

**AGENDA  
CITY COUNCIL  
WORK SESSION  
CITY OF EAST GRAND FORKS  
MAY 26, 2009  
5:00 PM**

**CALL TO ORDER**

**CALL OF ROLL**

**DETERMINATION OF A QUORUM**

1. Bid Results – “2009 Assessment Job No. 3 – Paving” – Peabody 1<sup>st</sup> Addition/Greenway 1<sup>st</sup> Addition – Greg Boppre
2. Report of Feasibility – “2009 Assessment Job No. 4 – Paving, Riverview Additions & the Scholarship Addition – Greg Boppre
3. 190<sup>th</sup> Street Lighting – Greg Boppre
4. 5<sup>th</sup> Ave SE & 3<sup>rd</sup> Ave. SE Alley – Greg Leigh
5. 2009 Street Repair to Intersection at 10<sup>th</sup> & Bygland Rd – John Wachter
6. 2009 Street Repair to Pavers & Catch Basins – John Wachter
7. North Pedestrian Bridge – John Wachter
8. Pet Ordinance – Greg Leigh

**ADJOURN**

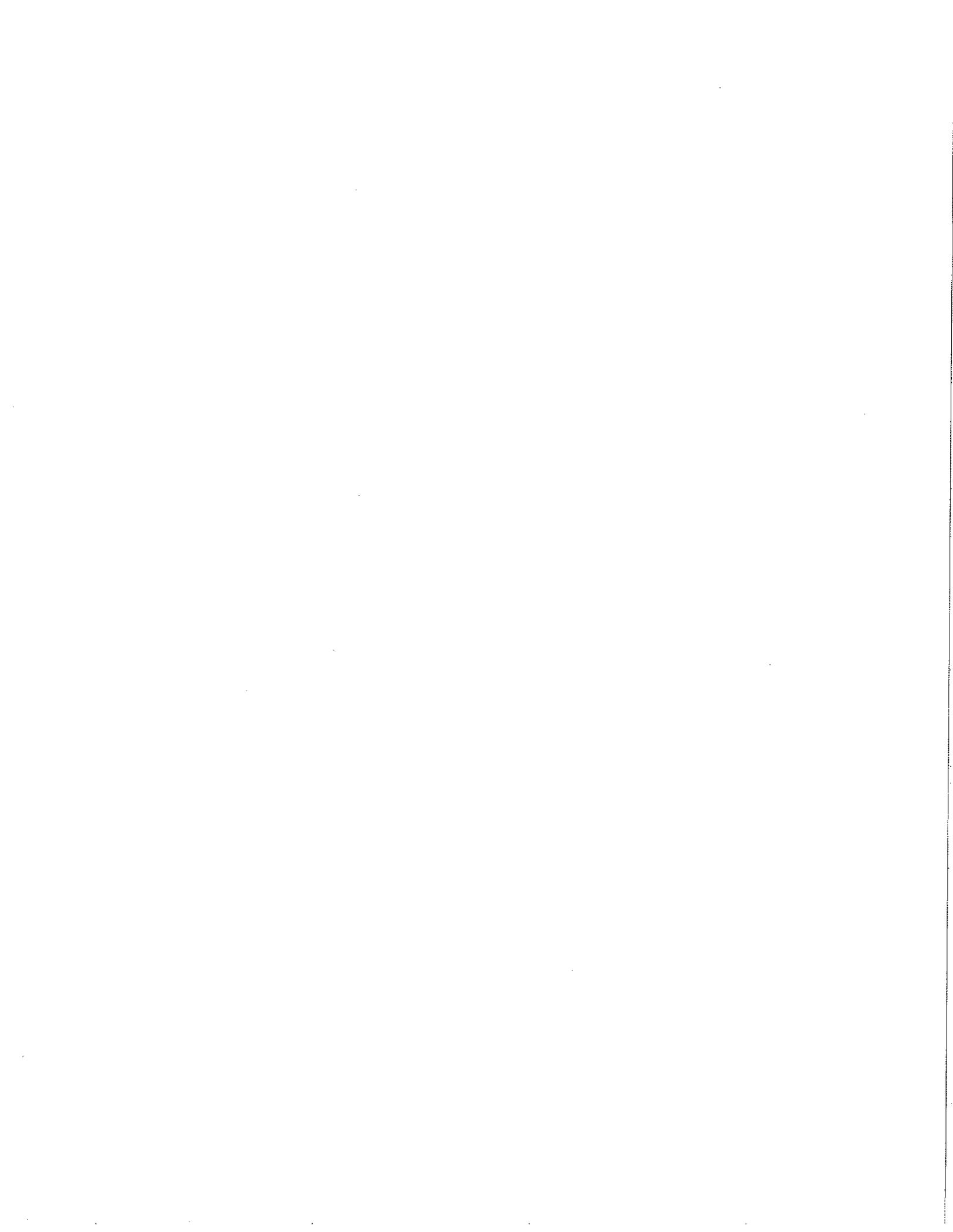
Upcoming Meetings:

Regular Meeting – June 2, 2009 – 5:00 PM – Council Chambers

Work Session – June 9, 2009 – 5:00 PM – Training Room

Regular Meeting - June 16, 2009 – 5:00 PM – Council Chambers

Work Session – June 23, 2009 – 5:00 PM – Training Room



# Request for Council Action

Date: May 20, 2009

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

Cc: File

From: Greg Boppre, P.E.

RE: Bid Results – 2009 Assessment Job No. 3 – Paving Peabody 1<sup>st</sup> Addition/Greenway 1<sup>st</sup> Addition

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#### Background:

The City received four bids(see attached), with the apparent low bid of \$127,138.26, from Paras Contracting, Fargo, North Dakota. The proposed assessment rate would be \$73.3416/foot(see attached assessment roll).

#### Recommendation:

File the assessment roll at the June 2, 2009 City Council meeting, set the public hearing for the proposed assessments for Tuesday, June 16, 2009 and based on the public hearing award the project to Paras Contracting in the amount of \$127,138.26

#### Enclosures:

Bid tabulation  
Assessment roll

2009 ASSESSMENT JOB NO. 3  
 CONCRETE PAVING  
 11th AVE SE

EAST GRAND FORKS

ITEM NO.	DESCRIPTION	QUANTITY	PARAS CONTRACTING		TONY ANDERSON CONST		STRATA CORP		OPP CONSTRUCTION	
			UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
2104.501	Remove Curb & Gutter	129 LF	\$16.20	\$2,089.80	\$8.00	\$1,032.00	\$10.00	\$1,290.00	\$4.50	\$580.50
2104.505	Remove Concrete Pavement	29 SY	\$23.40	\$678.60	\$18.00	\$522.00	\$15.00	\$435.00	\$15.00	\$435.00
2104.509	Remove Casting Assembly	2 EA	\$60.00	\$120.00	\$50.00	\$100.00	\$35.00	\$70.00	\$275.00	\$550.00
2104.604	Salvage Aggregate (P)	460 CY	\$9.49	\$4,365.40	\$6.00	\$2,760.00	\$6.00	\$2,760.00	\$11.50	\$5,290.00
2301.501	Concrete Pavement	2,380 SY	\$44.60	\$106,148.00	\$50.00	\$119,000.00	\$50.00	\$119,000.00	\$51.60	\$122,808.00
2301.529	Reinforcement Bars (Epoxy Coated)	1,400 LB	\$2.47	\$3,458.00	\$0.75	\$1,050.00	\$1.95	\$2,730.00	\$2.00	\$2,800.00
2506.521	Casting Assembly	2 EA	\$920.00	\$1,840.00	\$650.00	\$1,300.00	\$975.00	\$1,950.00	\$840.00	\$1,680.00
2506.522	Adjust Frame and Ring Casting	2 EA	\$109.25	\$218.50	\$675.00	\$1,350.00	\$600.00	\$1,200.00	\$440.00	\$880.00
2531.501	Concrete Curb & Gutter, Design B624	129 LF	\$21.24	\$2,739.96	\$22.00	\$2,838.00	\$25.00	\$3,225.00	\$32.00	\$4,128.00
2563.601	Traffic Control	1 LS	\$5,000.00	\$5,000.00	\$4,500.00	\$4,500.00	\$3,750.00	\$3,750.00	\$2,000.00	\$2,000.00
2573.530	Storm Drain Inlet Protection	8 EA	\$60.00	\$480.00	\$100.00	\$800.00	\$150.00	\$1,200.00	\$80.00	\$640.00
	<b>TOTAL</b>			\$127,138.26		\$135,252.00		\$138,240.00		\$141,791.50

2009 ASSESSMENT JOB No. 3 - PAVING  
EAST GRAND FORKS, MINNESOTA

Paving

Paving Construction Cost	\$127,138.26
Plans & Specifications	\$12,713.83
Staking & Inspection	\$6,356.91
Assessment Roll	\$1,271.38
Administration	\$3,914.15
Contingencies	\$6,356.91
<b>TOTAL PAVING COST</b>	<b>\$157,651.44</b>

TOTAL Footage to be assessed

2,149.55 LF

Assessed Front Footage Benefit Rate

\$73,341602 per foot

**TOTAL AMOUNT TO BE ASSESSED**

**\$157,651.44**

2009 ASSESSMENT JOB No. 3 - PAVING  
EAST GRAND FORKS, MINNESOTA

PARCEL No.	OWNER	DESCRIPTION	PAVING		TOTAL ASSESSMENT BEFORE INTEREST
			FOOTAGE	\$ BENEFIT	
<b>GREENWAY CROSSING 1ST ADD</b>					
R 83.03600.00	KYLE A & DAWN M SULLIVAN	Lot-001 Block-001	97.08	\$7,120.01	\$7,120.01
R 83.03601.00	BRAD & TAMMY L ORTZMAN	Lot-002 Block-001	60.00	\$4,400.50	\$4,400.50
R 83.03614.00	THOMAS B & HEIDI L SMART	Lot-001 Block-005	75.00	\$5,500.62	\$5,500.62
R 83.03615.00	MICHAEL H & KELLY E WILBER	Lot-002 Block-005	53.78	\$3,944.32	\$3,944.32
R 83.03616.00	MICHAEL H & KELLY E WILBER	Lot-003 Block-005	53.76	\$3,942.84	\$3,942.84
R 83.03617.00	WALLACE KNOLL	Block-005 LOTS 4 & 5	107.52	\$7,885.69	\$7,885.69
R 83.03619.00	KENNARD J & NADINE J PAULSON	Lot-006 Block-005	75.02	\$5,502.09	\$5,502.09
R 83.03630.00	CASEY J OLSON	Lot-017 Block-005	75.02	\$5,502.09	\$5,502.09
R 83.03631.00	RANDY P & TRACY A ANDERSON	Lot-018 Block-005	53.76	\$3,942.84	\$3,942.84
R 83.03632.00	RANDY P & TRACY A ANDERSON	Lot-019 Block-005	53.76	\$3,942.84	\$3,942.84
R 83.03633.00	ROBERT C & BRENDA L CARLSON	Lot-020 Block-005	53.76	\$3,942.84	\$3,942.84
R 83.03634.00	ROBERT C & BRENDA L CARLSON	Lot-021 Block-005	53.78	\$3,944.32	\$3,944.32
R 83.03635.00	ROBERT F & LAURIE T JUNG	Lot-022 Block-005	75.00	\$5,500.62	\$5,500.62
<b>GREENWAY CROSSING 1ST ADD SUBTOTAL</b>			<b>887.24</b>	<b>\$65,071.62</b>	<b>\$65,071.62</b>

