

**AGENDA
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, MAY 17, 2016 – 5:00 PM**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A 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.”

PUBLIC FORUM ON PROPOSED FLYING FIELD SITE:

APPROVAL OF MINUTES:

1. Consider approving the minutes and summary of the “Regular Meeting & Closed Session” for the East Grand Forks, Minnesota City Council of May 3, 2016.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of May 10, 2016.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS:

3. Public Hearing on the Tax Abatement Request from Northern Valley Machine.

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 and minute summary of the Economic Development Authority Board for April 5, 2016.
5. Regular meeting minutes of the Water, Light, Power, and Building Commission for April 21, 2016.

COMMUNICATIONS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

6. Consider approving the agreement between the City of East Grand Forks and the Red River RC Flyers Chapter 490 allowing the city property referenced in the agreement to be used as a flying field site.
7. Consider adopting Resolution No. 16-05-48 granting Border City Development Tax Credits and approving the business subsidy agreement between the City of East Grand Forks and Walski Properties.
8. Consider approving the request to hire a baseball coordinator for the Park and Recreation Department to start at a salary of \$15.50 per hour with a start date of May 18, 2016 and will work until the end of the 2016 baseball season.
9. Consider awarding the job for the construction of a garage at the cemetery to Dan Cariveau Construction for a total of \$17,700.
10. Consider approving the request to start the process utilizing _____ for hiring a new Parks and Recreation Director.
11. Consider approving the following On-sale Weekday & Sunday Liquor Licenses Applicant Renewals:
 - a. VFW Post 3817 located at 312 Demers Ave East Grand Forks, MN 56721
 - b. Blue Moose Bar & Grill located at 507 2nd St NW East Grand Forks, MN 56721
 - c. Eagles Club 350 located at 227 10th St NW East Grand Forks, MN 56721
 - d. Mike's Pizza located at 411 2nd St NW East Grand Forks, MN 56721
 - e. East Grand Lanes located at 1500 5th Ave NE East Grand Forks, MN 56721
 - f. Casa Mexico Restaurant located at 112 14th St NE East Grand Forks MN 56721
 - g. American Legion #157 located at 1009 Central Ave NW East Grand Forks, MN 56721
12. Consider approving the following Off-sale Non-Intoxicating Malt Liquor License Applicant Renewal for East Side Travel Plaza located at 607 Gateway Dr NE East Grand Forks, MN 56721.
13. Consider approving the following Off-sale Intoxicating Liquor License Applicant Renewal:
 - a. Pop's Liquor located at 122 4th St NE East Grand Forks, MN 56721
 - b. Hugo's Wine & Spirits located at 310 14th St NE East Grand Forks, MN 56721
14. Consider approving the On-sale Weekday & Sunday Liquor License Applicant Renewal from Valley Golf located at 2407 River Rd NW East Grand Forks, MN 56721.
15. Consider approving the On-sale Wine and On-sale Non-Intoxicating Liquor License Applicant Renewal for Tao Garden located at 302 Demers Ave East Grand Forks, MN 56721.
16. Consider adopting Resolution No. 16-05-49 authorizing the imposition of a \$3000 per lot surcharge for sales initiated by the action of a realtor and would cause the need for the payment of a commission.

CLAIMS:

17. Consider adopting Resolution No. 16-05-50 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 24121 for a total of \$736.86 whereas Council Member Buckalew is personally interested financially in the contract.
18. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

COUNCIL/STAFF REPORTS:

ADJOURN:

Upcoming Meetings

- Work Session – Tuesday, May 24, 2016 – Training Room
- Regular Council Meeting – Tuesday, June 7, 2016 – Council Chambers
- Work Session – Tuesday, June 21, 2016 – Training Room
- Regular Council Meeting – Tuesday, June 28, 2016 – Council Chambers



City of East Grand Forks

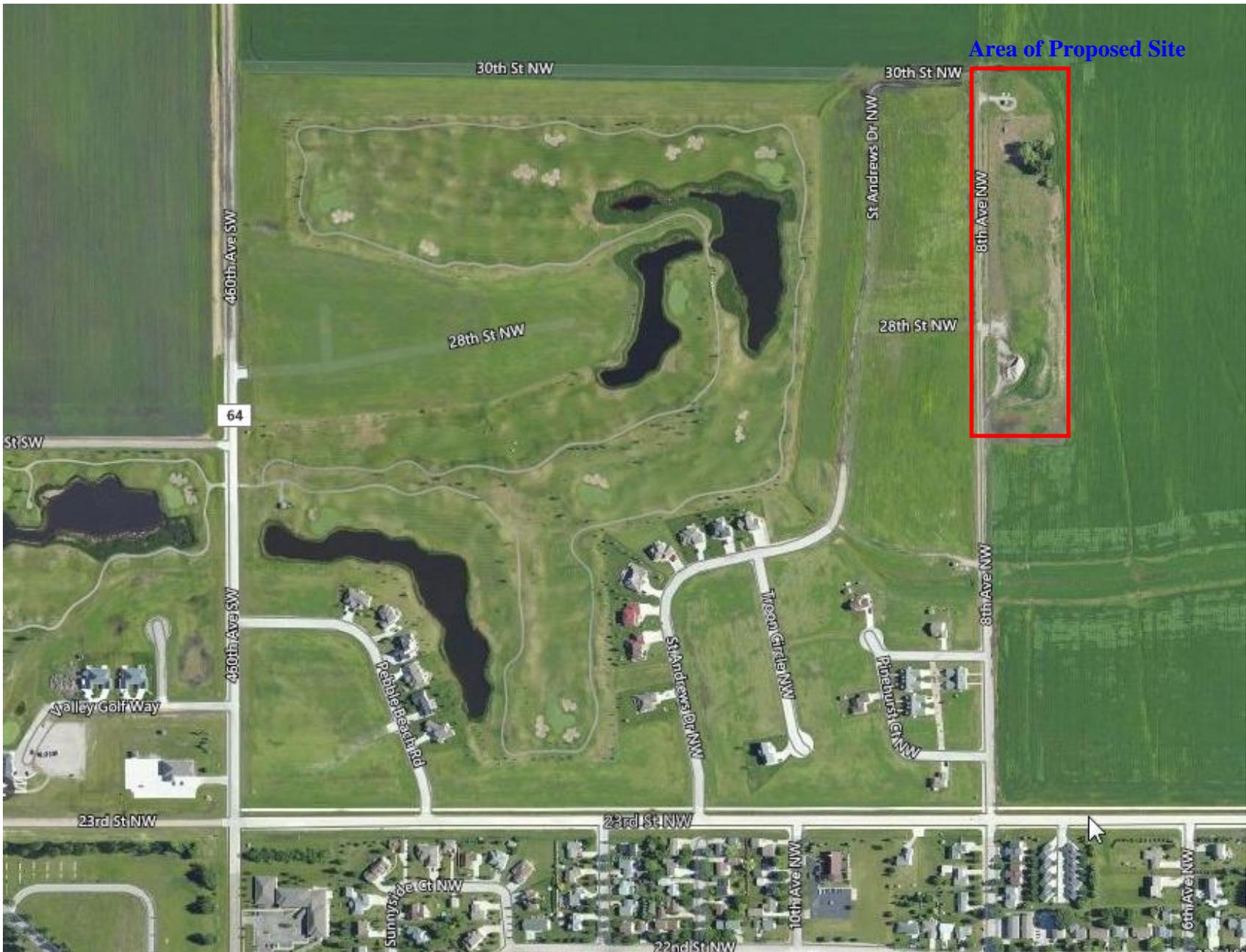
600 DeMers Ave · P.O. Box 373 · East Grand Forks, MN 56721
218-773-2483 · 218-773-9728 fax www.eastgrandforks.net

NOTICE OF PUBLIC FORUM

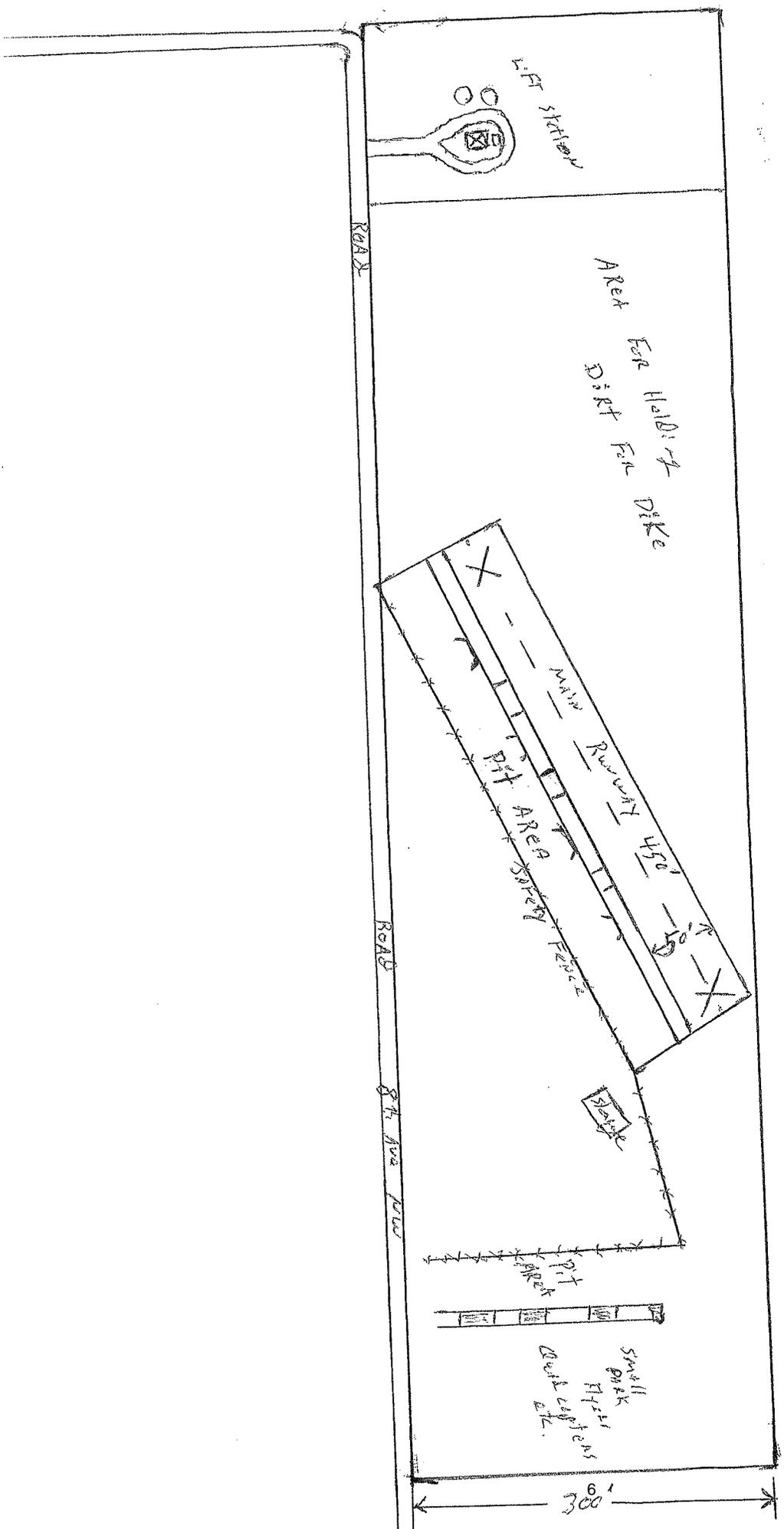
Notice is hereby given that on Tuesday, May 17, 2016 at 5:00 PM, or as soon as possible thereafter, in the Council Chambers of the East Grand Forks City Hall, located at 600 DeMers Avenue NW, the City Council will hold a public forum. The purpose of the public forum is to gather input on locating a remote controlled flying field on the north end of 8th Ave NW. The forum will take place during the regularly scheduled City Council Meeting. The public is encouraged to attend to give input to the Council.

