

**AGENDA
OF THE COUNCIL MEETING
CITY OF EAST GRAND FORKS
TUESDAY, AUGUST 1, 2023 – 5:00 PM**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

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

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Council Meeting” for the East Grand Forks, Minnesota City Council of July 18, 2023.
2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of July 25, 2023.
3. Consider approving the minutes of the “Special Meeting” for the East Grand Forks, Minnesota City Council of July 25, 2023.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS: NONE

CONSENT AGENDA:

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

4. Consider approving the Special Event Application for the Sacred Heart Block Party for Wednesday, August 16, 2023 and authorizing the road closure for the event.
5. Consider adopting Resolution No. 23-08-49 adopting the fees for the 2023-2024 figure skating and hockey programs.
6. Consider approving the Special Event Application for the Hope Inc Classic Fundraiser event scheduled for Sunday, August 13, 2023 and authorize use of the parking lot for this event.

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.

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS, AND COMMISSIONS:

7. Regular meeting minutes of the Water, Light, Power, and Building Commission for July 5, 2023.
8. City Financial Statements as of June 30, 2023.

COMMUNICATIONS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

9. Consider approving the request to start the hiring process to fill the vacant accounting technician position.
10. Consider approving the amendment to the Memorandum of Understanding between the City of East Grand Forks and the East Grand Forks Public School District changing the cost sharing from 50/50 to 65% for the School and 35% for the City.
11. Consider approving the Memorandum of Understanding between the City of East Grand Forks, City of Grand Forks, and Metropolitan Planning Organization for the Safe Streets and Roads for All Action Plan grant program.
12. Consider adopting Resolution No. 23-08-50 authorizing the special assessments for Folsom Farms driveway construction totaling \$9,844 over 20 years at 6% interest.
13. Consider authorizing the Request for Proposals for engineering services for a three-year contract.
14. Consider approving Ordinance No. 36 4th Series amending City Code Chapter 130 General Offenses by adding section 130.08 concerning the use of cannabis products in public places within the East Grand Forks city limits and by adopting reference City Code Chapter 1 and Section 10.99 which among other things, contain penalty provisions (1st Reading).
15. Consider approving Ordinance No. 37 4th Series amending City Code Title 11 Business Regulations by adding Chapter 118 concerning licensing and regulation of electric scooter rental system and by adopting by reference City Code Chapter 1 and Section 10.99 which among other things, contain penalty provisions (1st Reading).
16. Consider approving Ordinance No. 38 4th Series amending City Code Title 7 Traffic Code by adding Chapter 78 concerning the use of electric scooters within the East Grand Forks city limits and by adopting by reference City Code Chapter 1 and Section 10.99 which among other things, contain penalty provisions (1st Reading).

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.

CLAIMS:

17. Consider authorizing the Interim City Administrator to issue payment of recommended bills and payroll.

COUNCIL/STAFF REPORTS:

ADJOURN:

Upcoming Meeting

Work Session – Tuesday, August 8, 2023 – Training Room – 5:00 PM

Council Meeting – Tuesday, August 15, 2023 – Council Chambers – 5:00 PM

Work Session – Tuesday, August 22, 2023 – Training Room – 5:00 PM

Council Meeting – Tuesday, September 5, 2023 – Council Chambers – 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.

**UNAPPROVED MINUTES
OF THE COUNCIL MEETING
CITY OF EAST GRAND FORKS
TUESDAY, JULY 18, 2023 – 5:00 PM**

CALL TO ORDER:

The Council Meeting of the East Grand Forks City Council for Tuesday, July 18, 2023 was called to order by Council President Olstad at 5:00 P.M.

CALL OF ROLL:

On a Call of Roll the following members of the East Grand Forks City Council were present: Mayor Steve Gander, Council President Mark Olstad, Council Vice-President Tim Riopelle, Council Members Clarence Vetter, Ben Pokrzywinski, Dale Helms, Brian Larson, and Karen Peterson.

Staff Present: Karla Anderson, Finance Director; Jeff Boushee, Fire Chief; Nancy Ellis, City Planner; Steve Emery, City Engineer; Ron Galstad, City Attorney; Paul Gorte, Economic Development Director; Michael Hedlund, Police Chief, Charlotte Helgeson, Library Director; Reid Huttunen, Parks and Recreation Superintendent; Keith Mykleseth, Water and Light General Manager; Megan Nelson, City Clerk; and Jason Stordahl, Public Works Director.

DETERMINATION OF QUORUM:

The Council President Determined a Quorum was present.

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

President Olstad stated the open form was an opportunity for members of the public to address the City Council on items not on the current agenda and items requiring Council action maybe deferred to staff or Boards and Commissions for research and future Council Agendas if appropriate. He asked if anyone would like to address the City Council, please come up to the podium to do so. No one came forward.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of June 27, 2023.
2. Consider approving the minutes of the “Council Meeting” for the East Grand Forks, Minnesota City Council of July 5, 2023.
3. Consider approving the minute summary of the “Closed Meeting” for the East Grand Forks, Minnesota City Council of July 5, 2023.
4. Consider approving the minutes of the “Special Meeting” for the East Grand Forks, Minnesota City Council of July 11, 2023.

5. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of July 11, 2023.

A MOTION WAS MADE BY COUNCIL MEMBER RIOPELLE, SECONDED BY COUNCIL MEMBER HELMS, TO APPROVE ITEMS ONE (1) THROUGH FIVE (5).

Voting Aye: Larson, Peterson, Vetter, Pokrzywinski, Riopelle, Helms, and Olstad.

Voting Nay: None.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS: NONE

CONSENT AGENDA: NONE

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

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS, AND COMMISSIONS:

6. Regular meeting minutes of the Water, Light, Power, and Building Commission for June 21, 2023.

COMMUNICATIONS: NONE

OLD BUSINESS:

7. Consider adopting Ordinance No. 34, 4th Series an ordinance regulating the burning of solid fuels in external solid fuel fired heating devices and by adopting by reference City Code Chapter 1 and Section 10.99 which among other things, contain penalty provisions (2nd Reading).

A MOTION WAS MADE BY COUNCIL MEMBER RIOPELLE, SECONDED BY COUNCIL MEMBER VETTER, TO ADOPT ORDINANCE NO. 34, 4TH SERIES AN ORDINANCE REGULATING THE BURNING OF SOLID FUELS IN EXTERNAL SOLID FUEL FIRED HEATING DEVICES AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 1 AND SECTION 10.99 WHICH AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS (2ND READING).

Voting Aye: Larson, Peterson, Vetter, Pokrzywinski, Riopelle, Helms, and Olstad.

Voting Nay: None.

8. Consider adopting Ordinance No. 35, 4th Series an interim ordinance prohibiting the sale, testing, manufacturing, cultivating, growing, transporting, delivery, and distribution of cannabis products in the City of East Grand Forks (2nd Reading).

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER RIOPELLE, TO ADOPT ORDINANCE NO. 35, 4TH SERIES AN INTERIM ORDINANCE PROHIBITING THE SALE, TESTING, MANUFACTURING, CULTIVATING,

GROWING, TRANSPORTING, DELIVERY, AND DISTRIBUTION OF CANNABIS PRODUCTS IN THE CITY OF EAST GRAND FORKS (2ND READING).

Mr. Galstad stated that he had received several calls about this, there was not a lot of direction given from the State, he had reached out for clarification, but had not received any good answers back. Council Vice-President Riopelle said many other cities were in the same situation. Mayor Gander said there was nothing to expand on and they needed to pause the process to get clarification.

Voting Aye: Larson, Peterson, Vetter, Pokrzywinski, Riopelle, Helms, and Olstad.

Voting Nay: None.

NEW BUSINESS:

9. Consider adopting Resolution No. 23-07-47 approving a Greater Minnesota Legacy Grant Application to the greater Minnesota Regional Parks And Trails Commission and Minnesota Department of Natural Resources for the Red Lake River Corridor Lafave Park, East Grand Forks project.

A MOTION WAS MADE BY COUNCIL MEMBER HELMS, SECONDED BY COUNCIL MEMBER LARSON, TO ADOPT RESOLUTION NO. 23-07-47 APPROVING A GREATER MINNESOTA LEGACY GRANT APPLICATION TO THE GREATER MINNESOTA REGIONAL PARKS AND TRAILS COMMISSION AND MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR THE RED LAKE RIVER CORRIDOR LAFAVE PARK, EAST GRAND FORKS PROJECT.

Voting Aye: Larson, Peterson, Vetter, Pokrzywinski, Riopelle, Helms, and Olstad.

Voting Nay: None.

10. Consider approving the request to start a promotional process for the rank of corporal in the Police Department.

A MOTION WAS MADE BY COUNCIL MEMBER HELMS, SECONDED BY COUNCIL MEMBER VETTER, TO APPROVE THE REQUEST TO START A PROMOTIONAL PROCESS FOR THE RANK OF CORPORAL IN THE POLICE DEPARTMENT.

Voting Aye: Larson, Peterson, Vetter, Pokrzywinski, Riopelle, Helms, and Olstad.

Voting Nay: None.

11. Consider approving the request to start the process to select a new narcotics task force officer for the Police Department.

A MOTION WAS MADE BY COUNCIL MEMBER HELMS, SECONDED BY COUNCIL MEMBER LARSON, TO APPROVE THE REQUEST TO START THE PROCESS TO SELECT A NEW NARCOTICS TASK FORCE OFFICER FOR THE POLICE DEPARTMENT.

Voting Aye: Larson, Peterson, Vetter, Pokrzywinski, Riopelle, Helms, and Olstad.

Voting Nay: None.

12. Consider approving the Request for Proposal to request auditing services for a three-year contract.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER HELMS, TO APPROVE THE REQUEST FOR PROPOSAL TO REQUEST AUDITING SERVICES FOR A THREE-YEAR CONTRACT.

Ms. Anderson stated there were questions included on the RCA and asked who they wanted to serve on the committee to review the proposals and the number of firms that should be contacted. She reminded them 14 firms had been contacted the last time this had been sent out. Council member Helms said at least three firms would be good. Ms. Anderson said some of the firms may not respond because they did not have the staff from the previous request, or it would require travel but she would contact them all again. Ms. Nelson asked who should be on the committee because the accounting technician position was vacant. Council President Olstad said the City Administrator could be. Council member Vetter asked what the role the committee had. Ms. Anderson said it was to review the proposals and bring a recommendation to the Council.

Voting Aye: Larson, Peterson, Vetter, Pokrzywinski, Riopelle, Helms, and Olstad.

Voting Nay: None.

13. Consider approving the Special Event Application for the Happy Harry's Hot Valley Nights event scheduled for August 18-19, 2023 for a two-day music festival in downtown East Grand Forks in the city parking lot and contingent upon the Administration Office receiving the certificate of liability.

A MOTION WAS MADE BY COUNCIL MEMBER RIOPELLE, SECONDED BY COUNCIL MEMBER LARSON, TO APPROVE THE SPECIAL EVENT APPLICATION FOR THE HAPPY HARRY'S HOT VALLEY NIGHTS EVENT SCHEDULED FOR AUGUST 18-19, 2023 FOR A TWO-DAY MUSIC FESTIVAL IN DOWNTOWN EAST GRAND FORKS IN THE CITY PARKING LOT AND CONTINGENT UPON THE ADMINISTRATION OFFICE RECEIVING THE CERTIFICATE OF LIABILITY.

Voting Aye: Larson, Peterson, Vetter, Pokrzywinski, Riopelle, Helms, and Olstad.

Voting Nay: None.

14. Consider approving an off-site Gambling Permit Application for the Confidence Learning Center to hold a raffle and bingo on September 30, 2023 at the Eagles Club located at 227 10th St NW East Grand Forks, MN 56721.

A MOTION WAS MADE BY COUNCIL MEMBER HELMS, SECONDED BY COUNCIL MEMBER RIOPELLE, TO APPROVE AN OFF-SITE GAMBLING PERMIT APPLICATION FOR THE CONFIDENCE LEARNING CENTER TO HOLD A RAFFLE AND BINGO ON SEPTEMBER 30, 2023 AT THE EAGLES CLUB LOCATED AT 227 10TH ST NW EAST GRAND FORKS, MN 56721.

Voting Aye: Larson, Peterson, Vetter, Pokrzywinski, Riopelle, Helms, and Olstad.

Voting Nay: None.

CLAIMS:

15. Consider authorizing the Interim City Administrator to issue payment of recommended bills and payroll.

A MOTION WAS MADE BY COUNCIL MEMBER HELMS, SECONDED BY COUNCIL MEMBER LARSON, TO AUTHORIZE THE INTERIM CITY ADMINISTRATOR TO ISSUE PAYMENT OF RECOMMENDED BILLS AND PAYROLL.

Voting Aye: Larson, Peterson, Vetter, Pokrzywinski, Riopelle, Helms, and Olstad.

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Mayor Gander asked to keep the family of the Fargo Police Officer Jake Wallin in their prayers, along with Police Officers Andrew Dotas, Tyler Hawes who were wounded, and Police Officer Zach Robinson who had to take a life to protect innocent victims. He stated efforts needed to be stepped up to identify violent criminals before they took action on police officers, attacking them was an attack on America, and without law and order there was no country at all. He said he would support any reasonable legislation to make hate speech and threats of violence against police a crime. He thanked all the police officers for keeping communities safe and people were in their debt. He continued saying they grieve with the people of Fargo and all who had lost ones keeping the peace.

Council Vice-President Riopelle echoed Mayor Gander’s comments.

Council President Olstad also echoed the mayor’s comments regarding the tragedy in Fargo, he did not see the reason for it, local law enforcement understood they were backed by the council and community, and hoped a tragedy like that did not happen in the city. He asked to keep local law enforcement in their thoughts and to let them know what a great job they are doing.

Mr. Emery informed the Council the 4th Street NE project was going to be completed shortly, the federal subtarget project was going to start on Monday, July 24th, and the preconstruction meeting for the HAWK system project was held and the contractor thought they would be able to complete the project in about a week. He added all the concrete work had been completed for the ADA project and they were just finishing up some landscaping work.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER HELMS, SECONDED BY COUNCIL MEMBER LARSON, TO ADJOURN THE JULY 18, 2023 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:15 P.M.

Voting Aye: Larson, Peterson, Vetter, Pokrzywinski, Riopelle, Helms, and Olstad.

Voting Nay: None.

Megan Nelson, City Clerk

**UNAPPROVED MINUTES
OF THE WORK SESSION
CITY OF EAST GRAND FORKS
TUESDAY, JULY 25, 2023 – 5:00 PM**

CALL TO ORDER:

The Work Session of the East Grand Forks City Council for Tuesday, July 25, 2023 was called to order by Council President Olstad at 5:00 P.M.

CALL OF ROLL:

On a Call of Roll the following members of the East Grand Forks City Council were present: Mayor Steve Gander, Council President Mark Olstad, Council Vice-President Tim Riopelle, Council Members Clarence Vetter, Ben Pokrzywinski, Dale Helms, Brian Larson, and Karen Peterson.

Staff Present: Jeff Boushee, Fire Chief; Nancy Ellis, City Planner; Steve Emery, City Engineer; Ron Galstad, City Attorney; Paul Gorte, Economic Development Director; Michael Hedlund, Police Chief, Charlotte Helgeson, Library Director; Reid Huttunen, Parks and Recreation Superintendent; and Megan Nelson, City Clerk.

DETERMINATION OF A QUORUM:

The Council President Determined a Quorum was present.

1. Update on Legislative Session from the Coalition of Greater MN Cities – Marty Seifert

Mr. Seifert introduced himself to the Council, how the Coalition represented 109 cities, and East Grand Forks had been a long time member. He stated for a long time he had been told how the City did not like the local government aid formula (LGA) and they were finally able to make a change to where the City no longer lost funding or just remained the same but also able to get additional funding. He reviewed the different proposals that were discussed at the State level and how East Grand Forks was in the mid-sized city category. He moved on to environmental items they worked on which included getting funding to help cities replace lead lines for both city lines and private lines. He reviewed what had been asked for childcare needs, how they were trying to get the broadband project completed, and there was additional funding for housing and work force housing.

Mr. Seifert continued with transportation, how small cities would now be receiving dedicated funding for streets each year, and they worked on a formula change to make sure the corridors for commerce dollars because the one year none of it was used in greater Minnesota. He reminded everyone of the summer conference that would be taking place in Thief River Falls, they still had openings for people to attend, and he said there was additional safety aid that was available to the City. He added the new paid leave act would be discussed at the conference, it affected all employers, and the cost would need to be levied or the City could use LGA funding. He said the Coalition had requested not to dump unfunded mandates on cities but the leave act was an unfunded mandate. He asked for questions.

Mr. Emery asked if the lead line replacement funding would be done through PFA. Mr. Seifert said he thought so. Mayor Gander said they were happy with the Coalition's involvement with the session. Mr.

Seifert said the number was issue was LGA so they made sure it was updated because it had not been updated for 11 years. Council member Larson asked about cannabis legalization and if more guidance would be available. Mr. Seifert said it was being worked on, cities were talking about moratoriums, there was a mandate to have at least one license per 12,500 people, and there was still a lot that needed to be worked through so they would be requesting input from cities. He reminded everyone again there was still space available at the conference.

2. Request to Amend Memorandum of Understanding for School Resource Officer Services – Michael Hedlund

Chief Hedlund gave a history of the school resource officer position, how it was started with a grant, and the program was in place for eight years. He stated the cost of the position was split 50/50 between the City and school. He said during discussions from the finance committee it was brought up to see if the school would take on more of the costs for the position, he had a talk with the superintendent, and they were willing to take on 65% of the costs, leaving 35% for the City, and it would be brought before the school board in August. He added they did not want to have the officer pulled which did happen because of being short staffed, but the school resource officer would be back in the school in September. There were no questions.

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

3. Consider Approving the Safe Streets and Roads for All Program Memorandum of Understanding – Nancy Ellis

Ms. Ellis told the Council this was the same document they had previously seen, nothing had changed, the memorandum had been reviewed by the city attorneys, and it was being brought back because the cities had been awarded the grant. She said the Metropolitan Planning Organization would be conducting the study, the cities had a 20% share, and it would be paid for over two years. There were no questions.

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

4. Review of Pace Addition Plat – Nancy Ellis

Ms. Ellis informed the Council the plat was coming before them because she was not able to attend the next work session, an application had been received for property located just south of the railroad tracks, and they were trying to replat the properties to clean things up with the easements, only having four lots, and allow for cleaner titles and legal descriptions. She said this would be going before the Planning Commission on August 2nd for a public hearing and if approved it would be brought to a council meeting.

This item will be brought back to a future meeting.

5. Review of Residential Incentives – Paul Gorte

Mr. Gorte said there were four incentive programs, two for builders, and two for residential buyers. He explained the \$1000 down program and the \$100,000 program for construction materials for builders, and the tax abatement program that was very popular with residents long with the landscaping incentive program. He stated the 280 fund was not going to be able to fund these programs, they had to turn away a builder because there was not enough funding for the \$100,000 program, and he asked how the programs

would be funded going forward. He asked if the funds from the Town Square account could be used, it had \$183,000, and they could issue \$90,000 for construction materials allowing for two loans. He suggested using the general fund for the tax abatements to help promote home construction. Discussion followed about the 635 fund or Town Square account, how it was from when the City managed the facility, but the City was no longer a part of housing. Council President Olstad said in 2015 there was a resolution that moved those funds to Sunshine Terrace and they needed to know why the funds were not moved.

Council member Vetter asked if the 280 fund was funding all the programs. Mr. Gorte said just three programs because the one only required \$1000 down. Council member Vetter asked if there were any \$100,000 loans currently. Mr. Gorte said there was one so it would cover the tax abatements for the year. Ms. Ellis told the Council the funding that was supposed to be transferred was to cover the cost of the roof replacement on the Sunshine Terrace building which was completed in 2017. Mayor Gander said they needed to find a way to keep the programs going. Council member Larson said the tax abatement was a great incentive and they should find a way to fund it.

6. Request to Start Hiring Process for Accounting Technician – Megan Nelson

Ms. Nelson said the request was being brought forward to fill the vacant accounting technician position. Council President Olstad asked if the position was still included in the budget. Council member Vetter said the position was discussed in the finance committee meetings because it was a good time to look at accounting services and what could be done. He stated the Water and Light Department was moving forward to fill their position, so it was time to consider filling this position. Discussion followed about how this position was still included in the budget, staff had split the duties of the position, and how there was concern about filling the position before the budget was determined because they might need to cut positions. Council President Olstad asked to have this included on the council meeting agenda.

