

**AGENDA
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, SEPTEMBER 15, 2015 - 5:00 P.M.**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

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

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of September 1, 2015.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of September 8, 2015.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS: NONE

CONSENT AGENDA: NONE

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

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

3. Regular meeting minutes of the Water, Light, Power, and Building Commission for August 20, 2015.
4. Regular meeting minutes of the Planning Commission for June 25, 2015.

COMMUNICATIONS:

5. Acknowledgement of the retirement of Deb Hadden after 35 years of service.

OLD BUSINESS: NONE

NEW BUSINESS:

6. Consider approving the application for an Exempt Gambling Permit for a raffle and paddlewheel for the Red River Lions Club to be held on November 12, 2015 at the American Legion located at 1009 Central Ave NW East Grand Forks, MN 56721 and waive the 30 day waiting period.
7. Consider adopting Resolution No. 15-09-100 authorizing the request for \$5.3 million for the waste water interconnect to be included in the 2016 State Bonding Bill.
8. Consider authorizing the City Engineers to prepare a report of feasibility for the proposed 2016 street repairs which will be prepared at no cost to the City.
9. Consider adopting Resolution No. 15-09-101 appointing Randy Olson to the Lead Equipment Operator at a salary of \$24.01 per hour.
10. Consider adopting Resolution No. 15-09-102 appointing Dillon Nelson to the Lead Wastewater Operator at a salary of \$27.02 per hour.
11. Consider approving the amendment to the Wireless Communication Ordinance of the City Code (1st Reading).
12. Consider approving the preliminary addition of Northview 1st Addition contingent upon the road right-of-way being increased, a development agreement is signed and recorded, and a digital file is submitted to the Community Development Office.
13. Consider approving the final plat for the MGI Grain Resubdivision contingent upon a digital file being submitted to the Community Development Office and the recording of the easement vacation on both the plat and separate document.

CLAIMS:

14. Consider adopting Resolution No. 15-09-103 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 22403 for a total of \$354.96 whereas Council Member Buckalew is personally interested financially in the contract.
15. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

COUNCIL/STAFF REPORTS:

ADJOURN:

Upcoming Meetings:

- Work Session – September 22, 2015 – 5:00 PM – Training Room
- Regular Council Meeting – October 6, 2015 – 5:00 PM – Council Chambers
- Work Session – October 13, 2015 – 5:00 PM – Training Room
- Regular Council Meeting – October 20, 2015 – 5:00 PM – Council Chambers

**UNAPPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, SEPTEMBER 1, 2015 - 5:00 P.M.**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for September 1, 2015 was called to order by Council President Mark Olstad at 5:01 P.M.

CALL OF ROLL:

On a Call of Roll the following members of the East Grand Forks City Council were present: Mayor Lynn Stauss(5:04pm), Council President Mark Olstad, Council Vice-President Chad Grassel, Council Members Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, and Marc DeMers.

Dave Aker, Parks & Recreation Superintendent; Karla Anderson, Finance Director; Dan Boyce, Water & Light Manager; Nancy Ellis, City Planner; Steve Emery, City Engineer; Ron Galstad, City Attorney; Paul Gorte, EDA Director; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Gary Larson, Fire Chief; David Murphy, City Administrator/Clerk-Treasurer; Megan Nelson, Executive Assistant; and Jason Stordahl, Public Works Director.

DETERMINATION OF QUORUM:

The Council President Determined a Quorum was present

PLEDGE OF ALLEGIANCE:

SWEARING IN OF OFFICER TYLER HAJICEK:

Chief Hedlund introduced Officer Hajicek to the Council, commented how he will be a second generation police officer for the department and with this addition to the police department they will be fully staffed once everyone completes their training. Chief Hedlund swore in Officer Hajicek.

OPEN FORUM:

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

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of August 18, 2015.

- 2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of August 25, 2015.
- 3. Consider approving the minutes of the “Special Meeting” for the East Grand Forks, Minnesota City Council of August 25, 2015.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE ITEMS ONE (1) THROUGH THREE (3).

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.
Voting Nay: None.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS: NONE

CONSENT AGENDA:

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

- 4. Consider approving the request to declare the list of vehicles as surplus and to be sold at auction.
- 5. Consider approving the special event application to the Grand Forks Run for Fun LLC for the Wild Hog Half Marathon taking place on September 26, 2015 from 8:00am until 11:00pm.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER POKRZYWINSKI TO APPROVE ITEMS FOUR (4) AND FIVE (5).

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.
Voting Nay: None.

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

- 6. Regular meeting minutes of the Water, Light, Power, and Building Commission for August 6, 2015.
- 7. Regular meeting minutes of the Economic Development Authority Board for July 21, 2015.

COMMUNICATIONS: NONE

OLD BUSINESS:

- 8. Consider adopting Ordinance No. 15 4th Series annexing Southeast Quarter of the Southeast Quarter (SE1/4SE1/4), Section Twenty-Six (26), Township One Hundred Fifty-Two (152) North, Range Fifty (50) West Of The Fifth Principal Meridian, Polk County, Minnesota (2nd Reading).

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT ORDINANCE NO. 15 4TH SERIES ANNEXING SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4), SECTION TWENTY-SIX (26), TOWNSHIP ONE HUNDRED FIFTY-TWO (152) NORTH, RANGE FIFTY (50) WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, MINNESOTA (2ND READING).

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.

NEW BUSINESS:

9. Consider adopting Resolution No. 15-09-93 formally accepting the NV & Me Program Grant in the amount of \$1800 for DARE Program supplies and training.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 15-09-93 FORMALLY ACCEPTING THE NV & ME PROGRAM GRANT IN THE AMOUNT OF \$1800 FOR DARE PROGRAM SUPPLIES AND TRAINING.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.

10. Consider adopting Resolution No. 15-09-94 setting the final public hearing for 2014 Assessment Job No. 1 – Reconstruction of 17th Street NE for October 6, 2015.

A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 15-09-94 SETTING THE FINAL PUBLIC HEARING FOR 2014 ASSESSMENT JOB NO. 1 – RECONSTRUCTION OF 17TH STREET NE FOR OCTOBER 6, 2015.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.

11. Consider adopting Resolution No. 15-09-95 accepting and awarding the bid for 2014 City Project No. 3 – Lift Station No. 5 Replacement to Industrial Contract Services for the amount of \$2,272,827.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 15-09-95 ACCEPTING AND AWARDING THE BID FOR 2014 CITY PROJECT NO. 3 – LIFT STATION NO. 5 REPLACEMENT TO INDUSTRIAL CONTRACT SERVICES FOR THE AMOUNT OF \$2,272,827.

Voting Aye: Tweten, Olstad, Grassel, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.

Abstain: DeMers.

- 12. Consider adopting Resolution No. 15-09-96 accepting and awarding the bid for 2015 City Project No. 5 – Campground Improvements to R.J. Zavoral & Sons for the amount of \$209,941.85.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPT RESOLUTION NO. 15-09-96 ACCEPTING AND AWARDING THE BID FOR 2015 CITY PROJECT NO. 5 – CAMPGROUND IMPROVEMENTS TO R.J. ZAVORAL & SONS FOR THE AMOUNT OF \$209,941.85.

Voting Aye: Tweten, Olstad, Grassel, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.

Abstain: DeMers.

- 13. Consider adopting Resolution 15-09-97 authorizing the reduction of the combined sewage bill from June and July for the Fairfield Inn by \$3,000.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION 15-09-97 AUTHORIZING THE REDUCTION OF THE COMBINED SEWAGE BILL FROM JUNE AND JULY FOR THE FAIRFIELD INN BY \$3,000.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.

- 14. Consider approving the license agreement between the City of East Grand Forks and Riverwalk Enterprises LLC for the use of city owned property as a drive thru exit.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE LICENSE AGREEMENT BETWEEN THE CITY OF EAST GRAND FORKS AND RIVERWALK ENTERPRISES LLC FOR THE USE OF CITY OWNED PROPERTY AS A DRIVE THRU EXIT.

Council member Buckalew commented how this had changed from an easement agreement to a license agreement and asked Mr. Galstad if he had reviewed this agreement with Mr. Moore. Mr. Galstad explained that he had reviewed this document with Mr. Moore, how it made more sense to move forward with a license agreement, all of the concerns were addressed in the agreement, and that this document had also been sent to Mr. Moore’s attorney for review. Mr. Moore stated he did not have any issues with the agreement.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.

- 15. Consider adopting Resolution No. 15-09-99 approving and authorizing curb and gutter repairs to 4th Street NW not to exceed \$10,000.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 15-09-99 APPROVING AND AUTHORIZING CURB AND GUTTER REPAIRS TO 4TH STREET NW NOT TO EXCEED \$10,000.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.

CLAIMS:

16. Consider adopting Resolution No. 15-09-98 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 22301 for a total of \$336.31 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 15-09-98 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 22301 FOR A TOTAL OF \$336.31 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, and Pokrzywinski.

Voting Nay: None.

Abstain: Buckalew.

17. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER GRASSEL, TO AUTHORIZE THE CITY ADMINISTRATOR/CLERK-TREASURER TO ISSUE PAYMENT OF RECOMMENDED BILLS AND PAYROLL.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Council Member Vetter wished the participants of the mud run good luck.

Council Member Buckalew commented how it was a great thing to see a son follow in his father’s footsteps, how it was a great testament to his father, and the police department will benefit from this.

Council Member Tweten stated he joined in on Council member Buckalew’s comments and how the police department has done an excellent job for the community.

Mr. Murphy informed the Council the Senate bonding committee will be in town on September 30th at

Northland College and that they will want to see a presentation.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADJOURN THE SEPTEMBER 1, 2015 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:14 P.M.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.

David Murphy, City Administrator/Clerk-Treasurer

**UNAPPROVED MINUTES
OF THE CITY
COUNCIL WORK SESSION
CITY OF EAST GRAND FORKS
TUESDAY, SEPTEMBER 8, 2015 – 5:00 PM**

CALL TO ORDER:

The Work Session of the East Grand Forks City Council for September 8, 2015 was called to order by Council President Mark Olstad at 5:00 P.M.

CALL OF ROLL:

On a Call of Roll the following members of the East Grand Forks City Council were present: Mayor Lynn Stauss(5:03pm), Council President Mark Olstad, Council Vice-President Chad Grassel, Council Members Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, and Marc DeMers.

Dave Aker, Parks & Recreation Superintendent; Karla Anderson, Finance Director; Brad Bail, City Engineer; Dan Boyce, Water & Light Manager; Nancy Ellis, City Planner; Steve Emery, City Engineer; Ron Galstad, City Attorney; Paul Gorte, EDA Director; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Gary Larson, Fire Chief; David Murphy, City Administrator/Clerk-Treasurer; Megan Nelson, Executive Assistant; and Jason Stordahl, Public Works Director.

DETERMINATION OF A QUORUM:

The Council President Determined a Quorum was present.

1. Request Regarding People Mover from American Legion – Dave Aker

Mr. Mike Peterson informed the Council the American Legion was interested in purchasing a people mover bus that could hold approximately 20 to 30 people. He explained the primary use of the bus would be for transporting the American Legion Baseball Team but when they were not using it others would be able to. He said if this bus was purchased the Legion was asking if the City would then maintain the bus, store it, and insure it. He stated if the City would help with the regular maintenance the Legion would pay for any major repairs. Council Vice-President Grassel asked how much maintenance costs and insurance would be. Discussion followed about how cost estimates could be determined, how there currently is not room inside the park shop for storing another bus, and how the Legion Team had used charter services for some of their trips.