The Red River RC Flyers is the group that is asking for permission to use this site for their remote controlled planes and will have representatives present at the meeting to help answer and address questions from the public about the equipment used, air space that is allowed to be used, etc.

By Order of the City Council
David Murphy, City Administrator/Clerk-Treasurer
City of East Grand Forks, Minnesota
(Publish May 11, 2016)



Red Flyers Flying Field
Site Plan



**UNAPPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, MAY 3, 2016 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for May 3, 2016 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, Craig Buckalew, Henry Tweten, and Marc DeMers.

Dave Aker, Parks & Recreation Superintendent; Karla Anderson, Finance Director; Dan Boyce, Water & Light Manager; Nancy Ellis, City Planner; Steve Emery, City Engineer; Ron Galstad, City Attorney; Paul Gorte, Economic Development 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.

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.”

Mr. Dwaine Rene informed the Council he was a Grand Forks resident but had previously lived in East Grand Forks. He explained to the Council that about 50 years ago it had been suggested to remove all of the railroad tracks from within the two cities and re-route them either north or south of town. He stated how there are some trains pulling the oil cars through town. He added that for a safety measure both cities should consider this again and that he had brought it up previously at a couple Grand Forks Council meetings. He ended by saying how there could be funds available from Homeland Security for this. Council President Olstad asked if there were any questions. There were none.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of April 19, 2016.

- 2. Consider approving the minute summary of the “Closed Session” for the East Grand Forks, Minnesota City Council of April 19, 2016.
- 3. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of April 26, 2016.

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

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

SCHEDULED BID LETTINGS:

- 4. Consider adopting Resolution No. 16-05-44 approving the plans and specifications and ordering advertisement for bids for 2016 Assessment Job No. 1 – Street and Bike Path Improvements.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPT RESOLUTION NO. 16-05-44 APPROVING THE PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR 2016 ASSESSMENT JOB NO. 1 – STREET AND BIKE PATH IMPROVEMENTS.

Council member DeMers asked what fund balance was available in the greenway fund for the bike path portion of the project. Ms. Anderson stated that there was over \$85,000 available and there should be sufficient funds to cover the bike path portion of the project. She reminded the Council how \$45,000 is budgeted in this fund each year and since there hasn’t been a project in a couple years it has accumulated. Mr. Emery informed the Council the bid date has been scheduled for 10:00am on June 2nd.

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

SCHEDULED PUBLIC HEARINGS: NONE

CONSENT AGENDA:

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

- 5. Consider approving the Exempt Gambling Permit for the East Grand Forks Blue Line Club to hold a raffle on June 30, 2016 at Valley Golf Course located at 2407 River Road NW, East Grand Forks, MN 56721.
- 6. Consider approving the request to install the “Crossing the Border” art project in the greenway on June 18, 2016.
- 7. Consider approving the labor agreement between the City of East Grand Forks and the Teamsters,

8. Consider approving the labor agreement between the City of East Grand Forks and the AFSCME Council 65 for 2016 and 2017.
9. Consider approving the labor agreement between the City of East Grand Forks and International Association of Fire Fighters Local No. 3423 for 2016 and 2017.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE ITEMS FIVE (5) THROUGH NINE (9).

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

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

10. Regular meeting minutes of the Water, Light, Power, and Building Commission for April 7, 2016.
11. Regular meeting minutes of the Planning Commission for February 11, 2016.

COMMUNICATIONS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

Council President Olstad stated towards the end of the meeting the Council will recess and move into a closed session.

12. Consider approving the request to purchase five Panasonic Toughbook computers from Bizco for the amount of \$18,100 for the Police Department.

A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO APPROVE THE REQUEST TO PURCHASE FIVE PANASONIC TOUGHBOOK COMPUTERS FROM BIZCO FOR THE AMOUNT OF \$18,100 FOR THE POLICE DEPARTMENT.

Mr. Hedlund reminded the Council the request had been made to look into alternatives and at this point the IT department did not have enough time to gather information on possible alternatives. He asked the Council to have this item brought back in three weeks for discussion at the work session. Council member Buckalew asked if the options they were looking into would be better than getting toughbooks. Mr. Hedlund explained he thought the toughbooks are an excellent option but there are alternatives that are available. He reviewed what the options were and possible prices. Council member Pokrzywinski asked if this was okay to put off. Mr. Hedlund said the quote would have expired so they may miss out on that price and that he couldn't imagine the price changing dramatically during this time. He added that the current computers are functioning so he would not have an issue putting this off.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER BUCKALEW, TO TABLE THIS ITEM.

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

Voting Nay: None.

Mr. Hedlund stated that he would have the information ready for the work session in three weeks.

13. Consider adopting Resolution No. 16-05-45 accepting the Local Road Improvement Grant and authorize the execution of the grant agreement between the City of East Grand Forks and the Minnesota Department of Transportation.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 16-05-45 ACCEPTING THE LOCAL ROAD IMPROVEMENT GRANT AND AUTHORIZE THE EXECUTION OF THE GRANT AGREEMENT BETWEEN THE CITY OF EAST GRAND FORKS AND THE MINNESOTA DEPARTMENT OF TRANSPORTATION.

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

Voting Nay: None.

14. Consider adopting Resolution No. 16-05-46 authorizing Marshall Polk Rural Water to install a water line to the new lift station site to provide water service for the amount of \$15,900.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 16-05-46 AUTHORIZING MARSHALL POLK RURAL WATER TO INSTALL A WATER LINE TO THE NEW LIFT STATION SITE TO PROVIDE WATER SERVICE FOR THE AMOUNT OF \$15,900.

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

Voting Nay: None.

15. Consider approving the request to purchase a columbarium from Granite Bronze and for the installation at the cemetery for the total amount of \$19,088.00.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE THE REQUEST TO PURCHASE A COLUMBARIUM FROM GRANITE BRONZE AND FOR THE INSTALLATION AT THE CEMETERY FOR THE TOTAL AMOUNT OF \$19,088.00.

Council member DeMers asked how much was available in the perpetual fund. Council Vice-President Grassel said there was approximately \$200,000 in the fund. Council member Buckalew asked what the time frame would be to get it in place. Mr. Aker stated it takes 12 weeks from when it is order. Council member Buckalew asked how much space this would provide. Mr. Aker stated it would provide space for three years.

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

Voting Nay: None.

16. Consider approving the hiring of Seth Baune as the Building Maintenance Worker and be placed on Grade 7, Step 3 for a salary of \$15.11 per hour with a start date of May 4, 2016.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER GRASSEL, TO APPROVE THE HIRING OF SETH BAUNE AS THE BUILDING MAINTENANCE WORKER AND BE PLACED ON GRADE 7, STEP 3 FOR A SALARY OF \$15.11 PER HOUR WITH A START DATE OF MAY 4, 2016.

Ms. Ellis apologized for bringing this to the meeting on such short notice. She stated that Mr. Baune is excited to start but because of a pending house sale he would need 30 days of work in prior to the closing which is why he would need to start the following day.

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

Voting Nay: None.

CLAIMS:

17. Consider adopting Resolution No. 16-05-47 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 24005 for a total of \$789.42 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. 16-05-47 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 24005 FOR A TOTAL OF \$789.42 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

Voting Nay: None.

Abstain: Buckalew.

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

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

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

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Mayor Stauss commented how by the end of the month the City will find out about the sales tax and if the City will be receiving help with funding the interconnect. He added how he is glad Senator Stumpf and Representative Kiel representing the City on these items and hopes for a positive outcome.

Council Member Vetter asked the media to help with a public service announcement. He stated that with the increase in the general fund levy last year most citizens in East Grand Forks will qualify for the property tax refund. He explained to get that information out so they apply for it and that it could help them with their taxes.

Mr. Murphy reminded the Council that he was going to be at a conference and would be out of the office starting on Wednesday.

Ms. Ellis informed the Council how the process of updating the transit development plan had started. She stated that a council member would need to be on the steering committee. She added how the State was looking at how to expand services in the area so there will be things to look at. After a short discussion Council member DeMers stated that he would be able to be on the committee.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER DEMERS, TO RECESS THE MAY 3, 2016 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:17 P.M.

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

Voting Nay: None.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER DEMERS, TO RECONVENE THE RECESSED MEETING AT 5:21 P.M.

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

Voting Nay: None.

Council President Olstad stated the Council would be holding a closed session pursuant to MN Statute 13D.05 Sub 3(a) for the performance review of Park & Recreation Director Dave Aker.

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

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

Voting Nay: None.

Discussion followed in Closed Session.

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

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

Voting Nay: None.

Mr. Murphy stated that at this time the Council can take action if they so choose.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ACCEPT THE AGREEMENT BETWEEN THE CITY OF EAST GRAND FORKS AND DAVE AKER.

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

Voting Nay: None.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADJOURN THE MAY 3, 2016 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:02 P.M.

David Murphy, City Administrator/Clerk-Treasurer

**UNAPPROVED MINUTES
OF THE CITY
COUNCIL WORK SESSION
CITY OF EAST GRAND FORKS
TUESDAY, MAY 10, 2016 – 5:00 PM**

CALL TO ORDER:

The Work Session of the East Grand Forks City Council for May 10, 2016 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: Council President Mark Olstad, Council Vice-President Chad Grassel, Council Members Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, and Marc DeMers.

Karla Anderson, Finance Director; Dan Boyce, Water & Light Manager; Mark Dragich, Recreation Supervisor; Nancy Ellis, City Planner; Ron Galstad, City Attorney; Paul Gorte, Economic Development Director; Charlotte Helgeson, Library Director; Gary Larson, Fire Chief; David Murphy, City Administrator/Clerk-Treasurer; and Megan Nelson, Executive Assistant.

DETERMINATION OF A QUORUM:

The Council President Determined a Quorum was present.

1. Request to Hire Baseball Coordinator – Mark Dragich

Mr. Dragich stated that with the reorganization in the Park and Recreation Department he was requesting to hire a baseball coordinator to handle the day-to-day operations for the baseball program. He stated that he would not totally step away but that they would need someone out in the field and active with what was going on. Council member Tweten asked how much this person would be paid. Mr. Dragich said this position would be in the \$15 per hour range. Council member Tweten asked how many kids participate in the baseball program. Mr. Dragich stated there were around 300 which did exclude the participants in the Legion program. Council President Olstad asked what the time frame for this position. Mr. Dragich said they would start as soon as possible and would go until approximately August 1st. Council member Vetter asked if this seasonal position would be eligible for PERA. Mr. Murphy stated they would not due to the time frame this position is working in. Discussion followed about trying to keep a high level of service, that the softball program already has coordinator in place, and that the person in this position would work as needed and wouldn't necessarily be putting in 40 hours a week.

