



# CITY OF GRAND RAPIDS

## Meeting Agenda Full Detail

### City Council

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Monday, August 26, 2013

5:00 PM

City Hall Council Chambers

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#### AMENDED

**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, August 26, 2013 at 5:00 p.m. in 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.*

**5:02 PM PUBLIC FORUM**

**5:07 PM COUNCIL REPORTS**

**5:10 PM APPROVAL OF MINUTES**

**13-0484**

Approve Council minutes for Monday, August 12, 2013 Worksession and Regular meetings.

**Attachments:** [August 12, 2013 Worksession Meeting](#)  
[August 12, 2013 Regular Meeting](#)

**5:11 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. **13-0483** Consider accepting the Bylaws of the Grand Rapids Arts & Culture Commission

**Attachments:** [Arts & Culture Commission Bylaws](#)

2. **13-0485** Consider approving Amendments to Addendum A of Agreement for Continuing Disclosure Services and Addendum B of Agreement for Arbitrage and Rebate

Monitoring with Springsted Incorporated for Series 2013B GO Street Reconstruction Bonds and Series 2013C Taxable GO Utility Revenue Bonds.

**Attachments:** [Agreements .pdf](#)

3. [13-0490](#) Authorize the Police Department to apply for and participate in the 2013 / 2014 Yamaha ATV/Side by Side Law Loan Program offered by the Yamaha Motor Corporation, U.S.A.  
**Attachments:** [1861\\_001.pdf](#)
4. [13-0491](#) Consider approving Change Order 2 related to CP 2012-3, 4th Avenue NE Reconstruction.  
**Attachments:** [8-26-13 CO 2 FOR CP 2012-3 4th AVE NE](#)
5. [13-0492](#) Consider allowing the Engineering Department to obtain quotes for the re-striping of 5th St N, from 6th Ave NW to 6th Ave NE, converting it from a 4-lane roadway to a 3-lane roadway with dedicated bike lanes.
6. [13-0493](#) Consider voiding lost Accounts Payable checks #104391, 106453, 108018 & 111506 issuing new checks and waiving bond requirements for checks issued to Matthew O'Rourke in the amounts of \$60.00, \$30.00, \$40.00 & \$40.00.  
**Attachments:** [Lost AP Checks.pdf](#)
7. [13-0494](#) Consider approving Part-Time Public Works employees for Fall Maintenance Season.
8. [13-0497](#) Consider approving two Permanent Easements related to the Majestic Pines Project.  
**Attachments:** [Mann&Pavich OfferLtr&Esmt-Signed](#)  
[Mock OfferLtr&Esmt-Signed](#)
9. [13-0499](#) Request by the Grand Rapids Police Department to consider approving a Resolution and authorize the Grand Rapids City Mayor, Grand Rapids Police Chief and City Administrator to sign the attached Joint Powers Agreement between the State of Minnesota, acting through its Commissioner of Public Safety, Bureau of Criminal Apprehension and the City of Grand Rapids, Police Department.  
**Attachments:** [Cover Letter BCA](#)  
[JPA](#)  
[MN Joint Powers Res](#)
10. [13-0500](#) Consider hiring temporary employees for Park & Recreation.
11. [13-0505](#) Entering into a rental agreement with an area business for advertising at the IRA Civic Center.  
**Attachments:** [Coldwell Banker Brett Beckfeld-signed 2013.doc](#)
12. [13-0510](#) Consider adopting a resolution establishing a public hearing on September 23, 2013 on proposed assessments for CP 2011-6, Horseshoe Lake Road Improvements.



- Attachments:** [8-26-13 Resolution CP 2011-6 Hearing for Assessments](#)
13. [13-0511](#) Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2011-6, Horseshoe Lake Road Improvements.  
**Attachments:** [8-26-13 Resolution CP 2011-6 Declaring Costs](#)
14. [13-0514](#) Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2010-2, City Wide Overlays - Urban and CP 2012-4A Remer-Deschepper Overlays - Rural.  
**Attachments:** [8-26-13 Resolution CP 2010-2 & CP 2012-4A Declaring Costs](#)
15. [13-0515](#) Consider adopting a resolution establishing a public hearing on September 23, 2013 on proposed assessments for CP 2010-2, City Wide Overlays - Urban and CP 2012-4A Remer-Deschepper Overlays - Rural.  
**Attachments:** [8-26-13 Resolution CP 2010-2 & CP 2012-4A Hearing for Assessments](#)
16. [13-0516](#) Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2012-3, 4th Ave NE Reconstruction and CP 2013-1, 7th Ave NW Reconstruction.  
**Attachments:** [8-26-13 Resolution CP 2012-3 & CP 2013-1 Declaring Costs](#)
17. [13-0517](#) Consider adopting a resolution establishing a public hearing on September 23, 2013 on proposed assessments for CP 2012-3, 4th Ave NE Reconstruction and CP 2013-1, 7th Ave NW Reconstruction.  
**Attachments:** [8-26-13 Resolution CP 2012-3 & CP 2013-1 Hearing for Assessments](#)
18. [13-0518](#) Consider adopting a resolution establishing a public hearing on September 23, 2013 on proposed assessments for CP 2004-3, 4th St SW/SE and Pokegama Avenue from 1st S to 10th St S.  
**Attachments:** [8-26-13 Resolution CP 2004-3 Hearing for Assessments](#)
19. [13-0519](#) Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2004-3, 4th St SW/SE and Pokegama Avenue from 1st S to 10th St S.  
**Attachments:** [8-26-13 Resolution CP 2004-3 Declaring Costs](#)
20. [13-0520](#) Consider approving Change Order 2 related to the 8 & 10 Hangar Apron Reconstruction Project.  
**Attachments:** [Map AirportAddIPavement](#)
21. [13-0521](#) Consider adoption of resolution authorizing execution of a subordination agreement  
**Attachments:** [City reso approving TIF assignment and subord agreement - 430569v2 \(2\).pdf](#)

22. [13-0495](#) Consider approving a resolution authorizing preliminary approval of a project on behalf of Northland Counseling Center, Inc., and calling for a public hearing on Monday September 23, 2013, at 6:00 p.m.

**Attachments:** [Grand Rapids Northland 2013 Prelim Resol.pdf](#)

**5:15 SETTING OF REGULAR AGENDA**

PM

*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.*

**5:16 ACKNOWLEDGE BOARDS & COMMISSIONS**

PM

23. [13-0503](#) Board & Commission minutes.

