

**APPROVED MINUTES  
OF THE CITY COUNCIL  
CITY OF EAST GRAND FORKS  
TUESDAY, APRIL 19, 2016 – 5:00 PM**

**CALL TO ORDER:**

*The Regular Meeting of the East Grand Forks City Council for April 19, 2016 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, 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; Nancy Ellis, City Planner; Greg Gahlon, Police Sergeant; Ron Galstad, City Attorney; Paul Gorte, Economic Development Director; 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 April 5, 2016.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of April 12, 2016.
3. Consider approving the minute summary of the “Closed Session” for the East Grand Forks, Minnesota City Council of April 12, 2016.

**A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE ITEMS ONE (1) THROUGH THREE (3).**

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

*Voting Nay: None.*

**SCHEDULED BID LETTINGS: NONE**

**SCHEDULED PUBLIC HEARINGS: 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 approving the special event application for the East Side Rides Car Club show to be held on Wednesday evenings from May 4, 2016 to September 7, 2016 from 5:30pm to 8:00pm.
5. Consider approving the request to start a new register process for the Police Department.
6. Consider approving the request to hire office intern Alexander Albert for the Administration Office which will be a temporary position that will not exceed allowable limits of the Affordable Care Act and PERA regulations.
7. Consider adopting Resolution No. 16-04-40 declaring that the City of East Grand Forks acts as the legal sponsor for an application for the FY 2016/2017 funding to the State of Minnesota Department of Natural Resources for the trail maintenance of snowmobile trails managed by the Red River Snowmobile Club.
8. Consider authorizing Johnson Controls and Eagle Electric to repair or improve the air handlers at the Public Works Building and not to exceed the amount of \$18,348 for the repairs or improvements.
9. Consider approving the Master Partnership Contract between the City of East Grand Forks and the State of Minnesota for year round road maintenance.
10. Consider approving a one year joint powers agreement for 2016 between the City of East Grand Forks and the Minnesota Department of Natural Resources for operations and maintenance support for the Red River State Recreation Area.
11. Consider adopting the corrected version of Ordinance 15, 4<sup>th</sup> Series for the annexation of property in Grand Forks Township.

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE ITEMS FOUR (4) THROUGH ELEVEN (11).**

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

*Voting Nay: None.*

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

12. Regular meeting minutes of the Water, Light, Power, and Building Commission for March 17, 2016.

**COMMUNICATIONS: NONE**

**OLD BUSINESS:**

13. Reconsider adopting Resolution No. 16-04-36 authorizing a reduction in the sewage portion of a utility bill for Mr. Scott Richter.

**A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 16-04-36 AUTHORIZING A REDUCTION IN THE SEWAGE PORTION OF A UTILITY BILL FOR MR. SCOTT RICHTER.**

Mayor Stauss stated the reason he brought this up was because of the raise in taxes, residents getting special assessed, and when he saw this come up he doesn't think it is fair. He added the Council should try and help them out. He commented if the Council wants a policy set first he asked them to appoint some people to set a policy to be voted on at the next meeting and how it could be similar to the sprinkling rate policy. He stated that they should pay for the water they are using and that it wasn't fair to charge them for something that didn't enter the sewer system. He added this gets kids outside exercising and this is something the Council should support.

Council member Tweten said that Ms. Nancy Ellis was in the same position. He stated the best way to settle this was to have the Water and Light handle this by setting a policy. He added that the Council should act on both of them. Council member Buckalew said he agrees with the Mayor and the Council can fix this. He explained that he agreed before not to set a precedent but after thinking about this situation, how he helps his customers out at his business, and asked to get the rules changed and that he had no problem looking back. He added that it could be that when they apply to flood a rink if a rink had been done the previous year, and making sure everyone is treated the same, allow for a rebate of whatever the Council sees as just. Council Vice-President Grassel asked if they were requesting the motion be amended. He stated all he wants to have a policy done and that he agrees these people should be paid back.

Council member Tweten asked to have the motion to be amended. Council member DeMers asked for a point of order since this reconsideration should have been brought forward by a member of the prevailing party. Discussion followed about how this can be considered by the Council since the motion was made by a member of the prevailing party and that they can only consider the original motion and are not able to make amendments to the motion.

*Voting Aye: Buckalew, Tweten, and Grassel.*

*Voting Nay: Vetter, Pokrzywinski, Olstad, and DeMers.*

Mayor Stauss asked if he could use his veto power. Mr. Galstad stated that he would have to look into this and get back to the Mayor.

