

**AGENDA  
OF THE CITY COUNCIL  
CITY OF EAST GRAND FORKS  
TUESDAY, SEPTEMBER 3, 2013 - 5:00 P.M.**

**CALL TO ORDER:**

**CALL OF ROLL:**

**DETERMINATION OF QUORUM:**

**PLEDGE OF ALLEGIANCE:**

**OPEN FORUM:**

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

**APPROVAL OF MINUTES:**

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of August 20, 2013.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of August 27, 2013.
3. Consider approving the minutes of the “Waste Water Public Forum” for the East Grand Forks, Minnesota City Council of August 27, 2013.

**SCHEDULED BID LETTINGS: NONE**

**SCHEDULED PUBLIC HEARINGS: NONE**

**CONSENT AGENDA: NONE**

*Items under the “Consent Agenda” will be adopted with one motion; however, council members may request individual items to be pulled from the consent agenda for discussion and action if they choose.*

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

**NONE**

**COMMUNICATIONS: NONE**

**OLD BUSINESS:**

4. Consider approving the Final Replat of Outlot B Block 2 Point of Woods 5<sup>th</sup> Addition and all recommendations.

**NEW BUSINESS:**

5. Consider approving the hiring of a police officer from the current hiring roster.
6. Consider adopting Resolution No. 13-09-84 approving the change orders for 2013 City Project No. 3 Police Building Improvements Project.
7. Consider adopting Resolution No. 13-09-85 approving the Employment Agreement for the City Administrator position/Clerk-Treasurer between the City of East Grand Forks and Mr. David Murphy.

**CLAIMS:**

8. Consider adopting Resolution No. 13-09-86 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 16725 for a total of \$1029.50 whereas Council Member Buckalew is personally interested financially in the contract.
9. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

**COUNCIL/STAFF REPORTS:**

**ADJOURN:**

Upcoming Meetings:

- Regular Council Meeting – September 3, 2013 – 5:00 PM – Council Chambers
- Special Meeting – September 10, 2013 – 5:00 PM – Training Room
- Work Session – September 10, 2013 – 5:00 PM – Training Room
- Regular Council Meeting – September 17, 2013 – 5:00 PM – Council Chambers
- Work Session – September 24, 2013 – 5:00 PM – Training Room

**UNAPPROVED MINUTES  
OF THE CITY COUNCIL  
CITY OF EAST GRAND FORKS  
TUESDAY, AUGUST 20, 2013 - 5:00 P.M.**

**CALL TO ORDER:**

*The Regular Meeting of the East Grand Forks City Council for August 20, 2013 was called to order by Council President 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, Henry Tweten, Mark Olstad, and Chad Grassel.*

*Dave Aker, Parks & Recreation Superintendent; Karla Anderson, Finance Director; Brad Bail, City Engineer; Dan Boyce, Water & Light Manager; Nancy Ellis, City Planner; 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; Jim Richter, EDHA Director; and Jason Stordahl, Public Works Director.*

**DETERMINATION OF QUORUM:**

*The Council President Determined a Quorum was present*

**PLEDGE OF ALLEGIANCE:**

**PRESENTATION FROM THE COALITION OF GREATER MINNESOTA CITIES:**

Council President Buckalew introduced Ms. Amanda Duerr from the Coalition of Greater Minnesota Cities who was here to give the council a legislative update. Ms. Duerr started the presentation with an overview of the changes and challenges of the 2012 legislative session and reviewed the goals the Coalition wanted to achieve during the session. She explained further how LGA was reformed and how cities and counties would be tax exempt beginning in January of 2014.

Ms. Duerr informed the council there was a formation of the Greater MN Economic Development Partnership to help provide a more effective voice for Greater MN economic development and how this group focused on four initiatives and had two of them passed into laws. Ms. Duerr touched on funds that were available for job creation, investment funds, and a redevelopment program.

The last three topics Ms. Duerr brought up were transportation, annexation, and environment. She stated in the final transportation bill the legislature was trying to maintain current funding, have 300 million for Corridors of Commerce, 37 million for the southwest corridor LRT, and 10 million for Greater MN Transit. Ms. Duerr explained that there was a bill defeated late in session to weaken annexation by ordinance and change orderly annexation rules that was being pushed by townships. She also commented that greater Minnesota was allotted more through the legacy funds and how this set a

precedent.

Ms. Duerr reminded the council about upcoming events in November and March of next year and then asked if there were any questions. Council member Tweten said he had two comments. He explained that border towns have to deal with what the other state governments do and how North Dakota has put East Grand Forks in a non-competitive position. He said that the City needs tax increment financing. He said the statute regarding tax increment financing has time limitations and how multiple dwellings have not been covered. He stated how the City would be able to enlarge the tax base tremendously if this was changed. He asked for support from the Coalition and try to pass a bill making these changes to tax increment financing.

Council member Tweten also brought up an expressway that was promised many years ago that would tie East Grand Forks to Duluth. He asked to see if there could be special consideration to have Highway 2 could be extended farther east. He commented how much this highway would be used by travelers and could help improve commerce. He added that there will need to be maintenance of the system and funding needs to be there to keep up infrastructure in the state. He ended by asking for a bill to be drafted and sent to the City to be reviewed regarding tax increment financing.

Ms. Duerr said she would refer this also to the people in her office that deal with economic development and tax issues. Mayor Stauss commented how the Coalition is really working on economic development and how they are looking for support in our area. He added that the Coalition is working hard on transportation and how this is evident with the work that has been done in the region and how much it is appreciated. Mayor Stauss then asked Ms. Duerr why Thief River Falls and Crookston, two cities that East Grand Forks compares themselves to, receive so much more in LGA. Ms. Duerr stated she would be asking someone from the Coalition who works with LGA more than she does to send a response to that question so she doesn't speak incorrectly. The mayor said that would be greatly appreciated. Council member Tweten stated that after a disaster, like in Wadena, there are funds that come from both the Federal and State governments but not everything gets covered. He went on to say that cities that have had disasters need to have special consideration because of the new construction that was put up after the disasters when it comes to LGA.

Council President Buckalew asked if there were any other questions for Ms. Duerr. She said she would be leaving some business cards in case the council ever has a question. Council member Tweten said the Coalition is doing a good job for outstate Minnesota. Council President Buckalew thanked Ms. Duerr.

**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 “Special Meeting” for the East Grand Forks, Minnesota City Council of August 5, 2013.

2. Consider approving the minutes of the “Regular Meeting for the East Grand Forks, Minnesota City Council of August 6, 2013.
3. Consider approving the minutes of the “Special Meeting” for the East Grand Forks, Minnesota City Council of August 13, 2013.
4. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of August 13, 2013.

**A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER VETTER, TO APPROVE ITEMS ONE (1) THROUGH FOUR (4).**

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

*Voting Nay: None.*

*Absent: Vonasek.*

**SCHEDULED BID LETTINGS: NONE**

**SCHEDULED PUBLIC HEARINGS: NONE**

**CONSENT AGENDA:**

*Items under the “Consent Agenda” will be adopted with one motion; however, council members may request individual items to be pulled from the consent agenda for discussion and action if they choose.*

5. Consider adopting Resolution No. 13-08-79 entering into an agreement with the State of Minnesota to provide fixed route transportation services in East Grand Forks for 2014.
6. Consider adopting Resolution No. 13-08-80 entering into an agreement with the State of Minnesota to provide paratransit transportation services in East Grand Forks for 2014.
7. Consider adopting Resolution No. 13-08-81 hiring Mr. Marquardt as a part-time temporary Management Intern from September 3, 2013 until December 31, 2013.