PARCEL No.	OWNER	DESCRIPTION	PAVING		TOTAL ASSESSMENT BEFORE INTEREST
			FOOTAGE	\$ BENEFIT	
<b>PEABODY'S FIRST ADDITION</b>					
R 83.04244.00	ROBERT E & JEANINE H PEABODY	Lot-007 Block-001	45.30	\$3,322.38	\$3,322.38
R 83.04245.00	ROBERT E & JEANINE H PEABODY	Lot-008 Block-001	95.00	\$6,967.45	\$6,967.45
R 83.04246.00	ROBERT E & JEANINE H PEABODY	Lot-009 Block-001	95.00	\$6,967.45	\$6,967.45
R 83.04247.00	ROBERT E & JEANINE H PEABODY	Lot-010 Block-001	95.00	\$6,967.45	\$6,967.45
R 83.04248.00	ROBERT E & JEANINE H PEABODY	Lot-011 Block-001	95.06	\$6,971.85	\$6,971.85
R 83.04249.00	ROBERT E & JEANINE H PEABODY	Lot-012 Block-001	212.25	\$15,566.75	\$15,566.75
R 83.04250.00	ROBERT E & JEANINE H PEABODY	Lot-013 Block-001	102.11	\$7,488.91	\$7,488.91
R 83.04251.00	RYAN B & SADIE M STEENSON	Lot-014 Block-001	97.29	\$7,135.40	\$7,135.40
R 83.04252.00	ROBERT E & JEANINE H PEABODY	Lot-015 Block-001	95.00	\$6,967.45	\$6,967.45
R 83.04253.00	ROBERT E & JEANINE H PEABODY	Lot-016 Block-001	95.00	\$6,967.45	\$6,967.45
R 83.04254.00	MATTHEWS & JENNIFER S LUKACH	Lot-017 Block-001	95.00	\$6,967.45	\$6,967.45
R 83.04255.00	ROBERT E & JEANINE H PEABODY	Lot-018 Block-001	95.00	\$6,967.45	\$6,967.45
R 83.04256.00	ROBERT E & JEANINE H PEABODY	Lot-019 Block-001	45.30	\$3,322.38	\$3,322.38
<b>PEABODY'S FIRST ADDITION SUBTOTAL</b>			<b>1,262.31</b>	<b>\$92,579.82</b>	<b>\$92,579.82</b>

<b>TOTAL PAVING ASSESSMENT</b>					<b>\$157,651.44</b>
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# Request for Council Action

Date: May 20, 2009

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

Cc: File

From: Greg Boppre, P.E.

RE: Report of Feasibility – 2009 Assessment Job No. 4 – Paving, Riverview Additions and the Scholarship Addition

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## Background:

The City has received a petition to perform paving on 20<sup>th</sup> Ave SE and 13<sup>th</sup> Street SE (see attached). The project on 20<sup>th</sup> Ave SE would include the removal of the existing crushed concrete and installing the 7" of concrete pavement. The project on 13<sup>th</sup> Street SE would be new construction including, excavation, aggregate base, concrete curb and gutter, turf establishment and other items.

In calculating the assessment rate, the similar work, the paving on 20<sup>th</sup>/13<sup>th</sup> has an estimated front rate of \$147.26 per front foot and an end rate of \$49.09 per foot. The assessment calculation for the excavation, aggregate base, concrete curb and gutter is estimated at \$118.97 per front foot and \$39.66 per end foot.

## Recommendation:

Approval to prepare plans and specifications for the paving along 20<sup>th</sup> Ave SE and 13<sup>th</sup> Street SE

## Enclosures:

Report of Feasibility  
Petition

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**FLOAN**  
*Consulting Engineers*



May 20, 2009

Honorable Mayor and City Council  
City of East Grand Forks  
PO Box 373  
East Grand Forks, MN 56721

RE: Report of Feasibility  
Estimate of Cost and  
Area Proposed to be Assessed:  
Riverview 9th Addition, Riverview 7th Addition, Riverview 6th Addition, Riverview 8th  
Addition, Scholarship Addition

Dear Members of the Council:

We have as directed by Council, made an investigation as to the feasibility of constructing concrete paving to serve the properties along 20th Avenue SE, from 10th Street SE to 13th Street SE and 13th Street SE from 19th Avenue SE to the end of Lot 14.

We have identified the project need as follows:

The construction of street paving along with the existing concrete curb and gutter allows for the proper conveyance of surface water to the storm sewer system preventing erosion and saturation of porous soils from rainfall and snow melt. The pavement also benefits the adjacent property owners through increased property values, improved aesthetics and all weather access to the property.

The existing street width of 20th Avenue SE and 13th Street SE is 41 feet with a paving width of 36 feet.

This project will include the removal and salvage of 7" of crushed concrete aggregate and placement of 7" reinforced concrete pavement for the street shown on the attached exhibit. The crushed concrete and concrete curb and gutter was installed in 2005.

The project on 13th Street SE, will be new construction from 19th Ave SE to the end of Lot 14 Riverview 9th Addition.

(I) 20th Avenue SE/13th Street SE

The total estimated project cost is \$484,620.00, resulting in an assessment rate of \$144.81 per front foot benefit and \$48.27 per end foot benefit. This work is for the concrete paving on 13th Street SE and 20th Avenue SE.

(II) 13th Street SE

The total estimated project cost is \$116,609.00, resulting in an assessment rate of \$117.78 per front foot benefit and \$39.26 per end foot benefit for Phase I of the work, which would include the excavation, aggregate base, concrete curb and gutter and other miscellaneous items.

**AREAS PROPOSED TO BE ASSESSED**

Scholarship Addition

Lot 1                      Block 1

Riverview 9th Addition

Lots 1-14                Block 1  
Outlot A                 Block 2  
Lots 1, 2, Outlot A    Block 3

Riverview 8th Addition

Lots 5-10                Block 1

Riverview 7th Addition

Lot 2                      Block 1

Riverview 6th Addition

Lots 1-7                   Block 4

We feel the projects as described are feasible.

If you have any questions, or if additional information is needed, please contact our office.

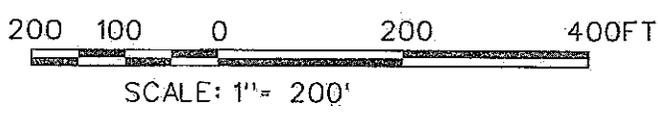
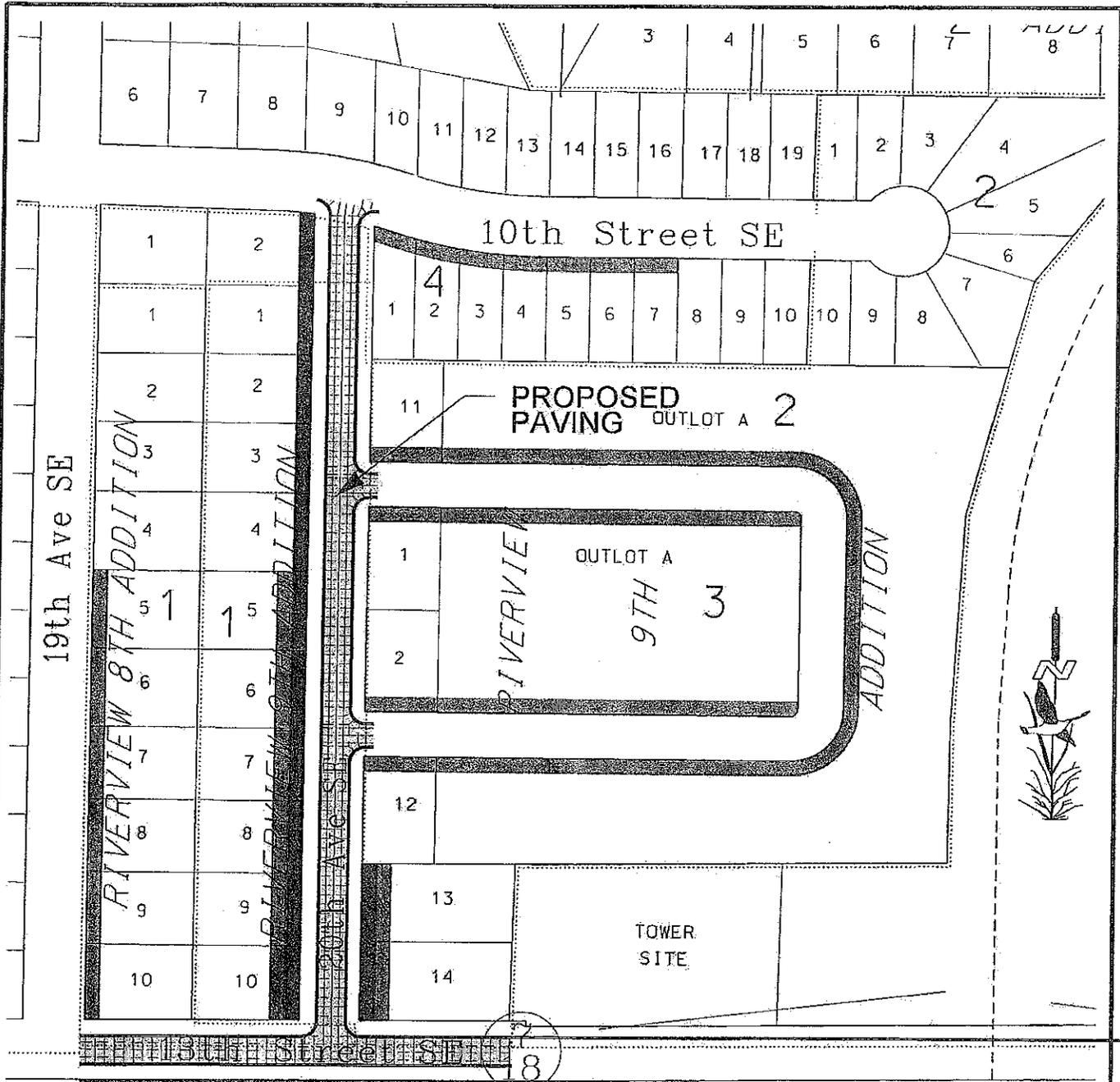
Respectfully yours,  
Floan-Sanders, Inc.