Mr. Galstad stated his concern about if the City's insurance not covering a people mover owned by the Legion and how an agreement would have to be drafted for the use and maintenance of the bus. Council member Buckalew asked if the Legion team had used the one of the City buses before and if there was ever a time the City was not able to accommodate. Mr. Peterson stated they had used the buses before and explained that storage space is needed so a larger bus is what

they were looking at purchasing. Discussion followed about how old the bus could be, how much regular maintenance may cost, how the American Legion would pay for all of the major repairs, and who would receive the revenue if it was rented. Council Vice-President Grassel told Mr. Peterson to meet up with Mr. Aker, figure out what is needed and possible costs, and bring the information back to a work session. Council member DeMers asked them to also set priority of reserving the bus. Council member Vetter asked to see where the current buses are being used.

2. Request from Sacred Heart – Len Vonasek

Mr. Vonasek informed the Council that Sacred Heart had questions on some City owned lots along 4th Street. He explained how Sacred Heart is land locked, has interest in those lots, and asked what the City's intention was with those lots. Mayor Stauss stated that parking lot was originally put in for Cabela's employees but it is not used very much. Council member DeMers asked what those lots were zoned as. Ms. Ellis stated they were zoned C-2. Mayor Stauss asked what the plan was for the property. Mr. Vonasek said nothing had been decided and they were still looking at different possibilities. Discussion followed about how Sacred Heart had purchased other properties on the same block, how they were considering adding on an elementary school, and what may become of the parking lot.

Council President Olstad asked Mr. Vonasek what he was asking for. Mr. Vonasek said he wanted to inform the Council that Sacred Heart is interested in those lots and if the City is willing to sell them what they would like to sell them for. Council member Buckalew asked if the parking lot was used much. Council member Pokrzywinski stated that it wasn't. Council President Olstad stated that the Council will have a discussion about lot prices and asked that the time frame was. Mr. Vonasek stated currently there wasn't a time frame set. Council member DeMers asked to have the Council look at all of the City lots that are available. Ms. Ellis stated an inventory list had been put together but the Council needed to determine how they would like to sell them.

3. Feasibility Study for Riverview 10th Addition – Steve Emery

Mr. Emery informed the Council that the Riverview 10th Addition was developed using a developer's agreement which states paving needed to be completed within three years of the development being started. He stated the gravel would be removed which couldn't be reassessed so the total amount that would be assessed on this project would be around \$395,600. Council Vice-President Grassel asked if this estimate was based on current prices. Mr. Emery stated it was based off of the Point of Woods 5th Paving project. Council member Tweten asked to have this tabled until item nine was discussed. Ms. Ellis stated that since a developer's agreement was used and as long as the amount was reasonable they wouldn't have the right to protest. She then explained sidewalks are required and that there is a concern they won't be put in. Discussion followed about how sidewalks are required by City policy and if the sidewalks should be put in at the same time as the paving is done and be included in the assessment roll. Council member Pokrzywinski stated the City should either adhere to the policy or get rid of it.

This item will be referred to a City Council Meeting for action.

4. Report of Feasibility – Jason Stordahl

Mr. Stordahl stated that he along with the City Engineers had started preparing a long range plan of street improvements. He explained this was year one and now they were beginning to look at 2016. He asked to move to the next step and have WSN start preparing the feasibility study for 2016 street improvements. Council member DeMers asked what the purpose was of breaking this up into thirds. Mr. Stordahl stated it was typically done ever seven years but they have also been doing other kinds of maintenance which may give the streets a longer life. Discussion followed about how long the street projects would be assessed and how there weren't other street improvement projects planned after the three year plan in the areas that were improved.

This item will be referred to a City Council Meeting for action.

5. Update on Bygland Road Study & Land Use Plan – Teri Kouba

Ms. Kouba reminded the Council that the Metropolitan Planning Organization (MPO) had been working on the Bygland Road Study as well as the Land Use Plan. She stated how a plan had been developed with implementation, near, mid, and long-term plans. She said how currently the implementation plan was to begin stripping next year and how the cost estimates were included with the information. She added how costs could fluctuate due to what paint was used in this process. Ms. Kouba continued by saying how this stripping would allow for bike lanes and that some parking would be taken away in some areas along Bygland. She said that people attending the public forums did not indicate either way if they would like to retain the parking or if they were okay with losing that parking.

Ms. Kouba informed the Council they were looking at ways to try and improve some of the intersections along Bygland Road. She said that after looking at different options the MPO is making the suggestion to install round-a-bouts. She explained that this will keep track flowing instead of coming to complete stops at stop signs or a traffic light and added the drawings for the round-a-bouts were included in the packet. Ms. Kouba continued on by briefly speaking about the Land Use Plan and informing the Council there was an open house for the Bygland Road Study on September 23rd and for the Land Use Plan on September 16th.

Council member DeMers asked if stripping was included by the stoplights by the bridge. Ms. Kouba said it was and there was a suggestion to also include a left turning sign. Discussion followed about how the Council should consider looking into acquiring land if the plan is approved to insure enough land is available for round-a-bouts, that there are many complaints about Bygland Road, there isn't a quick and easy solution, and how the Council should look and see what kind of funding may be available to help pay for a round-a-bout project.

Ms. Ellis stated the stripping for \$400,000 was listed under the implementation plan. She added it had not been included in the budget and asked Ms. Kouba to move that to the near term plans and out of the implementation plan. Ms. Kouba stated it would be moved and would be presented that way to the public at the open house. Council member DeMers asked what was all included with the \$400,000 for stripping. Ms. Kouba explained it included grinding to remove other paint so it was more than just stripping.

Council member Vetter commented how bike lanes had been brought up a year ago and put on hold. He stated that the \$400,000 was sticker shock but the City could look into grants for putting in bike lanes. Council President Olstad commented about the sidewalks done with Safe Routes to School and asked if anything needed to be widened out. Discussion followed about how a multi-use trail had to be a minimum of 8 feet, the addition of a bike lane would add another choice, and how when the sidewalks were put in the City was only able to get \$175,000 in federal funds for the project and was not able to afford a larger sidewalk. Council member Pokrzywinski asked what the time table was on the reports. Ms. Kouba said both would be done by the end of the year and the Council would see of draft of each in October.

6. Ordinance Amendment Request – Nancy Ellis

Ms. Ellis stated she had received a request to have an ordinance amended regarding cell towers and allowing them in residential areas. She informed the Council there was going to be a public hearing during the Planning Commission at the meeting on Thursday, September 10th. She stated there had been concerns and if there were questions the Verizon attorney was present to either answer or come prepared to the next meeting with answers. Mr. Galstad introduced Mr. Littlejohn. Mr. Littlejohn informed the Council he had brought handouts for them to review. He stated how services are in high demand and these towers are needed to provide services. He explained how they were trying to take the minimalistic approach with the slim line or stealth poles. He added he had worked with Verizon since 1988 and was here to answer any questions the Council may have.

Council member DeMers thanked Mr. Littlejohn for coming to the meeting and commented how he sees this service as a utility and asked how putting up a pole affects the community. Discussion followed about how the pole would support more than one carrier, the carriers work together, and how things may change to even smaller antennas in the future. Council member DeMers asked what would happen to the pole when it is no longer used. Mr. Littlejohn stated how it is standard procedure to take them down. Mayor Stauss asked who the pole would be serving. Mr. Littlejohn said it would depend on the location and height of the pole but it would be serving East Grand Forks and some of Grand Forks. More discussion followed about how appraisals could be done to reassure property owners that property values would not be affected and that properties could be looked at in Grand Forks to see if they were affected after a tower went up.

7. Request for Pay Increase for Operator – Jason Stordahl

Mr. Stordahl reminded the Council about the lead equipment operator position that was open. He explained the position was pointed at a Grade 11 but due to length of service of all of the current operators and the 4% increase for a promotion, there wasn't a step to place them on since the top step would be much less than the 4% that is stated in the contract. Discussion followed about how the steps may need to be adjusted or if there may need to be a freeze on the wages. Mr. Murphy stated he had never seen this situation before. Mr. Galstad commented how the contract will need to be followed and that it states a promotion receives a 4% increase. Mr. Murphy added the precedence had been set.

This item will be referred to a City Council Meeting for action.

8. Midcontinent Agreement – David Murphy

Mr. Murphy said he was asked to see what other cities have done when renegotiating with Midcontinent. He stated that Bemidji had completed a new agreement with Midcontinent in 2014 and was the most recent. He explained there were two main things with the first being the most the franchise fee could be was 5% of the gross revenue. He added the City was collecting close to \$12,000 a month which goes into the general fund. He said the second item was the changes with technology and what services should be included when adding up the gross revenue which is still unknown. Mr. Galstad said he had one concern regarding the public and education channel that was a part of the agreement. He said it only lists one in the City's agreement but Bemidji has six. He explained Bemidji also receives service and tapes so all cable subscribers can watch and added how the Council should look closer into this to see what could be provided to the City. Council member Pokrzywinski suggested starting the conversation of what could be done with this channel and how it could be a great marketing tool. Council member DeMers commented he wouldn't mind a shorter agreement with Midcontinent.

This item will be referred to a City Council Meeting for action.

9. Discussion on Engineering Contract – David Murphy

Mr. Murphy informed the Council that the engineering contract was up for renewal at the end of the year. He stated that he had met with Wiseth Smith Nolting(WSN), spent time on assessment procedures, and that WSN had prepared a draft of a new contract for the Council to review. He added that he had been asked to look into Request for Proposals as well as looking what it would cost for an in-house engineer. He explained he had put together responses from the listserv email he had sent out. He asked for questions and direction from Council.

Council member Tweten stated his objections to a three year contract and that he would like to open this up to see what prices and expenses are from others and there shouldn't be a monopoly on professional services. Council member Vetter stated he is a proponent of the City having their own engineer and based on some of the information it could pay for itself. Council member DeMers stated he didn't think a three year contract was unfair and that he doesn't see how having an in-house engineer will save money since there is so much more that is now specialized. He added how much it may cost in personnel and office costs and asked to have a budget drawn up. Council member Pokrzywinski commented he can't tell what would be better, that it would be hard to fire a bad employee, and that Grand Forks has in-house engineers and also still contracts out work as well.

Council member Buckalew stated the group the City has is doing a good job, the Council doesn't know how many times they haven't charged for something, they have been very fair in the past, and that there are many engineers that can help the City because the City would need more than one. He ended by saying they are a part of the community, they support the community, and they try to keep things fair to the community and tax payers. Council Vice-President Grassel commented he agreed with Council members Buckalew and DeMers, stated that setting up an

engineering department would be an overwhelming task and if there are issues they City needs to tell them so they have a chance to correct it.

Council President Olstad stated he echoes comments already made and that all of the City Engineers live in the City, they look at what is in the best interest of the citizens, and if there is an issue they need to be told so things can be worked out. Mayor Stauss commented that he had worked with this firm since 1963, that they have built a history with the City, they charge what others charge, and that this firm employees residents of the community. Mr. Galstad stated he had some concerns about language regarding indemnification that he would be looking into but the rest was very similar to previous contracts. Mr. Murphy stated that when there has been an issue he is vocal about it and it gets discussed. Council member Vetter asked to see what has been paid to the engineers over the last three years from both the City and the Water and Light Department.

