

**AGENDA
CITY COUNCIL
CITY OF EAST GRAND FORKS
APRIL 7, 2009
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."

Presentation of Plaque to Rod Thoms

APPROVAL OF MINUTES:

1. Consider approving the minutes of the "Regular Meeting" for the East Grand Forks, Minnesota City Council of March 17, 2009.
2. Consider approving the minutes of the "Work Session" for the East Grand Forks, Minnesota City Council of March 24, 2009.

SCHEDULED BID LETTINGS: NONE.

SCHEDULED PUBLIC HEARINGS:

3. Public Hearing to adopt Resolution No. 09-04-24 a Resolution to consider the Enterprise Zone tax credits for 2009.

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.

4. Consider approving the application for an Exempt Gambling Permit for a raffle for the East Side Ducks Unlimited to be held April 30, 2009 at the East Grand Forks American Legion, 1009 Central Ave. NW, East Grand Forks, MN 56721 and waive the 30-day waiting period.
5. Consider adopting Resolution No. 09-04-25 a Resolution requesting authority to establish a municipal street improvement district.
6. Consider approving the promotion of Chris Olson to Police Sergeant effective April 6, 2009.

7. Consider approving Norm Vanderpan to the Civil Service Commission to replace Val Gravseth for a 3 year term beginning 4/8/09 through 12/31/11.

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

8. The minutes of the Water, Light, Power and Building Commission for March 5, 2009.
9. The minutes of the Water, Light, Power and Building Commission for March 19, 2009.

COMMUNICATIONS:

10. The correspondence to the East Grand Forks Planning Commission from March 31, 2009.

OLD BUSINESS: NONE.

NEW BUSINESS:

11. Consider approving amendment no. 1 to the Consultation and Public Agreement with Strandell News Services for the East Grand Forks history book.
12. Consider adopting Resolution No. 09-04-26 a Resolution to purchase the drain way necessary for the "2009 City Project No. 1 – Curb, Gutter, Paving, & Sewer."

CLAIMS:

13. Consider adopting Resolution No. 09-04-27 a Resolution authorizing the City of East Grand Forks to approve purchases from Berts Truck Equipment for the goods referenced in check number 2645 for a total of \$26.10 whereas Council Member Gregoire is personally interested financially in the contract.
14. Consider adopting Resolution No. 09-04-28 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 2694 for a total of \$455.14 whereas Council Member Buckalew is personally interested financially in the contract.
15. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

ADJOURN:

Upcoming Meetings:

Work Session – April 14, 2009 – 5:00 PM – Training Room

Regular Meeting - April 21, 2009 – 5:00 PM – Council Chambers

Work Session – April 28, 2009 – 5:00 PM – Training Room – If Needed

Regular Meeting - May 5, 2009 – 5:00 PM – Council Chambers

**UNAPPROVED
MINUTES
OF THE
EAST GRAND FORKS
CITY COUNCIL
Tuesday, March 17, 2009 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for March 17, 2009 was called to order by Council President Dick Grassel 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 Dick Grassel, Council Vice President Henry Tweten, Council Member Marc Demers, Wayne Gregoire, Mike Pokrzywinski, and Greg Leigh.

STAFF PRESENT:

Scott Huizenga, City Administrator; Michelle French, Executive Assistant; Ron Galstad, City Attorney; Brad Bail, City Engineer; Dave Aker, Parks & Rec Superintendent; Mike Hedlund, Police Chief; John Wachter, Public Works Superintendent; Jerry Lucke, Finance Director; Randy Gust, Fire Chief; Earl Haugen, Planning & Zoning; Jerry Skyberg, Building Official; Dan Boyce, Water & Light Manager.

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.”

Mr. Lindquist suggested having a web cam overlooking the downtown area. He stated that he talked to Mr. Richter about possibly being an economic development tool.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of March 3, 2009.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL

MEMBER DEMERS, TO APPROVE THE "REGULAR MEETING" FOR THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL OF MARCH 3, 2009.

Voting Aye: Grassel, Tweten, Gregoire, Leigh Pokrzywinski, and DeMers.

Voting Nay: None.

Absent: Buckalew.

2. Consider approving the minutes of the "Work Session" for the East Grand Forks, Minnesota City Council of March 12, 2009.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GREGOIRE, TO APPROVE THE "WORK SESSION" FOR THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL OF MARCH 12, 2009.

Voting Aye: Grassel, Tweten, Gregoire, Leigh Pokrzywinski, and DeMers.

Voting Nay: None.

Absent: Buckalew.

SCHEDULED BID LETTINGS: NONE.

SCHEDULED PUBLIC HEARINGS: 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 chose.

3. Consider approving the application for an Exempt Gambling Permit for a raffle for the Red River Valley Pheasants Forever to be held June 6, 2009 at the East Grand Forks Blue Line Club Arena, 807 4th St. SE, East Grand Forks, MN 56721 and waive the 30-day waiting period.
4. Consider adopting Resolution No. 09-03-19 a Resolution declaring a State of Emergency in the City of East Grand Forks, County of Polk due to flooding of the Red River of the North and the Red Lake River.
5. Consider adopting Resolution No. 09-03-20 a Resolution requesting Flood Emergence Assistance from the U.S. Army Corps of Engineers if necessary.
6. Consider adopting Resolution No. 09-03-21 a Resolution authorizing a two year tax abatement for newly constructed homes ready for occupancy in 2009.
7. Consider adopting Resolution No. 09-03-22 a Resolution designating City Park Zones as an aid to prosecution of drug-dealers and possessors.
8. Consider approving the request to approve the 5 year Agreement for Fire Services between the City of East Grand Forks and the following Townships: Bygland, Grand Forks, Huntsville, Keystone, Nesbit, Rhinehart, and Sullivan.

9. Consider approving the change order request for "2008 Assessment Job No. 2 – Utilities and Street Construction – Northland Community & Technical College" in the amount of \$35,853.00.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GREGOIRE, TO APPROVE CONSENT MOTIONS NUMBER THREE (3) THROUGH NINE (9) AS SUBMITTED.

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

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

10. The minutes of the Water, Light, Power and Building Commission for February 19, 2009.

COMMUNICATIONS: NONE.

OLD BUSINESS: NONE.

NEW BUSINESS:

11. Consider approving the request to move forward with the specifications and bid process for the Floodwall Storage Building.

Mr. Boyce announced that they looked at other opportunities north of the Water Distribution Center. He stated that the Water & Light Commission would need to approve this location. Mayor Stauss suggested moving forward on the new proposed location. Discussion occurred regarding the needs and size of the building. Council Member Gregoire suggested alternative forklift equipment for a cheaper route. Mr. Boyce stated that the funding is provided by Water & Light.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE REQUEST TO MOVE FORWARD WITH THE SPECIFICATIONS AND BID PROCESS FOR THE FLOODWALL STORAGE BUILDING.

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

12. Consider preliminary approval to adopt the proposed 2009 River Forks Downtown Plan to the East Grand Forks Comprehensive Plan.

Council President Grassel inquired about the funding. Mr. Haugen stated that this plan is represented by both sides including five different groups. Mr. Haugen stated that there will be a meeting next Tuesday at 6:30 pm at the Riverwalk Center.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO CONSIDER PRELIMINARY APPROVAL TO ADOPT THE PROPOSED 2009 RIVER FORKS DOWNTOWN PLAN TO THE EAST GRAND FORKS COMPREHENSIVE PLAN.

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

13. Consider approving the request to file plans and specifications, get authorization to advertise and set bid date for "2008 City Project No. 2 – Campground Improvements."

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE REQUEST TO FILE PLANS AND SPECIFICATIONS, GET AUTHORIZATION TO ADVERTISE AND SET BID DATE FOR "2008 CITY PROJECT NO. 2 – CAMPGROUND IMPROVEMENTS."

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

14. Consider approving the Waste Management Contract amendment for residential automated collection and increasing the garbage rate to \$12.75 starting approximately June 15, 2009.

Item Tabled.

CLAIMS:

15. Consider adopting Resolution No. 09-03-23 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 2569 for a total of \$312.48 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 09-03-23 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 2569 FOR A TOTAL OF \$312.48 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

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

Airgas	5 Yr Lease on 02 Acet Tanks	\$166.35
Albrecht Manufacturing	Inv Parts #118	\$87.48

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American Tire Service	Tire Replacement #614, #128	\$2,076.00
Ameripride Linen & Apparel Services	Mats Mops Towels	\$304.51
Anderson Mike	Reimb Meals - Drug School	\$21.75
Aqua Water Solutions	Water Feb	\$50.31
Batteries Plus #24	Batteries	\$170.72
Belnick Inc	9 Chairs	\$936.91
Border States Trophy & Awards	Plaque - Blazek	\$70.00
Brite-Way Window Cleaning	Feb Center - Riverwalk Center	\$45.00
Bruce Jay	Phone Reimb	\$51.00
Business Essentials	Member Cards - Ink	\$94.74
C&R Laundry & Cleaners	Dry Cleaning	\$756.48
Canon Financial Services	Copier	\$166.58
Cole Papers Inc	Cleaning Supplies/Towels	\$1,128.16
Costume Gallery	Figure Skating Costumes	\$281.64
D&M Auto Body	Repair Car 547 Accident	\$3,934.73
Dacotah Paper Co	Paper Towels	\$48.31
Dakota TV & Appliance	Refrigerator, Washer, Dryer Repairs - Used Range	\$886.38
Dave's Snow Removal	March Snow Removal	\$180.00
Derrick Robert	Gas Reimb	\$92.86
Diamond Cleaning Supply Richard Papenfuss	Supplies For Shop	\$569.24
Dragich Mark	Travel Reimb - Dist Meeting	\$44.40
East Side Express	4 Pizzas	\$59.53
Egeland Bobbie	Gas Reimb	\$20.00
Elk River Ford Inc	2 - 09 Crown Vic's PD	\$44,182.72
Elvin Safety LLC	Air Test Tubes	\$294.31
Emphasys Computer Solutions	Monthly Service - May 2009	\$541.91
Everett Tim	Meal Reimb - St Paul	\$351.00
Explorer Post #38	Squad Cleaning	\$50.00
Exponent	Advertisements - Senior Living Article	\$228.75
Filter Care	Inventory	\$37.46
Forensics Source	Drug Test Kits	\$203.44
Forx Builders Association	1 Booth Home & Garden Show	\$100.00
Gaffanays	Ink Cartridge/Toner	\$169.31
Galstad, Jensen, & Olson	Prof Services	\$11,565.16
Garden Hut	Inventory	\$580.83
GF City Utility Billing	Feb Landfill	\$10,322.35
GF Excavating	Ditch Along 23rd St NW	\$2,250.00
GF Herald	Sr.Center Ad/Pancake Brkfst	\$134.72
GGF Convention & Visitors Bureau	Membership 09/ Jan Lodging Tax	\$1,009.99
Glass Pro's Inc	Adjust Panic Device	\$58.00
Gordy's Floor Covering	Replace Ck 32010	\$576.45
Grand Cities Towing	Tow - Pont Grand Prix - Peltier	\$45.00
Guest Services	INC	\$129.30
Hajicek Rick	Cleaning	\$256.50
Hajicek Rod	Meal Reimb	\$55.50
Hardware Hank	Supplies	\$312.48
Heartland Paper	Pump Soap/Cleanser/Supplies	\$237.54
Holiday Credit Office	Sunshine Terrace - Police Dept	\$136.89
Holiday Inn Express Hotel & Suites Vadnais	Hotel Stay - Bert Roberts Folio 40605	\$300.63
Home of Economy	Hydraulic Hose For Gate/ SW Supplies	\$272.63

