

**AGENDA
OF THE CITY
COUNCIL WORK SESSION
CITY OF EAST GRAND FORKS
TUESDAY, MAY 13, 2014 - 5:30 P.M.**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A QUORUM:

- 1. Kennedy Bridge Study Update – Greg Boppre**
- 2. Summer Sprinkle Rate – Bonnie Abel**
- 3. Praxis Study – Nancy Ellis**
- 4. City Lot Next to Minnesota Heights – David Murphy**
- 5. Request to Purchase a Pool Heater – Dave Murphy/Dave Aker**
- 6. Liquor License Restrictions & New Business – Megan Nelson**
- 7. Discussion of Payment in Question – Clarence Vetter**
- 8. Verbal Update from City Administrator – David Murphy**

ADJOURN:

Upcoming Meetings

Regular Council Meeting – May 20, 2014 – 5:00 PM – Council Chambers
Work Session – May 27, 2013 – 5:00 PM – Training Room
Regular Council Meeting – June 3, 2014 – 5:00 PM – Council Chambers
Work Session – June 10, 2014 – 5:00 PM – Training Room

Request for Council Action

Date: 05/09/14

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

Cc: File

From: Greg Boppre

RE: Kennedy Bridge Update

A representative from MNDOT will be at the meeting to help give an update and answer questions regarding the Kennedy Bridge Project. The following reports have been made available which two items the council has already seen:

Technical Memorandum: Pier 6 Movement Capacity – 127 pages

A Fact Sheet from December of 2013 – 4 pages

NEW REPORT - Final Report: US Trunk Highway 2 Red River Crossing (Kennedy Bridge) Planning Study – 62 pages

NEW REPORT - Technical Memorandum: Bridge Rehabilitation Alternatives – 68 pages

NEW REPORT – Kennedy Bridge Planning Study Technical Memorandum: Bridge Replacement Options – 21 pages long

Due to the length of these reports they were not included in the packet. If you would like an electronic copy or paper copy of any of these reports please contact Ms. Nelson in the Administration Office.

Request for Council Action

Date: 5/2/14

To: EGF City Council

Cc:

From: Bonnie Abel, Customer and Energy Services, Water and Light Dept

RE: Summer Sprinkling Rate

Background:

The Water and Light Commission has historically set the “Sprinkling Rate”, because it included a discount on sewer AND water. The last resolution on this was dated July 2004 and at that time the discount applied only to sewage with no discount given to excess water used.

With a question being raised by customers on the months that are included in the Sprinkling Rate, the Commission felt that it was no longer under their authority to make decisions on the Sprinkling Rate, since it only includes sewer discounts and no longer includes water discounts. This is why I am bringing this to the Council for discussion.

Sprinkling Rate:

An average of the customer’s winter water usage is figured and during the summer months, customers are not charged sewage on any water used over the winter average. The current Sprinkling Rate months are:

- **Southend** – Starts with the April 5 – May 5 reading (May 15th bill)
Ends with the August 5 – Sept 5 reading (September 15th bill)
- **Northend** – Starts with the April 20 – May 20 reading (June 1st bill)
Ends with the August 20 – Sept 20 reading (October 1st bill)

The concern that has been brought to our attention is that there are still quite a few customers in the South End billing cycle that sprinkle between the Sept 5th reading and the October 5th reading. With the Sept 5th reading being the last reading of the Sprinkling Rate, they are no longer getting the break on the sewage for the water used to sprinkle.

Recommendation:

I will show you some statistics that show that it might be time to adjust the Sprinkling Rate months.

The Future of East Grand Forks

Strategy and Economic Framework Development Proposal

Nancy Ellis
City of East Grand Forks
600 Demers Ave
East Grand Forks, MN 56721

February 25, 2014



Primary Contact Information

Mark Schill
Praxis Strategy Group
33 S 3rd St Ste C
Grand Forks, ND 58201
Phone: 701-775-3354
mark@praxissg.com

Introduction

Praxis Strategy Group proposes to lead the community of East Grand Forks in a strategy development process to help define the future of the city. The project will have three key objectives:

1. Create local momentum using a project steering committee to lead the project and gather public input
2. Produce data on to help define the most important opportunities, strengths and weaknesses in the region.
3. Produce a document with the results of the process – including research and community input – to be used to build momentum for East Grand Forks.

We will work closely with a steering committee assembled specifically to guide this process and to engage the community. This steering committee could provide an opportunity to engage East Grand Forks's emerging leaders and offer a process to identify and ask key questions about the future of the city and economic development.

Our Approach

Meaningful community visioning and strategy development depends on both strong local leadership and broad-based community input from citizens, leaders and innovators in business, government and the civic sector. We are committed to working closely with the City of East Grand Forks and other local and regional stakeholders to ensure broad participation a steering committee, personal interviews, and small group meetings.

These personal interviews and small-group meetings are a source of critical public input, but more importantly the personal connections formed are the seeds of new networks that assemble to get things done. It is critical to intentionally create the beginnings of these local networks as part of any "planning" process.

We will draw upon existing resources, such as the recent East Grand Forks strategic leadership workshop and previously conducted studies and plans. Our unique array of quantitative analyses can determine industry sectors that hold the most promise for an economy based on current competitive factors and emerging trends related to industries and occupations.

Praxis has experience mobilizing teams of local leaders to help a community look to the future or to solve tough problems. We recently led the City of Grand Forks Housing Task Force, another task force for the Grand Forks Library, and "1,000 day" economic development plans in Northern Santa Barbara County, CA, and Bend, OR.

We will also draw upon our experience in working with other communities and regions around the world to understand what it is that makes an economy thrive. Our team does the annual *Forbes Best Cities for Jobs* rankings and the US Chamber of Commerce *Enterprising States* report, now in its fourth year of looking at how the states are modernizing government and making investments to create new economic opportunities and jobs for the 21st century. In late 2013 we completed the US Chamber of Commerce

We believe that the most important dimension of any assessment is to learn about the entrepreneurs, leaders and innovators already living and working in the region. Whether they serve local markets or reach out nationally or internationally our experience is that an overwhelming number of the best ideas for your economic future will be homegrown. The challenge is to determine what you can do as a city and region to help them flourish – sometimes by building local capacity, by catalyzing initiatives, or by helping connect them with new partners and new markets outside the region.

Foundation's first *Enterprising Cities* study, featuring 7 thriving, forward-looking cities from across the country.

These national and regional policy reports and rankings give us the context to understand how each community differs from another and how each can craft its identity and carve out its place in the global economy. At the same time, we work directly with local leaders to create initiatives and teams of citizens to start working on new ideas. This gives us a balance between the "big picture" and the "local picture."

Our economic analysis is based upon highly detailed economic data, available for more specific industries and occupations than federal data. This allows us to do industry targeting and workforce profiles for at a very granular level, specific to the county.

We use data to weave a web of meaning, not just spit out numbers based on a boilerplate and leave it to you to analyze and interpret them. Highly-focused data – coupled with the insight of local leaders – is critical to support or disarm the pervasive "mesofacts" of a region. Mesofacts are slowly-changing facts or conventional wisdom about a community – which may or may not be true anymore. Using data to form local consensus about the "facts" of the region is a critical first part of the planning process. Consensus builds trust; trust and facts create the foundation upon which decisions can be made and new projects can begin.

Defining the Compelling Story in East Grand Forks

Visioning and strategic planning are useful in crafting a narrative that can be used to bring future possibilities to life. History has proven that compelling stories commit people to the possibilities of the region. It commits people both inside and outside the community. We intend to work with the City of East Grand Forks on the beginning of a narrative, and to identify a few projects and initiatives that can then be vetted and refined during the strategy process.

But ultimately this visioning and planning process should plant the seeds for new projects in East Grand Forks to yield a future of growing prosperity. Our partner Joel Kotkin coined the term "cities of aspiration" to refer to places that function as centers of economic opportunity and upward mobility. We hope to help East Grand Forks mobilize its citizenry, business, government, and education sectors to understand how its resources, capabilities and interests can be deployed and aligned with emerging opportunities in the 21st century.

Project Structure and Scope of Work

We have framed the project using six work tasks to be completed by Praxis to make up the scope of work. Our most important role is to help create a structure and process for the community to do its own work. The more the local leaders can engage in the project, the less the chance East Grand Forks will be left with "yet another consultant's report collecting dust."

To promote local input, we suggest the East Grand Forks assembles a steering committee to guide the project and to serve as a conduit to engage local leaders. The committee would be led by a smaller team of 2-3 individuals chairing the effort and making week-to-week decisions about the project's trajectory.

Chairs and committee members could be city staff, elected leaders, representatives of constituency groups, or general citizens. However, leadership is a behavior, not a role. Committee participants need not be in a position of formal authority.

Task 1: Coordinate project communications and decision-making

Praxis will serve as the point for coordinating efforts to keep efforts on track and to identify emerging issues using on line and additional face to face meetings with the leadership team. Praxis will be available

to offer input at the beginning of the project to refine structure and assemble a steering committee if necessary.

Task 2: Facilitate and prepare content for up to six project steering committee meetings

Praxis will facilitate up to six steering committee meetings (as necessary). Initial meetings will focus on identifying key issues in East Grand Forks and the questions that need to be asked. Analysis and presentation of data and initial findings will follow, with discussion of and refinement of community recommendations. The vision and goals defined by the January 10-11 strategic leadership workshop will serve as an initial framework for the process.

Task 3: Conduct up to 30 personal interviews or small group meetings

Praxis will conduct a series of up to 30 individual or small group meetings to gather community input for the project. Initial meetings will likely begin with key participants in the process, city staff, elected leaders, and other officials. One key role of the steering committee will be to identify important interviewees and to help broker meetings.

and/or City Staff

Task 4: Target industry, workforce, and relevant demographic and other market analysis

Starting with input and ideas from the steering committee and local business people, Praxis will use our highly-detailed economic data package to identify competitive advantages, opportunities, and target industries in the region. We'll identify the critical drivers of the Polk County economy and profile the workforce, including a look at talent production. We will use demographics to answer questions identified by the process. This information and research will be used on an ongoing basis during steering committee meetings. We will produce a draft research report (to become part of the final product) at the half way point of the overall project.

