

**AGENDA
OF THE SPECIAL MEETING
CITY OF EAST GRAND FORKS
TUESDAY, MAY 23, 2023 – 5:00 PM**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A QUORUM:

1. Consider approving the On-sale Weekday and On-sale Sunday Liquor License renewals for the following applicants:
 - a. River Cinema 15 located at 211 Demers Ave Suite 4A East Grand Forks, MN 56721.
 - b. The Shire Bar & Grill located at 211 Demers Ave Suite 4B East Grand Forks, MN 56721.
 - c. Little Bangkok located at located at 415 2nd St NW Suite 1 East Grand Forks, MN 56721
2. Consider approving the Off-sale Intoxicating Liquor License renewal for Hugo’s Wine & Spirits located at 310 14th St NE East Grand Forks, MN 56721.
3. Consider adopting Resolution No. 23-05-37 approving the year-end transfers for budget year 2022.

ADJOURN:

**AMENDED AGENDA
OF THE WORK SESSION
CITY OF EAST GRAND FORKS
TUESDAY, MAY 23, 2023 – FOLLOWING THE SPECIAL MEETING**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A QUORUM:

1. **Discussion on Sick Leave Accrual Fund – Karla Anderson**
2. **Update from the Metropolitan Planning Organization – Stephanie Halford**
3. **Discussion on Requesting Bonding for Recreation Facilities – Reid Huttunen**
4. **Request for Direction on THC Sales & Current State Legislation Regarding Marijuana – Megan Nelson**
5. **Consider an Agreement with Bird Rides Inc – Megan Nelson**

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.

6. American Crystal Vending Wagon/Food Truck Request – Megan Nelson

7. Request to Update Ward Resolution & Map – Megan Nelson

ADJOURN:

Upcoming Meetings

Council Meeting – Tuesday, June 6, 2023 – Council Chambers – 5:00 PM

Work Session – Tuesday, June 13, 2023 – Training Room – 5:00 PM

Council Meeting – Tuesday, June 20, 2023 – Council Chambers – 5:00 PM

Work Session - Tuesday, June 27, 2023 – Training Room – 5:00 PM

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.



Minnesota Department of Public Safety
Alcohol & Gambling Enforcement Division
445 Minnesota Street, 1600
St Paul, Minnesota 55101
651-201-7507

RENEWAL OF LIQUOR, WINE, CLUB OR 3.2% LICENSES

No license will be approve or released until the \$20 Retailer ID Card fee is received by Alcohol and Gambling Enforcement

Licensee: Please verify your license information contained below. Make corrections if necessary and sign. City Clerk/County Auditor should submit this signed renewal with completed license and licensee liquor liability for the new license period. City Clerk/County Auditor are also required by M.S. 340A.404 S.3 to report any license cancellation.

License Code: ONSS License Period Ending: 6/30/2023 Iden: 72771
Issuing Authority: East Grand Forks
Licensee Name: River Cinema Inc.
Trade Name: River Cinema 15
Address: 211 DeMers Ave, Suite 4A
East Grand Forks, MN 56721
Business Phone: 218-773-1059
License Fees: Off Sale: \$0.00 On Sale: \$3,800.00 Sunday: \$200.00

By signing this renewal application, applicant certifies that there has been no change in ownership on the above named licensee. For changes in ownership, the licensee named above, or for new licensees, full applications should be used. See back of this application for further information needed to complete this renewal.

Applicant's signature on this renewal confirms the following: Failure to report any of the following may result in civil penalties.

- 1. Licensee confirms it has no interest whatsoever, directly or indirectly in any other liquor establishments in Minnesota. If so, give details on back of this application.
- 2. Licensee confirms that it has never had a liquor license rejected by any city/township/county in the state of Minnesota. If ever rejected, please give details on the back of this renewal, then sign below.
- 3. Licensee confirms that for the past five years it has not had a liquor license revoked for any liquor law violation (state or local). If a revocation has occurred, please give details on the back of this renewal, then sign below.
- 4. Licensee confirms that during the past five years it or its employees have not been cited for any civil or criminal liquor law violations. If violations have occurred, please give details on back of this renewal, then sign below.
- 5. Licensee confirms that during the past license year, a summons has not been issued under the Liquor Liability Law (Dram Shop) MS 340A.802. If yes, attach a copy of the summons, then sign below.
- 6. Licensee confirms that Workers Compensation insurance will be kept in effect during the license period. Licensee has attached a liquor liability insurance certificate that corresponds with the license period in city/county where license is issued.

Licensee has attached a liquor liability insurance certificate that corresponds with the license period in city/county where license is issued. \$100,000 in cash or securities or \$310,000 surety bond may be submitted in lieu of liquor liability.(3.2 liquor licenses are exempt if sales are less than \$25,000 at on sale, or \$50,000 at off sale).

Penny Stein [Redacted] 5/18/2023
Licensee Signature Date
(Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/Auditor Signature Date
(Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature Date
County Board issued licenses only(Signature certifies licensee is eligible for license).

Police/Sheriff Signature Date
Signature certifies licensee or associates have been checked for any state/local liquor law violations (criminal/civil) during the past five years. Report violations on back, then sign here.

RESOLUTION NO. 23 – 05 - 37

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

WHEREAS, the City Council has passed budget resolution authorizing other transfers occurring in 2022;

BE IT RESOLVED, By the City Council of the City of East Grand Forks, Minnesota, that the City Administrator/Clerk-Treasurer is authorized to make the following transfers for budget year 2022 as set out hereafter:

Reason	Amount	Transfer To	Transfer From
EDA Transfer (Budget \$222,449)	\$228,416.38	620-39-000-39201	101-49-300-47230
Budget (\$82,695) for Tax Rebates	\$45,525.56	101-39-000-39204	280-49-300-47200
Cemetery Budget(\$22,374) Transfer	\$14,871.33	214-39-000-39201	101-49-300-47260
Debt Service Fund(Budget 91,516)	\$91,516	533-39-000-39204	101-49-300-47210
Transit Budget (\$144,594) transfer	\$113,912.23	210-39-000-39201	101-49-300-47220
Land Bridge TIF fund #1-1 & #1-2	\$39,772.29	622-39-000-39201	623-49-300-47200
22CP1 Sales Tax Recreation Project	\$28,656.77	415-45-000-39201	425-49-300-47200
20CP4 DeMers & 4 th St (City)	\$130.00	415-43-000-39201	209-49-300-47200
21CP1 Safe Route to Schools	\$25,105.66	415-43-000-39201	209-49-300-47200
21CP1A ADA Improvements	\$12,790.38	415-43-000-39201	209-49-300-47200
22CP2 ADA Improvements	\$227,943.40	415-39-000-39201	209-49-300-47200
22CP3 Quiet Zone	\$55,125.87	415-39-000-39201	209-49-300-47200
23CP1 Roundabout Project	\$3,991.29	415-39-000-39201	101-49-300-47200
Total \$8,782.50	\$4,791.21	415-39-000-39201	209-49-300-47200
19AJ1 6 th Ave NE	\$35,000.00	414-39-000-39201	101-49-300-47200
Total \$36,245.61	\$1,645.61	414-39-000-39201	209-49-300-47200
21AJ1 Sawgrass Ct	\$36,384.50	414-39-000-39201	209-49-300-47200
22AJ1 5th Ave & 20th St	\$103,391.34	414-39-000-39201	209-49-300-47200

Voting Aye:

Voting Nay:

The President declared the resolution passed.

