

**AGENDA
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, OCTOBER 20, 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 October 6, 2015.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of October 13, 2015.
3. Consider approving the summary minutes of the “Closed Meeting” for the East Grand Forks, Minnesota City Council of October 13, 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:

4. Regular meeting minutes of the Water, Light, Power, and Building Commission for September 17, 2015.
5. Special meeting minutes of the Economic Development Authority Board, Planning Commission, and City Council for September 29, 2015.
6. Regular meeting minutes of the Resurrection Cemetery Commission for September 28, 2015.

COMMUNICATIONS: NONE

OLD BUSINESS:

7. Consider approving the amendment to the Wireless Communication Ordinance of the City Code (2nd Reading).
8. Consider adopting Resolution No. 15-10-106 adopting the assessment roll #334 for 2014 Assessment Job No. 1 – Street Reconstruction – 17th Street NE for a total assessment of \$462,584.44.

NEW BUSINESS:

9. Consider adopting Resolution No. 15-10-108 setting the final public hearing for 2015 Assessment Job No. 3 – Street Improvements on the North Side of the City for November 10, 2015.
10. Consider approving the Polk County Mutual Aid Agreement and authorize the Mayor and City Administrator to sign the document.
11. Consider awarding the Civic Center Roofing project to GW & Sons Construction Inc for the amount of \$65,765.00.
12. Consider approving the purchase of aggregate materials which will be added into the overall cost of the Point of Woods 6th Utilities and Street Construction project.
13. Consider adopting Resolution No. 15-10-113 approving Change Order No. 2 on the pool renovation project for the amount of \$36,688.

CLAIMS:

14. Consider adopting Resolution No. 15-10-114 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 22652 for a total of \$744.17 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 – October 27, 2015 – 5:00 PM – Training Room
- Regular Council Meeting – November 3, 2015 – 5:00 PM – Council Chambers
- Work Session – November 10, 2015 – 5:00 PM – Training Room
- Regular Council Meeting – November 17, 2015 – 5:00 PM – Council Chambers

**UNAPPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, OCTOBER 6, 2015 - 5:00 P.M.**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for October 6, 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, Council President Mark Olstad, Council Members Mike Pokrzywinski, Henry Tweten, and Marc DeMers.

Karla Anderson, Finance Director; Erika Azure, Administrative Assistant; 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; and Megan Nelson, Executive Assistant.

DETERMINATION OF QUORUM:

The Council President Determined a Quorum was present

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 15, 2015.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of September 22, 2015.
3. Consider approving the minutes of the “Special Meeting” for the East Grand Forks, Minnesota City Council of September 22, 2015.

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

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

Voting Nay: None.

Absent: Vetter, Buckalew, and Grassel.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS:

4. Public Hearing to consider adopting Resolution No. 15-10-106 adopting the assessment roll 334 for 2014 Assessment Job No. 1 – Street Reconstruction – 17th Street NE for a total assessment of \$462,584.44.

Council President explained the purpose of the hearing is to ensure due process is followed to protect the individual rights prior to governmental action, that all interested parties will have an opportunity to see information, ask questions, and express support or opposition. He stated first the engineers would be explaining the project.

Mr. Emery reviewed the scope of the street reconstruction project. He stated how the total cost of the project was \$1,269,798.44 and the City had received \$807,214 in federal aid for this project so only \$462,584 was assessed. He stated the assessments were figured using the City's assessment policy and said the map showed who received front benefit and who received end benefit. He added how the assessments if assessed on the properties would be paid over a 20 year period at an interest rate of 4.5% or be paid off without interest within 30 days of the roll being adopted. He then asked for questions.

Council President Olstad asked if there was anyone that who would like to speak in support of this project. No one came forward.

Council President Olstad asked if there was anyone present that would like to speak in opposition of the project. Mr. Mike Loesevitz stated he was an attorney with Camrud Maddock Olson & Larson and also a resident of East Grand Forks 418 20th St NW. He explained that he was representing East Forks Limited Partnership who owns the property that is the trailer park. He stated they are getting charged nearly \$200,000. He continued to say this is a trailer park and their argument is that the repaving of the road is not going to increase the fair market value of the property. He said under Minnesota law the assessment has to be the increase to what the fair market value is of the property. He added that it is there position this project did not increase the fair market value at all. He then asked if there was an appraisal or study done showing what the increase would be in fair market value and the assessment should be the same as the increase to the fair market value.

Mr. Loesevitz stated he had turned in a written objection with the clerk's office the day before. Mr. Murphy confirmed the Administration Office received the objection. Council member Tweten asked what would happen if the road went back to gravel. Mr. Loesevitz stated that his client would have been fine if the road went back to gravel. Council member Tweten commented how this project was to make the area more attractive and asked if the area is not more attractive now compared to letting it go back to gravel. Mr. Loesevitz stated his client's position is that there wouldn't be a difference if there was a dirt road. Council member Tweten said if the road was a dirt road there would be dust there all of the time along with other problems. He added this was to beautify the area and that this is a state aid street. He stated those funds could have been used elsewhere. Mr. Loesevitz stated again the

assessment is suppose to increase the fair market value of the property.

Mayor Stauss stated that he agrees with Council member Tweten and that the new street improves the area but the problem is that the City can't get the trailer court to improve the trailer court which doesn't bring any more value to it. Council President Olstad asked if there were any more comments and if there weren't any he would entertain a motion to close the public hearing.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINKSI, SECONDED BY COUNCIL MEMBER DEMERS, TO CLOSE THE PUBLIC HEARING.

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

Voting Nay: None.

Absent: Vetter, Buckalew, and Grassel.

CONSENT AGENDA:

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

5. Consider approving the temporary liquor license for St. Michael's Church for an event being held at Sacred Heart School on October 24, 2015 with contracted liquor services being provided by East Grand Lanes.
6. Consider approving the Site Use Agreement between the City of East Grand Forks and Lutheran Social Services for the use of the kitchen facilities at the East Grand Forks Senior Center for 2016.
7. Consider accepting and ratifying the updated Landscaping Incentive Policy that is recommended by the Economic Development Authority Board and will be administered by the Economic Development Office.
8. Consider accepting and ratifying the MIF Loan Interest Rate Policy that is recommended by the Economic Development Authority Board and will be utilized by the Board and Loan Committee.
9. Consider approving the request to advertise internally and hire for the position of Public Works Equipment Operator.
10. Consider approving the request to advertise externally and hire a seasonal truck driver for the Public Works Department.
11. Consider approving the request to advertise externally and hire an accounting technician for the Administration/Finance Office.
12. Consider adopting Resolution No. 15-10-105 formally accepting the 2014 Aid to Firefighter Grant from FEMA in the amount of \$45805.
13. Consider adopting the pay scale for seasonal employees and to be affective upon adoption.
14. Consider approving the grant contract between the City of East Grand Forks and the State of Minnesota's Department of Natural Resources and authorizing the City Administrator and Mayor

to sign the contract.

- 15. Consider approving the Fireworks/Pyrotechnic Special Effects Permit for the Downtown Development Association on November 29, 2015 from approximately 6:30pm until 7:00pm.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE ITEMS FIVE (5) THROUGH FIFTEEN (15).

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

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

- 16. Regular meeting minutes of the Water, Light, Power, and Building Commission for September 3, 2015.
- 17. Regular meeting minutes of the Economic Development Authority Board for September 1, 2015.

COMMUNICATIONS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

- 18. Consider adopting Resolution No. 15-10-106 adopting the assessment roll #334 for 2014 Assessment Job No. 1 – Street Reconstruction – 17th Street NE for a total assessment of \$462,584.44

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 15-10-106 ADOPTING THE ASSESSMENT ROLL #334 FOR 2014 ASSESSMENT JOB NO. 1 – STREET RECONSTRUCTION – 17TH STREET NE FOR A TOTAL ASSESSMENT OF \$462,584.44

Council member DeMers asked if an appraisal done. Mr. Galstad stated one had been ordered. Council member DeMers said that there is no proof that they can't raise their rates and as Council member Tweten commented this a direct benefit for this property as well as other around it, the residents deserve a good network of streets, and there is a cost to maintain those streets. He asked about the water tower property, who maintains it, and if that would be paid for by the City or by the Water and Light Department. Mr. Bail stated the property was listed as the City of East Grand Forks.