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Greg L. Boppre, P.E.

GLB:kk

CC: Scott Huizenga, City Administrator



	FRONT BENEFIT
	END BENEFIT
	PROPOSED PAVING

DRAWN BY: \_\_\_\_\_  
 DATE: 5/20/2009  
 DGN: \_\_\_\_\_  
 MODEL NAME: assessment+

PROJECT:  
**2009 ASSESSMENT JOB NO 4**  
**20TH AVE SE PAVING**  
**EAST GRAND FORKS, MN**

SHEET:  
**1**

2009 AJ No. 4 - PAVING  
EAST GRAND FORKS, MINNESOTA

Paving Calculations

Construction	\$394,000.00
Plans & Specifications	\$25,460.00
Staking & Inspection	\$19,700.00
Administration	\$11,820.00
Contingencies	\$18,700.00
Assessment roll	\$3,940.00
<b>TOTAL</b>	<b>\$484,620.00</b>

<b>Front Footage's</b>	
RIVERVIEW 6TH ADDITION	0.00
RIVERVIEW 7TH ADDITION	99.15
RIVERVIEW 8TH ADDITION	0.00
RIVERVIEW 9TH ADDITION	1,191.88
SCHOLARSHIP ADDITION	558.77
<b>TOTAL</b>	<b>1,849.80</b>

<b>End Footage's</b>	
RIVERVIEW 6TH ADDITION	402.26
RIVERVIEW 7TH ADDITION	0.00
RIVERVIEW 8TH ADDITION	543.28
RIVERVIEW 9TH ADDITION	3,644.50
SCHOLARSHIP ADDITION	0.00
<b>TOTAL</b>	<b>4,490.04</b>

Front Assessment Rate	\$144.814922 / front foot
End Assessment Rate	\$48.271641 / end foot

TOTAL PROJECT COSTS TO ASSESSED \$601,229.00

Street Construction, Curb & Gutter

Construction	\$94,040.00
Plans & Specifications	\$9,404.00
Staking & Inspection	\$4,702.00
Administration	\$2,821.00
Contingencies	\$4,702.00
Assessment roll	\$940.00
<b>TOTAL</b>	<b>\$118,609.00</b>

<b>Front Footage's</b>	
RIVERVIEW 6TH ADDITION	0.00
RIVERVIEW 7TH ADDITION	0.00
RIVERVIEW 8TH ADDITION	0.00
RIVERVIEW 9TH ADDITION	0.00
SCHOLARSHIP ADDITION	558.77
<b>TOTAL</b>	<b>558.77</b>

<b>End Footage's</b>	
RIVERVIEW 6TH ADDITION	0.00
RIVERVIEW 7TH ADDITION	0.00
RIVERVIEW 8TH ADDITION	543.28
RIVERVIEW 9TH ADDITION	750.50
SCHOLARSHIP ADDITION	0.00
<b>TOTAL</b>	<b>1,293.78</b>

Front Assessment Rate	\$117.783498 / front foot
End Assessment Rate	\$35.281166 / end foot

2009 AJ No. 4 - PAVING, STREET CONSTRUCTION, CURB & GUTTER  
EAST GRAND FORKS, MINNESOTA

PARCEL No.	OWNER	DESCRIPTION	FRONT FOOTAGE	\$ FRONT BENEFIT	PAVING END FOOTAGE	\$ END BENEFIT	STREET CONSTRUCTION CURB & GUTTER FRONT FOOTAGE	\$ FRONT BENEFIT	END FOOTAGE	\$ END BENEFIT	TOTAL ASSESSMENT FORE INTEREST
RIVERVIEW 6TH ADD											
R 83.03429.00	KEVIN & KAREN PEACH	Lot-001 Block-004				\$2,836.44					\$2,836.44
R 83.03430.00	DONALD L FLOAN, TRUSTEE / BETTY L FLOAN, TRUSTEE	Lot-002 Block-004				\$2,812.31					\$2,812.31
R 83.03431.00	DAVID L MCWALTER TRUSTEE / MARIAN G MCWALTER TRUSTEE	Lot-003 Block-004				\$2,750.10					\$2,750.10
R 83.03432.00	ARCHIE & BECKY LUNDELL	Lot-004 Block-004				\$2,779.96					\$2,779.96
R 83.03433.00	ALLEN R & LORRAINE LOVE	Lot-005 Block-004				\$2,778.52					\$2,778.52
R 83.03434.00	WARREN & ANNETTE STRANDELL	Lot-006 Block-004				\$2,776.52					\$2,776.52
R 83.03435.00	LARRY R & GLORIA A HALG	Lot-007 Block-004				\$2,641.91					\$2,641.91
	SUBTOTAL RIVERVIEW 6TH ADD					\$19,417.76					\$19,417.76
RIVERVIEW 7TH ADD											
R 83.03847.00	ROLLIN L & JULIE M BERGMAN	Lot-002 Block-001	99.15	\$14,358.40							\$14,358.40
	SUBTOTAL RIVERVIEW 7TH ADD		99.15	\$14,358.40							\$14,358.40
RIVERVIEW 8TH ADD											
R 83.03957.00	MIKE A BROCKMEYER	Lot-005 Block-001				\$2,254.29			46.70	\$1,833.51	\$4,087.80
R 83.03958.00	ERIC & SARA DVOHAK	Lot-006 Block-001				\$5,068.52			105.00	\$4,122.42	\$9,190.94
R 83.03959.00	JAMES P & TRACEY A EGGLEND	Lot-007 Block-001				\$4,682.35			97.00	\$3,808.33	\$8,490.68
R 83.03960.00	DANA M & CHRISTINE C HARSELL	Lot-008 Block-001				\$4,682.35			97.00	\$3,808.33	\$8,490.68
R 83.03961.00	JAMES & DIANE OLSON	Lot-009 Block-001				\$4,682.35			97.00	\$3,808.33	\$8,490.68
R 83.03962.00	JENNIFER & ERIC ELLERTSON	Lot-010 Block-001				\$4,682.35			97.00	\$3,808.33	\$8,490.68
	SUBTOTAL RIVERVIEW 8TH ADD					\$26,224.78			402.26	\$21,225.62	\$47,054.40
RIVERVIEW 9TH ADD											
R 83.04168.00	BEVERLY JUNG	Lot-001 Block-001	91.77	\$13,289.87							\$13,289.87
R 83.04169.00	DAVID E & DEBRA L PAGE	Lot-002 Block-001	92.00	\$13,322.87							\$13,322.87
R 83.04170.00	TIMOTHY A & MICHELLE M FRENCH	Lot-003 Block-001	93.00	\$13,467.79							\$13,467.79
R 83.04171.00	KEVIN A & AUNDREA N PORTER	Lot-004 Block-001	105.00	\$15,205.57							\$15,205.57
R 83.04172.00	CARY DEVELOPMENT INC	Lot-005 Block-001	104.48	\$15,130.26					44.87	\$7,781.65	\$22,911.91
R 83.04173.00	MARK A & ANDREA L HASTINGS	Lot-006 Block-001	105.00	\$15,205.57					105.00	\$4,122.42	\$19,327.99
R 83.04174.00	JUSTIN P & LISA A BEAUCHAMP	Lot-007 Block-001	97.00	\$14,047.05					97.00	\$3,808.33	\$17,855.38
R 83.04175.00	CARY DEVELOPMENT INC	Lot-008 Block-001	97.00	\$14,047.05					97.00	\$3,808.33	\$17,855.38
R 83.04176.00	CARY DEVELOPMENT INC	Lot-009 Block-001	97.00	\$14,047.05					97.00	\$3,808.33	\$17,855.38
R 83.04177.00	CARY DEVELOPMENT INC	Lot-010 Block-001	99.53	\$14,413.43					99.53	\$3,907.66	\$18,321.09
R 83.04188.00	CARY DEVELOPMENT INC	Lot-011 Block-002	95.00	\$4,585.81					95.00	\$4,585.81	\$9,171.62
R 83.04189.00	GREG STORTROEN & / KARLYNN RAE SLOMINSKI	Lot-012 Block-002	105.02	\$5,208.46					105.02	\$4,123.21	\$9,331.67
R 83.04190.00	CARY DEVELOPMENT INC	Lot-013 Block-002	105.02	\$5,069.49					105.02	\$4,123.21	\$9,192.70
R 83.04191.00	GREGORY R & SHANNON M SMIDT	Lot-014 Block-002	105.08	\$15,217.15					105.08	\$4,125.56	\$19,342.71
R 83.04192.00	PARK WEST LTD	Lot-00A Block-002 PT OF OUTLOT A (EX ELY 264.47 MEASURED ON N SIDE)									
R 83.04192.01	GREG STORTROEN & / KARLYNN RAE SLOMINSKI	Lot-00A Block-002 W 53' ADJ TO LOT 12							882.06	\$42,578.47	\$42,578.47
		Lot-00A Block-002 PT OF OL A COM 552.89' ELY OF SW COR OF SW 1/4 SE 1/4, N 250.05' TO POB, N 188.14', NELY 277.17', NELY 323.50'							53.00	\$2,558.40	\$2,558.40
R 83.04193.00	CARY DEVELOPMENT INC	Lot-001 Block-003				\$25,532.79			528.94	\$25,532.79	\$51,065.58
R 83.04194.00	CARY DEVELOPMENT INC	Lot-002 Block-003				\$4,585.81			95.00	\$4,585.81	\$9,171.62
R 83.04195.00	CARY DEVELOPMENT INC	Lot-003 Block-003				\$4,585.81			95.00	\$4,585.81	\$9,171.62
R 83.04196.00	CARY DEVELOPMENT INC	Lot-00A Block-003				\$45,858.05			950.00	\$45,858.05	\$91,716.10
	SUBTOTAL RIVERVIEW 9TH ADD		1,191.88	\$172,602.02		\$171,038.82			3,444.50	\$28,465.49	\$373,166.33
SCHOLARSHIP ADDITION											
R 83.03494.00	IND SCHOOL DIST #695	Lot-001 Block-001 66.75 AC (EX 11.00 A)	568.77	\$80,918.22					568.77	\$55,813.89	\$136,732.11
	SUBTOTAL SCHOLARSHIP ADDITION		568.77	\$80,918.22					568.77	\$55,813.89	\$136,732.11
GRAND TOTAL 2009 AJ No. 4											
			1,849.80	\$267,878.64		\$245,741.36			5,987.77	\$55,913.89	\$601,229.00