Passed:

Attest:

City Clerk

President of the Council

I hereby approve the foregoing resolution this 23rd day of May, 2023.

Mayor

Funds:

- 101 General Fund
- 209 State Aid Fund
- 210 Transit Fund
- 214 Cemetery Fund
- 280 Housing Incentive Fund
- 414 City Assessment Jobs
- 415 City Projects
- 533 2004 Improvement Bond
- 609 Storm Water Fund
- 620 EDA Administration Fund
- 622 TIF #1-1
- 623 TIF #1-2
- 705 Benefit Accrual Fund
- 849 Perpetual Care Cemetery Fund

Request for Council Action

Date:

To: East Grand Forks City Council Mayor Steve Gander, Council President Mark Olstad, Council Vice-President Tim Riopelle, Council members Clarence Vetter, Ben Pokrzywinski, Dale Helms, Brian Larson, and Karen Peterson.

Cc: File

From: Grand Forks – East Grand Forks Metropolitan Planning Organization
Stephanie Halford – Executive Director

RE: MPO Update

The Grand Forks – East Grand Forks Metropolitan Planning Organization (MPO) would like to give you a quick update on what we have been up to and a refresher on what the MPO is.

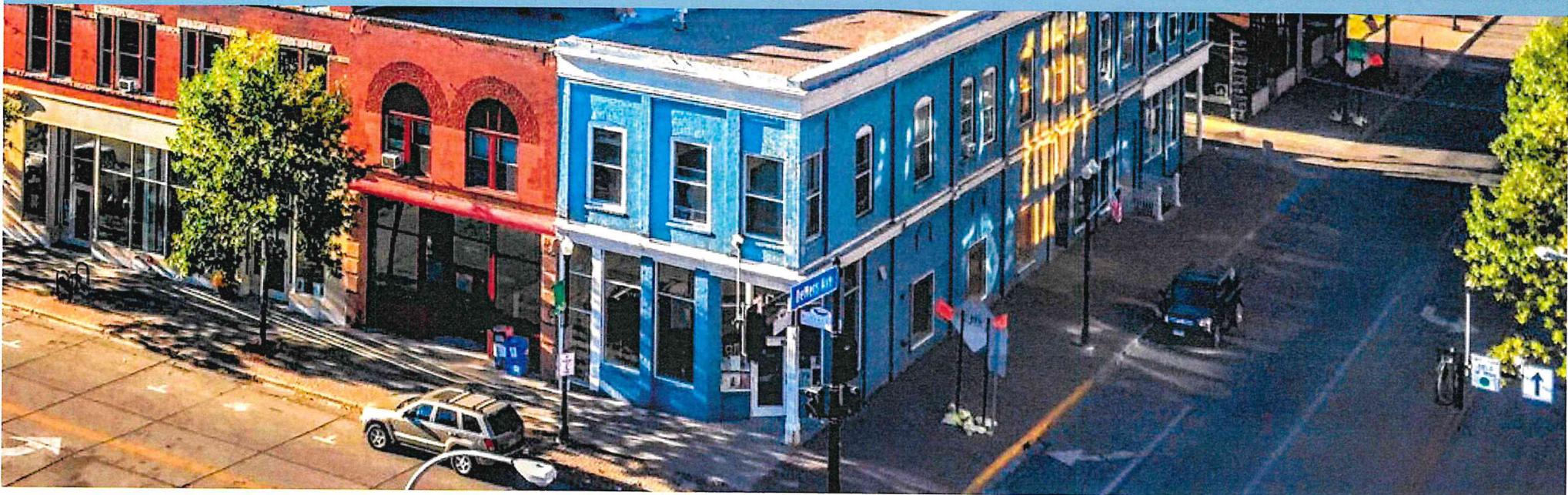
The Forks MPO

Update



Grand Forks - East Grand Forks

METROPOLITAN
PLANNING ORGANIZATION





ROLE OF THE MPO

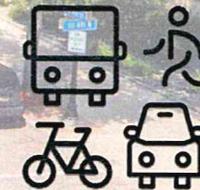
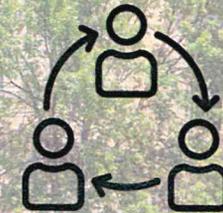
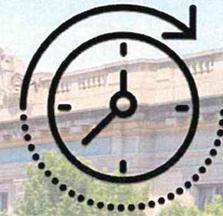
A METROPOLITAN PLANNING ORGANIZATION (MPO) IS THE POLICY BOARD OF AN ORGANIZATION CREATED AND DESIGNATED TO CARRY OUT THE METROPOLITAN TRANSPORTATION PLANNING PROCESS. MPOS ARE REQUIRED TO REPRESENT LOCALITIES IN ALL URBANIZED AREAS (UZAS) WITH POPULATIONS OVER 50,000, AS DETERMINED BY THE U.S. CENSUS.

What do we mean by the 3Cs?

• **Continuing** - ongoing, bringing forward the work of the past and re-evaluating as more is known, to continuously plan for the future.

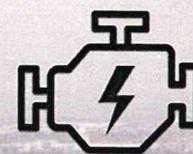
• **Cooperative** - working in cooperation with the public, local agencies, state agencies, and federal agencies. Sometimes delaying the needs of one jurisdiction for the needs of the greater good.

• **Comprehensive** - thorough, studying all modes of transportation, all transportation needs, and all potential scenarios in a multi-disciplinary approach.



The MPO is the required "forum for cooperative transportation decision-making for the metropolitan area".

23CFR 450.104



The MPO is the engine driving regional collaboration and coordination.

Why do MPOs exist?

