

**AGENDA
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, JULY 16, 2013 - 5:00 P.M.**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF QUORUM:

PLEDGE OF ALLEGIANCE:

PRESENTATION OF THE FLAG:

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 July 2, 2013.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of July 9, 2013.

SCHEDULED BID LETTINGS:

3. Consider adopting Resolution No. 13-07-68 accepting and awarding the bid for sidewalk improvements along Highway 220 for 2012 City Project No. 5 to Paras Contracting for a bid price of \$213,104.72.
4. Consider adopting Resolution No. 13-07-69 accepting and awarding the bid for the multi-purpose trail along Highway 220 for 2013 City Project No. 1 to Strata Corporation for a bid price of \$584,829.

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 choose.

5. Consider approving Lease Agreement No. PS0343 between the City of East Grand Forks and the Minnesota Department of Public Safety, Driver and Vehicle Services.
6. Consider approving the temporary liquor license application for the VFW for July 25th for Bikes and Bites on the Boardwalk.
7. Consider approving the temporary liquor license application for the VFW for August 16th for Heritage Village.
8. Consider approving the Private Use of a Public Sidewalk application for Mamma Maria's.

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

9. Regular meeting minutes of the Water, Light, Power, and Building Commission for June 20, 2013.
10. Regular meeting minutes of the Planning Commission for April 12, 2013.

COMMUNICATIONS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

11. Consider approving Ordinance No. 11, 4th Series amending Chapter 130: General Offenses, by adding Section 130.08 Trespassing to the City Code and by adopting by reference City Code Title I, Chapter 10 and Section 10.99 which, among other things, contain penalty provisions. (1st Reading)
12. Consider approving the application to rezone and establish PUD zoning for the Burlington Heights property on the lot located across from City Hall.
13. Consider approving the Burlington Heights PUD concept development plan.
14. Consider awarding the job of panel replacement on James Ave SE to Cariveau Concrete Construction for \$11,904.
15. Consider approving the purchase of the John Deere CX15 Rotary Mower from True North Equipment for \$18,400.

CLAIMS:

16. Consider adopting Resolution No. 13-07-70 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 16296 for a total of \$802.76 whereas Council Member Buckalew is personally interested financially in the contract.
17. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

ADJOURN:

Upcoming Meetings:

Work Session – July 23, 2013 – 5:00 PM – Training Room

Regular Council Meeting – August 6, 2013 – 5:00 PM – Council Chambers

Work Session – August 13, 2013 – 5:00 PM – Training Room

Regular Council Meeting – August 20, 2013 – 5:00 PM – Council Chambers

**UNAPPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, JULY 2, 2013 - 5:00 P.M.**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for July 2, 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.

Karla Anderson, Finance Director; Greg Boppre, City Engineer; Dan Boyce, Water & Light Manager; Nancy Ellis, City Planner; Ron Galstad, City Attorney; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Karl Lindquist, Interim City Administrator; Megan Nelson, Executive Assistant; Jim Richter, EDHA Director; and Jason Stordahl, Public Works Director.

DETERMINATION OF QUORUM:

The Council President Determined a Quorum was present

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

“An opportunity for members of the public to address the City Council on items not on the current Agenda. Items requiring Council action maybe deferred to staff or Boards and Commissions for research and future Council Agendas if appropriate.” If you would like to address the City Council, please come up to the podium to do so.”

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of June 18, 2013.
2. Consider approving the minutes of the Waste Water Public Forum for the East Grand Forks, Minnesota City Council of June 18, 2013.

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

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

Voting Nay: None.

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.

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

3. Regular meeting minutes of the Water, Light, Power, and Building Commission for June 6, 2013.
4. Regular meeting minutes of the Cemetery Commission for June 19, 2013.

COMMUNICATIONS:

5. Acknowledge that Ms. Wald has successfully completed her six month probationary period for Secretary/Dispatch/Jailer.

OLD BUSINESS: NONE

NEW BUSINESS:

6. Consider approving the purchase of a 2012 John Deere 5115M tractor with a 5 year warranty and declare a 1992 John Deere 2775 tractor as surplus to trade in to True North Equipment for \$48,271.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE PURCHASE OF A 2012 JOHN DEERE 5115M TRACTOR WITH A 5 YEAR WARRANTY AND DECLARE A 1992 JOHN DEERE 2775 TRACTOR AS SURPLUS TO TRADE IN TO TRUE NORTH EQUIPMENT FOR \$48,271.

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

Voting Nay: None.

7. Consider approving the Request For Bids for cleaning City Hall, the Police Department, and the Public Works building.

A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER LEIGH, TO APPROVE THE REQUEST FOR BIDS FOR CLEANING CITY HALL, THE POLICE DEPARTMENT, AND THE PUBLIC WORKS BUILDING.

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

Voting Nay: None.

8. Consider approving the Transit Title VI Plan required by the Federal Transit Administration for the City of East Grand Forks.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER GRASSEL, TO APPROVE THE TRANSIT TITLE VI PLAN REQUIRED BY THE FEDERAL TRANSIT ADMINISTRATION FOR THE CITY OF EAST GRAND FORKS.

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

Voting Nay: None.

CLAIMS:

9. Consider adopting Resolution No. 13-06-67 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 16170 for a total of \$994.83 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER VONASEK, TO ADOPT RESOLUTION NO. 13-06-67 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 16170 FOR A TOTAL OF \$994.83 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

Voting Nay: None.

Abstain: Buckalew

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

A MOTION WAS MADE BY COUNCIL MEMBER VONASEK, SECONDED BY COUNCIL MEMBER LEIGH, TO AUTHORIZE THE INTERIM CITY ADMINISTRATOR TO ISSUE PAYMENT OF RECOMMENDED BILLS AND PAYROLL.

Council member Vetter asked Mr. Lindquist if he was waiting until the end of the time to submit a billing statement for his services because all the council has seen are timesheets. Mr. Lindquist informed him that he didn't think he could be an independent contractor which was reinforced by Brady Martz so he asked to be put on payroll. Council member Vetter asked that the contract be renegotiated since there are benefits with being on payroll which were not included in the contract. Ms. Anderson stated he was put on payroll at \$69.67 and with the amount being paid in taxes it equals to \$75.00 per hour. Council member Vetter asked that this issue be put on an agenda of a work session for discussion.

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

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Council Member Vetter asked if anyone had given the contractors the permission to be staging on the city lot at the corner of 5th Street and 3rd Avenue or if they were renting this space. Mr. Richter stated

that the City allowed the staging on this space. Council member Vetter asked if they will be putting it back to the way it was. Mr. Richter stated he would make sure this area is restored to how it was before the staging took place.

Council Member Buckalew wished everyone a Happy 4th of July and to be safe.

Council Member Leigh stated he had a question for Megan. He started by saying everyone drives by this lot located next to Hugo's and commented on how awful it looks with so much of the grass being so tall. Ms. Nelson stated she had the phone number to the property owner and would call the next day to have this addressed.

Mr. Lindquist commented on the waste water public forum minutes on how detailed they were. He stated people who are not able to attend the meeting will be referring to them and asked the council members to make sure they read the minutes to make sure they are accurate. He asked Mr. Marquardt to fill in the council on the preliminary budget. Mr. Marquardt informed the council the preliminary budget is almost complete. He said the only things left to input were salaries and the revenue side. He stated he was waiting for some more information to come in regarding revenue and then he would be able to finish. Mayor Stauss asked if there is a way to monitor or study to see how much sales go down in border towns with the rise in taxes at the state level. Council President Buckalew said there is something on the Minnesota Department of Revenue site that would allow people to see how much has been taken in sales tax in towns but not specific businesses.

Attorney Galstad added that the Mayor of Moorhead and the Moorhead Chamber of Commerce are completing a study regarding how businesses of Moorhead are being affected by the rise in taxes.

Engineer Boppre informed the council he had been contacted by Grand Forks to set up a meeting with the city engineers, the mayor, interim city administrator, and some representatives from the council from East Grand Forks regarding the flood control project and concerns about the proposed flood control project of the Fargo/Moorhead area that could affect our water levels by over one foot. Mr. Boppre ended by saying how the cities will have to come up with a reply to the proposed project by July 13th.

Chief Hedlund informed the council the Police Department had received the new Ford Interceptor. He stated how it was already to go and received very good reviews from the officers who had driven it.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER OLSTAD, TO ADJOURN THE JULY 2, 2013 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:17 P.M.

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

Voting Nay: None.

Karl Lindquist, Interim City Administrator

**UNAPPROVED MINUTES
OF THE CITY
COUNCIL WORK SESSION
CITY OF EAST GRAND FORKS
TUESDAY, JULY 9, 2013 - 5:00 P.M.**

CALL TO ORDER:

The Work Session of the East Grand Forks City Council for July 9, 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; Dan Boyce, Water & Light Manager; Lee Carvieu, City Engineer; Nancy Ellis, City Planner; Steve Emery, City Engineer; Ron Galstad, City Attorney; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Gary Larson, Fire Chief; Karl Lindquist, Interim City Administrator; Megan Nelson, Executive Assistant; and Jim Richter, EDHA Director.

DETERMINATION OF A QUORUM:

- 1. Campbell Library Roof Discussion – Karl Lindquist
- Terry Hart from Kraus Anderson & Mike Anderson from Braun Intertec will be attending the meeting to address questions from the council.**

The discussion began with introductions from Mr. Terry Hart, Director of Operations at Kraus Anderson, Mr. Steven Flaten from the Business Science Group at Braun Intertec, Mr. Matt Anderson from Braun Intertec, and Mr. Jake Boerboon from Kraus Anderson. Council President Buckalew asked how they were going to proceed. Mr. Lindquist explained how he had met Ms. Helgeson, Mr. Galstad, and the representatives from Kraus Anderson and Braun Intertec before the work session, reviewed what had happened up to this point, and the findings and recommendations of the last inspection report of the roof. He then turned it over to Mr. Flaten. Mr. Flaten stated how this roof has had a history of issues. He stated how this last project changed the ventilation system, added insulation, and stopped many of the leaks. He added that since the project has been completed there have been some issues that have shown up. Mayor Stauss asked why Kraus Anderson would have allowed the City to use this design in the first place. Mr. Hart stated he wasn't there in the beginning but looking back, everything was followed and built to specifications but this roof is unique and with that unforeseen issues. Discussion followed on what the issues are, how it was Braun Intertec that decided what the stopping point was for the scope of this last project, and how there are still issues but some have been resolved. Mr. Flaten told the council they were trying to fix this problem without having to take down all of the sheetrock and within a reasonable budget. Some council members stated

they thought this fix was going to get rid of the problems and don't like the idea of putting heat tape on the building or having someone have to shovel off the roof. Mr. Flaten suggested that pictures are taken with an infrared camera this fall when there is a greater temperature difference between inside and outside. He said he would take a look and try to find where the air leak is. Mr. Flaten stated it was more than likely cold air that is causing the problem, not the melting so these pictures could help fix the problem. Council President Buckalew thanked the panel for coming in and stated that the Water and Light Department would be in touch with them this fall so the pictures can be taken and analyzed. Mr. Galstad stated he will update the information he has and follow up with what will happen next since the City put Kraus Anderson and Braun Intertec on notice.

2. Waste Management Contract – Karl Lindquist & Paul Kalibabky

Mr. Kalibabky introduced himself to the council and gave an overview of the City's current contract with Waste Management. He stated that when the agreement was drafted in 2007 it was based off of a \$3.00 dollar fuel table and how today they are operating using \$5.00 fuel tables when negotiating contracts. He explained how surcharges included in the contract and how one of the accounts has not been properly charged with this fuel surcharge and he wanted to make the City aware this will be added to a bill. Mr. Kalibabky stated the City had another year left on the contract with Waste Management but he was wondering if he could update some numbers and present the city with a new five year contract. Discussion followed about how Waste Management does a good job, to make sure walkup service is still included, and what potential future costs could be. Mr. Kalibabky commented on how many of the residents of East Grand Forks recycle and invited the council to visit the Waste Management recycling facility. Council President Buckalew asked if this contract had to be advertised as and collect bids. Mr. Galstad stated that since this is a service the council wouldn't need to. Mr. Lindquist asked what was going to happen with the \$39,000 in surcharges that hadn't been applied to the account. Mr. Kalibabky said he had asked about it but no decision has been made. Council President Buckalew asked that Mr. Kalibabky have a new contract prepared in 30 days for the council to review and that the council would ask Mr. Stordahl if he needed anything to change or be added for services.

3. Bid Results - 2013 City Project 1 & 2012 City Project 5 – Steve Emery & Lee Carvieu

Mr. Emery stated the bids were open for these projects. He informed the council there were two bids for each of the projects. He started going over the information about 2012 City Project 5. Mr. Emery stated Paras Contracting placed a bid of \$213,104.72 and Opp Construction placed a bid of \$270,474.00. Council member Tweten asked Mr. Emery to explain what the City would be responsible for. Mr. Emery stated there were funds available from the MPO to help with the cost of this project. He estimated including soft costs this project would be approximately \$266,380.91 based off of the bid from Paras Contracting with the MPO providing 80% of the funds. He said the City portion would be approximately \$53,276.18. Council member Leigh stated he would not vote for the project unless he knows where the City portion is coming from. Ms. Anderson stated she will work on looking to see if there are funds available. Ms. Ellis stated that Transit had \$266,000 for this project but Mr. Huizenga never informed her of where the 20% the City was budgeted. She also informed the council that if these funds were not used this year the federal government would be taking back a portion of them.