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Hugo's	EDHA - Crakers Peanut Butter Etc/Blazek Retirement	\$116.63
Huizenga Scott	Reimb Cell Phone Jan 09 Feb 09 and Mileage	\$88.60
Integra Telecom	LD Phone	\$252.85
Kellermeyer Building Service	Feb 09 Services	\$3,088.50
Lunseth Plumbing & Heating	Plunged Toilet	\$89.50
M&W Services	Outside Rinks	\$420.00
M-B Companies Inc	Broom For Sweeper	\$420.19
Menards	Cleaning/Maint Supplies	\$95.73
Midcontinent Communications	End Broadcast Month 02/22/09	\$1,971.00
MN Drivers & Vehicle Services	Reg 09 Crown Vic	\$40.00
MN State Community & Technical College	Fire School	\$340.00
MN State Retirement System	Health Care Savings Plan Participant	\$422.00
Nan McKay & Associates	PIH Alert & Newsletter Access - Housing Help	\$300.00
Newman Signs	March 09 Sign Rental	\$2,370.00
NSC Minerals	Standard Road Salt	\$1,899.82
O'Reilly Auto Parts	Floor Dry	\$208.53
Odland	Misc Criminal	\$844.00
Olson Chris	Meal Reimb	\$55.50
Party America Corp Offices	Pancake Breakfast	\$37.46
Pesch Tim	Mileage Reimb	\$40.00
Peterson Veterinarian Clinic P.C.	Jan 09 pound Report/3 Dogs 1 Cat	\$208.39
Polk County Recorder	Filing Fees For Replacement Agreements	\$644.00
Premium Waters Inc	Water	\$94.59
PS Door Services	Replace 3 Garage Doors	\$5,736.00
Quill Corp	Paper/Binder Clips/Batteries	\$181.98
RDO Equipment Co	Inv Parts #174	\$32.11
Red River Snowmobile Club	Northern Lights Reimb	\$12,214.80
Resharpit Inc	Zamboni Blade Sharpen	\$70.00
Robinson Textiles	Prisoner Uniforms	\$104.69
Schrage Aeiiso	Hote/Meal Reimb St.Paul	\$203.28
Short Judith	Downpayment Assistance Program Loan	\$7,500.00
Smith Ben	Reimb Works Boots	\$75.00
Springsted	Prof Services Through Feb 09	\$4,255.75
Standard Register	W2 & 1099 Forms	\$234.23
Strandell Kary	Gas Reimb - Moorehead	\$65.74
Sun Dot Communications	DSL	\$138.49
Sunshine Terrace	Laundry Money	\$150.00
Surplus Center	Inventory	\$65.76
Szczepanski Darren	Meal Reimb - School	\$21.75
The Chamber of EGF/GF	Mayor's State Of The City Reg - Richter	\$30.00
Tony Dorn Inc	Copy Maint	\$120.38
Tretter Tyler	Gas Reimb - Roseau PeeWee	\$30.22
True Temp	Replace Zone Valve & Supplies	\$221.01
Try-County Refrigeration	Pump	\$157.98
Uniforms Unlimited	Uniforms/Taser Equip	\$1,240.54
United States Post Office	4 Months Bulk Mail/Roll Stamps	\$402.00
US Bank Trust N.A.	Bonds	\$2,587.50
US Foodservice Inc TM	Pancake Breakfast	\$96.90
Verizon Wireless	Cell Phones	\$477.85
Vilandre Heating & A/C	Riverwalk Center - Faucet In Back Room	\$76.53

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Wagner Construction	08 City Project No. 1	\$90,550.97
Waste Mgmt	Refuse Collection	\$9,259.22
Water & Light Department	Water/Light	\$51,073.77
Zee Medical Service	Refill First Aid Kit	\$58.63
	Total	\$288,126.32

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

Voting Aye: Grassel, Tweten, Gregoire, Leigh Pokrzywinski, and DeMers.

Voting Nay: None.

Absent: Buckalew.

COUNCIL/STAFF REPORTS:

Mayor Stauss informed City Council that the City is holding flood meeting at 10:30 am daily at the Fire Station. He wished the hockey and basketball good luck.

Council Member DeMers announced that he had a Ward 1 meeting last Thursday and thanked everyone for attending. He would like all Council Members get the questions answered regarding the Waste Management Contract so we can vote. Council President Grassel stated that this is a contract issue.

Council Vice President Tweten stated that he needs to back Council President Grassel and say that we cannot approve the contract if it's not what the City Council wants. He felt that research is still needed. Council Vice President Tweten thanked Mayor Stauss and Dick Grassel for their efforts on the Red River State Recreation Area.

Council Member Gregoire asked if City Council would like to go with the new system and contract with Waste Management or buy the equipment and containers.

Council Member Leigh stated that he is hearing both sides of support for the garbage system. He would like to know the benefit and savings of all options.

Council Member Grassel congratulated the sport teams.

Mr. Huizenga announced that there is a website regarding the flood (www.egfflood.info) He informed City Council that the floodwall by the boardwalk Mr. Huizenga stated that the floodwall needs to go up once every five years.

Mr. Hedlund announced that last Saturday two snowmobilers went over the dam and were rescued by Officer Reznicek and Mr. Rand. Those individuals will be recognized.

Mr. Boyce gave a brief update on Mr. Grabanski who was air lifted to the Hennepin County Burn Center after being electrocuted near the Police Department on Monday.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADJOURN THE MARCH 17, 2009 REGULAR MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:50 P.M.

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

Voting Nay: None.

Scott Huizenga, City Administrator/Clerk-Treasurer

**UNAPPROVED
WORK SESSION
MINUTES
OF THE
EAST GRAND FORKS
CITY COUNCIL
Tuesday, March 24, 2009 – 5:00 PM**

CALL TO ORDER

The Work Session of the East Grand Forks City Council for March 24, 2009 was called to order by Council President Dick Grassel 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 Dick Grassel, Council Vice President Henry Tweten, Council Members Marc DeMers, Craig Buckalew, Wayne Gregoire, Mike Pokrzywinski, and Greg Leigh.

STAFF PRESENT:

Scott Huizenga, City Administrator/Clerk Treasurer; Michelle French, Executive Assistant; Jim Richter, EDHA Director; Jerry Lucke, Finance Director; Charlotte Helgeson, Library Director; Dave Aker, Parks & Rec Superintendent, and Randy Gust, Fire Chief.

DETERMINATION OF A QUORUM

The Council President Determined a Quorum was present

- 1. Abilene Application Book Presentation – Jerry Youngberg & Barry Wilfahrt

Mr. Youngberg and Chief Carlson presented the Abilene Application book to the City Council. Mr. Youngberg stated that the City will know in 2-3 months if they receive the award. Mayor Stauss commended the committee work with the base.

- 2. Strandell Publications Contract Amendment – Scott Huizenga

Mr. Huizenga informed City Council that as of now the City has paid \$18,583.93 to Strandell News Services. He announced that the Mayor Stauss, Council President Dick Grassel, and Council Vice President Henry Tweten negotiated a final amendment to complete and publish the book. Mr. Huizenga stated that the committee negotiated a final agreement of an additional \$7,500 to complete the project. This would bring the total compensation to \$26,093.83 over the five year period (2006-2011). The City will retain all gross revenues to reimburse book costs. Mayor Stauss suggesting replenishing the library funds that were used for the previous book. Council Member Pokrzywinski stated that a contract is a contract and asked where the funding would come from during this budget crisis. Mayor Stauss informed City Council that they increased

**EAST GRAND FORKS WORK SESSION
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the book by adding five more years. Mr. Huizenga stated that the printing costs would be approximately \$12,000-\$20,000 and he will provide the proposed quotes to the City Council. Funding will come from the general fund. Council Member Marc stated that he would like to know the final costs of the project and discussed the previous books. Discussion occurred regarding 100 years of Sacred Heart. This item will be referred to City Council for action.

3. Street Improvement District Resolution – Scott Huizenga

Mr. Huizenga announced that this resolution would provide this authority for the City of East Grand Forks, allow the city to collect fees from property owners within a district to fund municipal street maintenance, reconstruction and facility upgrades. Council Member DeMers supports the resolution as long as it doesn't bind the City with projects. Council Member Pokrzywinski and Council Vice President Tweten agreed as well.

4. 2009 Residential Garbage – John Wachter

Item tabled.

5. Other

Mayor Stauss announced that the press has not been contacting the City regarding the flood to help get information out to the public. He stated that the website is excellent and that we need a single point of contact. Mr. Gust gave an update on all closures. Polk County declared State of Emergency. Council Member DeMers suggested that resident's leave earlier to get to there destination and the Police Department needs to ticket those who are on the levee. Mayor Stauss thanked the workers who have been involved in the flood.

Mayor Stauss expressed his concern regarding the possible county sales tax.

ADJOURN

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER LEIGH, TO ADJOURN THE MARCH 24, 2009 WORK SESSION OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:56 P.M.

Voting Aye: Tweten, Gregoire, Leigh Pokrzywinski, DeMers, and Grassel.

Voting Nay: None.

Absent: Buckalew.

Scott Huizenga, City Administrator/Clerk-Treasurer

RESOLUTION NO. 09 – 04 – 24

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

WHEREAS, The City Council of the City of East Grand Forks, Minnesota, has passed Resolution No. 83-8-54 establishing a program as authorized by M.S.A. Section 273.13; and

WHEREAS, The City Council has passed Resolution No. 86-7-65, which established policies to be used as guidelines for administrating the program, except for provisions amended by state law; and

WHEREAS, Applications for possible border city enterprise zone tax credits have been received; and

BE IT RESOLVED, By the City Council of the City of East Grand Forks, Minnesota, that the businesses which applied and were itemized on the 2009 East Grand Forks Border City Tax Report are hereby approved to receive property classification of 3-B employment property and to receive the tax credit amounts set out therein respectively for a total tax credit amount of \$86,301, which report is hereby adopted by reference and ordered filed in the Office of the Administration and Finance.

