

**AGENDA  
OF THE CITY  
COUNCIL WORK SESSION  
CITY OF EAST GRAND FORKS  
TUESDAY, APRIL 14, 2015 – 5:00 PM**

**CALL TO ORDER:**

**CALL OF ROLL:**

**DETERMINATION OF A QUORUM:**

- 1. Bid Results for 15AJ2 Paving in POW 5<sup>th</sup> Addition – Steve Emery**
- 2. Request to File Plans & Specs for 15CP3 Sidewalk Improvements – Steve Emery**
- 3. Coffee Shop Site Plan – Nancy Ellis**
- 4. Request to Increase Rent at Blue Line Arena – Dave Aker**
- 5. Request to Purchase Mower – Dave Aker**
- 6. Promotional Approval Request – Mike Hedlund**
- 7. Request to Use Public Parking Lot – Megan Nelson**
- 8. Request for Parking Space – Megan Nelson**
- 9. Greenway Application & Other City Licenses – Megan Nelson**

**ADJOURN:**

**Upcoming Meetings**

Regular Council Meeting – April 21, 2015 – 5:00 PM – Council Chambers

Work Session – April 28, 2015 – 5:00 PM – Training Room

Regular Council Meeting – May 5, 2015 – 5:00 PM – Council Chambers

Work Session – May 12, 2015 – 5:00 PM – Training Room

# Request for Council Action

Date: April 9, 2015

To: East Grand Forks City Council, Mayor Lynn Stauss, President Mark Olstad, Council Vice President Chad Grassel, Council Members: Clarence Vetter, Henry Tweten, Marc Demers, Craig Buckalew and Mike Pokrzywinski.

Cc: File

From: Steve Emery, P.E.

RE: Project Award - 2015 Assessment Job No. 2 – Concrete Paving / Replat of Outlot B, Block2, Point of Woods 5<sup>th</sup> Addition

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**Background:**

Two bids were received on Thursday, April 9, 2015. The apparent low bidder for the project is Opp Construction, Grand Forks, ND. Attached for your information is the bid tabulation. The bids came in approximately 19% higher than the engineers estimate that was put together for the Report of Feasibility. The estimated construction cost at that time was \$155,480.00

The following is the proposed budget for the project based on as-bid costs:

**PROPOSED BUDGET**

	<b><u>2015 AJ # 2</u></b>
Construction	\$184,740.00
Plans / Specifications	\$18,126.60
Staking / Inspection	\$ 9,237.00
Assessment Roll	\$ 1,847.40
Contingencies	\$ 5,542.20
Administration / Legal	<u>\$ 5,542.20</u>
<b>TOTAL PROJECT COST</b>	<b>\$225,035.40</b>

**PROPOSED FUNDING**

	<b><u>2015 AJ # 2</u></b>
Assessments	\$217,145.05
City	<u>\$ 7,890.35</u>
<b>TOTAL PROJECT COST</b>	<b>\$225,035.40</b>

**Recommendation:**

Due to the increase in project costs it would be our recommendation the final assessment roll be put together with the proposed budget and the final assessment hearing be conducted prior to award of bids.

Enclosures: Bid Tabulation

Revised 4/3/2015

2015 Assessment Job No. 2

Concrete Paving

Replat of Outlot B, Block 2

Point of Woods 5th Addition

East Grand Forks, MN

ITEM NO.	ITEM DESCRIPTION	Unit	Quantity	Opp Construction		Paras Contracting	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
015526	Traffic Control	LS	1	\$ 500.00	\$ 500.00	\$ 3,000.00	\$ 3,000.00
015713	Storm Drain Inlet Protection	EA	3	\$ 130.00	\$ 390.00	\$ 250.00	\$ 750.00
024100	Remove Curb and Gutter	LF	153	\$ 8.00	\$ 1,224.00	\$ 10.00	\$ 1,530.00
312200	Salvage Aggregate Surfacing	CY	408	\$ 16.00	\$ 6,528.00	\$ 10.00	\$ 4,080.00
321600	7" Concrete Pavement	SY	2453	\$ 67.00	\$ 164,351.00	\$ 68.00	\$ 166,804.00
321600	Concrete Curb and Gutter, Design B624	LF	153	\$ 39.00	\$ 5,967.00	\$ 30.00	\$ 4,590.00
321600	Reinforcement Bars (Epoxy Coated)	LBS	1538	\$ 2.00	\$ 3,076.00	\$ 3.85	\$ 5,921.30
321600	Adjust Manhole Casting Assembly	EA	1	\$ 540.00	\$ 540.00	\$ 1,000.00	\$ 1,000.00
321600	Install Manhole Casting Assembly	EA	1	\$ 1,900.00	\$ 1,900.00	\$ 1,500.00	\$ 1,500.00
329219	Turf Establishment	SY	33	\$ 8.00	\$ 264.00	\$ 25.00	\$ 825.00
<b>TOTAL BID</b>					<b>\$ 184,740.00</b>		<b>\$ 190,000.30</b>

