CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A QUORUM:

1. Consider Approving the Sale & Development of Coulee View Lots on Block 1 North of 13th Street SE – Paul Gorte

2. Introduction to the Greater Grand Forks American Indian Parent Committee – Representatives from the Committee

3. Review of 19AJ1 6th Ave NE Improvement Bid Results – Steve Emery

4. Request for Local Support for Signal & ADA Improvements – Steve Emery

5. Request to Declare Surplus Vehicles & Bicycles – Michael Hedlund

6. Consider Revision & Adoption of Greenway User Rules & Regulations – Michael Hedlund

7. Consider Amendment to Agreement with Northern Valley Machine – Paul Gorte

8. Special Assessment Policy Update – David Murphy

ADJOURN:

SEE NEXT PAGE FOR THE SPECIAL MEETING AGENDA
AGENDA
OF THE CITY
COUNCIL SPECIAL MEETING
CITY OF EAST GRAND FORKS
TUESDAY, SEPTEMBER 24, 2019 – FOLLOWING THE WORK SESSION

**Reminder to have your microphone on and speak into it during the Work Session**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A QUORUM:

1. Consider approving the sale of Coulee View Lots 2-7 Block 1 for the development of twin homes and a threeplex to Roberton Construction contingent upon earnest money being received by the City for all of the properties.

ADJOURN:

Upcoming Meetings
Regular Council Meeting – Tuesday, October 1, 2019 – 5:00 PM – Council Chambers
Work Session – Tuesday, October 8, 2019 – 5:00 PM – Training Room
Regular Council Meeting – Tuesday, October 15, 2019 – 5:00 PM – Council Chambers
Work Session – Tuesday, October 22, 2019 – 5:00 PM – Training Room
Request for Council Action

Date: September 24, 2019

To: East Grand Forks City Council Mayor Steve Gander, Council President Mark Olstad, Council Vice-President Chad Grassel, Council members Clarence Vetter, Dale Helms, Tim Riopelle, Tim Johnson, and Marc DeMers.

Cc: File

From: Economic Development Director

RE: Roberton Proposal to Amend Coulee View PUD

Roberton Construction is interested in purchasing the Coulee View lots north of 13th Street SE to build two pairs of twin home plus a threeplex. The proposed design is attached.

Approval of the change to attached housing requires an amendment to the PUD which governs the property. The City owns the land. In order to apply for a land use action, the property owner must grant permission to someone to apply. The EDA handles the property on behalf of the City. I talked with David Murphy, City Administrator, about this issue. Because the EDA is responsible for the property, the EDA can grant Roberton permission to apply. Such application does not connote approval; it merely grants permission to proceed. This proposal should be allowed to proceed to determine whether the proposed change is in the best interests of the neighborhood and the City as a whole through hearings before the Planning Commission and City Council.

The EDA discussed this proposal at its September 17 meeting. The EDA recommended that Roberton proceed with the application to amend the PUD. The EDA liked the proposal and favored its approval.

Recommendation:
That the City Council decide whether it is willing to allow the sale of the lots in Coulee View north of 13th Street SE for twin homes and a threeplex.
1. This project shall conform to the local code, building code, and fire code unless otherwise shown hereon.

2. All underground utility work performed with the public right-of-way shall be done in accordance with the City of East Grand Forks standard construction specifications.

3. If required, the Contractor shall notify Minnesota stormwater regulatory agency for stormwater runoff permit requirements prior to construction.

4. Any accessory structures and/or fences shall be constructed in accordance with the City of East Grand Forks building code.

SITEX DATA - EMERSON ESTATES THIRD ADDITION AMENDMENT

PUD Boundary

Lot 1-5: R-2 (two-family residential district)

EMERSON ESTATES THIRD AMENDMENT: Proposed Block 1, Emerson Estates Third Addition, to the City of East Grand Forks, Minnesota, being a Replat of Lots 2-4, Block 1, Coulee View Addition and Lots 1-2, Block 2, Coulee View Addition.

SITE DATA - EMERSON ESTATES THIRD ADDITION AMENDMENT

PUD Original Legal Description

EMERSON ESTATES THIRD ADDITION AMENDMENT

PUD REQUIREMENTS - EMERSON ESTATES THIRD ADDITION AMENDMENT

DEVELOPMENT DATA

GENERAL NOTES

1. All signs shall be approved by the East Grand Forks planning department.

2. All signs shall be approved by the East Grand Forks planning department.

3. Some portions of these lots near Hartsville Coulee fall in Zone AE on the FIRM revised to reflect the LOMR effective January 2, 2008, from hazards, structures, and other improvements which might hinder the city’s ability to serve and maintain such utilities.

4. Maximum Impervious Lot Coverage = 45% (R-2) Maximum Building Height = 35 feet from average grade

COULEE VIEW PUD ORIGINAL LEGAL DESCRIPTION

EMERSON ESTATES THIRD ADDITION AMENDMENT

N 85°32'31" E

106.81'

DEVELOPMENT DATA

R-2 (Two Family Residential): Lots 1-5

S 86°19'06" W

203.77'

Areas designated as R-2 on this PUD shall follow requirements of R-2 in the East Grand Forks Zoning Code and as follows:

R-2 (Two Family Residential): Lots 1-5

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203.77'
Request for Council Action

Date: September 18, 2019

To: East Grand Forks City Council, Mayor Steve Gander, Council President Mark Olstad, Council Vice President Chad Grassel, Council Members: Clarence Vetter, Dale Helms, Tim Riopelle, Tim Johnson and Marc Demers.

Cc: File

From: Steve Emery, P.E.

RE: Review of Bid Results – 2019 Assessment Job No. 1 – Curb, Gutter and Paving 6th Ave NE

Background:

We opened bids for the Curb, Gutter and Paving project on Friday, September 13, 2019. We received a total of Four (4) bids with the apparent low bid received from Paras Contracting out of Fargo, ND.

The low bid is approximately 5% above the Engineers Estimate, however we do have 2 other bids within approximately 6% of the low bid, therefore feel we received good competitive bids.

