

**AGENDA
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, MARCH 19, 2013 - 5:00 P.M.**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF 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.” 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 5, 2013.
2. Consider approving the minutes of the “Wastewater Public Forum” for the East Grand Forks, Minnesota City Council of March 11, 2013.
3. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of March 12, 2013.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS: NONE

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.

4. Consider approving the purchase of playground equipment for O’Leary Park and Stauss Park from St. Croix Recreation for the amount of \$16,299.76.
5. Consider awarding Spare Husbands and Vilandre the job of installing a handicap bathroom at the Senior Center for the amounts of \$4300.00 for carpentry work and \$5495.00 for plumbing.

6. Consider approving Ordinance No. 8 4th Series Amending City Code Provision In Title Vii: Traffic Code, Chapter 72 Entitled “Parking Regulations” By Amending Section 72.10 Paragraph (D) Snow Emergency And By Adopting By Reference City Code Chapter 10 And Section 10.99 Which, Among Other Things, Contain Penalty Provisions. (1st Reading)
7. Consider approving the amended Snow Removal Policy.
8. Consider adopting Resolution No. 13-03-31 adopting the Polk County All Hazard Mitigation Plan.

**ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS, AND COMMISSIONS:
NONE**

COMMUNICATIONS:

9. Hiring of Cody Wasylow as the new Firefighter effective March 12, 2013.
10. Promotion of Austin Skjei from Firefighter to Engineer effective March 12, 2013.
11. Promotion of Kevin Boushee from Engineer to Assistant Fire Chief effective March 12, 2013.

OLD BUSINESS:

12. Reconsider approving amended Resolution No. 13-01-14 waiving the limit of tort liability without purchasing the extra coverage.

NEW BUSINESS:

13. Consider approving the renewal of a one year contract with Indepth Inspections for Building Inspection services.
14. Consider adopting Resolution No. 13-03-32 adopting a proposed timeline for future wastewater treatment.

CLAIMS:

15. Consider adopting Resolution No. 13-03-33 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 15336 for a total of \$308.40 whereas Council Member Buckalew is personally interested financially in the contract.
16. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

MOVE TO CLOSED SESSION:

17. Council will move into a closed session for internal affairs data relating to allegation of law enforcement personnel misconduct pursuant to Minn. Stat. 13D.05 subdivision 2 (a)(2).

ADJOURN:

Upcoming Meetings:

Regular Council Meeting – March 19, 2013 – 5:00 PM Council Chambers

Legislative Conference – March 21, 2013 – St. Paul – Crown Plaza

Work Session – March 26, 2013 – 5:00 PM – Training Room

Regular Council Meeting – April 2, 2013 – 5:00 PM Council Chambers

Work Session – April 9, 2013 – 5:00 PM Training Room

**UNAPPROVED MINUTES
OF THE CITY COUNCIL MEETING
CITY OF EAST GRAND FORKS
TUESDAY, MARCH 5, 2013 - 5:00 P.M.**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for March 5, 2013 was called to order by Council President Craig Buckalew 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 Greg Leigh, Council Members Clarence Vetter, Ron Vonasek, Mark Olstad, and Chad Grassel.

Dave Aker, Parks & Recreation Superintendent; Karla Anderson, Finance Director; Greg Boppre, City Engineer; Dan Boyce, Water & Light Manager; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Scott Huizenga, City Administrator; Gary Larson, Fire Chief; Megan Nelson, Executive Assistant; and Jim Richter, EDHA 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.”

Jake McConkey and Kristi Okerlund informed the council about the Big Event taking place on April 27th. This is a one day service event where many students and faculty from UND complete projects around the Grand Cities area. To learn more about the Big Event they said to search the UND website under A-Z, go to B and click on Big Event. This is also where people can submit ideas for projects this year. Mayor Stauss said this event has helped clean up our parks in the past and the help is greatly appreciated.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of February 19, 2013.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of February 26, 2013.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER LEIGH, TO APPROVE ITEM ONE (1) THROUGH TWO (2).

Voting Aye: Vonasek, Buckalew, Olstad, Leigh, Grassel, and Vetter.

Voting Nay: None.

Absent: Tweten

SCHEDULED BID LETTINGS:

- 3. Consider adopting Resolution No. 13-03-28 accepting and awarding the bid for 2013 City Project No. 2 – Water Main and Force Main Improvements to RJ Zavoral and Sons, Inc for a bid price of \$657,916.15.

A MOTION WAS MADE BY COUNCIL MEMBER VONASEK, SECONDED BY COUNCIL MEMBER OLSTAD, TO ADOPT RESOLUTION NO. 13-03-28 ACCEPTING AND AWARDDING THE BID FOR 2013 CITY PROJECT NO. 2 – WATER MAIN AND FORCE MAIN IMPROVEMENTS TO RJ ZAVORAL AND SONS, INC FOR A BID PRICE OF \$657,916.15.

Voting Aye: Vonasek, Buckalew, Olstad, Leigh, Grassel, and Vetter.

Voting Nay: None.

Absent: Tweten

SCHEDULED PUBLIC HEARINGS: NONE

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 February 7, 2013.
- 5. Regular meeting minutes of the Planning Commission for December 13, 2012.

COMMUNICATIONS: NONE

OLD BUSINESS:

- 6. Consider adopting Ordinance No. 7 4th Series revoking in its entirety Title IX, Chapter 99: Background Checks; Municipal Employees and Appointees and replacing it with Chapter 99 Ordinance relating to Criminal History Background for Applicants for City Employment and City Licenses. (2nd Reading)

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT ORDINANCE NO. 7 4th SERIES REVOKING IN ITS ENTIRETY TITLE IX, CHAPTER 99: BACKGROUND CHECKS; MUNICIPAL EMPLOYEES AND APPOINTEES AND REPLACING IT WITH CHAPTER 99 ORDINANCE RELATING TO CRIMINAL HISTORY BACKGROUND FOR APPLICANTS FOR CITY EMPLOYMENT AND

CITY LICENSES. (2nd READING)

Voting Aye: Vonasek, Buckalew, Olstad, Leigh, Grassel, and Vetter.

Voting Nay: None.

Absent: Tweten

- 7. Reconsider approving amended Resolution No. 13-01-14 waiving the limit of tort liability without purchasing the extra coverage.

Council President Buckalew said this item will have to be tabled until the next meeting. All of the council members who originally voted this item need to be present to reconsider the resolution.

NEW BUSINESS:

- 8. Consider adopting Resolution No. 13-03-29 establishing a fire escrow account.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 13-03-29 ESTABLISHING A FIRE ESCROW ACCOUNT.

Voting Aye: Vonasek, Buckalew, Olstad, Leigh, Grassel, and Vetter.

Voting Nay: None.

Absent: Tweten

CLAIMS:

- 9. Consider adopting Resolution No. 13-03-30 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 15211 for a total of \$553.45 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER VONASEK, TO ADOPT RESOLUTION NO. 13-03-30 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBER 15211 FOR A TOTAL OF \$553.45 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTSED FINANCIALLY IN THE CONTRACT.

Voting Aye: Vonasek, Olstad, Leigh, Grassel, and Vetter.

Voting Nay: None.

Abstain: Buckalew

Absent: Tweten

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

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER LEIGH, TO AUTHORIZE THE CITY ADMINISTRATOR/CLERK-TREASURER TO

ISSUE PAYMENT OF RECOMMENDED BILLS AND PAYROLL.

Voting Aye: Vonasek, Buckalew, Olstad, Leigh, Grassel, and Vetter.

Voting Nay: None.

