

**AGENDA
CITY COUNCIL
CITY OF EAST GRAND FORKS
SEPTEMBER 21, 2010
5:00 P.M.**

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 September 7, 2010.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of September 14, 2010.

SCHEDULED BID LETTINGS: NONE.

SCHEDULED PUBLIC HEARINGS: NONE.

CONSENT AGENDA:

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

3. Consider approving the following ““On Sale” Wine and “On Sale” Non-Intoxicating” Liquor License Applicant Renewals:
 - a. LBDMEGF, LLC, Little Bangkok located at 302 DeMers Avenue, East Grand Forks, MN 56721.
4. Consider approving the application for a Block Party for 18th Ave. SE on September 25, 2010 from 2:00 pm to 12:00 am.
5. Consider approving the request to declare the attached items surplus for the upcoming City Auction.
6. Consider approving the City Administrator Employment Agreement.

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

7. Regular Meeting minutes of the Water, Light, Power and Building Commission for August 19, 2010.

COMMUNICATIONS: NONE.

OLD BUSINESS: NONE.

NEW BUSINESS:

8. Consider adopting Resolution No. 10-09-98, a Resolution to support Legislation that bans in the most expeditious manner possible the sale and distribution of synthetic cannabinoids and related substances.
9. Consider adopting Ordinance No. 312 3rd Series, an Ordinance of the City of East Grand Forks, Minnesota, amending City Code Title XV entitled "Land Usage" by amending Chapter 152 entitled "Zoning Code" "General Performance Standards" by adding Section 152.293 (G) "Building Performance Standards"; and by adopting by reference City Code Title 1, Chapter 10 and Section 10.99 which, among other things, contain penalty provisions. (2nd Reading)
10. Consider adopting Ordinance No. 313 3rd Series, an Ordinance of the City of East Grand Forks, Minnesota, amending City Code Title XV entitled "Land Usage" by amending Chapter 151 "Subdivision Regulation" Section 151.106 (B) Street Width and Grade, (12), Sidewalks; and by adopting by reference City Code Title 1, Chapter 10 and Section 10.99 which, among other things, contain penalty provisions. (2nd Reading)

CLAIMS:

11. Consider adopting Resolution No. 10-09-99 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check number 7465 for a total of \$343.84 whereas Council Member Buckalew is personally interested financially in the contract.
12. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

ADJOURN:

Upcoming Meetings:

Work Session – September 28, 2010 – 5:00 PM – Training Room

Regular Meeting – October 5, 2010 – 5:00 PM – Council Chambers

Work Session – October 12, 2010 – 5:00 PM – Training Room

**UNAPPROVED
MINUTES
OF THE
EAST GRAND FORKS
CITY COUNCIL**

TUESDAY, SEPTEMBER 7, 2010 – 5:00 PM

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for September 7, 2010 was called to order by Council President Dick Grassel 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 Dick Grassel, Council Vice President Henry Tweten, Council Member Marc Demers, Craig Buckalew (5:10 pm), Wayne Gregoire, Mike Pokrzywinski, and Greg Leigh.

STAFF PRESENT:

Dave Aker, Parks & Recreation Superintendent; Brad Bail, City Engineer; Dan Boyce, Water & Light Manager; Nancy Ellis, Planning & Zoning; Michelle French, Executive Assistant; Ron Galstad, City Attorney; Randy Gust, Fire Chief; Charlotte Helgeson, Library Director; Scott Huizenga, City Administrator; Jerry Lucke, Finance Director; Jim Richter, EDHA Director; and John Wachter, Public Works Superintendent.

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.” If you would like to address the City Council, please come up to the podium to do so.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of August 17, 2010.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of August 24, 2010.

3. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of August 31, 2010.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GREGOIRE, TO APPROVE ITEMS ONE (1) THROUGH THREE (3) AS SUBMITTED.

Voting Aye: DeMers, Grassel, Tweten, Gregoire, Leigh, and Pokrzywinski.

Voting Nay: None.

Absent: Buckalew.

SCHEDULED BID LETTINGS:

4. Consider rejecting the bids for the Safe Routes to School and rebid the project in the Spring of 2011.

A MOTION WAS MADE BY COUNCIL MEMBER GREGOIRE, SECONDED BY COUNCIL MEMBER LEIGH, TO REJECT THE BIDS FOR THE SAFE ROUTES TO SCHOOL AND REBID THE PROJECT IN THE SPRING OF 2011.

Voting Aye: Grassel, Tweten, Gregoire, Leigh, and Pokrzywinski.

Voting Nay: None.

Abstain: DeMers.

Absent: Buckalew.

SCHEDULED PUBLIC HEARINGS: NONE.

CONSENT AGENDA:

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

5. Consider adopting Resolution No. 10-09-91 a Resolution approving the application for a gambling premise permit by the East Grand Forks Blue Line Club for the Whitey’s Steak and Seafood.
6. Consider approving the application for an Exempt Gambling Permit for a raffle for the Min-Dak Chapter of Minnesota Deer Hunters to be held October 28, 2010 at the VFW Club, 312 DeMers Ave., East Grand Forks, MN 56721 and waive the 30-day waiting period.
7. Consider approving the application for an Exempt Gambling Permit for a raffle and paddlewheels for the Red River Lions Club to be held November 18, 2010 at the American Legion Club, 1009 Central Ave. NW, East Grand Forks, MN 56721 and waive the 30-day waiting period.
8. Consider approving the application for a temporary on-sale liquor license for the St. Mike’s Parish to be held October 23, 2010 at Sacred Heart, East Grand Forks, MN 56721, and liquor will be contracted with Liberty Lanes.

9. Consider approving the quote to Wagners Landscaping, Inc. for 273 trees and shrubs for the Red River State Recreation Area for a total price of \$13,883.25.
10. Consider approving the application for a Bon-Fire for the East Grand Forks Senior High School Homecoming on September 12, 2010 from 7:45 pm to 9:30 pm pending application fee.
11. Consider approving the application for a Bon-Fire for the Sacred Heart High School Football on September 26, 2010 from 8:30 pm to 9:30 pm pending Fire Chief approval.
12. Consider approving the application for a special event license from “Altru Cancer Center”, for the Bike Ride/Walk/Run fundraiser and awareness for breast cancer on September 12, 2010 from 12:00 pm to 3:00 pm.
13. Consider approving the application for a special event license from “Center Court Fitness Club”, for the Hugos Potato Bowl 8K Race and Tator Tot Trot 1 Mile Run on September 17, 2010 from 4:00 pm to 8:00 pm.
14. Consider approving the application for a special event license from “Alpha Phi Sorority”, for the Cardiac Care Annual 5k Walk/Run on September 18, 2010 from 8:00 am to 10:30 am.
15. Consider approving the Minnesota Municipal Utilities Association Service Agreement for the Safety Management Program split 50/50 between the City and Water & Light Department.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE CONSENT MOTIONS NUMBER FIVE (5) THROUGH FIFTEEN (15) AS SUBMITTED.

Voting Aye: DeMers, Grassel, Tweten, Gregoire, Leigh, and Pokrzywinski.

Voting Nay: None.

Absent: Buckalew.

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS AND COMMISSIONS:

16. Regular Meeting minutes of the Water, Light, Power and Building Commission for August 5, 2010.
17. The minutes of the East Grand Forks Campbell Library Board Meeting for August 31, 2010.

COMMUNICATIONS: NONE.

OLD BUSINESS: NONE.

NEW BUSINESS:

18. Consider adopting Ordinance No. 312 3rd Series, an Ordinance of the City of East Grand Forks, Minnesota, amending City Code Title XV entitled “Land Usage” by amending Chapter 152 entitled “Zoning Code” “General Performance Standards” by adding Section 152.293 (G) “Building Performance Standards”; and by adopting by reference City Code Title 1, Chapter 10 and Section 10.99 which, among other things, contain penalty provisions. (1st Reading)

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADOPT ORDINANCE NO. 312 3RD SERIES, AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE TITLE XV ENTITLED "LAND USAGE" BY AMENDING CHAPTER 152 ENTITLED "ZONING CODE" "GENERAL PERFORMANCE STANDARDS" BY ADDING SECTION 152.293 (G) "BUILDING PERFORMANCE STANDARDS"; AND BY ADOPTING BY REFERENCE CITY CODE TITLE 1, CHAPTER 10 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS. (1ST READING)

Voting Aye: Grassel, Buckalew, Tweten, Gregoire, Leigh, and Pokrzywinski.

Voting Nay: DeMers.

Absent: Buckalew.

19. Consider adopting Ordinance No. 313 3rd Series, an Ordinance of the City of East Grand Forks, Minnesota, amending City Code Title XV entitled "Land Usage" by amending Chapter 151 "Subdivision Regulation" Section 151.106 (B) Street Width and Grade, (12), Sidewalks; and by adopting by reference City Code Title 1, Chapter 10 and Section 10.99 which, among other things, contain penalty provisions. (1st Reading)

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT ORDINANCE NO. 313 3RD SERIES, AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE TITLE XV ENTITLED "LAND USAGE" BY AMENDING CHAPTER 151 "SUBDIVISION REGULATION" SECTION 151.106 (B) STREET WIDTH AND GRADE, (12), SIDEWALKS; AND BY ADOPTING BY REFERENCE CITY CODE TITLE 1, CHAPTER 10 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS. (1ST READING)

Mayor Stauss announced that in 1975 the Council has adopted the wide streets which make the yards look nicer. He stated that a future council may change it back. This ordinance is for new developments only.

Voting Aye: Grassel, Buckalew, Tweten, Gregoire, Leigh, and Pokrzywinski.

Voting Nay: DeMers.

Absent: Buckalew.

20. Consider adopting Resolution No. 10-09-92 a Resolution to add a \$5 Rescue Unit Fee to all utility bill customers effective January 1, 2011.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER LEIGH, TO ADOPT RESOLUTION NO. 10-09-92 A RESOLUTION TO ADD A \$5 RESCUE UNIT FEE TO ALL UTILITY BILL CUSTOMERS EFFECTIVE JANUARY 1, 2011.

Voting Aye: Grassel, Buckalew, Tweten, Gregoire, Leigh, and Pokrzywinski.

Voting Nay: DeMers.

Absent: Buckalew.

21. Consider adopting Resolution No. 10-09-93 a Resolution to amend the agreement with the Townships to reflect an increase in revenue from both the City and the Townships and authorize the Mayor and City Administrator/Clerk-Treasurer sign all appropriate documents.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 10-09-93 A RESOLUTION TO AMEND THE AGREEMENT WITH THE TOWNSHIPS TO REFLECT AN INCREASE IN REVENUE FROM BOTH THE CITY AND THE TOWNSHIPS AND AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR/CLERK-TREASURER SIGN ALL APPROPRIATE DOCUMENTS.

