

**APPROVED MINUTES
OF THE COUNCIL MEETING
CITY OF EAST GRAND FORKS
WEDNESDAY, JULY 5, 2023 – 5:00 PM**

CALL TO ORDER:

The Council Meeting of the East Grand Forks City Council for Wednesday, July 5, 2023 was called to order by Council President 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 Steve Gander, Council President Mark Olstad, Council Vice-President Tim Riopelle, Council Members Clarence Vetter, Ben Pokrzywinski, Dale Helms, and Karen Peterson.

Staff Present: Jeff Boushee, Fire Chief; Nancy Ellis, City Planner; Steve Emery, City Engineer; Ron Galstad, City Attorney; Paul Gorte, Economic Development Director; Michael Hedlund, Police Chief; Reid Huttunen, Parks and Recreation Superintendent; Keith Mykleseth, Water and Light General Manager; Megan Nelson, City Clerk; and Jason Stordahl, Public Works Director.

DETERMINATION OF QUORUM:

The Council President Determined a Quorum was present.

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

President Olstad stated the open form was an opportunity for members of the public to address the City Council on items not on the current agenda and items requiring Council action maybe deferred to staff or Boards and Commissions for research and future Council Agendas if appropriate. He asked if anyone would like to address the City Council, please come up to the podium to do so. No one came forward.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of June 13, 2023.
2. Consider approving the minutes of the “Council Meeting” for the East Grand Forks, Minnesota City Council of June 20, 2023.
3. Consider approving the minute summary of the “Closed Meeting” for the East Grand Forks, Minnesota City Council of June 27, 2023.

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

Voting Aye: Helms, Olstad, Peterson, Vetter, Pokrzywinski, and Riopelle.

Voting Nay: None.
Absent: Larson.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS:

4. Public Hearing on the proposed moratorium prohibiting the sale, testing, manufacturing, cultivating, growing, transporting, delivery, and distribution of cannabis products to collect public comments.

A MOTION WAS MADE BY COUNCIL MEMBER RIOPELLE, SECONDED BY COUNCIL MEMBER VETTER, TO OPEN THE PUBLIC HEARING.

Voting Aye: Helms, Olstad, Peterson, Vetter, Pokrzywinski, and Riopelle.
Voting Nay: None.
Absent: Larson.

Mr. Galstad said the hearing was in regards to recent legislation and it allowed for a moratorium on the sale of those products for up to two years so the City can determine time, place, and manner of sale. He stated there was a notice that was published about the proposed moratorium asking for public comments. There were no other comments.

A MOTION WAS MADE BY COUNCIL MEMBER RIOPELLE, SECONDED BY COUNCIL MEMBER HELMS, TO CLOSE THE PUBLIC HEARING.

Voting Aye: Helms, Olstad, Peterson, Vetter, Pokrzywinski, and Riopelle.
Voting Nay: None.
Absent: Larson.

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.

5. Consider approving the Exempt Gambling Permit Application for the East Grand Forks Home Run Club to hold a raffle on August 15, 2023 at Stauss Park located at 327 8th St NE East Grand Forks, MN 56721 and waive the 30-day waiting period.
6. Consider approving the Special Event Permit Application to the Iron Pigs Motorcycle Club for the motorcycle ride on the Kenneth M. Olson Memorial Trail in the greenway system on Saturday, August 12, 2023 between 10:00am and 10:30am.
7. Consider approving the roof repairs at the Police Department to be completed by Tecta America for a total of \$10,926.00.
8. Consider approving the repair work for the VFW Memorial Arena Lobby area to be completed by Adam Cariveau Construction and Triple J Construction for a total of \$56,235.

9. Consider approving additional work at the VFW Memorial Arena Lobby area by replacing the lighting to LED lighting to be completed by Eagle Electric for a price not to exceed \$5,000 to be paid for by building maintenance funds.

A MOTION WAS MADE BY COUNCIL MEMBER HELMS, SECONDED BY COUNCIL MEMBER RIOPELLE, TO APPROVE ITEMS FIVE (5) THROUGH NINE (9).

Voting Aye: Helms, Olstad, Peterson, Vetter, Pokrzywinski, and Riopelle.

Voting Nay: None.

Absent: Larson.

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

10. Regular meeting minutes of the Water, Light, Power, and Building Commission for June 7, 2023.
11. City Financial Statements as of May 31, 2023.

COMMUNICATIONS:

12. The Point Bridge will be closed to traffic starting on Thursday, July 13th starting at 6am and will remain closed until Monday, July 17th at 6am so repair work can be completed.

OLD BUSINESS: NONE

NEW BUSINESS:

13. Consider adopting Resolution No. 23-07-43 approving and adopting the 2050 Plan Update to the Long Range Transportation Plan Bike and Pedestrian Element of the East Grand Forks Comprehensive Plan.

