



CITY OF GRAND RAPIDS

Meeting Agenda Full Detail City Council

Monday, March 12, 2018

5:00 PM

City Hall Council Chambers

5:00 PM CALL TO ORDER: Pursuant to due notice and call thereof a Regular Meeting of the Grand Rapids City Council will be held on Monday, March 12, 2018 at 5:00 p.m. in City Hall Council Chambers, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

CALL OF ROLL

MEETING PROTOCOL POLICY

Please be aware that the Council has adopted a Meeting Protocol Policy which informs attendees of the Council's desire to conduct meetings in an orderly manner which welcomes all civil input from citizens and interested parties. If you are unaware of the policy, copies (orange color) are available in the wall file by the Council entrance.

5:01 PM PUBLIC FORUM

5:06 PM COUNCIL REPORTS

5:10 PM APPROVAL OF MINUTES

18-0167 Consider approving Council minutes for Monday, February 26, 2018 Regular meeting.
Attachments: [February 26, 2018 Regular Meeting.pdf](#)

VERIFIED CLAIMS

18-0163 Consider approving the verified claims for the period February 17, 2018 to March 5, 2018 in the total amount of \$535,336.51.
Attachments: [COUNCIL BILL LIST 03-12-18.pdf](#)

5:12 PM CONSENT AGENDA

Any item on the consent agenda shall be removed for consideration by request of any one Councilmember, City staff, or the public and put on the regular agenda for discussion and consideration.

1. 18-0122 Consider approving a public service and infrastructure easement with Theresa M. Dufner related to CP 2011-3, 2018 Northeast Improvements Project.

- Attachments:** [Dufner Easement signed](#)
2. [18-0151](#) Consider issuing a Special Permit for Use and Possession of a Firearm within the City of Grand Rapids to Minnesota Mounted Shooters at the fairgrounds.
3. [18-0152](#) Consider approving temporary liquor permit for Itasca Curling Club for event scheduled March 23-25, 2018.
4. [18-0155](#) Consider approving final payment for Grand Rapids Multi-Use Pavilion.
Attachments: [MUP Final Payment.pdf](#)
5. [18-0157](#) Consider accepting summary of conclusions of evaluation of performance of City employee pursuant to Minn. Stat. sec. 13D.05, subd. 3(a) specifically Tom Pagel and approve merit pay.
Attachments: [Pagel Memorandum 2018 \(2\).pdf](#)
6. [18-0158](#) Consider approving two public service and infrastructure easements with Douglas and Jennifer Baker related to CP 2011-3, 2018 Northeast Improvements Project.
Attachments: [Baker 3303 Signed easement](#)
[Baker 3304 Signed easement](#)
7. [18-0159](#) Consider the approval of Change Order 5 with Casper Construction related to CP 2009-1, the 2017 Infrastructure Improvements Project
Attachments: [Change Order 5](#)
8. [18-0160](#) Consider entering into an agreement with an area business for advertising at the IRA Civic Center.
Attachments: [First National Bank Coleraine-2018-partially signed](#)
9. [18-0161](#) Consider entering into a contract with Stauber's Goalcrease.
Attachments: [Stauber Contract 2018.pdf](#)
10. [18-0162](#) Consider a motion to authorize Library staff to submit a grant application to the Northland Foundation
11. [18-0165](#) Consider correction to start and end date for Assistant Superintendent at the Pokegama Golf Course.
12. [18-0166](#) Consider entering into a contract with Personnel Dynamics for a Transcriptionist.
13. [18-0173](#) Consider entering into an agreement between the City of Grand Rapids, MN and Mary Magnuson.
Attachments: [City/Magnuson Agreement](#)

SETTING OF REGULAR AGENDA

This is an opportunity to approve the regular agenda as presented or add/delete by a majority vote of the Council members present an agenda item.

**5:15 DEPARTMENT HEAD REPORT
PM**

14. 18-0172 Police Department - Chief Scott Johnson

**5:25 ADMINISTRATION DEPARTMENT
PM**

15. 18-0153 Consider appointing applicants to City Boards & Commissions.

**5:30 PUBLIC HEARINGS
PM**

16. 18-0123 Consider conducting the Public Hearing for the ADA Transition Plan
Attachments: GrandRapids_ADA TransitionPlan_Final.pdf

**5:50 ENGINEERING
PM**

17. 18-0124 Consider a resolution adopting the ADA Transition Plan
Attachments: 3-12-18 Resolution ADA Plan Adopt

**6:00 ADJOURNMENT
PM**

NEXT REGULAR MEETING IS SCHEDULED FOR MARCH 26, 2018, AT 5:00 P.M.

NOTE: These times are approximate only and are subject to change. If you are interested in a topic of discussion you should appear at least 10 minutes before its scheduled time.

Hearing Assistance Available: This facility is equipped with a hearing assistance system.

Attest: Kimberly Gibeau, City Clerk



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0167 **Version:** 1 **Name:** Council Minutes
Type: Agenda Item **Status:** Approval of Minutes
File created: 3/8/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider approving Council minutes for Monday, February 26, 2018 Regular meeting.
Sponsors:
Indexes:
Code sections:
Attachments: [February 26, 2018 Regular Meeting.pdf](#)

Date	Ver.	Action By	Action	Result
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Consider approving Council minutes for Monday, February 26, 2018 Regular meeting.

Background Information:

Draft minutes are attached for review.

Staff Recommendation:

Review draft minutes, note any changes and approve.

Requested City Council Action

Make a motion approving Council minutes for Monday, February 26, 2018.



CITY OF GRAND RAPIDS

Minutes - Final - Draft City Council

Monday, February 26, 2018

5:00 PM

City Hall Council Chambers

5:00 PM CALL TO ORDER: Pursuant to due notice and call thereof a Regular Meeting of the Grand Rapids City Council was held on Monday, February 26, 2018 at 5:00 p.m. in City Hall Council Chambers, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

CALL OF ROLL

Present 4 - Councilor Dale Christy
Mayor Dale Adams
Councilor Bill Zeige
Councilor Tasha Connelly

Absent 1 - Councilor Rick Blake

Staff present:

Tom Pagel, Chad Sterle, Scott Johnson, Bob Cahill, Lynn DeGrio, Jeff Davies, Barb Baird, Rob Mattei, Eric Trast, Lauren Van Den Heuvel, Steve Anderson

MEETING PROTOCOL POLICY

5:01 PM PUBLIC FORUM

None.

5:06 PM COUNCIL REPORTS

None.

APPROVAL OF MINUTES

Consider approving Council minutes for Monday, February 12, 2018 Worksession and Regular meetings.

A motion was made by Councilor Tasha Connelly, seconded by Councilor Bill Zeige, to approve Council minutes as presented. The motion PASSED by unanimous vote.

VERIFIED CLAIMS

Consider approving the verified claims for the period February 6, 2018 to February

16, 2018 in the total amount of \$890,674.66.

A motion was made by Councilor Christy, seconded by Councilor Connelly, to approve the verified claims as presented. The motion carried by the following vote.

Aye 4 - Councilor Dale Christy
Mayor Dale Adams
Councilor Bill Zeige
Councilor Tasha Connelly

5:10 PM CONSENT AGENDA

1. Consider adopting a resolution approving the plans and specifications and ordering the advertisement for bids for CP 2011-3, the 2018 Northeast Improvements Project.
Adopted Resolution 18-19 by consent roll call
2. Consider adopting a resolution approving the plans and specifications and ordering the advertisement for bids for CP 2010-5, the Mississippi River Pedestrian Bridge project.
Adopted Resolution 18-20 by consent roll call
3. Consider adopting a resolution accepting a donation of \$25.00 dollars from an anonymous person(s) to purchase equipment
Adopted Resolution 18-21 by consent roll call
4. Consider approving a trail permanent easement and a memorandum of understanding with River Grand Investments LLC related to CP 2010-5, Mississippi River Pedestrian Bridge.
Approved by consent roll call
5. Consider entering into a Lease-Purchase Agreement with TYMCO, Inc.
Adopted Resolution 18-22 by consent roll call
6. Consider approving the Workers Compensation coverage endorsement through Berkley Administration.
Approved by consent roll call
8. Consider the adoption of a resolution accepting the bid and authorizing a contract with George Bougalis & Sons for the Sammy's Pizza Expansion Demolition Project.
Adopted Resolution 18-23 by consent roll call
9. Consider the adoption of a resolution accepting a \$300,000 grant from the Minnesota Dept. of Iron Range Resources and Rehabilitation Development Infrastructure Program.

Adopted Resolution 18-24 by consent roll call

10. Consider authorizing the Public Works Department's request to purchase a John Deere 1585 Terrain Cut Mower with a snow blower and broom attachment from Pokegama Lawn and Sport, through the John Deere Corporate Government Discount Rate.

Approved by consent roll call

12. Consider approving the hiring of part-time employees at the Grand Rapids Park and Recreation Department, IRA Civic Center and the Grand Rapids Sports Complex.

Approved by consent roll call

13. Consider accepting the letter of retirement from David Calliguri from the Grand Rapids Fire Department.

Approved by consent roll call

14. Consider approving Operating Engineers Local #49 Health and Welfare Fund Bargaining Premium Account Participation Agreement for the CBA by and between the City of Grand Rapids and the Clerical Union.

Approved by consent roll call

- 14a. Consider entering into a contract with Personnel Dynamics for a Minute Taker.

Approved by consent roll call

Approval of the Consent Agenda

A motion was made by Councilor Zeige, seconded by Councilor Connelly, to approve the Consent agenda as amended. The motion carried by the following vote

Aye 4 - Councilor Dale Christy
Mayor Dale Adams
Councilor Bill Zeige
Councilor Tasha Connelly

**5:12 SETTING OF REGULAR AGENDA
PM**

A motion was made by Councilor Tasha Connelly, seconded by Councilor Dale Christy, to approve the Regular agenda as amended. The motion PASSED by unanimous vote.

ACKNOWLEDGE BOARDS & COMMISSIONS

15. Acknowledge attached minutes for Boards & Commissions.

*Council acknowledged the following approved minutes:
Airport Advisory Board - August 16, 2017*

*Planning Commission - December 7, 2017
GREDA - January 11, 2018
Golf Board - January 16, 2018
PUC - January 16 & 29, 2018*

Acknowledge Boards and Commissions

5:13 DEPARTMENT HEAD REPORT

PM

16. Housing & Redevelopment Authority - Jerry Culliton

HRA Director, Jerry Culliton, updated the Council on HRA properties, maintenance activities and current occupancy levels.

Received and Filed

5:23 COMMUNITY DEVELOPMENT

PM

17. Consider the adoption of a resolution, regarding the Planning Commission’s recommendation for approval, of a request from Hawkinson Construction Company for a Conditional Use Permit, allowing for the establishment of a long-term mining/mineral extraction operation.

Rob Mattei provides background information regarding CUP request from Hawkinson Construction Company. The Planning Commission is recommending approval.

A motion was made by Councilor Christy, seconded by Councilor Connelly, to adopt Resolution 18-25, approving CUP request from Hawkinson Construction as presented. The motion carried by the following vote.

- Aye** 4 - Councilor Dale Christy
- Mayor Dale Adams
- Councilor Bill Zeige
- Councilor Tasha Connelly

17b. Consider a resolution supporting Independent School District (ISD) 318 in their efforts to pass a bond referendum for two elementary schools and the remodel and expansion of Cohasset Elementary School.

Mr. Pagel reviews changes made to the resolution supporting the school district referendum.

Ms. Nuehring, and Ms. Rahier, representing the Elementary Schools Task Force, notes that this referendum will be voted on April 10th, 2018.

A motion was made by Councilor Connelly, seconded by Councilor Zeige, to adopt Resolution 18-26, supporting the ISD 318 Referendum as amended. The motion carried by the following vote.

- Aye** 4 - Councilor Dale Christy
- Mayor Dale Adams
- Councilor Bill Zeige
- Councilor Tasha Connelly

- 17a. Consider adopting a job description for Assistant Superintendent at the Pokegama Golf Course along with appointment and wage increase for Cody Alleman.

Bob Cahill, Director of Golf, reviews the job duties for the Assistant Superintendent position and supports appointment of Cody Alleman.

A motion was made by Councilor Tasha Connelly, seconded by Councilor Dale Christy, to approve the job description for Assistant Superintendent and appoint Cody Alleman as presented. Motion passed by unanimous vote.

**5:35 ADJOURNMENT
PM**

A motion was made by Councilor Bill Zeige, seconded by Councilor Tasha Connelly, to adjourn the meeting at 6:00 PM. The motion PASSED by unanimous vote.

18. On Monday, February 26, 2018, directly following the regular City Council meeting, a public meeting will be conducted, in the City Hall Council Chambers, regarding the City's Stormwater Pollution Prevention Plan (SWPPP). The meeting will present the progress to date and required activities for 2018. The City invites all residents and encourages public participation. A quorum of the Grand Rapids City Council may be present.

*Following the close of the City Council meeting, Steve Anderson, Storm Water Specialist, provided a yearly report regarding storm water activities within the city limits.
Respectfully submitted:*

Kimberly Gibeau
Kimberly Gibeau, City Clerk



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0163 **Version:** 1 **Name:** VERIFIED CLAIMS
Type: Agenda Item **Status:** Verified Claims
File created: 3/7/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider approving the verified claims for the period February 17, 2018 to March 5, 2018 in the total amount of \$535,336.51.
Sponsors:
Indexes:
Code sections:
Attachments: [COUNCIL BILL LIST 03-12-18.pdf](#)

Date	Ver.	Action By	Action	Result
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Consider approving the verified claims for the period February 17, 2018 to March 5, 2018 in the total amount of \$535,336.51.

Requested City Council Action

Make a motion approving the verified claims for the period February 17, 2018 to March 5, 2018 in the total amount of \$535,336.51.