Voting Aye: Grassel, Buckalew, Tweten, Gregoire, Leigh, and Pokrzywinski.

Voting Nay: DeMers.

Absent: Buckalew.

22. Consider adopting Resolution No. 10-09-94 a Resolution approving the 2010 tax levy collectable in 2011 for a total amount of \$3,075,679 and set the Truth in Taxation Hearings for December 7, 2010 at 7:00 p.m. with a continuance hearing December 21, 2010, at 7:00 p.m. if necessary.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 10-09-94 A RESOLUTION APPROVING THE 2010 TAX LEVY COLLECTABLE IN 2011 FOR A TOTAL AMOUNT OF \$3,075,679 AND SET THE TRUTH IN TAXATION HEARINGS FOR DECEMBER 7, 2010 AT 7:00 P.M. WITH A CONTINUANCE HEARING DECEMBER 21, 2010, AT 7:00 P.M. IF NECESSARY.

Council Member Leigh stressed that the City needs to continue looking at ways to do things differently and more efficiently. He stated that the departments have done a great job and he would like to continue to minimize taxes as much as possible but we need to look at equipment.

Council Vice President Tweten stated that everyone needs to examine the budget closely. Mayor Stauss hopes that the new Governor restores LGA 100%.

Voting Aye: DeMers, Grassel, Buckalew, Tweten, Gregoire, Leigh, and Pokrzywinski.

Voting Nay: None.

23. Consider adopting Resolution No. 10-09-95 a Resolution to approve the 2011 preliminary budget.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADOPT RESOLUTION NO. 10-09-95 A RESOLUTION TO APPROVE THE 2011 PRELIMINARY BUDGET.

Voting Aye: DeMers, Grassel, Buckalew, Tweten, Gregoire, Leigh, and Pokrzywinski.

Voting Nay: None.

24. Consider approving the quote from Greenberg Roofing for roof repairs at the VFW Arena for a total price of \$16,977.00.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE THE QUOTE FROM GREENBERG ROOFING FOR ROOF REPAIRS AT THE VFW ARENA FOR A TOTAL PRICE OF \$16,977.00.

Council Member DeMers asked if funds will come from the Building Maintenance Fund. Council Member Buckalew asked about the Civic Center repairs. Mr. Aker stated that he is waiting to find out what the City is going to do about the locker rooms.

Voting Aye: DeMers, Grassel, Buckalew, Tweten, Gregoire, Leigh, and Pokrzywinski.

Voting Nay: None.

CLAIMS:

25. Consider adopting Resolution No. 10-09-96 a Resolution authorizing the City of East Grand Forks to approve purchases from Berts Truck Equipment for the goods referenced in check number 7270 for a total of \$80.00 whereas Council Member Gregoire is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 10-09-96 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM BERTS TRUCK EQUIPMENT FOR THE GOODS REFERENCED IN CHECK NUMBER 7270 FOR A TOTAL OF \$80.00 WHEREAS COUNCIL MEMBER GREGOIRE IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

Voting Aye: DeMers, Grassel, Buckalew, Tweten, Leigh, and Pokrzywinski.

Voting Nay: None.

Abstain: Gregoire.

26. Consider adopting Resolution No. 10-09-97 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank for the goods referenced in check number 7317 for a total of \$958.99 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER LEIGH, TO ADOPT RESOLUTION NO. 10-09-97 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK FOR THE GOODS REFERENCED IN CHECK NUMBER 7317 FOR A TOTAL OF \$958.99 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

Voting Aye: DeMers, Grassel, Tweten, Gregoire, Leigh, and Pokrzywinski.

Voting Nay: None.

Abstain: Buckalew.

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

Acme Electric Companies	Supplies for WW	\$196.30
Advanced Business Methods Inc	Copier Contract	\$615.67
Aker Dave	Reimb Hotel/NRPA Conv/ Aker & Dragich	\$281.40
All Seasons Garden Center	Tree Wrap/3 Nursery	\$173.21
Altru Health System	Blood Draw R. N oss	\$39.50
Amazon.com	Books	\$38.51
AMEM	2010 Mebership Dues	\$100.00
American Tire Service	Flat Repair Right Front Driv	\$113.55
American Tire Service Inc	7 Tires & 3 Rims	\$487.45
Ameripride Linen & Apparel Services	Cleaning Services	\$214.27
Babe Ruth League	Cap Ripken Team Registration	\$118.00
Baker & Taylor Co	Books	\$319.92
Barta Alex	Shut Down Ice Plant	\$180.00
Batteries Plus	Battery Tester For Lift	\$7.46
Bert's Truck Equipment	DOT #105	\$80.00
Blue Cross Blue Shield of ND	EDHA Insurance	\$5,764.50
Boen Andrew	Reimb Meal/Duluth Training	\$85.00
Border States Electric Supply	Lamps/Battery Pack	\$112.96
Border States Trophy & Awards	Engraved Plaque/ Tennis Medals & Ribbons	\$152.65
Brad Buck Floor Care	Floor Care	\$1,900.00
Brians Flooring	Flooring	\$2,550.00
Brodart Co	Books	\$235.17
Bruce Jay	Reimb Mileage Jan - June 2010	\$75.00
Bydal Designs	RRSRA Site Signs	\$149.62
Cabela's Retail	Supplies/Boat Supplies	\$2,455.90
California Contractors Supplies Inc	Gloves	\$368.33
Carquest Auto Parts	V-Belt /Overhead Door/Hose & Parts Pressure Washer	\$162.92
Cash Donald Scott	Dial-A-Ride July 2010	\$2,146.90
Clarke Mosquito Control Products	Electrical Pins & Plug Ins	\$67.29
Coalition of Greater MN Cities	2010 CGMC Summer Conf/D.Grassel & L/Stauss	\$370.00
Cole Papers Inc	Janitorial Supplies	\$452.30
Complete Pest Control Inc	Treated Nest/Sherlock Park	\$80.16
Crookston Daily Times	Newspaper Renewal Acct. #4012	\$100.00
Cummins NPower LLC	DPF Repair #614	\$1,117.61
Custom Stripes Inc	Stripping For #421	\$275.00
Dakota Fence	Repair Fence At Greensite	\$1,833.00
Dannatt Gail	Sec Deposit Refund	\$244.32
Dash Medical Gloves	Dash Med. gloves inv#10658	\$119.80
Diamond Cleaning Supply Richard Papenfuss	Soup and Cups	\$87.10
Eagle Electric	Civic Sign Repairs	\$1,978.58
EGF Homerun Club Inc	Umpire Fees	\$340.00
EIDE Motors	Used Tire Rim #540/Owners Manual #540	\$101.42
Explorer Post #38	Squad Car Cleaning	\$40.00

Exponent	Financial Summary Announcement/Filing Dates City Council	\$1,466.80
EZ Locksmith	SW Lift Station Locks & Keys	\$158.00
Fladhammer Ben	Deferred Loan	\$5,000.00
Forks Freightliner	Belt/Filter/Wiper Arms #157	\$244.98
FS Engineering	Professional Services	\$113,929.20
G&K Services	Mats	\$240.38
Gaffaneys	Time Cards/Ink/Paper	\$189.41
Gahlon Gregory	Reimb Taser Recert Fee	\$175.00
Gale	Books	\$46.79
Garden Hut Inc	Maint Supplies & Parts	\$947.80
George's Quick Printing	Business Cards/Kyle Stever	\$58.79
GF Fire Equipment	Recharge Fire Extinguishers	\$306.64
GF Welding & Machine	Iron For Front Grill Gard #614	\$75.91
Gopher State Lawn Sprinklers	Sprinkler Panel Repair	\$92.16
Grassel Richard	Meal/Mileage Reimb CGMC Conf	\$556.00
Grenier John	Reimb Meal/Mileage - WW Tech Seminar	\$348.95
H&S Construction	10 CP6 Est 2 Street Repairs	\$95,879.00
Hajicek Rick	Cleaning 8/09/10-8/27/10	\$427.50
Hardware Hank	Maint Supplies & Parts	\$958.99
Heartland Paper	Kleenex/Tissue/Rug/Misc Supplies	\$1,092.86
Hussey Plumbing	Men's Room Plumbing & Fixtures	\$868.10
Independent School District #595	Resurface Tennis Courts	\$7,986.50
Integra Telecom	LD Aug 2010	\$180.30
Joe Blacks	EDHA Board Meeting	\$68.05
Jolanda Streifel	Magnetic Nametags	\$54.00
Junior Library Guild	Books	\$2,067.00
Kelly Services	Temp Services	\$976.50
Knopp Peter	Reimb Anti-Skid	\$18.98
Knutson Printing Company	Notecards and Envelopes	\$106.00
Kossow Linda	Mileage Reimb/Jan - Jun 2010	\$62.50
Liberty Business Systems	Copier Lease	\$73.59
Lithia Payment Processing	Repair Oil Leak #421/Radiator & Fan #546	\$1,731.89
Lynne Gladwin	Reimb Computer Mouse /Reimb Meal & Lodging	\$165.82
M&W Services	Sterilization of Campground	\$2,151.75
MacQueen Equipment	Door Linkage #112	\$124.93
Marco Net	Copier Contract	\$216.84
McDonald's of EGF	Prisoner Meals	\$57.90
Menards	Maint Supplies/Coffe Maker	\$128.50
Micro-Marketing LLC	Books/Audio Books	\$118.60
Midway Ford	1 Ton Pick-Up/Rescue Truck	\$24,988.49
Mike's Pizza	Planning Meeting Meal	\$42.87
MN Dept of Labor & Industry	Tom Spoor Registration Ref # 10236758S9DY	\$85.00

