

**AGENDA
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, NOVEMBER 1, 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 18, 2016.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of October 25, 2016.
3. Consider approving the minutes of the “Special Meeting” for the East Grand Forks, Minnesota City Council of October 25, 2016.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS:

4. Public Hearing regarding the special assessments for snow removal and delinquent utility assessments.

CONSENT AGENDA:

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

5. Consider adopting Resolution No. 16-11-106 authorizing the City Administrator/Clerk-Treasurer to certify the listed account for sidewalk replacement to the County Auditor for collection starting with the 2017 real estate taxes for seven years at 5.5% on Parcel 83.00534.00.
6. Consider adopting Resolution No. 16-11-107 authorizing the City Administrator/Clerk-Treasurer to certify the special assessments for water service and sanitary sewer replacement for collection

starting with the 2017 real estate taxes for 20 years at 1% interest on Parcel 83.00316.00.

7. Consider adopting Resolution No. 16-11-108 authorizing the City Administrator/Clerk-Treasurer to certify the special assessments for water service and sanitary sewer replacement for collection starting with the 2017 real estate taxes for 20 years at 1% interest on Parcel 83.00315.00.
8. Consider adopting Resolution No. 16-11-109 authorizing the City Administrator/Clerk-Treasurer to certify the special assessments for water service replacement for collection starting with the 2017 real estate taxes for 10 years at 1% interest on Parcel 83.00308.00.
9. Consider adopting Resolution No. 16-11-110 authorizing the City Administrator/Clerk-Treasurer to certify the special assessments for water service replacement for collection starting with the 2017 real estate taxes for 10 years at 1% interest on Parcel 83.00295.00.
10. Consider adopting Resolution No. 16-11-111 authorizing the City Administrator/Clerk-Treasurer to certify the special assessments for water service replacement for collection starting with the 2017 real estate taxes for 10 years at 1% interest on Parcel 83.00291.00.
11. Consider approving the Exempt Gambling Permit Application for Sacred Heart Church for a raffle to be held on April 22, 2017 at Sacred Heart Church & School located at 200 3rd St NW East Grand Forks, MN 56721 and to waive the 30 day waiting period.
12. Consider approving the Fireworks/Pyrotechnic Special Effects Application for the Downtown Development Association for November 27, 2016 from approximately 6:30pm to 7:00pm contingent upon approval from the Fire Chief.

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

13. Regular minutes of the Economic Development Authority Board for September 20, 2016.
14. Regular minutes of the Water, Light, Power, and Building Commission for October 6, 2016.

COMMUNICATIONS:

15. Acknowledgement of Thomas Hajicek for successfully passing his probationary period as a firefighter on October 18, 2016.

OLD BUSINESS:

16. Reaffirm the approval to rename 4th Street NW from 5th Ave NW to Gateway Dr as “Joan Kroc Parkway” in honor of Joan Kroc.

NEW BUSINESS:

17. Consider adopting Resolution No. 16-11-112 authorizing the City Administrator/Clerk-Treasurer to

certify the listed account for delinquent utilities to the County Auditor for collection with the 2017 real estate taxes.

18. Consider adopting Resolution No. 16-11-113 authorizing the City Administrator/Clerk-Treasurer to certify the listed accounts for snow removal to the County Auditor for collection with the 2017 real estate taxes.
19. Consider adopting Resolution No. 16-11-114 entering into an agreement with the Minnesota Department of Transportation which allows MNDOT to act as the City's agent accepting federal aid funds for the advance warning signs and bike racks.
20. Consider adopting Resolution No. 16-11-115 authorizing the City Engineers to draft and submit an application with the details of the project to be eligible for HSIP funds.

CLAIMS:

21. Consider adopting Resolution No. 16-11-116 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 25267 for a total of \$907.95 whereas Council Member Buckalew is personally interested financially in the contract.
22. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

COUNCIL/STAFF REPORTS:

ADJOURN:

Upcoming Meetings:

- Work Session – November 8, 2016 – 5:00 PM – Council Chambers
- Regular Council Meeting – November 15, 2016 – 5:00 PM – Council Chambers
- Work Session – November 22, 2016 – 5:00 PM – Training Room
- Regular Council Meeting – December 6, 2016 – 5:00 PM – Council Chambers

**UNAPPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, OCTOBER 18, 2016 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for October 18, 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; Charlotte Helgeson, Library Director; Reid Huttunen, Parks and Recreation Superintendent; Gary Larson, Fire Chief; David Murphy, City Administrator/Clerk-Treasurer; Keith Mykleseth, Water & Light Manager; Megan Nelson, Executive Assistant; and Jason Stordahl, Public Works Director.

DETERMINATION OF A QUORUM:

The Council President Determined a Quorum was present.

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

“An opportunity for members of the public to address the City Council on items not on the current Agenda. Items requiring Council action maybe deferred to staff or Boards and Commissions for research and future Council Agendas if appropriate.”

Representative Kiel told the Council that she was running for a 4th term in the legislature. She commented how she along with the City was disappointed with the bills that hadn't passed and how much work had gone into them. She reviewed some of the issues that were taking place with MNSURE and that she was hopeful to still get the tax and bonding bills passed since there was talk about a possible special session again. She then reviewed the items that were approved such as getting more money into education without requiring mandates as well as work with MNSCU which includes Northland that helps benefit high school students. She stated that if any of the Council has questions or concerns they can contact her and she thanked them for their time.

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.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE ITEMS ONE (1) AND TWO (2).

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

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.

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

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

Mr. Emery stated that this was the final hearing for the concrete paving and sidewalk construction that was done in the Riverview 10th Addition. He reviewed the costs and that they were payable in a 20 year time frame if not prepaid before they were assessed. He said he would be able to answer any questions.

Mr. Seth Perdew, 114 Riverview Lane SE, said he had two concerns and asked who inspected the project because it was not completed. He stated the cuts were made in the concrete but never sealed which could have long term affects. Mr. Emery stated that they are aware of that, that they had inspected the project, it is something the contractor will be completing but there has been too much water to do so at this point. Mr. Perdew stated that his neighbor’s sump pump drain has been spraying water so that is something they may also need to check on. He continued saying that he would like to talk about the sidewalk policy. He explained how the sidewalk stops in the middle of nowhere and doesn’t serve a purpose. He stated how it seems ridiculous there isn’t sidewalk on 20th and that the sidewalks in the Riverview 10th addition are not currently ADA compliant. He asked the Council to review the sidewalk policy. Mr. Emery stated how they heard some of these same comments during the improvement hearing and it would be his recommendation that if residents would like sidewalks to bring in a petition for the Council to consider.

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

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

Voting Nay: None.
Absent: Buckalew.

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.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE ITEMS FOUR (4) THROUGH SEVEN (7).

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

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.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT 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.

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

10. Consider approving the change order for 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.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER GRASSEL, TO APPROVE THE CHANGE ORDER FOR 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.

Council member Tweten stated that the City ended up with the finest swimming pool, it is unfair to say the engineers need to pay for this, they have done an outstanding job, and that he will vote no on this. Council member DeMers commented that the Council paid for the services of a consulting engineer, that the City shouldn't have to pay for something twice, and that the Council has done this in the past. Council Vice-President Grassel stated he agrees the City has the nicest swimming pool and that he also agrees the City has gone through numerous change orders on this project. He said he was in agreement with sending the engineers the bill.

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

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.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER GRASSEL, TO APPROVE 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.

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

12. Consider adopting Resolution No. 16-10-102 approving the denial of the variance application for the property located at 606 21st St NW.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 16-10-102 APPROVING THE DENIAL OF THE VARIANCE APPLICATION FOR THE PROPERTY LOCATED AT 606 21ST ST NW.

Council member Vetter stated that he had met with Mr. Roger Scheving and that he didn't have a chance to address Planning and Zoning. He said it was his stance that this item should go back to Planning and

Zoning so the issues can be addressed there and then have it brought back to the Council to vote on. Ms. Ellis informed the Council that notices were sent out pursuant to statute which means it was sent to the property owner because they were the ones listed on the application. She stated that Mr. Roger Scheving is not the property owner or listed on the permit. She added that this item could be brought back to the Planning Commission or that he could address the Council at the meeting. Discussion followed about the time frame and the appeal process if this was denied.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO REFER THIS ITEM BACK TO THE PLANNING COMMISSION.

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

Voting Nay: Tweten.

Absent: Buckalew.

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.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT 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.

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

Voting Nay: None.

Absent: Buckalew.

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.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 16-10-104 APPROVING THE REZONE OF THE PESCH PROPERTY FROM C-2 OR HIGHWAY COMMERCIAL TO PUD OR PLANNED UNIT DEVELOPMENT.

Ms. Ellis asked if there were any questions. There were none.

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

Voting Nay: None.

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.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER VETTER, TO APPROVE 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.

Ms. Ellis informed the Council that the retentions ponds would be constructed by the contractor but then turned over to the City and that there are ongoing discussions regarding utilities. Discussion followed about if and where easements would be located and concerns about additional access onto Greenway Boulevard. Ms. Ellis explained that the access would be located more than 120 feet from the intersection, that it would be common access for some of the properties, and having a commercial use at this location would have more traffic than twin homes. Council member Pokrzywinski asked if this conforms to City standards. Ms. Ellis said it did. Discussion followed about the possibility of a round-a-bout put in at this location, if there would be issues with the access points with a round-a-bout, and because of the locations of the right-of-ways it is difficult to develop this area. Council member Pokrzywinski asked if the Planning Commission recommended the approval. Ms. Ellis said they did.

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

Voting Nay: DeMers.

Absent: Buckalew.

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.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE 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.

Ms. Ellis stated that since this has been handed in there are things that can be removed listing minimum setback requirements for possible buildings, fences, accessory structures, show architectural elevations

wanted and list minimum square footage requirements for twinhomes because they are now included. She added that if there are restrictive covenants that they will be noted and if they want any trees planted, sheds, screening, and/or fences it needs to be in before the plat is approved. She stated the City can't enforce restrictive covenants but if it is listed in a PUD Plan it can be enforced and to be changed they have to request to amend the PUD. She added they could follow the city ordinance but if something special required to include it on the PUD plan. Council President Olstad asked Council members DeMers and Tweten if they were okay amending the motion to what Ms. Ellis had stated. They both said yes.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE EMERSON ESTATES PUD CONCEPT DEVELOPMENT PLAN ALONG WITH THE FOLLOWING STATEMENT THAT IF RESTRICTIVE CONVENANTS 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.

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

Voting Nay: None.

Absent: Buckalew.

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.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT 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.

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

Voting Nay: None.

Absent: Buckalew.

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

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

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

Voting Nay: None.
Absent: Buckalew.

