

**AGENDA
CITY COUNCIL
CITY OF EAST GRAND FORKS
APRIL 3, 2012
5:00 P.M.**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A QUORUM:

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.”

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of March 20, 2012.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of March 27, 2012.

SCHEDULED BID LETTINGS: NONE.

SCHEDULED PUBLIC HEARINGS:

3. Public Hearing to adopt Resolution No. 12-04-37 a Resolution approving the City of East Grand Forks precincts and polling locations.

CONSENT AGENDA: NONE.

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.

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

4. Regular meeting minutes of the Water, Light, Power and Building Commission for March 1, 2012.

COMMUNICATIONS: NONE.

OLD BUSINESS:

5. Consider approving the Intergovernmental Agreement between the City of East Grand Forks and Huntsville Township regarding the street improvements to 14th Avenue SE, Hartsville Road.

NEW BUSINESS:

6. Consider adopting Resolution No. 12-04-38 a Resolution to set public hearing for proposed improvement “2011 Assessment Job No. 1” – Street Paving for properties along 14th Ave SE, Hartsville Road.

CLAIMS:

7. Consider adopting Resolution No. 12-04-39 a Resolution authorizing the City of East Grand Forks to approve purchases from Bert’s Truck Equipment the goods referenced in check numbers 12405 for a total of \$24.26 whereas Council Member Gregoire is personally interested financially in the contract.
8. Consider adopting Resolution No. 12-04-40 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 12433 for a total of \$205.69 whereas Council Member Buckalew is personally interested financially in the contract.
9. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

ADJOURN:

Upcoming Meetings:

- Work Session – April 10, 2012 – 5:00 PM – Training Room
- Regular Meeting – April 17, 2012 – 5:00 PM – Council Chambers
- Work Session – April 24, 2012 – 5:00 PM – Training Room
- Regular Meeting – May 1, 2012 – 5:00 PM – Council Chambers

**UNAPPROVED
MINUTES OF THE
OF THE
EAST GRAND FORKS
CITY COUNCIL
TUESDAY, MARCH 20, 2012 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for March 20, 2012 was called to order by Council President Buckalew at 5:02 P.M.

CALL OF ROLL:

On a Call of Roll the following members of the East Grand Forks City Council were present: Mayor Lynn Stauss, Council President Craig Buckalew, Council Vice President Wayne Gregoire, Council Members Marc DeMers, Ron Vonasek, Henry Tweten, Mike Pokrzywinski, and Greg Leigh.

STAFF PRESENT:

Dave Aker, Parks & Recreation Superintendent; Brad Bail, City Engineer; Dan Boyce, Water & Light Manager; Nancy Ellis, Planning & Zoning; Michelle French, Executive Assistant; Ron Galstad, City Attorney; Randy Gust, Fire Chief; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Scott Huizenga, City Administrator; Jim Richter, EDHA Director; and Jason Stordahl, Public Works Director.

DETERMINATION OF A 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, 2012.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of March 13, 2012.

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

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, Vonasek, and Buckalew.

Voting Nay: None.

SCHEDULED BID LETTINGS:

3. Consider approving the request to declare a 1987 John Deere 770 B grader and award the bid for 2012 Volvo G946B Motor Grader to Swanston Equipment Companies for \$227,881.02 plus warranty for \$9,100.00.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE THE REQUEST TO DECLARE A 1987 JOHN DEERE 770 B GRADER AND AWARD THE BID FOR 2012 VOLVO G946B MOTOR GRADER TO SWANSTON EQUIPMENT COMPANIES FOR \$227,881.02 PLUS WARRANTY FOR \$9,100.00.

Council Member Gregoire asked Mr. Stordahl why we were not going with the lowest bid. Mr. Stordahl explained the difference between all three bids and he stated that he spoke with counties, cities, staff, and MnDot who has Volvo motor graders. Council Member DeMers announced that Mr. Stordahl did a lot of research and we should go with the recommendations of staff. He also announced that according to the Statute, since we are going with the state buying bid, we do not need to go with the cheapest option. Mr. Galstad informed City Council that Mr. Stordahl did follow the policy.

Voting Aye: Leigh, Pokrzywinski, DeMers, and Buckalew.

Voting Nay: Tweten and Gregoire.

Abstain: Vonasek.

SCHEDULED PUBLIC HEARINGS:

4. Public Hearing to approve the proposed improvements for “2012 Assessment Job No. 1 – Street Reconstruction – 15th Street NE”.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO OPEN THE PUBLIC HEARING.

Mr. Bail announced that the total estimated cost of the project is \$949,533 and only 30% would be assessed based on the new policy. Mr. Bail announced that this project does not include 2nd Ave. NE. A business owner stated that she owns a vacant lot that she wanted to put up a business but due to City Codes, she isn't able to open her business. She also mentioned that accesses to all businesses are through the alley. Council Member Leigh stated that the City needs to work with businesses who want to come to town.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO CLOSE THE PUBLIC HEARING.

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, Vonasek, and Buckalew.

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.

Mr. Huizenga asked that item number six be pulled for discussion.

- 5. Consider adopting Resolution No. 12-03-32 a Resolution to support Waste Management and Recyclebank 2012 50 State Challenge.
- 6. Consider adopting Resolution No. 12-03-33 a Resolution adjusting waste water rates effective April 1, 2012.

Mr. Huizenga provided a revised draft. He announced that the rates were miscalculated. Council Member Leigh stated that the idea of this resolution was to create a fund for the Interconnect Project and he would suggest changing the resolution to "would".

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO AMEND THE RESOLUTION TO "WOULD".

*Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, Vonasek, and Buckalew.
Voting Nay: None.*

A MOTION WAS MADE BY COUNCIL MEMBER GREGOIRE, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 12-03-33 A RESOLUTION ADJUSTING WASTE WATER RATES EFFECTIVE APRIL 1, 2012.

*Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, Vonasek, and Buckalew.
Voting Nay: None.*

A MOTION WAS MADE BY COUNCIL MEMBER GREGOIRE, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE CONSENT MOTIONS NUMBER FIVE (5) AS SUBMITTED.

*Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, Vonasek, and Buckalew.
Voting Nay: None.*

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

- 7. Regular meeting minutes of the Water, Light, Power and Building Commission for February 16, 2012.

COMMUNICATIONS:

- 8. Acknowledging the retirement of Tim Johnson effective March 31, 2012.

Mr. Stordahl announced that Mr. Johnson has been with the City of East Grand Forks for 16 ½ years.

OLD BUSINESS:

9. Consider adopting Resolution No. 12-03-28 a Resolution declaring adequacy of petition, filing the report of feasibility, and set public hearing for properties along Greenway Boulevard and 13th Street SE.

A MOTION WAS MADE BY COUNCIL MEMBER GREGOIRE, SECONDED BY COUNCIL MEMBER LEIGH, TO ADOPT RESOLUTION NO. 12-03-28 A RESOLUTION DECLARING ADEQUACY OF PETITION, FILING THE REPORT OF FEASIBILITY, AND SET PUBLIC HEARING FOR PROPERTIES ALONG GREENWAY BOULEVARD AND 13TH STREET SE.

Voting Aye: Gregoire, Leigh, Pokrzywinski, DeMers, Vonasek, and Buckalew.

Voting Nay: None.

Abstain: Tweten.

NEW BUSINESS:

10. Consider approving the request to hire Jason Stordahl to fill the vacancy of Public Works Director.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE THE REQUEST TO HIRE JASON STORDAHL TO FILL THE VACANCY OF PUBLIC WORKS DIRECTOR.

Mr. Huizenga announced that he is happy to make the recommendation to hire Mr. Stordahl. City Council congratulated Mr. Stordahl.

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, Vonasek, and Buckalew.

Voting Nay: None.

11. Consider adopting Resolution No. 12-03-34 a Resolution ordering improvements and preparation of plans and specifications for “2012 Assessment Job No. 1 – Street Reconstruction – 15th Street NE”.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 12-03-34 A RESOLUTION ORDERING IMPROVEMENTS AND PREPARATION OF PLANS AND SPECIFICATIONS FOR “2012 ASSESSMENT JOB NO. 1 – STREET RECONSTRUCTION – 15TH STREET NE”.

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, Vonasek, and Buckalew.

Voting Nay: None.

12. Consider approving the request to authorize FS Engineering to proceed with the ICON Pavement Management up to \$50,000.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER GREGOIRE, TO APPROVE THE REQUEST TO AUTHORIZE FS ENGINEERING TO PROCEED WITH THE ICON PAVEMENT MANAGEMENT UP TO \$50,000.

Council Member Leigh announced that this is a reasonable fee and it’s a good time to move away from paper. He felt this would be a great management tool. Council Member Tweten felt that the City should save money and have this project done in house. Mayor Stauss announced that he would like to see what other communities use this software. Council Member DeMers stated that this is a good tool to help make decisions. Mr. Bail informed City Council that the software will say why the street is in bad shape.

Voting Aye: Gregoire, Leigh, Pokrzywinski, DeMers, Vonasek, and Buckalew.
Voting Nay: Tweten.

13. Consider approving the request to award the quote to Midwest Playscapes, Inc for playground equipment and pea rock for a total amount of \$29,684.97.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER VONASEK, TO APPROVE THE REQUEST TO AWARD THE QUOTE TO MIDWEST PLAYSCAPES, INC FOR PLAYGROUND EQUIPMENT AND PEA ROCK FOR A TOTAL AMOUNT OF \$29,684.97.

Mr. Aker announced that a committee has met to discuss three possible locations.

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, Vonasek, and Buckalew.
Voting Nay: None.

CLAIMS:

14. Consider adopting Resolution No. 12-03-35 a Resolution authorizing the City of East Grand Forks to approve purchases from Bert’s Truck Equipment the goods referenced in check numbers 12288 for a total of \$295.06 whereas Council Member Gregoire is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 12-03-35 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM BERT’S TRUCK EQUIPMENT THE GOODS REFERENCED IN CHECK NUMBERS 12288 FOR A TOTAL OF \$295.06 WHEREAS COUNCIL MEMBER GREGOIRE IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

Voting Aye: Tweten, Leigh, Pokrzywinski, DeMers, Vonasek, and Buckalew.
Voting Nay: None.
Abstain: Gregoire.

15. Consider adopting Resolution No. 12-03-36 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 12321 for a total of \$930.43 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER VONASEK, TO ADOPT RESOLUTION NO. 12-03-36 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 12321 FOR A TOTAL OF \$930.43 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, and Vonasek.
Voting Nay: None.
Abstain: Buckalew.

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

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

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, Vonasek, and Buckalew.

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Mayor Stauss thanked Grand Forks for the invite on the Impossible Mission to be Stronger and better after the flood in recovery.

Council Member DeMers stated that the Mayor did a great job on his speech.

Council Member Pokrzywinski reminded City Council that Chief Hedlund will be dancing on April 10th.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADJOURN THE MARCH 20, 2012 REGULAR MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:07 P.M.

Voting Aye: Tweten, Gregoire, Leigh, Pokrzywinski, DeMers, Vonasek, and Buckalew.

Voting Nay: None.