MN Dept of Revenue	July 2010 Sales & Use Tax	\$2,146.00
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MN Pollution Control Agency	WW Certification Renewal	\$23.00
MN State Treasurer - Treasury Division	Forfeiture of Property Seized	\$29.60
Moon Deb	Reimb Mileage Dec 2009/Jan - July 2010	\$41.98
Motion Industries Inc	Formafunnel Shop Tool/Actuators #114	\$592.96
Musco Lighting	Inv. 214065 light lens. (NEw Vendor - Mu	\$64.53
Newman Signs	No Pedestrian Crossing Sign	\$100.78
Northern Plumbing Supply	Closet Auger	\$31.13
O'Reilly Auto Parts	R134 Oil Change #614/Inventory/Hyd Hose #139	\$210.00
Odland Fitzgerald Reynolds & Harbott PLLP	First Appearances	\$280.00
Old Dominion Brush	Gutter Broom & Main Broom`	\$1,068.75
Olson Ellen	Reimb Mileage	\$134.03
Opp Construction	Asphalt Patch River Road/Trim Trees/09 AJ2/09 AJ4	\$210,719.15
Orchard Richard	Transmission Oil #128	\$267.41
Paras Contracting	2010 CP3 Est 1 Street Repairs Cent Ave	\$101,938.04
Penworthy Company	Books	\$245.23
Polk County Attorney-Widseth	Forfeiture of Property Seizedw/ Controlled Substance	\$59.20
Polk County Recorder	7 Filing Fees	\$322.00
Power Equipment Shop	Chainsaw & Weed Eater Parts	\$53.38
Praxair Distribution	Gloves	\$171.21
PS Door Services	Material & Lab	\$1,519.00
Quill Corp	Office Supplies	\$222.58
Qwest	Phone Service	\$2,173.09
RDO Powerplan OIB	Transmission Drain Valve #128	\$56.94
Richter James	Reimb Filing Cabinets	\$74.71
Richter Sherri	Election Training	\$25.00
RJ Zavoral & Sons	10 CP& Est 3 FINAL Camp Improv	\$87,891.23
Roberts Bert	Reimb Meal/Mileage WW Tech Seminar	\$338.50
Rydell Chevrolet	Key/Turn Signal Switch/Tail Light/RelayEngine Air Pump	\$570.79
S&S Towing & Repair	Deck Belt/ Adjust Blade	\$123.06
Safety Kleen Corp	Service Main Parts Washer	\$378.34
Schmaltz Leonard	Reimb Mileage Dec 2009 - June 2010	\$131.59
Schumacher Dean	Sidewalk Reimb Crestwood Townhomes	\$1,550.00
Scipar Inc	PLC Cards For SW Lifts	\$653.50
Seton	Handicap Signs	\$67.35
Show Me Books	Books	\$96.00
Skinner Roofing	Shingles/Sunshine Terrace	\$450.00
Solem Robin	Reimb Boot Exp/Robin Solem	\$59.99
Spielman Paul	2-Way Radio Installed #101 & 250	\$1,065.64
Stauss Lynn	Reimb Meal Mileage/CGMC Conf	\$533.00
Stennes Granite	O/C Grave Barbara Jacobson & Muriel Anderson	\$950.00
Sterling Carpet One	Repair Front Door Jam	\$175.00

Stone's Mobile Radio Inc	Portable Radio Repair/ Replace Control Head On 2-Way	\$432.19
Strandell Warren	Book Project	\$500.00
Strata Corp	2009 CP3 Est8/2010 AJ1 Est 1/2010 CP1 Est 1	\$1,299,855.39
Streichers	Name Tags Patrol	\$21.26
Szczepanski Darren	Reimb Meal/Mileage DRE Re-Certs	\$116.00
The Chamber of EGF/GF	Retail Trade Analysis-The Buxton Co	\$5,000.00
Thompson Dave	Reimb Meals	\$85.00
Tool Plus Industries	Lime Green Safety Vests	\$587.63
US Bearings & Drives	Torro Mower Bearings	\$60.08
USPS Postmaster	Bulk Mailings - 5 Mailings/3 Months	\$375.00
Valley Truck	DOT & Repairs #616/Hub Caps #150	\$468.59
Vilandre Heating & A/C	HVAC Water Leak	\$117.60
W.D. Larson Companies LTD Inc	A/C Condensor & Front Grille	\$992.70
Wagner Construction	2008 Cp1 Est 20 FINAL Wastewater Improv	\$165,364.26
Wagner's Landscaping		\$1,057.50
Water & Light Department	Monthly Services	\$65,377.27
Waterous Company	Discharge Valve Repair Kit	\$152.83
Wilbur-Ellis	Herbicide	\$112.00
Wizard's Enterprises Inc.	Custodial Services	\$490.00
Xcel Energy	Monthly Services	\$797.83
Zee Medical Service	Lens Wipes	\$32.20
	Total	<u>\$2,250,399.06</u>

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

Voting Aye: DeMers, Grassel, Buckalew, Tweten, Gregoire, Leigh, and Pokrzywinski.

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Council Member Leigh discussed some properties that need to be mowed.

Mr. Huizenga reminded City Council about the Intergovernmental Meeting on Thursday at Mama Marias.

Mr. Bail provided an update on City projects.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER GREGOIRE, TO ADJOURN THE SEPTEMBER 7, 2010 REGULAR MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:25 P.M.

Voting Aye: DeMers, Grassel, Buckalew, Tweten, Gregoire, Leigh, and Pokrzywinski.
Voting Nay: None.

Scott Huizenga, City Administrator/Clerk-Treasurer

**UNAPPROVED MINUTES
OF THE
EAST GRAND FORKS
CITY COUNCIL
TUESDAY, September 14, 2010 – 5:00 PM**

CALL TO ORDER

The Work Session of the East Grand Forks City Council for September 14, 2010 was called to order by Council President Dick Grassel 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 Dick Grassel, Council Vice President Henry Tweten, Council Members Marc DeMers, Craig Buckalew, Wayne Gregoire, Mike Pokrzywinski, and Greg Leigh.

STAFF PRESENT:

Dave Aker, Parks & Recreation Superintendent; Brad Bail, City Engineer; Dan Boyce, Water & Light Manager; Michelle French, Executive Assistant; Ron Galstad, City Attorney; Randy Gust, Fire Chief; Mike Hedlund, Police Chief; Scott Huizenga, City Administrator; Jim Richter, EDHA Director; Aeiiso Schrage, Police Officer; and John Wachter, Public Works Superintendent.

DETERMINATION OF A QUORUM

1. Report of Feasibility – “2011 Assessment Job No. 1 – Paving – 14th Ave. SE – Greg Boppre

Mr. Bail announced that the City limit line runs down the middle of the street and Huntsville Township has the rest of the right-of-way and they are not interested in paving. There are many different options. 1. Pave half of the street 2. Pave the entire road and have the City pick up the township costs 3. Leave the road as it is.

City Council stated that they are not in favor of the City paying for the other half. Council President Grassel suggested meeting with the township. Mr. Galstad suggested that the City Council talk to the homeowners to see if they would absorb all costs. Mr. Huizenga and Council Member DeMers will meet with the township.

2. American Crystal Sugar Update – Lloyd Kennedy

Mr. Kennedy and Ms Hanson from American Crystal Sugar gave an update on the progress on the odor reduction. Mr. Kennedy announced that this is projected to be the largest crop. Council President Grassel announced that he is working with Congressman Peterson’s office on getting 10th Avenue open to help reduce traffic in the residential areas.

3. Presentation of “Spice” – Officer Aeisso Schrage

Officer Schrage gave a presentation on a product called “SPICE” which is being sold in two tobacco shops in East Grand Forks. He announced that “Spice” is a synthetic version of THC used to get high. He recommended the City to amend the current ordinance or adopt a new ordinance in order to prohibit the sale, use, or possession of “Spice” within the City of East Grand Forks. City Council suggested adopting a resolution of support to send to the Governor, Senators, and Legislatures.

4. Surplus Property – John Wachter

Mr. Wachter announced that he is looking at putting machinery and miscellaneous items on an auction and would like to declare items surplus. This item will be referred to City Council for action.

ADJOURN

A MOTION WAS MADE BY COUNCIL MEMBER LEIGH, SECONDED BY COUNCIL MEMBER DEMERS, TO ADJOURN THE SEPTEMBER 14, 2010 WORK SESSION OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:03 P.M.

Voting Aye: Grassel, Buckalew, Tweten, Gregoire, Leigh, Pokrzywinski, and DeMers.

Voting Nay: None.

Scott Huizenga, City Administrator/Clerk-Treasurer

GENERAL INFORMATION SHEET
REQUIRED TO ACCOMPANY ANNUAL BEER AND LIQUOR APPLICATIONS

#3

1. Name of applicant: LBDMEGF LLC

2. Is applicant an individual, partnership or corporation? (Circle one)
If individual, go to question 7 and continue. If partnership, go to question 6 and continue.
If corporation, start at question 3 and continue.

3. Name of Officers

<u>David Scheer</u>	President
<u>THAMBONG DECHAWUTH</u>	Vice-Pres
_____	Treasurer
<u>David Scheer</u>	Secretary

4. Names of Directors

5. Names of stockholders and number of shares held by each:

Name	Number of Shares
<u>THAMBONG DECHAWUTH</u>	<u>517.</u>
<u>DAVID SCHEER</u>	<u>497.</u>
_____	_____

6. Names of Partners: _____

7. Name and address of manager/agent: (must be a resident of city)
DANIEL OLSON

8. Seating capacity for serving meals at tables related to the Sunday On Sale liquor license:
75

9. Are there any delinquent taxes or charges owed to the City on the premises where licenses are to be issued: Yes _____ No _____

10. Are there any individuals who are involved with the licenses requested under the age of 21 or not citizens of the United States? Yes _____ No _____

Thong Dechawuth

Signatures of authorized individual

7/28/10

Date

FED ID# 27-252-8924

MN ID# 1684441



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
 444 Cedar St., Suite 222, St. Paul, MN 55101-5133
 (651) 201-7507 FAX (651) 297-5259 TTY (651) 282-6555
 WWW.DPS.STATE.MN.US



APPLICATION FOR COUNTY/CITY ON-SALE WINE LICENSE
 (Not to exceed 14% of alcohol by volume)

EVERY QUESTION MUST BE ANSWERED. If a corporation, an officer shall execute this application. If a partnership, LLC, a partner shall execute this application.

Workers compensation insurance company. Name Warner and Company Policy # WC 000000 86733 E
 LICENSEE'S MN SALES & USE TAX ID # 168 4441 To apply for MN Sales Tax # call (651) 296-6181
 LICENSEE'S FEDERAL TAX ID # 27-2528924

Applicants Name (Business, Partnership, Corporation) LBDMEGF LLC		Trade Name or DBA Little Bangkok	
Business Address 302 Demers Ave		Business Phone (701) 219.1423	Applicant's Home Phone (701) 219.1423
City East Grand Forks		County Polk	State MN
			Zip Code 56721
Is this application <input checked="" type="checkbox"/> New or a <input type="checkbox"/> Transfer	If a transfer, give name of former owner		License period From To

If a corporation, give name, title, address and date of birth of each officer. If a partnership, LLC, give name, address and date of birth of each partner.