Absent: Tweten

COUNCIL/STAFF REPORTS:

Mayor Stauss thanked Dave Aker and his staff for getting the Civic Center ready for the hockey tournament. He congratulated the boys hockey team and wished them good luck down at the state tournament.

Council Member Vetter told the council he is concerned about the post office in East Grand Forks. They lost the sorting of mail to Grand Forks, the hours open are being cut back, and now there is only one person at the counter instead of two. Service is starting to suffer. He asked that the council show its support for the post office by contacting the legislature so we are able to keep the post office open in East Grand Forks. It was also suggested that the council pass a resolution showing its support for the post office.

Council Member Vonasek thanked Dave and his staff for the good job they did with the hockey tournament and congratulated the boys hockey team on their win.

Council Member Buckalew said he had also noticed the service level decreasing and that he would gladly support an initiative to help the post office. He also thanked Jason and his team out at Public Works for getting the streets cleaned up so quickly again.

Mr. Huizenga informed the council that Senator Stumpf and Representative Kiel have introduced bills in both houses of the state legislature which, if passed, would send the funding for the expansion of utilities in the Red River State Recreational Area.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER OLSTAD, TO ADJOURN THE MARCH 5, 2013 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:12 P.M.

Scott Huizenga, City Administrator/Clerk-Treasurer

**UNAPPROVED MINUTES
OF THE
WASTEWATER PUBLIC FORUM
CITY OF EAST GRAND FORKS
MONDAY, MARCH 11, 2013 - 7:00 P.M.**

Mayor and all council present

Meeting convened at 7:00 pm

Staff present: Karla Anderson, Finance Director; Brad Bail, City Engineer; Greg Boppre, City Engineer; Scott Huizenga, City Administrator; Megan Nelson, Executive Assistant; and Jason Stordahl, Public Works Director.

Council President Buckalew started the meeting at 7:00 pm and asked Mr. Huizenga to proceed. Mr. Huizenga informed everyone this meeting will be addressing questions that were asked at the last wastewater forum, give the council an overview of projects, and give updated costs.

Mr. Stordahl began by reviewing a timeline of what is happened and a possibility for completing the wastewater project. Beginning in 2012 the city received the Alleged Violation Letter from the Minnesota Pollution Control Agency (MPCA). Issues the MPCA would like the city to address include rip rap, capacity, fencing, and leaking of the ponds. Currently the ponds are functioning at 89% capacity and it has been estimated that within about 6 years they will be at 95% capacity at which time MPCA will require the city to complete an upgrade of its waste water treatment. Council member Leigh asked if there has ever been testing done around pond and what the results were if they had been testing completed. Mr. Boppre informed the council there hadn't been testing of the soil around the ponds but there was testing at the drainage tile that was installed in 2008. The samples taken from the drain tiles have always met the standards.

Mr. Stordahl reminded the council the city has until March 22, 2013 to send a response letter informing the MPCA how the city will proceed with plans for future waste water treatment. If the city has come up with a plan by June, we can submit a bonding proposal to the state to help fund the project. He continued with a tentative schedule of beginning to put together plans and specifications for the project the council plans on moving forward with by November 2014. By November 2015 MPCA will require that 80% of the plans and specifications be completed. In 2016 the city will apply for a new NPDES permit and in order for the city to qualify they will have 80% of the plans and specifications completed by November 2015. By 2016-2018 construction of the project the council picks could take place.

Council member Tweten stated years ago soap contained lots of phosphorus which caused lots of issues. That has since changed but now we have one state agency requires our water treatment plant to add phosphorus for water purification and another state agency is requiring that phosphorus is removed in waste water treatment. Somehow the state agencies need to get on the same page. Mr. Boppre agreed with Council member Tweten and added until these agencies change their policies the city has to comply with both requirements.

Mr. Stordahl also added that if the city does not respond to the MPCA they will force the city to complete a water balance test. Mayor Stauss asked what is wrong with completing this test. If the ponds aren't leaking more than the amount allowed the council could wait a few more years before moving forward with a wastewater project. Mr. Huizenga pointed out the city may have more to lose than gain by completing a water balance test. If the city is out of compliance then instead of taking the time and becoming educated about the possible options, the city would then be on a time table set up by the MPCA and would have to move forward right away. Mr. Bail also pointed out that once the ponds reach 95% capacity the MPCA will stop the city's growth until the wastewater treatment has been addressed.

Mr. Bail continued the presentation by explaining how even trying to complete little fixes now could create a situation of affecting the structure of the ponds which MPCA would then require the city to address the wastewater treatment according to a timeline set up by MPCA. He went on to explain how a water balance test could be completed in the secondary pond and with difficulty in the primary pond. Even though the test could be done, the results might be inconclusive. Council member Olstad asked how MPCA can require a water balance test to be completed even if they don't know how the test could be done. Mr. Boppre said that we are the ones would have to prove the ponds aren't leaking more than allowed so the city would have to submit a proposal that would have to be approved by the MPCA before proceeding with the test.

After Mr. Bail had finished Mr. Boppre showed a diagram of a potential mechanical treatment plant the city could choose to proceed with. The estimate included a rather extensive breakdown of costs. Council member Tweten said that there needed to be a breakdown of what the 35% contingency was for and that it is too high. Mr. Boppre informed the council he was trying to keep everything uniformed and use the data which was recommended. The breakdown would be 15% for engineering, 5% for administrative costs, 5% for legal costs, and 10% for contingency. Mr. Huizenga added that at this point nothing has been designed and many things will be changing including the amount of contingency.

Ms. Anderson presented the most up-to-date costs for reconstructing the ponds, building a mechanical plant, and the interconnect project to Grand Forks. The breakdowns were done by 20 year and 30 year loans including the decommissioning of the ponds and not decommissioning the ponds at 5% interest. Council member Buckalew asked if the operational costs were included for the amount of a mechanical treatment plant. He was assured that it was. Mr. Boppre and Mr. Huizenga also explained the Cost of Service Analysis that was completed which was being passed around. This includes the tentative costs for the city if they decided to move forward with the interconnect project with Grand Forks.

Mr. Stordahl continued with a list of pros and cons of each of the three proposed projects. A pond system would be easy to maintain, have low operational costs, and the system could last a long time. Some issues that might come up are the fact that we are unsure of future MPCA regulations and don't know how many new industrial users could be added to the system. A mechanical plant system would have perpetual treatment, the processes could be modified, and there were be the capability of taking on more industrial users. Some downsides are the operational and labor costs along with having to add on in the future. Lastly the interconnect with Grand Forks would take care of treatment and give East Grand Forks the ability to add more

users. Downsides to this would be possible future ND regulations, future Grand Forks plant expansions, and future negotiated fees for treatment.

After some more discussion Mr. Calvin Tininenko was asked to speak. Mr. Tininenko informed the council he is a microbiologist and has been working in the wastewater field since 1972. He has had experience with many different types of facilities all around the country. He gave his opinion on the three proposed projects the city is currently looking at. He also told the council about another type of mechanical plant that could possibly produce fertilizer that the city could sell depending on what is all in the water. Mr. Tininenko stated that the simpler of a mechanical system the city chose would be better since it would be easier to add on to. More questions followed by the council and mayor.

Mr. Strandell asked if the cost of the upgrade to the Grand Forks facility was included in the costs presented. Mr. Boppre said they had been included with the figures presented during the meeting. Mr. Strandell stated he didn't like how this would be a continuous cost.