The following is the proposed budget for the project:

<table>
<thead>
<tr>
<th>PROPOSED BUDGET</th>
<th>2019 AJ No. 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>$ 412,147.45</td>
</tr>
<tr>
<td>Plans / Specifications (9%)</td>
<td>$ 37,093.27</td>
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<tr>
<td>Staking / Inspection (6%)</td>
<td>$ 24,728.85</td>
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<tr>
<td>Administration / Legal (3%)</td>
<td>$ 12,364.42</td>
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<tr>
<td>Assessment Roll (1%)</td>
<td>$ 4,121.48</td>
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<tr>
<td>Contingencies (5%)</td>
<td>$ 20,607.37</td>
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<tr>
<td><strong>TOTAL PROJECT COST</strong></td>
<td><strong>$ 511,062.84</strong></td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>PROPOSED FUNDING</th>
<th>2019 AJ No. 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessments (100%)</td>
<td>$511,062.84</td>
</tr>
<tr>
<td><strong>TOTAL PROJECT COST</strong></td>
<td><strong>$ 511,062.84</strong></td>
</tr>
</tbody>
</table>

Recommendation:

Since bids are higher than originally discussed during the Improvement Hearing, we are recommending holding the Final Assessment Hearing prior to Award of the bids.

Enclosures: Bid Tabulation.
<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DESCRIPTION</th>
<th>UNIT QUANTITIES</th>
<th>ENGINEER'S ESTIMATE</th>
<th>PARAS CONTRACTING</th>
<th>RJ ZAVORAL &amp; SONS INC</th>
<th>OPP CONSTRUCTION</th>
<th>STRATA CORPORATION</th>
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<td>01 1901</td>
<td>Mobilization</td>
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<td>Storm Drain Inlet Protection</td>
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<td>Remove Catch Basin</td>
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<td>Remove Bituminous Pavement</td>
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<td>Remove Railroad Tracks</td>
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<td>31 2200</td>
<td>Common Excavation (P)</td>
<td>CU. YD</td>
<td>2605</td>
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<td>31 2200</td>
<td>Subgrade Preparation</td>
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<td>Aggregate Base Course (CV)</td>
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<td>Aggregate Surfacing (LV)</td>
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<td>31 1223</td>
<td>Geosyn Fabric</td>
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<td>31 1223</td>
<td>4&quot; Drain Tile</td>
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<td>31 1216</td>
<td>Type SP 9.5 Non - Wearing Course Mix</td>
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<td>33 0213</td>
<td>Reconstruct Manhole</td>
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<td>33 0213</td>
<td>Adjust Gate Valve Box</td>
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<tr>
<td>33 4111</td>
<td>Catch Basin Casting Assembly</td>
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<td>33 4111</td>
<td>Storm Sewer Manhole</td>
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<td>33 4111</td>
<td>Manhole Casting Assembly, Type B</td>
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</table>

**TOTAL BID**

| | **$ 391,273.00** | **$ 412,147.45** | **$ 414,057.70** | **$ 438,313.20** | **$ 492,101.15** |
Request for Council Action

Date: September 18, 2019

To: East Grand Forks City Council, Mayor Steve Gander, Council President Mark Olstad, Council Vice President Chad Grassel, Council Members: Clarence Vetter, Dale Helms, Tim Riopelle, Tim Johnson and Marc Demers.

Cc: File

From: Steve Emery, P.E.

RE: MNDOT - TH 220 Signal and ADA Improvements

Background:

MNDOT has reached out to us in regards to some Traffic Signal Replacement Work they are planning for in 2022 at the intersection of Highway 220 and 14th Street NW/NE. They are estimating the cost to replace the Traffic Signal Lights to be approximately $300k. The City of East Grand Forks would be responsible for ½ of this project cost for the two legs of signal lights for 14th Street NW/NE since this is a local street or $150k.

All minor pedestrian / ADA work to be completed along Highway 220 to be paid for 100% by MNDOT.

MNDOT is looking for a resolution from the City of East Grand Forks with formal acceptance or approval for them to move forward with the project.

PROPOSED FUNDING:

City can budget for expense and or utilize State Aid Maintenance Funds.

Recommendation:

Provide MNDOT with resolution formally accepting MNDOT to move forward with the project and East Grand Forks approval in their 50% share of the cost of the Traffic Signals.

Enclosures: MNDOT Project Scope Form.
TRANSPORTATION PROJECT CHARTER
PRIME S.P. 6017-44 (ROUTE: 220)

<table>
<thead>
<tr>
<th>Project Manager Name:</th>
<th>Matt Upgren</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complexity and Risk Scale:</td>
<td>Low</td>
</tr>
<tr>
<td>T#</td>
<td>T2C319</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location &amp; Approximate Termini</th>
<th>TH 220 in East Grand Forks, Signal &amp; ADA improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reference Points:</td>
<td>27+00.238; 27+00.636</td>
</tr>
<tr>
<td>Carto Mile:</td>
<td>28.555; 28.953</td>
</tr>
<tr>
<td>Length:</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Need (i.e., Problem) Statement &amp; Supporting Data</th>
<th>The traffic signal at MN 220 and 14th Street was installed in 1992 and is nearing the end of its 30 year service life. The intersection of MN 220 and 17th Street was identified in the MN 220 Corridor Study for needing pedestrian improvements.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Purpose (i.e., Project Goals) Statement</th>
<th>The purpose of the project is to upgrade existing traffic signals and improve pedestrian movements.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Preliminary Project Scope</th>
<th>The project would consist of replacing the traffic signal at 14th Street with minor pedestrian ramp improvements, constructing a crosswalk at 17th Street, and Connect the frontage road to the existing sidewalk (see details below) at MN 220 and US 2, and upgrading the signal.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Possible Risks &amp; Other Issues</th>
<th>Coordination with the City of East Grand Forks</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Preliminary Construction Cost Estimate Range</th>
<th>$75K (MN 220/US 2) + $300K (MN 220/14th Street)($150K is Local Share) + $40K (MN 220/17th Street) = $265,000</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Project Manager Responsibilities</th>
<th>Project manager’s responsibilities include:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Being the primary contact for the project and working with stakeholders;</td>
</tr>
<tr>
<td></td>
<td>• Preparing project management plans (i.e. scope, schedule, budget, etc.) and obtaining management’s approval of those plans;</td>
</tr>
<tr>
<td></td>
<td>• Directing and managing the project team to deliver the project within scope, on time, within budget, and to a high degree of quality;</td>
</tr>
<tr>
<td></td>
<td>• Monitoring project performance and taking corrective actions when necessary; and</td>
</tr>
<tr>
<td></td>
<td>• Periodically reporting project status to stakeholders and management.</td>
</tr>
<tr>
<td></td>
<td>Project manager has the authority to:</td>
</tr>
<tr>
<td></td>
<td>• Make scope, schedule, and budget decisions within the approved baselines;</td>
</tr>
<tr>
<td></td>
<td>• Elevate issues requiring higher authority resolution and specifying reasonable deadlines for decisions.</td>
</tr>
</tbody>
</table>

I approve this project for continued development and authorize the use of Department resources to develop a scope and a plan for project delivery.

