

**AGENDA  
OF THE CITY  
COUNCIL WORK SESSION  
CITY OF EAST GRAND FORKS  
TUESDAY, AUGUST 22, 2017 – 5:00 PM**

**CALL TO ORDER:**

**CALL OF ROLL:**

**DETERMINATION OF A QUORUM:**

- 1. Briefing on Metropolitan Planning Organization Public Meeting – Earl Haugen**
- 2. Discussion on Attorney Review of Project Contracts – David Murphy**
- 3. Review Complaints on Garage/Rummage Sales in City – Megan Nelson**
- 4. Request to Hire in Public Works Department – Jason Stordahl**

**ADJOURN:**

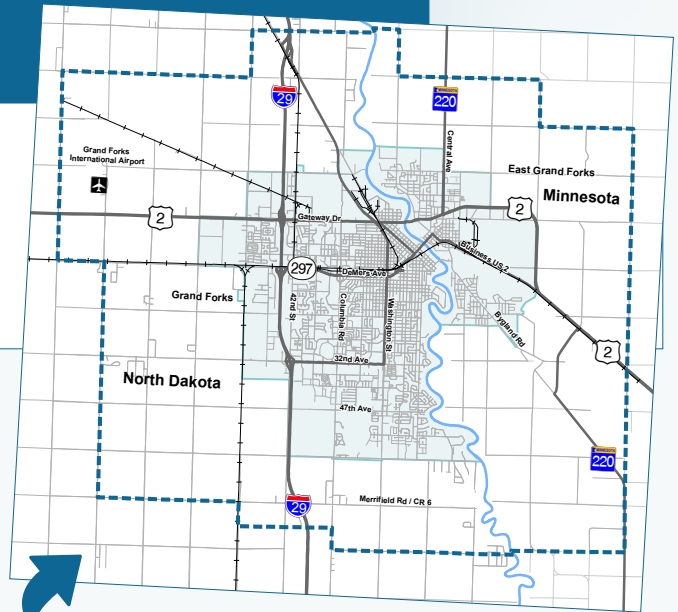
**Upcoming Meetings**

Special Budget Meeting – Thursday, August 24, 2017 – 5:00 PM – Training Room  
Regular Council Meeting – Tuesday, September 5, 2017 – 5:00 PM – Council Chambers  
Work Session – Tuesday, September 12, 2017 – 5:00 PM – Training Room  
Regular Council Meeting – Tuesday, September 19, 2017 – 5:00 PM – Council Chambers  
Work Session – Tuesday, September 26, 2017 – 5:00 PM – Training Room



# Grand Forks-East Grand Forks MPO STREET/HIGHWAY PLAN UPDATE

The Grand Forks-East Grand Forks Metropolitan Planning Organization (MPO) is updating the **street and highway** element of its Long-Range Transportation Plan (LRTP). Please join us to learn more and provide your input on the streets and highways in the MPO area!



**This update** will communicate local investment needs and priorities for **streets and highways** in the MPO area and address the federal regulations in the Fixing America's Surface Transportation (FAST) Act. The transit and pedestrian/bicycle elements are being addressed separately.

## YOU'RE INVITED: **Public Meeting**

Wednesday  
**August 30<sup>th</sup>, 2017**

**Empire Arts Center**  
**5:00 until 7:00 PM**

COME AND GO AT ANY TIME  
**Presentation at 5:45**

**Can't Make it?**

Visit the project website at [insert project website] to:

- Learn more about the project
- Sign up for email updates
- Provide input on issues and opportunities for the streets and highways using the interactive map

### More Information

**PROJECT MANAGER:**

**Earl Haugen**

Grand Forks-East Grand Forks MPO Executive Director

(218) 399-3370 (701) 746-2660

[earl.haugen@theforksmpo.org](mailto:earl.haugen@theforksmpo.org)

Project website:

[www.theforksstreets2045.org](http://www.theforksstreets2045.org)

The MPO will make every reasonable accommodation to provide an accessible meeting facility for all persons. Appropriate provisions for the hearing and visually challenged or persons with limited English proficiency will be made if the meeting conductors are notified 5 days prior to the meeting date, if possible. To request language interpretation, an auxiliary aid or service (i.e., sign language interpreter, accessible parking, or materials in alternative format) contact Earl Haugen (see contact information above). TTY users may use Relay North Dakota 711 or 1-800-366-6888.

# Request for Council Action

Date: 8/15/17

To: East Grand Forks City Council Mayor Steve Gander, Council President Mark Olstad, Council Vice-President Chad Grassel, Council members Clarence Vetter, Mike Pokrzywinski, Tim Riopelle, Henry Tweten, and Marc DeMers.