The meeting finished up by discussing what all needs to be included in the response letter that will be sent back to the MPCA. Council member Vetter stated he thinks that the council needs to move forward because this project is going to take a long time to complete. Council member Tweten added the council needs to take a serious look at a fourth option Mr. Tininenko was talking about. Mr. Huizenga told the council that they will need to decide on a timeline. If they are comfortable with the timeline that was presented they can surely stick with that. Also the council will need to decide if a water balance test is to be completed and lastly something to keep in mind is that if a project is chosen by June they could send a proposal for the bonding bill for the following year.

The meeting ended at 8:44 pm.

**UNAPPROVED MINUTES
OF THE CITY
COUNCIL WORK SESSION
CITY OF EAST GRAND FORKS
TUESDAY, MARCH 12, 2013 - 5:00 P.M.**

CALL TO ORDER:

The Work Session of the East Grand Forks City Council for March 12, 2013 was called to order by Council President Craig Buckalew 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 Greg Leigh, Council Members Clarence Vetter, Ron Vonasek, Henry Tweten, Mark Olstad, and Chad Grassel.

Dave Aker, Parks & Recreation Superintendent; Karla Anderson, Finance Director; Nancy Ellis, City Planner; Ron Galstad, City Attorney; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Scott Huizenga, City Administrator; Gary Larson, Fire Chief; Megan Nelson, Executive Assistant; Jim Richter, EDHA Director; and Jason Stordahl, Public Works Director.

DETERMINATION OF A QUORUM:

1. Playground Equipment for O’Leary and Stauss Parks – Dave Aker

Mr. Aker informed the council what playground equipment could be ordered for O’Leary and Stauss Parks. He showed pictures of what the equipment looked like and explained where the pieces would go. Council member Leigh asked what will be surrounding the equipment. Mr. Aker said it would be pea rock because the rubber shreds are too expensive to put at every location. Discussion followed about what items were being replaced and what the new equipment was to be anchored down with.

2. Handicap Bathroom at Senior Center – Dave Aker

Mr. Aker told the council he had collected quotes for the handicap bathroom project for the Senior Center. He suggested they use the companies with the lowest bids for the project. It was asked if this project had been budgeted for and Mr. Huizenga said it had not but there were unallocated funds that could be used to complete this project. After more discussion the council felt they should move forward with this project because it is something that needs to be done and will only cost more in years to come.

3. Arena Manager – Dave Aker

Mr. Aker explained to the council that Mr. Hadden will be retiring at the end of April. There is a need to hire a new arena manager to run the VFW Arena, the Blueline Arena, and take care of the maintenance at the Senior Center. Council member Tweten asked to see a job description so the council would know the requirements and duties of this position. Council member Leigh said both of the arena

managers have done an excellent job but maybe instead of hiring a manager, maybe the position could be redefined. Discussion followed about how much work the Park Department has, what the current situation looks like, and if Brian would be willing or able to take on another arena. It was asked that before proceeding forward with hiring an arena manager that Mr. Huizenga and Mr. Aker get together to see if a change could or should be made.

4. Snow Emergency Ordinance – Jason Stordahl

Mr. Stordahl explained to the council how the snow ordinance could be modified. Mr. Galstad had found an ordinance that used weather conditions rather than a set number of inches to declare a snow emergency. By using the terms like “when the conditions warrant” would allow more flexibility for the city when needing to declare a snow emergency. Other modifications would include stating when the emergency would start; allowing people time to move their cars off the streets, and would also allow the Police Chief, Public Works Director, or City Administrator to declare a snow emergency. Discussion followed on how the city could send out notice to the residents when a snow emergency will be in effect.

5. Snow Removal Policy – Jason Stordahl

Mr. Stordahl told the council there have also been modifications done to the snow removal policy. This policy is a guide line to how Public Works chooses their routes when removing snow. He explained the modifications to the snow removal policy which included changes to the number of hours worked by operators and truck drivers when removing snow.

6. Waste Water Options – Jason Stordahl

Mr. Stordahl gave an overview of what has happened up to this point regarding the city’s waste water treatment, receiving the alleged violations letter, and how the city needs to send in the last response by March 22, 2013. Discussion followed with what the response should include about making plans to upgrade the wastewater facility, give a timeline on how soon the council will choose a project, start plans and specifications, and eventually begin construction. The council would still like to conduct monthly meetings so all treatment options can be explored. Mayor Stauss asked the council to vote on if the treatment is going to Grand Forks or staying in East Grand Forks but that this vote can happen on a later date.

7. Pool Study and Options – Scott Huizenga & Dave Aker

Mr. Huizenga informed the council that all of the questions that were asked at the last meeting should be addressed at this meeting. If the council decided to hold a special election about options for the pool there would have to be a 53 day notice. If it was included with a general election there would have to be a 74 day notice. Mr. Huizenga also informed the council that there is a group that could conduct a survey to see how what choice residents would like. The cost of the election and conducting the survey would cost about the same which is between \$12,000.00 and \$15,000.00. If the council decided just to replace the liner and gutter along with the cost of demolition, the estimated cost is \$260,000.00. Council member Leigh pointed out that Grand Forks had replaced a liner in one of their pools and it lasted for 17 years before they reconstructed the pool. He feels that the council needs to make this choice, not put it to a special vote or conduct a survey. Council member Grassel asked if there was any type of warranty

on the new liner. Mr. Huizenga informed the council that there would be a 15 year limited warranty but didn't know all of the details about it. Discussion followed on how the Parks Department could hold family nights to raise the attendance, how there is a chair lift that needs to be installed to make the pool ADA compliant, and what might need to be done in the bath house.

8. Indepth Inspections Contract – Nancy Ellis

Ms. Ellis told the council the city is close to the end of the six month contract with Indepth Inspections. She is requesting that the city renew their contract with Indepth Inspections for one year and take out the automatic renewal option. Renewing this contract for one year would ensure service to the residents and contractors through the busy building season. Ms. Ellis would like to meet with the contractors to see what needs to change and what is working well. Discussion followed with about how an entire building season needs to be complete before the city will find out if they will stay with contracted services or if they would like to hire a full time building inspection.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER LEIGH, TO ADJOURN THE MARCH 12, 2013 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:25 P.M.

Voting Aye: Buckalew, Tweten Olstad, Leigh, Grassel, Vetter, and Vonasek.

Voting Nay: None.

Scott Huizenga, City Administrator/Clerk-Treasurer

Request for Council Action

Date: March 4, 2013

To: East Grand Forks City Council, Mayor Lynn Stauss, Henry Tweten, Council Members: Chad Grassel, Council President Craig Buckalew, Council Vice President Greg Leigh, Mark Olstead, Clarence Vetter and Ron Vonasek.

Cc: File

From: Dave Aker

RE: Playground Equipment at O'Leary Park and Stauss Park

Background:

We would like to add some playground equipment at O'Leary Park and Stauss Park because we had to take out some of the equipment according to an inspection done by the League of Minnesota Cities. The equipment was outdated and dangerous according to the new guidelines by the State of Minnesota. The equipment for Stauss Park is the animal spring rider and a Burke Comet. The equipment for O'Leary Park is the climbing structure, the Burke comet, 6' satellite climber and tree climber.

I have a quote on new playground equipment for \$16,299.76, including border timbers. We have \$20,000 in the budget and it is a state bid.

Recommendation:

I recommend that we get the playground equipment at the sale price. The rest of the money can be used to buy wood chips.

Enclosures:

The prices are in the packet.