Council member Pokrzywinski asked about process and said there are three absent members. He asked if there is the option of putting off this decision until the full Council can discuss this. Council member DeMers asked if there was a time constraint. Ms. Nelson stated the only time constraint is that once a special assessment roll is adopted there is a 30 day period that people have to pay off a portion or the entire amount and the rest of the information would need to be to the County by the end of November. She stated if the Council acts on this at the next meeting they should be able to meet all

the necessary deadlines. Discussion followed about if this should be voted on or if this should wait for the entire Council to vote on. Mr. Galstad stated this item could be recessed until a certain date put into the record and would give the City a chance to discuss this as well as discuss this with East Forks Partnership to see if a resolution is possible. He added that if this roll is adopted they would then have 30 days to appeal the decision to the courts.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, MOVED TO POSTPONE.

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

Voting Nay: None.

Absent: Vetter, Buckalew, and Grassel.

19. Consider adopting Resolution No. 15-10-107 accepting the report of feasibility for the Riverview 9th and 10th Additions for paving and sidewalk construction and setting the improvement public hearing for November 17, 2015.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 15-10-107 ACCEPTING THE REPORT OF FEASIBILITY FOR THE RIVERVIEW 9TH AND 10TH ADDITIONS FOR PAVING AND SIDEWALK CONSTRUCTION AND SETTING THE IMPROVEMENT PUBLIC HEARING FOR NOVEMBER 17, 2015.

Council member Tweten stated that this area had many lots under development and that it is very important that all property owners receive a notice. He said there would be a problem if not everyone was sent a notice which has been a problem before. He suggests the engineers check ownership so there are not any problems in regards to assessments.

Voting Aye: Pokrzywinski, Olstad, and DeMers.

Voting Nay: Tweten.

Absent: Vetter, Buckalew, and Grassel.

20. Consider adopting Resolution No. 15-10-108 setting the final public hearing for 2015 Assessment Job No. 3 – Street Improvements on the North Side of the City for October 27, 2015.

Council President Olstad stated this item was going to be pulled from the agenda and will be placed on a future agenda.

21. Consider adopting Resolution No. 15-10-109 authorizing the issuance and sale of General Obligation Bonds Series 2015A in the proposed aggregate principal amount of \$4,575,000.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 15-10-109 AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS SERIES 2015A IN THE PROPOSED AGGREGATE PRINCIPAL AMOUNT OF \$4,575,000.

Council member DeMers stated at last minute he tried to get information and asked what the City’s current outstanding debt and what the annual debt service payments are. Ms. Anderson stated she

didn't have that information with her but that Brenda Krueger from Springsted was present who has worked with the bond structuring. She added that there is a required tax levy limit that has to be included with the levy but the remainder of the bonds are paid for with the special assessment that are collected. Council member DeMers commented how now would be a good time to reassess the position of the City when considering adding more debt.

Ms. Brenda Krueger introduced herself to the City Council. She explained that during this process one of the documents that are prepared is an official statement which includes all debts and annual debt service. She added the information will include the credit rating and the debt ratio which will be shared with the Council once it is prepared. Council member DeMers asked if this is voted yes if the Council had another chance to say no or if this was it. Ms. Krueger stated that the Council does have to approve the results of the bond sale. She stated that if the results are not favorable the Council does have the ability to reject the bids. Council member Tweten commented how this company has handled the City's affairs in an excellent manner and that these bonds are being sold for practical purposes. Mr. Murphy stated how most of this bond would be paid for by assessments which will be included on the list of when the bonds are sold and he is fairly comfortable where the debt ratio is currently at.

Voting Aye: Pokrzywinski, Olstad, and DeMers.

Voting Nay: Tweten.

Absent: Vetter, Buckalew, and Grassel.

22. Consider approving the classification of Lot 6, Block 4 Wurden's Second Addition and authorizing the Mayor and City Administrator to sign the necessary documents.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE CLASSIFICATION OF LOT 6, BLOCK 4 WURDEN'S SECOND ADDITION AND AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO SIGN THE NECESSARY DOCUMENTS.

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

Voting Nay: None.

Absent: Vetter, Buckalew, and Grassel.

23. Consider adopting Resolution No. 15-10-110 approving an increase to the storm water fee from \$4.50 per month to \$9.00 per month.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 15-10-110 APPROVING AN INCREASE TO THE STORM WATER FEE FROM \$4.50 PER MONTH TO \$9.00 PER MONTH.

Council member Pokrzywinski stated that this increase is for Storm Water fee on the Water & Light bill and that it should include the words flood protection. He commented how important it is to maintain our flood protection system so it remains certified, that it protects the entire City from flood waters, and that next year the Council should look into bringing this fee along with one or two more back into the general fund without trying to put more on the taxpayers.

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

Voting Nay: None.
Absent: Vetter, Buckalew, and Grassel.

24. Consider adopting Resolution No. 15-10-111 approving increases to the rate schedule for both commercial and residential refuse rates.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 15-10-111 APPROVING INCREASES TO THE RATE SCHEDULE FOR BOTH COMMERCIAL AND RESIDENTIAL REFUSE RATES.

Mayor Stauss stated he has received calls on increases in fees and taxes. He stated that many people that he had spoken to were in favor of the sales tax but were concerned about other increases since they were not receiving an increase with their fixed incomes.

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

CLAIMS:

25. Consider adopting Resolution No. 15-10-112 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 22511 for a total of \$628.57 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 15-10-112 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 22511 FOR A TOTAL OF \$628.57 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

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

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

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

COUNCIL/STAFF REPORTS:

Mayor Stauss thanked Mr. Dan Boyce and Mr. Scott Gravseth from the Water and Light Department for all of their hard work and congratulated Mr. Boyce for receiving the Presidential Award from the MMUA and Mr. Gravseth for the award that he also received.

Council Member Pokrzywinski congratulated Mr. Boyce on his award.

Council President Olstad also congratulated Mr. Boyce on his award.

Mr. Murphy commented how the new concession stand at the Civic Center was used for the first time over the weekend since it was the weekend of the arts and crafts show.

Mr. Boyce stated that the Water and Light bills do have the words flood protection next to the storm water fee and added he was surprised to receive the award from MMUA. He said that it has been a please to serve the City and State.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADJOURN THE OCTOBER 6, 2015 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:36 P.M.

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

Voting Nay: None.

Absent: Vetter, Buckalew, and Grassel.

David Murphy, City Administrator/Clerk-Treasurer

**UNAPPROVED MINUTES
OF THE CITY
COUNCIL WORK SESSION
CITY OF EAST GRAND FORKS
TUESDAY, OCTOBER 13, 2015 – 5:00 PM**

CALL TO ORDER:

The Work Session of the East Grand Forks City Council for October 13, 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, Council President Mark Olstad, Council Vice-President Chad Grassel, Council Members Clarence Vetter, Mike Pokrzywinski, Henry Tweten, and Marc DeMers.

Dave Aker, Parks & Recreation Superintendent; Brad Bail, City Engineer; Greg Boppre, 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. Midcontinent Franchise Agreement – David Murphy

Mr. Murphy explained how this item had been on the agenda before and how the language of the agreement was still being finalized. He said how there was a conference call between the City and Midcontinent and stated that Mr. Mastel was present at the meeting to help answer questions the Council may have. Mr. Pat Mastel introduced himself, informed the Council that he works on the approximate 330 franchise agreements for Midcontinent. He said there were questions about the PEG channel which stands for public, educational, and government. He informed the Council there were already three channels being used by the City of Grand Forks, the Grand Forks School District, and the University of North Dakota. He explained that there could be a 4th channel but if the City started their own channel the City would also be in charge of the agenda of that channel. He said another choice maybe to utilize one of the current channels by a live feed or by using a tape delay. He added that a third option would be to broadcast on the web but the City would be limited to Midcontinent subscribers. He asked if there were any questions.

Council member Pokrzywinski said that he had been a part of the conference call and told the Council that a decision did not have to be made that night. He said this was to hear about the different options and that the City would have the ability to approach Midcontinent anytime after the franchise agreement was signed. Mr. Mastel informed the Council that the FCC allows only up to a 5% fee on franchise agreements but an additional 1% could be added if that 1% was spent

on equipment which could help with the purchase of necessary equipment needed for taping the council meetings. He added how the additional 1% could set as either a percentage or a specific amount. Discussion followed about how this could be added at a later date, how the current franchise fee brings in approximately \$12,000 per month, and how there isn't any limitations on what the funds the first 5% of the franchise fee could be spent on. Mr. Galstad stated the language can be added to the agreement for the possibility of adding an additional channel and Midcontinent will have to review the language also before the Council voting on the new agreement.