COUNCIL/STAFF REPORTS:

Council Member Tweten informed the Council that he had an article from Time Magazine regarding big challenges with infrastructure that he would like to share with the Council.

Mr. Murphy thanked Ms. Jewett for her time as a reporter covering the City.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADJOURN THE OCTOBER 18, 2016 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:53 P.M.

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

David Murphy, City Administrator/Clerk-Treasurer

**UNAPPROVED MINUTES
OF THE CITY
COUNCIL WORK SESSION
CITY OF EAST GRAND FORKS
TUESDAY, OCTOBER 25, 2016 – 5:00 PM**

CALL TO ORDER:

The Work Session of the East Grand Forks City Council for October 25, 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.

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; David Murphy, City Administrator/Clerk-Treasurer; and Megan Nelson, Executive Assistant.

DETERMINATION OF A QUORUM:

The Council President Determined a Quorum was present.

1. Northland College Update – President Dennis Bona

President Bona publically thanked the City Council for all of the improvements that have been done by the college and how he hopes they continue to work together. He informed the Council that enrollment had increased, the graduation rate has increased, and the placement rate for students is off the charts. He added how the transfer rate has been excellent and the loan default rate is shrinking. He continued saying they were working on shrinking the opportunity gap as well as working with manufacturers to create new programs that will be starting in the fall of 2017. He added how businesses in the area are and will be sending employees for some of the classes for training as well.

President Bona informed the Council that the college is looking at adding a service learning requirement which would require students 15 to 20 hours of community service before they would be allowed to graduate. He said how it valuable to help teach students to become good productive citizens in a community. He stated he had implemented this at the school he was previously at and it created good community relations. He added he would be happy to answer any questions.

Council President Olstad stated how the community service was a great idea and commended President Bona on what they have been doing at the college. Council member Pokrzywinski commented on the excellent event that was held, that the community college is the best kept secret in East Grand Forks, and they should work changing that. Discussion followed about how tuition and State allocations are

currently capped so the college is very limited on what they can do for growth and adding programs unless enrollment continues to grow. More discussion followed on how the public will be informed on when the public service requirement is put in place.

2. Request to Address the Council by Representatives from VFW Post 3817

Mr. Frank Ringstad stated that he was attending the meeting for the VFW Post 3817. He commented that there had been previous meetings about a proposed apartment building going up next to the VFW, how that would have created even more of a parking issue, and that those plans did not move forward. He stated the VFW felt confident the project had been put on hold so they moved forward with roof repairs and now there is discussion again about another apartment building. He stated how the businesses are concerned. He stated that since 1997 the VFW had contributed \$1,687,707.22 to help different organizations in the City. He continued saying how taking parking away would affect their business tremendously.

Council President Olstad asked Mr. Gorte to review the process that the City is taking regarding the proposed project. Mr. Gorte explained that per the policy that was adopted by the City Council an interested buyer submitted a request which then gets sent to staff who prepares reports, an appraisal is completed, and all of the information is then submitted to the City Council. He stated that a public hearing is held and then the Council would be able to take action. He added it would be approximately a three to four month process before any action would be taken.

Council President Olstad commented that the Council is going through the process, that they want the businesses to be aware about what is going on, and they also want input from the businesses. Council member Pokrzywinski stated that a developer had approached the City, that the City is open for business, and that this is a long way from approval. Mr. Galstad stated the utilities had been marked off because the Water and Light Department needed to see where things were located and where they could possibly be relocated to. Mayor Stauss commented that he would veto this project if it came to a vote. He commented on how the VFW is very involved with hockey, how they have older patrons, and that the developer should find a different area to build the proposed building. Mr. Justin Larocque from Up North Pizza stated they had opened a few months ago, that the building they are currently in sat empty for over three years, and a big reason for that was because of parking. He said parking is a huge issue and people go where it is convenient. He added how they hope they continue to grow, how they are looking at opening another business, but if parking is taken away they won't be. He stated there should be more businesses added down town, not more apartment buildings.

Council President Olstad thanked everyone for coming in and for their comments. Mr. Ringstad asked that the businesses be kept informed about the progress of the request. Mr. Forrester stated he had an estimate of \$245,000 just to move the electric and fiber optics as of right now. Mr. Grabanski stated that is was not a good practice to move the system and added how all of the businesses would have to be redone. Mayor Stauss added that if the developer wants to do the project they should have to pay for everything. Mr. Forrester stated that was all he had at this time.

3. Campground Update – Catherine Johnson

Ms. Catherine Johnson introduced herself to the Council and started her presentation. She reviewed

what currently is available in the campground for sites, how there is a boat landing, trailheads, and a fishing platform. She continued saying they had to evacuate the campground three times this last year due to storms and how the reservation system has changed. She informed the Council most of the guests come from Manitoba, Minnesota, or North Dakota but guests do come from all over the world. She reviewed different programs that are available to the public that are put on in the campground and at this time they have rented approximately 340 more sites than last year. Discussion followed about the fishing pier was done as an Eagle Scout project, how they are trying to build one that is ADA compliant, and how they are looking at adding more lighting and signage on the trails in the campground.

Mayor Stauss stated the City Council will need to decide on how they would like to proceed with the next contract with the DNR and that this will be a major decision. Mr. Murphy stated that the contract he had received was the same as the contract for 2016. Discussion followed on how people are already booking their sites for 2017, how they have their own archery equipment for Archery in the park, and Ms. Johnson mentioned the items that are available for sale in the office.

4. Request to Change a Portion of 4th Street to Joan Kroc Parkway – Mayor Stauss

Mayor Stauss stated that since the flood there was always talk about honoring Joan Kroc because she gave \$2000 to each resident in town. He stated that something should have already been done and that he would like to rename 4th Street from the levee to the Kennedy Bridge as Joan Kroc Parkway since it would be located between the two parks. Council member DeMers said he thought that already had been voted on. Council President Olstad asked to have it looked into before the next meeting. Council member Tweten stated that something should have been done before and to get it done.

5. Special Assessment Information – Megan Nelson

Ms. Nelson stated that there are special assessments that will be brought forward at the next meeting. She explained that some are being done through agreements but there were a few that were for snow removal and delinquent utilities. She added she just wanted to bring this to the Council's attention and answer any questions before the next meeting.

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

6. Golden Shovel Website Request – Paul Gorte

Mr. Gorte stated that this had been discussed previously and at this time it was only the EDA and Planning Departments that were interested in this. Council member Vetter asked if there would be two websites. Mr. Gorte explained that they would integrate these pages into the existing website. He added how this company specializes in EDA websites and how they would keep the pages up to date. Ms. Ellis stated if it was going to be integrated into the city site she didn't need to be a part of it. Discussion followed about how there would be two fees paid for websites, how this company would give the EDA a tool to better market what is available in the City, and how not marketing the EDA in the past has been a downfall.

Council President Olstad stated that the EDA board all voted in favor of moving forward with Golden Shovel. Mr. Gorte added that any of the departments could still join. Council member Tweten asked

how much it cost. Mr. Gorte stated \$950 per month. Discussion followed about how this is a platform for clients, that all receive updates, and that they insert the information into the web pages. Mr. Gorte told the Council to look at examples of their clients to get an example of what they offer. More discussion followed about how the City may want to look into branding and marketing before making a change to a different website, that the current EDA pages are inadequate, and that if a contract is signed only a 30 day notice needs to be given to terminate.

7. Consideration for Agency Agreement for Advance Warning Signs & Bike Racks

Ms. Nelson apologized to the Council for not including this item in the packet. She stated that is was for advance warning signs and bike racks and that MNDOT would be acting as the City's fiscal agent. She added how the estimated cost was \$13,100 and the City was going to receive 80% or up to \$10,480 for this. Ms. Ellis explained to the Council that this grant had been applied for three years earlier, that it was going to be two separate amounts, but with the lowest bid coming in at \$42,000 it was decided to keep it as one as well as it would be best for the City to do the in-kind work and because it wasn't cost effective to bid it out.

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

8. Request for TAP and HSIP Funding – Steve Emery

Mr. Emery reminded the Council of the discussion from October 11th regarding the TAP program. He reminded the Council again that the funding was an 80/20 split, that it did not cover any of the engineering costs, and the minimum cost of the project was \$50,000. He commented they had discussed both bike lanes on Bygland Road and the extension of the path off of the Kennedy Bridge. Discussion followed about how the estimated costs for painting the bike lanes was \$40,000, grinding the lines in was a more expensive option, and plans were completed for both. Council member DeMers commented how there may be a good chance the TAP committee will find another reason not to fund the bike lane project. Discussion followed about the bike lane project and if it would work with round-a-bouts being put in.

Council member DeMers suggested submitting a sidewalk project to connect sidewalks out by South Point Elementary school. Discussion followed about the positives and negatives about the project, how there wouldn't be time to hold a public hearing before submitting the application, and that the project would qualify for TAP funds. Ms. Ellis stated that MNDOT would be participating with the project of extending the trail that will be coming off of the Kennedy Bridge. She added the bike lanes could be painted which would not qualify or the City could commit to the grinding project. Discussion followed about painting the bike lanes to get the public use to them before grinding them in and how the Council would like to move forward with a sidewalk project coming down 17th Ave SE, on the south side of 13th Street SE, and along 20th Ave SE. Council President Olstad stated they would move forward with the sidewalk project for TAP funding and the HAWK system for HSIP funding.

OTHER:

Council member DeMers asked to get the information out about private rinks to residents.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER VETTER, TO ADJOURN THE OCTOBER 25, 2016 WORK SESSION OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 7:13 P.M.

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

Voting Nay: None.

Absent: Buckalew and Grassel.

David Murphy, City Administrator/Clerk-Treasurer

**UNAPPROVE MINUTES
OF THE CITY
COUNCIL SPECIAL MEETING
CITY OF EAST GRAND FORKS
TUESDAY, OCTOBER 25, 2016 – Following the Work Session**

CALL TO ORDER:

The Special Meeting of the East Grand Forks City Council for October 25, 2016 was called to order by Council President Mark Olstad at 7:14 P.M.

CALL OF ROLL:

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

Nancy Ellis, City Planner; Steve Emery, City Engineer; Paul Gorte, Economic Development Director; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Reid Huttunen, Parks and Recreation Superintendent; David Murphy, City Administrator/Clerk-Treasurer; and Megan Nelson, Executive Assistant.

DETERMINATION OF A QUORUM:

The Council President Determined a Quorum was present.

1. Consider approving a project or projects to submit for TAP funding.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER VETTER, TO SUBMIT A SIDEWALK PROJECT FOR TAP FUNDING.

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

Voting Nay: None.