ST. CROIX RECREATION CO., INC

225 N. SECOND STREET
 STILLWATER, MN 55082
 (651)430-1247 Fax (651)430-9231

Estimate

Date	Estimate #
2/28/2013	387

Name / Address
EAST GRAND FORKS ATTN: DAVE AKER

Ship To
EAST GRAND FORKS PARKS 929 5TH AVE NE EAST GRAND FORKS, MN 56721

P.O. No.	Terms	Rep

Item	Description	Qty	Cost	Total
BCI 570-0042	2 ANIMAL SPRING RIDER	1	2,235.00	2,235.00T
BCI BB-2048	ROCKIT CLIMBING STRUCTURE	1	4,938.00	4,938.00T
BCI 600-0056	6' SATELLITE CLIMBER	1	3,271.00	3,271.00T
BCI 560-2570	BCI BURKE COMET 1	2	1,283.00	2,566.00T
BCI 560-0524	FS 3 BRANCH TREE CLIMBER	1	701.00	701.00T
BCI 590-0038	PACKAGE 1 BASKETBALL HOOP	2	1,673.00	3,346.00T
FREIGHT		1	1,350.00	1,350.00T
BCI 046-0053	12" STONEBORDERS, 6' LONG	26	65.00	1,690.00T
STATE CONTRACT	STATE CONTRACT #444953/25351		-1,499.76	-1,499.76

QUOTE IS GOOD FOR 30 DAYS FROM DATE ON ESTIMATE!	Subtotal	#15,251.24 \$18,597.24
	Sales Tax (6.875%)	#1,048.52 \$1,381.67
	Total	#16,299.76 \$19,978.91

E-mail
jj@stcroixrec.com

Request for Council Action

Date: March 4, 2013

To: East Grand Forks City Council, Mayor Lynn Stauss, President Craig Buckalew, Council Vice President Greg Leigh, Council Members: Chad Grassel, Mark Olstead, Henry Tweten, Clarence Vetter, and Ron Vonasek

Cc: File

From: Dave Aker

RE: Handicap bathroom at the Senior Center

Background: The best way to make the Senior Center handicap bathroom accessible is to put it in the training room of the senior center. We would need an 8' x 6' room that would be a coed bathroom, where one person is able to use the bathroom. It would bring the Senior Center up to standards with handicap accessible.

Recommendation: We have two bids from Spare Husband and Tony Anderson for the construction of a room. Spare Husband has the lowest bid of \$4,300. Vilandre and Anytime Plumbing put the bids in for the plumbing, which includes the drain system and cement work. It also includes the sink and fixtures in the bathroom. Vilandre has the lowest bid of \$5,495. Eagle Electric will do the wiring for a small fee.

Enclosures: The bids for the bathroom.

FAX 773-8003

SPARE HUSBAND,® INC.

**FURNITURE
THAT FITS**

1708 Central Avenue NE
East Grand Forks, MN 56721

Office: 218-773-3700
Fax: 218-773-3705
Ron Vasek: 218-773-3193
Cell: 701-740-8021
Ken Vasek: 218-773-1962
Cell: 218-779-3637

MN Lic. BC-20394207
ND Lic. 29630

**"We Make Housecalls"
-REPAIRS-ODD JOBS-**

Residential/Commercial Repair • Windows • Doors
Custom Built Fine Furniture • Shingles • Small Jobs

Customer's Phone No David Acker Date 2/26 20 13
Name EOF Senior Center
Address _____
City _____ State _____ Zip _____

Cash *Estimate* Check # _____ Charge

QUAN	DESCRIPTION	PRICE	AMOUNT
	Bathroom -		
	Stud walls + install 7/8 sheetrock		
	through the ceiling to the top of building.		
	Tape, texture, prime + paint, lower		
	ceiling to make room for light + bath fan.		
	Install solid oak 36" door with metal frame		
	Install oak trim + baseboard. Insulate walls		
	- NO Plumbing, Electrical, heating, flooring		
	or bath fan		
	Labor + materials		4300.00
	Estimate good for 30 days.		
	Additional work extra.		
	SALES TAX		
	Work to be done in March. If we go with		
	TOTAL		
	9 prefinished doors it takes 2-3 weeks to get.		

A service charge of 1 1/2% per month or 18% per year will be added to all invoices unpaid 30 days from billing date

Thank You Ken Vasek



2097 N. 42nd Street
 Grand Forks, ND 58203
 Office: 701-775-0822 Fax: 701-775-2590
 E-mail: tander015@aol.com

Date: 2/4/13

Customer: EGF Senior Center
Attn. Dale Aker
egfaker@hotmail.com
773-8000

PROPOSAL:

DESCRIPTION	TOTAL
<p>We propose to do the following items for a handicap bathroom remodel:</p> <p>Cut and remove carpet in a 6'x6' corner of exercise room. Build two 6' walls and sheetrock, tape, texture, paint. Redo ceiling grid to allow light to be centered in room. Install one 3' solid oak door and metal knock down frame, accessible closer, hinges, and lever handle for new hardware. Install new Vinyl composition tile. Install mirror, towelholder.</p> <p><i>? trim + baseboard opening for exhaust - through electric outlets door open wall for new sink</i></p> <p>Option1: electric door opener for accessibility add: \$</p> <p>Note: plumbing, heating, and electrical work done by others.</p>	<p>\$4750.00</p>
	<p>Total \$4750.00</p>

Please sign, date & return a copy to our office upon your approval of the above-mentioned proposal.

Signature _____ Date _____

Printed Name _____

This estimate is valid for 60 days and is for work specified only. Some incidental charges may arise that are unforeseen. Any alterations or deviations from the specified work involving extra costs will be executed upon written order and becomes an extra charge over and above the estimate. If verbal approval is given it will stand in place of written approval. The work performed is covered by a one year warranty, effective as of the last day of work, covering defects in materials or workmanship, including obvious or unseen problems, except for cracking of concrete, which is an industry standard. CREDIT TERMS: Net due 30 days. After 30 days interest fees of 1-3/4% per month (21% per yr) apply. By signing, I hereby guarantee payment of any indebtedness incurred by virtue of this contract and agree to pay any incurred costs of collection, including legal fees, if I do not pay as per the credit terms above. If not paid within 30 days after last day worked a lien will be filed.

Vilandre

Heating // Air Conditioning // Plumbing // Seamless Gutter // Sheet Metal

701 NORTH 7th ST., P.O. BOX 5673, GRAND FORKS, ND 58206

TELEPHONE (701) 775-4675

FAX (701) 772-7307

TOLL FREE (888) 784-4675

www.govilandres.com

EGF Senior Citizen Center
538 Rhinehart Drive
East Grand Forks MN 56721

11-27-2012

Attn: Linda

Here is a bid to add an ADA bathroom as discussed. This bid does include cement work removal and replacement. I have enclosed a list of fixtures that are included in this bid. You may change the fixtures if you desire and prices will be adjusted accordingly. This bid does not include any carpenter work or floor coverings.

The existing wall where the sink is located will need to be opened up and the wall that the new fixtures are going against will also need to be opened up.

Total installed price is.....\$5,495.00

Delta 501 LF Faucet
K2005 wall hung sink/ grid strainer/trap wrap
V3642 ADA toilet w/open front seat
Grab Bars: 1-18 1-32 1-46

All work is covered by "THE VALANDRE ADVANTAGE" 100% satisfaction guaranteed, or your money back.

Sincerely,



Kurt Gamache, Master Plumber

Vilandre Heating, Air Conditioning & Plumbing, Inc.