# Request for Council Action

Date: April 7, 2015

To: East Grand Forks City Council, Mayor Lynn Stauss, President Mark Olstad,  
Council Vice President Chad Grassel, Council Members: Clarence Vetter, Henry Tweten,  
Marc Demers, Craig Buckalew and Mike Pokrzywinski.

Cc: File

From: Greg Boppre, P.E.

RE: File Plans/Specifications – 2015 City Project No. 3 – Sidewalk Improvements

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**Background:**

I would like to file the plans and specifications for the above referenced project, get authorization to advertise and set bid date.

The 2015 CP #3 project is a Federal Aid improvement project funded through the Federal Transit Administration (FTA) for construction of sidewalk and driveway aprons on 5<sup>th</sup> Avenue from 20<sup>th</sup> Street to Liberty Lanes. Additionally, Widseth Smith Nolting will provide plans and specifications at no charge.

The following is the proposed budget for the project:

**Proposed Budget**

	<u>2015 Base CP#3</u>	<u>15CP#3 ALT #1</u>	<u>15CP#3 ALT #2</u>	<u>Total</u>
Construction	\$50,800.00	\$16,700.00	\$6,100.00	\$73,600.00
Plans / Specifications	\$6,100.00	\$2,000.00	\$730.00	\$8,830.00
Staking / Inspection	\$2,500.00	\$850.00	\$310.00	\$3,660.00
Contingencies	\$2,500.00	\$850.00	\$310.00	\$3,660.00
Administration / Legal	<u>\$1,525.00</u>	<u>\$510.00</u>	<u>\$185.00</u>	<u>\$2,220.00</u>
<b>Total Project Cost</b>	<b>\$63,425.00</b>	<b>\$20,910.00</b>	<b>\$7,635.00</b>	<b>\$91,970.00</b>

**Proposed Funding**

	<u>2015 Base CP#3</u>	<u>15CP#3 ALT #1</u>	<u>15CP#3 ALT #2</u>	<u>Total</u>
FTA	\$50,740.00	\$12,237.00	\$0.00	\$62,977.00
WSN	\$6,100.00	\$2,000.00	\$730.00	\$8,830.00
City	<u>\$6,585.00</u>	<u>\$6,673.00</u>	<u>\$6,905.00</u>	<u>\$20,163.00</u>
<b>Total Project Cost</b>	<b>\$63,425.00</b>	<b>\$20,910.00</b>	<b>\$7,635.00</b>	<b>\$91,970.00</b>

**Recommendation:**

File plans / specifications, advertise and set bid date.

Enclosures: Plans / Specifications will be filed at the Tuesday, April 21, 2015, City Council Meeting

# Request for Council Action

Date: April 14, 2015

To: East Grand Forks City Council Mayor Lynn Stauss, President Mark Olstad, Council Vice President Chad Grassel, Council Members: Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, and Marc DeMers.