Jim Curran, Assistant District Engineer

Date
Request for Council Action

Date: September 18, 2019

To: East Grand Forks City Council Mayor Steve Gander, President Mark Olstad, Council Vice President Chad Grassel, Council Members: Clarence Vetter, Tim Riopelle, Marc DeMers, Dale Helms and Tim Johnson.

Cc: File

From: Michael S. Hedlund

RE: Surplus Vehicles and Bicycles - 2019 Auction #2

Background: The East Grand Forks Police Department has acquired a significant number of vehicles through asset forfeiture which occurs on some DWI’s and other types of arrests. The vehicles on the attached list have cleared the court process and are now the property of the City of East Grand Forks and/or the Pine to Prairie Drug Task Force (The proceeds of the sale of the Task Force vehicles go to the Task Force less any expenses). We also have a significant number of bicycles that meet the requirements to be declared surplus property. The exact number of bicycles is still being determined. It is our wish to have these vehicles and bicycles declared surplus property so that they may be sold at auction.

Recommendation: Declare the vehicles and bicycles listed on the attached documents as surplus property.

Enclosures: List of seized vehicles and list of bicycles to be declared surplus property.
Fall 2019 Police auction

#1. 1997 Ford Vin# 1FTDX18W2VKB64390
#2. 2001 Pontiac Vin# 1G2NW52E21C208671
#3. 2014 Kia Vin# KNDJN2A29E7737441
#4. 1997 Toyota Vin# JT4TN12D9V0032473
#5. 1998 Subaru Vin# 4S3BK4352W7315738
#6. 1999 Chevy Vin# 3G1JC1246XS846730
#7. 2005 Pontiac Vin# 1G2HZ54Y95U107025
#8. 1998 GMC Vin# 1GKDM19W4WB527057
#9. 2000 Dodge P/U Vin#1b7KF2366YJ183364
#10. 2006 Arctic Cat 4wheeler Serial Number 4UF06ATV56T216082
#11. 2004 Kymco super 9 moped Vin#
RFBSHAAE64B370500
#12. 2002 Chev P/U Vin#1GCEK19T02E161246
#13. 2008 Lincoln Vin# 3LNHM26T98R629722
#14. 2003 Hyundai Vin#KMHWF25S23A847336
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<th>CFS Date/Time</th>
<th>Date Bicycle Recovered</th>
<th>Bicycle Make</th>
<th>Bicycle Model</th>
<th>Bicycle Color</th>
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Total Records: 20
Request for Council Action

Date: 09/18/2019

To: East Grand Forks City Council: Mayor Steve Gander, Council President Mark Olstad, Council Vice-President Chad Grassel, Council members Clarence Vetter, Dale Helms, Tim Riopelle, Tim Johnson and Marc DeMers

Cc: File

From: Michael S. Hedlund – Chief of Police

RE: Consider Revising the East Grand Forks Greenway User Rules and Regulations into City Ordinances

Background: Following the Flood of 1997 both Grand Forks and East Grand Forks developed green space areas along the Red and Red Lake Rivers. These areas were subsequently named the Grand Forks/East Grand Forks Greenway. Both cities discussed various options as far as the development of control systems over what activities would and would not be allowed within this space. East Grand Forks ultimately decided to develop a set of “User Rules and Regulations” while Grand Forks enacted a set of ordinances. The issue at hand is that the East Grand Forks “rules” are largely unenforceable unless the person’s behavior violates a state statute or other city ordinance (i.e. a person who violates the East Grand Forks ordinance regulating Disorderly Conduct could be cited for that offense if it was committed in the East Grand Forks Greenway). Per the East Grand Forks rules if the behavior violates a rule but not an existing law/ordinance the rules state; “Individuals violating these rules will receive a verbal or written warning, an administrative complaint, a civil summons, or loss of park privileges.” The rules do not indicate who would issue these warnings, etc. or who would be responsible for enforcing when a person has lost their park privileges and in essence they are unenforceable. The Grand Forks Ordinances much more clearly state what is allowed and what isn’t and whether it is a criminal or non-criminal offense and what the penalties for both are.

Recommendations: It would be my recommendation that the East Grand Forks City Council review the existing rules and the related Grand Forks ordinances and consider adopting new ordinances that would be more clearly enforceable.

Enclosures: East Grand Forks Greenway User Rules and Regulations and Grand Forks Ordinance No. 4157. Both of these documents may also be found at: http://www.greenwayggf.com/management.html
Greenway Technical Committee
User Rules and Regulations

Revised February 18, 2003

PURPOSE:
There are four governmental agencies involved in the management of the Greenway project. Each agency has specific commandments and needs regarding the regulation of recreational use of land within their jurisdiction. In order to provide a uniform and seamless governing body, a standard Greenway Rules and Regulations will be developed and adopted by the managing agencies of the project.

OBJECTIVES:
1. Develop a body of rules and regulations that meets the unique needs of the Greenway project and its managing agencies;
2. Adoption of the rules and regulations of the Greenway project by all managing agencies;

DEFINITIONS
Managing Agency: The agency responsible for the maintenance and upkeep of a specific area in the Greenway system.
Motor vehicle. Any self-propelled vehicle including, but not limited to, automobiles, trucks, dune buggies, minibikes, motorcycles, trail bikes, and all terrain vehicles (ATV’s), but not including snowmobiles.

SPECIFIC ITEMS:

Rules Enforcement Policy

Laws will be enforced by the applicable agency. Individuals violating these rules will receive a verbal or written warning, an administrative complaint, a civil summons, or loss of park privileges.

All persons violating these rules may be penalized in accordance with the ordinances and statutes of the Managing Agency. Persons violating other applicable laws within the Greenway may also be punished in accordance with the provisions of those laws. In addition, persons violating these rules may be required to immediately leave the Greenway, and the Managing Agency may revoke the privilege of any person who violates these rules to enter the Greenway for a specific period.