10. Waste Water Fee Discussion – Karla Anderson

Council President Olstad mentioned that the Council had been increasing the waste water fee every year and it was asked to be discussed to see if another increase was needed. Ms. Anderson explained she had put together a spreadsheet showing two different scenarios with one maintaining the current rate and the other having a \$1.00 increase in 2025 to the fixed rate. She said that she made assumptions such as a 3% water rate increase which would then increase what is taken in on sewage usage. Discussion followed about how high the current water rate is at, that the Council doesn't want to have issues down the road with not having enough funds, how there was a 3% inflation rate included, and that these numbers are based on the City paying for the entire project.

Council member Pokrzywinski commented the price could drop if the fertilizer plant is built. More discussion followed about how these numbers include treatment but repairs and maintenance would be taken out of a different fund. Mayor Stauss asked if East Grand Forks had the highest water rates in the region. Mr. Boyce stated it was the third but that this also accounts for depreciation so residents are not assessed when water lines are replaced.

11. 2016 Budget Discussion – David Murphy

Mr. Murphy stated that staff had been working on a plan on a two or three year correction plan instead of trying to make a one year correction. Ms. Anderson stated that instead of a 33% increase they were looking at a 25% increase for 2016 and reviewed possible changes in purchases, reductions, or items put off until 2017. She explained how there would then be an approximate 18% increase in 2017 so by 2018 the increase would be under 10% and would only be for the cost of conducting business. Mr. Murphy said how this would allow the City to fully fund what is needed. He added they were working on information to show what the impact would be with the proposed increases which will help show the community how they would be affected. Discussion followed about the purchase of radios and how with occasional updates they should last anywhere from 10 to 20 years and how there are three vehicles that could be used to trade in to bring down the costs of either a vehicle purchase or lease for the police department.

Council Vice-President Grassel said he appreciates the proposed levy is coming down and how it is the Council's job to inform the residents about the potential increase. Council member Pokrzywinski thanked the Herald for their article explaining how the increase to a levy and that these numbers are scary but it is something the Council needs to see.

a. Pool

Mr. Murphy continued on with the pool and how the correction plan includes an interest only payment for both 2016 and 2017 since it is still unknown if the sales tax would be passed or not. He asked if there was any discussion or if there is different direction from the Council on this issue. Ms. Anderson added the resolution requesting funds from the Water and Light Department will also have to be updated covering the entire project or consider a different way to cover the additional funds needed to this project. Mr. Murphy stated the project will be finished next year so unless the Council says otherwise staff will move forward with this plan.

b. Refuse

Mr. Stordahl informed the Council that there hadn't been an increase to the refuse rates for some time. He stated that the contract the City has with Countrywide Sanitation includes a 4% increase for each remaining year of the contract along with a potential of a fuel surcharge. He added how there is a 2% increase in landfill rates. He told the Council an increase was needed and suggested 10%. He explained that would increase a \$13.00 up to \$16.25 and would help pay for the increase in costs as well as a much needed garbage truck. He reviewed other charges for commercial and apartments that could also change. Mayor Stauss stated that some apartments would like to use a different refuse collector because it would be cheaper. Mr. Stordahl stated they had the ability to do that but from what he had found the City had the lowest rates by far.

Ms. Anderson said that since this is an enterprise fund the City would be able to bond for the funds needed for the garbage truck. Council member Buckalew asked if there was enough in the central equipment fund to cover it. Ms. Anderson stated she was working on bonding and it had been suggested to include it. Council member DeMers asked if commercial and residential funds were combined and if they were to have them separated since the truck was for commercial refuse pickup and should be paid for with those funds.

c. Storm Water

Ms. Anderson stated that the storm water fund was in the hole. She stated reasons for this included depreciation and payments for a mower. She explained how the storm water fee was for the flood control and those funds were needed to maintain the system up to Corps standards. Council member Pokrzywinski commented how it was important to note these funds are for flood protection, if the system isn't maintained it will be decertified, and \$9 per month is cheaper than flood insurance. Council member Vetter stated since this is for flood protection it should be reflected on the bill that way. Council member Pokrzywinski said it already was. Council member DeMers commented how the Corps predicted it would cost approximately \$400,000 per year to maintain the flood system and the City is well short of that at this point.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER VETTER, TO ADJOURN THE SEPTEMBER 8, 2015 WORK SESSION OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 7:52 P.M.

Voting Aye: Olstad, Grassel, DeMers, Vetter, Pokrzywinski, Buckalew, and Tweten.

Voting Nay: None.

David Murphy, City Administrator/Clerk-Treasurer

Minutes of the regular meeting of the Water, Light, Power and Building Commission of the City of East Grand Forks, Minnesota held August 20, 2015 at 5:00 P.M.

Present: Ogden, Loven, Quirk, Tweten
Absent: None

It was moved by Commissioner Tweten seconded by Commissioner Loven that the minutes of the previous meeting of August 6, 2015 be approved as read.

Voting Aye: Ogden, Loven, Quirk, Tweten
Voting Nay: None

It was moved by Commissioner Quirk seconded by Commissioner Loven to authorize the Secretary to issue payment of the recommended bills and payroll in the amount of \$974,727.77.

Voting Aye: Ogden, Loven, Quirk, Tweten
Voting Nay: None

It was moved by Commissioner Quirk seconded by Commissioner Loven to approve the Tri-Valley Opportunity Council Fuel Assistance Agreement for FY 2016.

Voting Aye: Ogden, Loven, Quirk, Tweten
Voting Nay: None

It was moved by Commissioner Loven seconded by Commissioner Quirk to approve the Salvation Army Heatshare Agreement and provide a donation of \$2000 for the FY 2016.

Voting Aye: Ogden, Loven, Quirk, Tweten
Voting Nay: None

It was moved by Commissioner Quirk seconded by Commissioner Tweten to adjourn to the next regular meeting on September 3, 2015 at 5:00 P.M.

Voting Aye: Ogden, Loven, Quirk, Tweten
Voting Nay: None

Lori Maloney
Sec'y

**EAST GRAND FORKS
REGULAR
PLANNING COMMISSION MINUTES
Thursday, June 25, 2015 – 12:00 Noon
East Grand Forks City Council Chambers**

CALL TO ORDER

Chairman Mike Powers called the June 25, 2015, meeting of the East Grand Forks Planning Commission to order at 12:00 p.m.

CALL OF ROLL

On a Call of Roll the following members were present: Chairman Powers, Vice Chairman Christianson, Commissioners Randy Boushey, Chad Erickson, Marc DeMers, Kevin Marcott, and Niel McWalter.

Absent:

Guest(s) present: Randy Kraft, Darryl Beauchamp, Teri Kuba.

Staff present: Nancy Ellis, East Grand Forks City Planner; Ron Galstad, City Attorney; & Brenda Ault, Executive Assistant.

DETERMINATION OF A QUORUM

A quorum was present.

COMMUNICATION

2045 Land Use Plan Update Information.

CP Ellis informed the Board that a land use plan public open house was held June 18, 2015, at Riverwalk. She felt it was poorly attended, but was able to get comments from people walking by the event. She felt they were valuable comments and will help them go forward to make goals for new development or redevelopment. The Steering Committee held their first meeting at the Campbell Library on June 19th. DeMers is one of the members on this committee.

Ms. Kouba, East Grand Forks and Grand Forks MPO, reported that a survey is now available to the public. Articles have been put in the Grand Forks Herald and the East Grand Forks Exponent regarding the survey.

APPROVAL OF MINUTES

Matter of Approval of the April 9, 2015 Regular Minutes of the East Grand Forks Planning Commission.

A MOTION WAS MADE BY COMMISSIONER DEMERS, SECONDED BY COMMISSIONER BOUSHEY TO APPROVE THE MINUTES OF THE APRIL 9, 2015 MEETING OF THE EAST GRAND FORKS PLANNING COMMISSION, AS SUBMITTED. M/S/P- 7:0, MC.

OLD BUSINESS

None.

NEW BUSINESS

Public Hearing: Matter of Consideration of a Variance Request from Darryl Beauchamp/Eagle Electric to construct a commercial storage building 5 feet from the rear property line instead of the required 10 foot rear yard setback

A MOTION WAS MADE BY COMMISSIONER DEMERS, SECONDED BY COMMISSIONER BOUSHEY TO OPEN TO A PUBLIC HEARING. M/S/P- 7:0, MC.

Mr. Beauchamp was present from Eagle Electric to request a variance.

A MOTION WAS MADE BY COMMISSIONER CHRISTIANSON, SECONDED BY COMMISSIONER ERICKSON TO CLOSE THE PUBLIC MEETING. M/S/P- 7:0, MC.

CP Ellis stated she had explained that Mr. Beauchamp the owner of Eagle Electric is requesting approval of a variance for lots 1-12, Block B Plat of White's Re-Arrangement Traill's addition to the City of East Grand Forks to reduce the rear yard setback from the BNSF Railroad R-O-W from 10 feet to 5 feet to construct a business storage building. She went on to explain, because of the shape of the property, the building would need to be built closer to the back property line. The building would be a viable use of the property for Eagle Electric and should not cause any adverse affect to the surrounding properties.

CP Ellis also explained to the Board that there are three factors to consider when granting a variance. The first factor is that the property owner proposes to use the property in a reasonable manner. The second factor is that the landowner's problem is due to circumstances unique to the property not caused by the landowner. The third is that the variance, if granted, will not alter the essential character of the locality.

CP Ellis stated that the property was going to be used in a reasonable manner. The property arcs and gets substantially smaller as you go further east and in order for the building to be built, the variance needed to be issued. And she feels that the building and request will not alter the character of the area, the structure will fit in with the surrounding areas. Based on these findings, she recommends the variance be granted.

After discussion by the Board, and explaining to Mr. Beauchamp, that any action taken by this Board, would need to be approved by the City Council, at the July 7, 2015 meeting.

A MOTION WAS MADE BY COMISSIONER DEMERS, SECONDED BY COMMISSIONER CHRISTIANSON TO APPROVE THE VARIANCE. M/S/P- 7:0, MC.

Public Hearing: Establish R-3 zoning for ~ 8.6 acres of the proposed 40 acre property annexation and establish UER zoning for the remaining drainway and northeast acreage before the property is annexed into City Limits

A MOTION WAS MADE BY COMISSIONER MARCOTT, SECONDED BY COMMISSIONER BOUSHEY TO OPEN TO A PUBLIC HEARING. M/S/P- 7:0, MC.

Randy Kraft was present to state his concern about this issue. He stated that he lives on the South side and he was here to gather information. He would like to see something developed there, but apartment buildings are not his first choice. He would prefer not to see low income units there and he feels additional apartment buildings for students should be located by the Tech School.

CA Galstad stated that he has been working on this project with the developer. It is a tract of 40 acres, owned by one person. He said that the R-3 Zoning is multi planning, but it can have apartments, twin homes or single homes.

A MOTION WAS MADE BY COMMISSIONER CHRISTIANSON, SECONDED BY COMMISSIONER DEMERS TO CLOSE THE PUBLIC MEETING. M/S/P- 7:0, MC.