Cc: File

From: Nancy Ellis, City Planner

RE: Coffee Shop Site Plan

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## **BACKGROUND:**

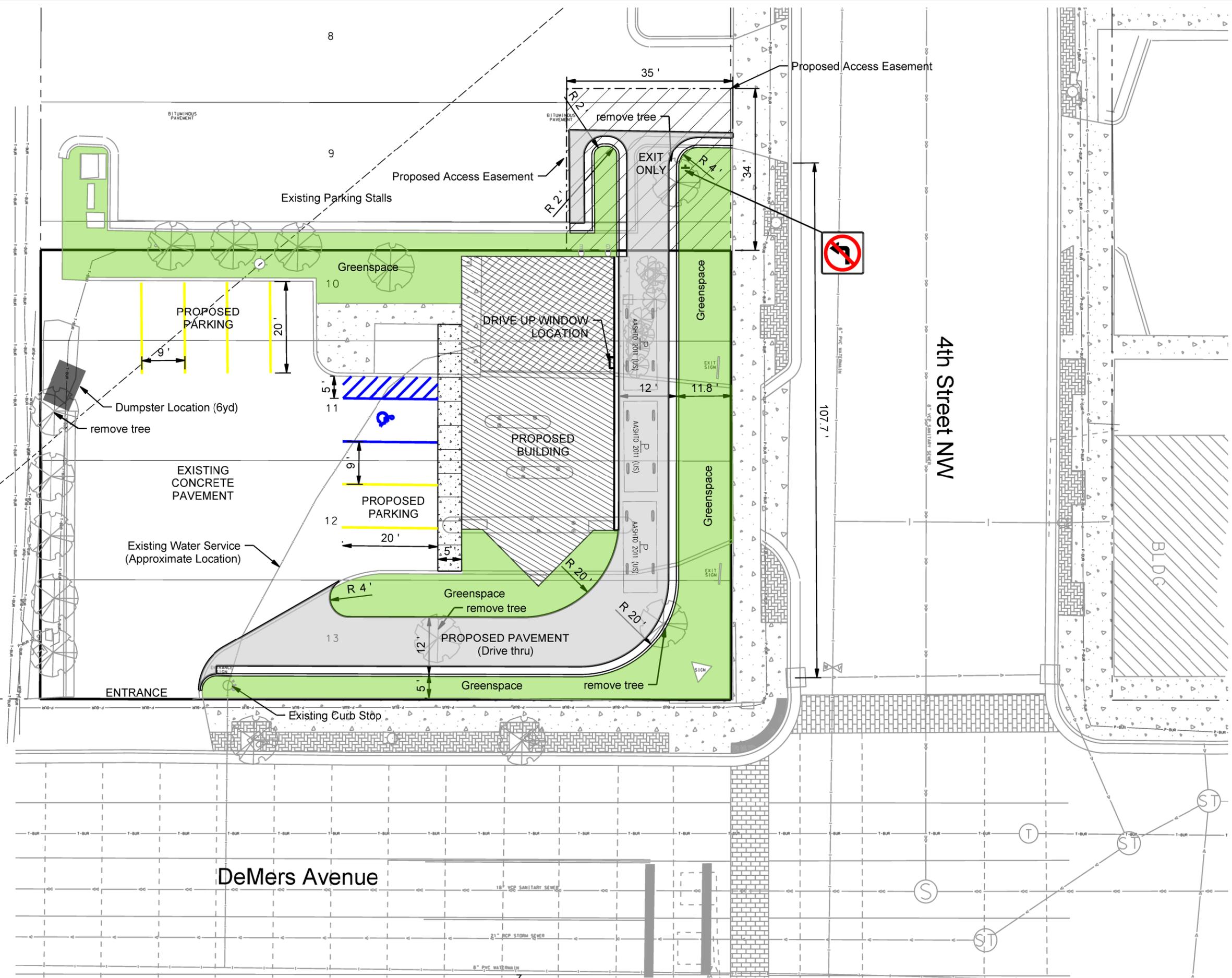
Mr. Moore is looking at purchasing the lot on the NW corner of DeMers Avenue and 4<sup>th</sup> St. NW to operate a coffee stop/drive thru service. Restaurants/retail is a permitted use in the Downtown Commercial Zoning District, but restaurant or retail drive-in/drive-thru service is not. However, the existing lot is built for drive-in/drive-thru service for past services (bank and coffee shop) and would be grandfathered in as a non-conforming use.

**I am including a more detailed site plan for your review.** They are requesting an easement from the City of East Grand Forks on the Fire Department property so that the exit of the drive thru can be extended onto our property and out a shared access with the Dept.

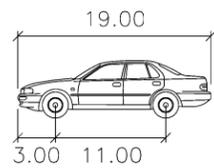
Preliminary  
Not For Construction



0 10 20  
Scale in Feet



VEHICLE REFERENCE



P feet  
Width : 7.00  
Track : 6.00  
Lock to Lock Time : 6.0  
Steering Angle : 31.6

**WIDSETH SMITH NOLTING**  
Engineering | Architecture | Surveying | Environmental

Proposed Coffee Shop with Drive-Thru Window  
309 DeMers Avenue  
East Grand Forks, Minnesota  
Preliminary Site Layout Plan

DATE	SCALE	DRAWN BY	CHECKED BY	DATE	REV#	REVISIONS DESCRIPTION
04/07/15	As Shown	NBA	DRF		1	

DATE: 03/20/15  
LIC. NO. 06800933.001

SHEET NO. C1.0  
SHEET 1 OF 1

MODEL: sba layout sheet  
PATH: J:\2015\Construction Architecture\06800933.ESG Coffee Shop Foundation Design\06800933.001.ESG Coffee Shop Site Design\CADD\Drawings\06800933\_ESG\_coffee\_shop\_layout.dwg

# Request for Council Action

Date: April 6, 2015

To: East Grand Forks City Council, Mayor Lynn Stauss, Council President Mark Olstad, Council Vice President Chad Grassel, Council Members: Craig Buckalew, Henry Tweten, Mark DeMers Clarence Vetter and Mike Pokrywinski.