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

2. Request to Build Garage at the Cemetery – Mark Dragich

Mr. Dragich informed the Council he had received the information for the electrical work for the garage which he then handed out. He explained this garage would be used for storing equipment and

mowers that are used at the cemetery and how eventually this space will include a work bench and tools. Discussion followed about other possibilities such as using an existing building in the area, if a garage is built to include a plan for a possible addition in the future, and the possible locations for the garage. Council member Buckalew suggested talking with Good Sam to see if they had a space the City could use until the garage is built to store the lawn mower and other equipment. More discussion followed on different sites the garage could be located. Council President Olstad asked to have this brought to next week's meeting but if more time is needed it will go back to the next work session.

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

3. Realtor-Initiated Sales of City Owned Lots – Paul Gorte

Mr. Gorte told the Council that he was looking for advice on this issue. He explained how the City has been contacted by realtors looking at city lots for clients. He stated how usually the commission comes from the seller and how these sales could potentially cost the City around \$3000. Discussion followed about how this could be worked out in the closing costs, that this could be dealt with on a case by case basis since there are so few, that the commission should be lower than 5% or 6% since it is a bare lot, and that currently the City is not using the MLS system. Council member Pokrzywinski suggested since the lots are priced to break even to add this as a surcharge to the lot sale. More discussion followed about how the Council was not opposed to adding a surcharge to cover the realtor commission.

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

4. Microbrewery Discussion – Ron Galstad

Mr. Galstad stated this item had been previously brought forward and explained how this is even broader than microbreweries. He said that the City currently doesn't have anything addressing microbreweries or distilleries in the ordinances and it would be a policy decision to have that added. He recommended modifying the current ordinance to encompass microbreweries, distilleries, and other items. He stated that it would set up the process for the City application and fee but that these would be regulated by the State. Council President asked since there is a vineyard close by if they would be able to open a tasting room and that he would like to try to get everything into this ordinance. Mr. Galstad said he didn't think that was possible unless they opened up a restaurant since the tap rooms or cocktail rooms have to be at the same location as the brewery or distillery. Discussion followed about how the State regulates production of microbreweries, distilleries, and wineries. Council member Pokrzywinski commented how this was a cottage industry and the City should take down any obstacles for these businesses.

This item will be brought back to a future work session.

5. Other

Mr. Gorte informed the Council the EDA, Water and Light, and Valley Golf will be hosting the Forx Builders After Hours on May 23rd between 5:00pm and 7:00pm at Valley Golf Club house. He said the purpose is to help market the lots, showcase the programs Water and Light has to offer, and try to entice people to purchase golfing memberships or rounds of golf. He added the costs will be split between the three groups.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO ADJOURN THE MAY 10, 2016 WORK SESSION OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:42 P.M.

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

Voting Nay: None.

David Murphy, City Administrator/Clerk-Treasurer

Request for Council Action

Date: May 17, 2016

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

Cc: File

From: Paul Gorte, Economic Development Director

RE: Northern Valley Machine Property Tax Abatement Request

Northern Valley Machine is requesting a \$100,000 abatement of property taxes. The company is acquiring additional property (Ideal Arrowsmith) and expanding its operations. The EDA has approved a \$250,000 MIF loan to facilitate the expansion.

The City would fund the abatement from the Border City Enterprise Fund tax credits. There are \$140,548 of credits available for City use to benefit local businesses at this time. Adopted City policy sets a maximum of \$100,000 for tax abatements using Border Cities Enterprise Zone funding, with no more than \$30,000 available in any one year. The request falls within City policy.

A public hearing is required before the resolution approving the credits can be approved. The public hearing is scheduled for the May 17 Council meeting.

APPROVED MINUTES OF THE REGULAR MEETING OF THE BOARD MEMBERS OF THE EAST GRAND FORKS ECONOMIC DEVELOPMENT AUTHORITY (EDA)

A regular meeting of the Board Members of the East Grand Forks Economic Development Authority was held at 3:30 pm on April 5, 2016, in the East Grand Forks City Hall Training Room, on the first floor in the South Wing, East Grand Forks, MN.

1. **Roll Call:**

Meeting was called to order by President Hecht at 3:35 pm.

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

Absent: Board Member Daniel Black

Staff present: Paul Gorte, Economic Development Director; Brenda Ault, Executive Assistant; Ron Galstad, City Attorney; Karla Anderson, Finance Director; City Administrator David Murphy arrived at 4:00

Also Present:

Roll Call: President Hecht determined a quorum was present.

2. **Approval of minutes of the March 1, 2016 Regular Meeting:**

A Motion was made by Board Member Wogaman, seconded by Board Member Pokrzywinski, to approve the minutes from the March 1, 2016 Regular Meeting. M/S/P- Wogaman, Pokrzywinski; 6-0, mc.

Approval of minutes of the March 28, 2016 Special Meeting:

A Motion was made by Board Member Grassel, seconded by Board Member Grinde, to approve the minutes from the March 28, 2016 Special Meeting. M/S/P- Grassel, Grinde; 6-0, mc.

3. **Bills and Communications:**

- a. Review of Accounts Payable for March 15, 2016:
- b. Approval of the Accounts Payable for April 5, 2016:

A Motion was made by Board Member Pokrzywinski, seconded by Board Member Grinde, to approve the Accounts Payable for April 5, 2016. M/S/P- Pokrzywinski, Grinde; 6-0, mc.

4. **Reports:**

- a. Delinquencies Update:

ED Gorte reported that there is one delinquency, he has called them and the company has put a check in the mail.

- b. Quarterly Reports:

ED Gorte reported that Hawkes Manufacturing has paid off their loan.

5. **Unfinished Business:**

- a. Sunshine Terrace update:

April 5, 2016

MINUTES OF THE REGULAR MEETING OF THE EAST GRAND FORKS ECONOMIC DEVELOPMENT AUTHORITY (EDA) (continued)

Maintenance Strategy

ED Gorte informed the Board that CP Ellis was ill. He stated that the Maintenance Position had been posted. FD Anderson informed the group that the resumes would go to the Civil Service for interviews and then their recommendations would be given to CP Ellis for interviews.

Smoke Alarm replacement program

No report

b. Infill Building Elevator Update:

No report

c. EGF Residential Development Pilot Program Update:

ED Gorte informed the group that the holes had been dug for two new houses. Another one will be started after June 4th.

d. Marketing Committee Meeting Update:

ED Gorte informed the group that the committee will meet on April 7th at 4:00; two of the items of discussion will be: should the lots be listed on MLS, if they are listed, the commission would be \$3000, for the sale of a lot. The other topic of discussion will be whether the EDA needs its own website

e. IRP (USDA-RD) Funds Update:

ED Gorte reminded the Board that \$290,000 had been paid back to the Intermediary Relending Program, which freed up \$460,000 and those funds could be used for other projects, such as purchasing land for the Industrial Park.

f. Water's Edge Variances Update:

ED Gorte stated that he is waiting to see if there are any changes, after a meeting with the engineers and the gas company.

g. Home Show:

ED Gorte informed the Board that the Show was April 1-3; the EDA shared a booth with the EGF Light & Water. Bonnie Abel staffed the booth with him, as well as Board volunteers; Pokrzywinski, Black and Messelt. He thanked them for the help and stated there was a good showing, they had a new display and Water and Light was helping to pay for that. He gave packets, explaining the new Waters Edge Builders Incentive Program to builders and the realtors in attendance. Board Member Pokrzywinski stated that the new display looked professional; Board Member Messelt stated that he thought we needed a banner for next year's show.

CA Murphy arrived at 4:00

April 5, 2016

MINUTES OF THE REGULAR MEETING OF THE EAST GRAND FORKS ECONOMIC DEVELOPMENT AUTHORITY (EDA) (continued)

h. Bydal update:

ED Gorte explained that Mr. Bydal had sent an email stating there had been a setback in his recovery. He further explained that the payments were set to resume in May, but that might have to be extended because of the setback.

6. **New Business:**

a. Valley Golf:

ED Gorte stated that they are on the Council agenda requesting additional funds, in order to start the season. They are requesting \$15,000.00, until the middle of April to get them started.

b. July Meeting Date:

ED Gorte informed the Board that the July meeting is currently scheduled for the 5th, he inquired whether it should be deferred until July 19th, because of the holiday, the Board agreed that the later date would be better timing.

c. DPA Defaults:

ED Gorte advised the Board to look at the packet insert and notice the Gonzalez loan and the Olson loan. Gonzalez: The amount is less than \$250 and currently the file is missing, CA Galstad stated that he would look in his office for the file. Olson: They have declared bankruptcy and it would cost more to recover the debt that we could receive.

Motion made to write off the two Down Payment Assistance Loans was made by Board member Messelt, seconded by Board member Pokrzywinski. M/S/P- Messelt, Pokrzywinski; 6-0, mc.

Closed Session Director Evaluation:

CA Galstad stated that the Meeting was closed per Minnesota Statute 13D.05 Sub. 3 (a) which would allow the Economic Development Board to meet in closed session to discuss the job evaluation of the Economic Development Authority Director.

Motion made to move into a closed session by Board member Grassel, seconded by Board member Grinde. M/S/P- Grassel, Grinde; 6-0, mc.

Motion made to close the session by Board member Grassel, seconded by Board member Pokrzywinski. M/S/P- Grassel, Pokrzywinski; 6-0, mc.

7. **Adjournment**

A motion was made by Board member Grassel, seconded by Board member Pokrzywinski, to adjourn the meeting at 4:36 pm. M/S/P- Grassel, Pokrzywinski; 6-0, mc.

April 5, 2016

MINUTES OF THE REGULAR MEETING OF THE EAST GRAND FORKS ECONOMIC DEVELOPMENT
AUTHORITY (EDA) (continued)

The next regular meeting is **May 3, 2016 at 3:30** in the **East Grand Forks Training Room, First Floor in the South Wing, East Grand Forks City Hall**, East Grand Forks, MN.

Respectfully Submitted,
Brenda Ault
Executive Assistant

APPROVED MINUTES OF THE CLOSED MEETING OF THE BOARD MEMBERS OF THE EAST GRAND FORKS ECONOMIC DEVELOPMENT AUTHORITY (EDA)

A closed meeting of the Board Members of the East Grand Forks Economic Development Authority was held at 4:10 pm on April 5, 2016, in the East Grand Forks City Hall Training Room, on the first floor in the South Wing, East Grand Forks, MN.

1. **Roll Call:**

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

Absent: Board Member Daniel Black

Staff present: Paul Gorte, Economic Development Director; Brenda Ault, Executive Assistant; Ron Galstad, City Attorney; David Murphy, City Administrator

CA Galstad stated that the Meeting was closed per Minnesota Statute 13D.05 Sub. 3 (a) which would allow the Economic Development Board to meet in closed session to discuss the job evaluation of the Economic Development Authority Director.

Closed Session Director Evaluation:

Motion made to move into a closed session by Board member Grassel, seconded by Board member Grinde. M/S/P- Grassel, Grinde; 6-0, mc.

