

**APPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, MARCH 20, 2018 – 5:00 PM**

CALL TO ORDER:

The Council Meeting of the East Grand Forks City Council for Tuesday, March 20, 2018 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 Chad Grassel, Council Members Clarence Vetter, Mike Pokrzywinski, Tim Riopelle, and Henry Tweten.

Karla Anderson, Finance Director; Nancy Ellis, City Planner; Steve Emery, City Engineer; Ron Galstad, City Attorney; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Reid Huttunen, Parks and Recreation Superintendent; Gary Larson, Fire Chief; David Murphy, City Administrator/Clerk-Treasurer; Keith Mykleseth, Water & Light 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:

“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.”

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks Minnesota City Council of March 6, 2018.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks Minnesota City Council of March 12, 2018.

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

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

Voting Nay: None.

Absent: DeMers.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS:

3. Public hearing to consider final approval of Sandy's First Resubdivision.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER RIOPELLE, TO OPEN THE PUBLIC HEARING TO CONSIDER FINAL APPROVAL OF SANDY'S FIRST RESUBDIVISION.

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

Voting Nay: None.

Absent: DeMers.

Ms. Ellis told the Council this was for the 40 foot easement that was going to be put in place on the property that had been purchased by Hardware Hank. There were no other questions or comments.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER RIOPELLE, TO CLOSE THE PUBLIC HEARING TO CONSIDER FINAL APPROVAL OF SANDY'S FIRST RESUBDIVISION.

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

Voting Nay: None.

Absent: DeMers.

4. Public hearing to consider the special use permit application from Verizon Wireless and Valley Golf Course for the construction of a monopole cell tower.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER GRASSEL, TO OPEN THE PUBLIC HEARING TO CONSIDER THE SPECIAL USE PERMIT APPLICATION FROM VERIZON WIRELESS AND VALLEY GOLF COURSE FOR THE CONSTRUCTION OF A MONOPOLE CELL TOWER.

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

Voting Nay: None.

Absent: DeMers.

Mr. Galstad said anyone who wanted to speak can come up when they are called, present any type of documents or exhibits, and to provide anything they would like included in the public record to Ms. Nelson so she was able to mark it and add it to the docket. He continued saying there are 23 exhibits that the City will be including in the record which include the special use permit application, the information provided by Verizon, minutes from the planning commission meeting, the email and attachments from Mr. Parker, the public notifications and letters sent out, the Owl Consulting revised report, work session minutes, and the audio and video from the work session when this matter was discussed. He then asked Mr. Buell or anyone from Valley Golf to present information, the consultant from Owl Consulting was available to answer any questions, and the reason for this hearing is to allow the public to express their approval or concerns about this. He added this was for the Council to hear concerns and obtain evidence from the public and the applicant so they are able to make an informed decision. He said once everyone has had a

chance to speak he asked to have this adjourned until March 27, 2018 for further discussion and for a decision to be made. He then provided the first 23 exhibits to Ms. Nelson, asked Mr. Buell to address the Council, and then the public would have a chance to address the Council.

Mr. Buell introduced himself as the consultant for Verizon Wireless. He said they were more than likely familiar with this application because it had been discussed for some time. He explained that Verizon evaluated multiple locations for a facility to help solve the data coverage issue and this location does that while also complying with the zoning requirements for a special use permit. He stated the third part of the report confirms the gap in data coverage and how no nearby structures are able to cover that gap. He said Verizon has redesigned the foundation of this proposed tower to ensure it would be able to include two additional carriers. He continued saying residents have brought forward concerns regarding property values and he read part of an article published in 2016 by the American Bar Association in their Probate & Property magazine which was titled "Cell Phone Towers Do Not Affect Property Values." He added this had been sent to Mr. Galstad so anyone wanting a copy of the article could request a copy of it. He then read from the article which stated how in most places there is a permit process that involves a public hearing, given the chance those in the neighborhood will oppose the tower because it will adversely affect their property values, but appraisers argue to the contrary. He continued reading how cell towers are much like modern infrastructure, how they seem to quickly fade into the background like telephone poles and other utilities, and it may seem counterintuitive to many but it is determined by the statistics and studies.