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

7. Request for Direction on Engineering Services – Megan Nelson

Ms. Nelson stated the finance committee determined it was not cost effective to start up an in-house engineering department and with the current contract expired it was being asked if request for proposals for engineering services should be requested. Council member Vetter said he was under the impression it was a harder request from the committee, proposals had not been requested for years, and it would make sure the City was getting the best rates. Council member Peterson said it would show if someone else could provide the service or the current engineers could showcase what they offer the City, especially since the contract was up for renewal. Discussion followed about whether the rates would greatly increase, how a firm could drop rates to be able to get the contract, and if the current rates were competitive. Council member Peterson said based on the costs for hiring in-house engineering, contracting services saved hundreds of thousands.

Mr. Emery told the Council he had been working with Council President Olstad and Mayor Gander, they had reviewed the fee schedule, and there might need to be some changes to the fees. He said they were looking at a two or three year contract and include the language they were only able to increase fees by a certain percentage each year. Mayor Gander stated they had also been working with Mr. Galstad on his contract, the meetings had gone well, they were still negotiating some of the terms, and they had been transparent on what was needed. He said he would be content to renew the contract with Widseth since he considered they were already through a half year into the contract. Council member Larson said the

RFQ process was very involved and requested to look at rates that other cities were charged first to compare which could provide the information they were looking for. He said it was concerning the contract was expired and he would be in favor of reviewing costs each year instead of locking in for three years.

Council member Vetter said they do this process with audits every three years and suggested doing the same with engineering. Discussion followed about requesting the engineering rate information from the City of Grand Forks. Council President Olstad commented that Widseth was located in the community and supported the community. He stated he felt comfortable moving forward with a renewal but the request for proposals could be voted on at the next meeting. More discussion followed about how action should be taken before contracts expire in the future and how cost-saving measures had been identified by the finance committee but it would be a few years out. Mr. Emery told the Council there were many benefits using them as a local consultant, they were available to staff and contractors, they could provide a variety of services, and there were seven families at their firm that lived in the city. He added they appreciated being able to work with the City and would like to continue working with the City.

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

8. Consider Proposed 2023 Winter Registration Rates – Reid Huttunen

Mr. Huttunen stated the request was being made for a 5% increase to fees for the winter programs and was not asking for approval for future years because they would like input from the clubs before moving forward with that request. He explained an analysis had been done which showed the true and real costs. Mayor Gander said he liked planning ahead and they did not want to stop people from participating but the City was not able to subsidize the program to the extent it had any more. Discussion followed about breaking even, if the process could be pushed out farther than three years, and how the City would still run at a deficit running the arenas.

Council Vice-President Riopelle explained there was no intent to keep people out, the Blue Line Club in Grand Forks accepted applications to help those that needed it, and this could also be done by the clubs in East Grand Forks. He added they were suggesting spreading the increase across three years. Council member Pokrzywinski suggested when talking to the clubs to include the information that each household paid to subsidize the programs. Mr. Huttunen stated that there was a lot more information available.

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

9. Request to Fundraise for Playground at Griggs Park Trailhead – Reid Huttunen

Mr. Huttunen told the Council a request had come forward about adding a playset to the Grigg Park area. He explained that Ms. Rebecca Walk had a daycare close by, there was nothing else within walking distance, so she was requesting to see if she could try to fundraise to help pay for equipment. He said a small playset could fit in the area, there was nothing currently in the budget, and he was looking for feedback about the fundraising to help come up with funds. He added he did not know how much was needed. Discussion followed about how this was outside of the DNR property and river corridor, to possibly check on daycare funding to see if something was available because there was a preschool that was also close by, and there were no issues with Ms. Walk trying to raise funds for a playset.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER RIOPELLE, SECONDED BY COUNCIL MEMBER PETERSON, TO ADJOURN THE JULY 25, 2023 WORK SESSION OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:05 P.M.

Voting Aye: Peterson, Vetter, Pokrzywinski, Riopelle, Helms, Olstad, and Larson.

Voting Nay: None.

Megan Nelson, City Clerk

**UNAPPROVED MINUTES
OF THE SPECIAL MEETING
CITY OF EAST GRAND FORKS
TUESDAY, JULY 25, 2023 – FOLLOWING THE WORK SESSION**

CALL TO ORDER:

The Special Meeting of the East Grand Forks City Council for Tuesday, July 25, 2023 was called to order by Council President Olstad at 6:10 P.M.

CALL OF ROLL:

On a Call of Roll the following members of the East Grand Forks City Council were present: 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.

Staff Present: Jeff Boushee, Fire Chief; Nancy Ellis, City Planner; Steve Emery, City Engineer; Ron Galstad, City Attorney; Paul Gorte, Economic Development Director; Michael Hedlund, Police Chief, Charlotte Helgeson, Library Director; Reid Huttunen, Parks and Recreation Superintendent; Megan Nelson, City Clerk; and Jason Stordahl, Public Works Director.

DETERMINATION OF A QUORUM:

The Council President Determined a Quorum was present.

1. Consider adopting Resolution to 23-07-48 approving the Employment Agreement for the City Administrator position between the City of East Grand Forks and Mr. Reid Huttunen.

A MOTION WAS MADE BY COUNCIL MEMBER RIOPELLE, SECONDED BY COUNCIL MEMBER LARSON, TO ADOPT RESOLUTION TO 23-07-48 APPROVING THE EMPLOYMENT AGREEMENT FOR THE CITY ADMINISTRATOR POSITION BETWEEN THE CITY OF EAST GRAND FORKS AND MR. REID HUTTUNEN.

Voting Aye: Peterson, Riopelle, Olstad, and Larson.

Voting Nay: Vetter, Pokrzywinski, and Helms.

2. Consider approving to start the hiring process to fill the position of Park and Recreation Superintendent.

A MOTION WAS MADE BY COUNCIL MEMBER RIOPELLE, SECONDED BY COUNCIL MEMBER LARSON, TO APPROVE TO START THE HIRING PROCESS TO FILL THE POSITION OF PARK AND RECREATION SUPERINTENDENT.

Voting Aye: Peterson, Vetter, Pokrzywinski, Riopelle, Helms, Olstad, and Larson.

Voting Nay: None.

3. Discussion on possibly filling Interim Park and Recreation Superintendent position.

Council President Olstad asked how they would like to proceed. Council member Pokrzywinski suggested asking staff if someone was interested. Council member Larson said he would support that. Council member Peterson asked Mr. Huttunen his thoughts on internal versus external. Mr. Huttunen said it was right to consider current staff and he had not thought of an external candidate, but he planned to be involved with the ongoing projects.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER LARSON, SECONDED BY COUNCIL MEMBER RIOPELLE, TO ADJOURN THE JULY 25, 2023 SPECIAL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:14 P.M.

Voting Aye: Peterson, Vetter, Pokrzywinski, Riopelle, Helms, Olstad, and Larson.

Voting Nay: None.

Megan Nelson, City Clerk

Request for Council Action

Date: 07/28/23

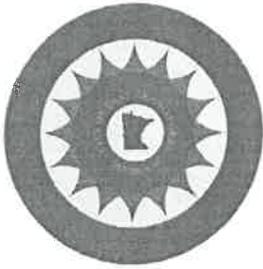
To: East Grand Forks City Council Mayor Steve Gander, Council President Mark Olstad, Council Vice-President Tim Riopelle, Council members Clarence Vetter, Ben Pokrzywinski, Dale Helms, Brian Larson, and Karen Peterson.

Cc: File

From: Administration Office

RE: Request for Annual Block Party at Sacred Heart

Sacred Heart hosts an annual block party in August for their parishioners and requests to have a portion of 3rd Street NW blocked off to traffic for this event which needs to be authorized by the City Council. This year they are holding the event on August 16th as stated in the application. This year they used the block party application, but this is considered a special event.



City of East Grand Forks

600 DeMers Ave · P.O. Box 373 · East Grand Forks, MN 56721
218-773-2483 · 218-773-9728 fax www.eastgrandforks.net

APPLICATION FOR BLOCK PARTY

License Fee: _____

| Organization Information | |
|---|---|
| <u>Sacred Heart Church + School</u> <i>Organization Name</i> | <u>218 773 0877</u> <i>Organization Phone Number</i> |
| <u>200 3 St NW</u> <i>Organization Address</i> | <u>EGF MN 56721</u> <i>City State Zip</i> |

| Applicant Information | |
|--|--|
| <u>Stacey Hansen</u> <i>Applicant Name</i> | <u>218 773 0877</u> <i>Applicant Phone Number</i> |
| <u>200 3 St NW</u> <i>Applicant Address</i> | <u>EGF MN 56721</u> <i>City State Zip</i> |

| Block Party Information | | |
|--|-------------------------------------|-----------------------------------|
| <u>7-16-23</u> <i>Date of Event</i> | <u>3:30 PM</u> <i>Start Time</i> | <u>8:00 PM</u> <i>End Time</i> |
| <u>Event with food, games, music in front of Sacred Heart Church and School for our parishioners.</u> <i>Explanation of Event</i> | | |
| <u>Route/Area of Event (include map)</u> | | |
| <u>We would like to close off the street (3rd) in front of the school + church</u> <i>Special Requests (Staff, Road Closures, Etc)</i> | | |

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

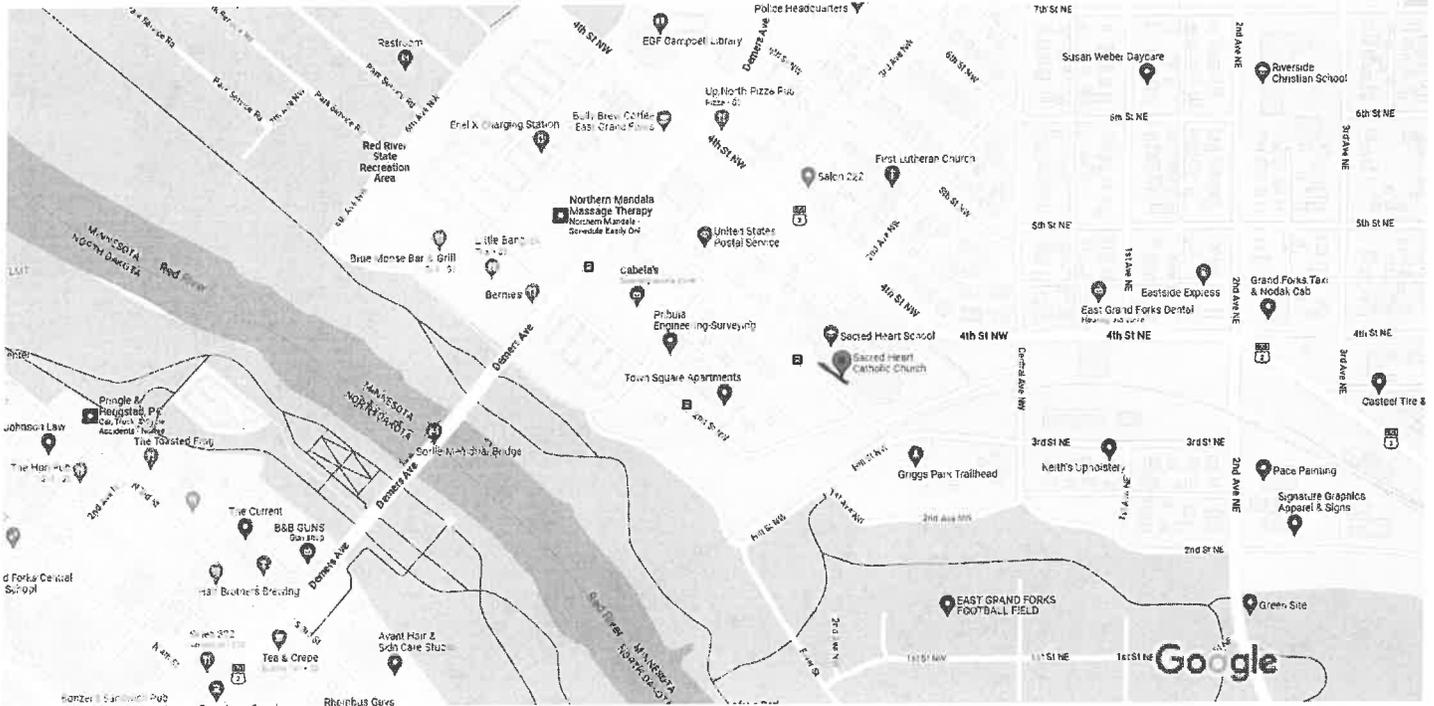
[Signature]
Signature of Applicant

Stacey Hansen
Print Name

7-24-23
Date

Parish Administrator
Title

Google Maps Sacred Heart Catholic Church



Map data ©2023 Google 200 ft



Sacred Heart Catholic Church

5.0 ★★★★★ (37)

Catholic church

Overview

Reviews

About

Request for Council Action

Date: August 1, 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: Request to set winter registration fees for 2023-2024 season

Background:

The proposed 2023 Winter registration fees for youth skating and youth hockey are attached. They represent an approximately 5% in income from 2022, assuming registration numbers are like last year.

There is one minor edit from the list that was proposed in last weeks Work Session packet. We've made an adjustment to the fees for Synchronized Skating, to continue for one more year with a discounted rate if you register for both Synchronized Skating and the Basic/Freestyle Skating program. The proposed removal of this discount will be further researched along with the 2024-2025 prices.

Recommendation:

Approve the proposed fee for 2023 as listed in the resolution.

Enclosure:

Winter Recreation Fee proposal

RESOLUTION NO. 23 – 08 – 49

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

WHEREAS, the Park and Recreation Department had planned for increased registration fees for figure skating and hockey programs for the 2023-2024 season;

NOW THEREFORE BE IT RESOLVED the Council of the City of East Grand Forks adopts the fees listed below starting with the 2023-2024 winter season and will remain in effect until superseded.

| Proposed 2023-2024 Fee | | |
|-------------------------------|-------------------------------|---------------------------------------|
| Hockey | | |
| <i>Activity</i> | <i>Proposed 2023-2024 Fee</i> | <i>Proposed Non-City Resident Fee</i> |
| Termites | \$ 150.00 | \$ 190.00 |
| Mites | \$ 250.00 | \$ 290.00 |
| 8U | \$ 250.00 | \$ 290.00 |
| Squirts | \$ 400.00 | \$ 440.00 |
| 10U | \$ 400.00 | \$ 440.00 |
| 12U | \$ 625.00 | \$ 665.00 |
| Peewee | \$ 625.00 | \$ 665.00 |
| Bantams | \$ 685.00 | \$ 725.00 |
| Hockey Clinic Squirt & above | \$ 80.00 | |
| Hockey Clinic Mites | \$ 65.00 | |

| Learn to Skate Programming | | |
|-------------------------------------|-------------------------------|---------------------------------------|
| <i>Activity</i> | <i>Proposed 2023-2024 Fee</i> | <i>Proposed Non-City Resident Fee</i> |
| Snowplow Sam | \$ 50.00 | \$ 90.00 |
| Basic 1-6 | \$ 135.00 | \$ 175.00 |
| Hockey 1-4 | \$ 135.00 | \$ 175.00 |
| Freestyle | \$ 180.00 | \$ 220.00 |
| Snow Plow Sam Synchro | \$ 55.00 | \$ 85.00 |
| Private Ice | \$ 185.00 | \$ 225.00 |
| Private Ice Coaches Fee | \$ 140.00 | \$ 180.00 |
| | | |
| Synchronized Skating Program | | |
| Snow Plow Sam Synchro Only | \$ 75.00 | \$ 115.00 |
| Aspire level Synchro Only | \$ 430.00 | \$ 470.00 |

| | | |
|--|-----------|-----------|
| Preliminary & Above Synchro Only | \$ 475.00 | \$ 515.00 |
| Basic Skating & Snow Plow Sam Synchro | \$ 215.00 | \$ 255.00 |
| Aspire Synchro & Basic/Freestyle Combined | \$ 475.00 | \$ 515.00 |
| Prelim & Above Synchro & Basic/Freestyle Combined | \$ 525.00 | \$ 565.00 |

Late Registration Fee (All
registrations) \$ 50.00

Voting Aye:

Voting Nay:

The President declared the resolution passed:

Passed: August 1, 2023

ATTEST:

City Administrator

President of Council

I hereby approve the foregoing resolution this 1st day of August 2023.

Mayor

Request for Council Action

Date: 7/28/23

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 Use of Parking Lot for Softball Game

The Administration Office received a special event application requesting the use of the parking lot by the Veteran Memorial for a charity adaptive softball game. A map has been included showing the area the group would like to use for this event on Sunday, August 13th and does not block the driving lanes through the parking lot.

Megan Nelson

From: noreply@civicplus.com
Sent: Friday, July 14, 2023 1:51 PM
To: Megan Nelson; City Administration
Subject: [EXTERNAL]Online Form Submittal: Special Event Application

Categories: Yellow Category

WARNING - this email is originated from outside the City of East Grand Forks email system. Do not click any link and do not open attachments unless you can confirm the sender.

Special Event Application

Please Submit 60 Days Prior to Event

This application and supporting information must be turned in 60 days prior to the event.

| | |
|-------------------------------|--|
| Organization Name | Happy Harry's Hot Valley Nights/Downtown Development Association |
| Phone Number | 7013062166 |
| Address1 | 302 Demers Ave |
| Email Address | thespudjr@gmail.com |
| City | East Grand Forks |
| State | MN |
| Zip | 56721 |
| Applicant Name/Contact Person | Justin LaRocque |
| Email Address | thespudjr@gmail.com |
| Phone Number | 7013062166 |
| Second Contact Person | Jill Proctor |
| Email Address | jill@gfdda.com |
| Phone Number | 7017415085 |

(Section Break)

Special Event Information

*All applications will be reviewed by staff. Depending on the type of event, **staff may come back with additional requirements and cost estimates** for the event such as a security plan, medical plan, traffic plan, etc and will be based on what is required for the event to take place.*

A clean up deposit may also be required and if the City does not need to take care of any of the clean up, the deposit will be returned once everything has been completed.

| | |
|------------------------------------|---|
| Event Title | Hope Inc, Classic |
| Type of Event | Fundraiser |
| Date(s) and Time of Event | 8/13/2023 6:00 PM - 8/13/2023 9:00 PM |
| Description/Narrative of the Event | This will be a charity adaptive softball game featuring the kids from Hope Inc. It will be a free community event with a free will offering to help support Hope Inc. We are hoping to have a foodtruck, some small games for the kids, and an entertaining game. |

(Section Break)

| | |
|---------------------|-----------------------------|
| Event Site Plan/Map | image0.jpeg |
|---------------------|-----------------------------|

(Section Break)

Power & Water Requests

*All power and water requests must go through and be approved by the Water and Light Commission. **The Water and Light Commission may charge for labor and materials for event related activities.** Contact the Distribution Superintendent by calling (218) 773-0515 between 8am and 4:30pm or email alldsc@egf.mn for further instructions.*

(Section Break)

| | |
|---------------------------|---|
| River Access | No |
| If yes, complete the form | The Polk County Boat & Water Event Permit Application |

(Section Break)

| | |
|---------------------|----|
| Use of DNR Property | No |
|---------------------|----|



Minutes of the regular meeting of the Water, Light, Power and Building Commission of the City of East Grand Forks, Minnesota held on July 5, 2023, at 8:00 am in the City Council Chambers.

Present: Quirk, Grinde, Beauchamp, Riopelle

Absent: None

Also present: Ron Galstad, Keith Mykleseth, Brian Johnson, Todd Grabanski, Todd Forster, Brianna Feil, Corey Thompson, Jordan Midgarden, Karla Anderson.

It was moved by Commissioner Grinde seconded by Commissioner Beauchamp to approve the minutes of the previous regular meeting held on June 21, 2023.

Voting Aye: Quirk, Grinde, Beauchamp, Riopelle

Voting Nay: None

It was moved by Commissioner Beauchamp seconded by Commissioner Grinde to authorize the Secretary to issue payment of the recommended bills and payroll in the amount of \$382,158.52.

Voting Aye: Quirk, Grinde, Beauchamp, Riopelle

Voting Nay: None

It was moved by Commissioner Grinde seconded by Commissioner Beauchamp to adjourn at 8:18 am to the next regular meeting on July 19, 2023, at 8:00 am to be held in the City Council Chambers.