Partner/Officer Name and title David Scheer	Address 1549 8th St. S Fargo, ND 58103	Social Security # 292-34-5618	DOB 10/8/1940
Partner/Officer Name and Title Thamrong Dechuwath	Address 2914 S Bay Dr. Fargo, ND 58103	Social Security # 602-08-3119	DOB 12/12/1973
Partner/Officer Name and Title	Address	Social Security #	DOB
Partner/Officer Name and Title	Address	Social Security #	DOB

CORPORATIONS

Date of incorporation	State of incorporation	Certificate Number	Is corporation authorized to do business in Minnesota? <input type="checkbox"/> Yes <input type="checkbox"/> No
-----------------------	------------------------	--------------------	--

If a subsidiary of another corporation, give name and address of parent corporation

BUILDING AND RESTAURANT

Name of building owner Jerome Seyler		Owner's address 302 Demers Ave Apt #2 East Grand Forks, MN 56721	
Are Property Taxes delinquent? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Has the building owner any connection, direct or indirect, with the applicant? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Restaurant seating capacity 75	
Hour's food will be available 10 hrs	No. of people restaurant employs 10	No. of months per year restaurant will be open 12	Will food service be the principle business? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Describe the premises to be licensed
Full Service, Ethnic Restaurant

If the restaurant is in conjunction with another business (resort etc.), describe business

NO LICENSE WILL BE APPROVED OR RELEASED UNTIL THE \$20 RETAILER ID CARD FEE IS RECEIVED BY AGED

OTHER INFORMATION

- Yes No 1. Has the applicant or associates been granted an on-sale non-intoxicating malt beverage (3.2) and/or a "set-up" license in conjunction with this wine license?
- Yes No 2. Is the applicant or any of the associates in this application a member of the county board or the city council, which will issue this license? If yes, in what capacity? _____ (If the applicant is the spouse of a member of the governing body, or another family relationship exists, the member shall not vote on this application.)
- Yes No 3. During the past license year, has a summons been issued under the liquor civil liability (Dram Shop) (M.S. 340A.802). If yes, attach a copy of the summons.
- Yes No 4. Has applicant, partners, officers or employees ever had any liquor law violations in Minnesota or elsewhere. If so, give names, dates, violations and final outcome. _____
- Yes No 5. Does any person other than the applicants, have any right, title or interest in the furniture, fixtures or equipment in the licensed premises? If yes, give names and details. _____
- Yes No 6. Have the applicants any interests, directly or indirectly, in any other liquor establishments in Minnesota? If yes, give name and address of the establishment. Three Orchid 900 1st Ave N Moorhead, MN 56560

I CERTIFY THAT I HAVE READ THE ABOVE QUESTIONS AND THAT THE ANSWERS ARE TRUE AND CORRECT TO THE BEST OF MY OWN KNOWLEDGE

Signature of Applicant

[Handwritten Signature]

The licensee must have one of the following: (Check one)

- A. Liquor Liability Insurance (Dram Shop) \$50,000 per person; \$100,000 more than one person; \$10,000 property destruction; \$50,000 and \$100,000 for loss of means of support. ATTACH "CERTIFICATE OF INSURANCE" TO THIS FORM.
- B. A Surety bond from a surety company with minimum coverage as specified above in A.
- C. A certificate from the State Treasurer that the Licensee has deposited with the State, Trust Funds having a market value of \$100,000 or \$100,000 in cash or securities.

IF LICENSE IS ISSUED BY THE COUNTY BOARD, REPORT OF COUNTY ATTORNEY

Yes No I certify that to the best of my knowledge the applicants named above are eligible to be licensed.

If no, state reason. _____

Signature County Attorney

County

Date

REPORT BY POLICE OR SHERIFF'S DEPARTMENT

This is to certify that the applicant and the associates, named herein have not been convicted within the past five years for any violation of Laws of the State of Minnesota, Municipal or County Ordinances relating to Intoxicating Liquor, except as follows: _____

[Signature] Police - chief 9-8-10
 Signature Department and Title Date

IMPORTANT NOTICE

ALL RETAIL LIQUOR LICENSEES MUST REGISTER WITH THE ALCOHOL, TOBACCO TAX AND TRADE BUREAU. FOR INFORMATION CALL (513) 684-2979 OR 1-800-937-8864

NOTICE

A \$30.00 service charge will be added to all dishonored checks. You may also be subjected to a civil penalty of \$100.00 or 100% of the value of the check, whichever is greater, plus interest and attorney fees.

Application for License to Sell On-Sale Non-Intoxicating Malt Liquors

Application to sell on-sale non-intoxicating malt liquors on those premises in the City of East Grand Forks, County of Polk, and State of Minnesota pursuant to the provisions of said Ordinances of said City.

Name of Business: LBDMEGF LLC

Address: 302 Demers Ave

Authorized Representative: THAMRONG DECHAWUTH

Telephone Number: 701.219.1423

Over 21 years old: YES or NO (circle one) Citizenship: Thailand

Residence during the last 5 years: 716 1/2 Main Ave Fargo, ND 58103
2914 S Bay Dr S Fargo, ND 58103

Type and location of every business or occupation that you have been engaged in during the last 5 years, together with the name and address of employers during said time: Tha Orchid 900 1st Ave N

Moorhead, MN 56560 + Leets Thai Cuisine 1450 25th St S

Fargo, ND 58103 + Drunken Noodle 623 NP Ave Fargo, ND 58102

Ever convicted of a crime or violation related to alcoholic beverages in the last 5 years? NO

If yes, when, where and for what such arrests or convictions have been made, giving the court and sentence:

If applicant is incorporated, under the laws of what state: North Dakota

Names and addresses of its officers, including street and number:

David Scheer 1549 8th St. S Fargo, ND 58103

Thamrong Dechawuth 2914 S Bay Dr. Fargo, ND 58103

Name and address of managing agent: Daniel Olson 302 Demers Ave
East Grand Forks, MN 56721

State nature of business on licensed premises - whether drug store, restaurant, hotel, or bona fide club, establishment for sale of non-intoxicating malt beverages: Restaurant

Describe in detail the premises where sale is to be conducted under the license applied for as to number of floors in building, the floor on which sale is to take place, the street and number, and legal description of premises: Locate on the first floor of the building address

302 Demers Ave East Grand Forks, MN 56721

Full service restaurant

Are there any delinquent Real Estate taxes or utilities on premises to be licensed? No

Name and address of owner of building: Jerome Saylor

302 Demers Ave Apt # 2 East Grand Forks, MN 56721

Name and address of any and all lessees and sub-lessees of building: _____

Name and address of owner of fixtures and furniture in the place where such non-intoxicating malt liquors are to be sold: _____

Name and address of any and every person who will have charge, management or control of the place: Deniel Olson 302 Demers Ave East Grand Forks, MN 56721

Is applicant directly or indirectly interested in the ownership of any other liquor establishment an owner or holder of a license from the Commissioner as a manufacturer, brewer or wholesaler?
No

Applicant herein agrees to abide by and be governed by all rules and regulations of the City and of the State pertaining to the sale of non-intoxicating malt liquors.

Applicant Thomas Paul Date 8/10/10

STATE OF MINNESOTA)
COUNTY OF POLK)ss.

_____ being first duly sworn, on oath says that he/she is the person who made and signed the foregoing application; that he/she has read said application together with the questions,

answers, and statements therein and knows the contents thereof, and that the same are true to his/her own knowledge.

TRAVIS WILSON
Notary Public
State of North Dakota
My Commission Expires Sept. 4, 2013

Applicant *[Signature]* *[Signature]*

Subscribed and sworn to before me this 7th day of September, 2010.
10 day of August, 2010.

State of North Dakota
County of Cass

Notary Public *[Signature]*

Receipt# _____ Fee of \$275.00 paid on _____, 20____.

CITY FORM B

PROOF OF WORKERS' COMPENSATION INSURANCE COVERAGE

Minnesota Statute Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Section 176.181, Subd. 2. The information required is: The name of the insurance company, the policy number, and dates of coverage or the permit to self-insure. This information will be collected by the licensing agency and put in their company file. It will be furnished, upon request, to the Department of Labor and Industry to check for compliance with Minnesota Statute Sec. 176.181, Subd. 2.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided and/or falsely reported, it may result in a \$1,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry payable to the Special Compensation Fund.

Provide the information specified above in the spaces provided, or certify the precise reason your business is excluded from compliance with the insurance coverage requirement for workers' compensation.

Insurance Company Name: Warner and Company
(Not the insurance agent)

Policy Number or Self-Insurance Permit Number: ~~WC~~ WC 00000086733E

Dates of Coverage: 2/1/2010 - 2/1/2011

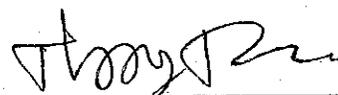
(or)

I am not required to have workers' compensation liability coverage because:

I have no employees covered by the law.

Other (specify) _____

I HAVE READ AND UNDERSTAND MY RIGHTS AND OBLIGATIONS WITH REGARDS TO BUSINESS LICENSES, PERMITS AND WORKERS' COMPENSATION COVERAGE, AND I CERTIFY THAT THE INFORMATION PROVIDED IS TRUE AND CORRECT.



(Signature)



THAIORC-01

BECA

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/2/2010

PRODUCER Warner and Company PO Box 1470 Fargo, ND 58107	(701) 237-6414	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED Thai Orchid, LLC LBDMEGF DBA: Little Bangkok 302 DeMers Avenue East Grand Forks, MN 56721	INSURERS AFFORDING COVERAGE		NAIC #
	INSURER A: Harleysville Insurance Company		
	INSURER B:		
	INSURER C:		
	INSURER D:		
INSURER E:			

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
	EXCESS / UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below	WC00000086733E	2/1/2010	2/1/2011	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	OTHER				
A	Liquor Liability	GL71899G	7/1/2010	7/1/2011	Per Occurrence \$1,000,000
A	Liquor Liability	GL71899G	7/1/2010	7/1/2011	Aggregate \$2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER

Minnesota Dept. of Public Safety
 Alcohol and Gambling Enforcement Division
 444 Center Street, Suite 133
 Saint Paul, MN 55101-

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Brian J. Hoyer

ACORD 25 (2009/01)

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CITY OF EAST GRAND FORKS
CLERK-TREASURER'S OFFICE
 600 Demers Ave – PO Box 373, East Grand Forks, MN 56721
 (218)773-2483 - FAX (218)773-9728

APPLICATION FOR "ON SALE" WEEKDAY AND SUNDAY INTOXICATING LIQUOR LICENSE

If a corporation, an officer shall execute this application. If a partnership, a partner shall execute this application.