DATE: 03/07/2018
 TIME: 12:20:21
 ID: AP443000.CGR

CITY OF GRAND RAPIDS
 DEPARTMENT SUMMARY REPORT

INVOICES DUE ON/BEFORE 03/12/2018

VENDOR #	NAME	AMOUNT DUE
GENERAL FUND		
CITY WIDE		
1920240	CHAD B STERLE	532.50
1920555	STOKES PRINTING & OFFICE	590.00
TOTAL CITY WIDE		1,122.50
SPECIAL PROJECTS-BUDGETED		
2500050	ITASCA COUNTY FAMILY YMCA INC	12,500.00
TOTAL SPECIAL PROJECTS-BUDGETED		12,500.00
ADMINISTRATION		
0102660	ABRAMS & SCHMIDT LLC	495.00
0718060	GRAND RAPIDS HERALD REVIEW	474.00
TOTAL ADMINISTRATION		969.00
BUILDING MAINTENANCE-CITY HALL		
0113233	AMERIPRIDE SERVICES INC	45.88
0221650	BURGGRAF'S ACE HARDWARE	267.31
0315455	COLE HARDWARE INC	107.77
0401425	DAKOTA SUPPLY GROUP	230.13
0701650	GARTNER REFRIGERATION CO	130.00
1801612	RAPID RENTAL	89.94
1909510	SIM SUPPLY INC	165.32
TOTAL BUILDING MAINTENANCE-CITY HALL		1,036.35
COMMUNITY DEVELOPMENT		
1920555	STOKES PRINTING & OFFICE	12.78
TOTAL COMMUNITY DEVELOPMENT		12.78
FIRE		
0100010	5 STAR PEST CONTROL &	225.00
0121721	AUTO VALUE - GRAND RAPIDS	49.98
0121723	AUTO ZONE LLC	16.19
0221650	BURGGRAF'S ACE HARDWARE	5.96
0513235	EMERGENCY RESPONSE SOLUTIONS	16,188.27
0718060	GRAND RAPIDS HERALD REVIEW	472.80
1200500	L&M SUPPLY	10.25
TOTAL FIRE		16,968.45

DATE: 03/07/2018
 TIME: 12:20:21
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CITY OF GRAND RAPIDS
 DEPARTMENT SUMMARY REPORT

PAGE: 2

INVOICES DUE ON/BEFORE 03/12/2018

VENDOR #	NAME	AMOUNT DUE

GENERAL FUND		
PUBLIC WORKS		
0103325	ACHESON TIRE INC	150.00
0104799	ADVANCED SERVICES INC	252.00
0120725	ATTACHMENTS DIRECT LLC	521.77
0121721	AUTO VALUE - GRAND RAPIDS	79.03
0221650	BURGGRAF'S ACE HARDWARE	5.16
0301685	CARQUEST AUTO PARTS	390.33
0315455	COLE HARDWARE INC	34.64
0401420	DAKOTA FLUID POWER, INC	459.77
0718105	GRAYBAR ELECTRIC COMPANY INC	2,000.00
0800040	H & L MESABI	3,336.50
0801535	HAMMERLUND CONSTRUCTION INC	150.00
1201434	LAKE WOODS CHRYSLER	18.49
1415030	NAPA SUPPLY OF GRAND RAPIDS	62.26
1415377	NORTHERN BUSINESS PRODUCTS INC	190.92
1415640	NORTRAX EQUIPMENT COMPANY	583.96
1421155	NUCH'S IN THE CORNER	88.00
1801899	RAYS SPORT & CYCLE	577.54
1909450	SILVERTIP GRAPHICS SIGNS	60.00
2015825	TOWMASTER INC	23.05
2305453	WESCO RECEIVABLES CORP	5,039.52
	TOTAL PUBLIC WORKS	14,022.94
FLEET MAINTENANCE		
0301685	CARQUEST AUTO PARTS	314.80
0315455	COLE HARDWARE INC	10.68
1801615	RAPIDS WELDING SUPPLY INC	112.99
	TOTAL FLEET MAINTENANCE	438.47
POLICE		
0221650	BURGGRAF'S ACE HARDWARE	3.99
0301685	CARQUEST AUTO PARTS	40.27
0409501	JOHN P. DIMICH	4,583.33
1200855	LVC COMPANIES INC	0.00
1605665	PERSONNEL DYNAMICS LLC	340.20
1901535	SANDSTROM'S INC	57.50
1920233	STREICHER'S INC	1,945.49
2000400	T J TOWING	175.00
T000245	JACK & DONS SERVICE	325.00
	TOTAL POLICE	7,470.78

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CITY OF GRAND RAPIDS
 DEPARTMENT SUMMARY REPORT

INVOICES DUE ON/BEFORE 03/12/2018

VENDOR #	NAME	AMOUNT DUE
CENTRAL SCHOOL		
0609457	FILTHY CLEAN INC	1,300.00
1909510	SIM SUPPLY INC	64.67
	TOTAL	1,364.67
AIRPORT		
0301705	CASPER CONSTRUCTION INC	7,275.00
0504825	EDWARDS OIL INC	447.30
1415640	NORTRAX EQUIPMENT COMPANY	37.52
	TOTAL	7,759.82
CIVIC CENTER		
0609457	FILTHY CLEAN INC	300.00
	TOTAL	300.00
GENERAL ADMINISTRATION		
0113233	AMERIPRIDE SERVICES INC	35.44
0221650	BURGGRAF'S ACE HARDWARE	163.91
0315455	COLE HARDWARE INC	17.48
0718060	GRAND RAPIDS HERALD REVIEW	350.00
0801535	HAMMERLUND CONSTRUCTION INC	2,667.68
0805640	HERC-U-LIFT INC	556.60
1200855	LVC COMPANIES INC	635.65
1309090	MINERS INC	48.22
1309192	MN FRATERNAL ORDER OF POLICE	191.25
1801610	RAPIDS PLUMBING & HEATING INC	168.50
1901535	SANDSTROM'S INC	432.09
1905150	SECURITY ACCESS CONTROL	54.00
1909510	SIM SUPPLY INC	106.34
2116600	UPPER LAKE FOODS INC	557.55
2209421	VIKING ELECTRIC SUPPLY INC	79.06
T000239	GRAND RAPIDS/GREENWAY SWIM	220.50
	TOTAL GENERAL ADMINISTRATION	6,284.27
RECREATION PROGRAMS		
1920240	CHAD B STERLE	1,250.00

DATE: 03/07/2018
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CITY OF GRAND RAPIDS
 DEPARTMENT SUMMARY REPORT

INVOICES DUE ON/BEFORE 03/12/2018

VENDOR #	NAME	AMOUNT DUE
RECREATION PROGRAMS		
TOTAL		1,250.00
CEMETERY		
0103325	ACHESON TIRE INC	37.41
0221650	BURGGRAF'S ACE HARDWARE	10.68
1415590	NORTHWEST GAS	878.07
T000244	ARLENE HEGMEN	135.00
TOTAL		1,061.16
CAPITAL EQPT REPLACEMENT FUND		
CAPITAL OUTLAY-CIVIC CENTER		
0401500	DAMBERG.SCOTT.GERZINA.WAGNER	3,730.61
TOTAL CAPITAL OUTLAY-CIVIC CENTER		3,730.61
2018 INFRASTRUCTURE BONDS		
2018 NE IMPROVEMENTS		
T000241	THERESA M DUFNER	1,641.15
T000243	DOUGLAS & JENNIFER BAKER	5,417.56
TOTAL 2018 NE IMPROVEMENTS		7,058.71
STORM WATER UTILITY		
0301705	CASPER CONSTRUCTION INC	8,575.00
0920060	ITASCA COUNTY TREASURER	192.40
1205090	LEAGUE OF MINNESOTA CITIES	760.00
1415377	NORTHERN BUSINESS PRODUCTS INC	81.82
1621125	PUBLIC UTILITIES COMMISSION	2,200.00
TOTAL		11,809.22
TOTAL UNPAID TO BE APPROVED IN THE SUM OF:		\$ 95,159.73
CHECKS ISSUED-PRIOR APPROVAL		
PRIOR APPROVAL		
0100053	AT&T	781.48
0114210	D. ANDERSON - CHANGE FUND	2,160.00
0114211	D. ANDERSON-PETTY CASH FUND	6.64
0200024	BP	71.22

DATE: 03/07/2018
 TIME: 12:20:21
 ID: AP443000.CGR

CITY OF GRAND RAPIDS
 DEPARTMENT SUMMARY REPORT

INVOICES DUE ON/BEFORE 03/12/2018

VENDOR #	NAME	AMOUNT DUE

CHECKS ISSUED-PRIOR APPROVAL		
PRIOR APPROVAL		
0205640	LEAGUE OF MN CITIES INS TRUST	156,301.00
0305530	CENTURYLINK COMMUNICATIONS LLC	113.06
0315543	CONSTELLATION NEWENERGY -GAS	4,567.36
0405505	JAMES DENNY	433.00
0418360	DRIVER & VEHICLE SERVICE DEPT	33.00
0504610	RON EDMINSTER	70.85
0605191	FIDELITY SECURITY LIFE INS CO	64.65
0718015	GRAND RAPIDS CITY PAYROLL	250,030.07
0718070	GRAND RAPIDS STATE BANK	115.00
0815440	HOLIDAY COMPANIES	231.00
0900060	ICTV	15,063.44
0920055	ITASCA COUNTY RECORDER	92.00
1201402	LAKE COUNTRY POWER	46.94
1209516	LINCOLN NATIONAL LIFE	1,200.29
1309199	MINNESOTA ENERGY RESOURCES	1,782.18
1309332	MN STATE RETIREMENT SYSTEM	1,286.80
1315654	NATHAN MORLAN	125.00
1601305	THOMAS J. PAGEL	939.34
1601750	PAUL BUNYAN COMMUNICATIONS	276.72
2000100	TASC	30.60
2114360	UNITED PARCEL SERVICE	12.56
2201535	VANTIV INTEGRATED PAYMENTS	65.00
2301700	WASTE MANAGEMENT	2,277.58
2305447	WELLS FARGO BANK NA	2,000.00
TOTAL PRIOR APPROVAL ALLOWED IN THE SUM OF: \$		440,176.78
TOTAL ALL DEPARTMENTS		535,336.51



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0122 **Version:** 1 **Name:** CP 2011-3 Dufner Easement
Type: Agenda Item **Status:** Consent Agenda
File created: 2/20/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider approving a public service and infrastructure easement with Theresa M. Dufner related to CP 2011-3, 2018 Northeast Improvements Project.

Sponsors:

Indexes:

Code sections:

Attachments: [Dufner Easement signed](#)

Date	Ver.	Action By	Action	Result
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Consider approving a public service and infrastructure easement with Theresa M. Dufner related to CP 2011-3, 2018 Northeast Improvements Project.

Background Information:

CP 2011-3 includes the reconstruction of 11th Avenue NE and 7th Street NE. In order to properly construct the project, an easement is required from the property owner. The property owner has executed the necessary documents and the total cost for this easement is \$1,641.15 plus recording fees. The documents are attached.

Staff Recommendation:

City staff is recommending approval of a public service and infrastructure easement with Theresa M. Dufner related to CP 2011-3, 2018 Northeast Improvements Project.

Requested City Council Action

Make a motion approving a public service and infrastructure easement with Theresa M. Dufner related to CP 2011-3, 2018 Northeast Improvements Project.

PUBLIC SERVICE AND INFRASTRUCTURE EASEMENT

THIS INDENTURE is made and entered into this 16th day of February, 2018, between **Theresa M Dufner, a single person**, hereinafter referred to as "Grantor," and the CITY OF GRAND RAPIDS, Minnesota, Municipal Corporation, and road authority, hereinafter referred to as "Grantee."

WITNESSETH:

WHEREAS, said Grantor is the owner of real property situated in Itasca County, Minnesota, described as follows, to-wit:

Parcel 91-016-3307

Existing Legal Description (Document # T000058616)

THE NORTH NINETY-EIGHT FEET (N 98') OF THE SOUTH THREE HUNDRED THIRTY FEET (S 330') OF THE WEST THREE HUNDRED THIRTY AND SEVENTY-FIVE HUNDREDTHS FEET (W 330.75') OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW OF SW), SECTION FIFTEEN (15), TOWNSHIP FIFTY-FIVE (55) NORTH, RANGE TWENTY-FIVE (25), WEST OF THE FOURTH PRINCIPAL MERIDIAN, ITASCA COUNTY, MINNESOTA.

WHEREAS, Grantor has agreed to grant Grantee an easement for Road Reconstruction, Sidewalk and Utility purposes across said property.

NOW, THEREFORE, said Grantor, for other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, does hereby grant and convey an easement unto the CITY OF GRAND RAPIDS, MN, as Grantee, for public service and infrastructure purposes, free and clear of all encumbrances, the below described real estate in the County of Itasca, State of Minnesota, and the said grantor for (himself) (his) (themselves) (their) heirs executors and assigns, does release the City of Grand Rapids, State of Minnesota, its successors and assigns, from all claims for any and all damages resulting to the lands contained within the permanent easement area as hereinafter described by reason of the location, grading, construction, maintenance, and use of public service and infrastructure and upon and the removal of materials from the premises hereby conveyed and from the uses incident thereto, and the City of Grand Rapids, State of Minnesota, shall have the right to use and remove all earth and materials contained within the permanent easement area as hereinafter described and the right to construct and maintain upon the lands contained within the permanent easement area as herein after described and the right to allow utilities within the easement more particular described as follows, to-wit:
Rights to be Acquired:

Parcel 91-015-3307

Theresa M Dufner, a single person

A permanent easement for public service and infrastructure purposes over, under, and across that part of the above described Parcel 91-015-3307 described as follows:

That part of the west 33.00 feet of the above described property.

Containing 3,234 SF, more or less.

Easement shown on attached EXHIBIT 2

IN WITNESS WHEREOF, said Grantor has caused this instrument to be executed on the day and year first above written.

GRANTOR: Theresa M Dufner

Theresa M Dufner
Theresa M Dufner, Owner

STATE OF MINNESOTA)
) ss:
COUNTY OF Itasca)

The foregoing instrument was acknowledged before me this 16th day of February, 2018, by Theresa M Dufner, Owner, Grantor.

(Notary Stamp or Seal)



Lynn Renee Degrio
Signature of Person Taking Acknowledgement

THE CITY OF GRAND RAPIDS, MINNESOTA does hereby accept the above Public Service and Infrastructure Easement.

The City of Grand Rapids, Minnesota

Approved as to Form:

City Attorney

Mayor

City Clerk

City Administrator

STATE OF MINNESOTA)
) ss:
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____.

