

**APPROVED MINUTES  
OF THE COUNCIL MEETING  
CITY OF EAST GRAND FORKS  
TUESDAY, DECEMBER 5, 2023 – 6:00 PM**

**CALL TO ORDER:**

*The Council Meeting of the East Grand Forks City Council for Tuesday, December 5, 2023 was called to order by Council President Olstad at 6:00 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, Brian Larson, and Karen Peterson.*

*Staff Present: Karla Anderson, Finance Director; 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, City Administrator; Jeremy King, 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 November 14, 2023.
2. Consider approving the minutes of the “Council Meeting” for the East Grand Forks, Minnesota City Council of November 21, 2023.
3. Consider approving the minutes of the “Special Meeting” for the East Grand Forks, Minnesota City Council of November 21, 2023.

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

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

*Voting Nay: None.*

**SCHEDULED BID LETTINGS: NONE**

**SCHEDULED PUBLIC HEARINGS:**

4. Truth and Taxation Hearing on preliminary tax levy of 11% with proposed reduction down to a 5% final levy.

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

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

*Voting Nay: None.*

Ms. Anderson explained the public hearing was required by State law, the purpose was to review the 2024 budget and tax levy, the preliminary levy was set at 11%, and they were working on getting it down to 5%. She stated they would review historical data and answer any questions. She started reviewing the most up to date proposed budget compared to the 2023 budget, how there was a place holder of \$150,000 for wage and benefits because negotiations had not been completed, and at this time to balance the budget the levy could be increased, reserves could be used, or cut additional expenses.

Ms. Anderson reviewed revenues and where the funding came from, the tax levy was 52% of the revenues, and the next highest was intergovernmental funds which was made up mostly of Local Government Aid. She listed the projected revenues that would be collected and reviewed expenditures, the largest being personnel services and what the costs were over the last four years. She continued with what the increases were in the proposed 2024 budget compared to 2023.

Ms. Anderson stated there were reasons why property taxes varied from year to year which included a change in property value, if special assessments were added, and increases from other taxing entities that were included on the property tax statement. She explained the City followed five properties at different values and saw how the proposed taxes affected each of the properties but also how the change in valuation also made a difference. She reviewed the list of proposed levy information that had been provided to residents with the proposed tax information for other entities in the County. She stated local governments had to approve the final levy by December 28, 2023, the final levy could be lower but not higher than the preliminary levy, City was hoping to get the final levy down to 5%, and gave a reminder that the property tax statements had to be mailed out by March 31, 2024.

Ms. Anderson reviewed what the average preliminary levies were for cities, counties, schools, and the special taxing districts. She added the Council was hoping to set the final levy at the December 19<sup>th</sup> council meeting. She stated the taxable market value for the City was at \$896,000,000, what the increases in value were for residential, commercial, and industrial areas, the estimated value for new construction was \$5.6 million in 2024, and the average home value increased from 287,800 in 2023 to \$323,700 in 2024. She continued with the general fund balance, the State Auditor recommended having 35% up to 50% of operating revenues, or no less than 5 months of operating expenditures in the fund balance. She

said a good reason to be close to the top was to get a better bond rating, the City currently had an Aa3 bond rating, which helps the City get a better interest rate when bonding for projects, and was the highest the City could have at its current size. She listed what the fund balance was in previous years and with a levy of 5% the fund balance would be at 48.72%. She asked for questions. There were no questions.

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

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

*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.*

5. Consider approving the Exempt Gambling Permit Application for the Northern Lights Figure Skating Club to hold bingo on March 28, 2024 at the Eagles Club located at 227 10<sup>th</sup> St NW East Grand Forks, MN 56721.
6. Consider adopting Resolution No. 23-12-78 supporting the proposed Special Use Permit for vehicle loads up to 122,000 pounds of the purpose of hauling sugar beets on US Highway 2, 5<sup>th</sup> Ave NE, and Business Highway 2.

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

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

*Voting Nay: None.*

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

**NONE**

**COMMUNICATIONS: NONE**

**OLD BUSINESS:**

7. Reconsider snow removal motion from October 3<sup>rd</sup> meeting.

**A MOTION WAS MADE BY COUNCIL MEMBER LARSON, SECONDED BY COUNCIL MEMBER HELMS, TO RECONSIDER SNOW REMOVAL MOTION FROM OCTOBER 3<sup>RD</sup> MEETING.**

Mr. Huttunen explained if the Council voted yes on this item, they would then vote on item 8, a vote for no, they would not move on to item 8. He said if they were to vote on item 8, a yes vote would reaffirm the Council’s decision from the October 3<sup>rd</sup> meeting to put snow removal on the west side of Bygland

Road on the property owners and a no vote would return that responsibility to city staff. Council member Helms asked what a no vote would be on item 7. Mr. Huttunen said if it was a no vote, they would not reconsider the original motion and the property owners would be responsible for moving snow.

Mayor Gander said had been a lot of talk about promises made, promises could not be made by only one person on the Council, and he was not sure how the Council would vote on something 10 years down the road. He stated he could not go on an individual promise, he did trust that a promise was made, he did not doubt that, and they have heard of many promises that have been made over the years. He said there was not much recourse if it was not in writing. He added they knew they would be in charge of snow removal, they would have fought the sidewalk being put in, and he was thankful the Council was going to reconsider this. He said if there was something different from the other side of the street it should have been made clear.

Council member Helms stated no matter the outcome it would not be right, another concern he had was the sidewalks that were not cleared along Highway 220 because it gets to be too much, and whoever made the promise should be the one dealing with this issue. He added how the people on 17<sup>th</sup> Street had the same problem, they had to clear their own sidewalks, and it was right next to the street. He said he was looking at the whole city and asked how many kids used the sidewalk during the winter. He commented how busy Bygland Road was because the kids got rides to school and they need to really consider projects before they move forward with them.