ND# 20 MN#06550-PM



"We Baby Sit With Your Furnace and Air Conditioner"
"Services Backed by the Vilandre Advantage"



**ANYTIME
PLUMBING
& DRAIN CLEANING**

4330 Gateway Drive Grand Forks, ND 58203

(701) 795-1735
Fax (701) 775-7445

Proposal #120312

To: East Grand Forks Senior Center
538 Rhinehart Dr.
East Grand Forks, Minn 56721

LICENSE NO. N.D. 9414	
DATE 12-5-12	JOB PHONE NO. 218-773-0821
JOB NAME / NO. 218-773-3017-fax ADA Rest room	
JOB LOCATION East Grand Forks, Minn.	

We hereby submit specifications and estimates for:

- > White Fixtures/Chrome Faucet
- 1-Am Std ADA elongated toilet w/seat
- 1-Wall hung lav
- 1-Moen single handle ADA lav faucet
- 1-Trap wrap
- 3-Stainless steel grab bars

We propose to break and patch cement for rest rough in. Bid includes all necessary drain, waste, venting, and water piping for ADA rest room.

Material & Labor: \$6,510.00
Minn state drawing by plumber
if needed add \$350.00

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

We propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

Sixty five hundred ten and 00/100-----
-----dollars (\$6,510.00).

Payment to be made as follows:

\$4,000.00 after rough in.

\$2,510.00 upon completion.

Kevin Bosh, Pres.

[Signature]
Authorized Signature

Note: This proposal may be withdrawn by us if not accepted within 45 days.

You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this trans-action. Cancellation must be done in writing.

Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____ Date _____ Signature _____ Date _____

ORDINANCE NO. 8 4TH SERIES

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE PROVISION IN TITLE VII: TRAFFIC CODE, CHAPTER 72 ENTITLED "PARKING REGULATIONS" BY AMENDING SECTION 72.10 PARAGRAPH (D) SNOW EMERGENCY AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 10 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY OF EAST GRAND FORKS ORDAINS:

Section 1. Purpose and Intent. To clarify the city policy regarding parking and snow removal during a city declared snow emergency.

Section 2. Amendments Chapter 72.10 (D) removing the following:

(D) *Snow emergency.* A snow emergency automatically goes into effect when 2 inches or more of snow has fallen until the streets are cleaned. Under a snow emergency, no parking on any city street is allowed until that street has been cleared to its full width. Violators will be ticketed and towed

Section 3. Chapter 72.10 (D) as it will read when amended:

(D) Snow Emergency.

(1). *Definition.* For purposes of this section, the term "emergency" means a condition created on city streets because of the presence of snow, freezing rain, sleet or ice thereon or other natural phenomenon which create or are likely to create hazardous road conditions or impede or are likely to impede the free movement of fire, health, police, emergency or other vehicular traffic, when the same has been duly declared.

(2). *Declaration of Emergency.* Whenever in the opinion of the Public Works Director, or in his or her absence the Chief of Police or City Administrator, an emergency exists, he or she may declare the same and cause an announcement thereof to be made to local news media and by any other means available to the city.

(3). *Beginning and Duration of Emergency.*

a. The emergency shall begin one hour after announcement to news media.

b. Once declared, the emergency shall remain in effect until all streets are completely plowed; provided that, the emergency may, in the same manner, be redeclared for subsequent like periods of time.

(4). *Unlawful Acts.*

a. During an emergency, it is unlawful to park or leave standing any vehicle upon any city designated emergency route.

b. During an emergency, it is unlawful to park or leave standing any vehicle upon a street on which parking has been restricted by the declaration of an emergency.

c. A person who violates Subds. 4 (a) or (b) of this section is guilty of a petty misdemeanor punishable by a fine of up to \$300.00 or that amount which may be lawfully prescribed by a municipality for an ordinance violation that is defined as a misdemeanor.

(5). *Exceptions.* This section shall not apply to:

a. Persons in charge of wreckers or authorized emergency vehicles while actually servicing mechanical, fire, police or medical emergencies; or

b. Any street when it has been fully and completely (curb-to-curb) cleared, sanded, salted or cleaned.

(6). *Towing.* Any police officer may order the removal of a vehicle from a street to a garage or other place of safety when the vehicle is left unattended and constitutes an obstruction to traffic or hinders snow removal, street improvements or maintenance operations. The vehicle shall not be released until the fees for towing and storage are paid in addition to any fine imposed for violation of this chapter.

(7). *Rules and Regulations.* Rules and regulations relating to snow removal shall be in accordance with the uniform policy promulgated by the City Council. The regulations shall be posted in the office of the City Administrator and Public Works Department and further notice may otherwise be given as the Council may direct.

Section 4. City Code Title 1 General Provisions, Chapter 10 entitled General Provisions are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 5. This ordinance shall take effect and be in force after its passage, publication and then beginning on _____. It shall be given the Number 8, 4th Series.

VOTING AYE:

VOTING NAY:

ABSENT:

The President declared the Ordinance passed.

ATTEST:

PASSED: _____, 2013

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing Ordinance this ____ day _____, 2013.

Mayor

Adopted by the City Council this ____ day of _____ 2013

(ORDINANCE SNOW EMERGENCY.DOC)

CITY OF EAST GRAND FORKS SNOW REMOVAL POLICY

Introduction

The city of East Grand Forks, Minnesota, finds that it is in the best interest of the residents of the city to assume basic responsibility for control of snow and ice on city streets. Reasonable ice and snow control is necessary for routine travel and emergency services. The city will attempt to provide such control in a safe and cost effective manner, keeping in mind safety, budget, personnel, and environmental concerns. The city will use city employees, equipment and/or private contractors to provide this service. This policy does not relieve the operator of private vehicles, pedestrians, property owners, residents and all others that may be using public streets, of their responsibility to act in a reasonable, prudent and cautious manner, given the prevailing street conditions.

2. When Will the City Start Snow or Ice Control Operations? The Public Works Director will decide when to begin snow or ice control operations. The criteria for that decision are:

- A. Snow accumulation of four (4) inches or more;
- B. Drifting of snow that causes problems for travel;
- C. Icy conditions which seriously affect travel; and
- D. Time of snowfall in relationship to heavy use of streets

Snow and ice control operations are expensive and involve the use of limited personnel and equipment. Consequently snowplowing operations will not generally be conducted for snowfall of less than two (2) inches.

3. How Snow will be Plowed. Snow will be plowed in a manner so as to minimize traffic obstructions. The center of the roadway will be plowed first. The snow shall then be pushed from left to right on two-way streets. On one-way streets or where there is a center boulevard, snow may be pushed in either direction. The discharge shall go onto the boulevard area of the street. Snow on cul-de-sacs will normally be plowed to the center in an attempt to provide the largest turning radius possible for emergency vehicle ingress and egress. When a plow goes on a bridge, the driver shall slow down so snow does not go over the bridge, if possible. In times of extreme snowfall, streets will not always immediately be able to be completely cleared of snow.

4. Snow Removal. The Public Works Director will determine if and when snow will be removed from the area by truck. Such snow removal will occur in areas where there is no room on the boulevard for snow storage and in areas where accumulated piles of snow create a hazardous condition. Snow removal operations will not commence until other snowplowing operations have been completed. Snow removal operations may also be delayed depending on weather conditions, personnel and budget availability. The snow will be removed and hauled to a snow storage area. The snow storage area will be located so as to minimize environmental problems.

5. Priorities and Schedule of Streets to be Plowed. The city has classified city streets based on the street function, traffic volume and importance to the welfare of the community. Those streets

classified as “Emergency Routes” will be plowed first. These are high volume routes, which connect major sections of the city and provide access for emergency fire, police, and medical services. The second priority streets are those streets providing access to schools and commercial businesses. The third priority streets are low volume residential streets. The fourth priority areas are alleys and city parking lots.