Absent: Buckalew and Grassel.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER DEMERS, TO ADJOURN THE OCTOBER 25, 2016 SPECIAL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 7:14 P.M.

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

Voting Nay: None.

Absent: Buckalew and Grassel.

David Murphy, City Administrator/Clerk-Treasurer

Request for Council Action

Date: 10/17/16

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: Upcoming Special Assessments

Background:

This year the Water and Light Department continued their watermain replacement projects and tested residential service lines to see if they were lead. Residents were given the results of the testing and were able to decide if they wanted to replace their service line. There were also two homes that had a joint sewer service line which they requested to replace into separate sewer service lines. The agreements have been signed with the people moving forward with financing from the Water and Light Department and would like the amounts assessed against their properties which can only be done by the City Council.

There is also a resident who is replaced sidewalks and is requesting to have the balance assessed on the property.

There is also going to be a hearing on November 1st for snow removal and delinquent utility assessments.

Recommended Action:

Approve the agreements and special assess the residents per the terms of each agreement as well as adopting the resolutions assessing properties for snow removal and delinquent utilities.

Budget Impact:

There is not an impact on the budget for replacement of the water and sewer service lines because it will be financed through the Water and Light Department.

The City budgeted \$30,000 for sidewalk projects and for the reimbursement program for sidewalk replacement. Currently there is still \$20,850 still available in the fund after this request has been processed.

Lastly the money collected by special assessing for snow removal and for delinquent utilities would recoup the costs spent by the City and Water and Light Department for the services rendered.

RESOLUTION NO. 16 – 11 – 106

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

WHEREAS, The City of East Grand Forks has offered sidewalk replacement program with reimbursement incentive and a special assessment financing option to property owners within the community; and

WHEREAS, the City of East Grand Forks has obtained a signed copy of the sidewalk assessment form from the property owners and paid the contractor for the sidewalk replacement; and

WHEREAS, the amount assessed against the property is the total amount paid to the contract less the sidewalk reimbursement incentive. The entire amount assessed against the parcel of land, unless prepaid, at an interest rate of 5.5% and in five or seven equal installments depending on the lot type, as outlined in the sidewalk replacement program; and

WHEREAS, one property owner has chosen to defer the cost of their sidewalk replacement through the city’s special assessment financing option known as Roll#998, and now therefore;

BE IT RESOLVED, That the City Council of and for the City of East Grand Forks, Minnesota, authorizes the City Administrator/Clerk-Treasurer per City Code Section 12.04, Subdivision 8, Paragraph B, to certify the following account to the County Auditor for collection with the 2017 Real Estate Taxes:

<u>Parcel Number</u>	<u>Property Owner</u>	<u>Address</u>	<u>Lot Type</u>	<u>Number of Installments</u>	<u>Total Assessment Amount</u>
83.00534.00	Austin Skjei	601 4 th Ave NE	Corner	7	\$5450.00

Voting Aye:

Voting Nay:

The President declared the resolution passed.

Passed: November 1, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 1st day of November, 2016.

Mayor

REPORT/RECOMMENDATION

To: MAYOR AND COUNCIL	Agenda Item <u style="text-decoration: none;">6</u>
From: Dan Boyce, General Manager of Water and Light, Department	<input type="checkbox"/> Action <input type="checkbox"/> Discussion <input type="checkbox"/> Information
Date: _____, 2016	
Subject: Resolution No. 16-11-107 authorizing special assessment for water service line repair/replacement –602 1 st Ave NE	

ACTION REQUESTED:

Consider approval of Resolution No. 16-11-107 authorizing special assessment for water service line repair/replacement to the Polk County Auditor for the property located at 602 1st Ave NE, East Grand Forks, MN 56721.

INFO/BACKGROUND:

The East Grand Forks Water and Light Department/Public Works Department was made aware that water service lateral to the above referenced property contains lead and has worked with the property owner to determine that replacement of the water service lateral is in the best interest of the owner. Staff has worked with the property owner to assist them in recommending a contractor/subcontractor to replace the lead water service lateral. The Water and Light Department and the owner have entered into an agreement to have the Water and Light Department pay for the replacement project and special assess the cost to the owner’s property. Upon approval of this agreement and resolution the amount of \$11,500.75 will be certified to the taxes for this property. The property owner has agreed to the terms of the agreement.

ATTACHMENTS:

Resolution No. 16-11-107, authorizing the Special Assessment for water service line repairs
Public Improvement and Special Assessment Agreement

RESOLUTION NO. 16 – 11 - 107

**RESOLUTION AUTHORIZING THE SPECIAL ASSESSMENT FOR
WATER SERVICE LINE REPAIRS/REPLACEMENT – 602 1st Ave NE**

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

WHEREAS, the water/sewer service line at the address listed below is in need of immediate repair/replacement; and

WHEREAS, East Grand Forks has received a special assessment agreement from the property owner waiving their right to a special assessment hearing and petitioning for special assessment to repay the financing.

WHEREAS, the amount of the improvement project to be assessed is: \$11,500.75

WHEREAS, the property owner has chosen to defer the cost of their water service line replacement through the city’s special assessment financing option known as Roll #901 (\$3000) and Roll #902 (\$8,500.75).

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall transmit a certified duplicate copy of this resolution to the County Auditor to be extended on the proper tax list of the County, and such special assessments shall be collected and paid over the same manner as other municipal taxes with interest from the date of this resolution at the rate of **ONE** percent (**1%**) per annum. The description of the special assessment is:

NAME OF CERTIFICATION	INSTALLMENTS
Water Service Line Repair/Replacement	Twenty Year(s)
Sewer Service Line Repair/Replacement	Twenty Years(s)

DESCRIPTION OF PROPERTY

Parcel 83.00316.00 - Lots Twenty-two (22) and Twenty-four (24), in Block Fourteen (14), Traill’s Addition to East Grand Forks, according to the Official plat thereof on file and of record in the office of the County Recorder in and for the County of Polk, State of Minnesota.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: November 1, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 1st day of November, 2016.

Mayor

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

CERTIFICATE OF CITY EXECUTIVE ASSISTANT

I, the undersigned duly appointed and acting City Executive assistant for the City of East Grand Forks do hereby certify that the attached and foregoing Resolution was duly adopted by the East Grand Forks City Council at its Regular Meeting of _____, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this _____ day of _____, 2016

Megan Nelson

REPORT/RECOMMENDATION

To: MAYOR AND COUNCIL	Agenda Item <u>7</u>
From: Dan Boyce, General Manager of Water and Light, Department	<input type="checkbox"/> Action <input type="checkbox"/> Discussion <input type="checkbox"/> Information
Date: _____, 2016	
Subject: Resolution No. 16-11-108 authorizing special assessment for water service line repair/replacement –606 1 st Ave NE	

ACTION REQUESTED:

Consider approval of Resolution No. 16-11-108 authorizing special assessment for water service line repair/replacement to the Polk County Auditor for the property located at 606 1st Ave NE, East Grand Forks, MN 56721.

INFO/BACKGROUND:

The East Grand Forks Water and Light Department/Public Works Department was made aware that water service lateral to the above referenced property contains lead and has worked with the property owner to determine that replacement of the water service lateral is in the best interest of the owner. Staff has worked with the property owner to assist them in recommending a contractor/subcontractor to replace the lead water service lateral. The Water and Light Department and the owner have entered into an agreement to have the Water and Light Department pay for the replacement project and special assess the cost to the owner’s property. Upon approval of this agreement and resolution the amount of \$11,500.75 will be certified to the taxes for this property. The property owner has agreed to the terms of the agreement.

ATTACHMENTS:

Resolution No. 16-11-108, authorizing the Special Assessment for water service line repairs
Public Improvement and Special Assessment Agreement

RESOLUTION NO. 16 – 11 - 108

**RESOLUTION AUTHORIZING THE SPECIAL ASSESSMENT FOR
WATER SERVICE LINE REPAIRS/REPLACEMENT – 606 1st Ave NE**

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

WHEREAS, the water/sewer service line at the address listed below is in need of immediate repair/replacement; and

WHEREAS, East Grand Forks has received a special assessment agreement from the property owner waiving their right to a special assessment hearing and petitioning for special assessment to repay the financing.

WHEREAS, the amount of the improvement project to be assessed is: \$11,500.75

WHEREAS, the property owner has chosen to defer the cost of their water service line replacement through the city’s special assessment financing option known as Roll #901 (\$3000) and Roll #902 (\$8,500.75).

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall transmit a certified duplicate copy of this resolution to the County Auditor to be extended on the proper tax list of the County, and such special assessments shall be collected and paid over the same manner as other municipal taxes with interest from the date of this resolution at the rate of **ONE** percent (**1%**) per annum. The description of the special assessment is:

NAME OF CERTIFICATION	INSTALLMENTS
Water Service Line Repair/Replacement	Twenty Year(s)
Sewer Service Line Repair/Replacement	Twenty Years(s)

DESCRIPTION OF PROPERTY

Parcel 83.00315.00 - Lots Eighteen (18) and Twenty (20), in Block Fourteen (14), Trail’s Addition to East Grand Forks, according to the Official plat thereof on file and of record in the office of the County Recorder in and for the County of Polk, State of Minnesota.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: November 1, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 1st day of November, 2016.

Mayor

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

CERTIFICATE OF CITY EXECUTIVE ASSISTANT

I, the undersigned duly appointed and acting City Executive assistant for the City of East Grand Forks do hereby certify that the attached and foregoing Resolution was duly adopted by the East Grand Forks City Council at its Regular Meeting of _____, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this _____ day of _____, 2016

Megan Nelson

REPORT/RECOMMENDATION

To: MAYOR AND COUNCIL	Agenda Item <u> 8 </u>
From: Dan Boyce, General Manager of Water and Light, Department	<input type="checkbox"/> Action <input type="checkbox"/> Discussion <input type="checkbox"/> Information
Date: _____, 2016	
Subject: Resolution No. 16-11-109 authorizing special assessment for water service line repair/replacement -610 1 st Ave NE	

ACTION REQUESTED:

Consider approval of Resolution No. 16-11-109 authorizing special assessment for water service line repair/replacement to the Polk County Auditor for the property located at 610 1st Ave NE, East Grand Forks, MN 56721.

INFO/BACKGROUND:

The East Grand Forks Water and Light Department/Public Works Department was made aware that water service lateral to the above referenced property contains lead and has worked with the property owner to determine that replacement of the water service lateral is in the best interest of the owner. Staff has worked with the property owner to assist them in recommending a contractor/subcontractor to replace the lead water service lateral. The Water and Light Department and the owner have entered into an agreement to have the Water and Light Department pay for the replacement project and special assess the cost to the owner's property. Upon approval of this agreement and resolution the amount of \$3,000.00 will be certified to the taxes for this property. The property owner has agreed to the terms of the agreement.