Mr. Emery continued with the results for 2013 City Project 1. He told the council that these bids came in substantially higher than expected since they estimated this project at \$400,000. He stated that depending on which way the City chooses, either one of the bidders could be considered having the lowest bid. Mr. Emery told the council Opp Construction placed a bid of \$599,356.00 for the base and alternative 1 and a bid of \$642,210.40 for the base and alternative 2. He then told the council the other bidder was Strata Corporation who placed a bid for the base and alternative 1 for \$584,829.00 and a bid of \$673,166.00 for the base and alternative 2. He also added that the City was receiving funds from the MNDOT for \$225,772.00 so the city would have to come up with the rest. Ms. Ellis informed the council she had asked for funding four years prior and how this will be the last of the Transportation Enhancement funds. Mr. Emery stated that Mr. Lou Tassa was going to see if there were any other funds available from the state.

4. Feasibility Study for 2nd Ave NE – Steve Emery & Lee Carvieu

Mr. Emery informed the council the last feasibility study completed on 2nd Ave NE was done in January of 2012. He said based on the report the 28 foot wide street would be charged \$235.00 per foot in assessment. Council member Leigh asked if the street could be narrowed to help cut costs. Mr. Emery stated that the street is as narrow as it can go. Discussion followed on why this was brought up, how this street functions, how often this street is used, and how there was lots of opposition to redo this street the last time it was brought forward. Council member Leigh asked that all of the council members take a look at 2nd Avenue NE and discuss ideas for this street at the next work session.

5. Panel Replacement on James Ave – Jason Stordahl & Megan Nelson

Ms. Nelson reminded the council of a repair to sewer pipe last year on James Avenue by River Drive SE and how it was too late in the year to also repair the concrete. She stated that this proposed job would complete that project and Mr. Stordahl recommended moving forward with Carvieu Concrete since they had the lowest bid. Ms. Nelson added there were additional items on to the quote from H&S Construction for removal of a manhole and installing a chimney seal but at this time Mr. Stordahl was only going to have the panels replaced.

6. Request to Purchase a 15 foot mower – Jason Stordahl & Megan Nelson

Ms. Nelson stated the purchase of this mower was included in the budget this year. She continued by saying Mr. Stordahl is recommending to purchase the mower from True North Equipment since they have the lower bid. Ms. Nelson added there was a trade-in amount included on the True North Equipment quote but Mr. Stordahl will not be trading in the smaller mower because there are areas that this mower is still being utilized.

7. Lease Agreement with the Dept of Public Safety – Ron Galstad

Mr. Galstad stated this lease agreement with the state had to be updated because some of the information, like the location they are using, was not correct. He added the only other modification would be to add another paragraph in the liability section showing the city would be governed by the Minnesota Municipal Torts Act. Mr. Galstad said he had contacted the state with these changes but has not received a reply. Council President Buckalew asked if there was any way to include language on signage since people have a difficult time locating this office.

Mr. Galstad stated that it he can ask. Council member Vetter also asked if this group could be open full time. Mr. Galstad stated this group moves throughout the region all week long so they are only available one day a week.

8. Trespass Ordinance – Ron Galstad

Mr. Galstad stated this ordinance came about because of complaints of people being on the levee. He said he looked over several different ordinances and made some modifications to some to create this ordinance. He added he was looking at trespassing in the city in general as well addressing issues with maintenance on the levee system. Mr. Galstad stated a that Mr. Lindquist and Mr. Stordahl along with himself had been working with Widseth Smith Nolting who created a map showing where signs or things can be put up or in place as a deterrent for both people and motorized vehicles not to trespass. Mr. Lindquist stated this would be a four step process with the step one as passing the ordinance. He said the second step would be to have the council members look at the map and instruct city staff where to put up signs. He added the third step would be to educate the public on this and lastly would be enforcement. Mr. Lindquist added this would give the police department the ability to charge for trespassing. Mr. Galstad also confirmed the statute would have to be followed and have two readings and a publication before this ordinance would take effect.

9. Sewage Fees – Karl Lindquist & Karla Anderson

Mr. Lindquist stated the Council President asked to look into how much would be raised in funds with a \$5.00 increase to sewage rates. He then asked Ms. Anderson to address this issue. Ms. Anderson stated that the estimate of raising the flat rates \$5.00 dollars would be \$240,000 dollars. She stated this was based off of residential and apartment buildings only since commercial users are charged on a percentage and not a flat rate. Mayor Stauss asked what the buildup was since the City had raised its rates. Ms. Anderson informed the council that there is 3.3 million dollars in the sewage fund. Council member Leigh asked how much of that was designated for the waste water project. Ms. Anderson explained it was approximately \$240,000 at the end of the year and now it is closer to \$400,000. Discussion followed about if the City should raise the sewage fee by \$5.00 dollars, how much it was raised the year before, and how the City would have a better chance of getting money from the state by having more money set aside for a waste water project. Council member Vetter how much more needs to be set aside if there is already 3.3 million in the sewage fund and asked what the 3.3 million is going to be used for. Ms. Nelson explained how part of these dollars made up the waste water budget for this year. She continued by telling the council Mr. Stordahl informed her that all of the dollars in the waste water budget were going to be used this year. Council President Buckalew stated that Mr. Stordahl had informed him that the proposed upgrade to one of the lift stations in 2015 might not be able to wait until then. Ms. Nelson told the Council Mr. Stordahl will be presenting the current state of the waste water system at the August 13th Work Session.

10. Waste Water Update – Karl Lindquist

Mr. Lindquist stated he will be meeting with Mr. Boppre and Ms. Anderson to figure out what the updated costs will be for the three different waste water treatment options and include annual operating costs and present the findings to the council at another public forum. He stated the staff was planning a meeting for July 22nd but Council President Buckalew was asking to have it on the evening of the July 23rd. Mayor Stauss asked to wait until he gets back from the Coalition

meeting to see what they have to say about all of the restrictions the MPCA has put on cities. Council President Buckalew stated they will tentatively plan a public forum for the first week in August.

11. Interim City Administrator Position Discussion - City Council

Mr. Lindquist told the council they should know where he stands with this issue, they could discuss this without him there, and to call him and let him know if he should show up for work the next day. Mayor Stauss stated this put the City in a bad position since he had told them he would stay. Mr. Lindquist said he wasn't putting them in a bad situation and the council can go ahead and discuss his performance. Mr. Lindquist then left the meeting. Council member Leigh stated he thought Mr. Lindquist has done an excellent job and he is moving things along. Council member Leigh said he doesn't understand why the council is discussing this. Council member Vetter explained this was not about Mr. Lindquist's job performance. He continued by saying was under the impression that Mr. Lindquist was going to be a contracted service and not on payroll which are two completely different things. He added that since he is on payroll the council can't go back and change Mr. Lindquist to a contracted employee. Discussion followed about what the process was for hiring Mr. Lindquist. Council member Vetter stated he didn't agree with the decision of putting Mr. Lindquist on payroll without being discussed and decided by the council. Council President Buckalew and the mayor apologized about making that decision. Council President Buckalew stated that without an employee contract, Mr. Lindquist would be considered an employee. He added that next time the council will know how the process should be completed and to make sure HR department gets the information they need. Council President Buckalew stated he would be informing Mr. Lindquist he will remain on payroll.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADJOURN THE JULY 9, 2013 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 7:00 P.M.

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

Voting Nay: None.

Request for Council Action

Date: July 10, 2013

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

Cc: File

From: Greg Boppre, P.E.

RE: Award Project –2012 City Project No. 5 – Sidewalk Improvements (Transit)

Background:

Bids have been received for the 2012 CP No. 5 project (see attached). The project is a transit sidewalk project funded through the MPO.

The following is the proposed budget:

PROPOSED BUDGET

	<u>2012 CP #5</u>
Construction	\$213,104.72
Plans / Specifications	\$25,572.57
Staking / Inspection	\$10,655.24
Contingencies	\$10,655.24
Administration / Legal	<u>\$6,393.14</u>
TOTAL PROJECT COST	\$266,380.91

PROPOSED FUNDING

	<u>2012 CP #5</u>
MPO	\$213,104.73
City	<u>\$53,276.18</u>
TOTAL PROJECT COST	\$266,380.91

Recommendation:

Award bid to Paras Contracting for \$213,104.72

Enclosures:

Bid Tab

**2012 CITY PROJECT NO. 5
CENTRAL AVENUE SIDEWALK IMPROVEMENTS
City of East Grand Forks**

VSN Proj. # 706G0009

BIDDER'S SCHEDULE OF UNIT PRICES				Paras Contracting		Opp Construction	
ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
01 010	Mobilization	Lump Sum	1	\$9,500.00	\$9,500.00	\$10,500.00	\$10,500.00
02 4100	Remove Curb and Gutter	Lin FT	356	\$10.50	\$3,738.00	\$12.70	\$4,521.20
02 4100	Remove Concrete Sidewalk	SQ FT	585.5	\$1.58	\$925.09	\$4.00	\$2,342.00
02 4100	Remove Concrete Pavement	SQ YD	35.1	\$15.75	\$552.83	\$20.00	\$702.00
02 4100	Sawing Concrete Pavement (Full Depth)	Lin FT	492.0	\$6.20	\$3,050.40	\$12.00	\$5,904.00
02 4100	Salvage Sign	Each	16	\$77.25	\$1,236.00	\$35.00	\$560.00
31 2200	Common Excavation (P)	CU YD	770	\$14.70	\$11,319.00	\$36.00	\$27,720.00
32 1123	Aggregate Base (CV) Class 5 (P)	CU YD	117	\$41.16	\$4,815.72	\$46.00	\$5,382.00
32 1313	Concrete Pavement	SQ YD	35.1	\$80.30	\$2,818.53	\$130.00	\$4,563.00
31 2200	Adjust Valve Box	Each	12	\$105.00	\$1,260.00	\$620.00	\$7,440.00
32 1600	4" Concrete Walk	SQ FT	16,011	\$6.35	\$101,669.85	\$7.80	\$124,885.80
32 1600	Concrete Curb and Gutter Design B624	Lin FT	356	\$27.30	\$9,718.80	\$52.00	\$18,512.00
32 1600	Concrete Curb Design V6	Lin FT	19.0	\$27.30	\$518.70	\$62.00	\$1,178.00
32 1726	Truncated Domes	SQ FT	177	\$54.00	\$9,558.00	\$70.00	\$12,390.00
01 5526	Traffic Control	Lump Sum	1	\$9,991.00	\$9,991.00	\$14,500.00	\$14,500.00
10 1400	Install Sign Panel	Each	16	\$206.00	\$3,296.00	\$200.00	\$3,200.00
10 1400	F&I Sign Panel Type C	Each	2	\$206.00	\$412.00	\$500.00	\$1,000.00
01 5713	Tree Protection	Each	7	\$100.00	\$700.00	\$140.00	\$980.00
01 5713	Storm Drain Inlet Protection	Each	27	\$200.00	\$5,400.00	\$125.00	\$3,375.00
32 9219	Turf Establishment	Lump Sum	1	\$22,000.00	\$22,000.00	\$6,500.00	\$6,500.00
32 1723	Crosswalk Marking - Epoxy	SQ FT	912	\$11.65	\$10,624.80	\$16.00	\$14,592.00
				Total = \$213,104.72		\$270,747.00	

I hereby certify that this tabulation of bids is a true and correct copy of the bids received on the City of East Grand Forks, 2012 City Project No. 5 Central Ave Sidewalk Improvements, East Grand Forks, MN.
Project bid July 9, 2013

Lee Cariveau, P.E. Reg No. 44230

RESOLUTION NO. 13-07-68

**RESOLUTION ACCEPTING AND AWARDED BID FOR 2012 CITY PROJECT NO. 5
– SIDEWALK IMPROVEMENTS (TRANSIT)**

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

WHEREAS, pursuant to an advertisement for bids for the improvement of 2012 City Project No. 5 – Sidewalk Improvements, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

AND WHEREAS, it appears that Paras Contracting is the lowest responsible bidder at a bid price of \$213,104.72.

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

1. The Mayor and City Administrator are hereby authorized and directed to enter into a contract with Paras Contracting in the name of the City of East Grand Forks for the improvement of 2012 City Project No. 5 – Sidewalk Improvements, according to the plans and specifications therefore approved by the City Council and on file in the administration office.
2. The City Administrator is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.
3. The revenue in the following account of the City Projects is increased by the following amount to cover the City’s 20% of the project costs:

415-39-000-39201	Transfer In	\$53,276.18
------------------	-------------	-------------

Voting Aye:
Voting Nay:
Absent:

The President declared the resolution passed.

Passed: July 16, 2013

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 16th of July, 2013.