(Notary Stamp or Seal)

Signature of Person Taking Acknowledgement

This conveyance is entitled to recording without payment of fee pursuant to Minnesota Statutes Section 386.77, it being for the benefit of the City of Grand Rapids, MN.

This instrument was drafted by: Sara Christenson for the City of Grand Rapids, MN. 55744



OFFER LETTER

January 26, 2018

Theresa M Dufner
710 NE 11th Avenue
Grand Rapids, MN 55744

RE: Purchasing Public Service and Infrastructure Easement

Dear Ms. Dufner,

The City of Grand Rapids hereby submits to you an offer of **\$1641.15**, which is the amount of the appraised market value of the above referenced property and/or certain rights therein, as contained in "PUBLIC SERVICE AND INFRASTRUCTURE EASEMENT" attached hereto, disregarding any change in the before value of the property caused by the Grand Rapids 2018 NE Infrastructure Improvements project.

The City's appraisal of market value is based on information compiled from the Itasca County Assessors Office and/or an independent appraiser. This purchase offer does not prohibit you from donating the land necessary to complete this project.

You will have a reasonable length of time to consider the offer (approximately 30 days). To aid in your decision you may want to secure your own appraisal. The City of Grand Rapids will reimburse you a reasonable amount for that appraisal fee, limited to the amount set by law. Reimbursement cannot be made, however, until after your property is acquired.

Minnesota Law also provides that the owner and/or occupants of the property being acquired will be reimbursed for the actual cost of moving personal property. Certain incidental costs incurred in transferring the title will be paid by the City.

If you decide to accept the City's offer, you will be paid upon your providing the City with an executed Public Service and Infrastructure Easement. If the City cannot be vested with good title to the property, or if the offer is unacceptable, the City may acquire said easement in eminent domain proceedings.

Also the City is required to obtain a completed W-9 when it compensates any individual or company more than \$600 in a calendar year. At the end of the year, you will then receive a 1099-S reporting the proceeds you received from the City. You may need to report some of the proceeds on your tax return. Your tax preparer will know what tax consequences you may have as a result of this income. If you or your accountant would like to further discuss this information, you should contact Barb Baird, Finance Director, at 218.326.7615

Also this is not a purchase of this property, only an easement on the land, you still own the land, but the county will reduce the land value to reflect the easement.

This letter is furnished to inform you of procedures and your rights in this acquisition. It is respectfully requested that you acknowledge its receipt by signing the attached copy in the space provided. Signing this acknowledgment does not in any way commit you to an acceptance of the offer.

Sincerely,



By: Matt Wegwerth, PE
City Engineer

Receipt is acknowledged of original of this letter, enclosures and attachments mentioned herein.



Theresa M. Dufner



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0151 **Version:** 1 **Name:** Firearms Permit
Type: Agenda Item **Status:** Consent Agenda
File created: 2/28/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider issuing a Special Permit for Use and Possession of a Firearm within the City of Grand Rapids to Minnesota Mounted Shooters at the fairgrounds.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Consider issuing a Special Permit for Use and Possession of a Firearm within the City of Grand Rapids to Minnesota Mounted Shooters at the fairgrounds.

Background Information:

Section 42-42-Firearms, of the City's Municipal Code authorized by a majority vote of the Council the issuing of a Firearms Permit to any association or club to operate a rifle range or other firearms concessions.

Minnesota Mounted Shooters has submitted an application requesting a permit for use and possession of a firearm within the Grand Rapids City Limits. This event will take place June 23 & 24, 2018 at the Itasca County Fairgrounds. This is an annual competitive event with the use of blanks only. No live ammunition will be used.

Staff Recommendation:

Authorize permit for annual event.

Requested City Council Action

Make a motion approving Special Permit for Use and Possession of a Firearm within Grand Rapids City Limits to Minnesota Mounted Shooters Association.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0152 **Version:** 1 **Name:** Itasca Curling Club permit
Type: Agenda Item **Status:** Consent Agenda
File created: 2/28/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider approving temporary liquor permit for Itasca Curling Club for event scheduled March 23-25, 2018.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Consider approving temporary liquor permit for Itasca Curling Club for event scheduled March 23-25, 2018.

Background Information:

Itasca Curling Club has submitted an application for temporary liquor permit for March 23-25, 2018. Insurance and fees have been received.

Staff Recommendation:

Approve permit and authorize staff to forward to the State for issuance.

Requested City Council Action

Make a motion to approve temporary liquor permit for Itasca Curling Club, event scheduled for March 23-25, 2018.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0155 **Version:** 1 **Name:** MUP Final Payment
Type: Agenda Item **Status:** Consent Agenda
File created: 3/1/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider approving final payment for Grand Rapids Multi-Use Pavilion.
Sponsors:
Indexes:
Code sections:
Attachments: [MUP Final Payment.pdf](#)

Date	Ver.	Action By	Action	Result
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Consider approving final payment for Grand Rapids Multi-Use Pavilion.

Background Information:

The original contract amount was \$759,879.00. Final payment in the amount of \$41,748.10, with a total contract cost of \$834,962.00.

Staff Recommendation:

Approve final payment.

Requested City Council Action

Make a motion approving the final payment to Champion Iron LLC in the amount of \$41,748.10 for the Grand Rapids Multi-Use Pavilion.

AIA Document G702™ - 1992

Application and Certificate for Payment

TO OWNER: City of Grand Rapids PROJECT: GRAND RAPIDS PAVILION
 GRAND RAPIDS MN
 FROM: Champion Iron LLC VIA ARCHITECT:
 CONTRACTOR: ARCHITECT NOS: /

Distribution to:
 OWNER:
 ARCHITECT:

CONTRACTORS APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Communication Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM \$759,879.00
 2. NET CHANGE BY CHANGE ORDERS \$75,083.00
 3. CONTRACT SUM TO DATE (Line 1 + 2) \$834,962.00
 4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$834,962.00

RETAINAGE:
 a. _____ % of Completed Work \$0.00
 (Column D + E on G703)
 b. _____ % of Stored Material \$0.00
 (Column F on G703)
 Total Retainage (Lines 5a + 5b or Total in Column I of G703) \$0.00

5. TOTAL EARNED LESS RETAINAGE \$834,962.00
 6. 35% PREVIOUS CERTIFICATES FOR PAYMENT \$793,213.90
 (Line 4 from prior Certificate)
 7. CURRENT PAYMENT DUE \$41,748.10
 8. BALANCE TO FINISH, INCLUDING RETAINAGE \$0.00
 (Line 1 less Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$75,083.00	\$0.00
Total approved this Month	\$0.00	\$0.00
TOTALS	\$75,083.00	\$0.00
NET CHANGES by Change Order		\$75,083.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner and that payment shown herein is now due.

By: *[Signature]*
 State of: Minnesota
 County of: St. Louis
 Subscribed and sworn to before me this 22 day of January, 2013.
 Notary Public: *[Signature]*
 My Commission expires: 31st January 2020



ARCHITECTS CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on an independent review and the facts comprising this application, the Architect certifies to the Owner that in the best of the Architect's knowledge, information and belief the Work has progressed to the extent and quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$41,748.10
 (Attach explanation of amount certified differs from the amount applied for in the Application and Certificate for Payment and the Communication Sheet that are attached to conform to the terms of the Contract.)
 ARCHITECT: *[Signature]*
 By: *[Signature]* 2/15/2013

AIA, AIA Document G702™ - 1992, Copyright © 1992, 1993, 1995, 1971, 1979, 1989 and 1992 by The American Institute of Architects. All rights reserved. WARNING: This AIA Document is protected by U.S. Copyright Law and International Treaties. Unauthorized reproduction or distribution of this AIA Document, or any portion of it, may result in severe civil and criminal penalties, and will be prosecuted to the maximum extent possible under the law. This document was produced by AIA software at 12:44:06 on 01/22/2018 under Order No. 0159729687 which expires on 08/28/2018 and is not for sale.
 Notes: 1



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0157 **Version:** 1 **Name:** Performance eval and merit pay.
Type: Agenda Item **Status:** Consent Agenda
File created: 3/6/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider accepting summary of conclusions of evaluation of performance of City employee pursuant to Minn. Stat. sec. 13D.05, subd. 3(a) specifically Tom Pagel and approve merit pay.

Sponsors:

Indexes:

Code sections:

Attachments: [Pagel Memorandum 2018 \(2\).pdf](#)

Date	Ver.	Action By	Action	Result
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Consider accepting summary of conclusions of evaluation of performance of City employee pursuant to Minn. Stat. sec. 13D.05, subd. 3(a) specifically Tom Pagel and approve merit pay.

Background Information:

The City Council, has met in closed sessions to discuss the annual performance evaluation for City Administrator, Tom Pagel. Specific areas of consideration included, but is not limited to, the following:

- ~Review of current employment contract
- ~Status of 2017 goals
- ~Merit pay
- ~Goals for 2018

Staff Recommendation:

Accept summary and approve merit pay.

Requested City Council Action

Make a motion accepting summary of conclusions of evaluation of performance of City employee pursuant to Minn. Stat. sec. 13D.05, subd. 3(a) specifically Tom Pagel and approve merit pay in the total amount of \$5,536.53.

MEMORANDUM

To: City Administrator Tom Pagel

From: City Attorney Chad B. Sterle

Date: February 13, 2018

Re: Performance Evaluation

Tom:

Pursuant to your employment contract dated February 22, 2016, the Grand Rapids City Council met in closed session to discuss your performance evaluation on February 12, 2018.

In evaluating your progress in achieving three goals as they were agreed to in a memorandum dated April 25, 2017 (attached for reference), and based on a number scale of 1-10 (1 being the lowest score, 10 being the highest), the Council rated your progress toward the three goals as follows:

Goals

Councilmember 1	10	9.5	10
Councilmember 2	10	9	10
Councilmember 3	10	9	10
Councilmember 4	10	10	10
Councilmember 5	10	10	10
Average Score:	100%	95%	100%

Pursuant to your employment contract and based on your total average score for the performance evaluation of 98.33%, you are entitled to merit pay of up to 5% of your base pay, resulting in a payment to you of \$5,536.53 based on the following formula: Base pay (\$112,611.20) x 5% = \$5,630.56 x 98.33% = \$5,536.53.

I would note that the City Council had a long discussion relative to feedback received by various Department Heads as to your proficiency in meeting the above goals. Moreover, the City Council discussed at length your efforts in working toward said goals.

Please let me know if you have any questions or desire any feedback upon this process.

Chad B. Sterle, City Attorney



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0158 **Version:** 1 **Name:** CP 2011-3 Baker Easements
Type: Agenda Item **Status:** Consent Agenda
File created: 3/6/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider approving two public service and infrastructure easements with Douglas and Jennifer Baker related to CP 2011-3, 2018 Northeast Improvements Project.
Sponsors:
Indexes:
Code sections:
Attachments: [Baker 3303 Signed easement](#)
[Baker 3304 Signed easement](#)

Date	Ver.	Action By	Action	Result
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Consider approving two public service and infrastructure easements with Douglas and Jennifer Baker related to CP 2011-3, 2018 Northeast Improvements Project.

Background Information:

CP 2011-3 includes the reconstruction of 11th Avenue NE and 7th Street NE. In order to properly construct the project, two easements are required from the property owner. The property owners have executed the necessary documents and the total cost for both of the easements is \$5,417.56 plus recording fees. The documents are attached.

Staff Recommendation:

City staff is recommending approval of two public service and infrastructure easements with Douglas and Jennifer Baker related to CP 2011-3, 2018 Northeast Improvements Project.

Requested City Council Action

Make a motion approving two public service and infrastructure easements with Douglas and Jennifer Baker related to CP 2011-3, 2018 Northeast Improvements Project.

PUBLIC SERVICE AND INFRASTRUCTURE EASEMENT

THIS INDENTURE is made and entered into this 21st day of February, 2018, between **Douglas W. Baker, a Married Person**, hereinafter referred to as "Grantor," and the CITY OF GRAND RAPIDS, Minnesota, Municipal Corporation, and road authority, hereinafter referred to as "Grantee."

WITNESSETH:

WHEREAS, said Grantor is the owner of real property situated in Itasca County, Minnesota, described as follows, to-wit:

Parcel 91-015-3303
Existing Legal Description (Document # T000048819)

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4 SW1/4 OF SW1/4 SW1/4), SECTION FIFTEEN (15), TOWNSHIP FIFTY-FIVE (55) NORTH, RANGE TWENTY-FIVE (25), WEST OF THE FOURTH PRINCIPAL MERIDIAN, EXCEPT THE SOUTH 8 RODS OF THE SW1/4 SW1/4 OF SW1/4 SW1/4, SECTION 15, TOWNSHIP 55 NORTH, RANGE 25, WEST OF THE FOURTH PRINCIPAL MERIDIAN, EXCEPT THE NORTH 98 FEET OF THE SW1/4 SW1/4 OF SW1/4 SW1/4, SECTION 15, TOWNSHIP 55 NORTH, RANGE 25 WEST OF THE FOURTH PRINCIPAL MERIDIAN, ACCORDING TO THE GOVERNMENT SURVEY THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE REGISTRAR OF TITLES OF SAID COUNTY AND STATE

SUBJECT TO MINERAL RESERVATIONS, RESTRICTIONS AND EASEMENTS AS THEY APPEAR OF RECORD.

WHEREAS, Grantor has agreed to grant Grantee an easement for Road Reconstruction, Sidewalk and Utility purposes across said property.