**Petition for Local Improvement**

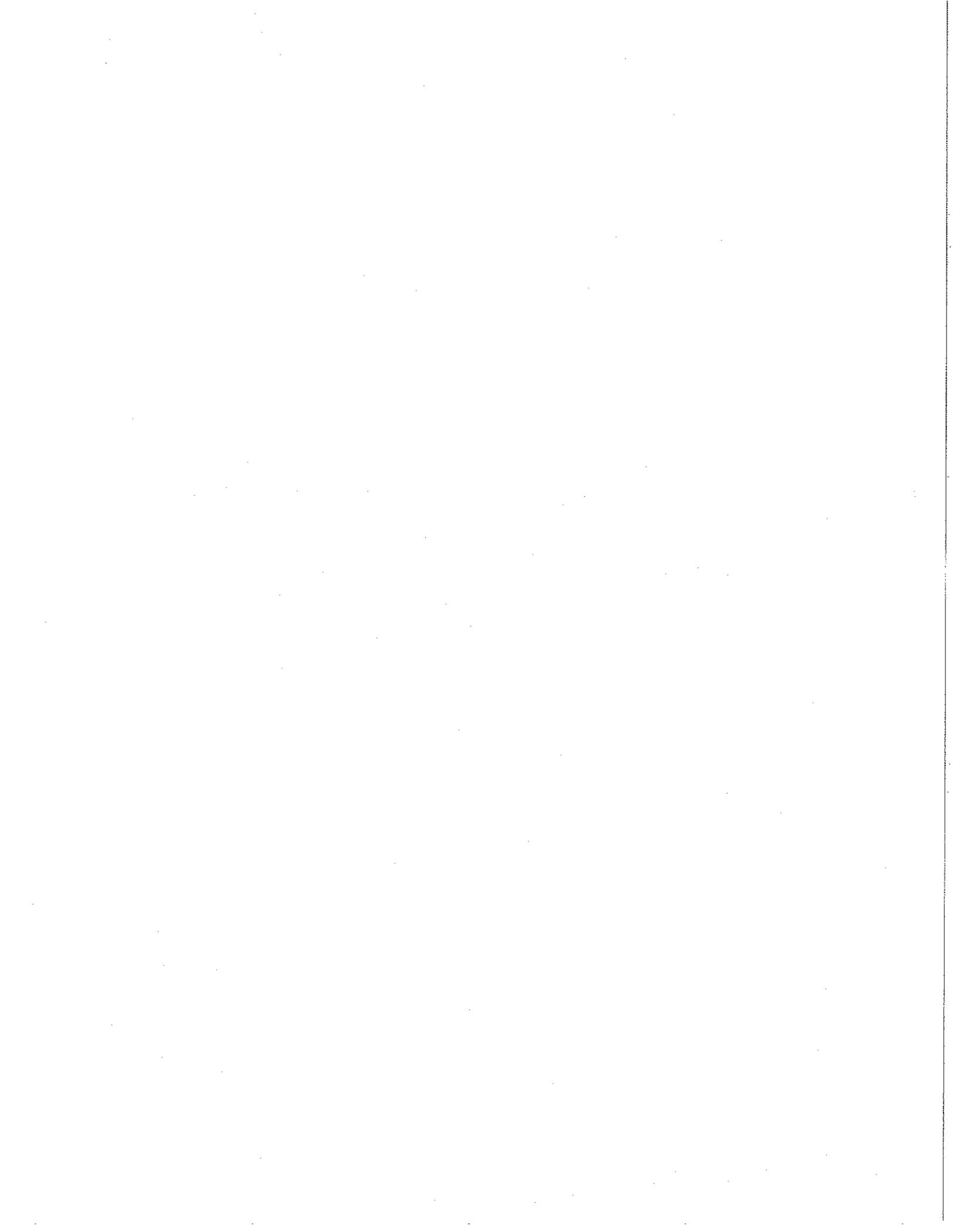
East Grand Forks, Minnesota

Dated: April 30, 2009

To the City Council of East Grand Forks, Minnesota:

We, the undersigned, owners of not less than 35 percent in frontage of the real property abutting on 20<sup>th</sup> Ave. SE, between 10<sup>th</sup> Street SE and 13<sup>th</sup> Street within the City of East Grand Forks, Minnesota hereby petition that such street is improved by installation of concrete pursuant to Minnesota Statutes Chapter 429 and that the city assess the entire cost of the improvement against our property described below and hereby agreed to pay the entire cost as apportioned by the city.

<u>Signature of Owner</u>	<u>Address</u>	<u>Telephone</u>
1. <u>Michelle French</u>	<u>10216 20<sup>th</sup> Ave SE</u>	<u>773-4055</u>
2. <u>[Signature]</u>	<u>1026 20<sup>th</sup> Ave SE</u>	<u>773-4055</u>
3. <u>[Signature]</u>	<u>1018 20<sup>th</sup> Ave SE</u>	<u>773-4202</u>
4. <u>Justin Beauchamp</u>	<u>1204 20<sup>th</sup> Ave SE</u>	<u>(701)-741-8484</u>
5. <u>[Signature]</u>	<u>1102 20<sup>th</sup> Ave SE</u>	<u>701-610-1108</u>
6. <u>[Signature]</u>	<u>1122 20<sup>th</sup> Ave SE</u>	<u>701-610-1476</u>
7. <u>Brad Beauchamp</u>	<u>1204 20<sup>th</sup> Ave SE</u>	<u>701-741-8001</u>
8. <u>[Signature]</u>	<u>1004 20<sup>th</sup> Ave SE</u>	<u>218 773 2808</u>
9. <u>Beverly Jung</u>	<u>1012 20<sup>th</sup> Ave SE</u>	<u>218-686-3972</u>
10. <u>Greg Stockcoen</u>	<u>1207 20<sup>th</sup> Ave SE</u>	<u>701-741-4020</u>
11. <u>[Signature]</u>	<u>1225 20<sup>th</sup> Ave SE</u>	<u>218-728-4124</u>
12. <u>[Signature]</u>	<u>2004 10<sup>th</sup> St SE</u>	<u>218-791-5769</u>
13. <u>Tom Gray</u>	<u>1210 20<sup>th</sup> Ave SE</u>	<u>775-0023</u>
14. _____	_____	_____
15. _____	_____	_____
16. _____	_____	_____
17. _____	_____	_____
18. _____	_____	_____
19. _____	_____	_____
20. _____	_____	_____



# Request for Council Action

Date: May 14, 2009

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

Cc: File

From: Greg Boppre, P.E.

RE: 190<sup>th</sup> Street Lighting

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## Background:

Prior to the construction of the Hartsville Coulee project, there was a street light at the corner of Bygland Road and 190<sup>th</sup> Street. Due to the construction, the light was removed and not replaced. Huntsville Township has requested this street light for quite sometime (see attached emails) and I thought we had it worked out with Red River Co-op last year to replace the light (see attached email). However, John Jeffrey, Huntsville Township Boardmember, has an alternate solution (see attached).

As with any of the utility relocations on the US Army Corp of Engineers project, it was the City's responsibility to relocate and pay for the relocation.

## Recommendation:

Approve the relocation.

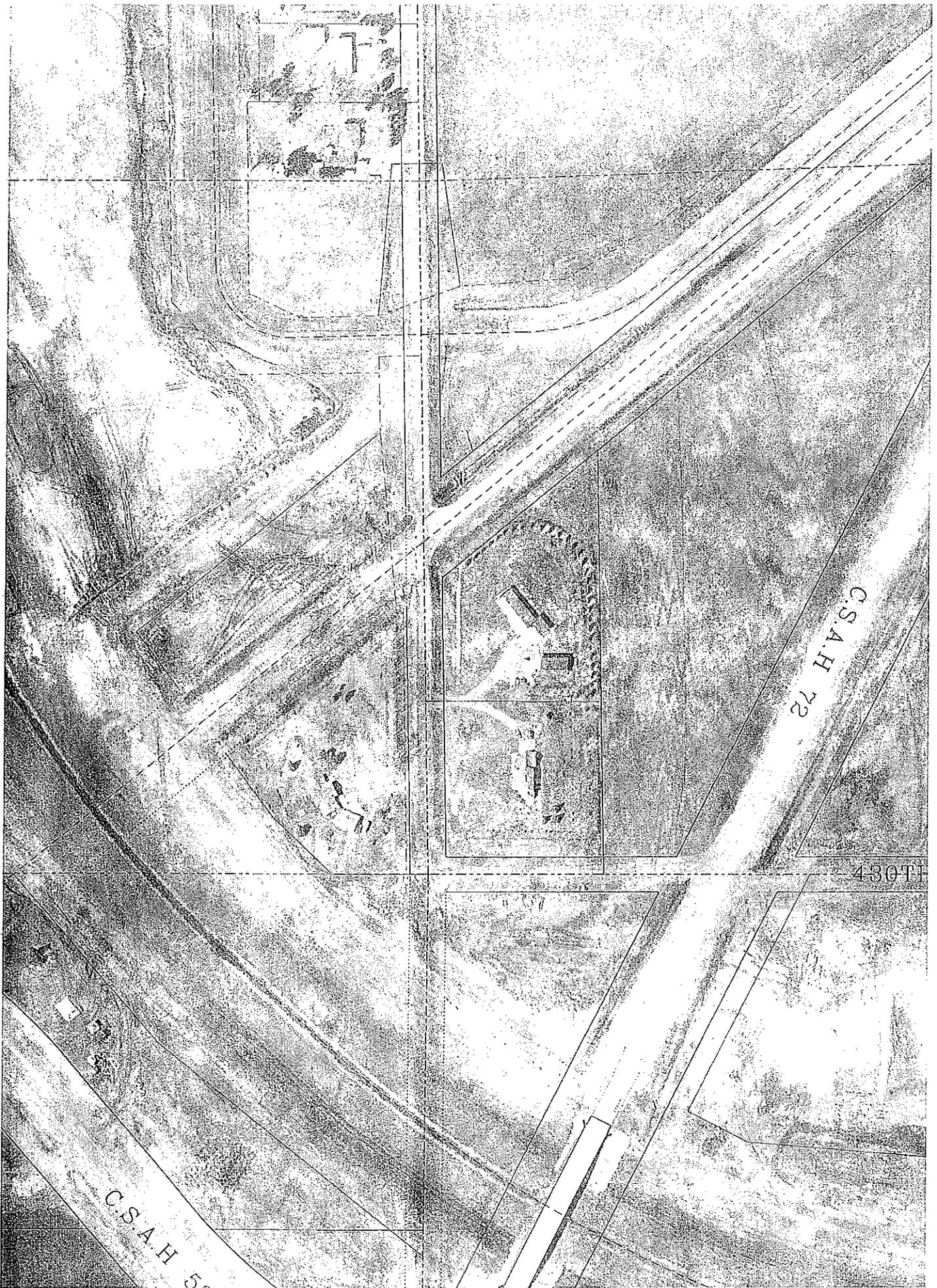
## Enclosures:

Email - 5-6-09 John Jeffrey, with North-Holt estimate

Email - 11-12-08 Gary Shulstad, Red River Co-op

Email - 11-7-08 John Jeffrey

Aerial photo of the area



C.S.A.H 72

430TH

C.S.A.H 50

**From:** <jjeffrey@alerausmail.com>  
**To:** <gboppre@fscps.com>  
**Date:** 5/6/2009 5:17:36 PM  
**Subject:** 190th Street Lighting

Greg,

I think we have a solution to this light problem.

As you will recall, 190th Street had a light on the corner prior to the City's dike project. The light was removed and never replaced. The last we heard, you had contacted Red River Coop and they thought the project would cost \$9,300 and they weren't sure when they could get to it.

In the interim, Lennie Vonasek, from our zoning board, did some pretty extensive footwork. He has talked to Schevings about running power from their meter. In addition, he's gotten a firm quote from North-Holt Electric for \$7,475, almost \$2,000 less than the previous quote. I have attached a copy for your reference.

(See attached file: 20090506165647462.pdf)

Could you bring this proposal to the City Council work session and let us know if they are willing to cover this cost? We'll arrange and supervise the project. No need for any City involvement other than paying the installation cost. We'll even agree to cover any cost overruns. We hope the City views this as a fair way to resolve the matter. We'd like to engage North-Holt as soon as possible since this matter has been outstanding for quite some time.

We look forward to your response.

John Jeffrey  
Alerus Financial  
701-795-3344

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The security and timely delivery of electronic mail sent through the Internet is not guaranteed. Opinions, conclusions and other information in this message that do not relate to official business of Alerus Financial shall be understood as neither given nor endorsed by it.

**CC:** <aphillips@rrv.net>, <bkp@invisimax.com>, <parts@tristeelmfg.com>, <jpavlish@undeerc.org>, <waldfarms@invisimax.com>, <mightymolineman@aol.com>

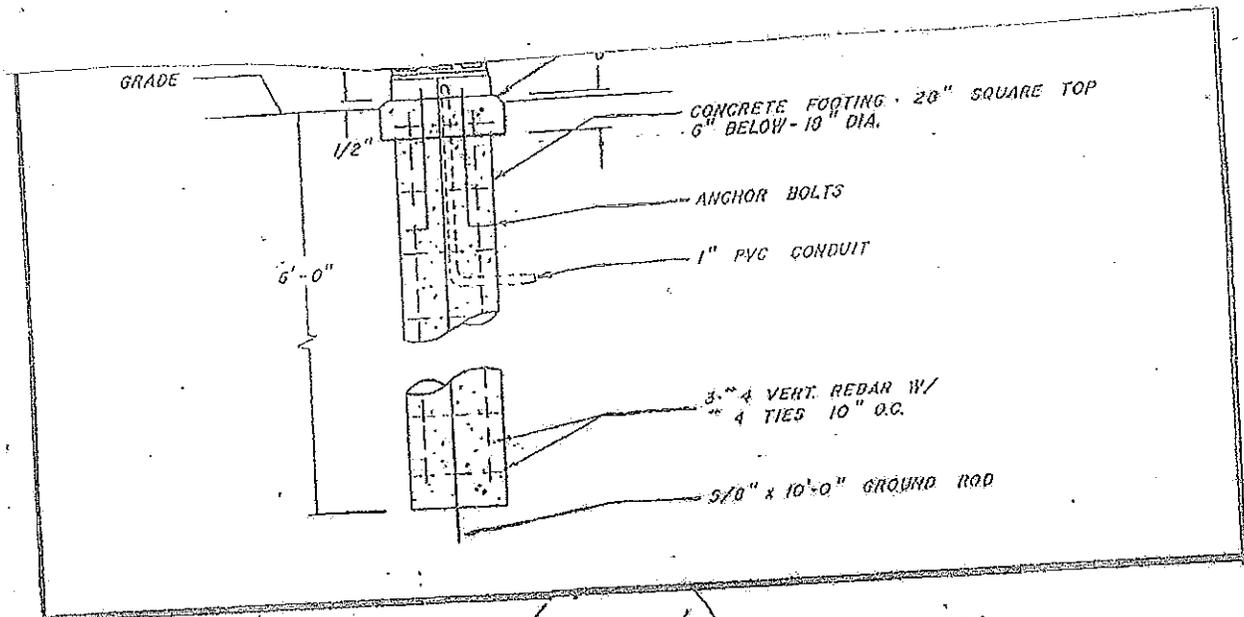
North-Holt Electric, Inc.  
 1709 River Road NW  
 East Grand Forks, MN 56721

# Estimate

Date	Estimate #
4/17/2009	4192009

Name / Address
East Grand Forks Water & Light Dept. 600 DeMers Ave. P.O. Box 322 East Grand Forks, MN 56721

			Project
Description	Qty	Rate	Total
Furnish & install metal street light pole , concrete footing, cobra head fixture and necessary 120/240 volt circuit for a complete installation to luminate an unsafe & dark intersection of 190th st SW & old hiway 72 south of BGF Middle School.			
City License Fee	400	40.00	40.00
Excavation	1	2,295.00	918.00
Excavation footing	1	406.00	406.00
Concrete	1	640.47	640.47
Electrical & Lighting / wire/ fuse	475	1,875.81	891.01
Cleanup & Restoration	1	175.00	175.00
Safe Dig	1	60.00	60.00
Reconditioned steel light pole	1	985.00	985.00
Cobra head luminaire	1	333.00	333.00
Labor & Equipment	1	2,889.00	2,889.00
tax	1	62.80	62.80
Misc supplies of trucks	1	75.00	75.00
Tax included			
Any additional clay fill not included			
Non meter/ chg flat rate			
<b>Subtotal</b>			\$7,475.28
<b>Sales Tax (0.0%)</b>			\$0.00
<b>Total</b>			\$7,475.28

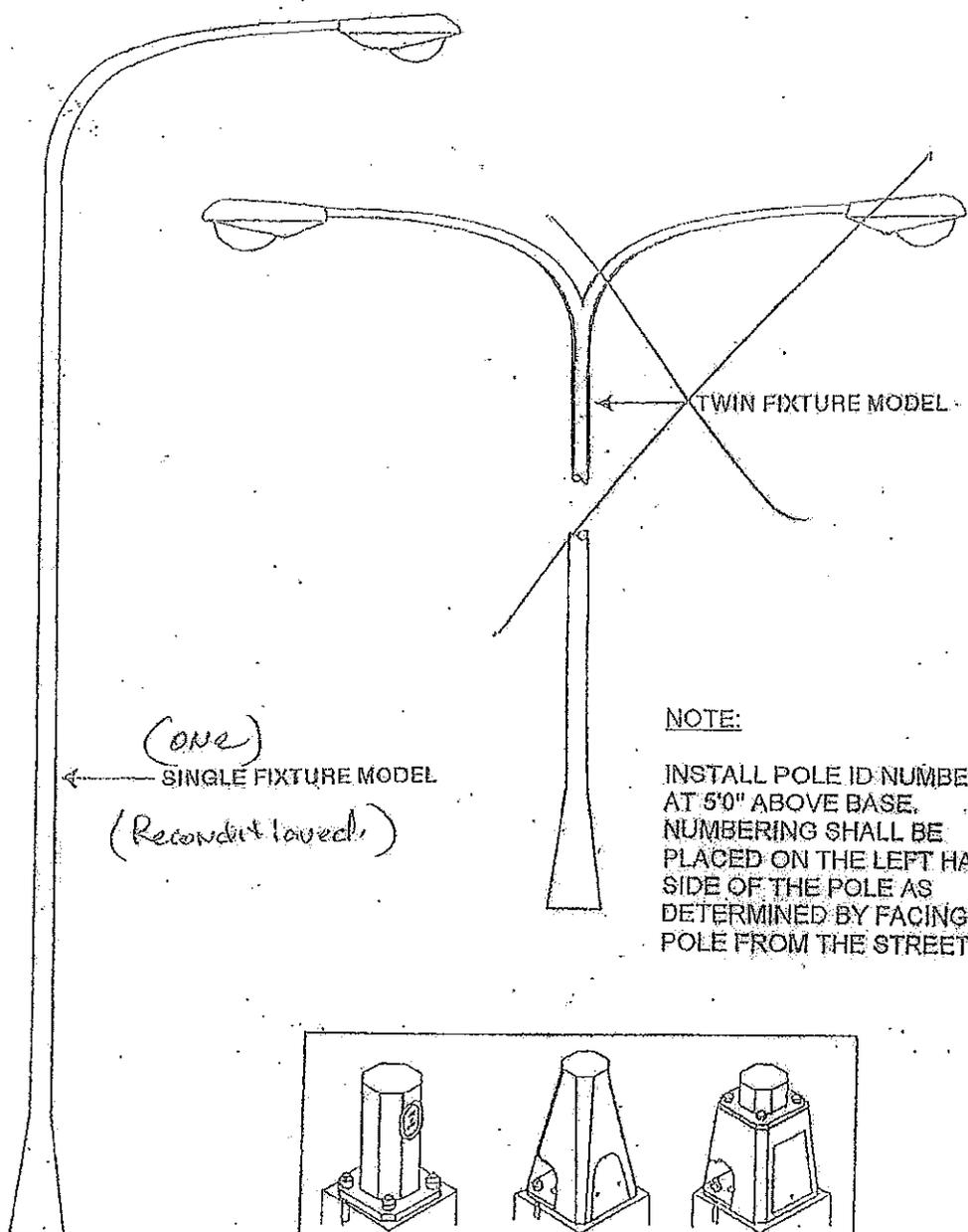


one concrete footing - (Typical)