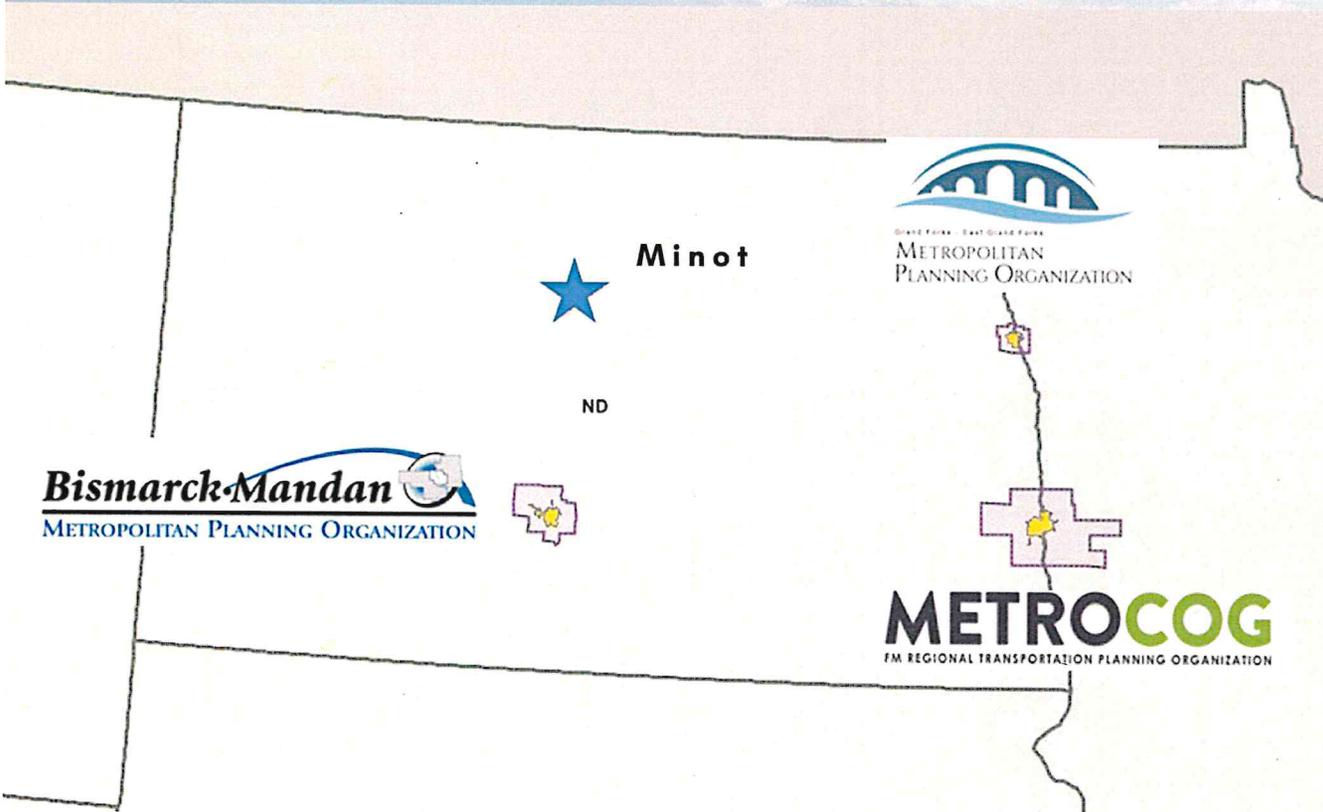
The MPO must plan for regional transportation needs while being responsive to community interests and local policies.



MPO planning involves many contributing agencies and must involve the public.



Where do Metropolitan Planning Organizations (MPOs) exist in ND?



Bismarck-Mandan

Fargo-Moorhead

**Grand Forks-East
Grand Forks**

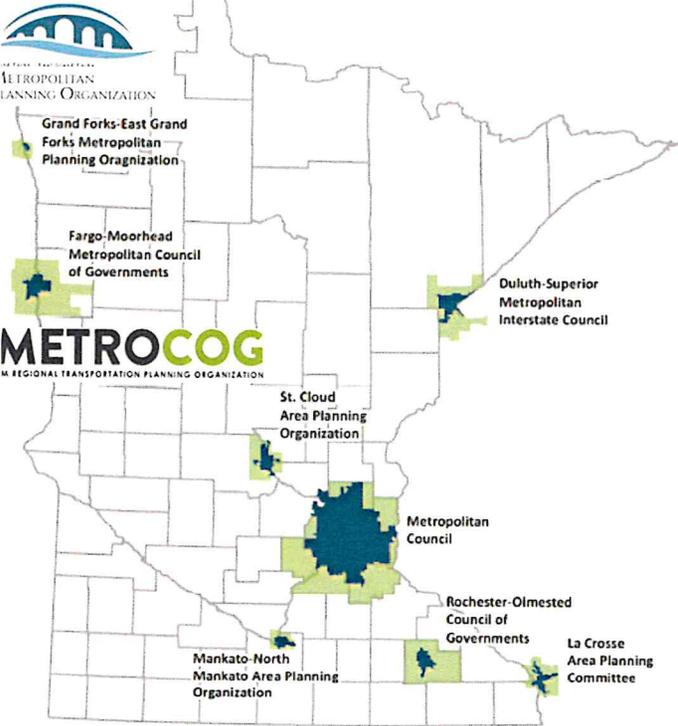
Minot - Coming soon



Where do Metropolitan Planning Organizations (MPOs) exist in MN?

Metropolitan Planning Organizations (MPOs) in Minnesota

MPO Urbanized Area
Metropolitan Planning Area



Rochester

Fargo-Moorhead

Grand Forks-East Grand Forks

Mankato/North Mankato

St. Cloud

La Crosse

Duluth - Superior



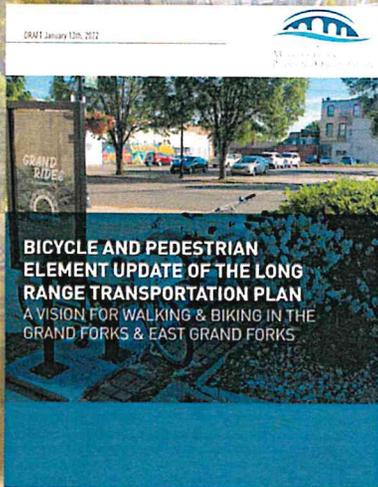
MPO Required Planning Activities:

- 1. Unified Planning Work Program (UPWP)**
 - i. Tasks to accomplish planning activities**
- 2. Transportation Improvement Plan (TIP)**
 - i. Projects to implement the LRTP**
- 3. Metropolitan Transportation Plan (MTP)**
 - i. Goals, objectives, actions**
- 4. Public Participation Plan**
 - i. Communication with the public and key affected groups**
 - ii. Environmental Justice**

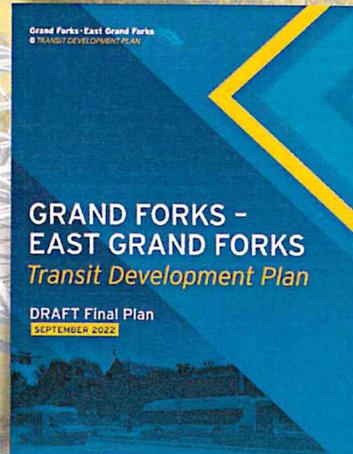


What we have going on

BIKE/PEDESTRIAN PLAN UPDATE



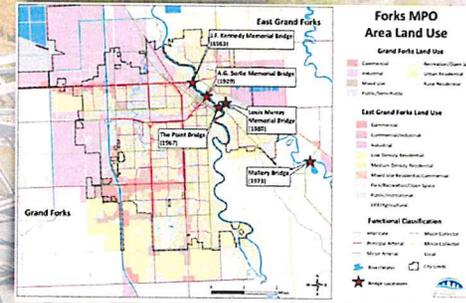
STREET/HIGHWAY PLAN UPDATE



TRANSIT PLAN UPDATE



A NEW BRIDGE DISCUSSION



2023 - 2024 UNIFIED PLANNING WORK PROGRAM

Prepared By
Grand Forks/East Grand Forks
Metropolitan Planning Organization
November 2022