CP Ellis stated that this request has been ongoing since 2008 to build apartments at that location. Rodger Johnson is requesting the City establish zoning for his property, which is 40 acres to the north of 23rd St NW, west of Highway 220 and east of the golf course property. In order for the property to be annexed, zoning must be established for the site. The zoning request is for R-3 (Multi-Family Residential) zoning for the approximately 8.6 acres in the southwest corner (to be developed in the near future for apartment complexes); and the remaining drainway and northeast portion will be zoned UER. After annexation and rezoning, the developers will submit a plat and a site plan for the 8.61 acre property, which will lay out how they intend to develop the land for multi-family housing. The site is zoned within the County; this land is currently farmed. The surrounding zoning/land use is the North is out of city limits and is farm land. The West is out of city limits and is now the golf course and residential housing. The South is R-1 Zoning, single family house and some Highway Commercial. The East is out of city limits, Hwy 220 and residential homes.

The Planning commission should make its recommendation based on the following: The first factor is this appropriate for this property. The second is how would this zoning fit with the current City Comprehensive Plan and the third is how does this zoning fit into the current zoning in the area.

CP Ellis explained that the property is a good fit for R-3 and UER zoning. The immediate use planned for the property is multi-family housing, which is a permitted use for R-3 and has requirements within the zoning district. The remaining property will be UER and this is also consistent with the area's uses and will be appropriate zoning. Also the City's Comprehensive plan is comprised of the following plan elements: 2040 Land Use Plan, 2012 Greenway Plan Update, 2035 Long Range Transportation Plan, and the 2009 River Forks River Forks Downtown Plan Update. The 2045 Land Use Plan is currently being updated and it does show a need to annex land north of 23rd Ave NW for future residential development of different types and Commercial development. And finally the R-3 and UER zoning is consistent with the current zoning map. Based on these factors, CP Ellis recommends approval to establish R-3 and UER zoning for the annexed property.

After discussion, the Board agreed that this would be a good use of the property and having it in reserve under the UER is something they would like to see happen.

A MOTION WAS MADE BY COMMISSIONER DEMERS, SECONDED BY COMMISSIONER BOUSHEY TO APPROVE THE REQUEST FOR ZONING AND TO ESTABLISH THE PROPERTY AS R-3 AND URBAN EXPANSION RESERVE. M/S/P-7:0, MC.

OTHER BUSINESS

None.

ADJOURNMENT

A MOTION WAS MADE BY COMMISSIONER CHRISTIANSON, SECONDED BY COMMISSIONER DEMERS, TO ADJOURN THE JUNE 25, 2015, MEETING OF THE EAST GRAND FORKS PLANNING COMMISSION AT 12:49 PM. M/S/P-7:0, MC.

Respectfully submitted by,

Brenda Ault
Executive Assistant

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: Red River Lions Club Previous Gambling Permit Number: mn x-31953

Minnesota Tax ID Number, if any: _____ Federal Employer ID Number (FEIN), if any: _____

Mailing Address: PO Box 14443

City: Grand Forks State: ND Zip: 58208 County: Grand Forks

Name of Chief Executive Officer (CEO): Grant Kalbaugh

Daytime Phone: 701-739-2761 Email: hatcollector2000@yahoo.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

Fraternal Religious Veterans Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

A current calendar year Certificate of Good Standing

Don't have a copy? Obtain this certificate from:

MN Secretary of State, Business Services Division
60 Empire Drive, Suite 100
St. Paul, MN 55103

Secretary of State website, phone numbers:
www.sos.state.mn.us
651-296-2803, or toll free 1-877-551-6767

IRS income tax exemption (501(c)) letter in your organization's name

Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)

If your organization falls under a parent organization, attach copies of both of the following:

1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): American Legion Club

Address (do not use P.O. box): 1009 Central Ave W

City or Township: East Grand Forks Zip: 56721 County: Polk

Date(s) of activity (for raffles, indicate the date of the drawing): November 12, 2015

Check each type of gambling activity that your organization will conduct:

Bingo* Paddlewheels* Pull-Tabs* Tipboards*

Raffle (total value of raffle prizes awarded for the calendar year: \$1,000.00)

* **Gambling equipment** for bingo paper, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under **List of Licensees**, or call 651-539-1900.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

**CITY APPROVAL
for a gambling premises
located within city limits**

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- The application is denied.

Print City Name: _____

Signature of City Personnel: _____

Title: _____ Date: _____

The city or county must sign before submitting application to the Gambling Control Board.

**COUNTY APPROVAL
for a gambling premises
located in a township**

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
- The application is denied.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: *Grant Kahubaugh* Date: 9/3/2015
(Signature must be CEO's signature, designee may not sign)

Print Name: GRANT KAHUBAUGH

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days, or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

- a copy of your proof of nonprofit status, and
- application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions?

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor; national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format (i.e. large print, braille) upon request.

RESOLUTION NO. 15 – 09- 100

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

WHEREAS, the City of East Grand Forks has determined that constructing an interconnect to Grand Forks and decommissioning the City of East Grand Forks Wastewater ponds to be the most cost effective and feasible long term solution for disposal of wastewater, and

WHEREAS, the overall estimated project cost is \$10.6 million dollars, and

WHEREAS, the cost of constructing the interconnect and decommissioning of the ponds would be a heavy burden upon the taxpayers of East Grand Forks, and

WHEREAS, the City of East Grand Forks can reasonably support funding \$5.3 million dollars of the project, and

WHEREAS, the State of Minnesota has a Bonding Program to assist with this type of project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST GRAND FORKS, MINNESOTA:

The City of East Grand Forks formally requests \$5.3 million be included in the 2016 Bonding Bill for the East Grand Forks/Grand Forks Wastewater Interconnect project.

Voting Aye:
Voting Nay:
Absent:

The President declared the resolution passed.

Passed: September 15, 2015

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 15th day of September, 2015.

Mayor

Request for Council Action

Date: 9/3/2015

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: Jason Stordahl-Public Works Director and Steve Emery (WSN engineer)

RE: Report of Feasibility

Last year at the direction of Mr. Murphy, the City Engineer and I prepared a long range street improvement plan for the City Council to review. Our goal for the next three years was to overlay or seal coat all the asphalt streets within the City. This year was year one and we improved approximately 1/3 of the City's asphalt streets. In preparation for year two (2016) improvements, Mr. Emery and I assessed the conditions of the remaining streets, and would like to move forward with the preparation of a report of feasibility.

Recommendation: Consider authorizing the City Engineers to prepare a report of feasibility for the proposed 2016 street repairs, which will be prepared at no cost to the City.

Request for Council Action

Date: 9/9/2015

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: Jason Stordahl-Public Works Director

RE: Hiring Lead Equipment Operator

The East Grand Forks City Council approved the advertisement to hire within a "Lead Equipment Operator". There was one qualified applicant that applied for the position. The Civil Service Commission voted unanimously to move on in the hiring process Mr. Randy Olson.

Recommendation: I'm recommending that the City Council approves the promotion of Mr. Randy Olson to "Lead Equipment Operator", and to set starting pay at (4% about current compensation) \$24.01 per hour.

RESOLUTION NO. 15 – 09- 101

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

WHEREAS, the City of East Grand Forks has advertised internally for the position of “Lead Equipment Operator, and

WHEREAS, Randy Olson is the only qualified candidate to apply for the position, and

WHEREAS, the East Grand Forks Civil Service Commission has recommended the hiring of Randy Olson as Lead Equipment Operator, and

WHEREAS, the position of Lead Equipment Operator is pointed at Grade 11 on the City of East Grand Forks wage scale, and

WHEREAS, the current Teamsters contract requires that any employee receiving a promotion shall receive a minimum pay increase of 4%, and

WHEREAS, the current Step 8 of Grade 11 is \$23.83 per hour and Randy Olson is currently making \$23.09 per hour, and

WHEREAS, a 4% increase of 23.09 results in a salary of \$24.01 per hour.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST GRAND FORKS, MINNESOTA:

1. Randy Olson be appointed to Lead Equipment Operator at a salary of \$24.01 per hour.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: September 15, 2015

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 15th day of September, 2015.

Mayor

Request for Council Action

Date: 9/9/2015

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: Jason Stordahl-Public Works Director

RE: Lead Wastewater/Stormwater Operator

Background: The East Grand Forks City Council approved the City Administrator and Public Works Director to appoint from within a “Lead Wastewater/Stormwater Operator”. We have selected and the Civil Service Commission has approved appointing Mr. Dillon Nelson to the position.

Recommendation: I’m recommending that the City Council approves appointing Mr. Dillon Nelson to “Lead Wastewater/Stormwater Operator”, and set his starting pay at step 8 of grade 13 (\$27.02).

RESOLUTION NO. 15 – 09- 102

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

WHEREAS, the City of East Grand Forks has advertised internally for the position of “Lead Wastewater Operator”, and

WHEREAS, the Public Works Director has recommended the appointment of Dillon Nelson for this position, and

WHEREAS, the East Grand Forks Civil Service Commission has recommended the hiring of Dillon Nelson as Lead Wastewater Operator, and

WHEREAS, the position of Lead Wastewater Operator is pointed at Grade 13 on the City of East Grand Forks wage scale, and

WHEREAS, the current Teamsters contract calls for Mr. Nelson to be placed at Step 8 of Grade 13, and

WHEREAS, the current Step 8 of Grade 13 is \$27.02 per hour.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST GRAND FORKS, MINNESOTA:

1. Dillon Nelson be appointed to Lead Wastewater Operator at Step 8 of Grade 13.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: September 15, 2015

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 15th day of September, 2015.

Mayor

Request for Council Action

Date: September 15, 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: Amend Wireless Communication Section of the City Code

PLANNING COMMISSION RECOMMENDATION:

Planning Commission recommends approval of the Amendment Request from Verizon Wireless to amend the Wireless Communication Ordinance of the City Code with the attached Ordinance with the changes in red.

GENERAL INFORMATION:

The City of East Grand Forks has received requests from Verizon Wireless to build monopole cell towers within park/institutional areas of the city that are currently zoning Residential. At this time, our Wireless Communications Ordinance does not allow cell towers within a residential zoning district (only antennas on buildings) and does not allow them within a certain distance from sensitive receptors (schools, churches, parks, etc.) Therefore, Verizon's requests have been denied.

However, it was noted that our ordinance is dated and could be reviewed if ordinance amendments are requested. As such, Verizon is showing a need for additional wireless service in the residential areas but has no ability to serve their customers with a tower in the residential districts. This is the cause for their amendment request. Their Ordinance amendment proposals match other wireless communication ordinances in the area; with the changes making it similar to the West Fargo Ordinance.

I am attaching the proposed amendments to the Wireless Communications Ordinance for you to discuss (the new proposal is in red print). Verizon Wireless is asking you to consider amending and establishing these new regulations in both Chapter 10 – General Performance Standards of the City's Zoning Regulations and XV of the City Code.

