AGENDA
OF THE CITY
COUNCIL WORK SESSION
CITY OF EAST GRAND FORKS
TUESDAY, OCTOBER 8, 2019 – 5:00 PM

**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. Update from Heritage Village – Teri Hammarback
2. Update on Jurisdictional Transfer of Business Highway 2 – Steve Emery
3. Discussion on the Green Step City Program – Kevin Hatcher
4. Consider Penalties for Tobacco License Violations – Michael Hedlund
5. Request for Motor Grader Rental for 2019-2020 Winter Season – Jason Stordahl

ADJOURN:

SEE NEXT PAGE FOR THE SPECIAL MEETING AGENDA
AGENDA
OF THE CITY
COUNCIL CLOSED SESSION
CITY OF EAST GRAND FORKS
TUESDAY, OCTOBER 8, 2019 – FOLLOWING THE WORK SESSION

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A QUORUM:

1. Job Evaluation of the City Administrator. The meeting will be closed pursuant to MN Statute 13D.05 Sub. 3(a).

ADJOURN:

Upcoming Meetings
Regular Council Meeting – Tuesday, October 15, 2019 – 5:00 PM – Council Chambers
Work Session – Tuesday, October 22, 2019 – 5:00 PM – Training Room
Regular Council Meeting – Tuesday, November 5, 2019 – 5:00 PM – Council Chambers
Work Session – Tuesday, November 12, 2019 – 5:00 PM – Training Room

Individuals with disabilities, language barriers or other needs who plan to attend the meeting and will need special accommodations should contact Nancy Ellis, ADA Coordinator at (218)-773-2208. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements. Also, materials can be provided in alternative formats for people with disabilities or with limited English proficiency (LEP) by contacting the ADA Coordinator (218)-773-2208 five (5) days prior to the meeting.
Village

EAST GRAND FORKS, MINNESOTA

His History to the 3rd

Weekend of August.

Just Look for the Red Barn

and 20th Street NE.

Heritage Village is located at

Farmer's Market July-Sept.

Christmas Festival 1st

Each Grand Forks

Haunted Heritage

Throughout the Year:

Educational Programs

Click on the image for more information.
Granville Church
Built in 1895 in Granville ND, this church was 2 miles south of Oslo, MN.

Log Cabin
This cabin was built in 1871 by David Nisbet, 1½ miles east of Mallory, MN.

Agriculture Equipment

Town Hall
The town hall was once the center for township government. Today it is where you can learn about our local heritage.

Heritage One-Room School
Built in the 1800's, the log schoolhouse was located on Mr. Harry Tack's property just south of Oslo, MN.

General Store
Built in 1902, the general store is the original Hanson-Maves building, which was part of the East Grand Forks business district.

Membership

Name ______________________
Address ______________________
Phone ______________________
Email ______________________

Dues of $20.00 includes newsletter.

Donation $________

Mail to: Heritage Foundation
P.O. Box 281
East Grand Forks, MN 58721

Professional Membership available. See website for details or contact Teri Hammarback.
Community Organizations that use the Heritage Foundation Facilities
EGF Community Education - youth wrestling - January through March; Monday and Thursday
EGF Community Education - astronomy class; Wednesday nights year-round
UND Astronomy Club - family astronomy nights year-round
Dakota Science Center Water Festival annual event in May; 800 fourth-graders
HAM Radio Fest - annual event in May (>100)
Grand Forks Horticultural Society annual spring meeting in May (>50)
Lake Agassi District Boy Scout annual 3-day spring camporee (>75)
Lake Agassi District annual Cub Scout Day Camp (>100)
Minnesota Deer Hunter’s Association annual family picnic (>100)
Fire Hall Theater fundraising dinner (>200)
Polk County Developmental Achievement Center Inc. Christmas party

Heritage Village Tours
YMCA family centered daycare (55 youth)
UND Children’s Center (25 youth)
Emmanuel Christian Daycare (29 youth)
Little Saints Daycare (15 youth)
Homeschool Association (15 youth)
Parkwood Place tour and picnic (15 people)
Options tour and picnic
Northland Community and Technical College (25 students)
Norwegian Tourist (2 groups)
Canadian Tourist 1 group
University of Minnesota, Crookston ELL students