Cc: File

From: Dave Aker

RE: Raise the rent for Blue Line Arena

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## Background:

I was going to raise the rent for a month at the Blue Line Arena from \$5,000 to \$6,000 to help cover costs. We pay about \$2,000 for salaries and \$2,500 in utilities, plus propane, toilet supplies, gas for the Olympia and other cleaning supplies. We also have to pay for the scheduling of games or practices. Crookston pays \$4,200 a week for renting an arena and TRF makes their hockey association pay \$20,000 a month for rent.

## Recommendation:

I recommend that we increase the rent to \$6,000.

## Enclosures:

N/A

# Request for Council Action

Date: April 6, 2015

To: East Grand Forks City Council, Mayor Lynn Stauss, Council President Mark Olstad, Council Vice President Chad Grassel, Council Members: Craig Buckalew, Henry Tweten, Mark DeMers Clarence Vetter and Mike Pokrywinski.

Cc: File

From: Dave Aker

RE: Mower Toro Grounds master 3280-D 2WD

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## Background:

We have a state bid of \$16,690.68 for a Toro Groundsmaster 3280-D; 24.8 hp Kubota Liquid Cooled Diesel Engine, 2WD, Out Front Commercial Rotary Mower w/72" Side discharge deck, High tip speed blade kit, Air Ride Seat Suspension, Milsko Seat, 12v Power Port, Rear Weight and Foldable 2-Post ROPS.

## Recommendation:

I recommend that we get the TORO Groundsmaster 3280-D. We have a state bid of \$16,690.68 and it is coming out of the cemetery budget which is budgeted for \$25,211 this year for a new mower. The old one is broken down and we cannot receive any parts for it. The 72" cut can get the areas that are hard to mow with the bigger mower.

## Enclosures:

The prices are in the packet.



# City of East Grand Forks

## TORO TURF MAINTENANCE EQUIPMENT QUOTE



<b><i>New Toro 72" Out-Front Rotary Mowers</i></b>	
<b><i>New TORO GROUNDSMASTER 3280-D 2WD</i></b> , 24.8 HP Kubota LC Diese, Out-Front Commercial Rotary Mower w/ 72" Side Discharge Deck, High Tip Speed Blade Kit, Air Ride Seat Suspension, Milsco Seat, 12v Power Port, Rear Weight and Foldable 2-Post ROPS (30344, 31336, 30398, 30313, 108-1961, 24-5790-01, 30382)	<b>2014 MN State Contract</b>
<b>TORO GM3280-D 2WD SUBTOTAL</b>	<b>\$16,690.68</b>
<hr/>	
<b><i>New TORO GROUNDSMASTER 3280-D 4WD</i></b> , 24.8 HP Kubota LC Diese, Out-Front Commercial Rotary Mower w/ 72" Side Discharge Deck, High Tip Speed Blade Kit, Air Ride Seat Suspension, Milsco Seat, 12v Power Port, Rear Weight and Foldable 2-Post ROPS (30345, 31336, 30398, 30313, 108-1961, 24-5790-01, 30382)	<b>\$18,983.47</b>
<b>TORO GM3280-D 4WD SUBTOTAL</b>	<b>\$18,983.47</b>

- Applicable sales tax is not included in quoted pricing
- 2014 MN State Contract Pricing is valid through May 2015
- All New Toro Commercial Equipment is Sold with a 2 Year Manufactures Warranty
- Set-Up and Delivery at No Charge

Thank you for the opportunity to submit this quote. If you have any questions, please do not hesitate in contacting us at 800-492-9972.

Wayne Heintz & Matt Arntzen, Sales Representatives

# Request for Council Action

Date: March 23, 2015

To: East Grand Forks City Council Mayor Lynn Stauss, President Mark Olstad, Council Vice President Chad Grassel, Council Members: Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, and Marc DeMers.

Cc: File

From: Chief Michael Hedlund

RE: Promotional Approval Request

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**Background:**

The East Grand Forks Police Department has a projected opening for police sergeant in our Patrol division with the planned retirement of Sgt. Michael Anderson on May 1, 2015. We recently completed a promotional process to fill the position of retired Sgt. Michelle Manias. Dennis Robertson was promoted to the rank of sergeant to fill that opening. Off. Aeiiso Schrage finished second in that process and Off. Greg Gahlon finished third. Off. Schrage is currently the Commander of the Pine to Prairie Drug Task Force and after much discussion we have decided that we need to have him remain in that position for at least the next one to two years. The task force has recently expanded from four officers to eleven and we believe that we need stability in that leadership position.

