

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

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A QUORUM:

- 1. 2014 Transportation Projects – Greg Boppre**
- 2. Police Dept Change Orders from JTC – Mike Hedlund/Brent Dammann**
- 3. Resolution 13-11-XX Special Assessments – Ron Galstad**
- 4. Quonset Storage Lease Agreement with DNR – Dave Aker**
- 5. Engineer Committee Amendment Update for Waste Water Project – David Murphy**
- 6. 13CP2 Watermain & Forcemain Replacement – David Murphy**
- 7. EDHA Budget Presentation – Jim Richter**
- 8. Police Department Budget Presentation – Mike Hedlund**
- 9. Planning/Transit/Building Inspections/City Hall Budget Presentations – Nancy Ellis**

ADJOURN:

Upcoming Meetings

Regular Council Meeting – November 19, 2013 – 5:00 PM – Council Chambers
Work Session – November 26, 2013 – 5:00 PM – Training Room
Regular Council Meeting – December 3, 2013 – 7:00 PM – Council Chambers
Work Session – December 10, 2013 – 5:00 PM – Training Room
Regular Council Meeting – December 17, 2013 – 5:00 PM – Council Chambers

Request for Council Action

Date: November 1, 2013

To: East Grand Forks City Council, Mayor Lynn Stauss, City Administrator David Murphy, Council 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 Building Change Orders

Background: JTC Inc., the general contractor for the police building project has submitted three bills/bids regarding change orders for Council approval/consideration. These are detailed below:

1. Window Sills – The window sills in each of the five offices along the North wall of the Police Department have been damaged by leaking water during the course of the police department's time in this building. The current sills are a laminate surface and some have swelled to approximately double their original thickness. JTC has provided two alternatives to replace the sills.
 - Plastic Laminate Sills (No Warranty) – Total Cost: \$2,515.87
 - Corian Sills: Total Cost: \$3,963.10
2. Reinstall desks (that were removed during the mold remediation), fill in concrete curbs, waterproofing at the vestibule area and install retaining wall at vestibule area with pavers. (This work has already been completed) Total Cost: \$2,304.05
3. Caulking removal in the vestibule area. This involves the removal of caulking at the base of the vestibule that is believed to have been erroneously installed at some time in the past and is a possible cause of some of the water issues in the vestibule area. This is a proposal. Total Cost: \$374.00

Recommendations:

- Approve the work listed in item #1 with either option. (Corian is a solid surface so there would never be an issue with the swelling surface in the future – but with the new roof and walls there should no longer be a water issue either way.)
- Approve payment for the work involved in item #2.
- Approve the work listed in item #3.

Enclosures:

Copies of the price sheets from JTC Inc. on all of the above listed items.



822 South 46th Street
Grand Forks, ND 58201
Phone: 701-746-0600
Fax: 701-746-0604

October 22, 2013

Widseth Smith Nolting
2850 24th Avenue South
Grand Forks, ND 58201

RE: EGF Police Station

CPR #6- Window Sills

Provide price (material and labor) to remove and install new windows sills in 5 offices on the North wall.

Plastic Laminate Sills (No Warranty)

Labor & Materials \$2,287.15

10% Profit \$228.72

Total Cost \$2,515.87

Corian Sills

Labor & Materials \$3,602.82

10% Profit \$360.28

Total Cost \$3,963.10



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Grand Forks, ND 58201
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October 22, 2013

Widseth Smith Nolting
2850 24th Avenue South
Grand Forks, ND 58201

RE: EGF Police Station

CPR #7- Extras

Provide price (material and labor) to install desks, fill in concrete curbs, waterproofing at vestibule area and install retaining wall at vestibule area with pavers.

Install Desks, Pour Curbs & Waterproofing

Labor 33 Hours @ \$29.50 = \$973.50

Materials \$262.00

10% Profit \$123.55

Total Cost \$1359.05

Paver Retaining Wall

Labor & Materials \$900.00

5% Profit \$45.00

Total Cost \$945.00



822 South 46th Street
Grand Forks, ND 58201
Phone: 701-746-0600
Fax: 701-746-0604

October 22, 2013

Widseth Smith Nolting
2850 24th Avenue South
Grand Forks, ND 58201

RE: EGF Police Station

CPR #8- Caulking Removal at Vestibule

Provide price (material and labor) to remove existing caulking at the vestibule around the bottom rim.