Special Events for families hosted by the Heritage Foundation (average attendance 200-400)
February Winter Fun Day
July through October Farmer’s Market
August Heritage Days
October haunted Heritage Village
December Christmas festival

The Heritage Foundation facilities are also used for weddings, family celebrations, and community celebrations.
Strategic Plan 2016-2019

Preserve the history of the Northern Red River Valley
- Continue to acquire historic buildings and artifacts.
- Construct additional infrastructure for the display of artifacts and for educational classroom space.
- Raise funds to purchase a portable stage, seating and hand washing stations.

Increase community involvement and support.
- Invite community organizations and businesses to use the facilities.
- Involve community organizations and businesses in Heritage Days.
- Partner with community organizations and youth groups to expand programming.
- Work with community businesses to increase financial support.

Minnesota Museum Property Act 2004
- Work to inventory all items stored on the Heritage Village grounds.
- Require a storage fee to offset the cost of insurance on the buildings.
- Maintain ownership records for items on the Heritage Village grounds.
- Maintain proof of insurance records for items on the Heritage Village grounds.
The Heritage Village sawmill was made by R. R. Howell & Co. and is a Model #5. The sawmill had been owned by Ole Bang, a bonanza (wheat) farmer 2 1/2 miles South of Oslo, MN, the biggest farmer in the area (about 4400 acres).

Ole H. Bang was born in Valders, Norway, October 17, 1847. He came to the United States in the spring of 1869 locating at Madison, Wisconsin. While in Madison he worked at his trade as a tailor for three years. In 1872 he moved to Taylors Falls, Minnesota, where for five years, he carried on a prosperous tailoring business. He then went to Grantsburg, Wisconsin and opened a general store. While there he also bought two sections of timber land along the St. Croix River. Mr. Bang found cutting this timber very profitable. In 1883 he moved to Crookston, Minnesota where he purchased and operated the Scandinavian Hotel. About six years later he invested in 160 acres of land along the Red River and later decided to locate there. He continued to invest in land at low rates until he owned 2,000 acres. He operated all this land for many years, but later sold all but 900 acres. Ole Bang was married at Blue Earth, Minnesota in 1876 to Jennie Olson. Mrs. Bang was born in 1856 on a boat, namely the "Flora Ediea", enroute from Norway to the United States. With a twinkle in her eye, she would often say, "I am a woman without a country. I was born on the ocean." Twelve children were born to this union, six of whom grew to manhood and womanhood. The six children were: Emma, Anna, Henry, Elida and Clara. The Bang Family were members of Granville Lutheran church, two miles south of Oslo, Minnesota. Ole Bang passed away at his farm home in 1928. Mrs. Bang also passed away at the farm in 1936.

Request for Council Action

Date: October 3, 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: Potential Jurisdictional Transfer of US Business Hwy 2 and Demers Ave

Background:

This is a follow up to the questions / concerns raised at the July 23, 2019 Work Session in regard to the potential Jurisdictional Transfer of US Business Highway 2 and Demers Ave with MNDOT.

Some of the questions raised included the following:

1.) With the additional Mileage will our overall State Aid System Mileage be able to be increased: The additional mileage would be added to our State Aid System and the City would generate approximately an additional $38,000.00 Annually in State Aid Allocations. However, Trunk Highway Turnback mileage cannot be included in the 20% Maximum Mileage calculation for determining the City’s maximum allowable mileage for State Aid Streets.

2.) What is the anticipated additional service life for Business Highway 2: This is dependant on what type of maintenance project would be completed or if the street was totally reconstructed. See attached letter from MNDOT for additional information.

3.) Are there any potential safety improvement to the corridor that are required: MNDOT reviewed crash data along the corridor and address in the attached letter.

4.) Potential for urbanizing Business Highway 2 at the East End of the corridor. If the City has Jurisdiction over this corridor, the City can urbanize and make any aesthetic improvements they want. However, MNDOT has stated that they would not pay for the cost to urbanize or make aesthetic improvements on the east end of the corridor.

