

**APPROVED MINUTES
OF THE WORK SESSION
CITY OF EAST GRAND FORKS
TUESDAY, AUGUST 14, 2018 – 5:00 PM**

CALL TO ORDER:

The Work Session of the East Grand Forks City Council for Tuesday, August 14, 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, Henry Tweten, and Marc DeMers.

Karla Anderson, Finance Director; Nancy Ellis, City Planner; Ron Galstad, City Attorney; Steve Emery, City Engineer; Paul Gorte, Economic Development Director; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Reid Huttunen, Parks and Recreation Superintendent; Gary Larson, Fire Chief; 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.

Council President Olstad reminded everyone that due to Primary Election taking place the meeting cannot go past 6:00pm per State statute.

1. Marketing Plan Update & Branding Discussion – Paul Gorte & AE2S

Mr. Gorte informed the Council that the representatives from AE2S were out of town on and unable to make the meeting. He continued saying how three weeks ago the EDA Board and Council were both shown branding options, the EDA Board had asked to have a revision done, after seeing the additional option they prefer the Life Connected which was also preferred by the Council, and there are examples of what the logo could look like. He stated how the EDA Board is split on if there should be a circle or star. He asked the Council if this was an acceptable brand and if they preferred a circle or star.

Council President Olstad stated he liked the star. Council member DeMers said he didn't have a strong opinion either way but he liked the circle to go with the idea of being connected. Mayor Gander commented that he liked the star. Council member Riopelle said he also liked the star. Council member Pokrzywinski stated his preference was a circle but it wasn't that big of a deal. Mr. Gorte commented that both have merit. Council member DeMers asked to have it similar to the star in the city seal. Council member Vetter suggested making it a sugar beet. Mr. Gorte said he had heard more for stars than circles and thanked the Council for their input.

2. Consideration of Bare Land Purchase Agreement for Parcel 83.00116.00 – Ron Galstad

Mr. Galstad told the Council that he had provided an email for some background on this item. He explained he had prepared a bare ground purchase agreement based on negotiations that Mr. Gorte had with Sacred Heart who is being represented by Mr. Nick Stromsodt and who was present at the meeting. He stated Mr. Stromsodt had made some modifications to the agreement. He said it was his advice to leave the agreement as is and reviewed the reasons for which included a standard being the replacement cost of asphalt or concrete going over an easement would be at the expense of Sacred Heart. He stated this was the same in the agreement they had done with Mr. Buckalew on the land he purchased as well as others. He explained this sale was as is, the proposed use is for a parking lot, there were no objections for that, the City is unsure what is on or around that parcel, and how the City would remain liable for any hazardous waste that is found on the property. He added when this property is developed into a parking lot it could end up costing the City more money than the \$6,000 being collected for the sale of the lot if there is hazardous waste found. He stated he suggested they should have a Phase 1 environmental study completed or boring soil samples done to determine if they would still like to purchase the property. He continued with how it had been listed that a dirt, concrete, or asphalt parking lot was going to be put in and a dirt parking lot is not allowed in the city for parking.

Mr. Galstad stated other than those items, no one has a problem with selling this property, it was understood it was an “as is” sale, and if Sacred Heart wants to be assured of what kind of property they are purchasing they should have a Phase 1 study completed. He added that was his advice and turned it over to Mr. Stromsodt. Mr. Stromsodt introduced himself, stated he was with the Neil Law Firm, and was present at the meeting to answer any questions the Council may have. He explained he had requested four changes with the first being Sacred Heart arranging for their own surveying work to be completed and the surface of the parking would be concrete or asphalt but while construction was going on they are hoping to store equipment on this property in its current state. He continued saying when it comes to the environmental aspect of this they are trying to keep the costs down as much as possible and it was his understanding that under Minnesota Law the City would have a liability of cleaning up any hazardous materials if found on the property and it was being suggested to make it clear in the purchase agreement. He added that last item was for a no merger so these provisions would not merge into the deed so the City would continue to cooperate with Sacred Heart with what is needed for this lot to be developed. He then asked for questions.

Council member DeMers asked if there was an easement for waterlines underneath paving the cost of replacing the pavement would be a cost to Sacred Heart but if the repair required remediation of some sort more who would pay for additional costs. Mr. Galstad said anything like a relocation of a waterline would be the responsibility of the city but the cost of replacing the parking lot would end up on the property owner. Discussion followed about how there are only electric lines that go through this area and all of the water lines were removed when the water tower was removed. Mr. Galstad stated that at this point he has not drafted a deed, this property will be replatted, and the easements will be added. Mayor Gander commented as they take possession of this property he doesn't see an issue for them to park trucks or store equipment or building materials during their expansion. He added if there is contamination it would predate the City's ownership of the property so the City shouldn't automatically say it is a cost of the City's. Council member Tweten suggested moving this on if everyone is satisfied with what has been presented. Mr. Galstad asked if there were any other questions. There were none. Mr. Stromsodt added Sacred Heart had completed a call to Gopher One to see where the utilities were located.