NOW, THEREFORE, said Grantor, for other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, does hereby grant and convey an easement unto the CITY OF GRAND RAPIDS, MN, as Grantee, for public service and infrastructure purposes, free and clear of all encumbrances, the below described real estate in the County of Itasca, State of Minnesota, and the said grantor for (himself) (his) (themselves) (their) heirs executors and assigns, does release the City of Grand Rapids, State of Minnesota, its successors and assigns, from all claims for any and all damages resulting to the lands contained within the permanent easement area as hereinafter described by reason of the location, grading, construction, maintenance, and use of public service and infrastructure and upon and the removal of materials from the premises hereby conveyed and from the uses incident thereto, and the City of Grand Rapids, State of Minnesota, shall have the right to use and remove all earth and materials contained within the permanent easement area as hereinafter described and the right to construct and maintain upon the lands contained within the permanent easement area as herein after described and the right to allow utilities within the easement more particular described as follows, to-wit:

Rights to be Acquired:

Parcel 91-015-3303

Douglas W. Baker, a Married Person

A permanent easement for public service and infrastructure purposes over, under, and across that part of the above described Parcel 91-015-3303 described as follows:

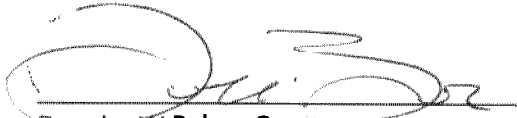
That part of the west 33.00 feet of the above described property.


Containing 3,331 SF, more or less.

Easement shown on attached EXHIBIT 3

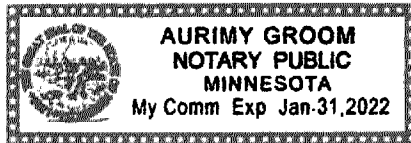
IN WITNESS WHEREOF, said Grantor has caused this instrument to be executed on the day and year first above written.

GRANTOR: Douglas and Jennifer Baker, a Married Couple


Douglas W Baker, Owner

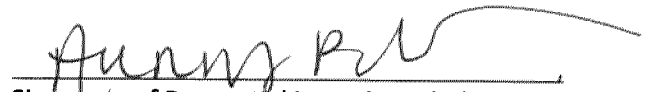

Jennifer Baker, Owner

STATE OF MINNESOTA)
) ss:
COUNTY OF _____)



The foregoing instrument was acknowledged before me this 21st day of February, 2018, by Douglas and Jennifer Baker, a Married Couple, Grantor.

(Notary Stamp or Seal)


Signature of Person Taking Acknowledgement

THE CITY OF GRAND RAPIDS, MINNESOTA does hereby accept the above Public Service and Infrastructure Easement.

The City of Grand Rapids, Minnesota

Approved as to Form:

City Attorney

Mayor

City Clerk

City Administrator

STATE OF MINNESOTA)
) ss:
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20__.

(Notary Stamp or Seal)

Signature of Person Taking Acknowledgement

This conveyance is entitled to recording without payment of fee pursuant to Minnesota Statutes Section 386.77, it being for the benefit of the City of Grand Rapids, MN.

This instrument was drafted by: Sara Christenson for the City of Grand Rapids, MN. 55744



OFFER LETTER

January 26, 2018

Douglas W. Baker
702 NE 11th Avenue
Grand Rapids, MN 55744

RE: Purchasing Public Service and Infrastructure Easement

Dear Mr. Baker

The City of Grand Rapids hereby submits to you an offer of **\$1434.68**, which is the amount of the appraised market value of the above referenced property and/or certain rights therein, as contained in "PUBLIC SERVICE AND INFRASTRUCTURE EASEMENT" attached hereto, disregarding any change in the before value of the property caused by the Grand Rapids 2018 NE Infrastructure Improvements project.

The City's appraisal of market value is based on information compiled from the Itasca County Assessors Office and/or an independent appraiser. This purchase offer does not prohibit you from donating the land necessary to complete this project.

You will have a reasonable length of time to consider the offer (approximately 30 days). To aid in your decision you may want to secure your own appraisal. The City of Grand Rapids will reimburse you a reasonable amount for that appraisal fee, limited to the amount set by law. Reimbursement cannot be made, however, until after your property is acquired.

Minnesota Law also provides that the owner and/or occupants of the property being acquired will be reimbursed for the actual cost of moving personal property. Certain incidental costs incurred in transferring the title will be paid by the City.

If you decide to accept the City's offer, you will be paid upon your providing the City with an executed Public Service and Infrastructure Easement. If the City cannot be vested with good title to the property, or if the offer is unacceptable, the City may acquire said easement in eminent domain proceedings.

Also the City is required to obtain a completed W-9 when it compensates any individual or company more than \$600 in a calendar year. At the end of the year, you will then receive a 1099-S reporting the proceeds you received from the City. You may need to report some of the proceeds on your tax return. Your tax preparer will know what tax consequences you may have as a result of this income. If you or your accountant would like to further discuss this information, you should contact Barb Baird, Finance Director, at 218.326.7615

Also this is not a purchase of this property, only an easement on the land, you still own the land, but the county will reduce the land value to reflect the easement.

This letter is furnished to inform you of procedures and your rights in this acquisition. It is respectfully requested that you acknowledge its receipt by signing the attached copy in the space provided. Signing this acknowledgment does not in any way commit you to an acceptance of the offer.

Sincerely,



By: Matt Wegwerth, PE
City Engineer

Receipt is acknowledged of original of this letter, enclosures and attachments mentioned herein.

Douglas W. Baker

PUBLIC SERVICE AND INFRASTRUCTURE EASEMENT

THIS INDENTURE is made and entered into this 21st day of February, 2018 between **Douglas and Jennifer Baker, a Married Couple**, hereinafter referred to as "Grantor," and the CITY OF GRAND RAPIDS, Minnesota, Municipal Corporation, and road authority, hereinafter referred to as "Grantee."

WITNESSETH:

WHEREAS, said Grantor is the owner of real property situated in Itasca County, Minnesota, described as follows, to-wit:

Parcel 91-015-3304

Existing Legal Description (Document # T000048294)

THE SOUTH EIGHT (8) RODS OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4 OF SW1/4 OF SW1/4 OF SW1/4), SECTION FIFTEEN (15), TOWNSHIP FIFTY-FIVE (55) NORTH, RANGE TWENTY-FIVE (25), WEST OF THE 4TH PRINCIPAL MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

SUBJECT TO MINERAL RESERVATIONS, RESTRICTIONS AND EASEMENTS AS THEY APPEAR OF RECORD.

WHEREAS, Grantor has agreed to grant Grantee an easement for Road Reconstruction, Sidewalk and Utility purposes across said property.

NOW, THEREFORE, said Grantor, for other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, does hereby grant and convey an easement unto the CITY OF GRAND RAPIDS, MN, as Grantee, for public service and infrastructure purposes, free and clear of all encumbrances, the below described real estate in the County of Itasca, State of Minnesota, and the said grantor for (himself) (his) (themselves) (their) heirs executors and assigns, does release the City of Grand Rapids, State of Minnesota, its successors and assigns, from all claims for any and all damages resulting to the lands contained within the permanent easement area as hereinafter described by reason of the location, grading, construction, maintenance, and use of public service and infrastructure and upon and the removal of materials from the premises hereby conveyed and from the uses incident thereto, and the City of Grand Rapids, State of Minnesota, shall have the right to use and remove all earth and materials contained within the permanent easement area as hereinafter described and the right to construct and maintain upon the lands contained within the permanent easement area as herein after described and the right to allow utilities within the easement more particular described as follows, to-wit:

THE CITY OF GRAND RAPIDS, MINNESOTA does hereby accept the above Public Service and Infrastructure Easement.

The City of Grand Rapids, Minnesota

Approved as to Form:

City Attorney

Mayor

City Clerk

City Administrator

STATE OF MINNESOTA)
) ss:
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20__.

(Notary Stamp or Seal)

Signature of Person Taking Acknowledgement

This conveyance is entitled to recording without payment of fee pursuant to Minnesota Statutes Section 386.77, it being for the benefit of the City of Grand Rapids, MN.

This instrument was drafted by: Sara Christenson for the City of Grand Rapids, MN. 55744



OFFER LETTER

January 26, 2018

Douglas and Jennifer Baker
702 NE 11th Avenue
Grand Rapids, MN 55744

RE: Purchasing Public Service and Infrastructure Easement

Dear Mr. and Mrs. Baker,

The City of Grand Rapids hereby submits to you an offer of **\$3982.88**, which is the amount of the appraised market value of the above referenced property and/or certain rights therein, as contained in "PUBLIC SERVICE AND INFRASTRUCTURE EASEMENT" attached hereto, disregarding any change in the before value of the property caused by the Grand Rapids 2018 NE Infrastructure Improvements project.

The City's appraisal of market value is based on information compiled from the Itasca County Assessors Office and/or an independent appraiser. This purchase offer does not prohibit you from donating the land necessary to complete this project.

You will have a reasonable length of time to consider the offer (approximately 30 days). To aid in your decision you may want to secure your own appraisal. The City of Grand Rapids will reimburse you a reasonable amount for that appraisal fee, limited to the amount set by law. Reimbursement cannot be made, however, until after your property is acquired.

Minnesota Law also provides that the owner and/or occupants of the property being acquired will be reimbursed for the actual cost of moving personal property. Certain incidental costs incurred in transferring the title will be paid by the City.

If you decide to accept the City's offer, you will be paid upon your providing the City with an executed Public Service and Infrastructure Easement. If the City cannot be vested with good title to the property, or if the offer is unacceptable, the City may acquire said easement in eminent domain proceedings.

Also the City is required to obtain a completed W-9 when it compensates any individual or company more than \$600 in a calendar year. At the end of the year, you will then receive a 1099-S reporting the proceeds you received from the City. You may need to report some of the proceeds on your tax return. Your tax preparer will know what tax consequences you may have as a result of this income. If you or your accountant would like to further discuss this information, you should contact Barb Baird, Finance Director, at 218.326.7615

Also this is not a purchase of this property, only an easement on the land, you still own the land, but the county will reduce the land value to reflect the easement.

This letter is furnished to inform you of procedures and your rights in this acquisition. It is respectfully requested that you acknowledge its receipt by signing the attached copy in the space provided. Signing this acknowledgment does not in any way commit you to an acceptance of the offer.

Sincerely,



By: Matt Wegwerth, PE
City Engineer

Receipt is acknowledged of original of this letter, enclosures and attachments mentioned herein.

Douglas Baker

Jennifer Baker



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0159 **Version:** 1 **Name:** CP 2009-1 Change Order 5
Type: Agenda Item **Status:** Consent Agenda
File created: 3/6/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider the approval of Change Order 5 with Casper Construction related to CP 2009-1, the 2017 Infrastructure Improvements Project

Sponsors:

Indexes:

Code sections:

Attachments: [Change Order 5](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Consider the approval of Change Order 5 with Casper Construction related to CP 2009-1, the 2017 Infrastructure Improvements Project

Background Information:

Change Order 5 includes the relocation of fence around the stormwater detention basin. Last fall, a perimeter fence was installed around the fence but was inadvertently placed on MnDOT right-of-way. The State has a policy that no fence can be placed within their right-of-way. This change order covers the relocation of the fence off of MnDOT's right-of-way. Total amount of change order is \$2,536.00 and is funded by the Clean Water Grant

Staff Recommendation:

City staff is recommending the approval of Change Order 5 with Casper Construction related to CP 2009-1, the 2017 Infrastructure Improvements Project

Requested City Council Action

Make a motion approving Change Order 5 with Casper Construction related to CP 2009-1, the 2017 Infrastructure Improvements Project

STATE AID FOR LOCAL TRANSPORTATION
CHANGE ORDER

City/County of City of Grand Rapids

Change Order No. 5

FEDERAL PROJECT NO.	STATE PROJECT NO.	LOCAL PROJECT NO. GRANR 138924	CONTRACT NO. CP 2009-1
CONTRACTOR NAME AND ADDRESS Casper Construction PO Box 480 Grand Rapids, MN 55744		LOCATION OF WORK Grand Rapids, MN	
		TOTAL CHANGE ORDER AMOUNT \$2,536.00	

In accordance with the terms of this Contract, you are hereby authorized and instructed to perform the work as altered by the following provisions.

Salvage and reinstallation of cedar split rail fence at storm pond (remove from MnDOT ROW)


COST BREAKDOWN

Item No.	Item	Unit	Unit Price	Quantity	Amount
Funding Category No. 020					
2557.603	RELOCATE FENCE (P)	LUMP SUM	\$2,536.00	1	\$2,536.00
Funding Category No. 020 Total:					\$2,536.00
Change Order No. 5 Total:					\$2,536.00

* Funding category is required for federal projects.

CHANGE IN CONTRACT TIME (check one)
Due to this change the Contract Time:

a. Is Increased by _____ Working Days b. Is Not Changed
 Is Decreased by _____ Working Days
 Is Increased by _____ Calendar Days c. May be revised if work affected the controlling operation
 Is Decreased by _____ Calendar Days

Approved By Project Engineer: <u>Matt Wegwerth</u>	Approved By Contractor: <u>Casper Construction</u>
Signed _____	Signed <u></u>
Date: _____ Phone: <u>(218) 326-7601</u>	Date: <u>02/12/2018</u> Phone: <u>(218) 326-9637</u>

Original to Project Engineer; Copy to Contractor

Once contract has been fully executed, forward a copy to DSAE for funding review:

The State of Minnesota is not a participant in this contract; signing by the District State Aid Engineer is for FUNDING PURPOSES ONLY. Reviewed for compliance with State and Federal Aid Rules/Policy. Eligibility does not guarantee funds will be available.