Council President Olstad asked if anyone wanted to make comments, they could have a couple minutes and if they had made comments at the work sessions the Council understood their stance. Ms. Kristi Swanson, 1034 Bygland Road SE, asked if the funding had come from Safe Routes to School which was why the sidewalk was put in. Council President Olstad said that was what had been discussed. Ms. Swanson asked why the City cleaned the sidewalk if there was no agreement to do so. Council President Olstad said it seemed staff started it since they were clearing the other side but in researching this item nothing was found saying it was going to be done by the City. Ms. Swanson said the closest thing she found was in the 2012 letter, she asked if the Council had received her emails, and in the letter it stated it should be another integral piece to the safe pedestrian and bike travel, so if that was the case, it should follow through. She added there was nothing else to overturn that and asked if there were any other letters that said something different. Council President Olstad said based on all the discussions on this item there was no other letter that explained how snow removal was to be handled. Ms. Swanson asked if there was no proof if there was a grandfathered-in rule. Mr. Galstad said there was no such thing as a grandfathered-in rule. Ms. Swanson thanked the Council for reconsidering.

Mayor Gander asked Ms. Ellis if there were other areas in the city where sidewalks were added with safe route to school funding and were maintained by the adjacent properties. Ms. Ellis said 20<sup>th</sup> Ave SE and 13<sup>th</sup> Street east of Bygland. Mayor Gander said Safe Routes to School was the funding mechanism. Ms. Ellis said there were safe routes that had to be set each year by the Metropolitan Planning Organization and Safe Kids, there were many routes, Safe Routes to School was a form of funding that paid 100% for the project. She added part of the ADA requirements was that the City has sidewalks so they found a way to have them paid for. She reviewed how the sidewalk project was done, there were a lot of questions with sidewalks, and how the City tried to find ways to fund projects instead of special assessing them. She reminded the Council that complete streets and ADA transition plans were required if the City wanted to continue getting funding from the Minnesota Department of Transportation.

Council member Larson said he had some emails from residents questioning snow removal because their property did not go all the way to Bygland Road. Ms. Ellis said it was the townhome properties, she had not sent out the letters, and they would only be responsible for the sidewalks in front of their property. She explained a storm water pond was supposed to have been built, it was not, and that property was transferred over to the City. She said the City would then be maintaining Bygland Road from 13<sup>th</sup> Street up to the cul-de-sac area.

*Voting Aye: Helms, Olstad, and Larson.*

*Voting Nay: Riopelle, Peterson, Vetter, and Pokrzywinski.*

8. Consider approving Proposal One to address snow removal along Bygland Road and 13<sup>th</sup> Street SE.

**This time was not voted on because item 7 was voted down.**

**NEW BUSINESS:**

9. Consider adopting Resolution No. 23-12-79 choosing Option 1 and not waiving the statutory tort limits for excess liability coverage in 2024.

**A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER RIOPELLE, TO ADOPT RESOLUTION NO. 23-12-79 CHOOSING OPTION 1 AND NOT WAIVING THE STATUTORY TORT LIMITS FOR EXCESS LIABILITY COVERAGE IN 2024.**

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

*Voting Nay: None.*

10. Consider approving the Memorandum of Understanding between the City of East Grand Forks and the Law Enforcement Labor Services Local No. 152 for the recruitment and relocation program for new police officers for 2024.

**A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER RIOPELLE, TO APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF EAST GRAND FORKS AND THE LAW ENFORCEMENT LABOR SERVICES LOCAL NO. 152 FOR THE RECRUITMENT AND RELOCATION PROGRAM FOR NEW POLICE OFFICERS FOR 2024.**

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

*Voting Nay: None.*

11. Consider approving the Memorandum of Understanding between the City of East Grand Forks and the Law Enforcement Labor Services Local No. 152 for the officer retention program for 2024.

**A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER VETTER, TO APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF EAST GRAND FORKS AND THE LAW ENFORCEMENT LABOR**

**SERVICES LOCAL NO. 152 FOR THE OFFICER RETENTION PROGRAM FOR 2024.**

Council Vice-President Riopelle said he did not think the retention program was working so he would be voting no. Mayor Gander commented he thought it was working.

*Voting Aye: Helms, Olstad, Larson, Peterson, Vetter, and Pokrzywinski.*

*Voting Nay: Riopelle.*

**CLAIMS:**

12. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

**A MOTION WAS MADE BY COUNCIL MEMBER HELMS, SECONDED BY COUNCIL MEMBER VETTER, TO AUTHORIZE THE CITY ADMINISTRATOR/CLERK-TREASURER TO ISSUE PAYMENT OF RECOMMENDED BILLS AND PAYROLL.**

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

*Voting Nay: None.*

**COUNCIL/STAFF REPORTS:**

Mayor Gander thanked the staff and Council for all the work that had been done on the budget, they were trying to find ways to save funds, it was difficult, and how they were trying to find ways to do the work based on the City's priorities.

Council member Helms asked for clarification and if the City was not going to be clearing snow on the west side of Bygland Road. Mr. Huttunen said that was correct.

Council member Larson thanked Ms. Ellis for talking with him and a resident about transit options.

**ADJOURN:**

**A MOTION WAS MADE BY COUNCIL MEMBER HELMS, SECONDED BY COUNCIL MEMBER LARSON, TO ADJOURN THE DECEMBER 5, 2023 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:40 P.M.**

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

*Voting Nay: None.*

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Megan Nelson, City Clerk