Labor & Material \$340.00

10% Profit \$34.00

Total Cost \$374.00

Request for Council Action

Date:

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

Cc: File

From: Ron Galstad

RE: Special Assessments

Background:

Improvements were put in the Point of Woods 5th Addition back in 2005-2006. Lots were sold and one lot was split to add an additional 20 feet to a lot. This split was recorded at the county and the affected lots were assigned new parcel numbers, including the 20 foot lot. Around 2010 a paving project was completed and more assessments were added to these parcels. This past summer we had interested buyers call asking about specials on these lots and found a discrepancy. The lot that was split did not get the cost of the original specials split correctly. Instead of only paying for the 20 feet, they were being charged for half the lot.

Recommendation:

Included is a proposed resolution that would correct the discrepancy. I proposed that the council adopts the resolution and authorize staff to have this corrected at the county.

RESOLUTION NO. 13- 11- XXX

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

WHEREAS, the City of East Grand Forks, (hereinafter “The City”) authorized 2005 Assessment Job No.1 Sanitary Sewer, Watermain, Curb & Gutter, and Storm Sewer in the Point of Woods 5th addition to the City.

WHEREAS, after the completion of assessment project the City certified special assessments for the project, assessment roll 272 and filed said assessment roll with Polk County to be assessed over 15 years at 6% interest.

WHEREAS, at the time of the project Robert and Jeanine Peabody were the owners of all lots in Point of Woods 5th Addition.

WHEREAS Lot 7, parcel number 83.04217.00 was assessed \$16,668.38, Lot 8, parcel number 83.04218.00 was assessed \$15,780.00 and Lot 9, parcel number 83.04219.00 was assessed \$19,420.00

WHEREAS, in or about 2006 Phil Knutson purchased lot 7 and the 20 feet of the lot 8 in Point of Woods 5th Addition.

WHEREAS, the according to City ordinance a replat of Lot 7, 8 and 9 of Point of Woods 5th was required to document the split of lot 8 and the replat was recorded as the Replat of Lots 7, 8 and 9, Block 2 Point of Woods 5th Addition in Book D of Plats page 341 in the Polk County recorder’s office on December 18, 2007.

WHEREAS, as a part of the split Phil Knutson was now owner of Lot A of the Replat and was assigned new parcel numbers to this area. Phil Knutson received two parcel numbers for Lot A; 83.04367.00 and 83.04368.00 the latter was for the 20 foot portion of the newly created lot A.

WHEREAS, in 2010 the City authorized paving improvement project 2010 Assessment Job No. 1. In 2011 the paving assessment in roll 316 was added to these parcels and the assessment roll was certified and filed with Polk County.

WHEREAS, Lot A, parcel number 83.04367.00 was assessed \$10,789.41 for 123.55 front footage benefit and 83.04368.00 was assessed \$1,758.79 for 20.14 front foot benefit, Lot B, Parcel 83.04369.00 was assessed \$9,281.25 for 106.28 front foot benefit and Lot C, parcel 83.4370 was assed \$8,943.29 for 102.41 front foot benefit.

WHEREAS, when the parcels were split both parcel 83.04368.00 and parcel 83.04369.00 were assessed \$7,890.43 to recapture the \$15,780.00 from assessment roll 272. This amount was incorrect as it assumed that the split was an equal split of the lot 8. Phil Knutson only received 20 feet of the 116.88 feet of lot 8.

NOW, THEREFORE, BE IT HEREBY RESOLVED

1. That the City has determined the assessment to parcel number 83.04367.00 and 83.04368.00 was incorrect.
2. That the City has determined that Phil and Alissa Knutson have been over assessed in the amount of \$6,785.37 assessment plus interest paid.
3. That the City shall contact the Polk County Assessor and have the special assessments corrected and reduce the amount of special assessments that Phil and Alissa Knutson owe by \$6,785.37.
4. The City authorizes the City Administrator and the Mayor to sign all appropriate documents if any to make this correction.