Voting Aye: Quirk, Grinde, Beauchamp, Riopelle

Voting Nay: None

Lori Maloney
Commission Secretary

| | | | | | | | |
|------------|-------------------------------------|----|---------------|----|--------------|----|---------------------|
| 415 | City Capital Projects | | | | | | |
| 33 | Intergovernmental | \$ | - | \$ | 143,750.00 | \$ | (143,750.00) 0.00% |
| | Revenue | \$ | - | \$ | 143,750.00 | \$ | (143,750.00) 0.00% |
| 419 | CP's 23rd St NW Construction | | | | | | |
| 39 | Other Financing Sources | \$ | 200,187.06 | \$ | - | \$ | 200,187.06 100.00% |
| | Revenue | \$ | 200,187.06 | \$ | - | \$ | 200,187.06 100.00% |
| 425 | Building Improvements | | | | | | |
| 36 | Special Assessment/Misc Rev | \$ | - | \$ | 5,023.01 | \$ | (5,023.01) 0.00% |
| 39 | Other Financing Sources | \$ | 350,000.00 | \$ | 350,000.00 | \$ | - 0.00% |
| | Revenue | \$ | 350,000.00 | \$ | 355,023.01 | \$ | (5,023.01) -1.44% |
| 531 | 12-01-01 Improvement Bond | | | | | | |
| 36 | Special Assessment/Misc Rev | \$ | - | \$ | 8,528.81 | \$ | (8,528.81) 0.00% |
| | Revenue | \$ | - | \$ | 8,528.81 | \$ | (8,528.81) 0.00% |
| 532 | 12-01-03 Improvement Bond | | | | | | |
| 36 | Special Assessment/Misc Rev | \$ | - | \$ | 27,050.02 | \$ | (27,050.02) 0.00% |
| | Revenue | \$ | - | \$ | 27,050.02 | \$ | (27,050.02) 0.00% |
| 533 | 12-01-04 Improvement Bond | | | | | | |
| 36 | Special Assessment/Misc Rev | \$ | - | \$ | 68,826.58 | \$ | (68,826.58) 0.00% |
| | Revenue | \$ | - | \$ | 68,826.58 | \$ | (68,826.58) 0.00% |
| 534 | 03-01-06 Improvement Bond | | | | | | |
| 36 | 2006 Bond Assessment | \$ | - | \$ | 21,213.77 | \$ | (21,213.77) 0.00% |
| | Revenue | \$ | - | \$ | 21,213.77 | \$ | (21,213.77) 0.00% |
| 535 | 12-1-07 Improvement Bond | | | | | | |
| 36 | 2007 Bond Assessment | \$ | - | \$ | 93,581.43 | \$ | (93,581.43) 0.00% |
| | Revenue | \$ | - | \$ | 93,581.43 | \$ | (93,581.43) 0.00% |
| 537 | 2012 Imp Bond | | | | | | |
| 36 | 2012 Bond assessments | \$ | - | \$ | 24,821.55 | \$ | (24,821.55) 0.00% |
| | Revenue | \$ | - | \$ | 24,821.55 | \$ | (24,821.55) 0.00% |
| 538 | 2015 Improvement Bond | | | | | | |
| 36 | 2015 Bond assessments | \$ | - | \$ | 27,022.61 | \$ | (27,022.61) 0.00% |
| | Revenue | \$ | - | \$ | 27,022.61 | \$ | (27,022.61) 0.00% |
| 539 | 2017 Improvement Bond | | | | | | |
| 36 | 2017 Bond assessments | \$ | - | \$ | 119,606.35 | \$ | (119,606.35) 0.00% |
| | Revenue | \$ | - | \$ | 119,606.35 | \$ | (119,606.35) 0.00% |
| 601 | Electric | | | | | | |
| 37 | Utility Sales | \$ | 16,097,175.88 | \$ | 7,927,572.65 | \$ | 8,169,603.23 50.75% |
| | Revenue | \$ | 16,097,175.88 | \$ | 7,927,572.65 | \$ | 8,169,603.23 50.75% |
| 602 | Water | | | | | | |
| 37 | Utility Sales | \$ | 2,706,334.26 | \$ | 1,244,938.95 | \$ | 1,461,395.31 54.00% |
| | Revenue | \$ | 2,706,334.26 | \$ | 1,244,938.95 | \$ | 1,461,395.31 54.00% |
| 603 | Refuse | | | | | | |
| 34 | Charges for Services | \$ | 1,042,000.00 | \$ | 534,673.58 | \$ | 507,326.42 48.69% |
| | Revenue | \$ | 1,042,000.00 | \$ | 534,673.58 | \$ | 507,326.42 48.69% |
| 605 | Sewage | | | | | | |
| 36 | Special Assessment/Misc Rev | \$ | - | \$ | 31,000.00 | \$ | (31,000.00) 0.00% |
| 37 | Utility Sales | \$ | 2,001,622.00 | \$ | 968,974.85 | \$ | 1,032,647.15 51.59% |
| | Revenue | \$ | 2,001,622.00 | \$ | 999,974.85 | \$ | 1,001,647.15 50.04% |
| 609 | Storm Water | | | | | | |
| 33 | Intergovernmental | \$ | - | \$ | 125,905.73 | \$ | (125,905.73) 0.00% |
| 34 | Charges for Services | \$ | 710,000.00 | \$ | 354,293.38 | \$ | 355,706.62 50.10% |
| 37 | Utility Sales | \$ | - | \$ | 41,918.40 | \$ | (41,918.40) 0.00% |
| | Revenue | \$ | 710,000.00 | \$ | 522,117.51 | \$ | 187,882.49 26.46% |

| | | | | | | |
|--------------------------------------|----|------------|----|------------|----|--------------------|
| 620 EDA General | | | | | | |
| 36 Special Assessment/Misc Rev | \$ | - | \$ | 15,010.00 | \$ | (15,010.00) 0.00% |
| 39 Other Financing Sources | \$ | 229,306.22 | \$ | - | \$ | 229,306.22 100.00% |
| Revenue | \$ | 229,306.22 | \$ | 15,010.00 | \$ | 214,296.22 93.45% |
| 623 EDA TIF 1-2 E of BN Tri | | | | | | |
| 36 Special Assessment/Misc Rev | \$ | - | \$ | 94.42 | \$ | (94.42) 0.00% |
| Revenue | \$ | - | \$ | 94.42 | \$ | (94.42) 0.00% |
| 625 EDA IRP Loan Subfund | | | | | | |
| 36 Interest Earnings | \$ | - | \$ | 999.48 | \$ | (999.48) 0.00% |
| Revenue | \$ | - | \$ | 999.48 | \$ | (999.48) 0.00% |
| 626 MIF (DRLF-97-0003-V-FY98) | | | | | | |
| 36 Special Assessment/Misc Rev | \$ | - | \$ | 13,545.23 | \$ | (13,545.23) 0.00% |
| Revenue | \$ | - | \$ | 13,545.23 | \$ | (13,545.23) 0.00% |
| 627 MN DEED MIF | | | | | | |
| 36 Special Ass/Misc | \$ | - | \$ | 368.86 | \$ | (368.86) 0.00% |
| Revenue | \$ | - | \$ | 368.86 | \$ | (368.86) 0.00% |
| 630 Sunshine Terrace | | | | | | |
| 34 Charges for Services | \$ | 526,572.00 | \$ | 251,493.00 | \$ | 275,079.00 52.24% |
| 36 Special Assessment/Misc Rev | \$ | 7,000.00 | \$ | 6,190.72 | \$ | 809.28 11.56% |
| Revenue | \$ | 533,572.00 | \$ | 257,683.72 | \$ | 275,888.28 51.71% |
| 682 Infill Building | | | | | | |
| 36 Special Assessment/Misc Rev | \$ | 77,490.00 | \$ | 39,265.00 | \$ | 38,225.00 49.33% |
| Revenue | \$ | 77,490.00 | \$ | 39,265.00 | \$ | 38,225.00 49.33% |
| 849 Perpetual Care Cemetery | | | | | | |
| 34 Charges for Services | \$ | 15,000.00 | \$ | - | \$ | 15,000.00 100.00% |
| Revenue | \$ | 15,000.00 | \$ | - | \$ | 15,000.00 100.00% |

General Ledger As of June 30, 2023

Council Monthly Exp Budgt Report

User: kanderson
 Printed: 07/28/23 14:46:39
 Period 01 - 06
 Fiscal Year 2023

| Fund Description | 2023 Budget | Amt Spent as of June 30 | Remaining Balance | % left to spend |
|--|------------------|----------------------------|----------------------|-----------------|
| 101 General | | | | |
| 41 General Government | \$ 1,546,919.21 | \$ 739,676.66 | \$ 807,242.55 | 52.18% |
| 42 Public Safety | \$ 5,162,320.02 | \$ 2,224,015.63 | \$ 2,938,304.39 | 56.92% |
| 43 Public Works | \$ 1,969,854.98 | \$ 820,909.24 | \$ 1,148,945.74 | 56.92% |
| 45 Culture and Recreation | \$ 3,038,100.06 | \$ 1,407,831.27 | \$ 1,630,268.79 | 53.50% |
| 46 Community Development | \$ 65,000.00 | \$ 31,395.36 | \$ 33,604.64 | 51.70% |
| 49 Unallocated | \$ 970,740.26 | \$ 312,821.30 | \$ 657,918.96 | 67.77% |
| Expense | \$ 12,752,934.53 | \$ 5,536,649.46 | \$ 7,216,285.07 | 56.33% |
| 204 Community & Economic Growth | | | | |
| 46 Community Development | \$ 10,000.00 | \$ - | \$ 10,000.00 | 100.00% |
| Expense | \$ 10,000.00 | \$ - | \$ 10,000.00 | 100.00% |
| 209 State Aid Street | | | | |
| 49 Unallocated | \$ 518,481.00 | \$ 2,160.00 | \$ 516,321.00 | 99.58% |
| Expense | \$ 518,481.00 | \$ 2,160.00 | \$ 516,321.00 | 99.58% |
| 210 Transit | | | | |
| 49 Transit | \$ 813,602.30 | \$ 200,068.47 | \$ 613,533.83 | 75.41% |
| Expense | \$ 813,602.30 | \$ 200,068.47 | \$ 613,533.83 | 75.41% |
| 214 Resurrection Cemetery | | | | |
| 49 Unallocated | \$ 82,051.54 | \$ 34,595.51 | \$ 47,456.03 | 57.84% |
| Expense | \$ 82,051.54 | \$ 34,595.51 | \$ 47,456.03 | 57.84% |
| 215 Insect | | | | |
| 43 Public Works | \$ 50,071.00 | \$ 169.41 | \$ 49,901.59 | 99.66% |
| Expense | \$ 50,071.00 | \$ 169.41 | \$ 49,901.59 | 99.66% |
| 217 Greenway Maint | | | | |
| 43 Public Works | \$ 10,000.00 | \$ - | \$ 10,000.00 | 100.00% |
| Expense | \$ 10,000.00 | \$ - | \$ 10,000.00 | 100.00% |
| 280 Housing/Lot Sale | | | | |
| 47 Other L-T Debt | \$ 343,800.00 | \$ 52,045.55 | \$ 291,754.45 | 84.86% |
| 49 Unallocated | \$ 65,000.00 | \$ - | \$ 65,000.00 | 100.00% |
| Expense | \$ 408,800.00 | \$ 52,045.55 | \$ 356,754.45 | 87.27% |
| 400 Grants | | | | |
| 42 Public Safety | \$ - | \$ 54,663.50 | \$ (54,663.50) | 0.00% |
| 45 Culture and Recreation | \$ - | \$ 18,642.26 | \$ (18,642.26) | 0.00% |
| Expense | \$ - | \$ 73,305.76 | \$ (73,305.76) | 0.00% |
| 414 City AJ Projects | | | | |
| 43 Public Works | \$ - | \$ 269,366.63 | \$ (269,366.63) | 0.00% |
| Expense | \$ - | \$ 269,366.63 | \$ (269,366.63) | 0.00% |
| 415 City Capital Projects | | | | |
| 41 General Govt | \$ - | \$ 160.00 | \$ (160.00) | 0.00% |
| 43 Public Works | \$ - | \$ 98,480.92 | \$ (98,480.92) | 0.00% |
| 45 Culture and Recreation | \$ - | \$ 122,889.16 | \$ (122,889.16) | 0.00% |

| | | | | | | | | |
|------------|-------------------------------------|----|---------------|----|--------------|----|--------------|---------|
| | Expense | \$ | - | \$ | 221,530.08 | \$ | (221,530.08) | 0.00% |
| 419 | CP's 23rd St NW Construction | | | | | | | |
| 43 | Public Works | \$ | 87,187.06 | \$ | 43,539.53 | \$ | 43,647.53 | 50.06% |
| 47 | Other L-T Debt | \$ | 113,000.00 | \$ | - | \$ | 113,000.00 | 100.00% |
| | Expense | \$ | 200,187.06 | \$ | 43,539.53 | \$ | 156,647.53 | 78.25% |
| 425 | Building Improvements | | | | | | | |
| 41 | General Government | \$ | 65,775.00 | \$ | - | \$ | 65,775.00 | 100.00% |
| 42 | Police Dept | \$ | - | \$ | 26,226.50 | \$ | (26,226.50) | 0.00% |
| 43 | Public Works | \$ | 64,000.00 | \$ | - | \$ | 64,000.00 | 100.00% |
| 45 | Culture and Recreation | \$ | 210,000.00 | \$ | 105,498.81 | \$ | 104,501.19 | 49.76% |
| | Expense | \$ | 339,775.00 | \$ | 131,725.31 | \$ | 208,049.69 | 61.23% |
| 434 | Dwntwn CDBG Close 493/496 | | | | | | | |
| 43 | Public Works | \$ | - | \$ | 2,732.50 | \$ | (2,732.50) | 0.00% |
| | Expense | \$ | - | \$ | 2,732.50 | \$ | (2,732.50) | 0.00% |
| 533 | 12-01-04 Improvement Bond | | | | | | | |
| 47 | 2004 Improvement Bond | \$ | - | \$ | 190,650.00 | \$ | (190,650.00) | 0.00% |
| | Expense | \$ | - | \$ | 190,650.00 | \$ | (190,650.00) | 0.00% |
| 534 | 03-01-06 Improvement Bond | | | | | | | |
| 47 | 2006 Improvement Bond | \$ | - | \$ | 46,575.00 | \$ | (46,575.00) | 0.00% |
| | Expense | \$ | - | \$ | 46,575.00 | \$ | (46,575.00) | 0.00% |
| 535 | 12-1-07 Improvement Bond | | | | | | | |
| 47 | 2007 Improvement Bond | \$ | - | \$ | 209,255.00 | \$ | (209,255.00) | 0.00% |
| | Expense | \$ | - | \$ | 209,255.00 | \$ | (209,255.00) | 0.00% |
| 537 | 2012 Imp Bond | | | | | | | |
| 47 | Other L-T Debt | \$ | - | \$ | 39,987.50 | \$ | (39,987.50) | 0.00% |
| | Expense | \$ | - | \$ | 39,987.50 | \$ | (39,987.50) | 0.00% |
| 538 | 2015 Improvement Bond | | | | | | | |
| 47 | Dept | \$ | - | \$ | 117,950.00 | \$ | (117,950.00) | 0.00% |
| | Expense | \$ | - | \$ | 117,950.00 | \$ | (117,950.00) | 0.00% |
| 539 | 2017 Improvement Bond | | | | | | | |
| 47 | 2017 Improvement Bond | \$ | - | \$ | 366,280.00 | \$ | (366,280.00) | 0.00% |
| | Expense | \$ | - | \$ | 366,280.00 | \$ | (366,280.00) | 0.00% |
| 601 | Electric | | | | | | | |
| 16 | Construction Projects | \$ | - | \$ | 35,354.84 | \$ | (35,354.84) | 0.00% |
| 49 | Electric Utilities | \$ | 16,320,601.71 | \$ | 7,519,568.45 | \$ | 8,801,033.26 | 53.93% |
| | Expense | \$ | 16,320,601.71 | \$ | 7,554,923.29 | \$ | 8,765,678.42 | 53.71% |
| 602 | Water | | | | | | | |
| 16 | Construction Projects | \$ | - | \$ | 65,183.04 | \$ | (65,183.04) | 0.00% |
| 49 | Water Utilities | \$ | 2,977,213.75 | \$ | 647,151.12 | \$ | 2,330,062.63 | 78.26% |
| | Expense | \$ | 2,977,213.75 | \$ | 712,334.16 | \$ | 2,264,879.59 | 76.07% |
| 603 | Refuse | | | | | | | |
| 49 | Unallocated | \$ | 1,125,400.12 | \$ | 454,099.05 | \$ | 671,301.07 | 59.65% |
| | Expense | \$ | 1,125,400.12 | \$ | 454,099.05 | \$ | 671,301.07 | 59.65% |
| 605 | Sewage | | | | | | | |
| 49 | Unallocated | \$ | 2,177,190.48 | \$ | 418,846.49 | \$ | 1,758,343.99 | 80.76% |
| | Expense | \$ | 2,177,190.48 | \$ | 418,846.49 | \$ | 1,758,343.99 | 80.76% |
| 609 | Storm Water | | | | | | | |
| 43 | Public Works | \$ | 1,030,409.67 | \$ | 166,039.48 | \$ | 864,370.19 | 83.78% |
| | Expense | \$ | 1,030,409.67 | \$ | 166,039.48 | \$ | 864,370.19 | 83.78% |
| 620 | EDA General | | | | | | | |
| 49 | Unallocated | \$ | 229,306.22 | \$ | 96,370.78 | \$ | 132,935.44 | 57.97% |
| | Expense | \$ | 229,306.22 | \$ | 96,370.78 | \$ | 132,935.44 | 57.97% |

| | | | | | | | |
|------------|-------------------------------------|----|------------|----|------------|----|-------------------|
| 627 | MN DEED MIF | | | | | | |
| 47 | Dept | \$ | - | \$ | 5,519.08 | \$ | (5,519.08) 0.00% |
| | Expense | \$ | - | \$ | 5,519.08 | \$ | (5,519.08) 0.00% |
| 630 | Sunshine Terrace | | | | | | |
| 46 | Community Development | \$ | 569,216.79 | \$ | 264,207.54 | \$ | 305,009.25 53.58% |
| | Expense | \$ | 569,216.79 | \$ | 264,207.54 | \$ | 305,009.25 53.58% |
| 633 | Downpayment Assistance | | | | | | |
| 46 | Community Development | \$ | - | \$ | 8,700.00 | \$ | (8,700.00) 0.00% |
| | Expense | \$ | - | \$ | 8,700.00 | \$ | (8,700.00) 0.00% |
| 681 | DeMers Professional Building | | | | | | |
| 46 | Community Development | \$ | - | \$ | - | \$ | - 0.00% |
| | Expense | \$ | - | \$ | - | \$ | - 0.00% |
| 682 | Infill Building | | | | | | |
| 46 | Community Development | \$ | 90,273.96 | \$ | 29,491.70 | \$ | 60,782.26 67.33% |
| | Expense | \$ | 90,273.96 | \$ | 29,491.70 | \$ | 60,782.26 67.33% |
| 703 | Central Equipment | | | | | | |
| 47 | Other L-T Debt | \$ | - | \$ | 800.00 | \$ | (800.00) 0.00% |
| | Expense | \$ | - | \$ | 800.00 | \$ | (800.00) 0.00% |
| 705 | Benefit Accrual | | | | | | |
| 49 | Unallocated | \$ | - | \$ | 29,939.00 | \$ | (29,939.00) 0.00% |
| | Expense | \$ | - | \$ | 29,939.00 | \$ | (29,939.00) 0.00% |
| 849 | Perpetual Care Cemetery | | | | | | |
| 49 | Unallocated | \$ | 20,000.00 | \$ | - | \$ | 20,000.00 100.00% |
| | Expense | \$ | 20,000.00 | \$ | - | \$ | 20,000.00 100.00% |
| 851 | Campbell-Olson | | | | | | |
| 45 | Dept | \$ | - | \$ | 671.40 | \$ | (671.40) 0.00% |
| | Expense | \$ | - | \$ | 671.40 | \$ | (671.40) 0.00% |