**Attachments:** [June 12, 2013 Library Board](#)  
[July 10, 2013 Library Board](#)  
[July 11, 2013 PUC](#)  
[July 30, 2013 PUC Special Meeting](#)  
[July 16, 2013 Golf Board minutes](#)

**5:17 DEPARTMENT HEAD REPORT**

PM

24. [13-0526](#) Housing & Redevelopment Authority ~ Jerry Culliton

**Attachments:** [HRA Department Head Report](#)

**5:25 CIVIC CENTER, PARKS & RECREATION**

PM

25. [13-0504](#) Adopt a resolution accepting a donation from Affinity Plus Credit Union

**Attachments:** [Affinity Plus Resolution](#)

26. [13-0502](#) Purchase a playground to be placed at Maplewood Park.

**Attachments:** [Grand Rapids Park Equip.](#)  
[Grand Rapids install](#)

**POLICE DEPARTMENT**

27. [13-0509](#) Recommended changes to the Chapter 42, 42 Firearms Ordinance and the firearm zones map.

**Attachments:** [Firearms rough draft](#)  
[Firearms Map](#)  
[Firearms Ordinance](#)

**5:35 ADMINISTRATION DEPARTMENT  
PM**

28. [13-0508](#) Consider appointing Anthony Beer to the position of Cemetery/Airport Maintenance Worker.

**5:40 VERIFIED CLAIMS  
PM**

29. [13-0523](#) Consider approving the verified claims for the period August 6, 2013 to August 19, 2013 in the total amount of \$ 516,679.97.

**Attachments:** [8/26/2013 Bill List](#)

**6:00 PUBLIC HEARINGS  
PM**

30. [13-0506](#) Conduct a public hearing to consider the rezoning of a 2.13 acre parcel of land from I-1 (Industrial Park) to GB (General Business).

**Attachments:** [Zoning Map Amendment- Maps and Excerpts](#)

[Zoning Map Amendment- Hardy Application](#)

[Understanding Spot Zoning.pdf](#)

31. [13-0507](#) Consider the recommendation of the Planning Commission regarding adoption of a resolution denying the rezoning a 2.13 acre parcel of land from I-1 (Industrial Park) to GB (General Business).

**Attachments:** [Zoning Map Amendment- Denial Resolution- 8-26-13](#)

**ADJOURNMENT**

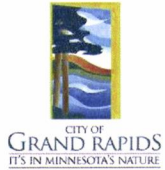
*NEXT REGULAR MEETING IS SCHEDULED FOR SEPTEMBER 9, 2013, AT 5:00 P.M.*

*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: TOM PAGEL, CITY ADMINISTRATOR*





# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0484      **Version:** 1      **Name:** Council Minutes  
**Type:** Agenda Item      **Status:** Approval of Minutes  
**File created:** 8/15/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Approve Council minutes for Monday, August 12, 2013 Worksession and Regular meetings.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [August 12, 2013 Worksession Meeting](#)  
[August 12, 2013 Regular Meeting](#)

Date	Ver.	Action By	Action	Result
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Approve Council minutes for Monday, August 12, 2013 Worksession and Regular meetings.



# CITY OF GRAND RAPIDS

## Minutes - Final - Draft City Council Work Session

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Monday, August 12, 2013

CONFERENCE ROOM 2A

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**CALL TO ORDER: Pursuant to due notice and call thereof a Special Meeting/Worksession of the Grand Rapids City Council was held on Monday, August 12, 2013 at 4:12pm in Conference Room 2A, 420 North Pokegama Avenue, Grand Rapids, Minnesota.**

**CALL OF ROLL: On a call of roll, the following members were present:**

**Present** 5 - Mayor Dale Adams, Councilor Dale Christy, Councilor Ed Zabinski, Councilor Joe Chandler, and Councilor Barb Sanderson

### Discussion Items

1. Mt. Itasca financial discussion - Jon Denny  
  
*Jon Denny, Mt. Itasca, presents information regarding programming and plans for the upcoming ski season.*
2. 2014 Budget review for the following departments:
  1. Civic Center/Park & Recreation
  2. Community Development
  3. Engineering  
*Council reviews 2014 proposed budgets with Dale Anderson for Civic Center, Park & Rec., Rob Mattei for Community Development and EDA, and Julie Kennedy, Engineering.*
3. Review 5:00 PM regular meeting agenda.  
  
*Reviewed request for addition of 16a - ratification of seasonal employees at golf course.*

### ADJOURN

*There being no further business, the meeting adjourned at 5:06 PM.*

*Respectfully submitted: Kimberly Johnson-Gibeau, City Clerk*



# CITY OF GRAND RAPIDS

## Minutes - Final - Draft City Council

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Monday, August 12, 2013

5:00 PM

City Hall Council Chambers

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**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, August 12, 2013 at 5:10 p.m. in Council Chambers, 420 North Pokegama Avenue, Grand Rapids, Minnesota.**

### CALL OF ROLL

**Present** 5 -

Councilor Barb Sanderson, Councilor Dale Christy, Councilor Ed Zabinski, Councilor Joe Chandler, and Mayor Dale Adams

### Others Present:

*Tom Pagel, Chad Sterle, Barb Baird, Dale Anderson, Julie Kennedy, Rob Mattei, Jim Denny, Tim Adamich, Jeff Davies, Steve Flaherty, Lynn DeGrio*

### MEETING PROTOCOL POLICY

**5:03 PM PUBLIC FORUM**

*Jim Marshall, 2100 Benson Lane, Grand Rapids, addresses the Council regarding the changes to Benson Lane and the minimizing of the pines that are removed when the extension of the road underway.*

*Bob Davis, 2114 Benson Lane, Grand Rapids, questions how the road extension will happen in the cul-de-sac and private property clearance. Administrator Pagel believes the new road will not be outside the platted right of way.*

**5:08 PM COUNCIL REPORTS**

*Mayor Adams provides update on Maplewood Park and the project with Affinity Bank.*

*Councilor Zabinski discusses the public meeting held regarding Crystal Lake Blvd. closure issues.*

**5:13 PM APPROVAL OF MINUTES**

Approve Council minutes for Monday, July 22, 2013 Worksession and Regular meetings.

**A motion was made by Councilor Barb Sanderson, seconded by Councilor Ed Zabinski, to approve Council minutes as presented. The motion PASSED by**



unanimous vote.