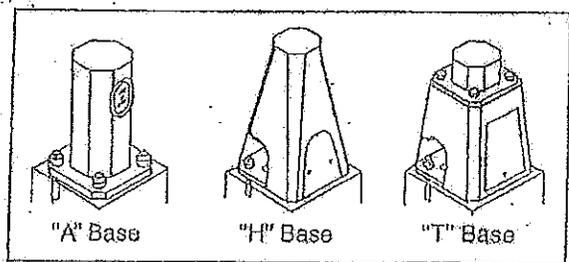
Note \* ANY clay fill Excluded.

\* Fuse holders in pad not TRANSFORMED  
pad at street light.

\* NO METER (Flat Rate) clay

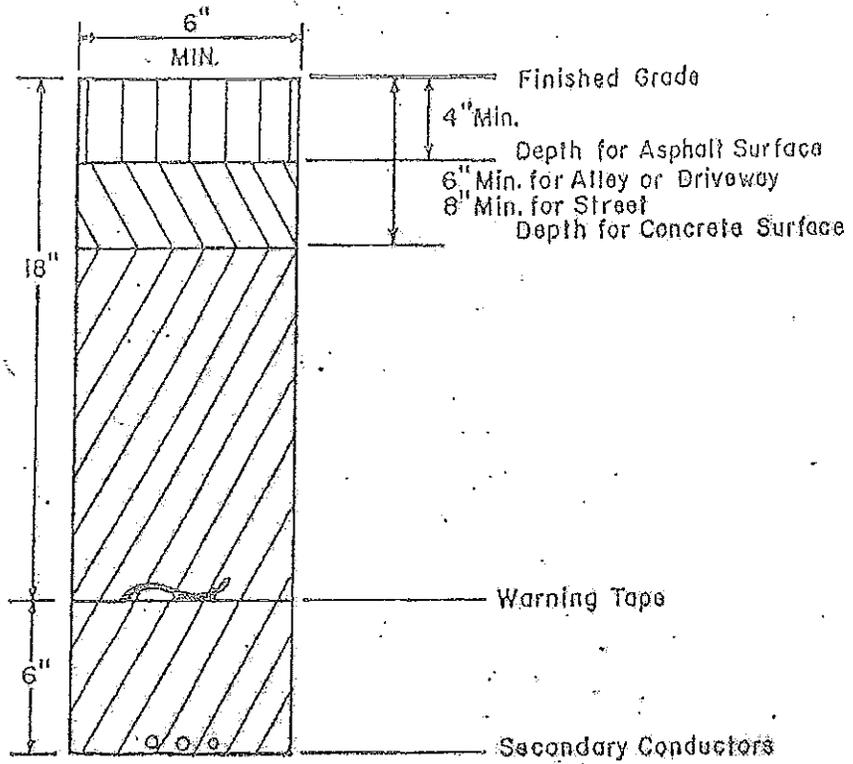


**NOTE:**  
 INSTALL POLE ID NUMBERING  
 AT 5'0" ABOVE BASE.  
 NUMBERING SHALL BE  
 PLACED ON THE LEFT HAND  
 SIDE OF THE POLE AS  
 DETERMINED BY FACING THE  
 POLE FROM THE STREET.



BASE STYLES

STEEL LIGHTING STANDARD



120/240V. 10/3 UF COPPER CABLE

FROM: Pad MT TRANSFORMER TO  
Light Pole.

Rocky Scheuing House to Intersection  
light pole.

**From:** <jjeffrey@alerausmail.com>  
**To:** <gboppre@fscps.com>  
**Date:** 11/7/2008 9:12:02 AM  
**Subject:** Light post

Greg,

The township has been contacted by the 190th street folks again. They're still looking for the light pole. They're willing to cover the electricity cost; they'd just like the pole back. It doesn't have to be anything fancy. A wood pole like the old one would work.

We have a Township Meeting next Thursday Nov 13. I've heard through the grapevine that they're bringing a petition to us (hopefully, no torches and pitchforks). Could we get an answer by then?

Thanks for the help.

John Jeffrey  
Alerus Financial  
701-795-3344

P.S. Happy Belated Birthday. Jackie and I missed your big party. She was doing a licensing that evening and I had my Average Joe Community Ed Class.

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**CC:** <aphillips@rrv.net>, <bkp@invisimax.com>, <parts@tristeelmfg.com>, <jpavlish@undeerc.org>, <waldfarms@invisimax.com>, <mightymollineman@aol.com>

**From:** "Gary Shulstad" <gshulstad@minnkota.com>  
**To:** "Greg Boppre" <gboppre@fs-mn.com>  
**Date:** 11/12/2008 9:14:32 AM  
**Subject:** Re: Light post

Greg,

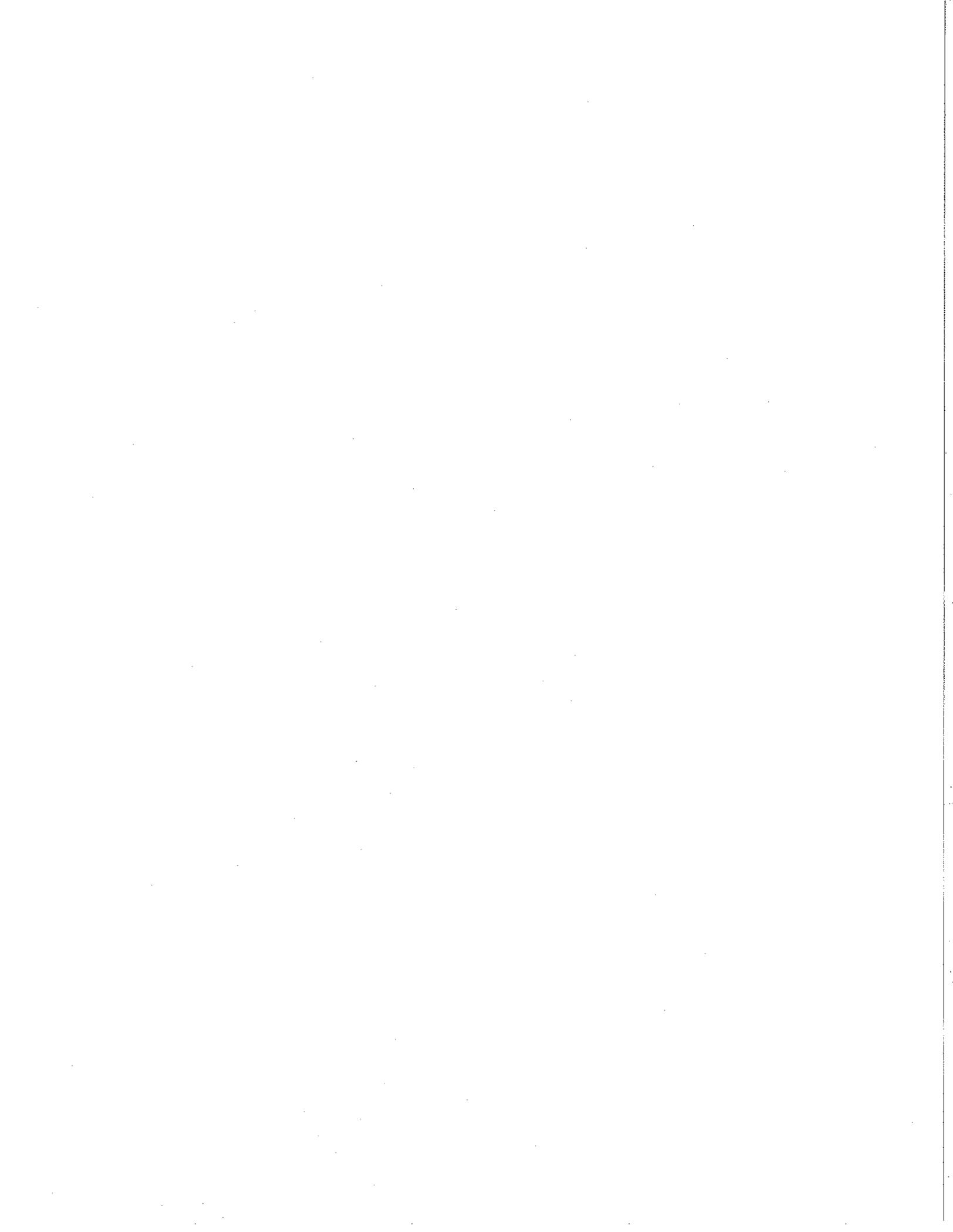
You can direct the pitchforks and torches to Red River Co-op, but we had too many projects of higher priority this year. The note from Mr. Jeffrey refers to the cost of electricity, but there will be some substantial cost for the installation as well. I will work on an estimate over the winter and contact you again regarding signatures and prepayment.