**Recommendations:**

Our current need for a sergeant is in Patrol and we are not in a position where we believe we can move Off. Schrage so I am recommending that Council approve the promotion of Off. Greg Gahlon to the rank of Sergeant. In addition I am recommending that Off. Schrage also be promoted to the rank of sergeant. In my opinion Off. Schrage has earned the promotion and he should not be penalized because of the Department's need to keep him in his current position. This would change his rank but not his pay because as the Task Force commander he is paid at a higher level than sergeant. When the time comes for Off. Schrage to be moved from the Task Force he would either be assigned as a sergeant in Patrol or as a general investigator. The investigators receive sergeant's pay so there would be minimal, if any, pay impact on the budget if he is assigned to Investigations.

**Attachments:**

None

# Request for Council Action

Date: April 8, 2015

To: East Grand Forks City Council Mayor Lynn Stauss, President Mark Olstad, Council Vice President Chad Grassel, Council Members: Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, and Marc DeMers.

Cc: File

From: Megan Nelson

RE: Request for Summer Car Club Show

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## **Background:**

The City has been contacted about the use of the downtown parking lot for a car show on Wednesday evenings from approximately 6:00pm to 8:30pm throughout the summer months. They would like to use the wet side of the flood wall by the Blue Moose. Included with the RCA is their request along with a map of the area they would like to use.

## **Issue:**

The Council will need to decide if they will allow the use of the parking lot for the car club.

## **Budget Impact:**

Since there is not request for use of any other City resources there shouldn't be an impact on the budget.

## **Action Required:**

If the Council is in favor of this the car club would have to fill out a special event application which would be brought forward at the next meeting for the Council to vote on.

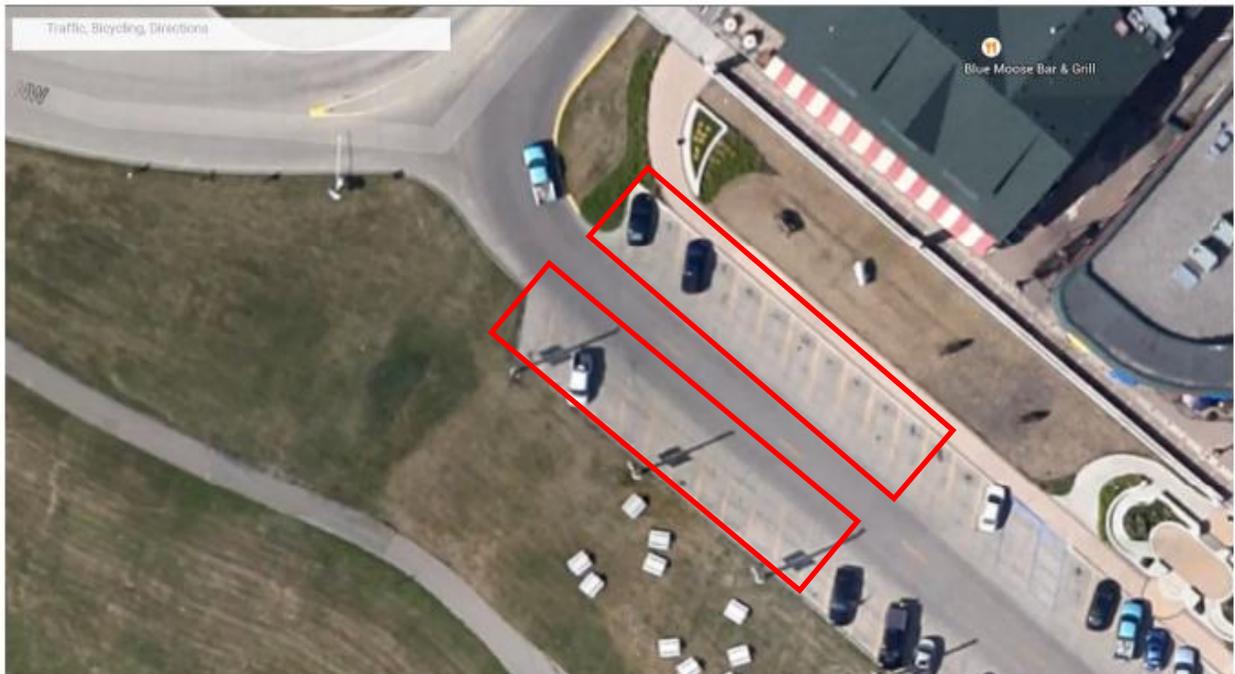
**East Side Rides Car Club Weekly Show Proposal  
to the City of East Grand Forks  
4/2/2015**