During significant and severe storms, the city must be prepared to move personnel and equipment to maintain priority routes first. In fulfilling the need to have all priority streets safe and passable, when resources are limited, plowing of all other streets may be stopped at any time so resources can be shifted to priority routes.

Unforeseeable circumstances may cause delays in completing assigned plow routes. Such circumstances may include weather conditions that endanger the safety of snowplow operators and/or safe and effective operation of equipment, commuter traffic, disabled vehicles, poor visibility conditions, parked cars along streets, assistance to emergency response vehicles, equipment breakdown, and personnel shortages.

6. Work Schedule for Snowplow Operators. Snowplow operators will be expected to work their assigned shifts. In severe snow emergencies, operators sometimes have to work longer shifts, but will be paid overtime for hours in excess of 40 per week, or pursuant to any collective bargaining contract language. However, because of budget and safety concerns, no operator shall work more than a twelve-hour shift in any twenty-four hour period. While work breaks are not guaranteed, generally operators will take breaks in accordance with city policy, provided the breaks do not interfere with city services or operations. In addition, operators will be allowed sufficient time to eat a meal during any shift which is eight or more hours, or as provided in the collective bargaining agreement. After a twelve-hour shift, the operators will be replaced if additional qualified personnel are available.

7. Traffic Regulations. The city recognizes that snowplow operators are exempt from traffic regulations set forth in Minnesota Statutes, Chapter 169 while actually engaged in work on streets, except for regulations related to driving while impaired and the safety of school children. Pursuant to this authority, snowplow operators engaged in snow removal or ice control on city streets have discretion to disregard traffic laws set forth in Chapter 169, except for laws relating to impaired driving and school children safety, when in their judgment, it is safe to disregard such laws. The privileges granted herein to operators of snow removal and ice control vehicles shall apply only if the vehicle is equipped with one lighted lamp displaying a flashing, oscillating, or rotating amber light placed in such a position on the vehicle as to be visible throughout an arc of 360 degrees.

8. Weather Conditions. Snow and ice control operations will be conducted only when weather conditions do not endanger the safety of snowplow operators and equipment. Factors that may delay snow and ice control operations include: severe cold, significant winds, and limited visibility.

9. Use of Sand, Salt, and Other Chemicals. The city will use sand, salt, and other chemicals when there are hazardous ice or slippery conditions. The city is concerned about the effect of such chemicals on the environment and will limit its use for that reason.

10. Sidewalks. The city will maintain some of the sidewalks in the city. The list of those sidewalks is attached. As there are a limited number of personnel available, the city will only maintain these sidewalks after the streets have been plowed. It is the responsibility of the resident and/or property owner to remove all accumulated snow from all other sidewalks along public streets adjoining their property. This includes any snow plowed from public streets onto the sidewalk.

11. Mailboxes. Damage to a mailbox is a risk that snowplow operators face during their winter plowing requirements. The city will conduct a review of each mailbox damage claim to determine, whether the city has any legal responsibility for the damage and if so, to replace or provide reimbursement for the mailbox. If the city, in its discretion, determines that reimbursement or replacement is appropriate, the city may:

- 1) At the mailbox owner's request, replace the mailbox with a standard size, non-decorative metal mailbox and replace the support post as necessary with a 4" x 4", decay resistance wood support post, both which will be installed by the city;
- 2) Provide reimbursement in a reasonable amount for the mailbox and support posts that meet the city's ordinance standards, as well as state and federal requirements for mailbox size, support and placement.

12. Complaint Procedure. Complaints will be recorded on telephone logs. Calls requiring service will be transferred to a work request and forwarded to the appropriate supervisor for scheduling. Emergency complaints will be handled in an expeditious manner as resources are available.

13. Deviation From Policy. The Public Works Director may deviate from this policy when in his or her judgment it is in the best interest of the city or is necessary because of budget needs or other circumstances. Changes in priorities (lasting more than 4 hours) will be documented as to what caused such actions, why the change was necessary, and for how long the change is to be in effect. Those city employees and/or contractors affected will be notified immediately by radio or cell phone of such changes with all communications logged. Information logged will include the time and date of the communication, name of employee contacted, and how they were contacted. Any changes of priorities lasting more than 24 hours should be made in a written record and the public should be informed of such changes through normal methods used by the city for emergency notifications.

14. Review and Modification of Policy. The Public Works Director shall keep on file all comments and complaints received regarding this policy. The policy will be reviewed periodically. Any review will consider comments and complaints since the last review and any other factors affecting the policy or its implementation.

RESOLUTION NO. 13 – 03 - 31

A RESOLUTION TO ADOPT THE POLK COUNTY ALL HAZARD MITIGATION PLAN.

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

WHEREAS, the City of East Grand Forks has participated in a hazard mitigation planning process as established under the Disaster Mitigation Act of 2000; and

WHEREAS, the Act establishes a framework for the development of a County Hazard Mitigation Plan; and

WHEREAS, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and businesses; and

WHEREAS, the Polk County Plan includes a risk assessment including past hazards, hazards that threaten the County, an estimate of structures at risk, a general description of land uses and development trends; and

WHEREAS, the Polk County Plan includes a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and

WHEREAS, the Polk County Plan includes a maintenance or implementation process including plan updates, integration of the plan into other planning documents and how Polk County will maintain public participation and coordination; and

WHEREAS, the Plan has been shared with the Minnesota Division of Homeland Security and Emergency Management and the Federal Emergency Management Agency for review and comment; and

WHEREAS, the Polk County All-Hazard Mitigation Plan will make the County eligible to receive FEMA hazard mitigation grants; and

WHEREAS, this is a multi-jurisdictional Plan and cities that participated in the planning process may choose to also adopt the County Plan.

NOW THEREFORE BE IT RESOLVED, that the City of East Grand Forks supports the Polk County hazard mitigation planning effort and wishes to adopt the All-Hazard Mitigation Plan for Polk County.

Voting Aye:

Voting Nay:

Absent:

The President declared the Resolution passed.

Passed: March 19, 2013

Attest:

City Administrator/Clerk Treasurer

President of Council

I hereby approve the foregoing resolution this 19th day of March, 2013.

Mayor

**Statement of Interest in All-Hazard Mitigation Planning
City of East Grand Forks**

As a potential participant in the Hazard Mitigation Assistance Program, the City of East Grand Forks, Minnesota hereby states their interest in participating in the multi-jurisdictional Polk County All-Hazard Mitigation Plan.

After FEMA funding approval and during the planning implementation, the City of East Grand Forks, Minnesota agrees to participate in the hazard mitigation planning process.

As signed, we understand this is a voluntary program and our participation may benefit our jurisdiction by identifying hazards and prioritizing potential projects to mitigate the effects of natural hazards.

Signature of Authorized Representative

Date

Title

Request for Council Action

Date:

To: East Grand Forks City Council, Mayor Lynn Stauss, President Craig Buckalew, Council members: Chad Grassel, Ron Vonasek, Henry Tweten, Clarence Vetter, Greg Leigh, and Mark Olstad.

Cc: File

From: Fire Chief Gary Larson

RE:

Background and supporting documentation of request: Communication

Recommendation:

Request: As per the December 4, 2012 Council Meeting , the promotions and hiring in the Fire Department have taken place. Kevin Boushee has been promoted to Asst. Fire Chief, Austin Skjei has been promoted to Engineer. Cody Wasylow has been hired as the new firefighter. We had very good applicants for the positions and I am pleased with the results. These choices should do well to serve the City of East Grand Forks.

Enc.