CHAPTER 10

LAND USE REGULATION (ZONING)

SECTION 10.01: TITLE AND APPLICATION

152.317

D. General Requirements:

1. The planning department and planning commission shall consider, and the applicant shall demonstrate compliance with the following standards in determining whether to approve an application for a wireless communication antenna and/or tower:
 - a. Co-location of wireless communication facilities. As a condition of issuing a permit to construct and operate a wireless communication tower utilized for commercial purposes within the City's zoning jurisdiction, the applicant is required to demonstrate that a suitable location is not available for the placement of an antenna on any of the existing structures within the geographic area to be served. The City may request any feasibility studies associated with the said application which demonstrate that locations on existing structures have been explored as the preferred siting alternative. If another communication tower has been determined to be technically feasible by either the applicant or the City, the applicant must show that it has requested to co-locate on the existing tower and provide a letter from the communications carrier owning or operating the facility stating reasons for not permitting the co-location of transmitting facilities.
 - b. Wireless Communication Facilities. In all circumstances, owners of existing towers being utilized for commercial purposes shall respond to a request for co-location of transmitting facilities within thirty (30) days from the date of receipt of a written request. In the event that a wireless communications tower owner and/or operator has not responded to the said request, city council may defer the said application until the co-location issue is resolved. In all cases, it shall be the intent of the City to encourage the co-location of transmitting facilities.
 - c. As a condition of issuing a permit to construct and operate a tower to be utilized for commercial purposes in the City, the owner/operator of the tower is required to allow co-location of wireless communication facilities until said tower has reached full antenna capacity. Thus the applicant is required to submit an affidavit stating that space on the proposed tower will be made available to future users when technically possible. Applicants cannot be denied space on a tower unless mechanical, structural, or regulatory factors prevent sharing. Agreement to this provision must be included in the lease by the landowner, if different from the owner/operator of the tower. Written documentation must be presented to the

planning commission evidencing that the landowner of the property on which the tower is to be located has agreed to the terms of this section as well as the requirements, regulations, and standards established in this Chapter. As an additional condition of issuing the permit to construct and operate the tower within the City's zoning jurisdiction, the owner/operator of the tower is required to sign a statement that all disputes with future providers concerning the terms and conditions of co-location of wireless communication facilities shall be submitted to commercial arbitration under a system selected by the parties; but if the parties are unable to agree, then under the auspices of the Commercial Arbitration Provisions of the American Arbitration Association.

- d. Efforts shall be made to utilize a location for the proposed wireless communication tower, which results in the least conspicuous or most aesthetically pleasing installation possible, while still providing reasonable signal access.
 - e. As a condition of issuing a permit to place a commercially utilized antenna in a Residential Zoning District, the applicant is required to install the antennas on either (i) an existing structure or (ii) a new structure that is of monopole or stealth design only. If a new monopole or stealth structure must be constructed, the applicant shall provide proof that no suitable locations exist for a tower or antenna facility within any other "permitted use" or "special use" areas in the local code.
 - f. Wireless Communications Towers of monopole or stealth design only may be allowed as a Special Use in a Residential Zoning District, but only when the property is primarily used for non-residential purposes, such as water tower sites and other City owned property, public and private educational institutions, religious institutions and outdoor recreation, including golf courses, tennis courts and swimming pools.
2. All wireless communication towers, antennas and associated equipment facilities shall meet the following applicable requirements:
- a. Height and setback requirements:
 - i. Wireless communication antennas shall not exceed thirty (30) feet above the maximum building height as per zoning district regulations.
 - ii. Wireless communication antennas located outside a Residential Zoning District shall be set back a minimum of two hundred (200) feet from any Residential Zoning Districts.
 - iii. Wireless communication towers being utilized for commercial purposes shall only be constructed to the least height that is technically feasible to service the geographical service area of the applicant.

- iv. Wireless communication towers being utilized for commercial purposes shall be set back a minimum of a distance equaling at least one hundred and fifteen percent (115%) of the height of the proposed structure. six hundred (600) feet from any sensitive receptors.
- v. Wireless communication towers being utilized in a Residential Zoning District for non-commercial purposes shall not exceed thirty (30) feet above the maximum building height as per zoning district regulations.
- vi. Wireless communication towers located in non-residential zoning districts, with the exception of guyed towers, shall be setback from the lot line and any type of development (i.e. buildings, parking lots, etc.) a distance equaling at least one hundred and fifteen percent (115%) of the tower height to ensure the safety of surrounding uses.
- vii. Guyed wireless communication towers shall setback from the lot line and any type of development (i.e. buildings, parking lots, etc.) according to the following ratios of distances:

Number of Levels of Guy Along Height Of Tower	Ratio of Height of Tower to Distance From Base to Property Line
2 or less	1:1
3	3:2
4	2:1
5	5:2
6	3:1

- b. When guyed wireless communication towers are used, all anchor points from the guys are required to be on the same property as the tower.
- c. In Commercial Zoning Districts wireless communication towers shall only be permitted as monopoles and lattice towers. ~~Guyed and guyed~~ towers shall be prohibited.
- d. In Residential Zoning Districts, communication antennas being utilized for commercial purposes shall only be situated ~~either~~ within existing high-tension lattice towers, installed using or as architectural components on non-residential buildings, monopoles or other stealth designs, and only upon property that is used for non-residential purposes. buildings.

- e. Wireless communication towers being utilized for non-commercial purposes shall be prohibited from locating in a front-yard or in the front half of a side-yard within a residential zoning district.
- f. Wireless communication antenna and/or tower design shall utilize colors and materials that effectively reduces their visual impact.
- g. Wireless communication towers being utilized for commercial purposes ~~shall~~may be required by the City to be designed to have sufficient structural capacity to allow for three (3) providers to be located on the structure. The wireless communication facility may be required by the City to ~~shall~~ also be designed to show that the applicant has sufficient space on its site plan for an equipment building large enough to accommodate three (3) users. If an equipment building is initially constructed to accommodate only one (1) user, space may be required by the City to ~~shall~~ be reserved on site for equipment building expansions to accommodate three (3) users.

* * * *

Request for Council Action

Date: September 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: Nancy Ellis, City Planner

RE: Preliminary Plat approval for Northview First Addition

PLANNING COMMISSION RECOMMENDATION:

Planning Commission recommends preliminary approval of Northview First Addition with the following comments:

Increase Road R-O-W to 80' by having 20' of the R-O-W on the City's drainway property. This approval is contingent on approvals from the City Engineer and Water and Light Superintendent that the utilities can be placed in this 20' without compromising the utilities or the drainway.

GENERAL INFORMATION

APPLICANTS/PROPERTY OWNERS: Dakota Commercial

REQUESTED ACTION: Applicant is requesting preliminary approval of the plat named Northview First Addition to the City of East Grand Forks. They would like to plat this 3.83 acre piece north of 23rd St NW (recently annexed) to build an apartment building.

SITE ZONING/LAND USE: R-3 Multi-family Residential is the newly established zoning.

SURROUNDING ZONING/LAND USE:

North: UER, unplatted land owned by Johnsons and drainway

West: Outside of City Limits (Wavra property) and PUD and R-1, Water's Edge Additions

South: R-1, single family residential housing

East: UER, unplatted land owned by Johnsons

C:\Users\vmnelson\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\KQ64YLFA\Preliminary plat approval for Northview First Addition.doc

LOCATION: The parcel is located just east of 3rd Ave NW, north of 23rd St NW

COMMENTS

The City of East Grand Forks has received an application from Dakota Commercial to plat 3.83 acres of the new 40 acre annexation to build an apartment building with parking. This plat must be reviewed for utility and access easements, as well as, R-O-W for future road construction as it does not currently meet our subdivision standards. The City Utility Group is meeting with the developer's engineer/staff to discuss the potential easements, ROW and review the site plan. A draft site plan for the build out of the 3.83 acres will be handed out at the meeting.

There are concerns from the developer that it will not be able to construct the entire road shown on the plat in the first three years, as required in the development agreement. This agreement does allow for the site plan/drawing of the plat to be separated into stages. The construction of the road segments, therefore, will be negotiated and can be built in stages.

STAFF RECOMMENDATION

Staff recommends preliminary approval of Northview First Addition with the following comments:

- 1) Increase Road R-O-W to 80'
- 2) A development agreement must be signed and recorded before the plat is recorded.
- 3) Submit a digital file to planning office.

NORTHVIEW FIRST ADDITION to the City of East Grand Forks, Minnesota

A Part of the SE1/4SE1/4 Section 26-152-50, Polk County, MN

INSTRUMENT OF DEDICATION
"KNOW ALL MEN BY THESE PRESENTS": That DAKOTA COMMERCIAL AND DEVELOPMENT COMPANY, the owners and proprietors of the following described property:

That part of the Southeast Quarter of the Southeast Quarter of Section 26, Township 152 North, Range 50 West of the 5th Principal Meridian, Polk County, Minnesota described as follows:

Commencing at the southeast corner of said Section 26; thence westerly along the south line of said Section 26 having an assumed bearing of South 87 degrees 19 minutes 19 seconds West, a distance of 645.00 feet; thence northerly to the northerly right of way of 23rd Street Northwest recorded as Document Number 540680 on file and of record in the office of the County Recorder, Polk County, Minnesota, North 02 degrees 52 minutes 06 seconds West a distance of 55.00 feet to the point of beginning; thence continuing North 02 degrees 52 minutes 06 seconds West a distance of 230.81 feet; thence northwesterly a distance of 491.80 feet along a tangential curve concave to the southwest having a radius of 330.00 feet and a central angle of 85 degrees 20 minutes 53 seconds and the chord of said curve bears North 45 degrees 32 minutes 25 seconds West to a point of reverse curvature; thence westerly a distance of 36.71 feet along a tangential curve concave to the north having a radius of 690.00 feet and a central angle of 03 degrees 02 minutes 54 seconds and the chord of said curve bears North 06 degrees 40 minutes 14 seconds West; thence South 02 degrees 53 minutes 25 seconds West, parallel with the west line of said Southeast Quarter of the Southeast Quarter, a distance of 562.34 feet to said northerly right of way of 23rd Street Northwest; thence North 87 degrees 19 minutes 19 seconds East, along said northerly right of way of 23rd Street Northwest, a distance of 339.55 feet to the point of beginning.

Said tract contains 3.83 acres more or less, and is subject to easements, reservations, restrictions or rights whether of record or not.

Has caused the same to be surveyed and platted as "NORTHVIEW FIRST ADDITION" To the City of East Grand Forks, Minnesota, and do hereby dedicate to the public, all of the streets and alleys, and utility easements as shown on this plat; the dimensions of which are as designated on the plat.

Kevin Ritterman, President
Dakota Commercial & Development Co.

STATE OF)
) SS
COUNTY OF)

On this _____ day of _____, 20____, before me, a Notary Public, personally appeared Kevin Ritterman, President of Dakota Commercial and Development Company, on behalf of the company, known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Notary Public, _____ County
State of _____
My Commission Expires: _____

SURVEYORS CERTIFICATE

I hereby certify that I have surveyed and platted the property described on this plat as "NORTHVIEW FIRST ADDITION", that this plat is a correct representation of the survey, that all distances are correctly shown on the plat in feet and hundredths of a foot, that all monuments will be correctly placed in the ground as designated, that the outside boundary lines are correctly designated on the plat and that there are no wet lands as defined in MS 505.02, Subd. 1 or public highways to be designated other than as shown.

Garrett R. Borowicz, Land Surveyor
Minnesota Registration No. 45365

STATE OF MINNESOTA)
) SS
COUNTY OF POLK)

The foregoing Surveyor's Certificate was acknowledged before me this _____ day of _____, 2014 by Garrett R. Borowicz, Minnesota Registration No. 45365.

Notary Public, Polk County
State of Minnesota
My Commission Expires _____

CITY PLANNING COMMISSION APPROVAL:

I hereby certify that the within plat of "NORTHVIEW FIRST ADDITION" to the City of East Grand Forks, Minnesota, was approved by the City Planning Commission of the City of East Grand Forks, Minnesota, at a meeting of said City Planning Commission on the _____ day of _____, 20____.

City Planning Commission of the City of East Grand Forks, Minnesota
By: _____, its Secretary
Chad Erickson

TAX STATEMENT:

COUNTY AUDITOR TAX STATEMENT
No delinquent taxes due and transfer entered this _____ day of _____, 20____.