NEW UPWP

TITLE VI AUDIT



Title VI/ Nondiscrimination And ADA Program Implementation Plan FY2022

Prepared by
THE GRAND FORKS - EAST GRAND FORKS
METROPOLITAN PLANNING ORGANIZATION
200 North P. Hwy.
Grand Forks, ND 58203
Website: www.grandforksmpo.org
Adopted: March 18, 2022
Updated/Revised: December 28, 2022





MPO Structure

Technical Advisory Committee (TAC)

FHWA - Sandy Zimmer/Kristen Sperry/Bobbi Retzlaff

FTA - Ranea Tunison

NDDOT - Wayne Zacher/Michael Johnson

MNDOT - Erika Shepard/Anna Pierce

GF Engineering - David Kuharenko/Christian Danielson

EGF Engineering - Steve Emery/Brad Bail

GF County - Lane Magnuson/Tom Ford/Nick West

MNDOT District 2 - Jon Mason/Troy Schroeder

Polk County - Rich Sanders

GF Planning - Ryan Brooks

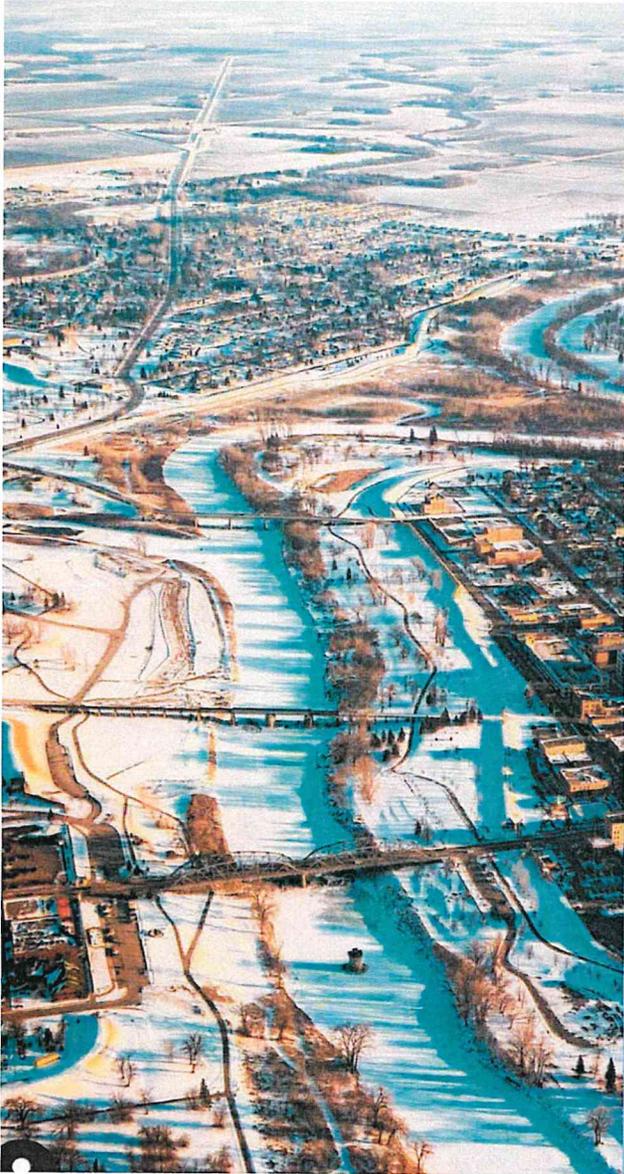
EGF Planning - Nancy Ellis

GF Transit - Dale Bergman

BNSF - Nels Christianson

GF Airport - Ryan Riesinger





MPO Structure

Executive Policy Board

GF County - Mark Rustad

Polk County - Warren Strandell

EGF City Council - Brian Larson

EGF Planning & Zoning - Mike Powers

GF Planning & Zoning - Al Graser

GF City Council - Tricia Lunski

EGF City Council - Clarence Vetter

GF City Council - Ken Vein

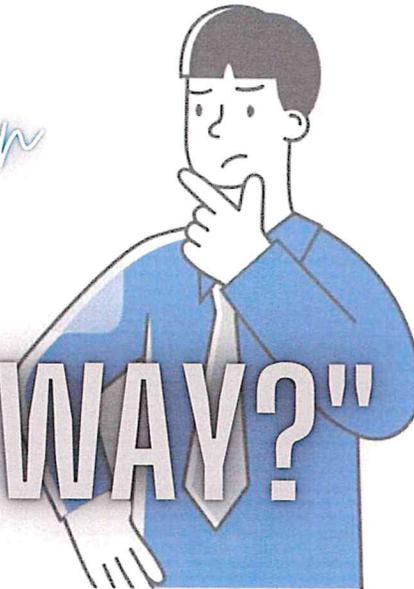


Looking at it differently

Policy & Procedures
Office Remodeling
Data and the Plans

Asking the question

"WHY THIS WAY?"



"WHAT DO YOU NEED
AND WANT FROM
YOUR MPO?"