General Ledger
Council Monthly Cash Report



City of East Grand Forks

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

User: kanderson
Printed: 07/28/23 14:43:37
Period 01 - 06
Fiscal Year 2023

| Fund | Description | Beg Bal | Debits | Credits | End Bal |
|-------|------------------------------|---------------|---------------|---------------|---------------|
| 101 | General | 6,469,967.04 | 12,673,994.61 | 13,506,845.79 | 5,637,115.86 |
| 201 | COVID | 795,139.90 | 0.00 | 90,700.00 | 704,439.90 |
| 204 | Community & Economic Growth | 72,490.97 | 0.00 | 0.00 | 72,490.97 |
| 209 | State Aid Street | 389,800.74 | 91,902.18 | 960.00 | 480,742.92 |
| 210 | Transit | -120,000.00 | 198,007.50 | 456,269.81 | -378,262.31 |
| 212 | Sales Tax Pool | 399,743.93 | 0.00 | 0.00 | 399,743.93 |
| 214 | Resurrection Cemetery | 0.00 | 14,200.00 | 32,537.70 | -18,337.70 |
| 215 | Insect | 279,501.38 | 23,702.50 | 169.41 | 303,034.47 |
| 217 | Greenway Maint | 4,848.73 | 49,372.87 | 0.00 | 54,221.60 |
| 222 | Police/Forfeiture Fund | 23,231.78 | 0.00 | 0.00 | 23,231.78 |
| 280 | Housing/Lot Sale | 59,859.93 | 108,402.38 | 89,040.91 | 79,221.40 |
| 33400 | Grants | 235,108.46 | 59,971.54 | 78,216.81 | 216,863.19 |
| 401 | Infrastructure Projects | 944,793.64 | 108,810.62 | 0.00 | 1,053,604.26 |
| 414 | City AJ Projects | 467,153.46 | 1,252.06 | 113,046.23 | 355,359.29 |
| 415 | City Capital Projects | -283,748.71 | 143,750.00 | 238,074.44 | -378,073.15 |
| 419 | CP's 23rd St NW Construction | 171,691.18 | 0.00 | 43,539.53 | 128,151.65 |
| 425 | Building Improvements | 64,101.40 | 355,023.01 | 69,259.49 | 349,864.92 |
| 434 | Dwntwn CDBG Close 493496 | 18,262.58 | 795.00 | 5,677.50 | 13,380.08 |
| 527 | 04-01-04 Refunding '95 Bond | 256,044.77 | 0.00 | 0.00 | 256,044.77 |
| 531 | 12-01-01 Improvement Bond | 521,910.33 | 8,528.81 | 0.00 | 530,439.14 |
| 532 | 12-01-03 Improvement Bond | 382,927.15 | 27,050.02 | 0.00 | 409,977.17 |
| 533 | 12-01-04 Improvement Bond | 158,113.58 | 68,826.58 | 184,575.00 | 42,365.16 |
| 534 | 03-01-06 Improvement Bond | 186,034.84 | 21,213.77 | 43,687.50 | 163,561.11 |
| 535 | 12-1-07 Improvement Bond | 969,044.47 | 93,581.43 | 201,052.50 | 861,573.40 |
| 537 | 2012 Imp Bond | 310,921.12 | 24,821.55 | 35,293.75 | 300,448.92 |
| 538 | 2015 Improvement Bond | 108,947.11 | 62,222.61 | 150,550.00 | 20,619.72 |
| 539 | 2017 Improvement Bond | 186,229.29 | 119,606.35 | 355,940.00 | -50,104.36 |
| 601 | Electric | 17,384,282.77 | 14,762,597.28 | 16,019,349.54 | 16,127,530.51 |
| 602 | Water | 987,752.04 | 1,328,697.56 | 1,479,802.82 | 836,646.78 |
| 603 | Refuse | 358,164.06 | 575,227.13 | 475,373.66 | 458,017.53 |
| 605 | Sewage | 2,222,364.60 | 992,436.18 | 489,340.20 | 2,725,460.58 |
| 609 | Storm Water | 947,888.91 | 632,840.02 | 318,933.44 | 1,261,795.49 |
| 620 | EDA General | 0.00 | 16,820.05 | 107,544.56 | -90,724.51 |
| 623 | EDA TIF 1-2 E of BN Tri | 371,350.29 | 12,290.55 | 0.00 | 383,640.84 |
| 625 | EDA IRP Loan Subfund | 286,533.97 | 29,398.88 | 0.00 | 315,932.85 |
| 626 | MIF (DRLF-97-0003-V-FY98) | 1,677,917.08 | 165,312.56 | 149,900.00 | 1,693,329.64 |
| 627 | MN DEED MIF | 16,294.22 | 5,256.24 | 4,730.64 | 16,819.82 |

| Fund | Description | Beg Bal | Debits | Credits | End Bal |
|-------------|------------------------------|----------------|---------------|----------------|----------------|
| 630 | Sunshine Terrace | 1,487,399.83 | 259,510.95 | 275,492.16 | 1,471,418.62 |
| 633 | Downpayment Assistance | 237,129.77 | 0.00 | 8,700.00 | 228,429.77 |
| 635 | Town Square | 185,392.05 | 0.00 | 0.00 | 185,392.05 |
| 681 | DeMers Professional Building | 73,034.68 | 0.00 | 0.00 | 73,034.68 |
| 682 | Infill Building | 474,590.64 | 39,265.00 | 27,861.89 | 485,993.75 |
| 703 | Central Equipment | 431,069.43 | 0.00 | 40,800.00 | 390,269.43 |
| 705 | Benefit Accrual | 672,699.58 | 0.00 | 29,939.00 | 642,760.58 |
| 849 | Perpetual Care Cemetery | 278,618.68 | 0.00 | 0.00 | 278,618.68 |
| 851 | Campbell-Olson | 80,978.23 | 0.00 | 418.95 | 80,559.28 |
| 852 | Employee Flex Benefits | 11,684.13 | 0.00 | 0.00 | 11,684.13 |

Request for Council Action

Date: 7/20/2023

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: Karla Anderson

RE: Accounting Technician Position

The City Accounting Technician position has been open since May 12, 2023.

Recommendation:
Start the hiring process for City Accounting Technician.

Request for Council Action

Date: 07/21/2023

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: Michael Hedlund – Chief of Police

RE: Requested Amendment to the MOU Regarding School Resource Officer Services

Background: In 2014 the East Grand Forks Police Department received a COPS Grant to help pay for a new officer so that the EGFPD could assign an experienced officer to be a School Resource Officer (SRO) for the East Grand Forks Public Schools (ISD # 595). The grant paid partial funding toward wage and benefit expenses for three years. The EGFPD/City of East Grand Forks and the East Grand Forks Public Schools had partnered on this grant and had agreed to split the remaining wage and benefit expenses on a 50/50 basis. The grant required a mandatory one-year retention period that was entirely at local expense. This expense was also split between the City and ISD # 595. At the conclusion of the retention period the City and ISD # 595 entered into a three-year MOU to continue the SRO position and the 50/50 share of expenses. In the Spring of 2022 the City and ISD # 595 renewed this MOU with a new agreement that was scheduled to run from June 1, 2022 through May 31, 2025.

In the Spring of 2023 EGFPD staffing levels had fallen to the point that the EGFPD was forced to pull the SRO out of the schools to cover a position within our Patrol Division. Our SRO continued to work with the schools as much as possible, but his priority had to be his Patrol position. Because of that the decision was made that the City would not bill ISD #595 for their share of the position until our SRO was back in the schools on a full-time basis. We anticipate that the SRO will resume his duties in the ISD # 595 schools on a full-time basis on Monday September 25, 2023.

In the course of City of East Grand Forks 2024 budget discussions a request was made to ISD # 595 that they take on a larger share of the SRO wage and benefit expenses for the SRO position since, under normal circumstances, the SRO spends approx. 2/3 of their time working in the schools. In a verbal agreement ISD # 595 has stated that they are willing to take on a greater share of these expenses with the cost ratio changing from 50/50 to 65% ISD # 595 and 35% City of East Grand Forks. They have requested that all other terms of the existing MOU remain the same and that the City provide a revised MOU reflecting the new financial split. The plan is for this arrangement to be discussed and voted on by the ISD # 595 School Board in August 2023. ISD # 595 did stress that they do not want to see another situation where the SRO has to be pulled from the schools. I have assured them that no one was happy about that decision and that we will do everything possible to ensure that it is not repeated.

Budgetary Impact: The City of East Grand Forks contract with the Police union group (LELS) expires at the end of 2023 and a new contract has not been finalized. Accurate cost savings will not be able to be determined until that contract is finalized but this will be a new savings for the City of East Grand Forks.

Recommendation: It is my recommendation that the City of East Grand Forks authorize the amendment of the School Resource Officer MOU between the City and ISD # 595 to reflect the new 65/35 cost share and that the City formally approve this amended agreement.

Enclosures: Copy of the existing School Resource Officer MOU between the City of East Grand Forks and the East Grand Forks Public Schools – ISD # 595.

MEMORANDUM OF UNDERSTANDING SCHOOL RESOURCE OFFICER SERVICES

This Memorandum of Understanding is entered into by and between the East Grand Forks Public School District, East Grand Forks, Minnesota (hereinafter “District”) and the City of East Grand Forks, Minnesota (hereinafter “City”) by and through the East Grand Forks Police Department.

WHEREAS, the City provides police services within the City of East Grand Forks, Minnesota; and

WHEREAS, the District provides educational services within the City of East Grand Forks, Minnesota; and

WHEREAS, both the City and the District are desirous to dedicate a police officer to School Resource Officer duties within the public school buildings of the District, duties associated with matters arising from the activities of the School Resource Officer and duties associated with safety on or near school grounds.

NOW THEREFORE, the parties hereto agree as follows:

I. **ASSIGNMENT OF THE SRO:** The City will assign a School Resource Officer (hereinafter “SRO”) to the District for service at locations that are mutually agreed upon by the City and the District. The SRO will provide general police services at the locations assigned.

II. **EMPLOYMENT STATUS:** The SRO will remain an employee of the City and not an employee of the District and will provide general police services within the District locations as assigned. The District shall not be responsible for; and the City agrees to indemnify and hold the District harmless from liability for the withholding of any taxes related to the assignment of the SRO by the City to the District, including but not limited to State and Federal income tax, worker’s compensation benefits, or unemployment compensation premiums.

III. **SCHOOL RESOURCE OFFICER - DESIGNATION – PURPOSE**

A. The purpose of this agreement is to delineate services provided by the City for the District as part of the SRO program. The City’s SRO is hereby authorized to serve as the District’s “law enforcement unit” for purposes of:

- a. Enforcing local, state and federal laws;
- b. Referring to appropriate authorities matters of enforcement of any local, state or federal law against any individual or organization other than the District itself; and
- c. Maintaining the physical security and safety of the District.
- d. The SRO shall NOT serve as a disciplinarian for the school district.

B. It shall be recognized by both parties that “law enforcement unit” records shall be exempt from the requirements of the Family Educational Rights and Privacy Act (FERPA). To meet the requirements of this exemption, “law enforcement unit” records must meet the following criteria:

- a. The records must be created by the law enforcement unit;

- b. The records must be created for a law enforcement purpose; and
 - c. The records must be maintained by the law enforcement unit.
- C. It shall be recognized by both parties that records of a “law enforcement unit” does not mean:
- a. Records by a law enforcement unit for a law enforcement purpose that are maintained by a component of the District other than the law enforcement unit; or
 - b. Records created and maintained by a law enforcement unit exclusively for non-law enforcement purpose, such as disciplinary action or proceeding conducted by the District.

IV. **RESPONSIBILITIES OF THE CITY OF EAST GRAND FORKS AND THE EAST GRAND FORKS POLICE DEPARTMENT:** The SRO shall be an employee of the City and supervised by, and answerable to the Chief of Police or his designee. The City shall be responsible for the actions of the SRO within the scope of his employment. The SRO shall be an experienced officer selected by the City of East Grand Forks with approval of the District. The City of East Grand Forks will assist the District meet its responsibilities to students and their families by:

- A. Agreeing to provide services, as defined in the “Purpose” stated above and the attached Job Description, to the District during the term of this agreement.
- B. Ensuring that the SRO is aware of, and adheres to, all federal and state regulations and District policies/procedures applicable to the provision of services as defined in the “Purpose” above, and attached Job Description.
- C. Acknowledging the District’s exclusive and direct control over all personally identifiable information from student’s education records in the possession of the SRO in the course of work covered by this agreement except for records and information that meets the criteria of a “law enforcement unit” record in accordance with the Family Educational Rights and Privacy Act (FERPA) and the Minnesota Government Data Practices Act, (MGDPA). Any personally identifiable information from students’ education records provided by the District to the SRO that does not meet the criteria of a “law enforcement record” shall be subject to the provisions of FERPA and MGDPA, including but not limited to parental access/inspection and (re)disclosure restrictions. Students’ education records shall not be removed from the District’s premises.
- D. Ensuring that personally identifiable information from students’ education records disclosed by the District to the SRO is not used for research purposes of any kind without prior written approval of the District Superintendent or designee(s).
- E. Evaluating the SRO’s work performance and as part of the evaluation process, seeking input from District staff (school principals or designees).
- F. Providing the SRO with a cell phone and laptop computer for use in the duties of the SRO.

- G. Having the SRO available to the District during days that school is in session, or by special arrangements as determined by the City and the District.
 - a. The SRO shall be allowed to be absent from the District’s premises for training purposes with prior approval of the District (Superintendent) and the City (Chief of Police or designee).
 - b. The SRO will be allowed to be absent from school for purposes of appearing in court.
 - c. The SRO will be allowed to be absent from the District’s premises for three days during the school year (for reasons other than training) without the City providing a replacement SRO. Any absences beyond three days during the District school year will require a replacement SRO to be provided by the City.
 - d. The SRO shall not be required to be on District premises during school curriculum days unless the SRO is providing training for District personnel.
 - e. The SRO will work District special events (i.e. dances, significant sporting events, etc.) providing arrangements have been made to provide the SRO with sufficient notice so as to allow the SRO an opportunity to adjust his regular work schedule. Per the LELS labor contract with the CITY, adjustments to the work schedule must be made at least 30 days in advance.
 - f. The SRO may conduct home visits on behalf of the District or the City – including students being sent home for various reasons and students who are not in school.
 - g. The SRO will coordinate the transportation of students to juvenile detention when necessary and appropriate.
 - h. The SRO will continue to provide annual DARE instruction to students at Sacred Heart and Riverside Christian Schools.

- H. Providing the SRO with appropriate uniforms and equipment to allow for the effective performance of his duties.

- I. Ensuring that while on the District’s premises, the SRO wears a District issued identification badge and verbally identifies himself as an SRO when in contact with parents of District students.

- V. **RESPONSIBILITIES OF THE EAST GRAND FORKS PUBLIC SCHOOL DISTRICT:**
 The District will assist the City to meet its responsibilities by:
 - A. Designating the SRO as a school official, and allowing or providing for the disclosure of personally identifiable information from students’ education records when it is determined that SRO’s have a legitimate educational interest in the information in order to perform the duties set forth in this agreement and such disclosure does not violate FERPA and MGDPA. Upon request, providing input into the performance evaluation of the SRO.
 - B. The District shall provide the SRO with the policies and procedures that the District has in place regarding FERPA.
 - C. The District shall provide training and educational materials to ensure the SRO is properly trained regarding their duties and responsibilities under FERPA.

- D. Providing office space, necessary furniture and telephone on District premises for the SRO.
- VI. COST-SHARE: The partnership between the City and the District was originally supported financially by a grant through the United States Department of Justice – COPS Office. Since January 10, 2020 the City and the District have equally shared the base salary and benefit expenses for this position. Moving forward for the duration of this MOU the following is agreed upon:
- A. The City shall assign an experienced officer as the SRO. The City and the District shall equally share in the cost of the base salary and benefits for this officer. These costs will be based upon the current salary and benefit expenditures for the officer based upon the labor agreement between the City and Law Enforcement Labor Services.
 - B. The District will be provided a copy of the current LELS contract (and each subsequent contract during the period of this agreement) that covers the salary and benefits of the SRO.
- VII. REPRESENTATION AS TO ADEQUATE INSURANCE COVERAGE: Each party of this agreement represents and warrants to the other that it has and shall maintain in effect adequate liability insurance, Worker’s Compensation, and other appropriate forms of insurance coverage sufficient to generally protect the respective parties to this agreement and their employees carrying out the objectives of the agreement and each shall provide the other with a declarations page showing said insurance.
- VIII. INDEMNIFICATION AND HOLD HARMLESS AGREEMENTS:
- A. The City shall indemnify, defend, and hold harmless the District, its officers and its employees from and against all claims, losses, costs, damages and expenses (including reasonable attorney’s fees and costs) which result from or arise in connection with any action, negligence or omission of the City and its employees.
 - B. The District shall indemnify, defend and hold harmless the City, its officers and its employees from and against all claims, losses, costs, damages and expenses (including reasonable attorney’s fees and costs) which result from or arise in connection with any action, negligence or omission of the District and its employees.
 - C. The indemnifications provided herein shall survive the termination of this agreement.
- IX. ACCESS TO EDUCATIONAL RECORDS (FERPA): Both the City and the District agree that all information regarding a student that is considered an educational record will be held in confidence and will not be divulged to any unauthorized person without prior written consent of the student and/or parent, except for access required by law, regulation, and third party agreements. The District and the City agree that the SRO will have access to educational records as the SRO is considered a school official who the District has

determined to have a legitimate educational interest and right to have access to educational records under the Family Educational Right to Privacy Act (FERPA) and each party shall comply with all requirements with respect to protected educational rights as defined by FERPA. The provisions of this paragraph shall survive the termination of this contract.

- X. **WAIVER:** No waiver by either party or any term or provision of this Agreement shall be deemed to be a waiver of any term or other provision.
- XI. **SAVINGS CLAUSE:** Any term or provision of this Agreement which now or hereafter is determined to be invalid or unenforceable shall not impair the validity of the remainder of this Agreement.
- XII. **ANNUAL REVIEW:** The goals, objectives, expectations and other details of the School Resource Officer Program shall be reviewed at least annually between the members of the City and the members of the District. Following such review, the City and the District may reduce to writing their understanding of the Program. The failure to follow by the guidelines prepared under this paragraph XII shall not give rise to any claim for relief by one party against the other.
- XIII. **ASSIGNABILITY:** This agreement is not assignable by either party without the prior written consent of the other party.
- XIV. **AMENDMENTS:** This agreement may be amended or modified at any time, but only by the written agreement of the parties hereto.
- XV. **TERM OF CONTRACT:** The term of this agreement shall begin June 1, 2022 and shall end May 31, 2025. The agreement may be renewed thereafter upon the consent of all parties, and provided that the Cost-Share agreement reflect an agreed upon cost basis for each party. This contract may be voided ninety (90) days after formal written notice is given by the School District (Superintendent of Schools) to the City (City Administrator) or by the City (City Administrator) to the School District (Superintendent of Schools).

East Grand Forks Public School District – ISD #595

By: Michael Kolness
Its: Superintendent

Date:

City of East Grand Forks

By: David Murphy
Its: City Administrator

Date:

By: Mark Olstad
Its: City Council President

Date:

By: Michael S. Hedlund
Its: Chief of Police

Date:

Request for Council Action

Date: July 25, 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: Nancy Ellis, Community Development Director

RE: Approve the SSRA Program MOU for the approved Action Plan Grant

RECOMMENDATION:

Approve the Memorandum of Understanding with the Grand Forks/East Grand Forks Metropolitan Planning Organization and the City of Grand Forks for the Safe Streets and Roads for All Action Plan grant program. This document has been reviewed by both City Attorneys.

BACKGROUND:

UPDATE: We have been awarded funding for the Safe Streets and Roads for All Action Plan Grant. We have received \$500,000 to conduct the study and prepare the action plan; of which the local entities must match the 80/20 split of \$100,000. Grand Forks and East Grand Forks will each be responsible for \$50,000.

(RCA information from July 2022): The Safe Streets and Roads for All (SS4A) program is a new federal funding program which was released recently. This program provides Federal grant funding from the United State Department of Transportation. This is a program is similar to the Highway Safety Improvement Program (HSIP) in that it is focused on improving safety of the traveling public, however it can have a significantly expanded scope of potential funding opportunities for implementation. There is approximately \$1 billion available nationally each year.

This funding is split into two categories, Action Plan grants and Implementation grants. Action Plan grants are used to develop a Comprehensive Safety Action Plan. The Implementation grants are used to fund projects and programs identified in the Comprehensive Safety Action Plan. To be eligible for Implementation grants the applicant must have a Comprehensive Safety Action Plan in place. The City does not currently have a plan which meets the necessary requirements. As this is a new

program many cities do not have Comprehensive Safety Action Plans which meet the necessary requirements. Anticipated cost share of this program is 80% Federal and 20% local match.

Eligible recipients of this program include: MPOs, political subdivisions of a state (including cities, towns, counties, special districts, and similar units of local government), federally recognized tribal government, and multijurisdictional groups comprised of the above eligible recipients. State Departments of Transportation including the Minnesota Department of Transportation are NOT an eligible entity under this program.

City staff has had discussions with MPO staff and Grand Forks staff regarding this program. Through these discussions it is staff's recommendation that the MPO be the lead applicant as their jurisdictional area covers both Grand Forks and East Grand Forks. Additionally, to be eligible for Implementation grants, the Comprehensive Safety Action Plan cannot be older than five years, which if this program continues in the future could potentially be sequentially updated like the Land Use Plan, Transit Development Plan, Street & Highway Plan, and Bike & Pedestrian Plan developed by the MPO.

The MPO's Executive Board met on July 20, 2022 to discuss this item, questions were asked and they were in favor of applying. Any questions regarding the MPO Executive Board discussion can be best answered by our City Council board members, Clarence Vetter and Marc Demers.