Voting Aye:

_Voting Nay:

Absent:

The President declared the resolution passed.

Passed: _____, 2013

Attest:

City Administrator/Clerk-Treasurer

President of Council

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

Mayor

Request for Council Action

Date: November 4, 2013

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

Cc: File

From: Dave Aker

RE: Lease with DNR

Background:

The Minnesota DNR would like to lease the metal Quonset storage building between the VFW Arena and the South Point Fire Hall located at 243 5th Avenue SE. The lease would be for two years, commencing December 1, 2013 continuing through November 30, 2015.

Recommendation:

I recommend that we let the DNR lease the building for NO cost, because the building contains the Red River State Recreation Area work tools it would benefit us.

Enclosures:

The lease is in the packet.

STATE OF MINNESOTA

AMENDMENT OF LEASE

Amendment No. 1

Lease No. 11874

THIS AMENDMENT No. 1 to Lease No. 11874 is made by and between the City of East Grand Forks, hereinafter referred to as LESSOR, and the State of Minnesota, Department of Administration, hereinafter referred to as LESSEE, acting for the benefit of the Department of Natural Resources; Region 1.

WHEREAS, LESSOR and LESSEE entered into Lease No. 11874, dated September 13, 2011, as may subsequently be amended, involving the lease of approximately one thousand two hundred fifty (1,250) usable square feet of storage space in the building known as South Point Fire Hall located at 243 5th Avenue SE, along with the metal Quonset storage building located just east of the fire station site;

WHEREAS, the parties deem certain amendments and additional terms and conditions mutually beneficial for the effective continuation of said Lease;

NOW THEREFORE, LESSOR and LESSEE agree to substitution and/or addition of the following terms and conditions, which shall become a part of Lease No. 11874 effective as of the date set forth herein.

1. **RENEWAL TERM** This Lease shall be renewed for a period of two (2) years, commencing December 1, 2013 and continuing through November 30, 2015 ("Renewal Term"), at the same terms and conditions as set forth in the Lease, except as otherwise provided herein.
2. **RENT** LESSOR and LESSEE hereby agree there is no rent for the use of the Leased Premises.
3. **OPTION TO RENEW**
 - 3.1 LESSOR grants and LESSEE accepts the right to one (1) option to renew this Lease for a period of two (2) years, commencing December 1, 2015 and continuing through November 30, 2017 ("Option Period") at the same terms, conditions and rental rate as this Lease.
 - 3.2 To exercise the above noted Option Period, LESSEE must indicate in writing its intent to exercise said option no later than November 30, 2015.

4. **NOTICES**

- 4.1 **Deletion** Clause 19 of the Lease is deleted and of no further force and effect and is replaced with the following Clauses 4.2 and 4.3.
- 4.2 **Replacement** All notices or communications between LESSOR and LESSEE shall be in writing and deemed to have been given upon the occurrence of one of the following methods of delivery to the address noted in Clause 4.3 below.
- a. when personally delivered to the addressee, or
 - b. on the second business day after sender has deposited the registered or certified mailing with the US Postal Service, or
 - c. one (1) business day after deposited with an overnight courier service.

4.3 **Mailing Addresses:**

LESSOR:

City of East Grand Forks
City Administrator
P.O. Box 373
East Grand Forks MN 56721

LESSEE:

Real Estate and Construction Services
Department of Administration
50 Sherburne Ave # 309
St Paul MN 55155

5. Except as modified by the provisions of this Amendment, said Lease is ratified and confirmed as originally written.

NO ATTACHMENTS

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

LESSOR:

CITY OF EAST GRAND FORKS

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

By _____

Title _____

Date _____

By _____

Title _____

Date _____

LESSEE:

STATE OF MINNESOTA

**DEPARTMENT OF ADMINISTRATION
COMMISSIONER**

By _____
Real Estate and Construction Services

Date _____

APPROVED:

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

By _____

Title _____

Date _____

RECOMMENDED:

DEPARTMENT OF NATURAL RESOURCES

By _____

Title _____

Date _____

STATE ENCUMBRANCE VERIFICATION

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

By N/A

Date N/A

Contract No. N/A

Request for Council Action

Date: 11/8/13

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

Cc: File

From: David Murphy

RE: 2013CP2 Watermain & Forcemain Replacement Change Order

Background:

The City had awarded a job this year for watermain and forcemain replacement. This job is complicated and because of this RJ Zavoral & Sons hired a subcontractor to help. Due to an unforeseen family emergency the subcontractor is unable to complete this project within the original timeline.