Mayor

Request for Council Action

Date: July 10, 2013

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

Cc: File

From: Greg Boppre, P.E.

RE: Project Award – 2013 City Project No. 1 – Sidewalk Improvements (TE)

Background:

Bids have been received for the 2013 CP No. 1 project (see attached). The project is a Transportation Enhancement project (Multi-use Trail) funded through MNDOT.

I will bring several options to the council meeting, identifying potential solutions.

Recommendation:

Hold bids until we receive notice from MNDOT about additional funding.

Enclosures:

Bid Tab

2013 CITY PROJECT NO. 1 - MULTI-PURPOSE TRAIL

City of East Grand Forks

SP 119-010-005

TA 6013 (187)

Wideth Smith Nolting & Associates

WSN Project No. 706G0014

Date: July 9, 2013

STATEMENT OF ESTIMATED QUANTITIES				Opp Construction		Strata Corporation	
ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
2021.501	Mobilization	Lump Sum	1	\$14,500.00	\$14,500.00	\$44,000.00	\$44,000.00
2104.501	Remove Curb and Gutter	Lin FT	295	\$22.00	\$6,490.00	\$12.50	\$3,687.50
2104.503	Remove Concrete Sidewalk	SQ FT	534	\$3.50	\$1,869.00	\$3.30	\$1,762.20
2104.505	Remove Concrete Median	SQ YD	3	\$57.00	\$171.00	\$18.70	\$56.10
2104.505	Remove Concrete Pavement	SQ YD	10	\$43.00	\$430.00	\$18.70	\$187.00
2104.511	Sawing Concrete Pavement (Full Depth)	Lin FT	32	\$14.00	\$448.00	\$15.00	\$480.00
2104.523	Salvage Sign	Each	7	\$50.00	\$350.00	\$45.00	\$315.00
2105.525	Topsoil Borrow (LV)	CU YD	100	\$20.00	\$2,000.00	\$19.80	\$1,980.00
2301.501	Concrete Pavement	SQ YD	10	\$160.00	\$1,600.00	\$150.00	\$1,500.00
2504.602	Adjust Valve Box	Each	7	\$620.00	\$4,340.00	\$400.00	\$2,800.00
2521.501	6" Concrete Walk	SQ FT	1610	\$8.20	\$13,202.00	\$8.50	\$13,685.00
2531.501	Concrete Curb and Gutter Design B624	Lin FT	295	\$55.00	\$16,225.00	\$38.00	\$11,210.00
2531.503	Concrete Median	SQ YD	6	\$410.00	\$2,460.00	\$200.00	\$1,200.00
2531.618	Truncated Domes	SQ FT	224	\$70.00	\$15,680.00	\$62.00	\$13,888.00
2563.601	Traffic Control	Lump Sum	1	\$16,000.00	\$16,000.00	\$17,350.00	\$17,350.00
2564.536	Install Sign Panel	Each	7	\$200.00	\$1,400.00	\$195.00	\$1,365.00
2564.602	F&I Sign Panel Type C	Each	34	\$310.00	\$10,540.00	\$303.00	\$10,302.00
2565.602	Saw Cut Loop Detector 6"x6'	Each	7	\$1,800.00	\$12,600.00	\$1,500.00	\$10,500.00
2565.616	Revise Signal System	System	1	\$35,000.00	\$35,000.00	\$27,150.00	\$27,150.00
2571.541	Transplant Tree (Spade Size 90")	Tree	12	\$400.00	\$4,800.00	\$1,500.00	\$18,000.00
2571.602	Tree Protection	Each	22	\$123.00	\$2,706.00	\$500.00	\$11,000.00
2571.602	Tree Pruning	Each	22	\$90.00	\$1,980.00	\$500.00	\$11,000.00
2573.530	Storm Drain Inlet Protection	Each	47	\$125.00	\$5,875.00	\$200.00	\$9,400.00
2575.555	Turf Establishment	Lump Sum	1	\$14,200.00	\$14,200.00	\$18,500.00	\$18,500.00
2582.503	Crosswalk Marking - Epoxy	SQ FT	900	\$15.40	\$13,860.00	\$15.05	\$13,545.00
2582.503	Crosswalk Marking - Poly Preform (Ground In)	SQ FT	960	\$26.50	\$25,440.00	\$25.65	\$24,624.00
				Total =	\$224,166.00		\$269,486.80

ALTERNATE NO. 1 - BITUMINOUS

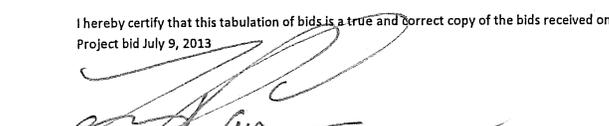
STATEMENT OF ESTIMATED QUANTITIES				Opp Construction		Strata Corporation	
ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
2105.501	Common Excavation (P)	CU YD	2784	\$25.50	\$70,992.00	\$25.30	\$70,435.20
							\$0.00
2211.503	Aggregate Base (CV) Class 5 (P)	CU YD	2088	\$52.00	\$108,576.00	\$51.50	\$107,532.00
							\$0.00
2360.501	Type SP 9.5 Wearing Course Mix (3,B)	TON	1099	\$178.00	\$195,622.00	\$125.00	\$137,375.00
				Total =	\$375,190.00		\$315,342.20

ALTERNATE NO. 2 - CONCRETE

STATEMENT OF ESTIMATED QUANTITIES				Opp Construction		Strata Corporation	
ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
2105.501	Common Excavation (P)	CU YD	1740	\$25.50	\$44,370.00	\$25.30	\$44,022.00
							\$0.00
2211.503	Aggregate Base (CV) Class 5 (P)	CU YD	1044	\$52.00	\$54,288.00	\$51.50	\$53,766.00
							\$0.00
2521.501	4" Concrete Walk	SQ FT	44,984	\$7.10	\$319,386.40	\$6.80	\$305,891.20
				Total =	\$418,044.40		\$403,679.20

		Opp Construction	Strata Corporation
TOTAL: BASE BID PLUS ALTERNATE NO. 1		\$599,356.00	\$584,829.00
TOTAL: BASE BID PLUS ALTERNATE NO. 2		\$642,210.40	\$673,166.00

I hereby certify that this tabulation of bids is a true and correct copy of the bids received on the City of East Grand Forks, 2013 City Project No. 1 Multi-Purpose Trail, East Grand Forks, MN.
Project bid July 9, 2013



Lee Carjvead, P.E. Reg No. 44230

RESOLUTION NO. 13-07-69

**RESOLUTION ACCEPTING AND AWARDING BID FOR 2013 CITY PROJECT NO. 1
– SIDEWALK IMPROVEMENTS (TRANSPORTATION ENHANCEMENT)**

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

WHEREAS, pursuant to an advertisement for bids for the improvement of 2013 City Project No. 1 – Sidewalk Improvements, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

AND WHEREAS, it appears that Strata Corporation is the lowest responsible bidder at a bid price of \$584,829.

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

1. The Mayor and City Administrator are hereby authorized and directed to enter into a contract with Paras Contracting in the name of the City of East Grand Forks for the improvement of 2013 City Project No. 1 – Sidewalk Improvements, according to the plans and specifications therefore approved by the City Council and on file in the administration office.
2. The City Administrator is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: July 16, 2013

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 16th of July, 2013.

Mayor

STATE OF MINNESOTA

LEASE

LEASE NO. **PS0343**

THIS LEASE AGREEMENT is made by and between City of East Grand Forks, 600 DeMers Avenue NW, East Grand Forks, MN 56721, hereinafter referred to as LESSOR, and the STATE OF MINNESOTA, Department of Administration, hereinafter referred to as LESSEE, acting for the benefit of Driver and Vehicle Services, Department of Public Safety.

WHEREAS, the Commissioner of Administration is empowered by Minn. Stat. §16B.24, subd. 6, to lease non-state owned property;

NOW THEREFORE, LESSOR and LESSEE, in consideration of the rents, covenants and considerations hereinafter specified, do hereby agree each with the other as follows.

1. **LEASED PREMISES** LESSOR grants and LESSEE accepts a lease of the following described Leased Premises located in the City of East Grand Forks, County of Polk, Minnesota 56721:

An area of office space in the building located at 929 5th Avenue NE

2. **USE** LESSEE shall use and occupy the Leased Premises only as driver exam station and for such related activities.
3. **LEASE TERM**
 - 3.1 The term of this Lease Agreement is three (3) years, commencing July 1, 2013 and continuing through June 30, 2016, between the hours of 9:30 a.m. and 3:30 p.m. on Wednesday of each week, holidays excepted. When not used on a holiday, an alternative day may be substituted, as required and if available.
 - 3.2 LESSOR and LESSEE hereby agree that a change in the hours or day(s) of use may be made by mutual agreement in writing between the parties, so long as there is no increase in usage.

4. **PAYMENT OF RENT**

- 4.1 **Rent Payment** As rent for the Leased Premises and in consideration for all covenants, representations and conditions of this Lease Agreement, LESSEE agrees to pay to LESSOR a quarterly rental rate of three hundred twenty five and no/100 dollars (\$325.00), resulting in a total rental amount not to exceed thirteen hundred and no/100 dollars (\$1,300.00) per year.
- 4.2 LESSOR represents and warrants that it is solely entitled to all of the rents payable under the terms of this Lease Agreement and that LESSEE shall have the quiet enjoyment of the Leased Premises during the full term of this Lease Agreement and any extension or renewal thereof.

5. **OPTION TO RENEW**

- 5.1 LESSOR further grants and LESSEE accepts the right to one (1) option to renew this Lease Agreement for a period of two (2) years at the same terms, conditions and rental rate as this Lease Agreement.
- 5.2 To exercise the above noted option, LESSEE must indicate in writing its intent to exercise said option thirty (30) days prior to the expiration date of this Lease Agreement.

6. **TERMINATION**

- 6.1 In the event that the Minnesota State Legislature does not appropriate to the Department of Public Safety funds necessary for the continuation of this Lease, or in the event that Federal Funds necessary for the continuation of this Lease are withheld for any reason, this Lease may be terminated by LESSEE upon giving thirty (30) days written notice.
- 6.2 Pursuant to Minn. Stat. §16B.24, subd. 6, this Lease is subject to cancellation upon thirty (30) days written notice by LESSEE for any reason except lease of other non-state-owned land or premises for the same use.
- 6.3 Notwithstanding Clauses 6.1 and 6.2 above, this Lease may be terminated by LESSEE or LESSOR for any reason at any time upon giving thirty (30) days prior written notice.

7. **DUTIES OF LESSOR**

- 7.1 LESSOR shall furnish and provide, at its expense, the following:
- a. Utilities, restrooms, janitorial and trash removal services

b. Desk, tables, and chairs as required

7.2 Disability Access Guidelines LESSOR agrees to provide and maintain the Leased Premises and the building of which the Leased Premises are a part with accessibility and facilities for persons with disabilities meeting code requirements including, but not limited to: Title II and III of the American with Disabilities Act (ADA), all applicable laws, rules, ordinances and regulations issued by any federal, state or local political subdivisions having jurisdiction and authority in connection with said property.

7.3 Management LESSOR agrees that in exercising its management responsibilities of the property which the Leased Premises are a part, including the maintenance, repair, alterations and construction relating thereto, it shall comply with all applicable laws, statutes, rules, ordinances and regulations, including but not limited to building code, disabilities access, zoning, air quality, pollution control, recyclable materials and prevailing wage requirements, as issued by any federal, state or local political subdivisions having jurisdiction and authority in connection with said property.

8. DUTIES OF LESSEE

8.1 LESSEE covenants that at the termination of this Lease Agreement by lapse of time or otherwise, it shall remove its personal property and vacate and surrender possession of the Leased Premises to LESSOR in as good condition as when LESSEE took possession, ordinary wear and damage by the elements excepted. Alterations or fixtures attached to the Leased Premises shall remain a part thereof and shall not be removed unless LESSOR elects to permit removal.

8.2 Smoking Pursuant to Minn. Stat. 16B.24, subd. 9, LESSOR and LESSEE shall not permit smoking in the Leased Premises.

8.3 Energy Conservation LESSEE agrees to observe reasonable precautions to prevent waste of heat, electricity, water, air conditioning, any other utility or any service, whether such is furnished by LESSOR or obtained and paid for by LESSEE.

9. INSURANCE; LIABILITY

9.1 Property Damage It shall be the duty of LESSOR and LESSEE to maintain insurance or self-insurance on their own property, both real and personal. Notwithstanding anything apparently to the contrary in this Lease Agreement, LESSOR and LESSEE hereby release one another and their respective partners, officers, employees and property manager from any and all liability or responsibility to the other or anyone claiming through or under them by way of subrogation or otherwise for loss or damage, even if such loss or damage shall have been caused by the fault or negligence of the other party, or anyone for whom such party may be responsible.

9.2 **Liability** LESSOR and LESSEE agree that each party will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of any others and the results thereof. LESSEE'S liability shall be governed by the provisions of the Minnesota Tort Claims Act, Minn. Stat., §3.736, and other applicable law. LESSOR's liability shall be governed by the provisions of the Minnesota Municipal Tort Claims Act, Minn. Stat. Chapter 466, and other applicable law.

