased, a development agreement is signed and recorded, and a digital file is submitted to the Community Development Office.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE THE PRELIMINARY ADDITION OF NORTHVIEW 1ST ADDITION CONTINGENT UPON THE ROAD RIGHT-OF-WAY BEING INCREASED, A DEVELOPMENT AGREEMENT IS SIGNED AND RECORDED, AND A

DIGITAL FILE IS SUBMITTED TO THE COMMUNITY DEVELOPMENT OFFICE.

Mr. Murphy informed the Council that he had been visited by the Mr. Craig Tweten and was told to convey to the Council that the roadway did not make this project feasible. Ms. Ellis explained how this roadway was going to be an extension of 3rd, 23rd Street had spacing and access requirements, and reviewed the subdivision requirements. Discussion followed about how this project could have been completed in phases, how allowing right-of-way to be on City property would set a precedence, and how the City would be assessed for the roadway because it would be located next to City property. Council member Buckalew asked to have this brought back to a Work Session. Mayor Stauss commented how he is concerned about taxes and specials since the City is paying over \$100,000 per year for specials on the north end.

COUNCIL MEMBER DEMERS RESCINDED HIS MOTION. COUNCIL MEMBER BUCKALEW RESCINDED HIS SECOND TO THE MOTION.

Ms. Ellis said it will be brought forward when Mr. Tweten could attend the work session.

13. Consider approving the final plat for the MGI Grain Resubdivision contingent upon a digital file being submitted to the Community Development Office and the recording of the easement vacation on both the plat and separate document.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE THE FINAL PLAT FOR THE MGI GRAIN RESUBDIVISION CONTINGENT UPON A DIGITAL FILE BEING SUBMITTED TO THE COMMUNITY DEVELOPMENT OFFICE AND THE RECORDING OF THE EASEMENT VACATION ON BOTH THE PLAT AND SEPARATE DOCUMENT.

Ms. Ellis explained this was straight forward, stated how this already met requirements, that it had been reviewed at a utility meeting, and how the vacation cannot be done only on the plat.

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

Voting Nay: None.

CLAIMS:

14. Consider adopting Resolution No. 15-09-103 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 22403 for a total of \$354.96 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 15-09-103 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 22403 FOR A TOTAL OF \$354.96 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

Voting Aye: Grassel, DeMers, Vetter, Pokrzywinski, Tweten, and Olstad.
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 GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO AUTHORIZE THE CITY ADMINISTRATOR/CLERK-TREASURER TO ISSUE PAYMENT OF RECOMMENDED BILLS AND PAYROLL.

Voting Aye: Grassel, DeMers, Vetter, Pokrzywinski, Buckalew, Tweten, and Olstad.
Voting Nay: None.

SUSPENSION OF RULES:

Council President Olstad asked for a motion to suspend the rules.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO SUSPEND THE RULES.

Voting Aye: Grassel, DeMers, Vetter, Pokrzywinski, Buckalew, Tweten, and Olstad.
Voting Nay: None.

Mr. Stordahl reminded the Council of previous discussions about purchasing a refuse truck. He stated the life expectancy of the truck is about seven years and that is how old the current truck is. He said that he is asking to start the purchasing process for the truck which will cost more than \$100,000. He said it will either be purchased by using the state contract system or through sealed bids. Ms. Anderson stated she was working on the bonding process which the truck was going to be included on and needed to be submitted by November. Council member Tweten asked what was going to be done with the old truck. Mr. Stordahl stated that it would be traded in.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO AUTHORIZE THE PUBLIC WORKS DIRECTOR TO START THE PURCHASING PROCESS FOR A NEW REFUSE TRUCK.

Voting Aye: Grassel, DeMers, Vetter, Pokrzywinski, Buckalew, Tweten, and Olstad.
Voting Nay: None.

Council member DeMers asked about how this was going to be paid off. Ms. Anderson explained it would be paid off just like the tower truck was for the fire department. Council member DeMers asked what the current interest rates are at. Ms. Anderson said it was around 2% to 3%.

Mr. Murphy stated that there is a proposed change order for the Civic Center project and the Council would need to consider the change order at this meeting to keep the project completion date the same. Mr. Mark Bohlman informed the Council a test had to be completed before the flooring was put down

which was required by the manufacturer to validate the warranty for the flooring. He explained how there was very high relative humidity and the company hired to install the flooring would have to prepare the cement floor before putting down the mat flooring. He informed the Council what the process would be, that it would cost an additional \$11,800, but then the manufacturer would honor the 10 year warranty for the \$46,000 flooring that was going to be installed. Discussion followed about how the water table is high in this area, how there shouldn't be a possibility of water coming through the walls since they had been redone, and that 70% of the flooring is the older flooring in this area. Mr. Bohlman also explained to the Council that this would not be covered completely by the remaining contingency funds since there was only approximately \$5,000 left. Council member Vetter asked if the plumbing will be affected by the flooring. Mr. Bohlman stated that it shouldn't be affected since none of the fixtures had been installed.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE CHANGE ORDER FOR THE CIVIC CENTER PROJECT IN THE AMOUNT OF \$11,800.

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

Voting Nay: Buckalew.

COUNCIL/STAFF REPORTS:

Council Member Vetter commented how a valid point had been made, that the expenses of the City should be paid for by the general fund, and during the next budget discussion the Council should bring the items covered by those fees back into the general levy.

Council Member Pokrzywinski stated that he agreed with Council member Vetter.

Council Member Tweten told the Council that they should go out and take a look at the Civic Center during a meeting.

Council Vice-President Grassel added that if the Council members haven't stopped at the Civic Center yet to take the time and go see the big upgrade. Mayor Stauss added that the banners hanging up should be taken down. Mr. Aker said they were going to be.

Council President Olstad congratulated Mr. Olson and Mr. Nelson.

Mr. Murphy said staff was moving along with the report showing the impact of the proposed levy and it will be presented soon.

Ms. Solem brought in a copy of renters' rights in to the Council.

Mr. Aker informed the Council there was going to be an open house for Ms. Hadden on September 30th from 3:00pm until 5:00pm in the training room and to stop by.

Ms. Ellis reminded the Council of the open house for the Land Use Plan on Wednesday, September 16th from 5:30pm to 7:00pm in the Training Room at City Hall. She stated how they were going to review goals and policies for the future growth of the City. She added another reminder of the open house for the Bygland Road Study that was going to be held the following Wednesday, September 23rd

at the Senior Center from 5:30pm until 7:00pm with the presentation starting at 6:00pm.

Mr. Galstad commented how there were two issues being brought up which were renters' rights and fees but that they were being interchanged.

Mr. Boppre told the Council that the bonding information had been submitted for the interconnect project.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADJOURN THE SEPTEMBER 15, 2015 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:06 P.M.

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

Voting Nay: None.

David Murphy, City Administrator/Clerk-Treasurer