

**AGENDA
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, OCTOBER 18, 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.”

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of October 4, 2016.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of October 11, 2016.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS:

3. Public Hearing regarding the special assessments for 2016 Assessment Job No. 2 – Paving and Sidewalk Construction in the Riverview 10th Addition for a total assessment of \$344,176.11.

CONSENT AGENDA:

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

4. Consider adopting Resolution No. 16-10-98 filing the assessment roll and setting the final hearing for 2016 Assessment Job No. 1 – Street Improvements for November 15, 2016.
5. Consider adopting Resolution No. 16-10-99 approving the summary of the City Administrator’s performance evaluation.
6. Consider approving the lease agreement between the City of East Grand Forks and Butler Machine for the lease of a motor grader for \$2,370 per month plus \$75 per hour for the 2016-2017 winter season.

7. Consider adopting Resolution No. 16-10-100 approving the promotion of Ms. Terry Knudson to Human Resource Generalist, place her on Grade 14 Step 5, and retroactively compensate her from January 1, 2016 at Grade 14 Step 5.

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

8. Regular minutes of the Water, Lights, Power, and Building Commission for September 15, 2016.

COMMUNICATIONS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

9. Consider adopting Resolution No. 16-10-101 adopting assessment roll #337 for 2016 Assessment Job No. 2 – Paving and Sidewalk Construction – Riverview 10th Addition for a total assessment of \$344,176.11.
10. Consider approving the 2 inch digital sensor and valve at the swimming pool for a cost of \$3,507.00 and sending the bill to EAPC for payment.
11. Consider approving the placement of a loading zone sign with no parking during the hours of 8:30am-10:00am and 2:00pm-4:30pm to be placed on a 2nd St NW.
12. Consider adopting Resolution No. 16-10-102 approving the denial of the variance application for the property located at 606 21st St NW.
13. Consider adopting Resolution No. 16-10-103 amending the 2045 Land Use Plan and approving the change from commercial designation to residential designation for 3.6 acres of Pesch property north of Greenway Boulevard and west of Bygland Road.
14. Consider adopting Resolution No. 16-10-104 approving the rezone of the Pesch property from C-2 or Highway Commercial to PUD or Planned Unit Development.
15. Consider approving the Final Plat of Emerson Estates Addition along with the following conditions of submitting a digital file to the planning office, minor text changes on the plat, access control line along Greenway Boulevard with the exception of the shared driveway to the north Lots 7 and 8 and Block 2 Lot 1 on the south side of Greenway Boulevard, and a possible easement for a storm water line to retention area and utilities.
16. Consider approving the Emerson Estates PUD Concept Development Plan along with the following conditions of listing the minimum setback requirements for possible buildings, fences, accessory structures, show architectural elevations wanted and list minimum square footage requirements for twinhomes, statement that restrictive covenants or townhome association rules will be placed on the development should be listed in the Notes portion of the development data, and show development data for any landscaping, sheds, screening, and/or fences on the PUD plan.

CLAIMS:

- 17. Consider adopting Resolution No. 16-10-105 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 25174 for a total of \$1,021.15 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 – October 25, 2016 – 5:00 PM – Training Room
- Regular Council Meeting – November 1, 2016 – 5:00 PM – Council Chambers
- Work Session – November 8, 2016 – 5:00 PM – Training Room
- Regular Council Meeting – November 15, 2016 – 5:00 PM – Council Chambers

**UNAPPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, OCTOBER 4, 2016 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for October 4, 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.

Nancy Ellis, City Planner; Steve Emery, City Engineer; Ron Galstad, City Attorney; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Reid Huttunen, Parks and Recreation Superintendent; 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:

RECOGNITION OF THE SAVE OUR POOL GROUP FOR A DONATION TO THE CITY:

Council Vice-President Grassel read a statement recognizing and thanking the members of the Save Our Pool organization for their time and efforts to raise money to help pay for the pool renovation project. He introduced Ms. Melody Olstad, Ms. Tina Neil, Mr. Todd Schumacher, and Mr. Mark Olstad and thanked them for their efforts in heading up this organization. Ms. Melody Olstad thanked the City Council and entire citizenry of East Grand Forks for their support.

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.”

APPROVAL OF MINUTES:

1. Consider approving the corrected minutes of the “Special Meeting” for the East Grand Forks, Minnesota City Council of August 23, 2016.

2. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of September 20, 2016.
3. Consider approving the minute summary of the “Closed Session” for the East Grand Forks, Minnesota City Council of September 20, 2016.
4. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of September 27, 2016.
5. Consider approving the minutes of the “Special Meeting” for the East Grand Forks, Minnesota City Council of September 27, 2016.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE ITEMS ONE (1) THROUGH FIVE (5).

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

Voting Nay: None.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS:

6. Public Hearing regarding the special assessments for 2015 Assessment Job No. 1 – Utilities and Street Construction for Point of Woods 6th Addition for a total assessment of \$265,750.35.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO OPEN THE PUBLIC HEARING.

Mr. Emery asked if there was anyone present for the hearing. No property owners were in attendance. He stated this was the final hearing for the 2015 Assessment Job No. 1 for utilities and street construction in the Point of Woods 6th Addition. He reviewed the costs for each portion of the project that included \$60.66 per lineal foot for water main, \$0.22 per square foot for storm sewer, \$51.53 per lineal foot for sanitary sewer, and \$122.17 per front foot for street construction. He added that these assessments would be assessed for 20 years at 4.5% interest and that they could be prepaid until November 30th of this year.

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

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

Voting Nay: None.

CONSENT AGENDA: NONE

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

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

- 7. Regular minutes of the Economic Development Authority Board for September 9, 2016.

COMMUNICATIONS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

- 8. Consider adopting Resolution No. 16-10-94 adopting assessment roll #336 for 2015 Assessment Job No. 1 – Utilities and Street Construction – Point of Woods 6th Addition for a total assessment of \$265,750.35.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 16-10-94 ADOPTING ASSESSMENT ROLL #336 FOR 2015 ASSESSMENT JOB NO. 1 – UTILITIES AND STREET CONSTRUCTION – POINT OF WOODS 6TH ADDITION FOR A TOTAL ASSESSMENT OF \$265,750.35.

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

Voting Nay: None.

- 9. Consider adopting Resolution No. 16-10-95 formally accepting the \$109,420.09 donation from the Save Our Pool group to help pay for the city pool renovation project.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPT RESOLUTION NO. 16-10-95 FORMALLY ACCEPTING THE \$109,420.09 DONATION FROM THE SAVE OUR POOL GROUP TO HELP PAY FOR THE CITY POOL RENOVATION PROJECT.

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

Voting Nay: None.

- 10. Consider adopting Resolution No 16-10-97 entering into a maintenance agreement for the Kennedy Bridge with the City of Grand Forks, the Minnesota Department of Transportation, and the North Dakota Department of Transportation.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO 16-10-97 ENTERING INTO A MAINTENANCE AGREEMENT FOR THE KENNEDY BRIDGE WITH THE CITY OF GRAND FORKS, THE MINNESOTA DEPARTMENT OF TRANSPORTATION, AND THE NORTH DAKOTA DEPARTMENT OF TRANSPORTATION.

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

Voting Nay: None.

11. Consider approving the request to declare five computer monitors as surplus and allow the library director staff to dispose of them.

A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE REQUEST TO DECLARE FIVE COMPUTER MONITORS AS SURPLUS AND ALLOW THE LIBRARY DIRECTOR STAFF TO DISPOSE OF THEM.

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

Voting Nay: None.

CLAIMS:

12. Consider adopting Resolution No. 16-10-96 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 25084 for a total of \$323.53 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER VETTER, TO ADOPT RESOLUTION NO. 16-10-96 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 25084 FOR A TOTAL OF \$323.53 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.

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

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

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

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Council Member Buckalew thanked the Save Our Pool committee again. He commented on how much hard work goes into something like this, lots of hours spent organizing, and without someone taking charge who knows where the kids would be swimming. He said thanks again.

Council Member Tweten stated he also wanted to compliment the pool group. He said one thing that happens when people show interest in the community is that it encourages others to step forward and

participate. He said the net result when people work together is much more is accomplished. He added they should keep at it because the City has more room to accept additional checks.

Mr. Murphy reminded the Council that there are two meetings scheduled for later this month with one being scheduled with the public school and the other being scheduled with the technical college. He added that he hoped they would be able to attend.

Chief Hedlund informed the Council that this Friday from 10:00am until 11:00am they will be holding their first ever Coffee with a Cop event at City Hall in the Training Room. He explained the program and how this is an informal setting for residents to come and speak with law enforcement about questions or concerns they may have.

Council member Pokrzywinski asked Chief Hedlund to discuss the article published in the paper about the heroes in the police department that saved a life. Chief Hedlund stated two officers, Alex Schilke and Eric Burman, responded to a call about a car in the ditch. He stated the driver had lost control and ended up almost completely submerged in a coulee. He explained the officers were able to break the window and get the driver out.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADJOURN THE OCTOBER 4, 2016 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:12 P.M.

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

Voting Nay: None.

David Murphy, City Administrator/Clerk-Treasurer

**UNAPPROVED MINUTES
OF THE CITY
COUNCIL WORK SESSION
CITY OF EAST GRAND FORKS
TUESDAY, OCTOBER 11, 2016 – 5:00 PM**

CALL TO ORDER:

The Work Session of the East Grand Forks City Council for October 11, 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, Henry Tweten, and Marc DeMers.

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; Reid Huttunen, Parks and Recreation Superintendent; 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.

Mr. Mike Moore introduced himself to the Council, told them about when he use to be a resident of East Grand Forks, how he has spent some time in the community, commented on how the community has rebounded since the flood, and what some of the issues are that he has come across while visiting with residents. He thanked the Council for their time.

1. Inquiry about the Purchase of a Lot – David Murphy

Mr. Murphy stated the Council should have received information about a request to purchase city property to build an apartment building. He explained the location of the lot which is the parking lot that is southeast of the VFW building and how it would include underground parking for the tenants. He added that \$87,500 had been received as earnest money and with conditions that would need to be met. He stated the department heads had some discussion about this and how he had been reminded of the recent policy that was adopted for the sale of city lots. Mr. Gorte explained how the policy set up the process, that it would need to be reviewed by certain departments, an appraisal would have to be done, and there would also need to be a public hearing. He stated there was a question about TIF which is being looked into in. Mr. Murphy stated that at this time they are looking for direction from the Council on how to proceed. Discussion followed about how these will be 35 upscale apartments, 35% of the first floor will be used as commercial space, and the tentative timeline for completing the process set by the City policy.

Mayor Stauss asked what it would cost to pave the lot that is currently gravel. Mr. Emery stated the estimate for concrete was \$120,000 and that it would be cheaper to put in bituminous paving but maintenance costs would be more. More discussion followed that this project would be around 4.5 million, that this would be similar to other projects done by Community Contractors which have had high occupancy rates, that electric and fiber optics will have to be moved if this project is done, and that they are interested in starting this project in August of 2017. Council member Pokrzywinski said to proceed with this like it had been suggested and if there is a road block at least there was an attempt made. Council President Olstad asked other council members if they are okay moving forward with the process set up by the policy and there were no objections to starting the process.

2. Request to Use Geophysical Techniques in the Greenway – David Murphy

Mr. Murphy stated that the City had received a request from the Geology Department from UND. He explained that a geophysics class would like to try and find the rumored Whitey's bootlegger tunnel. He said they would like to make sure the Council is aware and that the professor was present to answer any questions. Professor Will Gosnold explained that this project was for a senior class and would have a real life application. He reviewed the different methods they would be using and how each method is performed. Mayor Stauss stated they may find things since the area they will be looking into use to be the where a zoo was located. Discussion followed about the history of the area and how the class will be requested to report any findings back to the Council.

3. Request to File Assessment Roll & Set Date for Final Hearing – Steve Emery

Mr. Emery informed the Council they will be making the request to file the assessment roll for this year's street improvement projects and set the final hearing date. He stated that the final seal coat costs ended up being \$9.77 for front benefit and \$3.25 for end benefit and reminded the Council the estimated costs were \$13.75 for front benefit and \$4.58 for end benefit. He added how the final costs for mill and overlay were \$60.58 for front benefit and \$20.19 for end benefit and that the estimated costs were \$76.22 for front benefit and \$25.41 for end benefit. Mr. Emery stated that the final hearing will be set for November 15th.

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

4. Solicitation for Transportation Alternative Program Funding – Steve Emery

Mr. Emery explained that the City could apply for funds for alternative transportation projects. He stated included in the packet was a list of possible projects and that there is an 80/20 federal/local match just for the construction costs with the remaining costs being paid for by the City. Discussion followed about how the City was not awarded funds the previous year for the Bygland Road bike lane, how there could be items that could be selected from the Bygland Road Study, and that the letter of intent needed to be completed by October 31, 2016. More discussion followed about how the Bygland Road bike lane project should receive first consideration is used again, how more than one project could be submitted but that the funds would be capped for construction dollars, and that there is a separate solicitation for safety items such as the HAWK system.

Mr. Haugen suggested about possibly adding in the project connecting the Kennedy Bridge trail to the rest of the trail system. Ms. Ellis asked if there was a minimum project amount that was required. Mr. Haugen stated the minimum project cost would be \$100,000. More discussion followed about how to pick projects. Council President Olstad asked to have possible projects listed for the following work

session and to have a special session following to vote on what projects to include in the application.

5. Presentation from the Metropolitan Planning Organization – Earl Haugen

Mr. Haugen introduced himself along with Ms. Teri Kouba and Mr. Jairo Viafara. Mr. Haugen explained they developed a communication plan to engage both City Councils. He reviewed what the Metropolitan Planning Organization was and how they not only work in both communities but the surrounding areas as well. He explained how there is a MPO board, a MPO website, and reviewed current projects they were working on which included updating Grand Forks' Land Use Plan, I29 transportation study, and a study of the intersection of Highway 2 and Business Highway 2.

Mr. Haugen turned it over to Ms. Kouba who reviewed transit. She explained they were working on improving the current system, they have completed many of the necessary steps, how they were trying to reduce the number of transfers, and they were also looking at trying to improve night and Sunday services. Mr. Viafara informed the Council that they were also working on updating the bike and pedestrian plan. He stated the next meeting was the following evening at the East Grand Forks City Hall and he invited everyone to attend. He added how people are riding the trails as well as in other areas to see what is working and what may be needed. He showed the Council examples of comments that had been received in this process. Mr. Haugen informed the Council that the MPO is soliciting ideas from both councils on what they should study in the next two years so if the Council had an idea to submit it to them for consideration.