10. **DESTRUCTION** If the Leased Premises shall be destroyed or damaged by fire, tornado, flood, civil disorder or any cause whatsoever, so that the Leased Premises become untenantable, the rent shall be abated from the time of such damage and LESSEE shall have the option of terminating this Lease Agreement immediately or allowing LESSOR such amount of time as LESSEE deems reasonable to restore the damaged Leased Premises to a tenantable condition.

11. **MAINTENANCE AND REPAIRS**

11.1 It shall be the duty of LESSOR to maintain at its own expense, in working condition, all appurtenances within the scope of this Lease Agreement, including the maintenance of proper plumbing, wiring, heating (and, where applicable, cooling) devices and ductwork.

11.2 LESSOR shall, at its own expense, make such necessary repairs so as to continue to provide all such service appurtenances as are required by this Lease Agreement, provided, however, that LESSOR shall not be responsible for repairs upon implements or articles which are the personal property of LESSEE, nor shall LESSOR bear the expense of repairs to the Leased Premises necessitated by damage caused by LESSEE beyond normal wear and tear.

12. **AUDIT** Pursuant to Minn. Stat., §16C.05, subd. 5, the books, records, documents and accounting procedures and practices of LESSOR relevant to this Lease Agreement shall be subject to examination by the State and/or Legislative Auditor, as appropriate, for a minimum of six (6) years.

13. **AFFIRMATIVE ACTION**

13.1 For all contracts in excess of \$100,000.00, LESSOR shall comply with the following:

- a. LESSOR certifies pursuant to Minn. Stat. §363A.36 that LESSOR has not had more than forty (40) full-time employees within the State of Minnesota at any time during the previous twelve (12) months; OR
- b. If LESSOR has had more than forty (40) full-time employees within the State of Minnesota on a single working day during the previous twelve (12) months, that it has an affirmative action plan pursuant to the requirements of Minn. Stat. §363 for the employment of minority persons, women and qualified disabled individuals approved by the State of Minnesota, Commissioner of Human Rights; OR

- c. If LESSOR has not had forty (40) full-time employees within the State of Minnesota on a single working day during the previous twelve (12) months, but has had more than forty (40) full-time employees on a single working day during the previous twelve (12) months in the state in which it has its primary place of business, then:
- (i) LESSOR has current Minnesota certificate of compliance issued by the Minnesota Commissioner of Human Rights; OR
 - (ii) LESSOR certifies that it is in compliance with federal Affirmative Action requirements.

13.2 Minnesota Rule 5000.3550 - Disabled Individuals Affirmative Action Clause

- a. LESSOR shall not discriminate against any employees or applicants for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. LESSOR agrees to take affirmative action to employ, advance in employment, and otherwise treat qualified disabled individuals without discrimination based upon their physical or mental disability in all employment practices such as the recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.
- b. LESSOR agrees to comply with the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.
- c. In the event of LESSOR'S noncompliance with the requirements of this clause, actions for noncompliance may be taken in accordance with Minn. Stat. §363A.36 and the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.
- d. LESSOR agrees to post in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the commissioner of the Minnesota Department of Human Rights. Such notices shall state LESSOR'S obligation under the law to take affirmative action to employ and advance in employment qualified disabled employees and applicants for employment, and the rights of applicants and employee.
- e. LESSOR shall notify each labor union or representative of workers with which it has a collective bargaining agreement or other contract understanding, that LESSOR is bound by the terms of Minn. Stat. §363A.36 of the Minnesota Human Rights Act and is committed to take affirmative action to employ and advance in employment physically and mentally disabled individuals.

14. **DEFAULT BY LESSOR** If LESSOR shall default in the performance of any of the terms or provisions of this Lease Agreement; LESSEE shall promptly so notify LESSOR in writing. If LESSOR shall fail to cure such default within thirty (30) days after receipt of such notice, or if the default is of such character as to require more than thirty (30) days to cure, and LESSOR shall fail to commence to do so within thirty (30) days after receipt of such notice and thereafter diligently proceed to cure such default, then in either event, LESSEE may cure such default and any reasonable and actual expenses paid by LESSEE shall be paid by LESSOR to LESSEE within ten (10) days after statement therefore is rendered. LESSEE shall have a specific right to set-off any such amounts against any rent payments or other amounts due under this Lease Agreement. In lieu of curing said default, LESSEE shall have the specific right to set-off against any rent payments or other amounts due under this Lease Agreement any damages incurred through the LESSOR'S breach. This provision in no way limits LESSEE'S other remedies for breach under common law or this Lease Agreement.

15. **GOVERNMENT DATA PRACTICES ACT COMPLIANCE**

15.1 LESSOR must comply with the Minnesota Government Data Practices Act, Minn. Stat., Chapter 13, as it applies to all data provided by LESSEE in accordance with this Lease and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by LESSOR in accordance with this Lease. The civil remedies of Minn. Stat. §13.08, apply to LESSOR and LESSEE.

15.2 Minn. Stat., Chapter 13, provides that all government data are public unless otherwise classified. If LESSOR receives a request to release the data referred to in this Clause, LESSOR must immediately notify LESSEE and consult with LESSEE as to how LESSOR should respond to the request. LESSOR'S response shall comply with applicable law, including that the response is timely and, if LESSOR denies access to the data, that LESSOR'S response references the statutory basis upon which LESSOR relied. LESSOR does not have a duty to provide public data to the public if the public data is available from LESSEE.

16. **NOTICES**

All notices or communications between LESSOR and LESSEE shall be deemed sufficiently given or rendered if in writing and delivered to either party personally or sent by registered or certified mail addressed as follows:

LESSOR:

City of East Grand Forks
City Administrator
600 DeMers Avenue NW
East Grand Forks, MN 56721

LESSEE:

Accounts Payable
Department of Public Safety
444 Cedar St Ste 126
St Paul MN 55101-5126

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IN WITNESS WHEREOF, the parties have set their hands on the date(s) indicated below intending to be bound thereby.

LESSOR:

City of East Grand Forks

Lessor certifies that the appropriate person(s) have executed the Lease Agreement on behalf of Lessor as required by applicable articles, bylaws, resolutions, or ordinances.

By _____

Title _____

Date _____

By _____

Title _____

Date _____

LESSEE:

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
COMMISSIONER
Delegated to

By _____

Title _____

Date _____

APPROVED:

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

By _____

Title _____

Date _____

STATE ENCUMBRANCE VERIFICATION

Individual signing certifies that funds have been encumbered as required by Minn. Stat. §16A.15. and §16C.05.

By Holly Koller

Date 6/17/13

Contract No. FM4 Funds

PO No. _____



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
 444 Cedar Street Suite 133, St. Paul MN 55101-5133
 (651) 215-6209 Fax (651) 297-5259 TTY (651) 282-6555
 WWW.DPS.STATE.MN.US



6

**APPLICATION AND PERMIT
 FOR A 1 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

TYPE OR PRINT INFORMATION

NAME OF ORGANIZATION <i>VFW Post 3817</i>		DATE ORGANIZED <i>1942</i>	TAX EXEMPT NUMBER	
STREET ADDRESS <i>312 DeMeers Ave</i>		CITY <i>E. Grand Forks</i>	STATE <i>MN</i>	ZIP CODE <i>56721</i>
NAME OF PERSON MAKING APPLICATION <i>Kathy Mills</i>		BUSINESS PHONE <i>(218) 773-2481</i>	HOME PHONE <i>(218) 773-9592</i>	
DATES LIQUOR WILL BE SOLD <i>7-25-13</i>		TYPE OF ORGANIZATION <input checked="" type="checkbox"/> CLUB <input type="checkbox"/> CHARITABLE <input type="checkbox"/> RELIGIOUS <input type="checkbox"/> OTHER NONPROFIT		
ORGANIZATION OFFICER'S NAME <i>Frank Ringstad</i>		ADDRESS <i>1004 11th Ave SE East Grand Forks, MN 56721</i>		
ORGANIZATION OFFICER'S NAME <i>Gary Sudgeon</i>		ADDRESS <i>18577 440th Ave. SW East Grand Forks, MN 56721</i>		
ORGANIZATION OFFICER'S NAME <i>Bill Bridges</i>		ADDRESS <i>1504 Aspen Ave NE East Grand Forks, MN</i>		
Location license will be used. If an outdoor area, describe <i>River Walk Boardwalk (In front of Whitey's, Blue Moose, etc.)</i>				
Will the applicant contract for intoxicating liquor service? If so, give the name and address of the liquor licensee providing the service.				
Will the applicant carry liquor liability insurance? If so, please provide the carrier's name and amount of coverage. <i>Yes</i>				
<i>Nova Casualty Co. \$500,000 Occurrence</i>				
<i>\$500,000 Aggregate</i>				
APPROVAL				
APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL & GAMBLING ENFORCEMENT				
CITY/COUNTY <i>City of East Grand Forks</i>		DATE APPROVED _____		
CITY FEE AMOUNT <i>\$100.00</i>		LICENSE DATES _____		
DATE FEE PAID <i>7/2/13</i>		_____		
SIGNATURE CITY CLERK OR COUNTY OFFICIAL		APPROVED DIRECTOR ALCOHOL AND GAMBLING ENFORCEMENT		

NOTE: Submit this form to the city or county 30 days prior to event. Forward application signed by city and/or county to the address above. If the application is approved the Alcohol and Gambling Enforcement Division will return this application to be used as the License for the event

PS-09079 (02/05)



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
 444 Cedar Street Suite 133, St. Paul MN 55101-5133
 (651) 215-6209 Fax (651) 297-5259 TTY (651) 282-6555
 WWW.DPS.STATE.MN.US



7

APPLICATION AND PERMIT
FOR A 1 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE

TYPE OR PRINT INFORMATION

NAME OF ORGANIZATION <i>V4W Post 3817</i>		DATE ORGANIZED <i>1942</i>	TAX EXEMPT NUMBER	
STREET ADDRESS <i>312 DeMees Ave</i>		CITY <i>E. Grand Forks</i>	STATE <i>MN</i>	ZIP CODE <i>56721</i>
NAME OF PERSON MAKING APPLICATION <i>Kathy Mills</i>		BUSINESS PHONE <i>(218) 773-2481</i>	HOME PHONE <i>(218) 773-9592</i>	
DATES LIQUOR WILL BE SOLD <i>8-16-13</i>		TYPE OF ORGANIZATION <input checked="" type="checkbox"/> CLUB <input type="checkbox"/> CHARITABLE <input type="checkbox"/> RELIGIOUS <input type="checkbox"/> OTHER NONPROFIT		
ORGANIZATION OFFICER'S NAME <i>Frank Ringstad</i>		ADDRESS <i>1004 11th Ave SE East Grand Forks, MN 56721</i>		
ORGANIZATION OFFICER'S NAME <i>Gary Nudgeon</i>		ADDRESS <i>18577 440th Ave SW East Grand Forks, MN 56721</i>		
ORGANIZATION OFFICER'S NAME <i>Bill Bridges</i>		ADDRESS <i>1504 Aspen Ave NE East Grand Forks, MN</i>		

Location license will be used. If an outdoor area, describe

Heritage Village

Will the applicant contract for intoxicating liquor service? If so, give the name and address of the liquor licensee providing the service.

Will the applicant carry liquor liability insurance? If so, please provide the carrier's name and amount of coverage. *Yes*
Nova Casualty Co. \$500,000 Occurrence
\$500,000 Aggregate

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL & GAMBLING ENFORCEMENT

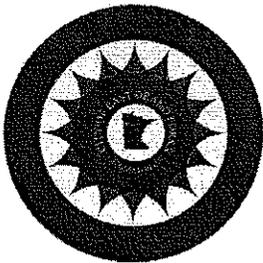
CITY/COUNTY *City of East Grand Forks* DATE APPROVED _____

CITY FEE AMOUNT *\$100.00* LICENSE DATES _____

DATE FEE PAID *7/2/13*

SIGNATURE CITY CLERK OR COUNTY OFFICIAL _____ APPROVED DIRECTOR ALCOHOL AND GAMBLING ENFORCEMENT _____

NOTE: Submit this form to the city or county 30 days prior to event. Forward application signed by city and/or county to the address above. If the application is approved the Alcohol and Gambling Enforcement Division will return this application to be used as the License for the event



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

APPLICATION FOR PRIVATE USE OF PUBLIC SIDEWALK

License Fee: _____

Organization Information

MM Restaurant Group, Inc
Organization Name

218-773-2225
Organization Phone Number

211 DeMers Ave
Organization Address

East Grand Forks, MN 56721
City State Zip

Applicant Information

MM Restaurant Group, Inc
Applicant Name

218-773-2225
Applicant Phone Number

211 DeMers Ave
Applicant Address

East Grand Forks, MN 56721
City State Zip

Private Use Request Information

July, Aug, Sept 2013 11:00 AM
Date of private use while weather permits Start Time

10:00 pm
End Time

2 patio tables on the sidewalk in front of our restaurant to allow guests the opportunity to sit outside
Explanation of Private Use

Area of Private Use (include map)

Special Requests (Staff, Road Closures, Etc)

I hereby certify that I have completely filled out the entire above application, together and that the application is true, correct, and accurate.