**Purpose:** The East Side Rides Car Club would like to have a weekly car show in the back lot of the Blue Moose nearest their summer decks. The City of Grand Forks has two such weekly showings at the Culver's parking lot (Tuesdays) and the El Roco parking lot (Thursdays) and our car club would like to initiate the same type of set up in the EGF boardwalk area. The club would be able to show the cars to the public and enjoy the amenities and businesses of the EGF business district and the businesses would enjoy more traffic due to the showing of these classic automobiles during mid-week. The show is free of charge and members will supply the vehicles for the weekly showing. The East Side Car Club reserves the right to petition for new membership during this event and minimal club advertising will be utilized (Flyers or side walk removable signs).

**Main Club Contact:** Chad Frost, Club President ph. (701-330-0526)

**Request:** The city, or our car club under city direction, sections off, free of charge, 20 parking spots per the map below every Wednesday from 6:00PM to 8:30PM for the show. The first show is planned for Wednesday, May 6<sup>th</sup> and the shows will end on September 9<sup>th</sup>, 2015.

**Partnerships:** 1) We have had preliminary discussions with the Blue Moose and they are willing to advertise about these events and directed us to clear up the parking request with the city before we could discuss further with them on how to market the event. 2) The City would partner with us to increase traffic for the downtown business area and campgrounds during the middle of the week in the summer and it would provide the benefit of a safe location for the Club members, who are primarily EGF residents, to show their vehicles and interact with other like collectors in the community.



# Request for Council Action

Date: April 10, 2015

To: East Grand Forks City Council Mayor Lynn Stauss, President Mark Olstad, Council Vice President Chad Grassel, Council Members: Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, and Marc DeMers.

Cc: File

From: Megan Nelson

RE: Request for Parking Space

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## **Background:**

In the downtown area along 2<sup>nd</sup> Street there are currently signs reserving parking spaces for different businesses along that street for either employees or customers. At this time the City has been contacted about a request for a parking space from Little Bangkok

## **Issue:**

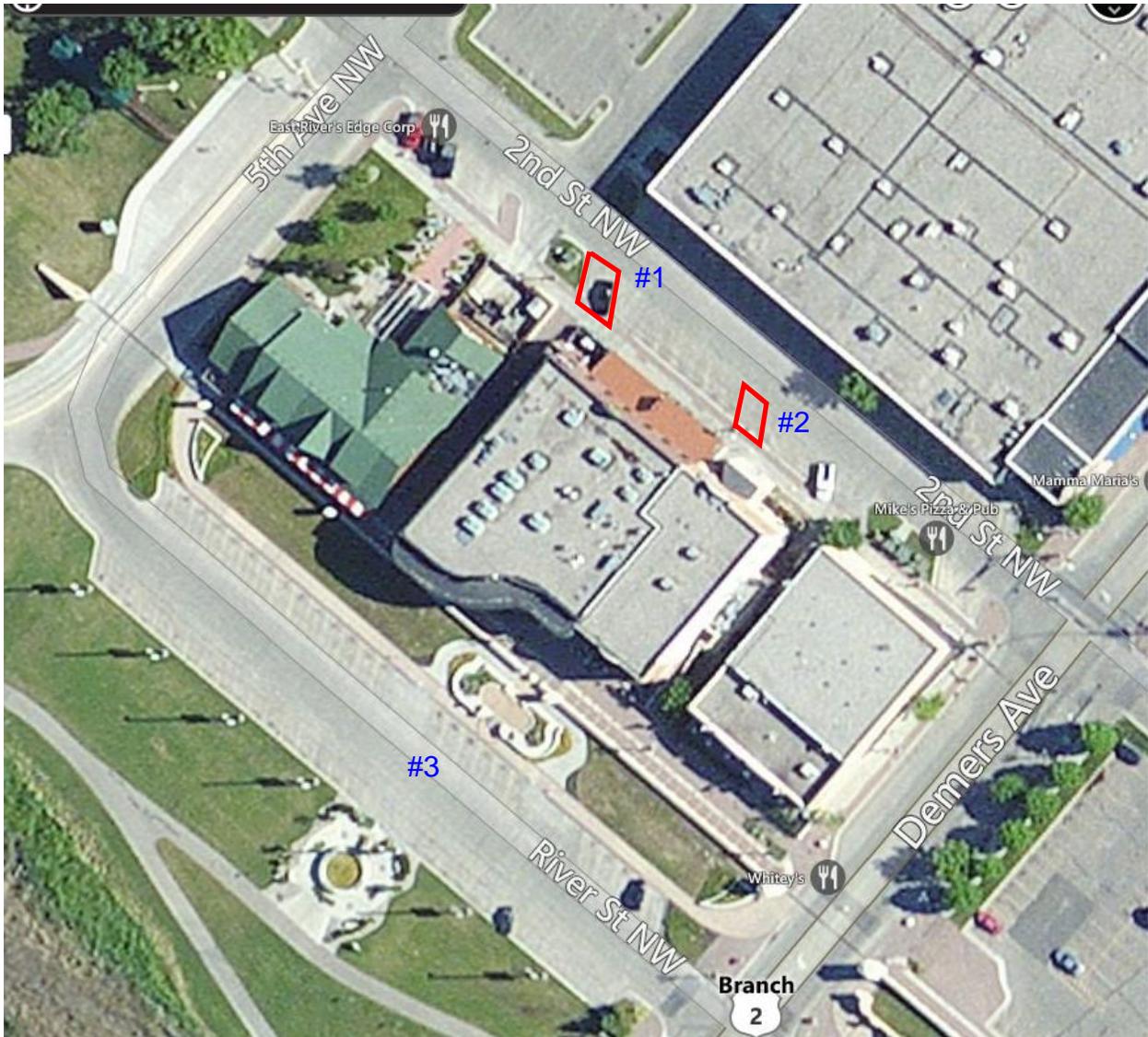
Little Bangkok is going to start a delivery service and would like a space they would be able to park in throughout the day.