6. 13th Street & Bygland Road Discussion – Mike Hedlund

Chief Hedlund told the Council there has been a variety of issues this fall at the intersection of Bygland Road and 13th Street or Greenway Boulevard as well as issues at this intersection in the past. He stated they are trying to figure out a direction to take to in regards to this intersection. He explained how they have tried to have officers at the intersection when possible but even when officers have been present there have been close calls. He said there has been signage placed informing people to slow down but they continue to go quickly through the intersection. Council member Tweten commented they should have the State for assistance. Mr. Emery said that since this wasn't a state highway they may not provide assistance. Council member Tweten said to ask anyway. Council Vice-President Grassel informed the Council at South Point there were so many bikes from students riding to school that they had to borrow a bike rack. Discussion followed about the HAWK crosswalk system, how it acts like a traffic light to stop traffic for pedestrians but it is not put on a timer, and that it this system requires lots of education.

Ms. Ellis reminded the Council the HAWK crosswalk system had been suggested in the Bygland Road study and until something is put in place that crossing guards could be used. Council member Vetter asked to have that study redistributed to the Council for review. More discussion followed about who may be able to volunteer as a crossing guard, how it can be difficult to see the children in the morning, and even putting up a caution light could possible help slow down the traffic at this intersection. Council President Olstad asked how much the HAWK system would cost. Mr. Emery said the estimate in the Bygland Road study was \$280,000 and that it was suggested to go just across Bygland Road, not at the intersection so cars are only going in two directions and there wasn't turning lanes. Council member Tweten said to ask the general public if they have any ideas and if so to contact the City Administrator with them.

7. Request for Digital Sensor & Valve for Swimming Pool – Reid Huttunen

Mr. Huttunen informed the Council there was a request to install a digital sensor in the surge tank at the pool. He stated this request came from the Minnesota Department of Health inspector who explained the water level needed to be lowered and to change the sensor because the stem system that is currently regulating the system could bend and break. He explained that while the pool was open staff was manually making adjustments to the surge tank. Mayor Stauss asked about the cost. Mr. Huttunen stated it would be \$3,507. Council member DeMers asked if this was a regulation change. Mr. Huttunen said this sensor was not regulated but that the request was being made to prevent an overflow of water in the pump house. Council member DeMers commented these were the reasons why engineer consultants were hired and stated to send them the bill for this. Council Vice-President Grassel stated that there have been more issues and overages on this project, how the Council has been holding the City Engineers to a higher standard of service, and it is time they do the same with EAPC.

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

8. Request for Winter Equipment Lease – Jason Stordahl

Mr. Stordahl reminded the Council that an additional motor grader is leased every winter season. He asked to move forward with a lease agreement with Butler Machine. He explained based on an average of snow or even more than an average year of snow this lease would work better for the City. Discussion followed about possibly having additional help lined up if needed. Mr. Stordahl stated that was something that was done every year.

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

9. Human Resource Generalist Position – David Murphy

Mr. Murphy stated there were a couple reasons for this request. He explained the study that was completed by the group the previous year had suggested this position for the future and at this point the Human Resource Specialist/Accounting Tech has been spending about 75% of her time on human resource items and only 25% on accounting items so the time for a change to a Human Resource Generalist is now. He stated how the person in this position would need to be SHRM-CP certified. He said that he would like feedback from the Council. Discussion followed about how the Accounting Technician has taken on more of the day to day entries and the Accountant in Water and Light has been helping with the oversight of bank reconciliations. Council member DeMers asked what the ramification was to not having the certification by January 1st. Mr. Murphy stated the person hasn't started the certification process and would need more time to complete it. He added that if the person in this position was not able to obtain the certification he would then recommend moving them back to the original position. He commented how it had been suggested in the study to give this person their own space which is something that is being looked into.

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

10. Assessment Policy Update – David Murphy

Mr. Murphy explained that there had been discussion with the Council about the assessment policy. He told the Council a team of staff have met and discussed the current policy which is not adequate. He stated there were three areas they were looking into and needed direction or input from the Council. He

said three areas were new construction, reconstruction, and maintenance. He reviewed the current policy for reconstruction and said the group was looking at changing the cost from being 100% assessed to a split between the City and property owner. He added there were approximately six identified reconstruction projects coming up and to cover the City's portion a direct general obligation bond could be done or the levy would need to be increased. He continued on with new construction since there are issues with not all of the information being given to buyers so they are unaware of the special assessments, that this had been previously discussed in 2011, and reviewed the four options regarding new developments and the possible requirements of developers. He added that when Grand Forks does maintenance improvements they assess a larger area. He asked for questions.

Council member Vetter stated that he was not in favor of splitting costs, added how they had discussed adopting assessments before awarding the job so the costs would be known, and that he does not want to assess everyone. Mayor Stauss commented that there are concerns about taxes, people need to pay their own assessments, and that contractors need to inform the buyers of the assessments. Council member Tweten commented that the Council would be asking for trouble if they asked the entire City to pay for street improvements. Discussion followed about how there needs to be more discussions on this before adopting a new policy, how the streets are a network like the water and electric systems, and how there isn't a specific timeframe to complete this update in. More discussion followed about street improvement districts, that they still haven't been approved by the State Legislature, and that waivers signed by developers cannot be transferred to the buyers of the properties. Mayor Stauss suggested that the new Council review and consider this item.

11. Request for use of Parking Spot – Megan Nelson

Ms. Nelson informed the Council that Little Bangkok had contacted the office and was requesting a no parking sign on 2nd St NW during certain times of the day. She explained they were expanding service to the Air Force Base and would be loading up a truck every day in the morning and unloading in the afternoon. She asked the Council how they would like to proceed. Mr. Galstad stated that since this was a street and not a parking lot reserved parking was not allowed. Discussion followed about putting up a loading zone sign and how some Council members will not be supporting this request.

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

Mr. Dan Boyce introduced Mr. Keith Mykleseth who is the new general manager of the Water and Light Department. Mr. Mykleseth informed the Council that he was looking forward to working here. Mr. Boyce invited the Council to stop by and meet Mr. Mykleseth.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADJOURN THE OCTOBER 11, 2016 WORK SESSION OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 7:39 P.M.

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

Voting Nay: None.

Absent: Buckalew.

David Murphy, City Administrator/Clerk-Treasurer

Request for Council Action

Date: September 8, 2016

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

Cc: File

From: Steve Emery, P.E.

RE: Final Assessment Roll - 2016 Assessment Job No. 2– Concrete Paving and Sidewalk Construction , Riverview 10th Addition.

Background:

We are looking to file the Proposed Final Assessment Roll with the City Council and set a date for the Assessment Hearing on the above referenced project.

Recommendation:

File the Proposed Assessment Roll and Set date for Assessment Hearing.

Enclosures:

Proposed Final Assessment Roll.

**ASSESSMENT ROLL - PRELIMINARY
2016 ASSESSMENT JOB NO. 2
CONCRETE PAVING & SIDEWALK CONSTRUCTION
EAST GRAND FORKS, MN**

STREET IMPROVEMENTS	
Construction	\$ 277,526.20
Plans and Specifications	\$ 29,717.02
Staking & Inspection	\$ 10,801.13
Assessment Roll	\$ 2,775.26
Administration	<u>\$ 8,325.79</u>
TOTAL PROJECT COST	\$ 329,145.40
Front Footages	
RIVERVIEW 10TH	2653.36
RIVERVIEW 9TH	<u>285.00</u>
TOTAL ASSESSABLE FOOTAGE	2938.36
Assessment Rate	\$ 112.02 Front Foot

SIDEWALK IMPROVEMENTS	
Construction	\$ 12,352.00
Plans and Specifications	\$ 1,602.26
Staking & Inspection	\$ 582.37
Assessment Roll	\$ 123.52
Administration	<u>\$ 370.56</u>
TOTAL PROJECT COST	\$ 15,030.71
Front Footages	
RIVERVIEW 10TH	630.08
RIVERVIEW 9TH	<u>0.00</u>
TOTAL ASSESSABLE FOOTAGE	630.08
Assessment Rate	\$ 23.86 Front Foot

ASSESSMENT ROLL - PRELIMINARY
2016 ASSESSMENT JOB NO. 2
CONCRETE PAVING & SIDEWALK CONSTRUCTION
EAST GRAND FORKS, MINNESOTA

PARCEL No.	OWNER	DESCRIPTION	STREET		SIDEWALK		TOTAL ASSESSMENT BEFORE INTEREST
			FRONT FOOT	\$ FRONT BENEFIT	FRONT FOOT	\$ FRONT BENEFIT	
				\$112.02		\$23.86	
	RIVERVIEW 10TH ADDITION						
83.04400.00	CRARY DEVELOPMENT INC	Block 1 Lot 1 RIVERVIEW 10TH ADDITION	78.00	\$8,737.30		\$0.00	\$8,737.30
83.04401.00	REHLING JEREMY J & DANIELLE H.	Block 1 Lot 2 RIVERVIEW 10TH ADDITION	78.00	\$8,737.30		\$0.00	\$8,737.30
83.04402.00	CRARY DEVELOPMENT INC	Block 1 Lot 3 RIVERVIEW 10TH ADDITION	78.00	\$8,737.30		\$0.00	\$8,737.30
83.04403.00	CRARY DEVELOPMENT INC	Block 1 Lot 4 RIVERVIEW 10TH ADDITION	78.00	\$8,737.30		\$0.00	\$8,737.30
83.04404.00	CRARY DEVELOPMENT INC	Block 1 Lot 5 RIVERVIEW 10TH ADDITION	78.00	\$8,737.30		\$0.00	\$8,737.30
83.04405.00	CRARY DEVELOPMENT INC	Block 1 Lot 6 RIVERVIEW 10TH ADDITION	76.50	\$8,569.28		\$0.00	\$8,569.28
83.04406.00	NOVAK JACOB J & KARYN A	Block 1 Lot 7 RIVERVIEW 10TH ADDITION	115.12	\$12,895.36	115.12	\$2,746.22	\$15,641.58
83.04407.00	CRARY DEVELOPMENT INC	Block 1 Lot 8 RIVERVIEW 10TH ADDITION	108.63	\$12,168.37		\$0.00	\$12,168.37
83.04408.00	CRARY DEVELOPMENT INC	Block 1 Lot 9 RIVERVIEW 10TH ADDITION	80.06	\$8,968.06		\$0.00	\$8,968.06
83.04409.00	CRARY DEVELOPMENT INC	Block 1 Lot 10 RIVERVIEW 10TH ADDITION	80.06	\$8,968.06		\$0.00	\$8,968.06
83.04410.00	CRARY DEVELOPMENT INC	Block 1 Lot 11 RIVERVIEW 10TH ADDITION	80.06	\$8,968.06		\$0.00	\$8,968.06
83.04411.00	EXECUTIVE BUILDERS INC	Block 1 Lot 12 RIVERVIEW 10TH ADDITION	115.96	\$12,989.46	115.96	\$2,766.25	\$15,755.71
83.04412.00	CRARY DEVELOPMENT INC	Block 1 Lot 13 RIVERVIEW 10TH ADDITION	108.97	\$12,206.46		\$0.00	\$12,206.46
83.04413.00	CRARY DEVELOPMENT INC	Block 1 Lot 14 RIVERVIEW 10TH ADDITION	80.00	\$8,961.34		\$0.00	\$8,961.34
83.04414.00	CRARY DEVELOPMENT INC	Block 1 Lot 15 RIVERVIEW 10TH ADDITION	80.00	\$8,961.34		\$0.00	\$8,961.34
83.04415.00	CRARY DEVELOPMENT INC	Block 1 Lot 16 RIVERVIEW 10TH ADDITION	80.00	\$8,961.34		\$0.00	\$8,961.34
83.04416.00	CRARY DEVELOPMENT INC	Block 1 Lot 17 RIVERVIEW 10TH ADDITION	80.00	\$8,961.34		\$0.00	\$8,961.34
83.04417.00	BONDY JACOB O & SARAH M	Block 1 Lot 18 RIVERVIEW 10TH ADDITION	80.00	\$8,961.34	80.00	\$1,908.42	\$10,869.76
83.04418.00	STORTROEN GREG	Block 1 Lot 19 RIVERVIEW 10TH ADDITION	148.00	\$16,578.47	148.00	\$3,530.58	\$20,109.05
83.04419.00	BROTT CRAIG & LYNN M	Block 2 Lot 1 RIVERVIEW 10TH ADDITION	76.00	\$8,513.27		\$0.00	\$8,513.27
83.04420.00	HARTMAN MICHAEL P & JESSICA K	Block 2 Lot 2 RIVERVIEW 10TH ADDITION	76.00	\$8,513.27		\$0.00	\$8,513.27
83.04421.00	CRARY DEVELOPMENT INC	Block 2 Lot 3 RIVERVIEW 10TH ADDITION	76.00	\$8,513.27	76.00	\$1,813.00	\$10,326.27
83.04422.00	CRARY DEVELOPMENT INC	Block 2 Lot 4 RIVERVIEW 10TH ADDITION	76.00	\$8,513.27		\$0.00	\$8,513.27
83.04423.00	CRARY DEVELOPMENT INC	Block 2 Lot 5 RIVERVIEW 10TH ADDITION	76.00	\$8,513.27		\$0.00	\$8,513.27
83.04424.00	SCHUH CRAIG & JADIE	Block 2 Lot 6 RIVERVIEW 10TH ADDITION	95.00	\$10,641.59	95.00	\$2,266.25	\$12,907.83
83.04425.00	SALWEY DON & KAREN	Block 2 Lot 7 RIVERVIEW 10TH ADDITION	95.00	\$10,641.59		\$0.00	\$10,641.59
83.04426.00	CRARY DEVELOPMENT INC	Block 2 Lot 8 RIVERVIEW 10TH ADDITION	76.00	\$8,513.27		\$0.00	\$8,513.27
83.04427.00	CRARY DEVELOPMENT INC	Block 2 Lot 9 RIVERVIEW 10TH ADDITION	76.00	\$8,513.27		\$0.00	\$8,513.27
83.04428.00	CRARY DEVELOPMENT INC	Block 2 Lot 10 RIVERVIEW 10TH ADDITION	76.00	\$8,513.27		\$0.00	\$8,513.27
83.04429.00	PERDEW SETH A & ANGELA R	Block 2 Lot 11 RIVERVIEW 10TH ADDITION	76.00	\$8,513.27		\$0.00	\$8,513.27
83.04430.00	VANEPS REED J & TRISH D	Block 2 Lot 12 RIVERVIEW 10TH ADDITION	76.00	\$8,513.27		\$0.00	\$8,513.27
	SUBTOTAL RIVERVIEW 10TH ADDITION		2653.36	\$297,220.64	630.08	\$15,030.71	\$312,251.35
	RIVERVIEW 9TH ADDITION						
83.04188.00	TOCCHIO DONALD & CYNTHIA	RIVERVIEW 9TH ADD Lot 011 Block 002	95.00	\$10,641.59		\$0.00	\$10,641.59
83.04194.00	BRANBY MICHAEL D & LISA TOCCHIO	RIVERVIEW 9TH ADD Lot 001 Block 003	95.00	\$10,641.59		\$0.00	\$10,641.59
83.04195.00	TRAUB BARRY S & RACHEL A	RIVERVIEW 9TH ADD Lot 002 Block 003	95.00	\$10,641.59		\$0.00	\$10,641.59
	SUBTOTAL RIVERVIEW 9TH ADDITION		285.00	\$31,924.76	0.00	\$0.00	\$31,924.76
	GRAND TOTAL		2938.36	\$329,145.40	630.08	\$15,030.71	\$344,176.11

Request for Council Action

Date: October 5, 2016

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

Cc: File

From: Steve Emery, P.E.