This project is eligible for: _____ Federal Funding _____ State Aid Funding _____ Local funds

District State Aid Engineer: _____ Date: _____

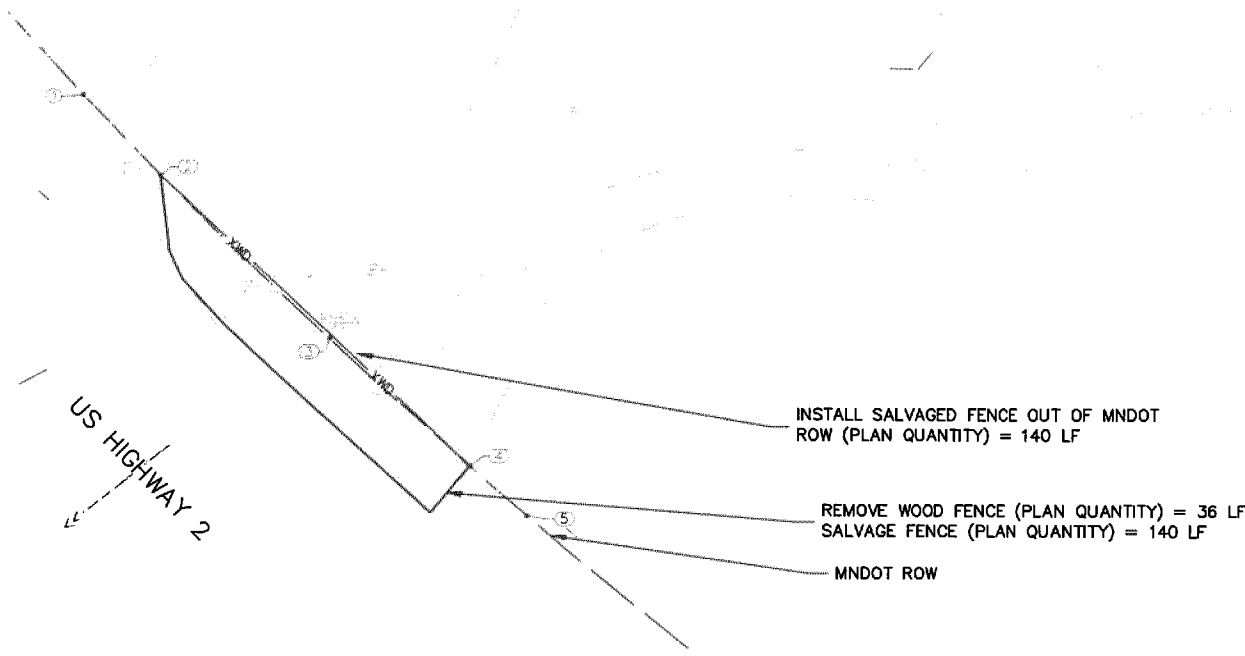
3RD STREET NE

POINT TABLE			
POINT #	RAW DESCRIPTION	NORTHING	EASTING
1	MNDOT ROW	175745.2397	553826.6106
2	MNDOT ROW	175719.0691	553851.8176
3	MNDOT ROW	175666.0050	553906.3730
4	MNDOT ROW	175624.4132	553952.0624
5	MNDOT ROW	175608.2540	553970.7688




8TH AVENUE NE

*QUANTITIES ARE APPROXIMATE, HOWEVER CONTRACTOR WILL ONLY BE COMPENSATED BASED ON PLAN QUANTITIES. FENCE SHALL BE PLACED ON CITY PROPERTY (OUTSIDE OF MNDOT ROW), MARKING OF ROW SHALL BE INCIDENTAL TO CHANGE ORDER.



P:\JUG\GRANR\138924\5-final-dsgn\5-final-dsgn\10-drawings\51-drawings\Change Orders\ponds\change relocate MnDOT\GRI135655E\HRCGreen - pond.dwg 1/29/2018 10:39 AM schristenson



PHONE: 218.322.4500
21 NE 5TH ST STE 200
GRAND RAPIDS, MN 55744-2601
www.sehinc.com

FILE NO.
GRANR 138924

DATE:
1/29/18

**CP2009-1 PROPOSED CHANGE ORDER 5
FENCING REVISIONS
2017 INFRASTRUCTURE IMPROVEMENTS
GRAND RAPIDS, MN**

**EXHIBIT
NO. 1**



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0160 **Version:** 1 **Name:** First Nat'l Bank Adv Contract
Type: Agenda Item **Status:** Consent Agenda
File created: 3/6/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider entering into an agreement with an area business for advertising at the IRA Civic Center.
Sponsors:
Indexes:
Code sections:
Attachments: [First National Bank Coleraine-2018-partially signed](#)

Date	Ver.	Action By	Action	Result
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Consider entering into an agreement with an area business for advertising at the IRA Civic Center.

Background Information:

In 1993, the City Council approved the Civic Center advertising policy to generate revenue to offset operating costs. As part of this policy, agreements are renewed at the end of each term. The following is a new agreement:

First National Bank of Coleraine-January 1, 2018-December 31, 2019 for wall signed and two dashboards \$1,600 for 2018 and \$1,600 for 2019.

Staff Recommendation:

City staff is recommending approval of entering into an agreement with an area business for advertising at the IRA Civic Center.

Requested City Council Action

Make a motion to approve entering into an agreement with an area businesses for advertising at the IRA Civic Center.

**AGREEMENT FOR RENTAL OF
WALL LIGHTED SIGN**

RECEIVED

FEB 15 2018

CITY OF GRAND RAPIDS

WHEREAS, the City of Grand Rapids, acting through the IRA Civic Center, Lessor, owns a multi-purpose facility known as the Civic Center; and

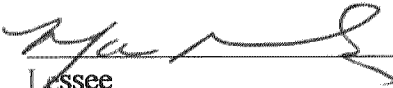
WHEREAS, it will be beneficial to certain business to acquire the privilege of using the advertising signs contained on the interior walls and/or dasherboards (2) in the IRA Civic Center for a certain period of years; and

WHEREAS, the Lessor desires to lease the available advertising sign to certain Lessees.

NOW, THEREFORE, IT IS HEREBY AGREED by the IRA Civic Center only, Lessor, and FIRST NATIONAL BANK OF COLERAINE that the Lessee shall lease for a period of 2 (two) years according to the terms set forth herein and upon the following terms and conditions:

1. Signs will be placed on the interior walls and/or dasherboards (2) of the IRA Civic Center only, and Lessor shall have the final decision as to exact location of each sign. The choice of each sign and location shall be on a "FIRST COME, FIRST SERVED" basis. Lessor reserves the right to take into consideration actual placement of signs to insure maximum utilization of all advertising areas on the interior walls and/or dasherboards (2) of the IRA Civic Center.
2. The Lessee shall pay to the Lessor in consideration of the sign and/or dasherboard, the sum of \$1,600.00 in cash to the Lessor at the commencement of the rental term as set forth below.
3. The Lease term for the advertising space shall be as follows: January 1, 2018 to December 31, 2019. This contract will be automatically be renewed by the Lessor and Lessee yearly unless the Lessee provides written notice to the Lessor of their intent not to renew said lease. This written notice must be provided no later than December 1 of the year prior to the Lessee's cancellation. For example, if the lease has been automatically renewed for a third year, which would end December 31, 2019, the Lessee must notify the Lessor in writing no later than December 1, 2019 for cancellation effective December 31, 2019.
4. Lessee shall have the first right to rent the advertising signs to Lessee for successive years. Although the signed contract is due within 30 days, lessee will be invoiced and payment in full is due by March 30, 2018. The Lessor reserves the right to sell sign space if the payment is not received by April 15, 2018.
5. The Advertising logo and design to be used on the signs shall be provided by the Lessee and subject to approval by the Lessor. The Lessor will not unreasonably withhold its approval of any design submitted by Lessee, however, Lessor reserves the right to set standards for the substance and appearance of any advertising to be placed in the IRA Civic Center pursuant to this Agreement.
6. The expense of setup and art work of the sign shall be borne by the Lessee.

7. This agreement shall not be changed unless done so in writing by the Lessee.
8. The Lessee's advertising space cannot be sublet or resold.
9. All signs and materials are the property of the Lessor.
10. All maintenance of the signs will be the responsibility of the IRA Civic Center.
11. Lease rates and terms are \$1,600.00 per year for a total of \$3,200.00 for a 4 x 5 interior wall sign and/or two dasherboard advertisements.

BY: 
Lessee

DATE: 2/12/18

CITY OF GRAND RAPIDS (Lessor)

BY: _____
Mayor

DATE: _____

City Clerk/City Administrator

Dated this _____ day of _____.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0161 **Version:** 1 **Name:** Stauber Contract
Type: Agenda Item **Status:** Consent Agenda
File created: 3/7/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider entering into a contract with Stauber's Goalcrease.
Sponsors:
Indexes:
Code sections:
Attachments: [Stauber Contract 2018.pdf](#)

Date	Ver.	Action By	Action	Result
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Consider entering into a contract with Stauber's Goalcrease.

Background Information:

Since 2006 we have been offering a goalie camp featuring Stauber's Goalcrease. Robb Stauber and his staff run a quality camp attracting goaltenders from across the state. We will provide lodging to Robb and his staff during the four days of the camp. The lodging expense is covered in the camp's budget.

Staff Recommendation:

City staff recommends entering into a contract with Stauber's Goalcrease to provide coaching services during the Intense Northern Goalie Camp and provide lodging for the staff.

Requested City Council Action

Make a motion to enter into a contract with Stauber's Goalcrease to provide coaching services during the Intense Northern Goalie Camp and provide lodging for the staff.

CONTRACT FOR PROFESSIONAL SERVICES

THIS CONTRACT is made and entered into as of the ____ day of _____, 2018, by and between the **City of Grand Rapids**, a Minnesota municipal corporation, hereinafter referred to as “City”, and **Robb Stauber, DBA Goalcrease**, hereinafter referred to as “Consultant”.

1. **Contracted Services.** Services to be performed by Consultant, as well as the rate of compensation, time of performance and special conditions for such services are set forth in Exhibit “A”.
2. **Condition of Payment.** All services provided by Consultant pursuant to this Contract shall be performed to the satisfaction of City, and in accordance with all applicable federal, state and local laws, ordinances, rules and regulations.
3. **Termination of the Contract.** Neither party may cancel this Contract except for cause. Whether appropriate cause exists for termination shall be determined by arbitration as set forth in Section 6 of this Agreement.
4. **Independent Contractor.** It is agreed that Consultant is an independent contractor and shall not be considered an employee, agent, or representative of City. No portion of the work under the Contract shall be sublet, sold, transferred, assigned, or otherwise disposed of except with the prior written consent of City.
5. **Insurance.** The goalie camp for which the services of Consultant are retained is separately insured by the City, and Consultant is not required to obtain separate insurance.
6. **Arbitration.** Any differences, claims, or matters in dispute arising between or among the parties out of or in connection with this Agreement shall be determined under Minnesota law and shall be submitted to arbitration by a single Arbitrator mutually selected by the parties. If an Arbitrator cannot be agreed upon, the dispute shall be submitted by the parties to arbitration by Cooperative Solutions, Inc. or its successor. The determination of the Arbitrator shall be final and absolute. The Arbitrator shall be governed by the subject matter of this Agreement and the pertinent provisions of the laws of the State of Minnesota relating to arbitration. The decision of the Arbitrator may entered as a judgment in any court of the State of Minnesota or elsewhere. Except as otherwise determined by the Arbitrator for the convenience of the Arbitrator, all arbitration proceedings shall be held in Itasca County, Minnesota.

7. **Entire Contract.** It is understood and agreed that the entire Contract of the parties is contained herein and that this Contract supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof as well as any previous contracts presently in effect between City and Consultant relating to the subject matter hereof.
8. **City Contact.** City's designated contact with regard to this Contract is Dale Anderson, City Park and Recreation Director.

City and Consultant have executed this agreement by the authorized signatures below.

DATE: _____, 2018

CITY OF GRAND RAPIDS, MINNESOTA

BY: _____
Dale Adams, Its Mayor

ATTEST: _____
, Its City Clerk

DATE: _____, 2018

CONSULTANT:

Robb Stauber

Approved as to form

Chad Sterle
City Attorney

BY _____

Date: _____, 2018

Exhibit "A"

SERVICES TO BE PERFORMED: All coaching and organizational services relating to the Intense Northern Goalie Camp, 2018 (including on-ice instruction).

RATE OF COMPENSATION: Up to \$5,500.00 for full performance of services. City shall provide lodging for Goalcrease staff during dates of the camp.

TIME OF PERFORMANCE: August 4 through August 7, 2018 together with preparatory services to be performed at such time and in such manner as deemed appropriate by Consultant.

SPECIAL CONDITIONS: City shall have the right to the use of Consultant's name in promotion of the Grand Rapids Goalie Camp 2018.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #:	18-0162	Version:	1	Name:	Consider a motion to authorize Library staff to submit a grant application to the Northland Foundation
Type:	Agenda Item	Status:			Consent Agenda
File created:	3/7/2018	In control:			City Council
On agenda:	3/12/2018	Final action:			
Title:	Consider a motion to authorize Library staff to submit a grant application to the Northland Foundation				
Sponsors:					
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
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Consider a motion to authorize Library staff to submit a grant application to the Northland Foundation

Background Information:

Northland Foundation : Rural Aging Initiative-Aging Innovations Program

Grant Application Executive Summary:

Grand Rapids Area Library proposes a project in which small, professionally-facilitated discussion groups will be convened for conversations intended to inspire senior adults to explore aspects of their well-being. Modeled after life coaching practices, these groups, called, “Crucial Conversations Discussion Groups”, will encourage participants to explore tenets of what highly successful, thriving aging communities world-wide have found lead to longevity and life-long happiness. Up to five groups will be offered during the one-year pilot project. Three of the five groups will be hosted by Grand Rapids Area Library, one by Coleraine Public Library, and one by Calumet Public Library. Each group will launch with an orientation and five 90-minute discussion group meetings. A certified professional life coach will facilitate all group meetings. A study guide with discussion topics, selected readings, challenges, powerful questions, and sample scenarios will be developed to use alongside discussion sessions. Participants will be encouraged to enroll with a spouse, life partner or other adult relative or friend with whom they can talk about personal choices and decisions relative to aging issues. This will help participants act on preferences and decisions that have been identified by group discussions.

Topics will likely arise for which Crucial Conversations participants want more information and resources. As hosts to Crucial Conversations groups, involved libraries will expand their public collections and offer a variety of programs on specific topics arising from the conversations. These programs and resources will be available for all library users.

In the final phase of the project, a Train-the-Facilitator workshop will be offered to introduce area life coaches, team facilitators and human resource professionals to the program content and coach-like group leadership. The goal of training more facilitators is to share the body of knowledge compiled and to expand the concept of Crucial Conversation groups to a wider audience. For-profit companies and non-profit organizations will be invited to use the resources developed in the initial phase of the project.

Timeline: May 1, 2018-April 30, 2019

Amount requested: \$29,420

Staff Recommendation:

Library Staff is recommending authorizing the submission of a grant application to the Northland Foundation.

Requested City Council Action

Make a motion to authorize Library staff to submit an application to the Northland Foundation for a grant.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0165 **Version:** 1 **Name:** Correction to start and end date for Assistant Superintendent at the Pokegama Golf Course.
Type: Agenda Item **Status:** Consent Agenda
File created: 3/8/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider correction to start and end date for Assistant Superintendent at the Pokegama Golf Course.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Consider correction to start and end date for Assistant Superintendent at the Pokegama Golf Course.