RESOLUTION NO. 13-01-14

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

BE IT RESOLVED, By the City Council of the City of East Grand Forks, Minnesota, that "C&H Insurance" has been designated as the insurance agency to handle City Policy for 2013 and The City chooses to "Waive" the monetary limits on tort liability without purchasing excess liability coverage.

Voting Aye:

Voting Nay:

The President declared the resolution passed.

Passed: February 19, 2013

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 19th of February 19, 2013.

Mayor

Agreement for Building Inspections Services

This contract (the “Agreement”) is made and entered into this _____ day of _____, 20____, between the City of East Grand Forks, Minnesota (the “City”), and Indepth Inspection, Inc, (the “Contractor”), (collectively, the “Parties”).

1. Scope of Services. The Contractor agrees to perform the following services:

Building Code:

The consultant will be responsible for inspecting properties and enforcing the Minnesota State Building Code. The consultant, however, will not be responsible for enforcing the commercial Electrical Code as the City will continue to use State of Minnesota inspectors to perform such inspections.

Plumbing Code:

The consultant shall be responsible for providing enforcement and administration of the currently adopted Minnesota State Plumbing Code and performing plumbing plan review services.

Rental Housing Ordinance:

The consultant may be requested to assist with inspecting and enforcing the City’s Rental Housing Ordinance, including but not limited to inspecting rental housing for license renewal, responding to complaint inspections and performing administrative tasks associated with the enforcement of the Rental Housing Ordinance.

Additional Duties:

Work regarding the above referenced codes and ordinances involves responsibility for plan review, scheduling, and inspection of residential and commercial buildings and other structures in regard to conformity with code requirements and technical standards, any administrative work in support of those duties assigned herein and enforcement. Work also involves determining building permit valuations for inspected construction projects and providing the City with Code revisions that are either desirable or required. Work also includes complaint investigations, hazardous building inspections and assistance with the prosecution of building code and hazardous building violations.

2. Compensation. The City agrees to pay the Contractor as follows:

Contractor shall bill the City monthly. City shall reimburse Contractor for building inspections and related services up to 50% of total permit fees, 100% of plan review fees, and \$75 per hour for other duties as required plus mileage reimbursement. The City shall not withhold monies for the payment of any federal or state income taxes, social security benefits, or other taxes.

3. Term. The term of the agreement shall be for a period of **twelve (12) months** commencing on or about **March 19, 2013 unless either party gives the other not less than sixty (60) days prior written notice** before the expiration of the then current term that it does not want the contract to

renew further. In addition, the City will be allowed to terminate if the consultant does not perform services in a satisfactory manner, loses its license to perform any of the services, becomes insolvent, or other similar reasons.

4. Independent Contractor Relationship. It is expressly understood that the Contractor is an “independent contractor” and not an employee of the City. The Contractor shall have control over the manner in which the services are performed under this Agreement. The Contractor shall supply, at its own expense, all materials, supplies, equipment and tools required to accomplish the work contemplated by this Agreement. The Contractor shall not be entitled to any benefits from the City, including, without limitation, insurance benefits, sick and vacation leave, workers’ compensation benefits, unemployment compensation, disability, severance pay, or retirement benefits.

5. Insurance Requirements. (Note: Liability insurance requirements may be modified or waived depending on the nature of the contract.)

- A. Liability. The Contractor agrees to maintain Professional Liability, Errors and Omissions Insurance in an amount of at least \$500,000 single limit coverage, covering all personnel employed by the Contractor in the capacity of acting as an Agent of the City. The Contractor agrees to maintain commercial general liability insurance in a minimum amount of \$1,000,000 per occurrence. The policy shall cover liability arising from premises, operations, products-completed operations, personal injury, advertising injury, and contractually assumed liability. The City shall be named as an additional insured.
- B. Automobile Liability. If the Contractor operates a motor vehicle in performing the services under this Agreement, the Contractor shall maintain automobile liability insurance, including owned, hired, and non-owned automobiles, with a minimum liability limit of \$1,000,000, combined single limit. The City shall be named as an additional insured.
- C. Workers’ Compensation. The Contractor agrees to comply with all applicable workers’ compensation laws in Minnesota.
- D. Certificate of Insurance. The Contractor shall, prior to commencing services, deliver to the City a Certificate of Insurance as evidence that the above coverages are in full force and effect.

6. Indemnification. The Contractor agrees to defend and indemnify the City, and its employees, officials, volunteers and agents from and against all claims, actions, damages, losses and expenses arising out of the Contractor’s performance or failure to perform its duties under this Agreement.

7. General Provisions.

- A. Entire Agreement. This Agreement supersedes any prior or contemporaneous representations or agreements, whether written or oral, between the Parties and contains the entire agreement.
- B. Assignment. The Contractor may not assign this Agreement to any other person unless written consent is obtained from the City.

- C. Amendments. Any modification or amendment to this Agreement shall require a written agreement signed by both Parties.
- D. Governing Law. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Minnesota.
- E. Waivers. The waiver by either party of any breach or failure to comply with any provision of this Agreement by the other party shall not be construed as, or constitute a continuing waiver of such provision or a waiver of any other breach of or failure to comply with any other provision of this Agreement.
- F. Savings Clause. If any court finds any portion of this Agreement to be contrary to law or invalid, the remainder of the Agreement will remain in full force and effect.

IN WITNESS WHEREOF, the Parties, have caused this Agreement to be approved on the date above.

City of _____, Minnesota

By: _____
Its Mayor

And: _____
Its City Administrator

Contractor

Request for Council Action

Date: 3/12/2013

To: East Grand Forks City Council, Mayor Lynn Stauss, Council President Craig Buckalew, Council Vice President Greg Leigh, Council members: Clarence Vetter, Ron Vonasek, Henry Tweten, Mark Olstad, and Chad Grassel

Cc: File

From: Jason Stordahl, Public Work Director

RE: Wastewater Proposal

Background: MPCA has requested that in our third progress report (due March 22nd) that we give them a response to action number four from their AVL letter. Action number four requests that we submit a plan for a facility upgrade. The plan must include a schedule with dates outlining when the upgrade will occur.

The following is a proposed timeline for upgrading our Wastewater Facility:

The City of East Grand Forks will make a decision on how we will upgrade our Wastewater Facility by September of 2014.

We will start plans and specifications on our chosen project on or before September of 2014.

We will have plans for our chosen project 80% complete by November 2015.

Construction on our chosen project will take place 2016-2018.

RESOLUTION NO. 13 – 03 - 32

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

WHEREAS, The City of East Grand Forks received an Alleged Violation Letter (AVL) from the Minnesota Pollution Control Agency (MPCA) regarding the current condition of the wastewater treatment ponds; and

WHEREAS, the city was required to send back three responses explaining how the violations will be corrected with the last response due on March 22, 2013; and

WHEREAS, the third response will address the final alleged violation to include a timeline for scheduling a plan for future wastewater treatment for the City of East Grand Forks.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST GRAND FORKS, MINNESOTA, ADOPTS THE PROPOSED TIMELINE LISTED BELOW:

1. The City of East Grand Forks will decide on how to upgrade the wastewater facility by September of 2014.
2. Plans and specifications of the chosen project will start on or before September 2014.
3. Plans and specifications for the chosen project will be 80% complete by November 2015.
4. Construction for the project will start in 2016 and be completed by 2018.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: March 19, 2013

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 19th day of March, 2013.

Mayor

RESOLUTION NO. 13 – 03 - 33

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 15336 for a total of \$308.40.

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 \$308.40 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 March 19, 2013.

Voting Aye:
Voting Nay:
Abstain:

The President declared the resolution passed.

Passed: March 19, 2013

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 19th of March, 2013.