BE IT FURTHER RESOLVED, That the following enterprise zone credits in designated target zones, by the following named applicant, are hereby approved and ordered distributed:

- A. Northland Custom Woodworking Inc. \$15,850
- B. Boardwalk Bar & Grill Inc. \$25,000
- C. Folsom Farms Inc \$25,000
- D. Lumber Mart, Inc. \$20,451

BE IT FURTHER RESOLVED, That the credit distributions are subject to the policies set forth in prior enterprise zone resolutions; and

BE IT FURTHER RESOLVED, That the approved applications and 2009 East Grand Forks Border City Tax Report, as adopted by reference, be submitted to the Minnesota Department of Employment and Economic Development for consideration and approval.

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

The President declared the resolution passed.

Passed: April 7, 2009

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 7th of April, 2009.

Mayor

NOTICE OF PUBLIC HEARING

You are hereby notified that the City Council of the City of East Grand Forks, Minnesota will hold a public hearing to consider the following application(s) received by the City for possible Enterprise Zone tax credits:

Folson Farms, Inc.
Boardwalk Bar & Grill, Inc.
Lumber Mart, Inc.
Northland Custom Woodworking, Inc.
(others)

The public hearing will be held on Tuesday, April 7, 2009, at 5:00 p.m., or as soon as possible thereafter, in the Council Chambers of City Hall, located at 600 DeMers Avenue NW.

Any individual requiring special accommodations to allow access of participation at this meeting is asked to notify the ADA Coordinator at 218-773-2208 prior to the meeting.

NOTICE OF PUBLIC HEARING

You are hereby notified that the City Council of the City of East Grand Forks, Minnesota will hold a public hearing to consider the following application(s) received by the City for possible Enterprise Zone tax credits:

Folson Farms, Inc.
Boardwalk Bar & Grill, Inc.
Lumber Mart, Inc.
Northland Custom Woodworking, Inc.
(others)

The public hearing will be held on Tuesday, April 7, 2009, at 5:00 p.m. or as soon as possible thereafter, in the Council Chambers of City Hall, located at 600 DeMers Avenue NW.

Any individual requiring special accommodations to allow access of participation at this meeting is asked to notify the ADA Coordinator at 218-773-2208 prior to the meeting.

Scott Huizenga, Administrator/Clerk-Treasurer
City of East Grand Forks, Minnesota
(March 4, 2009)

Scott Huizenga, Administrator/Clerk-Treasurer
City of East Grand Forks, Minnesota

(Publish March 4, 2009)

2
2709

ENTERPRISE ZONE CREDITS SUMMARY ANALYSIS

MARCH 2009

LUMBER MART

Construction	\$ 13,356.00 x 10% =	1,355.00
Equipment	\$756,251.00 x 5% =	37,812.00
Jobs	7 x 1500 =	<u>10,500.00</u>
		\$49,647.00

\$100,000 maximum - previous credits \$ 79,549.00 Available \$ 20,451.00

NORTHLAND CUSTOM WOODWORKING

Construction	\$ 76,005.00 x 10% =	7,600.00
Equipment	\$ 75,000.00 x 5% =	3,750.00
Jobs	3 x 1500 =	<u>4,500.00</u>
		\$15,850.00

BOARDWALK BAR & GRILL

Construction	\$490,656.00 x 10% =	49,065.00
Equipment	\$248,200.00 x 5% =	12,410.00
Jobs	22 x 750 =	<u>16,500.00</u>
		\$77,975.00

FOLSON FARMS, INC.

Construction	\$508,300.00 x 10% =	50,830.00
Jobs	1 x 750 =	<u>750.00</u>
		\$51,580.00

TOTAL CREDIT ELIGIBILITY	\$165,856.00
TOTAL AVAILABLE CREDITS	\$150,406.00



Minnesota Senate

[House](#) | [Senate](#) | [Joint Departments and Commissions](#) | [Bill Search and Status](#) | [Statutes, Laws, and Rules](#)

KEY: ~~stricken~~ = removed, old language. underscored = added, new language.

[Authors and Status](#)

[List versions](#)



S.F. No. 1312, as introduced - 86th Legislative Session (2009-2010) Posted on Mar 06, 2009

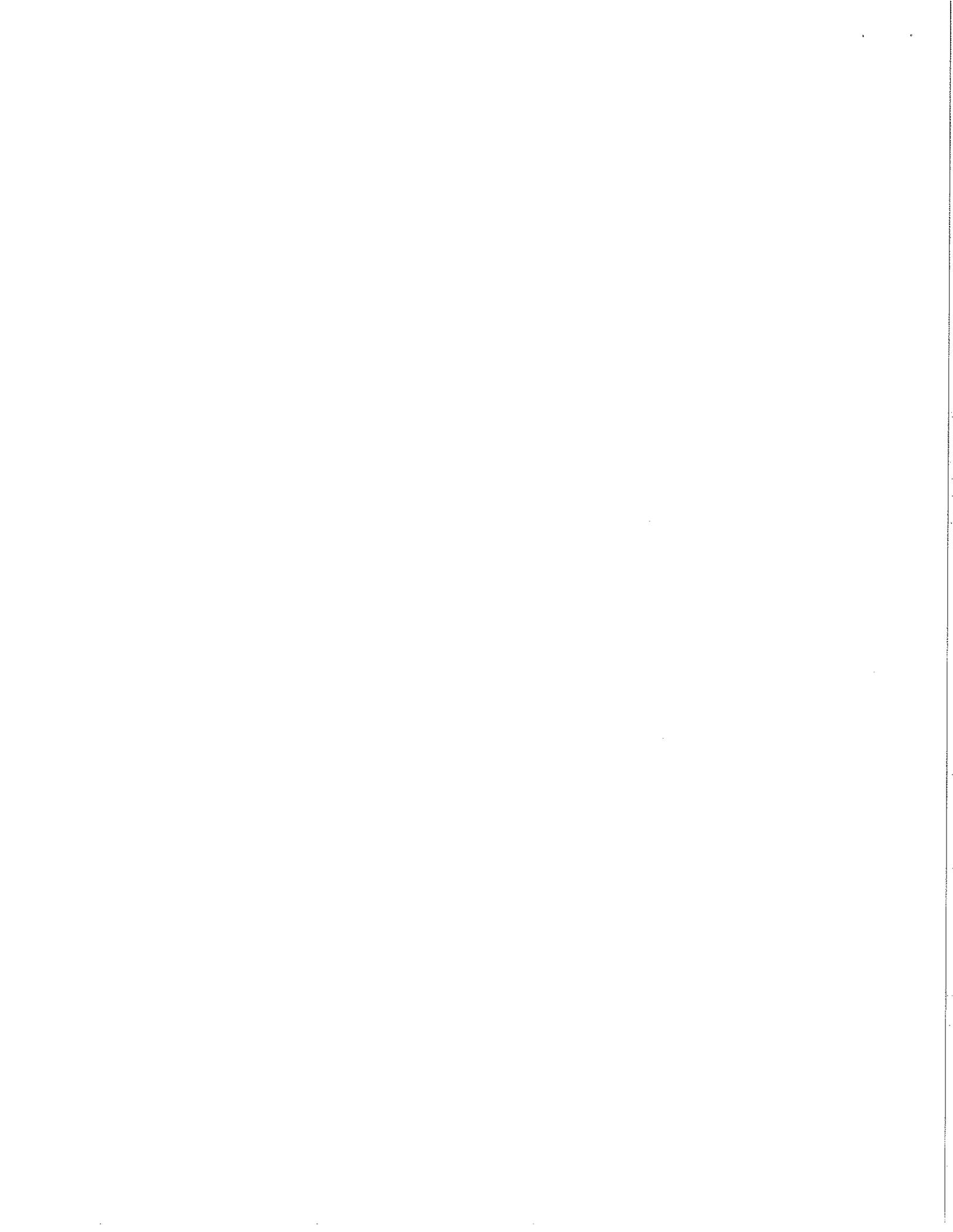
- 1.1 A bill for an act
- 1.2 relating to taxation; increasing border city enterprise allocations; amending
- 1.3 Minnesota Statutes 2008, section 469.169, by adding a subdivision.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. Minnesota Statutes 2008, section 469.169, is amended by adding a
- 1.6 subdivision to read:
- 1.7 Subd. 19. Additional border city allocations; 2009. (a) In addition to tax
- 1.8 reductions authorized in subdivisions 7 to 18, the commissioner shall allocate \$750,000
- 1.9 for tax reductions to border city enterprise zones in cities located on the western border
- 1.10 of the state. The commissioner shall make allocations to zones in cities on the western
- 1.11 border on a per capita basis. Allocations made under this subdivision may be used for
- 1.12 tax reductions as provided in section 469.171 or for other offsets of taxes imposed on
- 1.13 or remitted by businesses located in the enterprise zone, but only if the municipality
- 1.14 determines that the granting of the tax reduction or offset is necessary in order to retain a
- 1.15 business within or attract a business to the zone. The city alternatively may elect to use
- 1.16 any portion of the allocation provided in this paragraph for tax reductions under section
- 1.17 469.1732 or 469.1734.
- 1.18 (b) The commissioner shall allocate \$750,000 for tax reductions under section
- 1.19 469.1732 or 469.1734 to cities with border city enterprise zones located on the western
- 1.20 border of the state. The commissioner shall allocate this amount among the cities on a per
- 1.21 capita basis. The city alternatively may elect to use any portion of the allocation provided
- 1.22 in this paragraph for tax reductions as provided in section 469.171.
- 1.23 EFFECTIVE DATE. This section is effective the day following final enactment.

Please direct all comments concerning issues or legislation
to your [House Member](#) or [State Senator](#).

For Legislative Staff or for directions to the Capitol, visit the [Contact Us](#) page.

[General questions or comments.](#)

last updated: 02/27/2009



Minnesota Lawful Gambling

LG220 Application for Exempt Permit

For Board Use Only
Check# _____
\$ _____

An exempt permit may be issued to a nonprofit organization that:
• conducts lawful gambling on five or fewer days, and
• awards less than \$50,000 in prizes during a calendar year.