It is anticipated that if funding is awarded that the MPO will take necessary steps to get a consultant hired to complete the Comprehensive Safety Action Plan. It is estimated that such a plan would cost approximately \$500,000. The SS4A program is a reimbursement style grant. This means that the joint applicants need to pay for the plan upfront and seek reimbursement of Federal funds later. Staff is anticipating that with the MPO managing the development of the plan, the MPO will receive the invoices from the consultant, and will invoice each city for 50% of the amount to pay the consultant. The MPO would then prepare and submit the necessary paperwork to seek the federal funds reimbursement and then pass those funds to both cities. It is anticipated that once the plan is completed that the total expenditure will be \$400,000 Federal, \$50,000 East Grand Forks, and \$50,000 Grand Forks.

To document the anticipated arrangements a Memorandum of Understanding (MOU) is being drafted. This MOU is intended to outline the general nature of the plan development if funds are awarded. A draft of the Memorandum of Understanding between the MPO, Grand Forks, and East Grand Forks is attached.

ANALYSIS AND FINDINGS OF FACT:

- The proposed project presented by staff is believed to meet the program requirements.
- Council approval is required prior to submittal to the MPO. Thereafter it will go before the MPO Technical Advisory Committee, and MPO Executive Board meeting, and then be forwarded to the USDOT.
- It is anticipated that the City will have an upfront cost of \$250,000, however after reimbursement the City's anticipated cost is anticipated to be \$50,000.
- Any recommendations for projects will be used for future grant applications.

SUPPORT MATERIALS:

- 2022 Safe Streets and Roads for All (SS4A) Summary Sheet (2 pages)
- Draft Memorandum of Understanding (3 pages)

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into by and between the City of Grand Forks, a North Dakota municipal corporation (hereinafter the "City of GF"), 255 N. 4th Street, Grand Forks, ND 58201; City of East Grand Forks, a Minnesota municipal corporation (hereinafter the "City of EGF"), 600 Demers Ave, East Grand Forks, MN 56721; and the Grand Forks/East Grand Forks Metropolitan Planning Organization (hereinafter the "MPO"), 255 N. 4th Street, Grand Forks, ND 58201.

RECITALS

WHEREAS, the mission of MPO, is to 1) carry out the metropolitan transportation planning process for the Greater Grand Forks area; and 2) to support, coordinate, and collaborate with local government agencies in regional planning efforts;

WHEREAS, the parties seek to enter into a collaborative arrangement to develop a Comprehensive Safety Action plan if funds are awarded, to work towards developing a safer community for those who visit or live in Greater Grand Forks;

WHEREAS, on **Month, Day, Year**, the Grand Forks City Council authorized both one-time and recurring funding to assist in this;

WHEREAS, on **Month, Day, Year**, the East Grand Forks City Council authorized both one-time and recurring funding to assist in this;

NOW THEREFORE, it is hereby understood and agreed as follows:

1. **Agreement.**

1.1 The MPO in coordination with the City of GF and the City of EGF, will develop a planning grant application for the Safe Streets and Roads for All (SS4A) grant program.

1.2 The MPO will be the lead applicant for an SS4A Action Plan grant application.

1.3 The City of GF and City of EGF will be joint applicants for the SS4A Action Plan grant application.

1.4 If funding is awarded for an Action Plan grant and the MPO hires a consultant to develop a Comprehensive Safety Action Plan, the MPO will invoice the City of GF for 50% of the consultant invoices, and the MPO will invoice the City of EGF for 50% of the consultant invoices.

1.5 The MPO will produce and submit reimbursement requirements to the United States Department of Transportation (USDOT) or other reimbursement entity for the maximum amount allowable.

1.6 Upon receipt of the grant reimbursement funds from the USDOT or other reimbursement entity, the MPO shall use the entirety of those funds to reimburse the City of GF and the City of EGF, in an equal amount, for their respective invoice payments made pursuant to Section 1.4 herein.

1.7 It is anticipated that the estimated cost of the proposed Comprehensive Safety Action Plan is \$500,000.

1.8 It is anticipated that Federal funding through the SS4A grant program will be 80%.

1.9 It is anticipated that the net costs for the City of GF and City of EGF after the MPO reimbursement will be \$50,000 each. It is understood that this amount may change based on the amount awarded through the SS4A program and the actual consultant costs.

2. **Roles and Responsibilities.**

2.1 **MPO.** MPO will direct and manage activities associated with elements listed above in this Agreement, coordinate with other joint applicants, partners, and public as needed to execute them. If funding is awarded, the MPO will solicit for and manage the consultant in developing a Comprehensive Safety Action Plan that is in compliance with the requirements of the SS4A program for use in potential future implementation grant applications under SS4A.

2.2 **City of GF.** The City's MPO Technical Advisory Committee representatives will be the MPO's primary point of contact for activities outlined in this Agreement. City of GF funding to support these activities will be provided as indicated in Sections 1.4 through 1.6 herein. Engineering department staff will process MPO's requests for payment, which will include invoices, receipts, timesheets, or other supporting documents as appropriate.

2.3 **City of EGF.** The City's MPO Technical Advisory Committee representatives will be the MPO's primary point of contact for activities outlined in this Agreement. City of EGF funding to support these activities will be provided as indicated in Sections 1.4 through 1.6 herein. Engineering department staff will process MPO's requests for payment, which will include invoices, receipts, timesheets, or other supporting documents as appropriate.

3. **Amendment.** No amendment to this Agreement shall be effective unless stated in writing and executed by all parties.

4. **Assignment.** This Agreement shall not be assigned by any party without the written consent of the other parties.

5. **Indemnity.** Each party agrees to assume its own liability for any and all claims of any nature including all costs, expenses, and attorneys' fees which may in any manner result from or arise out of this Agreement or the services or activities undertaken hereunder.

6. **Termination.** This agreement may be terminated by any party with sixty (60) days written notice.

7. **Applicable Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of North Dakota. The provisions of this Agreement shall be construed, and the performance thereof shall be enforced, in accordance with the laws of the State of North Dakota. **The parties hereby irrevocably and unconditionally submit to the exclusive jurisdiction and venue in the Grand Forks County Court, Northeast Central District, State of North Dakota.** In the event that any one or more of the provisions contained in this Memorandum of Understanding shall, for any reason, be held invalid or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions of the Memorandum of Understanding, provided, however, if the payment of any portion of the funds associated therewith is declared invalid or unenforceable, such amount shall be returned to the City by the MPO.

8. **Public Records.** The parties recognize that certain records relating to the performance of the activities contemplated herein may constitute open records under the provisions of North Dakota Century Code Chapter 44-04, to the extent applicable. **The parties of this Memorandum of Understanding must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided by the City of East Grand Forks under this agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated under this agreement. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data referred to in this clause by the parties.**

**CITY OF GRAND FORKS,
A NORTH DAKOTA MUNICIPAL CORPORATION**

**CITY OF EAST GRAND FORKS,
A MINNESOTA MUNICIPAL CORPORATION**

By: Brandon Bochenski, Its Mayor
Dated: _____

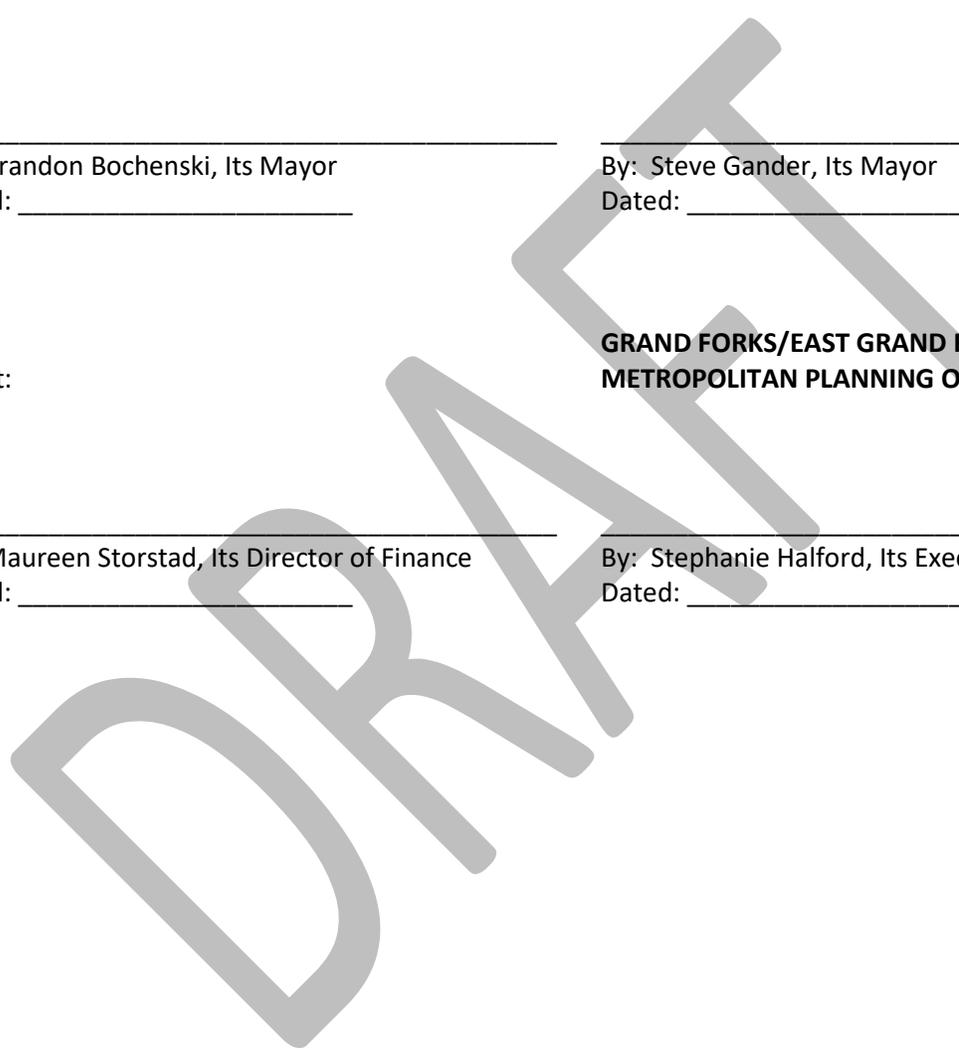
By: Steve Gander, Its Mayor
Dated: _____

Attest:

**GRAND FORKS/EAST GRAND FORKS
METROPOLITAN PLANNING ORGANIZATION**

By: Maureen Storstad, Its Director of Finance
Dated: _____

By: Stephanie Halford, Its Executive Director
Dated: _____



RESOLUTION NO. 23 – 08 - 50

RESOLUTION AUTHORIZING THE SPECIAL ASSESSMENT FOR FOLSON FARMS DRIVEWAY CONSTRUCTION

WHEREAS, the City was performing the 2022 Assessment Job No. 2 Utilities and street reconstruction project on 4th St NE in the City of East Grand Forks; and

WHEREAS, East Grand Forks has received a special assessment request from Folsom Farms Corporation the property owner requesting to construct a driveway for access to 4th St. NE and assess the cost as a part of its assessment for the paving project; and

WHEREAS, Folsom Farms Corporation the property owner waives their right to a special assessment hearing and is petitioning to voluntarily have the City special assessment the company repay the financing to install the driveway apron.

WHEREAS, The amount of the improvement project to be assessed is: **\$9,844.00.**

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall transmit a certified duplicate copy of this resolution to the County Auditor to be extended on the proper tax list of the County, and such special assessments shall be collected and paid over the same manner as other municipal taxes with interest from the date of this resolution at the rate of **Six percent (6%)** per annum. The description of the special assessment is:

NAME OF CERTIFICATION

INSTALLMENTS

2022 Assessment Job No. 2 Utilities and street reconstruction project

(Twenty) Year(s)

DESCRIPTION OF PROPERTY

Lot 1, Block 3 Burlington Northern Industrial Park 1First resubdivionto the City of East Grand Fork, Minnesota

Parcel No. 83.04494.00

Voting Aye:

Voting Nay:

The President declared the resolution passed:

Passed: August 1, 2023

ATTEST:

City Administrator

President of Council

I hereby approve the foregoing resolution this 1st day of August 2023.

Mayor

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

CERTIFICATE OF CITY CLERK

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

WITNESS my hand and seal of said City this ____ day of _____, 2023.

Megan Nelson

CITY OF EAST GRAND FORKS

**AGREEMENT CONCERNING SPECIAL ASSESSMENT FOR
2022 ASSESSMENT JOB NO. 2 UTILITIES AND STREET RECONSTRUCTION PROJECT**

AGREEMENT made as of _____, 2023 between the City of East Grand Forks, a Minnesota municipal corporation ("City") Folson Farms Corporation "Property Owner(s)", concerning special assessments for the 2022 Assessment Job No. 2 Utility and Street Reconstruction Project at 4th Street NE, East Grand Forks, Minnesota.

The City and the Property Owner(s) agree as follows:

1. **Property Owners.** The Property Owner(s) Folson Farms Corporation is / are empowered to execute the waivers and consents contained in this Agreement.
2. **Subject Property.** The Property Owner(s) is/are the fee owner(s) of the property located within Polk County, Minnesota and legally described as follows:

Lot 1, Block 3 Burlington Northern Industrial Park I First Resubdivision to the City of East Grand Fork, Minnesota

Parcel No. 83.04494.00

3. **Purpose of Agreement.** Pursuant to Minnesota Statutes Chapter 429 the Property Owner(s) requested that the City specifically assess the cost for the concrete driveway repair.
4. **The Improvement Project.** The 2022 Street Reconstruction project is in conformance with the plans and specifications as approved by the City East Grand Forks and the East Grand Forks Public Works, or Community Development and Inspections Departments.
5. **Responsibility.** The Property Owner(s) shall assume all responsibility for the concrete replacement.
6. **Amount to be Assessed.** The total cost of the project, based on the lowest responsible proposal, is **\$9,844.00** all of which will be assessed against the Benefited Property. The assessed amount may be modified to reflect final total cost.
7. **Waiver.** In connection with this improvement, the undersigned agree to waive and do waive any and

all rights to a public hearing and rights to any notice, whether provided by Minnesota Statutes, Chapter 429, or by any other statute or by ordinance, City Charter, the constitution, or common law. The Property Owner(s) further waives any and all substantive and procedural objections to the improvement and special assessment and stipulates that the benefit to the property exceeds the amount of the special assessment.

8. **Waiver of Right of Appeal.** Each party to this agreement agrees to waive and does waive any and all rights to an appeal from the special assessment set forth above, whether as provided by Minnesota Statutes, Chapter 429, or by any other statute or by ordinance, City Charter, the constitution, or common law. The special assessment is deemed adopted on the date the city signs this agreement.
9. **Implementation.** Each party to this agreement agrees to execute any other documents upon request of the City necessary to implement the waivers of notice, hearing or right of appeal for the special assessment for the improvement project.
10. **Payment.** The Property Owner(s) agrees to pay the City for the cost of the above improvements in accordance with the following terms:
 - a. The assessment shall be paid in equal installments over **Twenty** (20) years **6%** and in accordance with all provisions of the city policy for special assessments for service line repairs.
 - b. The first payment shall be payable with the **2024** real estate taxes.
11. **Indemnification.** The Property Owner(s) shall indemnify and hold harmless the City and Its officers, agents, and employees from and against all claims, damages and losses, or expenses, including attorney fees, which may be suffered or for which they may be held liable, rising out or resulting from the assertion against them of any claims, debts or obligations in consequence of the performance of this agreement by the City, its employees, agents or subcontractors.
12. **Certification of Ownership.** The Property Owner(s) certify that it is the sole fee simple owner of the property described in paragraph 2 above and has the power and authority to enter into this Agreement.
13. **Right of Record.** It is agreed that the City may record this document in the chain of title of the benefited Property legally described above.
14. **Payment.** The Property Owner(s) agree that, after the City has completed the required inspections and has determined that the construction of concrete driveway is in conformance with the applicable City ordinances and State laws, the Property Owner(s) will allow the City to submit the amount of the **\$9,844.00** to the county to be placed on the assessment role and will provide any other written documents necessary to complete this agreement.
15. **Successors and Assigns.** This agreement shall be for the benefit of and be binding upon the Successor, heirs, executors, administrators, and assigns of the parties. Further, the Property Owner(s) agree to specifically notify all successors or assigns of the existence of this agreement prior to any transfer, sale, or assignment of the above-described premises.

This agreement has been entered into as of the _____ day of _____, 2023.

City of East Grand Forks

By: _____

By: _____

Folson Farms Corporation

By: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF POLK)

The foregoing instrument was acknowledged before me this _____ day of _____, 2023 by _____ and _____, the _____ and _____, respectively, of the City of East Grand Forks, a Minnesota municipal corporation, on behalf of said Municipal Corporation.

Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF POLK)

The foregoing instrument was acknowledged before me this _____ day of _____, 2023 by _____ the owner and authorized signatory of the Folson Farms, a Minnesota corporation, on behalf of said Corporation.

Notary Public

Folson Farms Driveway

**2022 ASSESSMENT JOB NO. 2
UTILITIES AND STREET RECONSTRUCTION - 4TH ST NE
EAST GRAND FORKS, MN**

| ITEM NO. | ITEM DESCRIPTION | UNIT | QUANTITY | UNIT PRICE | AMOUNT |
|-------------------|---------------------------------|-------------|-----------------|-------------------|--------------------|
| 32 1600 | 7" Reinforced Concrete Driveway | SY | 92 | \$ 107.00 | \$ 9,844.00 |
| TOTAL Cost | | | | | \$ 9,844.00 |

Request for Council Action

Date: 7/21/23

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/Finance Committee

RE: Request for Direction on Engineering Services

The Finance Committee met on July 20th and at that meeting it was determined it would not be cost effective to bring engineering in-house. Direction is needed from Council on how to move forward with engineering services and if a Request for Proposal for engineering services should be prepared. The current contract has expired.

Update:

Based on discussion from the work session the motion will be brought before the Council to consider requesting proposals for engineering services. Included in the packet are engineering rates that were requested from the City of Grand Forks which they are charged when utilizing different engineering firms.

ADVANCED ENGINEERING AND ENVIRONMENTAL SERVICES, LLC

2023 HOURLY FEE AND EXPENSE SCHEDULE

Labor Rates*

| | | | |
|-----------------------------|----------|-------------------------|------------|
| Administrative 1 | \$65.00 | I&C Assistant | \$100.00 |
| Administrative 2 | \$79.00 | I&C 1 | \$148.00 |
| Administrative 3 | \$95.00 | I&C 2 | \$175.00 |
| | | I&C 3 | \$198.00 |
| Communications Specialist 1 | \$105.00 | I&C 4 | \$210.00 |
| Communications Specialist 2 | \$122.00 | I&C 5 | \$220.00 |
| Communications Specialist 3 | \$141.00 | | |
| Communications Specialist 4 | \$170.00 | IT 1 | \$130.00 |
| Communications Specialist 5 | \$187.00 | IT 2 | \$175.00 |
| | | IT 3 | \$215.00 |
| Construction Services 1 | \$125.00 | | |
| Construction Services 2 | \$153.00 | Land Surveyor Assistant | \$95.00 |
| Construction Services 3 | \$170.00 | Land Surveyor 1 | \$115.00 |
| Construction Services 4 | \$188.00 | Land Surveyor 2 | \$139.00 |
| Construction Services 5 | \$208.00 | Land Surveyor 3 | \$157.00 |
| | | Land Surveyor 4 | \$173.00 |
| | | Land Surveyor 5 | \$190.00 |
| Engineering Assistant 1 | \$85.00 | | |
| Engineering Assistant 2 | \$99.00 | Operations Specialist 1 | \$100.00 |
| Engineering Assistant 3 | \$125.00 | Operations Specialist 2 | \$125.00 |
| Engineer 1 | \$135.00 | Operations Specialist 3 | \$155.00 |
| Engineer 2 | \$162.00 | Operations Specialist 4 | \$177.00 |
| Engineer 3 | \$190.00 | Operations Specialist 5 | \$199.00 |
| Engineer 4 | \$220.00 | | |
| Engineer 5 | \$235.00 | Project Coordinator 1 | \$116.00 |
| | | Project Coordinator 2 | \$130.00 |
| Engineering Technician 1 | \$84.00 | Project Coordinator 3 | \$145.00 |
| Engineering Technician 2 | \$105.00 | Project Coordinator 4 | \$160.00 |
| Engineering Technician 3 | \$126.00 | Project Coordinator 5 | \$180.00 |
| Engineering Technician 4 | \$141.00 | | |
| Engineering Technician 5 | \$161.00 | Project Manager 1 | \$205.00 |
| | | Project Manager 2 | \$225.00 |
| Financial Analyst 1 | \$112.00 | Project Manager 3 | \$240.00 |
| Financial Analyst 2 | \$127.00 | Project Manager 4 | \$254.00 |
| Financial Analyst 3 | \$153.00 | Project Manager 5 | \$272.00 |
| Financial Analyst 4 | \$167.00 | Project Manager 6 | \$284.00 |
| Financial Analyst 5 | \$186.00 | | |
| | | Sr. Designer 1 | \$178.00 |
| GIS Specialist 1 | \$105.00 | Sr. Designer 2 | \$198.00 |
| GIS Specialist 2 | \$127.00 | Sr. Designer 3 | \$212.00 |
| GIS Specialist 3 | \$150.00 | | |
| GIS Specialist 4 | \$168.00 | Sr. Financial Analyst 1 | \$210.00 |
| GIS Specialist 5 | \$187.00 | Sr. Financial Analyst 2 | \$230.00 |
| | | Sr. Financial Analyst 3 | \$250.00 |
| | | | |
| | | Technical Expert 1 | \$325.00 |
| | | Technical Expert 2 | Negotiable |

Reimbursable Expense Rates

| | |
|------------------------------|---------------|
| Transportation | \$0.75/mile |
| Survey Vehicle | \$0.95/mile |
| Laser Printouts/Photocopies | \$0.30/copy |
| Plotter Printouts | \$1.00/s.f. |
| UAS - Photo/Video Grade | \$100.00/day |
| UAS – Survey | \$50.00/day |
| Total Station – Robotic | \$35.00/hour |
| Mapping GPS | \$25.00/hour |
| Fast Static/RTK GPS | \$50.00/hour |
| All-Terrain Vehicle/Boat | \$100.00/day |
| Cellular Modem | \$75.00/month |
| Web Hosting | \$26.00/month |
| Legal Services Reimbursement | \$250.00/hour |
| Outside Services | cost * 1.05 |
| Geotechnical Services | cost * 1.30 |
| Out of Pocket Expenses | cost * 1.15 |
| Rental Car | cost * 1.20 |
| Project Specific Equipment | Negotiable |

* Position titles are for labor rate grade purposes only.