He stated the proposed telecommunications facility should be even less noticeable than a typical installation because of its low height and canister design. He said the proposed site is located at a dead end street and has natural screening from the surrounding trees and shrubbery. He added again how it is a stealth canister with no visible antennas and there will not be any lighting located on the tower. He said the application was reviewed and discussed by the planning commission and recommended approval for the special use permit back on February 9th of 2017. He continued saying that a neutral party has confirmed the need for a tower at this location and they have met all zoning requirements he respectfully requests the Council approve the application. He added he would be happy to answer any questions from the Council. Council President Olstad asked if there were any questions and there were none.

Mr. Dan Parker, 1723 21st St NW, lives straight east of the proposed cell tower location. He said he didn't bring any statistics but Mr. Buell has said statistics and studies show that this may improve property value. He stated with 100% fact that was not the case for his house, studies that were referred to are where cell phone towers already exist, and did not include the proposed locations of cell tower or next to golf courses. He explained why he was so sure is because his home was currently for sale and last fall when this came up, under the advisement of a few realtors, they dropped the price of the home by \$10,000 on the day they received the notification from East Grand Forks regarding the cell tower. He added by dropping the sale price it is now below what he is paying in market value taxes at this time so to state that this would improve current market value is false, it is hurting it, and it is happening already.

Mr. Parker continued saying there were a couple things he was going to be speaking more in-depth about to with the first being in the City's zoning code 152.317 which states how applicants cannot be denied space on a towner unless there are mechanical, structural, or regulatory factors prevent sharing. He added that under section d efforts should be made to utilize a location for the proposed wireless communication tower which results in the least conspicuous or most aesthetically pleasing installation possible. He stated based on those two things it appears that Verizon has not done their due diligence to look for what would be the least conspicuous placement or even the least intrusive in their selection of placement. He asked who else has Verizon talked with about locations outside of Valley Golf and if they came to the City since

the City has more property than Valley Golf. He also asked if Verizon checked on the tower located at 20th and 3rd since it was just over a mile straight east of the proposed location. He said a good friend of his is a regional director for another telecommunications company where he had worked for over 20 years, he looked at the tower at 20th and 3rd, and he said there was plenty of space available on that tower. Mr. Parker added he didn't know what his friend's qualifications are to make that statement other than he had been with a carrier for over 20 years and knows the industry.

Mr. Parker said additionally he would say it was his understanding the data that Verizon provided to Owl Engineering only looked at the data from this one specific location. He asked what would happen if this was moved, possibly up by the club house, what would the study show if it was moved a half mile to the northeast where it could be located on city property, or what would it look like if they used the existing structure a mile to the east. He said he was pretty certain that any study that had the data provided by Verizon would show that there is a need for a tower on the north end. He commented that looking at places like opensignal.com it shows the north end does not have an issue but the south end of town does. He said the only reason why this location was being chosen was because it is easy for Verizon to get in there and it is money in Valley Golf's pocket so it comes down to a decision that is either against the taxpayers of the city or Valley Golf. He added that Valley Golf wants the money and it would be coming at the expense of citizens. He said there are other options for Verizon just as the tower located at 20th and 3rd and other locations that are least conspicuous or less intrusive to taxpaying citizens of the city. He stated that he was asking the Council to deny the application based on the fact that Verizon needs to go and do more research and find a more feasible location that won't negatively impact homeowners by eyesore, financial liability, or to find a more appropriate area that won't affect tax paying citizens as opposed to putting money into the pocket of Verizon and Valley Golf. Council President Olstad asked if there were any questions for Mr. Parker.

Mr. Galstad asked if there was any information that he wanted added to the public record. Mr. Parker said he did have a letter from Mr. Justin Stromme who was not able to attend the meeting and there were several copies of the same letter available. He said that Mr. Stromme lives at 1810 20th St NW which would be located just to the south of the proposed tower location.

Mr. Gerard Neil, 1838 20th St NW, which would be just south of where the proposed tower would be located. He told the Council his wife wanted to be at the meeting but was unable to attend because she was not feeling well but there were a few comments he would like to make on her behalf. He continued saying as he would like to go through two pieces of information that he thinks contradict each other or at least document the placement of the tower is not the only spot that it could be placed within the city on the north end along with the inconsistencies in what the ordinances require. He said he has some exhibits but that he had included notes on them so he wasn't sure if it would be appropriate but he had a few comments on Mr. Buell's report. He stated that the report explains the proposed facility will be used to fill a void and up until the revised report from Owl Engineering that void was both south and east which is closer to the college by County Road 19 and Highway 220 North. He said they also talk about the lack of capacity. He said one thing that became real apparent to him after he had time to look into this further is originally it was presented by Verizon as wanting to update their facilities and get ahead of the curve and he thinks that was true for a variety of reasons. He commented that after review of Mr. Buell's report it shows there are no comparisons to any of the other providers about what would be needed or if they are having issues and how he thinks this is a way for Verizon to use this as an excuse in order to saturate markets.