Scott Huizenga, City Administrator/Clerk-Treasurer

**UNAPPROVED
MINUTES OF THE
OF THE
EAST GRAND FORKS
CITY COUNCIL
TUESDAY, MARCH 27, 2012 – 5:00 PM**

CALL TO ORDER

The Work Session of the East Grand Forks City Council for March 27, 2012 was called to order by Craig Buckalew, Council President 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 Lynn Stauss, Council President Craig Buckalew, Council Vice-President Wayne Gregoire, Council Members Marc DeMers, Henry Tweten, Mike Pokrzywinski, and Greg Leigh.

STAFF PRESENT:

Dave Aker, Parks & Recreation Superintendent; Karla Anderson, Finance Director; Nancy Ellis, Planning & Zoning; Michelle French, Executive Assistant; Ron Galstad, City Attorney; Randy Gust, Fire Chief; Charlotte Helgeson, Library Director; Scott Huizenga, City Administrator; Jim Richter, EDHA Director; and Jason Stordahl, Public Works Director.

DETERMINATION OF A QUORUM

1. 14th Ave SE Intergovernmental Agreement – Greg Boppre

Mr. Huizenga announced that Mr. Galstad and himself attended the township meeting to discuss the Intergovernmental Agreement on 14th Ave SE. The township amended the agreement by putting a cap on the township contribution if bids came in higher, then the City would need to pick up the difference.

Council Member Leigh stated that he will not accept the agreement and pave the street and take the 15 year annexation out. Council Member DeMers stated that he will vote for the contract, if the bid is too high, the project may not be done and the City will reject the bids. Council Member Tweten stated that he is not worried about annexation but these residents need full pavement.

Mayor Stauss suggested a “no traffic sign” or thicker concrete. Mr. Galstad stated that he will need to do research to find out if the street can have a limit weight. Mr. Huizenga stated that the City could just annex the road. Ms Ellis suggested just putting in the thicker concrete. This item will be referred to Council for action to vote on the Intergovernmental Agreement and schedule a public hearing.

2. Redistricting – Nancy Ellis/Scott Huizenga

Mr. Huizenga stated that originally he proposed combining polling places; however there had been some concerns with ward two residents. Council Member Pokrzywinski informed City Council that he got feedback from residents who want to keep the location at City Hall. He stated that some do not have transportation, within walking distance, and most residents travel into the City. This item will be referred to Council for action.

3. EDHA Board Update – Council President Buckalew/Council Vice-President Gregoire

Council President Buckalew and Council Vice-President Gregoire gave a brief update on the EDHA Board. They informed City Council of the action items that were completed and in progress such as the sale of the creamery building, multiple listing of all City lots, reduction in price of all Waters Edge lots, leases for downtown area, Northern Valley Machine expansion, Reimer Welding signed a lease in the current location, and retail lower level on corner of DeMers and 4th. They also announced that May 31st the Town Square contract will be terminated. Council President Buckalew went over the advertisements with commercial and home programs.

ADJOURN

A MOTION WAS MADE BY COUNCIL MEMBER GREGOIRE, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADJOURN THE MARCH 27, 2012 WORK SESSION OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:54 P.M.

Voting Aye: Gregoire, Leigh, Pokrzywinski, DeMers, Buckalew, and Tweten.
Voting Nay: None.
Absent: Vonasek.

Scott Huizenga, City Administrator/Clerk-Treasurer

RESOLUTION NO. 12 – 04 – 37

RESOLUTION APPROVING CITY OF EAST GRAND FORKS PRECINCTS AND POLLING LOCATIONS

Council Member ____, supported by Council Member ____, introduced the following resolution and moved its adoption:

WHEREAS, the Legislature of the State of Minnesota has been redistricted; and

WHEREAS, Minnesota Statute Section 204B.14, subd. 3(d) requires that precinct boundaries be established or reestablished within 60 days of when the legislature has been redistricted or at least 19 weeks before the state primary election, which comes first;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Grand Forks, County of Polk, State of Minnesota hereby establishes the boundaries of the voting precincts and polling places as follows:

Ward 1: Senior Center; 538 Rhinehart Drive SE

All locations to the west of Rhinehart Drive SE and to the south of 6th Street SE and the Red Lake River; and to the north of the south city limits line , 17th Street SE and the ISD 595 school district property line.

Ward 2: City Hall, 600 DeMers Avenue NW

All locations south of 7th Street NE/NW and south of Demers Avenue and north of 6th Street SE. Also includes all locations to the south of 6th Street NE west of Rhinehart Drive SE and all areas west of 5th Avenue NE and south of 10th Street NE to the north of the Red Lake River.

Ward 3: Our Savior's Lutheran Church, 1515-5th Avenue NW

All locations to the north of 10th Ave NE and to the south of 23rd Street NE/NW that are east of Central Avenue and within the city limit boundary line. Also includes all areas north of 17th Street NW and south of 23rd Street NW that are east of 5th Avenue NW and west of Central Avenue. Lastly, it includes areas that are south of 21st Street NW and east of 7th Avenue NW and areas south of 20th Street NW and east of 8th Avenue NW.

Ward 4: Our Savior's Lutheran Church, 1515-5th Avenue NW

All locations to the south of 17th Street NW and north of Demers Avenue that are to the west of Central Avenue to the Red River, except that portion that between Gateway Drive and 19th Street NW where the border is River Road NW. Also includes all locations to the north of 17th Street NW and south of 19th Street NW that are to the west of 8th Avenue NW and east of 12th Avenue NW. In addition all locations that are south of 10th Avenue NE and north of 7th Avenue NE/NW that are west of 5th Avenue NE and east of Demers Avenue.