These rates are subject to adjustment each year on January 1.

2023 SCHEDULE OF FEES

The following fee schedule is based upon competent, responsible professional services and is the minimum, below which adequate professional standards cannot be maintained. It is, therefore, to the advantage of both the professional and the client that fees be commensurate with the service rendered. Charges are based on hours spent at hourly rates in effect for the individuals performing the work. The hourly rates for principals and members of the staff vary according to skill and experience. The current specific billing rate for any individual can be provided upon request.

The fee schedule shall apply for the period through December 31, 2023. These rates may be adjusted annually thereafter to account for changed labor costs, inflation, or changed overhead conditions.

These rates include labor, general business, and other normal and customary expenses associated with operating a professional business. Unless otherwise agreed, the above rates include vehicle and personal expenses, mileage, telephone, survey stakes, and routine expendable supplies; no separate charges will be made for these activities and materials. Expenses beyond the agreed scope of services and non-routine expenses, such as large quantities of prints, extra report copies, outsourced graphics and photographic reproductions, document recording fees, outside professional and technical assistance, and other items of this general nature will be invoiced separately. Rates and charges do not include sales tax, if applicable.

| Employee Classification | Hourly Billing Rates |
|--|----------------------|
| Senior Project Manager | \$175-245 |
| Project Manager | \$145-195 |
| Senior Project Engineer | \$140-198 |
| Project Engineer | \$130-185 |
| Design Engineer | \$110-165 |
| Graduate Engineer | \$110-145 |
| Senior Planner | \$115-195 |
| Planner | \$115-168 |
| Senior Landscape Architect | \$150-170 |
| Landscape Architect | \$120-145 |
| Landscape Designer | \$100-132 |
| Licensed Project Surveyor | \$160-195 |
| Graduate Surveyor | \$130-178 |
| Survey Technician | \$85-165 |
| Senior Technician | \$110-195 |
| Technician | \$90-165 |
| Specialist* | \$95-205 |
| Practice Expert** | \$225-305 |
| Senior Principal | \$195-305 |
| Principal | \$160-235 |
| Administrative/Corporate Specialists | \$75-120 |
| GPS/Robotic Survey Equipment | NO CHARGE |
| CAD/Computer Usage | NO CHARGE |
| Routine Office Supplies | NO CHARGE |
| Routine Photo Copying/Reproduction | NO CHARGE |
| Field Supplies/Survey Stakes & Equipment | NO CHARGE |
| Mileage | NO CHARGE |

¹ No separate charges will be made for GPS or robotic total stations on Bolton & Menk, Inc. survey assignments; the cost of this equipment is included in the rates for survey technicians.

*Specialized role not classified above otherwise, incl. graphic design, project communication, funding support, etc.

**Highly specialized and industry expertise unique to the market or area of discipline.



Attachment B CPS Schedule of Rates

Period: January 1, 2023 to December 31, 2023

Employee Classification Hourly Rates

Administrative

- \$ 75 Administrative Asst. 1 (AA1)
- \$ 85 Administrative Asst. 2 (AA2)

Engineers

- \$ 135 Engineer 1 (E1)
- \$ 150 Engineer 2 (E2)
- \$ 165 Engineer 3 (E3)
- \$ 185 Engineer 4 (E4)
- \$ 195 Engineer 5 (E5)
- \$ 215 Engineer 6 (E6)

Engineering Technicians

- \$ 82 Engineering Asst. 1 (EA1)
- \$ 90 Engineering Asst. 2 (EA2)
- \$ 90 Engineering Tech. 1 (ET1)
- \$ 110 Engineering Tech. 2 (ET2)
- \$ 130 Engineering Tech. 3 (ET3)
- \$ 145 Engineering Tech. 4 (ET4)
- \$ 155 Engineering Tech. 5 (ET5)
- \$ 160 Engineering Tech. 6 (ET6)

Surveyors

- \$ 82 Surveyor Asst. 1 (SA1)
- \$ 90 Surveyor Asst. 2 (SA2)
- \$ 130 Land Surveyor 1 (LS1)
- \$ 145 Land Surveyor 2 (LS2)
- \$ 155 Land Surveyor 3 (LS3)
- \$ 160 Land Surveyor 4 (LS4)

Environmental Scientist

- \$ 195 Environmental Scientist 2 (ES2)

Reimbursable Expenses

Printing

- \$ 0.10 BW 8.5"X11" (Per Copy)
- \$ 0.25 Color 8.5X11" (Per Copy)
- \$ 0.20 BW 11"X17" (Per Copy)
- \$ 0.50 Color 11"X17" (Per Copy)
- \$ 2.00 BW Wide Format Bond (Per SF)
- \$ 5.00 BW Wide Format Mylar (Per SF)
- \$ 4.00 Color Wide Format Bond (Per SF)
- \$ 5.00 Color Wide Format Gloss (Per SF)

Equipment & Travel

- \$ 30 Travel Vehicle (Per Day)
- \$ 35 Survey Vehicle (Per Trip)
- \$ 150 UTV (Per Day)
- \$ 150 Drone (Per Hr)
- \$ 25 RTK GPS (Per Hr)
- \$ 40 Robotic Total Station (Per Hr)
- \$ 125 Boat (Per Day)
- \$ 125 Snowmobile (Per Day)
- \$ 50 Trailer (Per Day)
- \$ 9 Meals-Breakfast
- \$ 12 Meals-Lunch
- \$ 19 Meals-Dinner

Cost + 10% Air Travel/Rental Car

Cost + 10% Lodging

Survey Field Supplies

- \$ 15 Survey Monuments
- \$ 30 Carsonite Post (Small)
- \$ 35 Carsonite Post (Medium)
- \$ 55 Lath (Per 100)
- \$ 40 Hubs (Per 50)

Specialized Software

- \$ 40 XPStorm (Per Hr.)
- \$ 25 ArcGIS (Per Hr.)
- \$ 25 Pix4D (Per Hr.)



Hourly Rate Structure – FY2023

Architectural/Engineering Services

- Principal Consultant ----- \$ 243.00 per hour
- Program Director ----- \$ 228.00 per hour
- Principal Architect ----- \$ 227.00 per hour
- Principal Engineer ----- \$ 227.00 per hour
- Associate Consultant ----- \$ 222.00 per hour
- Associate Architect ----- \$ 210.00 per hour
- Associate Engineer ----- \$ 210.00 per hour
- Department Manager ----- \$ 202.00 per hour
- Senior Project Manager ----- \$ 193.00 per hour
- Project Manager Level 1 ----- \$ 160.00 per hour
- Project Manager Level 2 ----- \$ 180.00 per hour
- Senior Architect Level 1 ----- \$ 193.00 per hour
- Senior Architect Level 2 ----- \$ 202.00 per hour
- Senior Architect Designer Level 1 ----- \$ 173.00 per hour
- Senior Architect Designer Level 2 ----- \$ 184.00 per hour
- Architect Level 1 ----- \$ 148.00 per hour
- Architect Level 2 ----- \$ 161.00 per hour
- Architect Level 3 ----- \$ 175.00 per hour
- Architect Designer Level 1 ----- \$ 116.00 per hour
- Architect Designer Level 2 ----- \$ 131.00 per hour
- Architect Designer Level 3 ----- \$ 148.00 per hour
- Senior Engineer Level 1 ----- \$ 193.00 per hour
- Senior Engineer Level 2 ----- \$ 202.00 per hour
- Senior Engineer Designer Level 1 ----- \$ 146.00 per hour
- Senior Engineer Designer Level 2 ----- \$ 161.00 per hour
- Engineer Level 1 ----- \$ 126.00 per hour
- Engineer Level 2 ----- \$ 147.00 per hour
- Engineer Level 3 ----- \$ 161.00 per hour
- Engineer Level 4 ----- \$ 173.00 per hour
- Engineer Designer Level 1 ----- \$ 116.00 per hour
- Engineer Designer Level 2 ----- \$ 131.00 per hour
- BIM Modeler Level 1 ----- \$ 95.00 per hour
- BIM Modeler Level 2 ----- \$ 102.00 per hour
- BIM Modeler Level 3 ----- \$ 116.00 per hour
- BIM Modeler Level 4 ----- \$ 131.00 per hour
- Student Designer Level 1 ----- \$ 58.00 per hour
- Student Designer Level 2 ----- \$ 67.00 per hour
- Interior Designer Level 1 ----- \$ 106.00 per hour
- Interior Designer Level 2 ----- \$ 121.00 per hour
- Interior Designer Level 3 ----- \$ 139.00 per hour
- Interior Designer Level 4 ----- \$ 172.00 per hour

Construction Services

- Construction Department Manager ----- \$ 185.00 per hour
- Associate Construction Specialist 1 ----- \$ 150.00 per hour
- Associate Construction Specialist 2 ----- \$ 165.00 per hour



- Construction Specialist Level 1 ----- \$ 110.00 per hour
- Construction Specialist Level 2 ----- \$ 130.00 per hour
- Construction Specialist Level 3 ----- \$ 145.00 per hour
- Construction Technician Level 1 ----- \$ 100.00 per hour
- Construction Technician Level 2 ----- \$ 120.00 per hour

Office Support Services

- Secretarial Level 1 ----- \$ 84.00 per hour
- Secretarial Level 2 ----- \$ 90.00 per hour
- Office Assistance ----- \$ 67.00 per hour

Mileage (follows the current federal rate) ----- \$ 0.655 per mile

Direct project costs such as printing, postage and out of town travel expenses will be assessed a 15% markup for administration. Mileage will be charged at the current federal rate at the time of invoicing. All rates are effective through December 31, 2023.

LABOR RATES

The following is a schedule of hourly rates and charges for services offered by Houston Engineering, Inc. These rates are subject to a modest increase on January 1st of each year (typically no more than 5%).

| Category | 2023 Rates | Category | 2023 Rates | Category | 2023 Rates |
|---------------------|------------|--------------------------------|------------|-----------------------|------------|
| Engineering Intern | \$111 | Technician Intern | \$97 | Project Assistant 1 | \$79 |
| Engineer 1 | 134 | Technician 1 | 111 | Project Assistant 2 | 91 |
| Engineer 2 | 141 | Technician 2 | 118 | Project Assistant 3 | 97 |
| Engineer 3 | 149 | Technician 3 | 127 | Project Assistant 4 | 101 |
| Engineer 4 | 155 | Technician 4 | 134 | Project Assistant 5 | 108 |
| Engineer 5 | 166 | Technician 5 | 141 | Project Assistant 6 | 113 |
| Engineer 6 | 176 | Technician 6 | 149 | Planner 1 | \$155 |
| Engineer 7 | 186 | Technician 7 | 156 | Planner 2 | 170 |
| Engineer 8 | 196 | Technician 8 | 165 | Planner 3 | 185 |
| Engineer 9 | 205 | Technician 9 | 172 | Planner 4 | 215 |
| Engineer 10 | 215 | Technician 10 | 181 | Planner 5 | 225 |
| Engineer 11 | 224 | Technician 11 | 188 | Land Surveyor 1 | \$141 |
| Engineer 12 | 235 | GIS Intern | \$68 | Land Surveyor 2 | 162 |
| Engineer 13 | 244 | GIS Analyst 1 | 105 | Land Surveyor 3 | 179 |
| Scientist 1 | \$131 | GIS Analyst 2 | 116 | Land Surveyor 4 | 191 |
| Scientist 2 | 141 | GIS Analyst 3 | 127 | Land Surveyor 5 | 215 |
| Scientist 3 | 155 | GIS Analyst 4 | 138 | Land Surveyor 6 | 235 |
| Scientist 4 | 167 | GIS Analyst 5 | 149 | CAD Technician 1 | \$99 |
| Scientist 5 | 178 | GIS Analyst 6 | 159 | CAD Technician 2 | 103 |
| Scientist 6 | 208 | Project Manager 1 – Technology | 162 | CAD Technician 3 | 111 |
| Scientist 7 | 235 | Project Manager 2 – Technology | 179 | CAD Technician 4 | 118 |
| Hydrogeologist 1 | \$141 | Project Manager 3 – Technology | 208 | CAD Technician 5 | 127 |
| Hydrogeologist 2 | 156 | Software Engineer 1 | \$122 | CAD Technician 6 | 134 |
| Hydrogeologist 3 | 178 | Software Engineer 2 | 137 | Drone Pilot | \$150 |
| Hydrogeologist 4 | 221 | Software Engineer 3 | 148 | Drone Visual Observer | 60 |
| Hydrogeologist 5 | 235 | Software Engineer 4 | 158 | Landscape Architect 1 | \$129 |
| Senior Consultant 1 | \$199 | Software Engineer 5 | 170 | Landscape Architect 2 | 139 |
| Senior Consultant 2 | 247 | Software Engineer 6 | 181 | Landscape Architect 3 | 150 |
| Senior Consultant 3 | 258 | Computer Technician | \$171 | Landscape Architect 4 | 161 |
| Senior Consultant 4 | 268 | | | Landscape Architect 5 | 171 |
| Senior Consultant 5 | 278 | | | | |

SURVEY CREWS & REIMBURSABLE EXPENSES

| Category | 2023 Rates | Category | 2023 Rates |
|--------------------------------|---|---|-------------------|
| Survey Crews: | | ATV/Snowmobile/ Boat | \$15/hour |
| 1-Person Crew (plus equipment) | \$172/hour | ATV w/Tracks | \$30/hour |
| 2-Person Crew (plus equipment) | \$209/hour | Hydrone RCV | \$50/hour |
| 3-Person Crew (plus equipment) | \$259/hour | Small UAS (Drone) | \$25/hour |
| 4-Person Crew (plus equipment) | \$290/hour | Large UAS (Drone) | \$50/hour |
| Meals | Actual Cost | Deliveries/Postage/Printing | Actual Cost |
| Hotel | Actual Cost | Surveying Materials: Lath, Hubs, Pipe, etc. | Actual Cost |
| Mileage – Vehicles: | | Special Equipment and Other Materials Required | Actual Cost |
| 2-Wheel Drive | IRS Standard Mileage Rate | Subconsultants | Actual Cost + 10% |
| 4-Wheel Drive | IRS Standard Mileage Rate + \$.20/Mile | | |
| GPS Equipment | \$25/hour/unit | | |
| Robotic Total Station | \$40/hour | | |



SCHEDULE OF RATES

ATTACHMENT #1

ENGINEERS

| | |
|---------|-------------------|
| ENG I | \$110.00 per hour |
| ENG II | \$140.00 per hour |
| ENG III | \$172.00 per hour |
| ENG IV | \$194.00 per hour |
| ENG V | \$210.00 per hour |
| ENG VI | \$232.00 per hour |
| ENG VII | \$250.00 per hour |

SURVEYORS

| | |
|----------|-------------------|
| SURV I | \$98.00 per hour |
| SURV II | \$112.00 per hour |
| SURV III | \$130.00 per hour |
| SURV IV | \$158.00 per hour |
| SURV V | \$176.00 per hour |
| SURV VI | \$195.00 per hour |
| SURV VII | \$209.00 per hour |

PLANNERS

| | |
|-------------|-------------------|
| PLANNER I | \$93.00 per hour |
| PLANNER II | \$110.00 per hour |
| PLANNER III | \$142.00 per hour |
| PLANNER IV | \$169.00 per hour |

TECHNICIANS

| | |
|-----------|-------------------|
| TECH I | \$65.00 per hour |
| TECH II | \$98.00 per hour |
| TECH III | \$115.00 per hour |
| TECH IV | \$137.00 per hour |
| TECH V | \$147.00 per hour |
| TECH VI | \$168.00 per hour |
| TECH VII | \$181.00 per hour |
| TECH VIII | \$205.00 per hour |

ADMINISTRATIVE

| | |
|----------|------------------|
| ADMIN I | \$70.00 per hour |
| ADMIN II | \$80.00 per hour |

INFORMATION TECHNOLOGISTS

| | |
|-------|-------------------|
| IT I | \$135.00 per hour |
| IT II | \$185.00 per hour |

EXPERT WITNESS

\$285.00 per hour

CHARGEABLE EXPENSES

| | | | |
|--|-----------------|-----------------------------------|--|
| Subsistence..... | Actual cost | 8 1/2" X 11" Prints per Page..... | \$0.15 – black & white, \$0.50 - color |
| Travel Vehicle..... | \$0.78 per mile | 11" x 17" Prints per Page..... | \$0.25 – black & white, \$0.50 - color |
| Survey Vehicle..... | \$0.88 per mile | 24" x 36" Prints per Page..... | \$9.00 |
| Aircraft..... | Actual cost | Mylar..... | \$3.00 per ft ² |
| Any But Ordinary First-Class Postage..... | Actual cost | ATV..... | \$75.00 per day |
| Subconsultant Services..... | Cost plus 10% | UTV..... | \$150.00 per day |
| Plat Certification per Certification..... | \$35.00 | ATV / UTV with Tracks..... | \$125.00 / \$200.00 per day |
| Recordation per Monument..... | \$35.00 | Snowmobile..... | \$200.00 per day |
| Cost of surveying materials, filing fees, drafting materials and other materials required for the job..... | Cost plus 25% | | |
| Any and all sales and use tax, TERO or other special fees which apply to this contract. | | | |

Professionals you need, people you trust.