Fee is \$50 for each event

ORGANIZATION INFORMATION

Organization name: EAST SIDE DUCKS UNLIMITED
Previous gambling permit number: _____

Type of nonprofit organization. Check (✓) one.
 Fraternal Religious Veterans Other nonprofit organization

Mailing address: PO Box 381
City: EAST GRAND FORKS MN State/Zip Code: 56721 County: POLK

Name of chief executive officer (CEO): SCOTT ANDERSON
Daytime phone number: 218-333-6477

ATTACH A COPY OF ONE OF THE FOLLOWING FOR PROOF OF NONPROFIT STATUS

★ Do not attach a sales tax exempt status or federal ID employer numbers as they are not proof of nonprofit status.

Nonprofit Articles of Incorporation OR a current Certificate of Good Standing.

Don't have a copy? This certificate must be obtained each year from:
Secretary of State, Business Services Div., 180 State Office Building, St. Paul, MN 55155 Phone: 651-296-2803

Internal Revenue Service - IRS income tax exemption [501(c)] letter in your organization's name.

Don't have a copy? To obtain a copy of your federal income tax exempt letter, send your federal ID number and the date your organization initially applied for tax exempt status to:
IRS, P.O. Box 2508, Room 4010, Cincinnati, OH 45201

Internal Revenue Service - Affiliate of national, statewide, or international parent nonprofit organization (charter)

If your organization falls under a parent organization, attach copies of both of the following:

- a. IRS letter showing your parent organization is a registered nonprofit 501(c) organization with a group ruling
- b. the charter or letter from your parent organization recognizing your organization as a subordinate.

X Internal Revenue Service - proof previously submitted to Gambling Control Board

If you previously submitted proof of nonprofit status from the Internal Revenue Service, no attachment is required.

GAMBLING PREMISES INFORMATION

Name of premises where gambling activity will be conducted (for raffles, list the site where the drawing will take place)

EAST GRAND FORKS AMERICAN LEGION

Address (do not use PO box): 1009 CENTRAL AVE NW
City: EAST GRAND FORKS Zip Code: 56721 County: POLK

Date(s) of activity (for raffles, indicate the date of the drawing)

4-30-09

Check the box or boxes that indicate the type of gambling activity your organization will conduct:

- *Bingo Raffles *Paddlewheels *Pull-Tabs *Tipboards

* Gambling equipment for pull-tabs, tipboards, paddlewheels, and bingo (bingo paper, hard cards, and bingo number selection device) must be obtained from a distributor licensed by the Gambling Control Board. To find a licensed distributor, go to www.gcb.state.mn.us and click on List of Licensed Distributors, or call 651-639-4076.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT

If the gambling premises is within city limits, the city must sign this application.

Check (✓) the action that the city is taking on this application.

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- The application is denied.

Print city name _____

On behalf of the city, I acknowledge this application.
Signature of city personnel receiving application

Title _____ Date ____/____/____

If the gambling premises is located in a township, both the county and township must sign this application.

Check (✓) the action that the county is taking on this application.

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days.
- The application is denied.

Print county name _____

On behalf of the county, I acknowledge this application.
Signature of county personnel receiving application

Title _____ Date ____/____/____

TOWNSHIP: On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. [A township has no statutory authority to approve or deny an application [Minnesota Statute 349.213, subd. 2]]

Print township name _____

Signature of township official acknowledging application

Title _____ Date ____/____/____

CHIEF EXECUTIVE OFFICER'S SIGNATURE

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the date of our gambling activity.

Chief executive officer's signature _____ Date ____/____/____

Complete an application for each gambling activity:

- one day of gambling activity
- two or more consecutive days of gambling activity
- each day a raffle drawing is held

Send application with:

- a copy of your proof of nonprofit status, and
- \$50 application fee for each event.
Make check payable to "State of Minnesota."

To: Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Financial report and recordkeeping required

A financial report form and instructions will be sent with your permit. Within 30 days of the activity date, complete and return the financial report form to the Gambling Control Board.

Questions?

Call the Licensing Section of the Gambling Control Board at 651-639-4076.

Data privacy. This form will be made available in alternative format (i.e. large print, Braille) upon request. The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your qualifications to be involved in lawful gambling activities in Minnesota. You have the right to refuse to supply the information requested; however, if you refuse to supply this information, the Board may not be able to determine your qualifications and, as a consequence, may refuse to issue you a permit. If you supply the information requested,

the Board will be able to process your application. Your name and your organization's name and address will be public information when received by the Board. All the other information you provide will be private data until the Board issues your permit. When the Board issues your permit, all of the information provided to the Board will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your name and your organization's name and address which will remain public. Private data are available to: Board members,

Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Finance, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies that are specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this Notice was given; and anyone with your consent.

RESOLUTION NO. 09-04-25

**A RESOLUTION REQUESTING AUTHORITY
TO ESTABLISH A MUNICIPAL STREET IMPROVEMENT DISTRICT**

Councilmember ____, Seconded by Councilmember ____, introduced the following resolution and moved its adoption:

WHEREAS, residents and businesses benefit from a sound, efficient and adequately funded transportation system that offers diverse modes of travel; and

WHEREAS, under-investment in transportation infrastructure diminishes quality of life for Minnesota residents and hinders Minnesota's progress as a national business, economic and civic leader; and

WHEREAS, the integrity of the City of East Grand Forks's transportation infrastructure is dependent upon long-term planning and ongoing maintenance, both of which require dedicated and sustainable revenue sources; and

WHEREAS, existing funding mechanisms for local roads, such as special assessments, bonding and municipal state aid, have limited applications; and

WHEREAS, the City of East Grand Forks does not have a stable funding stream for roads to keep pace with growing costs and changing needs; and

WHEREAS, the cost of maintaining and repairing city streets increases by as much as six times when maintenance is deferred; and

WHEREAS, local cost participation requirements for trunk highway and county projects are onerous and are contributing to strains on city budgets; and

WHEREAS, levy limits and cuts in aids to local government have contributed significantly to destabilization of local budgets; and

WHEREAS, transportation infrastructure maintenance and improvement costs significantly contribute to rising property taxes; and

WHEREAS, the City of East Grand Fork's transportation system is failing to meet the needs necessary to promote economic development; and

WHEREAS, some of the City of East Grand Fork's roads are not built to modern safety standards and are not meeting the needs of industries that depend on the ability to transport heavy loads; and

WHEREAS, authority to establish a street improvement district would provide the City of East Grand Forks with an additional tool for funding transportation infrastructure maintenance and reconstruction.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST GRAND FORKS that this council believes creation of a street improvement district would allow for preservation of the city's transportation infrastructure assets; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF EAST GRAND FORKS that this council requests that the Minnesota Legislature provide authority for the City of East Grand Forks to create a street improvement district; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF EAST GRAND FORKS that this Council requests that Governor Tim Pawlenty allow legislation providing authority for the City of East Grand Forks to create a street improvement district to become law.

Voting Aye:
Voting Nay: None.
Absent:

The President declared the resolution passed.

Passed: April 7, 2009

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 7th of April, 2009.

Mayor

Request for Council Action

Date: March 18, 2009

To: East Grand Forks City Council, Mayor Lynn Stauss, President Dick Grassel, Council Vice President Henry Tweten, Council Members: Marc Demers, Craig Buckalew, Wayne Gregoire, Greg Leigh, and Mike Pokrzywinski.

Cc: File

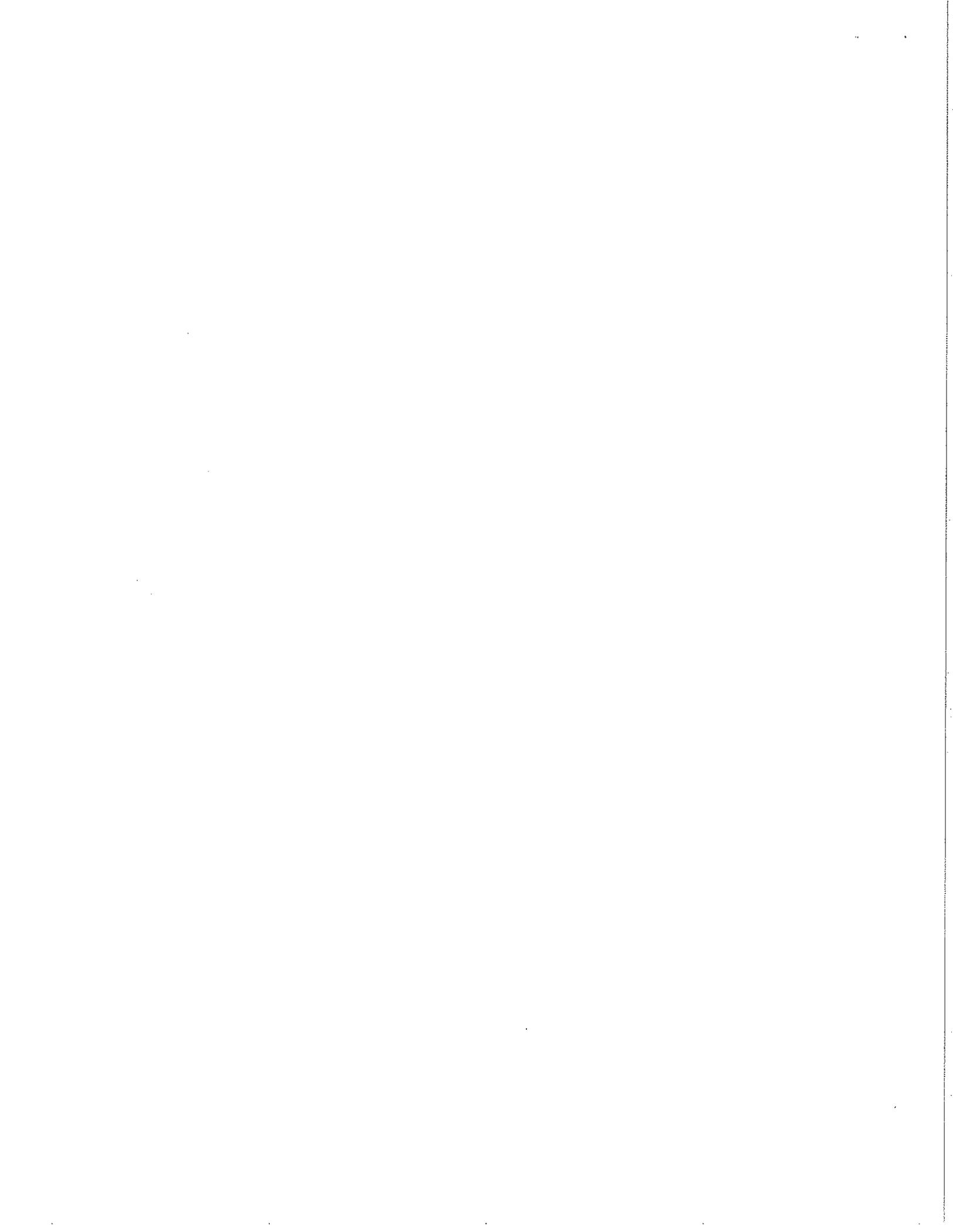
From: Michael S. Hedlund – Chief of Police

RE: Request to recognize the promotion of Chris Olson to the position of Detective Sergeant

Background: With the recent retirement of Det. Sgt. Rick Blazek the EGFPD has been operating with only one regular investigator (in addition to the narcotics task force position). The EGF City Council approved moving a new person to this position during a previous session.