Special Events
Special events and commercial uses or operations within the Greenway may only be conducted with a written permit from the Managing Agency obtained prior to the event, or under contract, lease, or other written agreement from the Managing Agency. The Managing Agency shall establish and may charge fees for special events and commercial uses of Greenway and state parks land.
No person, firm, or corporation may operate any concessions, business, enterprise, or sell personal property within the Greenway without prior written permission from the Managing Agency of the area of proposed activity.
Some areas, specifically the Red River State Recreational Facility, require user fees. The Managing Agency may from time to time establish fees for the use of other park areas by the public.

No person shall engage in or solicit business of any nature whatsoever from visitors, or to post signs, handbills, or advertisements, except for authorized concessions, without the prior written consent of the Managing Agency.

**Hours of Operation**
Regular day use hours within the Greenway are 5:00 AM to 11:00 PM. Red River State Recreational Facility hours are 8:00 AM to 10:00 PM.

During periods of forest fire danger or other emergency conditions, the Managing Agency may close the Greenway or any portion thereof. No person may enter or remain in closed areas except as authorized by the Managing Agency.

Please consult the Managing Agency identified on the Greenway map for more information regarding a specific area.

**Personal Conduct and Prohibitions**
Alcoholic beverages are allowed in designated areas only. Glass bottles are not permitted.

**PERSONAL CONDUCT:**
- DISORDERLY CONDUCT: No person shall engage in brawling or fighting, use offensive, obscene, or abusive language, or engage in boisterous, noisy, or threatening conduct reasonably tending to arouse alarm, anger, or resentment in others.
- DRUGS: A person's possession and use of drugs shall be in accordance with state laws.
- NOISE: No person may create a disturbance that impairs the enjoyment of the Greenway by others.

**Public Safety; Hunting; Firearms; Weapons**
Hunting and trapping are prohibited within the Greenway, unless otherwise authorized by the Managing Agency. Use or possession of any firearm, bow and arrow, sling shot air rifle, paint ball gun or pistol is prohibited. Firearms may be transported through the Greenway if kept in car trunk, or otherwise inaccessible to use. Bows may be transported through the Greenway if unstrung or enclosed in a case.

**Environmental Protection**
The use of metal detectors is strictly prohibited, except as authorized by the Managing Agency.

It is unlawful to damage, deface or remove any park facilities, including picnic tables, vegetation and park signs.

No person may remove any natural or cultural object from the Greenway. Possession of paint or marking materials, or tampering with, altering, or removing any sign, marker, or structure is prohibited. Driving nails or permanently installing any object is prohibited. No person shall paste, glue, tack, or otherwise post any sign, placard, advertisement, or inscription whatsoever in areas other than areas designated for such purpose.

Research studies conducted on dry land within the Greenway require a special use permit issued by the Managing Agency. Request for use of the Greenway for research studies must
be submitted to the Managing Agency in writing nine months in advance of the proposed research except, as expressly authorized by the Managing Agency.

Chainsaws, generators, and other power equipment may not be operated within the Greenway, except as authorized by the Managing Agency.

Fires and Refuse
Fires or other cooking or heating devices are permitted only in designated areas. No person may leave a fire without totally extinguishing it, nor discard any burning cigarettes, cigars, matches, or any other burning material within the Greenway.

The collection of firewood within the Greenway is strictly prohibited.

Personal fireworks are not permitted within the Greenway. Public displays of fireworks require a permit from the appropriate Managing Agency of the proposed display location.

No person shall bring in or shall dump, deposit, or leave any bottles, broken glass, fish or fish parts, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse; or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds. All trash must be placed in the proper receptacles where these are provided; wherever receptacles are not so provided, all such rubbish or waste shall be carried away from the park by persons responsible for its presence, and properly disposed of elsewhere.

Recycling is encouraged in all parks.

Pets
Pets are allowed in most areas, but must be under physical control at all times on a leash. Owners are responsible for cleaning up after their pets. Horses are allowed by permit only, in designated areas.

Feeding of wildlife is prohibited, unless authorized by the Managing Agency.

Picnicking
No person or group of persons shall unreasonably exclude others from a picnic area or shelter, except when the shelter has been reserved with consent of the Managing Agency.

Boating
The use of motorboats or outboard motors in the Greenway is permitted. Please familiarize yourself with the boating regulations of both states. Information is available at most area Chambers of Commerce, visitor centers and various retail merchants.

Fishing
General North Dakota and Minnesota fishing laws and the rules of the North Dakota and Minnesota Game and Fish Agencies apply within the Greenway. Appropriate fishing licenses are required.

Swimming
Swimming is strictly prohibited within the Greenway.
Storage and Abandonment of Personal Property
All properties left in the Greenway and not registered with the Managing Agency will disposed of as abandoned property.

Motor Vehicles and Snowmobiles
No person, except authorized agents of the Greenway, shall drive or may operate any vehicle, including, but not limited to, automobiles, trucks, minibikes, mopeds, motorcycles, snowmobiles, and all-terrain within the Greenway, except on roads or designated parking areas. Unless specifically designated, all-terrain vehicles are not permitted within the Greenway. No person shall operate any vehicle within the Greenway so as to endanger any person or property, nor in excess of the posted speed limit. Motorized trail bikes and all-terrain vehicles are prohibited within the Greenway. Bicycles are allowed on maintained roads and trails only.

No person, except authorized agents of the Greenway shall drive or operate a motor vehicle in any park except on roads or designated parking areas. Motor vehicles may be parked only in designated parking areas or parking spurs. Motor vehicles may not be driven on roads that are posted, chained, or gated, unless authorized by the Managing Authority. Parking in an area not designated as a parking area is prohibited and subjects the vehicle to being towed at the owner's expense. Overnight parking is permitted in approved areas only. Motor vehicles must heed all posted speed limits.

All vehicles must park in designated areas.

A motor vehicle shall not be operated in excess of posted speeds or in a reckless, careless, or exhibitive manner. No person shall operate a vehicle in such a manner as to create unnecessary engine noise, tire squeals, skidding, or sliding.

Snowmobiles
Snowmobiles are allowed on designated routes only. Posted speed limits must be obeyed at all times.

All trails are for specified use only; violators will be ticketed.