Background Information:

At the last City Council meeting, the Council approved the appointment of Cody Alleman to the position of Assistant Superintendent at the Pokegama Golf Course. The start and end dates were incorrectly stated as April 1, 2018 through October 31, 2018. The correct dates of employment should be March 1, 2018 through November 30, 2018.

Staff Recommendation:

Requested City Council Action

Make a motion to change the start and end dates of employment for Cody Alleman, Assistant Superintendent at the Pokegama Golf Course, to March 1, 2018 through November 30, 2018.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0166 **Version:** 1 **Name:** Consider entering into a contract with Personnel Dynamics for a Transcriptionist.
Type: Agenda Item **Status:** Consent Agenda
File created: 3/8/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider entering into a contract with Personnel Dynamics for a Transcriptionist.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Consider entering into a contract with Personnel Dynamics for a Transcriptionist.

Background Information:

For several years the City of Grand Rapids has utilized Personnel Dynamics when we need a temporary employee. Until recently, we haven't had a written contract with Personnel Dynamics. We would like to enter into a contract for the continued use of a Transcriptionist in the Police Department on an as-needed basis as we've done in the past.

Staff Recommendation:

City Staff is recommending entering into a contract with Personnel Dynamics for a Transcriptionist on an as-needed basis at an hourly rate of \$18.00 per hour and a billing rate of \$24.30 per hour.

Requested City Council Action

Make a motion to enter into a contract with Personnel Dynamics for a Transcriptionist and authorize the Mayor to sign it.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0173 **Version:** 1 **Name:** Consider entering into an agreement between the City of Grand Rapids, MN and Mary Magnuson.
Type: Agenda Item **Status:** Consent Agenda
File created: 3/8/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider entering into an agreement between the City of Grand Rapids, MN and Mary Magnuson.
Sponsors:
Indexes:
Code sections:
Attachments: [City/Magnuson Agreement](#)

Date	Ver.	Action By	Action	Result
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Consider entering into an agreement between the City of Grand Rapids, MN and Mary Magnuson.

Background Information:

At their November 27, 2017 the City Council adopted a resolution whereby the City gave property owner Christine Carlson notice that it intended to demolish a hazardous building owned by Carlson located at 620 N Pokegama Ave, Grand Rapids, Minnesota. Since this Council action, Ms. Carlson has not tried to repair or raze the structure. Ms. Carlson has tried to sell the property "as is" which requires the future owner to be made aware of the conditions and acknowledge they have been provided a copy of the violations and that they will take responsibility of them.

At this time, the current property owner (Carlson) is in the process of transferring the property to Mrs. Magnuson, who owns the property directly adjacent of the condemned structure, who under this agreement to be signed, is agreeing to the terms and will take of responsibility of the condemnation order.

Requested City Council Action

Consider entering into an agreement between the City of Grand Rapids, MN and Mary Magnuson whereby Magnuson agrees to raze the hazardous building in exchange for the City granting ownership of land owned by Carlson to Magnuson at property located at: 620 N Pokegama Ave, Grand Rapids, Minnesota.

AGREEMENT

This agreement is entered into by and between the City of Grand Rapids, Minnesota ("City") and Mary Magnuson ("Magnuson"), collectively the "Parties," this ____ day of _____, 2018.

WHEREAS, City passed Resolution 17-110 whereby the City gave property owner Christine Carlson ("Carlson") notice that it intended to demolish a hazardous building owned by Carlson and located at 620 No. Pokegama Avenue, City of Grand Rapids, County of Itasca, Minnesota; and

WHEREAS, Magnuson owns property adjacent to Carlson's; and

WHEREAS, City and Magnuson desire to enter into an agreement whereby Magnuson agrees to demolish the hazardous building in exchange for the City granting ownership of land owned by Carlson to Magnuson;

NOW, THEREFORE, the Parties hereto agree as follows:

1. The parties do hereby agree that Mary Magnuson does confirm that she is aware of the pending hazardous building condemnation upon said property and does realize the facts as contained in the attached Resolution 17-110.
2. Magnuson is willing to take ownership of said property from Ms. Carlson who presently owns it.
3. Magnuson does hereby acknowledge that she is solely responsible for the demolition of hazardous building on said property as well as the transportation of the demolished materials to a proper site in that she is solely responsible for all costs in doing so.
4. The demolition and transportation of demolished materials must be fully completed by August 1, 2018. If Magnuson failed to do so, City will reinstitute the attached hazardous building condemnation action against Ms. Magnuson wherein she will incur higher costs and expenses in doing so.

IN WITNESS WHEREOF the parties have executed this Agreement as of the date written above.

CITY OF GRAND RAPIDS

By: _____

By: _____

MARY MAGNUSON

 _____

13a.



CITY OF GRAND RAPIDS

Text File

File Number: 18-0177

Agenda Date: 3/12/2018

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Agenda Item

Agenda Number:

Consider approving a temporary liquor license for St. Joseph Parish for event scheduled for April 13, 2018.

Background Information:

St. Joseph Parish has submitted an application for a temporary on-sale liquor license for an event scheduled for April 13, 2018 at St. Joseph's Catholic Church.

Staff Recommendation:

Approve application and authorize staff to submit to Alcohol & Gambling Control for issuance of license.

Requested City Council Action

Make a motion approving a temporary liquor license for St. Joseph Parish for event scheduled for April 13, 2018.



CITY OF
GRAND RAPIDS
IT'S IN MINNESOTA'S NATURE

CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0172 **Version:** 1 **Name:**

Type: Agenda Item **Status:** Department Head Report

File created: 3/8/2018 **In control:** City Council

On agenda: 3/12/2018 **Final action:**

Title: Police Department - Chief Scott Johnson

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Police Department - Chief Scott Johnson



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0153 **Version:** 1 **Name:** Board & Commission Appointments
Type: Agenda Item **Status:** Administration Department
File created: 2/28/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider appointing applicants to City Boards & Commissions.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Consider appointing applicants to City Boards & Commissions.

Background Information:

Several terms are expired on March 1, 2018. The following is a list of boards and commissions with termed vacancies and applicants.

- Pokegama Golf Course Board: 1 vacancy, 1 applicant
- Human Rights Commission: 3 vacancies, 3 applicants
- Planning Commission: 3 vacancies, 3 applicants
- Park, Rec, Civic Ctr Board: 2 vacancies, 2 applicants
- Public Utilities Commission: 1 vacancy 2 applicant

Staff Recommendation:

Make appointments to City Boards & Commissions.

Requested City Council Action

Make a motion appointing individuals to City Boards & Commissions.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0123 **Version:** 1 **Name:** ADA Plan Public Hearing
Type: Public Hearing **Status:** Public Hearing
File created: 2/20/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider conducting the Public Hearing for the ADA Transition Plan
Sponsors:
Indexes:
Code sections:
Attachments: [GrandRapids ADA TransitionPlan Final.pdf](#)

Date	Ver.	Action By	Action	Result
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Consider conducting the Public Hearing for the ADA Transition Plan

Background Information:

The City's ADA Transition Plan is complete and a Public Hearing is required to receive input from residents. The Public Hearing for this Plan is scheduled for 5:30 p.m. in the Council Chambers on March 12, 2018.

Staff Recommendation:

City Staff recommends conducting the Public Hearing for the ADA Transition Plan

Requested City Council Action

Conduct the Public Hearing for the ADA Transition Plan

City of Grand Rapids

ADA Transition Plan

March 2018



CITY OF
GRAND RAPIDS
IT'S IN MINNESOTA'S NATURE

Certification

The City of Grand Rapids complies with all applicable provisions of the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its services, programs, or activities. Upon request, accommodation will be provided to allow individuals with disabilities to participate in all City of Grand Rapids services, programs, and activities. The City has designated coordinators to facilitate compliance with the Americans with Disabilities Act of 1990, and to coordinate compliances with Section 504 of the Rehabilitation Act of 1973 as mandated by the U.S. Department of Housing and Urban Development regulations. For information, contact the Human Resources Director or City Administrator, 420 North Pokegama Avenue, Grand Rapids, MN 55744; 218.326.7600. Upon request, this information can be available in Braille, large print, audio tape and/or electronic format, or TTY.

Adopted by the Grand Rapids City Council on March 12, 2018

Dale Adams, Mayor _____

Tom Pagel, City Administrator _____

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City of Grand Rapids ADA Transition Plan

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Introduction

Transition Plan Need and Purpose

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability. ADA consists of five titles outlining protections in the following areas:

1. Employment
2. State and local government services
3. Public accommodations
4. Telecommunications
5. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services public entities provide. As a provider of public transportation services and programs, City of Grand Rapids must comply with this section of the Act as it specifically applies to public service agencies. Title II of ADA provides that, “...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” (42 USC. Sec. 12132; 28 CFR. Sec. 35.130)

As required by Title II of ADA, 28 CFR. Part 35 Sec. 35.105 and Sec. 35.150, City of Grand Rapids has conducted a self-evaluation of its facilities within public rights of way and buildings and has developed this Transition Plan detailing how the organization will ensure that all of those facilities are accessible to all individuals.

ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the Architectural Barriers Acts of 1968 and Section 504 of the Rehabilitation Act of 1973.

The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

City of Grand Rapids ADA Transition Plan

Public Rights of Way Accessibility Guidelines (PROWAG) is developed by the Access Board and are guidelines that address accessibility in the public right-of-way. Sidewalks, street crossings, and other elements of public rights-of-way are all covered in the PROWAG Guidelines. The City of Grand Rapids Transition Plan primarily adheres to PROWAG.

MnDOT Technical Memorandum 15-025-TR-01 was issued by MnDOT in 2015 and extends the expiration of Technical Memorandum 10-02-TR-01 Adoption of Public Rights of Way Accessibility Guidance to MnDOT staff, cities and counties. This memorandum makes PROWAG the primary guidance for accessible facility design for all MnDOT projects.

Technical Memorandum 10-SA-01 is to clarify ADA requirements as they apply to local Federal-aid projects and State-aid projects. The memorandum states that Local Federal-aid projects must provide pedestrian curb ramps and detectable warning systems on all new and existing curb ramps within the project limits even if the proposed work can be done without disturbing the existing sidewalks or pedestrian ramps. Project plans that do not adhere to these requirements will not be approved by MnDOT. MnDOT, however, will not review State-aid project plans for accessibility requirements because the responsibility to provide accessible facilities per guidance falls on the local agency.

Technical Memorandum 15-01-T-01 is to provide guidance as it relates to pedestrian crossing facilitation. The memorandum includes sections on curb ramp installation and provides guidance for various crosswalk configurations including those where sidewalks may only be on one side of the road or at crossings where there is no sidewalk.

Agency Requirements

In the Americans with Disabilities Act (ADA), the term disability is defined, with respect to an individual, as;

- A physical or mental impairment that substantially limits one of more of the major life activities of such individual;
- A record of such an impairment; or
- Being regarded as having such impairment.

When addressing accessibility needs and impairments, it is important to note that ADA does not supersede or take precedence over state or local law, such as the Minnesota Human Rights Act, that may offer greater or equivalent protections.

Under Title II, the City of Grand Rapids must meet these general requirements:

City of Grand Rapids ADA Transition Plan

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities (28 C.F.R. Sec. 35.150).
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability (28 C.F.R. Sec. 35.130 (a)).
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result (28 C.F.R. Sec. 35.130(b) (7)).
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective (28 C.F.R. Sec. 35.130(b)(iv) & (d)).
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others (29 C.F.R. Sec. 35.160(a)).
- Must designate at least one responsible employee to coordinate ADA compliance [28 CFR Sec. 35.107(a)]. This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA coordinator's name, office address, and telephone number to all interested individuals [28 CFR Sec. 35.107(a)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [28 CFR Sec. 35,106]. The notice must include the identification of the employee serving as the ADA coordinator and must provide this information on an ongoing basis [28 CFR Sec. 104.8(a)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [28 CFR Sec. 35.107(b)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

Self-Evaluation

Overview

The City of Grand Rapids is required, under Title II of the Americans with Disabilities Act (ADA) and 28CFR35.105, to perform a self-evaluation of its current transportation and building infrastructure policies, practices, and programs. This self-evaluation will identify what policies and practices impact accessibility and examine how the City implements these policies. The goal of the self-evaluation is to verify that, in implementing the City's policies and practices, the department is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The self-evaluation also examines the condition of the City's Pedestrian Circulation Route/Pedestrian Access Route) (PCR/PAR) and identifies potential need for PCR/PAR infrastructure improvements. This will include the sidewalks, curb ramps, bicycle/pedestrian trails, traffic control signals and transit facilities that are located within the City's rights of way. Any barriers to accessibility identified in the self-evaluation and the remedy to the identified barrier are set out in this transition plan.

Summary

In 2017, City of Grand Rapids conducted an inventory of all City policies and facilities including pedestrian facilities within its public right of way. Facilities evaluated included the following:

- City Practices
 - Employment
 - Communications
 - Accessibility
- Pedestrian Facilities in the Right of Way
 - 30.73 miles of sidewalks
 - 848 curb ramps
 - 13.21 miles of trails (hard surface)
 - 3 pedestrian crossings
 - 1 traffic control signals
- Building Facilities
 - Airport Maintenance
 - Airways Aviation
 - Animal Shelter
 - Cemetery Chapel
 - Cemetery Office
 - Cemetery Rest Room
 - Central School
 - City Hall

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- Civic Center
 - Fire Hall
 - Forest Lake Warming Shack
 - Golf Course Club House
 - Golf Course Restrooms (On-course)
 - Library
 - Library Energy Center
 - Murphy Warming Shack
 - Public Works
 - Southwest Warming Shack
 - Sports Complex
- Park Facilities
 - Am. Legion Memorial Park
 - Angel of Hope
 - Blandin Beach
 - Central School
 - Crystal Lake
 - Grussendorf Park
 - Hale Lake Landing
 - Hillside Park
 - Isaac Walton Landing
 - Lost Creek Park
 - Maplewood Park
 - McGowans Park
 - Veterans Memorial Park
 - Willow Park
 - McKinney Lake Landing
 - Newtons Sliding Hill
 - Oakland Park
 - Pokegama Golf Course
 - Remer-DeSchepper Park
 - River Front Trail
 - Skogebo Park
 - Sports Complex
 - Steamboat Landing
 - Sylvan Landing
 - Sylvan Point Trails
- City Owned Parking Lots
 - Block 19 Lot
 - Block 37 Lot
 - Kremer Lot
 - Mall Parking
 - NE Ogles Lot
 - North Mall Lot
 - North Ogles Lot
 - Brewed Awakenings
 - Crystal Lake
 - Old Hospital Lot
 - Professional Building Lot
 - Professional Lot East
 - West Mall Lot

A detailed evaluation on how these facilities relate to ADA standards is found in the appendices and will be updated periodically as the facilities are updated or changed.