Grab that



**I-29 and TMC
Joint Application**

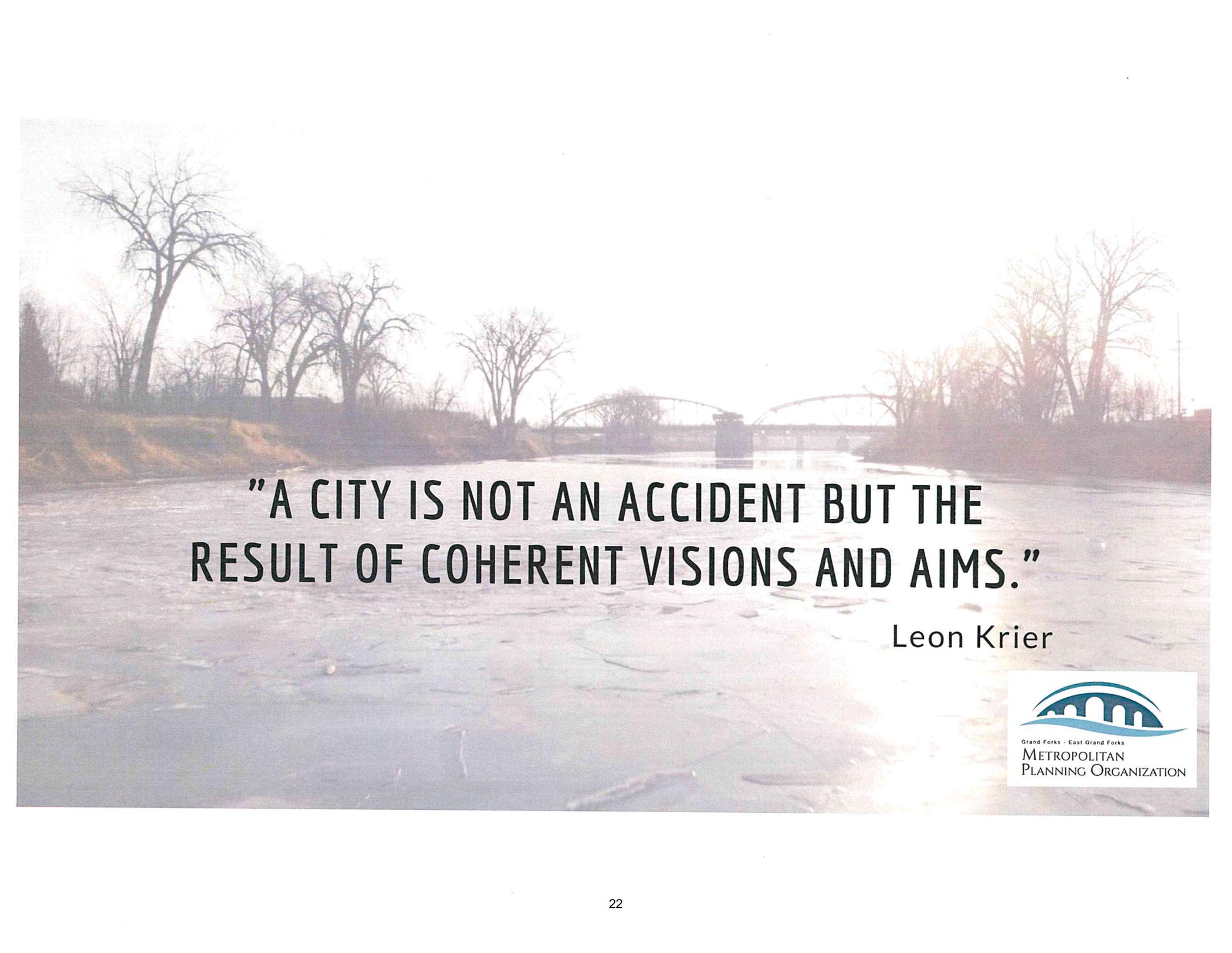


**Internship
Partnership**



**MPO area
Joint Application**





**"A CITY IS NOT AN ACCIDENT BUT THE
RESULT OF COHERENT VISIONS AND AIMS."**

Leon Krier



Request for Council Action

Date: May 23, 2023

To: East Grand Forks City Council Mayor Steve Gander, Council President Mark Olstad, Council Vice-President Tim Riopelle, Council members Clarence Vetter, Ben Pokrzywinski, Dale Helms, Brian Larson, and Karen Peterson.

Cc: File

From: Reid Huttunen, Parks & Recreation

RE: Discussion on requesting bonding bill support for Recreation Facilities through State Capital Budget System

Background:

The State of MN has opened their Capital Budget process and is now accepting requests from local units of government. Preliminary Requests are due by June 16, 2023. Any request submitted by East Grand Forks will be considered when developing the State Comprehensive Capital Budget, for potential inclusion in a Bonding Bill.

For discussion, I have included the list of Recreation Facility Improvement items that have previously been discussed as part of our discussion on a request for a Local Sales Tax.

Recommendation:

Seeking discussion and direction from City Council on an application for Bonding Bill support. What project items and amount should be included in the request?

Enclosure:

Local Memo Capital Budget Instructions

List of Project scope items for Recreation Facility Improvements

Memo

Date: May 15, 2023

To: Officials of Local Governments and Political Subdivisions

From: Jim Schowalter, Commissioner 

RE: **2024 Capital Budget Instructions**

I am pleased to present the 2024 Capital Budget Instructions. All local unit of government and political subdivision capital project requests are due to Minnesota Management and Budget (MMB) through CBS by June 16, 2023, and final edits are due October 13, 2023. Prosperity and opportunity for all people in all parts of our state stems from the well-being of their community. While communities across Minnesota may look different, many share the same goals and face the same challenges. Governor Walz's capital budget will continue to focus resources on the most critical projects and strategic investments across the state and give local leaders tools they need to succeed, with particular focus on projects that:

- Address life and safety issues
- Preserve existing infrastructure and repair existing facilities before starting new projects
- Provide at least a 50% local match
- Are proposed following community engagement
- Have a local resolution of support from the governing body
- Aid in making Minnesota the best state in the country for kids to grow up
- Integrate climate preparedness and/or clean energy
- Address and undo historical and systemic disparities and inequities, including those based on race, gender, veterans' status, geography, and economic status

Key dates

- **June 16, 2023** – All local unit of government requests are due to MMB through CBS.
- **July 17, 2023** – MMB submits all local unit of government requests and state agency preliminary requests to the Legislature.
- **October 13, 2023** – Final edits to local government requests are due to MMB.
 - Note: After June 16, send any edits or updates to MMB's Capital Budget Coordinator, Marianne.Conboy@state.mn.us.
- **January 16, 2024** – Governor Walz submits his 2024 Capital Budget Recommendations to the Legislature and MMB publishes all requests.

How to Submit Your 2024 Capital Budget Request

- Review the local government-specific Capital Budget Instructions posted on [MMB's Capital Budget Instructions website](#). The website also includes answers to frequently asked questions about bonding including allowable uses of general obligation bond proceeds.
- Check your local government's access to the Capital Budget System (CBS). If you have not yet verified access to CBS, email Budget.Finance.mmb@state.mn.us.
- Review CBS training materials, including the User Guide and the new CBS training video, on the ["System Training Materials" section of MMB's CBS website](#) for details about how to use the system.

New in 2024

- A new "Capital Request Form" (PDF) is available on [MMB's Capital Budget Instructions website](#) to provide users the option to work on narratives and other information offline, before entry in CBS.
- MMB will host a Q&A session for local governments on **May 31 at 1 p.m.** The session is designed to answer questions brought by local governments, after they have reviewed the 2024 Capital Budget Instructions, the [FAQ website](#), and CBS training materials, including the training video. MMB will send a meeting invitation to CBS users.
- Local governments that submit water infrastructure projects may be contacted for additional information about their project, in coordination with the Public Facilities Authority.

Reminders

Local governments should submit draft bill language for their requests using the "Upload Documents" screen in CBS by June 16.