ATTACHMENTS:

Resolution No. 16-11-109, authorizing the Special Assessment for water service line repairs
Public Improvement and Special Assessment Agreement

RESOLUTION NO. 16 – 11 - 109

**RESOLUTION AUTHORIZING THE SPECIAL ASSESSMENT FOR
WATER SERVICE LINE REPAIRS/REPLACEMENT – 610 1st Ave NE**

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

WHEREAS, the water service line at the address listed below is in need of immediate repair/replacement; and

WHEREAS, East Grand Forks has received a special assessment agreement from the property owner waiving their right to a special assessment hearing and petitioning for special assessment to repay the financing.

WHEREAS, the amount of the improvement project to be assessed is: \$3000.00

WHEREAS, the property owner has chosen to defer the cost of their water service line replacement through the city’s special assessment financing option known as Roll #901;

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall transmit a certified duplicate copy of this resolution to the County Auditor to be extended on the proper tax list of the County, and such special assessments shall be collected and paid over the same manner as other municipal taxes with interest from the date of this resolution at the rate of **ONE** percent (**1%**) per annum. The description of the special assessment is:

NAME OF CERTIFICATION	INSTALLMENTS
Water Service Line Repair/Replacement	Ten Year(s)

DESCRIPTION OF PROPERTY

Parcel 83.00308.00 - Lots Fourteen (14) and Sixteen (16), in Block Fourteen (14), Traill’s Addition to East Grand Forks, according to the Official plat thereof on file and of record in the office of the County Recorder in and for the County of Polk, State of Minnesota.

*Voting Aye:
Voting Nay:
Absent:*

The President declared the resolution passed.

Passed: November 1, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 1st day of November, 2016.

Mayor

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

CERTIFICATE OF CITY EXECUTIVE ASSISTANT

I, the undersigned duly appointed and acting City Executive assistant for the City of East Grand Forks do hereby certify that the attached and foregoing Resolution was duly adopted by the East Grand Forks City Council at its Regular Meeting of _____, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this _____ day of _____, 2016

Megan Nelson

REPORT/RECOMMENDATION

To: MAYOR AND COUNCIL	Agenda Item <u style="text-decoration: none;">9</u>
From: Dan Boyce, General Manager of Water and Light, Department	<input type="checkbox"/> Action <input type="checkbox"/> Discussion <input type="checkbox"/> Information
Date: _____, 2016	
Subject: Resolution No. 16-11-110 authorizing special assessment for water service line repair/replacement -617 1 st Ave NE	

ACTION REQUESTED:

Consider approval of Resolution No. 16-11-110 authorizing special assessment for water service line repair/replacement to the Polk County Auditor for the property located at 617 1st Ave NE, East Grand Forks, MN 56721.

INFO/BACKGROUND:

The East Grand Forks Water and Light Department/Public Works Department was made aware that water service lateral to the above referenced property contains lead and has worked with the property owner to determine that replacement of the water service lateral is in the best interest of the owner. Staff has worked with the property owner to assist them in recommending a contractor/subcontractor to replace the lead water service lateral. The Water and Light Department and the owner have entered into an agreement to have the Water and Light Department pay for the replacement project and special assess the cost to the owner's property. Upon approval of this agreement and resolution the amount of \$3,000.00 will be certified to the taxes for this property. The property owner has agreed to the terms of the agreement.

ATTACHMENTS:

Resolution No. 16-11-110, authorizing the Special Assessment for water service line repairs
Public Improvement and Special Assessment Agreement

RESOLUTION NO. 16 – 11 - 110

**RESOLUTION AUTHORIZING THE SPECIAL ASSESSMENT FOR
WATER SERVICE LINE REPAIRS/REPLACEMENT – 617 1st Ave NE**

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

WHEREAS, the water service line at the address listed below is in need of immediate repair/replacement; and

WHEREAS, East Grand Forks has received a special assessment agreement from the property owner waiving their right to a special assessment hearing and petitioning for special assessment to repay the financing.

WHEREAS, the amount of the improvement project to be assessed is: \$3000.00

WHEREAS, the property owner has chosen to defer the cost of their water service line replacement through the city’s special assessment financing option known as Roll #901;

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall transmit a certified duplicate copy of this resolution to the County Auditor to be extended on the proper tax list of the County, and such special assessments shall be collected and paid over the same manner as other municipal taxes with interest from the date of this resolution at the rate of **ONE** percent (**1%**) per annum. The description of the special assessment is:

NAME OF CERTIFICATION	INSTALLMENTS
Water Service Line Repair/Replacement	Ten Year(s)

DESCRIPTION OF PROPERTY

Parcel 83.00295.00 - Lots Five(5) and Seven (7), in Block Thirteen (13), Traill’s Addition to East Grand Forks, according to the Official plat thereof on file and of record in the office of the County Recorder in and for the County of Polk, State of Minnesota.

*Voting Aye:
Voting Nay:
Absent:*

The President declared the resolution passed.

Passed: November 1, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 1st day of November, 2016.

Mayor

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

CERTIFICATE OF CITY EXECUTIVE ASSISTANT

I, the undersigned duly appointed and acting City Executive assistant for the City of East Grand Forks do hereby certify that the attached and foregoing Resolution was duly adopted by the East Grand Forks City Council at its Regular Meeting of _____, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this _____ day of _____, 2016

Megan Nelson

REPORT/RECOMMENDATION

To: MAYOR AND COUNCIL	Agenda Item <u>10</u>
From: Dan Boyce, General Manager of Water and Light, Department	<input type="checkbox"/> Action <input type="checkbox"/> Discussion <input type="checkbox"/> Information
Date: _____, 2016	
Subject: Resolution No. 16-11-111 authorizing special assessment for water service line repair/replacement -621 1 st Ave NE	

ACTION REQUESTED:

Consider approval of Resolution No. 16-11-111 authorizing special assessment for water service line repair/replacement to the Polk County Auditor for the property located at 621 1st Ave NE, East Grand Forks, MN 56721.

INFO/BACKGROUND:

The East Grand Forks Water and Light Department/Public Works Department was made aware that water service lateral to the above referenced property contains lead and has worked with the property owner to determine that replacement of the water service lateral is in the best interest of the owner. Staff has worked with the property owner to assist them in recommending a contractor/subcontractor to replace the lead water service lateral. The Water and Light Department and the owner have entered into an agreement to have the Water and Light Department pay for the replacement project and special assess the cost to the owner's property. Upon approval of this agreement and resolution the amount of \$3,000.00 will be certified to the taxes for this property. The property owner has agreed to the terms of the agreement.

ATTACHMENTS:

Resolution No. 16-11-111, authorizing the Special Assessment for water service line repairs
Public Improvement and Special Assessment Agreement

RESOLUTION NO. 16 – 11 - 111

**RESOLUTION AUTHORIZING THE SPECIAL ASSESSMENT FOR
WATER SERVICE LINE REPAIRS/REPLACEMENT – 621 1st Ave NE**

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

WHEREAS, the water service line at the address listed below is in need of immediate repair/replacement; and

WHEREAS, East Grand Forks has received a special assessment agreement from the property owner waiving their right to a special assessment hearing and petitioning for special assessment to repay the financing.

WHEREAS, the amount of the improvement project to be assessed is: \$3000.00

WHEREAS, the property owner has chosen to defer the cost of their water service line replacement through the city’s special assessment financing option known as Roll #901;

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall transmit a certified duplicate copy of this resolution to the County Auditor to be extended on the proper tax list of the County, and such special assessments shall be collected and paid over the same manner as other municipal taxes with interest from the date of this resolution at the rate of **ONE** percent (**1%**) per annum. The description of the special assessment is:

NAME OF CERTIFICATION	INSTALLMENTS
Water Service Line Repair/Replacement	Ten Year(s)

DESCRIPTION OF PROPERTY

Parcel 83.00291.00 - Lots One (1), and Three (3), in Block Thirteen (13), Trill’s Addition to East Grand Forks, according to the Official plat thereof on file and of record in the office of the County Recorder in and for the County of Polk, State of Minnesota.

*Voting Aye:
Voting Nay:
Absent:*

The President declared the resolution passed.

Passed: November 1, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 1st day of November, 2016.

Mayor

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

CERTIFICATE OF CITY EXECUTIVE ASSISTANT

I, the undersigned duly appointed and acting City Executive assistant for the City of East Grand Forks do hereby certify that the attached and foregoing Resolution was duly adopted by the East Grand Forks City Council at its Regular Meeting of _____, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this _____ day of _____, 2016

Megan Nelson

LG220 Application for Exempt Permit

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

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

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

Application Fee (non-refundable)

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

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

ORGANIZATION INFORMATION

Organization Name: Sacred Heart Church Previous Gambling Permit Number: 60010

Minnesota Tax ID Number, if any: _____ Federal Employer ID Number (FEIN), if any: 41-0773774

Mailing Address: 200 3rd Street NW

City: East Grand Forks State: MN Zip: 56721 County: Polk

Name of Chief Executive Officer (CEO): Fr. Xavier Ilango

Daytime Phone: 218-773-0877 Email: xavier.ilango@gmail.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

Fraternal Religious Veterans Other Nonprofit Organization

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

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

A current calendar year Certificate of Good Standing
 Don't have a copy? Obtain this certificate from:
 MN Secretary of State, Business Services Division Secretary of State website, phone numbers:
 60 Empire Drive, Suite 100 www.sos.state.mn.us
 St. Paul, MN 55103 651-296-2803, or toll free 1-877-551-6767

IRS income tax exemption (501(c)) letter in your organization's name
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)
 If your organization falls under a parent organization, attach copies of both of the following:
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Sacred Heart Church & School

Address (do not use P.O. box): 200 rd Street NW

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

Date(s) of activity (for raffles, indicate the date of the drawing): 04/22/2017

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

Bingo Paddlewheels Pull-Tabs Tipboards

Raffle (**total value of raffle prizes awarded for the calendar year: \$ 11,108.35**)

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

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

<p style="text-align: center;">CITY APPROVAL for a gambling premises located within city limits</p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print City Name: <u>East Grand Forks</u></p> <p>Signature of City Personnel: _____</p> <p>Title: <u>City Administrator</u> Date: _____</p> <div style="border: 1px solid black; padding: 5px; text-align: center; margin-top: 10px;"> <p>The city or county must sign before submitting application to the Gambling Control Board.</p> </div>	<p style="text-align: center;">COUNTY APPROVAL for a gambling premises located in a township</p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print County Name: _____</p> <p>Signature of County Personnel: _____</p> <p>Title: _____ Date: _____</p> <p>TOWNSHIP (if required by the county) On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)</p> <p>Print Township Name: _____</p> <p>Signature of Township Officer: _____</p> <p>Title: _____ Date: _____</p>
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CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

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

Chief Executive Officer's Signature: Xavier Ilango Date: 10.21.2016
(Signature must be CEO's signature; designee may not sign)

Print Name: Xavier Ilango

REQUIREMENTS	MAIL APPLICATION AND ATTACHMENTS
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Complete a separate application for:

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

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

Financial report to be completed within 30 days after the gambling activity is done:
A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

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

Mail application with:

a copy of your proof of nonprofit status, and

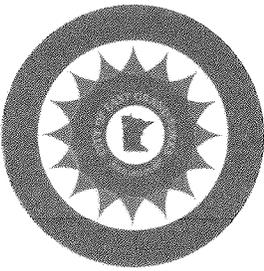
application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

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

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

<p>Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the</p>	<p>application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-</p>	<p>ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.</p>
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This form will be made available in alternative format (i.e. large print, braille) upon request.