2. Pool Change Order – Mark Bohlman

Mr. Murphy explained how there were nine items that would be included in the proposed change order. He stated the diving boards needed to be replaced and the other items were outlined in the email from Mr. Bohlman which had been included with the packet. Mr. Bohlman stated the largest item was the diving boards. He explained how they were planning to reuse the diving boards but after closer inspection they were found to be in need of replacement. He reviewed the list of items that would either need to be replaced instead of being reused as well as having some reductions. He stated that with both the additions and reductions the amount of the change order was \$35,872.70 which would leave approximately \$64,000 left in contingency for this project. Mr. Murphy commented that after speaking with the project manager they do not foresee anything else that should be discovered or be a surprise.

Council member DeMers stated that the cost of the diving boards is the same as a new car. Mr. Bohlman commented that they went out for quotes; that the purchase of two one meter boards is expensive, but that is the market for this item.

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

3. Northview Addition Discussion – Nancy Ellis

Ms. Ellis stated this item had come before the Council at the September 15th meeting and that there had been questions regarding the placement of the road as well as others items for the developer who was in attendance and would be able to answer those questions. Council President Olstad asked if it was possible to move the placement of the road. Mr. Craig Tweten explained what had been proposed and how they would be able to do this differently. Discussion followed about how 23rd Street NW is a collector, how the road that is put in will need to connect to other roads, and how there were other possible ways for the project and road to be completed. Ms. Ellis informed the Council that the road could not be a dead-end but a public street and that private drives were not allowed. She added how there is a master plan that could be followed but understands how this could be very costly to complete.

Mr. Boppre commented how this property would be developed using a developer's agreement so the road would need to be completed within three years of the development and wouldn't have to be completed right away. More discussion followed about moving the location of the proposed apartment building closer to the drainage ditch which would also change the location of the road. Ms. Ellis stated that she would work with the developer to see if there was a different way for this development to be completed.

4. 2015 Assessment Job No. 1, Point of Woods 6th Addition – Steve Emery

Mr. Emery reminded the Council that two projects were projected to be done at the same time but only one moved forward. He added how the aggregate from the one project was going to be reused but that was no longer an option. He explained that there were two options for the Council to consider moving forward so the street construction and curb and gutter could be completed in the Point of Woods 6th Addition. He stated how the construction company could furnish the materials and the cost would be added to the overall project and assessed or the City could purchase the material and when it is removed be able to reclaim the material. Mr. Murphy stated that he had spoken with the developer about both options and that he recommended moving forward with option 1 and having the costs assessed. Council member Vetter stated this would be consistent with other projects that have been assessed.

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

5. Update on Engineering Contract – David Murphy

Mr. Murphy stated that this had previously come before the Council and additional information was asked for. He explained he brought forward information about Minnesota cities, their population, what their engineering practices were, and how many people they employed in their engineering department. He said that he had also included the expenses the City had paid to Widseth Smith Nolting since the beginning of 2014 to this point in 2015.

Council President Olstad stated that it is always good to look but his opinion was that he is very happy with the services provided by WSN. Council Vice-President Grassel stated that some of these cities are metro cities and circumstances are different between the metro area and greater Minnesota. He added that lots of items were based on fees and asked about other services such as staking. Mr. Murphy stated that these costs were their internal costs only and how some of the services were contracted out. Discussion followed about how there is a Metro Council that handles the sewer, water, billing, and where the cities are able to grow and how cities like East Grand Forks have to handle those projects themselves.

Council member Vetter review possible costs and stated even with the occasional need of hiring an outside engineer the costs would be minimal to the City's general fund since most of these projects are paid for by special assessments. He added how if the City wanted a GIS system there is a possibility of teaming up with UND or Northland to set up internships for that kind of work. Council member Tweten commented that he did not like a three year contract and that it should be changed to a two year contract so he would be voting against the three year contract. Mr. Boppre stated the last two contracts the City approved were three year contracts.

Council member Pokrzywinski stated he didn't have an issue with a three year contract because the term for a Council member is four years so every council would have a chance to vote on an engineering contract. He said after looking at the numbers the City is right in the middle, that the City continues to receive good services, and that the City is paying a fair price. Discussion followed about how the contract expires on December 31st of 2015, how the costs presented from other cities did not include their costs of hiring additional engineering services when needed, and how if the City hired their own staff they would be able to pay for the staff using special

assessments. Council member Vetter stated if the Council was considering to hire its own engineering staff there wasn't enough time before the end of the year and to only approve a one year contract and look into this further.

6. Property Tax Abatement Request – Paul Gorte

Mr. Gorte stated that he had been approached by Valley Golf who is requesting a tax abatement. He said that Mr. Dan Filipi and Mr. Larry Slown were present at the meeting to answer questions and that they have provided the City with both a budget and business plan. Mr. Filipi stated that the golf course board had worked on the budget while trying to make improvements. He commented how the downturn in the economy had decreased the amount of revenue of the golf course. He stated that they are behind in equipment maintenance and that the tax abatement was only one piece of the puzzle for them. He explained the way a golf course was taxed had changed under Governor Pawlenty and the taxes went from \$7,500 for the year to \$42,000 which included special assessments.

Council President Olstad commented how the City portion of taxes was approximately \$11,500 per year. Council member DeMers said that he appreciates them coming forward but that he would like to see a business plan in detail. Council President Olstad asked what the reasoning was for 10 years. Mr. Filipi explained that by 2023 the golf course would have some of its debts taken care of. He added that the City of Grand Forks sets \$30,000 aside for the Lincoln course and \$140,000 aside for the King's Walk golf course. Council member Pokrzywinski asked if that was the City or the park district. After review of paperwork Mr. Filipi stated it was the park district.

Council member Vetter asked what the City's policy is for a new business. Mr. Gorte stated he was unsure what that policy was but would look into it. Mayor Stauss commented how the City had helped the golf course before, that there are arenas and baseball fields but how the golf course was important to the community. Discussion followed about what possible options were, how the City was limited on what it is able to do, and how an abatement would be absorbed by the rest of the tax payers. Council member Pokrzywinski asked if the golf course board had approached the County yet. Mr. Filipi stated they hadn't. Council member Pokrzywinski then asked if they would also be asking for the loan they had with the City to be deferred. Mr. Filipi stated they were trying to stay current but had asked to have both the September and October payments of this year deferred. He added they were trying to avoid borrowing more money and that the abatement would help. Council member Tweten asked to have them indicate what amount was for taxes and what amount was for special assessments. Council President Olstad added more information was needed before moving forward.

7. Update on Mutual Aid Agreement – Gary Larson

Chief Gary Larson told the Council they had see this agreement before but changes had been made. He stated the amount of hours required to be on the scene was changed from 48 hours down to 12 hours. He explained how this was a five year agreement and the City would be able to withdraw from it with a 30 day notice. He added that he had discussed the liability portion with others and that the City would be liable if something happened to another department if they were assisting under the mutual aid agreement. Council member DeMers asked if Chief Larson

was happy with the changes. Chief Larson stated he was and how they would be assigned to duties when they arrived upon a scene.

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

8. Civic Center Roof Repairs – Dave Aker

Mr. Aker informed the Council that he had contacted five people to give a quote on the roof project at the Civic Center. He stated that he only received one and asked if the Council would like to consider the quote. Mayor Stauss asked when there were issues. Mr. Aker stated there were issues when it snowed. Council member DeMers asked if there would be a warranty on the work. Mr. Aker said there would be. Council member Tweten asked if any drawings were prepared. Mr. Aker stated there wasn't at this time. Discussion followed about if the contractor would still honor the bid and how others may not have bid because they were too busy or it was too late in the year. Council member Pokrzywinski stated that he would like to see a plan or drawing on this project. Council Vice-President Grassel asked if a drawing could be prepared or if the contractor would be able to come to the next meeting and informed the Council about what the plan was for this project. Council President Olstad asked if there was enough time still this year to complete the project. Mr. Aker stated it depended on the weather.

Council member Pokrzywinski asked how this was going to be paid for. Ms. Nelson stated that funds had been set aside specifically for this project. Council member DeMers commented he only asked about warranty because of all of the issues the City has had with the library's roof.