Task 5: Formulate strategy and initiatives, complete written report document

Based upon input from the steering committee, citizen interviews, and qualitative and quantitative research, Praxis will assemble a set of key findings and takeaways for the community, and assemble a final report. The final few steering group meetings will focus on discussion of key findings, themes, and recommendations.

Task 6: Document revisions and refinement, presentation of results

Praxis will make any adjustments and changes to the final product according to a reasonable consensus of the steering committee, project leadership, or other East Grand Forks officials. Praxis will be available for up to two additional presentations of project findings and themes.

Projected Project Timeline: 5-6 months

1,000 Days

We have learned that a long-term vision has great value and utility but to be actionable a strategy must have more immediacy and a sense of urgency. Therefore we suggest that the East Grand Forks consider a 1,000 day implementation framework, which we have successfully used in the past. The portfolio of strategies included in the **1,000 day framework** is based on local capabilities, interests and resources aligned with emerging trends and opportunities, including:

- a 250 day jumpstart period,
- a 500 day period of strategic positioning and/or repositioning and
- a 1,000 day horizon to get a solid start on transforming the county

Project Costs

Task One: Coordinate project communications and decision-making	\$3,200
Task Two: Facilitate and prepare content for up to six project committee meetings	\$6,720
Task Three: Conduct up to ³⁰ 40 personal interviews or small group meetings	\$7,080
Task Four: Target industry, workforce, and relevant demographic and other market analysis	\$8,900
Data for economic and workforce analysis	\$1,000
Task Five: Formulate strategy and initiatives, complete written report document	\$9,260
Task Six: Document revisions and refinement, presentation of results	\$1,000
Professional Services Total:	\$37,360

Note: this proposal does not include costs for report printing or professional design, or meeting-related expenses. City of East Grand Forks staff will provide logistical and meeting coordination services, schedule all personal interviews and meetings, and provide support services when appropriate.

Proposed payment schedule: 40% at project initiation, 25% upon completion of draft research findings and three steering committee meetings, and 25% upon delivery of a final draft plan to East Grand Forks's satisfaction.

Praxis Strategy Group: we help you move forward

Praxis Strategy Group is an economic research, policy, strategy and development company that is at the forefront in creating innovative economic initiatives and policies for small and medium-sized cities and rural America.

Founded in 1994 Praxis Strategy Group has worked on economic development strategy and policy initiatives in 15 states and is the author of *Enterprising States*, an annual report of the US Chamber of Commerce Foundation covering economic development initiatives in all 50 states. We are currently completing the US Chamber of Commerce Foundation's first *Enterprising Cities* study, which will feature 7 to 10 innovative cities from across the country.

In 2012 Praxis Strategy Group, Joel Kotkin, and Kevin Mulligan of Texas Tech University's Center for Geospatial Technology published *The Rise of the Great Plains: Regional Opportunity in the 21st Century*. This comprehensive research report documents that the region is in the midst of a historic resurgence from North Dakota to Texas. It also explains how this occurred in many of the region's cities and throughout the countryside.

We've helped communities facing military base closure or get more competitive, and we have managed the Red River Valley Research Corridor since 2004, a technology-based economic development initiative.

Praxis Strategy Group is an eight-time winner in the Small Business Innovation Research program. This \$1 million plus in research funding from USDA has resulted in innovative techniques, methods, and tools to 1) help economic developers and business leaders create an entrepreneurial culture 2) identify technology industry opportunities that have the most promise for success in their region, and 3) work more effectively with entrepreneurs and innovators in technology and information industries.

In 2008 we founded NewGeography.com, an online magazine featuring commentary on economics and demographics, and we've built it up to 100,000 visitors per month. Our economic and population analysis work has recently appeared in Forbes, Politico, Money Magazine, the Los Angeles Times, Area Development, and the Wall Street Journal.

In 2009 we co-founded Praxis Africa, an agriculture enterprise development and communications company headquartered in Accra, Ghana. Delore Zimmerman was installed as the Development Chief for the Awutu-Mankessim traditional area of Central Ghana by Nai Akwao Otuo V in October 2011. His Ghanaian stool name is Nai Awuah Kotoko.

Project Team

Our team has significant experience working on economic development policy and initiative-building in the Red River Valley and across the nation.

Mark Schill	Project lead, lead facilitator, economic and demographic analysis
Matthew Leiphon	Project support on all aspects of implementation, qualitative and quantitative research, writing and editing
Delore Zimmerman, Ph.D.	Project advisor on community strategy development, support facilitator and community interviewer

Mark Schill, Vice President for Research Mark focuses on economic development strategy, economic analysis, demographic trends, and technology issues. With 14 years at Praxis Strategy Group, Mark has experience in strategic planning, economic analysis, business planning, demographic research, marketing strategy, website development, online community management, and event planning. Mark is managing editor and co-founder of the population and economic analysis site NewGeography.com.

Mark's economic and population analysis work has recently appeared in Politico, Forbes, Money Magazine, the LA Times, and the Wall Street Journal. For the past four years, Mark has been the lead analyst and co-author of Enterprising States, a U.S. Chamber of Commerce study which analyzes and profiles economic development efforts in all fifty states.

He is participating in ongoing or recently completed economic development projects in North Dakota, Montana, Wisconsin, and California. Recently he led an effort to coordinate workforce and economic development cooperation in a 14-county region in North Dakota and Minnesota, and he led a 20-member task force to address housing shortages in a small metropolitan area. Another recent project identified new agribusiness opportunities in North Dakota's Red River Valley. He has worked on economic development strategies and policy reports for cities in 12 states.

Mark has worked extensively on the Red River Valley Research Corridor initiative, an effort to improve the research capacity and create more high-tech jobs in the region. He has planned and implemented more than two dozen economic development action summits.

Mark is the lead researcher for a new report identifying new areas of growth: America's Growth Corridors: The Key to National Revival. Mark was a major contributor to The Rise of the Great Plains: Regional Opportunity in the 21st Century, a report laying out the case for future prosperity in America's flyover country produced for Texas Tech University in 2012.

Mark recently completed *Growing Wisconsin*, a look at economic development strategy and the importance of manufacturing in the state. Another report, *Clues From the Past: The Midwest as an Aspirational Region*, outlines a potential new economic future for the Great Lakes Region.

He worked on an extensive analysis of the Houston economy, culminating in the report *Opportunity Urbanism: An Emerging Paradigm for the 21st Century*. Mark served as the lead analyst for a comprehensive look at the middle class in New York City. Other recent analysis projects include a study of the impact of Hispanic entrepreneurs in Los Angeles, identifying labor force and higher education needs for the Iron Range region of Northeast Minnesota, a report on the role of industrialization in economic development for the Danish Confederation of Industry, an intensive workforce and industry targeting study for Job Service North Dakota, and research for a study of world upward mobility for the Legatum Foundation based in London, UK.

In 2008, Mark was named one of the top 40 Under 40 Business Leaders on the Northern Plains by *Prairie Business Magazine*. Mark has a business development degree from the University of North Dakota, and he has held positions with local and federal government and in the scientific research and customer service sectors. Mark has founded networking organizations, served on numerous state and local economic development task forces, and was a ten-year board member and past president of an arts and cultural nonprofit organization.

Matthew Leiphon, Research and Development Analyst During his time with Praxis, he has participated in projects and research focused on rural development, public-private partnerships, infrastructure finance, technology-based economic development, the future of American agriculture, research and development capacity in the nation's heartland, renewable energy, and manufacturing and industrial policy.

Matthew's research has contributed to work featured in *Forbes* and the *Wall Street Journal*, and has received attention from *Bloomberg Businessweek* and the *Dallas Morning News*. Matthew is involved in the Red River Valley Research Corridor initiative, and has taken part in planning and staging multiple conferences focused on bringing together universities, businesses, and government to strengthen and diversify the economy of North Dakota and Northwest Minnesota. He has also conducted extensive research focused on identifying successful state government initiatives focused on creating jobs and building stronger regional economies.

Matthew graduated from the University of North Dakota in 2007 with a master's degree in public administration. In addition to his graduate degree, Matthew also holds a B.A. in political science and history from the University of North Dakota. Matthew's academic research focused on community and economic development, intergovernmental relationships, disaster response and recovery, and public policy development and implementation. He also collaborated on research studying small business start-ups and challenges facing new entrepreneurs.

Prior to joining Praxis Strategy Group, he worked for the North Dakota Legislative Council, in Bismarck, ND, conducting policy research and legislative support work for state policymakers.

Delore Zimmerman, Ph.D. President is an economic strategist with over 30 years of domestic and international experience working with local and regional economic development groups, companies, universities and non-profit organizations. Delore has facilitated hundreds of strategy sessions ranging from small groups to large groups involving two or three hundred people.

Since 2004 Delore has served as the Executive Director of the Red River Valley Research Corridor, highlighted by *INC Magazine* as one of the nation's top twenty incubation regions in America – "where great ideas are borne." Delore co-developed the High-Performance Community model while a Senior

Fellow at the Denver-based Center for the New West at a time when the Center coined and popularized the concept of “lone eagle” entrepreneurs.

As a researcher he has been awarded eight Small Business Innovation Research awards to develop leading-edge practices and tools for use by development professionals and community leaders to work more effectively with entrepreneurs and to build competitive, innovation-based economies.

Delore served as the lead consultant for the Business Development Workgroup of the Northern Great Plains Rural Development Commission, formed by Congress in 1997 to develop a five-state regional strategy.

He has worked in Wales, England, and South Korea, advising regional technology and development organizations. He has also worked with business groups from Russia in agricultural processing and construction, advising them on productivity and competitive strategies.

In 2009 he co-founded Praxis Africa, an agriculture enterprise development and communications company headquartered in Accra, Ghana. Delore was installed as the Development Chief for the Awutu-Mankessim traditional area of Central Ghana by Nai Akwao Otuo V in October 2011. His Ghanaian stool name is Nai Awuah Kotoko.

Delore serves as a board member of Tascet, Inc. an identity network company headquartered in Madison, Wisconsin. He is the current Honorary Vice Commander at the Grand Forks Air Force Base, a position that he has held for four years.

Delore is a native of Wishek, North Dakota. He holds undergraduate and graduate degrees from the University of North Dakota and a doctoral degree from the Pennsylvania State University where his work focused on the mobilization of territorial-based alliances for economic development.