**A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE ITEMS FIVE (5) THROUGH SEVEN (7).**

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

*Voting Nay: None.*

*Absent: Vonasek.*

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

8. Regular meeting minutes of the Water, Light, Power, and Building Commission for August 1, 2013.

**COMMUNICATIONS:**

9. Acknowledge that Ms. Katka has successfully completed her six month probationary period for Accounting Technician.

**OLD BUSINESS:**

10. Acknowledge that the Altru Clinic is not required to obtain a massage parlor license from the City as stated by Minnesota Statute 471.709 which prohibits a municipality from requiring a massage therapist, employed by a medical professional, to obtain a license or permit.

**A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GRASSEL, TO ACKNOWLEDGE THAT THE ALTRU CLINIC IS NOT REQUIRED TO OBTAIN A MASSAGE PARLOR LICENSE FROM THE CITY AS STATED BY MINNESOTA STATUTE 471.709 WHICH PROHIBITS A MUNICIPALITY FROM REQUIRING A MASSAGE THERAPIST, EMPLOYED BY A MEDICAL PROFESSIONAL, TO OBTAIN A LICENSE OR PERMIT.**

Mr. Galstad stated he was told to look into this matter at the last work session and found this state statute. He added that we just need to inform Altru they do not need to apply.

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

*Voting Nay: None.*

*Absent: Vonasek.*

**NEW BUSINESS:**

11. Consider adopting Resolution No. 13-08-82 directing the City Attorney to prepare and file the necessary documents with the Minnesota Department of Management and Budget to determine how pay equity is to be reported.

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER VETTER, TO ADOPT RESOLUTION NO. 13-08-82 DIRECTING THE CITY ATTORNEY TO PREPARE AND FILE THE NECESSARY DOCUMENTS WITH THE MINNESOTA DEPARTMENT OF MANAGEMENT AND BUDGET TO DETERMINE HOW PAY EQUITY IS TO BE REPORTED.**

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

*Voting Nay: None.*

*Absent: Vonasek.*

12. Consider rejecting all of the bids submitted for cleaning services at City Hall, Public Works, and the Police Department.

**A MOTION WAS MADE BY COUNCIL MEMBER OLSTAD, SECONDED BY COUNCIL MEMBER GRASSEL, TO REJECT ALL OF THE BIDS SUBMITTED FOR CLEANING SERVICES AT CITY HALL, PUBLIC WORKS, AND THE POLICE DEPARTMENT.**

Ms. Ellis stated what was required for being award the cleaning contract. She said that three of the bidders only bid on one or two buildings and only two bidders bid all three. She added that out of the two that bid all three buildings one was very high and the other bidder was reasonable but received negative remarks from references. She said how she met with both Chief Hedlund and Mr. Stordahl to

review the bids and they decided each would look for their own cleaners. Mayor Stauss asked what the lowest bid came in at. Ms. Ellis stated it was \$1985 which is more than what is paid for cleaning all three buildings currently. Council President asked Ms. Ellis if she was going to be monitoring the contracts and she stated that she would.

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

*Voting Nay: None.*

*Absent: Vonasek.*

13. Consider approving the Final Replat of Outlot B Block 2 Point of Woods 5<sup>th</sup> Addition and all recommendations.

**A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE FINAL REPLAT OF OUTLOT B BLOCK 2 POINT OF WOODS 5<sup>TH</sup> ADDITION AND ALL RECOMMENDATIONS.**

Mr. Galstad stated that he spoke with Mr. Lindquist and Ms. Ellis about the replat and has one concern regarding the area going from Laurel Drive to Brandon Boulevard since it is designated at a 60 foot access and utility easement. He stated if possible this should be replatted and state that it is a dedicated road right-of-way or have a discussion with the property owners to see if they would sign an access and roadway easement which would provide public access. He commented how there is a similar situation on the north end of town. Ms. Ellis stated at the north end there is currently an access easement. Mr. Galstad explained where the holding ponds are and how he believes there is a substantial pipe that is under this access and utility easement. He stated that this is not dedicated as public use and wants to have this corrected so it won't have to be corrected in the future.

Ms. Ellis asked if the Army Corps of Engineers wanted this dedicated as easement and if something was recorded at that time as public access. She added that this is something that should be looked into since this was carried forward from an early plat and commented how this isn't the section that is being replatted. She continued by saying it might be in the best interest to approve this replat and work with Mr. Peabody and put together a document stating this will be public access and add it to the file.

Mr. Galstad stated that if that was the case it would state it on the plat but he can look at the previous plats. He said that he would also check the title. He stated that he had spoken with Mr. Peabody who is willing to work on making this dedicated as public access. Mr. Lindquist stated that this is different property but the council was not voting on that property at this time. Discussion followed about if this road dedication should be included on this replat. Council member Vetter asked to table this item until there is further information so this issue can be straightened out. Ms. Ellis stated they could bring it back in two weeks to the next council meeting.

**COUNCIL VICE-PRESIDENT WITHDREW HIS MOTION. COUNCIL MEMBER TWETEN ALSO WITHDREW HIS SECOND TO THE MOTION. THIS ITEM IS TABLED UNTIL THE FIRST COUNCIL MEETING IN SEPTEMBER.**

14. Consider approving the Point of Woods Townhome PUD Concept Development Plan.

**A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GRASSEL, TO APPROVE THE POINT OF WOODS TOWNHOME PUD**

**CONCEPT DEVELOPMENT PLAN.**

Ms. Ellis informed the council that this area was rezoned in 2007 to a PUD for townhomes. She added that they no longer want townhomes and instead would like to have single family homes in this area. She said that instead of rezoning this again the PUD can be amended to fit single family homes and how that would not affect the plat. Council President Buckalew stated there was some discussion about the development agreement and Ms. Ellis stated it wasn't with the development agreement but about the plat. Council member Olstad asked when the road is complete who is going to have to fix the curbstops. Mr. Galstad stated that Mr. Peabody would be in charge of fixing these curbstops, not the City.

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

*Voting Nay: None.*

*Absent: Vonasek.*

15. Consider awarding the job of PLC SCADA system repairs at Lift Station No. Five to IPS for the amount of \$18,822.

**A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER OLSTAD, TO AWARD THE JOB OF PLC SCADA SYSTEM REPAIRS AT LIFT STATION NO. FIVE TO IPS FOR THE AMOUNT OF \$18,822.**

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

*Voting Nay: None.*

*Absent: Vonasek.*

**CLAIMS:**

16. Consider adopting Resolution No. 13-08-83 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 16612 for a total of \$1834.54 whereas Council Member Buckalew is personally interested financially in the contract.