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

APPLICATION FOR FIREWORKS/PYROTECHNIC SPECIAL EFFECTS PERMIT

License Fee: _____

Applicant Information (Sponsoring Organization)	
<u>Downtown Development Association</u> <i>Applicant Name</i>	<u>701.757-4051</u> <i>Phone Number</i>
<u>200 1st AVE N, Suite 20</u> <i>Applicant Address</i>	<u>Grand Forks, ND 58203</u> <i>City State Zip</i>
<u>46-4711617</u> <i>Federal Tax ID #</i>	<u>NA</u> <i>MN Tax ID #</i>

Authorized Agent Information	
<u>Tony Ramberg</u> <i>Authorized Agent Name</i>	<u>218-289-2708</u> <i>Phone Number</i>
<u>528 S ASH ST</u> <i>Business Address</i>	<u>CROOKSTON MN 56716</u> <i>City State Zip</i>

Fireworks/Pyrotechnic Special Effects Information		
<u>11-27-2010</u> <i>Date of Event</i>	<u>Approx 6:30 pm</u> <i>Start Time</i>	<u>7:00 pm</u> <i>End Time</i>
<u>East Grand Forks Boat landing</u> <i>Location of Event</i>		
<u>Delivered Day of show / Premier PYRO STORAGE</u> <i>Manner and place of storage of fireworks/pyrotechnic special effects prior to display:</i>		
<u>108- 2-5" 120- 3" 30- 4"</u> <i>Type & number of fireworks/pyrotechnic special effects to be discharged:</i>		

Minnesota state law requires that this display be conducted under the direct supervision of a pyrotechnic operator certified by the State Fire Marshal.		
<u>Tony Ramberg</u> <i>Name of supervising operator:</i>	<u>0536</u> <i>Certificate No.:</i>	
<u>25255 Hwy K</u> <i>Corporate Address</i>	<u>Richland</u> <i>City</i>	<u>MO 65556</u> <i>State Zip</i>

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

A regular meeting of the Board Members of the East Grand Forks Economic Development Authority was held at Noon on September 20, 2016, in the East Grand Forks City Hall Training Room, on the first floor in the South Wing, East Grand Forks, MN.

1. **Roll Call:**

Meeting was called to order by President Hecht at 12:02 am.

EDA Board present at roll, President Hecht, Board Members Mike Pokrzywinski, Ralph Messelt, Josh Grinde and Mark Olstad.

Absent: George Wogaman and Daniel Black

Staff present: Paul Gorte, Economic Development Director; Brenda Ault, Executive Assistant; Karla Anderson, Finance Director; Nancy Ellis, City Planner and Ron Galstad, City Attorney.

Also Present: NWMNMCHRA members; Karen Lunak, Housing Director; Heather Horbott, Financial Manager; Karen Lukasz, Housing Coordinator, East Grand Forks, Lee Meier, Director. Barry Wilfahrt, Chamber President; Brandon Heider, Frandsen Bank & Trust

Roll Call: President Hecht determined a quorum was present.

2. **Approval of minutes of the September 6, 2016 Regular Meeting:**

A Motion was made by Board Member Grinde, seconded by Board Member Pokrzywinski, to approve the minutes from the September 6, 2016 Regular Meeting. M/S/P- Grinde, Pokrzywinski; 5-0, mc.

3. **Bills and Communications:**

a. Approval of Accounts Payable for September 20, 2016:

A Motion was made by Board Member Grinde, seconded by Board Member Messelt, to approve the Accounts Payable for September 20, 2016. M/S/P- Grinde, Messelt; 5-0, mc.

4. **Reports:**

a. Delinquencies Update:

ED Gorte reported that all accounts are current.

5. **Unfinished Business:**

a. Sunshine Terrace Rent Increases:

CP Ellis stated that there are a couple options to consider, a smaller increase or the large increase all at once, but then there would be less vouchers available for the tenants of the building. She informed the Board that several Representatives from Northwest Minnesota Multi-County Housing Redevelopment Agency were present to give the Board an idea of how the increase would affect the voucher program.

Lee Meier the Director of the Agency introduced himself and stated he had met with CP Ellis to discuss the increases. He informed the Board that it would be better to increase with gradual increases vs. a large increase all at once. Less vouchers would be available,

September 20, 2016

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

one possibility to meet the increase in the rent amounts would be to take the additional dollars out of the \$341,000 currently in reserves for rehab, etcetera.

He also stated that the purpose of the Agency is to help as many people as possible and the large increase would impact them greatly. Some of the tenants in Sunshine Terrace who are not currently meeting the requirements to be a part of the voucher program might then become eligible; but since there is already a waiting list to be part of the program, they would not immediately be able to receive assistance and that would be a burden to them.

CP Ellis stated that they had looked at a \$75 increase but after speaking with Mr. Meier had looked at other options. So the Board could either go a \$25 increase for three years, but she felt that a \$35 increase starting immediately for new tenants and increasing to that amount for the current tenants in 2017; and then increasing an additional \$35 in 2018. She further informed them that the increase would not affect the voucher program or the \$341,000 in reserves and feels this would be a good solution for the tenants, housing program and the City.

Board Member Olstad stated that this year we are running at a \$14,000 loss; but with that increased rent schedule the funds would be where they needed to be after the 2018 increase.

A Motion was made by Board Member Olstad, seconded by Board Member Pokrzywinski, to start a \$35 increase starting immediately for new tenants and increasing to that amount for the current tenants in 2017; and then increasing an additional \$35 in 2018. M/S/P- Olstad, Pokrzywinski; 5-0, mc.

6. New Business:

a. Infill Building Carpet Estimate:

CP Ellis indicated a copy of an estimate from Brian's Flooring was included in the packet. The carpet is for the vinyl tile on the stairway in the Infill Building. She would like approval for it to be installed in January; the funds are in the 2017 budget already and then they would be able to start right away.

She further informed them that a durable carpet would be installed in the elevator immediately; with the plan that it would be replaced every 4-5 years. She plans to have the maintenance man check it once a month and clean the elevator as needed.

A Motion was made by Board Member Grinde, seconded by Board Member Olstad, to approve the installation of new flooring on the stairway in January 2017. M/S/P- Grinde, Olstad; 5-0, mc.

b. Vizenor Request (Frandsen Bank):

Brandon Heider, Frandsen Bank & Trust was present to request the EDA consider allowing its \$5000 mortgage take third position to allow the Vizenors to start a business. The business will be funded in part by an SBA loan; because of the SBA requirements our loan would need to be placed third and their loan second. ED Gorte stated that he had

September 20, 2016

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

forwarded the request to the Loan Committee and they had recommended approval as requested.

A Motion was made by Board Member Grinde, seconded by Board Member Pokrzywinski to allow the EDA Loan to be moved to the third position. M/S/P- Grinde, Pokrzywinski; 5-0, mc.

c. Future Meeting Dates:

ED Gorte asked the Board Members to look at the sheet included in the packet that talked about rescheduling the meetings for November, December and January. He is suggesting a revised schedule because of the holiday weekends, mailing schedules and personal conflicts.

He is suggesting the Board meet November 1st and 22nd; December 13th and January 10th and 24th instead of the 1st and 3rd Tuesdays.

A Motion was made by Board Member Pokrzywinski, seconded by Board Member Grinde, to approve the meeting dates suggested for November, December and January. M/S/P- Pokrzywinski, Grinde; 5-0, mc.

7. **Adjournment:**

Motion to adjourn the meeting was made at 12:40 by Board Member Olstad, was seconded by Board Member Grinde. M/S/P- Olstad, Grinde; 6-0, mc.

The next regular meeting is **October 4, 2016 at Noon**, in the **East Grand Forks Training Room, First Floor in the South Wing, East Grand Forks City Hall**, East Grand Forks, MN.

Respectfully Submitted,
Brenda Ault
Executive Assistant

Minutes of the regular meeting of the Water, Light, Power and Building Commission of the City of East Grand Forks, Minnesota held October 6, 2016 at 5:00 P.M.

Present: Loven, Quirk, Grinde, Tweten

It was moved by Commissioner Tweten seconded by Commissioner Quirk that the minutes of the previous meeting of September 15, 2016 be approved as read.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: none

It was moved by Commissioner Quirk seconded by Commissioner Grinde to authorize the Secretary to issue payment of the recommended bills and payroll in the amount of \$663,412.64.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: none

It was moved by Commissioner Quirk seconded by Commissioner Grinde to approve the distribution system upgrades for the Green Acres cable relocate with North Holt Electric and the Water & Light doing the work at a total project cost of \$37,155.15.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: none

It was moved by Commissioner Quirk seconded by Commissioner Grinde to approve the 2017 Chemical bid specs; advertise for bids; and set the bid opening date at 10am on November 10, 2016.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: none

It was moved by Commissioner Quirk seconded by Commissioner Tweten to approve plans & specs for the Carbon Feed System Replacement Project at the WTP; advertise for bids; and set bid opening for 10am on November 1, 2016,

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: none

It was moved by Commissioner Quirk seconded by Commissioner Grinde to approve the revised General Manager Memorandum of Understanding for the incoming General Manager.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: none

It was moved by Commissioner Quirk seconded by Commissioner Grinde to adopt the 5 year Capital Budget as amended.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: none

It was moved by Commissioner Quirk seconded by Commissioner Grinde to authorize Dan Boyce, General Manager, and Randy Rapacz, Water Plant Superintendent, to draft a job description for a Water Plant Maintenance Operator; and agree to intend to hire two Water Plant Operators with the current vacancy/hiring process.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: none

It was moved by Commissioner Grinde seconded by Commissioner Quirk to adjourn to the next regular meeting on October 20, 2016 at 5:00 P.M.