Key Projects and References

City of Grand Forks Housing Policy Strategy

In late 2012 the City of Grand Forks hired Praxis to facilitate a Blue Ribbon Commission on Housing task force to address the community’s brewing housing shortage. Over four months, Praxis facilitated eight meetings, gathered strategic market information, and engaged stakeholders to produce a strategy report of action items in time for the 2013 legislative session and summer construction season. Local leaders cite the market information produced by the project as a key reason for increasing 2013 residential construction activity in Grand Forks.

Contact Information:
Pete Haga
Community/Government Relations Officer
Mayor's Office
City of Grand Forks, ND
701.746.2608 (Phone)

Grand Forks Library of the Future

In 2013 Praxis worked with the Grand Forks Library Board of Directors to help the community decide about the future of its facility. After an architect’s report showed the building needed \$8-14 million of investment, Praxis worked with a task force of community leaders to create a set of community vetted criteria for a library of the future in Grand Forks. Praxis facilitated the task force, created a public input process using online tools and audience response systems, formed critical messaging for the project, and produced a series of recommendations about how the community should proceed.

Contact Information:
Wendy Wendt
Director of Administration
Grand Forks Public Library
Phone: 701-772-8116

Grand Forks (ND) Region Agricultural Asset Mapping & Diversification Project

Praxis Strategy Group and N.C. Doty and Associates worked with the Grand Forks Region Economic Development Corporation to complete an agriculture and agri-business strategy for a four-county region around and including Grand Forks. The research and report included the following major elements.

- Competitive assessment – profile of crop and livestock production, workforce, research and training, infrastructure, industry sector analysis, natural resources, etc.
- Comparative analysis of competing regions – including identification of best practices.
- Identification of future opportunities – food processing, bioenergy and biomaterials, exports, nutrition and health, precision agriculture, etc.
- Strategy for growing and diversifying the agribusiness industry sector – how to align with future trends and promote opportunities in your region
- Identification of investment grade business opportunities – for local food systems, national markets and global exports

The study played a part in Northern Plains Nitrogen's decision to locate a \$1.5 billion fertilizer plant in Grand Forks County.

Contact Information:
Klaus Thiessen, CEO
Grand Forks Region Economic Development Corporation
Grand Forks, ND 58203
Phone: 701.746.2721

Economic Alliance of Northern Santa Barbara County (California), Building a High Performance Community

The Economic Alliance of Northern Santa Barbara County (EconNSBC) is a grassroots effort of a diverse group of private sector and community leaders. Committed to leveraging regional assets and talent to support existing Chamber and other local economic development efforts. The Alliance is currently working with Praxis Strategy Group and Joel Kotkin to create a high-performance community ready to compete in the 21st Century global economy.

The EconNSBC identified a portfolio of strategies as necessary to address current economic challenges and create a more robust economy; these include but are not limited to the following:

- 1) Restore a pro-growth, job-centric economy
 - by creating a more business-friendly environment, streamlining permitting processes and balancing regulations with development needs
- 2) Enhance regional coordination
 - by galvanizing efforts of business, government, education and nonprofit sectors to tackle complex problems or take advantage of opportunities that transcend individual communities or businesses.
- 3) Mobilize industry sector teams to coordinate and accelerate opportunistic initiatives within and among industry sectors/clusters.

Contact: Lawnae Hunter
Phone: 541-389-7910

Request for Council Action

Date: 5/13/14

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

Cc: File

From: David Murphy East Grand Forks City Administrator

RE: City Owned Lot Next to Minnesota Heights

There has been some discussion with Craig Tweten regarding the City Owned Lot to the northwest of the Minnesota Heights Apartment Building. There appears to be some confusion as to whether this was to be a part of the deal for the Minnesota Heights Property to be used for additional parking.

I have done a quick review of the documents and don't find anything specifically relating to the property. I am looking for some Council direction on this item prior to spending additional staff time and resources to research this.

PROJECT AGREEMENT

THIS AGREEMENT is made and entered into this 1st day of OCT, 2012, by and between Five Point Investments, LLC, whose post address is 615 1st Avenue North, Suite A, PO Box 14010, Grand Forks ND 58208-4010, (hereinafter called the "Developer"), the **East Grand Forks Economic Development Authority**, (hereinafter called the "EDA"), and the **City of East Grand Forks**, (hereinafter called the "City").

Recitals

WHEREAS, the EDA and the City have solicited development proposals for development of two vacant parcels and a parking lot generally located at the intersection of 4th Street NW and DeMers Avenue, downtown, East Grand Forks;

WHEREAS, the developer has submitted a proposal for the construction of a four- story structure consisting of approximately 6,500 square feet of commercial space on the first floor and a residential rental project containing 39 one, two, and three-bedroom units with surface parking spaces;

WHEREAS, the City is the present owner of the proposed development site;

WHEREAS, the City and the EDA have approved Developer's proposal for the development of the project site;

WHEREAS, the parties seek to establish the terms and conditions of the project;

NOW, THEREFORE, Based upon the foregoing recitals, it is hereby agreed by, between and among the parties hereto as follows:

1. **OBLIGATIONS OF DEVELOPER**. Developer will:
 - A. Provide evidence of equity and approved financing for the described project to the City and the EDA prior to August 1, 2012.
 - B. Grant to the City, as a condition of approval, all easements or dedications of right-of-way reasonably necessary for maintenance, access and/or utilities as directed by the City at the City's sole discretion.
 - C. Execute all appropriate documents and comply with all requirements under the Tax Increment Financing District (TIF), City of East Grand Forks 2040 Land Use Plan and the River Forks Downtown Plan update.
 - D. Comply with all applicable federal, state and local laws, rules, regulations, codes, ordinances and requirements.
 - E. Proceed only after receiving a written notice to proceed by the City.

2. **OBLIGATIONS OF THE CITY.** The City will:

- A. Convey to Developer, in exchange for \$1.00 and other good and valuable consideration, a Quit Claim Deed conveying all of the City's right, title and interest to the following described real property, subject to the provisions set forth herein.

Legal:

Lot One (1), Block One (1) Minnesota Heights Addition to the City of East Grand Forks

- B. Subject to compliance with all applicable ordinances, rules, and regulations, and further subject to approval by the City issue a building permit to Developer to make improvements to the Property substantially similar to those shown in Exhibit A.
- C. The City of East Grand Forks approval of Minnesota Height Addition; Being A Replat of Lots 5-12 and Lots 13-17, Block 1, Budge's Third Addition
- D. Amend the Downtown Commercial (C-1) District to allow for ground level/street level residential or senior housing based on the new requirements combination of residential or senior citizens housing with commercial uses (mixed use) provided that:
 - 1. No less than 35% of the main/street level is a commercial use permitted in the C-1 district.
 - 2. The commercial use located within the building is adjacent to the front property line.

3. **OBLIGATIONS OF THE EDA.**

- A. Provide \$750,000.00 grant to the Developer in accordance with the terms and conditions of the Tax Increment Financing Plan between the parties subject to approval by the State.
- B. Provide \$250,000.00 Ten (10) year loan at 3.1 percent interest.

4. **CONTINGENCIES.** Developer's obligation to proceed with the implementation of the transaction contemplated by this Agreement shall be subject to the satisfaction, or waiver by Developer, of the following conditions precedent:

- A. Developer shall have reviewed and approved title to the Property.
- B. The City/ EDA shall have taken all necessary actions for the approval of the project financing.
- C. The EDA and Developer shall have negotiated and executed the documents evidencing and securing \$750,000.00 TIF Capital Grant.

- D. The EDA and Developer shall have negotiated and executed the documents evidencing and securing \$250,000.00 10 year loan at 3.1 percent interest.
 - E. Developer shall have obtained financing for construction of the improvements to be constructed on the Property on such terms as Developer approves.
 - F. The City shall have issued a written notice to proceed.
5. **DEFAULT.** Should Developer default in completing the terms and conditions of this Agreement, the City shall give Developer written notice of the specific default and Developer shall have a period of thirty days in which to cure said default. In the event that the default is not cured within that time period, or if the default is by its nature not curable within said time period and Developer does not provide the City reasonable assurances that the default will be cured within a reasonable time, the Property shall be conveyed to the City and the City may require removal of any improvements from the property at Developer's expense. Further, at the City's option, the City may pursue all other remedies, including an action for damages, as are available at law or in equity. The City agrees that it will subordinate its right to have the Property reconveyed to it upon a default to the lien of a mortgage granted by Developer to secure financing to construct the improvements to be built upon the Property.
6. **TITLE INSURANCE.** The City shall furnish Developer a copy of a title insurance commitment committing the issuer to issue a title insurance policy for the Property. Developer shall have twenty days after its receipt of such title commitment to examine title to the Property and to make any objections to title. Developer may not object to Permitted Exceptions as described below. If Developer makes any objections to title the City will use its best efforts to cure the basis for the objections within thirty days after the date of the objections. If the City is unable to cure the objections within thirty days after the objections are made, Developer may terminate the Agreement by giving written notice of termination to the EDA and the City of waive such objections, accept title as is and proceed to closing. The expense for said title commitment shall be paid by Developer. The City shall provide good and marketable title, free and clear of all liens, encumbrances and defects except easements, restrictive covenants, and mineral grants and reservations of record, if any, and building and zoning laws, ordinances and state and federal laws and regulations shall be conveyed to Developer.

Permitted exceptions. The following item are hereby accepted by Developer as permitted exceptions to the title upon the terms and conditions as contained herein:

- A. Lien for special assessments, if any.
- B. Building and zoning laws, ordinances and regulations.
- C. Reservation of mineral rights.
- D. Any and all existing easements of record or as shown by the Plat.
- E. All restrictive covenants.

7. **TAXES AND SPECIAL ASSESSMENTS.** Taxes and installments of special assessments for the year 2011 and all prior years shall have been paid by date of closing. As the property is not currently subject to real estate taxes, there shall be no proration on the 2012 real estate taxes. Developer shall be responsible for all taxes and special assessments from the date of closing and thereafter. Installments of special assessments for the year 2012 shall be prorated to the date of closing. All uncertified special assessments shall be assumed by Developer. Taxes and installments for special assessments for 2012 and subsequent years shall be the responsibility of Developer or Developer's successor. It is understood that the property may be subject to additional special assessments in the future, including but not limited to an additional flood protection assessment or assessments.