A MOTION WAS MADE BY COUNCIL MEMBER HELMS, SECONDED BY COUNCIL MEMBER VETTER, TO ADOPT RESOLUTION NO. 23-07-43 APPROVING AND ADOPTING THE 2050 PLAN UPDATE TO THE LONG RANGE TRANSPORTATION PLAN BIKE AND PEDESTRIAN ELEMENT OF THE EAST GRAND FORKS COMPREHENSIVE PLAN.

Voting Aye: Helms, Olstad, Peterson, Vetter, Pokrzywinski, and Riopelle.

Voting Nay: None.

Absent: Larson.

14. Consider adopting Resolution No. 23-07-44 directing the City Engineer to prepare plans and specifications for the 2023 City Project No. 5 for Sidewalk and Multi-Use Trail Extensions.

A MOTION WAS MADE BY COUNCIL MEMBER RIOPELLE, SECONDED BY COUNCIL MEMBER HELMS, TO ADOPT RESOLUTION NO. 23-07-44 DIRECTING THE CITY ENGINEER TO PREPARE PLANS AND SPECIFICATIONS FOR THE 2023 CITY PROJECT NO. 5 FOR SIDEWALK AND MULTI-USE TRAIL EXTENSIONS.

Voting Aye: Helms, Olstad, Peterson, Vetter, Pokrzywinski, and Riopelle.

Voting Nay: None.

Absent: Larson.

15. Consider approving additional concrete work to be completed with the 4th Street NE project and allowing the additional work to be assessed to Folson Farms contingent upon the company signing off on a waiver agreeing to pay the additional assessment.

A MOTION WAS MADE BY COUNCIL MEMBER RIOPELLE, SECONDED BY COUNCIL MEMBER HELMS, TO APPROVE ADDITIONAL CONCRETE WORK TO BE COMPLETED WITH THE 4TH STREET NE PROJECT AND ALLOWING THE ADDITIONAL WORK TO BE ASSESSED TO FOLSON FARMS CONTINGENT UPON THE COMPANY SIGNING OFF ON A WAIVER AGREEING TO PAY THE ADDITIONAL ASSESSMENT.

Mr. Emery informed the Council the proposed additional work was not needed based on the new concrete street so instead they were asking to have a driveway redone and assessed with the project with a cost estimate of \$10,000 instead of \$38,000. Council member Helms stated there were sections of 4th Street that were not being addressed. Mr. Emery reminded everyone about how one of the property owners did not want the project to go in front of their property, so they only went so far with the reconstruction of the street. Council member Helms commented on how more work will need to be done there in the future. Mr. Galstad said allowing the additional work to be assessed did not set a precedent because there was already a project going on in the area and it had been done before.

Voting Aye: Helms, Olstad, Peterson, Vetter, Pokrzywinski, and Riopelle.

Voting Nay: None.

Absent: Larson.

16. Consider adopting Resolution No. 23-07-45 approving the hiring of Vanessa Richter as a Police Officer at a salary of \$32.68 per hour.

A MOTION WAS MADE BY COUNCIL MEMBER HELMS, SECONDED BY COUNCIL MEMBER RIOPELLE, TO ADOPT RESOLUTION NO. 23-07-45 APPROVING THE HIRING OF VANESSA RICHTER AS A POLICE OFFICER AT A SALARY OF \$32.68 PER HOUR.

Voting Aye: Helms, Olstad, Peterson, Vetter, Pokrzywinski, and Riopelle.

Voting Nay: None.

Absent: Larson.

17. Consider adopting Resolution No. 23-07-46 declaring the billboard located by the city pool with permit number 25727 be declared as legal and be considered conforming.

A MOTION WAS MADE BY COUNCIL MEMBER RIOPELLE, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 23-07-46 DECLARING THE BILLBOARD LOCATED BY THE CITY POOL WITH PERMIT NUMBER 25727 BE DECLARED AS LEGAL AND BE CONSIDERED CONFORMING.

Council member Helms commented that they might need to clean up the area by the billboard. Mayor Gander asked what department would trim trees. Mr. Huttunen stated it had been asked if it could be done and was told no. Mayor Gander suggested getting it done if possible.

Voting Aye: Helms, Olstad, Peterson, Pokrzywinski, and Riopelle.

Voting Nay: Vetter.

Absent: Larson.

18. Consider approving Ordinance No. 34, 4th Series an ordinance regulating the burning of solid fuels in external solid fuel fired heating devices and by adopting by reference City Code Chapter 1 and Section 10.99 which among other things, contain penalty provisions (1st Reading).

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER RIOPELLE, TO APPROVE ORDINANCE NO. 34, 4TH SERIES AN ORDINANCE REGULATING THE BURNING OF SOLID FUELS IN EXTERNAL SOLID FUEL FIRED HEATING DEVICES AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 1 AND SECTION 10.99 WHICH AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS (1ST READING).

Mr. Galstad reminded the Council this had been their request and the ordinance prohibited the use. He added that if someone was using one it would be considered non-conforming and would need to be removed if it was no longer used.

Voting Aye: Helms, Olstad, Peterson, Vetter, Pokrzywinski, and Riopelle.