Motion made to close the session by Board member Grassel, seconded by Board member Pokrzywinski. M/S/P- Grassel, Pokrzywinski; 6-0, mc.

Respectfully Submitted,
Brenda Ault
Executive Assistant

Minutes of the regular meeting of the Water, Light, Power and Building Commission of the City of East Grand Forks, Minnesota held April 21, 2016 at 5:00 P.M.

Present: Loven, Quirk, Grinde, Tweten

It was moved by Commissioner Tweten seconded by Commissioner Grinde that the minutes of the previous meeting of April 7, 2016 be approved as read.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: None

It was moved by Commissioner Quirk seconded by Commissioner Grinde to authorize the Secretary to issue payment of the recommended bills and payroll in the amount of \$630,171.97.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: None

It was moved by Commissioner Quirk seconded by Commissioner Grinde to approve hiring three summer employees at the DSC; set pay for new employees at \$10/hour with an increase of \$.50/hour for returning employees.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: None

It was moved by Commissioner Quirk seconded by Commissioner Grinde to authorize the Civil Service Secretary to advertise for the Accountant position and begin the hiring process.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: None

It was moved by Commissioner Quirk seconded by Commissioner Grinde to approve the advertising contract with Sky Digital.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: None

It was moved by Commissioner Quirk seconded by Commissioner Grinde to designate the Secretary to the Commission to approve accounts payable in Dan's absence.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: None

It was moved by Commissioner Tweten seconded by Commissioner Grinde to adjourn to the next regular meeting on May 5, 2016 at 5:00 P.M.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: None

Lori Maloney
Secretary

R/C Flying Field Site Agreement
Between
Red River RC Flyers Chapter 490 and City of East Grand Forks, MN

This agreement is made and entered into this ____ day of _____, 2016 by and between the City of East Grand Forks, Minnesota and chapter 490 of the Academy of Model Aeronautics, Inc. (AMA) whose address is 2031 Central Ave. NW, East Grand Forks, Minnesota 56721 and the parties agree that:

1. The City grants to Chapter 490 the right to enter upon and use the real property know as Parcel Number: 83.00113.87 Located in Section 26 Township 152 Range 050 10 A IN W2 SE4 (Ex R/W) to establish and operate a Remote Control Flying Field. Chapter 490 can use 8th. Ave North and an extension of it north to the ½ section line. The Chapter 490 is granted use of all but the north end area around the lift station. See attached Exhibit A for the area Chapter 490 is given permission to use.
2. Chapter 490 is given permission to move dirt to piles on both the North and South ends to make a flat area suitable for a flying field. The chapter must allow access for the city and anyone they authorize to remove dirt as needed. The dirt moved by Chapter 490 must be left in a safe grade configuration and not block communications from the lift station.
3. Chapter 490 is given permission to erect safety fencing for safe operation of a Radio Controlled flying field. To erect temporary shelter for events, people and equipment storage when permission is granted by the city. See Exhibit B for safety fencing plan.
4. Parking is allowed along the gravel extension of 8th. Ave. and on grass next to the road.
5. The City grants to Chapter 490 temporary use of the mount area covering old dumping area in the SW ¼ of section 22 of Grand Forks Twp. of Polk County next to the Sewage Lagoon as a flying site until a flying field can be established on Parcel Number: 83.00113.87. This site will be secured by padlock at the gate with club members having knowledge of the a lock combination for entry. Only fencing and mowing as need for flying will be erected and maintained at this site. This site will be shared with the City Street Department, Waste Water Department and Police Department. All City departments will have priority of use before Chapter 490.
6. **TERM.** The term of this agreement is for 3 years from date entered into and shall be reviewed annually by the city council or a department head they designate. To extend this agreement beyond 3 years Chapter 490 must bring the matter before the City

Council. It is expressly understood by Chapter 490 that proof of insurance coverage and chapter status must be provided to the City annually.

7. **USE.** The Red River RC Flyers AMA Chapter 490 is a registered chapter of the Academy of Model Aeronautics, Inc. It is a community based organization that follows all the safety rules of flying established by the AMA. Its purpose is to stimulate and promote active interests in the building and operating of model aircraft, helicopters, multirotor systems in the greater Grand Forks area, to promote a feeling of fellowship and establish relations among people interested in models, to encourage sportsmanlike conduct in all modeling activities, to conduct contests, demonstrations and other activities designed to further the interests of modelers, and to stimulate and encourage the participation of students in advancing the STEMS learning both at the lower grade levels and through college. To work with the UND aerospace science programs, with the community in advancing the technology and training in sUAS, Northland Technical College, and local school systems and their students to advance skills in aviation fields.
8. The use of the property will be limited to the operation of radio controlled models, meetings, clinics and demonstrations, and other uses necessary and incidental to these uses. No member of the public will be arbitrarily excluded from membership in Chapter 490 nor discriminated against. No person will be allowed to operate any type of radio controlled models on the property unless that person holds and possesses a current membership issued by the Academy of Model Aeronautics and, that no person will be allowed to operate any type of model on the property unless that person is a current member in good standing of Chapter 490 or participating in a sponsored Chapter 490 event. All persons operating any type of models from the property are subject to and must comply with the safety regulation promulgated by the Academy of Model Aeronautics, FAA and Chapter 490.
9. **IMPROVEMENTS AND SIGNS.** Chapter 490 shall post all rules and safety regulations at the flying site. All other signage must get approval from the City of East Grand Forks. Any improvements are to be temporary and approved by the City.
10. **INSURANCE AND INDEMNIFICATION.** Chapter 490 has chapter status with the Academy of Model Aeronautics, Inc. (AMA) and agrees to provide and pay for insurance covering the city as owner of the property through the flying field insurance program with the AMA. It is allowed to let organizations such as UND Aerospace, which cannot be an AMA member, have access to the flying site and have their own insurance coverage. Chapter 490 agrees to indemnify and pay on behalf of the City of East Grand Forks, as well as provide a legal defense for the City, both of which will be done only if and when requested by the City, for all claims, suits, actions, damages, penalties, interest, liability and expenses in connection with the loss of life, bodily or personal injury, environmental damage or liability, and property damage, resulting from Chapter 490's use of the property.

11. **TERMINATION.** The agreement is personal to Chapter 490 and may not be assigned or transferred. The City of East Grand Forks has the right to terminate the agreement on ten days written notice to Chapter 490 at its official address and Chapter 490 agrees to notify the City in the event it wishes to relinquish its rights under the agreement, by written notice sent to the City Administrator. If the city sells or conveys all or a portion of the property, the agreement will terminate.

12. **DISCLOUSER.** The Chapter 490 is aware that the property is a closed landfill and that a utility lift station is located on the property. The City does not warrant or represent that the property is safe or suitable for the purpose for which chapter 490 is permitted to use it and Chapter 490 assumes all risks in its use.

Red River RC Flyers
AMA Chapter 490
2031 Central Ave. NW
East Grand Forks, MN 56721

City of East Grand Forks, MN
PO Box 373, 600 Demers Ave.
East Grand Forks, MN 56721

By: Thomas J. Stennes its President

By:

CITY OF EAST GRAND FORKS

RESOLUTION NO. 16 – 05 - 48

**RESOLUTION GRANTING BORDER CITY DEVELOPMENT
ZONE TAX CREDITS AND APPROVING A BUSINESS
SUBSIDY AGREEMENT BETWEEN CITY AND WALSKI
PROPERTIES, LLP**

WHEREAS, Walski Properties, LLP, doing business as Northern Valley Machine, or an affiliate thereof (the “Developer”) desires to acquire certain property containing an existing building located at 1510 Gateway Dr. NE and 1124 15th Ave NE, all in the southeast quadrant of the intersection of 15th Avenue NE and the US 2 Frontage Road (Parcel Numbers 83.04394.00, 83.04395.00 and 83.04396.00) in the City of East Grand Forks, Minnesota (the “City”) convert the building for use by the Developer as a manufacturing facility and related office space as part of the Developer’s expansion of its existing business (collectively, the “Minimum Improvements”); and

WHEREAS, the City has designated a Border City Development Zone (“BCDZ”) and has the authority pursuant to Minnesota Statutes, Section 469.1732, subd. 1 and 469.1734, subd. 3 to grant a partial or complete exemption from property taxation of all buildings, structures, fixtures, and improvements used in or necessary to a qualifying business within or outside the BCDZ; and

WHEREAS, the Developer has represented that but for the public assistance it would not be able to finance the significant costs associated with the Minimum Improvements considering the space needed to accommodate its growing business and that without the public assistance, the Developer would be forced to relocate its current operations in the City to a location in a different state; and

WHEREAS, the City has received a completed application filed in accordance with applicable City procedures, policy, and guidelines from the Developer requesting a property tax exemption (the “Tax Incentives”) in order to make the Minimum Improvements economically feasible; and

WHEREAS, the application form filed with the City and all associated documentation have been reviewed and evaluated by City staff; and

WHEREAS, granting the Tax Incentives is in the best interest of the City to enhance its property tax base and retain existing jobs in the City.

WHEREAS, the Tax Incentives requested by the Developer are a business subsidy under Minnesota Statutes, Sections 116J.993 through 116J.995, as amended; and

WHEREAS, the City Council has received and reviewed a Business Subsidy Agreement, between the City and Developer (the “Business Subsidy Agreement”) providing for the granting of the Tax Incentives to the Developer and the Developer’s duties and responsibilities related to the business subsidy; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of East Grand Forks, that:

1. Based on representations of the Developer, the Council finds that the job loss is specific and demonstrable. Granting the Tax Incentives to the Developer is necessary for the company to remain and retain jobs in the City and is in the best interests of the City.
2. The City hereby approves the application and grants the Developer an exemption from property taxation of building value subject to the terms and conditions in this resolution, the Business Subsidy Agreement, and Minnesota Statutes in the amount of \$100,000.
3. The City Clerk is hereby directed and authorized to certify this grant of exemption from property taxation to the City Assessor and County Assessor contingent upon the Developer and the City executing the Business Subsidy Agreement.
4. The Business Subsidy Agreement, together with any related documents in connection therewith (collectively, the "Development Documents") is approved in substantially the forms on file in City Hall, subject to modifications that do not alter the substance of the transaction and are approved by the Mayor and the City Administrator; provided that execution of the documents will be conclusive evidence of their approval.
5. The Mayor and the City Administrator are authorized and directed to execute the Development Documents and any other documents or certificates necessary to carry out the transactions described in the Development Documents.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: May 17, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 17th day of May, 2016.

Mayor

BUSINESS SUBSIDY AGREEMENT

between

THE CITY OF EAST GRAND FORKS

and

WALSKI PROPERTIES, LLP

Approved: _____, 2016

This document was drafted by:

Kennedy & Graven, Chartered (GAF)
470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
Telephone No.: (612) 337-9260

BUSINESS SUBSIDY AGREEMENT

THIS AGREEMENT made this _____ day of _____, 2016, by and between the City of East Grand Forks, Minnesota, a home rule city existing under its Charter and the Constitution of the State of Minnesota (“City” or “Grantor”) and Walski Properties, LLP, doing business as Northern Valley Machine, a Minnesota limited liability partnership (“Developer”).