**5:14 PM CONSENT AGENDA**

1. Consider hiring temporary employees for Park & Recreation.  
**Approved by consent roll call**
2. Consider approving an Amendment to the Independent Contractor Agreement between the City of Grand Rapids and Filthy Clean.  
**Approved by consent roll call**
3. Allow the Fire Department to Apply for a Walmart Grant  
**Approved by consent roll call**
4. Allow the Fire Department to Conduct a "Fill the Boot" Campaign  
**Approved by consent roll call**
5. Consider approving Military Leave for Firefighter Lee Longoria.  
**Approved by consent roll call**
6. Consider voiding lost Accounts Payable checks #108705 & #107325 issuing new checks and waiving bond requirements for checks issued to Robert Cahill in the amount of \$198.00 and Wilbert Giese in the amount of \$1.13.  
**Approved by consent roll call**
7. Consider adopting a resolution amending the City fee schedule to include a fee for a Minor Subdivision  
**Adopted Resolution 13-71 by consent roll call**
8. Consider approving a Development Agreement with Majestic Pines Grand, LLC  
**Approved by consent roll call**
9. Consider voiding lost Payroll checks #72787 & #75509 issuing new checks and waiving bond requirements for checks issued to Brian Whitney in the amounts of \$51.41 and \$317.24.  
**Approved by consent roll call**
10. Change Order 1 related to CP 2012-3, 4th Avenue NE Reconstruction.  
**Approved by consent roll call**
11. Consider accepting the Fire Relief Association Schedule Form for Lump Sum

Pension Plans reporting Year 2013, and the 2012 Financial Statements, and authorize the budgeted \$5,000 contribution to the Fire Relief Association.

**Approved by consent roll call**

12.

Request by the Police Department to approve and sign an agreement with the City of Coleraine for the use of the City of Grand Rapids Animal Control Facility.

**Approved by consent roll call**

13.

Request by the Police Department to approve and sign an agreement with the City of Bovey for the use of the City of Grand Rapids Animal Control Facility.

**Approved by consent roll call**

14.

Entering into rental agreements with area businesses for advertising at the IRA Civic Center.

**Approved by consent roll call**

15.

Consider adopting the revised job description for "Accounting/Payroll Clerk" to "Payroll Clerk/Human Resources Technician" and authorize City Staff to begin the process of filing the upcoming vacancy.

**Approved by consent roll call**

16.

Consider authorizing City Administrator to sign a membership contract with Range Credit Bureau, Inc. ("RCB").

**Approved by consent roll call**

16a.

Approve hiring seasonal golf course employees.

**Approved by consent roll call**

### **Approval of the Consent Agenda**

**A motion was made by Councilor Zabinski, seconded by Councilor Christy, to approve the Consent agenda as amended with the addition of item #16a. The motion carried by the following vote**

**Aye 5 -**

Councilor Barb Sanderson, Councilor Dale Christy, Councilor Ed Zabinski, Councilor Joe Chandler, and Mayor Dale Adams

### **5:15 SETTING OF REGULAR AGENDA PM**

**A motion was made by Councilor Dale Christy, seconded by Councilor Barb Sanderson, to approve the Regular agenda as presented. The motion PASSED by unanimous vote.**

**5:16 ACKNOWLEDGE BOARDS & COMMISSIONS  
PM**

17. Approved Board & Commission Minutes

*Acknowledged the following minutes:  
June 26, 2013 Human Rights  
June 4, 2013 Arts & Culture  
June 12, 2013 Civic Center, Parks & Recreation*

**Acknowledge Boards and Commissions**

**5:17 DEPARTMENT HEAD REPORT  
PM**

18. Department Head Report - Fire Department

**Received and Filed**

**5:27 COMMUNITY DEVELOPMENT  
PM**

19. Consider adoption of a resolution issuing an order to raze or remove structures upon property located at: 608 N.W. Third Avenue, Grand Rapids, Minnesota.

**A motion was made by Councilor Christy, seconded by Councilor Zabinski, to adopt Resolution 13-72 issuing order to raze or remove structures upon property at 608 NW 3rd Avenue, Grand Rapids, Minnesota. The motion carried by the following vote.**

**Aye 5 -**

Councilor Barb Sanderson, Councilor Dale Christy, Councilor Ed Zabinski, Councilor Joe Chandler, and Mayor Dale Adams

**5:32 FINANCE DEPARTMENT  
PM**

20. Consider adopting resolutions awarding the sale of the following issues: \$4,025,000 GO Street Reconstruction Bonds, and \$2,305,000 Taxable GO Utility Revenue Bonds.

*Paul Steinman, Springsted, presents results of bid opening for street reconstruction bonds and PUC bonds.*

**A motion was made by Councilor Christy, seconded by Councilor Chandler, to adopt Resolution 13-73, GO Street Reconstruction 13B Award and Resolution 13-74, Tax GO Wastewater 13C Award. The motion carried by the following vote.**

**Aye 5 -**

Councilor Barb Sanderson, Councilor Dale Christy, Councilor Ed Zabinski, Councilor Joe Chandler, and Mayor Dale Adams



**5:37 POLICE DEPARTMENT  
PM**

21.

Consider a request by the Police Department to purchase one (1) Dodge Charger police vehicle from Mike Motors.

**A motion was made by Councilor Zabinski, seconded by Councilor Chandler, to approve the purchase of one Dodge Charger police vehicle from Mike Motors. The motion carried by the following vote.**

**Aye 5 -**

Councilor Barb Sanderson, Councilor Dale Christy, Councilor Ed Zabinski, Councilor Joe Chandler, and Mayor Dale Adams

**5:42 VERIFIED CLAIMS  
PM**

22.

Consider approving the verified claims for the period July 18, 2013 to August 5, 2013 in the total amount of \$1,508,298.07, of which \$54,000 are investments.

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

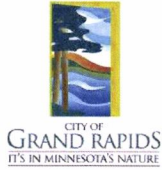
**Aye 5 -**

Councilor Barb Sanderson, Councilor Dale Christy, Councilor Ed Zabinski, Councilor Joe Chandler, and Mayor Dale Adams

**5:45 ADJOURNMENT  
PM**

*There being no further business, the meeting adjourned at 5:55 PM.*

*Respectfully submitted: Kimberly Johnson-Gibeau, City Clerk*



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

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**File #:** 13-0483      **Version:** 1      **Name:** Commission Bylaws  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/14/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider accepting the Bylaws of the Grand Rapids Arts & Culture Commission

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Arts & Culture Commission Bylaws](#)

Date	Ver.	Action By	Action	Result
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Consider accepting the Bylaws of the Grand Rapids Arts & Culture Commission

The City Council, at their regular meeting on February 25, 2013 passed City Ordinance 13-02-04 Establishing an Arts & Culture Commission for the City of Grand Rapids. The newly formed Commission has established meeting dates, elected officers and has recently taken official action adopting the Bylaws for this Commission and have attached them for your review and consideration.