Ward 5: Good Samaritan Heritage Grove, 2122 River Rd NW

Includes all locations to the west of 8th Avenue NW and north of 19th Street NW in addition to all areas to the west of River Road NW and 12th Avenue NW. Also includes all areas that are to the north of 21st Street NW and west of 5th Avenue NW and areas that are to the north of 20th Street NW and west of 7th Avenue NW.

Attached to this resolution, for illustrative purposes, is a map showing said precincts and the location of each polling place.

Voting Aye:
Voting Nay: None.
Absent: None.

The President declared the resolution passed.

Passed: April 3, 2012

Attest:

City Administrator/Clerk-Treasurer

President of the Council

I hereby approve the foregoing resolution this 3rd day of April, 2012.

Mayor

Request for Council Action

Date: April 3, 2012

To: East Grand Forks City Council and Mayor Lynn Stauss

Cc: File

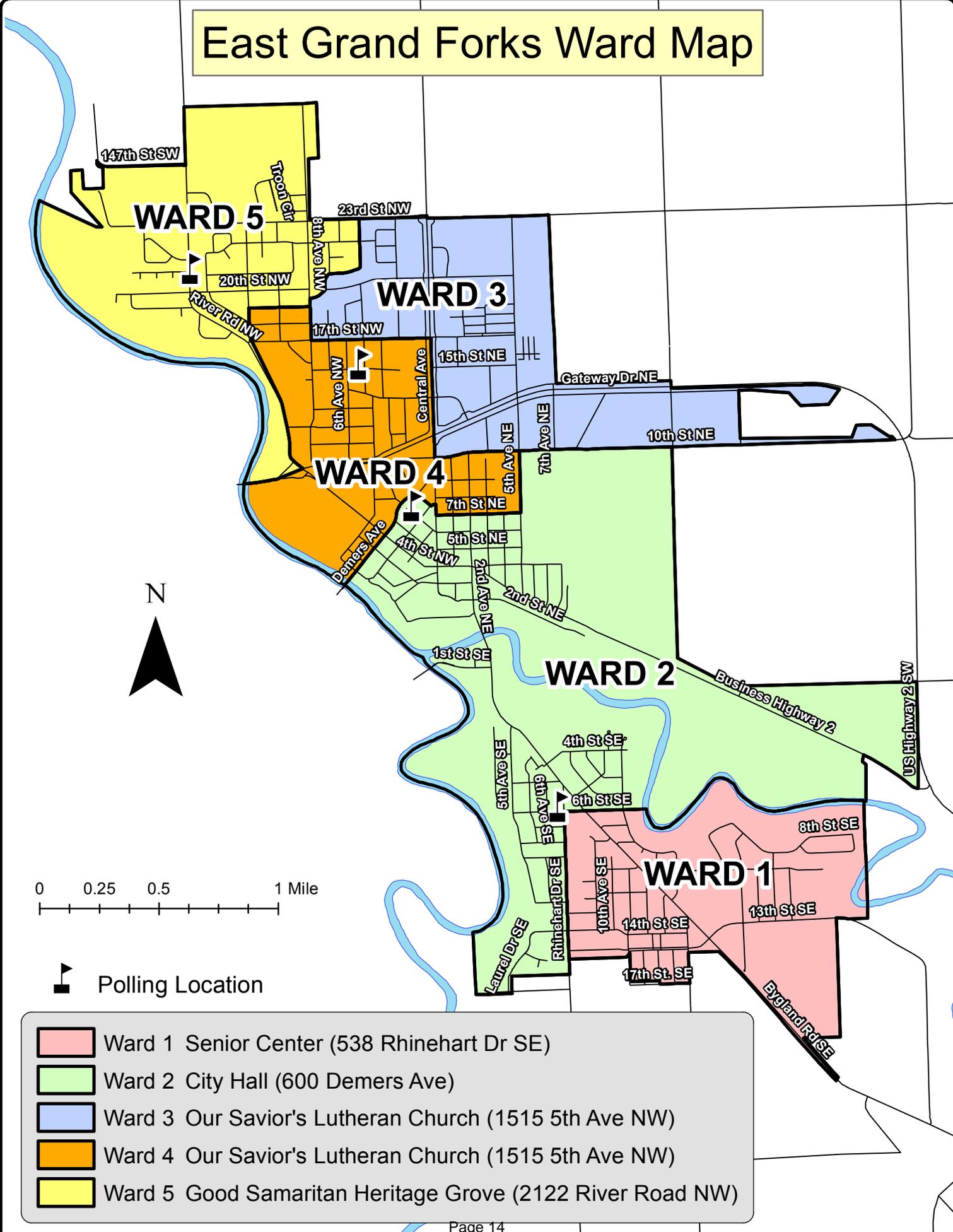
From: Nancy Ellis, Senior Planner

RE: Approval of new ward map with polling locations to remain the same

Recommendation:

Planning Staff recommends approval of the new City of East Grand Forks Ward Map and Redistricting Plan. Polling Locations will remain the same for all Wards. The new Ward Map is attached.

East Grand Forks Ward Map



- Ward 1 Senior Center (538 Rhinehart Dr SE)
- Ward 2 City Hall (600 Demers Ave)
- Ward 3 Our Savior's Lutheran Church (1515 5th Ave NW)
- Ward 4 Our Savior's Lutheran Church (1515 5th Ave NW)
- Ward 5 Good Samaritan Heritage Grove (2122 River Road NW)

PROPOSED REDISTRICTING PLAN

Background

Every 10 years the census is taken which provides a new look at population numbers for the federal, state and local governments. At the state level this requires the development of a legislative redistricting plan to be implemented. The state legislature has released their redistricting plan and will approve this plan in the following months. After they approve their redistricting plan, the local jurisdictions must then alter their ward and precinct boundaries to accommodate these new legislative districts.