Mr. Neil continued saying when Verizon has modified the foundation plan to include two additional phone providers which will increase the height by a minimum of 20 feet so now it would be an 85 foot tower with the lighting rod on top of it. He stated he always strives to be fair and honest and Mr. Buell's report included a picture of the tower next to the trees that infuriated him. He explained that Mr. Parker measured the trees in the area which ranged from 42 feet to 43 feet high from the base at the ground to the top of the tree. He asked if it was an accurate representation showing a 65 foot tower which is lower than the trees. He said it was a dramatization of what the tower is supposed to look like but in the picture it appears to be 38 feet tall and if it was shown as 65 feet it would be closer to the top of the picture. He said to comply with city ordinances it will need have to go to 85 feet because it will have to be able to include other providers. He said it will be close to twice the height of the trees.

Mr. Neil continued saying comments made by planning and zoning was to include foliage and hide this. He said there were two trees in this area that were approximately 40 to 50 feet away from the proposed location so that was not foliage. He stated that at one of work sessions Mr. Garrett Lysiak stated that when there is moisture content in leaves the cell phone tower signal has a hard time going through so they wouldn't want a tower not close to trees, there is a distance from the trees so an argument could be made, but that Mr. Lysiak also stated that he never did a site inspection, did not verify any of the information provided by Verizon, he never did any independent analysis, and that he could only look at the information provided by Verizon. He said he has some US Supreme Court decisions along with 8th Circuit District Court cases that establishes that is not true.

Mr. Neil explained that if they look at the city ordinances for East Grand Forks in section 10.22 sub 3 there are five and a half pages and under general requirements there is a requirement of the applicant to demonstrate there is not a suitable location available for the replacement of the antenna on any existing structure in the geographic area that will be served. He said that hasn't been done. He added Council member DeMers wasn't present but remembered he asked at the last work session where the reports were to demonstrate that. He said the current cell phone towers were required to accommodate at least two more carriers before a petition could be granted for a special use permit, for a tower permit, or for the construction of this kind of facility. He added how they have to check on other towers, send letters, and if needed the City could require the land owner or tower owner would have to allow them to be on the tower but if they are denied permission it is his interpretation the City could pull the permit from the existing tower holder because they are not conforming to the ordinances by allowing other carriers to be included on the tower. He commented how Verizon has not done the research, they have not done what they are supposed to do, and there is another tower or locations that could be used.

Mr. Neil referred back to the picture included in the report by Mr. Buell and the misrepresentation is very important. He explained they could move this tower up to the original location which was up by the current golf course club house but didn't work because there was no foliage. He said if it was truly a stealth tower no one would see it there either but the planning and zoning didn't want it located there and added how just because planning and zoning didn't want it there doesn't mean they control the City Council who has the final say in this matter.

He continued saying there are court cases in the 8th Circuit the planning and zoning had recommended approval and given reasons for approval but the city councils have voted the application down. He said based on the research that was done it was not found where the decision was reversed because there was a recommendation to approve from the planning and zoning. He said when he looks at Owl Engineering there were many things that he thinks are telling with the report starting out by saying Verizon needed to show a gap in coverage showing a need for the proposal.

He said the height requested was at the minimum needed for the coverage requirements and according to the ordinances it would have to increase in height by 20 feet to accommodate two more carriers. He said there are there were no other towers or structures identified that could be used, the coverage data search shows 10 towers identified, out of the 10 towers three of them are located in East Grand Forks, and one of those three had been taken down. He said there were no representation made that the two existing towers had been contacted to see if there was space available. He understands what the engineering had said about needing the towers to triangulate but they also included in the report it was stated in the executive summary a new site would need to locate very near the proposed location in order to fill the coverage gap so would mean there is an alternative site or more than one alternative site, the first is by the club house, the second option would be near the location on city property, and reminded the Council members that he would do the legal work for free for the golf course to substitute property so there would be another location that would not be intrusive or objectionable to other parts of the city and would do whatever was necessary which he was serious about. He continued saying that when city land is available there is alternative from this site since and should be located farther north and east because that is where the gap is. He said Mr. Lysiak was going to add in the report the size of the gap but that area is not what is being targeted. He stated that Verizon is targeting a much larger area, users to the south of this area is there isn't enough users in the area to justify putting up the tower, and if that is the case there are other spots but they haven't looked for them. He added that if they went across the river there was industrial property by Old Mill Road that would be more than happy to have a tower put up.