ADDITIONAL ITEMS:
The Managing Agency shall have authority to promulgate rules and establish regulations to protect and regulate use of public parks and facilities within their jurisdiction, which rule and regulations shall be effective upon approval of the appropriate governing bodies. Said regulations may relate to hours, operation or recreational programs and other items reasonably designed to protect the public interest. Any member of the public aggrieved by the rules so promulgated or the regulations established by the Managing Agency, may appeal said rules to that agency and that agency shall rule on said appeal.

Suspension of Rules
In situations of emergency or in the case of authorized special events, the Managing Agency may provide temporary exceptions to these regulations by posting notice of the exception at the site.

The facilities, programs and employment procedures are open to all regardless of age, sex, race, color, disability, religion, national origin, or political affiliation. Contact us prior to your visit if you need an accommodation for a disability.
ORDINANCE NO. 4157

ORDINANCE ENACTING ARTICLE 4 OF CHAPTER XIV OF THE GRAND FORKS CITY CODE RELATING TO THE GRAND FORKS GREENWAY

BE IT HEREBY ENACTED BY THE CITY COUNCIL OF THE CITY OF GRAND FORKS, NORTH DAKOTA, PURSUANT TO THE HOME RULE CHARTER OF THE CITY OF GRAND FORKS, NORTH DAKOTA, THAT:

SECTION 1. ENACTING CLAUSE

Article 4 of Chapter XIV of the Grand Forks City Code is hereby enacted to read as follows:

14-0401. Purpose.

The City Council of Grand Forks deems it necessary and desirable to adopt ordinances to provide for the safe and peaceful use of the greenway areas and facilities for the educational and recreational benefit for the public; the protection and preservation of the Greenway; and for the safety and general welfare of the public while using and enjoying the Greenway.

14-0402. Definitions.

The following definitions are to only apply to the ordinances in this chapter entitled "The Greenway." Any other definition provided by the code is superceded by these definitions concerning the ordinances appearing in this chapter only.

   (A) "Commercial Use" means any authorized use of the Greenway by a business, club, non-profit organization and/or fraternal society.
   
   (B) "City Council" refers to the Grand Forks City Council.
   
   (C) "Employee" means any full-time, part-time, or volunteer of the City of Grand Forks.
   
   (D) "Greenway" refers to the physical space controlled by the City Council generally described as the wet side of the toe of the levee adjacent to the riverbank, excluding areas leased to the Park District and flood protection features such as floodwalls, levees, and pump stations. The Greenway generally starts at approximately fifty (50) feet north of the centerline of the north pedestrian bridge, north of Riverside Dam, to the centerline of the south end drainway as more particularly shown on appendix A.
   
   (E) "Motor Vehicle" means every device in, upon, or by which person or property is or may be transported or drawn upon a roadway except devices moved by human power.
(F) "Person" or "persons" means individuals, firms, corporations, societies, or any group or gathering whatsoever.

(G) "Permit" means written permission to conduct specified activities as provided in this article.

(H) "Special Events" refer to any scheduled events which are to be conducted within the physical boundaries of the Greenway area.

(I) "Wildlife" means any living creature, not human, wild by nature, including but not limited to mammals, birds, amphibians, insects, reptiles, crustaceans, or mollusks.

14-0403. Hours of Operation.

(A) Except as otherwise authorized by the City Council, the Greenway shall be open to the public from 5:00 AM to 11:00 PM. It shall be unlawful for any person to enter or remain in the Greenway at any other time without a special permit issued by the City Council except for authorized employees of federal, state or local government.

(B) The City Council is authorized to close the Greenway and any portion thereof for the protection of the property, public health, safety, welfare, and or any other reason it deems sufficient.

14-0404. Use Fee — Failure to Pay Use Fee.

It shall be unlawful for any person to use without payment any facility or area for which a permit is required or a user fee is charged unless the payment is waived prior to the usage of the facility by the City Council.

14-0405. Special Use and Commercial Uses.

A permit is required for scheduled special events and commercial uses of the Greenway. It shall be unlawful to conduct such a gathering using either the Greenway or any of the Greenway facilities, including but not limited to the outdoor shelters in the Greenway without obtainment of said permit.

14-0406. Alcohol Use or Possession Prohibited in Greenway Without Permit.

(A) No alcoholic beverage shall be consumed or possessed in the Greenway except at such locations and times as may be authorized by permit issued by the City of Grand Forks or the director of the Park District of the City of Grand Forks as provided herein.

(B) The City of Grand Forks and/or the director of the Park District of the City of Grand Forks or his or her designee may attach such terms and conditions to a permit as may be reasonably necessary to protect public health, welfare, and safety.
(C) Notwithstanding the issuance of a permit, no alcoholic beverage shall be allowed in restroom facilities located on City property in the Greenway or within one hundred (100) feet of any swimming or playground area in the Greenway.

(D) No person shall bring any kegs upon City of Grand Forks property in the Greenway without first obtaining a permit therefor issued by the City of Grand Forks or the director of the Park District of the City of Grand Forks.

(E) Notwithstanding the issuance of a permit, no person shall bring or possess glass bottles upon City of Grand Forks property in the Greenway.

(F) The provisions of this section shall not apply to the sale, purchase, consumption or possession of alcoholic beverages authorized pursuant to a permit issued by the City of Grand Forks or the director of the Park District of the City of Grand Forks.

14-0407. Public Safety.

It shall be unlawful for any person to:

(A) Have in his/her custody, possession or control within the Greenway any dangerous weapon as defined in Section 9-0120 of the Grand Forks City Code.

(B) This section shall not prohibit the possession of a dangerous weapon by a licensed law enforcement official acting within the scope of his or her official duties.

14-0408. Environmental Protections.

It shall be unlawful for any person to:

(A) Possess any paint or marking materials that may be used to tamper with or alter any sign, building or other structure within the Greenway.

(B) Collect or gather any firewood from within the Greenway.

(C) Conduct research studies or experiments within the Greenway without a permit.

(D) Operate, possess or bring into the Greenway any chainsaws, or generators, except as otherwise authorized by the City Council.

(E) To light or start a fire in any unauthorized portion of the Greenway.

(F) Leave any fire still burning or smoldering without totally extinguishing the fire. Any discarding of burning materials including coals, burning embers, cigarettes, matches, or any other burning material is strictly prohibited.

(G) Camp within the Greenway unless conducted in designated areas and as authorized
by the City Council.

(H) No person except Greenway personnel shall enter, disturb or alter any culturally sensitive area as defined or designated by the City of Grand Forks.

14-0409. Disturbance of Natural Features.