RECITALS

WHEREAS, the City, pursuant to Minnesota Statutes 469.1731 to 469.1735, the Border City Development Zone Act (the “BCDZ Act”), is authorized to grant certain tax incentives to qualifying new businesses located within the City;

WHEREAS, the Developer has requested that the City exercise its authority and grant said tax incentives to the Developer;

WHEREAS, the Developer proposes to acquire an existing building and expand its operations into the additional space with an estimated investment in excess \$1,000,000;

WHEREAS, the acquisition and expansion would not occur “but for” incentives used to retain the business and avoid its relocation to another state; and

WHEREAS, the City has received a completed application for tax incentives under the City’s Border City Development Zone Program from the Developer; and

WHEREAS, the Developer is requesting a property tax exemption (the “Business Subsidy”); and

WHEREAS, the Developer’s application was filed and evaluated by the City in accordance with applicable statutory requirements and City procedures, policy and guidelines;

WHEREAS, the City has determined that the Developer’s application is in conformance with applicable statutory requirements and City procedures, policy and guidelines; and

WHEREAS, granting the Developer’s application for tax incentives is within the best interest of the City because the Project is expected to create additional jobs and increase the City’s tax base; and

WHEREAS the City, when providing financial assistance to projects that provide a public benefit to the City and to the State, is subject to the requirements of Minnesota Statutes, Sections 116J.993 to 116J.995, inclusive, as amended (the “Business Subsidy Act”) and is defined therein as a Grantor; and

WHEREAS, the Grantor is required by the Business Subsidy Act, to enter into this subsidy agreement to set forth the terms and conditions of the Business Subsidy (the “Business Subsidy Agreement”); and

WHEREAS, the City and the Developer agree that the Developer will receive a Business Subsidy in accordance with the terms and conditions of this Agreement; and

WHEREAS, the Developer is required by the Business Subsidy Act to set forth in the Subsidy Agreement its goals, including job goals, that will result from receipt of the Subsidy; and

WHEREAS, the Council finds the Project will: (i) maintain ___ full-time equivalent jobs in the City and the State; (ii) expand the tax base in the City; (iii) promote development of the Project; (iv) increase living wage employment opportunities; (v) retain an existing business within the City, and (vi) provide secondary economic development benefits.

NOW, THEREFORE, in consideration of the premises and mutual obligations of the parties hereto, each of them does hereby covenant and agree with the other as follows:

(Remainder of this page intentionally left blank.)

Section 1. Definitions.

“Agreement” or “Subsidy Agreement” means this Subsidy Agreement.

“BCDZ” means the Border City Development Zone created by the City pursuant to its authority under Minnesota Statutes, Section 469.1731.

“BCDZ Act” means the Border City Enterprise Zone (BCDZ) Act, Minnesota Statutes, Sections 469.1731 to 469.1735, inclusive, as hereinafter amended.

“Business Subsidy” means the tax exemptions provided by the City to the Developer pursuant to the BCDZ Act. The methods of calculation of such tax exemptions are attached hereto as Exhibit D.

“Benefit Date” means, pursuant to Section 116J.993, Subd. 2, the date the Developer receives a business subsidy. For the acquisition of and improvements to property, the benefit date refers to the earliest date of either (i) when the improvements are finished for the entire project, or (ii) when the business occupies the property.

“Business Subsidy Act” means Minnesota Statutes, Sections 116J.993 to 116J.995, inclusive, as hereinafter amended.

“Business Subsidy” or “Subsidy” means the property tax exemptions provided by the BCDZ to the Developer.

“City,” referred to under the Business Subsidy Law as the “Grantor,” means the City of East Grand Forks, Minnesota.

“DEED” means the Minnesota Department of Employment and Economic Development.

“Developer” means Walski Properties, LLC, doing business as Northern Valley Machine, a Minnesota limited liability partnership.

“Development Property” means the property described in Exhibit A attached hereto.

“Existing Building” means the approximately 17,364 square foot building located on the Development Property currently owned by Ideal Aerosmith, Inc.

“Full Time Equivalent Jobs” means the total number of full-time jobs, plus the full-time equivalent of the part-time jobs at the Project.

“Project” means the acquisition of the Development Property and the equipping of the Existing Building to convert it for use by the Developer as a manufacturing facility and related office space as part of the Developer’s expansion of its existing business.

Section 2. Subsidy Agreement Requirements.

(a) The City and the Developer recognize and agree that the estimated financial benefit of the potential tax exemptions from the BCDZ to be received by the Developer pursuant to this Agreement are deemed to be a Business Subsidy under the Business Subsidy Act, and are subject to the provisions thereof.

(b) The public purposes of the Business Subsidy is to facilitate the Project by assisting an existing business with an expansion so it will remain in the City, which will result in job creation, increasing living wage employment opportunities, providing secondary economic development benefits, and increasing the city's tax base.

(c) The goals for the Business Subsidy are: (i) to secure the acquisition of a property to facilitate the expansion of an existing business; (ii) to maintain the jobs and wage levels described in Section 3 for the duration of the Business Subsidy, and (iii) to retain a business that would relocate out of state but for the subsidy.

(d) The Business Subsidy is needed because the Developer has stated but for the public assistance it would not be able to finance the significant costs associated with the Project considering the space needed to accommodate its growing business. Moreover, the Developer represents that without the proposed assistance for the Project, it would be forced to relocate its current operations in the City to a location in a different state that could better accommodate its space requirements. Public assistance in the form of the Business Subsidy allows for the acquisition of additional space needed to meet the spatial needs of the business, allowing it to expand and add additional Full-Time Equivalent Jobs.

(e) The Developer does not have a parent corporation.

(f) The Developer has not received, and does not expect to receive, financial assistance from any other "grantor" as defined in the Business Subsidy Act, in connection with financing the Project.

(g) The Developer warrants and represents to the City that, as of the date of this Agreement, it has not failed to meet the terms of any business subsidy agreement as defined in the Business Subsidy Act.

(h) This Agreement fully meets the statutory requirements of the Business Subsidy Act and in the event that any provision of this Agreement is inconsistent or in conflict with any provision of the Business Subsidy Act, and in the event that any provision of the Business Subsidy Act provides additional requirements, the provisions of the Business Subsidy Act shall apply and govern.

Section 3. Tax Incentives.

(a) The Project shall receive a One Hundred Percent (100%) property tax exemption for a period of five (5) years in a maximum total amount not to exceed \$100,000 (the "Tax Incentive"), provided the Developer meets the goals and conditions set forth in this Agreement.

(b) Pursuant to Minnesota Statutes 116J.994, Subd. 3(b), the estimated value of the Tax Incentive approved by the City Council to the Developer is \$20,000 per year using a projected value of \$1,167,600 and a current tax rate of 1.6000%. The City will provide the tax incentives each year for a period of five (5) years or until the total Tax Incentive totals \$100,000, whichever occurs earlier.

(c) Subject to the terms and conditions contained in this Agreement and applicable state law, City procedures, policy and guidelines for the Border City Development Zone Program in effect on the date of execution of this agreement and which are incorporated herein by reference, the City and Developer agree that the tax incentives granted pursuant to this Agreement are contingent upon the Developer continuing to meet the eligibility and reporting requirements of the Border City Development Zone Program and the Business Subsidy Act, which include but are not limited to the following:

(i) **Achievement of Job and Wage Goal.** Pursuant to Minnesota Statutes § 116J.994, Subd. 4, the Developer agrees to cause Northern Valley Machine to maintain 65 Full-Time Equivalent Jobs with an average hourly wage of \$_____. The Developer agrees that the job and wage goal must be fully achieved no later than 2 years following the Benefit Date.

(ii) **Annual Reporting.** Pursuant to Minnesota Statutes § 116J.994, Subd. 7(b), The Developer must submit to the City a written report regarding business subsidy goals and results, by March 1 of each year, commencing March 1, 2017 and continuing until the later of (i) the date the goals stated Section 3(c)(i) are met; (ii) 30 days after expiration of the duration of the period described in Section 3(c)(iii) below; or (iii) if the goals are not met, the date the subsidy is repaid in accordance with Section 5. The City will provide information to the Developer regarding the required forms. If the Developer fails to timely file any report required under this Section, the City will mail the Developer a warning within one week after the required filing date. If, after 14 days of the postmarked date of the warning, the Developer fails to provide a report, the Developer must pay to the City a penalty of \$100 for each subsequent day until the report is filed. The maximum aggregate penalty payable under this Section is \$1,000.

(iii) **Continuation of Operations.** Pursuant to Minnesota Statutes § 116J.994 Subd. 3(a)(6), the Developer agrees to continue operations, in substantially the same manner and scale, in the City for at least five (5) years after the Benefit Date.

(d) City and Developer acknowledge and agree that the Tax Incentive Schedule attached to this Agreement is a true and correct representation of the Project as provided to the City by the Developer. Further, that the Developer agrees that as a condition precedent for the City to start the tax incentive exemption period the Developer must acquire the Existing Building and provide evidence of the acquisition thereof to the City.

Section 4. Tax Incentive Schedule.

City and Developer acknowledge and agree that the Tax Incentive Schedule attached to this Agreement is a true and correct representation of the Project as provided to the City by the Developer. Further, that the Developer agrees that as a condition precedent for the City to start

the tax incentive exemption period the Developer must acquire the Existing Building and provide evidence of the acquisition thereof to the City.

Section 5. Remedies.

If the Developer fails to meet the goals described in Section 3(c)(i) and 3(c)(iii), within the time frames set forth herein, then upon thirty (30) days of written notice delivered by the City to the Developer, the Developer must pay to the City: (a) a “pro rata share” of the amounts of any Business Subsidy; plus (b) interest on such principal amount of the Business Subsidy at the implicit price deflator as defined in Minnesota Statutes, Section 275.50, subd. 2, accrued from the Benefit Date to the date of payment. The term “pro rata share” means percentages calculated as follows:

- (i) if the failure relates to the number of jobs, the jobs required less the jobs maintained, divided by the jobs required;
- (ii) if the failure relates to wages, the number of jobs required less the number of jobs that meet the required wages, divided by the number of jobs required;
- (iii) if the failure relates to maintenance of the business in accordance goals delineated in Section 3(c)(i), sixty (60) less the number of months of operation (where any month in which the business is in operation for at least fifteen (15) days constitutes a month of operation), commencing on the benefit date and ending on the date the business ceases operation as determined by the City, divided by sixty (60); and
- (iv) if more than one of clauses (i) through (iii) apply, the sum of the applicable percentages, not to exceed 100%.

In addition to the remedy described in this Section and any other remedy available to the City for failure to meet the goals stated in Section 3(c), the Developer agrees and understands that it may not receive a business subsidy from the City or any grantor (as defined in the Business Subsidy Act) for a period of five years from the date of the failure or until the Developer satisfies its repayment obligation under this Section, whichever occurs first.

Section 6. Deadline to Complete Project. The Developer shall complete the Project by or before June 30, 2017. Completion of the Project shall mean that the Project has been issued a Certificate of Occupancy by the City. Developer agrees and acknowledges that its failure to complete the Project by the completion deadline shall cause this Agreement to terminate, and the City shall immediately terminate its obligation to make any future payments under Section 3(a) or Section 3(b).