RE: Proposed Final Assessment Roll - 2016 Assessment Job No. 1– Street Improvements - Mill and Overlay and Seal Coating.

Background:

We are looking to file the Proposed Final Assessment Roll with the City Council and set a date for the Assessment Hearing on the above referenced project.

Recommendation:

File the Proposed Assessment Roll and Set date for Assessment Hearing.

Enclosures:

Proposed Final Assessment Roll will be brought to the work session.

RESOLUTION NO. 16 – 10 - 98

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

WHEREAS, The City Administrator/Clerk-Treasurer with the assistance of the person designated, has calculated the proper amount to be specially assessed against every lot, piece and parcel of land, without regard to cash valuation, utilities and street foundation improvements described as “2016 Assessment Job No. 1 – Street Improvements”; and

WHEREAS, Said calculations known as the proposed assessments were filed with the Administrator/Clerk-Treasurer on October 18, 2016; and

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

1. A hearing shall be held at 5:00pm or as soon as possible thereafter on November 15, 2016 in the City Hall Council Chambers located at 600 Demers Ave to pass upon such proposed assessments. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Administrator/Clerk-Treasurer is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall stated in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: October 18, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 18th day of October, 2016.

Mayor

RESOLUTION NO. 16 - 10 – 99

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

WHEREAS, David Murphy is the City Administrator/Clerk-Treasurer for the City of East Grand Forks; and

WHEREAS, Mr. Murphy requested to have a closed meeting, pursuant to Minnesota Statute 13D.05, Subd. 3(a), which was then scheduled for the evening of September 20, 2016 for his job performance evaluation; and

WHEREAS, notice of the closed meeting was properly posted; and

WHEREAS, the City Council and Mr. Murphy met in the training room in City Hall in a closed meeting to evaluate Mr. Murphy’s job performance areas that included Operation, Planning, Budgets, Meeting, Financial Reports, Elections, Supervision, Employment, Personnel, Government Liaison, and goals set by the Council for the following year.

NOW, THEREFORE, IT IS HEREBY RESOLVED the City Council of has found Mr. Murphy consistently meets and/or often exceeds expectations in all of these categories, that he has accomplished many of the goals set for him, and has successfully carried out his duties as the City Administrator/Clerk-Treasurer.

Voting Aye:
Voting Nay:

The President declared the resolution passed.

Passed: October 18, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 18th day of October, 2016.

Mayor

Request for Council Action

Date: 10-6-2016

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: Jason Stordahl-Public Works Director

RE: Winter Equipment Lease

Background: The Public Works Department leases a motor grader for snow removal each snow season. I received the following estimates for lease:

Butler Machine (Caterpillar) \$2,370 per month, plus \$75 per hour

RDO Equipment (John Deere) \$4500 per month, plus \$30 per hour after 50 hours, & \$3,200 prep charge

If we experience average to slightly above average snowfall this winter, we will get the most benefit by renting from Butler Machine.

Recommendation: Approve the lease agreement with Butler Machine.



Rental Schedule

RDO Equipment Co.
 6565 Gateway Drive
 Grand Forks ND, 58203
 Phone: (701) 772-4842 - Fax: (701) 772-9620

Invoice To:
 CITY OF E. GRAND FORKS
 CITY SHOP
 PO BOX 373
 E GRAND FORKS, MN, 567210373
 County: POLK
 (218) 773-2483

Rental Type: Rental
Deal Number: 908453
Customer Account#: 2483010
Customer Purchase Order#: WINTER RENT
Customer Sales Tax Exempt: Exempt
Sales Professional: Jared Harshman
Phone: (701) 772-4842
Fax: (701) 772-9620
Email: jharshman@rdoequipment.com

Rental Information

Ordered By: JEREMY KING
Estimated Rental Schedule: Starting on: 11/14/2016, Ending on: 4/14/2017
Billing Dates: Starting on: 11/14/2016, Ending on: 4/14/2017
Job Site Address: CITY SHOP
 PO BOX 373
 E GRAND FORKS, MN 567210373

Equipment Rental Rates

Serial	Stock	Year/Make/Model	Quantity	OT/Hourly	Hourly	Monthly
1DW772GPEEF663731	X521337	2015 JOHN DEERE 772G	1	\$28.13	\$30.00	\$4,500.00
X553838	X553838	Attachment - 2015 JOHN DEERE 772GHITCH	1	\$0.00	\$0.00	\$0.00
SIOG146	X591240	Attachment - 2015 JOHN DEERE GRAFRTHITCH	1	\$0.00	\$0.00	\$0.00
1272713R	X612918	Attachment - 2013 LITTLE FALLS MACHINE 12WING	1	\$0.00	\$0.00	\$0.00

Rental Rate Totals

	Hourly	Monthly
Base Rental Rate:	\$30.00	\$4,500.00
LDW: (14% of Rental)(described in Legal Information section below)	\$4.20	\$630.00
Estimated Rental Taxes: MN GOVERNMENT 0%	\$0.00	\$0.00
Cost Per Term (Before Additional Charges)	\$34.20	\$5,130.00

Additional Charges

Unit	Type	Amount	Taxes	Total
2015 JOHN DEERE 772G	Prep Charge	\$3,200.00	\$0.00	\$3,200.00
Total Additional Charges		\$3,200.00	\$0.00	\$3,200.00

Legal Information

Term, start, end dates, rental rates, and sales tax are all approximated and subject to change. RDO Equipment Co. reserve the right to replace equipment with 'like' equipment at any time. The rental rate for Equipment covers normal use only not to exceed **8-hours/1day, 40 hours/week, or 160 hours/month**, based on **20** working days. Any excess hours will be charged at the designated Overtime Rate (OT Rate). Equipment returned that require fuel, cleanup, repair work or replacement parts due to unusual wear & tear will warrant additional charges. Should you not provide RDO Equipment Co. with physical damage insurance coverage, a Loss Damage Waiver fee of 14% of the rental charge will be applied. Applicable sales tax, property and environmental fees to apply. Use only Low Sulfur Diesel (ULSD). Applicant agrees this be a Schedule to the Rental Agreement.

Upon signing or electronic acceptance, customer is accepting the equipment, including attachments, in "AS IS" condition, agreeing to notify RDO Equipment Co. within 24 hours of any damages or discrepancies found upon receipt of equipment.

Signature Area

Applicant:

(Customer's Signature)

(Customer's Printed Name)

(Applicant Title)

_____/_____/_____

(Date Signed)

This is not an invoice. You will receive an invoice when the first billing cycle is complete, or when the machines are returned, whichever occurs first.
This Rental Schedule was created on 9/26/2016 and is valid until 10/19/2016. After that date, the terms may need to be revised

Comments

\$4500 per month for the first 50 hours and then \$30 per hour after the first 50 hours

Jeremy

Rental rate for snow season is as follows from Butler Machinery

140M AWD \$1425 month based on 0 hours usage @ \$61 per hour use

140M \$1365 tandem drive based on 0 hours usage @ \$57 per hour use

Add for snow wing \$945 per month and \$14 per hour usage

This is based on availability

Thanks

Clay Smaaladen | Butler Machinery Company | Customer Account Manager - Construction

1201 S 46th St | Grand Forks, ND, 58201 | P 701-780-7771 | C 701-739-0888

Butler Values | Our Team • Customer Driven • Accountability • Integrity • Excellence • Safety

www.butlermachinery.com



Request for Council Action

Date: October 11, 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: HR Generalist Position.

Background

The City of East Grand Forks currently utilizes a position description drafted in 2012 titled **Accounting/Human Resources Technician**. In 2015 the Finance Department underwent an evaluation to determine the best utilization of available resources to meet our future needs. The result was the new combined position between W/L and Finance and to upgrade our Human Resources functions. A position description that addresses our future HR needs and available personnel was developed. The new position titled **Human Resources Generalist** was developed. The additional duties for HR added to the Human Resources Generalist are:

1. Limited oversight over Accounting Technician.
2. Workers compensation claim filing and posting of OSHA Logs.
3. Administers and records performance evaluations and associated payroll activity.
4. Prepares, updates and maintains Civil Service job descriptions.
5. Advertises job openings; evaluates and screens applications; maintains job postings; schedules, administers, scores and sends correspondence related to applicant exams; keeps related applicant records; sets up and coordinates interview schedules.
6. Provides assistance to the Finance Director; verifies and prepares information for the budget and audit.
7. Prepares cash receipts and deposits.

Future Needs

Terry Knudson is currently acting in the capacity of the HR Generalist since late 2015 and I would like Ms. Knudson to become Society for Human Resources Management (SHRM) SHRM-CP certified as soon as possible.

The City of East Grand Forks needs professionally trained and certified Human Resource staff to handle the increasingly complex needs of a City of our size. I am recommending that the City move towards permanently staffing the HR Generalist position and requiring anyone in the position to obtain SHRM-CP certification within one year of employment.

Direction Needed

I would like discussion and direction from Council regarding this position. I am also recommending that Ms. Knudson be reclassified to HR Generalist position retroactive to January 1, 2016 and adding the requirement of SHRM-CP certification to the HR Generalist position.

2016	Step							
Grade	1	2	3	4	5	6	7	8
11	38,416.36	39,427.32	40,438.28	42,460.19	44,482.10	46,504.02	48,526.29	50,547.85
14	46,405.03	47,626.22	48,847.40	51,289.77	53,732.13	56,174.51	58,616.88	61,059.25

I have spoken to Springsted and they have confirmed that the addition of the certification requirement will not change the grade of the position – I will have that in writing prior to adoption of any changes.

Staff Recommendation

Move the change of Ms. Knudson to HR Generalist effective January 1, 2016 and addition of the SHRM-CP certification to the position description of HR Generalist on to the October 18 City Council Meeting.

RESOLUTION NO. 16 – 10 – 100

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

WHEREAS, the City of East Grand Forks needs a professionally trained and certified Human Resource staff to handle the increasing complex needs of the city; and

WHEREAS, Ms. Terry Knudson is currently acting in the capacity of the Human Resource Generalist and has been since late 2015; and

WHEREAS, a requirement of this position is to obtain Society for Human Resources Management (SHRM)-CP certified as soon as possible but no later than a year of being in the position; and

WHEREAS, the City Administrator has made the recommendation to have Ms. Knudson become the Human Resource Generalist effective as of January 1, 2016;

WHEREAS, Ms. Knudson would be placed on Grade 14 Step 5 as Human Resource Generalist;

NOW, THEREFORE, BE IT HEREBY RESOLVED the City Council hereby approves promoting Ms. Knudson to Human Resource Generalist, place her on Grade 14 Step 5, and retroactively compensates her from January 1, 2016 at Grade 14 Step 5.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: October 18, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 18th day of October, 2016.

Mayor

Human Resources Generalist

Dept/Div: Administration

FLSA Status: Non-Exempt

General Definition of Work

Performs intermediate administrative work coordinating various human resources programs and processes, preparing and processing payroll, A/P and finance related information, serving as secretary to the civil service commission, and related work as apparent or assigned. Work is performed under the general direction of the City Administrator and Finance Director. Limited oversight is exercised over Accounting Technician.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

Plans, organizes, administers, oversees and maintains personnel and human resources recordkeeping systems including various calendars, reports, programs, handbooks and job descriptions; ensures regulatory compliance.

Administers worker's compensation, including claims filing and retention, preparation and posting of OSHA 300 Logs. Implements and coordinates the wellness program and committee.

Assists the City Administrator with the design of compensation and benefit programs.

Ensures compliance with applicable rules, regulations, laws and ordinances pertaining to human resources practices, including the FLSA and FMLA, and Minnesota Pay Equity.

Administers and records performance evaluations and associated payroll activity.

Administers the drug and alcohol testing program.

Administers employee benefit programs, annual open enrollment and associated payroll activity.

Facilitates new hire orientation and benefit enrollment.

Serves as the secretary to the civil service commission; maintains meeting agendas and minutes.

Prepares, updates and maintains Civil Service job descriptions.

Advertises job openings; evaluates and screens applications; maintains job postings on the website; schedules, administers, scores and sends correspondence related to applicant exams; keeps related applicant records; sets up and coordinates interview schedules.

Reviews and verifies employee payroll information; processes payroll; processes and submits ACH file; reconciles payroll payments; prepares payroll related reports.

Reconciles the general ledger, prepares journal entries; reconciles 941 returns to W-2's.

Prepares employee severance packages.

Classifies, verifies and codes entries into the accounting system; verifies, reconciles and processes various accounting and financial data.

Assists with preparing accounts payable data; verifies batches and generates checks; verifies purchases and that funds exist as needed as a backup.

Provides assistance to the Finance Director; verifies and prepares information for the budget and audit.

Prepares cash receipts and deposits.

Provides clerical and administrative support to visitors; takes and responds to inquiries; labels, copies, or prepares mailings for staff; prepares, sorts and distributes incoming and outgoing mail; provides support for other clerical staff.

Human Resources Generalist

Dept/Div: *Administration*

FLSA Status: *Non-Exempt*

Knowledge, Skills and Abilities

Thorough knowledge of government accounting principles, practices and standards; thorough knowledge of rules, regulations and policies related to human resource management in the public setting; thorough knowledge of standard office procedures, practices and equipment; thorough knowledge of accounts payable, payroll and human resources systems and processes; ability to operate standard human resources data systems; ability to operate standard office equipment and related hardware and software; ability to learn specialized software or systems related to business need; ability to maintain related records, reports and statements; ability to establish and maintain effective working relationships with associates, vendors, elected officials and the general public.