In the City of East Grand Forks, we have only one legislative district within city limits. This district must be broken up into five wards.

Federal Law on Redistricting

Redistricting has been contentious throughout the years. In some cases this has caused the Supreme Courts to hear some cases and provide further guidance for redistricting. Here are some highlights of the relevant court cases through the years:

Reynolds v. Sims, 377 U.S. 533 (1964) – In this case the courts found the equal protections clause (“one person – one vote”) of the 14th amendment to the U.S. Constitution requires states to establish districts that are substantially equal in population. This case did not provide guidance on what could be considered equal.

Avery v. Midland County, 390 U.S. 474 (1968) – This case used the basic concepts of the rulings in the Reynolds v. Sims case down to the local government. Therefore the “one person – one vote” principle applies at that level too.

Mahan v. Howell, 410 U.S. 315 (1973) – This case among others showed that a **10 percent deviation** is within the equal protection standards. This has traditionally been the standard set for many jurisdictions as a result.

Other court cases of importance center on minority/racial and partisan gerrymandering among other issues. In addition the courts have allowed for some deviation greater than 10% deviation under some circumstances. However, this would provide a greater chance of increased legal scrutiny.

One significant decision in *Shaw v. Reno, 509 U.S. 630 (1993)* the court provided some guidance related to “traditional districting principles” that provide good policies in the redistricting process:

- 1) Compactness

- 2) Contiguity
- 3) Preservation of political subdivision boundaries
- 4) Preservation of communities of interest
- 5) Preservation of cores of prior districts
- 6) Protection of incumbents
- 7) Compliance with Section 2 of the Voting Rights Act (pertaining to discrimination)

East Grand Forks Redistricting

The city’s population as of the 2010 census was 8,601. With five wards, this would provide an average ward size of 1,720. Using the ten percent deviation as a maximum for a standard rule, the minimum allowance for the ward is 1,634. The maximum allowance for the ward is 1,806.

Ward	Population 2000	Population 2010	Difference	% Difference
1	1,400	2,080	680	48.6%
2	1,615	1,694	79	4.9%
3	1,473	1,662	189	12.8%
4	1,553	1,645	92	5.9%
5	1,460	1,520	60	4.11%

The following graph reflects the 2010 Census population numbers for each ward.

Ward	Population	Deviation from the mean
1	2,080	+20.9%
2	1,694	-1.5%
3	1,662	-3.4%
4	1,645	-4.4%
5	1,520	-11.6%

The total standard deviation is 12.3% which is outside the tolerance level.

The city population grew by 1,100, or about 14.7% from 2000 to 2010. All wards saw an increase in population but the vast majority of this growth was located in Ward 1, which was expected due to the number of single family homes that have been built in this area since 2000. The 2010 population is well above the tolerance level and therefore must be significantly reduced in size. Ward 5 saw the smallest increase in population and was the least populous of all the wards. The population of the ward is below the tolerance level and therefore must be expanded. The population of wards 2, 3, and 4 are all adequate, but must be changed in order to accommodate the changes for wards 1 and 5.

In an attempt to provide a workable option to propose to the City Council, staff has developed four maps (with two different versions: one showing street names and one showing Census tract/block numbers). These options were developed using the policies as laid out in the Shaw v. Reno case as indicated above. The policies are:

- 1) Compactness
- 2) Contiguity
- 3) Preservation of political subdivision boundaries (legislative districts)
- 4) Preservation of communities of interest
- 5) Preservation of cores of prior districts
- 6) Protection of incumbents
- 7) Compliance with Section 2 of the Voting Rights Act

Two of the four maps, Maps 1 and 3, meet most of the policies listed above; with 3 policies closely followed: contiguity, preservation of cores of prior districts, and protection of incumbents. **Map 3 most closely follows these policies. The City of East Grand Forks will take comments and hold a public meeting in March on this map before recommending approval of Map 3 as the new Ward Map.**

We have tried to maintain compactness; however, the physical characteristics of the city and residential neighborhoods make Ward 2 somewhat large and not compact. As well, the physical addresses of Council Members made adjustments of Ward boundaries difficult. I will describe the Ward boundary lines for Map 3, which follow major streets, on the next page.

Map 3

WARD 1: All locations to the west of Rhinehart Drive SE and to the south of 6th Street SE and the Red Lake River; and to the north of the south city limits line , 17th Street SE and the ISD 595 school district property line.

WARD 2: All locations south of 7th Street NE/NW and south of Demers Avenue and north of 6th Street SE. Also includes all locations to the south of 6th Street NE west of Rhinehart Drive SE and all areas west of 5th Avenue NE and south of 10th Street NE to the north of the Red Lake River.

WARD 3: All locations to the north of 10th Ave NE and to the south of 23rd Street NE/NW that are east of Central Avenue and within the city limit boundary line. Also includes all areas north of 17th Street NW and south of 23rd Street NW that are east of 5th Avenue NW and west of Central Avenue. Lastly, it includes areas that are south of 21st Street NW and east of 7th Avenue NW and areas south of 20th Street NW and east of 8th Avenue NW.

WARD 4: All locations to the south of 17th Street NW and north of Demers Avenue that are to the west of Central Avenue to the Red River, except that portion that between Gateway Drive and 19th Street NW where the border is River Road NW. Also includes all locations to the north of 17th Street NW and south of 19th Street NW that are to the west of 8th Avenue NW and east of 12th Avenue NW. In addition all locations that are south of 10th Avenue NE and north of 7th Avenue NE/NW that are west of 5th Avenue NE and east of Demers Avenue.