It shall be unlawful for any person to:

(A) Intentionally remove, alter, injure, or destroy any tree, shrubs, grass, flowers, other vegetative or plant material, rock, soil or mineral without special permit.

(B) Harvest, grow, or cultivate any plants, flowers, or other vegetation without prior consent or special permit within the Greenway.

14-0410. Animals in Greenway.

It shall be unlawful for any person to ride or bring any horse, cattle, mule, donkey, sheep, goat or other hard-hoofed animal into the Greenway without first obtaining a permit therefor from the City of Grand Forks.

14-0411. Protection of Wildlife.

It shall be unlawful for any person to release or abandon any animal within the Greenway without first obtaining a permit therefor.

14-0412. Picnicking.

It shall be unlawful for any person to:

(A) Assume exclusive use of a picnic site or shelter without a permit.

(B) Use a shelter or picnic area within the Greenway if said shelter has been reserved by another group or entity.

(C) Conduct picnic activity at the reservation site or shelter contrary to the permit issued or otherwise violate any provisions this chapter.

(D) Set up temporary shelters, tents, tarps, canopies, and other such devices without authorization or special permit by the Grand Forks Public Information Office through the special event application.

14-0413. Motor Vehicles.

It shall be unlawful for any person to:
(A) Operate a motor vehicle except in designated areas.

(B) Park or leave a vehicle standing except in a designated area and then only in a manner not to restrict normal traffic flow.

(C) Leave a motor vehicle parked in the Greenway for more than 24 hours.

(D) Wash, polish, grease, or perform any other maintenance on a vehicle in the Greenway. This provision shall not, however, apply to necessary repairs to remove a vehicle from the Greenway.

(E) The provisions of this section shall not apply to law enforcement or emergency response personnel and vehicles or any other personnel or vehicles specifically authorized by the City of Grand Forks.

14-0414. Application for Permits.

Any person seeking the issuance of a permit required under this article shall file an application with either the City of Grand Forks or the Park District of the City of Grand Forks or his/her designee.


The City of Grand Forks or the Park District of the City of Grand Forks shall issue a permit hereunder only upon the findings:

(A) That the proposed event, activity, or use of the park property will not unreasonably interfere or detract from the general public’s enjoyment of the Greenway.

(B) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety, and recreation.

(C) That the proposed activity and use is not reasonably anticipated to incite violence, crime or disorderly conduct.

(D) That the proposed activity will not entail unusual, extraordinary, or burdensome expenses of maintenance, cleanup, security, or police operations.

(E) That the granting of the permit will not conflict with any other permit already granted or for which application is pending.

(F) That the granting of the permit will not create a substantial risk of injury to persons or damage to property in the Greenway or surrounding area.

14-0416. Revocation of Permit.

The City of Grand Forks and the Park District of the City of Grand Forks reserves the right to, at
his/her discretion, revoke or suspend any permit issued under this ordinance when the City of Grand Forks or the Park District of the City of Grand Forks finds that any of the standards for issuance of a permit no longer are compiled with or when the public health, safety, and welfare warrant the revocation of said permit.

14-0417. Delegation of Authority.

Authority granted under this article may be delegated.

14-0418. Penalties for Criminal Offenses.

Every person convicted of a violation of a criminal offense as set forth in Grand Forks City Code 14-0407, shall be punished by a fine not to exceed One Thousand and No/100 ($1,000.00) Dollars or by imprisonment not to exceed thirty (30) days or by both such fine and imprisonment in the discretion of the court. The court shall have the power to suspend said sentence and to revoke the suspension thereof, except as otherwise provided.

14-0419. Penalties for Non-Criminal Offenses.

Except as otherwise provided herein, every person convicted of a violation of a non-criminal offense as set forth in this article except 14-0407 shall be punished by a fine not to exceed Five Hundred and No/100 ($500.00) Dollars in the discretion of the court. Except as otherwise provided, the court shall have the power to suspend said sentence and to revoke the suspension thereof.

SECTION II. EFFECTIVE DATE

This ordinance shall be in full force and effect after its passage and approval as provided by law.

MICHAEL R. BROWN, Mayor

ATTEST:

JOHN M. SCHMISEK, Director
Finance & Administrative Services

Introduction and first reading: August 7, 2006
Public Hearing: N/A
Second reading and final passage: November 20, 2006
Approved: November 20, 2006
Published: Title and Penalty Clause. December 2, 2006.
INCLUDES 27TH AVE PARCEL.

NORTH BOUNDARY
WHOPPER JOHN
BOAT RAMP

GREENWAY:
TOE OF LEVEE OR
WETSIDE FACE OF
FLOODWALL, TO
RIVERSBANK

SOUTH BOUNDARY
SOUTH END
DRAINWAY POND

* EXCLUDES AREAS
LEASED TO PARK
DISTRICT

LEVEE ALIGNMENT
Request for Council Action

Date: October 1, 2019

To: East Grand Forks City Council Mayor Steve Gander, Council President Mark Olstad, Council Vice-President Chad Grassel, Council members Clarence Vetter, Dale Helms, Tim Riopelle, Tim Johnson, and Marc DeMers.

Cc: File

From: Economic Development Director

RE: Amendment to Agreement with Walski Properties (Northern Valley Machine)

In 2016 the City Council approved the use of Border Cities Development Zone tax credits up to $100,000 over 5 years for the acquisition of the former Ideal Arrowsmith property and expansion of Northern Valley Machine, retaining 65 jobs in East Grand Forks. The expectation was that the benefit would be for a period of 5 years. Based on the City’s understanding of the way the Border Cities tax credits program, the City allocated $100,000 of tax credits to NVM to be applied on top of the “disparities” property tax relief available to commercial businesses in East Grand Forks. Subsequently the Department of Revenue informed the City and Polk County that the two programs are mutually exclusive. The consequence of that decision is that NVM has exhausted nearly all of it available tax credits in the first three years. In order to keep its five-year commitment to NVM, the City needs to allocate an additional $45,000 in tax credits. The State has approved an annual allocation of the Border Cities tax credits, so there are credits available to fulfill the commitment.

The City has $381,368.91 in BC tax credits available.

The use of BC tax credits requires City Council approval after a public hearing and several other procedural requirements. The public hearing is scheduled for October 1, 2019.

On September 17, 2019, the EDA recommend that the City Council approve the use of $45,000 of BC Tax Credits for Walski Properties / Northern Valley Machine to fulfill its 5-year promise.