Section 7. Attorney Fees and Fees of the City

If the City employs attorneys or financial advisors or incurs other expenses for the collection of payments due or for the enforcement or observance of any obligation or agreement

on the part of the Developer under this Agreement, or any other agreement between the Developer and the City, the Developer agrees that it will, within ten (10) days of written demand by the City, pay to the City the reasonable fees of such attorneys and any other expenses so incurred by the City.

Section 8. Indemnification.

(a) Developer shall and does hereby agree to protect, defend, indemnify and hold the City, and its officers, agents, and employees, harmless of and from any and all liability, loss, or damage that the City may incur under or by reason of this Agreement, and of and from any and all claims and demands whatsoever that may be asserted against the City by reason of any alleged obligations or undertakings on the part of the City to perform or discharge any of the terms, covenants, or agreements contained herein, except to the extent such liability, loss, or damage is determined to be as a result of the actions of the City, its officers, agents, or employees.

(b) Should the City, or its officers, agents, or employees incur any such liability or be required to defend against any claims or demands pursuant to this Section 8, or should a judgment be entered against the City, the amount thereof, including costs, expenses, and reasonable attorneys fees, shall be immediately payable by Developer to the City upon written demand to Developer.

(c) This indemnification and hold harmless provision shall survive the execution, delivery, and performance of this Agreement. Developer waives notice of the acceptance of this Agreement by the City.

(d) Nothing in this Agreement shall constitute a waiver of or limitation on any immunity from or limitation on liability to which the City is entitled under law.

Section 9. Project Compliance Information. The Developer shall provide to the City any information requested or needed by the City to administer this Agreement and to monitor project implementation for compliance with the BCDZ Act, the Business Subsidy Act, or other State of Minnesota guidelines, excluding any information regarding the sales or profitability of Developer or Developer's parent company or any information that would be considered trade secrets.

Section 10. Workers' Compensation Insurance. The Developer has obtained workers' compensation insurance as required by Minnesota Statutes, Section 176.181, subd. 2. The Developer's workers' compensation insurance information is as follows:

(a) Company Name: _____

(b) Policy Number: _____

(c) Local Agent: _____

Section 11. Business with the State of Minnesota/State Tax Laws. The Developer is required by Minnesota law to provide its Minnesota tax identification number if it does business with the state of Minnesota. This information may be used in the enforcement of federal and state tax laws. Supplying these numbers could result in an action to require the Developer to file state tax returns and pay delinquent state tax liabilities. This Agreement will not be approved unless these numbers are provided. These numbers will be available to federal and state tax authorities and state personnel involved in the payment of state obligations.

(a) Minnesota Tax ID: _____

(b) Federal Employer ID: 81-1502126

Section 12. Miscellaneous.

(a) Choice of Law and Venue. This Agreement is made and shall be governed in all respects by the laws of the state of Minnesota. Any disputes, controversies, or claims arising out of this Agreement shall be heard in the state or federal courts of Minnesota, and all parties to this Agreement waive any objection to the jurisdiction of these courts, whether based on convenience or otherwise.

(b) Severability. Wherever possible, each provision of this Agreement and each related document shall be interpreted so that it is valid under applicable law. If any provision of this Agreement or any related document is to any extent found invalid by a court or other governmental entity of competent jurisdiction, that provision shall be ineffective only to the extent of such invalidity, without invalidating the remainder of such provision or the remaining provisions of this Agreement or any other related document.

(c) Notice. All notices required hereunder shall be given by depositing in the U.S. mail, postage prepaid, certified mail, return receipt requested, or delivered personally to the following addresses (or such other addresses as either party may notify the other):

To City: City of East Grand Forks
600 DeMers Ave,
East Grand Forks, MN 56721
Attn: City Administrator

To Developer: Walski Properties, L.L.C.
519 13th Street SE
East Grand Forks, MN 56721

(d) Entire Agreement. This Agreement, together with the Exhibits hereto, which are incorporated by reference, constitutes the complete and exclusive statement of all mutual understandings between the parties with respect to this Agreement, superseding all prior or contemporaneous proposals, communications, and understandings, whether oral or written, pertaining to the subject matter of this Agreement.

(e) Headings. The headings appearing at the beginning of the several sections contained in this Agreement have been inserted for identification and reference purposes only and shall not be used in the construction and interpretation of this Agreement.

(f) Conflict of Interests; Representatives Not Individually Liable. No officer, employee or contractor of the City may acquire any financial interest, direct or indirect, in this Agreement, or in any contract related to the Property. No officer, agent, or employee of the City shall be personally liable to the Developer or any successor in interest in the event of any default or breach by the City or for any amount that may become due to the Developer or on any obligation or term of this Agreement.

(g) Counterparts. This Agreement may be executed in any number of counterparts, each of which shall constitute one and the same instrument.

(h) Effective Date of Agreement. This Agreement shall take effect immediately.

(i) Assignment. The Developer shall neither assign nor attempt to transfer any rights or obligations under this Agreement. This activity requires the City's prior written approval and includes a reapplication process to verify that the terms and conditions of this Agreement will be met.

(Remainder of this page is intentionally left blank.)

IN WITNESS WHEREOF, the City and the Developer have caused this Agreement to be executed (in one or more counterparts) by their duly authorized representatives as of the date first above written.

CITY OF EAST GRAND FORKS

By: _____
Its: Mayor

By: _____
Its: City Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF POLK)

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by _____ and _____, the Mayor and City Administrator, respectively, of the City of East Grand Forks, Minnesota, on behalf of said City.

Notary Public

EXHIBIT A

LEGAL DESCRIPTION

**EXHIBIT B
TAX INCENTIVE SCHEDULE**

AQUISITION			ASSESSMENT ¹		EXEMPTION ²	
Month/Year of Incentive Agreement	Anticipated Project Start Date	Anticipated Acquisition Date	Assessment Date	Property Taxes Due and Payable	First Year in Which Property Taxes are Exempt (Payable Year)	Project Operator's Initials Indicating Start of Exemption Period
May 2016	June 2016	June 2016	January 2, 2016	October, 2016 May, 2017	October 2016	

¹ Pursuant to Minnesota Statutes 273.01, existing property value, along with any value attributed to the construction of the Project, whether partial or complete, whether a Certificate of Occupancy has been issued or not, shall be valued as of January 2 for property tax payable the following year.

² The Existing Building shall have been acquired prior to the commencement of the benefit. Land value is not included in the calculation of the building value and is not exempt from property taxation as a result of this Agreement.

It is the sole responsibility of the Project operator to monitor the acquisition, assessment, and exemption schedule.

Request for Council Action

Date: 5/4/16

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

Cc: File

From: Mark Dragich – Park & Rec Dept

RE: Request for Baseball Coordinator

Due to recent changes in the Park & Rec Office additional help is needed with the baseball program this year. It is being requested to hire a baseball coordinator to assist with activities during the 2016 season. This person would be handling the day-to-day operations. If approved they would start immediately and work through the summer baseball season.

Recommendation:

Staff recommends approving the request to hire a baseball coordinator to start as soon as possible.

Request for Council Action

Date: May 5, 2016

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

Cc: File

From: Mark Dragich

RE: Cemetery Garage

We would like to request approval to build a garage at Resurrection Cemetery. Currently we are driving both a mower and tractor back and forth from the Civic Center daily adding hours onto the equipment and also spending man hours in the process. The garage would also be beneficial for other storage as the cemetery develops.

Two bids are attached for the construction of the garage – Dan Cariveau Construction for \$17,700 and from GW & Sons Construction for \$21,635.00.

Also included is a bid from Cariveau Concrete Construction to pour the cement slab and apron for the garage at a total of \$4920.00.

Recommendation: Accept bid from Dan Cariveau Construction for \$17,700 and bid from Cariveau Concrete Construction for \$4920 to complete the project.

Enclosures: Bids included.

DANIEL L. CARIVEAU CONSTRUCTION
DESIGN/ BUILD

19251 440th Ave. SW
East Grand Forks, MN 56721
C 218-693-9065 H 218-773-9225
MN. LIC. # BC692891 ND. LIC # 51058

March 15, 2016

ESTIMATE

City of East Grand Forks
Parks and Recreation Dept.
Attn: Dave Acker, Superintendent
East Grand Forks, MN 56721

Re: New 24' x 24' GARAGE

LABOR AND MATERIAL FOR 24' x 24' GARAGE -

WALL FRAMING -

Wall Framing - 2x4x10' Studs – Note: Full 10'-4 1/2" h Side Walls
7/16" OSB Wall Sheathing
Vinyl Double 4" Lap Siding

GABLE ROOF -

12" Gable and 12" Eave Overhangs
4/12 Roof Pitch, Standard Trusses @ 2' O.C.
1/2" 4 Ply Plywood Roof Sheathing
Duration, Driftwood Shingles
White Aluminum Soffit & Fascia
White Premium Roof Edge

DOORS -

1 - 36"x 80" Walk-in Service Door
1 - 16'x9' Steel Overhead Garage Door – Insulated and metal lined

CONCRETE -

Concrete slab, Foundation and Flatwork not included in estimate

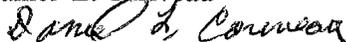
TOTAL BID for LABOR AND MATERIAL

\$17,200.00

Note: Up charge for 2x6x10' Framing \$500.00

Sincerely,

Daniel L. Cariveau



DANIEL L. CARIVEAU CONSTRUCTION
DESIGN/ BUILD

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 #
4/29/2016	1043

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: Garage at cemetery in EGF</p> <p>24' x 24' x 10' high with 2' overhang on sidewalls</p> <p>2 x 6 Walls 10' high</p> <p>4:12 roof pitch</p> <p>Vinyl siding</p> <p>10' x 8' unisulated overhead door, (No Operator)</p> <p>1 - 3070 walkdoor</p>	

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

Signature

Date
Page 1
 46

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 #
4/29/2016	1043

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

DESCRIPTION	TOTAL
TOTAL PRICE	21,635.00
NOT INCLUDED: Permits, Bonds, Builders Risk Insurance, Site Work, Concrete, Landscaping, Electrical, Plumbing, Heating, Insulation.	

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

Signature _____ Date _____

875045

Carmel Concrete Const.
 23357 425th Ave. SW
 GGF MN 56721 973-2381

CUSTOMER'S ORDER NO.	DEPARTMENT	DATE
		Feb 19, 2016
NAME City of GGF - Parks & Rec.		
ADDRESS		
CITY, STATE, ZIP Garage Slab @ Cemetery		

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MOSE. RETD.	PAID OUT

QUANTITY	DESCRIPTION	PRICE	AMOUNT
1	24x24 Garage Slab		
2	5 inch depth w/ thickened edge		
3	(1 foot Deep by 1 foot wide)		
4	4000 PSI Mix, 3 inch rebar 2 foot		
5	on center, 12 yards full gravel		
6	567 sq ft		3600.00
7			
8			
9			
10			
11	* OPTIONAL 24x10 Apron		
12	in front of Garage Door		
13	5 inch depth, 4000 PSI Mix, 3 inch Rebar		
14	2 foot on center		1320.00
15			
16			
17			
18			

RECEIVED BY

A-5805
 T-46320/46350

KEEP THIS SLIP FOR REFERENCE

01-11

Request for Council Action

Date: May 17, 2016

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: Parks & Recreation Director Hiring Process.