Polk County Auditor, State of Minnesota

CITY COUNCIL APPROVAL:

I hereby certify that the within plat of "NORTHVIEW FIRST ADDITION" to the City of East Grand Forks, Minnesota, was approved by Resolution of the City Council of the City of East Grand Forks, Minnesota, at a regular scheduled meeting of the City Council held on the _____ day of _____, 2014.

David Murphy, Administrator
City of East Grand Forks, Minnesota

COUNTY TREASURER TAX STATEMENT:

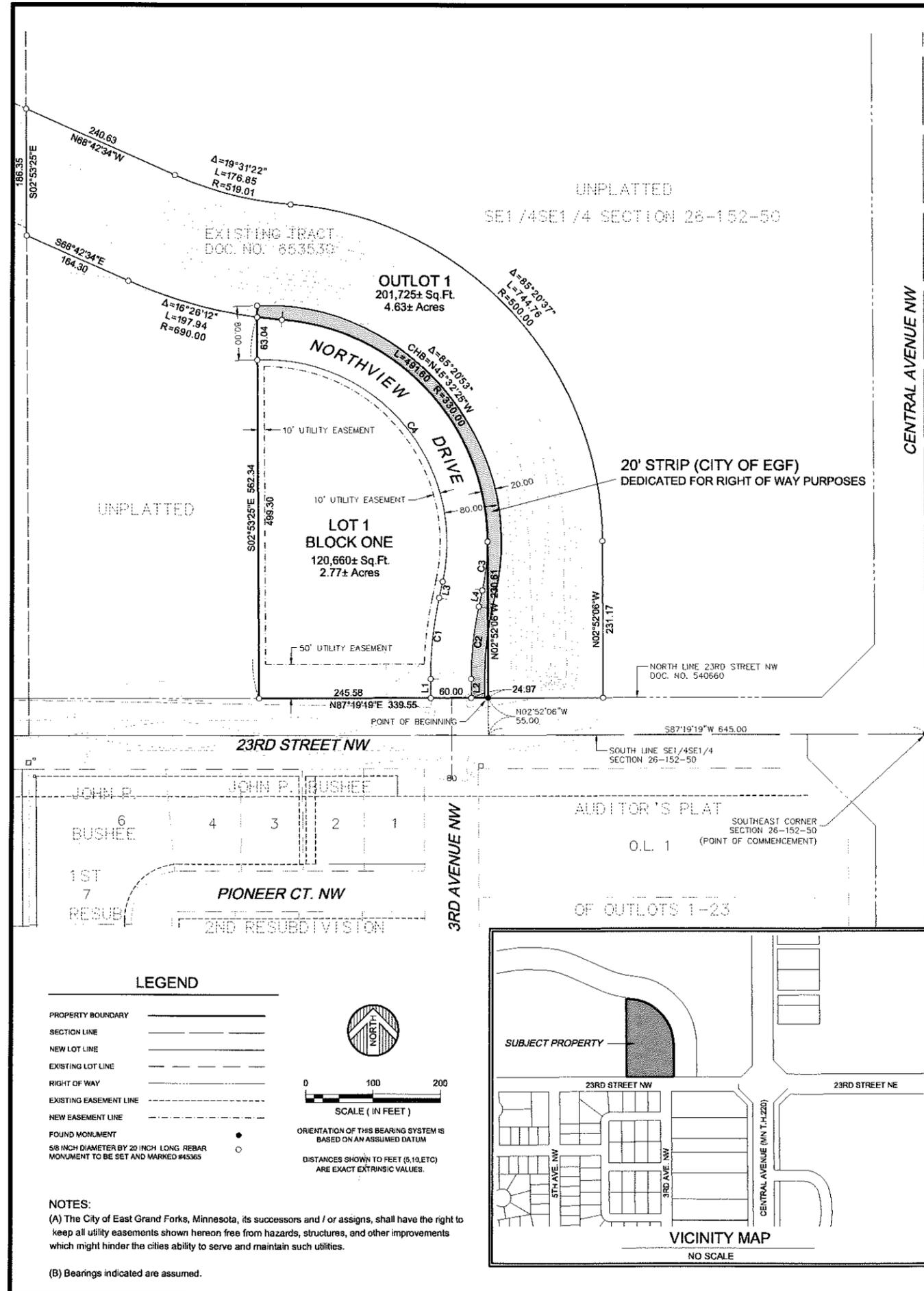
I hereby certify that all taxes for 2014 on the land described herein are paid.

Polk County Treasurer, State of Minnesota

**RECORDING CERTIFICATE
COUNTY RECORDER CERTIFICATE
DOCUMENT NUMBER**

I hereby certify that this instrument was filed in the office of the Polk County Recorder for record on this _____ day of _____, 20____, at _____ o'clock _____M, and was duly recorded in Book _____ of _____ on page _____.

Polk County Recorder, State of Minnesota



CENTRAL AVENUE NW
(MN TRUNK HIGHWAY NO. 220)

Kevin Ritterman, President
Dakota Commercial & Development Co.

STATE OF)
) SS
COUNTY OF)

On this _____ day of _____, 20____, before me, a Notary Public, personally appeared Kevin Ritterman, President of Dakota Commercial and Development Company, on behalf of the company, known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Notary Public, _____ County
State of _____
My Commission Expires: _____

SURVEYORS CERTIFICATE

I hereby certify that I have surveyed and platted the property described on this plat as "NORTHVIEW FIRST ADDITION", that this plat is a correct representation of the survey, that all distances are correctly shown on the plat in feet and hundredths of a foot, that all monuments will be correctly placed in the ground as designated, that the outside boundary lines are correctly designated on the plat and that there are no wet lands as defined in MS 505.02, Subd. 1 or public highways to be designated other than as shown.

Garrett R. Borowicz, Land Surveyor
Minnesota Registration No. 45365

STATE OF MINNESOTA)
) SS
COUNTY OF POLK)

The foregoing Surveyor's Certificate was acknowledged before me this _____ day of _____, 2014 by Garrett R. Borowicz, Minnesota Registration No. 45365.

Notary Public, Polk County
State of Minnesota
My Commission Expires _____

CITY PLANNING COMMISSION APPROVAL:

I hereby certify that the within plat of "NORTHVIEW FIRST ADDITION" to the City of East Grand Forks, Minnesota, was approved by the City Planning Commission of the City of East Grand Forks, Minnesota, at a meeting of said City Planning Commission on the _____ day of _____, 20____.

City Planning Commission of the City of East Grand Forks, Minnesota
By: _____, its Secretary
Chad Erickson

TAX STATEMENT:

COUNTY AUDITOR TAX STATEMENT
No delinquent taxes due and transfer entered this _____ day of _____, 20____.

Polk County Auditor, State of Minnesota

CITY COUNCIL APPROVAL:

I hereby certify that the within plat of "NORTHVIEW FIRST ADDITION" to the City of East Grand Forks, Minnesota, was approved by Resolution of the City Council of the City of East Grand Forks, Minnesota, at a regular scheduled meeting of the City Council held on the _____ day of _____, 2014.

David Murphy, Administrator
City of East Grand Forks, Minnesota

COUNTY TREASURER TAX STATEMENT:

I hereby certify that all taxes for 2014 on the land described herein are paid.

Polk County Treasurer, State of Minnesota

**RECORDING CERTIFICATE
COUNTY RECORDER CERTIFICATE
DOCUMENT NUMBER**

I hereby certify that this instrument was filed in the office of the Polk County Recorder for record on this _____ day of _____, 20____, at _____ o'clock _____M, and was duly recorded in Book _____ of _____ on page _____.

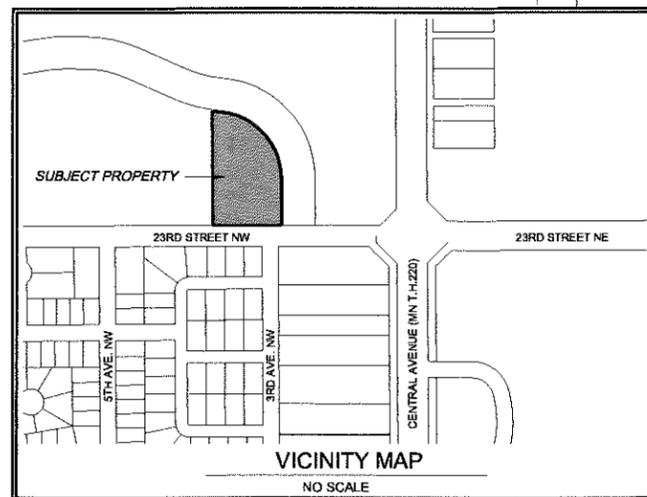
Polk County Recorder, State of Minnesota

LINE TABLE

LINE	BEARING	DISTANCE
L1	N02°25'06"W	28.14
L2	N02°25'06"W	28.14
L3	N09°42'11"E	24.38
L4	N09°42'11"E	24.38

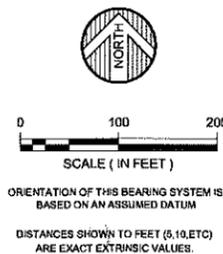
CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BRG.
C1	120.68	550.00	12°34'17"	N03°25'02"E
C2	107.51	490.00	12°34'17"	N03°25'02"E
C3	71.85	330.00	12°28'28"	N03°27'57"E
C4	493.09	270.00	104°38'11"	N42°36'55"W



LEGEND

- PROPERTY BOUNDARY
- SECTION LINE
- NEW LOT LINE
- EXISTING LOT LINE
- RIGHT OF WAY
- EXISTING EASEMENT LINE
- NEW EASEMENT LINE
- FOUND MONUMENT
- 5/8 INCH DIAMETER BY 20 INCH LONG REBAR MONUMENT TO BE SET AND MARKED #45365

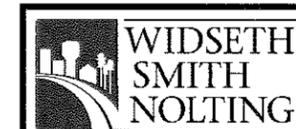


NOTES:

(A) The City of East Grand Forks, Minnesota, its successors and / or assigns, shall have the right to keep all utility easements shown hereon free from hazards, structures, and other improvements which might hinder the cities ability to serve and maintain such utilities.