I have again attached a Memo I had put together of some the reasons MNDOT is approaching the City with this request along with maybe some of the pro’s and con’s of the exchange and potential options for payment.

MNDOT Representatives will be at the work session to provide additional information and answer any questions you may have for them.
I have included a sample Resolution and a flow chart outlining the steps to be taken if the Council is interested in pursuing this transfer.

**Estimated Preliminary Costs**

See Attached Memo for Estimated Project Costs

**Recommendation:**
We are not providing any recommendations at this point.

**Enclosures:**
Letter from MNDOT
Memo dated 7/18/19
Project Area Map
Copy of Sample Resolution and Flow Chart
MnDOT District 2
3920 Hwy 2 West
Bemidji, MN 56601

August 28, 2019

Mr. Steven Emery
City Engineer
Widseth Smith Nolting
1600 Central Avenue NE
East Grand Forks, MN 56721-1570

Dear Steve,

The intent of this letter is to address questions received from the East Grand Forks City Council on July 23rd about the Business Hwy 2 jurisdictional exchange and discuss next steps in the process. The proposed jurisdictional exchange consists of the State taking over Demers Avenue from 4th Street NW to Hwy 2 and the City taking over Business Hwy 2 from Demers Avenue to Hwy 2. The council requested additional information on construction history, remaining service life of the highway, maintenance issues and traffic safety concerns.

Business Hwy 2 was originally constructed in the late 1920s as an 18'-39' wide concrete highway. The highway was resurfaced, widened and drainage infrastructure was upgraded during two projects completed in the 1970s. Traffic signals were installed in 1990 and the highway was last resurfaced in 2008.

The remaining service life of the pavement on this corridor has been depleted. The Ride Quality Index is projected to drop below 2.5 in 2020, which is the State’s threshold to program a project. With that in mind, the corridor is in need of improvements in the near future. Due to the concrete in the road core, there are three fixes that would be beneficial, a thin mill & overlay, full mill down to the concrete and overlay, or reconstruction. Based on the performance from the previous construction projects a thin mill & overlay would be estimated to last 10-11 years. The full mill and overlay would be estimated to last 17-20 years. The reconstruct service life would be greater than 20 years and would vary based on the pavement selection. In addition to pavement, the traffic signals have exhausted their useful lives and are in need of replacement. Drainage infrastructure is nearing 50 years of age and would be due for replacement in the next 20 years.

In discussions with our maintenance personnel. The shoulders and approaches were not resurfaced in 2008 and are in poor condition. Maintenance paved some approaches last year, but there are other approaches in need of repair. Culverts have not been cleaned for 7 or 8 years and may need attention soon to ensure proper drainage.

Our Traffic Engineer reviewed crash data along this corridor over the last 10 years, 2009-2019. There is a significant crash cluster at the Demers Avenue and 4th Street signalized intersection. This intersection has experienced 46 crashes (11 resulting in an injury) over the last 10 years. With the Jurisdictional exchange, the State will remain responsible for two legs of this intersection and would look to address this issue with the signal
replacement project tentatively scheduled for 2024. The remainder of the corridor has experienced 59 crashes over the last 10 years, with a cluster of crashes (9 crashes) at the 4th Street and 2nd Avenue signalized intersection and a small cluster of crashes at 4th Street and Central Avenue intersection. The crashes at the signalized intersection of 4th Street and 2nd Avenue is well below the state average when compared to other signalized intersections across the state. The small cluster of crashes at Central Avenue may be attributed to poor sight lines experienced by southbound motorists.

The legislature has allocated funding to assist State and local jurisdictions with jurisdictional transfers. This program allows the State to compensate the City for necessary upgrades to the state highway being transferred to the local jurisdiction. The program also ensures that the City’s Total Municipal State Aid Mileage would be increased to include the additional miles, which equates to approximately $38,000 annually in State Aid Allocations. Attached is a sample resolution for the City to consider. To get this process started and move into the negotiation phase, the City will need to pass a resolution to enter into an agreement for jurisdictional transfer.

The proposed jurisdictional exchange is a great opportunity to maximize our transportation resources and provide the travelling public with the best possible transportation system. I want to thank the City for considering this opportunity.