Background

Parks & Recreation Coordinator Mark Dragich is interim Parks & Recreation Director since the reassignment of David Aker. We will need to hire a permanent Parks & Recreation Director as soon as practical. There are two options available to the Council for hiring Department Heads and both options have been used over the last few years. The options are:

Utilize the Civil Service Commission and current staff to identify and present candidates to the Council for interviews and hiring.

Utilize an Executive Search Company to identify and present candidates to the Council for interviews and hiring.

There are pros and cons to each process and I am looking to Council for direction on which option to utilize.

The pros of utilizing the Civil Service Commission are lower cost, quicker turnaround time and more internal control. The Cons are smaller candidate pool area to draw from and less extensive candidate vetting.

The pros of utilizing an Executive Search Company are wider area from which to draw candidates, more specialized candidate recruitment and screening. Cons are higher cost and slower turn around time.

Budget Impact

Unknown at this time, I will have an estimate to provide at the meeting.

Action Required

Direction on which search method to utilize.



Minnesota Department of Public Safety

Alcohol and Gambling Enforcement

445 Minnesota Street, Suite 222

St. Paul, MN 55101

651-201-7500

RENEWAL OF LIQUOR , WINE, CLUB OR 3.2% LICENSES

No license will be approve or released until the \$20 Retailer ID Card fee is received by Alcohol and Gambling Enforcement

Licensee: Please verify your license information contained below. Make corrections if necessary and sign. City Clerk/County Auditor should submit this signed renewal with completed license and licensee liquor liability for the new license period. City Clerk/County Auditor are also required by M.S. 340A.404 S.3 to report any license cancellation.

License Code ONSS License Period Ending 6/30/2016 ID# 825

ISSUING AUTHORITY East Grand Fks

Licensee Name VFW 3817

Trade Name Red River Valley Post

City, State, Zip Code 312 DeMers Ave

East Grand Fks MN 56721

Business Phone 2187732481

License Fees: Off Sale \$0.00 On Sale \$3,800.00 Sunday \$200.00

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Applicant's signature on this renewal confirms the following: Failure to report any of the following may result in civil penalties.

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2. Licensee confirms that it has never had a liquor license rejected by any city/township/county in the state of Minnesota. If ever rejected, please give details on the back of this renewal, then sign below.
3. Licensee confirms that for the past five years it has not had a liquor license revoked for any liquor law violation (state or local). If a revocation has occurred, please give details on the back of this renewal, then sign below.
4. Licensee confirms that during the past five years it or its employees have not been cited for any civil or criminal liquor law violations. If violations have occurred, please give details on back of this renewal, then sign below.
5. Licensee confirms that during the past license year, a summons has not been issued under the Liquor Liability Law (Dram Shop) MS 340A.802. If yes, attach a copy of the summons, then sign below.
6. Licensee confirms that Workers Compensation insurance will be kept in effect during the license period.

Licensee has attached a liquor liability insurance certificate that corresponds with the license period in city/county where license is issued. \$100,000 in cash or securities or \$100,000 surety bond may be submitted in lieu of liquor liability. (3.2& liquor licenses are exempt if sales are less than \$25,000 at on sale, or \$50,000 at off sale).

Licensee Signature Wendell Sorlie DOB [REDACTED] SS# [REDACTED] Date 5/31/16
(Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/County Auditor Signature _____ Date _____
(Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature _____ Date _____
County Board issued licenses only(Signature certifies licensee is eligible for license).

Police/Sheriff Signature _____ Date _____
Signature certifies licensee or associates have been checked for any state/local liquor law violations (criminal/civil) during the past five years. Report violations on back, then sign here.



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement

445 Minnesota Street, Suite 222
St. Paul, MN 55101
651-201-7500

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License Code ONSS License Period Ending 6/30/2016 ID# 7862

ISSUING AUTHORITY East Grand Fks

Licensee Name East River's Edge Corp.

Trade Name Blue Moose Bar & Grill

City, State, Zip Code 507 Second St NW

East Grand Fks MN 56721

Business Phone 2187736516

License Fees: Off Sale \$0.00 On Sale \$3,800.00 Sunday \$200.00

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Licensee Signature [Signature] DOB [Redacted] SS# [Redacted] Date 4/14/16
(Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/County Auditor Signature _____ Date _____
(Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature _____ Date _____
County Board issued licenses only(Signature certifies licensee is eligible for license).

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Signature certifies licensee or associates have been checked for any state/local liquor law violations (criminal/civil) during the past five years. Report violations on back, then sign here.



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License Code ONSS License Period Ending 6/30/2016 ID# 822

ISSUING AUTHORITY East Grand Fks

Licensee Name FOE Aerie 350

Trade Name Dacotah Aerie

City, State, Zip Code 227 10th St NW/PO Box 482
East Grand Fks MN 56721

Business Phone 2187730077

License Fees: **Off Sale** \$0.00 **On Sale** \$3,800.00 **Sunday** \$200.00

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Licensee Signature *Alan Longest* DOB [REDACTED] SS# [REDACTED] Date 4-26-16
(Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/County Auditor Signature _____ Date _____
(Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature _____ Date _____
County Board issued licenses only(Signature certifies licensee is eligible for license).

Police/Sheriff Signature _____ Date _____
Signature certifies licensee or associates have been checked for any state/local liquor law violations (criminal/civil) during the past five years. Report violations on back, then sign here.



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License Code ONSS **License Period Ending** 6/30/2016 **ID#** 15193

ISSUING AUTHORITY East Grand Fks

Licensee Name SJA Thunder Corporation

Trade Name Mike's Pizza & Pub

City, State, Zip Code 411 2nd St NW
East Grand Fks MN 56721

Business Phone 2187732479

License Fees: **Off Sale** \$0.00 **On Sale** \$3,800.00 **Sunday** \$200.00

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Licensee Signature Shelly Davis DOB SS# Date 5-10-2016
(Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/County Auditor Signature _____ Date _____
(Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature _____ Date _____
County Board issued licenses only(Signature certifies licensee is eligible for license).

Police/Sheriff Signature _____ Date _____
Signature certifies licensee or associates have been checked for any state/local liquor law violations (criminal/civil) during the past five years. Report violations on back, then sign here.



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License Code ONSS License Period Ending 6/30/2016 ID# 41417

ISSUING AUTHORITY East Grand Fks

Licensee Name East Grand Lanes LLC

Trade Name East Grand Lanes

City, State, Zip Code 1500 5th Ave NE
East Grand Fks MN 56721

Business Phone 7012152008

License Fees: Off Sale \$0.00 On Sale \$3,800.00 Sunday \$200.00

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Licensee Signature [Signature] DOB [Redacted] SS# [Redacted] Date 5/12/16
(Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/County Auditor Signature _____ Date _____
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County Attorney Signature _____ Date _____
County Board issued licenses only(Signature certifies licensee is eligible for license).

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**Minnesota Department of Public Safety
Alcohol and Gambling Enforcement**

445 Minnesota Street, Suite 222
St. Paul, MN 55101
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License Code ONSS License Period Ending 6/30/2016 ID# 35909

ISSUING AUTHORITY East Grand Fks

Licensee Name El Azteca of East Grand Forks Inc.

Trade Name Casa Mexico Restaurant

City, State, Zip Code 112 14th St NE
East Grand Fks MN 56721

Business Phone 2187734331

License Fees: **Off Sale** \$0.00 **On Sale** \$3,800.00 **Sunday** \$200.00

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6. Licensee confirms that Workers Compensation insurance will be kept in effect during the license period.

Licensee has attached a liquor liability insurance certificate that corresponds with the license period in city/county where license is issued. \$100,000 in cash or securities or \$100,000 surety bond may be submitted in lieu of liquor liability. (3.2& liquor licenses are exempt if sales are less than \$25,000 at on sale, or \$50,000 at off sale).

Licensee Signature [Signature] DOB [Redacted] SS# [Redacted] Date 05-06-16
(Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/County Auditor Signature _____ Date _____
(Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature _____ Date _____
County Board issued licenses only(Signature certifies licensee is eligible for license).

Police/Sheriff Signature _____ Date _____
Signature certifies licensee or associates have been checked for any state/local liquor law violations (criminal/civil) during the past five years. Report violations on back, then sign here.



**Minnesota Department of Public Safety
Alcohol and Gambling Enforcement**

445 Minnesota Street, Suite 222
St. Paul, MN 55101
651-201-7500

RENEWAL OF LIQUOR, WINE, CLUB OR 3.2% LICENSES

No license will be approved or released until the \$20 Retailer ID Card fee is received by Alcohol and Gambling Enforcement

Licensee: Please verify your license information contained below. Make corrections if necessary and sign. City Clerk/County Auditor should submit this signed renewal with completed license and licensee liquor liability for the new license period. City Clerk/County Auditor are also required by M.S. 340A.404 S.3 to report any license cancellation.

License Code ONSS License Period Ending 6/30/2016 ID# 821

ISSUING AUTHORITY East Grand Fks

Licensee Name American Legion 157

Trade Name East Grand Forks American Legion

City, State, Zip Code 1009 Central Ave NW

East Grand Fks MN 56721

Business Phone 2187731129

License Fees: **Off Sale** \$0.00 **On Sale** \$3,800.00 **Sunday** \$200.00

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Applicant's signature on this renewal confirms the following: Failure to report any of the following may result in civil penalties.

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Licensee Signature James B. McMillan DOB: [REDACTED] SS# [REDACTED] Date 5-12-16
(Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/County Auditor Signature _____ Date _____
(Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature _____ Date _____
County Board issued licenses only (Signature certifies licensee is eligible for license).

Police/Sheriff Signature _____ Date _____
Signature certifies licensee or associates have been checked for any state/local liquor law violations (criminal/civil) during the past five years. Report violations on back, then sign here.



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651-201-7500

RENEWAL OF LIQUOR , WINE, CLUB OR 3.2% LICENSES

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License Code OFSL License Period Ending 6/30/2016 ID# 3241

ISSUING AUTHORITY East Grand Fks

Licensee Name Pop's Liquor LLC

Trade Name Pop's Liquor

City, State, Zip Code 122 Fourth St NE
East Grand Fks MN 56721

Business Phone 2187733036

License Fees: Off Sale \$150.00 On Sale \$0.00 Sunday \$0.00

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Licensee Signature [Signature] DOB [Redacted] SS# [Redacted] Date 4-27-16
(Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/County Auditor Signature _____ Date _____
(Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature _____ Date _____
County Board issued licenses only(Signature certifies licensee is eligible for license).

Police/Sheriff Signature _____ Date _____
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Minnesota Department of Public Safety
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445 Minnesota Street, Suite 222
St. Paul, MN 55101
651-201-7500

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License Code OFSL License Period Ending 6/30/2016 ID# 32136

ISSUING AUTHORITY East Grand Fks

Licensee Name Valley Liquors Inc.

Trade Name Hugo's Wine & Spirits

City, State, Zip Code 310 14th St NE
East Grand Fks MN 56721

Business Phone 2187732418

License Fees: Off Sale \$150.00 On Sale Sunday

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Licensee Signature [Signature] DOB [Redacted] SS# [Redacted] Date 5/12/16
(Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/County Auditor Signature _____ Date _____
(Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature _____ Date _____
County Board issued licenses only(Signature certifies licensee is eligible for license).