Licensee Name (Corporation, Partnership, Individual) LBDMEGF LLC		Trade Name or DBA Little Bangkok	
License Location (Street Address & Block No.) 902 Demers Ave		Business Phone Number	Applicant Home Number
City East Grand Forks	County Polk	State MN	Zip Code 56721
Name of Resident Manager/Agent		Manager Home Address (must be city resident)	
License Period From:	To:	Manager/Agent Home Number:	
Federal ID# 27-2528924	State ID# 1684441		

If a corporation, state the name, date of birth, address, title and shares held by each officer. If a partnership, state the name, address and date of birth of each partner.

Partner/Officer Name (First, middle and last)	DOB	Title	Shares	Address
David Scheer	10/8/40	owner	497	1549 8th St. S Fargo, ND 58203
Thamrong Dechawuth	12/12/73	owner	517	2914 S. Bay Dr. S Fargo, ND 58103
Partner/Officer Name (First, middle and last)	DOB	Title	Shares	Address

1. Name, address, and telephone number of the owner of the land where the licensed establishment will be located:
Jerome Saylor 902 Demers Ave Apt #2 East Grand Forks, MN 56721

Name, address, and telephone number of the owner of the building where the licensed establishment will be located:
Same

2. Describe premises to which license applies; such as (first floor, second floor, basement, etc.) or if entire building, so state.
First Floor

3. Legal description of premises: Full Service Restaurant

4. Are the real estate taxes for the premises described in this application paid in full? Yes No

Are the sales taxes for these premises paid in full? Yes No

5. Is applicant or any of the associates in this application, a member of the governing body of the municipality in which this license is to be issued? Yes No If yes, in what capacity? _____
6. State whether any person other than applicants has any right, title or interest in the furniture, fixtures or equipment for which license is applied and if so, give name and details. No
7. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment? Yes No
If yes, give name and address of establishment. Thai Orchid Restaurant
900 1st Ave N Moorhead, MN 56560
8. Seating capacity for serving meals at tables related to Sunday On Sale liquor license: 75
9. Are there any individuals who are involved with the licenses requested under the age of 21 or not US citizens? Yes No

1. State whether applicant or any of the associates in this application, have ever had an application for a liquor license rejected by any municipality or state authority; if so, give dates and details. No
2. Has the applicant or any of the associates in this application, during the five years immediately preceding this application ever had a license under the Minnesota Liquor Control Act revoked for any violation of such laws or local ordinances; if so, give date and details. No
3. Has applicant, partners, officers, or employees ever had any liquor law violation in Minnesota or elsewhere, including State Liquor Control penalties? Yes No If yes, give dates, charges and final outcome. _____
4. During the past license year, has a summons been issued under the Liquor Civil Liability Law (Dram Shop) M.S. 340A.802. Yes No If yes, attach a copy of the summons.

I certify that I have read the above questions and that the answers are true and correct of my own knowledge.

Signature of Applicant <u>Thamrong Dechawuth</u>	Date: <u>7/29/10</u>
Print Name and Title of Applicant: <u>THAMRONG DECHAWUTH</u>	Daytime Phone Number: <u>701.219.1423</u>

* All applications must include proof of workers comp and a liquor liability certificate.

Date to Admin Committee:	Date to City Council:
Amount Paid:	Receipt Number:



Department of Public Safety
Alcohol & Gambling Enforcement Division
444 Cedar Street, Suite 133
St. Paul, MN 55101

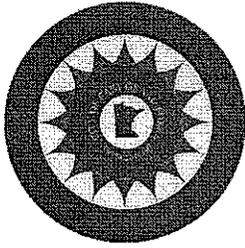
Phone: 651-296-6159 TDD: 651-282-6555

APPLICATION FOR RETAILER'S (BUYER) CARD FOR LIQUOR OR WINE
FEE \$20.00

CARD NUMBER

(Office Use Only)

ISSUING AUTHORITY City of East Grand Forks	TYPE CODE	BUYER'S CARD EXPIRES	INDEN. NO.
PRINT NAME OF LICENSEE (AS SHOWN ON LICENSE) LBDMEGF LLC		BUSINESS NAME (DBA) Little Bangkok	
BUSINESS ADDRESS 302 Demers Ave		COUNTY Polk	BUSINESS PHONE 701-219-1423
CITY, STATE, ZIP CODE East Grand Forks, MN 56721		AUTHORIZED SIGNATURE 	



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 BLOCK PARTY

License Fee: 30⁰⁰

Organization Information		
Organization Name	Organization Phone Number	
Organization Address	City	State Zip

Applicant Information		
Applicant Name	Applicant Phone Number	
Applicant Address	City	State Zip

Block Party Information		
Date of Event	Start Time	End Time
Explanation of Event		
Route/Area of Event (include map)		
Special Requests (Staff, Road Closures, Etc)		

I hereby certify that I have completely filled out the entire above application, together and that the application is true, correct, and accurate.

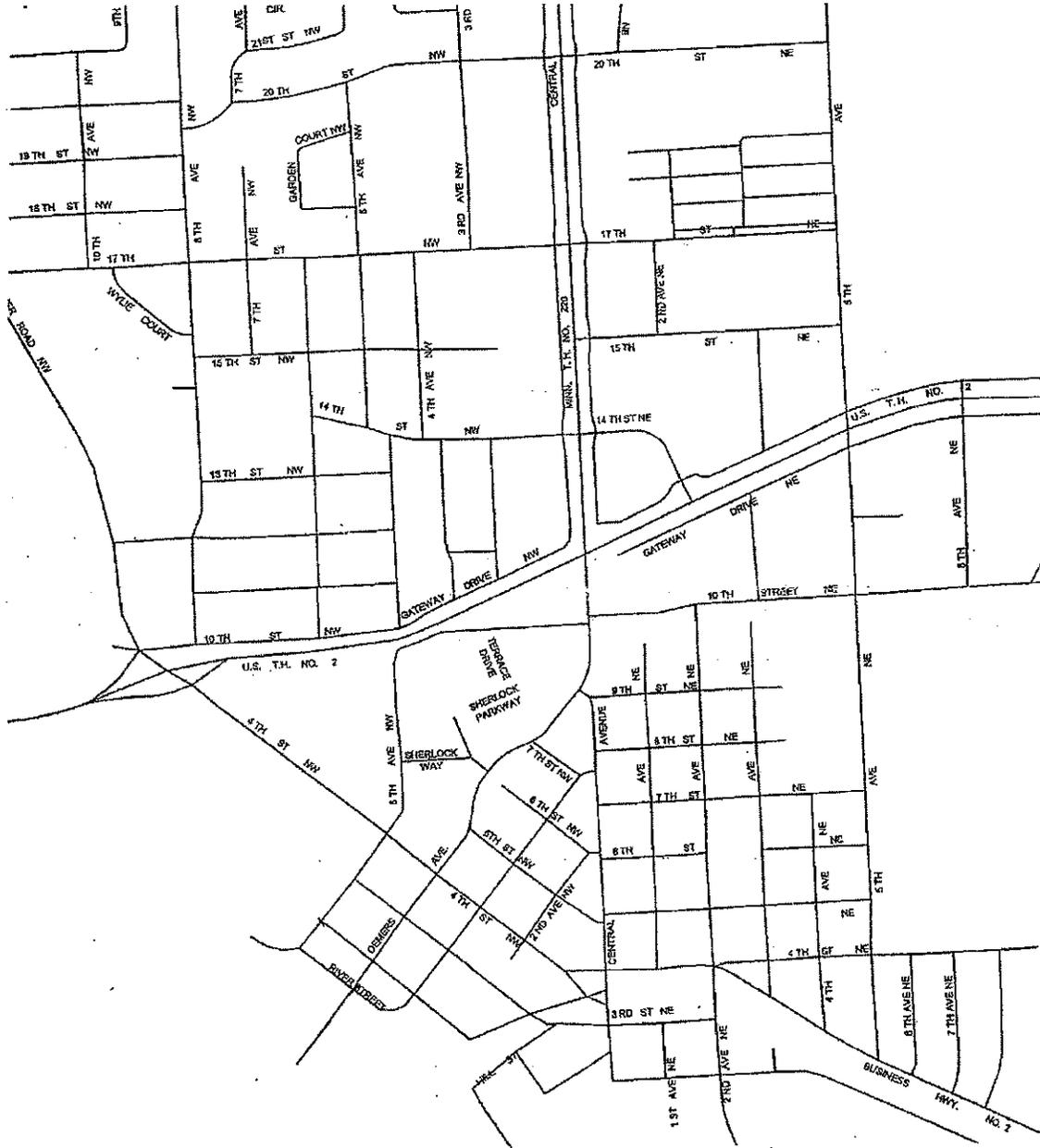
Julie Dostal
Signature of Applicant

Julie Dostal
Print Name

9/7/10
Date

Title

City of East Grand Forks Map



X
18th Ave SE
X

City of East Grand Forks
Application for Special Event

Internal Use Only

The following items need to be completed and/or attached in order for the application to be processed:

*Application fee paid in full yes no Payment Type: cash check # 12587 Receipt # 113070

*Application completed in full and signed: yes no

*Map of route is provided: yes no

*MnDot (if applicable): approved denied n/a

*Appropriate Staff: approved denied n/a

Notes: _____

Staff Signature: _____ Date: _____

*Council Approval ___/___/___ approved denied

Notes: _____

City Administrator Signature: _____ Date: _____

*License Number _____

Request for Council Action

Date: 9-9-10

To: East Grand Forks City Council, Mayor Lynn Stauss, President Dick Grassel, Council Vice President Henry Tweten, Council Members: Marc Demers, Craig Buckalew, Wayne Gregoire, Greg Leigh, and Mike Pokrzywinski.

Cc: File

From: John Wachter

RE: Surplus Equipment

The following items need to be declared surplus and put on auction.