Voting Aye: Loven, Quirk, Grinde, Tweten

Voting Nay: none

Lori Maloney
Secretary

RESOLUTION NO. 16 – 11 - 112

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

WHEREAS, The City Water and Light Department has extended services to owners of property within the community; and

WHEREAS, one property owner's account is delinquent in payment for said services; and

WHEREAS, The Water and Light Department can request the City to pass a resolution and extend the delinquent account to the County Auditor for placement on the tax rolls which are collected by the County Treasurer; now therefore

BE IT RESOLVED, That the City Council of and for the City of East Grand Forks, Minnesota, authorizes the City Administrator per City Code Title V, Section 50.27, Paragraph B, to certify the following delinquent accounts to the County Auditor for collection with the 2017 Real Estate Taxes:

<u>Name of Property Owner</u>	<u>Address</u>	<u>Delinquent Amount</u>
Thomas Inocencio	106 5 th St NW	\$781.10

Voting Aye:

Voting Nay:

The President declared the resolution passed.

Passed: November 1, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 1st day of November, 2016.

Mayor

RESOLUTION NO. 16 – 11 – 113

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

WHEREAS, the following listed properties did not comply with City snow removal regulations; and

WHEREAS, The City hired a service to remove the snow and ice from the public sidewalks which brought the said properties back into compliance after due notice was given and no action was taken by the property owner; and

NOW THEREFORE BE IT RESOLVED, that the City Council hereby orders that the following costs, with interest charged at 10% per year beginning on January 1, 2017, for snow removal on the respective properties be certified to the County Auditor for collection with the 2017 real estate taxes unless paid in full by November 30, 2016:

<u>Parcel #</u>	<u>Legal Description of Property</u>	<u>Original Cost</u>	<u>Cost with Interest</u>
83.00162.00	Traills Addition Lot 14 Block 1	\$55.00	\$60.50
83.00291.00	Traills Addition Lots 1 & 3 Block 13	\$55.00	\$60.50

Voting Aye:
Voting Nay:

The President declared the resolution passed.

Passed: November 1, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 1st day of November, 2016.

Mayor

STATE OF MINNESOTA AGENCY AGREEMENT
 BETWEEN
 DEPARTMENT OF TRANSPORTATION
 AND
 EAST GRAND FORKS
 FOR FEDERAL PARTICIPATION IN FORCE ACCOUNT
 FOR
 S.P. 119-591-005; M.P. TA 6016(235)

This agreement is entered into by and between EAST GRAND FORKS ("City") and the State of Minnesota acting through its Commissioner of Transportation ("MnDOT"),

Pursuant to Minnesota Statutes Section 161.36, the City desires MnDOT to act as the City's agent to accept and disburse federal funds for the construction, improvement, or enhancement of transportation financed in whole or in part by federal funds, hereinafter referred to as the "Project"; and

The City is proposing a federal aid project to promote and encourage walking and biking to school in the community. A public interest finding has determined that the purchase and installation of the bike racks and advance warning signs can be completed more economically as a Force Account hereinafter referred to as the "FORCE ACCOUNT"; and

The FORCE ACCOUNT is eligible for the expenditure of federal aid funds, and is identified in MnDOT records as State Project 119-591-005, and in Federal Highway Administration ("FHWA") records as Minnesota Project TA 6016(235); and

The CFDA number for this project is 20.205; and

MnDOT requires that the terms and conditions of this agency be set forth in an agreement.

THE PARTIES AGREE AS FOLLOWS:

I. DUTIES OF THE CITY.

A. DESIGNATION. The City designates MnDOT to act as its agent to accept and disburse federal funds made available for the Project.

B. ELIGIBILITY / COSTS. The estimated cost of the FORCE ACCOUNT is \$13,100.

1. It is anticipated that 80% (up to \$ 10,480) of the cost of the FORCE ACCOUNT is to be paid from federal funds made available by the FHWA, and that the remaining 20% will be paid by the City. The City will pay any part of the cost or expense of the work that the FHWA does not pay.
2. Any costs incurred by the City prior to authorization, will not be eligible for federal participation.

Agreement no. 1026710

3. Eligible cost and expense, if approved, may consist of the following:
 - a) The cost of purchasing and installing bicycle racks and speed feedback signs for the East Grand Forks Safe Routes to School program as listed in the project memo for the project.
 - b) The direct labor charges for City employees for the time that said employees are engaged in the work to be performed by the City pursuant to this agreement. Said labor charges may include the prorata share of "labor additives" applicable to said labor charges. Costs to the City of "labor additives" consisting of holiday pay, vacation, sick leave, retirement, pension, unemployment taxes, compensation and liability insurance, lost time charges and similar costs incidental to labor employment will be reimbursed only when supported by adequate records.
 - c) The applicable equipment rental charges for City owned equipment used by the City and mileage charges for employee owned vehicles used by the City on the work to be performed pursuant to this agreement, at rates reflective of the City actual cost.
 - d) Expenditures for materials, supplies, mechanical data processing and equipment rental, limited to the actual expenditures for the purposes of this agreement.
4. Expenditures for general administration, supervision, maintenance and other overhead or incidental expenses of the City are not eligible for federal participation.
5. Acceptability of costs under this agreement will be determined in accordance with the cost principles and procedures set forth in the applicable Federal Acquisition Regulations, Contract Cost Principles and Procedures, 48 Code of Federal Regulations (CFR) 31 which is hereby incorporated by reference and made a part of this agreement.
6. For costs expected to exceed \$13,100, the City must request the preparation and execution of a supplement to this agreement, prior to incurring such costs.

C. STAFFING.

1. The City will designate a publicly employed registered engineer, ("Project Engineer"), to be in responsible charge of the Project and to supervise and direct the work to be performed under any construction contract let for the Project. If City elects to use a private consultant for engineering services, the City will provide a qualified, full-time public employee of the City, to be in responsible charge of the Project. The services of the City to be performed pursuant to this agreement may not be assigned, sublet, or transferred unless the City is notified in writing by MnDOT that such action is permitted under 23 CFR 1.33 and 23 CFR 635.105 and state law. This written consent will in no way relieve the City from its primary responsibility for performance of the work.

2. During the progress of the work on the Project, the City authorizes its Project Engineer to request in writing specific engineering and/or technical services from MnDOT, pursuant to Minnesota Statutes Section 161.39. Such services may be covered by other technical service agreements. If MnDOT furnishes the services requested, and if MnDOT requests reimbursement, then the City will promptly pay MnDOT to reimburse the state trunk highway fund for the full cost and expense of furnishing such services. The costs and expenses will include the current MnDOT labor additives and overhead rates, subject to adjustment based on actual direct costs that have been verified by audit. Provision of such services will not be deemed to make MnDOT a principal or co-principal with respect to the Project.
3. The City will furnish the personnel, services, supplies, and equipment necessary to properly supervise, inspect, and document the work for the Project.

D. CONTRACT ADMINISTRATION.

1. The City will request approval from MnDOT for all costs in excess of the amount of federal funds previously approved for the Project prior to incurring such costs. Failure to obtain such approval may result in such costs being disallowed for reimbursement.
2. The City will prepare reports, keep records, and perform work so as to enable MnDOT to collect the federal aid sought by the City. The City will retain all records and reports in accordance with MnDOT's record retention schedule for federal aid projects.
3. Upon completion of the Project, the Project Engineer will determine whether the work will be accepted.

E. PAYMENTS.

1. The entire cost of the Project is to be paid from federal funds made available by the FHWA, including eligible costs incurred as of the federal authorization date of June 13, 2016 and prior to the effective date of this agreement, and by other funds provided by the City. The City will pay any part of the cost or expense of the Project that is not paid by federal funds.
2. The City may request partial payments not more than once each thirty (30) days. The Project Engineer will certify each partial estimate.
3. The invoice and supplements thereto, will contain all details that may be necessary for a proper audit. Such details will consist of at least the following:
 - (a) A breakdown of labor by individual, classification, dates and hours worked times the applicable rate to arrive at a total dollar amount for each individual.
 - (b) The labor additive may be applied to total labor dollars, not including overtime labor dollars.
 - (c) The equipment charges must be broken down by type of equipment times

the applicable rate and dates used to arrive at total equipment charges.

- (d) A detailed breakdown of outside services used and supporting invoices. Documentation that costs of outside services have been paid.
 - (e) Detail for materials, supplies, and other items with the description, units, and unit prices included in the invoice. If materials or supplies are purchased from an outside source, a copy of that invoice must be included.
 - (f) The invoices will include 100% of eligible charges applicable to the Force Account so that the prorata share of federal and City participation can be applied to the total costs.
4. Following certification, by the Project Engineer, of the final estimate, the City may request reimbursement for costs eligible for federal funds. The City's request will be made to MnDOT and will include a copy of the certified final estimate along with the required records.
 5. Reimbursement of costs under this agreement will be based on actual costs, but limited to eligible items.

F. LIMITATIONS.

1. The City will comply with all applicable Federal, State, and local laws, ordinances, and regulations.
2. Nondiscrimination. It is the policy of the Federal Highway Administration and the State of Minnesota that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (42 U.S.C. 2000d). Through expansion of the mandate for nondiscrimination in Title VI and through parallel legislation, the proscribed bases of discrimination include race, color, sex, national origin, age, and disability. In addition, the Title VI program has been extended to cover all programs, activities and services of an entity receiving Federal financial assistance, whether such programs and activities are Federally assisted or not. Even in the absence of prior discriminatory practice or usage, a recipient in administering a program or activity to which this part applies, is expected to take affirmative action to assure that no person is excluded from participation in, or is denied the benefits of, the program or activity on the grounds of race, color, national origin, sex, age, or disability. It is the responsibility of the City to carry out the above requirements.
3. Workers' Compensation. Any and all employees of the City or other persons while engaged in the performance of any work or services required or permitted by the City under this agreement will not be considered employees of MnDOT, and any and all claims that may arise under the Workers' Compensation Act of Minnesota on behalf of said employees, or other persons while so engaged, will in no way be the obligation or responsibility of MnDOT. The City will require proof of Workers' Compensation Insurance from any contractor and sub-contractor.

4. All components purchased for this project must comply with the current Buy America policy based on the statutory provisions in the Surface Transportation Assistance Act of 1982, as implemented with a November 25, 1983, final rule and clarified by the 1997 memo.