8. **HAZARDOUS MATERIAL.** Should the Buyer, during the site preparation or construction encounter a significant amount of any type of hazardous material, and if the Minnesota Pollution Control Agency (MPCA) identifies the Seller as a "Responsible Party", then in that event the Seller agrees to pay the cost to remediate the hazardous material. Seller's execution of this Agreement shall not act as a waiver of Seller's right to challenge any finding of the MPCA. If the MPCA is unable to identify a "Responsible Party", then in that event the Buyer agrees to act as a "Volunteer" as set forth at and contemplated by Minnesota Statute §115B.175 in the remediation of the hazardous material. Further, it is understood that the MPCA has identified a responsible party for the Holiday Station Store, Site ID # LEAK00002376. Seller has provided an assurance letter from the MPCA to the Buyer regarding the site dated May 26, 2006. By execution of this Purchase agreement the Buyer acknowledges and accepts the site in its present condition. However, if during excavation to prepare the site for development the Buyer uncovers significant hazardous materials the Buyer at its option may turn the site over the seller with no cost to the Seller and at the Seller's request, will return the site to its original condition before the Buyer commenced construction

9. **CLOSING AND POSSESSION.** Closing on the conveyance of the Property shall occur on or before August 17, 2012, subject to change by mutual written agreement of the City and Developer. Possession of the property shall be granted to Developer on closing. In the event that the contingencies listed in Section 4 have not yet been met to the satisfaction of Developer on or before August 1, 2012, then closing shall either be delayed upon the agreement of the parties or in the alternative, Developer may elect to terminate the agreement with no further liability from either party to the other or Developer may elect waive any such contingencies and proceed to closing.

10. **CLOSING COSTS.** The City shall be responsible for the following closing cost: preparation of a quit claim deed and preparation of and recording expense of all releases,

satisfactions and corrective documents. Developer shall be responsible for recordation of the quit claim deed, the cost of any and all premiums and commitment costs for title insurance. The reasonable fee for a closing agent shall be paid 50% by each party. Any closing cost not specifically enumerated herein shall be the responsibility of the party ordering such item or contracting therefor.

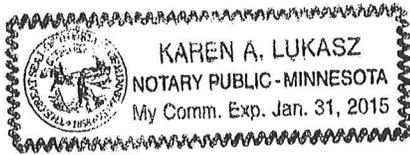
11. **ENTIRE AGREEMENT.** This agreement along with any the Tax Increment Financing Agreement constitute the entire agreement by and between the parties and any other prior representations or agreements are deemed merged herein and those not specified herein do not represent any agreements or promises or covenants or representations on the part of either party hereto. Developer specifically acknowledges that Developer has made an independent inspection of the premises and is not relying upon any statements or representations made by the City or EDA.
12. **AMENDMENTS, MODIFICATIONS OR WAIVERS.** No amendment, modification, or waiver of any condition, provision or term shall be valid or of any effect unless made in writing signed by the party or parties to be bound or a duly authorized representative and specifying with particularity the extent and nature of such amendment, modification or waiver. Any waiver by any party or any default of another party shall not effect or impair any right arising from any subsequent default. Except as expressly and specifically stated otherwise, nothing herein shall limit the remedies and rights of the parties thereto under and pursuant to the Project Agreement.
13. **CONSTRUCTION OF AGREEMENT.** Whenever the singular number is used herein, the same shall include the plural where appropriate, and words of any gender shall include other genders where appropriate. Captions contained herein are inserted only for the purpose of convenient reference, and in no way define, limit or describe the scope of the Project Agreement or any part thereof.
14. **BINDING EFFECT.** This Project Agreement and all agreements and documents contemplated hereby shall be binding upon and inure to the benefit of the parties hereto and their respective personal representatives, successors and assigns.
15. **GOVERNING LAW.** This Project Agreement and all agreements and documents contemplated hereby shall be governed by the laws of the State of Minnesota.
16. **COUNTERPARTS.** This Project Agreements shall be executed in counterparts (duplicated originals) with both the City and Developer having a fully executed counterpart.
17. **TIME.** Time is of the essence of each provision of this entire contract and of all the conditions thereof.
18. **WARRANTIES.** Except as specifically provided herein, neither the City nor EDA makes any representations or warranties.

STATE OF MINNESOTA)

)SS.

COUNTY OF POLK)

On this 1st day of October, 2012 before me, a Notary Public within and for said County and State, personally appeared George Wogaman known to me to be the person described herein and who executed the within and foregoing instruments on behalf of the East Grand Forks Economic Development Authority.



[Signature]
NOTARY PUBLIC

CITY OF EAST GRAND FORKS

By: [Signature]
Lynn Stauss

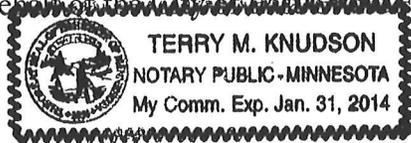
By: [Signature]
Scott Huizenga

STATE OF MINNESOTA)

)SS.

COUNTY OF POLK)

On this 1 day of October, 2012 before me, a Notary Public within and for said County and State, personally appeared Lynn Stauss, respectively known to me to be the person described herein and who executed the within and foregoing instruments on behalf of the City of East Grand Forks.



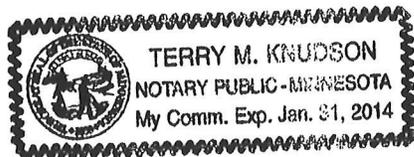
[Signature]
NOTARY PUBLIC

STATE OF MINNESOTA)

)SS.

COUNTY OF POLK)

COUNTY OF POLK 1 day of October, 2012 before me, a Notary Public within and for said County and State, personally appeared Scott Huizenga, respectively known to me to be the person described herein and who executed the within and foregoing instruments on behalf of the City of East Grand Forks.



[Signature]
NOTARY PUBLIC

**REQUEST FOR PROPOSALS
DEVELOPMENT OF CITY OWNED VACANT LAND
DOWNTOWN EAST GRAND FORKS, MN**

BACKGROUND

After the 1997 Flood event, the City of East Grand Forks reinvested a considerable amount of funds in the reconstruction and revitalization of our downtown. New infrastructure alone was valued at well over \$30,000,000.00. That reconstruction continues as new and higher uses for existing buildings and property is realized. The objective of the Request for Proposals (RFP) for development of these vacant lots is the city's continued commitment to create a viable corridor from downtown to the Gateway East commercial area on Highway 2 and 220.

REQUEST FOR PROPOSALS

The City of East Grand Forks, in conjunction with the East Grand Forks Economic Development Housing Authority is issuing a RFP to find an experienced development team to create a compatible residential and commercial project in the area detailed below. Proposals will be evaluated based on the criteria described in this document. Any developer selected will be required to execute a Letter of Understanding that will establish the basis for future legal agreements associated with project development.

LOCATION

The development area is detailed below. The site consists of two (2) parcels that are located along and at the intersection of Fourth (4th) Street NW and DeMers Avenue, downtown East Grand Forks. The property is owned by the City of East Grand Forks. The parcels combine to approximately an area of 48,000 square feet and have a market value of \$96,000. The value of the infrastructure supporting the location is approximately \$150,000 for a total valuation of \$246,000.

LEGAL DESCRIPTION

Lots Five through Twelve (5-12), Parcel Number 83.00993.01, and Lots Thirteen through Twenty (13-20), Parcel Number 83.00994.00, Block One (1), Budge's Third (3rd) Addition) to the City of East Grand Forks, MN.

DEVELOPMENT INCENTIVES

In addition to the land and appurtenances the city proposes to utilize a package of Tax Increment Financing (TIF) and low interest loan funds to provide financing gaps. Both incentives would be determined by the scope of the project and subject to the East Grand Forks City Council and the Economic Development Authority (EDA) Board approval.

SUBMISSION REQUIREMENTS

All project proposals must comply with the City's Land Development code and Downtown Design Guidelines. Developers responding to this RFP must provide the following:

1. Description of development team.
 - ❖ Lead development firm and key personnel.
 - ❖ Technical partners (e.g., architects, engineers, builders, financial and legal advisers) and each firm's key personnel.
 - ❖ Each firm's experience and expertise in comparable mixed-use developments, and length of time each firm has been in business.
2. Description of comparable projects.
 - ❖ Provide detailed examples of at least two (2) projects of similar scope; include descriptions of team members' types and levels of project involvement, from inception through completion, as well as project timelines.
 - ❖ Detail financing packages used in comparable projects.
 - ❖ Examples of projects developed using "green" techniques.
 - ❖ References, including contact information, for each example project.
3. Description of proposed project(s).
 - ❖ Preliminary site plan, floor plans and elevation drawings.
 - ❖ Identification of components (e.g., office space, retail space, senior rental housing, condo, etc.), including detailed description and size of each.
 - ❖ Estimated target value per component (e.g., retail @ \$x/sf, 2 bedroom rentals at \$y/unit/month; condos selling at \$z/unit).
4. Financing.
 - ❖ Detailed construction and operation pro formas.
 - ❖ Detailed statement of sources and uses.
 - ❖ Demonstration of financial capability, including experience with comparable projects (include letters of commitment from funding sources).

EVALUATION CRITERIA

Respondents are directed to the downtown plan update, which provides information on market potential and development concepts at our website: www.theforksmmpo.org/pages/project.html. This document will serve as an overall guide for the RFP review committee, which will consist of elected officials, city staff, and/or downtown business people. The evaluation of proposals will be based upon the following factors:

1. A comprehensive development strategy that is transformative and offers iconic elements emblematic of a gateway to downtown.
2. The experience and success of the lead developer in similar projects.
3. Knowledge and experience with relevant market segments.
4. Demonstrated ability of team firms to partner with units of local government.
5. Financial capacity, including ability to (a) leverage and secure private financing, and (b) sustain long-term operations of commercial/rental projects.

6. Design/construction capacity as evidenced by successful completion of similar ventures, including infill construction with an urban setting.