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

9. Special Election Discussion – Mark Olstad

Council President Olstad explained there were questions that needed to be addressed regarding the sales tax special election. He stated the suggestion was to have the election in February so if it passed the City would be able to approach the State Legislature with the results from the election. Ms. Nelson stated that if the Council picked an election date of February 9th the latest the County could be notified would be November 27th. Council President Olstad said one of the questions that needed to be addressed is what was all going to be included to be paid for by the sales tax because that information needs to be included in the resolution that is sent to the County. Council member Tweten commented how there is a sunset provision on the sales tax and how some cities use sales tax to help fund their EDAs. Council Vice-President Grassel asked if a list could be compiled and then the Council could go through the list and discuss what should be included. Council President Olstad commented how that was a good idea and how there should be enough time to compile the list before the next work session.

Mr. Galstad commented how Ms. Anderson had received information from Bemidji who had implemented a sales tax and the City may be able to use similar language. Council member DeMers stated that this is a policy decision, the items should be limited or narrow in scope, and if something else is needed the Council should go through the process again. Council President Olstad asked about language and to have samples brought forward to help with the layout of the ballot question. Mr. Murphy stated the League of Minnesota Cities should have many examples that he will bring forward at the next work session.

10. Other

Ms. Nelson stated she missed including an item for discussion on the agenda and reminded the Council how the vote had been postponed for adopting the assessment roll for the reconstruction of 17th Street NE. Mr. Galstad stated he had tried contacting the attorney representing East Forks Partnership and would continue to try to contact them and see if there was a possible resolution to the objection. Council member DeMers asked if this should be discussed in a closed session. Mr. Galstad stated he was just asking to see if a resolution could be reached and how this was an initial discussion.

Council President Olstad stated that the League of Minnesota Cities was holding a regional meeting in Crookston on Tuesday, October 20th and that it had been requested to move the Council meeting so the entire Council could attend. He added that he would not be able to attend the regional meeting and asked who would like to attend. Council member Tweten commented that it was important to attend this meeting and the City should be represented. Discussion followed about how both Council member Tweten and Mr. Murphy were going to attend the regional meeting.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO ADJOURN THE OCTOBER 13, 2015 WORK SESSION OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:45 P.M.

David Murphy, City Administrator/Clerk-Treasurer

**UNAPPROVED MINUTE SUMMARY
OF THE CITY
COUNCIL CLOSED MEETING
CITY OF EAST GRAND FORKS
TUESDAY, OCTOBER 13, 2015 – Following the Closed Session**

CALL TO ORDER:

The Closed Meeting of the East Grand Forks City Council for October 13, 2015 was called to order by Council President Mark Olstad at 7:52 P.M.

CALL OF ROLL:

On a Call of Roll the following members of the East Grand Forks City Council were present: Council President Mark Olstad, Council Vice-President Chad Grassel, Council Members Clarence Vetter, Mike Pokrzywinski, Henry Tweten, and Marc DeMers.

Ron Galstad, City Attorney, David Murphy, City Administrator; and Megan Nelson, Executive Assistant.

DETERMINATION OF A QUORUM:

The Council President Determined a Quorum was present.

1. Closed Session pursuant to MN Statute 13D.05 Sub 3(a) to conduct the job evaluation of the City Administrator.

Mr. Galstad stated the purpose of the meeting was for the job evaluation of the City Administrator and could be closed according to Minnesota Statute 13D.05 Sub 3(a). He asked Mr. Murphy if he would like to meeting closed. Mr. Murphy said he would like to meeting to be closed.

A MOTION WAS MADE BY COUNCIL MEMBER POKRWINSKI, SECONDED BY COUNCIL MEMBER GRASSEL, TO MOVE INTO A CLOSED SESSION.

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

Voting Nay: None.

Absent: Buckalew.

Discussion followed in closed session.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER VETTER, TO MOVE INTO AN OPEN SESSION.

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

Voting Nay: Grassel.
Absent: Buckalew.

The Council had reviewed Mr. Murphy's job performance on both what he is doing well, areas that could be improved, and goals that they have for him to accomplish in 2016.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER DEMERS, TO ADJOURN THE OCTOBER 13, 2015 CLOSED MEETING THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 8:28 P.M.

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 September 17, 2015 at 5:00 P.M.

Present: Ogden, Quirk, Tweten
Absent: Loven

It was moved by Commissioner Quirk seconded by Commissioner Tweten that the minutes of the previous meeting of September 3, 2015 be approved as read.

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

It was moved by Commissioner Tweten seconded by Commissioner Quirk to authorize the Secretary to issue payment of the recommended bills and payroll in the amount of \$1,180,249.52.

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

It was moved by Commissioner Tweten seconded by Commissioner Quirk to approve Change Order #2 for the 2015 Water Main Replacement project contract with RJ Zavoral in the amount of \$2,808.00.

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

It was moved by Commissioner Quirk seconded by Commissioner Tweten to approve WAPA Contract #15-UGPR-135 and execute the same.

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

It was moved by Commissioner Quirk seconded by Commissioner Tweten to approve WAPA Contract #15-UGPR-1035 and execute the same.

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

It was moved by Commissioner Quirk seconded by Commissioner Tweten to approve WAPA Contract #15-UGPR-2035 and execute the same.

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

It was moved by Commissioner Quirk seconded by Commissioner Tweten to approve WAPA Contract #15-UGPR-3035 and execute the same.

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

It was moved by Commissioner Tweten seconded by Commissioner Quirk to authorize the appropriate officials to sign WAPA Contract #15-UGPR-143 when the final version is received and execute the same.

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

It was moved by Commissioner Quirk seconded by Commissioner Tweten to adjourn to the next regular meeting on October 2, 2015 at 5:00 P.M.

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

Lori Maloney
Sec'y

**MINUTES OF THE SPECIAL MEETING OF THE ECONOMIC DEVELOPMENT AUTHORITY
(EDA), CITY COUNCIL AND THE PLANNING COMMISSION OF THE
CITY OF EAST GRAND FORKS
TUESDAY, SEPTEMBER 29, 2015 – 4:00 PM**

Call To Order:

The Special Meeting of the East Grand Forks Economic Development Authority was called to order by Vice-President Hecht at 4:00 pm.

Roll Call

EDA Board present at roll: Vice President Shea, Board Members Mike Pokrzywinski, Chad Grassel, George Wogaman, Josh Grinde and Ralph Messelt.

Absent: President Hecht

Staff present: Paul Gorte, Economic Development Director; Brenda Ault, Executive Assistant

Call To Order:

The Special Meeting of the East Grand Forks City Council was called to order by Council President Mark Olstad at 4:00 pm.

Roll Call

Council Members present at roll: Council President Mark Olstad, City Council Members Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, Mark Olstad, Chad Grassel and Marc DeMers.

Absent: Mayor Lynn Stauss

Call To Order:

The Special Meeting of the East Grand Forks Planning Commission was called to order by President Mike Powers at 4:00 pm.

Roll Call

Council Members present at roll: President Mike Powers, Planning Commission Members Gary Christianson, Niel McWalter, Kevin Marcott, Chad Erickson and Mark DeMers.

Absent: Planning Commission Member Randy Boushey

September 29, 2015

MINUTES OF THE REGULAR MEETING OF THE EAST GRAND FORKS ECONOMIC DEVELOPMENT AUTHORITY (EDA), CITY COUNCIL AND PLANNING COMMISSION (continued)

Determination of a Quorum by the Economic Development Authority, City Council and the Planning Commission:

EDA Vice President Shea determined a quorum was present for the Economic Development Authority. Council President Mark Olstad determined a quorum was present for the City Council. Planning Commission President Mike Powers determined a quorum was present for the Planning Commission.

New Business:

The Members discussed the strengths, weaknesses, opportunities, and threats (SWOT) in East Grand Forks.

Adjournment:

A motion was made by City Council member DeMers, seconded by Council member Olstad, to adjourn the meeting at 5:30 pm. M/S/P- DeMers, Olstad; unanimous, mc.

A motion was made by Planning Commissioner DeMers, seconded by Commissioner Marcott, to adjourn the meeting at 5:30 pm. M/S/P- DeMers, Marcott; unanimous, mc.

A motion was made by Economic Development Authority Board member Pokrzywinski, seconded by Board member Wogaman, to adjourn the meeting at 5:30 pm. M/S/P- Pokrzywinski, Wogaman; unanimous, mc.