- #401 2003 Crown Victoria
- #312 1991 Chevy Suburban (Park Department)
- #801 1994 Crown Victoria (City Hall)
- #195 1992 Bumford Turner Hydro Mower
- #149 1987 Chevrolet 2 Ton Truck
- #148 1987 Chevrolet 2 Ton Truck
- #108 1985 GMC Brigadeer with Sander
- #119 1977 Snogo Snowblower
- #134 1985 London Fog Mosquito Sprayer
- Valve Turner Pick-Up Box
- 1999 Leech Garbage Packer

Miscellaneous Items: Air jacks (2 &5) ton, Hydraulic cylinders, wheel lift, tool boxes, fuel tank, paint sprayer, winch, end gates

Pumps: 2 and 3 inch - 254,256,258,259,260,261,263,273,274,277,278,292,293,294

EMPLOYMENT AGREEMENT

This EMPLOYMENT AGREEMENT (“Agreement”) is entered into as of the 4th day of August, 2010 by and between the City of East Grand Forks, a Minnesota municipal corporation (“Employer” or “City”), and Scott M. Huizenga (“Employee”). The parties agree as follows:

- 1. NATURE OF EMPLOYMENT/FULL TIME COMMITMENT.** Employer agrees to employ Employee as its City Administrator. Employee agrees to serve as City Administrator in accordance with State statutes and City ordinances and policies and to perform such other legally permissible and proper duties and functions as the City Council shall from time to time assign. Employee agrees to devote his full working time, attention and energies to the performance of his duties and, except as otherwise provided herein, he will not, during his employment by Employer, (a) engage in any activity which will have a materially adverse effect on Employer’s goodwill or civic or business relationships, or which will result in material harm to Employer, or (b) provide services to any other governmental entity, agency, organization, person, firm, or corporation which, in Employer’s opinion, will conflict with or detract from Employee’s performance of his duties. Subject only to the notice provisions in paragraph 16, Employee is employed by Employer at will.
- 2. TERM.** This Agreement shall remain in full force and effect from the date hereof until terminated by the Employer or Employee as provided in paragraphs 16 and 17 of this Agreement.
- 3. COMPENSATION.** Employer shall pay Employee a salary of \$86,599.30 per annum, effective January 1, 2010, commensurate with the Adopted Citywide Compensation Plan. The salary shall be payable in regular installments according to Employer’s normal payroll practices and subject to appropriate withholdings. Employee’s salary will be increased by one step on pay grade 21 effective on August 4, 2011 contingent upon a satisfactory twelve (12) month performance review. Thereafter, Employer will review Employee’s compensation on an annual basis on or before August 4. Contingent on Employee’s satisfactory performance as determined at the sole discretion of Employer, Employee will negotiate annual increases with the Mayor, Council President and the City Attorney, with final approval by the City Council. This Agreement shall be amended automatically to reflect any salary adjustments that are provided or required by the Employer’s compensation policies.
- 4. PERFORMANCE EVALUATION.** Employer will conduct performance evaluations of Employee in accordance with its practices and procedures for full-time, non-union employees.

5. **PENSION PLAN.** Employer shall contribute to PERA as required by State law for Employee or an alternate pension plan as authorized by State law, if selected by Employee. Employer shall also contribute to any other benefit plans consistent with the benefits provided to other full-time, non-union employees of the Employer.
6. **SICK LEAVE.** Employee shall continue to accrue sick leave at a rate of eight hours (8), or one (1) day, per month in accordance with the City's personnel policies.
7. **VACATION.** All vacation accrued through August 8, 2010 shall remain in effect. Effective August 8, 2010, Employee will accrue vacation leave, at the rate of one-hundred thirty-six (136) hours or seventeen (17) days annually, accrued in bi-weekly payroll installments. Employee may carry over up to two hundred (200) hours annually, beginning January 1 of each year.
8. **HOLIDAYS.** Employer shall provide Employee the same paid holidays as enjoyed by other full-time, non-union employees.
9. **GROUP INSURANCE.** Employer shall provide Employee with certain benefits, which may include group health, dental, and life insurance benefits, as are provided to its full-time, non-union employees and on terms and conditions no less favorable as those provided to other comparable employees. Effective August 1, 2010, Employer will contribute 100-percent of the monthly family premium for the Empower 2500 health care plan, or its nearest equivalent should health care options change in subsequent years. Employee's eligibility to receive any benefit shall be determined by applicable eligibility requirements for such benefit and will be at the sole discretion of Employer. Nothing in this Agreement shall preclude Employer from terminating or amending any employee benefit consistent with applicable law.
10. **POST EMPLOYMENT HEALTH CARE PLAN.** Employee shall not participate in the Minnesota State Retirement System (MSRS) Post-Employment Health Care Plan unless the Employee chooses in writing to opt into the program.
11. **DUES AND SUBSCRIPTIONS/PROFESSIONAL DEVELOPMENT.** Within budgetary constraints and with prior authorization of Employer, Employer shall pay for dues, subscriptions, and related membership costs for Employee's membership in certain professional organizations in which participation is necessary and reasonable for the performance of his job duties, which may include, but not be limited to, the International City/County Management Association and the Minnesota City Management Association. Employee may attend various conferences, meetings and occasions for such professional organizations as are approved in advance by Employer. Employee's reasonable travel and subsistence expenses related to approved professional development activities will be reimbursed by Employer in

- accordance with Employer's policies and procedures. Employee shall use good judgment in Employee's outside activities so Employee will not neglect his duties to the Employer, and Employer at all times retains discretion over such activities.
12. **CIVIC CLUB MEMBERSHIP.** Employer recognizes the desirability of representation in and before local civic and other organizations. Employee is authorized to become a member of such civic clubs or organizations as approved by Employer and the Employer will pay the full expense of one civic club or organization. Additional expenses will be at the discretion of the Employer.
 13. **GENERAL EXPENSES/MILEAGE.** Employer shall reimburse Employee for reasonable job-related expenses which it is anticipated Employee will incur from time to time, with appropriate documentation and in accordance with Employer's policies and procedures. Employer shall reimburse Employee for mileage for use of his personal vehicle for City business, in accordance with Internal Revenue Service regulations and Employer's policies and procedures.
 14. **HOURS OF WORK.** Employee will generally be available during Employer's regular business hours. It is understood that the position of City Administrator requires attendance at evening and weekend meetings as necessary. In recognition of these work demands, the Employee shall be allowed to use reasonable flexibility in setting his office schedule.
 15. **OUTSIDE ACTIVITIES.** The employment provided for by this Agreement shall be the Employee's sole employment. Recognizing that certain outside consulting or teaching opportunities provide indirect benefits to Employer and the community, the Employee may elect to accept limited teaching or consulting opportunities, subject to Employer's prior consent, with the understanding that such arrangements shall not constitute interference with or a conflict of interest with his responsibilities under this Agreement.
 16. **TERMINATION.** Employee is an at-will employee; either he or Employer may terminate this Agreement and his employment at any time for any reason, subject only to Employee's agreement to provide Employer with thirty (30) days advance written notice and the severance payment provisions contained in paragraph 17 below. In accordance with the terms and conditions of Employer's policies and procedures, Employee will receive payment for the prescribed amount of accrued vacation and sick leave upon termination of his employment.
 17. **SEVERANCE BENEFITS.**
 - a. In the event Employer terminates Employee's employment for Cause, as defined below, or that Employee voluntarily terminates his employment, Employee's right

to further compensation and benefits will end as of the effective date of the termination, except as otherwise provided by the terms of the benefit policy or applicable law, and Employer shall have no further obligation to compensate Employee.

- b. In the event that Employer terminates Employee's employment without Cause, Employee shall be entitled to severance in the form of salary continuation payment (at Employee's then current rate of pay) for a maximum of six (6) months from the date of termination ("Severance Period") and, should Employee timely elect continuation coverage of applicable Employer benefit plans, Employer shall continue to make its contribution toward group health and dental insurance premiums then in effect during the Severance Period, subject to the following:
 - i. Employee must sign and not rescind a waiver and release of claims provided by Employer.
 - ii. Employer's obligation to make salary continuation and insurance contribution payments will cease effective the date Employee accepts comparable employment, it being understood and agreed that Employee will exercise his best efforts to secure comparable employment during the Severance Period. Employee agrees to immediately notify Employer upon his receipt of a bona fide offer of comparable employment. For purposes of this Agreement, comparable employment is defined as employment in a position of comparable responsibility, compensation, and benefits.
- c. Termination for Cause. Employer shall have the right to terminate Employee's employment at any time for "Cause" and Employer shall have no obligation to make the severance payments above. Whether Cause exists shall be within the sole discretion of the Employer, and for purposes of this Agreement shall mean that Employee has:
 - i. Committed a material breach of this Agreement or Employer's policies;
 - ii. Failed to substantially perform his duties, failed to carry out any lawful directive of Employer, or demonstrated incompetence or gross inefficiency in his position, as determined by Employer, and, to the extent Employer deems such deficiencies as curable, where such deficiencies are not cured or corrected by Employee within thirty (30) days of receipt of written notice from Employer;

- iii. Been convicted of or pleaded nolo contendere to any felony or any crime involving moral turpitude or an illegal act involving personal gain to Employee; or
 - iv. Been guilty of gross negligence, willful misconduct, or immoral conduct affecting the performance of his duties, resulting in material harm to, or having a materially adverse effect on Employer.
- 18. GENERAL CONDITIONS OF EMPLOYMENT.** Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employer to terminate the services of Employee at any time, for any reason, subject only to the provisions of this Agreement and applicable law. Furthermore, nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employee to resign at any time from Employee's position with Employer, subject only to the provisions of this Agreement.
- 19. CHOICE OF LAW AND VENUE.** This Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota. Any disputes, controversies, or claims arising out of this Agreement shall be heard in the state or federal courts of Minnesota, and all parties to this Agreement waive any objection to the jurisdiction of these courts, whether based on convenience or otherwise.
- 20. ASSIGNMENT.** Employee and Employer agree that this Agreement is a personal employment contract and the rights of the parties cannot be transferred.
- 21. COUNTERPARTS.** This Agreement may be executed simultaneously in two or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.
- 22. ENTIRE AGREEMENT.** This Agreement constitutes the entire agreement between the parties with respect to the employment relationship between Employer and Employee. This Agreement supersedes all prior oral or written communications between the parties, replaces all prior agreements or understandings, and the parties agree that there were no inducements or representations leading to the execution of this Agreement except as herein contained. Employee states that he had adequate time to review this Agreement and understands its terms.
- 23. WAIVER.** This Agreement may be waived only through a writing signed by the parties to this Agreement. The waiver by Employer or Employee of any breach of any term or condition of this Agreement shall not constitute the waiver of any other breach.

24. SEVERABILITY. In case any one or more of the provisions of this Agreement shall be invalid, illegal, or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained in this Agreement will not in any way be affected or impaired thereby.

IN WITNESS WHEREOF, Employer has caused this Agreement to be signed and executed on its behalf by its Mayor and Employee has signed this Agreement, in duplicate, the day and year first written above.

EMPLOYER:

EMPLOYEE:

CITY OF EAST GRAND FORKS

SCOTT HUIZENGA

Mayor

Scott Huizenga

Council President

Dated: _____

Dated: _____

ATTEST: _____

Minutes of the regular meeting of the Water, Light, Power and Building Commission of the City of East Grand Forks, Minnesota held August 19, 2010 at 5:00 P.M.

Present: Brickson, Quirk, Ogden, Tweten

Absent: None

It was moved by Commissioner Quirk second by Commissioner Ogden that the minutes of the previous meeting of August 5, 2010 be approved as read.