Accept the Bylaws as submitted by the Arts & Culture Commission.

Consider accepting the Bylaws of the Grand Rapids Arts & Culture Commission.

**BYLAWS  
Of  
GRAND RAPIDS ARTS AND CULTURE COMMISSION**

**ARTICLE I  
PURPOSE**

The purpose of the commission shall be to assist Grand Rapids to become a community in which arts and cultural activities:

- A. are recognized as vital components of community life that are worthy of investment and support from the public, private and non-profit sectors;
- B. are valued and promoted for their economic benefits and development potential, especially in the downtown;
- C. represent an integral part of Grand Rapids' educational mission for young people;
- D. cooperate with other community organizations to enhance Grand Rapids' cultural identity and quality of life in the community, the surrounding region, and beyond.

**ARTICLE II  
OFFICE AND BOUNDARIES**

The principal office shall be at the City Hall of the City of Grand Rapids, County of Itasca, State of Minnesota. The area where operations are to be conducted consists of the corporate municipal boundaries of the City of Grand Rapids.

**ARTICLE III  
BOARD OF COMMISSIONERS**

- A. The commission shall consist of nine volunteer commissioners, who shall serve without financial compensation.
- B. Commissioners shall be appointed by the mayor, with the approval of the city council. Commissioners may be removed at the direction of the mayor and council.
- C. Commissioners shall represent the following sectors of the community, if possible:
  - Arts and cultural organizations
  - Itasca Community College
  - Local schools
  - Business community
  - Independent artists
  - Community at large
- D. Commissioners shall initially serve staggered terms to ensure institutional memory. There shall be three initial one year terms, three initial two year terms and three initial three year terms. After the initial appointment of original members, all appointments shall thereafter be for three-year terms. Terms shall begin on April 1 and end on March 31, provided that a commissioner shall continue to serve until a successor is appointed. An appointment to fill a mid-term vacancy shall be made by the mayor for the duration of the term.



- E. Commissioners who serve two successive terms, not including a partial term due to appointment to fill a vacancy, shall be ineligible for reappointment for one year following.
- F. Each commissioner present shall be entitled to one vote in the actions and decisions of the commission. A quorum is necessary in all voting by the commission. A majority of commissioners shall constitute a quorum at meetings of the commission. Any action taken or decision made must be by a majority vote of the commission present.

#### **ARTICLE IV** OFFICERS AND DUTIES

- A. At the first meeting after April 1, commissioners of the commission shall select, by majority vote, a chair, vice chair, and secretary to serve until March 31 or until their successors are chosen.
- B. The chair shall:
  - set the agenda and preside at meetings of the commission;
  - approve agenda additions;
  - call additional meetings as needed;
  - assign duties to commissioners;
  - arrange meetings with other commissions, boards and organizations from the public, private and non-profit sectors as needed;
  - communicate with the city council and staff;
  - provide overall leadership to the commission in carrying out its responsibilities.
- C. In the absence of, or at the request of the chair, the duties of the chair shall be performed by the vice chair, and in the absence of both the chair and vice chair, by the secretary.
- D. Copies of the minutes of all meetings shall be filed with the city clerk.

#### **ARTICLE V** RESPONSIBILITIES

The Commission is advisory to the City Council and its responsibilities include the following:

- A. develop, periodically update and recommend to the City Council a mission, public agenda and strategic plan for arts and culture in Grand Rapids
- B. complete the comprehensive plan sections regarding civic arts and cultural goals, including recommendations for plan revisions
- C. seek individual, corporate, foundation and city funding for arts and cultural activities
- D. facilitate collaboration and joint planning among public and private agencies involved with economic development, tourism and arts education
- E. provide support in the planning, acquisition and /or development of and facilities by the city in support of arts and cultural activities and organizations, including affordable studio space and housing for artists
- F. upon request, help develop design standards for city facilities, public areas and private development
- G. foster inclusive and cross-cultural activities to help build community.

**ARTICLE VI**  
MEETINGS AND ATTENDANCE

The commission shall meet the first Tuesday of each month and as otherwise determined by the chair. A regular meeting may be cancelled by the chair or a majority of the commission. Every commissioner shall be required to attend at least 75% of all meetings each calendar year. Commissioners who are unable to meet the attendance requirements may be removed by a majority vote of the Board. Prior to a vote considering the potential removal of a member, the member shall be afforded an opportunity to explain his, or her, reasons for non-attendance.

**ARTICLE VII**  
AMENDMENT OF BYLAWS

Alterations, amendments or repeal of the bylaws may be made by a two-thirds vote of the Commissioners entitled to vote at any meeting, if the notice of such meeting contains a statement of the proposed alteration, amendment or repeal. Notice of any alteration, amendment or repeal of the bylaws shall be given in writing to each commissioner at least (10) days prior to the meeting at which said proposed alteration, amendment or repeal shall be considered.

**ARTICLE VIII**  
NOTICES

At least ten working days before each meeting, the secretary shall ensure that each Commissioner is notified of the time, place and purpose of the meeting by written notice. Special meetings may be set without prior written notices when all Commissioners are present at the meeting or consent in writing or by phone to the secretary. Written notice of all meetings of the Board of Commissioners shall be provided to the City's official newspaper (and other media as requested) per Minnesota Open Meeting Law requirements.

**ARTICLE IX**  
STAFF SUPPORT

A city staff member shall act as liaison to the commission, provide staff support, and help get recommendations for or from the commission on the agenda for consideration by the city council.

**ARTICLE X**  
AUTHORIZATION

The foregoing Bylaws comprising four (4) pages constitute the Bylaws of the Grand Rapids Arts and Culture Commission, as duly amended at the regular meeting of the Board, duly held on August 6, 2013.

IN TESTIMONY WHEREOF, we the undersigned directors have recommended acceptance of the above by-laws to be the By-Laws of the Grand Rapids Arts and Culture Commission. They will become effective once ratified by majority vote of the Grand Rapids City Council.