Policies and Practices

Previous Practices

Since the adoption of the ADA, the City of Grand Rapids has striven to provide accessible pedestrian features as part of the City's capital improvement projects. As additional information was made available as to the methods of providing accessible pedestrian features, the City updated their procedures to accommodate these methods.

Policy

City of Grand Rapids goal is to continue to provide accessible pedestrian design features as part of the City's capital improvement projects. The City has established ADA design standards and procedures as listed in Appendix E. These standards and procedures will be kept up to date with nationwide and local best management practices.

The City will consider and respond to all accessibility improvement requests. All accessibility improvements that have been deemed reasonable will be scheduled consistent with transportation priorities. The City will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the City jurisdiction are ADA compliant to the maximum extent feasible.

Maintenance of pedestrian facilities within the public right of way will continue to follow the policies set forth by the City. (Chapter 58, Section 58-7 of the City Municipal Code)

Requests for accessibility improvements can be submitted to the Matt Wegwerth, City Engineer. Contact information for Matt Wegwerth is located in Appendix A.

ADA Coordinator

In accordance with 28 CFR 35.107(a), the City of Grand Rapids has identified an ADA Title II Coordinator to oversee the City policies and procedures. Contact information for this individual is located in Appendix A.

Improvement Schedule

Priority Areas

City of Grand Rapids has identified specific locations as priority areas for planned accessibility improvement projects. These areas have been selected due to their immediate impact and

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their proximity to specific land uses such as schools, government offices and medical facilities, as well as from the receipt of public comments. The priority areas identified in each Department's self-evaluation are as follows:

- City Practices (Administration)
 - Create a grievance form on the website
 - Create a list of available interpreters
 - Online employment applications
- Public Right of Way (Engineering)
 - Sidewalks and curb ramps in the Central Business District
 - Curb ramps around schools or other public facilities that generate high volumes of pedestrian traffic
- Building Facilities (Facilities Maintenance)
 - Building parking lots (including stalls, surface markings and signage)
 - Review and relocate interior room signage and dispensing fixtures
 - Install door hardware that meets requirements (lever handles)
- Park Facilities (Park and Recreation Department)
 - Install accessible equipment where appropriate
 - Improve access to ground level components

Additional priority will be given to any location where an improvement project or alteration was constructed after January 26, 1991, and accessibility features were omitted.

External Agency Coordination

Many other agencies are responsible for pedestrian facilities within the jurisdiction of the City of Grand Rapids. The City will coordinate with those agencies to track and assist in the facilitation of the elimination of accessibility barriers along their routes.

Implementation Methodology

City Practices

With the completion of the Transition Plan, the City of Grand Rapids' practices and policies are currently up to date as related to ADA policies. Improvements can be made to online applications and form submission, and these will be reviewed first. If areas are identified in the future as being non-compliant, a schedule will be implemented to correct the issues.

Right of Way

The City of Grand Rapids will utilize two methods for upgrading pedestrian facilities to the current ADA standards. The first and most comprehensive of the two methods are the scheduled street and utility improvement projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. The second method is the stand alone sidewalk and ADA accessibility improvement project. These projects will be incorporated into the Capital Improvement Program (CIP) on a case by case basis as determined by City of Grand Rapids staff. The City CIP, which includes a detailed schedule and budget for specific improvements, is included in Appendix M.

Building Facilities

The City of Grand Rapids will utilize two methods for upgrading buildings to meet current ADA standards. The first and most comprehensive of the two methods are the scheduled building improvements plan as part of the Capital Improvement Plan. All ADA related facilities impacted by these projects will be upgraded to current ADA accessibility standards. For example, all new or remodeled buildings will be built or upgraded to meet the latest ADA standards. The second method is the stand alone ADA accessibility improvement project. These projects will be incorporated into the Capital Improvement Program (CIP) on a case by case basis as determined by City of Grand Rapids staff and approved by City Council. These projects will most likely arise from a need to upgrade a specific facility based on input from the public.

Park Facilities

The City of Grand Rapids will utilize two methods for upgrading park facilities to meet current ADA standards. The first and most comprehensive of the two methods are the scheduled park improvements plan as part of the Capital Improvement Plan. All ADA related facilities impacted by these projects will be upgraded to current ADA accessibility standards. For example, if a new playground or restroom were scheduled to be built or remodeled, it will be built or upgraded to meet the latest ADA standards. The second method is the stand alone ADA accessibility improvement project. These projects will be incorporated into the Capital Improvement Program (CIP) on a case by case basis as determined by the Park and Rec Board and approved by City Council. These projects will most likely arise from a need to upgrade a specific facility based on input from the public.

Public Outreach

City of Grand Rapids recognizes that public participation is an important component in the development of this document. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of City of Grand Rapids.

Public outreach for the creation of this document consisted of the following activities:

- Public Hearing on the ADA Transition Plan was held at 5:30, on March 12, 2018, at the regularly scheduled City Council meeting. There were no members of the public that spoke at the public hearing.
- Document was submitted to local accessibility committee for review and comment. No comments were received.
- Document was placed on the City's website from February 12, 2018 to March 12, 2018 for review and comment. City staff did not receive any feedback during this time. Once adopted, the final plan will be posted on the City website

A summary of comments received and detailed information regarding the public outreach activities are located in Appendix C.

Grievance Procedure

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities in regards to the ADA. A draft of this public notice is provided in Appendix D. If users of City of Grand Rapids facilities and services believe the City has not provided reasonable accommodation, they have the right to file a grievance.

In accordance with 28 CFR 35.107(b), the City has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints, concerns, comments, and other grievances. This grievance procedure is outlined in Appendix D.

Monitor the Progress

This document will continue to be updated as conditions within the City evolve.

The appendices in this document will be updated periodically, while the main body of the document will be updated every 3-5 years, with a future update schedule to be developed as necessary. With each main body update, a public comment period will be established to continue the public outreach.

Appendices

Appendix A – Contact Information

ADA Title II Coordinator

Name: Tom Pagel, City Administrator
Address: 420 N Pokegama Avenue
Grand Rapids, MN 55744
Phone: 218.326.7626
E-mail: tpagel@ci.grand-rapids.mn.us

Public Right of Ways ADA Implementation Coordinator

Name: Matt Wegwerth, City Engineer
Address: 420 N Pokegama Avenue
Grand Rapids, MN 55744
Phone: 218.326.7625
E-mail: mwegwerth@ci.grand-rapids.mn.us

ADA Technical Team

Name: Nathan Morlan, Facilities Maint. Mgr.
Address: 500 SE 4th Street
Grand Rapids, MN 55744
Phone: 218.326.7628
E-mail: nmorlan@ci.grand-rapids.mn.us

Name: Jeff Davies, Public Works Director
Address: 500 SE 4th Street
Grand Rapids, MN 55744
Phone: 218.326.7480
E-mail: jdavies@ci.grand-rapids.mn.us

Name: Dale Anderson, Park and Rec Dir.
Address: 1401 NW 3rd Avenue
Grand Rapids, MN 55744
Phone: 218.326.2500
E-mail: danderson@ci.grand-rapids.mn.us

Name: Rob Mattei, Community Dev. Dir.
Address: 420 N Pokegama Avenue
Grand Rapids, MN 55744
Phone: 218.326.7622
E-mail: rmattei@ci.grand-rapids.mn.us

Name: Travis Cole, Building Official
Address: 420 N Pokegama Avenue
Grand Rapids, MN 55744
Phone: 218.326.7651
E-mail: tcole@ci.grand-rapids.mn.us

Name: Lynn DeGrio, Human Resources Dir.
Address: 420 N Pokegama Avenue
Grand Rapids, MN 55744
Phone: 218.326.7606
E-mail: ldegrio@ci.grand-rapids.mn.us

Appendix B – Glossary of Terms

ABA: See Architectural Barriers Act.

ADA: See Americans with Disabilities Act.

ADA Transition Plan: Mn/DOT's transportation system plan that identifies accessibility needs, the process to fully integrate accessibility improvements into the Statewide Transportation Improvement Program (STIP), and ensures all transportation facilities, services, programs, and activities are accessible to all individuals.

ADAAG: See Americans with Disabilities Act Accessibility Guidelines.

Accessible: A facility that provides access to people with disabilities using the design requirements of the ADA.

Accessible Pedestrian Signal (APS): A device that communicates information about the WALK phase in audible and vibrotactile formats.

Alteration: A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

Americans with Disabilities Act (ADA): The Americans with Disabilities Act; Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

Americans with Disabilities Act Accessibility Guidelines (ADAAG): contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

APS: See Accessible Pedestrian Signal.

Architectural Barriers Act (ABA): Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Capital Improvement Program (CIP): The CIP for the Transportation Department includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the county's transportation system.

Detectable Warning: A surface feature of truncated domes, built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

DOJ: See United States Department of Justice

Federal Highway Administration (FHWA): A branch of the US Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

FHWA: See Federal Highway Administration

Pedestrian Access Route (PAR): A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

Pedestrian Circulation Route (PCR): A prepared exterior or interior way of passage provided for pedestrian travel.

PROWAG: An acronym for the *Guidelines for Accessible Public Rights-of-Way* issued in 2005 by the U. S. Access Board. This guidance addresses roadway design practices, slope, and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

Right of Way: A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks, and trails creating public pedestrian access within a public entity's jurisdictional limits.

Section 504: The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

Uniform Accessibility Standards (UFAS): Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

United States Access Board: An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally funded facilities.

United States Department of Justice (DOJ): The United States Department of Justice (often referred to as the Justice Department or DOJ), is the United States federal executive department responsible for the enforcement of the law and administration of justice.

Appendix C – Public Outreach

Public Hearing on the ADA Transition Plan was held at 5:30, on March 12, 2018, at the regularly scheduled City Council meeting. There were no members of the public that spoke at the public hearing.

Document was submitted to local accessibility committee for review and comment on January 18, 2018. No comments were received.

Document was placed on the City’s website from February 12, 2018 to March 12, 2018 for review and comment. City staff did not receive any feedback during this time. Once adopted, the final plan will be posted on the City website

Appendix D – Grievance Procedure

As part of the ADA requirements the City has posted the following notice outlining its ADA requirements:

Public Notice

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990, City of Grand Rapids will not discriminate against individuals in City services, programs, or activities.

Employment: The City does not discriminate in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the Americans with Disabilities Act (ADA).

Effective Communication: The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City’s programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. For example, individuals with service animals are welcomed in City offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City program, service, or activity, should contact the office of ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

The City will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

City of Grand Rapids Grievance Procedure under the Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the **City of Grand Rapids**. The **City's** Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**Matt Wegwerth, City Engineer
ADA Coordinator
420 N Pokegama, Grand Rapids, MN 55744**

Within 15 calendar days after receipt of the complaint, **Matt Wegwerth** or **his** designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, **Matt Wegwerth** or **his** designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the **City of Grand Rapids** and offer options for substantive resolution of the complaint.

If the response by **Matt Wegwerth** or **his** designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the **City Administrator** or **his** designee.

Within 15 calendar days after receipt of the appeal, the **City Administrator** or **his** designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **City Administrator** or **his** designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

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All written complaints received by **Matt Wegwerth** or **his** designee, appeals to the **City Administrator** or **his** designee, and responses from these two offices will be retained by the **City of Grand Rapids** for at least three years.

City of Grand Rapids Sample Grievance Procedure

Those wishing to file a formal written grievance with City of Grand Rapids may do so by one of the following methods:

Internet

Visit the City of Grand Rapids website (website) and click the “ADA” link to the ADA Grievance Form. Fill in the form online and click “submit.” A copy of the ADA Grievance Form is included in this Appendix.

Telephone

Contact the pertinent City staff person listed in the **Contact Information** section of Appendix A to submit an oral grievance. The staff person will utilize the Internet method above to submit the grievance on behalf of the person filing the grievance.

Paper Submittal

Contact the pertinent City staff person listed in the **Contact Information** section of Appendix A to request a paper copy of the county’s grievance form, complete the form, and submit it to the Responsible Party. A staff person will utilize the Internet method above to submit the grievance on behalf of the person filing the grievance.

The ADA Grievance Form will ask for the following information:

The **name, address, telephone number, and email address** for the person filing the grievance

The **name, address, telephone number, and email address** for the person alleging an ADA violation (if different than the person filing the grievance)

A **description and location of the alleged violation and the nature of a remedy sought**, if known by the complainant.

If the complainant has filed the same complaint or grievance with the United States Department of Justice (DOJ), another federal or state civil rights agency, a court, or others, the **name of the agency or court where the complainant filed it and the filing date**.

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The City will acknowledge receipt of the grievance to the complainant within 10 working days of its submittal. City will also provide to the complainant within 10 working days of its submittal; 1) a response or resolution to the grievance or; 2) information on when the complainant can expect a response or resolution to the grievance.

If the grievance filed does not concern a City of Grand Rapids facility, the City will work with the complainant to contact the agency that has jurisdiction.

3. Within 60 calendar days of receipt, a City of Grand Rapids staff person will conduct an investigation necessary to determine the validity of the alleged violation. As a part of the investigation, the staff person would conduct an engineering study to help determine the City's response. The staff person will take advantage of department resources and use engineering judgment, data collected, and any information submitted by the resident to develop a conclusion. A staff person will be available to meet with the complainant to discuss the matter as a part of the investigation and resolution of the matter. The City will document each resolution of a filed grievance and retain such documentation in the department's ADA Grievance File for a period of seven years.