Preference points:

1. Strictly residential proposals are acceptable; however, preference will be given to proposals that include commercial/retail space.
2. Preference will be given to proposals that include significant "greener" building techniques and long-term environmental sustainability.
3. Proposals that include mixed-income residential units, and that contain both owner-occupied and rental components, all other things being equal, will rank higher
4. Proposals that require fewer city incentives/resources, all other things being equal, will rank higher.

TIMETABLE

<u>Date</u>	<u>Item</u>
November 15, 2011	Request for Proposal issued
February 1, 2012	Deadline for submission of proposal materials (5.00 p.m.)
February 8–10, 2012	Developer presentations/interview with review committee

GENERAL INSTRUCTIONS

1. Please direct inquiries and submissions to:

James S. Richter
 Executive Director
 East Grand Forks EDHA
 600 DeMers Avenue
 East Grand Forks, MN 56721
 (218) 773-2371

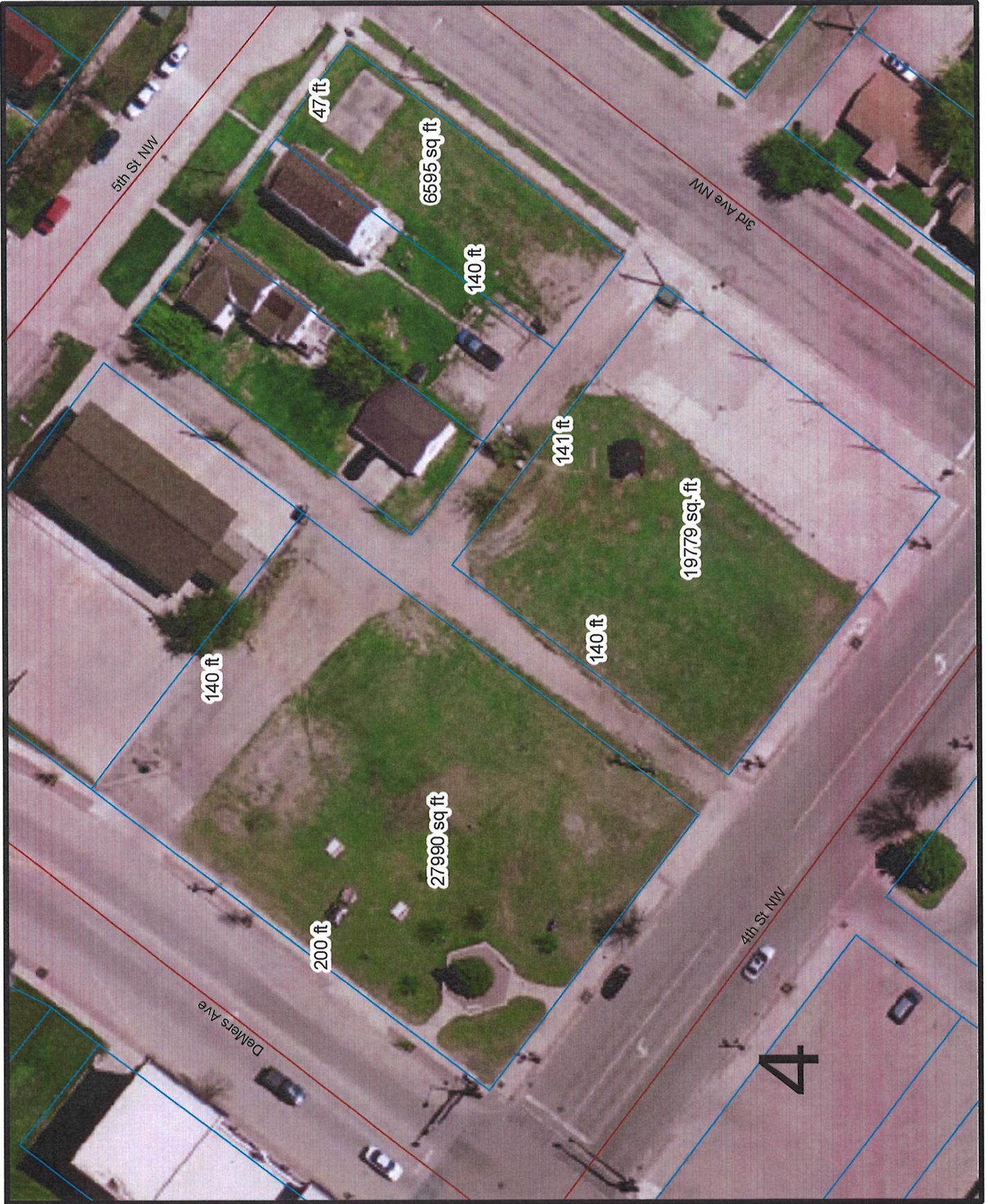
2. Signature Requirements: Proposals must be signed by a duly authorized official of the lead submitting firm.
3. Rejection Rights: The City of East Grand Forks and/or the East Grand Forks Economic Development Authority (EDA) reserves the right to waive irregularities, to reject any or all proposals, to re-solicit proposals, and to negotiate with selected proposers if such action is deemed to be in their best interest.
4. The City of East Grand Forks and/or the East Grand Forks Economic Development Authority retains the right to negotiate modifications to all submissions.

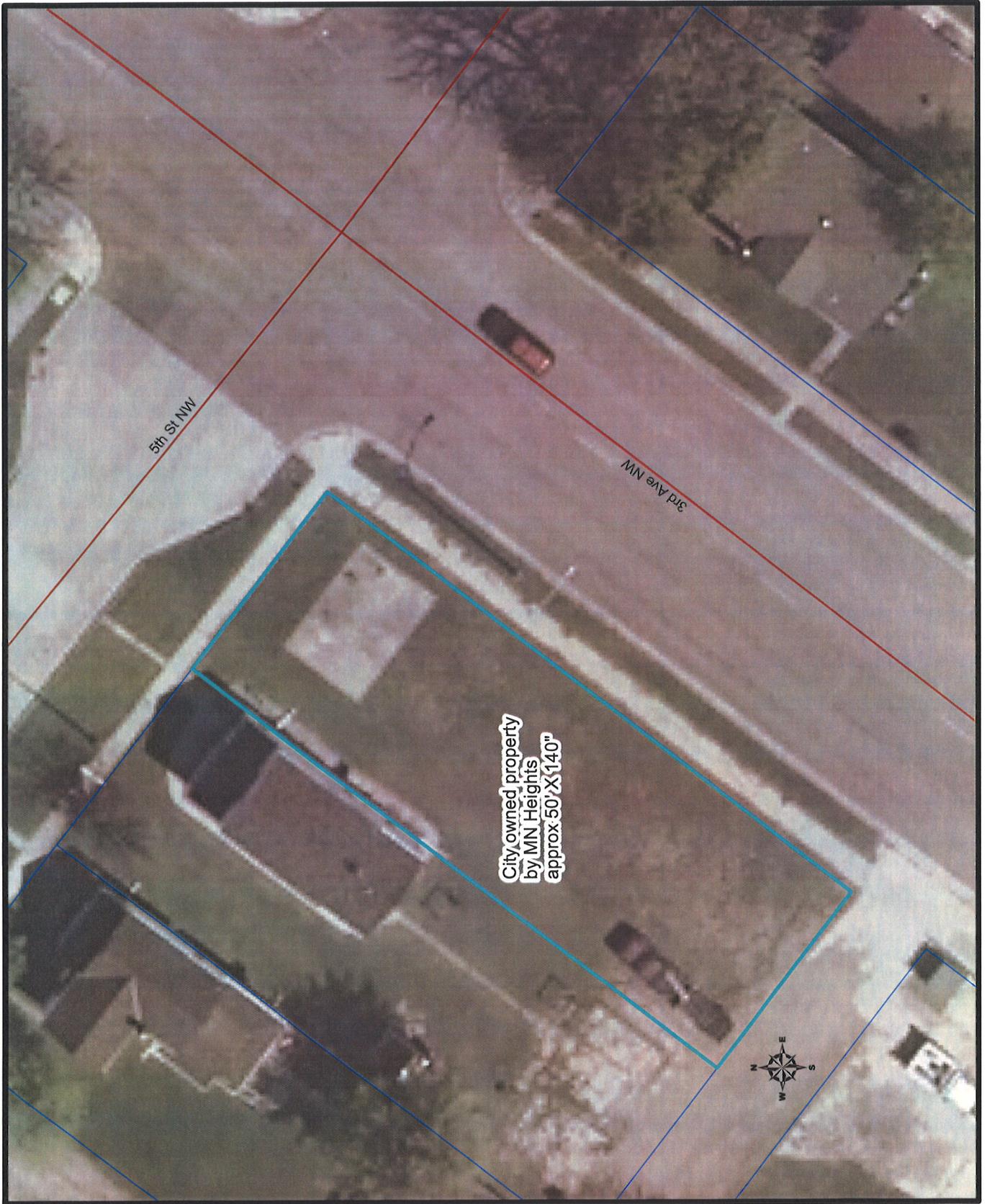
5. Compliance: This project may be assisted with funds from the State authorized TIF. If so, the successful developer must comply with all applicable regulations, including but not limited to Affirmative Action and Equal Employment Opportunity, Labor Standards, and Environmental Standards.
6. Cost of Proposal Preparation: No reimbursement will be made for any costs incurred in responding to this Request.
7. Prohibited Interest: No member, officer, or employee of the City of East Grand Forks, its governing body or of any local public body having jurisdiction within the City of East Grand Forks service area, shall have any interest, direct or indirect, in any resultant contract or the proceeds thereof.

CONTACT INFORMATION

East Grand Forks City Information

EDA (primary)	James S. Richter-218-773-2371
Downtown Plan Update	MPO - Nancy Ellis-218-773-0124
Engineering	FS Engineering-218-773-1184
Inspections	Tom Spoor-218-773-2208
Planning	MPO - Nancy Ellis - 218-773-0124





Request for Council Action

Date: 5/13/14

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

Cc: File

From: David Murphy East Grand Forks City Administrator

RE: Pool Heater

There are only two companies that meet the requirements for providing a pool heater for our area. One is Horizon Commercial Pools from St. Paul, MN and the other is Custom Pools out of Grand Forks ND. Quotes from both companies are provided in the packet.

The quotes shown represent what each of the companies recommend for our current pool with the understanding that the pool may be upgraded in the near future. You will notice that the heaters quoted are from two different manufacturers and have different output capacities.