## **Budget Impact:**

There shouldn't be an impact. After speaking with the Public Works Department it seems in the past the business purchased the signs and paid to have them put up.

## **Action Required:**

City Council will need to decide if they will allow a parking space for Little Bangkok's delivery use.



#1 - First Choice

#2 - Second Choice

#3 - If they are not able to get a space on that side of the building they would like to request a parking spot on the wet side of the flood wall.

# Request for Council Action

Date: April 10, 2015

To: East Grand Forks City Council Mayor Lynn Stauss, President Mark Olstad, Council Vice President Chad Grassel, Council Members: Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, and Marc DeMers.

Cc: File

From: Megan Nelson

RE: Greenway License & Other City Licenses

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## Background:

I have been working with staff from our City as well as Grand Forks to create an application to use for events in the greenway and to ensure all agencies involved receive the same information. I have included the draft of the application.

During this process there was another request for a noise variance. The Heritage Foundation would like to put on a dance during Heritage Days in August. Quiet hours in town are set to start at 10:00pm until 7:00am according to Municipal Code 98.18 (F). This ordinance states “The using or operation or permitting the using or operation of any radio receiving set, musical instrument, phonograph, paging system, machine or other device for producing or reproduction of sound in a distinctly and loudly audible manner so as to disturb the peace, quite and comfort of any person nearby. Operation of any device referred to above between the hours of 10:00 p.m. and 7:00 a.m. in a manner so as to be plainly audible at the property line of the structure or building, in which it is located, or at a distance of 50 feet if the source is located outside a structure or building shall be prima facie evidence of violation of this section.”

## Issue:

The City Council will need to review the Greenway Application and inform staff of any modifications or changes that need to be made to the greenway application. Also the Council will need to consider if they would like to allow for a noise variance for events taking place within city limits.

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**Budget Impact:**

Currently the application process has taken up staff time which has been budgeted for. If the Council wanted to change or amend an ordinance allowing for a noise variance there would be publishing and attorney expenses.

**Action Required:**

The City Council will need to consider approving the Greenway Application. The Council will also need to consider if a noise variance would be allowed and if yes, how to move forward.



- location of all stages, platforms, scaffolding, bleachers, grandstands, canopies, tents, portable toilets, booths, beer garden, cooking areas, trash containers, dumpsters, or any other temporary structure
- sources of electricity or generator locations
- placement of vehicles or trailers
- other related event components not listed above

**River access:** Does this event require river access either going over the ice or on the water?  
 \_\_\_\_\_yes \_\_\_\_\_no If yes, please complete the Boat and Water Permit Section.

**Security Plan:** Is security required at the event \_\_\_\_\_yes \_\_\_\_\_no

If yes, please include the information for the Security Organization that will be used.

Name \_\_\_\_\_ Address \_\_\_\_\_

Contact Number \_\_\_\_\_ License Number \_\_\_\_\_

**Medical Plan:** Are emergency medical services required at the event \_\_\_\_\_yes \_\_\_\_\_no

If yes, please describe your medical plan including the number of personnel that will be at the event, certification levels and types of resources that will be available at the event. If more space is needed please include an attachment.