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 15336 for a total of \$308.40.
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 March 19, 2013.

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



City of East Grand Forks

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

User: mnelson
 Printed: 3/15/2013 - 9:52 AM

Check	Date	Vendor No	Vendor Name	Amount	Voucher
15292	03/19/2013	ACM001	Acme Electric Companies	151.55	0
15293	03/19/2013	ADV001	Advanced Business Methods Inc	140.30	0
15294	03/19/2013	ALB001	Albrecht Manufacturing	1,127.14	0
15295	03/19/2013	ALE001	Alexandria Technical College	350.00	0
15296	03/19/2013	ALT004	Altru Health Systems	29.00	0
15297	03/19/2013	AME002	American Tire Service	38.00	0
15298	03/19/2013	AME005	Ameripride Linen & Apparel Services	265.09	0
15299	03/19/2013	ANY001	Anytime Plumbing	76.67	0
15300	03/19/2013	AQU001	Aqua Water Solutions	68.35	0
15301	03/19/2013	BAB002	Babe Ruth League	80.00	0
15302	03/19/2013	BAT001	Batteries Plus	150.09	0
15303	03/19/2013	BEA007	Chad Beauchamp	75.00	0
15304	03/19/2013	BER001	Bert's Truck Equipment	478.78	0
15305	03/19/2013	BRA001	Brady Martz & Associates	2,950.00	0
15306	03/19/2013	BRI003	Brite-Way Window Cleaning	60.00	0
15307	03/19/2013	BUS002	Business Essentials	209.99	0
15308	03/19/2013	CAN001	Canon Financial Services	167.10	0
15309	03/19/2013	CAU001	Caulfield Studios	561.45	0
15310	03/19/2013	CEN006	Century Link	946.57	0
15311	03/19/2013	COL002	Cole Papers Inc	258.54	0
15312	03/19/2013	CRE001	Creative Product Source Inc	288.33	0
15313	03/19/2013	CUS002	Custom Stripes Inc	29.92	0
15314	03/19/2013	DAK006	Dakota TV & Appliance	351.04	0
15315	03/19/2013	EAS006	Dale Gulbranson	80.00	0
15316	03/19/2013	EAS005	East Side Express	66.10	0
15317	03/19/2013	EAS007	East Side Travel Plaza	110.93	0
15318	03/19/2013	EXP003	Explorer Post #38	20.00	0
15319	03/19/2013	EXP002	Exponent	297.00	0
15320	03/19/2013	FIL001	Filter Care	165.75	0
15321	03/19/2013	FLA001	Flaherty & Hood PA	5,766.47	0
15322	03/19/2013	FLA002	Flat Plains Services Inc	2,683.05	0
15323	03/19/2013	G&K001	G&K Services	94.23	0
15324	03/19/2013	GAF002	Gaffaney's	651.33	0
15325	03/19/2013	GAL003	Galstad Jensen & McCann PA	10,523.50	0
15326	03/19/2013	GEO001	George's Quick Printing	306.74	0
15327	03/19/2013	GFC001	GF City Utility Billing	13,641.54	0
15328	03/19/2013	GFF001	GF Fire Equipment	517.09	0
15329	03/19/2013	GFH002	GF Herald	215.00	0
15330	03/19/2013	GFW001	GF Welding & Machine	3.20	0
15331	03/19/2013	GGF001	GGF Convention & Visitors Bureau	350.00	0
15332	03/19/2013	GMG001	Norma Gilbertson	212.95	0
15333	03/19/2013	GLA001	Glass Pro's Inc	82.00	0
15334	03/19/2013	GRE001	Great Plains Heating AC & Plumbing	229.99	0
15335	03/19/2013	HAJ002	Rick Hajicek	285.00	0
15336	03/19/2013	HAR001	Hardware Hank	308.40	0
15337	03/19/2013	HEN001	Henke - Alamo Group Company	1,742.26	0
15338	03/19/2013	HOM001	Home of Economy	91.76	0
15339	03/19/2013	HOU003	House Of Vacuums	141.06	0
15340	03/19/2013	HUG001	Hugo's	200.67	0
15341	03/19/2013	IND006	Indepth Inspections LLC	4,050.00	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
15342	03/19/2013	INT004	International Code Council	125.00	0
15343	03/19/2013	K&K002	K&K Insurance	400.00	0
15344	03/19/2013	KEL001	Kellermeyer Building Service	1,603.13	0
15345	03/19/2013	KIR002	Kirks Flooring	200.92	0
15346	03/19/2013	LAS001	Laser Systems	417.95	0
15347	03/19/2013	LEA002	League of MN Cities	10,352.00	0
15348	03/19/2013	M&W001	M&W Services	65.00	0
15349	03/19/2013	MAC002	MacQueen Equipment	10,309.48	0
15350	03/19/2013	MAR004	Marco	124.43	0
15351	03/19/2013	MEN001	Menards	156.72	0
15352	03/19/2013	MID003	Midcontinent Communications	1,396.73	0
15353	03/19/2013	MID007	Midwest Refrigeration Inc	1,735.55	0
15354	03/19/2013	MNG001	MN Gov Finance Officers Association	60.00	0
15355	03/19/2013	MNR001	MN Rec & Park Association	530.00	0
15356	03/19/2013	NEW001	Newman Signs	1,820.00	0
15357	03/19/2013	NOR010	North Central Rental & Leasing	6,398.88	0
15358	03/19/2013	NSC001	NSC Minerals	2,493.44	0
15359	03/19/2013	ORE001	O'Reilly Auto Parts	269.64	0
15360	03/19/2013	ORC002	Roger Orchard	621.92	0
15361	03/19/2013	OSI001	OSI Environmental Inc.	100.00	0
15362	03/19/2013	PET001	Peterson Veterinarian Clinic P.C.	326.43	0
15363	03/19/2013	PRA003	Prairie Wind BG Inc	162.88	0
15364	03/19/2013	PRA001	Praxair Distribution	51.39	0
15365	03/19/2013	PRE001	Premium Waters Inc	88.12	0
15366	03/19/2013	QUI001	Quill Corp	376.82	0
15367	03/19/2013	SPI001	Paul Spielman	2,570.92	0
15368	03/19/2013	STO001	Stone's Mobile Radio Inc	362.53	0
15369	03/19/2013	STU001	Stuart's Towing	160.00	0
15370	03/19/2013	SUN002	Sun Dot Communications	105.99	0
15371	03/19/2013	SWA002	Swanston Equipment Corporation	2,565.80	0
15372	03/19/2013	CHA001	The Chamber of EGF/GF	34.00	0
15373	03/19/2013	TON002	Tony Anderson Construction	44,000.19	0
15374	03/19/2013	TRI001	Tristeel Manufacturing	66.34	0
15375	03/19/2013	USB002	US Bank Trust N.A.	1,725.00	0
15376	03/19/2013	USF002	US Foodservice Inc TM	84.22	0
15377	03/19/2013	USP002	USPS Postmaster	193.30	0
15378	03/19/2013	VAL002	Valley Truck	334.63	0
15379	03/19/2013	VER001	Verizon Wireless	475.96	0
15380	03/19/2013	VIK002	Viking Industrial Center, Inc	310.11	0
15381	03/19/2013	VIL001	Vilandre Heating & A/C	43.00	0
15382	03/19/2013	WAS001	Waste Mgmt	30,316.17	0
15383	03/19/2013	WAT001	Water & Light Department	41,171.01	0
15384	03/19/2013	XER001	Xerox Corporation	21.79	0
15385	03/19/2013	ZAM001	Frank J. Zamboni & Co. Inc.	4.11	0
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