G. AUDIT.

1. The City will comply with the Single Audit Act of 1984 (with amendment in 1996) and Office of Management and Budget (OMB)'s 2 CFR 200 Subpart F, which are incorporated herein by reference.
2. As provided under Minnesota Statutes Section 16C.05, subdivision 5, all books, records, documents, and accounting procedures and practices of the City are subject to examination by the United States Government, MnDOT, and either the Legislative Auditor or the State Auditor as appropriate, for a minimum of six years. The City will be responsible for any costs associated with the performance of the audit.

H. MAINTENANCE. The City assumes full responsibility for the operation and maintenance of any facility constructed or improved under this Agreement.

I. CLAIMS. The City will pay any and all lawful claims arising out of or incidental to the performance of the Project work. The City acknowledges that MnDOT is acting only as the City's agent for receipt and disbursement of federal funds, and not as a principal or co-principal with respect to the Project. In all events, the City will indemnify MnDOT and hold MnDOT harmless from any claims arising out of the Project.

J. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA). This Agreement requires the City to provide supplies and/or services that are funded in whole or in part by federal funds that are subject to FFATA. The City is responsible for ensuring that all applicable requirements, including but not limited to those set forth herein, of FFATA are met and that the City provides information to the MnDOT as required.

The City shall comply with the following:

1. Reporting of Total Compensation of the City's Executives.
 - (a) The City shall report the names and total compensation of each of its five most highly compensated executives for the City's preceding completed fiscal year, if in the City's preceding fiscal year it received:
 - i. 80 percent or more of the City's annual gross revenues from Federal procurement contracts and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - ii. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
 - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of

Agreement no. 1026710

the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>).

Executive means officers, managing partners, or any other employees in management positions.

(b) Total compensation means the cash and noncash dollar value earned by the executive during the City's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

- i. Salary and bonus.
- ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
- iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
- iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
- v. Above-market earnings on deferred compensation which is not tax qualified.
- vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

2. The City must report executive total compensation described above to the MnDOT by the end of the month during which this agreement is awarded.
3. The City will obtain a Data Universal Numbering System (DUNS) number and maintain its DUNS number for the term of this agreement. This number shall be provided to MnDOT on the plan review checklist submitted with the plans for each project. More information about obtaining a DUNS Number can be found at: <http://fedgov.dnb.com/webform/>.
5. The City's failure to comply with the above requirements is a material breach of this agreement for which the MnDOT may terminate this agreement for cause. The MnDOT will not be obligated to pay any outstanding invoice received from the City unless and until the City is in full compliance with the above requirements.

II. DUTIES OF MnDOT.

- A. ACCEPTANCE. MnDOT accepts designation as Agent of the City for the receipt and disbursement of federal funds and will act in accordance herewith.

Agreement no. 1026710

- B. PROJECT ACTIVITIES. MnDOT will make the necessary requests to the FHWA for authorization to use federal funds for the Project, and for reimbursement of eligible costs pursuant to the terms of this agreement.
 - C. PAYMENTS.
 1. MnDOT will receive the federal funds to be paid by the FHWA for the Project, pursuant to Minnesota Statutes § 161.36, Subdivision 2.
 2. MnDOT will review and certify each partial pay request. Following certification of the partial estimate, MnDOT will reimburse the City, from said federal funds made available to the Project, for each partial payment request, subject to the availability and limits of those funds.
 3. Upon completion of the Project, the City will prepare a final payment request in accordance with the terms of this agreement. MnDOT will review and certify the final payment request with a final audit.
 4. No more than 90% of the reimbursement due under this agreement will be paid until completion of the final audit and approval by MnDOT's authorized representative.
 5. In the event MnDOT does not obtain funding from the FHWA or other funding source, or funding cannot be continued at a sufficient level to allow for the processing of the federal aid reimbursement requests, the City may continue the work with local funds only, until such time as MnDOT is able to process the federal aid reimbursement requests.
 - D. AUTHORITY. MnDOT may withhold federal funds, where MnDOT or the FHWA determines that the Project was not completed in compliance with federal requirements.
 - E. INSPECTION. MnDOT, the FHWA, or duly authorized representatives of the state and federal government will have the right to audit, evaluate and monitor the work performed under this agreement. The City will make available all books, records, and documents pertaining to the work hereunder, for a minimum of seven years following the closing of the construction contract.
- III. AUTHORIZED REPRESENTATIVES. Each authorized representative will have responsibility to administer this agreement and to ensure that all payments due to the other party are paid pursuant to the terms of this agreement.
- A. The City authorized representative is Greg Boppre, PO Box 285, 1600 Central Avenue NE, East Grand Forks, MN 56721 or his successor.
 - B. MnDOT's authorized representative is Lynnette Roshell, Minnesota Department of Transportation, State Aid for Local Transportation, 395 John Ireland Boulevard, Mail Stop 500, St Paul, MN 55155, phone 651.366.3822, or her successor.
- IV. TORT LIABILITY. Each party is responsible for its own acts and omissions and the results thereof to the extent authorized by law and will not be responsible for the acts

Agreement no. 1026710

and omissions of any others and the results thereof. The Minnesota Tort Claims Act, Minnesota Statutes Section 3.736, governs MnDOT liability.

- V. ASSIGNMENT. Neither party will assign or transfer any rights or obligations under this agreement without prior written approval of the other party.
- VI. AMENDMENTS. Any amendments/supplements to this Agreement must be in writing and be executed by the same parties who executed the original agreement, or their successors in office.
- VII. TERM OF AGREEMENT. This agreement will be effective upon execution by the City and by appropriate State officials, pursuant to Minnesota Statutes Section 16C.05, and will remain in effect for five (5) years from the effective date or until all obligations set forth in this agreement have been satisfactorily fulfilled, whichever occurs first.
- VIII. TERMINATION. This agreement may be terminated by the City or MnDOT at any time, with or without cause, upon ninety (90) days written notice to the other party. Such termination will not remove any unfulfilled financial obligations of the City as set forth in this Agreement. In the event of such a termination the City will be entitled to reimbursement for MnDOT-approved federally eligible expenses incurred for work satisfactorily performed on the Project to the date of termination subject to the terms of this agreement.

Remainder of this page left intentionally blank

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed intend to be bound thereby.

CITY

City certifies that the appropriate person(s) have executed the contract on its behalf as required by applicable resolutions, ordinances, or charter provisions

By: _____

Date: _____

Title: _____

By: _____

Date: _____

Title: _____

DEPARTMENT OF TRANSPORTATION

By: _____

Title: Director State Aid for Local Transportation

Date: _____

COMMISSIONER OF ADMINISTRATION

By: _____

Date: _____

RESOLUTION NO. 16 – 11 – 114

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

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of East Grand Forks to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Mayor and City Administrator are hereby authorized and directed for and on behalf of the City to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in “Minnesota Department of Transportation Agency Agreement No. 1026710”, a copy of which said agreement was before the Council and which is made a part hereof by reference.

Voting Aye:

Voting Nay:

The President declared the resolution passed.

Passed: November 1, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 1st day of November, 2016.

Mayor

Certification

State of Minnesota
County of Polk

I hereby certify that the foregoing Resolution is a true and correct copy of the Resolution presented to and adopted by East Grand Forks at a duly authorized meeting thereof held on the _____ day of _____, 2016, as shown by the minutes of said meeting in my possession.

Executive Assistant/Notary

Notary Public
My Commission expires _____

Request for Council Action

Date: October 20, 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: Transportation Alternative Program (TAP) Funding and Highway Safety Improvement Program (HSIP) Funding Options

Background:

These two funding options above were discussed at the October 11th Work Session in a fair amount of detail and so as a refresher below are the highlites of each of the two programs:

TAP Funding: Provides funding for construction, planning and design of on road and off road trail facilities for pedestrians, bicyclists and other non-motorized forms of transportation including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety related infrastructure. Also provides funding for the Recreational Trails Program as well as for the Safe Routes to School Program. This funding for the program is 80% federal / 20% local match and does not Engineering or planning type expenses. Minimum Construction cost is \$50,000.00

HSIP Funding: The objective of this program is to reduce the occurrence of and the potential for fatalities and serious injuries resulting from crashes on public roads. This funding program is 90% federal / 10% local match and does not cover Engineering or planning type expenses and is capped at \$350,000.00

Potential Projects discussed for each of the funding options was as such:

TAP Funding Projects:

- 1.) Bygland Bike Lane (On-Street)
- 2.) Bike Trail Connection – Kennedy Bridge to Existing Trail System

HSIP Funding Projects:

- 1.) Installation of High-intensity Activated Crosswalk (HAWK) System at the intersection of Bygland Road and 13th St SE

The deadline for applying for these programs is as such: TAP program – Letter of Intent is due October 31, 2016 with full application due by January 13, 2017. HSIP Program – Application deadline is November 10, 2016.

Recommendation:

TAP Funding: In regards to the Bygland Bike Lane, Jason Stordahl has received pricing from MNDOT to complete the striping and it may be more cost effective for the City to complete the work on their own. With the potential for cost sharing participation from MNDOT on the Bike Trail Connection off of the Kennedy Bridge this may not be a good candidate at this time.

HSIP Funding: Due to fact this is essentially a school crossing with significant traffic volumes at certain time periods during the day and the safety issues discussed at this crossing we would recommend the City apply for funding.

If the Council wishes to pursue funding for any other potential projects that may meet eligibility requirements of these two programs we can certainly review however, a decision would need to be made asap as the deadlines for applying to both is these programs is coming up soon.