Education and Experience

Associates/Technical degree with coursework in business administration, human resources, accounting, finance, or related field and considerable experience working with payroll data, working in accounting or human resources, or equivalent combination of education and experience.

Physical Requirements

This work requires the occasional exertion of up to 25 pounds of force; work regularly requires sitting, speaking or hearing, using hands to finger, handle or feel and repetitive motions, frequently requires reaching with hands and arms and occasionally requires standing, walking, climbing or balancing, pushing or pulling and lifting; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, operating machines and observing general surroundings and activities; work has no exposure to environmental conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

Special Requirements

Notary Public.

Applicable position, department, organization and professional training will be provided and must be completed upon hire and on an ongoing basis.

Last Revised: 11/17/2015

Accounting/Human Resources Technician

7002

Department: Administration
Points: 220 Grade: 11

FLSA Status: Non-Exempt

General Definition of Work

Performs intermediate administrative work preparing and processing payroll information, serving as secretary to the civil service commission, assisting with preparing financial and human resources related data, coordinating various human resources related programs and processes, and related work as apparent or assigned. Work is performed under the limited supervision of the City Administrator and Finance Director.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.

Essential Functions

- Plans, organizes, oversees and maintains personnel and human resources recordkeeping systems.
- Administers worker's compensation.
- Implements and coordinates the wellness program and committee.
- Assists the City Administrator with the design of compensation and benefit programs, and applicable staff union communications.
- Ensures compliance with applicable rules, regulations, laws and ordinances pertaining to human resources practices.
- Creates, maintains, verifies and submits applicable files, records and reports.
- Administers the drug and alcohol testing program.
- Administers employee benefit programs and open enrollment.
- Facilitates new hire orientation.
- Serves as the secretary to the civil service commission; maintains meeting agendas and minutes.
- Acts as a recruiter; schedules, administers, scores and sends correspondence related to applicant exams; keeps related applicant records; sets up and coordinates interview schedules.
- Reviews and verifies employee payroll information; processes and submits deposits; reconciles payroll payments and checks with vendor statements.
- Reconciles the general ledger, 941 returns and W-2's.
- Prepares employee severance packages.
- Classifies, verifies and codes entries into the accounting system; verifies, reconciles and processes various accounting and financial data.
- Assists with preparing accounts payable data; verifies batches and generates checks; verifies purchases and that funds exist as needed as a backup.

Knowledge, Skills and Abilities

Thorough knowledge of government accounting principles, practices and standards; thorough knowledge of rules, regulations and policies related to personnel management in the public setting; thorough knowledge of standard office procedures, practices and equipment; thorough knowledge of accounts payable, payroll and human resources systems and processes; ability to operate standard human resources data systems; ability to operate standard office equipment and related hardware and software; ability to learn specialized software or systems related to business need; ability to maintain related records, reports and statements; ability to establish and maintain effective working relationships with associates, vendors, elected officials and the general public.

Education and Experience

Associates/Technical degree with coursework in business administration, human resources, accounting, finance, or related field and considerable experience working with payroll data, working in accounting or human resources, or equivalent combination of education and experience.

Accounting/Human Resources Technician

Physical Requirements

This work requires the occasional exertion of up to 10 pounds of force; work regularly requires sitting, speaking or hearing, using hands to finger, handle or feel and repetitive motions, frequently requires reaching with hands and arms and occasionally requires standing, walking, stooping, kneeling, crouching or crawling, pushing or pulling and lifting; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work has no exposure to environmental conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

Special Requirements

Applicable position, department, organization and professional training will be provided and must be completed upon hire and on an ongoing basis.

Valid driver's license.

Last Revised: 5/17/2012

SHRM CERTIFIED PROFESSIONAL (SHRM-CP)

HR professionals who implement policies and strategies, serve as point of contact for staff and stakeholders, deliver HR services, and perform operational HR functions, should take the SHRM-CP exam.

SHRM-CP ELIGIBILITY REQUIREMENTS

Less than a Bachelor's Degree*	HR-Related Program 3 years in HR role	Non-HR Program 4 years in HR role
Bachelor's Degree	HR-Related Degree 1 year in HR role	Non-HR Degree 2 years in HR role
Graduate Degree	HR-Related Degree Currently in HR Role	Non-HR Degree 1 year in HR role

*Less than a bachelor's degree includes: working toward a bachelor's degree; associate's degree; some college; qualifying HR certificate program; high school diploma; or GED.

Exam Format and Length

Computer-based experience.
Up to 4 hours in length.
160 questions (110 knowledge items/50 situational judgment items)

Exam Fee

SHRM Member: \$300* USD
Nonmember: \$400* USD

*Includes \$50 nonrefundable application fee.

Spring Exam Window: May 1 - July 15, 2016

APPLICATIONS ACCEPTED	REGULAR APPLICATION DEADLINE	LATE APPLICATION DEADLINE
Jan. 4	Mar. 25	Apr. 15

Winter Exam Window: Dec. 1, 2016 - Feb. 15, 2017

APPLICATIONS ACCEPTED	REGULAR APPLICATION DEADLINE	LATE APPLICATION DEADLINE
May 16	Oct. 21	Nov. 11

Please note: The exam application deadlines close at 11:59 PM, ET.

NEXT-GENERATION CREDENTIALS FOR HR PROFESSIONALS

(<http://community.shrm.org/home/>) (<https://www.facebook.com/societyforhumanresourcemanagement>)
(<https://plus.google.com/108385193990539359435/posts>) (<http://twitter.com/SHRM>) ([http://www.linkedin.com/company/shrm?](http://www.linkedin.com/company/shrm?trk=NUS_CMPY_TWIT))
(<http://www.youtube.com/user/SHRMofficial>) ([/about/pages/rss.aspx](#))

CONTACT US

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Top 5 Ways Your Organization Will Benefit From Your SHRM-CP or SHRM-SCP Certification

There are many reasons why you should pursue **SHRM-CP or SHRM-SCP certification**. Once you set your certification or professional development goal, it's time to talk to your manager. Help your manager understand the value of certification and build a business case for certification and training as a worthwhile investment. Schedule a meeting with your manager and arrive prepared with the powerful talking points provided below. They demonstrate why your organization should support your efforts to prepare for and attain SHRM-CP or SHRM-SCP certification.

1 MY KNOWLEDGE WILL BE CURRENT AND RELEVANT

Now, more than ever, HR teams are required to assume a greater leadership role, contributing to and advancing their organizations' strategic direction. The SHRM-CP and SHRM-SCP credentials recognize this trend and take a fresh and current look at what HR professionals need to know—and how to put that knowledge to work. The certification program covers behavioral competencies and functional knowledge areas within the themes of HR Competencies, People, Organization, Workplace and Strategy. Attaining and maintaining my credential means I'll be ready to take on new roles and responsibilities.

2 I WILL LEARN PRACTICAL SKILLS THAT WILL IMPACT MY JOB IMMEDIATELY

SHRM certification is the new standard for HR professionals around the globe, as it is among the first to focus on practical, real-life HR information, teaching, and testing competencies and knowledge. When I prepare for the certification exam with the SHRM Learning System, I won't be simply memorizing a textbook; I'll be applying concepts, using behavioral judgment and understanding best practices for handling day-to-day business as well as unexpected scenarios. I'll be learning from the experiences of other HR professionals, sharpening my skills, and boosting my productivity and effectiveness.

3 THESE CERTIFICATIONS WERE DEVELOPED WITH EMPLOYERS IN MIND

SHRM conducted global research, including outreach to major corporations, universities and over 35,000 members of the profession worldwide. Based on its findings, SHRM determined that, in addition to technical knowledge, a successful HR career will also be determined by behavioral competencies—the SHRM-CP and SHRM-SCP include both of these essential elements. This credential will reflect what I need to know and how to apply it to be a leader in our organization. Growing the influence of HR leaders through certification is a worthwhile investment that also improves our reputation as an organization that takes HR seriously.

4 MY KNOWLEDGE AND SKILLS WILL BE GLOBALLY APPLICABLE AND UNIVERSALLY RECOGNIZED

We live and work in a global economy, and my skills need to be globally applicable and accepted. Based on one single SHRM Body of Competency and Knowledge, the SHRM-CP and SHRM-SCP credentials are relevant and applicable worldwide. Earning this credential will give me the recognition and flexibility to use my knowledge, skills and competencies anywhere our organization operates, now and in the future.

5 MY CERTIFICATION AND TRAINING IS PROVIDED BY THE LEADING ADVOCATE FOR HR PROFESSIONALS

SHRM has represented the HR community for more than 68 years, and has more than 275,000 members in 160 countries. It is a well-respected organization at the forefront of HR trends and emerging professional knowledge. The SHRM BoCK, the foundation of my credential and recertification, is supported by SHRM, is kept current and relevant, and encourages lifelong learning. Training of this caliber and reliability cannot be replicated, and it provides an opportunity for our entire HR team from which our whole organization can benefit—ultimately saving our organization time and money on training and professional development.

Minutes of the regular meeting of the Water, Light, Power and Building Commission of the City of East Grand Forks, Minnesota held September 15, 2016 at 5:00 P.M.

Present: Loven, Quirk, Tweten

Absent: Grinde

It was moved by Commissioner Tweten seconded by Commissioner Quirk that the minutes of the previous meeting of September 1, 2016 be approved as read.

Voting Aye: Loven, Quirk, Tweten

Voting Nay: none

It was moved by Commissioner Quirk seconded by Commissioner Tweten to authorize the Secretary to issue payment of the recommended bills and payroll in the amount of \$1,157,692.29.

Voting Aye: Loven, Quirk, Tweten

Voting Nay: none

It was moved by Commissioner Quirk seconded by Commissioner Tweten to approve the quote from Border States Electric in the amount of \$23,335 to replace the lights at the DSC truck bay and storage area with LED lighting.

Voting Aye: Loven, Quirk, Tweten

Voting Nay: none

It was moved by Commissioner Tweten seconded by Commissioner Quirk to designate Commissioner Quirk and Commissioner Grinde as representatives for the negotiation sub-committee for the Teamsters Union 120 employees.

Voting Aye: Loven, Quirk, Tweten

Voting Nay: none

It was moved by Commissioner Tweten seconded by Commissioner Quirk to authorize signing the agreement to execute the USGS Annual Cost Share Agreement and payment of the EGF contribution as budgeted.

Voting Aye: Loven, Quirk, Tweten

Voting Nay: none

It was moved by Commissioner Quirk seconded by Commissioner Tweten to authorize implementation of a US Bank purchasing card system to replace our present card system.

Voting Aye: Loven, Quirk, Tweten

Voting Nay: none

It was moved by Commissioner Tweten seconded by Commissioner Quirk to accept the quote from Midwest Refrigeration in the amount of \$15,470 for the removal and disposal of the existing condensing unit and installation of a new unit for the WTP carbon dioxide system.

Voting Aye: Loven, Quirk, Tweten

Voting Nay: none

It was moved by Commissioner Quirk seconded by Commissioner Tweten to authorize the Civil Service secretary to send an official letter to offer Keith Mykleseth the General Manager position for the Water & Light Department.

Voting Aye: Loven, Quirk, Tweten

Voting Nay: none

It was moved by Commissioner Quirk seconded by Commissioner Tweten to adjourn to the next regular meeting on October 6, 2016 at 5:00 P.M.

Voting Aye: Loven, Quirk, Tweten

Voting Nay: none

Lori Maloney
Secretary

RESOLUTION NO. 16 – 10 – 101

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

WHEREAS, The City Administrator/Clerk-Treasurer with the assistance of the person designated, has calculated the proper amount to be specially assessed against every lot, piece and parcel of land, without regard to cash valuation, utilities and street foundation improvements described as “2016 Assessment Job No. 2 – Paving and Sidewalk Construction in the Riverview 10th Addition”; for a total assessment of \$344,176.11; and

WHEREAS, Said calculations known as the proposed assessments were filed with the Administrator/Clerk-Treasurer on September 20, 2016; and

WHEREAS, On September 28th, October 5th and 12th, a published notice was in the official newspaper of a special assessment hearing to consider the said proposed assessment, and a copy of said published notice was mailed on September 26, 2016 to the owner(s) of the tract(s) or parcel(s) of land as provided by law, and the public hearing was held on October 18, 2016 and all objections to said proposed assessment have been considered by the Council, and

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

BE IT FURTHER RESOLVED, That said proposed assessments for said improvement be and hereby are adopted as the special assessments against the tracts of land stated in the assessment roll in the amount set out therein and that this assessment roll be given the descriptive name of “Assessment Roll No. 337 – Paving and Sidewalk Construction – Riverview 10th Addition”.

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

BE IT FURTHER RESOLVED, That interest at the rate of 4.5 percent per annum on the entire assessment from the date of the resolution levying said assessment to December 31, 2016, and each subsequent installment will be payable with one year’s interest at said rate on all unpaid installments, except that no interest will be charged if the entire assessment as to any parcel is paid at the office of the City Administrator/Clerk-Treasurer within 30 days from the date of adoption of the assessment roll or the last business day of November if there are more than 30 days from the date of adoption to the final business day of November in 2016.

Voting Aye:
Voting Nay:
Absent:

The President declared the resolution passed.

Passed: October 18, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 18th day of October, 2016.

Mayor

Request for Council Action

Date: 10/4/2016

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: Reid Huttunen

RE: Install of Digital 2" Sensor & Valve for Swimming Pool

Background:

At inspection of the Swimming Pool in July, Steve Klemm with the Minnesota Department of Health requested that the water level in the surge tank be lowered from the current level of 2 feet from the top of the tank, to a new level of 6 feet from the top. In order to operate the pool at this water level, a 2" digital sensor and water valve must be installed in the tank. This sensor and valve will take the place of the float system that was originally installed under the pool specifications. The float system won't work under Steve Klemm's request, because if the surge tank level raised high enough, it would bend or break the arm of float. TF Powers Construction bid the 2" Sensor & Valve parts and install at \$3,242 .00.

Total amount spent on the project to date is \$2,066,964.88. The final project cost agreed upon by the City was \$2,122,529.

Recommendation:

Install the 2" Sensor & Valve.

Enclosures:

Bid from TF Powers Construction Company and emails explaining this action.

Jeremy H

From: Mark Bohlman <Mark.Bohlman@eapc.net>
Sent: Friday, July 29, 2016 12:59 PM
To: Jeremy H
Subject: RE: EGF Aq

Jeremy,

Yesterday Derrick, Mark Naastad and I spoke and decided to approach David Murphy for permission to proceed with the 2" sensor and valve for \$3,000.00.