Voting Aye: Brickson, Quirk, Ogden, Tweten

Voting Nay: None

It was moved by Commissioner Quirk second by Commissioner Ogden to authorize the Secretary to issue payment of the recommended bills and payroll in the amount of \$736,217.27.

Voting Aye: Brickson, Quirk, Ogden, Tweten

Voting Nay: None

Commissioner Quirk, supported by Commissioner Ogden, introduced the following resolution and moved its adoption:

WHEREAS, Gary Hultberg has faithfully served the citizens and customers of the City of East Grand Forks as an employee from June 1, 1978 through August 31, 2010, and

WHEREAS, Gary has upheld and advanced the ideals of municipal water supply service through his common sense, professional expertise and dedicated service, and

WHEREAS, many of the benefits of East Grand Forks' municipal water supply service are a result of Gary's continued concern for safe and reliable drinking water for the customers of the city, and

WHEREAS, Gary will soon be retiring from his position as Water Plant Superintendent after serving the city for over 32 years,

NOW, THEREFORE, BE IT RESOLVED that the Water, Light, Power and Building Commission of and for the City of East Grand Forks, Minnesota, does hereby express its deepest gratitude to Gary Hultberg for his contribution to the city and the water industry; and

BE IT FURTHER RESOLVED that the Commission hereby expresses its wishes to Gary for a fulfilling and well-earned retirement.

Voting Aye: Brickson, Quirk, Ogden, Tweten

Voting Nay: None

The President declared the resolution passed.

It was moved by Commissioner Ogden second by Commissioner Quirk to approve the revised Water Plant Superintendent job description.

Voting Aye: Brickson, Quirk, Ogden, Tweten

Voting Nay: None

It was moved by Commissioner Quirk second by Commissioner Ogden to request that the Civil Service Commission advertise to fill the position of Water Plant Superintendent.

Voting Aye: Brickson, Quirk, Ogden, Tweten

Voting Nay: None

It was moved by Commissioner Quirk second by Commissioner Ogden to approve the notice for an internal opening for a Provisional Water Plant Superintendent.

Voting Aye: Brickson, Quirk, Ogden, Tweten

Voting Nay: None

It was moved by Commissioner Ogden second by Commissioner Quirk to authorize the general manager to appoint the Provisional Water Plant Superintendent with the position to start on or before September 1.

Voting Aye: Brickson, Quirk, Ogden, Tweten

Voting Nay: None

It was moved by Commissioner Ogden second by Commissioner Quirk to authorize a 1% increase as established in the Teamsters 2010 Labor agreement.

Voting Aye: Brickson, Quirk, Ogden, Tweten

Voting Nay: None

It was moved by Commissioner Ogden second by Commissioner Quirk to approve the 2010 Salvation Army HeatShare agreement and approve a donation of \$2000.00 for the 2010-2011 heating season.

Voting Aye: Brickson, Quirk, Ogden, Tweten

Voting Nay: None

It was moved by Commissioner Quirk second by Commissioner Ogden to recommend that the City Council approve the new MMUA Safety Management Program contract.

Voting Aye: Brickson, Quirk, Ogden, Tweten

Voting Nay: None

It was moved by Commissioner Ogden second by Commissioner Quirk that the meeting be adjourned to September 2, 2010 at 5:00 P.M.

Voting Aye: Brickson, Quirk, Ogden, Tweten

Voting Nay: None

Bonnie Abel
Customer & Energy Serv Mgr

Request for Council Action

Date: August 25, 2010

To: East Grand Forks City Council, Mayor Lynn Stauss, President Dick Grassel, Council Vice President Henry Tweten, Council Members: Marc Demers, Craig Buckalew, Wayne Gregoire, Greg Leigh, and Mike Pokrzywinski.

Cc: File

From: Michael S. Hedlund – Chief of Police

RE: Presentation on “Spice” by Off. Aiesso Schrage

Background: “Spice” is a product that is currently being sold in two tobacco shops in EGF. The product, which is marketed as a type of incense, is commonly smoked. A significant ingredient in “Spice” is a synthetic version of THC – the component within marijuana that causes the user to get high. ND banned the sale/use/possession of “Spice” in 2009 and declared it a controlled substance.

Recommendation: Consider whether to amend current City Ordinances or adopt a new ordinance in order to prohibit sale/use/possession of “Spice” within the City of East Grand Forks.

Enclosures: PowerPoint presentation by Off. Aiesso Schrage.

RESOLUTION NO. 10-09-98

RESOLUTION OF SUPPORT THAT BANS SYNTHETIC CANNABINOIDS AND RELATED SUBSTANCES

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

WHEREAS, “synthetic cannabinoids” such as JWH-018, commonly known as “Spice,” and related compounds have produce similar effects to illegal drugs such as marijuana; and

WHEREAS, several states, including North Dakota, have banned or are considering banning synthetic cannabinoids; and

WHEREAS, Minnesota has no state law regarding Spice and other synthetic cannabinoids; and

WHEREAS, the City of East Grand Forks’ proximity to North Dakota makes results In the City’s jurisdiction becoming a safe haven for the distribution of synthetic cannabinoids; and

WHEREAS, the City finds that the regulation of controlled substances is a matter of state statute;

THEREFORE, BE IT RESOLVED, by the City Council of East Grand Forks; that the City supports Legislation that bans in the most expeditious manner possible the sale and distribution of synthetic cannabinoids and related substances.

BE IT FURTHER RESOLVED THAT, upon passage, this resolution shall be forwarded to Governor Tim Pawlenty, Speaker Margaret Anderson Kelliher, House Minority leader Kurt Zellers, Senate Majority Leader Larry Pogemiller, Senate Minority Leader David Senjem, and to the members of the state legislature representing the City of East Grand Forks.

Voting Aye:
Voting Nay: None.
Absent:

Passed: September 21, 2010

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 21st day of September, 2010.

Mayor

ORDINANCE NO. 312 3rd SERIES

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE TITLE XV ENTITLED "LAND USAGE" BY AMENDING CHAPTER 152 ENTITLED "ZONING CODE" "GENERAL PERFORMANCE STANDARDS" BY ADDING SECTION 152.293 (G) "BUILDING PERFORMANCE STANDARDS"; AND BY ADOPTING BY REFERENCE CITY CODE TITLE I, CHAPTER 10 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY OF EAST GRAND FORKS ORDAINS:

Section 1. That Chapter 152 entitled "Zoning Code shall have the following changes:

152.293 (G). Residential Accessory buildings: Residential Accessory Structures are subject to the following:

1. In case an accessory building is attached to the main building, it shall be made structurally a part of the main building and shall comply in all respects the requirement of this ordinance applicable to the main building.
2. A detached accessory building shall not be located in any required front or side yard.
3. No accessory building shall exceed the height of the principal building.
4. Properties under ten thousand (<10,000) square feet in area are allowed up to one thousand (1,000) square feet of accessory building area. Properties having lot areas between ten thousand (10,000) square feet and twenty thousand (20,000) are allowed up to one thousand five hundred (1500) square feet in accessory building area. Properties over twenty thousand (>20,000) square feet in area are allowed up to three thousand (3,000) square feet of accessory building area. The accessory building area includes all garages, sheds or other buildings on the property. The above mentioned maximum allowable areas govern only when other more restrictive regulations are met (impervious coverage, setbacks, etc.)

Section 2. City Code Title I, Chapter 10 entitled "General Provisions" applicable to entire city code including penalty for violation and Section 10.99 entitled "General Penalty" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall take effect and be in force from and after its passage and publication and be given the Number 312, 3rd Series.

Voting Aye:

Voting Nay:

Absent:

The President declared the Ordinance passed.

Passed: September 21, 2010

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing ordinance this 21st of September, 2010.

Mayor

ORDINANCE NO. 313 3rd SERIES

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE TITLE XV ENTITLED "LAND USAGE" BY AMENDING CHAPTER 151 "SUBDIVISION REGULATION" SECTION 151.106(B) STREET WIDTH AND GRADE, (12), SIDEWALKS; AND BY ADOPTING BY REFERENCE CITY CODE TITLE I, CHAPTER 10 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY OF EAST GRAND FORKS ORDAINS:

Section 1. That Chapter 151 entitled "Subdivision Regulations" shall have the following changes:

(12) Sidewalks. The following are the requirements for sidewalks in all new subdivisions in the City.

(a) Sidewalk design. The following section explains the design requirement for all sidewalks built in the City.

(i) All sidewalks built are required to be in compliance with the most current Americans with Disabilities Act (ADA) standards.

(ii) All sidewalks will be built to the widths that follow: residential districts, five feet; commercial districts, eight feet; and industrial districts, five feet.

(iii) Sidewalks will be a minimum of four-inch thick concrete placed on a four-inch gravel base. The portion of the sidewalk that crosses a driveway must be a minimum of 6 inch thick concrete.

(iv) Sidewalks will be installed at a 2% grade towards the street. From the property edge to the back of the curb, the grade shall be 4%.

(b) Installation time. In new developments, all sidewalks are to be installed on each parcel within nine months of the day the building permit for that parcel is filed. Once 66% of the parcels in the subdivision are developed, all other parcels will have sidewalks installed, unless the property owner files a petition saying that they will build within one year.

(c) Location requirements. All sidewalks installed in areas in compliance with the following.

(i) Sidewalks will be located on both sides of the street.

(ii) Placement of the sidewalk will start 1 foot from the property line inside the road right-of-way and proceed 5 feet toward the curb.

(iii) Driveway area that contains the sidewalk must be constructed so that it provides a level passage of at least 5 feet wide for placement of a sidewalk across the driveway.

(d) Sidewalks on cul-de-sacs. Sidewalks will not be required in cul-de-sacs less than three hundred feet in length. Nothing in this section shall prohibit individual property owners or agreement from all property owners from installing a sidewalk on or adjacent to their property.

(e) Waiver of protest.

(i) Prior to the issuance of a building permit relating to properties designated for sidewalk construction, the owner must sign a request for sidewalk or a waiver of protest; said waiver shall be recorded with the recorder’s office and shall deny the property owner, said owner’s heirs or assigns the right to protest the installation of sidewalks on designated public rights-of-way.

(ii) The lots for which waiver of protest forms have been signed shall be counted as in favor of sidewalks in determining the percentage in 151.106B.12.b

Section 2. City Code Title I, Chapter 10 entitled "General Provisions" applicable to entire city code including penalty for violation and Section 10.99 entitled "General Penalty" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall take effect and be in force from and after its passage and publication and be given the Number 313, 3rd Series.

Voting Aye:
Voting Nay:
Absent:

The President declared the Ordinance passed.

Passed: September 21, 2010

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing ordinance this 21st of September, 2010.

Mayor

RESOLUTION NO. 10 – 09 – 99

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 7465 for a total of \$343.84.