KLJ 2023 Standard Hourly Rates

| KLJ Staff Type | 2023 | KLJ Staff Type | 2023 |
|-----------------------------------|----------|------------------------------------|----------|
| | Rates | | Rates |
| Archaeologist Technician | \$91.40 | Government Relations Specialist II | \$123.90 |
| Archaeologist I | \$95.60 | Government Relations Manager | \$173.30 |
| Archaeologist II | \$105.00 | Document Controls | \$176.40 |
| Archaeologist III | \$135.50 | CAD Technician I | \$94.50 |
| Archaeologist IV | \$154.40 | CAD Technician II | \$109.20 |
| Environmental Technician | \$92.40 | CAD Technician III | \$128.10 |
| Environmental Planner I | \$102.90 | GIS Analyst I | \$110.30 |
| Environmental Planner II | \$112.40 | GIS Analyst II | \$119.70 |
| Environmental Planner III | \$142.80 | GIS Analyst III | \$135.50 |
| Environmental Planner IV | \$173.30 | GIS Analyst IV | \$183.80 |
| Paleontologist | \$135.50 | GIS Technician | \$92.40 |
| Paleontologist Technician | \$91.40 | Engineering Technician I | \$87.20 |
| EIT I | \$117.60 | Engineering Technician II | \$113.40 |
| EIT II | \$135.50 | Engineering Technician III | \$150.20 |
| Associate Engineer | \$151.20 | Engineering Technician IV | \$161.70 |
| Engineer | \$169.10 | Project Assistant I | \$74.60 |
| Senior Engineer | \$201.60 | Project Assistant II | \$111.30 |
| Principal Engineer | \$211.10 | Contract Administrator | \$111.30 |
| Associate Planner | \$111.30 | Project Controls Specialist I | \$136.50 |
| Planner | \$147.00 | Project Controls Specialist II | \$173.30 |
| Senior Planner | \$173.30 | Survey Tech | \$100.80 |
| Principal Planner | \$201.60 | Crew Chief | \$105.00 |
| Associate Designer | \$111.30 | Senior Crew Chief | \$128.10 |
| Designer | \$148.10 | LSIT | \$128.10 |
| Senior Designer | \$154.40 | Professional Land Surveyor | \$153.30 |
| Senior Technical Advisor | \$244.70 | Principal Land Surveyor | \$194.30 |
| Associate Project Manager | \$173.30 | 1 Person Survey Crew | \$176.40 |
| Project Manager | \$209.00 | 2 Person Survey Crew | \$222.60 |
| Senior Project Manager | \$246.80 | Associate ROW | \$108.20 |
| Hydrogeological Technician | \$113.40 | ROW Agent | \$128.10 |
| Hydrogeologist | \$169.10 | ROW Professional | \$142.80 |
| Government Relations Specialist I | \$120.80 | Senior ROW Professional | \$162.80 |

Confidential Proprietary Information

**SRF CONSULTING GROUP, INC.
RANGE OF HOURLY BILLING RATES
JANUARY 2023 THROUGH DECEMBER 2023**

PROFESSIONAL

| | | | |
|-------------------|--------|---|--------|
| Professional VIII | \$ 170 | - | \$ 260 |
| Professional VII | \$ 160 | - | \$ 260 |
| Professional VI | \$ 140 | - | \$ 245 |
| Professional V | \$ 130 | - | \$ 245 |
| Professional IV | \$ 110 | - | \$ 215 |
| Professional III | \$ 100 | - | \$ 187 |
| Professional II | \$ 90 | - | \$ 150 |
| Professional I | \$ 85 | - | \$ 130 |

TECHNICIAN

| | | | |
|----------------|--------|---|--------|
| Technician VI | \$ 130 | - | \$ 215 |
| Technician V | \$ 125 | - | \$ 215 |
| Technician IV | \$ 110 | - | \$ 197 |
| Technician III | \$ 90 | - | \$ 177 |
| Technician II | \$ 80 | - | \$ 145 |
| Technician I | \$ 70 | - | \$ 115 |

SUPPORT SPECIALIST

| | | | |
|------------------------|--------|---|--------|
| Support Specialist VI | \$ 130 | - | \$ 215 |
| Support Specialist V | \$ 125 | - | \$ 215 |
| Support Specialist IV | \$ 110 | - | \$ 185 |
| Support Specialist III | \$ 80 | - | \$ 165 |
| Support Specialist II | \$ 70 | - | \$ 140 |
| Support Specialist I | \$ 60 | - | \$ 115 |

The Range of Hourly Rates schedule is subject to change annually. Direct project related expenses are billed at actual cost and mileage is billed at a rate not to exceed the current allowable IRS rate for business miles.



**WEBSTER, FOSTER & WESTON
RATE SCHEDULE
FOR
CONSULTING ENGINEERING & LAND SURVEYING SERVICES**

| | | |
|-------------------------------------|-------|--------------|
| PRINCIPAL ENGINEERS (Registered) | (PE) | \$220.00/hr. |
| SENIOR ENGINEER (Registered) | (SE) | \$200.00/hr. |
| REGISTERED ENGINEER II (Registered) | (RE2) | \$185.00/hr. |
| REGISTERED ENGINEER I (Registered) | (RE1) | \$165.00/hr. |
| ENGINEER INTERN II | (E2) | \$150.00/hr. |
| ENGINEER INTERN I | (E1) | \$135.00/hr. |
| LAND SURVEYOR (Registered) | (LS) | \$185.00/hr. |
| TECHNICIAN 5 | (T5) | \$175.00/hr. |
| TECHNICIAN 4 | (T4) | \$160.00/hr. |
| TECHNICIAN 3 | (T3) | \$145.00/hr. |
| TECHNICIAN 2 | (T2) | \$130.00/hr. |
| TECHNICIAN 1 | (T1) | \$115.00/hr. |
| FIELD ASSISTANT | (FA) | \$95.00/hr. |
| OFFICE MANAGER | (OM) | \$115.00/hr. |
| CLERICAL/ADMINISTRATIVE ASSISTANT | (CA) | \$110.00/hr. |

OUTSIDE SERVICES Actual Cost + 5%

OTHER CHARGEABLE EXPENSES:

| | |
|----------------------------|------------------|
| UTV | \$100.00 / day |
| Paint Inspection Equipment | \$100.00 / day |
| RTK GPS Survey Equipment | \$50.00 per hour |
| Drone | \$25.00 per hour |
| Shipping | Actual Cost |
| Cost of materials | Actual Cost + 5% |
| Lodging | Actual Cost + 5% |
| Large Prints | \$1.00 / SF |
| Meals | |
| Breakfast | \$7.00 / meal |
| Lunch | \$10.50 / meal |
| Dinner | \$17.50 / meal |

2023 FEE SCHEDULE

| CLASSIFICATION | RATE |
|---|--------------|
| Engineer/Architect/Surveyor/Scientist/Wetland Specialist/Geographer/Project Manager | |
| Level I | \$130 / Hour |
| Level II | \$155 / Hour |
| Level III | \$180 / Hour |
| Level IV | \$188 / Hour |
| Level V | \$200 / Hour |
| Technician | |
| Level I | \$ 87 / Hour |
| Level II | \$110 / Hour |
| Level III | \$130 / Hour |
| Level IV | \$145 / Hour |
| Level V | \$160 / Hour |
| Computer Systems Specialist | \$175 / Hour |
| Senior Funding Specialist | \$135 / Hour |
| Marketing Specialist | \$120 / Hour |
| Funding Specialist | \$105 / Hour |
| Administrative Assistant | \$ 82 / Hour |

| OTHER EXPENSES | RATE |
|--|---------------|
| Mileage (Federal Standard Rate) <i>subject to IRS Guidelines</i> | |
| Meals/Lodging | Cost |
| Stakes & Expendable Materials | Cost |
| ATV 4-Wheeler Rental | \$100 / Day |
| ATV Side by Side Rental | \$200 / Day |
| Waste Water Sampler | \$40 / Day |
| ISCO Flow Recorder | \$60 / Day |
| Photoionization Detection Meter | \$100 / Day |
| Explosimeter | \$50 / Day |
| Product Recovery Equipment | \$35 / Day |
| Survey-Grade GPS (Global Positioning System) | \$75 / Hour |
| Mapping GPS (Global Positioning System) | \$150 / Day |
| Lath & Hubs | \$150 / Day |
| Soil Drilling Rig | \$35 / Hour |
| Groundwater Sampling Equipment | \$125 / Day |
| Subcontractors | Cost plus 10% |

| REPRODUCTION COSTS | |
|------------------------------------|-------------|
| Black & White Copies: 8-1/2" x 11" | \$0.10 Each |
| Black & White Copies: 11" x 17" | \$0.50 Each |
| Black & White Copies: 24" x 36" | \$3 Each |
| Color Copies: 8-1/2" x 11" | \$2 Each |
| Color Copies: 11" x 17" | \$4 Each |
| Color Copies: 24" x 36" | \$12 Each |
| Color Plots: 42" x 48" | \$22 Each |

These rates are effective for only the year indicated and are subject to yearly adjustments which reflect equitable changes in the various components.

Request for Council Action

Date: 7/27/2023

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: City Attorney – Ronald I. Galstad

RE: Approval of an Ordinance Prohibiting the Use of Cannabis in Public

RECOMMENDED ACTION:

Approve an ordinance amending the City Code concerning the use of THC products in public.

BACKGROUND:

In 2023, the state legislature passed legislation related to cannabis and hemp products in the 2023 Session Laws Chapter 63. This law includes the legalization of production, distribution, sale, possession and use of other cannabis and hemp products under Minn. Stat. Ch. 342. Also, in this law is language making it a petty misdemeanor to use these products in public places.

The enforcement of the law prohibiting the use of cannabis products in public places falls on local municipalities. As such, it is necessary for the City's Code to be updated to include provisions consistent with the state law prohibiting the use of cannabis products in public places to facilitate enforcement.

The proposed ordinance would make it a petty misdemeanor to use cannabis flower, cannabis products, lower-potency hemp edibles, hemp derived consumer products, or certain cannabinoid products in public places.

ATTACHMENTS:

Proposed Ordinance

ORDINANCE NO. 36, 4th SERIES

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE CHAPTER 130: GENERAL OFFENSES BY ADDING SECTION 130.08 CONCERNING THE USE OF CANNABIS PRODUCTS IN PUBLIC PLACE WITHIN THE EAST GRAND FORKS CITY LIMITS AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 1 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY OF EAST GRAND FORKS DOES ORDAIN AS FOLLOWS:

SECTION 1: The East Grand Forks City Code is amended to include the following:

SECTION 130.08 PROHIBITION OF USE OF CANNABIS PRODUCTS IN PUBLIC PLACE

(A) Definitions

The definitions in Minn. Stat. 342.01 apply to this section. In this section :

CANNABIS FLOWER: The harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

CANNABIS PRODUCT: Any of the following: (1) cannabis concentrate; (2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or (3) any other product that contains cannabis concentrate. Cannabis product includes adult-use cannabis products, including but not limited to edible cannabis products and medical cannabinoid products.

CERTAIN CANNABINOID PRODUCTS: Any product legalized under Minn. Stat. §151.72.

LOWER-POTENCY HEMP EDIBLE: Any product that (1) is intended to be eaten or consumed as a beverage by humans; (2) contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients; (3) is not a drug; (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol or any combination of those cannabinoids that does not exceed the identified amounts; (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving; (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol; (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and (8) is a type of product approved for sale by the Office of Cannabis Management or is substantially similar to a product approved by that Office, including but not limited to products that resemble nonalcoholic beverages, candy and baked goods.

HEMP-DERIVED CONSUMER PRODUCT: A product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and (1) contains or consists of hemp plant parts; or (2) contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.

PUBLIC PLACE: Property owned, leased, or controlled by a governmental unit and private property that is regularly and frequently open to or made available for use by the public in sufficient numbers to give clear notice of the property's current dedication to public use but does not include: a person's dwelling

house or premises, including the person's curtilage or yard; private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or the premises of an establishment or event licensed to permit on sit-consumption.

(B) Prohibited Activity

No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or certain cannabinoid products in a public place.

(C) Penalty

Violation of this section shall be a petty misdemeanor punishable to the maximum extent authorized in Minn. Stat. §412.231 and Minn. Stat. §609.0332.

Section 3. City Code Chapter 10 entitled "General Provisions" and Section 10.99 are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 4. This ordinance shall take effect and be in force from and after its passage and publication and be given the Number 36, 4th Series.

Voting Aye:
Voting Nay:
Absent:

ATTEST:

PASSED: _____, 2023

City Administrator

President of Council

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

Mayor

ORDINANCE NO. 37, 4th SERIES

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE TITLE XI BUSINESS REGULATIONS BY ADDING CHAPTER 118 CONCERNING LICENSING AND REGULATION OF ELECTRIC SCOOTER RENTAL SYSTEM AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 1 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY OF EAST GRAND FORKS DOES ORDAIN AS FOLLOWS:

SECTION 1:

CHAPTER 118 LICENSING AND REGULATION OF ELECTRIC SCOOTER RENTAL SYSTEMS

118.00. Purpose and intent.

The City of East Grand Forks seeks to provide alternative and active transportation options to its citizens and visitors; to provide for flexibility in trip origins and destinations through the use of electric scooter rental systems; enhance the opportunities for participation in leisure, entertainment and recreational pursuits within the city; and provide overall benefit to the public while protecting the public interest by setting out terms and conditions for the operation of electric scooter rental systems within the City of East Grand Forks.

118.01. Definitions.

The following terms, as used in this article, shall have the following meanings:

- (1) Electric scooter. A vehicle consisting of a front wheel and a back wheel with a platform/foot board in-between the wheels on which the operator stands, with an upright steering bar with handlebars attached to the front wheel, and which is powered by an electric motor and be able to be propelled to a speed of at least ten (10) mph but no more than fifteen (15) mph.
- (2) Electric scooter rental operator. Any person, firm, corporation or other entity that owns and/or operates an electric scooter rental system.
- (3) Electric scooter rental system. A business, system or service for rentals of electric scooters, helmets or similar electric scooter rental-related merchandise that is made available for rent for public use, generally for short periods of time or for point-to-point trips and may include docks or stations for storing electric scooters when not in use.
- (4) Customer. A person that rents or uses an electric scooter from an electric scooter rental operator.

118.02. Permit required; non-exclusivity; regulatory power of the city council; non-transferability.

- (1) No person, firm, corporation or other entity shall operate or allow to be operated any electric scooter rental system within the City of East Grand Forks without first having obtained a permit under the provisions of this article.
- (2) No permit granted by the city shall be exclusive.

(3) All electric scooter rental operators and all permits granted under this article for an electric scooter rental system shall be subject to the rules and regulations promulgated by the city council in the enacting ordinance and any other ordinance applicable thereto.

(4) No permit granted under this article for an electric scooter rental system shall be assigned or transferred without first making application to and receiving the approval of the city council.

118.03. Qualifications for permit.

Any person over the age of eighteen (18) years or any firm, corporation or other entity authorized to do business in the State of Minnesota may own and/or operate an electric scooter rental service upon application and approval of the permit as provided herein and the payment of all fees and costs. All applicants must comply with and observe all provisions of this article.

118.04. Application for permit.

Any person, firm, corporation or entity desiring to engage in an electric scooter rental business within the city shall first make application to the city clerk and shall file with such application all fees hereinafter provided for, and shall also file proof of liability insurance herein required. Each submitted application shall be on a form prescribed by the city clerk and shall contain all of the following information:

- (1) Name and form of business of the electric scooter rental operator.
- (2) The name, phone number, street address (and mailing address if different) of the electric scooter rental operator's agent for service of legal process.
- (3) The total fleet size the electric scooter rental operator intends to deploy, not to exceed the maximum number described in City Code section 118.10 (15), within the permit term including the number of electric scooters intended to be deployed upon permit application approval.
- (4) A photographic image or visual representation of each type of electric scooter to be employed as part of the electric scooter rental operator's electric scooter rental system.
- (5) A description of the internet-enabled mobile device application to be used by customers to register membership or to use, pay for, lock and unlock each electric scooter.
- (6) A plan for the electric scooter rental operator to maintain each electric scooter in a safe and operable condition, and to recover and repair electric scooters discovered or reported to be unsafe and/or inoperable before redeployment.
- (7) A plan for the electric scooter rental operator to rebalance or relocate electric scooters.
- (8) A detailed implementation plan with a map that identifies the location and service areas that will be used by the electric scooter rental operator. This plan must be approved by the city administrator or his/her designee before approval of the permit application.
- (9) A plan for educating customers on proper electric scooter parking.
- (10) A plan for educating customers on the safe use of an electric scooter and knowledge and compliance with all applicable laws.

- (11) A document executed by the electric scooter rental operator to certify that the electric scooter rental operator's equipment is in compliance with the requirements under this article.
- (12) Proof of current coverage or insurance as required by this article.
- (13) A declaration that the electric scooter rental operator has read the provisions of this article.
- (14) A statement of indemnification of the city and its officials, officers, agents, volunteers and employees by the electric scooter rental operator.
- (15) Any changes to the plans submitted in support of an application, following approval of the permit, must be approved by the city administrator or his/her designee.

118.05. Insurance requirements.

(1) No electric scooter rental operator may operate an electric scooter rental system in the city, nor shall any permit be issued therefor, until and unless the electric scooter rental operator deposits with the city clerk a certificate of insurance or such other proof of insurance issued by a company authorized to conduct insurance business in the State of Minnesota indemnifying the electric scooter rental operator **in the sum of at least \$1,500,000.00 for injury or death for any number of claims arising out a single occurrence and five hundred thousand dollars (\$500,000.00) property damage for any one (1) incident.** The bodily injury limits described herein shall be adjusted to comply with and be equivalent to the limits for liability of political subdivisions set forth in Minnesota statutes.

(2) The City of East Grand Forks, and its officers, officials, employees, boards, commissions, volunteers and agents shall be named as an additional insured on the insurance policy described in City Code section 118.05(1).

(3) In addition to the requirement set forth in City Code section 118.05(1), at the request of the city, the electric scooter rental operator shall provide proof of valid insurance within ten (10) business days of receiving the request from the city.

(4) Any permit issued under this article shall automatically and immediately terminate and be revoked upon the lapse or termination of any the insurance coverage required herein.

(5) No electric scooter rental system shall be operated in the city, nor shall any permit be issued therefor, until and unless the electric scooter rental operator also deposits with the city clerk a certificate of insurance or such other proof of insurance issued by a company authorized to do insurance business in the State of Minnesota covering each electric scooter and customer of the same with no less than the minimum insurance limits required for motor vehicles pursuant to Minnesota Statute Chapter 65B.49

118.06. Term.

(1) Except as otherwise provided herein, each permit issued pursuant to this article shall expire annually on the 31st day of December.

(2) Permits may be renewed annually in compliance with any renewal procedures established by the city council and city administrator.

118.07. Fees.

The electric scooter rental operator applying for or renewing a permit under this article shall, before being issued a permit, pay to the city all fees as established by resolution of the East Grand Forks City Council.

118.08. Suspension/revocation of permit.

(1) The East Grand Forks City Council may suspend or revoke any permit issued to an electric scooter rental operator under this article upon a finding of any of the following:

- (A) Failure to operate the electric scooter rental system in strict accordance with this article.
- (B) Failure to maintain electric scooters in good order and repair.
- (C) Failure to pay any fees, fines or reimbursements as required under this article.
- (D) Failure to maintain required qualifications under this article.
- (E) Failure to maintain required insurance under this article.
- (F) Failure to address safety concerns.
- (G) Failure to actively manage rebalancing/relocation of electric scooters according to the parameters set out herein.
- (H) Failure to respond to customer service requests or complaints.
- (I) A documented history of violating the terms and regulations of this chapter, and/or any of the following:
 - 1. If an electric scooter rental operator has five (5) or more electric scooters impounded by the city at any one (1) time;
 - 2. If an electric scooter rental operator has had ten (10) or more electric scooters impounded by the city within a thirty (30) day time frame; or
 - 3. If the electric scooter rental operator leaves an electric scooter impounded for ten (10) or more consecutive business days.
- (J) Any other act or omission by electric scooter rental operator that is determined by the city council to be adverse to the public safety, welfare, morals or public order.

(2) In the event of revocation, electric scooter rental operator shall surrender such permit and immediately cease operations and remove all electric scooters from operation within the city.

118.09. Condition of electric scooters.

All electric scooters utilized in an electric scooter rental system shall be maintained in a good, safe and operable condition, with a drum brake and regenerative brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement and shall have the following fully operational equipment: Headlights, running lights, taillights, brake lights, a bell, and a kickstand.

118.10. Requirements of electric scooter rental operator—Equipment and operations.

- (1) All electric scooters used in an electric scooter rental system must be equipped with global positioning system (GPS) devices allowing the electric scooter rental operator to monitor their positions and restrict parking and areas of use as provided in City Code section 118.04 and in this article.
- (2) All electric scooter rental operators shall provide information either posted on the electric scooter rental main tube or on or within any app or internet home page notifying customers that:
 - (A) Helmet use is encouraged while riding an electric scooter;
 - (B) Electric scooters are prohibited from being operated on sidewalks and , bike paths and bike lanes (except for those described in City Code sections 78.03(10) and 78.04(2)); and
- (3) All electric scooters shall have a unique identifier such as a unit number that is visible to the customer on the electric scooter.
- (4) All pricing charged to the customer shall clearly explain structure for ride and time period as well as fees for additional or overage periods.
- (5) All electric scooters must be available for pickup and drop off by customers on a 24-hour, seven (7) days per week basis except in instances of electric scooter disrepair, inclement weather or seasonal suspension of service.
- (6) All electric scooter rental operators shall provide a mechanism for customers to notify the operator that there is a safety or maintenance issue with an electric scooter, to include a telephone number, web address and email address.
- (7) All electric scooter rental operators must inform their customers on how and where electric scooter parking is permissible.
- (8) All electric scooter rental operators must have a 24-hour customer service phone number for customers and others to report safety concerns, complaints, or ask questions.
- (9) All electric scooter rental operators must provide the city with a direct point of contact for the electric scooter rental operator's staff that is capable of rebalancing, re-parking or otherwise addressing questions and concerns regarding the electric scooter rental operations.
- (10) All electric scooter rental operators shall remove all electric scooters that are not parked in compliance with this article.
- (11) All electric scooter rental operators shall implement a rebalancing management plan for the strategic location of their electric scooters.
- (12) All electric scooter rental operators must have a dedicated staff assigned to provide service for the city.
- (13) In the event city staff advises any electric scooter rental operator of a nuisance complaint, such electric scooter rental operator shall relocate or rebalance electric scooters within the following times:
 - (A) Monday through Sunday, 7:00 a.m. to 7:00 p.m. within three (3) hours of the operator receiving notice of incorrect parking.