Gary

----- Original Message -----

**From:** "Greg Boppre" <gboppre@fs-mn.com>  
**To:** <gshulstad@minnkota.com>  
**Sent:** Saturday, November 08, 2008 1:56 PM  
**Subject:** Fwd: Light post

> Gary - please see the attached and get back to me.  
>  
> Thanks Greg



# Request for Council Action

Date: 5-20-09

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

Cc: File

From: John Wachter

RE: 2009 Street Repair

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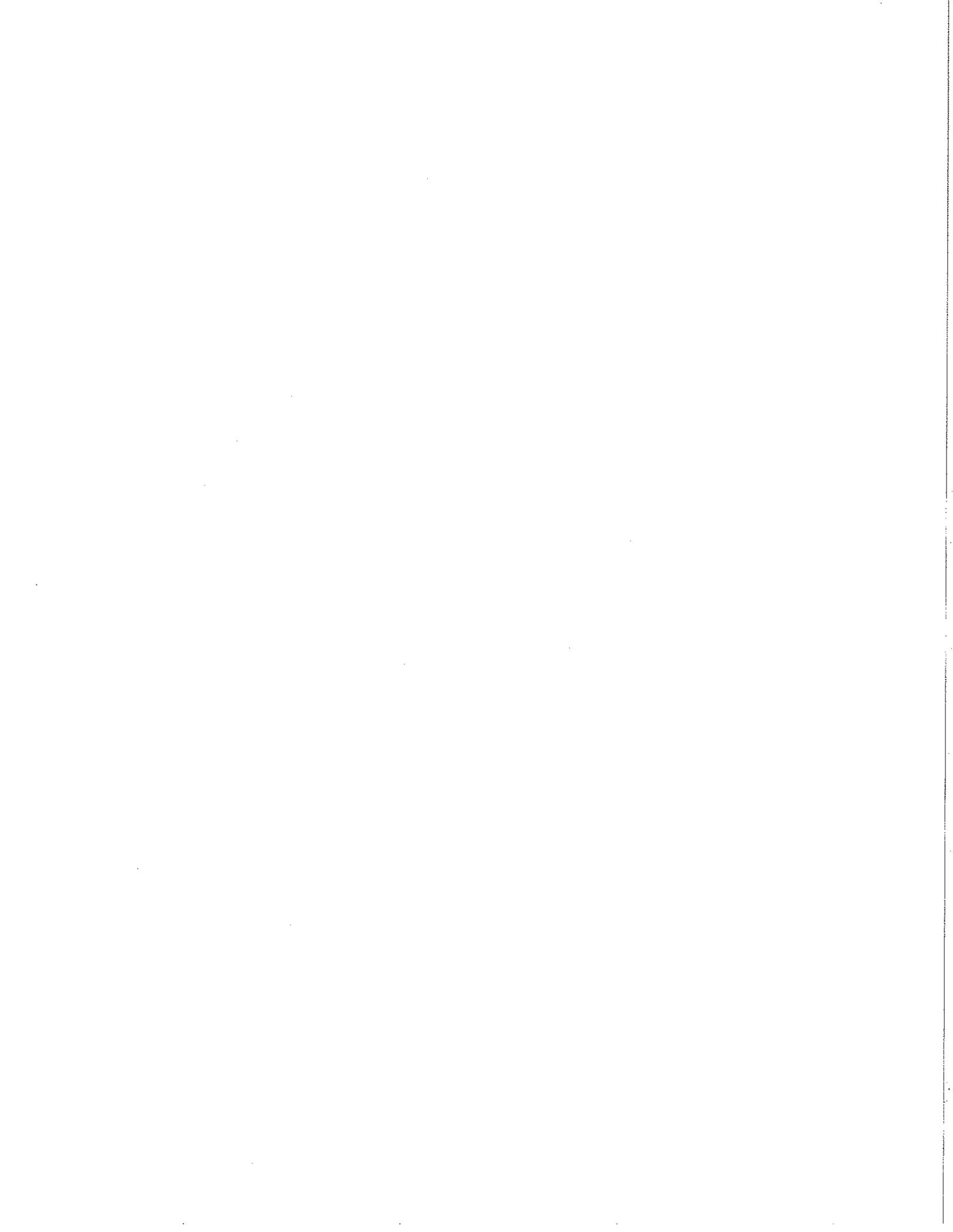
Make repairs to intersection at 10<sup>th</sup> and Bygland Rd.

Opp Construction - \$10,200.00

RJ Zavoral - \$12,000.00

Strata Corporation - \$25,250.00

**Recommendation** – Award jobs to lowest quote.



# Request for Council Action

Date: 5-20-09

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

Cc: File

From: John Wachter

RE: 2009 Street Repair

---

Make repairs to pavers and catch basins at City Hall as discussed at previous work sessions. H&S Construction has the low quote for pavers as approved previously.

Approximately 2080 square feet of pavers at \$5.50/ SF

2 catch basins with curb and gutter.

Estimated total of \$12,840.00

This work was scheduled and budgeted for in 2009 Streets.

**Recommendation –** Make repairs

H & S Construction  
 17279 US Hwy 59NE  
 Thief River Falls, MN 56701

# Estimate

Date	Estimate #
5/20/2009	81

Name / Address
City of East Grand Forks 1001 2nd st Ne East Grand Forks Mn 56701

Phone #	218.681.5503
---------	--------------

Fax #	218.681.7063
-------	--------------

Project
---------

Front of city hall

Description	Qty	Rate	Total
520' x 4' Remove existing sunken pavers and reinstall to match exiting	2,080	5.50	11,440.00
Remove & Replace Concrete Curb & Gutter	20	20.00	400.00
Adjust casting to height with new chimney seal (if new casting needed shall be supplied buy city)	2	500.00	1,000.00

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

**Total**

**\$12,840.00**

# Request for Council Action

Date: 5-20-09

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

Cc: File

From: John Wachter

RE: North Pedestrian Bridge

---

Make repairs to North Pedestrian bridge. Damaged occurred during the 2009 flood event.

Swigen Construction for \$25,700.

**Recommendation – Make repairs**



**CHAPTER 95: ANIMALS**

**Section**

- 95.01 Running at large prohibited
- 95.02 License required
- 95.03 Fees
- 95.04 License period
- 95.05 Tag required
- 95.06 Immunization
- 95.07 Unlawful acts
- 95.08 Animal pound
- 95.09 Notice of impounding
- 95.10 Release from animal pound
- 95.11 Muzzling proclamation
- 95.12 Immobilization of dogs and cats
- 95.13 Limitation on number
- 95.14 Quarantine for certain dogs and cats
- 95.15 Persons in possession
- 95.16 Keeping, transportation, treatment and housing of animals and fowl
- 95.17 Wild animals

**§ 95.01 RUNNING AT LARGE PROHIBITED.**

It is a petty misdemeanor for the owner of any dog to permit the animal to run at large. Any dog shall be deemed to be running at large with the permission of the owner unless it is on a durable leash secured to an object which it cannot move and on the premises of the owner or on a leash or otherwise under the control of an accompanying person of suitable age and discretion.

(1981 Code, § 9.21, Subd. 1) Penalty, see § 10.99

**§ 95.02 LICENSE REQUIRED.**

It is a petty misdemeanor for the owner of any dog or cat, 6 months of age or more, to fail to obtain a license therefor from the city.

(1981 Code, § 9.21, Subd. 2) Penalty, see § 10.99

**§ 95.03 FEES.**

All fees for the licensing and impounding of dogs and cats, including penalties for late application, shall be fixed and determined by the Council, adopted by resolution, and uniformly enforced. The fees may from time to time be amended by the Council by resolution.

(1981 Code, § 9.21, Subd. 3)

**§ 95.04 LICENSE PERIOD.**

All dog and cat licenses shall expire on December 31 of each year and shall become delinquent on the first day of April in each year or within 7 months after birth.

(1981 Code, § 9.21, Subd. 4)

**§ 95.05 TAG REQUIRED.**

All licensed dog and cats shall wear a collar and have a tag firmly affixed thereto evidencing the license for the current year. A duplicate for a lost tag may be issued by the city upon presentation of the receipt showing the payment of the license fee for the current year. Tags shall not be transferable, and no refund shall be made on any dog or cat license fee because of leaving the city or death of the dog or cat before the expiration of the license.

(1981 Code, § 9.21, Subd. 5)

**§ 95.06 IMMUNIZATION.**

(A) All applications for dog and cat licenses shall be accompanied by a current certificate of immunization for rabies signed by a veterinarian duly licensed to practice veterinary medicine in the state and stating:

- (1) The owner's name;
- (2) A description of the dog or cat; and
- (3) The date beyond which the immunization is not considered effective.

(B) On or prior to the date of expiration of the effective immunization, the owner of a dog or cat shall file with the city a new certificate containing the same information as herein required.

(1981 Code, § 9.21, Subd. 6) (Ord. 9, 3<sup>rd</sup> Series, eff. 6-6-1981)

**§ 95.07 UNLAWFUL ACTS.**

It is a petty misdemeanor for the owner or person having custody or control of any dog or cat to:

(A) Fail to have the license tag issued by the city firmly attached to a collar worn at all times by the licensed animal; or

(B) Own or keep a dog or cat which is dangerous (any such animal which has caused injury to persons or property shall be deemed dangerous); or

(C) Interfere with any police officer, or other city employee, in the performance of their duty to enforce this chapter; or

(D) Fail to keep the dog from barking, howling or whining or the cat from emitting loud or unusual noise; or

(E) Fail to prevent the dog or cat from defecating in or upon any school ground, public street, sidewalk, alley, tree bank (berm), park or any other public ground or any private property within the city, other than the premises of the owner or person having custody or control of the dog or cat; or

(F) Fail to immediately remove the feces of the dog or cat that defecates on public property or otherwise in violation of the prohibition contained in the preceding subsection; or

(G) Permit the feces of a dog or cat to accumulate for more than 24 hours on the owner's premises or the premises of the person having custody or control of the dog or cat.

(1981 Code, § 9.21, Subd. 7) (Ord. 137, 3<sup>rd</sup> Series, eff. 8-28-1992)

**§ 95.08 ANIMAL POUND.**

(A) Any dog or cat found in the city without a tag, running at large, barking, howling or whining when the owner is not present or cannot control the animal, or otherwise conducting itself in a manner prohibited by this chapter shall be placed in the Animal Pound, and an accurate record of the time of the placement shall be kept on each dog or cat. Every dog or cat so placed in the Animal Pound shall be held for redemption by the owner, for a period of not less than 5 regular business days. A **REGULAR BUSINESS DAY** is one during which the Pound is open for business to the public for at least 4 hours between 8:00 a.m. and 7:00 p.m. Impoundment records shall be preserved for a minimum of 6 months and shall show:

(1) The description of the animal by specie, breed, sex, approximate age, and other distinguishing traits;

(2) The location at which the animal was seized;

(3) The date of seizure;

(4) The name and address of the person from whom any animal 6 months of age or over was received; and

(5) The name and address of the person to whom any animal 6 months of age or over was transferred.