WARD 5: Includes all locations to the west of 8th Avenue NW and north of 19th Street NW in addition to all areas to the west of River Road NW and 12th Avenue NW. Also includes all areas that are to the north of 21st Street NW and west of 5th Avenue NW and areas that are to the north of 20th Street NW and west of 7th Avenue NW.

Map 3 Chart shows the change in population from 2000 to 2010 and the proposed population of the new ward boundaries

Ward	Population 2000	Population 2010	Population of proposed wards
1	1,400	2,080	1760
2	1,615	1,694	1713
3	1,473	1,662	1706
4	1,553	1,645	1714
5	1,460	1,520	1708

Again, based on contiguity, preservation of district/ward cores, and protection of incumbents; the City of East Grand Forks will recommend Map 3 for the new Ward Map and will approve after an April 3, 2012 public meeting.

Minutes of the regular meeting of the Water, Light, Power and Building Commission of the City of East Grand Forks, Minnesota held March 1, 2012 at 5:00 P.M.

Present: Ogden, Quirk, Tweten

Absent: Brickson

It was moved by Commissioner Tweten second by Commissioner Quirk that the minutes of the previous meeting of February 16, 2012 be approved as read.

Voting Aye: Ogden, Quirk, Tweten

Voting Nay: None

It was moved by Commissioner Quirk second by Commissioner Tweten to authorize the Secretary to issue payment of the recommended bills and payroll in the amount of \$124,349.09.

Voting Aye: Ogden, Quirk, Tweten

Voting Nay: None

It was moved by Commissioner Quirk second by Commissioner Tweten to approve the plans and specifications for the 2012 Miscellaneous Electric Distribution Construction; advertise for bids, and set the bid opening for 2:00 P.M. on Thursday, March 29, 2012.

Voting Aye: Ogden, Quirk, Tweten

Voting Nay: None

It was moved by Commissioner Tweten second by Commissioner Quirk to adjourn to March 19, 2012 at 5:00 P.M.

Voting Aye: Ogden, Quirk, Tweten

Voting Nay: None

Lori Maloney
Sec'y

INTERGOVERNMENTAL AGREEMENT

Purpose

This agreement is made pursuant to Minnesota Statutes Section 471.59 which authorizes the joint and cooperative exercise of powers common to contracting parties. The intent of this agreement is to provide street improvements to 14th Avenue S.E. “Hartsville Road” along the boundary of Huntsville Township and the City of East Grand Forks whereas the benefited property in the township will be assessed by the Township and the benefited property in the City will be assessed by the City.

Definitions

- 1. “City ” means City of East Grand Forks.
- 2. “Township” means Huntsville Township.
- 3. “Benefited Property” means the real property adjacent to the street improvement project.
- 4. “Owner” means the fee title owner of the benefited property.

Project

The project is considered the street improvement project to 14th Avenue S.E. a/k/a Hartsville Road in the corporate boundaries of Huntsville Township and the City of East Grand Forks both Located in the County of Polk, State of Minnesota. The project is more fully described in the attached Exhibit “A”

Agreement.

- 1. The City of East Grand Forks will be responsible for the street improvement project as more fully described in exhibit “A”. This responsibility shall include but not be limited to:
 - a. preparing all necessary plans and specifications;
 - b. following all statutory competitive bidding requirements;
 - c. awarding the contract;
 - d. following all requirements for financing the project with the use of special assessments; and
 - e. overseeing the street improvement project pursuant to City Code.

2. The Township agrees to pay to the City the lesser of 10 percent of the total proposed assessment at the time of bid award or \$11,607.34. Payment shall be made upon collection of the special assessment from effected property owners in the Township.
3. The Township has the right to review plans/specs and the proposed assessment roll prior to bid award.
4. The Township must pay for 25 percent of design costs if the Township opts out of the agreement after approval of design but before construction.
5. Township will follow all necessary statutory requirements for special assess of the project as outlined in this agreement and obtain written approval of the assessment and a waiver of objections to the project from the owners.
6. Township will assess, collect and transfer said proceeds from the assessment project within its territorial limits and transfer the proceeds to the City.
7. City will assess, collect the proceeds from the owners for the improvements within the City limits.
8. The Township may opt to forego the option to special assessment project and pay its share of the project cost by any means within its discretion.
9. The City agrees not to pursue annexation of the assessed property owners for a period of at least 15 years from the date of completion of the project unless petitioned by said property owners or the Township for annexation.
10. This agreement shall only be amended by written agreement of the parties.
11. This agreement may be executed in several counterparts each of which will be regarded as an original and all of which shall constitute but one and the same Agreement.

IN WITNESS WHEREOF, duly authorized officers of the City and the Township have executed the Agreement on the _____ day of _____, 2012.

CITY OF EAST GRAND FORKS

Scott Huizenga, City Administrator

Lynn Stauss, Mayor

(Intentionally left blank)

HUNSTVILLE TOWNSHIP

By _____
Its _____

By _____
Its _____

RESOLUTION NO. 12 – 04 - 38

RESOLUTION SETTING PUBLIC HEARING ON PROPOSED IMPROVEMENT “2011 ASSESSMENT JOB NO. 1” – STREET PAVING

Council Member ____, supported by Council Member ____, introduced the following resolution and moved its adoption:

BE IT RESOLVED BY THE CITY COUNCIL OF EAST GRAND FORKS, Minnesota:

- 1. A public hearing shall be held on such proposed improvement on the 17th day of April, 2012, in the council chambers of the city hall at 5:00 p.m. and the clerk shall give mailed and published notice of such hearing and improvement as required by law.

Voting Aye:
 Voting Nay:
 Absent:

The President declared the resolution passed.