Please submit your proposal for this option. Thanks

Mark J. Bohlman
Project Manager - Construction



701.775.3003 | Direct
701.775.3000 | Main
701.772.3605 | Fax
701.739-6833 | Cell

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www.facebook.com/EAPCprogressive

From: Jeremy H [mailto:jeremyh@tfpowers.com]
Sent: Tuesday, July 26, 2016 10:44 AM
To: Mark Bohlman
Cc: Derrick Lunski
Subject: RE: EGF Aq

Mark,

See Custom Pools response in **Red** below to the cost to go to a sensor autofill system in lieu of the mechanical float that is currently detailed. These prices are per our conversation yesterday about his concerns of the mechanical float failing. He has priced two different options. Please give me a call with any questions/concerns/clarifications.

1" valve sensor system with a 2" valve for filling the pool will cost \$1800. A 2" sensor system with a 2" pool fill valve is \$3000. Thank You Mark Custom Pools@

Thanks!!!

Jeremy Hoesel
TF Powers Construction Co.
Celebrating 123 Years

From: Mark Bohlman [<mailto:Mark.Bohlman@eapc.net>]
Sent: Wednesday, July 20, 2016 3:09 PM
To: Jeremy H <jeremyh@tfpowers.com>
Cc: Derrick Lunski <Derrick.Lunski@eapc.net>
Subject: FW: EGF Aq

Jeremy,

Here is Steve Klemm's letter for the EGF Pool final inspection. Please forward a copy to Mark Naastad. Do we need to do anything with item #3?

Thanks

Mark J. Bohlman
Project Manager - Construction

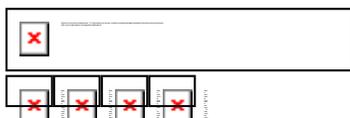


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From: Klemm, Steve (MDH) [<mailto:Steve.Klemm@state.mn.us>]
Sent: Tuesday, July 19, 2016 6:36 PM
To: Mark Bohlman
Subject: FW: EGF Aq

STEVE KLEMM P.E.
Minnesota Department of Health
Swimming Pool Engineering
p 651-201-4503



From: Klemm, Steve (MDH)
Sent: Tuesday, July 19, 2016 6:34 PM
To: 'wdietrich@eapc.net' <wdietrich@eapc.net>; custompools@gra.midco.net
Cc: 'dmurpht@ci.east-grand-forks.mn.us' <dmurpht@ci.east-grand-forks.mn.us>; Bommersbach, Adam (MDH) <Adam.Bommersbach@state.mn.us>
Subject: EGF Aq

STEVE KLEMM P.E.

Jeremy H

From: Russ Penn <rpenn@bergstromelectric.com>
Sent: Wednesday, August 31, 2016 10:43 AM
To: Jeremy H
Subject: FW: EGF Pool auto fill sensor

Keep forgetting to do this – guess custom pools wants us to run the low voltage also so have adjusted this cost to \$242.00 for the Kiddie pool sensor.

Russ Penn - Project Manager

PO Box 13152
3100 N. Washington Street
Grand Forks, ND 58208
p: 701-775-8897 | f: 701-772-4951
www.bergstromelectric.com
rpenn@bergstromelectric.com



From: Mark Bohlman [mailto:Mark.Bohlman@eapc.net]
Sent: Wednesday, August 31, 2016 10:35 AM
To: Russ Penn
Cc: Jeremy H; custompools@gra.midco.net
Subject: EGF Pool auto fill sensor

Russ,

Last we talked on this, you needed to revise your price to wire in the auto fill sensor at EGF Pool. I'd like to get that ASAP so we can get the Change Order approved before it fades into the sunset. Please send price to Jeremy. Mark Naastad says we can install the sensor without water so we can still get it done this fall. Thanks

Mark J. Bohlman

Project Manager - Construction



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701.739-6833 | Cell

Reid Huttunen

From: David Murphy [dmurphy@ci.east-grand-forks.mn.us]
Sent: Thursday, September 29, 2016 3:51 PM
To: rhuttunen@egf.mn
Subject: FW: EGF Cost Proposal - G34 Rev 2.pdf
Attachments: EGF Cost Proposal - G34 Rev 2.pdf

[Here you go.](#)

From: Mark Bohlman [<mailto:Mark.Bohlman@eapc.net>]
Sent: Monday, September 19, 2016 1:24 PM
To: David Murphy
Subject: EGF Cost Proposal - G34 Rev 2.pdf

Hi David,

During the final State inspection of the pool, Steven Klemm, Pool Engineer, requested that we install a digital water level detector and a valve to control the water in the surge tank. Steve asked for the water level to be set for a half empty surge tank. It currently is set about 2'-0" to 3'-0" from the top of the tank. Setting the water level lower will accommodate most types of water surges. A water surge can occur when a large amount of people enter the pool at the same time displacing a large amount of water. The more water that a surge tank can handle, the less likely of a spillover within the pump house.

Mark Naastad says this work can be done this fall with minor adjustments next spring.

May we have permission to do this work?

Let me know. Thank you.

Mark J. Bohlman
Project Manager - Construction



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701.739-6833 | Cell

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Request for Council Action

Date: 10/05/16

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: Megan Nelson

RE: Request for use of Parking Spot

Background:

Little Bangkok had previously come to the City and requested to have a parking spot for their delivery service. After some discussion the Council approved a spot for them to use by the stage.

Little Bangkok has now expanded to serving at the Air Base and is requesting to reserve a spot for loading and unloading the truck/trailer that will be used to haul the necessary items to and from the Air Base. They are requesting to reserve a spot from 8:30am until 10:00am and again from 2:00pm until 4:30pm. The truck/trailer would be parked in a different location and this space would only be used while they were loading and unloading.

Action:

Council discussion on how they would like to proceed.

Recommendation:

None.

Request for Council Action

Date: October 18th, 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: Nancy Ellis, City Planner

RE: Denial of Variance Request for Scheving porch from front yard setback

PLANNING COMMISSION RECOMMENDATION:

At the October 18th Planning Commission meeting, the Commission recommends denial for the variance of Beau and Kristen Scheving as: 1) They do not need the variance to use the property in a reasonable manner fitting of the area; 2) They do not need the variance because of a circumstances unique to the property, specifically the shape of property; and 3) Granting the variance will not be harmonious to the character and intent of the Ordinance.

GENERAL INFORMATION

APPLICANTS/PROPERTY OWNERS: Beau and Kristen Scheving.

REQUESTED ACTION: Applicant is requesting approval of variance from: City Code Sect 152.079 (D)(1) which requires a 30-foot front yard building setback. They would like to reduce this setback to approximately 22 feet to keep the front porch/stairs addition that has already been built to replace the existing front steps.

SITE ZONING/LAND USE: The site is currently zoned R-1 Single Family Residential.

SURROUNDING ZONING/LAND USE:

North: R-1 zoning, single family homes
West: R-1 zoning, single family homes
South: R-1 zoning, single-family homes
East: R-1 zoning, single family homes

LOCATION: See attached pictures

SPECIAL INFORMATION

This project was originally noticed during a drive-by inspection. The original concrete stairs were removed from the door and construction of the project had begun. Our building inspection office notified the person doing the project that a permit was needed. Upon review of the permit application and seeing that the new addition would be less than the required 30' front setback, they were informed that the project was not permissible by our current city code requirements. The applicant asked for a variance and was told that I could not issue a variance, it can only be approved by public hearing and approval by Planning Commission and City Council. This is the formal request and hearing.

ANALYSIS

The Planning Commission should make its recommendation based on the following three factors test for the "practical difficulties" legal standard:

- The first factor is that the property owner proposes to use the property in a reasonable manner.
Staff Comment: This use is reasonable for the zoning of the property and the size and shape of the property. The request to vary from the front setback is not reasonable in that it they were told that they could have a small landing and stairs to each driveway but no roof when they came in and applied for the permit. They continued to build without a permit.
- The second factor is that the landowner's problem is due to circumstances unique to the property not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property.
Staff Comment: There are no conditions unique to the property for which the variance is sought. Unfamiliarity with code requirements is not unique to the land.
- The third factor is that the variance, if granted, will not alter the essential character of the locality. Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area.
Staff comment: This building and request will not alter the character of the area and the structure will fit in with surrounding uses. It will not be out of scale or out of place.
- Other items to consider are:
 - 1) Is the variance in harmony with the purposes and intent of the ordinance? NO – the intent of the Ordinance is to keep all structures setback a minimum distance from the front lot lines so as to maintain a consistent look and feel. With other options available to the Applicants that would not require a variance, the request does not meet the criteria
 - 2) Is the variance consistent with the comprehensive plan? Yes – the variance does not change the current use of the property, and as such, is consistent with the Comp Plan
 - 3) Does the proposal put property to use in a reasonable manner? YES – the use is reasonable

- 4) Are there unique circumstances to the property not created by the landowner? NO
- 5) Will the variance, if granted, meet the practical difficulties test as opposed to a mere inconvenience? NO
-Neither the physical surroundings, nor shape or topographical conditions of the parcel present a practical difficulty to following city code. Removing the roof on this project is an inconvenience and not a practical difficulty.

STAFF RECOMMENDATION

Staff recommends denial of this variance to reduce the 30 foot front yard setback for a roofed landing/stairway. A building permit can be issued without the porch/roof.

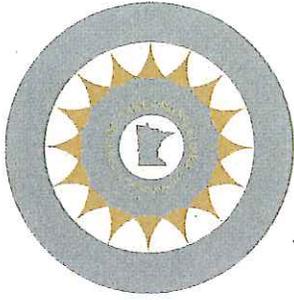
Enc. Pictures of property before and after, Findings of Fact

Picture of the duplex before construction began.





Picture after new construction



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

September 12, 2016

VIA: CERTIFIED MAIL RETURN REQUESTED

Beau Scheving
604 21st Street, NW
East Grand Forks, MN 56721

Roger Scheving
2222 Sunnyside Ct., NW
East Grand Forks, MN 56721

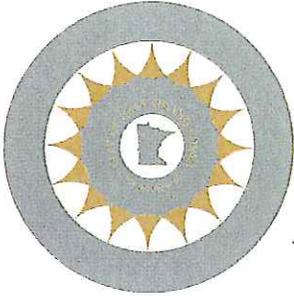
RE: Notice Zoning Violation

Dear Beau:

Nancy Ellis informed me that you have moved forward with your building project after being instructing your father Roger that you could not proceed because it violated the City Code. Roger has been the contact person with the City regarding your project. Roger previously called and spoke to me about this matter. I told him I was not aware of the situation and would need to look into it. I drove by and viewed the site, spoke with Nancy Ellis, and reviewed the City Code. Afterward, since Nancy is the City Planner I asked her to speak with Roger to give him options that would comply with our code. You then proceeded again without obtaining a building permit. But more importantly Beau, Roger was told by the Nancy Ellis before you even began construction that this porch would not meet the minimum setback requirements of the Zoning Section of the City Code of Ordinances. Nancy told him that the duplex is located within the R-1 zoning district and that the City Code Section 152.079 (D) (1) states; "Minimum building setback: (1) Thirty (30) feet from front property line". This porch is closer than 30 feet to the front property line and violates the setback requirements.

Originally, there were steps and a small roof over the steps that entered the duplex that you remove. The original steps and roof were allowed by the City Code. You currently have built a roof and deck across the entire width of the front of the duplex with stairs that exit off the ends of the deck/landing. The City Code allows the landing and stairs, but not the porch roof as stated in the conversation with Nancy before you build it. Presently, your project constitutes an addition/structure and it must meet the thirty foot front yard setback. The new roof is not allowed by City Ordinance and must be removed.

Beau, it has been determined that you are in violation of the City Code and you have a couple of options. You may request a variance from the planning commission as Nancy previously explained to your Dad or remove the roof from the top of the landing/stairs. In either event you must either remove the roof or apply for the variance within two weeks from the receipt of this letter. If you would like to request a variance this requires an application with an explanation of hardship and a public hearing. If you do not elect to remove the roof YOU MUST STOP ALL CONSTRUCTION UNTIL THE VARIANCE IS REVIEWED AND ACTED UPON BY THE PLANNING COMMISSION AND CITY COUNCIL. I am including the R-1 ordinance requirements and the variance requirements for your review.



City of East Grand Forks

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APPEAL NOTICE

Beau, I must put you on Notice that you can appeal this Notice of Violation decision to the Planning Commission. **You have 30 days from this notice to appeal.** (See Code Section 152.021 Appeals). You can access the City Code is on the City Website at www.egf.mn. The planning Commission must hold a public hearing on the application for appeal and after close of the hearing, shall make findings and submit its recommendation to the City Council. The City council shall make a final decision regarding the appeal which requires a 2/3 Majority vote of the Council.

Respectfully yours.

A handwritten signature in blue ink, appearing to read "Ron Galstad".

Ron Galstad,
City Attorney

Cc: Nancy Ellis, David Murphy

City of East Grand Forks

September 26th 2016

and Ron Galstad

Application for Variance on home address 604 & 606 21st street NW:

We would like to apply for a variance on this duplex. The roof that was built is roughly 2' over on the set back requirements. The home owners are Beau and Kristen Scheving, 606 21st street NW.

Regarding the letter written by Ron Galstad dated September 12 2016:

There are a few corrections to Ron's letter that I would like to point out. In the 1st paragraph 5th sentence Ron said he would speak to Nancy and she would get back to me. That never happened. I have not heard from her since I went in to get the building permit before the construction even began. In the 6th sentence of the 1st paragraph I did not proceed again because Nancy never got back to me regarding this issue. The 2nd paragraph 2nd sentence it said we built across the entire front of the home. That is not true, we built 26' across and the home is 34' wide. In the 3rd paragraph 2nd sentence it says Nancy explained to me about a Variance. This is true, but when I asked her for the form to fill out for a Variance she said she would not approve it and she would not give me the form.

My Explanation:

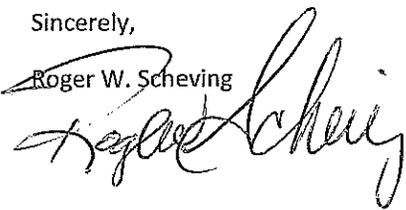
I went in to get a building permit on my son's new home, many repairs needed to be done on it. We needed to put in new windows, doors, new shingles and a new front porch. When I went in to get the permit we have not yet started the work but we were going to. The first thing I mentioned was the front porch. Nancy met me with resistance saying we could not put it on. She then explained that it could only be 8' out from the house and 13' wide. I explained to her that this was a duplex and she told me that there could be two 8'X13' front entries. I told her we would make it 8'X26' across (which we did) the front and she continued to argue with me. I never even got a chance to tell her the rest of the improvements. After leaving her office I called Ron Galstad to talk to someone about the situation. He was not available so I left him a message. A few days later when he returned my call I did explain to him the situation and he said he would have Nancy be in contact with me. I have not heard from her once since I went into get the permit. I know that the City is entitled to the building permit. I am willing to pay for it. The front porch that I went in to get a permit for is now "OK" but the roof isn't. This is the problem I always run into when I deal with building in this town. It should have never happened like this. I went ahead with the project because since I never heard from the City again I thought it must be alright. When I was working on my son's home a few weeks ago a couple of guy's stopped by from the City. They asked me why I did not have a building permit. I told them Nancy wouldn't give me one and they said they would speak to her and have her get back to me. She still has not got back to me. Then I received the letter from Ron Galstad.