The City will consider all specific grievances within its particular context or setting.

Furthermore, the City will consider many varying circumstances including: 1) the nature of the access to services, programs, or facilities at issue; 2) the specific nature of the disability; 3) the essential eligibility requirements for participation; 4) the health and safety of others; and 5) the degree to which an accommodation would constitute a fundamental alteration to the program, service, or facility, or cause an undue hardship to City of Grand Rapids.

Accordingly, the resolution by City of Grand Rapids of any one grievance does not constitute a precedent upon which the county is bound or upon which other complaining parties may rely.

File Maintenance

The City shall maintain ADA grievance files for a period of seven years.

Complaints of Title II violations may also be filed with the DOJ within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the Department of Justice (DOJ). The DOJ may bring a lawsuit where it has investigated a matter and has been unable to resolve violations.

For more information, contact:

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U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Disability Rights Section - NYAV
Washington, D.C. 20530
www.ada.gov
(800) 514-0301 (voice – toll free)
(800) 514-0383 (TTY)

Title II may also be enforced through private lawsuits in Federal court. It is not necessary to file a complaint with the DOJ or any other Federal agency, or to receive a "right-to-sue" letter, before going to court.

See grievance form on next page.

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Title II of the Americans with Disabilities Act Section 504 of the Rehabilitation Act of 1973 Discrimination Complaint Form

Instructions: Please fill out this form completely, in black ink or type. Sign and return to the address on page 3.

Complainant: _____

Address: _____

City, State and Zip Code: _____

Telephone: _____

Home: _____

Business: _____

Person Discriminated Against (if other than the complainant): _____

Address: _____

City, State, and Zip Code: _____

Telephone: Home: _____ Business: _____

Government, or organization, or institution which you believe has discriminated:

Name: _____

Address: _____

County: _____

City, State and Zip Code: _____

Telephone Number: _____

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When did the discrimination occur? _____ Date: _____

Describe the acts of discrimination providing the name(s) where possible of the individuals who discriminated (use space on page 3 if necessary):

Have efforts been made to resolve this complaint through the internal grievance procedure of the government, organization, or institution?

Yes _____ No _____

If yes: what is the status of the grievance?

Has the complaint been filed with another bureau of the Department of Justice or any other Federal, State, or local civil rights agency or court?

Yes _____ No _____

If yes:

Agency or Court: _____

Contact Person: _____

Address: _____

City, State, and Zip Code: _____

Telephone Number: _____

Date Filed: _____

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Do you intend to file with another agency or court?

Yes _____ No _____

Agency or Court: _____

Address: _____

City, State and Zip Code: _____

Telephone Number: _____

Additional space for answers:

Signature: _____

Date: _____

Return to: City of Grand Rapids
Attn: Matt Wegwerth, ADA Coordinator
420 North Pokegama Avenue
Grand Rapids, MN 55744

Appendix E – Agency ADA Design Standards and Procedures

Design Procedures

Intersection Corners

Curb ramps or blended transitions will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for an intersection corner to achieve full accessibility within the scope of any project. Those limitations will be noted and those intersection corners will remain on the transition plan. As future projects or opportunities arise, those intersection corners shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, each intersection corner shall be made as compliant as possible in accordance with the judgment of City staff.

Sidewalks / Trails

Sidewalks and trails will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for segments of sidewalks or trails to achieve full accessibility within the scope of any project. Those limitations will be noted and those segments will remain on the transition plan. As future projects or opportunities arise, those segments shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, every sidewalk or trail shall be made as compliant as possible in accordance with the judgment of City staff.

Traffic Control Signals

Traffic control signals will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual traffic control signal locations to achieve full accessibility within the scope of any project. Those limitations will be noted and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, each traffic signal control location shall be made as compliant as possible in accordance with the judgment of City staff.

Other policies, practices and programs

Policies, practices and programs not identified in this document will follow the applicable ADA standards.

Design Standards

City of Grand Rapids has PROWAG, as adopted by the Minnesota Department of Transportation (MnDOT), as its design standard. A copy of this document is included in Appendix M.

Appendix F – City ADA Policies (Communications, Employment)

Job Description

The City of Grand Rapids' job descriptions include special statements under the qualification requirements that include:

“Reasonable accommodations may be made to enable individuals with disabilities to perform essential job functions”

Job Applications

The City allows submission of paper job applications and online fillable PDF job applications to applicants. Accommodations to peoples with disabilities for people applying for positions include the use of TTY/Voice communications.

Certain areas within the job application also indicate whether or not the person applying has a disability that is in need of special accommodations, in the City identifies the need for accommodation and makes the accommodation for the person in need.

Communication

The City makes it a priority to make accommodations for any person with a disability at City activity and functions. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Grand Rapids, should contact the ADA Title II Coordinator as soon as possible but no later than 48 hours before the scheduled event.

Neighborhood/Stakeholder/Public Meetings

Any public meeting, hearing, or comment period held by the City of Grand Rapids is accessible. The City will provide qualified interpreters upon request and will provide documents in an accessible format or other alternative formats, such as large print upon request. All public notices shall contain contact information for accommodation requests.

Public meetings, trainings, programs and other events must be held at accessible locations and indicated in the meeting notice.

Appendix G – Self-Evaluation Results – City Practices

Overview

The self-evaluation of the City’s programs, activities and services involved the participation of all city departments that provides public services and activities. In-person interaction is one of the primary functions of most city departments. The City of Grand Rapids has fully embraced the use of electronic communication tools, like the city website and email, to interact and provide information to citizens and applicants for city positions. The city Human Resources Department has established procedures and has effectively established effective communication with people with disabilities citywide.

Website Accessibility

A primary way the City of Grand Rapids uses to communicate with its citizens is through the use of the City website. The City strives to make the website accessible to all people and has specific information regarding website accessibility listed at <http://www.cityofgrandrapidsmn.com/engineering-public-works/ada-transition-plan>. At this location, people can find ways to communicate to the City of Grand Rapids which format, indicate accessibility problems they may be having, and provides accessibility assistance using multiple TTY/voice communication services and supportive assistance technologies.

Employment Practices

The City of Grand Rapids uses the paper application process for hiring, with the electronic fillable version that can be submitted via email. Employment processes within the City are specifically formulated to follow ADA procedures by effectively requesting if the applicant has disabilities that may need special accommodations during the interview/application process. Job description also include policies that reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Training

The City offers ongoing training to all of its employees regarding accommodation to people with disabilities and will continue to offer and implement this training.

Plan Management

This plan is meant to be a living document that will received routine updates.

Human Rights Commission

The nine-member Grand Rapids Human Rights Commission was established by ordinance of the City Council in 2004. The goal of the commission is to work with the community to promote

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human rights and dignity, eliminate hate, prejudice and discrimination, and respect diversity. All citizens are encouraged to become involved in promoting human rights in our community.

Appendix H – Self-Evaluation Results – Public Right of Way

Summary

This initial self-evaluation of pedestrian facilities yielded the following results:

- 13.65% of sidewalks met accessibility criteria
- 44.22% of curb ramps met accessibility criteria
- 52.46% of trails met accessibility criteria
- 100% of pedestrian crossings met accessibility criteria
- 0% of traffic control signals had push buttons that are accessible, or had the pedestrian indications on recall
- 0% of traffic control signals had APS

Detailed self-evaluation results:

Sidewalks: All sidewalks constructed prior to 2010 are deemed to be non-compliant because of wide joints. Some may meet the slope requirements but the use of the ½” round jointer was prevalent up until 2010. The City has a total of 30.73 miles of sidewalk, of which 3.69 miles are compliant.

Curb Ramps: All pedestrian curb ramps within the City were reviewed to determine if they are compliant. The City owns 848 total ramps; 375 ramps are compliant and 473 ramps are non-compliant.

Trails: The City reviewed all hard surface trails (asphalt and concrete) within the City. Of the 13.21 miles of trail, 6.93 miles are compliant. Excluded from the evaluation are all grass and earthen trails, as these would not meet the requirements of a safe and stable surface.

Pedestrian crossings: The City currently maintains 3 pedestrian crossings, which include push buttons and flashing signs. All 3 of the facilities are compliant.

Traffic control signals: The City owns and operates 1 traffic signal and it is noncompliant.

Appendix I – Self-Evaluation Results – Building Facilities

A comprehensive overview of all public areas in City of Grand Rapids facilities was performed in 2017. The results of the evaluations are shown in the appendix below.

Appendix J – Self-Evaluation Results – Parking Lot Facilities

A comprehensive overview of all public areas in City of Grand Rapids facilities was performed in 2017. The results of the evaluations are shown in the appendix below.

Appendix K – Self-Evaluation Results – Park Facilities

A comprehensive overview of all public areas in City of Grand Rapids facilities was performed in 2017. The results of the evaluations are shown in the appendix below.

Appendix L – Schedule / Budget Information

Cost Information

Unit Prices

Construction costs for upgrading facilities can vary depending on each individual improvement and conditions of each site. Costs can also vary on the type and size of project the improvements are associated with. Listed below are representative 2011 costs for some typical accessibility improvements based on if the improvements are included as part of a retrofit type project, or as part of a larger comprehensive capital improvement project.

Intersection corner ADA improvement retrofit: +/- \$4,000 per corner

Intersection corner ADA improvement as part of adjacent capital project: +/- \$1,500 per corner

Sidewalk / Trail ADA improvement retrofit: +/- \$5.00 per SF

Sidewalk / Trail ADA improvement as part of adjacent capital project: +/- \$3.50 per SF

Parking lot improvement retrofit: +/- \$500 per lot

Building signage improvement retrofit: +/- \$500 per building

Building door hardware retrofit: +/- \$500 per building

Park accessible equipment retrofit: +/- \$20,000 per park

Park accessible route retrofit: +/- \$25,000 per park

Priority Areas

Based on the results of the self-evaluation, the estimate costs associated with eliminating accessibility barriers within the targeted priority areas is as follows:

- City Practices – No external costs are associated with these priorities
- Public Right of Way
 - Central Business District:
 - 51 total pedestrian ramps at 38 corners are non-compliant
 - 8 corners can be replaced in conjunction with a CIP project (+/- \$12,000)
 - 30 corners can be replaced as a retrofit project (+/- \$120,000)
 - 3.35 miles of sidewalk are non-compliant

City of Grand Rapids ADA Transition Plan

- 0.19 miles of sidewalk can be replaced in conjunction with a CIP project (+/- \$21,000)
- 3.16 miles of sidewalk can be replaced as a retrofit project (+/- \$500,500)
- School Zones (1 block radius of schools)
 - 68 total pedestrian ramps at 62 corners are non-compliant
 - 3 corners can be replaced in conjunction with a CIP project (+/- \$4,500)
 - 59 corners can be replaced as a retrofit project (+/- \$236,000)
 - 2.52 miles of sidewalk are non-compliant
 - 0.18 miles of sidewalk can be replaced in conjunction with a CIP project (+/- \$20,000)
 - 2.34 miles of sidewalk can be replaced as a retrofit project (+/- \$371,000)
- Building Facilities
 - Building parking lots (including stalls, surface markings and signage)
 - 19 parking lots can be upgraded at a cost of (+/- \$9,500)
 - Review and relocate interior room signage and dispensing fixtures
 - 11 buildings can be improved at a cost of (+/- \$5,500)
 - Install door hardware that meets requirements (lever handles)
 - 8 buildings can be upgraded at a cost of (+/- \$4,000)
- Park Facilities
 - Install accessible equipment where appropriate
 - 5 parks can be upgraded at a cost of (+/- \$100,000)
 - Improve access to ground level components
 - 5 parks can be upgraded at a cost of (+/- \$125,000)

Entire Jurisdiction

Based on the results of the self-evaluation, the estimated costs associated with providing ADA accessibility within the priority areas is \$1,529,000. This amount signifies a significant investment that the City of Grand Rapids is committed to making in the upcoming years. A systematic approach to providing accessibility will be taken in order to absorb the cost into the City of Grand Rapids budget for improvements to the public infrastructure. See website for an updated Capital Improvement Plan.

Appendix M – Supporting Documents

A list of supporting documents that are included in the ADA Transition Plan:

- City's Capital Improvement Plan (see City website)
- Public Rights-of-Way Accessibility Guidelines (PROWAG)
- Prosecution of Work Special Provisions
- MnDOT Standard Driveway and Sidewalk Details
- MnDOT Pedestrian Curb Ramp Details



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0124 **Version:** 1 **Name:** ADA Transition Plan adopt
Type: Agenda Item **Status:** Public Hearing
File created: 2/20/2018 **In control:** City Council
On agenda: 3/12/2018 **Final action:**
Title: Consider a resolution adopting the ADA Transition Plan
Sponsors:
Indexes:
Code sections:
Attachments: [3-12-18 Resolution ADA Plan Adopt](#)

Date	Ver.	Action By	Action	Result
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Consider a resolution adopting the ADA Transition Plan

Background Information:

Once the Public Hearing is complete for the ADA Transition Plan, the City Council may consider adopting the Plan. The attached resolution accomplishes this task.

Staff Recommendation:

City Staff recommends a resolution adopting the ADA Transition Plan

Requested City Council Action

Make a motion approving a resolution adopting the ADA Transition Plan

Council member _____ introduced the following resolution and moved for its adoption:

RESOLUTION NO. 18-__

**A RESOLUTION ADOPTING
The City of Grand Rapids ADA Transition Plan**

WHEREAS, Resolution 18-08 of the City Council dated the 12th day of February, 2018, accepted the Americans with Disabilities Act (ADA) Transition Plan; and

WHEREAS, a resolution of the City Council adopted the 12th day of February, 2018, fixed a date of March 12, 2018, for a Council Hearing on the plan; and

WHEREAS, two weeks' published notice of hearing was given and hearing was held thereon on the 12th day of March, 2018, at which all persons desiring to be heard were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA:

1. The ADA Transition Plan is hereby approved

Adopted by the Council this 12th day of March, 2018.

Dale Adams, Mayor

ATTEST:

Kim Johnson-Gibeau, City Clerk

Council member _____ seconded the foregoing resolution and the following voted in favor thereof: _____; and the following voted against same: _____; whereby the resolution was declared duly passed and adopted.