**A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 13-08-83 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 16612 FOR A TOTAL OF \$1834.54 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.**

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

*Voting Nay: None.*

*Absent: Vonasek.*

*Abstain: Buckalew.*

17. Consider authorizing the Interim City Administrator to issue payment of recommended bills and payroll.

**A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER OLSTAD, TO AUTHORIZE THE INTERIM CITY ADMINISTRATOR TO ISSUE**

**PAYMENT OF RECOMMENDED BILLS AND PAYROLL.**

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

*Voting Nay: None.*

*Absent: Vonasek.*

**SUSPENSION OF RULES:**

**A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO SUSPEND RULES TO APPROVE AN APPLICATION FOR AN EXEMPT GAMBLING PERMIT FOR SACRED HEART CHURCH & SCHOOL.**

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

*Voting Nay: None.*

*Absent: Vonasek.*

**A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE APPLICATION FOR AN EXEMPT GAMBLING PERMIT FOR A RAFFLE FOR SACRED HEART CHURCH & SCHOOL TO BE HELD JANUARY 6, 2014 AT SACRED HEART SCHOOL, 200 3<sup>RD</sup> ST NW, EAST GRAND FORKS, MN 56721 AND WAIVE THE 30-DAY WAITING PERIOD.**

Ms. Nelson stated that she missed this item when putting the packet together. She stated Sacred Heart is holding a raffle which will be drawn at the beginning of January and passing this application should give them enough time to sell their tickets before the drawing.

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

*Voting Nay: None.*

*Absent: Vonasek.*

**COUNCIL/STAFF REPORTS:**

Mayor Stauss informed the council that he had attended a meeting on Monday where Senator Klobuchar gave an award to Ideal Aerosmith. He said how he and Mr. Richter listened to a list of projects and other countries Ideal Aerosmith works with and how they were asking to try and lift some restrictions so they are able to do business with more places. Mayor Stauss then commented how they took Sentaor Klobuchar to Northern Valley Machine but the Senator didn't have enough time to walk through so she said she will walk through the next time she is in town. Mayor Stauss commented how both of these businesses have some big-time, worldwide contracts and hopes these businesses keep growing. Mayor Stauss also wanted to thank the Heritage group for putting on another great Heritage celebration like they do every year. He added they need help with funding to keep this going every year. Mayor Stauss commented on how this event is good for the community because it draws people from the region and not just the community. Mayor Stauss also added that more of an effort needs to be made by the council to attend events like this. He ended by saying how Abe and Mary Lincoln did a good job.

Council Member Tweten commented on how he was successfully at adding 24 new members to the Heritage Foundation. He added how they need money for maintenance for the Heritage Village. He stated how most of the officers are Grand Forks residents and how there should be more of a community

effort from East Grand Forks.

Mr. Lindquist said the thought this had already been decided but asked the council what color the top of police building should be, white or blue. Mayor Stauss said he thought that it was going to be white after the meetings he was a part of. Council Vice-President Leigh said it should be white so it matches City Hall. Council member Vetter said the only problem is that it has a blue entryway and if the rest was white it would look funny so he thinks it should be blue. Chief Hedlund stated he thought it originally should be blue but would like either and if they paint the entryway it will just add more maintenance to the building every year. Mayor Stauss informed Chief Stauss that Mr. Bydal was making a large star for the county and to stop by to see if he would like something like that on the Police Building. Council Vice-President Leigh suggested that each of the council members go by on their way home and send an email to Karl tomorrow with what color they should go with for the roof. Council President said that would be a great idea.

Mr. Galstad commented on how during Heritage days the Lincoln exhibit was set up at City Hall and what a great idea that was. He added that maybe the City should host more exhibits to bring people into City Hall. He also explained how the City received a call regarding a tree on 1<sup>st</sup> Ave. He stated that if a tree is diseased it would fall under our public nuisance ordinance but if it is still alive and only has ants he wasn't sure if it did. He suggested the City call in a forester to inspect the tree and make a determination.

Engineer Bail reminded the council there is a blue tint to the windows of the entryway to the police department. He added that residents will be moving into Minnesota Heights the following day.

**ADJOURN:**

**A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER OLSTAD, TO ADJOURN THE AUGUST 20, 2013 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:57 P.M.**

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

*Voting Nay: None.*

*Absent: Vonasek.*

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Karl Lindquist, Interim City Administrator

**UNAPPROVED MINUTES  
OF THE CITY  
COUNCIL WORK SESSION  
CITY OF EAST GRAND FORKS  
TUESDAY, AUGUST 27, 2013 - 5:00 P.M.**

**CALL TO ORDER:**

*The Work Session of the East Grand Forks City Council for August 27, 2013 was called to order by Council Vice-President Greg Leigh 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 (came at 5:18pm), 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; Greg Boppre, City Engineer; Ron Galstad, City Attorney; Rodney Hajicek, Police Lieutenant; 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 A QUORUM:**

*The Council Vice-President Determined a Quorum was present*

**1. Construction Update for 13CP3 Police Building Improvements – Brent Dammann**

Mr. Dammann informed the council of the progress that has been made when it came to the Police Department building. He explained how the brick work will be close if not finished by the end of the week. He commented on how there is a delay with installing the windows because of delivery issues so they will be installed in October and how the eifs will be installed at the same time. Council Vice-President Leigh asked what eifs was and Mr. Dammann explained how it was similar to stucco with insulation behind it. Mr. Dammann explained how pavers will be installed at the front of the building next week, waterproofing of the entry vestibule will be completed, and how there is a hold on moving forward with the roof to see if insulation will also be added. Discussion followed about if there is a need for more insulation in the roof, when the last time the roof was redone, and if insulation was added the timeline would be extended three weeks to complete the roof project.

Mr. Dammann brought up the mold remediation that had taken place up to this point in the building. He stated that Legend just checked the exterior walls and one interior wall when they did their testing. He continued by saying that Steamatic has found more mold on the interior walls. Steamatic was asked for an estimate for all of the interior walls which came in at over \$30,000. Council member Tweten commented how change orders can't be more than 25% of the original bid. He also asked if the Water & Light Department had been asked to see if there

were funds available for the energy savings coming from the new windows and insulation. Mr. Dammann stated he had spoken to her about the windows but not the insulation yet. Mr. Dammann then went over the five change orders that have been requested for a door frame, grouting cores, rigid insulation, roof insulation with new cover board, and extra patch work that needed to be done. He stated that the council could see the mold remediation as a different contract since it will be with a different contractor, not JTC, Inc and then they would not surpass the 25% of the original contract. Council Vice-President Leigh asked if taping and painting was included in the price and Mr. Dammann confirmed that it was but if they had to take out more than two feet of the wall the price could go up. Council member Vetter asked if this would be a good time to look at the electrical. Lieutenant Hajicek stated that as this time the electrical seems to be adequate. Council member Vetter asked if there was enough room to work in the police department with all of the work going on. Lieutenant Hajicek stated that they had to move some people around but now it is fine. Mr. Lindquist stated how the council is in agreement to move forward with all of the change orders and then collect quotes for the mold remediation that needs to take place.