14. Consider adopting Resolution No. 16-04-41 authorizing an update to Park and Recreation Activity fees and updating the policy for participants in multiple activities, outside city limits in Polk County, and if they are from out-of-state.

**A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 16-04-41 AUTHORIZING AN UPDATE TO PARK AND RECREATION ACTIVITY FEES AND UPDATING THE POLICY FOR PARTICIPANTS IN MULTIPLE ACTIVITIES, OUTSIDE CITY LIMITS IN POLK COUNTY, AND IF THEY ARE FROM OUT-OF-STATE.**

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

*Voting Nay: Vetter.*

15. Consider approving the agreement between the City of East Grand Forks and Widseth Smith Nolting for engineering services for 2017-2019.

**A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO APPROVE THE AGREEMENT BETWEEN THE CITY OF EAST GRAND FORKS AND WIDSETH SMITH NOLTING FOR ENGINEERING SERVICES FOR 2017-2019.**

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

*Voting Nay: Vetter and Tweten.*

16. Consider approving the request to hire the seasonal positions for the Public Works and Park and Recreation Departments.

**A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER GRASSEL, TO APPROVE THE REQUEST TO HIRE THE SEASONAL POSITIONS FOR THE PUBLIC WORKS AND PARK AND RECREATION DEPARTMENTS.**

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

*Voting Nay: None.*

17. Consider adopting Resolution No. 16-04-43 approving the hiring of Thomas Hajicek as a Fire Fighter and to be placed at Grade 12 Step 1 and will be paid \$19.28 per hour.

**A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 16-04-43 APPROVING THE HIRING OF THOMAS HAJICEK AS A FIRE FIGHTER AND TO BE PLACED AT GRADE 12 STEP 1 AND WILL BE PAID \$19.28 PER HOUR.**

Chief Larson apologized to the Council for not bringing this forward sooner, informed them Mr. Hajicek started Monday, and that he will be a great asset to the department. Council member Pokrzywinski said

welcome aboard. Mayor Stauss congratulated Mr. Hajicek. Mr. Hajicek thanked the Council.

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

*Voting Nay: None.*

18. Consider approving the repair job for storm sewer relining to \_\_\_\_\_ for the amount of \_\_\_\_\_.

Mr. Stordahl informed the Council that he was recommending awarding the job to Insituform for the amount of \$68,470.

**A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER BUCKALEW, TO AWARD THE REPAIR JOB FOR STORM SEWER RELINING TO INSITUFORM FOR THE AMOUNT OF \$68,470.**

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

*Voting Nay: None.*

**CLAIMS:**

19. Consider adopting Resolution No. 16-04-42 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 23928 for a total of \$582.79 whereas Council Member Buckalew is personally interested financially in the contract.

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 16-04-42 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 23928 FOR A TOTAL OF \$582.79 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.**

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

*Voting Nay: None.*

*Abstain: Buckalew.*

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

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

*Voting Nay: None.*

**COUNCIL/STAFF REPORTS:**

Mayor Stauss congratulated the UND Hockey Team on winning the National Championship. He said that it points out the City Park Board works in the right direction since it was the first time he had heard East Grand Forks being said on national television since 1997 when some of the players were mentioned. He congratulated the team, the boys from East Grand Forks, and the Park Board that has done an outstanding job coaching.

Council Member Tweten said he asked the mayor to veto the engineering contract. He explained how the committee had spent considerable time putting together information from various communities on their set up and what they are charged. He continued saying they had made a recommendation, the information submitted from the City Engineer only covered a part and that a major portion of this was based upon a percentage basis. He stated how the mayor has been concerned about seniors, residents on fixed incomes, and retirees, that there have been objections to the costs of special assessments, and asked Mayor Stauss to take another look at this. He ended by saying he will be voting against projects in the future.

Council President Olstad said he wanted to address Council member Tweten's comments. He commented how the engineers live in the city; they go through what the other residents go through, and that they have the best interest of the City. He continued saying this was a good company that has done a lot of great things for the community and he doesn't think using scare tactics is the right way to go. He stated how they have been in the community with their families for years and that the Council should move on from this.

Mr. Boppre thanked the Council for the contract and Mr. Olstad for the comments.

**ADJOURN:**

**A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO ADJOURN THE APRIL 19, 2016 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:19 P.M.**

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

*Voting Nay: None.*

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David Murphy, City Administrator/Clerk-Treasurer