(B) All other times, by 10:00 a.m. the following calendar day.

(14) Any electric scooter that becomes inoperable or is deemed not safe to operate by a customer or the electric scooter rental operator shall be removed from service within twenty-four (24) hours of notice to the electric scooter rental operator by any individual or entity and shall be repaired before returning the electric scooter into service.

(15) The maximum fleet of electric scooters for use within the city of any electric scooter rental operator shall be established by the city under the permit but shall not exceed one hundred (100) electric scooters.

(16) All electric scooter rental operators must reimburse the city for any costs incurred in addressing or abating any violations of this article, or costs incurred for repair or maintenance of public property. Upon receiving written notice of the costs incurred, the electric scooter rental operator shall reimburse the city for such costs within thirty (30) days. If reimbursement is not received by the city within thirty (30) days of written notice to the operator, the city may suspend or revoke the permit issued hereunder.

(17) All electric scooter rental operators shall keep records of maintenance and reported accidents involving injury to persons or damage to property.

(18) All electric scooter rental operators shall exercise care in deploying and activating the stand-up electric scooters during inclement weather and will remove from the public right-of-way and store off site all stand-up electric scooters during snow events and limit use. On days where snow is anticipated, all electric scooter rental operators will halt operations completely and remove its scooters from city rights-of-way. All electric scooter rental operators shall hold the city harmless for damage to scooters caused by city's snow removal operations or from street maintenance operations and for any damage caused to city vehicles by improper location and removal of scooters.

(19) All customers shall comply with and be subject to rules and requirements of operation described in East Grand Forks City Code, Title VII VIII, chapter 78.

118.11. Electric scooter parking requirements.

All electric scooter rental operators must comply with the following parking restrictions:

(1) Electric scooters shall not be parked against trees or within any landscape planting areas.

(2) Electric scooters may not be parked in such a manner that will inhibit pedestrian movement or Americans with Disabilities Act (ADA) accessibility, which requires a minimum of forty-eight (48) inches of clear path on sidewalks and pedestrian ways.

(3) Electric scooters shall not be parked within:

(A) Transit zones, including bus stops and shelters, where prohibited;

(B) Loading zones;

(C) ADA handicapped parking zones;

(D) Curb ramps;

(E) Entryways and driveways;

- (F) On private property without owner's authorization;
- (G) In or on a public right-of-way where prohibited; or
- (H) On any highway, street, avenue, roadway or alley except where specifically designated.
- (4) No electric scooter shall be parked in one (1) location for more than **seven (7) consecutive days** without moving. During that time, electric scooter rental operator shall move to an approved location or otherwise rebalance electric scooter locations.
- (5) Electric scooters shall be upright when parked.
- (6) Electric scooters shall be parked on hard surfaces.
- (7) Electric scooters shall not be parked in a way that may impede the regular flow of travel in the public way or otherwise cause a violation of the Code.

118.12. Mandatory data reporting.

- (1) All electric scooter rental operators shall provide the following data for any electric scooter used in the electric scooter rental system upon request of the city, in a form and manner prescribed by the city:
 - (A) Company name;
 - (B) Trip record number;
 - (C) Trip duration;
 - (D) Trip distance;
 - (E) Start date;
 - (F) Start time;
 - (G) End date;
 - (H) End time;
 - (I) Start location by latitude and longitude;
 - (J) End location by latitude and longitude; and,
 - (K) Electric scooter I.D. number.
- (3) If available, electric scooter rental operator shall provide, upon request by the city administrator or his/her designee, anonymized demographic information regarding customer usage.
- (4) No electric scooter rental operator shall be required to provide any data under this City Code section 118.12 more than on a monthly basis.

118.13. Power to adopt rules, regulations and policies.

The city administrator or his/her designee is hereby authorized to develop and issue rules and regulations to further delineate reasonable requirements for the operation of an electric scooter rental system, including limits on the number of electric scooters (including per electric scooter rental operator); where

electric scooters and other electric scooter related merchandise may be stored or parked; requirements for bonding; the conduct and responsiveness of electric scooter rental operators; requirements for data sharing and reporting; restrictions on advertising and signage; seasonal suspension of service; costs; charges; administrative penalties; and other relevant matters to ensure safe and efficient operation of an electric scooter rental system within the city.

118.14. Authorization to impound.

The chief of police, or his/her designee, is hereby authorized to impound any electric scooters which are a nuisance, unpermitted, inoperable, being operated in violation of a permit, being operated in violation of this article or which are left in a location so as to obstruct any street, alley, bike path, sidewalk, multi-use path, trail, or other public right-of-way. The electric scooter rental operator shall be responsible for payment of all costs and penalties related to impoundment and storage of such electric scooters utilized by an electric scooter rental operator in their electric scooter rental system.

118.15. Violations.

Any person, firm, corporation or other entity violating any of the provisions of this article shall, upon conviction, be punished by a fine not to exceed five hundred dollars (\$500.00) per violation. Each day that a provision of this article is violated shall constitute a separate offense.

SECTION 2. **Effective Date.** This ordinance shall be effective immediately upon its passage and publication.

Voting Aye:
Voting Nay:
Absent:

ATTEST:

PASSED: _____, 2023

City Administrator

President of Council

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

Mayor

ORDINANCE NO. 38, 4th SERIES

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE TITLE VII: TRAFFIC CODE BY ADDING CHAPTER 78 CONCERNING THE USE OF ELECTRIC SCOOTERS WITHIN THE EAST GRAND FORKS CITY LIMITS AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 1 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY OF EAST GRAND FORKS DOES ORDAIN AS FOLLOWS:

SECTION 1: The East Grand Forks City Code is amended to include the following:

CHAPTER 78. ELECTRIC SCOOTERS

78.01. Limited authorization for use of electric scooters; exceptions.

- (1) An individual may operate an electric scooter, as defined in City Code section 118.01, within the city limits of East Grand Forks only as provided herein.
- (2) This article shall not apply to the use of electric scooters or other vehicles for local government purposes including, but not limited to, law enforcement, fire and rescue, public health, mosquito control, public works, traffic control and greenway.

78.02. Equipment requirements.

All electric scooters utilized on any street, avenue, or roadway described in this chapter shall have the following fully operational equipment: Headlights, running lights, taillights, brake lights, a bell, drum brake and regenerative brake, and a kickstand.

78.03. Operating rules.

The following rules shall apply to the operation of electric scooters pursuant to this article:

- (1) Other than upon state highways or other roadways described in this chapter, electric scooters shall be operated upon the streets, avenues, roadways or alleys within the city, and shall not be operated on sidewalks except to cross said street, avenue, roadway or alley.
- (2) It shall be unlawful for any person to use an electric scooter on any public or private property where signs are posted prohibiting such use.
- (3) An operator must be at least twelve (12) years of age and an operator of a motorized scooter under eighteen (18) years of age must wear a helmet.
- (4) An electric scooter shall have no more than one (1) occupant.
- (5) No person shall operate an electric scooter faster than fifteen (15) mph.
- (6) No person shall operate an electric scooter in a careless, reckless or negligent manner so as to endanger the person or the property of another or cause injury or damage to another person or the property of another.
- (7) No person shall operate an electric scooter while under the influence of intoxicating liquor or a controlled substance.

(8) No person shall operate an electric scooter after daylight without illuminated headlights and taillights.

(9) No person shall operate an electric scooter on private property of another without the express permission to do so by the owner or occupant of said property.

(10) No person shall operate an electric scooter upon any sidewalk or upon any flood levees or flood control works of the city.

(11) No person shall operate an electric scooter in a manner to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of a reasonable person.

(12) When operating an electric scooter upon any street, avenue, or roadway, such operation shall be at the right side of the street, avenue or roadway and as nearest to the curb or shoulder thereof as practicable under the circumstances.

(13) An operator of an electric scooter may make a direct crossing of a street, avenue, roadway, alley or highway otherwise prohibited herein if:

(A) The crossing is made at an angle of approximately ninety (90) degrees to the direction of the roadway where no obstruction prevents a safe crossing or at a crosswalk;

(B) The operator yields the right-of-way to all on-coming and crossing traffic which constitutes an immediate hazard; and

(C) Any crossing is made in accordance with traffic control devices existing at the point of crossing.

(14) Operators of an electric scooter shall yield to pedestrians whether or not a crosswalk is at the point the pedestrian is crossing or about to cross the street, avenue, roadway or alley.

(15) An operator of an electric scooter must operate it in the same direction as other motor vehicles traveling on the side of the roadway immediately adjacent to the side of the right-of-way traveled by the electric scooter.

(16) All persons operating an electric scooter must comply with all applicable traffic laws and requirements and will be subject to the same restrictions, regulations, penalties, fees and fines as operators of other motor vehicles pursuant to City Code and state law.

78.04. Electric scooters permitted on designated roadways.

(1) Except as precluded by subsection (2), the use of electric scooters shall be permitted on all roadways with a posted speed limit of thirty (30) mph or less, pedestrian ways, bike paths, bike lanes, or shared use paths within the city.

(2) The use of electronic scooters on sidewalks shall be precluded in the City of East Grand Forks.

78.05. Yielding and stopping while operating an electric scooter on a roadway.

(1) An individual operating an electric scooter who is approaching a stop sign at an intersection with a roadway having three (3) or more lanes for moving traffic shall come to a complete stop before entering the intersection.

(2) An individual operating an electric scooter who is approaching a stop sign at an intersection where a vehicle is stopped in the roadway at the same stop sign shall come to a complete stop before entering the intersection.

(3) An individual operating an electric scooter who is approaching a stop sign at an intersection with a roadway having two (2) or fewer lanes for moving traffic shall reduce speed and, if required for safety, stop before entering the intersection. After slowing to a reasonable speed or stopping, the individual shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time the individual is moving across or within the intersection, except that an individual, after slowing to a reasonable speed and yielding the right-of-way if required, cautiously may make a turn, or proceed through the intersection without stopping.

(4) An individual operating an electric scooter who is approaching an intersection shall yield the right-of-way to any vehicle that already has entered the intersection.

(5) When an individual operating an electric scooter and a vehicle enter an intersection from different roadways at approximately the same time, the operator of the vehicle or the electric scooter on the left shall yield the right-of-way to the vehicle or the electric scooter on the right.

(6) If the individual operating an electric scooter is involved in a collision with a vehicle in the intersection or junction of roadways after proceeding past a stop sign without stopping or past a steady red traffic-control light, the collision is deemed prima facie evidence of the individual's failure to yield the right-of-way.

SECTION 2. EFFECTIVE DATE. This ordinance shall take effect the day after its adoption and publication.

Voting Aye:

Voting Nay:

Absent:

ATTEST:

PASSED: _____, 2023

City Administrator

President of Council

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

Mayor

Accounts Payable

Check Register Totals Only

User: mnelson
 Printed: 7/28/2023 - 12:51 PM



City of East Grand Forks

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

| Check | Date | Vendor No | Vendor Name | Amount | Voucher |
|-------|------------|-----------|--------------------------------------|-----------|---------|
| 40939 | 08/01/2023 | ACM001 | Acme Electric Companies | 1,259.97 | 0 |
| 40940 | 08/01/2023 | ADV001 | Advanced Business Methods Inc | 1,285.29 | 0 |
| 40941 | 08/01/2023 | AME005 | Aramark Uniform Services | 365.50 | 0 |
| 40942 | 08/01/2023 | ATV001 | Auto Value Grand Forks | 149.99 | 0 |
| 40943 | 08/01/2023 | AFS003 | Automated Financial Services | 408.00 | 0 |
| 40944 | 08/01/2023 | BAK001 | Baker & Taylor Co | 344.08 | 0 |
| 40945 | 08/01/2023 | BAL001 | Balco Uniforms Co Inc | 373.46 | 0 |
| 40946 | 08/01/2023 | BRA001 | Brady, Martz & Associates, P.C. | 28,600.00 | 0 |
| 40947 | 08/01/2023 | CEN006 | Century Link | 253.58 | 0 |
| 40948 | 08/01/2023 | CHR010 | Christian Brothers Ford Inc | 1,000.48 | 0 |
| 40949 | 08/01/2023 | CIN001 | Cintas Corporation No. 2 | 90.70 | 0 |
| 40950 | 08/01/2023 | EGF010 | City of East Grand Forks | 26,100.00 | 0 |
| 40951 | 08/01/2023 | GFC002 | City of Grand Forks | 7,831.00 | 0 |
| 40952 | 08/01/2023 | COL002 | Cole Papers Inc | 477.73 | 0 |
| 40953 | 08/01/2023 | COM003 | Complete Pest Control Inc | 1,075.00 | 0 |
| 40954 | 08/01/2023 | COP002 | Copy Cat Printing | 34.00 | 0 |
| 40955 | 08/01/2023 | COU008 | Countrywide Sanitation Company | 40,437.55 | 0 |
| 40956 | 08/01/2023 | COU018 | Countrywide Waste Management | 925.00 | 0 |
| 40957 | 08/01/2023 | CRO008 | Crookston Police Department | 3,342.05 | 0 |
| 40958 | 08/01/2023 | CUM001 | Cummins Sales & Service | 192.98 | 0 |
| 40959 | 08/01/2023 | DEM001 | Demco Educational Corp | 92.04 | 0 |
| 40960 | 08/01/2023 | DOM001 | Domson BG Service | 900.00 | 0 |
| 40961 | 08/01/2023 | EAG001 | Eagle Electric | 787.77 | 0 |
| 40962 | 08/01/2023 | EGF008 | EGF Homerun Club Inc | 3,810.00 | 0 |
| 40963 | 08/01/2023 | FAS001 | Fastenal Company | 12.00 | 0 |
| 40964 | 08/01/2023 | FLE001 | Flexible Pipe Tool Company | 5,752.66 | 0 |
| 40965 | 08/01/2023 | CEN002 | Gale | 1,504.92 | 0 |
| 40966 | 08/01/2023 | GAR001 | Garden Hut Inc | 25.20 | 0 |
| 40967 | 08/01/2023 | GFC001 | Grand Forks Utility Billing | 1,120.00 | 0 |
| 40968 | 08/01/2023 | GFW001 | Grand Forks Welding & Machine | 371.24 | 0 |
| 40969 | 08/01/2023 | H2O001 | H2O Inc | 268.60 | 0 |
| 40970 | 08/01/2023 | REY001 | Harbott Knutson Larson & Holten PLI | 238.00 | 0 |
| 40971 | 08/01/2023 | HAW001 | Hawkins Chemical | 1,601.67 | 0 |
| 40972 | 08/01/2023 | HOM001 | Home of Economy | 53.97 | 0 |
| 40973 | 08/01/2023 | HUG001 | Hugo's | 17.96 | 0 |
| 40974 | 08/01/2023 | ING003 | Ingram Library Services | 2,055.90 | 0 |
| 40975 | 08/01/2023 | JOH026 | Johnson Controls | 4,621.60 | 0 |
| 40976 | 08/01/2023 | JOH028 | Johnson Controls Fire Protection, LP | 710.45 | 0 |
| 40977 | 08/01/2023 | K&H001 | K&H Custom | 4,400.00 | 0 |
| 40978 | 08/01/2023 | KEI001 | Keith's Security World | 252.48 | 0 |
| 40979 | 08/01/2023 | KEN002 | Kennedy & Graven, Chartered | 126.00 | 0 |
| 40980 | 08/01/2023 | LIT001 | Lithia Motors | 422.67 | 0 |
| 40981 | 08/01/2023 | HAR081 | Local Ace | 428.16 | 0 |
| 40982 | 08/01/2023 | HAR086 | Local Ace | 60.93 | 0 |
| 40983 | 08/01/2023 | HAR087 | Local Ace | 1,739.93 | 0 |
| 40984 | 08/01/2023 | HAR088 | Local Ace | 62.98 | 0 |
| 40985 | 08/01/2023 | LOR001 | Loren's Appliance & Air Conditioning | 85.00 | 0 |
| 40986 | 08/01/2023 | LUM001 | Lumber Mart | 5.23 | 0 |
| 40987 | 08/01/2023 | MARCD1 | Marco Technologies LLC | 112.34 | 0 |
| 40988 | 08/01/2023 | MCF001 | McFarlane | 67.50 | 0 |

| Check | Date | Vendor No | Vendor Name | Amount | Voucher |
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| 40990 | 08/01/2023 | MNH001 | MHSRC/Range | 490.00 | 0 |
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| 40992 | 08/01/2023 | MND020 | Minnesota DEED | 788.44 | 0 |
| 40993 | 08/01/2023 | MND003 | MN Dept of Labor & Industry | 10.00 | 0 |
| 40994 | 08/01/2023 | MNM002 | MN Municipal Utilities Assoc | 3,989.87 | 0 |
| 40995 | 08/01/2023 | MOT001 | Motion Industries Inc | 14.70 | 0 |
| 40996 | 08/01/2023 | MTI001 | MTI Distributing Company | 1,572.77 | 0 |
| 40997 | 08/01/2023 | NEL011 | Karla Laurel Nelson | 800.00 | 0 |
| 40998 | 08/01/2023 | NOR005 | Northern Safety Technology, Inc | 497.64 | 0 |
| 40999 | 08/01/2023 | ORE001 | O'Reilly Automotive, Inc. | 301.96 | 0 |
| 41000 | 08/01/2023 | OCL001 | OCLC, Inc. | 2,190.99 | 0 |
| 41001 | 08/01/2023 | OFF002 | ODP Business Solutions, LLC | 210.72 | 0 |
| 41002 | 08/01/2023 | OLS016 | Jeremy Olson | 77.00 | 0 |
| 41003 | 08/01/2023 | OPP001 | Gregory T Opp | 319,028.39 | 0 |
| 41004 | 08/01/2023 | EXP002 | Page 1 Publications, Inc. | 1,010.91 | 0 |
| 41005 | 08/01/2023 | DIA001 | Richard Papenfuss | 488.50 | 0 |
| 41006 | 08/01/2023 | POL008 | Polk County Sheriff's Office | 2,931.46 | 0 |
| 41007 | 08/01/2023 | POM001 | Pomp's Tire Service, Inc | 5,301.14 | 0 |
| 41008 | 08/01/2023 | POW003 | Powerplan OIB | 726.80 | 0 |
| 41009 | 08/01/2023 | QUI001 | Quill Corporation | 123.15 | 0 |
| 41010 | 08/01/2023 | R&R001 | R&R Specialties of Wisconsin Inc | 139.60 | 0 |
| 41011 | 08/01/2023 | ALL002 | Stacey Robertson | 160.00 | 0 |
| 41012 | 08/01/2023 | RYD001 | Rydell Chevrolet | 956.47 | 0 |
| 41013 | 08/01/2023 | SAF002 | Safety-Kleen Systems, Inc. | 972.68 | 0 |
| 41014 | 08/01/2023 | MIK001 | SJA Thunder Corp | 123.93 | 0 |
| 41015 | 08/01/2023 | MIN018 | Jordan A. Stevens | 3,380.00 | 0 |
| 41016 | 08/01/2023 | STU001 | Stuart's Towing | 200.00 | 0 |
| 41017 | 08/01/2023 | SWA002 | Swanston Equipment Corporation | 256.53 | 0 |
| 41018 | 08/01/2023 | TER002 | Terry's Tree Service | 2,150.00 | 0 |
| 41019 | 08/01/2023 | THU002 | Thur-O-Clean | 5,737.82 | 0 |
| 41020 | 08/01/2023 | TIZ002 | Ti-Zack Concrete Inc | 19,326.76 | 0 |
| 41021 | 08/01/2023 | TON002 | Tony Anderson Construction | 37,098.00 | 0 |
| 41022 | 08/01/2023 | USB001 | US Bank | 270.00 | 0 |
| 41023 | 08/01/2023 | VAL002 | Valley Truck Parts and Services Inc. | 520.06 | 0 |
| 41024 | 08/01/2023 | VIL001 | Vilandre Heating & A/C | 184.43 | 0 |
| 41025 | 08/01/2023 | WAT001 | Water & Light Department | 46,432.94 | 0 |
| 41026 | 08/01/2023 | WID001 | Widseth Smith Nolting & Associates | 28,229.50 | 0 |
| 41027 | 08/01/2023 | XCE001 | Xcel Energy | 3,462.41 | 0 |
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