Respectfully Submitted,
Brenda Ault
Executive Assistant

Resurrection Cemetery Commission Meeting
 Monday, September 28, 2015
 4:00 p.m.
 City Hall – Conference Room

MINUTES

The East Grand Forks Resurrection Cemetery Commission met Monday, September 28, 2015 at City Hall at 4:00 pm. Secretary Dave Aker called the meeting to order at 4:06 p.m.

Present were: Commissioner Julie Marek, Commissioner George Wogaman, Alderman Chad Grassel and Executive Secretary Dave Aker. Guests included Phillip Amundson.

Alderman Grassel made a motion to accept the minutes for April 22, 2015, motion was seconded by Commissioner Wogaman, motion passed.

Executive Secretary Aker reviewed the financial minutes for April, May, June, July and August of 2015. Commissioner Marek motioned that we accept the financial minutes; Commissioner Wogaman seconded the motion and motion passed.

OLD BUSINESS:

Secretary Aker talked about the update on the notes, saying everyone had paid their notice off except three people. There is one that comes past due next month, Aker said they already sent them notification of the past due. Delene was the only one we had to take the lot back from, we received no respond to our letters telling them they were past due and we were taking back the lot.

Saturday burials of cremates were brought up to make sure the funeral homes know there is a \$100 charge for Saturday's burials of cremates starting June 1, 2015. Phil Amundson said he knew about the extra charge.

Secretary Aker brought up the cost of the columbarium and how much room we still have in the granite columbarium, Chairman Tucker had requested that we see if we can get rid of the marble columbarium and move the cremates from the marble to the granite colubarium. Aker explain the cost to put in the columbarium was \$15,510.00 and the markers was \$5,829.10. The amount of niches sold is 12 companion and 13 singles for a total of \$33,700.00 and that means the columbarium was netted \$12,360.90. Alderman Grassel asked if we need to get another columbarium, Secretary Aker said it wouldn't be long since they can fill up quickly. Grassel asked if there is any money and Aker said that so far this year we have \$40,280 in sales in the cemetery. Grassel asked how come Karla is always saying we are broke, Aker said he didn't know. The Commission asked if Karla could come to the next meeting and Aker said he would check with her.

Review of winter burials for 2015 – 2016, are two grave diggers that would like to dig graves in the winter, they are Alan Anderson from Grafton, ND and Dick Delage from Brooks, MN. Phil Amundson said that there was no problem with the diggers. He asked if they were going to continue calling when they needed a grave dug, Secretary Aker said they would.

NEW BUSINESS:

Secretary Aker brought up the disinterment for a half grave or cremates. Aker said there is a price for a full disinterment but not one for a half grave or cremates. The charge for a full disinterment is \$750.00, he said they had someone ask for a disinterment of a cremates and he charged them \$375.00 which he would like to get on paper. Alderman Grassel made a motion that we would charge \$375.00 for a half lot or a cremates; Commissioner Wogaman second the motion. Phil Amundson asked if we would have our person do the half lot or cremates and hire out someone for a full interment. Aker said that is how he would do it; Motion passed.

Secretary Aker said a big thank to Wayne Gregoire for still wanted to do the flag holders on Memorial Day. Secretary Aker said he and Wayne did the flag holders and would continue to do them.

Secretary Aker said the cement slabs were not poured all the way because they needed more dirt on Section 8 – 10. There is dirt now, but they thought it would be a good idea to wait until next year. Alderman Grassel asked if anyone could make those slabs, Aker replied they had to know something about concrete before he would hire them. Secretary Aker also stated they have bought Section markers for the upright section and Brian would have them in this fall.

Alderman Grassel made a motion to adjourn the meeting; Commissioner Marek seconded it; Motion passed. Next meeting would be emailed to everyone.

Meeting was adjourned!

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.

* * * *

RESOLUTION NO. 15 – 10 – 106

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

WHEREAS, The City Administrator/Clerk-Treasurer with the assistance of the person designated, has calculated the proper amount to be specially assessed against every lot, piece and parcel of land, without regard to cash valuation, utilities and street foundation improvements described as “2014 Assessment Job No. 1 – Street Reconstruction – 17th Street NE”; for a total assessment of \$462,584.44; and

WHEREAS, Said calculations known as the proposed assessments were filed with the Administrator/Clerk-Treasurer on September 1, 2015; and

WHEREAS, On September 16th, 23rd, and 30th, a published notice will be given in the official newspaper of a special assessment hearing to consider the said proposed assessment, and a copy of said published notice was mailed on September 14, 2015, to the owner(s) of the tract(s) or parcel(s) of land as provided by law, and the public hearing will be held on October 6, 2015 and all objections to said proposed assessment have been considered by the Council, and

BE IT RESOLVED, That the City Council of the City of East Grand Forks, Minnesota, hereby determines that the property in the said proposed assessment is benefited by the improvement and that the amount of said assessment is based upon the benefit received, without regard to cash valuation, and that every lot, piece and parcel or parcels of land set out therein as assessable and that said proposed assessment has been calculated in accordance with the law, and

BE IT FURTHER RESOLVED, That said proposed assessments for said improvement be and hereby are adopted as the special assessments against the tracts of land stated in the assessment roll in the amount set out therein and that this assessment roll be given the descriptive name of “Assessment Roll No. 334 – Street Reconstruction – 17th Street NE”.

BE IT FURTHER RESOLVED, That the said assessment shall be payable in equal installments over a period of twenty (20) years.

BE IT FURTHER RESOLVED, That interest at the rate of 4.5 percent per annum on the entire assessment from the date of the resolution levying said assessment to December 31, 2015, and each subsequent installment will be payable with one year’s interest at said rate on all unpaid installments, except that no interest will be charged if the entire assessment as to any parcel is paid at the office of the City Administrator/Clerk-Treasurer within 30 days from the date of adoption of the assessment roll.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: October 6, 2015

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 6th day of October, 2015.

Mayor

2014 ASSESSMENT JOB NO. 1 17TH ST NE RECONSTRUCTION S.P. 119-080-011 EAST GRAND FORKS, MINNESOTA

**17th Street NE
Calculations**

Construction	\$1,014,737.25
Plans & Specifications	\$126,814.00
Staking & Inspection	\$87,657.70
Administration	\$30,442.12
Contingencies	\$0.00
Assessment roll	\$10,147.37
TOTAL	\$1,269,798.44
Federal Aid	\$807,214.00

TOTAL PROJECT COSTS TO BE ASSESSED TO PROPERTY OWNERS	\$462,584.44
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Front Footage's	
AUD PLAT OF OUTLOTS 17 THRU 64	765.00
AUD PLAT OF OUTLOTS 65 THRU 94	1,859.20
TOTAL	2,624.20

End Footage's	
AUD PLAT OF OUTLOTS 17 THRU 64	589.65
AUD PLAT OF OUTLOTS 65 THRU 94	1,831.86
TOTAL	2,421.51

Front Assessment Rate	\$134.810423 / front foot
End Assessment Rate	\$44.936808 / end foot