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 \$343.84 paid for such goods is as low as, or lower than, the price at which they could have been obtained elsewhere at the time the purchase was made.
3. This resolution is passed to comply with the provisions of Minnesota Statutes, Section 471.87-89.
4. Resolution passed by unanimous vote of the council on September 21, 2010.

Voting Aye:
Voting Nay: None.
Absent:

The President declared the resolution passed.

Passed: September 21, 2010

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 21st of September, 2010.

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 7465 for a total of \$343.84.
3. This resolution is passed to comply with the provisions of Minnesota Statutes, Section 471.87-89.
4. Resolution passed by unanimous vote of the council on September 21, 2010.

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: ejohnson
 Printed: 9/16/2010 - 11:47 AM



City of East Grand Forks

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

Check	Date	Vendor No	Vendor Name	Amount	Voucher
7415	09/21/2010	3DS001	3D Specialties	1,884.63	0
7416	09/21/2010	AKE001	Dave Aker	142.00	0
7417	09/21/2010	AME002	American Tire Service	570.01	0
7418	09/21/2010	AME005	Ameripride Linen & Apparel Services	765.76	0
7419	09/21/2010	AND007	Anderson Bros Body Shop	5,943.35	0
7420	09/21/2010	AQU001	Aqua Water Solutions	67.60	0
7421	09/21/2010	BAU001	Joanne Bauer	358.21	0
7422	09/21/2010	BOB001	Bobcat of Grand Forks	199.58	0
7423	09/21/2010	BOU002	Jeff Boushee	46.00	0
7424	09/21/2010	BRI003	Brite-Way Window Cleaning	50.00	0
7425	09/21/2010	BRU001	Jay Bruce	75.00	0
7426	09/21/2010	C&R001	C&R Laundry & Cleaners	401.64	0
7427	09/21/2010	CAN001	Canon Financial Services	167.10	0
7428	09/21/2010	CAR004	Cariveau Concrete Construction	2,670.00	0
7429	09/21/2010	CAR002	Carquest Auto Parts	73.16	0
7430	09/21/2010	GFT003	Donald Scott Cash	1,772.88	0
7431	09/21/2010	CED001	Cedar Rapids Tire	1,341.88	0
7432	09/21/2010	CLE001	Clear Channel Communications	550.00	0
7433	09/21/2010	COA001	Coalition of Greater MN Cities	11,006.00	0
7434	09/21/2010	COM003	Complete Pest Control Inc	710.76	0
7435	09/21/2010	CRA001	Craguns	634.86	0
7436	09/21/2010	D&M001	D&M Auto Body	1,000.00	0
7437	09/21/2010	D&M002	D&M Distributing	288.21	0
7438	09/21/2010	DAK006	Dakota TV & Appliance	276.59	0
7439	09/21/2010	DAN003	Paul & Kristine Danielson	5,000.00	0
7440	09/21/2010	DEI001	Deitz Business Promotions	372.74	0
7441	09/21/2010	DRU001	Drummer's Diesel Inc	153.51	0
7442	09/21/2010	EAG001	Eagle Electric	3,193.49	0
7443	09/21/2010	EXP003	Explorer Post #38	40.00	0
7444	09/21/2010	EXP002	Exponent	464.70	0
7445	09/21/2010	FED003	Federal Signal Corp Emergency Produ	6,498.00	0
7446	09/21/2010	FET002	Lud Fettig	375.00	0
7447	09/21/2010	FIL001	Filter Care	260.09	0
7448	09/21/2010	FOR004	Forx Radiator	15.63	0
7449	09/21/2010	G&K001	G&K Services	348.21	0
7450	09/21/2010	GAF001	Gaffaneys	101.29	0
7451	09/21/2010	GAL003	Galstad Jensen & McCann PA	7,140.75	0
7452	09/21/2010	GAR001	Garden Hut Inc	115.71	0
7453	09/21/2010	GEO001	George's Quick Printing	162.73	0
7454	09/21/2010	GFC001	GF City Utility Billing	14,685.35	0
7455	09/21/2010	GFF001	GF Fire Equipment	10,107.11	0
7456	09/21/2010	GFH002	GF Herald	68.04	0
7457	09/21/2010	GFW001	GF Welding & Machine	561.59	0
7458	09/21/2010	GGF001	GGF Convention & Visitors Bureau	615.21	0
7459	09/21/2010	GOD001	Godfathers Exterminating Inc	69.47	0
7460	09/21/2010	GRA004	Grand Cities Towing	53.44	0
7461	09/21/2010	GUL001	Dale Gulbranson	11.00	0
7462	09/21/2010	H&S001	H&S Construction	34,520.83	0
7463	09/21/2010	HAD002	Garry Hadden	210.00	0
7464	09/21/2010	HAJ002	Rick Hajicek	142.50	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
7465	09/21/2010	HAR001	Hardware Hank	343.84	0
7466	09/21/2010	HEA001	Heartland Paper	1,817.42	0
7467	09/21/2010	HER002	Herrick Enterprises	245.65	0
7468	09/21/2010	HOL002	Holiday Credit Office	455.59	0
7469	09/21/2010	HUG001	Hugo's	207.37	0
7470	09/21/2010	HUI001	Scott Huizenga	132.67	0
7471	09/21/2010	IND003	Indian Springs Manufacturing Co	252.28	0
7472	09/21/2010	INN001	Innovative Office Solutions LLC	125.58	0
7473	09/21/2010	INT006	Interstate Power Systems	194.35	0
7474	09/21/2010	DAY001	Jolanda Streifel	32.00	0
7475	09/21/2010	K&K001	K&K Trucking Inc	1,960.00	0
7476	09/21/2010	KEE002	Keepers Inc	2,529.77	0
7477	09/21/2010	KEI001	Keith's Security World	26.69	0
7478	09/21/2010	KEL001	Kellermeyer Building Service	2,671.88	0
7479	09/21/2010	KEL003	Kelly Services	857.50	0
7480	09/21/2010	LAB001	Lab Safety Supply	1,552.65	0
7481	09/21/2010	LAR010	Lois Larson	30.00	0
7482	09/21/2010	LEA001	League of MN Cities	240.00	0
7483	09/21/2010	LEA002	League of MN Cities	52,778.70	0
7484	09/21/2010	LIT002	Little Falls Machine Inc	13,754.81	0
7485	09/21/2010	LOF001	Loffler Companies Inc	1,815.00	0
7486	09/21/2010	LUM001	Lumber Mart	91.79	0
7487	09/21/2010	M&K001	M&K Porta Potties	105.00	0
7488	09/21/2010	M&W001	M&W Services	160.31	0
7489	09/21/2010	MAI001	Maintainer Custom Bodies Inc	5,720.57	0
7490	09/21/2010	MAR004	Marco	84.14	0
7491	09/21/2010	MEN001	Menards	23.44	0
7492	09/21/2010	MER001	Meritcare	55.00	0
7493	09/21/2010	MET002	Metro Fire	95.33	0
7494	09/21/2010	BAR010	Michael & Julie Barksdale & America	5,000.00	0
7495	09/21/2010	MID003	Midcontinent Communications	797.47	0
7496	09/21/2010	MID005	Midwest Playscapes	40,000.00	0
7497	09/21/2010	MIK001	Mike's Pizza	67.72	0
7498	09/21/2010	MNP002	MN Pollution Control Agency	600.00	0
7499	09/21/2010	MNS002	MN State Fire Chief Association	175.00	0
7500	09/21/2010	MTI001	MTI Distributing Company	198.00	0
7501	09/21/2010	NEW001	Newman Signs	1,580.00	0
7502	09/21/2010	NFP001	NFPA	106.15	0
7503	09/21/2010	NOR004	Northern Plumbing Supply	103.76	0
7504	09/21/2010	ORE001	O'Reilly Auto Parts	261.35	0
7505	09/21/2010	OPP001	Opp Construction	4,292.50	0
7506	09/21/2010	ORC002	Richard Orchard	36,464.70	0
7507	09/21/2010	PAM001	Pamida	16.75	0
7508	09/21/2010	PAU004	Paul Grzadzieleski	50.00	0
7509	09/21/2010	PET001	Peterson Veterinarian Clinic P.C.	888.93	0
7510	09/21/2010	POL004	Polk County Recorder	54.00	0
7511	09/21/2010	PRA001	Praxair Distribution	171.21	0
7512	09/21/2010	PRE001	Premium Waters Inc	67.12	0
7513	09/21/2010	QUI001	Quill Corp	194.97	0
7514	09/21/2010	QWE001	Qwest	2,298.83	0
7515	09/21/2010	RAI001	Railroad Mgmt Co III LLC	598.98	0
7516	09/21/2010	RIN001	Jeannette Ringuette	25.00	0
7517	09/21/2010	RIV004	Riverport Inn & Suites	306.00	0
7518	09/21/2010	ZAV001	RJ Zavoral & Sons	5,428.65	0
7519	09/21/2010	ROT001	Roto Rooter	14,875.00	0
7520	09/21/2010	RYD001	Rydell Chevrolet	160.27	0
7521	09/21/2010	SAM002	Sam's Club	19.73	0
7522	09/21/2010	SCH019	Sharon Schmidt	500.00	0
7523	09/21/2010	SIM001	Simonson Station Stores	29.75	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
7524	09/21/2010	STO001	Stone's Mobile Radio Inc	4,442.43	0
7525	09/21/2010	K&H001	Kenley Stordahl	6,350.00	0
7526	09/21/2010	SUM001	Summit Fire Protection	190.00	0
7527	09/21/2010	SUN002	Sun Dot Communications	138.49	0
7528	09/21/2010	TRC001	T.R. Construction	2,760.00	0
7529	09/21/2010	CHA001	The Chamber of EGF/GF	120.00	0
7530	09/21/2010	TIG001	Tiger Direct.com	1,668.25	0
7531	09/21/2010	TIT002	Titan Access Account	3.08	0
7532	09/21/2010	TRU001	True Temp	218.14	0
7533	09/21/2010	TRY001	Try-County Refrigeration	1,808.00	0
7534	09/21/2010	UNI009	Univar USA Inc	2,865.40	0
7535	09/21/2010	VIC001	Victory Corps	185.61	0
7536	09/21/2010	WAS001	Waste Mgmt	35,248.76	0
7537	09/21/2010	WAT001	Water & Light Department	5,473.55	0
7538	09/21/2010	WCS001	WCS	228.42	0
7539	09/21/2010	WDA001	WDAZ TV	1,275.00	0
7540	09/21/2010	WEB002	James Weber	37.67	0
7541	09/21/2010	XER001	Xerox Corporation	21.79	0
				383,007.37	
Check Total:					