Recommended for adoption by the Grand Rapids Arts and Culture Commission on the 6<sup>th</sup> day of August, 2013 on the following roll call vote:


Motioned by: Commissioner Walker

Seconded by: Commissioner Driscoll

Ayes: Walker, Driscoll, Dodge, Kolka, Grosland, Marty

Nays: None

ATTEST:   
Grand Rapids Arts and Culture Commission Board Chair

ATTEST:   
Grand Rapids Arts and Culture Commission Board Chair Secretary

CITY OF GRAND RAPIDS:

RATIFIED BY: \_\_\_\_\_  
Hon. Dale Adams, Mayor

Attest: \_\_\_\_\_  
Thomas Pagel  
City Administrator

Date: \_\_\_\_\_





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

# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0485      **Version:** 1      **Name:** Continuing Disclosure Requirements for 2013B & 2013C

**Type:** Agenda Item      **Status:** Consent Agenda

**File created:** 8/15/2013      **In control:** City Council

**On agenda:** 8/26/2013      **Final action:**

**Title:** Consider approving Amendments to Addendum A of Agreement for Continuing Disclosure Services and Addendum B of Agreement for Arbitrage and Rebate Monitoring with Springsted Incorporated for Series 2013B GO Street Reconstruction Bonds and Series 2013C Taxable GO Utility Revenue Bonds.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Agreements .pdf](#)

Date	Ver.	Action By	Action	Result
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Consider approving Amendments to Addendum A of Agreement for Continuing Disclosure Services and Addendum B of Agreement for Arbitrage and Rebate Monitoring with Springsted Incorporated for Series 2013B GO Street Reconstruction Bonds and Series 2013C Taxable GO Utility Revenue Bonds.

**Background Information:**

After the City issues debt, the City is required by the Securities and Exchange Commission to report any significant events on an annual basis and monitor the debt service fund balance to make sure it does not exceed an allowable amount to maintain a bona fide debt service fund. The City Council signed an Agreement for Continuing Disclosure and Arbitrage and Rebate Monitoring with Springsted Incorporated on August 12, 1996. We are recommending approving the Amendment to Addendum A of Agreement for Continuing Disclosure Services and Amendment to Addendum B of Agreement for Arbitrage and Rebate Monitoring to include the 2013B GO Street Reconstruction Bonds and 2013C Taxable GO Utility Revenue Bonds.

**Requested City Council Action**

Consider approving Amendments to Addendum A of Agreement for Continuing Disclosure Services and Addendum B of Agreement for Arbitrage and Rebate Monitoring with Springsted Incorporated for Series 2013B GO Street Reconstruction Bonds and Series 2013C Taxable GO Utility Revenue Bonds.



AMENDMENT TO ADDENDUM A OF AGREEMENT FOR CONTINUING DISCLOSURE SERVICES

The Agreement dated August 12, 1996 for continuing disclosure and/or arbitrage rebate between City of Grand Rapids, Minnesota ("Client") and Springsted Incorporated ("Advisor") is hereby amended as follows:

Client and Advisor agree that the following Client debt obligation(s) will be added to Addendum A, Continuing Disclosure Services and be subject to the terms and provisions contained in the original Agreement:

\$4,025,000 General Obligation Street Reconstruction Bonds, Series 2013B  
\$2,770,000 Taxable General Obligation Utility Revenue Bonds, Series 2013C  
City of Grand Rapids, Minnesota

The foregoing Amendment is hereby entered into, effective \_\_\_\_\_, 2013, on behalf of the respective parties by signature of the following persons each of whom is duly authorized to bind the parties indicated.

FOR CLIENT

\_\_\_\_\_

Title

SPRINGSTED Incorporated



Paul T. Steinman

Vice President, Client Representative

\_\_\_\_\_

Title

**AMENDMENT TO ADDENDUM B OF AGREEMENT FOR  
ARBITRAGE AND REBATE MONITORING**

The Agreement dated August 12, 1996 for continuing disclosure and/or arbitrage and rebate monitoring between City of Grand Rapids, Minnesota ("Client") and Springsted Incorporated ("Advisor") is hereby amended as follows:

Client and Advisor agree that the following Client debt obligation(s) will be added to Addendum B, Arbitrage and Rebate Monitoring Services, and be subject to the terms and provisions contained in the original Agreement:

\$4,025,000 General Obligation Street Reconstruction Bonds, Series 2013B  
\$2,770,000 Taxable General Obligation Utility Revenue Bonds, Series 2013C  
City of Grand Rapids, Minnesota

The foregoing Amendment is hereby entered into, effective \_\_\_\_\_, 2013 on behalf of the respective parties by signature of the following persons each of whom is duly authorized to bind the parties indicated.

FOR CLIENT

SPRINGSTED Incorporated

\_\_\_\_\_  
\_\_\_\_\_  
Title

  
\_\_\_\_\_  
Paul T. Steinman  
Vice President, Client Representative  
\_\_\_\_\_  
Title



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0490      **Version:** 1      **Name:** Apply for a 2013/2014 ATV/OHV Law Loan Program from the Yamaha Motor Corporation, USA

**Type:** Agenda Item      **Status:** Consent Agenda

**File created:** 8/19/2013      **In control:** City Council

**On agenda:** 8/26/2013      **Final action:**

**Title:** Authorize the Police Department to apply for and participate in the 2013 / 2014 Yamaha ATV/Side by Side Law Loan Program offered by the Yamaha Motor Corporation, U.S.A.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [1861\\_001.pdf](#)

Date	Ver.	Action By	Action	Result
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Authorize the Police Department to apply for and participate in the 2013 / 2014 Yamaha ATV/Side by Side Law Loan Program offered by the Yamaha Motor Corporation, U.S.A.

### **Background Information:**

The Police Department would like to apply for and participate in the Law Loan ATV/Side by Side program offered by the Yamaha Motor Corporation, USA. The Yamaha Motor Corporation has a program that offers Law Enforcement Agencies across the USA the use of ATV's, Side by Side OHV's, and snowmobiles free of charge for a period of one (1) year from September 1st through August 31st, with the only expense being incurred to the agency is for routine maintenance on the machine(s) for the term of the agreement which would be around \$300.00 per year, depending on the use of the machine(s).

We participated in this program last year 2012 / 2013 but didn't participate in it until this spring, we were able to utilize the side x side for the last 4 months of the agreement. During this time we used the Side by Side for many city and non-city events, such as the high school graduation, car show, tall timber days, 5K races, and the county fair to name a few.

We would be requesting and utilizing a Side by Side OHV again this year for our department in assisting us at events throughout the city during the course of the agreement.

Applications are accepted throughout the year, with the program ending each year on August 31st, and each agency is urged to re-apply every year.

### **Staff Recommendation:**

My recommendation to the Mayor and City Council is to allow the Police Department to apply for a ATV/Side by Side OHV from the Yamaha Motor Corporation, USA.

### **Requested City Council Action**

Please consider authorizing the Police Department to apply for a ATV/Side by Side OHV Law Loan Program offered by the Yamaha Motor Corporation, USA.