Winter is coming and I would like to finish putting in the new windows that this home desperately needs. The siding also needs to be put back on. Please except the variance so we can put this behind us. My son's house is the furthest home set back on his block. We would be willing to sign anything the City would like stating it could never be enclosed. Also my son and daughter- in-law do not have the financial means to tear the roof off of their porch. We can also get signatures of the neighboring properties approving of this porch if the City would like.

We would like a hearing on this matter.

Sincerely,

Roger W. Scheving



RESOLUTION NO. 16 – 10 – 102

RESOLUTION ADOPTING FINDINGS OF FACT AND REASONS FOR DENIAL FOR VARIANCE APPLICATION OF BEAU AND KRISTEN SCHEVING AT 606 21ST ST NW

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

FACTS

1. Beau and Kristen Scheving are the owners of a parcel of land located at 606 21st St NW, East Grand Forks, Minnesota; and
2. The subject property is legally described as Lot 14, Block 2 Garden Valley 4th Addition.
3. The Schevings have applied to the City for a variance to build a porch less than 30’ from the front property line.
4. The proposal would vary from Section 152.217(D)(1) in that it would not meet the 30 foot front yard setback from the front property line; but be, in fact, approximately 22 feet from the front yard lot property line.
5. Following a public hearing on the application, the East Grand Forks Planning Commission has recommended denial of the variance on October 13, 2016.
6. The City Council of the City of East Grand Forks reviewed the requested variance at its Meeting of October 18, 2016.

APPLICABLE LAW

7. Minnesota Statute Section 462.357, subd. 6 provides:
 - a. Variances shall only be permitted (a) when they are in harmony with the general purposes and intent of the ordinance and (b) when the variances are consistent with the comprehensive plan.
 - b. Variance may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. “Practical difficulties,” as used in connection with the granting of a variance, means that (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality.
8. City Ordinance requires the Practical Difficulties legal standard in the that the property is used in a reasonable manner; that the landowners’ problem is due to circumstances unique to the property not caused by the landowner, as which, the uniqueness generally

relates to the physical characteristics of the particular piece of property; and finally, that the variance will not alter the essential character of the locality.

9. City Ordinance has variance standards which state: 1) Granting of the variance will not be in conflict with the Land Use Plan. 2) Exceptional or extraordinary circumstances apply to the property which do not generally apply to other properties in the same zoning district or vicinity, and result from lot size or shape, topography, or other circumstances over which the owners of property since the enactment of Chapter 10 have had no control; 3) The literal interpretation of the provisions of Chapter 10 would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Chapter. 4) That the special conditions or circumstances do not result from the actions of the applicant. 5) That granting the variance requested will not confer on the applicant any special privilege that is denied by Chapter 10 to owners of other lands, structures or buildings in the same zoning district. 6) The variance requested is the minimum variance, which would alleviate the hardship. 7) Economic considerations alone shall not constitute a hardship if a reasonable use of the property otherwise exists under the provisions of Chapter 10.

CONCLUSION OF LAW

10. The requested variance is not in harmony with the purposes and intent of the ordinance because a thirty foot setback is required for all single family residential homes to keep privacy and maintain a consistent look and feel. If everyone had no intentions of following the ordinance, there would be no reason to have the regulation.
11. The requested variance is consistent with the comprehensive plan because it still continues to use the property in a residential manner
12. The property owner does not propose to use the property in a reasonable manner because it only had stairs before the start of construction and would be allowed now to have stairs/landing to each of the driveways without a variance.
13. There are not unique circumstances to the property not created by landowner because this lot has enough width and depth to meet the City's setback requirements and did have stairs before that were in compliance with the current City Code.
14. The variance will not maintain the essential character of the locality because there are no other houses in the area that have porches and by allowing this property to vary from the Ordinance will allow others to seek a variance on their own property to install a porch.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of East Grand Forks, Minnesota, that the application to issue a variance to allow Beau and Kristen Scheving to build a porch so as to deviate from the Front yard setback requirement of 30 feet is hereby denied.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: October 18, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 18th day of October, 2016.

Mayor

Request for Council Action

Date: October 18 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: Nancy Ellis, City Planner

RE: Amend the 2045 Land Use Plan for the Pesch property to allow for primarily residential use instead of commercial uses

PLANNING COMMISSION RECOMMENDATION:

At the October 13th Planning Commission meeting, the Commission recommends to amend the 2045 Land Use Plan (part of the Comprehensive Plan) to allow for primarily residential zoning instead of commercial zoning in the northwest corner of Bygland Road and Greenway Blvd SE.

GENERAL INFORMATION

APPLICANTS/PROPERTY OWNERS: Richard and Diane Pesch, property owners; David Roberson, applicant. The applicant and property owners are requesting Comprehensive Plan amendment (2045 Land Use Plan amendment) and Zoning Change.

REQUESTED ACTION: The City of East Grand Forks is requesting a comprehensive plan amendment to the 2045 Land Use Plan for the north portion of the Pesch property from commercial to residential designation.

SITE ZONING/LAND USE: This is an empty lot with a Highway Commercial (C-2) designation. The Peschs' have been unable to sell the property as commercial and there has been little if any interest from any commercial developers.

SURROUNDING ZONING/LAND USE:

North: PUD zoning, Single-family homes

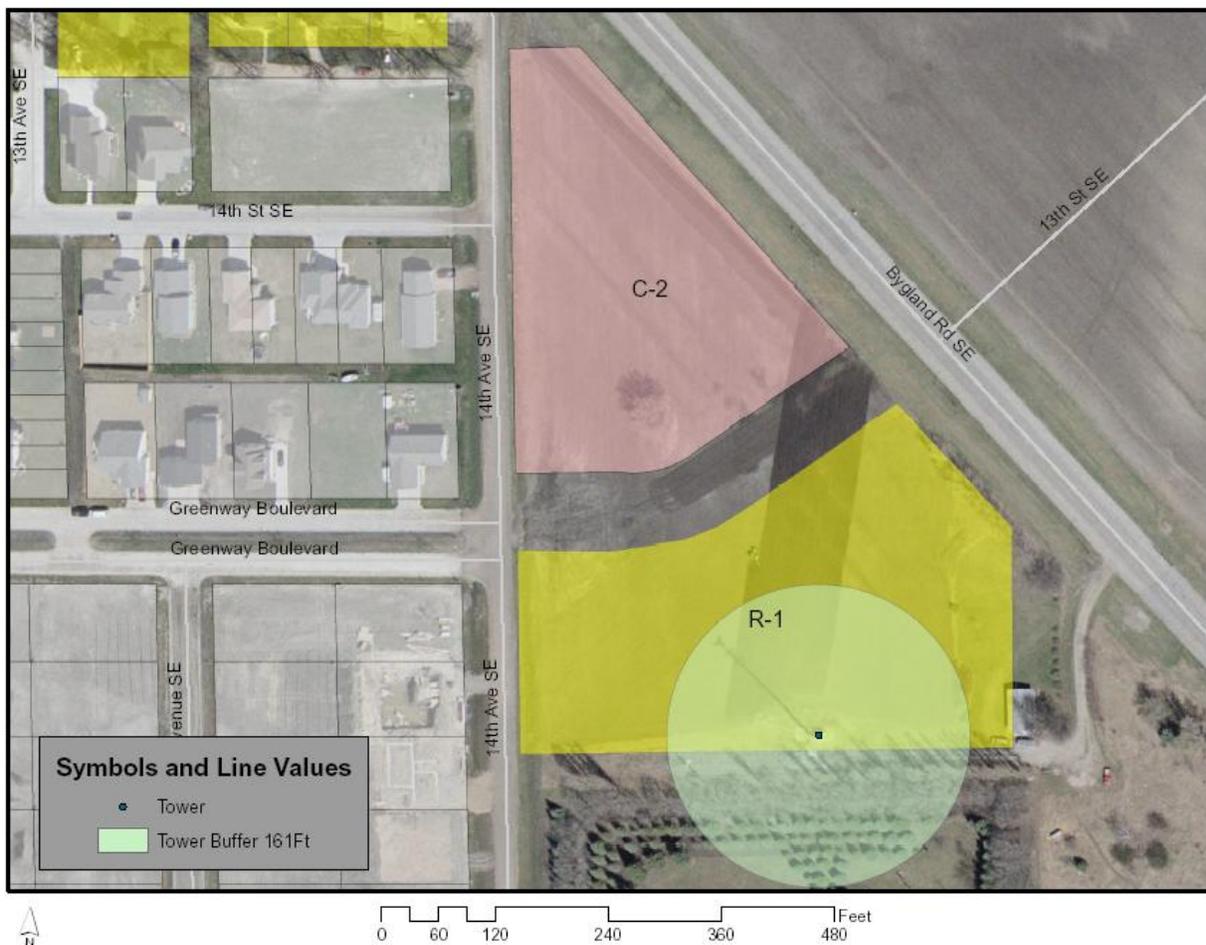
West: PUD zoning, Twinhomes and single-family homes

South: Out of City Limits, rural residential homes and farmsteads

East: R-1 zoning, mainly vacant land with some single family homes

STAFF RECOMMENDATION

It has been discussed in the past that this triangular piece would be a good location for a certain type of commercial business, specifically a convenience store and/or gas station and/or car wash. The intersecting of the three roads – Bygland Road, 14th Ave SE (Hartsville Road), and Greenway Boulevard/13th Street SE makes this: A) a good location for commercial business because of a limited number of commercial properties in the area; and B) Hard to place any residential access off of these two low –priority roads and a high-priority road – Bygland Road. See drawing below for the 2007 zoning designation and Comp Plan Land Use Change.



However, there has been little to no interest for any commercial development on this property. There are townhomes along 14th Ave SE to the south of Greenway Boulevard and the developer states that there is a need for more two family residences in the GF-EGF area. There is also a designated commercial space in the 2045 Comp Plan on the south side of 13th St SE and west of Bygland Road.

Therefore, the applicants ask that you consider the Comprehensive Plan Amendment of the Pesch property to amend the 2045 Land Use Plan to allow for the north portion of the property (north of Greenway Boulevard) to go from Commercial to Two Family Residential property. Please keep in mind that as the Point Area continues to grow in residences, commercial property is necessary to keep the south end a viable, livable, and walkable community.

If the comp plan amendment and rezone is approved, you will then consider and potentially approve a site plan from a potential developer for PUD (mixed residential) zoning. The developer is proposing a twinhome/townhome development.

RESOLUTION NO. 16 – 10 - 103

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

WHEREAS, the City of East Grand Forks has an adopted East Grand Forks Comprehensive Plan; and

WHEREAS, the proposed plan update is in general agreement with the other elements of the East Grand Forks Comprehensive Plan, those other elements being the following:

1. The Grand Forks – East Grand Forks 2009 Downtown Plan Update Element, together with all maps, information and data contained therein.
2. The Grand Forks – East Grand Forks 2040 Long Range Transportation Plan Update, which contains the following sections:
 - a. Bikeway Element, together with all maps, information and data contained therein.
 - b. Pedestrian Element, together with all maps, information and data contained therein.
 - c. 2012 Transit Development Plan Update, together with all maps, information and data contained therein.
 - d. Street and Highway Element, together with all maps, information and data contained therein.
 - e. Intelligent Transportation Systems (ITS) Strategy Element, together with all maps, information and data contained therein.
3. The 1998 East Grand Forks Downtown Plan prepared by Field – Paoli, together with all maps, information and data contained therein.
4. Greenway Plan Element, together with all maps, information and data contained therein.

And

WHEREAS, The Grand Forks – East Grand Forks Metropolitan Planning Organization with the City of East Grand Forks has prepared a Year 2045 Plan Update of the East Grand Forks Land Use Plan Element of the East Grand Forks Comprehensive Plan; and

WHEREAS, 2045 Plan Update of the East Grand Forks Land Use Plan Element of the East Grand Forks Comprehensive Plan is a guide for future growth for the City; with goals and policies, and an implementation plan, and

WHEREAS, the Land Use Plan may be amended to reflect changes in the community; and

WHEREAS, the Land Use Plan is a representation of the goals and values of the city; and

WHEREAS, the East Grand Forks Planning Commission held a public hearing to discuss the request from Richard and Diane Pesch – applicants and Dave Robertson – developer to amend the 2045 Land Use Plan to allow for the redesignation of the Peschs’ property north of Greenway Boulevard to Residential Land Use instead of the current designation of Commercial.

BE IT RESOLVED, By the City Council of the City of East Grand Forks, Minnesota, that the 2045 Plan Update to the East Grand Forks Land Use Plan Element of the East Grand Forks Comprehensive Plan, with this proposed amendment, be hereby approved and adopted with the complete amendment as stated: Change from Commercial Designation to Residential Designation for the 3.6 acres of Pesch property north of Greenway Boulevard and west of Bygland Road.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: October 18, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 18th day of October, 2016.

Mayor

Request for Council Action

Date: October 18 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: Nancy Ellis, City Planner

RE: Rezoning of Pesch Property on the corner of Bygland and Greenway Blvd SE

PLANNING COMMISSION RECOMMENDATION:

At the October 13th Planning Commission meeting, the Commission recommends to approve the rezone of the Pesch Property from C-2 Highway Commercial zoning to PUD Planned Unit Development zoning.

GENERAL INFORMATION

APPLICANTS/PROPERTY OWNERS: Richard & Diane Pesch; Dave Robertson - developer. The applicants are rezoning of the property.

REQUESTED ACTION: Rezone approximately 3.6 acres from Highway Commercial (C-2) to Planned Unit Development (PUD).