[Signature]
Signature of Applicant

7-8-13
Date

Chad Thomas
Print Name

Manager
Title

City of East Grand Forks
Application for Private Use of Public Sidewalk

Internal Use Only

The following items need to be completed and/or attached in order for the application to be processed:

*Application fee paid in full: yes no n/a
Payment Type: cash check # _____ Receipt # _____

*Application completed in full and signed: yes no

*Map of Private Use Area is provided: yes no

*Copy of voluntary waiver of liability agreement for participants: yes no n/a

*Applicant – Release & Indemnification Agreement: yes no

*Liability Insurance: yes no

*MnDot (if applicable): approved denied n/a

*Appropriate Staff: approved denied n/a

Notes: _____

Staff Signature: _____ Date: _____

*Council Approval ___/___/___ approved denied

Notes: _____

City Administrator Signature: _____ Date: _____

*License Number _____

- REQUESTOR
RELEASE AND INDEMNIFICATION AGREEMENT
CITY OF EAST GRAND FORKS, MINNESOTA

**THIS IS A RELEASE OF LIABILITY INDEMNIFICATION AGREEMENT
PRIVATE USE OF PUBLIC SIDEWALK HOLDER MUST READ CAREFULLY BEFORE SIGNING.**

In consideration for being permitted to engage in the following special event activities on the City of East Grand Forks' property:

To allow Mamma Maria's Restaurant to have 2 patio tables on the sidewalk in front of our restaurant so our guests can have the option of sitting outside.

Private Use of Public Street Permit Holder hereby acknowledges, represents, and agrees as follows:

- A. We understand that the above described activities are or may be dangerous and do or may involve risks or injury, loss, or damage to us and/or third parties. We further acknowledge that such risks may include but not be limited to bodily injury, personal injury, sickness, disease, death, and property loss or damage, arising from the following circumstances, among others:

(Holder initials here) CT

- B. If required by this paragraph, we agree to require each participant of the Private Use Holder to execute a **RELEASE AND INDEMNIFICATION AGREEMENT** for ourselves and for the City of East Grand Forks, on a form approved by the City of East Grand Forks.

Participant Release and Indemnification required? YES NO

(Holder initials here) CT

- C. We agree to procure, keep in force, and pay for insurance coverage, from an insurer acceptable to the City of East Grand Forks, for the duration of the above described activities.

(Holder initials here) CT

City of East Grand Forks
Application for Private Use of Public Sidewalk

D. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we hereby expressly assume all such risks of injury, loss, or damage to us or any related third party, arising out of or in any way related to the above described activities, whether or not caused by the act, omission, negligence, or other fault of the City of East Grand Forks, its officers, its employees, or by any other cause.

(Holder initials here) CF

E. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we further hereby exempt, release and discharge the City of East Grand Forks, its officers, and its employees, from any and all claims, demands, and actions for such injury, loss, or damage to us or to any third party, arising out of or in any way related to the above described activities, whether or not caused by the act, omission, negligence, or other fault of the City of East Grand Forks, its officers, its employees, or by any other cause.

(Holder initials here) CF

F. We further agree to defend, indemnify and hold harmless the City of East Grand Forks, its officers, employees, insurers, and self insurance pool, from and against all liability, claims, and demands, court costs and attorneys fees, including those arising from any third party claim asserted against the City of East Grand Forks, its officers, employees, insurers or self insurance pool, on account of injury, loss or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property damage or loss, or any other loss of any kind whatsoever, which arise out of or are in any way related to the above described activities, whether or not caused by our act, omission, negligence, or other fault of the City of East Grand Forks, its officers, its employees, or by any other cause.

(Holder initials here) CF

G. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we hereby acknowledge and agree that said Agreement extends to all acts omissions, negligence, or other fault of the City of East Grand Forks, its officers, and/or its employees, and that said Agreement is intended to be as broad and inclusive as is permitted by the laws of the State of Minnesota. If any portion thereof is held invalid, it is further agreed that the balance shall, notwithstanding, continue in full legal force and effect.

(Holder initials here) CF

H. We understand and agree that this **RELEASE AND INDEMNIFICATION AGREEMENT** shall be governed by the laws of the State of Minnesota and that jurisdiction and venue for any suit or cause of action under this agreement shall lie in the courts.

(Holder initials here) CF

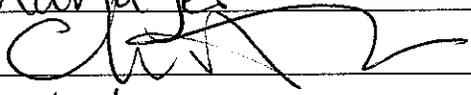
I. This **RELEASE AND INDEMNIFICATION AGREEMENT** shall be effective as of the date or dates of the applicable special event, shall continue in full force until our responsibilities hereunder are fully discharged, and shall be binding upon us, or successors, representatives, heirs, executors, assigns, and transferees.

(Holder initials here) CF

IN WITNESS THEREOF, THIS RELEASE AND INDEMNIFICATION AGREEMENT is executed by the Private Use of Streets Permit holder, acting by and through the undersigned, who represents that he or she is properly authorized to bind the Permit Holder hereto.

City of East Grand Forks
Application for Private Use of Public Sidewalk

PRINTED NAME AND TITLE OF PERSON SIGNING ON BEHALF OF SPECIAL USE HOLDER:

Name Chad Thomas
Title Manager
Signature 
Date 7/8/13

PRINTED NAME AND TITLE OF PERSON SIGNING ON BEHALF OF PERMIT HOLDER:

Name _____
Title _____
Signature _____
Date _____

Minutes of the regular meeting of the Water, Light, Power and Building Commission of the City of East Grand Forks, Minnesota held June 20, 2013 at 5:00 P.M.

Present: Brickson, Quirk, Tweten

Absent: Ogden

It was moved by Commissioner Tweten second by Commissioner Quirk that the minutes of the previous meeting of June 6, 2013 be approved as read.

Voting Aye: Brickson, 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 \$1,413,223.41.

Voting Aye: Brickson, Quirk, Tweten

Voting Nay: None

It was moved by Commissioner Quirk second by Commissioner Tweten to approve an inclining block rate for multi-family residential water effective July 15, 2013.

Voting Aye: Brickson, Quirk, Tweten

Voting Nay: None

It was moved by Commissioner Tweten second by Commissioner Quirk to approve sending out a customer satisfaction survey.

Voting Aye: Brickson, Quirk, Tweten

Voting Nay: None

It was moved by Commissioner Quirk second by Commissioner Tweten to approve the proposal from KLM Engineering Inc to prepare plans and specs for the reconditioning of the lime softening silos.

Voting Aye: Brickson, Quirk, Tweten

Voting Nay: None

It was moved by Commissioner Tweten second by Commissioner Quirk to adjourn to the next regular meeting on July 3, 2013 at 8:00 A.M.

Voting Aye: Brickson, Quirk, Tweten

Voting Nay: None

Lori Maloney
Sec'y

**EAST GRAND FORKS
PLANNING COMMISSION MINUTES
Friday, April 12, 2013 – 12:00 Noon
East Grand Forks City Hall Training Room**

CALL TO ORDER

Chairman Christianson called the April 12, 2013, meeting of the East Grand Forks Planning Commission to order at 12:00 p.m.

CALL OF ROLL

On a Call Of Roll the following members were present: Chairman Christianson, Vice-Chair McWalter (came at 12:20), Commissioners Boushey (came at 12:04), Buckalew, Erickson, Nelson, and Powers.

No one was absent.

Guest(s) present were: Ron Galstad, City Attorney; Scott Huizenga, City Administrator; and members of the news media.

Staff present was: Nancy Ellis, East Grand Forks City Planner; and Megan Nelson, Executive Assistant.

DETERMINATION OF A QUORUM

A quorum was present.

COMMUNICATION

1. Long Range Transportation Plan Traffic Growth Newsletter

Ms. Ellis told the commission the Metropolitan Planning Organization (MPO) is still in the process of completing the long range transportation plan. The traffic patterns were modeled from where the projected growth is going to be, what the average daily traffic is, and what the projected volume might be. The MPO is looking into areas that might cause concerns, looking into the city's fiscal constraints, and areas of future projects. In the future the MPO will be sending out more information that will include a list of projects both of the cities will be looking to see what they would like to include in their long range transportation plans for federal funds. She explained further that much of the other information like employment and housing data will help determine where improvements or expansions will be needed. In the future Ms. Ellis hopes that a member of the MPO will be able to come and present these projects to the Planning Commission.

APPROVAL OF MINUTES

1. Matter Of Approval Of The February 14, 2013, Organizational Minutes Of The East Grand Forks Planning Commission
2. Matter Of Approval Of The February 14, 2013, Minutes Of The East Grand Forks Planning Commission

A MOTION WAS MADE BY COMMISSIONER POWERS, SECONDED BY COMMISSIONER ERICKSON, TO APPROVE THE MINUTES OF THE FEBRUARY 14, 2013 ORGANIZATIONAL MEETING AND OF THE FEBRUARY 14, 2013 REGULAR MEETING OF THE EAST GRAND FORKS PLANNING COMMISSION, AS SUBMITTED.

Voting Aye: Buckalew, Christianson, Erickson, Nelson, Powers.

Voting Nay: None.

Absent: Boushey, McWalter.

OLD BUSINESS

NONE

NEW BUSINESS

1. Matter Of The Request From City of East Grand Forks for approval to repeal the regulations relative to the I-2 requirements for Adult Uses (Section 152.247), including the Adult Use definition (Section 152.006); repeal Section 150.13 of the City Code; and adopt a moratorium ordinance for adult use/sexually oriented businesses until the City of East Grand Forks can adequately study and adopt a new ordinance pertaining to Adult Uses

Ms. Ellis informed the commission that they will need to open a public hearing and that Mr. Galstad will be explaining this matter.

A MOTION WAS MADE BY COMMISSIONER POWERS, SECONDED BY COMMISSIONER NELSON, TO OPEN THE PUBLIC HEARING.

Voting Aye: Boushey, Buckalew, Christianson, Erickson, Nelson, Powers,

Voting Nay: None.

Absent: McWalter

Mr. Galstad explained how the City of East Grand Forks is currently in litigation regarding the zoning ordinance as it relates to adult uses within the city limits. The attorneys from Kennedy and Graven representing the city in this case are recommending the city takes the opportunity to look at the zoning ordinance as it relates

to adult uses. The claim in the litigation is that our current ordinance is vague as to the definitions of what the city considers adult use and overly broad when it comes to implementing the zoning code for adult use. Mr. Galstad stated that any time a city changes or modifies the city zoning code, there needs to be a public hearing so there can be public comment. This public hearing is on the repeal of the definition of adult use and the zoning code as it relates to adult use. He continued by saying it was recommended for the city to implement a temporary moratorium ordinance regarding adult use giving the city time to investigate and determine where to place or suggest placing an adult use business within the city. After the study has been completed, a permanent ordinance will be drafted and put in place. He then opened the floor for comments.

Commissioner Nelson asked where these adult use businesses could go according to the current ordinance. Mr. Galstad told her that the current ordinance would place these businesses in an Industrial 2 zone. Ms. Ellis stated this zone is general industrial.

Chairman Christianson inquired to know if anything other the items crossed out in the ordinance would change. Mr. Galstad informed him that as of right now everything else will be staying the same. He did point out that there are some sections that will be removed regarding where these businesses are to be located and the section on what the definition of adult use is. The interim ordinance would further define what adult use would be and still would place these businesses in the Industrial 2 Zone.

Commissioner Powers asked what the time frame might be to complete this process. Mr. Galstad informed the commission this process will last about 6 months. That includes completing the study and getting the information back to the Planning Commission so they are able to make a recommendation to the city council.

Members of the news media were asking questions about how these actions could affect businesses located in East Grand Forks. Mr. Galstad couldn't answer these questions since there is active litigation.

After no other questions or comments were made Chairman Christianson asked to close the public hearing.

A MOTION WAS MADE BY COMMISSIONER BUCKALEW, SECONDED BY COMMISSIONER ERICKSON, TO CLOSE THE PUBLIC HEARING.

***Voting Aye: Boushey, Buckalew, Christianson, Erickson, Nelson, Powers,
Voting Nay: None.
Absent: McWalter***

Chairman Christianson asked if anyone wanted to take action on the request. Mr. Galstad stated that this would be a recommendation from the planning commission to the city council for their approval or action.

Commissioner Buckalew asked what the time line would be for the moratorium since there it had been mentioned the moratorium would only last 60 days. Mr. Galstad confirmed that the moratorium would last for 6 months. Commissioner Boushey asked if this would be live adult entertainment or if that would be a different category. Ms. Ellis and Mr. Galstad explained there are definitions for the different types of adult use included in the proposed moratorium ordinance. Chairman Christianson asked what would happen if someone would come in during this six month period that would relate to adult use. Mr. Galstad explained how they would have to go through the application process and be located in the opportunity space in the Industrial 2 zone. The moratorium ordinance will not stop this process.

A MOTION WAS MADE BY COMMISSIONER NELSON, SECONDED BY COMMISSIONER POWERS, TO MOVE THESE ORDINANCES ON TO CITY COUNCIL FOR APPROVAL OR ACTION.