Recommendation: Chris Olson was selected for this position and is scheduled to start working as an investigator on April 6, 2009. Per the LELS contract an officer moving into an investigator position will be paid at the Sergeant level. Detective Sergeants are also paid at this same level so there is presently no financial impact on the city if an investigator is also a sergeant. Officer Olson is currently the next person on our Sergeant's promotional roster. In light of his position on that roster and the additional responsibilities that he will be assuming I am planning on also promoting him to the rank of Sergeant in addition to being named an Investigator. I have spoken to Mr. Huizenga regarding this matter and he is supportive of this decision.

Enclosures: None.



Request for Council Action

Date: 4-1-09

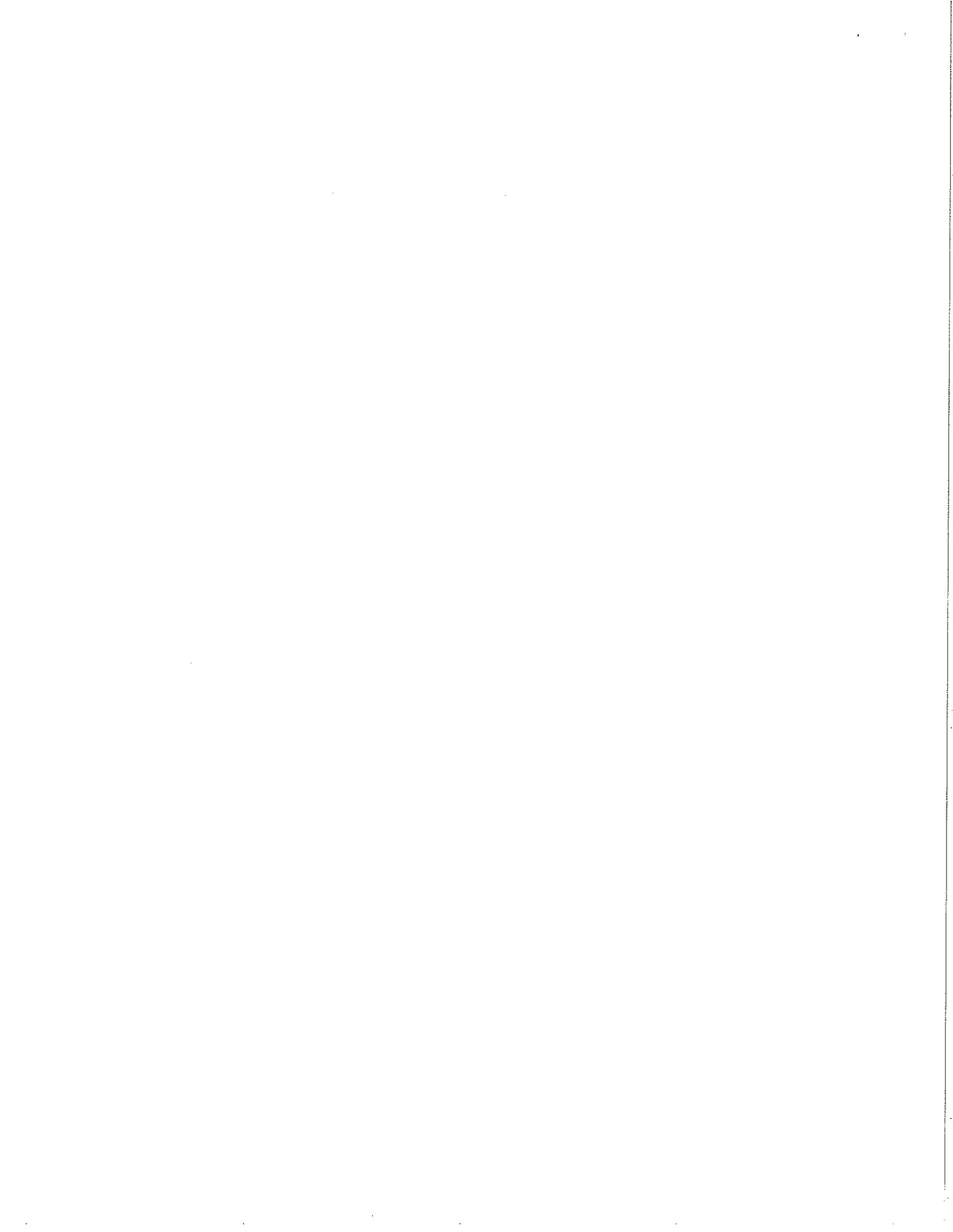
To: East Grand Forks City Council, Mayor Lynn Stauss, President Dick Grassel, Council Vice President Henry Tweten, Council Members: Marc Demers, Craig Buckalew, Wayne Gregoire, Greg Leigh, and Mike Pokrzywinski.

Cc: File

From: Michelle French

RE: Civil Service Commission

Consider approving Norm Vanderpan to the Civil Service Commission to replace Val Gravseth for a 3 year term beginning 4/8/09 through 12/31/11.



Minutes of the regular meeting of the Water, Light, Power and Building Commission of the City of East Grand Forks, Minnesota held March 5, 2009 at 5:00 P.M.

Present: Ogden, Quirk, Tweten

Absent: Brickson

It was moved by Commissioner Tweten second by Commissioner Quirk to approve the minutes of February 19, 2009.

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 \$ 330,157.30.

Voting Aye: Ogden, Quirk, Tweten

Voting Nay: None

It was moved by Commissioner Quirk second by Commissioner Tweten to award the bid for the 2009 Miscellaneous Electric Distribution Construction project to Moorhead Electric in the amount of \$142,200.42

Voting Aye: Ogden, Quirk, Tweten

Voting Nay: None

It was moved by Commissioner Quirk second by Commissioner Tweten to deny Season's Restaurant claim for reimbursement due to a power outage on August 14, 2008.

Voting Aye: Ogden, Quirk, Tweten

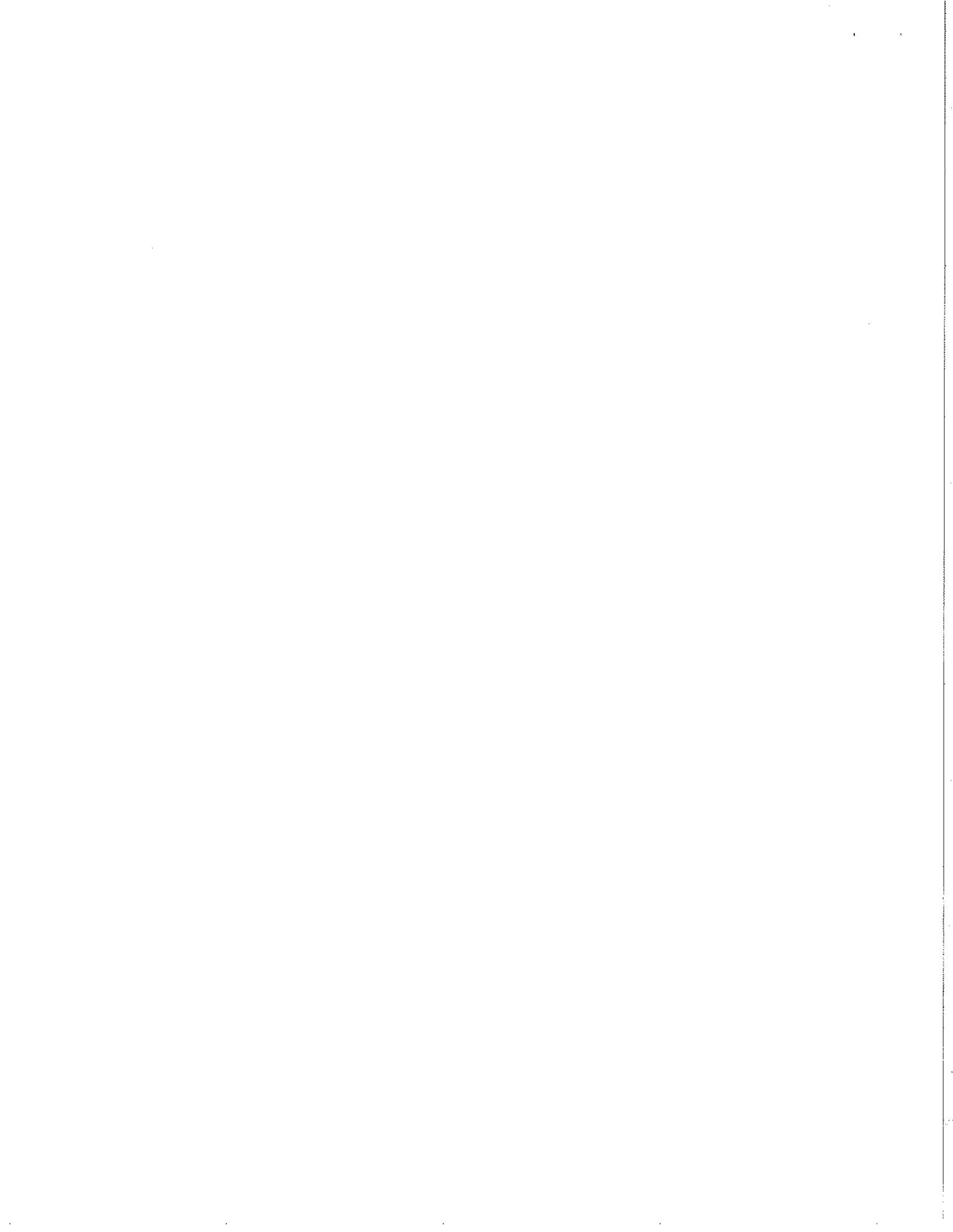
Voting Nay: None

It was moved by Commissioner Tweten second by Commissioner Quirk to adjourn to March 19, 2009.