Local governments may choose to copy a previous year's project request narrative by using the "Copy Previous Requests" function in CBS. As with all 2024 requests, project costs must be entered in July 2023 dollars to use MMB's inflation schedule to add inflation costs. If a project from 2022 is copied over into 2024, you can escalate project costs by:

- Identifying the 2022 project costs before inflation is included, which are in July 2021 dollars.
- Adding 17% to those project costs, which brings amounts to July 2023 dollars.
- Local units of government should either enter a mid-point of construction date in the Project Overview screen of CBS to add system-generated inflation or include inflation in the project costs and select the "Inflation Already Included" checkbox on the Project Overview screen. Updated construction inflation factor estimates are presented in Appendix 2 of the 2024 Local Unit of Government Capital Budget Instructions, based on various mid-point of construction dates.

Do not use the capital budget request process for requests for assistance that could be funded through a state agency financial assistance program. If your request could be funded by an

existing state grant program (such as local bridge or road repair, infrastructure redevelopment, flood mitigation, water/wastewater treatment systems, historic preservation, or trails), you should submit your request directly to the state agency that administers the relevant grant program.

Capital projects funded from state general obligation bonds must comply with the Minnesota Constitution, which limits funding to projects that are publicly owned and provide a public purpose, and applicable federal tax law. All project requests must come from a political subdivision. Private individuals, businesses, and nonprofit organizations are not eligible to receive state general obligation bond financing.

Applicants should be aware that bond proceeds may only be used for qualified capital expenditures, such as predesign/design expenses, construction, and acquisition or improvement of specific tangible long-lived fixed assets. General operating expenses such as services, programs, strategic planning, master planning, and moving and relocation costs are not bond-eligible expenses. Expenses that are not bond-eligible can be submitted as part of your request, but if you desire state monies to pay for those expenses, you will need to request cash appropriations from the general fund or other state fund.

Projects that are considered for state funding should come with substantial financial commitments from the local government. Because competition for limited state resources will be very strong, MMB encourages local governments to be selective in their requests and propose only the most important project(s) with clear regional or statewide significance. A 50% non-state match from local governments is normally required. Separately, full funding must be in place in order for state funds to be released for a capital project.

Questions?

If you have questions about the capital budget process, requirements, or due dates, please contact MMB's Capital Budget Coordinator, Marianne Conboy (Marianne.Conboy@state.mn.us or 651-201-8189).

If you have questions about CBS, including system access and system issues, please contact MMB Budget Operations (Budget.Finance.MMB@state.mn.us).

Governor Walz and MMB appreciate your dedication in preparing timely and thoughtful requests. We look forward to discussing your projects.

East Grand Forks Recreation Facility Improvements

Below 2023 project estimates are sourced from the Recreation Facility Master Plan.

2025 Estimate is based on an anticipated 9% increase from those estimates, assuming construction doesn't take place until the 2025 building season.

Project estimates include proposed design, engineering, and project management fees.

The below listed project estimates are the review and recommendations from Reid Huttunen, Parks & Recreation Superintendent, of the priority areas of improvement and how best to allocate funds for a proposed 1% Sales Tax Collection in the amount of \$14.745 million in project construction funds. (1% Local Sales tax collected over 20 years.)

Important Note: The below listed items do not include bringing the buildings completely up to date in terms of code compliance for ADA, Fire Code, Electrical Code, etc. Some additional or substitute improvements may be required by the State of MN or AHJ (Authority Having Jurisdiction) in the design/building process.

		2025 Construction Estimate
Civic Center; 300 15th St NE, East Grand Forks, MN		
SE Parking Lot Reconstruction and Stormwater Improvements	Parking/Site Safety Infrastructure	\$ 547,819.48
West Parking Lot reconstruction and stormwater improvements	Parking/Site Safety Infrastructure	\$ 1,800,532.36
South Parking Lot Construction	Parking/Site Safety Infrastructure	\$ 561,625.66
ADA Parking Stalls; Fix cross slope and reconstruct	Parking/Site Safety Infrastructure	\$ 31,386.68
Reconstruction of frontage streets East & West of building	Parking/Site Safety Infrastructure	\$ 1,837,033.20
Install 150 KW Emergency Generator (Storm Shelter Improvements)	Building Efficiency/Public Safety (Storm Shelter)	\$ 177,225.73
Replace Indoor Air Handling Units in arena space	Indoor Air Quality	\$ 1,044,450.30
Install hot water heating plant w/ high efficiency boilers	Indoor Air Quality	\$ 642,738.65
Replace Door knobs with levers, new locksets	Building Code/ADA/Safety	\$ 17,886.22
Install Handrails at spectator seating stairways	Building Code/ADA/Safety	\$ 35,000.00
	Subtotal of Improvements at Civic Center site	\$ 6,695,698.28
VFW Memorial Arena; 711 3rd ST SE, East Grand Forks, MN		
Replace existing R-22 flooded Ice Rink Floor	Ice Rink Replacement (R-22 Phaseout)	1,319,336.00
Replace existing R-22 Ice Plant with Environmentally friendly refrigerant system	Ice Rink Replacement (R-22 Phaseout)	1,341,572.00
Install dedicated dehumidification unit for warm season rink operation	Ice Rink Replacement	642,338.96
Reconfigure & Reconstruct So. Parking Lot Add lighting and Curb+Gutter	Parking/Site Access Safety Infrastructure	1,280,266.02
Complete building roof replacement	Exterior Building Envelope & Interior improvements	1,194,236.70
Install Gutter & Downspouts at North edge of building	Exterior Building Envelope & Interior improvements	6,891.05
Replace Stoops at N & E Exterior doors to allow for emergency exit use	Exterior Building Envelope & Interior improvements	16,379.63
Regrade site around building exterior to allow for proper drainage	Exterior Building Envelope & Interior improvements	8,029.24
Seal/Re-paint all interior walls in arena space	Exterior Building Envelope & Interior Improvements	27,353.60
Replace emergency exit doors at N & E sides to allow proper access	Exterior Building Envelope & Interior improvements	42,510.00
Replace interior locker room entry doors & door knobs; replaced with levers/new lock sets	Interior improvements/ADA/Safety	32,080.78
Replace Bleachers & Reconfigure bleacher access	Interior improvements/ADA/Safety	308,162.12
Add Addressable Fire Alarm system/Sprinkler to rooms/aux. areas	Mechanical/Electrical/Indoor Air Improvements	146,854.74
Replace water heater - gas (locker rooms/ice Resurfacer) (2000)	Mechanical/Electrical/Indoor Air Improvements	47,230.80
Replace water heater - electric (front entry) (1997)	Mechanical/Electrical/Indoor Air Improvements	14,169.25
Replace Hot Water Boiler with high efficiency Expanded system to cover Dressing Rooms	Indoor Air Quality	283,384.84
Replace existing air handling unit serving ice arena, re-use duct work	Indoor Air Quality	401,461.88
New Air Handling Unit for dressing rooms, restrooms to provide required ventilation and exhaust	Indoor Air Quality	802,923.71
	Subtotal of Improvements at VFW Memorial Arena	\$ 7,915,181.32
	Total of proposed improvements	\$ 14,610,879.60

Additional Project Estimates from 2022 Master Plan which would not be included in Sales Tax Funding plan. These are items that would need to be fundraised for or funded through other funding sources to be completed.