***Voting Aye: Boushey, Buckalew, Christianson, Erickson, Nelson, Powers,
Voting Nay: None.
Absent: McWalter***

OTHER BUSINESS

1. Ms. Ellis gave an update to the commission with the projects the Community Development Office has been busy with. She also informed them that the building inspection services have now been extended for one year to ensure inspection services throughout the building season. There is also a meeting planned with the local contractors to plan out how inspections should go through the building season.

Commissioner Buckalew asked if licensed contractors need to display their license number. Mr. Galstad didn't think that was required in Minnesota but he would check on that. Discussion followed on how contractors' licenses are checked when they come in for permits, how a license can be checked, and how homeowners can come in for permits.

Commissioner Powers asked how the apartment building was progressing. Ms. Ellis told the commission the city gets many calls about what the rent is going to be and has to remind people that this is not a city owned building. Mr. Galstad said commented on how the apartments were 70-80% rented out before they building process even began. Even with the weather, they are still making progress.

ADJOURNMENT

A MOTION WAS MADE BY COMMISSIONER BUCKALEW, SECONDED BY COMMISSIONER POWERS, TO ADJOURN THE APRIL 12, 2013, MEETING OF THE EAST GRAND FORKS PLANNING COMMISSION AT 12:21P.M.

EAST GRAND FORKS
PLANNING COMMISSION MEETING
Friday, April 12, 2013

***Voting Aye: Boushey, Buckalew, Christianson, Erickson, Nelson, Powers,
McWalter.***

Voting Nay: None.

Respectfully submitted by,

Megan Nelson
Executive Assistant

CITY OF EAST GRAND FORKS

ORDINANCE NO. 11, 4th Series

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS AMENDING CHAPTER 130: GENERAL OFFENSES, BY ADDING SECTION 130.08 TRESPASSING TO THE CITY CODE AND BY ADOPTING BY REFERENCE CITY CODE TITLE I, CHAPTER 10 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY OF EAST GRAND FORKS ORDAINS:

Section 1. That Chapter 130 entitled “General Offenses” shall add the following Section:

130.08 TRESPASSING.

(A) Whoever intentionally does any of the following acts shall be guilty of a trespass:

(1) Enter upon the premises of another and, without claim of right, refuse to depart therefrom on demand of the lawful possessor thereof, his or her agent or a police officer;

(2) Enter upon the premises of another, without the permission of the owner or occupant, and is in an area not used by the public at that time, unless said entry was accidental or the person is an invitee or licensee;

(3) Enter upon the premises of another without the permission of the owner or occupant when “No Trespassing” signs are displayed on the property or to enter upon those parts of the premises that are signed “Employees Only” or “Authorized Personnel Only” or similar such signs;

(4) Enter upon the premises of another with intent to take or injure any fruit or fruit trees or vegetables growing thereon without the permission of the owner or occupant;

(5) Enter upon the premises of another, without the permission of the owner or occupant, for the purpose of prowling, window peeping or unauthorized invasion of the rights of the owner or occupant of such property;

(6) Without the permission of the owner or occupant, leave or deposit on the premises of another any trash, rubbish or garbage;

(7) Operate any self-propelled, motorized vehicles:

(a) Upon private property without the written permission of the owner or person entitled to possession thereof; subject, however, to the following:

1. Subsection (a) of this division does not apply to motor vehicles licensed under M.S. Chapter 171, as it may be amended from time to time, when operated upon private

driveways, roadways, lanes, ways or parking lots where the operation of licensed motor vehicles is not expressly prohibited by posted notice;

2. No person charged under subsection (a) of this division shall be convicted if he or she produces in court or at the office of the arresting officer satisfactory written evidence that at the time of the arrest, his or her presence upon the private property was authorized by the owner or person entitled to possession thereof;

(b) Upon any public property, school ground, park property, playground, levee, recreation area or golf course, except as and at such times as the proper authorities may authorize or designate.

(B) PROPERTY OF ANOTHER as used in this section means property in which a person other than the actor has an interest which the actor has no right to defeat or impair.

(C) SELF-PROPELLED, MOTORIZED VEHICLE as used in this section means ANY vehicle which is self-propelled.

(D) VEHICLE means every devise in, upon or by which any person or property is or may be transported or drawn.

Section 2. City Code Title I, Chapter 10 entitled "General Provisions" applicable to entire city code including penalty for violation and Section 10.99 entitled "General Penalty" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall take effect and be in force from and after its passage and publication and be given the Number 11, 4th Series.

VOTING AYE:

VOTING NAY:

ABSENT:

The President declared the Ordinance passed.

Attest:

Interim City Administrator

President of Council

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

Mayor

Request for Council Action

Date: July 16, 2013
To: East Grand Forks City Council and Mayor Lynn Stauss
From: Nancy Ellis, City Planner
RE: Rezone of Burlington Heights 1st Addition Block 1 Lot 1 from C-1 to PUD

BACKGROUND AND SUPPORTING DOCUMENTATION OF REQUEST:

We have received an application from the Economic Development Housing Authority (EDHA) to rezone a lot north of City Hall from Downtown Commercial to PUD to allow for multi-family housing without main floor commercial space. A PUD plan of the site must be submitted for review and approval at the Planning Commission meeting. This lot has commercial businesses on each side of it and multi-family housing/apt. housing in the back and corner of the property.

The new MN Heights building is just down and across the street from this property. Those apts. have already been filled, with the exception of the commercial space. Downtown commercial spaces are difficult to fill and we have a few existing lots and buildings that remain open and waiting for businesses to rent. In addition, the Downtown design guidelines are somewhat costly to follow and the buildings to the north/east do not follow these guidelines. This request would fill a long standing open lot but not the commercial uses that were intended with the current zoning.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommends approval of the rezoning of Lot 1 Block 1 Burlington Heights 1st Addition from C-1 to PUD.

GENERAL INFORMATION

APPLICANTS/PROPERTY OWNERS: Economic Development Housing Authority or EDHA

REQUESTED ACTION: Rezoning for property located across from City Hall from C-1 to PUD (residential/apt. dwelling only – no commercial)

SITE ZONING/LAND USE: The site is currently zoned C-1 Downtown Commercial. The site has no buildings

SURROUNDING ZONING/LAND USE:

North: PUD zoning, Edgewood Vista

West: C-1 building, Opticare building

South: C-1 zoning, City Hall

East: PUD and C-2 zoning, townhomes and Altru/Sanford building

LOCATION: See attached map



SPECIAL INFORMATION

We have received an application from the Economic Development Housing Authority (EDHA) to rezone a lot north of City Hall from Downtown Commercial to PUD to allow for multi-family housing without main floor commercial space. A PUD plan of the site must be submitted for review and approval at the Planning Commission meeting. This lot has commercial businesses on each side of it and multi-family housing/apt. housing in the back and corner of the property.

The new MN Heights building is just down and across the street from this property. Those apts. have already been filled, with the exception of the commercial space. Downtown commercial spaces are difficult to fill and we have a few existing lots and buildings that remain open and waiting for businesses to rent. In addition, the Downtown design guidelines are somewhat costly to follow and the buildings to the north/east do not follow these guidelines. This request would fill a long standing open lot but not the commercial uses that was intended with the current zoning.

ANALYSIS

The Planning Commission should make its recommendation based on the following:

- Is this an appropriate zoning for this property?
Staff Comment: It would be appropriate to zone the property for PUD as it would be zoned the same as the adjoining property behind and beside. It also makes a transition between the C-1 Downtown Commercial building (Creamery building) and the C-2 Highway Commercial building (Altru/Sanford Building). The use planned for the property will be residential, specifically multi-family housing. This use is consistent with the area's uses that are located off/behind DeMers. However, the use does not meet the commercial uses that front the DeMers/Central Avenue corridor. It is difficult to lose prime commercial space in the downtown area but there are existing commercial spaces that are still available (existing building and open lotsw).

- How would this zoning fit with the current City Comprehensive Plan?
Staff Comment: The City's Comprehensive Plan is comprised of the following plan elements: 2040 Land Use Plan, 2012 Greenway Plan Update, 2035 Long Range Transportation Plan, and the 2009 River Forks Downtown Plan Update. The 2040 Land Use Plan was adopted in 2010. The Plan provided growth scenarios for the City out thirty years. The plan does show a need to consider mixed use development (residential and commercial together in the same area) and have affordable housing near everyday uses/amenities and transit – See Residential Area Goals and Policies. In addition, the 2040 Comprehensive Plan references the River Forks Downtown Plan Update. The Downtown Plan feels a mix of office, retail and residential uses should be used in the downtown area. It was found in the plan that there would be a likely demand for more residential option in the near future, as there was still plenty of vacant office and retail space available and no new commercial development was needed. (It would be appealing for new commercial in the downtown area though)

- How does this zoning fit into the current zoning in the area?
Staff Comment: PUD is not consistent with the current zoning map. However, it is not spot zoning as the property would have housing to the north and north east of the property. If rezoned and multi-family is built, it would not match the design of the downtown properties but would match the design of the properties moving toward Hwy 2.

STAFF RECOMMENDATION

Staff recommends considering approval to establish PUD zoning for the Burlington Heights property, with the recommendation that the PUD plan is designed to match the feel of the surrounding area/uses.

Request for Council Action

Date: September 19, 2006
To: East Grand Forks City Council and Mayor Lynn Stauss
From: Nancy Ellis, Senior Planner
RE: Approval of Point of Woods Townhome PUD Concept Development Plan

BACKGROUND AND SUPPORTING DOCUMENTATION OF REQUEST:

The EDHA has received a proposal to build on their lot located across from City Hall. As part of that proposal, the applicant requested that EDHA rezone the property from C-1 to PUD in order for them to build an apartment only (no Commercial on the first floor). If this property is rezoned to PUD, the Council can make recommendations on the PUD concept plan.

Planned Unit Development (PUD) Zoning District allows for variations in development and requirements. Often times, certain subdivisions are zoned PUD to allow for different types of housing (single family, townhomes, 4-plexes) within the one subdivision/plat. PUDs also allow for changes to setbacks, lot sizes, requirements for plantings, fences, sheds, etc.... This concept development plan addresses a number of items: parking spaces and requirements, building square footage, building setbacks (including decks) and impervious coverage of lots.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission recommends approval of the Burlington Heights PUD concept development plan with the following recommendations:

1. Require brick on the front and sides matching the design from the enclosed elevation designs.
2. Allow for impervious coverage of more than 60%; up to what the site plan states (69.4%).

Other Items to Consider

3. Landscaping and trees must be placed along the DeMers property.
4. Place sidewalk along 6th St. NW and 8th St. NW, bordering the east side of the property.

GENERAL INFORMATION

APPLICANTS/PROPERTY OWNERS: EDHA

REQUESTED ACTION: Applicant is requesting approval of Burlington Heights PUD Concept Development Plan.

SITE ZONING/LAND USE: PUD is the current zoning (if approved), Vacant.

SURROUNDING ZONING/LAND USE:

North: PUD zoning, Edgewood Vista

West: C-1 building, Opticare building

South: C-1 zoning, City Hall

East: PUD and C-2 zoning, townhomes and Altru/Sanford building

General Comments

Planned Unit Development (PUD) Zoning District allows for variations in development and requirements. Often times, certain subdivisions are zoned PUD to allow for different types of housing (single family, townhomes, 4-plexes) within the one subdivision/plat. PUDs also allow for changes to setbacks, lot sizes, requirements for plantings, fences, sheds, etc...

This concept development plan addresses a number of items: parking spaces and requirements, building square footage, building setbacks (including decks) and impervious coverage of lots. Two items the Planning Commission should consider addressing are:

1. This development will exceed the impervious coverage restriction of 60% maximum by 9.4% (69.4% total with building – sidewalks- parking), as stated on the concept development plan.
2. No brick on the building. They should match the design of nearby buildings.