(B) If unclaimed, the dog or cat shall be humanely destroyed and the carcass disposed of, unless it is requested by a licensed educational or scientific institution under authority of M.S. § 35.71, as it may be amended from time to time; provided, however, that if a tag affixed to the animal, or a statement by the animal's owner after seizure specifies that the animal should not be used for research, the animal shall not be made available to any such institution but may be destroyed after the expiration of the 5-day period.

(1981 Code, § 9.21, Subd. 8) (Ord. 45, 3<sup>rd</sup> Series, eff. 6-1-1984)

#### **§ 95.09 NOTICE OF IMPOUNDING.**

Upon the impounding of any dog or cat, the owner shall be notified.

(1981 Code, § 9.21, Subd. 9)

#### **§ 95.10 RELEASE FROM ANIMAL POUND.**

Dogs and cats shall be released to their owners, as follows:

(A) If the dog or cat is owned by a resident of the city, after purchase of a license as aforesaid, and payment of the impounding fees;

(B) If the dog or cat is owned by a person not a resident of the city, after immunization of any dog for rabies, and payment of the impounding fee for the period which the dog or cat was impounded.

(1981 Code, § 9.21, Subd. 10)

#### **§ 95.11 MUZZLING PROCLAMATION.**

Whenever the prevalence of rabies renders the action necessary to protect the public health and safety, the Council shall issue a proclamation ordering every person owning or keeping a dog to muzzle it securely so that it cannot bite. It is a petty misdemeanor for any person to violate the proclamation and any unmuzzled dog unrestrained during the time fixed in the proclamation shall be subject to impoundment as heretofore provided, and the owner of the dog shall be in violation of this chapter.

(1981 Code, § 9.21, Subd. 11)

**§ 95.12 IMMOBILIZATION OF DOGS AND CATS.**

For the purpose of enforcement of this chapter, any peace officer, cat or dog catcher, or other person assisting a peace officer or cat or dog catcher may use a so called tranquilizer gun or other instrument for the purpose of immobilizing and catching a dog or cat.

(1981 Code, § 9.21, Subd. 12) (Ord. 9, 3<sup>rd</sup> Series, eff. 6-6-1981)

**§ 95.13 LIMITATION ON NUMBER.**

It is a petty misdemeanor for any person to own or keep more than 2 dogs over the age of 4 months or more than 2 cats over the age of 4 months on his or her premises except in a district zoned for agricultural use. The limitation of 2 dogs may be increased to 3 dogs so long as at least 1 of the 3 dogs is used by the City Police Department for law enforcement purposes. Under no circumstances may the 3-dog limit be exceeded.

(1981 Code, § 9.21, Subd. 13) (Ord. 97, 3<sup>rd</sup> Series, eff. 8-26-1988; Am. Ord. 242, 3<sup>rd</sup> Series, passed 9-16-1999) Penalty, see § 10.99

**§ 95.14 QUARANTINE FOR CERTAIN DOGS AND CATS.**

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**NON-PENETRATING WOUND.** One where no tooth of the biting dog or cat has broken the surface of the victim's skin, regardless of whether there may be injury below the skin as evidenced by discoloration or otherwise.

**PENETRATING WOUND.** One where a tooth of a biting dog or cat has broken the surface of the victim's skin resulting in a scratch, laceration, or puncture type wound.

**QUARANTINED.** The seizing of a biting dog or cat and the placement of the dog or cat in an animal shelter or veterinary hospital by the Chief of Police for a period of not less than 10 days at the owner's expense. The dog or cat shall be examined by a veterinarian immediately after it has bitten anyone and again at the end of the quarantine period. If at the end of the quarantine period the veterinarian is convinced that the dog or cat is free of rabies the dog or cat shall be released from quarantine. If the dog or cat dies during confinement, the carcass of the dog or cat shall be delivered to the Health Officer who shall take such steps as are necessary to determine if the dog or cat had rabies.

(B) Any dog or cat which has not been currently immunized for rabies and which bites a person, regardless of whether the bite results in a penetrating or non penetrating wound, shall be quarantined.

(C) Any dog or cat which bites a person resulting in a penetrating wound shall be quarantined regardless of whether the dog or cat has been currently immunized for rabies.

(D) Any dog or cat which has been currently immunized for rabies and which bites a person resulting in a non-penetrating wound shall not be quarantined. However, the owner of the dog or cat shall keep the dog or cat in the owner's residence segregated from all other animals for a period of not less than 10 days. On the tenth day following the date that the dog or cat bit a person, the Chief of Police shall observe the dog or cat and if the dog or cat appears to be ill or sick, the Chief of Police shall immediately seize and transport the dog or cat to a veterinarian for immediate examination at the owner's expense. If the veterinarian is convinced that the dog or cat is free of rabies, the dog or cat shall be released by the Chief of Police. If the veterinarian suspects that the dog or cat has rabies, the dog or cat shall be quarantined.

(1981 Code, § 9.21, Subd. 14) (Ord. 111, 3<sup>rd</sup> Series, eff. 3-23-1990)

#### § 95.15 PERSONS IN POSSESSION.

Any person who feeds or houses a dog or cat temporarily or permanently shall have all of the duties and bear the responsibilities of an owner under the provisions of this chapter.

(1981 Code, § 9.21, Subd. 15) (Ord. 9, 3<sup>rd</sup> Series, eff. 6-6-1981)

#### § 95.16 KEEPING, TRANSPORTING, TREATMENT AND HOUSING OF ANIMALS AND FOWL.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ANIMALS.** Farm animals and all other animals, reptiles and feathered birds or fowl except dogs, cats, gerbils, hamsters and caged household birds.

**FARM ANIMALS.** Cattle, horses, mules, sheep, goats, swine, ponies, geese, turkeys, chickens, guinea hens and honey bees.

(Ord. 9, 3<sup>rd</sup> Series, eff. 6-6-1981)

(B) *Keeping.* It is unlawful for any person to keep or harbor any animal, not in transit, except:

- (1) Farm animals kept in that portion of the city zoned for agricultural purposes; or
- (2) Animals kept as part of a show licensed under the City Code; or
- (3) Animals kept in a laboratory for scientific or experimental purposes; or
- (4) Animals kept in an animal hospital or clinic for treatment by a licensed veterinarian; or

(5) Honey bees kept in that portion of the city zoned I-1 and only then during the honey bees' dormant stage.

(Ord. 73, 3<sup>rd</sup> Series, eff. 7-4-1986)

(C) *Animals in transit.* It is unlawful for any person to transport animals unless they are:

(1) Confined within a vehicle, cage or other means of conveyance; or

(2) Farm animals being transported in a portion of the city zoned for agricultural purposes; or

(3) Restrained by means of bridles, halters, ropes or other means of individual restraint.

(D) *Treatment.* It is unlawful for any person to treat an animal in a cruel or inhumane manner.

(E) *Housing.* It is unlawful for any person to keep any animal in any structure infested by rodents, vermin, flies or insects.

(F) *Trespasses.* It is unlawful for any person to herd, drive or ride any animal over and upon any grass, turf, boulevard, city park, cemetery, garden or lot without specific permission therefor from the owner.

(1981 Code, § 9.29) (Ord. 9, 3<sup>rd</sup> Series, eff. 6-6-1981) Penalty, see § 10.99

#### § 95.17 WILD ANIMALS.

(A) *Purpose.* This section is adopted for the purpose of protecting the health, safety and welfare of the residents of the city.

(B) *Definition.* For the purposes of this section, the term **WILD ANIMAL** means and includes any animal, not of the traditional domesticated species, which is inherently dangerous and presents a potential risk to the public.

(C) *Running at large prohibited.* It is unlawful for the owner of any wild animal to permit the animal to run at large. Any animal shall be deemed to be running at large with the permission of the owner unless it is effectively confined within a motor vehicle, building, or enclosure.

(D) *Permit required.* It is unlawful for any person to keep, shelter or harbor any wild animal without a permit therefor from the city.

(E) *Permit term and fees.* All permits shall be issued for a term of 2 years and the fee for the permits shall be fixed and determined by the Council, adopted by resolution and uniformly enforced. The fee may from time to time be amended by the Council by resolution.

## East Grand Forks - General Regulations

(F) *Conditions of permit.* No permit for the keeping of wild animals shall be issued until the applicant has met the following criteria for the keeping and housing of wild animals:

(1) A plan is approved by the Council which establishes the nature and size of the cage or enclosure to house the animal considering the animal's size, weight, strength and relative danger to the public; specifying all protective devices to be maintained to restrain the animal and discourage tampering by humans and other animals; providing for suitable exercise facilities; and an emergency response plan to be on file with the city;

(2) Erection and maintenance of suitable fencing for the protection of adjoining property owners and the general public;

(3) Providing suitable sanitation controls so as not to create a public or private nuisance;

(4) Proof of insurance for medical expense and liability.

(G) *Inspection.* Prior to the issuance of the permit, the city shall require an inspection to be made to determine that the facilities are suitable for the protection of the health, safety and welfare of the public. The inspection shall be made by a person approved by the city and the cost of the inspection shall be borne by the applicant.

(H) *Suspension or revocation of permit.*

(1) The Council may, for any violation or other reasonable cause:

(a) Refuse to grant any renewal application;

(b) Suspend for a period of 60 days; or

(c) Revoke any permit issued under this section.

(2) The action shall be made only upon a finding that the permittee has failed to comply with the provisions of this section. The Council shall take such immediate action as it deems necessary for the public protection to remedy any potentially dangerous situation. The owner of the animal shall be responsible for any expense incurred as the result of the action. Before revocation of any permit, the Council shall give notice to the permittee and grant the permittee opportunity to be heard. The permittee shall have 30 days following a revocation hearing to correct any violations of this section found to be the basis for revocation, during which time period the revocation shall be suspended.

(1981 Code, § 9.37) (Ord. 176, 3<sup>rd</sup> Series, eff. 4-20-1995)