2014 ASSESSMENT JOB No. 1
 17th ST NE RECONSTRUCTION
 S.P. 119-080-011
 EAST GRAND FORKS, MINNESOTA

PARCEL No.	OWNER	DESCRIPTION	17th ST NE PAVING				TOTAL ASSESSMENT BEFORE INTEREST
			FRONT FOOTAGE	\$ FRONT BENEFIT \$134.81042	END FOOTAGE	\$ END BENEFIT \$44.93681	
AUD PLAT OF OUTLOTS 17 THRU 64							
R 83.02277.00	EAST FORKS LIMITED PARTNERSHIP	Lot 17	465.00	\$62,686.85		\$0.00	\$62,686.85
R 83.02278.00	EAST GRAND FORKS CITY	OUTLOTS 18, 33, 50 & 54 & TR IN NE COR OF O L 48	300.00	\$40,443.13		\$0.00	\$40,443.13
R 83.02279.00	BTA PROPERTIES, LLC	Lot 19		\$0.00	189.65	\$8,522.27	\$8,522.27
R 83.02280.00	SIXTEEN HUNDRED CEN AVE PTNSHP	Lot 20		\$0.00	100.00	\$4,493.68	\$4,493.68
R 83.02281.00	SIXTEEN HUNDRED CEN AVE PTNSHP	Lot 21		\$0.00	5.25	\$235.92	\$235.92
R 83.02296.00	OLDERBAK LAWRENCE R & JANIE L	Lot 36		\$0.00	100.00	\$4,493.68	\$4,493.68
R 83.02297.00	BLOMQUIST KEITH & CAROL M.	Lot 37		\$0.00	100.00	\$4,493.68	\$4,493.68
R 83.02298.00	HAGEMAN PAUL D	Lot 38		\$0.00	94.75	\$4,257.76	\$4,257.76
SUBTOTAL AUD PLAT OF OUTLOTS 17 THRU 64			765.00	\$103,129.98	589.65	\$26,496.99	\$129,626.97
AUD PLAT OF OUTLOTS 65 THRU 94							
R 83.02841.00	RENT-A-HOME	Lot 68		\$0.00	174.25	\$7,830.24	\$7,830.24
R 83.02842.00	VERVALEN ROBERT M	Lot 69		\$0.00	58.75	\$2,640.04	\$2,640.04
R 83.02843.00	PIERCE INVESTMENT COMPANY	Lot 70		\$0.00	388.29	\$17,448.51	\$17,448.51
R 83.02847.00	EAST FORKS LIMITED PARTNERSHIP	SLY 50 FT OF THE ELY 300 FT OF OUTLOT 72 & ALL Lot 74	646.88	\$87,206.17	621.29	\$27,918.79	\$115,124.96
R 83.02857.00	EAST GRAND FORKS CITY	OUTLOTS 84, 85 & 94	1,212.32	\$163,433.36	589.28	\$26,480.36	\$189,913.72
SUBTOTAL AUD PLAT OF OUTLOTS 65 THRU 94			1,859.20	\$250,639.53	1,831.86	\$82,317.94	\$332,957.47
GRAND TOTAL 2014 AJ No. 1			2,624.20	\$353,769.51	2,421.51	\$108,814.93	\$462,584.44

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

WHEREAS, The City Administrator/Clerk-Treasurer with the assistance of the person designated, has calculated the proper amount to be specially assessed against every lot, piece and parcel of land, without regard to cash valuation, utilities and street foundation improvements described as “2015 Assessment Job No. 3 – Street Improvements”; and

WHEREAS, Said calculations known as the proposed assessments were filed with the Administrator/Clerk-Treasurer on October 20th, 2015; and

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

1. A hearing shall be held at 5:00pm or as soon as possible thereafter on November 10, 2015 in the City Hall Council Chambers located at 600 Demers Ave to pass upon such proposed assessments. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Administrator/Clerk-Treasurer is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall stated in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: October 20, 2015

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 20th day of October, 2015.

Mayor

Request for Council Action

Date: October 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: Fire Chief Gary Larson

RE: Polk County Mutual Aid Agreement

The Polk County Mutual Aid Agreement is in the packet for your review. This is the final draft, and has been approved by all the cities with Fire Departments in Polk County.

A change has been made to the final paragraph to change the total hour without charging down to 12 hours instead of 48 hours. I think this is better and gives time for the Requesting Party to contact the insurance company to see if time and equipment can be reimbursed.

As Ron Galstad stated, we are responsible for claims caused by other Fire Departments. I discussed this with other departments and the League of MN Cities and they feel that is the best way to get mutual aid because it cannot cause expense to the Responding Department.

It would be my recommendation to accept the Polk County Mutual Aid Agreement. Although we do not use it often, if we had a big incident it would provide a bigger and better response for our citizens.

Respectfully,

Gary Larson
East Grand Forks Fire Chief

MUTUAL AID AGREEMENT BETWEEN POLK COUNTY FIRE DEPARTMENTS

Department: East Grand Forks Fire Department

Purpose

This agreement is made pursuant to Minnesota Statutes 471.59 which authorizes the joint and cooperative exercise of powers common to contracting parties. The intent of this agreement is to make equipment, personnel and other resources available to political subdivisions from other political subdivisions.

Definitions

1. "Party" means a political subdivision.
2. "Requesting Official" means the person designated by a Party who is responsible for requesting Assistance from other Parties.
3. "Requesting Party" means a party that requests assistance from other parties.
4. "Responding Official" means the person designated by a party who is responsible to determine whether and to what extent that party should provide assistance to a Requesting Party.
5. "Responding Party" means a party that provides assistance to a Requesting Party.
6. "Assistance" means (Check the type of assistance that will be provided):
 - a. Public Works personnel and equipment _____
 - b. Fire and/or emergency medical services personnel and equipment _____ XXXXXX _____
 - c. Law enforcement personnel and equipment _____
 - d. Utility personnel and equipment _____
 - e. Other personnel and equipment as listed below:

Procedure

1. **Request for assistance.** Whenever, in the opinion of a Requesting Official, there is a need for assistance from other parties, the Requesting Official may call upon the Responding Official of any other party to furnish assistance.

2. **Response to request.** Upon the request for assistance from a Requesting Party, the Responding Official may authorize and direct his/her party's personnel to provide assistance to the Requesting Party. This decision will be made after considering the needs of the responding party and the availability of resources.
3. **Recall of Assistance.** The Responding Official may at any time recall such assistance when in his or her best judgment or by an order from the governing body of the Responding Party, it is considered to be in the best interests of the Responding Party to do so.
4. **Command of Scene.** The Requesting Party shall be in command of the mutual aid scene. The personnel and equipment of the Responding Party shall be under the direction and control of the Requesting Party until the Responding Official withdraws assistance.

Workers' compensation

Each party shall be responsible for injuries or death of its own personnel. Each party will maintain workers' compensation insurance or self-insurance coverage, covering its own personnel while they are providing assistance pursuant to this agreement. Each party waives the right to sue any other party for any workers' compensation benefits paid to its own employee or volunteer or their dependents, even if the injuries were caused wholly or partially by the negligence of any other party or its officers, employees, or volunteers.

Damage to equipment

Each party shall be responsible for damages to or loss of its own equipment. Each party waives the right to sue any other party for any damages to or loss of its equipment, even if the damages or losses were caused wholly or partially by the negligence of any other party or its officers, employees, or volunteers.

Liability

1. For the purposes of the Minnesota Municipal Tort Liability Act (Minn. Stat. 466), the employees and officers of the Responding Party are deemed to be employees (as defined in Minn. Stat. 466.01, subdivision 6) of the Requesting Party.
2. The Requesting Party agrees to defend and indemnify the Responding Party against any claims brought or actions filed against the Responding Party or any officer, employee, or volunteer of the Responding Party for injury to, death of, or damage to the property of any third person or persons, arising from the performance and provision of assistance in responding to a request for assistance by the Requesting Party pursuant to this agreement.

Under no circumstances, however, shall a party be required to pay on behalf of itself and other parties, any amounts in excess of the limits on liability established in Minnesota Statutes Chapter 466 applicable to any one party. The limits of liability for some or all of the parties may not be added together to determine the maximum amount of liability for any party.

The intent of this subdivision is to impose on each Requesting Party a limited duty to defend and indemnify a Responding Party for claims arising within the Requesting Party's

jurisdiction subject to the limits of liability under Minnesota Statutes Chapter 466. The purpose of creating this duty to defend and indemnify is to simplify the defense of claims by eliminating conflicts among defendants, and to permit liability claims against multiple defendants from a single occurrence to be defended by a single attorney.

3. No party to this agreement nor any officer of any Party shall be liable to any other Party or to any other person for failure of any party to furnish assistance to any other party, or for recalling assistance, both as described in this agreement.

Charges to the Requesting Party

Subd. 1 No charges will be levied by a Responding Party to this agreement for assistance rendered to a Requesting Party under the terms of this agreement unless that assistance continues for a period of more than 12 hours. If assistance provided under this agreement continues for more than 12 hours, the Responding Party will submit to the Requesting Party an itemized bill for the actual cost of any assistance provided after the initial 12 hour period, including salaries, overtime, materials and supplies and other necessary expenses; and the Requesting Party will reimburse the party providing the assistance for that amount.

Subd. 2 Such charges are not contingent upon the availability of federal or state government funds.

Duration

This agreement will be in force for a period of 5 years from the date of execution. Any party may withdraw from this agreement upon thirty (30) days written notice to the other party or parties to the agreement.

Execution

Each party hereto has read, agreed to and executed this Mutual Aid Agreement on the date indicated.