Sincerely,

JT Anderson, P.E.
District Engineer

CC:

Equal Opportunity Employer
MEMO

Date: July 18, 2019
To: Honorable Mayor and City Council Members
From: Steven R. Emery, PE
Cc: David Murphy, Jason Stordahl and Nancy Ellis

Project Name: NA
Project No.: NA
Subject: Business Hwy 2 / Demers Ave Jurisdictional Transfer with MNDOT

Proposed Exchange:
City would take over Business Hwy 2 from Demers Ave to Highway 2 (2.1 miles). MNDOT would take over Demers Ave from 4th St NW to Highway 2 (0.5 miles)

Reason for Exchange:
The MN Legislature has set aside funding for jurisdictional transfers that can be used to restore trunk highways such as Business Highway 2 after turnback.

Demers Ave is one of the few Principal Arterials in the District that is under local jurisdiction. Principal Arterials are eligible for NHS Funding. Demers Ave carries approximately 2-3 times the traffic as Business Hwy 2 which is a Minor Arterial.

Advantages of Exchange:
Increase in Total Municipal State Aid Street Mileage of approximately 1.6 miles which would generate approximately an additional $38,000.00 annually in State Aid Allocations.

This entire corridor could be totally reconstructed in the next 2-5 years and paid for by MNDOT.

City will have control of Business Highway 2 to control maintenance / overall scope of future improvements.

City will no longer be required to obtain permits for work within Business Highway 2 Right of Way

City will not be responsible for 25% of cost of traffic light replacement at Highway 2 & Demers Ave which is estimated at $75,000.00

City will not be responsible for 50% of cost of traffic light replacement at intersection of Business Highway 2 and 2nd Ave NE which is estimated at $150,000.00

Turnback agreement could be written in a way that would allow the City to utilize funds received from Option No. 2 towards other transportation needs.

Disadvantages of Exchange:
Increased Maintenance Costs for City Staff with additional snow plowing, sanding, crack sealing, pothole repairs and utility maintenance. City Staff has estimated approximately $2500 - $3500 / Yr of additional maintenance cost and the potential need for another employee.
Option 1 – Reimbursable Payment

City and MNDOT would jointly develop a scope of improvements needed to bring identified section of Business Highway 2 and Demers Ave into acceptable conditions for a jurisdictional transfer.

Proposed Improvements on Business Highway 2 would be led by the City and would be administered through State Aid

City would be reimbursed for all eligible cost incurred on the project including construction, engineering, right of way, and supplemental agreements through the Turnback Account (minus the cost of improvements to the 0.5 miles of Demers Ave)

City would assume all responsibility for the operation, maintenance, and capital improvements to this section of Business Hwy 2 upon Notice of Release and likewise MNDOT would assume all responsibility for the operation, maintenance and capital improvements to Demers Ave.

Option 2 – In Lieu of Payment

The City would receive a one – time lump sum payment

Lump sum payment would require funds to be utilized on State Aid System in the future.

By accepting the payment provided, the City releases MNDOT from any and all claims related to the condition of the roadway segment.

The City would assume all responsibility for the operations, maintenance, and capital improvements to this section of Business Hwy 2 upon receipt of payment (Notice of Release) and likewise MNDOT would assume all responsibility for operations, maintenance and capital improvements to Demers Ave.

Option No. 3 – Do Nothing

Do nothing is always an option. MNDOT would maintain control of the corridor. Future improvements to the corridor may be limited to a mill and overlay within the next 10-15 years.

Estimated Project Cost:

Approximately $ 9,000,000 - $10,500,000

Approximate Timeline:

Funding through this program currently available 2021-2024. MNDOT is currently programming projects for the next 6 years.
**Next Steps:**

If interested City would need to approve a Resolution supporting the jurisdictional transfer as well as enter into an agreement with MNDOT.
CITY OF EAST GRAND FORKS  
POLK COUNTY, MINNESOTA  

RESOLUTION NO. XX-XXXX

RESOLUTION APPROVING THE CITY OF EAST GRAND FORKS AND MINNESOTA DEPARTMENT OF TRANSPORTATION TO ENTER INTO AN AGREEMENT FOR THE JURISDICATIONAL TRANSFER OF US BUSINESS HIGHWAY 2 AND PART OF DEMERS AVE.