Voting Aye: Ogden, Quirk, Tweten

Voting Nay: None

Lori Maloney
Sec'y



Minutes of the regular meeting of the Water, Light, Power and Building Commission of the City of East Grand Forks, Minnesota held March 19, 2009 at 5:00 P.M.

Present: Ogden, Quirk, Tweten

Absent: Brickson

It was moved by Commissioner Tweten second by Commissioner Quirk to approve the minutes of March 5, 2009.

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 \$ \$895,975.80.

Voting Aye: Ogden, Quirk, Tweten

Voting Nay: None

It was moved by Commissioner Quirk second by Commissioner Tweten that the Secretary now present the 2009 Electrical Equipment and Material bids.

Voting Aye: Ogden, Quirk, Tweten

Voting Nay: None

The Secretary presented the bids as they were by item and tabulated by the consulting engineers, KBM, Inc.; KBM recommended them for award in the following amounts:

Supplier	Item No(s)	Total Amount
Border States Electric Supply Co	6,9,18,22,23,25,27-29	\$ 50,497.92
Burmeister Electric Supply Co	3	\$ 22,720.00
Dakota Supply Group	2,4,5,21	\$ 48,154.00
Rural Electric Supply Cooperative	1,7,8,10-12,15,16,19,20,26	\$ 102,716.30
Westinghouse Electric Supply Co	13,14,17,24	\$ 8,745.10

It was moved by Commissioner Quirk second by Commissioner Tweten to authorize the preparation of plans and specs for the flood wall storage building.

Voting Aye: Ogden, Quirk, Tweten

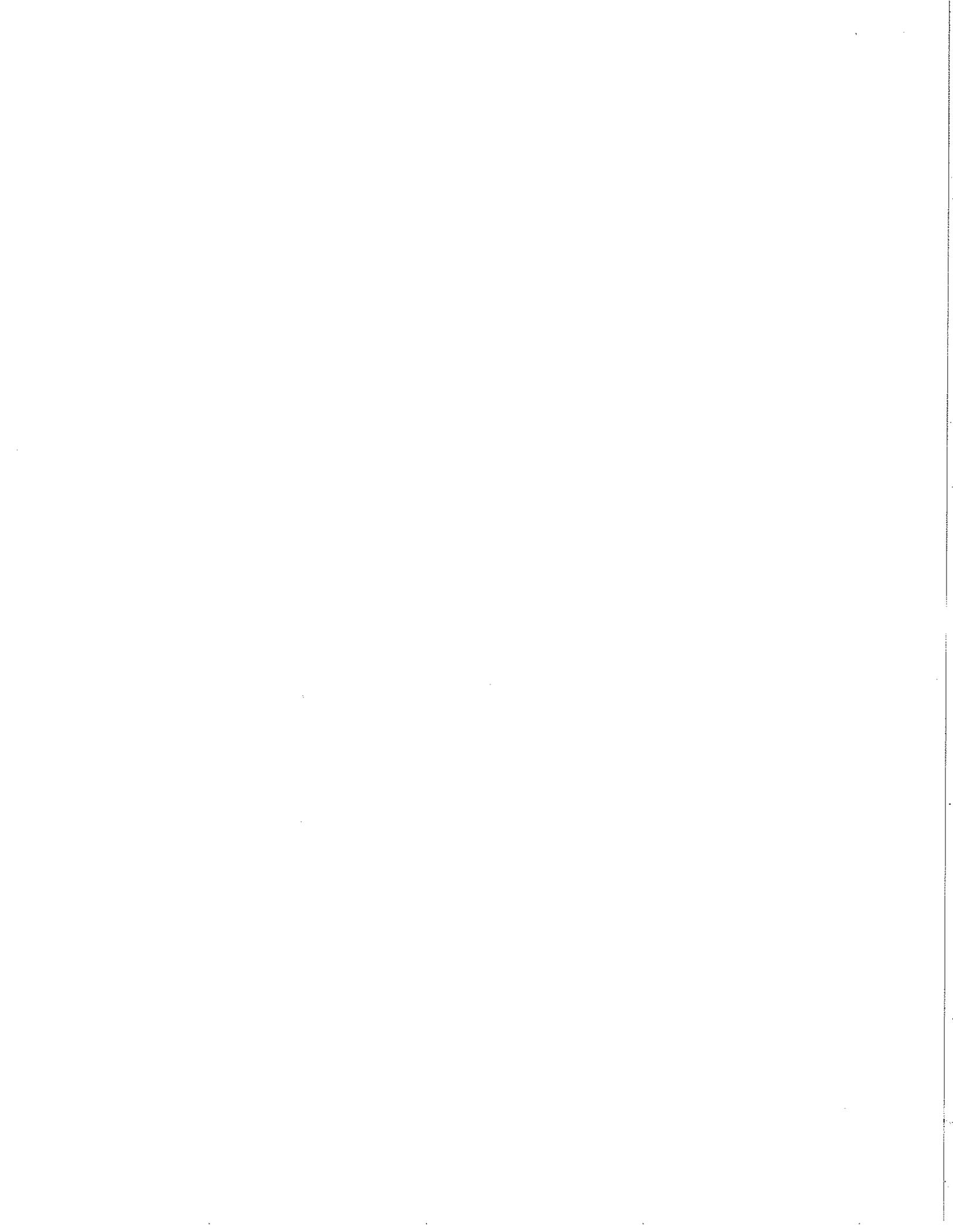
Voting Nay: None

It was moved by Commissioner Tweten second by Commissioner Quirk to adjourn to April 2, 2009.

Voting Aye: Ogden, Quirk, Tweten

Voting Nay: None

Lori Maloney
Sec'y





City of East Grand Forks

600 DeMers Ave • P.O. Box 373 • East Grand Forks, MN 56721
218-773-2483 • 218-773-9728 fax www.eastgrandforks.net

March 31, 2009

East Grand Forks Planning Commission
C/o Gary Christianson, Chair
600 DeMers Ave
East Grand Forks, MN 56721

Re: Consistent Planning Practices

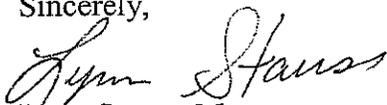
Chairman Christianson and Members of the EGF Planning Commission:

We appreciate your concern. The Mayor and City Council completely agree that consistency in Planning and Zoning speaks to the very nature of the process. First, we would like to highlight that the Waters Edge 2nd Addition includes a 30-foot utility and access easement as required by ordinance. The Council minutes of May 3, 2005 and May 17, 2005 clearly state this requirement. Waters Edge 3rd Addition does not contain a block in excess of 800 feet. Therefore, a pedestrian easement is not required in this area.

Mr. Peabody presented Waters Edge 1st Addition to the Planning Commission to highlight the issue of City requirements on City-owned property. The minutes from the approval of the 1st Addition do not contain reference to any specific reason why a pedestrian easement may or may not have been required. Best recollection from that time indicates that the City Council may have considered the proximity of the development to the golf course. Because the subdivision abuts the Valley Golf Course, it may not be in the best interest of the subdivision or the City to provide pedestrian access onto the course.

Nonetheless, we fully recognize the Planning Commission's desire to maintain consistency in our Planning and Zoning decisions. Thank you for bringing this matter to our attention. We look forward to cooperation with your body to develop an aesthetically-pleasing and functional City for decades to come.

Sincerely,


Lynn Stauss, Mayor

E.G.F. Planning Commission

P.O. Box 373, East Grand Forks, Minnesota 56721 – Phone Number: (218) 773-0124

January 8, 2009

East Grand Forks City Council
600 DeMers Avenue
East Grand Forks, MN 56721

RE: Consistent Planning Practices

East Grand Forks City Council and Mayor Stauss:

At the January 8th, 2009 Planning Commission Meeting, a hearing and discussion was held regarding the vacation and dedication of a pedestrian easement in Peabody's First Addition. This pedestrian easement is required by Ordinance, adopted in 2003. During discussion, Mr. Peabody expressed concern to the Planning Commission regarding why the City of East Grand Forks does not have any pedestrian easements on the city-developed lots in the Waters Edge Additions. Therefore, we are forwarding this concern to you, the City Council, to address Mr. Peabody's question as to why these pedestrian easements were not required in City owned subdivisions. We would also like to express our concern as to why the City did not appear to follow their adopted zoning ordinance or seek a variance in the sited case.

As Planning Commission, we are hopeful that this issue can be addressed with a response by Council as to why it wasn't required; or with action by the addition of pedestrian easements, where required, to the Waters Edge Additions. We are hopeful that the City Council will address this issue to the best of it's ability and support the idea that the City of East Grand Forks will follow those regulations that any citizen or developer must follow. We thank you for your attention to this matter.

Sincerely,



Gary Christianson
EGF Planning Commission Chairmen on behalf of the EGF Planning Commission

Cc: Mr. Robert Peabody

Request for Council Action

Date: 3-20-09

To: East Grand Forks City Council, Mayor Lynn Stauss, President Dick Grassel, Council Vice President Henry Tweten, Council Members: Marc Demers, Craig Buckalew, Wayne Gregoire, Greg Leigh, and Mike Pokrzywinski.

Cc: File

From: Scott Huizenga, City Administrator

RE: Amendment to Agreement with Strandell News Services

City Council approved an agreement in May 2006 with Strandell News Services to produce an East Grand Forks history book. The book is slated to be released in conjunction with the 125th Anniversary celebration. To date, the City has paid \$18,583.93 to Strandell News Services.

The City Council discussed the issue in May 2008. At that time, the City Council formed a committee consisting of Mayor Stauss, Council President Dick Grassel, and Council Vice President Henry Tweten to negotiate a final amendment to complete and publish the book. The parties met in February 2009.

The committee negotiated a final agreement of an additional \$7500 to complete the project. This would bring the total compensation to \$26,093.83 over the five year period (2006-2011). The proposed amendment to the agreement ties compensation to specific benchmarks in the development and publication process. The City will retain all gross revenues to reimburse book costs. Any remaining sales will be dedicated to the 125th Anniversary celebration.

Recommendation: Approve the Agreement Amendment.