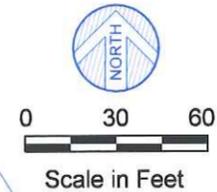
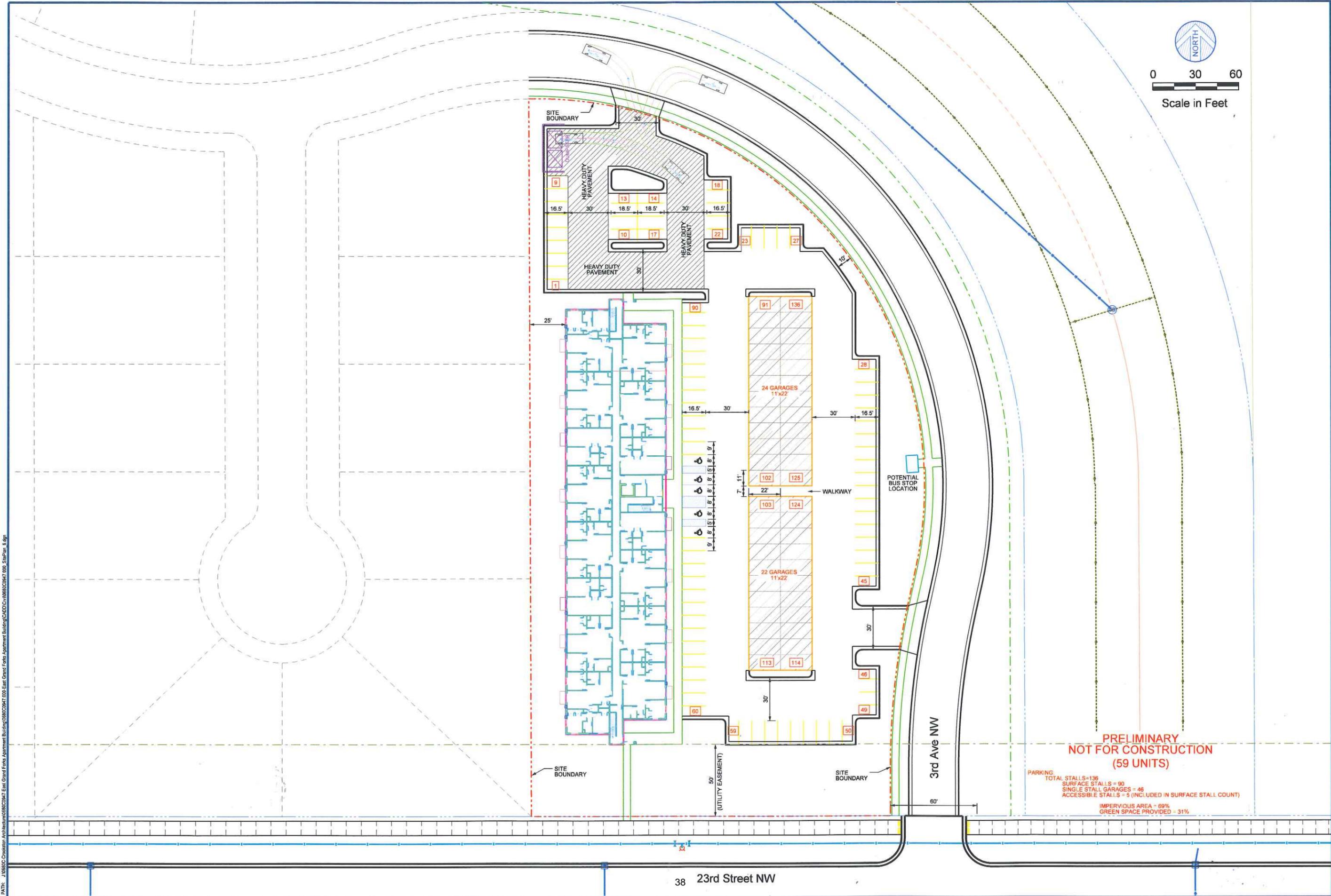
(B) Bearings indicated are assumed.

PRELIMINARY PLAT



Engineering
Architecture
Surveying
Environmental

MODEL: Default
 PATH: J:\6850-Creation\Architecture\6850C0947-East Grand Forks Apartment Building\0880C0947.000-East Grand Forks Apartment Building\0880C0947.000_SitePlan_1.dgn



**PRELIMINARY
 NOT FOR CONSTRUCTION
 (59 UNITS)**

PARKING
 TOTAL STALLS = 136
 SURFACE STALLS = 90
 SINGLE STALL GARAGES = 46
 ACCESSIBLE STALLS = 5 (INCLUDED IN SURFACE STALL COUNT)

IMPERVIOUS AREA = 69%
 GREEN SPACE PROVIDED = 31%

WIDSETH SMITH NOLTING
 Engineering | Architecture | Surveying | Environmental

Apartment Complex Development Concept
 East Grand Forks
 Minnesota
 Site Concept

DATE	SCALE	DRAWN BY	CHECKED BY	DATE	REVISION DESCRIPTION	BY
8-13-15	As Shown	DDA	BD			

JOB NUMBER: 0880C0947.000

DATE: _____ LIC. NO. _____

SHEET NO. **DDP**

SHEET 1 of 1

38 23rd Street NW

Request for Council Action

Date: September 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: Nancy Ellis, City Planner

RE: Final Plat approval for MGI Grain Resubdivision

PLANNING COMMISSION RECOMMENDATION:

Planning Commission recommends final approval of MGI Grain Resubdivision with the following comments:

1. Submit a digital file to planning office.
2. Record easement vacation on both the plat and a separate document following proper procedure.

GENERAL INFORMATION

APPLICANTS/PROPERTY OWNERS: MGI Grain and Northland Custom Woodworking (Kevin Marcotte)

REQUESTED ACTION: The applicant is requesting preliminary and possible final plat approval of MGI Grain Resubdivision to the City of East Grand Forks.

SITE ZONING/LAND USE: I-2 is the current zoning, Light Industrial.

SURROUNDING ZONING/LAND USE:

North: I-2 zoning, Crystal Sugar

West: C-2 and R-2 zoning, ag businesses and housing

South: I-2 zoning, Industrial businesses,

East: I-2 zoning, Crystal Sugar

LOCATION: The parcel is located just north of Business Highway 2 and east of 5th Ave NE near A& L Potato and Crystal Sugar

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COMMENTS

We have received an application from Kevin Marcotte to consider Preliminary and possible Final Plat approval of the Plat named MGI Grain Resubdivision being a Replat of Lots 1 and 2, Block 1, Burlington Northern Industrial Park and part of unplatted Government Lot 6, Section 1, Township 151N, Range 30W, to the City of East Grand Forks. This replat combines a portion of Lot 2 and the unplatted Government lot to increase the lot size for Mr. Marcotte to construct a new building addition; and gives MGI Grain the northern tip of the unplatted lot for access. These three lots will be combined into 2 lots with no new easements to be established for utilities as all are in the ROW. Final plat drawings are attached.

In addition, the northerly 10' of an existing 25' easement will be vacated along the south portion of the new Lot 2 (approximately 100' east west). All utility providers within EGF have reviewed the plat and do not have any utilities within the easement. They have no objections to the vacation of this portion of the easement. The paperwork to vacate will need a legal description of the vacated portion and must be recorded with the County.

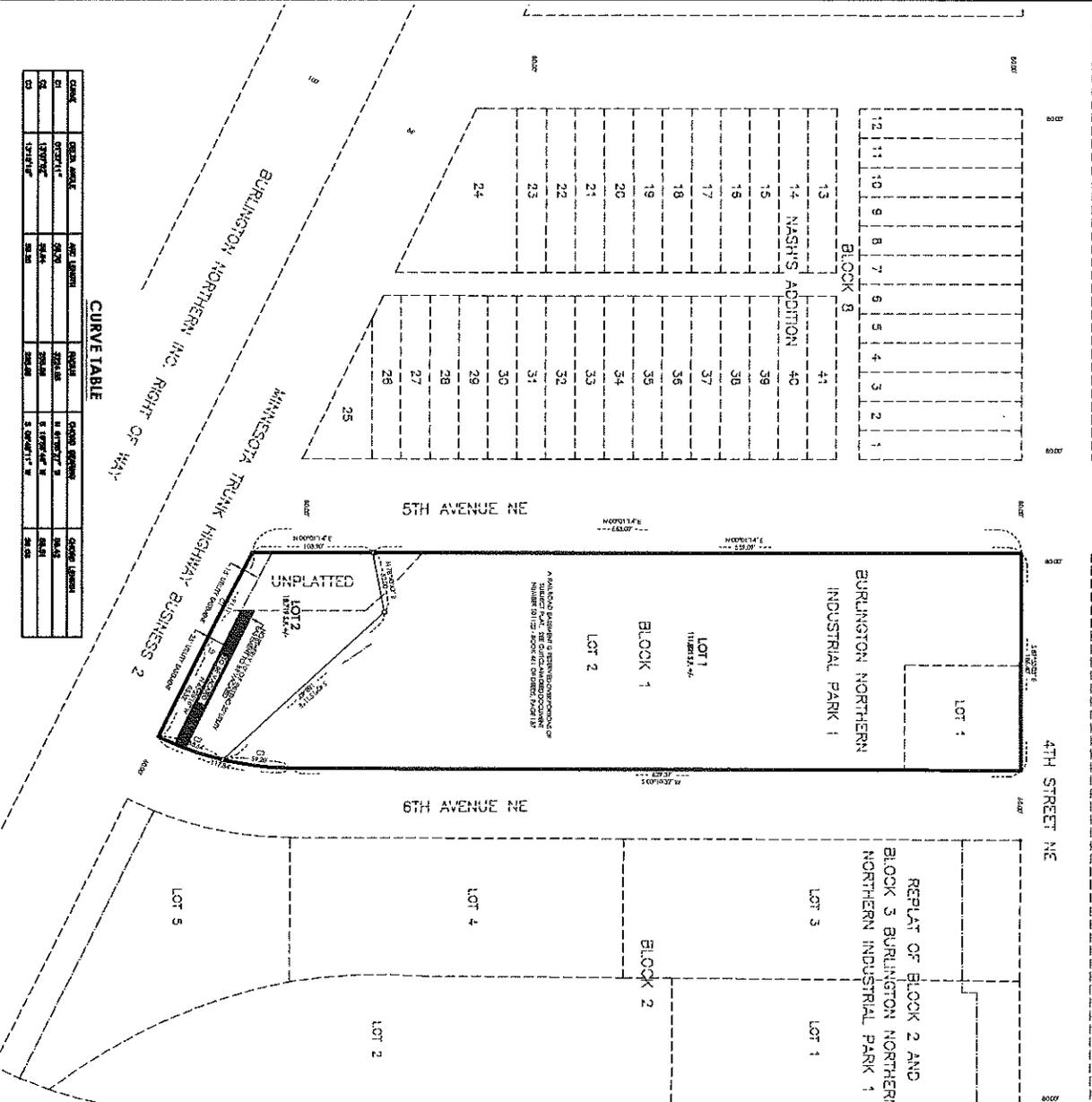
STAFF RECOMMENDATION

Staff recommends final approval of MGI Grain Resubdivision with the following comments:

3. Submit a digital file to planning office.
4. Record easement vacation on both the plat and a separate document

MGI GRAIN RESUBDIVISION

BEING A REPEAT OF LOTS 1 AND 2, BLOCK 1, BURLINGTON NORTHERN INDUSTRIAL PARK (AND PART OF UNPLATTED GOVT LOT 6 OF SECTION 1, TOWNSHIP 131 NORTH, RANGE 30 WEST, TO THE CITY OF EAST GRAND FORKS, MINNESOTA)



CURVE TABLE

CHORD	CHORD BEARING	ARC LENGTH	ARC BEARING	CHORD BEARING	CHORD LENGTH
10	S 89° 51' 12" W	10.000	N 89° 51' 12" E	10.000	10.000
20	S 89° 51' 12" W	20.000	N 89° 51' 12" E	20.000	20.000
30	S 89° 51' 12" W	30.000	N 89° 51' 12" E	30.000	30.000
40	S 89° 51' 12" W	40.000	N 89° 51' 12" E	40.000	40.000
50	S 89° 51' 12" W	50.000	N 89° 51' 12" E	50.000	50.000
60	S 89° 51' 12" W	60.000	N 89° 51' 12" E	60.000	60.000
70	S 89° 51' 12" W	70.000	N 89° 51' 12" E	70.000	70.000
80	S 89° 51' 12" W	80.000	N 89° 51' 12" E	80.000	80.000
90	S 89° 51' 12" W	90.000	N 89° 51' 12" E	90.000	90.000
100	S 89° 51' 12" W	100.000	N 89° 51' 12" E	100.000	100.000

LEGEND

1. UNPLATTED GOVT LOT 6 OF SECTION 1, TOWNSHIP 131 NORTH, RANGE 30 WEST, TO THE CITY OF EAST GRAND FORKS, MINNESOTA

2. BURLINGTON NORTHERN INDUSTRIAL PARK

3. REPEAT OF BLOCK 2 AND BLOCK 3 BURLINGTON NORTHERN INDUSTRIAL PARK

4. BURLINGTON NORTHERN INDUSTRIAL PARK

5. MGI GRAIN RESUBDIVISION

GENERAL NOTES:

The applicant covenants, conditions, restrictions, easements, and other matters affecting the land shown on this plat shall be as shown on the plat and shall be subject to the provisions of the Minnesota Subdivision Control Act, Chapter 462B, Minnesota Statutes, and the rules and regulations of the Minnesota Department of Transportation, Chapter 68B, Minnesota Statutes.