I am unable to provide a direct “apples to apples” comparison of outputs due to the fact that the largest heater that Custom Pools sells is 1.6 million BTU. With that being said, it is my recommendation that we purchase the **2 million BTU unit from Horizon Commercial Pools** for the following two reasons:

-
- The larger btu output will allow us to heat the pool in a quicker and more efficient manner and allow for better temperature maintenance.
 - The Pentair Model is much more user friendly. The Raypack model requires that the input temperature of the water be monitored several times daily and requires adjustment of the recirculation rate depending upon the input temperature. The Pentair model monitors and adjusts the recirculation rate automatically. The Pentair model only requires that it be turned on and the desired pool temperature to be set on a device similar to a household thermostat.

I have not received the final quote for installation from Villandre at the time the packet needed to be sent out – I will provide that at the meeting.

**F
R
O
M**

CUSTOM POOLS
PO BOX 12902
GRAND FORKS,ND 58201
P 701-775-6792
C 218-791-6912
custompools@gra.midco.net

PROPOSAL

Page No. 1

of 1 Pages

PROPOSAL SUBMITTED TO:		DATE 4-29-14	
NAME EGF PARK DISTRICT	JOB NAME CITY POOL HEATER REPLACEMENT		
STREET	STREET		
CITY EGF	CITY	STATE	
STATE MN	PHONE		

We hereby submit specifications and estimate for:

**(1) P-1631 RAYPAK COMMERCIAL POOL HEATER WITH AN 18" VENT SIZE FOB EGF POOL.
INSTALLATION EXTRA.**

ALLOW THREE WEEKS FOR DELIVERY(MINIMUM).

We hereby propose to furnish labor and materials—complete in accordance with the above specifications, for the sum of **SEVENTEEN-THOUSAND-SIX-HUNDRED-NINETY-TWO--** Dollars (\$17,692.00) with payments to be made as follows:
50% DOWN, 50% UPON DELIVERY

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accident or delays beyond our control. This proposal subject to acceptance within 15 days and it is void thereafter at the option of the undersigned.

Authorized Signature _____

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

ACCEPTED:

Signature _____

DATE _____

Signature _____

David Murphy

From: custom pools [custompools@gra.midco.net]
Sent: Thursday, May 01, 2014 8:46 PM
To: David Murphy
Subject: RE: city pool circ. pump

David,

I got the quotes for the new venting, reconnecting the gas, rewiring for the new heater, and replumbing the copper piping (which was too small) to and from the 8" main pipe. The total for installing the heater is \$10,652.02. If you have any questions, please call me at 218-791-6912.

Thank You

Mark

Custom Pools

From: David Murphy [mailto:dmurphy@ci.east-grand-forks.mn.us]
Sent: Thursday, May 01, 2014 7:48 AM
To: custompools@gra.midco.net
Subject: FW: city pool circ. pump

Mark, please see message below.

Thank you.

David

From: David Murphy
Sent: Thursday, May 01, 2014 7:46 AM
To: 'Dave Aker'; 'custompoolsgra@midco.net'
Subject: RE: city pool circ. pump

Mark, would you provide the specification materials for the heater and the installation price associated with it please. Thank you.

David Murphy

East Grand Forks City Administrator

From: Dave Aker [mailto:daker@egf.mn]
Sent: Tuesday, April 29, 2014 9:03 AM
To: David Murphy
Subject: FW: city pool circ. pump

David,

This is the estimate from Custom Pools for a heater that is 1.613 million BTU, he did not give the price to install it. Do you mind if I ask him his installation price again?

Dave Aker

From: custom pools [mailto:custompools@gra.midco.net]
Sent: Tuesday, April 29, 2014 8:38 AM
To: 'Dave Aker'
Subject: RE: city pool circ. pump

Dave,

Commercial Pool Heaters

Rugged, efficient heaters for large pools

Clubs. Universities.
Municipalities. Watersport
Centers. Large residential pools.

23 model sizes — 511,500 to
4,000,000 BTUH inputs.

Indoor and outdoor styles.

80-82% thermal efficiency.

Natural or propane gas.

Fuel-saving electronic ignition.

Precision water temperature
control to $\pm 1^\circ\text{F}$.

Low operating cost. Low
maintenance cost. Easy service.

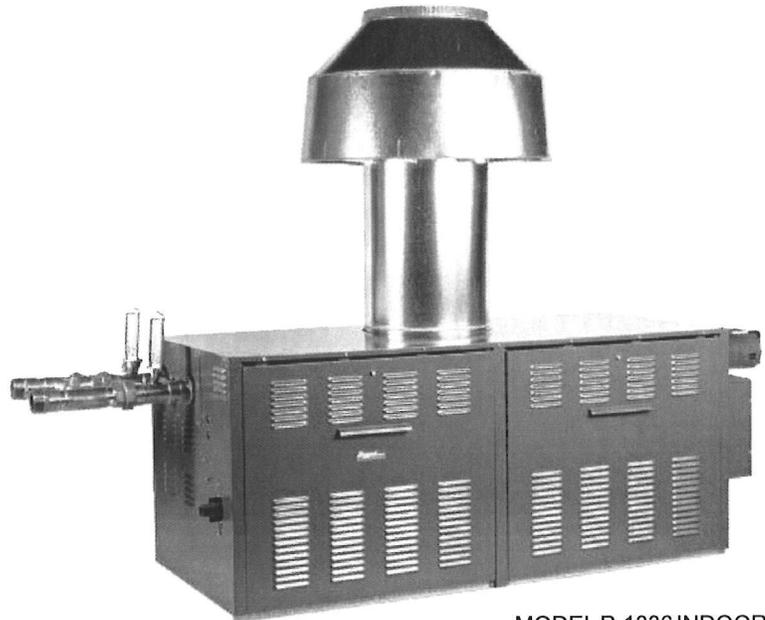
These heaters are design certified and tested under the requirements of ANSI Z21.56 / CSA 4.7 American National Standard / CSA Standard for Gas-Fired Pool Heaters. Only Raypak offers a pool heater that is not only the most efficient (up to 82% thermal efficiency) but also includes, engineering and manufacturing innovations not found in other makes. As a result, a Raypak commercial pool heater is unmatched for heating efficiency, operating economy, low-cost installation and all-around dependability. And they are fired up and fully tested at the factory to ensure their on-site performance. Check these standard features and see why Raypak is the best!

Electronic Pilot Ignition...Saves fuel, no standing pilot.

100% Copper And Bronze Waterways...Bronze headers and cupro nickel finned tubes prevent corrosion and rust which can stain the pool and destroy the heater.

1" Diameter Finned Cupro Nickel Tubes...Better water flow, lower pressure drop through heater.

Tough, Durable Polytuf Powdercoat Finish...Long-lasting all-weather protection in durable Forest Green color.



MODEL P-1336 INDOOR

Unitherm Governor...For Models P-514 thru P-1223, a patented 3-way valve built in the header, automatically maintains the water in the heater at the precise temperature that prevents condensation and scale.

By-Pass Pump...For models P-1287 thru P-4001, a properly designed bypass pump is used to control the temperature of the water entering the heater to avoid condensation and scaling.

Interlocking Combustion Chamber...Cuts heat loss for best efficiency. Keeps jacket cool.

Dual Gas Valves...For safety.

Stainless Steel Burners...Can't clog or corrode.

Slide-out Burner Tray...For easy inspection.

Protecto Vent Top (outdoor only)...Wind, rain and debris proof.



Raypak[®]

A Rheem[®] Company

SPECIFICATION AND DIMENSIONS

MODEL	MBH NATURAL GAS (X 1000) †				DIMENSIONS (INCHES)									APPROX. SHIPPING WEIGHT (LBS)
	INDOOR		OUTDOOR		WIDTH A	HEIGHT OVERALL B	JACKET HEIGHT C	GAS CONN. G	WATER CONN. H	J J	FLUE			
	INPUT	OUTPUT	INPUT	OUTPUT							DIA. K	L		
P-514	511.5	419.4	511.5	419.4	32-3/4	57	33	1	2		10	25-3/8	450	
P-624	627.0	514.0	627.0	514.0	37-1/2	57	33	1	2		12	29-1/2	480	
P-724	726.0	595.0	726.0	595.0	41-5/8	57	33	1	2		12	34-1/4	510	
P-824	825.0	676.5	825.0	676.5	45-3/4	57	33	1	2		14	38-1/2	590	
P-926			926.0	759.0	52-3/8			1	2				700	
P-962	961.7	788.6			52-3/8	76-1/8	33-1/2	1	2	23-5/8	14	28	650	
P-1083			1083.0	888.0	59-1/4			1	2				810	
P-1125	1124.7	922.0			59-1/4	78-1/8	33-1/2	1	2	23-5/8	16	32	750	
P-1178			1178.0	966.0	63-5/8			1	2				800	
P-1223	1222.5	1002.4			63-5/8	78-1/8	33-1/2	1	2	23-5/8	16	32	855	
P-1287			1287.0	1055.0	68-5/8			1-1/4	2-1/2				975	
P-1336	1336.6	1096.0			68-5/8	80-1/8	33-1/2	1-1/4	2-1/2	23-5/8	18	36	970	
P-1414			1413.0	1158.5	74-7/8			1-1/4	2-1/2				1065	
P-1468	1467.0	1203.0			74-7/8	80-1/8	33-1/2	1-1/4	2-1/2	23-5/8	18	36	1050	
P-1571			1570.0	1287.0	81-1/8			1-1/4	2-1/2				1120	
P-1631	1630.0	1336.6			81-1/8	83-1/8	36-1/2	1-1/4	2-1/2	23-5/8	18	36	1100	
P-1758			1758.0	1441.5	89-3/8			1-1/4	2-1/2				1140	
P-1826	1825.6	1497.0			89-3/8	85-1/8	36-1/2	1-1/4	2-1/2	23-5/8	20	40	1190	
P-2100	2100.0	1722.0			61	68-1/4		1-1/2	3		24		1580	
P-2500	2499.0	2049.0			70	68-1/4		1-1/2	3		26		1780	
P-3001	3000.0	2460.0			81-1/4	68-1/4		2	3		28		2000	
P-3500	3500.0	2870.0			92-1/2	68-1/4		2	3		30		2180	
P-4001	4000.0	3280.0			103-3/4	68-1/4		2	3		32		2500	

Electrical Rating: 120/24V 60 Hz less than 12 amperes.