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**Alcohol:** Will alcohol be served at this event? \_\_\_\_\_yes \_\_\_\_\_no

If yes, please contact the City in which it will be served. The fees for temporary alcohol permits will be collected by the City. The temporary alcohol permits can only be approved by the City in which they are applied for and are not approved with the special event permit. For Grand Forks please contact the \_\_\_\_\_. For East Grand Forks please contact the Administration Office at (218) 773-2483 for more information.

Please describe in detail how the alcohol sales will be sold (ie beer garden, wristbands, etc) and how the entrances and exits will be monitored.

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**Food:** Will there be food served at this event? \_\_\_\_\_yes \_\_\_\_\_no

If yes, please describe how food will be served or prepared. Include what method will be used to cook food if it is not provided by a food vendor. Mobile Food Vendors will have to be approved to serve for the public prior to the event. Contact Grand Forks or East Grand Forks for more information about food vendors.

**Portable Restrooms:** Are portable restrooms required for this event? \_\_\_\_\_yes \_\_\_\_\_no

If yes, please provide the plan for this including the number of portable restrooms available and the company that will be providing the restrooms along with their contact information.

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**Sanitation and Recycling:**

**Insurance:** Please attach the Certificate of Liability as proof of coverage for this event. This needs to be included when the application is turned in or the application will be considered incomplete.

I hereby certify that the information contained in the application is true and correct to the best of my knowledge and belief that I understand and agree to abide by the rules and regulations of the local, state, and federal government. I certify on behalf of the host organization agree to be financially responsible for any costs and fees that may be incurred by or on behalf of the event to the cities of Grand Forks and East Grand Forks as well as Polk and Grand Forks Counties.

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*Signature of Applicant*

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*Date*

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*Print Name*

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*Title*

**Internal Use Only**

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

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

\*Application completed in full and signed:  yes  no

\*Map of route is provided:  yes  no

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

\*Event Sponsor – Release & Indemnification Agreement:  yes  no

\*Liability Insurance:  yes  no

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

\*Appropriate Staff:  approved  denied  n/a

Notes: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*Council Approval \_\_\_\_/\_\_\_\_/\_\_\_\_  approved  denied

Notes: \_\_\_\_\_

City Administrator Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*License Number \_\_\_\_\_

**\_\_\_\_\_ -EVENT SPONSOR-  
RELEASE AND INDEMNIFICATION AGREEMENT  
CITY OF EAST GRAND FORKS, MINNESOTA**

**THIS IS A RELEASE OF LIABILITY INDEMNIFICATION AGREEMENT  
SPECIAL EVENTS HOLDER MUST READ CAREFULLY BEFORE SIGNING.**

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Special Events Holder hereby acknowledges, represents, and agrees as follows:

A. We understand that the above described activities are or may be dangerous and do or may involve risks or injury, loss, or damage to us and/or third parties. We further acknowledge that such risks may include but

not be limited to bodily injury, personal injury, sickness, disease, death, and property loss or damage, arising from the following circumstances, among others:

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(Special Events Holder initials here) \_\_\_\_\_

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

Participant Release and Indemnification required? YES \_\_\_\_\_ NO \_\_\_\_\_

(Special Events Holder initials here) \_\_\_\_\_

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

(Special Events Holder initials here) \_\_\_\_\_

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

(Special Events Holder initials here) \_\_\_\_\_

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

(Special Events Holder initials here) \_\_\_\_\_

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

(Special Events Holder initials here) \_\_\_\_\_

G. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we hereby acknowledge and agree that said Agreement extends to all acts omissions, negligence, or other fault of the City of East Grand Forks, its officers, and/or its employees, and that said Agreement is intended to be as broad and inclusive as

is permitted by the laws of the State of Minnesota. If any portion thereof is held invalid, it is further agreed that the balance shall, notwithstanding, continue in full legal force and effect.

(Special Events Holder initials here) \_\_\_\_\_

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

(Special Events Holder initials here) \_\_\_\_\_

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

(Special Events Holder initials here) \_\_\_\_\_

**IN WITNESS THEREOF, THIS RELEASE AND INDEMNIFICATION AGREEMENT** is executed by the special events holder, acting by and through the undersigned, who represents that he or she is properly authorized to bind the Special Events Holder hereto.

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

Name\_\_\_\_\_

Title\_\_\_\_\_

Signature\_\_\_\_\_

Date\_\_\_\_\_

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

Name\_\_\_\_\_

Title\_\_\_\_\_

Signature\_\_\_\_\_

Date\_\_\_\_\_