## 2014 ATV/SxS Law Loan Program Agreement

### Agency Information

Name: GRAND RAPIDS Police Department  
 Address: 420 N Pokegama AVE  
 City: GRAND RAPIDS State: MINNESOTA Zip: 55744  
 Phone: 218-326-3464 Fax: 218-326-7610  
 Responsible Party: STEVEN SCHWAR

### Dealer Information

Name: Ray's Sport & Cycle Dealer #: \_\_\_\_\_  
 Address: 20890 U.S. Hwy # 169 South  
 City: GRAND RAPIDS State: MINNESOTA Zip: 55744  
 Phone: 218-326-9355 Fax: 218-326-9403  
 Responsible Party: \_\_\_\_\_

Model: \_\_\_\_\_ Primary ID: \_\_\_\_\_

Please enter model information after unit invoices to your dealership.

This Agreement is entered into between Agency and Dealer on \_\_\_\_\_ (date) and shall be in effect for no less than **90 days**. Units are to be returned on \_\_\_\_\_ (date).

Agency and Dealer desire to participate in the Law Loan Program offered by YAMAHA Motor Corporation, U.S.A. (YAMAHA) and to that end agree to the following:

Agency shall be surveyed from time to time to verify possession and use.

Agency shall use the unit exclusively for law enforcement operations.

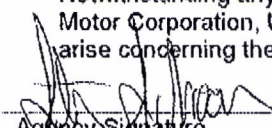
Agency shall be responsible for performing and paying for routine maintenance during the term of this Agreement.

Agency shall maintain current injury and property damage liability insurance (a minimum of \$500,000.00 coverage – no exceptions) while the unit is in Agency's possession.

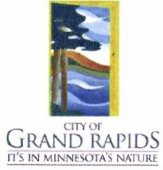
To the maximum extent allowed by law, Agency will indemnify, defend and hold harmless Yamaha Motor Corporation, U.S.A., its subsidiaries and affiliates and each of their directors, officers, employees, and agents (the "Indemnitees"), from and against any and all claims, losses, damages, suits, fees, judgments, costs and expenses (collectively referred to as "Claims"), including attorneys' fees incurred in responding to such Claims, that the Indemnitees may suffer or incur arising out of or in connection with (a) the Agency's negligence, willful misconduct, or breach of any representation, warranty, or other obligation under this Agreement; (b) any allegation that the Agency's use of the units caused any injury or harm to any person; or (c) any personal injury (including death) or damage to property resulting from the Agency's, its employees', or agents' acts or omissions. The Indemnitees will give notice of any Claim to the Agency, and the Agency will defend the Indemnitees at the Indemnitees' request.

Agency shall return the unit(s) to Dealer in good working order upon the termination of this Agreement. Agency shall be responsible for repairing any damage beyond normal wear and tear.

Notwithstanding anything herein to the contrary, Agency shall not be liable for and shall not indemnify Yamaha Motor Corporation, USA (or its parents, affiliates or subsidiary corporations) for any claims or allegations that arise concerning the design or manufacture of the unmodified (OE) product.

  
 Agency Signature

Dealer Signature



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

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**File #:** 13-0491      **Version:** 1      **Name:**  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/19/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider approving Change Order 2 related to CP 2012-3, 4th Avenue NE Reconstruction.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [8-26-13 CO 2 FOR CP 2012-3 4th AVE NE](#)

Date	Ver.	Action By	Action	Result
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Change Order 2 related to CP 2012-3, 4th Avenue NE Reconstruction.

**Background Information:**

During the installation of the new watermain, contaminated soils (petroleum impacted) were discovered at the intersection of 4th Ave NE and TH 2. The MPCA requires that these soils be removed and disposed of at an approved landfill. This change order covers the costs of the removal and disposal. The total cost is \$20,415.85. Public Utilities will be paying for 65% (\$13,270.30) and the City will pay for 35% (\$7,145.55) of the cost. The change order is attached for reference.

**Staff Recommendation:**

City staff is recommending the approval of Change Order 2.

**Requested City Council Action**

Consider approval of Change Order 2 related to CP 2012-3, 4th Avenue NE Reconstruction.



STATE AID FOR LOCAL TRANSPORTATION  
CHANGE ORDER

Nov 2007

City/County of City of Grand Rapids

Change Order No. 2

FEDERAL PROJECT NO.	STATE PROJECT NO.	LOCAL PROJECT NO. 2012-3 and 2013-1	CONTRACT NO. 122009 and 122014
CONTRACTOR NAME AND ADDRESS Hammerlund Construction, Inc. 3201 Highway 2 West Grand Rapids, MN 55744		LOCATION OF WORK 4th Avenue NE and 7th Avenue NW	
		TOTAL CHANGE ORDER AMOUNT \$20,415.85	

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

During installation of the new water main, contaminated soils (petroleum impacted) were discovered at the intersection of 4th Avenue NE and Trunk Highway 2. The Minnesota Pollution Control Agency (MPCA) requires that these soils be removed and disposed of at an approved landfill. This change order covers the costs removal and disposal.

**COST BREAKDOWN**

Item No.	Item	Unit	Unit Price	Quantity	Amount
<b>Funding Category No. 001</b>					
2105.601	STOCKPILE CONTAMINATED SOIL	LUMP SUM	\$3,975.75	0.35	\$1,391.51
2105.601	HAUL CONTAMINATED SOIL	LUMP SUM	\$9,246.25	0.35	\$3,236.19
2105.601	DISPOSE CONTAMINATED SOIL	LUMP SUM	\$7,193.85	0.35	\$2,517.85
<b>Funding Category No. 001 Total:</b>					<b>\$7,145.55</b>
<b>Funding Category No. 006</b>					
2105.601	STOCKPILE CONTAMINATED SOIL	LUMP SUM	\$3,975.75	0.65	\$2,584.24
2105.601	HAUL CONTAMINATED SOIL	LUMP SUM	\$9,246.25	0.65	\$6,010.06
2105.601	DISPOSE CONTAMINATED SOIL	LUMP SUM	\$7,193.85	0.65	\$4,676.00
<b>Funding Category No. 006 Total:</b>					<b>\$13,270.30</b>
<b>Change Order No. 2 Total:</b>					<b>\$20,415.85</b>

\* 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  
 Is Decreased by \_\_\_ Calendar Days    operation

Approved By Project Engineer: Julie Kennedy	Approved By Contractor: Hammerlund Construction, Inc.
Signed _____	Signed _____
Date: _____ Phone: (218) 326-7601	Date: _____ Phone: (218) 326-1881