† See gas conversion chart.

* Manufacturers rating.

Ratings shown are for elevations up to 2000 feet. Elevations over 2000 feet ratings should be reduced at the rate of 4% for each 1000 feet above sea level.

‡ Note: Addition of special controls for CSD-1, IRI and others may increase gas train size. Consult with the factory.

MINIMUM CLEARANCES FROM COMBUSTIBLE CONSTRUCTION

MODEL	FRONT	REAR	LEFT SIDE	RIGHT SIDE	TOP	
					INDOOR	OUTDOOR
P-514 TO P-824	24"	12"	6" *	6"	36"	UNOBSTRUCTED
P-926 TO P-1826	24"	24"	24"	24"	24"	UNOBSTRUCTED
P-2100 TO P-4001	48"	24"	24"	24"	24"	MODELS ARE INDOOR ONLY

* 18" REQUIRED FOR SERVICING

† TO CONVERT NAT. GAS MBH
TO PROPANE MBH

MODEL	MULTIPLY NAT. MBH BY
P-514 TO P-824	0.94
P-926 TO P-1828	0.92 INDOOR 0.955 OUTDOOR
P-2100 TO P-4001	1.0 (SAME AS NAT. GAS)

RECOMMENDED FLOW RATES

MODELS	MINIMUM	MAXIMUM
P-514 TO P-1223	60 GPM	120 GPM
P-1287 TO P-1826	SEE FLOW RATES TABLE BELOW	
P-2100 TO P-4001		

MODELS	FLOW RATES (GPM)
1287/1336	30-50
1414/1468	35-55
1571/1631	40-65
1758/1826	45-70

2100	50-80
2500	60-95
3001	75-115
3500	90-135
4001	100-150

Size for maximum flow rates shown above, and adjust flow to the boiler to obtain 120°F outlet water temperature.



2125 ENERGY PARK DRIVE, ST. PAUL, MN 55108
WWW.HORIZONPOOLSUPPLY.COM

1-800-969-0454
 LOCAL 651-917-3075
 FAX 651-917-3087



Customer Proposal / Quotation

Quoted to:

City of East Grand Forks
 919 5th Ave NW
 East Grand Forks, MN 56721

Contact 1: David Murphy
Contact 2: Dave Aker
Phone: (218) 773-8000
Fax: (218) 773-8003

Date: 5/8/2014
Good Through: 5/30/14
Quote #: 20140508 CIT23

Description:

CIT23

Quoted by: Jason Gillet

Provide Pentair PowerMax Commercial Pool Heater(s) for **Outdoor Lap/Diving Pool** as follows:

- Provide the following heater and equipment:
 (1) PM2000NACC2PJN **2.0 Million** BTU Pentair PowerMax Commercial Pool Heater, ASME certified, Digital, Electronic Ignition, Cupro-Nickel Heat Exchanger, CSD1 Code Compliant

- NOTES:
- Installation by others.
 - Access and space must be provided for new heater. Room space dimensions to be verified before ordering heaters.
 - Sufficient gas pressure & make-up air are required.
 - Heaters ships FOB factory.



Pricing:

Quantity	Item Number	Description	Unit Price	Total Price
1	*See Above	Pentair PowerMax Commercial Pool Heater	\$25,550.00	\$25,550.00
		Estimated Freight	\$1,000.00	\$1,000.00

Total: \$26,550.00

ACCEPTANCE OF PROPOSAL – I am authorized to sign on behalf of the owner and I have read the attached **Terms & Conditions** and Proposal Notes and the above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment(s) will be made as specified.

Quote Accepted By: _____

Date: _____

Authorized Signature: _____

- Products and equipment used to complete job are subject to applicable state & city sales taxes.
- **Quotes exceeding \$2,000 will require a payment of 50% upon quote acceptance and the remainder is due Net 10 Days.**
- Please read all attached Terms & Conditions, Proposal Notes, and product information. This quote, once signed, is a contract between Horizon Commercial Pool Supply & the property owner.



PowerMax®

High Performance Commercial Pool Heaters



When performance is critical, the new PowerMax® heater provides peak efficiency and easy maintenance in both indoor and outdoor applications. Models from 500-2000 MBTU with 85% efficiency for commercial swimming pool and theme park applications.

Today's PowerMax is the result of over 50 years of design and manufacturing experience, and is packed with advanced features specific to the commercial swimming pool and water theme park market.

Available in seven sizes from 500 to 2000 MBTU/h, PowerMax runs reliably on natural or LP gas and delivers efficiency levels up to 85%.

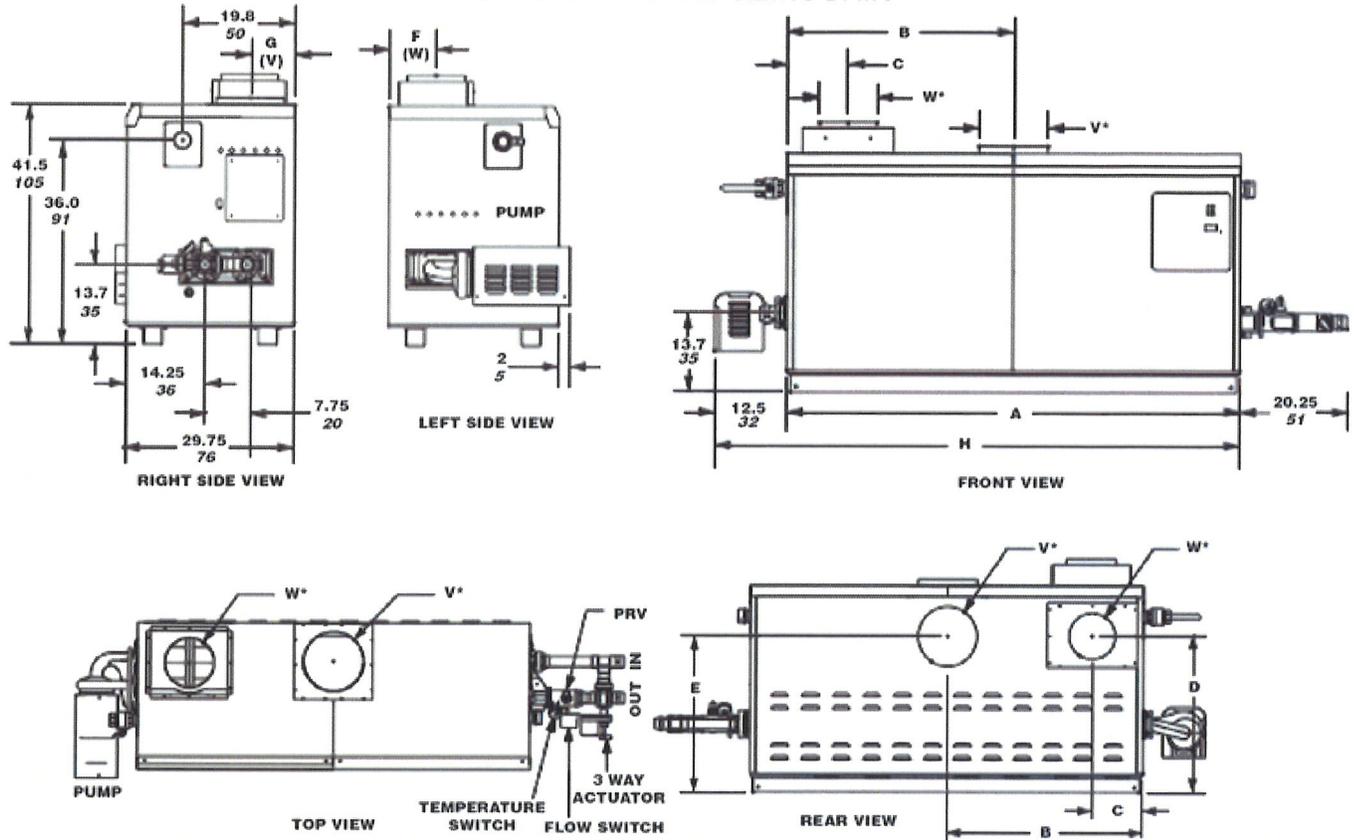
A 10-tube heat exchanger uses finned tubing for the quickest and most efficient heat transfer, and the water heater meets the ASHRAE® 90.1 standard for efficiency for use with storage tanks. With superior overall construction and high-efficiency combustion, PowerMax can cut fuel costs significantly compared to conventional water heating systems, and the savings can amount to thousands of dollars over the life of the equipment.

Standard Features

- Reliable operation with natural or propane gas.
- Fan-assisted and filtered combustion air.
- Dual ignition systems for all models over 750,000 BTU.
- 2-stage, 3-stage and 4-stage firing.
- Immune to thermal shock down to 30° F.
- Built-in automatic mixing system reduces condensation possibilities.
- Compact size allows PowerMax to fit through standard doorways.
- 200/208 and 575 volt models available on request.
- Meets low NOx requirements for cleaner combustion.
- One-year limited warranty. See warranty for details.

PowerMax[®] High Performance Commercial Pool Heaters

DIMENSIONAL AND SIZING DATA



Dimensional Data

Dimensions shown in inches, cm.

Size (000's)	A		B		C		D		E		F		G		H		Air Conn. W*		Vent Conn. V*		Horiz. Vent Pipe	
500	33½	85	15¼	40	5¾	15	29¾	76	32¾	83	7¼	20	8¾	22	46	117	6	15	8	15	6	15
750	45½	116	21¾	55	5¾	15	29¾	76	32¾	83	7¼	20	8¾	22	58	147	6	15	10	20	8	15
1000	57½	146	28¾	73	5¾	15	29¾	76	32¾	83	7¼	20	7	18	70	178	8	20	10	25	8	20
1250	68	172	34	86	10¼	26	30¾	78	29½	75	8¾	22	8¾	22	80	203	8	20	12	30	8	20
1500	78½	199	39¾	101	10¼	26	30¾	78	29½	75	8¾	22	8¾	22	91	231	8	20	12	30	8	20
1750	89	226	44½	113	10¼	26	30¾	78	29½	75	8¾	22	8¾	22	101	256	8	20	14	36	8	20
2000	99½	253	49¾	126	10¼	26	30¾	78	29½	75	8¾	22	8¾	22	112	284	12	30	14	36	12	30

*Air and vent connections may be on top or back of the PowerMax, and are field convertible.