IT IS RESOLVED that the City of East Grand Forks may enter into an Agreement with the State of Minnesota, Department of Transportation for the following purpose:

1. Transfer of jurisdiction from the State of Minnesota to the City of East Grand Forks for United States Business Highway 2 from United States Highway 2 to Demers Ave.

And

2. Transfer of jurisdiction from the City of East Grand Forks to the State of Minnesota of part of Demers Ave. from United States Business Highway 2 to United States Highway 2.

IT IS FURTHER RESOLVED that the _______________________________ and the _______________________________ are authorized to execute the Agreement and any amendments to the Agreement.

CERTIFICATION

I certify that the above Resolution is an accurate copy of the Resolution adopted by the City Council of East Grand Forks at an authorized meeting held on the _______ day of ______________________., 2019, as shown by the minutes of the meeting in my possession.

Subscribed and sworn to before me this _______ day of ______________________, 2019

Notary Public _______________________________

My Commission Expires ____________________

(Signature)

(Type or Print Name)

(Title)
### Generic Turnback Process Flow

<table>
<thead>
<tr>
<th>Step</th>
<th>Activity</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Turnback has been identified with the 2 parties</td>
<td>D/C/L</td>
</tr>
<tr>
<td>2</td>
<td>Staged Agreement Process (Resolution/MOU/Agreement)</td>
<td>D/C/L</td>
</tr>
<tr>
<td>2</td>
<td>Legislative Action</td>
<td>D/C/L</td>
</tr>
<tr>
<td>2</td>
<td>Cost Estimate/Participation/Fund/Program Year</td>
<td>D/C/L</td>
</tr>
<tr>
<td>2</td>
<td>Finance Activities</td>
<td>C</td>
</tr>
<tr>
<td>3</td>
<td>Authorization Mapping</td>
<td>D</td>
</tr>
<tr>
<td>4</td>
<td>Agreement Execution</td>
<td>D/C/L</td>
</tr>
<tr>
<td>5</td>
<td>OLM Activities</td>
<td>C</td>
</tr>
<tr>
<td>5</td>
<td>Notice of Transfer</td>
<td>C</td>
</tr>
<tr>
<td>6</td>
<td>Designation as a CSAH/MSAS</td>
<td>C</td>
</tr>
<tr>
<td>7</td>
<td>Project or In lieu Payment</td>
<td>D/C/L</td>
</tr>
</tbody>
</table>

D: District Staff  
C: Central Office Staff  
L: Local Unit of Government

**DRAFT 5/13/2019**
Request for Council Action

Date: 10/3/19

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: Water & Light Department

RE: Green Step City Program

The Water & Light Commission has looked into the Green Step City Program. The Commission had a presentation from the Clean Energy Resource Team (CERTS) in July and approved having Kevin Hatcher, the Energy & Customer Service Specialist as the green step coordinator.

This program is voluntary, no funds have to be spent to be a part of this program, and it is a way to highlight the good things the City/Water & Light Department are already doing. In order to move forward the City Council would have to adopt a resolution to join.

According to the MN Green Step Cities website, greenstep.pca.state.mn.us, this is a voluntary challenge, assistance, and recognition program to help cities achieve their sustainability and quality of life goals. More information can be found on the website regarding what the program is, about their best practices, and more.

Included with this RCA is the sample resolution written by CERTS as well as an article about how the City of Plymouth decided not to join this program.

This is being brought forward for discussion on whether or not the City/Water & Light Department should join this program.
RESOLUTION
CITY OF EAST GRAND FORKS
COUNTY OF POLK
STATE OF MINNESOTA

A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS
TO PARTICIPATE IN THE MINNESOTA GREENSTEP CITIES PROGRAM

The GreenStep Cities program aims to provide Minnesota cities a clear pathway to greater sustainability and resiliency based upon implementing best practices specific to Minnesota cities of differing sizes and capabilities. Due to the multiple environmental, economic and social dimensions of the best practices, leadership from the city council is needed to oversee their implementation and integration with other city and community activities and with other governmental jurisdictions (such as surrounding townships) as appropriate.