Original to Project Engineer; Copy to Contractor

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

# Hammerlund Construction, Inc

3201 Highway 2 West • Grand Rapids, MN 55744  
 218.326.1881 • Fax: 218.326.9296  
 AN EQUAL OPPORTUNITY EMPLOYER

# SERVICE ORDER

NO: 5

TO:  
 City of Grand Rapids

PHONE: \_\_\_\_\_ DATE OF ORDER: 8/6/2013  
 ORDER TAKEN BY: \_\_\_\_\_ CUSTOMER ORDER #: \_\_\_\_\_  
 DAY WORK:  CONTRACT:  EXTRA:  
 JOB NAME / NUMBER:  
 4th Ave NE  
 JOB LOCATION:  
 Grand Rapids MN  
 JOB PHONE: \_\_\_\_\_ STARTING DATE: \_\_\_\_\_

TERMS:

QTY	MATERIAL	PRICE	AMOUNT	DESCRIPTION OF WORK				
1	Dump Fee	\$7,193.85	\$7,193.85	Haul contaminated soil to the Vonco facility in Duluth. 14 loads				
TOTAL MATERIAL		\$7,193.85	\$7,193.85					
QTY	EQUIPMENT	HR RATE	AMOUNT	LABOR	HR	HR RATE	AMOUNT	
63.75	Sidedump	\$135.00	\$8,606.25					
8	644 Loader	\$80.00	\$640.00					
				TOTAL LABOR		\$0.00		
DATE COMPLETED		TOTAL EQUIPMENT		TOTAL MATERIALS		\$7,193.85		
WORK ORDERED BY		\$9,246.25		TOTAL EQUIP		\$9,246.25		
SIGNATURE				TAX		\$0.00		
I HEREBY ACKNOWLEDGE THE SATISFACTORY OF THE ABOVE DESCRIBED WORK				THANK YOU!		TOTAL		\$16,440.10



# Hammerlund Construction, Inc

3201 Highway 2 West • Grand Rapids, MN 55744  
 218.326.1881 • Fax: 218.326.9296  
 AN EQUAL OPPORTUNITY EMPLOYER

# SERVICE ORDER

NO: 1

TO:  
 City of Grand Rapids

PHONE: \_\_\_\_\_ DATE OF ORDER:  
 6/13/2013  
 ORDER TAKEN BY: \_\_\_\_\_ CUSTOMER ORDER #: \_\_\_\_\_  
 DAY WORK:  CONTRACT:  EXTRA:  
 JOB NAME / NUMBER:  
 4th Ave NE  
 JOB LOCATION:  
 Grand Rapids MN  
 JOB PHONE: \_\_\_\_\_ STARTING DATE: \_\_\_\_\_

TERMS:

QTY	MATERIAL	PRICE	AMOUNT	DESCRIPTION OF WORK			
7	Boxes of 20'x100' Poly Sheeting	\$86.00	\$602.00	Move and load out contaminated soil and haul to a site designated by the City of Grand Rapids. Place poly underneath and over the top of the contaminated soil to protect it.			
TOTAL MATERIAL		\$86.00	\$602.00				
QTY	EQUIPMENT	HR RATE	AMOUNT	LABOR	HR	HR RATE	AMOUNT
4.5	330 CLC Excavator	\$135.00	\$607.50	Adam Castle	3	\$68.00	\$204.00
3	644 Loader	\$85.00	\$255.00	Derrick Grieger	3	\$69.00	\$207.00
6.25	Sidedump	\$135.00	\$843.75	Justin Weninger	3	\$68.00	\$204.00
1	650 Dozer	\$55.00	\$55.00	Dan Schmitz	4.5	\$90.00	\$405.00
				Waylon Weinzetl	4.5	\$79.00	\$355.50
				Joe Johnson	3	\$79.00	\$237.00
				TOTAL LABOR		\$1,612.50	
DATE COMPLETED		TOTAL EQUIPMENT		TOTAL MATERIALS		\$602.00	
WORK ORDERED BY		\$1,761.25		TOTAL EQUIP		\$1,761.25	
SIGNATURE				TAX		\$0.00	
				TOTAL		\$3,975.75	

**THANK YOU!**

I HEREBY ACKNOWLEDGE THE SATISFACTORY OF THE ABOVE DESCRIBED WORK



**Re: 4th Ave Contaminated soil**  
Julie Kennedy to: Matt Wegwerth  
Cc: Denny Doyle

08/14/2013 03:29 PM

Denny and I talked and agreed that PUC will pay for 2/3 and the City will pay for 1/3 of the cost of disposing of the contaminated soils on 4th Ave NE.

Please process the change order accordingly.

Thanks to you both.

34' - ROAD SUBCUT  
96' - WATER MAIN DEPTH

Julie Kennedy  
City Engineer  
City of Grand Rapids  
218.326.7625  
218.259.5020  
Sent from my iPhone

$34/96 = 35\%$  - CITY  
65% - GRPU

On Aug 14, 2013, at 8:26 AM, "Matt Wegwerth" <mwegwerth@sehinc.com> wrote:

I would say 2/3 to 3/4 of the soil was because of the utilities.

We had a total excavation of 8'-9' for the utilities, and the work for the road/storm was approx 2'-3'.

Matt Wegwerth, PE | Senior Project Manager  
SEH | 21 NE 5th Street, Suite 200 | Grand Rapids, MN 55744  
218.322.4509 direct | 218.244.1987 cell | 888.908.8166 fax  
www.sehinc.com  
SEH—Building a Better World for All of Us™

From: Julie Kennedy <jkennedy@ci.grand-rapids.mn.us>  
To: 'Matt Wegwerth' <mwegwerth@sehinc.com>,  
Date: 08/14/2013 08:21 AM  
Subject: RE: 4th Ave Contaminated soil

Are you able to determine how much was from utilities and how much from subcut?

Julie Kennedy  
City Engineer  
City of Grand Rapids  
420 North Pokegama Avenue  
Grand Rapids, MN 55744-2662  
Office: 218-326-7625  
Mobile: 218-259-5020  
Fax: 218-326-7621  
jkennedy@ci.grand-rapids.mn.us  
www.grandrapidsmn.org

<mime-attachment.jpg>

From: Matt Wegwerth [mailto:mwegwerth@sehinc.com]  
Sent: Wednesday, August 14, 2013 8:21 AM  
To: Julie Kennedy  
Subject: 4th Ave Contaminated soil

Julie,

The total cost for the contaminated soil removal and disposal is \$20,415.85.

I am preparing the change order. Would you like me to charge any of it to GRPU? or put it all towards City funds?

Matt Wegwerth, PE | Senior Project Manager  
SEH | 21 NE 5th Street, Suite 200 | Grand Rapids, MN 55744  
218.322.4509 direct | 218.244.1987 cell | 888.908.8166 fax  
www.sehinc.com  
SEH—Building a Better World for All of Us™

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# Hammerlund Inc.