SITE ZONING/LAND USE: The site is west of Bygland Road and north of Greenway Blvd

SURROUNDING ZONING/LAND USE:

North: R-1 zoning, Single-family homes

West: PUD zoning, Greenway Crossing Development

South: Outside of City Limits (no zoning), rural residential homes and farmland

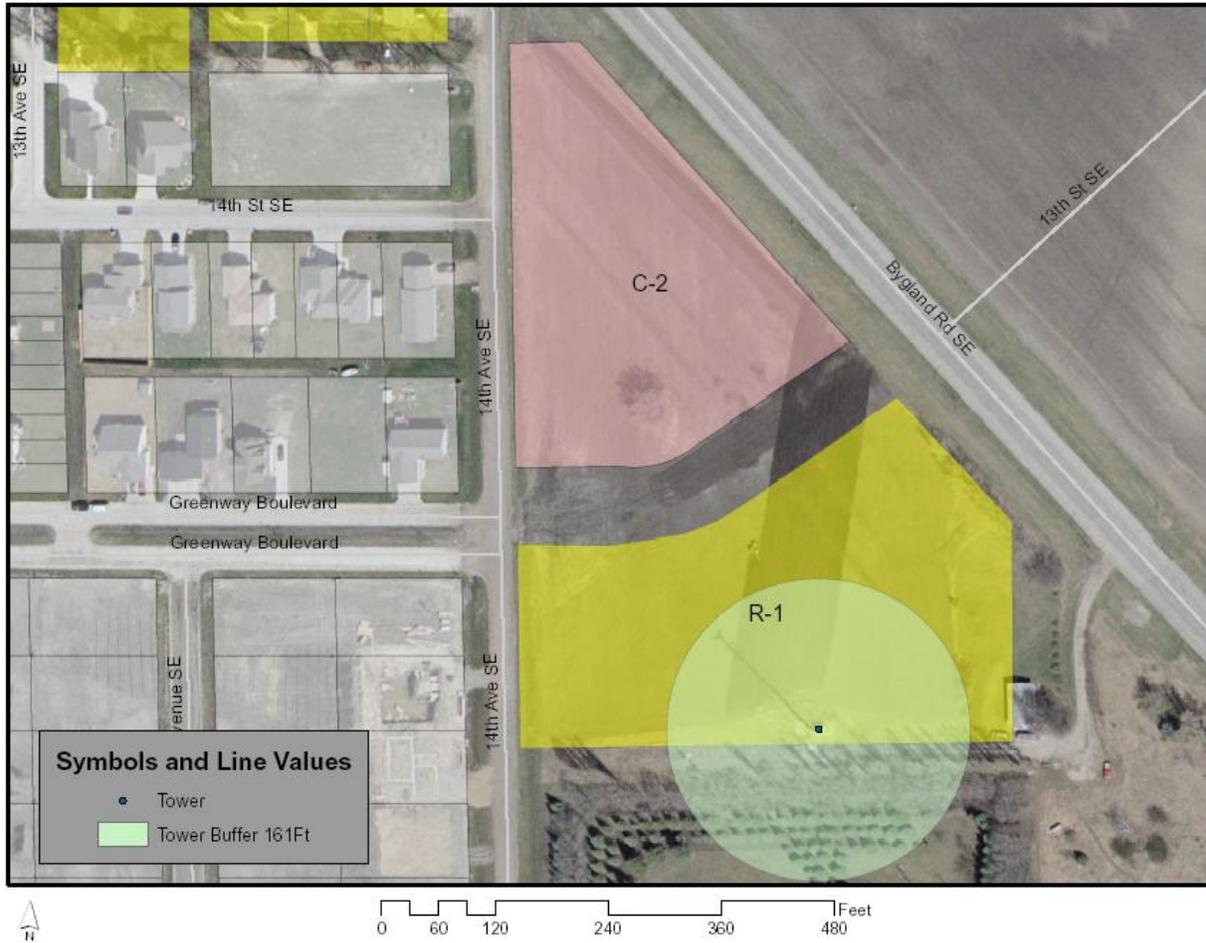
East: Mainly vacant land, single-family homes and school property

LOCATION: See attached map

SPECIAL INFORMATION

This property was annexed into the City in early April 2007. At that time, zoning was established for the site. The zoning request was for both C-2 and R-1 designation. Because the property was not

subdivided with the rezoning request, the developer/developers must submit a plat for the property, which will lie out how they intend to develop the land.



ANALYSIS

The Planning Commission should make its recommendation based on the following:

- Is this an appropriate zoning for this property?
Staff Comment: The property is a good fit for either C-2 or PUD zoning. The upper triangular piece, that is zoned C-2, is separated from other lots by intersecting roadways. These road placements create higher levels of traffic than local streets and no residential dwellings are allowed direct access off of these streets. A PUD, with various types of residential development (specifically twinhomes and/or residential/commercial combination) is **also consistent** with the area and could be appropriate zoning.
- How would this zoning fit with the current City Comprehensive Plan?
Staff Comment: The City's Comprehensive Plan is comprised of the following plan elements: 2045 Land Use Plan, Greenway Plan, 2045 Long Range Transportation Plan, 1994 River Forks Plan and

other approved studies. The 2045 Land Use Plan was adopted in 2015. The Plan provided growth scenarios for the City out twenty years. The plan does show a need for commercial development on the south end of the “Point” area. However, the 2045 Land Use Plan does also show residential land near this area, as well as the Bygland Road Study showing a potential roundabout and the Bygland/Greenway intersection. In order for the change in zoning, the Comprehensive Plan Amendment must be approved before the rezone request can be heard.

- How does this zoning fit into the current zoning in the area?
Staff Comment: R-1, R-2 and PUD is consistent with the current zoning map. Any residential zoning would be appropriate in this zone. If the developer wishes to rezone this to a Planned Unit Development (commonly referred to as PUD zoning) would also be appropriate in this area. A change in zoning to PUD must be accompanied with a Planned Unit Development plan. This type of development allows larger tract residential development under single ownership to be developed with greater flexibility and imaginative design than is generally possible under the conventional zoning regulations.

STAFF RECOMMENDATION

If the Comprehensive Plan Amendment is approved, staff recommends approval to rezone the property from C-2 to PUD.

RESOLUTION NO. 16 – 10 - 104

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

WHEREAS, Richard and Diane Pesch, applicants and Dave Roberton, developer approached the City of East Grand Forks with a proposal to rezone 3.6 acres of property west of Bygland Road and north of Greenway Boulevard replatted as Emerson Estates Addition (the “Subject Property”); and

WHEREAS, the Developer proposed to split the singular lot into 8 lots and an Outlot and sell each side of the twinhome on the Subject properties; and

WHEREAS, the Subject Property is currently zoned C-2 Highway Commercial and does not allow for residential uses; and

WHEREAS, on October 18, 2016 pursuant to City Code Section 152.024, Paragraph B, Subparagraph 6, the City’s Planning Commission held a public hearing for the purpose of considering the Developer’s request to rezone the Subject property from C-2 Highway Commercial to PUD Planned Unit Development; and

WHEREAS, the Planning Commission sent its report to the City Council approving the Developer’s request to rezone the Subject property from C-2 Highway Commercial to PUD; and

WHEREAS, after careful consideration, the City Council finds that:

1. The proposed rezoning has been considered in relation to the specific policies and provisions of, and has been found to be consistent with the official City Land Use Plan.
2. The proposed use is or will be compatible with present and future land uses of the area.
3. The proposed use conforms with all performance standards contained in City Code Chapter 152.
4. The proposed use can be accommodated with existing and planned public services and will not overburden the City’s service capacity.
5. Traffic generation by the proposed use is within the capabilities of the street system serving the property.

Now, therefore, it is hereby resolved that the zoning of Subject Property, Lots 1-8 Emerson Estates Addition from C-2 to PUD.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: October 18, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 18th day of October, 2016.

Mayor

Request for Council Action

Date: October 18th, 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: Nancy Ellis, City Planner

RE: Approval of Final Plat of Emerson Estates Addition

BACKGROUND AND SUPPORTING DOCUMENTATION OF REQUEST:

Planning Commission recommends final approval of the Emerson Estates Addition with shown utility and road/access easements and with the following comments:

- 1) Submit a digital file to planning office.
- 2) Add a notary signature to the Planning Commission Secretary and City Administrator signature lines

GENERAL INFORMATION

APPLICANTS/PROPERTY OWNERS: Richard and Diane Pesch – owners and Dave Robertson – developer/applicant

REQUESTED ACTION: Applicant is requesting preliminary and possible final approval of Emerson Estates Addition to the City of East Grand Forks.

SITE ZONING/LAND USE: PUD is the current zoning, vacant land (if the rezone from C-2 is approved)

SURROUNDING ZONING/LAND USE:

North: R-1 zoning, Valley Golf Course

West: R-1 zoning, Valley Golf Course

South: R-1 Zoning, single family homes, church and club house

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East: R-1 zoning, Waters Edge 1st Addition, single family homes

LOCATION: The parcel is located west of Bygland Road and north of Greenway Boulevard.

COMMENTS

This is a preliminary and possibly final plat application for Emerson Estate Addition. The property will be platted for twinhome/townhome development (Lots 1-6 and 7-8) with an outlet for a stormwater retention area to be dedicated to the City of EGF. The property was originally zoned C-2 Highway Commercial and if approved will allow for this property to be platted for twinhome/townhome lots.

The developer will be building on Block 1, Lots 1-6 first and will attempt to find a possible commercial use for lots 7-8. Because there has been no interest from commercial entities for this property in the past and IF the lack of interest for commercial businesses continues, he will build a twinhome unit between Lots 7-8 last; provided the other 6 units are built and the search for a potential commercial developer is exhausted. In addition the rezoning of the property and approval of a final plat, a concept development plan must be reviewed and approved for the Emerson Estates PUD.

Greenway Boulevard is a low priority roadway with access control that currently allows for no residential access and 120' spacing. This plat will show access point 120' from the ROW of Bygland Road for either a shared driveway (public access easement) for twinhomes or an access for a commercial use; with a public access directly across for the property to the south.

STAFF RECOMMENDATION

Staff recommends approving the Emerson Estates Addition with the following recommendations:

- Submit a digital file to planning office.
- Minor text changes on the plat
- access control line along Greenway Boulevard, with the exception of the shared driveway to the north (Lots 7 & 8) and Block 2, Lot 1 on the south side of Greenway Boulevard
- Possible Easement for a) stormwater line to retention area and b) utilities. This will be decided at the utility group meeting and presented at the Planning Commission meeting.

Enc. Emerson Estates Addition

Request for Council Action

Date: October 18th, 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: Nancy Ellis, City Planner

RE: Emerson Estates PUD concept development plan

PLANNING COMMISSION RECOMMENDATION:

Planning Commission recommends approval of the Emerson Estates PUD concept development plan. Please approve with the following recommendations:

1. If they have restrictive covenants or townhome association rules; a statement must be placed in the Notes portion of the development data stating that these rules are enforced by the association or property owners.
2. Show development data for any landscaping, sheds, screening and/or fences on the PUD plan.

GENERAL INFORMATION

APPLICANTS/PROPERTY OWNERS: Richard & Diane Pesch; Dave Robertson - developer. The applicants are rezoning of the property.

REQUESTED ACTION: Approve the Emerson Estates Planned Unit Development (PUD) concept plan.

SITE ZONING/LAND USE: PUD (if approved in previous public hearing)

SURROUNDING ZONING/LAND USE:

North: R-1 zoning, Single-family homes

West: PUD zoning, Greenway Crossing Development

South: Outside of City Limits (no zoning), rural residential homes and farmland

East: Mainly vacant land, single-family homes and school property

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LOCATION: The site is west of Bygland Road and north of Greenway Blvd

General Comments

The concept development plan addresses a number of items: road design, building square footage, stormwater drainage, driveways, building setbacks (including decks) and impervious coverage of lots. The new concept development plan addresses most of these issues. Building square footage will be dependent on the developer and the minimum square footages for twinhomes has already been submitted with his building plans (see attached).

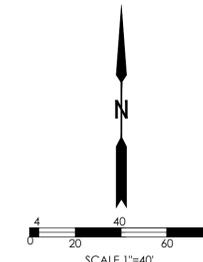
STAFF RECOMMENDATION

Staff recommends approval of the Emerson Estates PUD concept development plan. Please approve with the following recommendations:

3. List minimum setback requirements for possible buildings, fences, accessory structures on PUD plan as well.
4. Show architectural elevations wanted and list minimum square footage requirements for twinhomes
5. A statement that restrictive covenants or townhome association rules will be placed on the development should be listed in the Notes portion of the development data.
6. Show development data for any landscaping, sheds, screening and/or fences on the PUD plan.

EMERSON ESTATES ADDITION P.U.D. - CONCEPT DEVELOPMENT PLAN

(PRELIMINARY PLAT)
10-11-16

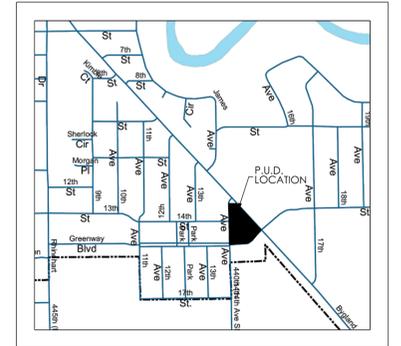


LEGEND

- MONUMENT FOUND
- SET MONUMENT
- NEW LOT LINE
- EXISTING LOT LINE
- R-O-W LINE
- PUD BOUNDARY
- PROPOSED BUILDING LINE
- ACCESS CONTROL
- BUILDING SETBACK LINE

VICINITY MAP

SCALE: 1" = 2000'



CONCEPTUAL TOWNHOME VIEW



GENERAL NOTES

- One access for residential use shall be allowed off of Greenway Boulevard 120 feet from centerline of driveway to lot corner.
- Outlot A is to be utilized as a stormwater detention lot and shall be dedicated to the City.
- All underground utility work performed with the public right-of-way shall be done in accordance with the City of East Grand Forks standard construction specifications.
- All signs shall be approved by the East Grand Forks planning department.
- Contractor required to notify Minnesota stormwater regulatory agency for stormwater runoff permits requirements prior to construction.
- Lot 7 and Lot 8 will be developed last and will be first reserved for C-2 purposes and secondarily for R-2 purposes.

LEGAL DESCRIPTION

Proposed Block 1, Emerson Estates Addition, to the City of East Grand Forks, Minnesota.