To join the GreenStep Cities program as a Step One city, cities adopt a GreenStep participation resolution that names a contact person to be the city’s GreenStep coordinator. This person can be an existing city staff person, an elected official or an appointed community member. Cities are encouraged to empower an existing or new committee to lead and coordinate the implementation of GreenStep best practices. Many cities find it easier to complete more GreenStep actions faster with a committee. The committee can be an existing city commission or task force, an existing civic group, a city staff “green team,” or a new group. A new group could include city elected officials/staff and community members, including representatives from civic and religious groups, business organizations and educational institutions.

WHEREAS, Minnesota GreenStep Cities is a voluntary challenge, assistance and recognition program to help cities achieve their sustainability and quality-of-life goals. GreenStep is a free, continuous improvement program, managed by a State agency-non-profit partnership, and based upon 29 best practices. Each best practice can be implemented by completing one or more actions at a 1, 2 or 3-star level, from a list of four to eight actions. These actions are tailored to all Minnesota cities, focus on cost savings and energy use reduction, and encourage civic innovation; and

WHEREAS, steps taken toward sustainable solutions aim to improve community quality of life, building community capital and increasing government efficiency, accountability and transparency; and

WHEREAS, local governments have the unique opportunity to achieve both energy use and greenhouse gas reductions and cost savings through building and facilities management; land use and transportation planning; environmental management; and through economic and community development; and

WHEREAS, efforts to address energy and climate issues provide an opportunity to move toward energy self-reliance and greater community resiliency and quality of life; provide environmentally healthy and cheaper-to-operate public buildings; encourage new economic development and local jobs; and support local food and renewable energy production; and

WHEREAS, the City of East Grand Forks has updated street lighting to LED, planted trees within the community to improve quality of life, and have implemented plans to enhance more pedestrian-friendly traffic development in busy locations.

WHEREAS, uncertainty in energy prices and the transition away from fossil fuel energy sources present new challenges and opportunities to both the City of East Grand Forks and to the economic health of its citizens and businesses; and

WHEREAS, climate changes have been observed in Minnesota and have the potential to negatively impact local, regional and state economies; infrastructure development; habitat; ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose flooding, drought and health threats to our citizens; and
WHEREAS, Minnesota Session Laws 2008, Chapter 356, Section 13 directed the Minnesota Pollution Control Agency ("MPCA") and Office of Energy Security in the Department of Commerce ("Office of Energy Security"), in collaboration with Clean Energy Resource Teams ("CERTs"), to recommend municipal actions and policies that work toward meeting the State’s greenhouse gas emissions reduction goals; and

WHEREAS, the Next Generation Act of 2007, Minnesota Session Laws 2007 - Chapter 136:
(1) sets State greenhouse gas emissions reduction goals of cutting emissions to 15 percent below 2005 levels by 2015, 30 percent below 2005 levels by 2025, and 80 percent below 2005 levels by 2050;
(2) sets a State energy conservation goal of achieving annual energy savings equal to 1.5 percent of annual retail energy sales of electricity and natural gas;
(3) establishes an energy policy goal that the per capita use of fossil fuel as an energy input be reduced by 15 percent by the year 2015, through increased reliance on energy efficiency and renewable energy alternatives;
(4) establishes an energy policy goal that 25 percent of the electricity used in the state be derived from renewable energy resources by the year 2025; and

WHEREAS, a broad coalition of public and private stakeholders including the League of Minnesota Cities, the MPCA, Office of Energy Security and CERTs responded to the 2008 legislation by establishing the Minnesota GreenStep Cities program to provide a series of sustainable development best practices focusing on local government opportunities to reduce energy use and greenhouse gases; and

WHEREAS, the Minnesota GreenStep Cities program assists in facilitating technical assistance for the implementation of these sustainable development best practices; and

WHEREAS, the Minnesota GreenStep Cities program provides cost-effective sustainable development best practices in the following five categories: (1) Buildings and Lighting; (2) Transportation; (3) Land Use; (4) Environmental Management; and (5) Economic and Community Development;