Date _____ Entity _____

By _____

Title _____

Date _____ Entity _____

By _____

Title _____

GW & Sons Construction Inc.
1555 N 52nd St.
Grand Forks, ND 58203

PROPOSAL AND
ACCEPTANCE

NAME / ADDRESS
East Grand Forks Parks and Recreation 600 DeMers Ave East Grand Forks, MN 56721

DATE	QUOTE #
9/17/2015	1020

P.O. NO.	TERMS
Verb/Dave	Good for 18 days

DESCRIPTION	TOTAL
<p>We at GW & Sons Construction Inc. Propose Materials and Labor for the following: Re: New Roof on the lobby area at the Civic Center in East Grand Forks</p> <p>Demo existing roof sheets and sidewall sheets</p> <p>Add 3 new steel stud walls with purlins on top and build up roof to match existing arena roof height Approx: 3'</p> <p>Install 3" of fiberglass insulation over the purlins</p> <p>Install new roof sheeting</p> <p>Install new wall sheeting on sidewall and front</p> <p>Install new gutter down both sidewalls</p>	

Please sign and date below to accept this proposal & send one signed copy to us. Thank You.

Signature

Date

GW & Sons Construction Inc.
 1555 N 52nd St.
 Grand Forks, ND 58203

PROPOSAL AND
ACCEPTANCE

NAME / ADDRESS
East Grand Forks Parks and Recreation 600 DeMers Ave East Grand Forks, MN 56721

DATE	QUOTE #
9/17/2015	1020

P.O. NO.	TERMS
Verb/Dave	Good for 18 days

DESCRIPTION	TOTAL
TOTAL PRICE	65,765.00
NOT INCLUDED: Permits, Bonds, Builders Risk Insurance, Electrical, Plumbing, Heating, Signage.	

Please sign and date below to accept this proposal & send one signed copy to us. Thank You.

Signature _____ Date _____

Request for Council Action

Date: October 6, 2015

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

Cc: File

From: Steve Emery, P.E.

RE: 2015 Assessment Job No. 1– Utility and Street Construction , Point of Woods 6th Addition.

Background:

When the Point of Woods 6th Utility and Street Construction Project was bid it was planned for that the salvaged crushed concrete material from the Point of Woods 5th Addition would be available and would be installed between the curb lines as the finished driving surface. However, with the concrete paving project in the Point of Woods 5th Addition not being awarded we are now trying to determine the best options for providing the additional Aggregate base materials and have come up with two options.

Option 1: Zavorals to furnish & install crushed concrete material between curb lines and add the additional cost to the project and the overall assessments. To save on project costs we would also look at eliminating the bituminous pavement tie in at Brandon Boulevard and Rhinehart Drive until such time in the future the concrete paving is completed.

Option 2: City of EGF to pay for crushed concrete material and Zavorals to deliver and install crushed concrete between curb lines and add the additional cost to the project and the overall assessments. To save on project costs we would also eliminate the bituminous pavement tie in at Brandon Boulevard and Rhinehart Drive until such time in the future the concrete paving is completed.

The advantage of option 2 is in the future when the material is removed for concrete paving the material would be salvaged and given to the city. With the option 1 scenario the developer feels he has paid for the material and should be given the material or receive some sort of credit if the city gets the material.

The following is the proposed net affect on the overall project cost:

Option 1: Assessable Project Costs

Purchase Crushed Concrete (585 cy @ \$19.25/cy) =	\$11,261.25
Deliver Crushed Concrete (585 cy @ \$4.65/cy) =	\$2720.25
Install Crushed Concrete (585 cy @ 3.85 / cy) =	<u>\$2252.25</u>
Subtotal:	\$16,233.75
Less Bituminous Pavement	(\$ 5,000.00)
Less Install Salvaged Aggregate Base	<u>(\$ 2,000.00)</u>
Total	\$ 9,233.75

Assessment Rate Change: \$ 9.37/LF

Option 2:

City Purchase Crushed Concrete (585 cy @ \$19.25/cy) = \$11,261.25 (**Non-Assessable Cost**)

Assessable Project Costs:

Deliver Crushed Concrete (585 cy @ \$4.65/cy) =	\$2720.25
Install Crushed Concrete (585 cy @ 3.85 / cy) =	<u>\$2252.25</u>
Subtotal:	\$ 4,972.50
Less Bituminous Pavement	(\$ 5,000.00)
Less Install Salvaged Aggregate Base	<u>(\$ 2,000.00)</u>
Total	(\$ 2,027.50)

Assessment Rate Change: (\$ 2.06/LF)

Recommendation:

None

Enclosures:

Plan Sheet C 2.1

Request for Council Action

Date: October 20, 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: City Administrator David Murphy

RE: Pool Project Change Order No. 2.

Background

There was an arithmetic error on the previous listing for change order no. 2 that has been corrected. The correct amount is listed below. The previous amount was approximately \$1,000 low.

Budget Impact

\$36,688.00. The base bid contingency amount was \$130,800.00. Change order No. 1 was for \$30,092.00. This resulting impact is:

Original Contingency Amount	\$130,080.00
Change Order No. 1	(\$30,092.00)
Change Order No. 2	(\$36,688.00)
Remaining Contingency Amount	\$63,300.00

Action Required

Approval of Change Order No. 2.

RESOLUTION NO. 15 - 10 – 113

A RESOLUTION APPROVING CHANGE ORDER NO. 2 FOR 2015 POOL RECONSTRUCTION PROJECT

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

WHEREAS, the 2015 Pool Reconstruction Project was let and set for the majority of construction to be completed in 2015, and

WHEREAS, the Pool Project Budget included roughly \$130,000 for contingencies, and

WHEREAS, several items were discovered during construction that were not included in the original budget,

WHEREAS, Change Order No. 2 includes the following items:

G10 two new diving boards. \$25,929.00

G11 electrical items replacing existing switches and receptacles that were called out to be left in service. \$1,433.00

G13 adding sloped tops to the new metal lockers which will keep debris off of the tops. \$2,865.00

G14 adding two Fish spray water features to the Wading Pool. \$4,651.00

G15 adding 18 lockers for the lifeguards and staff. The existing lockers were intended to be reused but proved to be in poor condition. \$1,877.00

G16 adding concrete deck and fence to the area just south of the filter area (north east of the Wading Pool. No cost change for the fence. This eliminates an area that will be tough to mow and increases the deck space adjacent to the Wading pool. \$1,866.00

G17 credit for reducing the amount of fence and gates at the Concession Area (\$-3,129.00)

G18 credit for using the Ascent Climbing Wall, 3 panels wide and 2 panels high. We needed to substitute a 2 panel wall instead of the 3 panel high unit we originally specified. We did not have enough water depth for the 3 panel unit. (\$-1,745.00)

G19 removing existing sidewalks at the north and east sides of the Pump House that are in need of replacement. \$2,941.00

Total \$36,688.00.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of East Grand Forks, Minnesota, approves the request for Change Order No. 2.

Voting Aye:
Voting Nay:
Absent:

The President declared the resolution passed.

Passed: October 20th, 2015

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 20th day of October, 2015.

Mayor

RESOLUTION NO. 15 – 10 - 114

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 22652 for a total of \$744.17.

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 \$744.17 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 October 20, 2015.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: October 20, 2015

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 20th day of October, 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 22652 for a total of \$744.17.
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 October 20, 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.