## **2. Civic Center Parking Lot Repair Discussion – City Council**

Mr. Lindquist reminded the council that this was a topic they had asked to have put on an agenda for discussion. He added Ms. Nelson had asked the city engineers to update the numbers with prices from today for repairing the Civic Center parking lot. Council member Vetter stated that these prices had went up a lot in two years. Council member Tweten stated that the Council should try and stretch this out over the next three years by completing ½ of the parking lot the first year, ½ the next year, and then the roads the last year. Mayor Stauss stated the road should get done first since they are used the most. Mr. Aker showed the Council current pictures of the parking lot. Council Vice-President Leigh suggested this is discussed during budget meetings and is incorporated into the capital improvement plan. Mayor Stauss stated the potholes could be filled in for now. Mr. Lindquist asked if any funds had been set aside for repairing this parking lot. Mr. Aker said there wasn't. Council President Buckalew asked what the price would be for the abandonment of the road. Ms. Nelson explained that this was not the feasibility study but estimates for repairing the parking lot. This item will be referred to the capital budget meeting.

## **3. Microprocessor Panel for Civic Center – Dave Aker**

Mr. Aker stated he had requested information and was still waiting to receive it. Council Vice-President Leigh stated that this will be brought up at the next work session.

### **ADJOURN:**

**A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER TWETEN, TO ADJOURN THE AUGUST 27, 2013 SPECIAL COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:30 P.M.**

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

*Voting Nay: None.*

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Karl Lindquist, Interim City Administrator

**UNAPPROVED MINUTES  
WASTEWATER PUBLIC FORUM  
CITY OF EAST GRAND FORKS  
TUESDAY, AUGUST 27, 2013 - 7:00 P.M.**

Mayor Stauss, Council President Buckalew, Vice-President Leigh, and Council members Vetter, Vonasek, Tweten, Olstad, and Grassel were present.

Meeting convened at 7:00 pm.

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

Council President Buckalew started the meeting at 7:00 pm and turned the meeting over to Mr. Lindquist who was the moderator. Mr. Lindquist started by introducing himself and welcoming the two residents and media to the meeting. He explained how this was a team effort between the city engineers, the finance director, the public works director, and himself to come up with the information that was going to be presented at the meeting. He stated that the goal of this meeting is not to advocate for one specific project but to present the information and let the council choose what project to move forward with. Mr. Lindquist commented how the mayor has said the numbers keep changing and how they had changed again and he would try to explain why the numbers changed. He stated that the numbers presented at this meeting are good for this meeting but if something changes tomorrow the numbers could change again tomorrow.

Mr. Lindquist stated he would like to start with the spreadsheets. He went on to say the council has been looking at three different systems which are a new lagoon, a new lagoon with tertiary treatment, and the interconnect system. He explained that they eliminated the tertiary treatment costs since it made things more confusing so all of the costs listed for a lagoon system do not include tertiary treatment. He then asked the council to take a look at the spreadsheets showing costs for the interconnect project. Mr. Lindquist stated how the numbers on the first two sheets show the present value of the project which includes construction and operating costs. He explained how the next two sheets show how much the rates would increase each year based on the dollar amount for 4000 gallons being used per month by a household to pay for the project. Mr. Lindquist then stated how the other sheet was the same except it showed this information for the pond system project.

A member from the press asked if the rates shown were adjusted for inflation. Ms. Anderson stated that expenses were put in at 3% so under the usage part she built in 3% for this. She explained how the sewage rate is dependent on water usage and how usually every year there is an increase in water usage rates but not in the fixed rate.

Council member Tweten reminded the council that the DNR wants communities to conserve water and if that doesn't happen the community will receive a penalty. He added that the DNR has directed the City on how high the water rates should be so people use less water. He stated that the sewage rate gets to be a fictitious figure because the sewage percentage will need to be changed to correspond with how much needs to be raised in funds for the project. Mr. Lindquist agreed with him but stated they

didn't know what the DNR would be mandating for water rates. Council member Tweten once again stated that rates are not entirely under the City's control. Mr. Lindquist stated that the breakdown being presented is to allow an apples to apples comparison between the projects.

Mr. Lindquist then asked everyone to take a look at the first handout which shows the comparison of the projects at 3% rate. He stated again that these present value numbers are at 3% which is an assumption that could change the numbers again. He stated how there were three columns of three showing the numbers based on 20 years, 30 years, and 50 years because of a suggestion made by Council member Vetter and brought the numbers back to present value. Mr. Lindquist explained how most of the costs for the ponds are all up front because of the construction costs and how most of the costs for the interconnect project are back loaded because of the COSA or Cost of Service Agreement. He continued by explaining how much each of the projects will cost. He started by saying how the total construction costs for the stabilization pond system would be 18.3 million. Mr. Boppre stated that this included the construction and soft costs. Mr. Lindquist pointed out costs for the pond system including the tertiary treatment but asked everyone to ignore these numbers since it is just more money. He moved on to the total construction costs of the interconnect project which was 6.89 million which didn't change across the board. Mr. Lindquist explained how an assumption was made that the City would have to plan for expansion of the pond system to meet capacity at 20, 30, and 50 years so that is why the prices went up.

Council member Vetter stated that the number then should also change for the interconnect taking under consideration the expansion project to the Grand Forks treatment system Mr. Feland spoke about and said how it was going to cost 120 million dollars within the next 20 years and based on the COSA the City would have to pay 6% of that. Mr. Lindquist stated that those upgrades will be built into the payments the City makes. Council member Vetter stated the cost of service is the only thing in the COSA, not upgrades to their system. Mr. Bail informed the council that Grand Forks has debt service they are currently paying off and once that is paid off they are going to start raising funds for other projects. He continued to say that some of these costs are accounted for in the COSA. Mr. Boppre stated that the numbers he was referring to was present value and looking at the rate structure there is an increase in the payment to Grand Forks as best they could assume with the information they had. Council member Vetter asked if the City moved forward with the lagoon system what the capacity would be. Mr. Bail stated that the design is good for 20 years. Council member Vetter commented that the ponds were build back in the 1950s and the City hasn't had to do much to them up to this point. Mr. Bail said that there is a good possibility that the City would be able to use the new ponds for up to 30 years but ideally there will be population growth and then based on assumptions there will have to be an expansion to the ponds and they tried to include the costs of what that would be.

Council member Vetter said he does not agree to adding in construction costs to the price of the pond system at 50 years out since the council would address the ponds when capacity becomes an issue again. He then asked how long the pipe is going to last underneath the river, if it will need to be replaced after 20 or 30 years, and if interconnect project numbers need to include construction costs of redoing the pipe under the river. Mr. Bail stated there are costs included in a debt service that include the costs of repairs for the interconnect project. Mr. Boppre added that in engineering they look at 20 years for the design life of a project and how funding agencies look at 20 years also since they aren't able to forecast past 20 years. He continued to say that if the flood of 1997 didn't happen the ponds would already been redone because the ponds were at capacity and the facility plan had been started in

1996. He stated how that after the flood there were areas of town that had old pipes that were no longer apart of the system and how fixtures changed and became more efficient. He added that our community has grown but the volume of water used is now the same as it was in the 1990s. Mr. Bail added that with water rates rising people are using less water which has also helped.