Mr. Neil said the executive summary states three systems are needed to be included on the tower in order to comply and Verizon is aware of that because they have started that process now by increasing the height of the tower. He said that one page five it addresses foliage, having foliage around the tower, and putting the tower in a lower elevation would affect the reception. He continued with page four and how all that was looked at was documentation submitted by Verizon which is not required by city code and that it is required of the applicant to look at available sites, having a rubber stamp approval from an independent agency using the documentation from Verizon showing a need for a tower, and all of the documents he had presented shows that this is not the only spot for a tower. He said Mr. Buell's report shows it needed to be by the club house and the engineering report shows that it needed to be within a very near distance which is a wide circumference of 600 to 900 feet. He said the city ordinance requires this structure be at least 200 feet away from a residential structure and Owl Engineering stated that it was only 190 feet away which was only a difference of 10 feet, he wasn't sure if it would make a difference. He continued saying that at the work session representations were made by Owl Engineering that they had look at all of the existing towers, the tower on 20th and four other towers north of East Grand Forks were not looked at, and the information provided for the location of the towers in done by latitude and longitude but there are two in Grand Forks that are operational and would not fall under the city's regulations.

He said he found it interesting when the Owl Engineering report mentioned the coverage study and when reviewing the submitted data it was determined that Verizon has designed its communications facilities in the East Grand Forks area with several surrounding sites providing area wide coverage. He added that he was not sure what the means but it might get explained or explained away. He said it tells him it will be a tower, not for the gap area, but for a much larger area which is not what these towers are designed for. He continued referencing page seven of the Owl Engineering report stating how this area does not predict that there would be interference with a tower at this location, how this analysis is a mathematical study, it assumes the worst case scenario, and no calculations were done for other possible carriers that may want to locate in this area. He continued on page eight there it takes about the worst case scenario on the radiation which is something that no one really knows, the Council cannot refuse the application because of the RF radiation, and only time will tell.

Mr. Neil said one of the things that has been omitted until now is that there is a generator, that it is necessary if there is a power failure, and there is no evidence given what the decibel level will be. He commented that his office is close to the fire station and he can tell instantly when that generator is running. He then asked what kind of fuel will be used to run the generator, how much fuel is needed to keep the tower running, and nothing has been provided to say that was going to be quiet or addressed. He said there was reference to credible studies to support the claims and he has talked to people about how that does not increase the value of property, he had one person who had done hundreds of appraisals tell him never seen a deduction for the placement of a cell tower, which made him respond and think about a trip to Minneapolis. He explained he took pictures of cell phone towers in Bloomington where he found one located next to a grocery store by a park area, and he estimated the tower height was around 45 feet high. He said residential area is about 500 feet away from this tower and showed notices that were around the cell phone tower base.

He continued with review of the Owl Engineering report the summary states there was not structure in the area that would work but they know there are other structures in the area that have not been considered. He said the report said it would need to be located very near the proposed site which shows that Verizon hasn't looked at other locations and both reports say how there are other spots available. He stated some things he would like to note about section 10.22 sub 3 is when the application is initially looked at the planning and zoning will discuss alternatives, they decided a location was not good enough because there wasn't enough trees, and this is a stealth tower so why would it need to have trees. He commented that in one report the golf course was going to add a flag to the tower which would make the current club house location ideal. He continued saying the application of construction for the tower should include plans and specifications, structure of integrity, and general capacity of the tower all signed off on by a registered engineer. He said the only thing he was able to see is that there was a lease agreement, the ordinance requires an agreement with the land owner, the ability to accommodate two additional carriers, and at this point he hasn't seen it unless it was part of the record Mr. Galstad had submitted earlier. He continued reviewing general requirements, how the applicant had to demonstrate no other location could be used which they haven't done, how the City is supposed to try to prevent multiple towers, and how the applicants cannot be denied space on a tower unless it will not work for mechanical, structural, or regulatory factors prevent sharing. He stated how efforts are supposed to be made by to put this in the least conspicuous location within a reasonable distance from where the coverage gap is. He commented it was unfortunate that it appears finances is a reason for one of the applicants.