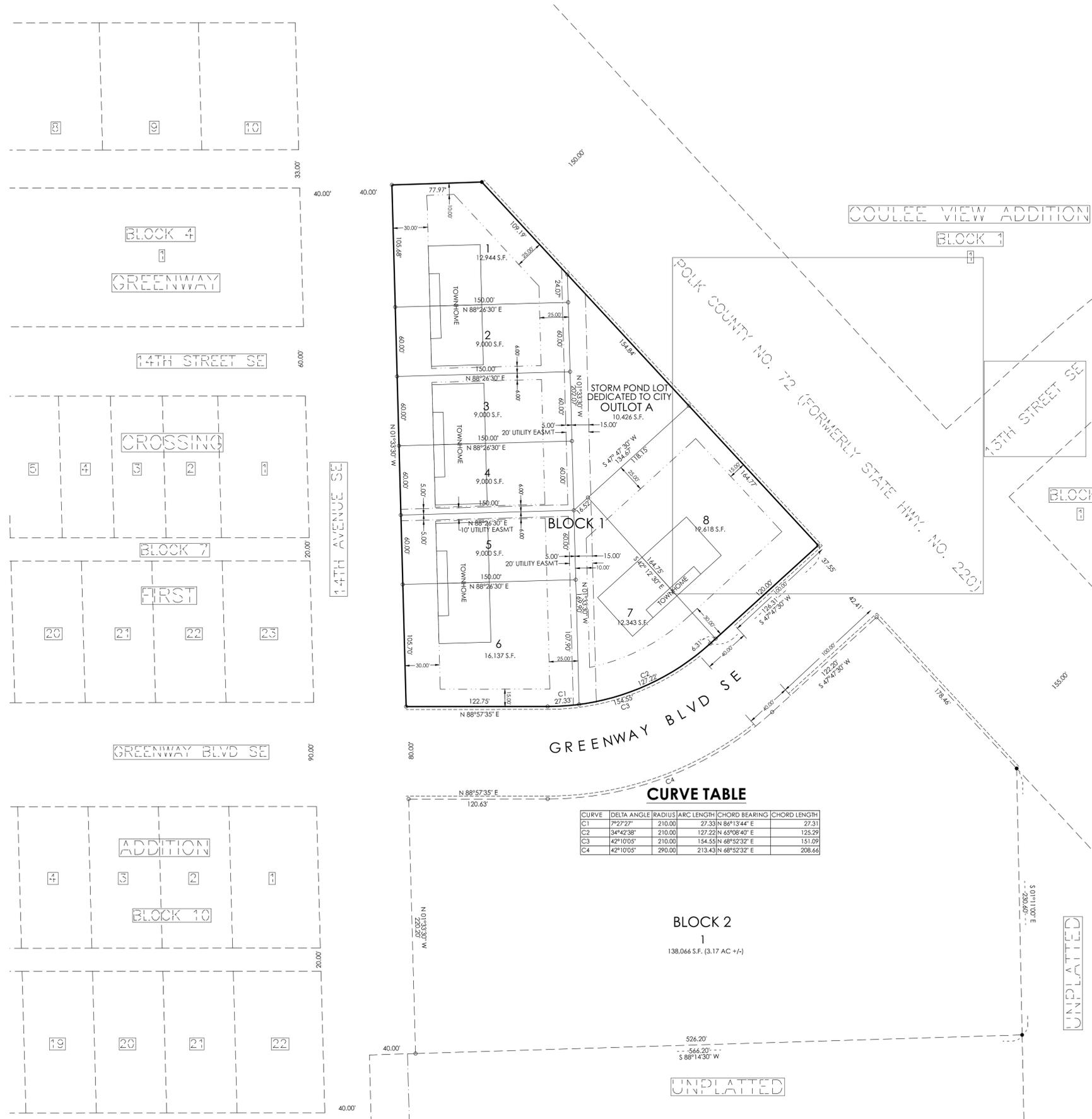
SITE DATA

Street Address: Not Assigned
 PUD Boundary
 South: Greenway Blvd
 West: 14th Avenue South
 East: Folk County Highway No. 72
 Zoning:
 Lots 1-6: R-2 (two-family residential district)
 Lots 7 and 8: R-2 (C-2 - SEE GENERAL NOTE 4)
 Outlot A - Stormwater Retention Lot to be dedicated to City
 PUD Area: 107,468 s.f. (2.47 ac.)
 Maximum Impervious Area:
 Lots 1-6: 45%
 Lots 7 and 8: 45% (R-2) (85% (C-2) - SEE GENERAL NOTE 4)

PUD REQUIREMENTS

R-2 (High Density Residential): Lots 1-8 and Outlot A
 Areas designate as R-2 on this PUD shall follow requirements of R-2 in the East Grand Forks Zoning Code and as follows:
 Lot Size Minimum = 7,400 s.f.
 Lot Width Minimum = 50 feet
 Lot Depth Minimum = 120 feet
 Front Property Line Building Setback = 30 feet (corner lots second front yard setback shall be 15 feet)
 Rear Property Line Building Setback = 25 feet (except private garages which shall be setback from the alley and side or rear property lines no less than 3 feet)
 Side Yard Building Setback for Lots 100 feet in Width or More = 10 feet
 Side Yard Building Setback for Lots Less than 100 feet in Width = 6 feet
 Side Yard Exceptions: Except on lots containing an attached twinhome or an attached townhome, 1 side will be set at 0 feet and the remaining side yard setback shall be as otherwise required.
 Maximum Impervious Lot Coverage = 45% (R-2)
 Maximum Building Height = 35 feet from average grade

Lot 7 and Lot 8 if C-2 (Highway Commercial District) is used: SEE GENERAL NOTE 6 Reserved zoning for Lot 7 and Lot 8
 Areas designate as C-2 on this PUD shall follow requirements of C-2 in the East Grand Forks Zoning Code and as follows:
 Front Property Line Structure Setback = 20 feet
 Rear Property Line Structure Setback = 10 feet
 Side Property Line Structure Setback = 10 feet
 Maximum Impervious Lot Coverage = 85% (C-2)
 Maximum Building Height = 40 feet from average grade
 Off street parking/loading areas setback = 20 feet from front lot line and 5 feet from rear lot line
 Any storage must be completely within enclosed building(s)



CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	79°27'00"	210.00	27.33	N 88°13'44" E	27.31
C2	34°42'38"	210.00	127.22	N 68°08'40" E	125.29
C3	42°10'05"	210.00	154.55	N 68°52'32" E	151.09
C4	42°10'05"	290.00	213.43	N 68°52'32" E	208.64

BLOCK 2

1
138,066 S.F. (3.17 AC +/-)

UNPLATTED

UNPLATTED

RESOLUTION NO. 16 – 10 – 105

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 25174 for a total of \$1,021.15.

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 \$1,021.15 paid for such goods is as low as, or lower than, the price at which they could have been obtained elsewhere at the time the purchase was made.
3. This resolution is passed to comply with the provisions of Minnesota Statutes, Section 471.87-89.
4. Resolution passed by unanimous vote of the council on October 18, 2016.

Voting Aye:
Voting Nay:
Abstain:

The President declared the resolution passed.

Passed: October 18, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 18th day of October, 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 25174 for a total of \$1,021.15.
3. This resolution is passed to comply with the provisions of Minnesota Statutes, Section 471.87-89.
4. Resolution passed by unanimous vote of the council on October 18, 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.

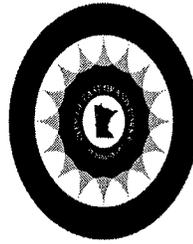
Dated: _____

(Signature of Official)

Accounts Payable

Check Register Totals Only

User: apassa
 Printed: 10/14/2016 - 8:38 AM



City of East Grand Forks

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

Check	Date	Vendor No	Vendor Name	Amount	Voucher
25137	10/18/2016	A&L002	A&L Siding & Home Improvement Co	90.00	0
25138	10/18/2016	ACM001	Acme Electric Companies	174.45	0
25139	10/18/2016	KJC001	Kurt Adamson	50.00	0
25140	10/18/2016	AFF001	Affinity Builders	76,308.05	0
25141	10/18/2016	ALB001	Albrecht Manufacturing	2,136.78	0
25142	10/18/2016	ALL003	All Seasons Garden Center	199.96	0
25143	10/18/2016	AME008	American Tire Service Inc	539.60	0
25144	10/18/2016	AME005	Ameripride Linen & Apparel Services	256.64	0
25145	10/18/2016	APP001	Applied Concepts Inc.	7.60	0
25146	10/18/2016	ARC001	Arctic Refrigeration	140.00	0
25147	10/18/2016	ATH001	Athletica Inc	205.00	0
25148	10/18/2016	BAL001	Balco Uniforms Co Inc	474.90	0
25149	10/18/2016	BEC001	Becker Arena Products Inc	1,155.63	0
25150	10/18/2016	BER001	Bert's Truck Equipment	1,000.00	0
25151	10/18/2016	C&R001	C&R Cleaners & Laundry	52.15	0
25152	10/18/2016	CAN001	Canon Financial Services	128.00	0
25153	10/18/2016	CAR008	Carrie Cariveau	310.00	0
25154	10/18/2016	GFC002	City of Grand Forks	164,240.50	0
25155	10/18/2016	COL004	Coldspring Memorial	4,407.42	0
25156	10/18/2016	COL002	Cole Papers Inc	426.32	0
25157	10/18/2016	COM003	Complete Pest Control Inc	75.00	0
25158	10/18/2016	DAK006	Dakota TV & Appliance	1,050.74	0
25159	10/18/2016	DAS001	Dash Medical Gloves	283.60	0
25160	10/18/2016	EGF005	EGF Firemen's Relief Association	68,280.51	0
25161	10/18/2016	EME001	Emergency Apparatus Maintenance In	600.99	0
25162	10/18/2016	EXP002	Exponent	1,061.58	0
25163	10/18/2016	FIL001	Filter Care	528.84	0
25164	10/18/2016	ODL001	Fitzgerald, Reynolds & Harbott PLLP	943.00	0
25165	10/18/2016	G&K001	G&K Services	73.01	0
25166	10/18/2016	GAL003	Galstad Jensen & McCann PA	10,892.77	0
25167	10/18/2016	GOP002	Gopher State Lawn Sprinklers	109.38	0
25168	10/18/2016	EXP003	Grand Forks Police Department	60.00	0
25169	10/18/2016	GFC001	Grand Forks Utility Billing	17,520.24	0
25170	10/18/2016	GFW001	Grand Forks Welding & Machine	7.78	0
25171	10/18/2016	GRE002	Greg's Lawn Care	635.00	0
25172	10/18/2016	H&H001	H&H Masonry	200.00	0
25173	10/18/2016	HAN007	Matthew Hangsleben	75.00	0
25174	10/18/2016	HAR001	Hardware Hank	1,021.15	0
25175	10/18/2016	HEA003	Jason Hearn	67.78	0
25176	10/18/2016	HEA001	Heartland Paper	633.09	0
25177	10/18/2016	HIG002	Higher Ground	4,756.00	0
25178	10/18/2016	HUG001	Hugo's	554.66	0
25179	10/18/2016	HUS001	Hussey Plumbing	108.00	0
25180	10/18/2016	ICS002	Industrial Contract Services Inc. ICS	113,677.00	0
25181	10/18/2016	INT003	Integra Telecom	94.31	0
25182	10/18/2016	JOB001	JobsHQ	776.88	0
25183	10/18/2016	JET002	Johnson Jet-Line	2,650.00	0
25184	10/18/2016	KEI001	Keith's Security World	230.00	0
25185	10/18/2016	KEN002	Kennedy & Graven, Chartered	43.75	0
25186	10/18/2016	KNO007	KNOX-AM	105.00	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
25187	10/18/2016	LIN001	Lincoln Aquatics	543.74	0
25188	10/18/2016	LOV002	Jason and Sarah Lovejoy	405.82	0
25189	10/18/2016	M&W001	M&W Services	425.00	0
25190	10/18/2016	MAR004	Marco	88.80	0
25191	10/18/2016	MAT001	James Mathsen	62.00	0
25192	10/18/2016	MID007	Midwest Refrigeration Inc	93.55	0
25193	10/18/2016	MIL004	Miller Motivations, LLC	6,950.00	0
25194	10/18/2016	MPW001	Minnesota Pump Works	1,475.00	0
25195	10/18/2016	MND006	VOID****VOID****VOID*** MN I	6,658.00	0
25196	10/18/2016	MNM002	MN Municipal Utilities Assoc	4,125.00	0
25197	10/18/2016	MTI001	MTI Distributing Company	1,594.72	0
25198	10/18/2016	NEW001	Newman Outdoor Advertising	2,260.00	0
25199	10/18/2016	NOR006	Northdale Oil	13,534.13	0
25200	10/18/2016	NOR004	Northern Plumbing Supply	57.20	0
25201	10/18/2016	ORE001	O'Reilly Automotive, Inc.	221.32	0
25202	10/18/2016	OFF002	Office Depot	150.94	0
25203	10/18/2016	OPP001	Opp Construction	80,695.30	0
25204	10/18/2016	ORC002	Roger Orchard	530.20	0
25205	10/18/2016	OSI001	OSI Environmental Inc.	136.00	0
25206	10/18/2016	PDQ001	PDQ Sanitary Services	221.00	0
25207	10/18/2016	PEC002	Pecka Excavating	500.00	0
25208	10/18/2016	PRA003	Prairie Wind BG Inc	327.50	0
25209	10/18/2016	PRA001	Praxair Distribution	32.83	0
25210	10/18/2016	PRE001	Premium Waters Inc	22.05	0
25211	10/18/2016	PSD001	PS Garage Doors	1,744.73	0
25212	10/18/2016	RIG001	Right Choice Electric Inc	1,138.08	0
25213	10/18/2016	RMB001	RMB Environmental Lab Inc	676.00	0
25214	10/18/2016	SAN006	Gary & Sherrie Sanders	500.00	0
25215	10/18/2016	SCH033	Shawnda Schroeder	130.00	0
25216	10/18/2016	SKI001	Skinner Roofing	400.00	0
25217	10/18/2016	SPR002	Spray Advantage	89.37	0
25218	10/18/2016	STE009	Sterling Carpet One	248.49	0
25219	10/18/2016	K&H001	Kenley Stordahl	4,000.00	0
25220	10/18/2016	STA005	Strata Corp	277,486.20	0
25221	10/18/2016	THU002	Thur-O-Clean	600.00	0
25222	10/18/2016	TRU001	True Temp	753.29	0
25223	10/18/2016	ULT001	Ultramax	282.00	0
25224	10/18/2016	UMN002	Attn: Gary Johnson University Of Min	60.00	0
25225	10/18/2016	USB004	US Bank Equipment Finance	139.86	0
25226	10/18/2016	VAL002	Valley Truck	35.90	0
25227	10/18/2016	VER001	Verizon Wireless	772.42	0
25228	10/18/2016	VIL001	Vilandre Heating & A/C	599.61	0
25229	10/18/2016	WAT001	Water & Light Department	134,464.83	0
25230	10/18/2016	WID001	Widseth Smith Nolting & Associates	38,647.25	0
25231	10/18/2016	WPR001	WP & RS Mars Co.	172.61	0
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