Council member Tweten asked where the grant money was accounted for in the information handed out. Council member Tweten stated that sources of funds for the projects need to be factored in. Mr. Lindquist stated that since there currently isn't any grant money for this project they are not going to be factoring it in. Council member Tweten also brought up phosphorus and phosphates that are used in fertilizers and old dish soaps but how many things that now are phosphorus free. He added that the state sometimes can give out phosphorus grants for projects and some recent grants have been given out. Council member Tweten stated anything that could affect the final costs should be included before the council makes their decision. Mr. Lindquist stated that the tertiary treatment is not being included since it only adds costs to the pond system. Council member Tweten commented on the phosphorus issue, how it is affecting Lake Winnipeg, and possible future regulations coming from the federal government. Mr. Lindquist added how if it is going to be required to treat phosphorus the government will more than likely help with funding. Mr. Boppre stated that part of their job is to help with projects and help find where funding is coming from. He said that the City has been on the IUP list or Intended Use Plan list with the state of Minnesota listing a PPL or Projected Project Plan for the stabilization ponds and interconnect for the last six years. He explained how this allows the City to have access to low interest dollars but right now the City is not on the list and won't be until the next funding cycle. Ms. Anderson stated that she did include a 2% debit service for both projects based on what the PFA agency told the City they could qualify for. Mr. Boppre informed the council that before the 2010 census the City was eligible for a 30 year loan but with the new higher median household income the City now only qualifies for a 20 year loan.

Mr. Lindquist stated a correction needed to be made on the sheet showing the present value costs. He explained how the costs went across showing the 20, 30, and 50 years costs and said farther down the list it states Total 20 year Present Value. He said that needs to be crossed off since the present value is being shown at the top of the page. Mr. Lindquist explained to everyone that present value is all of the costs from 20 years out and then bringing it back to present day dollars. He went on reviewing the costs of the projects. He stated that at 20 years the ponds would cost about 18.5 million and the interconnect would cost 12.7 million; at 30 years it was 19.1 million for the ponds and 15 million for the interconnect; and at 50 years the ponds would cost 22.6 million and the interconnect would cost 17.8 million.

Mr. Lindquist then asked council member Vetter to explain one more time what he wants built in to make the costs more representative of the actual costs. Council member Olstad stated Council member Vetter was asking for the costs of updating the interconnect system to be included with the present value numbers. Ms. Anderson stated that was built in and shown on another handout. Council Vice-President Leigh pointed out that only part of the upgrades to the Grand Forks system were included in the COSA and stated that there is going to be a considerable amount of upgrading that is going to be taking place in the future. Council member Vetter stated that everything he had been told about the COSA only includes the current costs to operate the Grand Forks system and that does not include the costs of their future upgrades. Mr. Boppre stated what Council member Vetter said was true but there are some of the projects costs they know about are currently included in the COSA. Mr. Boppre stated

was that one of these projects is a 60 million dollar bio-solid project that has been factored in. Council member Olstad asked if the City is being charged a certain percentage, will a portion of the payment the City makes be going to future repairs and upgrades. Mr. Bail answered that it will only be the projects they currently know about. He added that Grand Forks is being asked to get rid of their ponds so Grand Forks will eventually be getting rid of their ponds. Mayor Stauss asked if they were going to keep a reserve pond in case something happens. Mr. Bail stated if they do it will be very small. Ms. Anderson said they are trying to build in future costs like East Grand Forks is. Mr. Lindquist gave a brief overview of how the COSA is developed. Council member Vetter asked how long the COSA is good for. Mr. Bail stated the COSA is reviewed every couple years or whenever a major user would come in. Mr. Boppre reminded the council that the City's rate is based on the flow and currently the City is averaging 1.2 million gallons but the last couple years with the drier conditions has dropped the average flow.

Mayor Stauss asked what is going to happen when Grand Forks has a new council and decides to raise our rates, then what will the City do. Mr. Boppre stated how that issue will be addressed when reviewing the pros and cons of the projects. He added that it had been suggested to have a committee made up of representatives from both cities so East Grand Forks would have a voice as a Grand Forks customer and added how according to the COSA they wouldn't be able to raise our rates without affecting the rest of the Grand Forks. The mayor added that sometimes with changes in council, unexpected changes could be made. Mr. Lindquist stated right now they will be reviewing numbers and will get to issues the council might have. Ms. Anderson stated that some of the issues or worries that the council has can be addressed in the agreement so East Grand Forks could be treated like any other customer for a certain period of time. Mr. Lindquist said it had been suggested to have a bulletproof agreement.

Mr. Lindquist continued by showing graphs that represent rates that would be charged depending on each project. He stated it showed that if the council went with the stabilization ponds it would cost about \$6 more a month or approximately \$72 a year more compared to the interconnect project. He added that if the phosphorus treatment is added it would be another \$4 dollars a month in addition to the \$6 dollars based on the 4000 gallon use.

Mr. Lindquist continued by saying that Ms. Anderson pointed out that at an additional \$6 a month times 3000 households would equal another \$18,000 more a month taken out of the community so it is erroneous to say it is only \$6 dollars more a month. He continued on with another graph that shows the costs of both projects over time. He said he thought the interconnect would cost more than the pond system over time but when the cost of expansion for capacity of the ponds system were included it shows that the ponds will cost more. Mayor Stauss asked what the jump in population was listed on the graph. Mr. Bail stated that they based it on the current growth rate of the City and made the assumption that the City's growth was going to continue at the same rate over the next 100 years and what the estimated flow of that population would be. He stated that based on those two factors each jump in capacity would added another 65 acres to the ponds. It was asked how many people that would be. Mr. Bail stated that at 100 years the City's population would be at approximately 17,000 people. Mr. Boppre informed the council that they included 100,000 gallon flow coming from industry because MPCA requires it.

Mr. Lindquist continued the presentation by going over pros and cons for both projects. He said the only positive thing they could come up with for the lagoon system was to maintain local control. He asked if anyone else could come up with another positive. Mayor Stauss added that the lagoons doesn't use chemicals since it is a natural process keeping costs down. Council member Grassel asked how much of the materials of the current pond be reused and if that would help decrease some of the costs of redoing the lagoons. Mr. Boppre stated testing had been done three years ago and based on the soil reports all of the bio-solids have to be removed and land applied. He said he had received an estimate for the land apply which was estimated using 98,000 cubic yards at \$20 dollars a yard would cost the City almost 2 million dollars to land apply. Council member Vonasek asked about a later test which didn't show as much bio-solids. Mr. Boppre said that they did tests later on and that showed a drop from 200,000 cubic yards down to the 98,000 cubic yards. He went on to explain how the plan is to remove all of the bio-solids, remove the existing clay liner, and building a new clay liner so the City is in compliance with no more than leaking 500 gallons per acre per day. He then gave the estimates he received which were reasonable but since the quantity need is so much it really drove up the costs for the lagoon project. Mayor Stauss asked if having a third cell had been considered. Mr. Boppre stated the plan was to split the primary cell into two cells so it would be a three cell pond system. He explained how the numbers and estimates had been double checked so he feels very confident with the costs of the projects. Mr. Bail also reminded the council that the pond system needs to be so many feet higher so the leaking water doesn't affect the ground water. Mayor Stauss asked how high the ground water is. Mr. Bail stated they weren't sure.

Council member Tweten asked to make a comment about the con on hindering development to the north. He stated that any time the City is going to extend north will only make things more expensive. He added that the City should start expanding east for two reasons. The first he gave was how there needs to be backup for policemen and how expensive it would be to have to build a new firehouse on the north end of town. The other reason he gave was that any city that can be laid out in a square or circle is much more functional. Council member Tweten stated there is more to this than just building a lagoon. He added that there should be an itemization for the EALC. Mr. Lindquist stated that was a recommendation from the peer review group. He added that it will change when the project is chosen.