AMENDMENT #1 TO CONSULTATION AND PUBLICATION AGREEMENT

WHEREAS, the City of East Grand Forks, Minnesota (hereinafter referred to as "City") entered into a Consultation and Publication Agreement ("Agreement") with Warren Strandell ("Author") on May 16, 2006 ; and

WHEREAS, the City and the Author agree that the scope of services should be modified to incorporate the full depth of the project;

THEREFORE, the following sections of the Agreement shall be amended in full to read as follows:

SECTION TWO
COMPENSATION

Author will be compensated for a total of \$26,083.93 upon completion of the publication. The City shall retain all revenues from the sale of books, royalties, and/or publishing rights granted to the City. The Author will assume all expenses for out-of-city travel, telephone, meals, and other incidental expenses unless separately approved by the City. The City will assume costs for publication and printing of the work including photo and layout costs. The City will approve the type of copy and the number of copies to be printed prior to publication. The compensation shall be disbursed according to the following benchmarks:

Disbursement	Benchmark
\$18,583.93	Prior to March 1, 2009
\$2000.00	Completion of Personal Experience Stories
\$1000.00	Completion of General Community History
\$500.00	Completion of Photo Section
\$1000.00	Completion of Pre-Design and Layout
<u>\$3000.00</u>	Final Delivery of Bound and Finished Product
on	
\$26,083.93 Total	or before July 1, 2011

Completion and delivery dates shall be certified by the City Administrator or other designee as indicated the City Council of East Grand Forks.

SECTION FIVE

The Author shall deliver to the City the finished printed product on or before July 1, 2011.

All other items not referenced in this amendment shall remain in effect per the original agreement.

In witness whereof the parties have executed this agreement on this _th day of Aprii.

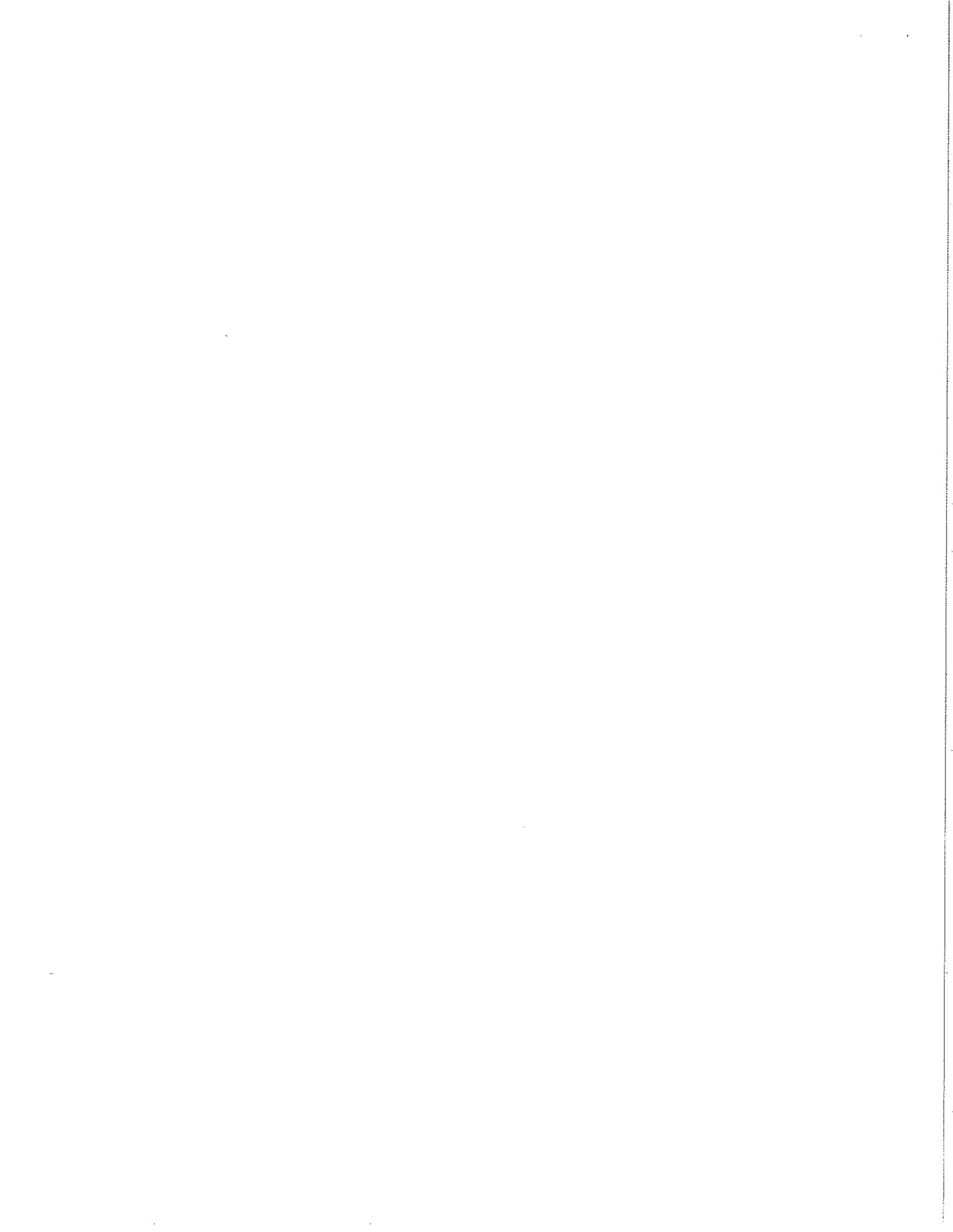
CITY OF EAST GRAND FORKS

STRANDELL NEWS SERVICES

Mayor – Lynn Stauss

Warren Strandell

City Administrator – Scott Huizenga



Request for Council Action

Date: April 1, 2009
To: East Grand Forks City Council, Mayor Lynn Stauss, Council President Grassel, Council Vice President Tweten, Council Members Mike Pokrzywinski, Wayne Gregoire, Craig Buckalew, Greg Leigh and Marc Demers
Cc: File
From: Ron Galstad
RE: Purchase Price for Drain way

Dear Michelle:

Please place the attached Resolution on the Council Agenda for April 7, 2009. The Resolution provides the required authorization from the City Council to purchase the Drain way necessary for the 2009 City Project No. 1 for Curb, Gutter, paving and sewer. The City must purchase approximately 5 acres of Right of Way from each land owner, (Wavra and Johnson) to be able to remove the drainage ditch so we can reconstruct and lower the road. Prior to submitting an purchase offer I must have Council approval.

Thank you for your assistance in this matter. If you or the Council have any questions please contact me for clarification.

Respectfully yours,

Ron Galstad

RESOLUTION NO. 09-04-26

Councilmember ____, Seconded by Councilmember ____, introduced the following resolution and moved its adoption:

WHEREAS, the City of East Grand Forks, (hereinafter "The City") in an effort to Improve the existing rural section and develop and urbanize 23rd Street NW (2009 City Project No.1), is required to obtain the land to construct a permanent drain way and to obtain permanent and temporary easements;

WHEREAS, the City council has determined that said projects are for a public use and for a public purpose;

WHEREAS, MnDOT requires that the appropriate MnDOT District Right of Way Engineer certify right of way acquisitions for city projects using federal funds;

WHEREAS, pursuant to Federal and State law the City Council must authorize the purchase price to acquire the land to construct a permanent drain way and to obtain permanent and temporary easements;

WHEREAS, to comply with Federal and State law the City by this resolution authorizes the purchase price to acquire the appropriate right of way to construct the permanent drain way as a part of 2009 City Project No. 1, to include but not limited to, all necessary right of ways, easements and temporary constructions easements;

WHEREAS, further to comply with Federal and State law by this resolution the City Council acknowledges the method used to determine compensation, the method used to determine ownership, and acknowledges that the price per acre exceeds the appraisals that were obtained by the City to value the land necessary to construct the drain way;

WHEREAS, the City Council also acknowledges that it has been provided reasonable and credible information to justify the exceeding the appraised value under the specific and unique circumstances presented to complete this project in a timely fashion;

WHEREAS, the City Council has used the knowledge and experience that it gained from the land acquisition process necessary to complete the US Army Corps of Engineer Flood Control project over the last 12 years to substantiate the purchase price;

WHEREAS, the City Council tenders an offer of \$12,000.00 per acre for ALL damages to the affected property owners to include but not limited to the land purchase, severance damages, and permanent and temporary easements;

WHEREAS, the City Council further authorizes the City Attorney draft all the appropriate documents to acquire the necessary land and right of way acquisitions and further authorizes the City Administrator and Mayor to sign the appropriate documents and requisition the funds to finalize the transaction.

(See Attached Exhibit "A" and "B" for the legal description for the acquisitions)

NOW, THEREFORE, BE IT HEREBY RESOLVED

1. That the City Council does approve of the purchase price to of \$12,000.00 per acre to acquire approximately ten acres plus or minus as shown on exhibits "A and "B" to acquire all property rights, to include but not limited to, all necessary right of ways, easements and temporary constructions easements to complete the above reference projects;
2. The City Council authorizes the City attorney to draft all necessary documents to acquire the land necessary to construct a permanent drain way and to obtain the permanent and temporary easements; and
- 3 Authorizes the Mayor and City Administrator/Clerk Treasurer to requisition the funds and sign all appropriate documents.

Voting Aye:

Voting Nay: None.

Absent:

The President declared the resolution passed.

Passed: April 7, 2009

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 7th of April, 2009.

Mayor



RESOLUTION NO. 09 – 04 - 27

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>
3-9-09	38070	Inventory Parts #177	\$26.10

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 \$26.10 on check number 2645 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 7, 2009

Voting Aye:

Voting Nay: None.

Abstain:

Absent:

The President declared the resolution passed.

Passed: April 7, 2009

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 7th of April, 2009.

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>
3-9-09	38070	Inventory Parts #177	\$26.10

- 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 7, 2009.

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. 09 - 04 - 28

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 2694 for a total of \$455.14.

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 \$455.14 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 7, 2009.

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

The President declared the resolution passed.

Passed: April 7, 2009

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 7th of April, 2009.

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 2694 for a total of \$455.14.
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 7, 2009.

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.