STAFF RECOMMENDATION

Staff recommends tabling approval of the Burlington Heights PUD concept development plan. If Approved, please approved with the following changes:

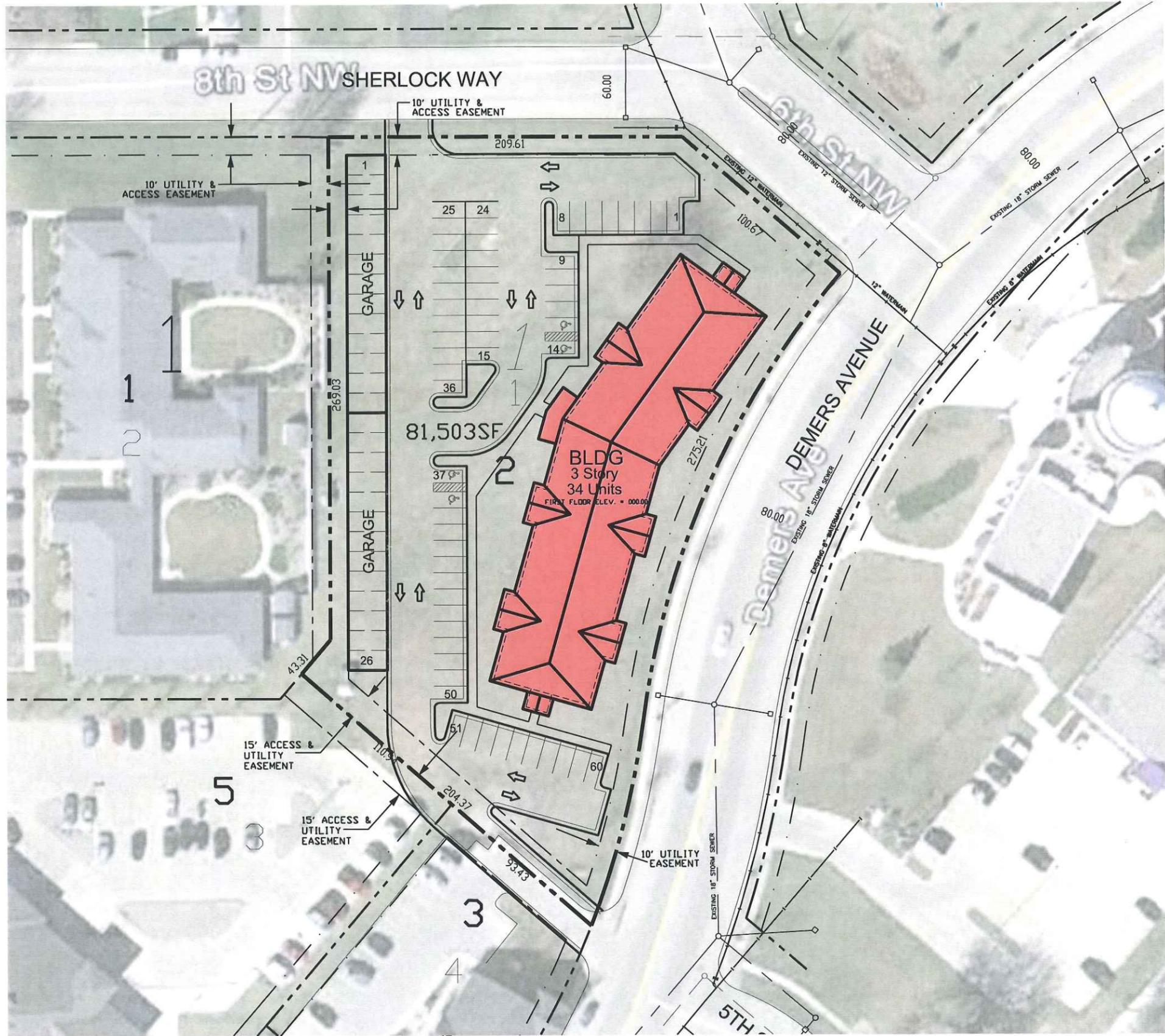
5. Show architectural elevations and design for the first floor of the building.

Encl.

NOTES

ALL UNDERGROUND UTILITY WORK PERFORMED WITH THE PUBLIC RIGHT-OF-WAY SHALL BE DONE IN ACCORDANCE WITH THE CITY OF EAST GRAND FORKS STANDARD CONSTRUCTION SPECIFICATIONS.
 LANDSCAPING SHALL CONFORM TO SECTION 7 OF THE LAND USE DEVELOPMENT CODE.
 APPROACHES INSTALLED TO EAST GRAND FORKS SPECIFICATIONS.
 ALL SIGNS SHALL BE APPROVED BY THE EAST GRAND FORKS PLANNING DEPARTMENT.
 CONTRACTOR REQUIRED TO NOTIFY MINNESOTA STORMWATER REGULATORY AGENCY FOR STORMWATER RUNOFF PERMITS REQUIREMENTS PRIOR TO CONSTRUCTION. (??)
 DRIVEWAYS/APPROACHES TO REUSE CONTAINERS SHALL BE CONSTRUCTED WITH 6 INCH CONCRETE AND CLAY CURB-BASE COMPACTED TO 15% MAXIMUM DENSITY.

LEGAL DESCRIPTION	ADDRESS
LOT 1, BLOCK 1 BURLINGTON HEIGHTS FIRST RESUBDIVISION CITY OF EAST GRAND FORKS, MINNESOTA DENSITY =	DEMERS AVENUE
SITE DATA	PARKING DATA
7 MULTIPLE FAMILY RESIDENCE, HIGH DENSITY DISTRICT	PARKING REQUIRED =
BUILDING LOT (NET ACRES) 81,503 100	1 BEDROOM - 15 OFF-STREET SPACES - 0 UNITS = 12 SPACES
BUILDING AREA (FOOTPRINT) 16,323 20.0	2 BEDROOM - 225 OFF-STREET SPACES - 11 UNITS = 30.25 SPACES
GARAGE 6,240 7.1	3 (PLUS) BEDROOM - 25 OFF-STREET SPACES - 4 UNITS = 22.5 SPACES
GREEN SPACE 24,848 30.3	PARKING PROVIDED = 73
PAVED AREA (SIDEWALKS & PARKING) 33,492 41.1	PARKING PROVIDED = 86 (4 ADA STALL)
TOTAL IMPERVIOUS SURFACE AREA 56,605 69.4	OFF-STREET SPACES = 60 SPACES
MAX IMPERVIOUS SURFACE AREA ALLOWED 48,101 60%	GARAGE STALLS = 28 STALLS
BUILDING HEIGHT -	
ZONING REQUIREMENTS	
ZONE 7	
ALLOWABLE IMPERVIOUS AREA = 60.0%	
USABLE OPEN SPACE = 10% OF LOT AREA = 8,150	
SETBACKS	
PRINCIPAL BLDG. FRONT YARD = 20' + 1' FOR EVERY 1' OF BLDG. HEIGHT EXCEEDING 25' (30')	
SIDE YARDS = 5'-0" FOR LOTS EXCEEDING 100'-0" IN WIDTH	
REAR YARD = NOT LESS THAN 20% OF LOT DEPTH, BUT IN NO CASE LESS 40' (50')	
PAVING	
SETBACKS SIDE AND REAR YARD PAVING SETBACK = 5' MIN.	
PAVING FROM PRINCIPAL BUILDING 10' MIN.	
FRONT YARD SETBACK 10' EXCEPT DRIVEWAYS	
LANDSCAPING REQUIREMENTS	
NOT LESS THAN 5% OF THE INTERIOR OF A PARKING LOT SHALL BE LANDSCAPED.	
LANDSCAPING SHALL INCLUDE, IN ANY COMBINATION FROM THE FOLLOWING:	
1. SHADE TREE, 2 1/2 INCH TO 3 INCH CALIPER	
2. ORNAMENTAL TREE, 2 INCH TO 2 1/2 INCH CALIPER	
3. EVERGREEN TREE, 3 1/2 FEET TO 4 FEET IN HEIGHT	
75% CANOPY COVERAGE REQUIRED IN OPEN SPACE	
BUFFERYARD REQUIREMENTS PER 100 FEET (APPENDIX B) BUFFERYARD TYPE E	
1. 3 SHADE TREES, 2 INCH TO 2 1/4 INCH CALIPER	
2. 4 ORNAMENTAL TREES, 1 1/2 INCH TO 2 INCH CALIPER	
3. 3 EVERGREEN TREES, 5 FEET TO 6 FEET IN HEIGHT	
4. 15 SHRUBS, 18 INCHES TO 24 INCHES IN HEIGHT	
5. FENCE TYPE F2 (APPENDIX B), CEDAR FENCE AT MINIMUM HEIGHT OF 6'-0"	
LEGEND	
--- PROPERTY LINE	--- DRAINAGE DIRECTION
--- EASEMENT	o MAINHOLE / INLET
--- SETBACK	o FIRE HYDRANT
--- WATER LINE	
--- STORM SEWER	
--- SANITARY SEWER	
APPROVAL	
APPROVED BY: _____	
TITLE: _____	
DATE: _____	



4050 GARDEN VIEW DRIVE
SUITE 101
GRAND FORKS, ND 58201
P. 701.772.4268 F. 701.772.4275
WWW.ICONARCHITECTS.COM

STRUCTURAL
ICON Architectural Group
4050 Garden View Drive Suite 101
Grand Forks, ND 58201
(701) 772.4268 Office
(701) 772.4275 Fax
MECHANICAL

ELECTRICAL

CIVIL

**BURLINGTON HEIGHTS
APARTMENTS**
DeMers Avenue
East Grand Forks, MN

No.	Description	Date

DRAWN BY: TWARD JN: 13-000

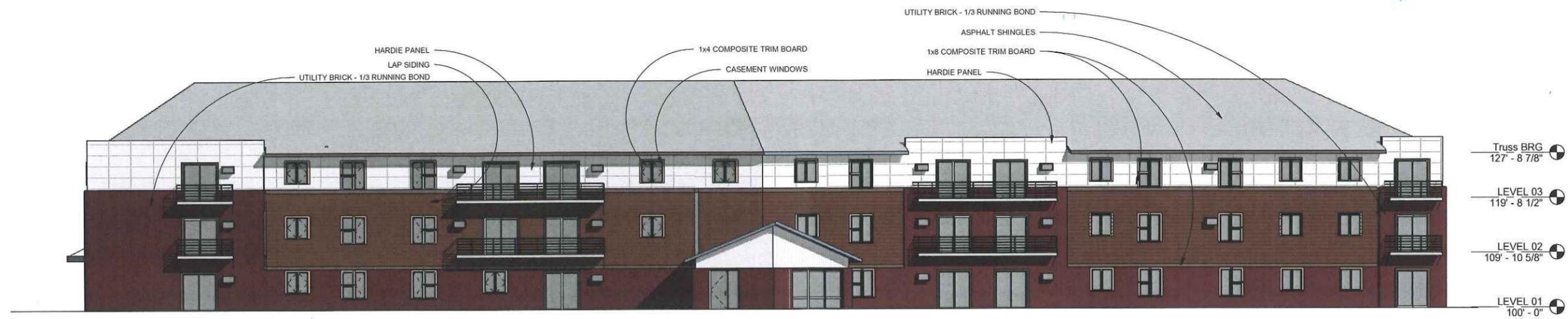


**NOT FOR
CONSTRUCTION**

PHASE
Design Development

DATE
06/20/13

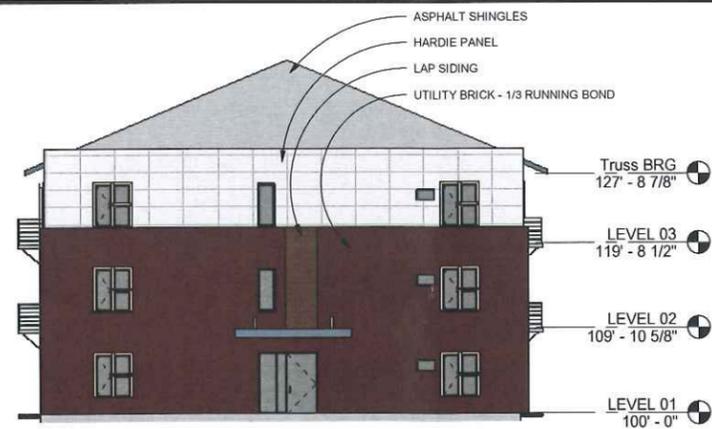
Site Plan -
Option 3



1 FRONT ELEVATION
SD201 3/32" = 1'-0"



2 REAR ELEVATION
SD201 3/32" = 1'-0"



3 END ELEVATION
SD201 3/32" = 1'-0"



Rentable Area Legend

 1 BED - UNIT 'A'	715 SF
 2 BED - UNIT 'B'	959 SF
 2 BED - UNIT 'C'	1112 SF
 3 BED + DEN - UNIT 'E'	1334 SF
 3 BED - UNIT 'F'	1125 SF
 4 BED - UNIT 'G'	1263 SF



Rentable Area Legend

 1 BED - UNIT 'A'	715 SF
 2 BED - UNIT 'B'	959 SF
 3 BED + DEN - UNIT 'E'	1347 SF
 3 BED - UNIT 'F'	1125 SF
 4 BED - UNIT 'G'	1256 SF



Request for Council Action

Date: 7/5/2013

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: Panel Replacement

Background:

The intersection of James Ave. SE and River Dr. SE was torn up last year to replace a faulty storm sewer pipe and related catch basin. At that time we decided not to replace the street panels because we wanted to let the fill material have one freeze thaw season to settle.

Present:

The fill material has now had one freeze thaw season to settle, and it is now time to replace the street panels. I received two estimates for panel replacement. Please see below.

Cariveau Concrete Construction \$11,904

H&S Construction \$12,242

Recommendation: Award job to Cariveau Concrete Construction for \$11,904.

CARIVEAU CONCRETE
CONSTRUCTION
23357 425th Ave. S.W.
EAST GRAND FORKS

477550

973.2381-doug

Statement MINNESOTA PA 56721 DATE 5/1, 2013

TERMS

TO City of East Grand Forks
Street repair
Corner of James Ave + River Dr. S.E.