Recommendation:
That the City Council approve an amendment to the Agreement with Walski Properties to assure that the assistance is available for five years.
CITY OF EAST GRAND FORKS

RESOLUTION NO. _______

RESOLUTION APPROVING A FIRST AMENDMENT TO
BUSINESS SUBSIDY AGREEMENT BETWEEN THE CITY
AND WALSKI PROPERTIES, LLP WITH RESPECT TO
BORDER CITY DEVELOPMENT ZONE TAX CREDITS

WHEREAS, the City of East Grand Forks, Minnesota (the “City”) has designated a Border City Development Zone (“BCDZ”) and has the authority pursuant to Minnesota Statutes, Sections 469.1731 through 469.1735, as amended (the “BCDZ Act”), to grant a partial or complete exemption from property taxation used in or necessary to a qualifying business within or outside the BCDZ; and

WHEREAS, the City previously received a completed application filed in accordance with applicable City procedures, policy, and guidelines from Walski Properties, LLP, a Minnesota limited liability partnership, doing business as Northern Valley Machine, or an affiliate thereof (the “Developer”) requesting a property tax credit (the “Tax Incentives”) in connection with the acquisition, construction and equipping of an existing building in the City (the “Project”) in order to make the expansion of an existing business and retention of 65 high-paying jobs in the City economically feasible; and

WHEREAS, the City approved the application and granted the Developer an exemption from property taxation subject to the terms and conditions in Resolution No. 16-05-48 (the “Original Resolution”) adopted by the City Council on May 17, 2016, granting the Tax Incentives to the Developer in the amount of $100,000 and approving a Business Subsidy Agreement, dated May 17, 2016, between the City and Developer (the “Original Business Subsidy Agreement”) providing for the granting of the Tax Incentives to the Developer and setting forth the Developer’s duties and responsibilities related to the business subsidy; and

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

WHEREAS, the Developer has requested that the City amend certain provisions of the Original Business Subsidy Agreement with regard to the amount of Tax Incentives provided to the Developer and execute the First Amendment to Business Subsidy Agreement (the “First Amendment to Business Subsidy Agreement,” and, together with the Original Business Subsidy Agreement, the “Business Subsidy Agreement”) to reflect updated program requirements related to the BCDZ Act from the Minnesota Department of Employment and Economic Development (“DEED”) and Polk County that will result in an increase in the amount of Tax Incentives provided to the Developer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of East Grand Forks, that:
1. The Council reaffirms its findings made in the Original Resolution that granting Tax Incentives to the Developer is necessary to for the Developer to remain and retain jobs in the City and is in the best interests of the City.

2. The City hereby reaffirms granting Tax Incentives to the Developer. The Tax Incentives shall be provided over a period of five (5) years, commencing with tax year 2016, payable in calendar year 2017, and continuing through the tax year 2020, payable in calendar 2021, or until when not more than $145,000 of tax credits have been provided to the Developer, whichever occurs earlier. The provision of the Tax Incentives is subject to the terms and conditions in this resolution, the Business Subsidy Agreement, the BCDZ Act and approval of the Tax Incentives by DEED.

3. City staff is hereby directed and authorized to work with DEED, the City Assessor and County Assessor to effectuate the Tax Incentives, contingent upon the Developer and the City executing the First Amendment to Business Subsidy Agreement.

4. The First Amendment to Business Subsidy Agreement, together with any related documents in connection therewith (collectively, the “Development Documents”) is approved in substantially the forms on file in City Hall, subject to modifications that do not alter the substance of the transaction and are approved by the Mayor and the City Administrator; provided that execution of the documents will be conclusive evidence of their approval.

5. The Mayor and the City Administrator are authorized and directed to execute the Development Documents and any other documents or certificates necessary to carry out the transactions described in the Development Documents.

Approved by the City Council of the City of East Grand Forks this __ day of ________, 2019.

Mayor

ATTEST:

City Administrator
FIRST AMENDMENT TO BUSINESS SUBSIDY AGREEMENT

This FIRST AMENDMENT TO BUSINESS SUBSIDY AGREEMENT (the “First Amendment”) is made as of October 1, 2019, by and between the CITY OF EAST GRAND FORKS, MINNESOTA, a home rule city existing under its Charter and the Constitution of the State of Minnesota (the “City”) and WALSKI PROPERTIES, LLP doing business as NORTHERN VALLEY MACHINE, a Minnesota limited liability partnership (the “Company”).

WHEREAS, the City and Company entered into that certain Business Subsidy Agreement, dated May 17, 2016, (the “Contract”), in connection with the City’s provision of certain tax credits to the Developer in accordance with Minnesota Statutes 469.1731 to 469.1735, the Border City Development Zone Act (the “BCDZ Act”) for acquisition, construction and equipping of an existing building in connection with the expansion of an existing business and retention of 65 jobs in the City; and

WHEREAS, capitalized terms used in this First Amendment and not otherwise defined shall have the meanings given to them in the Contract; and

WHEREAS, the Company has requested and the City has agreed to amend certain provisions of the Contract with regard to the amount of tax incentives provided for the Project.

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

1. Amendment to Section 3(a) of the Contract. Section 3(a) of the Contract is deleted in its entirety and replaced with the following:

   (a) The City shall provide a property tax exemption to the Company in the form of a property tax credit in accordance with the BCDZ Act over a period of 5 years, commencing with tax year 2016, payable in calendar year 2017, and continuing through the tax year 2020, payable in calendar year 2021 or until no more than $145,000 of tax credits have been provided to the Developer, whichever occurs earlier (the “Tax Incentives”). The City makes no warranties or representations to the Developer regarding the amount of the tax credits to be provided to the Developer. The Developer understands and agrees that the provision of tax credits in accordance with this paragraph are subject to approval by the Minnesota Department of Employment and Economic Development and Polk County.

   (b) Pursuant to Minnesota Statutes 116J.994, Subd. 3(b), the estimated value of the Tax Incentive approved by the City Council to the Developer is $30,000 per year using a projected value of $1,167,600 and a current tax rate of 1.6000%. The City will provide the tax incentives each year for a period of five (5) years or until the total Tax Incentives totals $145,000, whichever occurs earlier.

2. Miscellaneous. Except as amended by this Amendment, the Contract shall remain in full force and effect. Upon execution, Developer shall reimburse the City for all out-of-pocket-costs incurred by the City in connection with negotiating, drafting and approval of this Amendment.
3. **Effective Date.** The amendments made to the Contract, as amended by this First Amendment, shall be effective as of the date hereof.