Sizing Data

Indoor Model	Input, BTU/h x1000	Output, BTU/h x1000	Gas Conn. Size inches,	Heater Water Conn. Size inches,	Mixing System Water Conn. Size inches,	Shipping Weight	
500	500	425	1¼	2	2	495	225
750	750	638	1¼	2	2	575	261
1000	999	849	1½	2½	2	685	311
1250	1250	1063	2	2½	2	730	331
1500	1500	1275	2	2½	2	830	377
1750	1750	1488	2	2½	2	880	400
2000	1999	1699	2	2½	2	1025	465

NOTES: 1. Input and output must be derated 2% per 1000 feet above sea level when installed above 2000 feet altitude.
2. Dimensions are nominal.

SIZING CHARTS AND CLEARANCE DATA

For Indoor Pools

1. Calculate the surface area of the pool in square feet.
2. Refer to the selection chart.
3. Find the closest square footage in the 10° F (6° C) Temperature Difference column, and the heater model which corresponds to it. For normal conditions, we recommend using the 10° F (6° C) Temperature Difference columns; this will provide a temperature increase of approximately 6° F (3° C) per 24 hour period.

For Outdoor Pools

1. Determine the difference between the desired pool temperature and the average air temperature during the coldest month in which the pool will be used (referred to in the chart below as "Temperature Difference").
2. Calculate the surface area of the pool.
3. Refer to the selection chart. Listed are the maximum pool surface areas for each heater model with typical temperature differences. Make the appropriate selection from the chart.

Temperature Difference

	10° F 6° C		15° F 8° C		20° F 11° C		25° F 14° C		30° F 17° C		35° F 19° C		40° F 22° C		45° F 25° C		50° F 28° C	
	Surface Area of Pool																	
Model	Sq. Ft.	Sq. M.	Sq. Ft.	Sq. M.	Sq. Ft.	Sq. M.	Sq. Ft.	Sq. M.	Sq. Ft.	Sq. M.	Sq. Ft.	Sq. M.	Sq. Ft.	Sq. M.	Sq. Ft.	Sq. M.	Sq. Ft.	Sq. M.
500	4090	370	2720	250	2040	180	1630	150	1360	120	1170	100	1020	90	910	80	810	70
750	6130	560	4090	370	3060	280	2450	220	2040	180	1750	160	1530	140	1360	120	1220	110
1000	8180	750	5450	500	4090	370	3270	300	2720	250	2340	210	2040	180	1820	160	1630	150
1250	10230	950	6820	630	5110	470	4090	370	3410	310	2920	270	2550	230	2280	210	2040	180
1500	12270	1130	8180	750	6130	560	4910	450	4090	370	3510	320	3060	280	2730	250	2450	220
1750	14320	1330	9540	880	7160	660	5720	530	4770	440	4090	370	3580	330	3190	290	2860	260
2000	16370	1520	10910	1010	8180	750	6540	600	5450	500	4680	430	4090	370	3650	330	3270	300

Clearances

Appliance Surface	Clearance from Combustible Material	Service Access Clearance
Right Side	1" 2.5 cm	24" 61 cm
Left Side	1" 2.5 cm	24" 61 cm
Front	1" 2.5 cm	36" 91 cm

Appliance Surface	Clearance from Combustible Material	Service Access Clearance
Top	1" 2.5 cm	12" 30 cm
Back*	1" 2.5 cm	12" 30 cm
Vent	Per venting system supplier's instructions	

*When vent and/or air is connected to the back, 36" (91 cm) is suggested.

Part Numbers Descriptions

PM0500NACC2BXN	Indoor/Outdoor, w/ pump, Cat. I-III, with elec. By-pass, CI-Cu HX
PM0750NACC2BXN	Indoor/Outdoor, w/ pump, Cat. I-III, with elec. By-pass, CI-Cu HX
PM1000NACC2BXN	Indoor/Outdoor, w/ pump, Cat. I-III, with elec. By-pass, CI-Cu HX
PM1250NACC2BXN	Indoor/Outdoor, w/ pump, Cat. I-III, with elec. By-pass, CI-Cu HX
PM1500NACC2BXN	Indoor/Outdoor, w/ pump, Cat. I-III, with elec. By-pass, CI-Cu HX
PM1750NACC2BXN	Indoor/Outdoor, w/ pump, Cat. I-III, with elec. By-pass, CI-Cu HX
PM2000NACC2BXN	Indoor/Outdoor, w/ pump, Cat. I-III, with elec. By-pass, CI-Cu HX
PM0500NACC2PXN	Indoor/Outdoor, w/ pump, Cat. I-III, with elec. By-pass, CI-Cu-Ni HX
PM0750NACC2PXN	Indoor/Outdoor, w/ pump, Cat. I-III, with elec. By-pass, CI-Cu-Ni HX
PM1000NACC2PXN	Indoor/Outdoor, w/ pump, Cat. I-III, with elec. By-pass, CI-Cu-Ni HX
PM1250NACC2PXN	Indoor/Outdoor, w/ pump, Cat. I-III, with elec. By-pass, CI-Cu-Ni HX
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PM2000NACC2PXN	Indoor/Outdoor, w/ pump, Cat. I-III, with elec. By-pass, CI-Cu-Ni HX

NOTE: Other models, including those that meet CSD-1 requirements are available. Contact factory for details.

PowerMax®

High Performance Commercial Pool Heaters



Packed with Advanced Features

Every PowerMax® comes standard with a built-in automatic mixing system to make sure low return water temperatures won't cause problematic condensation in the heat exchanger. The mixing system includes an automatic three-way valve, fast-acting electronic actuator, factory mounted and wired pump and a simple operating control that monitors all important system functions. That means PowerMax can handle return water temperatures as low as 60 degrees without condensation. And, every PowerMax has a standard "Backwash Switch" that allows you to safely backwash the filter and avoid high-limit shut-downs by allowing the pump time delay to complete its cycle before shutting down the heater. NOx emissions are among the lowest in the industry at 10 ppm, and PowerMax maintains its efficiency and low NOx levels at all stages of firing.

Easy to Install and Service

PowerMax makes service easy and operation reliable because we do all of the set-up for you. Whether you use room air for combustion or take air from outside; vent into a chimney, or through a sidewall; or install the heater indoors or outside, PowerMax is ready "out of the box". The automatic bypass and combustion systems are factory preset, and no field adjustments are required. Whether you are installing at sea level or at a 10,000 ft. elevation, no orifice or component changes are needed.

We've also taken service access to a new level. PowerMax makes installation easier by providing a control system that gives installers several different operation modes, selected with the touch of a button. Modes include settings for primary/secondary piping, DHW storage tank systems, B.A.S. controls and other common applications.

PowerMax features convenient, modular construction that separates the burner trays, gas train and blower assembly, to ensure perfect alignment of orifices and burners. Gas manifolds mount on the burner flange and the burner flanges seal to the air box. In addition, the entire gas train can be easily removed, and the heat exchanger simply lifts out from the top or front of the unit. The air filter is a breeze to clean... just wash it with soap and water.

Controls are also service-friendly with clean and simple wiring, and are readily accessible in a slide-out drawer. All models have a convenient front-access panel with status indicator lights to monitor power, call for heat, pump on, ignition on, gas valve open and lock out.

Installation and Service Convenience Features

- Reversible vent and intake air terminals (field convertible).
- Gas supply right or left side (field convertible).
- Reversible water connections to accommodate left or right side piping.
- Separate field wiring terminal panel.
- Front panel diagnostics.
- Optional rack-mounting.
- Quick-access panel for igniter replacement.
- Combustion chamber sight glasses on both right and left sides.



1620 Hawkins Avenue
Sanford, NC 27330

Phone: 800-831-7133

www.pentaircommercial.com

www.pentairpool.com



Request for Council Action

Date: 05/09/14

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

Cc: File

From: Megan Nelson

RE: Liquor License Restrictions & New Business

In the last few weeks the City has been contacted by a business who might be interested in opening up in East Grand Forks. The business is called Canvas 2 Paint. They currently operate in Rapid City, South Dakota. This business consists of group painting sessions where an instructor guides them through replicating a painting. The fee they charge covers the cost of the canvas, paints, brushes, easels, and aprons. They also have drinks and snacks available for purchase. Their website can be found at www.canvas2paint.com.

In South Dakota they qualify for a wine or liquor license so they are allowed to serve wine at their functions. They were hoping to do something similar here. At this time there is nothing that would allow for them to be able to qualify for any type of liquor license. I spoke with a representative from the Alcohol & Gambling Division; I was told they could possibly qualify for an On-sale 3.2 Percent Malt Liquor License which would allow them to qualify for a consumption and display license allowing people to bring in their own liquor or wine. They would not qualify for a 3.2 license under the current ordinance.

Minnesota Statue 340A.403 3.2 PERCENT MALT LIQUOR LICENSES states that it is the governing body of a city or county may issue off-sale or on-sale licenses for the sale of 3.2 percent malt liquor within their respective jurisdictions. Resources from the League show that On-sale 3.2 percent malt liquor licenses may be issued to drugstores, restaurants, hotels, clubs, bowling centers, golf courses, and establishments used exclusively for the sale of 3.2 percent malt liquor with the incidental sale of tobacco and soft drinks. Our current ordinance does not include golf courses or establishments.

At this time would the council consider amending the ordinance so this business would qualify for a 3.2 percent malt liquor license?

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

Cc: File

RE: City Expenses Incurred from 2014 Ice Show

Approximately \$6250 was taken in at this year's Ice Show Event. The following are the expenses the City has paid that were incurred from the 2014 Ice Show.

General Supplies - \$1655.02

Costumes - \$428.91

Publicity - \$419.56

Ice Show Decorations - \$2,929.39

Wages designated as Ice Show wages - \$1148.38

- Basic skating fees paid at registration included coaches' wages through the season which includes the ice show.

Total Expenses - \$6581.26

If more information or a breakdown of the purchases is needed in any of these categories please contact the Administration Office.