Enclosures:

Estimate of Cost from Bygland Road Study on Hawk System

Table ES-1. Implementation Cost Summary

Near Term Improvements (Year 2016 to 2020)

Element	Intersection or Roadway Segment	Improvement Description	Construction Cost ⁽¹⁾	Engineering, Admin, Utilities and Inspection ⁽²⁾	Total Cost
1	Bygland Road - 1st Street to South City Limits	On Street Bike Lane	Paint - \$172,000 Epoxy - \$210,000 GR IN Poly - \$500,000	\$43,000	Paint - \$215,000 Epoxy - \$253,000 GR IN Poly - \$543,000
2	19th Avenue S, Greenway Boulevard and 13th Street	Establish Bike Route Connection Between Elementary School and Regional Trails	\$20,000	\$5,000	\$25,000
3	Bygland Road at 1st Street N	Install Green Left Turn Arrow (with Flashing Yellow Arrow Indications)	\$50,000	\$12,500	\$62,500
4	CAT Route 11	Re-route CAT Route 11 to Bygland Road/Rhinehart Drive Intersection.	\$0	\$0	\$0
5	Bygland Road at Rhinehart Drive	Construct Roundabout ⁽³⁾	\$1,100,000	\$275,000	\$1,375,000
6	Bygland Road - Regional Trail (South of 1st Street) to 5th Avenue	Construct Sidewalk	\$57,000	\$14,250	\$71,250
7	Bygland Road at 13th Street	Install HAWK Signal System	\$225,000	\$56,250	\$281,250
Total			\$1,624,000 to \$1,952,000	\$406,000	\$2,030,000 to \$2,358,000

Mid Term Improvements (Year 2021 to 2025)

Element	Intersection or Roadway Segment	Improvement Description	Construction Cost ⁽¹⁾	Engineering, Admin, Utilities and Inspection ⁽²⁾	Total Cost
8	Bygland Road at Middle School Access	Construct Refuge Median	\$115,000	\$28,750	\$143,750
9	Bygland Road at 5th Avenue	Persue 5th Avenue Realignment ⁽⁴⁾ (Maintain Stop Control)	\$655,000	\$163,750	\$818,750
10	Bygland Road - 4th Street to Metro Court (East Side)	Widen Existing 4 foot Sidewalk to 5 foot Sidewalk	\$50,000	\$12,500	\$62,500
Total			\$820,000	\$205,000	\$1,025,000

Long Term Improvements (Year 2026 to 2040)

Element	Intersection or Roadway Segment	Improvement Description	Construction Cost ⁽¹⁾	Engineering, Admin, Utilities and Inspection ⁽²⁾	Total Cost
11	Bygland Road at 13th Street	Construct Roundabout	\$2,800,000	\$700,000	\$3,500,000
12	13th Street - Bygland Road to Elementary School	Construct Sidewalk on South Side of Street	\$325,000	\$81,250	\$406,250
13	Bygland Road at 6th Street	Construct Curb Extensions	\$420,000	\$105,000	\$525,000
14	Bygland Road at James Street and 8th Street	Construct Refuge Medians	\$195,000	\$48,750	\$243,750
15	Bygland Road at 5th Avenue	Construct Roundabout	\$1,500,000	\$375,000	\$1,875,000
Total			\$3,740,000	\$935,000	\$4,675,000

(1) Construction costs are estimated year of expenditure (YOE) with an assumed 5% per year inflation rate

(2) Engineering, Administration, Utilities and Inspection are assumed to be 25% of the YOE construction cost.

(3) Rhinehart Roundabout requires an estimated 1,500 SF easement for relocation of the gas station driveway and an estimated 1,600 SF of right of way acquisition (2 parcels) to accommodate potential future expansion

(4) The future realignment of 5th Avenue requires an estimated 20,500 SF of right of way acquisition (1 parcel).

RESOLUTION NO. 16 – 11 - 115

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

WHEREAS, there has been a number of near crashes between biker/pedestrians and motorists at the intersection of Bygland Road and 13th St SE near South Point Elementary School and Central Middle School;

WHEREAS, the City of East Grand Forks and the Grand Forks- East Grand Forks Metropolitan Planning Organization have adopted the Bygland Road Study which addresses the safety concerns for bicyclists and pedestrians at this intersection;

WHEREAS, the engineering Consultants of the study, after public meetings and review of potential alternatives, have recommended a HAWK signal system be installed at this intersection to improve the safety for bicyclists and pedestrians crossing Bygland at the intersection of Bygland Road and 13th St SE

WHEREAS, the City has an opportunity to apply for HSIP funds to help pay for this safety project with an 90/10 split on construction costs;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of East Grand Forks, Minnesota authorizes the City Engineers to draft and submit an application with the details of the project to be eligible for HSIP funds.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: November 1, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 1st day of November, 2016.

Mayor

RESOLUTION NO. 16 – 11 – 116

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 25267 for a total of \$907.95.

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 \$907.95 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 November 1, 2016.

Voting Aye:
Voting Nay:
Abstain:

The President declared the resolution passed.

Passed: November 1, 2016

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 1st day of November, 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 25267 for a total of \$907.95.
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 November 1, 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: 10/28/2016 - 1:37 PM



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
25232	11/01/2016	3DS001	3D Specialties	515.59	0
25233	11/01/2016	ACM001	Acme Electric Companies	682.84	0
25234	11/01/2016	ADV001	Advanced Business Methods Inc	1,348.74	0
25235	11/01/2016	ADV005	Advanced Tire & Auto	202.00	0
25236	11/01/2016	ALB001	Albrecht Manufacturing	737.20	0
25237	11/01/2016	ALL003	All Seasons Garden Center	99.98	0
25238	11/01/2016	AMA001	Amazon.com	121.33	0
25239	11/01/2016	APW002	American Public Works Association	230.00	0
25240	11/01/2016	AME002	American Tire Service	536.60	0
25241	11/01/2016	AME005	Ameripride Linen & Apparel Services	336.55	0
25242	11/01/2016	ASC001	ASC Construction Equipment USA, Ir	134.13	0
25243	11/01/2016	BAK001	Baker & Taylor Co	183.04	0
25244	11/01/2016	BAL001	Balco Uniforms Co Inc	82.54	0
25245	11/01/2016	BRO002	Brodart Co	502.71	0
25246	11/01/2016	CAR004	Cariveau Concrete Construction Inc	2,022.00	0
25247	11/01/2016	CAR002	Carquest Auto Parts	176.34	0
25248	11/01/2016	CEN006	Century Link	866.83	0
25249	11/01/2016	GFC002	City of Grand Forks	3,966.75	0
25250	11/01/2016	CLA004	Clarke Mosquito Control Products	8.50	0
25251	11/01/2016	COL002	Cole Papers Inc	316.54	0
25252	11/01/2016	COU008	Countrywide Sanitation Company	53,688.36	0
25253	11/01/2016	DAK004	Dakota Supply Group	253.16	0
25254	11/01/2016	DSI002	DSI Mechanical LLC	6,599.98	0
25255	11/01/2016	ENV002	Environmental Equipment & Services	55.28	0
25256	11/01/2016	EXP002	Exponent	1,125.70	0
25257	11/01/2016	EZL001	EZ Locksmith	378.00	0
25258	11/01/2016	FAI002	Fairbanks North Star Borough Public I	40.00	0
25259	11/01/2016	FER004	Fertile Fire Department	2,469.73	0
25260	11/01/2016	FRE003	Michael Frederick	44.00	0
25261	11/01/2016	G&K001	G&K Services	264.85	0
25262	11/01/2016	GEO001	George's Quick Printing	55.00	0
25263	11/01/2016	GFM001	GF Marble & Tile Inc	4,720.00	0
25264	11/01/2016	GGF001	GGF Convention & Visitors Bureau	2,853.86	0
25265	11/01/2016	GFF001	Grand Forks Fire Equipment	90.00	0
25266	11/01/2016	GAF002	Hannaher's Inc	700.49	0
25267	11/01/2016	HAR001	Hardware Hank	907.95	0
25268	11/01/2016	HEA001	Heartland Paper	139.02	0
25269	11/01/2016	HJE004	Joe Hjelman	100.00	0
25270	11/01/2016	HOL002	Holiday Companies	138.66	0
25271	11/01/2016	HOM001	Home of Economy	44.97	0
25272	11/01/2016	HUG001	Hugo's	40.28	0
25273	11/01/2016	INT003	Integra Telecom	96.21	0
25274	11/01/2016	JPC001	J. P. Cooke Company	103.00	0
25275	11/01/2016	JAC001	Nicholas Jackson	634.55	0
25276	11/01/2016	KEE002	Keepsr Inc	2,727.98	0
25277	11/01/2016	KEI001	Keith's Security World	9.00	0
25278	11/01/2016	KEN002	Kennedy & Graven, Chartered	140.00	0
25279	11/01/2016	KNU001	Knutson Printing Company	584.53	0
25280	11/01/2016	LIB001	Liberty Business Systems	128.46	0
25281	11/01/2016	LUM001	Lumber Mart	12.05	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
25282	11/01/2016	LYN001	Lynn Peavey Company	168.00	0
25283	11/01/2016	MAR001	Marco Inc	129.72	0
25284	11/01/2016	MCD001	McDonald's of EGF	59.91	0
25285	11/01/2016	MEN001	Menards	66.94	0
25286	11/01/2016	MPO001	Metropolitan Planning Organization	1,575.14	0
25287	11/01/2016	MNH001	MHSRC/Range	792.00	0
25288	11/01/2016	MIC001	Micro-Marketing LLC	29.99	0
25289	11/01/2016	MID003	Midcontinent Communications	1,549.56	0
25290	11/01/2016	MID016	Midwest Pest Control Inc	125.00	0
25291	11/01/2016	MID007	Midwest Refrigeration Inc	317.00	0
25292	11/01/2016	MIK001	Mike's Pizza	64.19	0
25293	11/01/2016	BCA004	MN Bureau of Criminal Apprehension	1,530.00	0
25294	11/01/2016	MNC004	MN Chief of Police Association	109.90	0
25295	11/01/2016	MNC005	MN County Attorney's Association	55.00	0
25296	11/01/2016	MND003	MN Dept of Labor & Industry	100.00	0
25297	11/01/2016	MOE002	Ben & Keleigh Moen	55.00	0
25298	11/01/2016	ORE001	O'Reilly Automotive, Inc.	120.00	0
25299	11/01/2016	OCH001	Gerald Ochs	25.25	0
25300	11/01/2016	OCL001	OCLC	147.36	0
25301	11/01/2016	ORC002	Roger Orchard	990.00	0
25302	11/01/2016	PET001	Peterson Veterinarian Clinic P.C.	745.00	0
25303	11/01/2016	PRE001	Premium Waters Inc	101.00	0
25304	11/01/2016	QBI001	Quality Books Inc	113.78	0
25305	11/01/2016	QUI001	Quill Corp	168.11	0
25306	11/01/2016	ZAV001	RJ Zavoral & Sons	1,099,046.03	0
25307	11/01/2016	STA003	Star Tribune	65.00	0
25308	11/01/2016	SUM001	Summit Companies	190.00	0
25309	11/01/2016	CHI001	The Child's World Inc	116.70	0
25310	11/01/2016	THU002	Thur-O-Clean	4,793.26	0
25311	11/01/2016	TRU001	True Temp	2,164.68	0
25312	11/01/2016	ULT001	Ultramax	704.00	0
25313	11/01/2016	USB005	US Bank Corporate Payment System	4,224.96	0
25314	11/01/2016	VAL004	Valley Golf Association	5,278.52	0
25315	11/01/2016	VIL001	Vilandre Heating & A/C	716.87	0
25316	11/01/2016	WAT001	Water & Light Department	19,732.43	0
25317	11/01/2016	WID001	Widseth Smith Nolting & Associates	39,648.67	0
25318	11/01/2016	WOL004	Lori Wolff	110.00	0
25319	11/01/2016	XCE001	Xcel Energy	1,971.05	0
				1,280,115.30	
Check Total:					