3. Consideration of Repairing Civic Center Road – Jason Stordahl & Reid Huttunen

Mr. Stordahl told the Council the road located on the east side of the Civic Center is in need of repair. He stated there were large potholes and they are proposing a leveling course and overlay of the road. He said it was his understanding there is lime rock base which is typically a solid base but the road has not had any treatment. He added this wasn't the perfect fix but is the most cost effective repair at this time. He added how some areas have been overlaid and they have been holding up. Council member DeMers asked about the lime base and when it was put in. Mr. Stordahl said it had been quite a few years ago. Council member DeMers said he was concerned about the base and it would be his preference to find out what the base is before having the overlay done. Mr. Emery commented how that would be done with a major reconstruction and this approach is more of a bandaid approach. Council member DeMers stated it would help with future planning.

Council Vice-President Grassel asked if Mr. Stordahl was going to be determining where the soft areas are that need to be addressed. Mr. Stordahl said they would be cleaning out the soft areas and use a leveling course before the overlay is done. Discussion followed about how there are aren't sink holes, any other proposed options would be done in future years, and how a fog seal may be worth doing on some of the areas that are still holding together. Council member Pokrzywinski stated he will vote on this because it has to be done but it is only a bandaid fix. He added they will need to find a solution for fixing the parking lot and how it will be paid for which may include some help from organizations in the community.

This item will be referred to a City Council Meeting for action.

4. Request for Annual Pump Replacement – Jason Stordahl

Mr. Stordahl requested to purchase four pumps for two lift stations. He asked the pumps that will be removed to be declared as surplus to either be traded in or used as back ups. He asked for Council to approve the purchase of these four pumps from Minnesota Pump Works for a total of \$38,737.00 which would be paid for out of the budgeted funds for pump replacement. He then asked if there were any questions. There were none.

This item will be referred to a City Council Meeting for action.

5. Request to Add Senior Center Business Membership/Advertising – Reid Huttunen

Mr. Huttunen stated that Ms. DelValle was present to answer any questions he was not able to. He explained the Senior Center Board had discussed over the last few months about adding a business membership to the programming. He stated currently all they have are family memberships and this business membership would add advertising to the monthly newsletter for a nominal fee. He said there are three levels associated with the business membership and a draft letter had been included in the packet that would be sent out to businesses. He explained this came about to raise more funds up help with maintenance at the Senior Center and the Board would like the funds from these business memberships to be earmarked to help with unexpected costs that were not budgeted for at the Senior Center. He said if there was resistance to that they would still like to have the business membership to help bring in more revenue. He asked if there were any questions. Council member Pokrzywinski said it was a good idea and encouraged them to include businesses on both sides of the river. Mayor Gander said to also look for in-kind donations because businesses have donated items to the City before.

This item will be referred to a City Council Meeting for action.

6. Consideration of Memorandum of Understanding for “Acting Sergeant” & Consideration of Memorandum of Understanding for Corporal Position – Mike Hedlund

Chief Hedlund stated the police department for a number of years has wanted to request or considered to request the corporal position but for a variety of reasons they have not brought this forward. He explained there are four shifts that consist of three officers and a sergeant, when the sergeant is not on shift the most senior officer steps into that role and receives out of rank pay for taking on that role. He stated the corporal position if adopted would be filled using a promotional process and be filled in each of the shifts. He added the person in the corporal position would then be the one in charge if the sergeant was out instead of the most senior officer on the shift because there are more important factors than just being the most senior officer. He continued saying the first MOU regarding the acting sergeant position would grant him the authority to appoint a person to be the acting sergeant. He added it would expire once the corporal position is filled.

Chief Hedlund said in theory it would just be four corporals but there are other positions besides patrol so anyone in any position would have the ability to apply for the corporal position. He reviewed the different positions in the department, how some are already paid at the sergeant’s pay level, and he doesn’t want to limit the potential applicants or treat anyone unfairly when it comes to this promotional process. He asked for questions and mentioned the senior officers already take on additional duties and moving forward the corporals would also be trained to take on these duties. Council member Riopelle said this could help with retention. Chief Hedlund said it has the potential to do so and commented how they plan on keeping the sergeant promotional process the same instead of limiting it to only those in the corporal position.