IN ACCOUNT WITH

18x32 Sawcut + Breakout		950.00
Replace @ 7 inch depth, #4 rebar		
2 foot on center 4000 PSI MIX		
18x82 and 10x23 1/2		
1711 SQ FT TOTAL		
AREA REPLACED	10354.00	
Total Labor + Material	11304.00	
OPTIONAL - ROTO HAMMER REBAR		
STUBS into existing street +		
curb area	500.00	
Sawcutting - \$1.00 per lined foot		
7 inch deep - estimated 100 L.F.	100.00	
all other repair are extra		

CURRENT	OVER 30 DAYS	OVER 60 DAYS	TOTAL AMOUNT
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H & S Construction
 17279 US Hwy 59NE
 Thief River Falls, MN 56701

7/2/2013 1703

City of East Grand Forks
 1001 2nd St NE
 East Grand Forks Mn 56721
 Att: Jason

218.681.5503

218.681.7063

River Drive

Remove and replace 7" paving	576	7.00	4,032.00
Furnish & install 7" paving with #4 reinforcing	1,173	7.00	8,211.00
Remove Manhole and install chimney seal and set height	1	750.00	750.00
Widen & silicone	1	1,000.00	1,000.00

If any Additional Information is Required Please Call Robert Audette
 @218.686.9308

\$13,993.00

Request for Council Action

Date: 7/5/2013

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: 15' mower

Consider approving the request to approve:

The 2013 capital improvement plan has \$20,000 budgeted (General Fund) for a new rotary mower. We have received quotes for the following vendors:

TriSteel Manufacturing Company \$22,305

True North Equipment \$18,400

Recommendation: Approve the purchase of John Deere CX15 Rotary Mower from True North Equipment for \$18,400.



Quote Id: 8245128

Customer: EAST GRAND FORKS STREET DEPT

Quote Summary

Prepared For: EAST GRAND FORKS STREET DEPT 1001 2ND ST NE EAST GRAND FORKS, MN 56721 Business: 701-543-3441	Prepared By: Casey Olson TRUE NORTH EQUIPMENT CO. 5101 GATEWAY DRIVE GRAND FORKS, ND 58203 Phone: 701-746-4436 colson@truenorthequipment.com	Quote Id: 8245128 Created On: June 13, 2013 Last Modified On: June 13, 2013 Expiration Date: June 28, 2013
---	--	---

Equipment Summary	Selling Price	Qty	Extended
JOHN DEERE CX15 Flex-Wing Rotary Cutter - 1000 RPM Stump Jumpers - Single Suction Blades	\$ 18,400.00 X	1 =	\$ 18,400.00

Equipment Total **\$ 18,400.00**

Trade In Summary	Qty	Each	Extended
ALAMO 15' - 04004	1	\$ 1,500.00	\$ 1,500.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 1,500.00

Trade In Total **\$ 1,500.00**

Quote Summary	
Equipment Total	\$ 18,400.00
Trade In	\$ (1,500.00)
SubTotal	\$ 16,900.00
Total	\$ 16,900.00
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 16,900.00

Salesperson : X _____

Accepted By : X _____



Custom Built Equipment....
"You Name It.. We Build It"

3001N. Washington St.
P O Box 14716
Grand Forks, ND 58208-4716

Fax (701) 772-8147
Telephone (800) 279-2689
Local (701) 772-5591

MANUFACTURING COMPANY

Date: 6-25

To: Stuart Koval
City of E. Grand Forks

Fax No.: 773-5615

Pages: 1

From: Scott Barclay
Parts Dept

Remarks:

Bat wing 14' mower Quote

PTO - 1 3/8" - 1000 RPM C/U

Tire 29 Agr cuts from filled

Axle walking tandem

single Row chain sheilding

BW1620xQW x-trame Duty \$ 22,305

~~BW126xHDQW 10.5 Heavy Duty \$ 14,969~~

Please let us know if you did not receive all the pages.

RESOLUTION NO. 13 – 07 – 70

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 16296 for a total of \$802.76.

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 \$802.76 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 July 16, 2013.

Voting Aye:

Voting Nay:

Abstain:

The President declared the resolution passed.

Passed: July 16, 2013

Attest:

Interim City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 16th of July, 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 16296 for a total of \$802.76.
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 July 16, 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: lkatka
 Printed: 7/11/2013 - 1:42 PM

Check	Date	Vendor No	Vendor Name	Amount	Voucher
16249	07/16/2013	ACM001	Acme Electric Companies	764.64	0
16250	07/16/2013	ADV001	Advanced Business Methods Inc	764.59	0
16251	07/16/2013	ALL003	All Seasons Garden Center	6,937.45	0
16252	07/16/2013	AME005	Ameripride Linen & Apparel Services	442.24	0
16253	07/16/2013	BAL001	Balco Uniforms Co Inc	42.05	0
16254	07/16/2013	BAR005	Barnes Distribution	756.11	0
16255	07/16/2013	BAR002	Alex Barta	1,120.93	0
16256	07/16/2013	BER001	Bert's Truck Equipment	14.59	0
16257	07/16/2013	BLU001	Blue Cross Blue Shield of ND	6,729.00	0
16258	07/16/2013	BOR001	Border States Electric Supply	97.20	0
16259	07/16/2013	BRA001	Brady Martz & Associates	10,000.00	0
16260	07/16/2013	BRI003	Brite-Way Window Cleaning	60.00	0
16261	07/16/2013	BCA003	Bureau of Crim Apprehension	1,530.00	0
16262	07/16/2013	BUT001	Butler Machinery Co	685.99	0
16263	07/16/2013	C&R001	C&R Laundry & Cleaners	52.69	0
16264	07/16/2013	CAB001	Cabela's Retail	265.01	0
16265	07/16/2013	CAN001	Canon Financial Services	167.10	0
16266	07/16/2013	CAR002	Carquest Auto Parts	176.03	0
16267	07/16/2013	CHW001	David Chwialkowski	115.00	0
16268	07/16/2013	CLE001	Clear Channel Communications	924.00	0
16269	07/16/2013	COL004	Cold Spring Granite Company	97.91	0
16270	07/16/2013	COM003	Complete Pest Control Inc	1,252.62	0
16271	07/16/2013	CRO001	Crookston City	3,534.18	0
16272	07/16/2013	CUS002	Custom Stripes Inc	582.40	0
16273	07/16/2013	DAK012	Dakota Inc	150.00	0
16274	07/16/2013	DAK006	Dakota TV & Appliance	491.88	0
16275	07/16/2013	EMB002	Embassy Suites St. Paul	400.88	0
16276	07/16/2013	EMP001	Emphasys Computer Solutions	1,281.25	0
16277	07/16/2013	ENV002	Environmental Equipment	270.50	0
16278	07/16/2013	EXP002	Exponent	759.64	0
16279	07/16/2013	FLE003	FleetPride	476.66	0
16280	07/16/2013	FOR005	Forum	30.40	0
16281	07/16/2013	FOR004	Forx Radiator	330.00	0
16282	07/16/2013	G&K001	G&K Services	166.45	0
16283	07/16/2013	GAD002	Scott Gaddie	1,400.00	0
16284	07/16/2013	GAL003	Galstad Jensen & McCann PA	12,984.00	0
16285	07/16/2013	GAR001	Garden Hut Inc	1,062.83	0
16286	07/16/2013	GEO001	George's Quick Printing	351.64	0
16287	07/16/2013	GER001	Gerrells Sport Center	100.32	0
16288	07/16/2013	GFC001	GF City Utility Billing	15,751.49	0
16289	07/16/2013	GFH002	GF Herald	445.50	0
16290	07/16/2013	GFW001	GF Welding & Machine	47.05	0
16291	07/16/2013	GGF001	GGF Convention & Visitors Bureau	1,397.64	0
16292	07/16/2013	GOP002	Gopher State Lawn Sprinklers	2,371.85	0
16293	07/16/2013	GRA004	Grand Cities Towing	100.00	0
16294	07/16/2013	GWS001	GW & Sons Construction Inc	9,970.00	0
16295	07/16/2013	HAJ002	Rick Hajicek	285.00	0
16296	07/16/2013	HAR001	Hardware Hank	802.76	0
16297	07/16/2013	HAW001	Hawkins Chemical	889.73	0
16298	07/16/2013	HEA001	Heartland Paper	257.26	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
16299	07/16/2013	HOL002	Holiday Credit Office	31.20	0
16300	07/16/2013	HUG001	Hugo's	513.82	0
16301	07/16/2013	INP002	In Prints Screen Printing	45.00	0
16302	07/16/2013	INT007	In the Swim	444.92	0
16303	07/16/2013	INT003	Integra Telecom	82.41	0
16304	07/16/2013	INT008	Intoximeters Inc	134.77	0
16305	07/16/2013	JobsHQ	JobsHQ	301.50	0
16306	07/16/2013	JOH002	John Anderson Painting Co.	1,800.00	0
16307	07/16/2013	K&K001	K&K Trucking Inc	1,860.00	0
16308	07/16/2013	KEL001	Kellermeyer Building Service	1,603.13	0
16309	07/16/2013	LEA002	League of MN Cities	421.00	0
16310	07/16/2013	LUM001	Lumber Mart	300.46	0
16311	07/16/2013	M&W001	M&W Services	11,245.06	0
16312	07/16/2013	MAR004	Marco	541.52	0
16313	07/16/2013	MCD001	McDonald's of EGF	58.23	0
16314	07/16/2013	MIK001	Mike's Pizza	69.86	0
16315	07/16/2013	MPW001	Minnesota Pump Works	874.86	0
16316	07/16/2013	MNF001	MN Fire Service Certification Board	80.00	0
16317	07/16/2013	MNM002	MN Municipal Utilities Assoc	3,656.25	0
16318	07/16/2013	NEW001	Newman Signs	2,003.58	0
16319	07/16/2013	NOR005	Northern Safety Tech	770.74	0
16320	07/16/2013	NOR024	Northland Yard Service	1,757.47	0
16321	07/16/2013	ORE001	O'Reilly Auto Parts	750.99	0
16322	07/16/2013	OPP001	Opp Construction	160.00	0
16323	07/16/2013	ORC002	Roger Orchard	1,762.50	0
16324	07/16/2013	PDQ001	PDQ Sanitary Services	206.00	0
16325	07/16/2013	PET001	Peterson Veterinarian Clinic P.C.	700.30	0
16326	07/16/2013	POL004	Polk County Recorder	184.00	0
16327	07/16/2013	POL008	Polk County Sheriff's Office	462.96	0
16328	07/16/2013	POW001	Power Equipment Shop	45.89	0
16329	07/16/2013	PRA001	Praxair Distribution	26.58	0
16330	07/16/2013	PRE001	Premium Waters Inc	4.37	0
16331	07/16/2013	PSD001	PS Door Services	688.47	0
16332	07/16/2013	QUI001	Quill Corp	222.85	0
16333	07/16/2013	RAI001	Railroad Mgmt Co III LLC	531.48	0
16334	07/16/2013	REL001	Reliable Office Supplies	26.68	0
16335	07/16/2013	ROT001	Roto Rooter	157.00	0
16336	07/16/2013	SAM002	Sam's Club	206.10	0
16337	07/16/2013	SCH001	Scheels All Sports	104.54	0
16338	07/16/2013	SIM001	Simonson Station Stores	600.00	0
16339	07/16/2013	SIM002	SimplexGrinnell	596.36	0
16340	07/16/2013	SKR001	Doug Skramstad	454.95	0
16341	07/16/2013	STA011	Eric Stauss	500.00	0
16342	07/16/2013	STE001	Stennes Granite	39.56	0
16343	07/16/2013	STE009	Sterling Carpet One	172.50	0
16344	07/16/2013	K&H001	Kenley Stordahl	3,600.00	0
16345	07/16/2013	STA005	Strata Corp	263.01	0
16346	07/16/2013	STU001	Stuart's Towing	106.88	0
16347	07/16/2013	SUN002	Sun Dot Communications	100.94	0
16348	07/16/2013	SUR001	Surplus Center	21.02	0
16349	07/16/2013	TAC001	TAC 10, Inc.	4,771.00	0
16350	07/16/2013	TOD001	Todays Organized Living LLC	455.00	0
16351	07/16/2013	TRU003	True North Equipment	48,271.00	0
16352	07/16/2013	TRU001	True Temp	223.24	0
16353	07/16/2013	USB001	US Bank	145,246.25	0
16354	07/16/2013	USB004	US Bank Equipment Finance	138.67	0
16355	07/16/2013	USP002	USPS Postmaster	300.00	0
16356	07/16/2013	VAL002	Valley Truck	283.61	0
16357	07/16/2013	VER001	Verizon Wireless	628.26	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
16358	07/16/2013	VIL001	Vilandre Heating & A/C	131.18	0
16359	07/16/2013	WAS001	Waste Mgmt	44,310.97	0
16360	07/16/2013	WAT001	Water & Light Department	43,121.27	0
16361	07/16/2013	WDA001	WDAZ TV	2,524.00	0
16362	07/16/2013	WEX001	Wex Bank	20.00	0
				<hr/> <hr/>	
Check Total:				421,402.62	
				<hr/> <hr/>	