Police/Sheriff Signature _____ Date _____
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Alcohol and Gambling Enforcement**

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License Code ONSS License Period Ending 6/30/2016 ID# 12467

ISSUING AUTHORITY East Grand Fks

Licensee Name Valley Golf Association

Trade Name Valley Golf Course

City, State, Zip Code *2407 River Road NW

East Grand Fks MN 56721

Business Phone 2187731207

License Fees: **Off Sale** **On Sale** \$3,800.00 **Sunday** \$200.00

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Licensee Signature [Signature] DOB [Redacted] SS# [Redacted] Date 5-9-16
(Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/County Auditor Signature _____ Date _____
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County Attorney Signature _____ Date _____
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Minnesota Department of Public Safety

Alcohol and Gambling Enforcement

445 Minnesota Street, Suite 222

St. Paul, MN 55101

651-201-7500

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License Code MWNONSB License Period Ending 6/30/2016 ID# 44408

ISSUING AUTHORITY East Grand Fks

Licensee Name Yangzhou Jin Ding Catering Services (USA) Co Ltd.

Trade Name Tao Garden

City, State, Zip Code 302 Demers Ave
East Grand Fks MN 56721

Business Phone 2183991015

License Fees: Off Sale On Sale \$550.00 Sunday

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Licensee Signature [Signature] DOB [Redacted] SS# [Redacted] Date 05/08/16
(Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/County Auditor Signature _____ Date _____
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County Attorney Signature _____ Date _____
County Board issued licenses only(Signature certifies licensee is eligible for license).

Police/Sheriff Signature _____ Date _____
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Minnesota Department of Public Safety

Alcohol and Gambling Enforcement

445 Minnesota Street, Suite 222

St. Paul, MN 55101

651-201-7500

RENEWAL OF LIQUOR , WINE, CLUB OR 3.2% LICENSES

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License Code 3.2ONSS License Period Ending 6/30/2016 ID# 44409

ISSUING AUTHORITY East Grand Fks

Licensee Name Yangzhou Jin Ding Catering Services (USA) Co Ltd.

Trade Name Tao Garden

City, State, Zip Code 302 Demers Ave
East Grand Fks MN 56721

Business Phone 2183991015

License Fees: Off Sale On Sale \$275.00 Sunday

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County Attorney Signature _____ Date _____
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Request for Council Action

Date: May 17, 2016

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

Cc: File

From: Paul Gorte, Economic Development Director

RE: Realtor-Initiated Sales of City-Owned Lots

Recently I have been approached by realtors representing potential buyers of vacant City-owned residential lots. Normally the seller (City) pays the commission on such sales. We have not built realtor commissions into the lot pricing structure. I discussed this with the EDA at its May 3 meeting. I suggested, and they concurred, that we add a \$3000 surcharge for any realtor-initiated sale to cover the commission. Such surcharge would be identified on the sales literature.

Issue: Would the City Council rather approve a \$3000 surcharge for realtor-initiated sales of City-owned residential lots or absorb the commission without the surcharge?

RESOLUTION NO. 16 – 05 - 49

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

WHEREAS, the City owns residential lots that are for sale; and,

WHEREAS, the City has priced said residential lots; and,

WHEREAS, occasionally a realtor will initiate the purchase of a City-owned residential lot, said activity commonly generating the need to pay a real estate commission by the seller; and,

WHEREAS, the City pricing does not provide dollars for the payment of the real estate commission.

NOW THEREFORE, BE IT RESOLVED that the City of East Grand Forks does hereby authorize the imposition of a \$3000 per lot surcharge for those lots where the sale is initiated by the action of a realtor and would cause the need for the payment of a commission.

Voting Aye:
Voting Nay:
Absent:

The President declared the resolution passed.

Passed: May 17, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 17th of May, 2016.

Mayor

RESOLUTION NO. 16 – 05 – 50

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 24121 for a total of \$736.86.

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 \$736.86 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 May 17, 2016.

Voting Aye:
Voting Nay:
Abstain:

The President declared the resolution passed.

Passed: May 17, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 17th day of May, 2016.

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 24121 for a total of \$736.86.
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 May 17, 2016.

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

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

Dated: _____

(Signature of Official)

Accounts Payable

Check Register Totals Only



City of East Grand Forks

P. O. Box 373
 East Grand Forks, MN 56721
 (218) 773-2483

User: apassa
 Printed: 5/12/2016 - 1:14 PM

Check	Date	Vendor No	Vendor Name	Amount	Voucher
24084	05/17/2016	ACM001	Acme Electric Companies	499.12	0
24085	05/17/2016	ADV001	Advanced Business Methods Inc	478.86	0
24086	05/17/2016	ALB001	Albrecht Manufacturing	610.50	0
24087	05/17/2016	AME002	American Tire Service	926.00	0
24088	05/17/2016	AME005	Ameripride Linen & Apparel Services	198.63	0
24089	05/17/2016	APP005	Appraisal Services, Inc.	4,200.00	0
24090	05/17/2016	BOR001	Border States Electric Supply	69.05	0
24091	05/17/2016	BRA001	Brady Martz & Associates	12,750.00	0
24092	05/17/2016	C&R001	C&R Cleaners & Laundry	687.01	0
24093	05/17/2016	CED001	Cedar Rapids Tire	578.59	0
24094	05/17/2016	CHA003	Channing Bete Company	196.75	0
24095	05/17/2016	GFC002	City of Grand Forks	72,821.00	0
24096	05/17/2016	COL002	Cole Papers Inc	503.75	0
24097	05/17/2016	COU008	Countrywide Sanitation Company	33,677.89	0
24098	05/17/2016	CUS002	Custom Stripes Inc	890.00	0
24099	05/17/2016	DAK011	Dakota Fire Protection Inc	780.00	0
24100	05/17/2016	DAK006	Dakota TV & Appliance	80.00	0
24101	05/17/2016	DOC001	Docu Shred Inc	73.97	0
24102	05/17/2016	EAG001	Eagle Electric	6,527.59	0
24103	05/17/2016	EAP001	EAPC Architects Engineers	12,042.31	0
24104	05/17/2016	ECO001	Economy Plumbing	201.90	0
24105	05/17/2016	EXP002	Exponent	780.20	0
24106	05/17/2016	FER004	Fertile Fire Department	12,648.31	0
24107	05/17/2016	FIL001	Filter Care	141.03	0
24108	05/17/2016	ODL001	Fitzgerald, Reynolds & Harbott PLLP	920.00	0
24109	05/17/2016	G&K001	G&K Services	73.01	0
24110	05/17/2016	GAF002	Gaffaney's	24.97	0
24111	05/17/2016	GAL003	Galstad Jensen & McCann PA	13,459.70	0
24112	05/17/2016	GAR001	Garden Hut Inc	28.50	0
24113	05/17/2016	GGF001	GGF Convention & Visitors Bureau	2,910.62	0
24114	05/17/2016	GLO003	Global Safety Network, Inc.	117.00	0
24115	05/17/2016	GRA0011	Grainger	48.42	0
24116	05/17/2016	GFF001	Grand Forks Fire Equipment	35.00	0
24117	05/17/2016	GFH002	Grand Forks Herald	1,312.75	0
24118	05/17/2016	EXP003	Grand Forks Police Department	50.00	0
24119	05/17/2016	GFC001	Grand Forks Utility Billing	16,426.48	0
24120	05/17/2016	GFW001	Grand Forks Welding & Machine	5.49	0
24121	05/17/2016	HAR001	Hardware Hank	736.86	0
24122	05/17/2016	HEA001	Heartland Paper	270.51	0
24123	05/17/2016	HEI001	Heiman Fire Equipment Inc	620.65	0
24124	05/17/2016	HIG002	Higher Ground	3,600.00	0
24125	05/17/2016	HUG001	Hugo's	20.94	0
24126	05/17/2016	ICS002	Industrial Contract Services Inc. ICS	73,556.85	0
24127	05/17/2016	JOB001	JobsHQ	873.16	0
24128	05/17/2016	LAK001	Laker Chemical	3,822.50	0
24129	05/17/2016	PET005	Larson Companies LTD Inc	415.63	0
24130	05/17/2016	LEM001	Jennifer LeMire	20.00	0
24131	05/17/2016	LUN001	Lunseth Plumbing & Heating	926.74	0
24132	05/17/2016	MAR004	Marco	137.66	0
24133	05/17/2016	MAR001	Marco Inc	789.81	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
24134	05/17/2016	MCD001	McDonald's of EGF	29.96	0
24135	05/17/2016	MCF002	MCFOA	35.00	0
24136	05/17/2016	MID016	Midwest Pest Control Inc	125.00	0
24137	05/17/2016	MID007	Midwest Refrigeration Inc	1,169.62	0
24138	05/17/2016	MIK001	Mike's Pizza	64.18	0
24139	05/17/2016	BAR005	MSC Industrial Supply Co.	62.60	0
24140	05/17/2016	MTI001	MTI Distributing Company	2,016.87	0
24141	05/17/2016	MYT001	My Turn Playsystems	1,620.00	0
24142	05/17/2016	NEW001	Newman Signs	2,503.20	0
24143	05/17/2016	NOR006	Northdale Oil	13,800.00	0
24144	05/17/2016	NWM001	NW MN Household Hazardous Waste	369.25	0
24145	05/17/2016	ORE001	O'Reilly Auto Parts	631.62	0
24146	05/17/2016	OFF002	Office Depot	301.42	0
24147	05/17/2016	PAT001	Patio World	723.00	0
24148	05/17/2016	PER005	Seth & Angela Perdw	433.89	0
24149	05/17/2016	PET001	Peterson Veterinarian Clinic P.C.	325.00	0
24150	05/17/2016	PRA001	Praxair Distribution	155.09	0
24151	05/17/2016	PRE001	Premium Waters Inc	56.80	0
24152	05/17/2016	PSD001	PS Garage Doors	83.00	0
24153	05/17/2016	RDO001	RDO Powerplan OIB	34.70	0
24154	05/17/2016	RIV005	Riverview Healthcare	105.00	0
24155	05/17/2016	RMB001	RMB Environmental Lab Inc	378.00	0
24156	05/17/2016	ROO002	Roos & Associates, Inc	1,000.00	0
24157	05/17/2016	SHA002	Share Corp	134.82	0
24158	05/17/2016	STA005	Strata Corp	297.93	0
24159	05/17/2016	STU001	Stuart's Towing	100.00	0
24160	05/17/2016	TFP001	TF Powers Construction	255,078.00	0
24161	05/17/2016	THU002	Thur-O-Clean	600.00	0
24162	05/17/2016	TRU001	True Temp	2,439.59	0
24163	05/17/2016	UNI013	University Station	22.72	0
24164	05/17/2016	USB004	US Bank Equipment Finance	139.86	0
24165	05/17/2016	USP003	US Postal Service	360.00	0
24166	05/17/2016	VAL002	Valley Truck	368.78	0
24167	05/17/2016	VER001	Verizon Wireless	755.88	0
24168	05/17/2016	WAT001	Water & Light Department	28,394.10	0
24169	05/17/2016	WDA001	WDAZ TV	10.00	0
24170	05/17/2016	XER001	Xerox Corporation	108.49	0
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				Check Total:	598,399.08
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