Voting Nay: None.

Absent: Larson.

19. Consider approving Ordinance No. 35, 4th Series an interim ordinance prohibiting the sale, testing, manufacturing, cultivating, growing, transporting, delivery, and distribution of cannabis products in the City of East Grand Forks (1st Reading).

A MOTION WAS MADE BY COUNCIL MEMBER HELMS, SECONDED BY COUNCIL MEMBER RIOPELLE, TO APPROVE ORDINANCE NO. 35, 4TH SERIES AN INTERIM ORDINANCE PROHIBITING THE SALE, TESTING, MANUFACTURING, CULTIVATING, GROWING, TRANSPORTING, DELIVERY, AND DISTRIBUTION OF CANNABIS PRODUCTS IN THE CITY OF EAST GRAND FORKS (1ST READING).

Voting Aye: Helms, Olstad, Peterson, Vetter, Pokrzywinski, and Riopelle.

Voting Nay: None.

Absent: Larson.

20. Discussion of city administrator position process.

Ms. Donabauer said she had an update since the work session where they discussed next steps for the interview process. She stated they had reviewed three options, she had contacted the remaining semi-finalists, none of them wanted to be considered for the position, so if they did a quick turnaround

advertising could start as soon as July 13th with someone taking over the position in October. She moved on to option three which would allow for a pause, start advertising in September, and a person taking the position in December. She commented there was a risk of the two remaining candidates not wanting to move forward with the other two options so she did have a fourth option which was to interview the remaining two candidates and asked for input from the Council.

Council member Helms said they have talked about moving forward with option two and repost the position and to be able to see all the candidates instead of only the semi-finalists. Mayor Gander said he considered option two but it would drag out the timeline, for specific reasons the contractor did not see a reason to bring additional candidates forward, and at this time he would favor either option three or four. Council member Vetter said was in favor of option two or three and he would also like to see all the applicants and the Council could pick the semi-finalists for either option. Mayor Gander stated the first part could be completed by the contractor to help reduce the field and keep information private. Council member Pokrzywinski said he liked option four, there was a two-year guarantee if something didn't work out, and option three was not viable.

Council member Helms said if they moved forward with option four, the six-month trial would make it difficult if things did not work, and they owed it to the City not jump into the process quickly. Council member Peterson asked if they were going to have a contingency plan if option two did not work. Council member Helms stated they could have the same issue with option three. Council President Olstad said he favored option four but did not like the probationary period because they would also need to fill a position that would be vacated and allow the person to not have to hold down two jobs. He stated he would like to move forward with option four with the six month period removed, and fill the vacant position. Council Vice-President Riopelle said it was hard to give a position and require them to work two positions so they should fill the open position. Mayor Gander said he was not trying to rush the process, he wanted it done right, and would favor option three or two but he could also favor option 4 because there were two qualified candidates.

A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER RIOPELLE, TO PROCEED WITH OPTION FOUR TO INTERVIEW THE CANDIDATES AND REMOVE THE SIX MONTH PROBATIONARY PERIOD.

Voting Aye: Olstad, Peterson, Pokrzywinski, and Riopelle.

Voting Nay: Helms and Vetter.

Absent: Larson.

Council President Olstad asked Ms. Donabauer to work on setting up an interview date. Ms. Donabauer said she would.

CLAIMS:

21. Consider authorizing the Interim City Administrator to issue payment of recommended bills and payroll.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER RIOPELLE, TO AUTHORIZE THE INTERIM CITY ADMINISTRATOR TO ISSUE

PAYMENT OF RECOMMENDED BILLS AND PAYROLL.

Voting Aye: Helms, Olstad, Peterson, Vetter, Pokrzywinski, and Riopelle.
Voting Nay: None.
Absent: Larson.

COUNCIL/STAFF REPORTS:

Mayor Gander said in the last few weeks he had attended a few functions for the Air Force Base which included the Change of Command Ceremony, a dinner with the new commander along with others about how to partner with the Air Base, and the retirement ceremony for Colonel Curry. He commented how the new leaders were very excited to be here and how the relationship with the cities affect the morale of the airmen. He added people should thank them for their service, so they know how much they were appreciated. He challenged everyone to think of how they could enrich the lives of the airmen stationed at the Air Base.

Council Vice-President Riopelle asked if the audit had been submitted. Ms. Nelson said she would reach out to confirm it was submitted.

Mr. Emery informed the Council the mainline paving was completed on 4th Street NE, driveways were next, so all the paving should be completed by the end of the week. He continued saying there would be preconstruction meetings for the federal subtarget project and for the HAWK system project on Bygland Road would be held the following week.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER HELMS, SECONDED BY COUNCIL MEMBER RIOPELLE, TO ADJOURN THE JULY 5, 2023 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:30 P.M.

Voting Aye: Helms, Olstad, Peterson, Vetter, Pokrzywinski, and Riopelle.
Voting Nay: None.
Absent: Larson.

Megan Nelson, City Clerk