SURVEYOR'S CERTIFICATE

I, the undersigned, a duly licensed and sworn surveyor in the State of Minnesota, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that I am a duly licensed and sworn surveyor in the State of Minnesota.

CITY COUNCIL APPROVAL

The City of East Grand Forks, Minnesota, hereby approves the foregoing plat and the subdivision of the land shown thereon as shown on the plat and as shown on the plat and as shown on the plat.

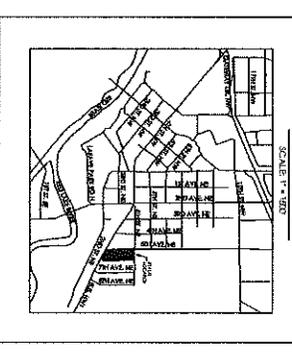
TAX STATEMENT

Current address: _____

City: _____

State: _____

Year: _____



OWNERS CONSENT AND DEDICATION

I, the undersigned, do hereby consent to the subdivision of the land shown on the foregoing plat and to the dedication of the land shown thereon to the City of East Grand Forks, Minnesota, for the purposes shown thereon.

CITY PLANNING COMMISSION APPROVAL

The City Planning Commission of the City of East Grand Forks, Minnesota, hereby approves the foregoing plat and the subdivision of the land shown thereon as shown on the plat and as shown on the plat and as shown on the plat.

COUNTY TREASURER TAX STATEMENT

Current address: _____

City: _____

State: _____

Year: _____

CITY PLANNING COMMISSION APPROVAL

The City Planning Commission of the City of East Grand Forks, Minnesota, hereby approves the foregoing plat and the subdivision of the land shown thereon as shown on the plat and as shown on the plat and as shown on the plat.

COUNTY TREASURER TAX STATEMENT

Current address: _____

City: _____

State: _____

Year: _____

RESOLUTION NO. 15 – 09 - 103

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

RESOLUTION RATIFYING CONTRACTS

WHEREAS, the City of East Grand Forks purchased from Hardware Hank the goods referenced in check number 22403 for a total of \$354.96.

WHEREAS, Craig Buckalew, was personally interested financially in the contract, but the purchases were made because the price was as low as or lower than other local vendors.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF EAST GRAND FORKS:

1. The above mentioned purchase by the City and the claim of the vendor based thereon are confirmed and the Mayor and Clerk are directed to issue an order-check in payment of such claim on the filing of the affidavit of official interest required under Minnesota Statutes, Section 471.89.
2. It is hereby determined that the total price of \$354.96 paid for such goods is as low as, or lower than, the price at which they could have been obtained elsewhere at the time the purchase was made.
3. This resolution is passed to comply with the provisions of Minnesota Statutes, Section 471.87-89.
4. Resolution passed by unanimous vote of the council on September 15, 2015.

Voting Aye:
Voting Nay:
Abstain:

The President declared the resolution passed.

Passed: September 15, 2015

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 15th day of September, 2015.

Mayor

AFFIDAVIT OF OFFICIAL INTEREST CLAIM

STATE OF MINNESOTA)
COUNTY OF POLK) ss
CITY OF EAST GRAND FORKS)

I, Craig Buckalew, being duly sworn states the following:

1. I am 3rd Ward Council Member of the City of East Grand Forks.
2. The City of East Grand Forks check number 22403 for a total of \$354.96.
3. This resolution is passed to comply with the provisions of Minnesota Statutes, Section 471.87-89.
4. Resolution passed by unanimous vote of the council on September 15, 2015.

Affiant states further that to the best of his knowledge and belief (a) the contract price was as low as or lower than the price at which the services could be obtained from other sources.

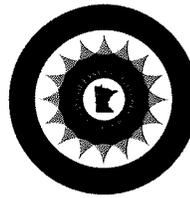
Affiant further states that the affidavit constitutes a claim against the city for the contract price, that the claim is just and correct, and that no part thereof has been paid.

Dated: _____

(Signature of Official)

Accounts Payable

Check Register Totals Only



City of East Grand Forks

600 Demers Avenue Northwest
 East Grand Forks, Minnesota 56721
 (218) 773-2483 www.egf.mn

User: mnelson
 Printed: 9/9/2015 - 4:50 PM

Check	Date	Vendor No	Vendor Name	Amount	Voucher
22376	09/15/2015	ACM001	Acme Electric Companies	59.00	0
22377	09/15/2015	ADV001	Advanced Business Methods Inc	333.57	0
22378	09/15/2015	AME016	American Society of Composers/Auth	338.54	0
22379	09/15/2015	AME002	American Tire Service	242.00	0
22380	09/15/2015	AME005	Ameripride Linen & Apparel Services	115.85	0
22381	09/15/2015	BAL001	Balco Uniforms Co Inc	964.52	0
22382	09/15/2015	BOR001	Border States Electric Supply	79.96	0
22383	09/15/2015	C&R001	C&R Laundry & Cleaners	65.44	0
22384	09/15/2015	CAL004	Calibre Press	99.00	0
22385	09/15/2015	CAR002	Carquest Auto Parts	79.80	0
22386	09/15/2015	COL002	Cole Papers Inc	2.50	0
22387	09/15/2015	COU008	Countrywide Sanitation Company	38,569.53	0
22388	09/15/2015	DAK004	Dakota Supply Group	58.91	0
22389	09/15/2015	DAK006	Dakota TV & Appliance	575.00	0
22390	09/15/2015	EAG001	Eagle Electric	194.69	0
22391	09/15/2015	EAP001	EAPC Architects Engineers	9,455.76	0
22392	09/15/2015	EXP002	Exponent	290.40	0
22393	09/15/2015	ODL001	Fitzgerald, Reynolds & Harbott PLLP	693.00	0
22394	09/15/2015	G&K001	G&K Services	240.68	0
22395	09/15/2015	GAL003	Galstad Jensen & McCann PA	12,525.00	0
22396	09/15/2015	GAR001	Garden Hut Inc	56.43	0
22397	09/15/2015	GEO001	George's Quick Printing	110.00	0
22398	09/15/2015	GFC001	GF City Utility Billing	15,501.55	0
22399	09/15/2015	GFF001	GF Fire Equipment	67.50	0
22400	09/15/2015	GFT002	GF Thur-O-Clean	1,350.00	0
22401	09/15/2015	GFW001	GF Welding & Machine	8.33	0
22402	09/15/2015	GGF001	GGF Convention & Visitors Bureau	3,158.67	0
22403	09/15/2015	HAR001	Hardware Hank	354.96	0
22404	09/15/2015	HEA001	Heartland Paper	233.73	0
22405	09/15/2015	HIL005	Dale Hilde	615.00	0
22406	09/15/2015	HUG001	Hugo's	7.98	0
22407	09/15/2015	INT003	Integra Telecom	92.61	0
22408	09/15/2015	KEN002	Kennedy & Graven, Chartered	297.50	0
22409	09/15/2015	KIE001	Kiesler Police Supply, Inc.	500.05	0
22410	09/15/2015	LEA001	League of MN Cities	8,347.50	0
22411	09/15/2015	LOC001	Locators & Supplies Inc	103.65	0
22412	09/15/2015	LOW001	Lowe's	469.30	0
22413	09/15/2015	LUM001	Lumber Mart	148.13	0
22414	09/15/2015	MAR004	Marco	365.38	0
22415	09/15/2015	MEN001	Menards	11.98	0
22416	09/15/2015	MLR001	Michael L. Miller	4,280.00	0
22417	09/15/2015	MID016	Midwest Pest Control Inc	125.00	0
22418	09/15/2015	MID005	Midwest Playscapes	27.00	0
22419	09/15/2015	MID006	Midwest Specialty Sales Inc	1,884.03	0
22420	09/15/2015	MND006	VOID****VOID****VOID*** MN I	57.00	0
22421	09/15/2015	MND013	MN Dept of Transportation	96.69	0
22422	09/15/2015	MMA001	MN Mayors Association	30.00	0
22423	09/15/2015	NAR003	Nartec, Inc	340.11	0
22424	09/15/2015	NEW001	Newman Signs	2,100.00	0
22425	09/15/2015	NOR024	Northland Yard Service	1,480.00	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
22426	09/15/2015	NWM002	NW MN Multi County HRA	181.00	0
22427	09/15/2015	ORE001	O'Reilly Auto Parts	949.51	0
22428	09/15/2015	OFF002	Office Depot	82.99	0
22429	09/15/2015	PRA001	Praxair Distribution	30.10	0
22430	09/15/2015	TIT002	Productivity Plus Account	6.73	0
22431	09/15/2015	QUI001	Quill Corp	80.95	0
22432	09/15/2015	RAI001	Railroad Mgmt Co III LLC	964.68	0
22433	09/15/2015	RDO001	RDO Powerplan OIB	465.18	0
22434	09/15/2015	BOR002	Timothy Riopelle	115.00	0
22435	09/15/2015	SAN001	Sanitation Products Inc.	368.54	0
22436	09/15/2015	SPR002	Spray Advantage	88.82	0
22437	09/15/2015	STO001	Stone's Mobile Radio Inc	304.80	0
22438	09/15/2015	STU001	Stuart's Towing	460.00	0
22439	09/15/2015	SUN002	Sun Dot Communications	89.99	0
22440	09/15/2015	SUR001	Surplus Center	21.50	0
22441	09/15/2015	TER002	Terry Engebretson	1,700.00	0
22442	09/15/2015	TRF002	Thief River Falls Police Department	200.00	0
22443	09/15/2015	TRU001	True Temp	125.00	0
22444	09/15/2015	TUF001	Barb Tuff	309.75	0
22445	09/15/2015	USB004	US Bank Equipment Finance	136.17	0
22446	09/15/2015	USF002	US Foodservice Inc TM	88.59	0
22447	09/15/2015	VAL002	Valley Truck	137.70	0
22448	09/15/2015	WAT001	Water & Light Department	27,984.26	0
22449	09/15/2015	WIL002	Wilbur-Ellis	312.07	0
				Check Total:	142,406.56

Accounts Payable
 Check Register Totals Only



City of East Grand Forks

600 Demers Avenue Northwest
 East Grand Forks, Minnesota 56721
 (218) 773-2483 www.egf.mn

User: tknudson
 Printed: 9/11/2015 - 3:50 PM

Check	Date	Vendor No	Vendor Name	Amount	Voucher
22450	09/15/2015	SCH031	Schmitz Builders, Inc.	123,973.20	0
				Check Total:	
				123,973.20	