Mr. Lindquist told the council that as long as there is a lagoon he doesn't think that there will be any houses built north of the golf course. He added that there is still going to be a lagoon for backup in case of any issues with the interconnect project. Mr. Boppre stated there will be a 30 acre pond in case something breaks. Council member Vetter stated there might be more development to the south if a bridge goes in at 32<sup>nd</sup> Ave. He then asked how much land the City owns by the lagoons currently. Mr. Boppre stated the lagoon area is 345 acres, then there is 90 acres to the east, 45 acres to the north, and additional 40 acres on the south side. Council member Vetter then asked how much flow the interconnect pipe can handle and at what point does the population exceed the pipe's capacity. Mr. Bail stated that the pipe would be able to handle 2.5 million gallons. Council member Vetter then said that the population would then have to reach 16,000 to 17,000 people before a change would have to be made. Mr. Stordahl stated they are estimating the population will reach that mark in 2089.

Council member Vonasek brought up that it had been suggested that a water balance test needs to be done on the secondary pond but not the primary pond since it is so large and asked if that was still be considered. Mr. Boppre stated that they could do the test but leakage is not the main issue; capacity of the ponds is. Council member Vonasek stated that he has a hard time believing there is such a problem

with leakage since there is a borrow pit close by that doesn't have any water in it. Council Vice-President Leigh added that leakage had nothing to do with it and the City has to do something with the ponds. Mr. Boppre stated that in 2008 there was drain tile installed on the north, east, and south sides of the ponds and how the water is sampled twice a year and so far there haven't been any bad results. Discussion followed about how much ponds are allowed to leak and how a water balance test will not solve the capacity issue.

Mr. Boppre reminded the council that the City is currently at 89% capacity and once the City gets to 95% the MPCA will put a moratorium on the City and not allow any more additions or growth to the sewer systems.

Mr. Lindquist then brought up the slide showing the pros and cons of the interconnect project. He stated the big negative is making sure the City has a bulletproof agreement. He said Mr. Galstad was a good attorney but has never written up an agreement like this before so the City would have to hire someone to come in and draft the agreement. Mayor Stauss stated that some of the pros of the interconnect project could also be pros for the lagoons. Council member Vetter stated that if the City moves ahead with a new lagoon the MPCA regulations will be met. Ms. Anderson stated that is true but only until another rule comes out. Mayor Stauss said that could happen with anything. Ms. Anderson stated that we won't have to deal with regulations, Grand Forks will. Mayor Stauss commented that if and when Grand Forks is forced into new regulations we will have to pay our share. Ms. Anderson then said that it won't be completely on the City.

Council member Olstad asked if the City stays with a lagoon system what regulations does the City have to meet. Mr. Boppre told the council that for leakage the City would have to comply with no more than 500 gallons per acre per day. He added that phosphorus regulations have not been set but it seems like it will be mandated at 1 soon. Mayor Stauss stated that another engineer said that our ponds are not even close to 3500 gallons per acre per day that we are currently allowed. Mr. Bail agreed that we are not close to leaking that much but if a change is made the new mandate will be the 500 gallons per acre per day. Mr. Boppre reminded the council that leakage is not the main issue but capacity. He added that this would be a tough and very major decision.

Council Vice-President Leigh stated that he thinks they should take time to take in the information, and then go out into the community to see what the residents want. He commented how he had spoken to some residents who wanted to go with what is cheapest and others who don't want to lose control. He added how this had been the best presentation he yet. Mayor Stauss said not everyone knows the information and this decision should be made by the council.

Council member Vonasek asked what would happen in the primary pond was split into two. Mr. Boppre stated that if those ponds are touched at all the City has to meet all current regulations. Council member Tweten said he has spoken to many people and most people don't want to lose control to Grand Forks. He added that if we don't like how we are being treated we need to put people in office who can change that.

Council President Buckalew said when looking at the positives and negatives he asked if the negatives can be fixed with either project. He added how it had been talked about having a commission that would be a regulatory body for that entity and how the City would have a seat at the table. Mayor

Stauss stated that we need more than one seat on that commission. Council President Buckalew asked what negatives could be fixed again. Some suggestions were made. Mr. Stordahl explained how if a major industrial user comes in it would take time to react to their needs if they created a large volume of BODs. Council President Buckalew stated that the council needs to agree the parties putting the numbers together are presenting the best numbers. He stated these are good numbers that can be brought out to the public and explained.

Mayor Stauss commented how there are other engineers who don't agree with some of the information. Discussion followed about how the city engineers are speaking with local contractors, getting good numbers for estimates, and how they have a stake in what project is picked because they are residents. Council President Buckalew stated the numbers maybe not what we like but the council needs to consider cost and cost sharing. Ms. Anderson added that another thing to think about is if Grand Forks was in Minnesota we might be required to join together and how there are many other cities have joint systems and could be a great resource. She also added that lagoon systems are low maintenance and there won't be a loss of employees regardless of what system is chosen in residents ask.

Council member Vonasek asked if anything had been mentioned about what will happen when the fertilizer plant starts buying gray water from Grand Forks and if East Grand Forks would be included in a reduction in rates. Mr. Boppre stated when the COSA was done no one knew about the fertilizer plant at that point so there isn't anything in the COSA reflecting what could happen. He added that this could be opportunistic situation for the City if they moved forward with the interconnect to have the rate cut down. Ms. Anderson stated instead of raising rates they might just save that money for future projects, repairs, or upgrades.

Council member Vetter stated that he is having an issue with the numbers being changed for the lagoon system due to capacity. He added if that didn't change it would be within 4 million dollars of the interconnect project and some people he has spoken with would rather spend the money and not lose control. He commented on that he understands why the 35% for EALC is being used but if that percentage changed the numbers would get even closer. Mr. Boppre reminded everyone why the 35% was used and how that will change to 25% once a project is picked.

Council President Buckalew said how they weren't suppose to talk about the tertiary treatment costs but does the City really want to put a lagoon system out there and not be able to treat for something the MPCA is going to want the City to treat for in the future. Council member Vetter stated that they have not outlawed lagoons and how there are other communities putting in lagoons. Mr. Lindquist asked if that was true because he hasn't seen anything about communities putting in lagoons besides Fosston and how more are going with treatment plants. Mayor Stauss stated when he was at the Coalition Conference many people spoke with him about lagoons and are having similar problems. Mr. Boppre stated that cities put them in because they are easy to maintain but East Grand Forks has the second largest pond system in the state and that is what makes the costs so high.

Mr. Stordahl explained how Fosston's lagoons are more complex that what East Grand Forks has. He said how they are set up to handle more BODs. He commented how much of what East Grand Forks treats is domestic waste and not much from industry. He added that the City will have to plan on adding something on in the future possibly for mercury, phosphorus, or industrial users. He stated there are many communities that have to add something to their treatment of waste water and if the

City moves forward with the lagoons they should have some sort of plan of where tertiary treatment can be added.

Council member Grassel asked if information could be sent out with the water bills so each household would receive it. He stated that very few members of the public have attended the meetings and he would like to reach out the residents so they know what the council will be voting on. Council Vice-President Leigh thought that would be a good idea but to also include how much the rates will be going up for each project. Council member Vonasek asked the media in the room to make sure they get the word out that the council members would like to hear from the residents so they can get a better idea of what the community would like to do with waste water treatment.