The City has caused this First Amendment to be duly executed in its name and behalf on or as of the date first above written.

CITY OF EAST GRAND FORKS, MINNESOTA

By: ____________________________
Its: Mayor

By: ____________________________
Its: City Administrator
The Developer has caused this First Amendment to be duly executed in its name and behalf on or as of the date first above written.

WALSKI PROPERTIES, LLP

By______________________________

Its______________________________
NOTICE TO COMPETITORS OF APPLICATION FOR TAX INCENTIVES AND PUBLIC HEARING

Notice is hereby given that the City Council of the City of East Grand Forks, Minnesota (the “City”) will meet at or after 5:00 p.m. on Tuesday, October 1, 2019, at City Hall, 600 East DeMers Ave, East Grand Forks, Minnesota, to consider an amendment to a business subsidy agreement providing Walski Properties, L.L.C., Northern Valley Machine, or any affiliate thereof, (the “Company”), with tax incentives which the Company will use to reimburse itself for a portion of the costs of a business expansion on the current site and into the building that formerly housed Ideal Arrowsmith, located at 1510 Gateway Dr NE and 1124 15th Ave NE, all in the southeast quadrant of the intersection of 15th Avenue NE and the US 2 Frontage Road in the City, legally described as follows:

- Block 2 Lot A INDUSTRIAL PARK 1ST ADDITION RE-PLAT, Section 31, T 152 N R49 W 5th PM
  - Parcel Number: 83.04394.00

- Block 2 Lot B INDUSTRIAL PARK 1ST ADDITION RE-PLAT, Section 31, T 152 N R49 W 5th PM
  - Parcel Number: 83.04395.00

- Block 2 Lot C INDUSTRIAL PARK 1ST ADDITION RE-PLAT, Section 31, T 152 N R49 W 5th PM
  - Parcel Number: 83.04396.00

All City Council meetings are open to the public. A competitor of the applicant or any other interested person or governmental unit may provide written comments to the City of East Grand Forks prior to the above referenced City Council meeting date by mailing the same to the City of East Grand Forks, Attention: City Administrator/Clerk-Treasurer, 600 East DeMers Ave, East Grand Forks, Minnesota 55721. This notice is given by the above-named applicant/project operator pursuant to the provisions of Minnesota Statutes, Section 469.1734, Subdivision 7. Published 9/4/2019 and 9/11/2019.

Dated: August 23, 2019

BY ORDER OF THE CITY COUNCIL OF THE CITY OF EAST GRAND FORKS, MINNESOTA

/s/ David Murphy
City Administrator/Clerk-Treasurer
City of East Grand Forks, Minnesota
Request for Council Action

Date: September 24th, 2019

To: East Grand Forks City Council Mayor Steve Gander, Council members Clarence Vetter, Dale Helms, Tim Riopelle, Tim Johnson, Mark Olstad, Chad Grassel, and Marc DeMers.

Cc: File

From: David Murphy, East Grand Forks City Administrator

RE: Special Assessment Policy Update

Background.

This issue has been brought before the Council and discussed in the past. The last time it was discussed staff was directed research the assessment policy of Warren Minnesota, which is included in the packet.

Potential Revenue Sources

The potential revenue sources available to the City to participate in a cost share are very limited. Minnesota does not have a “street district” option which allows a City to set up neighborhood type districts to draw funds for street repair.

Unfortunately there are only two viable options available to us.

1. Continue with current practice of 100% assessment to abutting property owners with associated risks.
2. Levy the taxpayers of the City as a whole for the City’s portion by one of two methods.
   A. A Capital Improvement Fund that is funded each budget year in anticipation of the cost share amounts for the projected projects.
   B. Bond for the City portion of the project at the time of the project and levy the City as a whole annually to pay the debt service.

Recommendation

Review of the policies and discussion of potential funding for special assessments.
CITY OF WARREN
NEW CONSTRUCTION/RECONSTRUCTION ASSESSMENT POLICY

I – NEW CONSTRUCTION/RECONSTRUCTION STANDARDS

1. For purpose of assessing a portion of the cost of reconstructing street and utility improvements in the City of Warren, the following shall be considered “standard” facilities for the City of Warren.

   A. Roads/Streets and Storm Water
      Rural Road Design for 41-foot width and a 9 ton design standard. Includes all costs necessary to meet the minimum design standards, including removing and replacing existing bituminous pavement, ditching, and culverts.

   B. Water Distribution Utilities
      Including all costs for replacement utilities up to 8” inch diameter water main, valves, and fire hydrant.

   C. Sanitary Sewer Utilities
      Includes all cost for replacement utilities up to 8” inch diameter sanitary main, force main, and manholes.

II – STANDARD ASSESSMENT

A. New construction shall be assessed at rates sufficient to cover one hundred percent (100 %) of new construction costs.

B. Reconstruction shall be assessed at rates sufficient thirty percent (30 %) of costs.
III – CALCULATION OF ASSESSMENT

A. Assessable footage shall be determined in the following manner:

Standard Lots: Assessable footage shall be the actual front frontage of the lot.

Irregular Lots Where the front and rear lot line dimensions differ by more than 10%, assessable footage shall equal the average of the front and rear lot lines.

Cul-de-sac Lots The assessable footage will be calculated by measuring the lot width at the 30’ building setback line.

Isosceles trapezoid Lots The assessable footage will be calculated using the front cord distance adding the back distance and averaging the two dimensions.

Corner Lots The shorter side shall be considered the front, and the longer side shall be considered the side, regardless of the orientation of structures. Assessable footage for the front shall equal the actual frontage; assessable footage for the side shall be one-quarter (25%) of the frontage for the first 200 feet, and 100% of the frontage in excess of 200 feet.

Undeveloped Acreage Undeveloped acreage, including parcels with frontage exceeding 200 feet shall be assessed for the full frontage. However, the parcels shall be eligible for a partial deferral of the assessment associated with frontage in excess of 200 feet. Any deferred assessments shall accrue interest at the rate of interest established for other assessments for the project.

Unbuildable Lots Those lots that are defined unbuildable per policy or flood buyout lots shall be assessed only soft costs (ie, engineering, admin.) and storm sewer.

Unusual Situations As determined by governing body
ie. Utilities in Alley