NOW, THEREFORE, be it resolved that the City Council of the City of East Grand Forks does hereby authorize the City of East Grand Forks to participate in the Minnesota GreenStep Cities program that offers a free, voluntary continuous improvement framework. Passage of this participation resolution allows the City to be recognized as a Step One GreenStep City by the League of Minnesota Cities. Be it further resolved that the City:

1. Appoints Kevin Hatcher to serve as the City’s GreenStep coordinator for best practice documentation/implementation (and, as appropriate, identifies East Grand Forks Water and Light Department as the city’s GreenStep coordination team); and

2. Will facilitate the involvement of community members and other units of government as appropriate in the planning, promoting and/or implementing of GreenStep Cities best practices; and

3. Grants to the GreenStep program staff review access to the City's B3 Benchmarking Database so as to facilitate analysis and cost-saving technical assistance to the City regarding its buildings’ energy use; and

4. Will provide feedback once a year on how well the GreenStep program is serving the city and on city needs from the program; and

5. Will claim credit for having implemented and will work at its own pace toward implementing any 8 GreenStep best practices that will result in energy use reduction, economic savings, quality of life improvement, reduction in the City’s greenhouse gas footprint, and recognition by the League of Minnesota Cities as a Step Two GreenStep City. An on-going summary of the City’s implementation of best practices will be posted by the City on the Minnesota GreenStep Cities web site.

2.
By: ______________________________
Mayor

ATTEST:

City Administrator/ Manager/ Clerk Date: ______________________________
Plymouth Steps Back From Controversial GreenStep City Program

"I believe that our elected officials should make decisions on each program or change in programs. Having an all encompassing agreement like green steps removes local control and flexibility," wrote Rolf Erickson.

By Tom Steward • July 13, 2019

It was supposed to be a done deal. The resolution to make Plymouth Minnesota’s newest “GreenStep City” was slipped into the city council’s consent agenda, clearing the way for expected approval by voice vote without discussion, along with no-brainer items like a temporary liquor license for the Lions “Live at the Hilde” event and minutes from the previous meeting.

After all, the staff pitched it as a free, feel-good “continuous improvement framework” for the thriving suburb.

_The City will claim credit for having implemented and will work at its own pace toward implementing GreenStep best practices that will result in energy use reduction, economic savings, quality of life improvement, reduction in the City’s greenhouse gas footprint, and recognition by the League of Minnesota Cities as a GreenStep City._

But a funny thing happened on the way to the Twin Cities suburb becoming the latest domino in the Minnesota Pollution Control Agency’s “voluntary” plan to reduce its greenhouse gas footprint and make environmental sustainability the linchpin of city policy-making.
City Hall began hearing from residents who'd done their homework, including these emails included in the city council information packet.

"I believe that our elected officials should make decisions on each program or change in programs. Having an all encompassing agreement like green steps removes local control and flexibility," wrote Rolf Erickson.

"This makes for terrible city planning," wrote Terri Nelson. "... The only way to win this game is not to play."

The city council also got an earful from several residents who made their case in person at the June 25 meeting designated for the program's approval.

"It says it's 'voluntary' and when you go through the various paperwork for it, it says 'mandatory,'" Kathy Burkett told city councilors. "... The further you get back into this program it becomes required. So do not be fooled."

"I feel like the taxpayers are the ones who are going to get squished because there's so many practices you can choose from and so many things they want us to do," said Terri Nelson. "And they all cost money and it's all going to cost the taxpayer way too much, whether it works or not."

In fact, the program includes more than two dozen so-called Best Management Practices with 175 different actions and lots of paperwork for participating local governments. Climate Adaptation and Community Resilience No. 29, for example, ties city policies and spending into the Metropolitan Council’s comprehensive plan required of municipalities.

Adopt a stand-alone climate adaptation/resilience plan; incorporate climate adaptation and resilience goals and strategies into the city's comprehensive plan (or long-term vision or adaptation plan for Category B & C cities and tribes) using public engagement processes which must involve proactive outreach, stakeholder involvement, and meaningful engagement of vulnerable and underrepresented populations.