Council President Buckalew asked if either of the residents present at the meeting would like to make a comment. One resident stated she would not like to move forward with the interconnect because of what was promised with the combination of the Chambers and how many things changed afterward.

The other resident stated that he was originally for the interconnect. He stated that after looking at the costs, \$72 doesn't seem like much but over time it will add up. He asked about meeting regulations and Mr. Stordahl stated that we currently meet all of the regulations without any type of added treatment. The resident said he had tried to make it to the meetings but wasn't always able to. Mr. Lindquist thanked him for coming. Mr. Lindquist then stated a notice will be drafted to put in with the water and light bills.

The meeting was adjourned at 8:25 pm.

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Karl Lindquist, Interim City Administrator

# Request for Council Action

**Date:** August 20, 2013  
**To:** East Grand Forks City Council and Mayor Lynn Stauss  
**From:** Nancy Ellis, City Planner  
**RE:** Approval of the Replat of Outlot B Block 2 Point of Woods 5<sup>th</sup> Addition

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## BACKGROUND AND SUPPORTING DOCUMENTATION OF REQUEST:

This can be final approval for the Replat of Outlot B Block 2 Point of Woods 5<sup>th</sup> Addition. Outlot B will be platted for single family homes. Originally, this Outlot was platted as POW 6<sup>th</sup> Addition and rezoned to a PUD with approval from city council on Sept. 19, 2006. The PUD concept development plan for the construction of townhomes on this property was also approved on Sept. 19<sup>th</sup> 2006 by city council. However, Mr. Peabody did not record this plat and therefore, the plat is no longer valid. Mr. Peabody would now like to develop the lots as single family lots instead of townhome lots.

## **PLANNING COMMISSION RECOMMENDATION**

Staff recommends final approval of the Replat of Outlot B Block 2 Point of Woods 5<sup>th</sup> Addition to the City of East Grand Forks with shown utility and road/access easements and with the following comments:

- 1) Submit a digital file to planning office.
- 2) Mr. Peabody must follow through on the attached letters from Water & Light Dept. and repair the curb stops and service lines. Permits will not be issued until the repairs are completed. Water and Light will notify the Building Inspections staff when the repairs are completed and building can commence.
- 3) Developers Agreement to install the roads (no sidewalks) must be completed by the developer and City Attorney and recorded with plat.

## GENERAL INFORMATION

**APPLICANTS/PROPERTY OWNERS:** Robert and Jeanine Peabody

**REQUESTED ACTION:** Applicant is requesting preliminary approval and possible final approval of the Replat of Outlot B Block 2 Point of Woods 5<sup>th</sup> Addition to the City of East Grand Forks.

**SITE ZONING/LAND USE:** PUD is the current zoning for Outlot B, vacant land.

**SURROUNDING ZONING/LAND USE:**

North: R-1 zoning, single family homes

West: R-1 zoning, single family homes/vacant lots and dike

South: Outside City Limits, Vacant Land/Rural homes

East: R-1 zoning, Peabody's 1<sup>st</sup> Addition, single family homes

LOCATION: The parcel is located west of Rhinehart Dr., south of 13<sup>th</sup> St SE, and east of Laurel Drive (near dike along Red River).

#### COMMENTS

This can be final approval for the Replat of Outlot B Block 2 Point of Woods 5<sup>th</sup> Addition. Outlot B will be platted for single family homes. Originally, this Outlot was platted as POW 6<sup>th</sup> Addition and rezoned to a PUD with approval from city council on Sept. 19, 2006. The PUD concept development plan for the construction of townhomes on this property was also approved on Sept. 19<sup>th</sup> 2006 by city council. However, Mr. Peabody did not record this plat and therefore, the plat is no longer valid. Mr. Peabody would now like to develop the lots as single family lots instead of townhome lots.

As far as a developer's agreement, the curb and gutter, as well as, utilities have already been installed for all of the newly developed lots. (There are some issues with the water main and hook-ups that must be addressed by a meeting of Mr. Peabody and the Water and Light Dept.) However, a developer's agreement is necessary to require paving of Brandon Blvd and the cul-de-sac.

In addition, sidewalks are not required in cul-de-sacs of that length and there are no other sidewalks along Laurel Drive. I see no reason to place them along Brandon Boulevard. Park dedication fees were paid for these lots when they were first platted in 2006.

#### **STAFF RECOMMENDATION**

Staff recommends final approval of the Replat of Outlot B Block 2 Point of Woods 5<sup>th</sup> Addition to the City of East Grand Forks with shown utility and road/access easements and with the following comments:

- 4) Submit a digital file to planning office.
- 5) Work with both the Public Works Office and the Water & Light Dept. to discuss hookups and water line repair for the area.

**Enc. Replat of Outlot B Block 2 Point of Woods 5<sup>th</sup> Addition**



# Request for Council Action

Date: August 27, 2013

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

Cc: File

From: Michael S. Hedlund – Chief of Police

RE: Police Officer Hiring Request

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**Background:** The East Grand Forks Police Department (EGFPD) is currently two officers below our authorized and budgeted strength following the recent resignation of an officer. We have recently completed interviews from our most recent hiring process and are starting the backgrounds on several of those subjects. Council had previously approved the hiring of one officer to fill an earlier opening and we are now requesting permission to fill our most recent opening.

**Recommendations:** That the East Grand Forks City Council approve the hiring of a police officer from the current hiring register.

**Enclosures:** None

**RESOLUTION NO. 13 – 09 – 84**

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

WHEREAS, the East Grand Forks City Council had plans and specifications prepared for improvements to the exterior of the Police Department building,

WHEREAS, the job was awarded to JTC, Inc because they were the lowest responsible bidder for the project,

WHEREAS, issues have been uncovered as the project as progressed and to fix the building properly change orders have been requested

NOW, THEREFORE, BE IT HEREBY RESOLVED the East Grand Forks City Council agrees with and allows the following change orders:

- Change Order #2 – Grouting Cores of Foundation in the amount of \$3,181.33.
- Change Order #3 – Installation of Rigid Insulation in the amount of \$1,180.30.
- Change Order #4 – Installation of Roof Insulation in the amount of \$62,523.75.
- Change Order #5 – Extra patching in the interior from mold remediation - \$1,030.15.

*Voting Aye:*

*Voting Nay:*

The President declared the resolution passed:

Passed: September 3, 2013

ATTEST:

\_\_\_\_\_  
Interim City Administrator

\_\_\_\_\_  
President of Council

I hereby approve the foregoing resolution this 3rd day of September, 2013.

\_\_\_\_\_  
Mayor

**RESOLUTION NO. 13 – 09 – 85**

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

WHEREAS, the City of East Grand Forks enlisted the services of Springsted to find a qualified person to fill the vacant City Administrator position,

WHEREAS, Springsted referred qualified candidates for interviews and after the interview process the City decided to make an offer to Mr. David Murphy,

WHEREAS, the City proposed an Employment Agreement which Mr. Murphy has accepted on August 30, 2013.

NOW, THEREFORE, BE IT HEREBY RESOLVED the East Grand Forks City Council and Mr. Murphy both agree to and accept the terms of the agreement with Mr. Murphy having an anticipated start date of September 30, 2013.