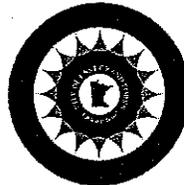
Dated: _____

(Signature of Official)

Accounts Payable

Check Register Totals Only

User: ejohnson
Printed: 4/2/2009 - 1:24 PM



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
2629	04/07/2009	3DS001	3D Specialties	3,577.41	0
2630	04/07/2009	ACM001	Acme Electric Companies	1,729.99	0
2631	04/07/2009	ACS001	ACS Government Sys Inc	633.13	0
2632	04/07/2009	ADV001	Advanced Business Methods	292.88	0
2633	04/07/2009	ADV004	Advanced Fire Protection	20,552.00	0
2634	04/07/2009	AKE001	Dave Aker	66.35	0
2635	04/07/2009	ALB001	Albrecht Manufacturing	297.01	0
2636	04/07/2009	ALL001	Alltel	63.26	0
2637	04/07/2009	AME002	American Tire Service	92.35	0
2638	04/07/2009	AME003	American Traffic Safety Association	190.00	0
2639	04/07/2009	AME005	Ameripride Linen & Apparel Services	412.31	0
2640	04/07/2009	AND001	Mike Anderson	17.30	0
2641	04/07/2009	AUT001	Auto Glass & Aftermarket	322.00	0
2642	04/07/2009	BAK001	Baker & Taylor Co	749.72	0
2643	04/07/2009	BCA001	BCA BTS	450.00	0
2644	04/07/2009	BER004	Berg-Johnson Associates Inc	879.18	0
2645	04/07/2009	BER001	Bert's Truck Equipment	26.10	0
2646	04/07/2009	BLU001	Blue Cross Blue Shield of ND	4,482.60	0
2647	04/07/2009	BOE001	Andrew Boen	122.00	0
2648	04/07/2009	BRO002	Brodart Co	228.56	0
2649	04/07/2009	BRU001	Jay Bruce	180.00	0
2650	04/07/2009	BUS002	Business Essentials	76.56	0
2651	04/07/2009	CAP001	Capstone Press Inc	325.41	0
2652	04/07/2009	CAS002	Cassanelli, Michael & Melissa & GCE	5,000.00	0
2653	04/07/2009	COL002	Cole Papers Inc	347.99	0
2654	04/07/2009	COM001	Commercial Maintenance Chemical C	1,299.85	0
2655	04/07/2009	COM003	Complete Pest Control Inc	686.96	0
2656	04/07/2009	COS001	Costume Gallery	228.64	0
2657	04/07/2009	COU003	Country Inn St.Paul East	421.70	0
2658	04/07/2009	CUS002	Custom Stripes Inc	100.00	0
2659	04/07/2009	D&D001	D&D Heating & Sheet Metal	71.50	0
2660	04/07/2009	DAK004	Dakota Supply Group	112.22	0
2661	04/07/2009	DAK006	Dakota TV & Appliance	39.33	0
2662	04/07/2009	DEM001	Demco Educational Corp	239.00	0
2663	04/07/2009	DEM003	Steve DeMers	21.75	0
2664	04/07/2009	DIA001	Richard Papenfuss Diamond Cleaning	205.33	0
2665	04/07/2009	BIG004	Darin Drummer	1,026.17	0
2666	04/07/2009	EAG001	Eagle Electric	1,778.05	0
2667	04/07/2009	EAS004	East Side Auto Service	350.00	0
2668	04/07/2009	EGE002	Bobbie Egeland	65.30	0
2669	04/07/2009	EGF005	EGF Firemen's Relief Association	844.00	0
2670	04/07/2009	ELE001	Electric Pump	10,387.53	0
2671	04/07/2009	EVE001	Tim Everett	5.55	0
2672	04/07/2009	EXP003	Explorer Post #38	50.00	0
2673	04/07/2009	EXP002	Exponent	417.13	0
2674	04/07/2009	FED001	FedEx Kinko's	141.13	0
2675	04/07/2009	FIL001	Filter Care	54.21	0
2676	04/07/2009	FLO001	Floan Sanders	31,416.26	0
2677	04/07/2009	FOR008	Matt Fore	24.67	0
2678	04/07/2009	FOR004	Forx Radiator	61.90	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
2679	04/07/2009	G&K001	G&K Services	206.45	0
2680	04/07/2009	GAF001	Gaffaneys	42.33	0
2681	04/07/2009	GAL001	Gale	240.95	0
2682	04/07/2009	MDS001	GE MDS, LLC	427.03	0
2683	04/07/2009	GEO001	George's Quick Printing	372.75	0
2684	04/07/2009	GFH002	GF Herald	93.49	0
2685	04/07/2009	GFW001	GF Welding & Machine	193.68	0
2686	04/07/2009	GGF001	GGF Convention & Visitors Bureau	475.70	0
2687	04/07/2009	GOV001	Government Finance Officers Associa	170.00	0
2688	04/07/2009	GRA004	Grand Cities Towing	350.00	0
2689	04/07/2009	GRA008	Grand Forks City	14,646.00	0
2690	04/07/2009	GRA005	Grand Forks Taxi Company	2,187.25	0
2691	04/07/2009	GUS001	Randy Gust	123.99	0
2692	04/07/2009	H2O001	H2O Inc	3,358.05	0
2693	04/07/2009	HAI002	Rick Hajicek	380.00	0
2694	04/07/2009	HAR001	Hardware Hank	455.14	0
2695	04/07/2009	HEA003	Jason Hearn	130.60	0
2696	04/07/2009	HEA001	Heartland Paper	155.20	0
2697	04/07/2009	HEB001	Hebron Brocks	63.68	0
2698	04/07/2009	HOL002	Holiday Credit Office	51.84	0
2699	04/07/2009	HOM001	Home of Economy	380.21	0
2700	04/07/2009	HUG001	Hugo's	180.20	0
2701	04/07/2009	HUI001	Scott Huizenga	28.60	0
2702	04/07/2009	INT003	Integra Telecom	234.19	0
2703	04/07/2009	K&E001	K&E Construction	11,966.85	0
2704	04/07/2009	KAR001	Kar Products	177.54	0
2705	04/07/2009	KEI001	Keith's Lock & Key	25.00	0
2706	04/07/2009	LAK001	Laker Chemical	973.14	0
2707	04/07/2009	LEA001	League of MN Cities	60.00	0
2708	04/07/2009	LEA002	League of MN Cities	107,975.50	0
2709	04/07/2009	LEA003	Learning Opportunities Inc	274.35	0
2710	04/07/2009	LIT001	Lithia Payment Processing	40.94	0
2711	04/07/2009	LOC001	Locators & Supplies Inc	191.92	0
2712	04/07/2009	LUM001	Lumber Mart	1,300.67	0
2713	04/07/2009	MAC004	Jason Mack	75.09	0
2714	04/07/2009	MAC002	MacQueen Equipment	443.02	0
2715	04/07/2009	MAM001	Mamma Maria's Italian Restaurant	115.10	0
2716	04/07/2009	MCD001	McDonald's of EGF	69.51	0
2717	04/07/2009	DAK009	Shannon Mehrer	485.00	0
2718	04/07/2009	MEN001	Menards	51.98	0
2719	04/07/2009	MPO001	Metropolitan Planning Organization	6,385.06	0
2720	04/07/2009	MIC001	Micro-Marketing LLC	287.87	0
2721	04/07/2009	MID003	Midcontinent Communications	744.13	0
2722	04/07/2009	MIK001	Mike's Pizza	35.57	0
2723	04/07/2009	MIL001	Josef Miller	80.00	0
2724	04/07/2009	MNC004	MN Chief of Police Association	58.58	0
2725	04/07/2009	MND003	MN Dept of Labor & Industry	200.00	0
2726	04/07/2009	MND005	MN Dept of Public Safety	75.00	0
2727	04/07/2009	MND006	VOID****VOID****VOID*** MN I	966.00	0
2728	04/07/2009	MND009	MN Drivers & Vehicle Services	28.50	0
2729	04/07/2009	MNS001	MN State Retirement System	31.00	0
2730	04/07/2009	NEL006	Katie Nelson	92.87	0
2731	04/07/2009	NOR010	North Central Rental & Leasing	2,565.00	0
2732	04/07/2009	NOR013	Norwood House Press	127.28	0
2733	04/07/2009	ORE001	O'Reilly Auto Parts	625.92	0
2734	04/07/2009	ODL001	Odland, Fitzgerald, Reynolds, & Harb	226.40	0
2735	04/07/2009	ORC002	Orchard Oil Company	30,819.55	0
2736	04/07/2009	POL004	Polk County Recorder	20.00	0
2737	04/07/2009	PRA001	Praxair Distribution	487.18	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
2738	04/07/2009	PSD001	PS Door Services	156.00	0
2739	04/07/2009	QUI001	Quill Corp	446.64	0
2740	04/07/2009	RAM001	Ramada Plaza Suites	394.08	0
2741	04/07/2009	RDO004	RDO Equipment Co	398.26	0
2742	04/07/2009	REL002	Reliance Telephone System	143.82	0
2743	04/07/2009	RIV001	River Cinema	2,652.84	0
2744	04/07/2009	RMB001	RMB Environmental Lab Inc	43.00	0
2745	04/07/2009	ROB002	Bert Roberts	111.50	0
2746	04/07/2009	ROB005	Dennis Robertson	122.00	0
2747	04/07/2009	RYD001	Rydell Chevrolet	9.06	0
2748	04/07/2009	SCH013	Tyler Scholand	76.77	0
2749	04/07/2009	SIM002	SimplexGrinnell	306.00	0
2750	04/07/2009	SLE001	Slette, Lloyd	40.52	0
2751	04/07/2009	SMI002	Smitty's Transmission	2,222.89	0
2752	04/07/2009	SPR001	Springsted	2,375.00	0
2753	04/07/2009	STC002	St.Croix Recreation Comp Inc	19,990.05	0
2754	04/07/2009	STR005	William Straw	28.66	0
2755	04/07/2009	STR003	Streichers	325.05	0
2756	04/07/2009	STU001	Stuart's Towing	330.00	0
2757	04/07/2009	SUN002	Sun Dot Communications	138.49	0
2758	04/07/2009	SUR001	Surplus Center	17.96	0
2759	04/07/2009	TAG001	Taggart Excavation and Septic Service	34,627.96	0
2760	04/07/2009	THO001	Thomas Bouregy & Co	139.50	0
2761	04/07/2009	TRI001	Tristeel Manufacturing	27.86	0
2762	04/07/2009	TRU001	True Temp	294.31	0
2763	04/07/2009	UMC001	UMC Center For Adult Learning	60.00	0
2764	04/07/2009	USP001	United States Post Office	138.00	0
2765	04/07/2009	VAL002	Valley Truck	66.78	0
2766	04/07/2009	VER001	Verizon Wireless	443.59	0
2767	04/07/2009	VIL001	Vilandre Heating & A/C	298.43	0
2768	04/07/2009	VOS001	Vossler Films/Books	115.00	0
2769	04/07/2009	WAG002	Wagner Construction	141,400.00	0
2770	04/07/2009	WAS003	Waste & Recycling News Professiona	49.00	0
2771	04/07/2009	WAT001	Water & Light Department	74,221.56	0
2772	04/07/2009	WEI001	Weissmans Designs for Dance	559.80	0
2773	04/07/2009	WIZ001	Wizard's Enterprises, Inc.	490.00	0
2774	04/07/2009	WOR002	World Media	135.68	0
2775	04/07/2009	XCE001	Xcel Energy	26,478.18	0
2776	04/07/2009	XER001	Xerox Corporation	21.72	0
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