Mr. Neil stated the 1996 telecommunication act gives local authority the right to determine tower placement, construction, and modification. He said this states local government shall not prohibit or have the effect of prohibiting the provisions of personal wireless services. He said the applications cannot be denied if the proposed location is the least intrusive means to close a significant gap in wireless coverage. He continued reviewing cases in 8th Circuit Court District where the applicant has the burden of proof to determine all other locations would not work. He said they have to prove there is a gap in coverage, they must show there are no other alternatives, and that they are not at a competitive disadvantage. He commented there is no other facility in this area so no other carrier is being favored. He continued reviewing cases out of Marlboro, Missouri and how an application was denied because it did not comply with the ordinances and in this case the City could favor themselves to have the tower located on city property. He said if the Council votes no they are required to have a written statement and reason for denial. He added they did not comply with the ordinances. Mr. Neil asked if there were any questions. Council member Vetter asked if any of them had gone and talked with Valley Golf and expressed their concerns. Mr. Neil said some of them had attended the December meeting, he again offered to do the legal work to try and resolve this issue.

Mr. Garrett Lysiak, from Owl Engineering, said he wanted to set the record straight. He said the report was generated through data the he had obtained himself. He explained the only data that Verizon had supplied to him was the location of the proposed site, the heights, and the power levels but everything else was generated by engineering and official documents. He stated there have been many wild accusations. He said in the executive summary the tower had to be higher to accommodate to additional users, but what he was trying to explain is that a 65 foot tower may not give the best coverage to additional users and the City may get another request for a tower for this area. He explained that when he reviewed the towers in the area he looks at registered towers with the FCC and FAA so there could be others that are not registered. He said a tower had been brought up at the last meeting, it was not registered, he looked into it and included the information in his amended report. He said it had to be excluded because it caused interference with another Verizon site because it was located to close. He commented that it could be used in the future as a capacity site if some things were changed.

Mr. Lysiak said again he can only look at the location that was provided by Verizon, he is not able to look into what ifs. He stated he will let the City know if it can be moved a couple hundred feet but again he can only look at what is presented. He continued saying he did a worst case scenario for the RF radiation, the analysis is based on the antenna pointing straight down at the highest power which gives him a number so he can determine if it will comply with all of the FCC regulations. He added that it won't be causing interference and on the amended report he tried to include information to show the Council how Verizon designs their system and what they are trying to accomplish. He reviewed how other towers were not included because they were too far away, he asked Verizon how many sites they looked at, and it is his opinion that they exhausted every existing site and could not find a site to lease. He stated it was his professional opinion looking at the data and his analysis Verizon has a gap in their system coverage, the proposed location does satisfy that need, the existing towers in the area do not provide the coverage that Verizon is looking for, and that is as simple as he can make it. He asked if there were any questions. There were none.

Council President Olstad asked if there were any other questions or comments. There were none. He then asked Mr. Parker to read the letter from Mr. Stromme so it was a part of the record. Mr. Parker stated this letter was from Mr. Stromme who lives at 1810 20th St NW. The letter explained Mr. Stromme's concern about the possibly placement of the proposed tower, how the city government should protect the residents' quality of life, and no one involved in the process has explored all of the possible locations that the tower could be placed. The letter stated how a member of the golf course board did not want the tower located next to the club house because of the aesthetics. Mr. Stromme suggested in the letter to have the tower located next to the club house and let Verizon develop the property to fit their needs. He ended the letter by saying the neighbors are not in favor of this and the Council has a decision to choose between the citizens and a large corporation.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER RIOPELLE, TO ADJOURN THE PUBLIC HEARING UNTIL TUESDAY, MARCH 27, 2018 TO ALLOW THE COUNCIL TO CONSIDER THE SPECIAL USE PERMIT APPLICATION FROM VERIZON WIRELESS AND VALLEY GOLF COURSE FOR THE CONSTRUCTION OF A MONOPOLE CELL TOWER.

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

Voting Nay: None.

Absent: DeMers.

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 May 13, 2018 at Stauss Park located at 926 5th Ave NE East Grand Forks, MN 56721 and waive the 30 day waiting period.
6. Consider approving the purchase of the Toyota Model 8FGU25 from F-M Forklift and declare the Allis Chalmers Forklift as surplus and use to trade to reduce the total amount of the purchase to \$21,489.00.
7. Consider approving the recommendation identifying 24th Ave S and 32nd Ave S as possible locations of a new bridge that would best serve local traffic in the Metropolitan Transportation Plan.
8. Consider adopting Resolution No. 18-03-13 authorizing staff to complete and submit a grant application to the Department of Natural Resources for improvements to O'Leary Park.