*Voting Aye:*

*Voting Nay:*

The President declared the resolution passed:

Passed: September 3, 2013

ATTEST:

\_\_\_\_\_  
Interim City Administrator

\_\_\_\_\_  
President of Council

I hereby approve the foregoing resolution this 3rd day of September, 2013.

\_\_\_\_\_  
Mayor

## RESOLUTION NO. 13 – 09 – 86

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 16725 for a total of \$1029.50.

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 \$1029.50 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 September 3, 2013.

*Voting Aye:*

*Voting Nay:*

*Abstain:*

The President declared the resolution passed.

Passed: September 3, 2013

Attest:

\_\_\_\_\_  
Interim City Administrator

\_\_\_\_\_  
President of Council

I hereby approve the foregoing resolution this 3rd of September, 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 3<sup>rd</sup> Ward Council Member of the City of East Grand Forks.
2. The City of East Grand Forks check number 16725 for a total of \$1029.50.
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 September 3, 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

9

User: lkatka  
 Printed: 8/29/2013 - 10:53 AM

Check	Date	Vendor No	Vendor Name	Amount	Voucher
16694	09/03/2013	ACM001	Acme Electric Companies	214.21	0
16695	09/03/2013	ADV001	Advanced Business Methods Inc	289.18	0
16696	09/03/2013	ALL004	Allpro Interior Care Inc	90.00	0
16697	09/03/2013	ALP001	American Lifeguard Products, LLC	433.00	0
16698	09/03/2013	AME016	American Society of Composers/Auth	12.77	0
16699	09/03/2013	AME005	Ameripride Linen & Apparel Services	99.27	0
16700	09/03/2013	BAK001	Baker & Taylor Co	1,004.57	0
16701	09/03/2013	BAT001	Batteries Plus	25.60	0
16702	09/03/2013	BLU001	Blue Cross Blue Shield of ND	6,729.00	0
16703	09/03/2013	BRA001	Brady Martz & Associates	2,525.00	0
16704	09/03/2013	BRO002	Brodart Co	184.32	0
16705	09/03/2013	BYD001	Bydal Designs	89.77	0
16706	09/03/2013	C&R001	C&R Laundry & Cleaners	178.16	0
16707	09/03/2013	GFT003	Donald Scott Cash	2,419.95	0
16708	09/03/2013	CLL001	CL Linfoot Co.	2,399.41	0
16709	09/03/2013	COA001	Coalition of Greater MN Cities	500.00	0
16710	09/03/2013	COL004	Coldspring Memorial	240.98	0
16711	09/03/2013	COL002	Cole Papers Inc	204.92	0
16712	09/03/2013	CRO004	Crookston Daily Times	145.00	0
16713	09/03/2013	DAK014	Dakota Rev	250.00	0
16714	09/03/2013	DAK004	Dakota Supply Group	53.33	0
16715	09/03/2013	EAG001	Eagle Electric	5,461.57	0
16716	09/03/2013	ECO001	Economy Plumbing	115.35	0
16717	09/03/2013	EXP003	Explorer Post #38	70.00	0
16718	09/03/2013	EXP002	Exponent	710.76	0
16719	09/03/2013	G&K001	G&K Services	213.98	0
16720	09/03/2013	GAL001	Gale	70.17	0
16721	09/03/2013	GFF001	GF Fire Equipment	56.50	0
16722	09/03/2013	GFW001	GF Welding & Machine	87.48	0
16723	09/03/2013	GOP002	Gopher State Lawn Sprinklers	881.79	0
16724	09/03/2013	HAI002	Rick Hajicek	142.50	0
16725	09/03/2013	HAR001	Hardware Hank	1,029.50	0
16726	09/03/2013	HAW001	Hawkins Chemical	1,784.23	0
16727	09/03/2013	HEA001	Heartland Paper	275.37	0
16728	09/03/2013	HOM001	Home of Economy	23.47	0
16729	09/03/2013	HUG001	Hugo's	307.28	0
16730	09/03/2013	ITR001	Interstate Towing & Recovery	55.00	0
16731	09/03/2013	JTC001	JTC, Inc.	173,864.79	0
16732	09/03/2013	KEE002	Keeps Inc	71.39	0
16733	09/03/2013	LUN001	Luneth Plumbing & Heating	89.60	0
16734	09/03/2013	M&W001	M&W Services	985.27	0
16735	09/03/2013	MAR004	Marco	59.94	0
16736	09/03/2013	MAR001	Marco Inc	318.06	0
16737	09/03/2013	MCF001	McFarlane	716.90	0
16738	09/03/2013	MEN001	Menards	46.07	0
16739	09/03/2013	MPO001	Metropolitan Planning Organization	1,456.57	0
16740	09/03/2013	MIC001	Micro-Marketing LLC	264.56	0
16741	09/03/2013	MID016	Midwest Pest Control Inc	133.59	0
16742	09/03/2013	MIT001	Mitch Yoney Snow Removal	162.50	0
16743	09/03/2013	MNC008	MN Crime Wave	750.00	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
16744	09/03/2013	MND006	VOID****VOID****VOID*** MN I	654.00	0
16745	09/03/2013	MNG001	MN Gov Finance Officers Association	225.00	0
16746	09/03/2013	MUS001	Musco Lighting	124.17	0
16747	09/03/2013	NAT003	National Rifle Association	595.00	0
16748	09/03/2013	ODL001	Odland Fitzgerald Reynolds & Harbot	441.00	0
16749	09/03/2013	OPP001	Opp Construction	26,308.08	0
16750	09/03/2013	PAR006	Paraclete Press, Inc.	44.96	0
16751	09/03/2013	PAR005	Paras Contracting	140,162.03	0
16752	09/03/2013	PIO001	Pioneer Peat, Inc.	32.00	0
16753	09/03/2013	PLA001	Play by Design	545.00	0
16754	09/03/2013	POL004	Polk County Recorder	66.00	0
16755	09/03/2013	PRA001	Praxair Distribution	26.58	0
16756	09/03/2013	PUM001	Pumpkin Books	101.94	0
16757	09/03/2013	QUI001	Quill Corp	577.68	0
16758	09/03/2013	REL001	Reliable Office Supplies	199.40	0
16759	09/03/2013	ZAV001	RJ Zavoral & Sons	203,678.69	0
16760	09/03/2013	SFP001	SafetyFirst Playground Surfacing LLC	1,275.00	0
16761	09/03/2013	SDL001	SDLA	530.00	0
16762	09/03/2013	STE009	Sterling Carpet One	60.00	0
16763	09/03/2013	STR004	Strategic Insights Inc	721.41	0
16764	09/03/2013	CHI001	The Child's World Inc	289.28	0
16765	09/03/2013	TRU001	True Temp	187.09	0
16766	09/03/2013	UNI005	Uniforms Unlimited Inc.	116.19	0
16767	09/03/2013	VIL001	Vilandre Heating & A/C	375.66	0
16768	09/03/2013	WAT001	Water & Light Department	21,095.53	0
16769	09/03/2013	WDA001	WDAZ TV	811.00	0
16770	09/03/2013	WID001	Widseth Smith Nolting & Associates	41,682.25	0
16771	09/03/2013	XCE001	Xcel Energy	1,402.39	0
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Check Total:				650,619.96	
				<hr/> <hr/>	