Passed: April 3, 2012

Attest:

 City Administrator/Clerk-Treasurer

 President of Council

I hereby approve the foregoing resolution this 3rd of April, 2012.

 Mayor

RESOLUTION NO. 12 – 04 – 39

Council Member ____, reported by Council Member ____, introduced the following resolution and moved its adoption:

RESOLUTION RATIFYING CONTRACTS

WHEREAS, the City of East Grand Forks purchased the following goods from Bert’s Truck Equipment:

<u>Date</u>	<u>Invoice</u>	<u>Description</u>	<u>Total Amount</u>
03/07/12	51325	Inventory Parts	24.26

WHEREAS, Wayne Gregoire, was personally interested financially in the contract, but the purchases were made because the price was as low as or lower than other local vendors.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF EAST GRAND FORKS:

1. The above mentioned purchase by the City and the claim of the vendor based thereon are confirmed and the Mayor and Clerk are directed to issue an order-check in payment of such claim on the filing of the affidavit of official interest required under Minnesota Statutes, Section 471.89.
2. It is hereby determined that the total price of \$24.26 on check number 12405 paid for such goods is as low as, or lower than, the price at which they could have been obtained elsewhere at the time the purchase was made.
3. This resolution is passed to comply with the provisions of Minnesota Statutes, Section 471.87-89.
4. Resolution passed by unanimous vote of the council on April 3, 2012.

Voting Aye:
Voting Nay: None.
Absent: None.
Abstain: Gregoire.

The President declared the resolution passed.

Passed: April 3, 2012

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 3rd of April, 2012.

Mayor

AFFIDAVIT OF OFFICIAL INTEREST CLAIM

STATE OF MINNESOTA)
COUNTY OF POLK) ss
CITY OF EAST GRAND FORKS)

I, Wayne Gregoire, being duly sworn states the following:

- 1. I am 5th Ward Council Member of the City of East Grand Forks.
- 2. The following goods were furnished to the City of East Grand Forks by Bert’s Truck Equipment:

<u>Date</u>	<u>Invoice</u>	<u>Description</u>	<u>Total Amount</u>
03/07/12	51325	Inventory Parts	24.26

- 3. This resolution is passed to comply with the provisions of Minnesota Statutes, Section 471.87-89.
- 4. Resolution passed by unanimous vote of the council on April 3, 2012.

Affiant states further that to the best of his knowledge and belief (a) the contract price was as low as or lower than the price at which the services could be obtained from other sources.

Affiant further states that the affidavit constitutes a claim against the city for the contract price, that the claim is just and correct, and that no part thereof has been paid.

Dated: _____

(Signature of Official)

RESOLUTION NO. 12 – 04 – 40

Council Member ____, supported by Council Member ____, introduced the following resolution and moved its adoption:

RESOLUTION RATIFYING CONTRACTS

WHEREAS, the City of East Grand Forks purchased from Hardware Hank the goods referenced in check number 12433 for a total of \$205.69.

WHEREAS, Craig Buckalew, was personally interested financially in the contract, but the purchases were made because the price was as low as or lower than other local vendors.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF EAST GRAND FORKS:

1. The above mentioned purchase by the City and the claim of the vendor based thereon are confirmed and the Mayor and Clerk are directed to issue an order-check in payment of such claim on the filing of the affidavit of official interest required under Minnesota Statutes, Section 471.89.
2. It is hereby determined that the total price of \$205.69 paid for such goods is as low as, or lower than, the price at which they could have been obtained elsewhere at the time the purchase was made.
3. This resolution is passed to comply with the provisions of Minnesota Statutes, Section 471.87-89.
4. Resolution passed by unanimous vote of the council on April 3, 2012.

Voting Aye:
 Voting Nay: None.
 Abstain: Buckalew.

The President declared the resolution passed.

Passed: April 3, 2012

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 3rd of April, 2012.

Mayor

AFFIDAVIT OF OFFICIAL INTEREST CLAIM

STATE OF MINNESOTA)
COUNTY OF POLK) ss
CITY OF EAST GRAND FORKS)

I, Craig Buckalew, being duly sworn states the following:

1. I am 3rd Ward Council Member of the City of East Grand Forks.
2. The City of East Grand Forks check number 12433 for a total of \$205.69.
3. This resolution is passed to comply with the provisions of Minnesota Statutes, Section 471.87-89.
4. Resolution passed by unanimous vote of the council on April 3, 2012.

Affiant states further that to the best of his knowledge and belief (a) the contract price was as low as or lower than the price at which the services could be obtained from other sources.

Affiant further states that the affidavit constitutes a claim against the city for the contract price, that the claim is just and correct, and that no part thereof has been paid.

Dated: _____

(Signature of Official)