A MOTION WAS MADE BY COUNCIL MEMBER RIOPELLE, SECONDED BY COUNCIL MEMBER GRASSEL, TO APPROVE ITEMS FIVE (5) THROUGH EIGHT (8).

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

Voting Nay: None.

Absent: DeMers.

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

9. Regular meeting minutes of the Water, Light. Power, and Building Commission for February 15, 2018.

COMMUNICATIONS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

10. Consider adopting Resolution No. 18-03-12 approving the promotion of Ryan Swang to Engineer at a salary of \$28.10 per hour.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER RIOPELLE, TO ADOPT RESOLUTION NO. 18-03-12 APPROVING THE PROMOTION OF RYAN SWANG TO ENGINEER AT A SALARY OF \$28.10 PER HOUR.

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

Voting Nay: None.

Absent: DeMers.

11. Consider approving the final plat of Sandy's First Resubdivision with the conditions of submitting a digital file to the planning office and paying the fee to Polk County for recording.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER GRASSEL, TO APPROVE THE FINAL PLAT OF SANDY'S FIRST RESUBDIVISION WITH THE CONDITIONS OF SUBMITTING A DIGITAL FILE TO THE PLANNING OFFICE AND PAYING THE FEE TO POLK COUNTY FOR RECORDING.

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

Voting Nay: None.

Absent: DeMers.

12. Consider approving the zoning code amendments to establish new permitted and special uses within the Zoning Districts of East Grand Forks (1st Reading).

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO APPROVE THE ZONING CODE AMENDMENTS TO ESTABLISH NEW PERMITTED AND SPECIAL USES WITHIN THE ZONING DISTRICTS OF EAST GRAND FORKS (1ST READING).

Ms. Ellis informed the Council she had removed the duplications and also added in brew pubs, tap rooms, micro distilleries, and cocktail rooms. There were no other questions or comments.

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

Voting Nay: None.

Absent: DeMers.

CLAIMS:

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

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

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

Voting Nay: None.

Absent: DeMers.

COUNCIL/STAFF REPORTS:

Mayor Gander reminded everyone that he, Council President Olstad, Council member Tweten, and Mr. Murphy had went down to St. Paul for Legislative Day. He commented how the year before they went down asking for approval for the interconnect project and the local sales tax. He said this year's trip was to say thank you for the work that was done to get those projects approved. He added how they met with Senator Johnson, Representative Kiel, and others while down there and that both he and Mr. Tweten attended the State of the State address. He commented how Mr. Tweten is persistent and got Governor Dayton to agree to visit East Grand Forks after the session was over. He ended by saying it was a nice

trip and good to say thank you.

Council Member Pokrzywinski commented that more than likely the City will be asking for money next year at Legislative Day.

Council Member Tweten stated how he and Governor Dayton were personal friends, how he has great respect for the Governor, and he got him to agree to visit Northland for an educational visit after the session is over. He added how both Governor Wendy Anderson and Governor Mark Dayton made some of the biggest changes in education in the State. He continued saying a storm shelter is needed at the campground and that it should be big enough so it can do a number of things such as provide a space for family reunions.

Council Vice-President Grassel said he was glad he wasn't a lawyer because of all of the speech classes they have to go through. He continued thanking Mr. Mykleseth and staff for coming out to the elementary school, how it was the best group they have had to present to the kids, and the kids really liked it.

Council President Olstad said they also visited Representative Fabian and Senator Eken. He stated that Senator Eken said he usually doesn't receive thank yous. He commented how it was a good trip, good discussions, that it was nice to hand out thanks yous, and he is looking forward to going down again to talk about LGA.

Mr. Galstad told the Council to contact him if there were any questions about any of the items that were included with the record or presented at the meeting.

Mr. Emery informed the Council on Thursday from 12pm to 1pm WSN was providing lunch for city employees and council members. He said they were asking for free will donations or non-perishable food items, all donations were going to be given to the East Grand Forks Food Shelf, and he asked for support to help the local food shelf. He added the food was going to be served in the training room

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADJOURN THE MARCH 20, 2018 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:33 P.M.

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

Voting Nay: None.

Absent: DeMers.

David Murphy, City Administrator/Clerk-Treasurer