Cc: File

From: Megan Nelson

RE: Complaints on Garage/Rummage Sales

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**Background:**

In the last two weeks the City has received three complaints about two separate addresses regarding the number of rummage sales that have taken place at these properties this year and issues that include increased traffic in the area.

Currently Chapter 110 General Business Licensing and Regulations Section 110.28 Second Hand Dealers Subd (A) states the following:

The term Second Hand Merchandise as used in this title means and includes, but is not limited to, all used furniture, used clothing, used housewares, used appliances, used plumbing and electrical fixtures and appurtenances, used building materials and bric-a-brac, excluding motor vehicles, and also excluding such items as may have been taken in trade by a dealer in new merchandise of the same or similar nature and also excluding items as may be occasionally sold by a householder or an organization.

The City Code under Business Regulations Chapter 112 Peddlers & Solicitors – Section 12.02 Exceptions to Definitions Subd B states the following:

In addition, persons conducting the type of sales commonly known as garage sales, rummage sales, or estate sales, as well as those persons participating in an organized multi-person bazaar or flea market, shall be exempt from the definitions of Peddlers, Solicitors, and Transient Merchants, as shall be anyone conducting an auction as a properly licensed auctioneer, or any officer of the court conducting court-ordered sale. Exemption from the definitions for the scope of this chapter shall not excuse any person from complying with any other applicable statutory provision or local ordinance.

**Action:**

Is this something the Council deems as an issue that needs to be addressed? Does this need to be better defined? If this is regulated how would this be effectively enforced?

Staff checked with the League of MN Cities regarding this issue. At this time there is nothing in State Statute to restrict any type of garage or rummage sale but there are some cities who have passed ordinances restricting the number of sales on a property per year. An example has been included in the packet.

**CHAPTER 117: GARAGE OR RUMMAGE SALES**

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Section

- 117.01 Definition
- 117.02 Restrictions and prohibitions
- 117.03 Exceptions
- 117.99 Penalty

**§ 117.01 DEFINITION.**

The following term, as used in this chapter, shall have the meaning stated:

***GARAGE OR RUMMAGE SALE.*** Any display and sale of personal property, conducted on premises located in any Residentially-Zoned District by the occupant and which garage or rummage sale does not require a business license or make taxable sales, leases or services.

**§ 117.02 RESTRICTIONS AND PROHIBITIONS.**

(A) None of the items offered for sale shall have been obtained for resale or received on consignment for sale.

(B) Any garage or rummage sale (community or neighborhood sale) shall be conducted solely within the boundaries of the property owned or occupied by the occupant who is conducting the sale.

(C) There shall be no more than four garage or rummage sales conducted at any one premises during any period of 12 calendar months.

(D) No garage or rummage sale shall be conducted during any part of more than three consecutive days.

(E) No garage or rummage sale may be conducted before 7:00 a.m. or after 8:00 p.m.

(F) Any related signage shall be limited to the premises and to other residential property, provided permission from the property owner is obtained, and shall be removed at the termination of the sale. Signs shall be limited to four square feet.

(G) There shall be no more than two consecutive sales with 30-day separation between all others.

Penalty, see § 117.99

**§ 117.03 EXCEPTIONS.**

This chapter shall not apply to any sale under court order, nor to any bona fide auction sale, nor to a sale of farm or garden products by the person producing same.

**§ 117.99 PENALTY.**

It is unlawful for any person to conduct a garage or rummage sale in violation of any of the provisions of this chapter. A violation of this chapter is a misdemeanor, to be punished as provided in § 10.99.

# Request for Council Action

Date: 8-18-2017

To: East Grand Forks City Council Mayor Steve Gander, Council President Mark Olstad, Council Vice-President Chad Grassel, Council members Clarence Vetter, Mike Pokrzywinski, Tim Riopelle, Henry Tweten, and Marc DeMers.

Cc: File

From: Jason Stordahl-Public Works Director

RE: Approval to hire

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Background: We have finished the interview process for the position of Wastewater/Stormwater Operator, and have selected Mr. Jeff Hanson. I will be asking for Council approval to hire Jeff at the next Council Meeting. If approved Jeff will move in to his new position and we will have a vacant Truck Driver position to fill. I would like to ask Council for approval to start the hiring process for a new truck driver.

Recommendation: Hire Jeff Hanson as a Wastewater/Stormwater Operator, and start the hiring process for a Truck Driver to fill the vacancy.