Recommendation:

At this time RJ Zavoral & Sons are requesting an extension of their completion date to June 2, 2014. They state in their request that there will not be an additional charges to the City. I recommend to grant their request and to authorize staff to fill out the necessary paperwork needed for this to be completed.

Enclosures:

Copy of the paperwork needed to authorize this request and the request from RJ Zavoral & Sons.



East Grand Forks
1600 Central Avenue NE
East Grand Forks, MN 56721-1570

218.773.1185 
218.773.3348 
EastGrandForks@wsn.us.com 

WidethSmithNolting.com

November 5, 2013

David Murphy, City Administrator
City of East Grand Forks
PO Box 373
East Grand Forks, MN 56721

RE: 2013 City Project No. 2
Watermain and Forcemain Replacement
East Grand Forks, MN

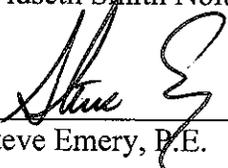
Dear David:

Enclosed please find the following contract documents for the above referenced project. Please execute and return two (2) copies to our office.

A.) Three (3) – Change Order No. 2

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

Respectfully yours,
Wideth Smith Nolting & Associates, Inc.



Steve Emery, P.E.

SE:kmu

Change Order

No. 2

Date of Issuance: October 31, 2013

Effective Date: October 31, 2013

Project: 2013 City Project No. 2	Owner: City of East Grand Forks	Owner's Contract No.:
Contract: Watermain and Forcemain Replacement		Date of Contract: March 5, 2013
Contractor: R.J. Zavoral & Sons		Engineer's Project No.: 0706G0016

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Contractor requesting time extension on forcemain work at Highway 2 and 5th Ave NW due to unforeseen circumstances with the subcontractor.

Attachments (list documents supporting change):

See Attached

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$

[Increase] [Decrease] from previously approved
Change Orders No. _____ to No. _____:

\$

Contract Price prior to this Change Order:

\$

[Increase] [Decrease] of this Change Order:

\$

Contract Price incorporating this Change Order:

\$

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working days Calendar days

Substantial completion (days or date): September 15, 2013

Ready for final payment (days or date): _____

[Increase] [Decrease] from previously approved Change Orders
No. _____ to No. _____:

Substantial completion (days): 45 Days

Ready for final payment (days): _____

Contract Times prior to this Change Order:

Substantial completion (days or date): October 31, 2013

Ready for final payment (days or date): _____

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): June 2, 2014

Ready for final payment (days or date): _____

Contract Times with all approved Change Orders:

Substantial completion (days or date): June 2, 2014

Ready for final payment (days or date): _____

RECOMMENDED:

By: [Signature]
Engineer (Authorized Signature)

Date: 10/31/13

Approved by Funding Agency (if applicable):

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Date: 10/31/2013

Date: _____



R.J. ZAVORAL & SONS, INC.
P.O. Box 435
EAST GRAND FORKS, MN 56721
PHONE: 218.773.0586 • FAX: 218.773.6423
WWW.RJZAVORAL.COM

October 30, 2013

Steve Emery
[Title]
Widseth Smith Nolting
1600 Central Avenue NE
East Grand Forks, MN 56721

Re: Completion Date Extension – 2013 City Project No. 2

Dear Mr. Emery,

I am writing this letter to ask for an extension of the completion date for the 2013 City Project No. 2 – Watermain and Forcemain Replacement. Due to unforeseen circumstances relating to the Double Line Stop and Bypass subcontractor, we will not be able to complete the work prior to the current completion date. We would propose a revised completion date of June 2, 2014 at no additional cost to the City of East Grand Forks. Please let me know if you have any questions or concerns regarding this request.

Sincerely,

Daniel J. Zavoral

Assistant Secretary-Treasurer