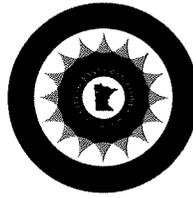
Dated: _____

(Signature of Official)

Accounts Payable

Check Register Totals Only

User: mnelson
 Printed: 10/16/2015 - 1:02 PM



City of East Grand Forks

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

Check	Date	Vendor No	Vendor Name	Amount	Voucher
22608	10/20/2015	3DS001	3D Specialties	601.68	0
22609	10/20/2015	ACM001	Acme Electric Companies	39.99	0
22610	10/20/2015	ALB001	Albrecht Manufacturing	318.86	0
22611	10/20/2015	AME002	American Tire Service	10,868.85	0
22612	10/20/2015	AME005	Ameripride Linen & Apparel Services	166.81	0
22613	10/20/2015	BOR001	Border States Electric Supply	77.28	0
22614	10/20/2015	BRI004	Brians Flooring	2,322.52	0
22615	10/20/2015	BUD001	Bud & Ralph's Appliance Service Inc	104.73	0
22616	10/20/2015	BCA003	Bureau of Crim Apprehension	1,530.00	0
22617	10/20/2015	C&R001	C&R Laundry & Cleaners	258.40	0
22618	10/20/2015	CAN001	Canon Financial Services	140.80	0
22619	10/20/2015	CAR004	Cariveau Concrete Construction Inc	10,847.00	0
22620	10/20/2015	CAR002	Carquest Auto Parts	302.58	0
22621	10/20/2015	GFT003	Donald Scott Cash	2,466.00	0
22622	10/20/2015	CER001	Certified Laboratories	318.00	0
22623	10/20/2015	CHE001	Chemsearch	487.68	0
22624	10/20/2015	CLA004	Clarke Mosquito Control Products	7,348.00	0
22625	10/20/2015	COL002	Cole Papers Inc	1,027.68	0
22626	10/20/2015	COM003	Complete Pest Control Inc	2,723.00	0
22627	10/20/2015	COU008	Countrywide Sanitation Company	38,822.01	0
22628	10/20/2015	D&M001	D&M Auto Body	2,736.85	0
22629	10/20/2015	DAK006	Dakota TV & Appliance	212.35	0
22630	10/20/2015	DOC001	Docu Shred Inc	37.66	0
22631	10/20/2015	DRU001	Drummer's Diesel Inc	264.20	0
22632	10/20/2015	EAP001	EAPC Architects Engineers	5,205.25	0
22633	10/20/2015	ECO001	Economy Plumbing	49.99	0
22634	10/20/2015	EID001	EIDE Motors	139.90	0
22635	10/20/2015	ENV003	Environmental Toxicity Control Inc	775.00	0
22636	10/20/2015	EXP002	Exponent	357.90	0
22637	10/20/2015	FIL001	Filter Care	1,235.40	0
22638	10/20/2015	ODL001	Fitzgerald, Reynolds & Harbott PLLP	363.00	0
22639	10/20/2015	FOR001	Forks Freightliner	278.10	0
22640	10/20/2015	FOR004	Forx Radiator	150.98	0
22641	10/20/2015	G&K001	G&K Services	220.06	0
22642	10/20/2015	GAF002	Gaffaney's	1,130.12	0
22643	10/20/2015	GAL003	Galstad Jensen & McCann PA	12,275.50	0
22644	10/20/2015	GAR001	Garden Hut Inc	159.54	0
22645	10/20/2015	GEO001	George's Quick Printing	345.00	0
22646	10/20/2015	GFC001	GF City Utility Billing	16,723.10	0
22647	10/20/2015	GFH002	GF Herald	506.27	0
22648	10/20/2015	GFW001	GF Welding & Machine	37.08	0
22649	10/20/2015	GGF001	GGF Convention & Visitors Bureau	3,766.41	0
22650	10/20/2015	GRE002	Greg's Lawn Care	531.60	0
22651	10/20/2015	HAC001	HACH Company	253.89	0
22652	10/20/2015	HAR001	Hardware Hank	744.17	0
22653	10/20/2015	HEA001	Heartland Paper	1,086.56	0
22654	10/20/2015	HNQ001	HN Quality Plumbing, Inc	301.04	0
22655	10/20/2015	HOL002	Holiday Credit Office	45.38	0
22656	10/20/2015	HUG001	Hugo's	259.20	0
22657	10/20/2015	JobsHQ	JobsHQ	868.56	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
22658	10/20/2015	K&K001	K&K Trucking Inc	1,170.00	0
22659	10/20/2015	KAL003	Kaler Doeling, PLLP	133.00	0
22660	10/20/2015	KEN002	Kennedy & Graven, Chartered	386.90	0
22661	10/20/2015	LIT001	Lithia Payment Processing	160.07	0
22662	10/20/2015	LJU002	Amanda Ljunggren	713.00	0
22663	10/20/2015	LYN001	Lynn Peavey Company	235.00	0
22664	10/20/2015	MAR004	Marco	118.57	0
22665	10/20/2015	MAR001	Marco Inc	488.70	0
22666	10/20/2015	MLR001	Michael L. Miller	21,194.00	0
22667	10/20/2015	MID003	Midcontinent Communications	75.00	0
22668	10/20/2015	MND003	MN Dept of Labor & Industry	2,530.98	0
22669	10/20/2015	MND006	VOID***VOID***VOID*** MN I	552.00	0
22670	10/20/2015	MNM002	MN Municipal Utilities Assoc	4,071.00	0
22671	10/20/2015	COM002	Morgan Printing	1,225.00	0
22672	10/20/2015	MOT002	Motorola Solutions Inc	3,282.75	0
22673	10/20/2015	MTI001	MTI Distributing Company	3,467.81	0
22674	10/20/2015	NAD001	Clement Nadeau	300.00	0
22675	10/20/2015	NAR001	Nardini Fire Equipment Co.	71.95	0
22676	10/20/2015	NEW001	Newman Signs	2,100.00	0
22677	10/20/2015	NOR005	Northern Safety Tech	456.30	0
22678	10/20/2015	NOR024	Northland Yard Service	1,125.00	0
22679	10/20/2015	ORE001	O'Reilly Auto Parts	782.90	0
22680	10/20/2015	OFF002	Office Depot	84.93	0
22681	10/20/2015	OKA001	OK Automotive Parts & Equipment	60.93	0
22682	10/20/2015	OPP001	Opp Construction	269,641.80	0
22683	10/20/2015	ORC002	Roger Orchard	17,513.26	0
22684	10/20/2015	DIA001	Richard Papenfuss	25.00	0
22685	10/20/2015	PDQ001	PDQ Sanitary Services	103.00	0
22686	10/20/2015	PET001	Peterson Veterinarian Clinic P.C.	238.00	0
22687	10/20/2015	PRA003	Prairie Wind BG Inc	659.00	0
22688	10/20/2015	PRA001	Praxair Distribution	458.54	0
22689	10/20/2015	PRE001	Premium Waters Inc	15.70	0
22690	10/20/2015	PSD001	PS Door Services	136.16	0
22691	10/20/2015	PYN002	Steve & Lynn Pynn	5,000.00	0
22692	10/20/2015	QUI001	Quill Corp	762.83	0
22693	10/20/2015	ZAV001	RJ Zavoral & Sons	163,113.79	0
22694	10/20/2015	RMB001	RMB Environmental Lab Inc	761.00	0
22695	10/20/2015	ROT001	Roto Rooter	350.00	0
22696	10/20/2015	RYD001	Rydell Chevrolet	230.08	0
22697	10/20/2015	SAF002	Safety Kleen Corp	874.18	0
22698	10/20/2015	SAF001	Safety Vision	475.80	0
22699	10/20/2015	MER001	Sanford Clinic Fargo Region	55.00	0
22700	10/20/2015	SAN001	Sanitation Products Inc.	99.79	0
22701	10/20/2015	SCH031	Schmitz Builders, Inc.	203,840.10	0
22702	10/20/2015	SIM002	SimplexGrinnell	860.20	0
22703	10/20/2015	SPA001	Spare Husband Inc	563.96	0
22704	10/20/2015	SPI001	Paul Spielman	353.00	0
22705	10/20/2015	STO001	Stone's Mobile Radio Inc	268.00	0
22706	10/20/2015	SUN002	Sun Dot Communications	89.99	0
22707	10/20/2015	TFP001	TF Powers Construction	193,050.00	0
22708	10/20/2015	TRU001	True Temp	62.50	0
22709	10/20/2015	USB004	US Bank Equipment Finance	136.17	0
22710	10/20/2015	VAL002	Valley Truck	385.14	0
22711	10/20/2015	VEI001	Veit & Company Inc	54,935.00	0
22712	10/20/2015	VER001	Verizon Wireless	774.36	0
22713	10/20/2015	VIL001	Vilandre Heating & A/C	539.69	0
22714	10/20/2015	WAL007	Wallwork Truck Center	135.51	0
22715	10/20/2015	WAT001	Water & Light Department	15,320.92	0
22716	10/20/2015	WID001	Widseth Smith Nolting & Associates	182,691.40	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
22717	10/20/2015	XER001	Xerox Corporation	94.82	0
22718	10/20/2015	ZIE001	Ziegler	2,152.43	0
				<u> </u>	
				<u> </u>	
				Check Total:	
				1,293,383.84	
				<u> </u>	
				<u> </u>	