Council member DeMers thanked Chief Hedlund for this proposal and stated the first MOU he sees as a right of management so he doesn’t see the need for the MOU. He commented that if it does require an MOU then he is in favor of it. Chief Hedlund said he the thought was there might be an issue with grievances and this is why the MOU was drafted. Council member DeMers said he did not think there is a need to promote people to do what they are being asked to do. He commented how before the Council had a discussion about who would run the meeting if both the president and vice president were absent and at some point you just need to do what needs to be done. He said it would help with retention and another bump up which should be discussed during the budget portion of the meeting instead of before. He added he understands what this is but it seems like it puts the City in a tougher spot because then what happens when there isn’t a corporal and could shift the problem down the line. He said they should be able to pick an acting sergeant, there may be four to six corporals, and these are incremental increases and compounding costs over time and right now he doesn’t think the City can have this added to the budget.

Chief Hedlund said again regardless who is put in these position they will move to what is at least 4% higher than their current wage. Council member DeMers commented again that it wasn’t a huge amount of money but it all adds up over time. Mayor Gander stated he doesn’t know currently if he would support the corporal structure or not, he does like the idea of letting everyone getting their head around this idea, that once this is created it will be difficult to do away with in the future, and they would need more than one week to make a decision. He added he does agree with the first MOU to allow for what needs to be done. Council President Olstad said he thought it would be proper to move the acting sergeant MOU forward but to discuss the corporal MOU further at a later date. He asked how this process is going with the union. Chief Hedlund said there was going to be a union meeting the following day so he would know soon if these were approved or not. Mr. Galstad said he could look into the matter but he sees this as a

managerial discretion to place anyone as the acting sergeant, it's a good idea to discuss with the bargaining unit, but he didn't think a MOU is necessary.

The Acting Sergeant MOU will be referred to a City Council Meeting for action.

7. Discussion on Charter Commission – Ron Galstad

Mr. Galstad stated he had put together the petition and resolution for appointing a charter commission. He reminded the Council how they could have seven to fifteen people on the commission and at this point he has eight names along with the Mayor to be appointed with alternating terms at first with two and four year terms so they don't all have to be replaced at the same time. He added how the Council can determine what number of commissioners they would like and how they might want to consider including a council member on the commission as well which is something other cities have done. He asked if there were any questions about the drafts that had been prepared and if there were any other recommendations.

Council member DeMers said it was great this process was moving forward, there was a number residents to be appointed, and how Justin Hecht has been a great board member for the EDA but he didn't think there should be members on multiple boards. He added he didn't want to prevent this from moving forward and again his slight objection was not about the person but holding multiple board positions. He asked if the Mayor's position was ex-officio or a named position. Mr. Galstad said it would be whoever is the acting mayor and the City would send a resolution to the judge when an appointment is needed for all of the commissioner position. Council member DeMers asked if the mayor had voting rights. Mr. Galstad stated the mayor would have full voting rights on the commission.

Council member Pokrzywinski commented said he thought it was great the mayor was on this commission and if the mayor is on the commission he feels the Council should also be represented. Mr. Galstad stated that was up to the Council. Council member Pokrzywinski said he wasn't going to be on the Council after this year but maybe either the Council President or Vice-President should be on the commission. Mayor Gander said he was in favor on having a Council member and was going to ask on how the Council would like to pick that position. Council member Pokrzywinski suggested one of the At-Large positions could since they represent the entire community. Council President Olstad asked what the next steps were. Mr. Galstad stated he would need the resolution to be approved and he would then send the information to the court system asking for the charter commission to be reinstated. He added once they commissioners accept their positions and take the oath they can start reviewing the charter. Discussion followed on the time line, how the council appointments are made by the council president and approved by the council which should be the same for this, having 10 members would require a six to four vote, and a council member name was needed for this process because their information had to be verified and their name was needed to be submitted to the courts system.

Council member Riopelle asked if an appointment needed to be made tonight. Mr. Galstad said they could and staff would then need to validate they are a resident of the community and are able to vote. Council member Riopelle recommended Council President Olstad for the charter commission. Council President Olstad asked if there was anything else regarding this. There was none.

This item will be referred to a City Council Meeting for action.

8. Discussion on Proposed 2019 Budget – Karla Anderson

Ms. Anderson stated there were just a few minutes left because the meeting had to be over by 6pm. She said there was an update because she had received new information. She asked them to review this information in preparation for the special budget meeting taking place the following week. She then asked if there were any quick questions they might have at this time. Mayor Gander stated that it showed automatic increases in payroll that were agreed to through contracts. Ms. Anderson said that was correct and said there might be some fluctuation because insurance may be different than what is being currently projected. She added the park administrative assistant position was included in the total. Council member Tweten stated how the street reconstruction budget needs to be increased. Ms. Anderson asked if that discussion could wait until the following Tuesday because of the time limitations and she will add that for the discussion next week. There were no more questions.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER POKRYZWINSKI, SECONDED BY COUNCIL MEMBER RIOPELLE, TO ADJOURN THE AUGUST 14, 2018 WORK SESSION OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:59 P.M.

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

Voting Nay: None.

David Murphy, City Administrator/Clerk-Treasurer