Ball Field Improvements/Renovations	Work Category	2025 Construction Estimate
Fully turfed full size ball field	Sport surfacing	\$ 2,857,486.25
New Field lighting and poles, installed	Parking/Site Access Safety Infrastructure	\$ 481,881.50
Complete Ball Field construction at Civic Center/Itt's Williams Park site	Enhancements/Building Addition	\$ 5,876,390.07
Civic Center Arena site		2025 Estimate
Building Addition/Lobby renovation/lower level interior remodel & players bench reconfiguration	Enhancements/Building Addition	\$ 5,538,019.93
VFW Memorial Arena/Blue Line Arena site		
Building Connection/Addition, existing lobby renovation, raise up concourse/bleachers	Enhancements/Building Addition	\$ 4,451,396.97
Building Code, ADA Standards recommended for improvement, but not funded in above Sales Tax Spending plan		
Provide required fir rating at occupied spaces under arena seating		\$ 57,974.07
New addressable Alarm system, Add Fire Alarm/Sprinkler to remaining areas		\$ 323,772.51
Replace existing plumbing fixtures with new ASSE 1070 mixing valves		\$ 23,630.09
Install digital control/central monitoring		\$ 496,232.03
Upgrade exisitign electrical equipment		\$ 236,300.97
Replace interior lighting with LED; except arena ice		\$ 386,352.09
Occupancy sensor lighting		\$ 96,588.04
Add proper interior/exterior emergency lighting		\$ 42,534.18
	CIVIC CENTER TOTAL	\$ 1,663,383.97
Replace interior lighting with LED		293,709.51
Reconfigure Locker Room side restrooms to include ADA stalls/Grab Bars		\$ 81,038.58
Add Fire Sprinkler to remaining areas		\$ 292,063.52
Insulate cold, hot water piping		\$ 76,750.07
Replace plumbing fixtures with new ASSE 1070 mixing valves		\$ 70,846.20
install new digital controls w/Central monitoring		\$ 265,673.31
Replace existing electrical panels, feeders, and main switchgear		\$ 153,500.11
Add proper interior/exterior emergency lighting		\$ 25,976.95
Install Occupancy sensor controlled lighting throughout building		\$ 215,962.87
	VFW ARENA TOTAL	\$ 1,475,521.11

Request for Council Action

Date: 05/19/23

To: East Grand Forks City Council Mayor Steve Gander, Council President Mark Olstad, Council Vice-President Tim Riopelle, Council members Clarence Vetter, Ben Pokrzywinski, Dale Helms, Brian Larson, and Karen Peterson.

Cc: File

From: Administration Office

RE: Request for Direction on THC Edibles/Beverages and Current State Legislation

On July 1, 2022 State law took effect making it legal to sell certain edibles and beverages infused with tetrahydrocannabinol (THC). The Administration Office has been informed that there are a couple businesses in the City that are already selling these items. The matter of the sale of edibles was previous discussed with David Murphy and no action was brought forward.

The State is currently considering a bill that would allow recreational marijuana use and the selling of this product.

Since the State has brought forth new legislation, at this time staff would like direction from the Council on how to move forward, if a moratorium should be put in place or if an ordinance should be drafted setting up the business license requirements similar to the alcohol and tobacco licenses that are required. In February of this year Polk County approved a moratorium allowing them time to develop an ordinance to address these issues. This moratorium does not cover the city.

Request for Council Action

Date: 5/19/23

To: East Grand Forks City Council Mayor Steve Gander, Council President Mark Olstad, Council Vice-President Tim Riopelle, Council members Clarence Vetter, Ben Pokrzywinski, Dale Helms, Brian Larson, and Karen Peterson.

Cc: File

From: Administration Office

RE: Consider an Agreement between City and Bird Rides Inc

The City had been contacted by Bird Rides Inc with a request to allow scooters that would be used in a similar manner as a bike share program. Mr. Galstad had advised the Council to request some changes to the proposed agreement. Staff reached out to Bird Rides Inc who agreed to all the proposed changes to the agreement.

Staff is looking for direction from the Council on if this process should move forward with the approval of the agreement, the drafting of the ordinance to allow the use, and continue to move through the process with Bird Rides Inc.

Memorandum of Understanding

City of East Grand Forks will permit Bird Rides, Inc. to provide services under the following terms and limitations. This agreement shall remain in effect until ___December 31, 2023___ and shall renew for successive twelve (12) month periods unless either party provides written notice to the other of its intention not to renew at least thirty (30) days prior to the end of the then-current term, or unless terminated as set forth below.

AGREEMENT

- 1) Scope: This Agreement and its terms apply to any proposed deployment of Stand-up electric scooter sharing systems within City of East Grand Forks's jurisdictional boundaries.
- 2) Stand-up electric scooters shall be governed by the rules applying to bicycles pursuant to East Grand Forks City Code and Minnesota Statute section 169.222 as well as Minnesota Statute Section 169.225 and are to be ridden on streets, and where available, in bike lanes and bike paths. Stand-up electric scooters are to stay to the right of street lanes and to offer the right of way to bicycles in bike lanes and on bike paths. Users of Stand-up electric scooters shall be 18 or older. Users of Stand-up electric scooters who violate these provisions may be fined by City of East Grand Forks consistent with fines for cyclists.
- 3) Bird Rides, Inc. shall provide easily visible contact information, including toll-free phone number and/or e-mail address on each Stand-up electric scooter for members of the public to make relocation requests or to report other issues with devices.
- 4) Hours of operation: Stand-up electric scooters will be made available to rent 24 hours per day. City of East Grand Forks may choose to limit operational hours from 4 a.m. to midnight (local time)
- 5) Safety Education: Bird Rides will provide materials, videos, signage to promote safe riding and educate riders on rider responsibilities and encourage safe and courteous riding and parking.
- 6) Data sharing: Bird Rides, Inc. will provide data to the City of East Grand Forks as necessary to assist with monitoring program usage.
- 7) Indemnification: Bird Rides, Inc. agrees to indemnify, defend and hold harmless City of East Grand Forks (and City of East Grand Forks' employees, agents and affiliates) from and against all actions, damages or claims brought against City of East Grand Forks arising out of Bird Rides, Inc.'s negligence or willful misconduct, except that Bird Rides, Inc.'s indemnification obligation shall not extend to claims of City of East

Grand Forks' (or City of East Grand Forks' employees', agents' or affiliates') negligence or willful misconduct. City of East Grand Forks expressly acknowledges that in no event shall Bird Rides, Inc. be liable for any special, indirect, consequential or punitive damages. Bird Rides, Inc.'s indemnification obligations shall survive for a period of one (1) year after expiration of this Agreement. Bird Rides, Inc. shall be released from its indemnification obligations under this section if the loss or damage was caused by the City of East Grand Forks's negligent construction or maintenance of public infrastructure. City of East Grand Forks' right to indemnification shall be contingent on City of East Grand Forks notifying Bird Rides, Inc. promptly following receipt or notice of any claim; Bird Ride, Inc. shall have sole control of any defense; City of East Grand Forks shall not consent to the entry of a judgment or enter into any settlement without the prior written consent of Bird Ride, Inc.