Based on the direction provided by an assessment of vulnerabilities and/or a comprehensive planning process, integrate identified climate adaptation/resilience strategies directly into city ordinances (such as strong land use and/or storm water regulations to protect or create resilient assets), operating procedures, and capital improvement or other budgets.

After the citizens stepped up, the mayor and city council stepped back. The GreenStep City resolution was not put to a vote.

"From my perspective, I don't know nearly enough to make a decision whether we should be adopting this or not," said Mayor Jeff Wosje.
Other city councilors were also clearly rattled by the implications for Plymouth’s autonomy, future and the policy strings attached to GreenStep grants.

"There’s a lot of information that was brought here. I’m frankly shocked from what I’m hearing on this," said City Councilor Ned Carroll. “Please be assured no one’s going to tell this council what to do. No outside organization is going to tell us what to do."

"I just don’t think we need to do this in Plymouth. We’re a great city. We don’t have to hop along with all these “great ideas” and be just like everybody else,” City Councilor Jim Prom said.

Some 124 Minnesota cities have become GreenStep Cities since the program’s inception in 2010. But the number of new participants has slowed markedly with six new cities joining in 2018 and just two in 2019 given the stunning rebuke from Plymouth.

This article was originally published by the Center of the American Experiment

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Tom Steward
Request for Council Action

Date: 09/27/2019

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: Setting Penalties for Tobacco License Violations

____________________________________________________

**Background:** The East Grand Forks Police Department periodically does Tobacco Compliance checks. The vast majority of checks result in the businesses passing the checks so penalties are rarely an issue. Our most recent checks prior to 2019 were actually part of a program that was funded by the State of Minnesota where failures were treated as opportunities to provide education on the reasons it is important not to sell tobacco to minors and the department was not allowed to issue any penalties. We have now held an additional compliance check and we did have a business fail. Per East Grand Forks City Code 116.99;

“All licensee found to have violated this chapter, or whose employee shall have violated this chapter, shall be charged an administrative fine in an amount set by City Council for a first violation of this chapter; a fine in an amount set by City Council for a second offense at the same licensed premises within a 2-month period; and a fine in an amount set by City Council for a third or subsequent offense at the same location within a 24-month period. In addition, after the third offense, the license shall be suspended for not less than 7 days.”

While I don’t know for sure I would believe that the above section has a typo when it refers to a second violation within a 2 month period. I believe that was intended to be a 24 month period.

It does not appear that any official administrative fine amount has been established by the City Council. Similar alcohol violations are covered in a matrix that establishes the fines/license suspensions. The tobacco violation penalties are a bit simpler but a monetary fine amount for a first or second violation does need to be set. On a related note the clerk who made the sale was cited for “Sale of Tobacco to a Child” but a formal penalty for the license holder has not been set.

**Recommendations:** As stated above the City of East Grand Forks uses a matrix to determine what the penalty will be for an alcohol license violation. As a point of reference and
consideration a first violation against and alcohol license (within 24 months) has a $250.00 administrative fine while a second violation (within 24 months) has a $500.00 administrative fine and a one day license suspension. A third violation is a $1,000.00 administrative fine and a seven day license suspension.

The existing code establishes a 7 day license suspension for the third violation of a tobacco license. The fines are the only thing that needs to be established. I do not have a specific recommendation as to what the fines should be.

**Enclosures:** None
Request for Council Action

Date: 10-4-2019

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: Jason Stordahl - Public Works Director

RE: Grader Rental

Background: The Public Works Department leases a motor grader for snow removal each snow season. I received the following quotation from Butler Machine for lease rates:

Butler Machine (Caterpillar) $6,045/month, plus $66/hour after the first 50 hours

RDO Equipment (John Deere) RDO does not have a machine with a wing available.

*Butler Machine’s rates have decreased since 2018 by $55/month.

Recommendation: Approve the lease with Butler Machine.
Snow rates for this winter will be as follows
140M is $5,000 per month 50 hours included excess hours are $51 @ hour
140M AWD is $5,100 per month 50 hours included excess hours are $52@ hour
Add $945 for a snow wing and $14@ hour after 50 hours per month

These are based on availability for committed machines

Thank you

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