Accounts Payable

Check Register Totals Only

User: mfrench
 Printed: 3/30/2012 - 8:01 AM



City of East Grand Forks

P. O. Box 373
 East Grand Forks, MN 56721
 (218) 773-2483

Check	Date	Vendor No	Vendor Name	Amount	Voucher
12396	04/03/2012	ACM001	Acme Electric Companies	575.75	0
12397	04/03/2012	ADV001	Advanced Business Methods Inc	219.92	0
12398	04/03/2012	ALT001	Altru Health System	245.00	0
12399	04/03/2012	AME002	American Tire Service	48.05	0
12400	04/03/2012	AME008	American Tire Service Inc	28.14	0
12401	04/03/2012	AME005	Ameripride Linen & Apparel Services	390.68	0
12402	04/03/2012	APP001	Applied Concepts Inc.	222.30	0
12403	04/03/2012	BAT001	Batteries Plus	518.68	0
12404	04/03/2012	BEC001	Becker Arena Products Inc	378.98	0
12405	04/03/2012	BER001	Bert's Truck Equipment	24.26	0
12406	04/03/2012	BLU001	Blue Cross Blue Shield of ND	6,483.10	0
12407	04/03/2012	BOR001	Border States Electric Supply	167.31	0
12408	04/03/2012	BUD001	Bud & Ralph's Appliance Service Inc	29.09	0
12409	04/03/2012	CAL002	California Contractors Supplies Inc	246.38	0
12410	04/03/2012	CAR504	Cardmember Service	456.43	0
12411	04/03/2012	GFT003	Donald Scott Cash	2,651.80	0
12412	04/03/2012	CED001	Cedar Rapids Tire	179.58	0
12413	04/03/2012	CON006	Concordia College	250.00	0
12414	04/03/2012	CUS002	Custom Stripes Inc	20.00	0
12415	04/03/2012	DIA001	Richard Papenfuss Diamond Cleaning	55.47	0
12416	04/03/2012	DIS001	Display Sales Co	1,698.25	0
12417	04/03/2012	DUA001	Duane W. Nielsen Company	574.21	0
12418	04/03/2012	EAS006	East Side Sharpening	40.00	0
12419	04/03/2012	EME003	Emerson Music and Sound	1,336.91	0
12420	04/03/2012	EXP003	Explorer Post #38	50.00	0
12421	04/03/2012	EXP002	Exponent	216.29	0
12422	04/03/2012	FER001	Ferrellgas	66.86	0
12423	04/03/2012	FLO001	FS Engineering	30,122.50	0
12424	04/03/2012	G&K001	G&K Services	95.73	0
12425	04/03/2012	GAF002	Gaffaney's	504.51	0
12426	04/03/2012	GFF001	GF Fire Equipment	34.62	0
12427	04/03/2012	GFW001	GF Welding & Machine	113.27	0
12428	04/03/2012	GLA001	Glass Pro's Inc	750.00	0
12429	04/03/2012	GRA004	Grand Cities Towing	50.00	0
12430	04/03/2012	GFP002	Grand Forks Police Dept	175.00	0
12431	04/03/2012	HAC001	HACH Company	1,921.56	0
12432	04/03/2012	HAJ002	Rick Hajicek	285.00	0
12433	04/03/2012	HAR001	Hardware Hank	205.69	0
12434	04/03/2012	HEA001	Heartland Paper	383.40	0
12435	04/03/2012	HUG001	Hugo's	38.99	0
12436	04/03/2012	INT004	International Code Council	125.00	0
12437	04/03/2012	KEE002	Keepers Inc	460.62	0
12438	04/03/2012	LEA002	League of MN Cities	35,853.67	0
12439	04/03/2012	LIB001	Liberty Business Systems	73.59	0
12440	04/03/2012	MAR004	Marco	170.70	0
12441	04/03/2012	MAR001	Marco Inc	305.51	0
12442	04/03/2012	MEN001	Menards	210.44	0
12443	04/03/2012	MID003	Midcontinent Communications	61.63	0
12444	04/03/2012	MID006	Midwest Specialty Sales Inc	114,783.75	0
12445	04/03/2012	MIT001	Mitch Yoney Snow Removal	991.25	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
12446	04/03/2012	MND009	MN Drivers & Vehicle Services	4,807.36	0
12447	04/03/2012	MNF001	MN Fire Service Certification Board	20.00	0
12448	04/03/2012	MNM002	MN Municipal Utilities Assoc	35.50	0
12449	04/03/2012	NEW001	Newman Signs	22.34	0
12450	04/03/2012	NOR005	Northern Safety Tech	193.37	0
12451	04/03/2012	NSC001	NSC Minerals	1,882.18	0
12452	04/03/2012	ORE001	O'Reilly Auto Parts	433.56	0
12453	04/03/2012	PET001	Peterson Veterinarian Clinic P.C.	853.69	0
12454	04/03/2012	POL002	Polk County Auditor Treasurer	82.50	0
12455	04/03/2012	POL004	Polk County Recorder	92.00	0
12456	04/03/2012	POL014	Pollardwater.com	55.80	0
12457	04/03/2012	PRA001	Praxair Distribution	94.77	0
12458	04/03/2012	RAD001	Radio Shack Corporation	16.16	0
12459	04/03/2012	RAN002	Joe Randall	154.50	0
12460	04/03/2012	RDO001	RDO Powerplan OIB	23.48	0
12461	04/03/2012	REL001	Reliable Office Supplies	289.70	0
12462	04/03/2012	RMB001	RMB Environmental Lab Inc	43.00	0
12463	04/03/2012	SPR001	Springsted	8,371.50	0
12464	04/03/2012	THU002	Thur-O-Clean	128.25	0
12465	04/03/2012	TIG001	Tiger Direct.com	409.39	0
12466	04/03/2012	TOD001	Todays Organized Living LLC	175.00	0
12467	04/03/2012	TRU001	True Temp	198.05	0
12468	04/03/2012	TRY001	Try-County Refrigeration	1,062.50	0
12469	04/03/2012	ULT001	Ultramax	1,176.00	0
12470	04/03/2012	UNI013	University Station	59.81	0
12471	04/03/2012	VAL002	Valley Truck	182.70	0
12472	04/03/2012	VOI001	Jeff Voigt	3,000.00	0
12473	04/03/2012	WAT001	Water & Light Department	38,357.30	0
12474	04/03/2012	WIZ001	Wizard's Enterprises Inc.	490.00	0
12475	04/03/2012	XCE001	Xcel Energy	13,632.56	0
12476	04/03/2012	ZIE001	Ziegler	1,800.00	0
				<hr/> <hr/>	
Check Total:				283,032.84	
				<hr/> <hr/>	