8) Insurance: Bird Rides, Inc. shall provide City of East Grand Forks with proof of insurance coverage exclusively for the operation of Stand-up electric scooters including: (a) Commercial General Liability insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$2,000,000.00 aggregate; (b) Automobile Insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$1,000,000.00 aggregate; and (c) where Bird Rides, Inc. employs persons within the City of East Grand Forks, Workers' Compensation coverage of no less than the statutory requirement.

9) Notices: All notices and communications to the City of East Grand Forks from Bird Rides, Inc. shall be made in writing (includes electronic communications) and sent to the address below.

10) Either party may terminate this agreement at any time and without cause upon (30) days prior written notice.

11) In carrying out their responsibilities, the parties shall remain independent contractors, and nothing herein shall be interpreted or intended to create a partnership, joint venture, employment, agency, franchise or other form of agreement or relationship.

12) The parties acknowledge that Bird Rides, Inc. may utilize independent business logistics providers to facilitate local operations. Bird's use of these logistics providers does not constitute a transfer or assignment of this Agreement, and Bird Rides, Inc. remains responsible for all obligations and requirements under this Agreement.

13) This agreement shall be governed by and construed in accordance with the laws of the state of Minnesota.

City of East Grand Forks, Minnesota

Bird Rides, Inc.

Signed By:

Signature: _____

Signature: _____

Print Name: _____

Title: _____

Email: _____

Print Name:

Title:

Email: birdlegal@bird.co

Request for Council Action

Date: 05/19/23

To: East Grand Forks City Council Mayor Steve Gander, Council President Mark Olstad, Council Vice-President Tim Riopelle, Council members Clarence Vetter, Ben Pokrzywinski, Dale Helms, Brian Larson, and Karen Peterson.

Cc: File

From: Administration Office

RE: Request to Reduce Food Truck/Vending Wagon License Fees

American Crystal is wanting to bring food trucks on site for their workers and have reached out to the Administration Office on the process because they would like to pay the fee for the city license. When vendors file for a food truck license the fee is \$25 per day or \$100 for the year.

American Crystal stated they wanted to pay this fee and is requesting to have it reduced from the \$100 per vendor because it would be for multiple days, to \$25 per vendor.

If approved, the licenses would be specific to the days the vendors are at the American Crystal site.

Request for Council Action

Date: 05/18/23

To: East Grand Forks City Council Mayor Steve Gander, Council President Mark Olstad, Council Vice-President Tim Riopelle, Council members Clarence Vetter, Ben Pokrzywinski, Dale Helms, Brian Larson, and Karen Peterson.

Cc: File

From: Administration Office

RE: Request to Update to Ward Resolution & Map

The City went through the redistricting process last year which is completed every 10 years following the census. There are specific deadlines that have to be followed, the City had to adopt the resolution setting the ward lines by the end of March 2022, and it which was completed on March 15, 2022.

Staff worked with the County regarding questions when looking up addresses to determine wards using the precinct finder that is available on the Minnesota Secretary of State's website. During this process staff found an error in the resolution setting the boundary lines between wards three and four.

The resolution that was adopted stated for Ward 3 – east of 5th Avenue NW and for Ward 4 – west of 5th Avenue NW. It should have stated for Ward 3 – east of 4th Avenue NW and for Ward 4 – west of 4th Avenue NW. I have included a map that shows the area/city block that this is referring to.

All boundary line changes had to be completed 17 weeks prior to election cycle which would have had to have been completed in April and the error was not found until the summer months.

The request is coming before the Council to adopt the updated and corrected resolution to keep the population counts as equal in population as practicable in each ward as required by the City Charter.

RESOLUTION NO. 23 – 06 – XX

RESOLUTION APPROVING CITY OF EAST GRAND FORKS WARDS AND POLLING LOCATIONS

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

WHEREAS, the Legislature of the State of Minnesota has been redistricted; and

WHEREAS, Minnesota Statute Section 204B.14, subd. 3(d) requires that precinct boundaries be established or reestablished within 60 days of when the legislature has been redistricted or at least 19 weeks before the state primary election, which comes first;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Grand Forks, County of Polk, State of Minnesota hereby establishes the boundaries of the voting wards and polling places as follows:

Ward 1: Senior Center; 538 Rhinehart Drive SE

Including locations to the east of Rhinehart Drive SE, south of 12th Street SE, east of 9th Avenue SE, south of 8th Street SE, and south of the Red Lake River, north of the southern end city limits, and west of the eastern end of the city limits.

Ward 2: City Hall, 600 DeMers Avenue NW

Including locations south of Demers Avenue NW, south of 5th Street NW, east of 3rd Avenue NW, south of 6th Street NW, west of Central Avenue NW, south of 5th Street NE, east of 5th Avenue NE, south of 10th Street NE, west of the eastern city limits, north of the Red Lake River/6th Street SE, west of James Avenue SE, north of 8th Street SE, west of 9th Avenue SE, north of 12th Street SE, west of Rhinehart Drive SE, north of the southern city limits, and east of the Red River of the North.

Ward 3: Senior High School, 1420 4th Ave NW

Including locations south of the northern city limits/23rd Street NE, west of the eastern city limits, south of Gateway Drive NE Frontage Road, north of 10th Street NE, east of Central Avenue, north of 14th Street NW, east of 4th Avenue NW, north of 15th Street NW, east of 8th Avenue NW, south of 20th Street NW, east of 7th Avenue NW, south of 21st Street NW, and east of 5th Avenue NW.

Ward 4: Senior High School, 1420 4th Ave NW

Including locations south of Gateway Drive, east of River Road NW/12th Avenue NW, south of 18th Street NW, west of 8th Avenue NW, south of 15th Street NW, west of 4th Avenue NW, south of 14th Street NW, west of Central Avenue NW, south of 10th Street NE, west of 5th Avenue NE, north of 5th Street NE, east of Central Avenue NW, north of 6th Street NW, west of 3rd Avenue NW, north of 5th Street NW, north of Demers Avenue NW, and east from the Red River of the North.

Ward 5: Senior High School, 1420 4th Ave NW

Including locations to the north of Gateway Drive, west of River Road NW/12th Avenue NW, north of 18th Street NW, west of 8th Avenue NW, north of 20th Street NW, west of 7th Avenue NW, north of 21st Street NW, west of 5th Avenue NW, south of 23rd Street NW, west of 8th Avenue NW, south of the northern city limits, and east of the Red River of the North.

Attached to this resolution, for illustrative purposes, is a map showing said wards and the location of each polling place.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed.

Passed: _____, 2023

Attest:

City Administrator/Clerk-Treasurer

President of the Council

I hereby approve the foregoing resolution this _____ day of _____, 2023.

Mayor