3201 Hwy. 2 West • Grand Rapids, MN 55744  
(218) 326-1881 • Fax: (218) 326-9296

DAY Tuesday DATE 0-6 2015 EMPLOYEE ID NO. 717

EMPLOYEE Josh Pomplun LOCATION 4th Ave GR

OFFICE USE ONLY

EQUIPMENT ACTUAL TIME

START	STOP	HOURS	WORK DONE	JOB NO.	CODE				UNIT NO.	TRAILER NO.	HOURS OPRD.
5 00A	9 30A	4 1/2	Haul Contaminated soil	13118					346	459	

EMPLOYEE'S TIME TOTAL 4 1/2

TURN IN TIME CARDS DAILY

OPERATORS: REPORT EQUIPMENT OPERATING TIME ONLY  
SHOW AUXILIARY UNITS USED: TRAILERS, ROLLERS, ETC.  
MARK DAY SHIFT NO. 1; NIGHT SHIFT NO. 2







# Hammerlund Inc.

3201 Hwy. 2 West • Grand Rapids, MN 55744  
(218) 326-1881 • Fax: (218) 326-9296

DAY Mon DATE 8-5 20 13 EMPLOYEE ID NO. 224

EMPLOYEE Pete Burt LOCATION VONEO V LLC

OFFICE USE ONLY

EQUIPMENT ACTUAL TIME

START	STOP	HOURS	WORK DONE	JOB NO.	CODE				UNIT NO.	TRAILER NO.	HOURS OPD.
8:30	5:39	9	haul petroleum impacted soil Grand Rapids to Voneo V LLC outlets	131182					343	439	
EMPLOYEE'S TIME TOTAL		9									

TURN IN TIME CARDS DAILY

OPERATORS: REPORT EQUIPMENT OPERATING TIME ONLY  
SHOW AUXILIARY UNITS USED: TRAILERS, ROLLERS, ETC.  
MARK DAY SHIFT NO. 1; NIGHT SHIFT NO. 2





# Hammerlund Inc.

3201 Hwy. 2 West • Grand Rapids, MN 55744  
(218) 326-1881 • Fax: (218) 326-9296

DAY 11/01 DATE 0-2 2015 EMPLOYEE ID NO. 100

EMPLOYEE Don Schleicher LOCATION \_\_\_\_\_

START	STOP	HOURS	WORK DONE	JOB NO.	CODE	OFFICE USE ONLY			EQUIPMENT ACTUAL TIME	
									UNIT NO.	TRAILER NO.
9:00	7:00	10	Contaminated Drift from State Pit GR to Vonco Duluth	13118					349	457

EMPLOYEE'S TIME TOTAL 10

TURN IN TIME CARDS DAILY

OPERATORS: REPORT EQUIPMENT OPERATING TIME ONLY  
SHOW AUXILIARY UNITS USED: TRAILERS, ROLLERS, ETC.  
MARK DAY SHIFT NO. 1; NIGHT SHIFT NO. 2



# Hammerlund Inc.

3201 Hwy. 2 West • Grand Rapids, MN 55744  
(218) 326-1881 • Fax: (218) 326-9296

DAY Monday DATE 8-5- 2000 EMPLOYEE ID NO. 00

EMPLOYEE Keith Koetz LOCATION Vonco In Duluth

START	STOP	HOURS	WORK DONE	JOB NO.	CODE	OFFICE USE ONLY			EQUIPMENT ACTUAL TIME		
						UNIT NO.	TRAILER NO.	HOURS OPFD.			
11:45	4:30	4:45	Contaminated Soil 14th st. city Pt to	13118				344	431		
EMPLOYEE'S TIME TOTAL											

TURN IN TIME CARDS DAILY

OPERATORS: REPORT EQUIPMENT OPERATING TIME ONLY  
SHOW AUXILIARY UNITS USED: TRAILERS, ROLLERS, ETC.  
MARK DAY SHIFT NO. 1; NIGHT SHIFT NO. 2



3201 Hwy 2 West • Grand Rapids, MN 55744  
 (218) 326-1861 • Fax: (218) 326-9296

DAY MON DATE \_\_\_\_\_ 20 10 EMPLOYEE ID NO 723

EMPLOYEE Lee Hemphill LOCATION 4th

START	STOP	HOURS	WORK DONE	JOB NO.	CODE	OFFICE USE ONLY			EQUIPMENT ACTUAL TIME	
									UNIT NO.	HOURS OPRD
1000	700	9	Haul cont. to Duluth	13118					342	
									455	
EMPLOYEE'S TIME TOTAL		9								

TURN IN TIME CARDS DAILY

OPERATORS: REPORT EQUIPMENT OPERATING TIME ONLY  
 SHOW AUXILIARY UNITS USED: TRAILERS, ROLLERS, ETC  
 MARK DAY SHIFT NO. 1; NIGHT SHIFT NO. 2



# Hammerlund Inc.

3201 Hwy. 2 West • Grand Rapids, MN 55744  
(218) 326-1881 • Fax: (218) 326-9296

DAY MON DATE 0 20 15 EMPLOYEE ID NO. 107

EMPLOYEE Joe Pacey LOCATION \_\_\_\_\_

OFFICE USE ONLY

EQUIPMENT ACTUAL TIME

START	STOP	HOURS	WORK DONE	JOB NO.	CODE				UNIT NO.	TRAILER NO.	HOURS OPRD.
11:00	3:30	4 1/2	hand customize soil to Duluth	13118					347	453	

EMPLOYEE'S TIME TOTAL 4 1/2

TURN IN TIME CARDS DAILY

OPERATORS: REPORT EQUIPMENT OPERATING TIME ONLY  
SHOW AUXILIARY UNITS USED: TRAILERS, ROLLERS, ETC.  
MARK DAY SHIFT NO. 1; NIGHT SHIFT NO. 2



Vonco v Duluth, LLC  
1100 West Gary Street  
Duluth, MN 55808  
(218) 626-3830

001339  
Hammerlund Construction:CC @ gate  
8321 1st Street

**Contract:** 13-089-7A City of Grand Rapids

**Reference:**

GROSS 84,800.00 LB  
TARE 36,720.00 LB  
NET 48,080.00 LB 24.04 TN

Quantity	Description	Rate	Extension	Tax	Total
24.04	TN Contaminated Soil Tons	\$20.00	\$ 480.80	\$ 11.06	\$ 491.86
1.00	Environmental Fee - 4	\$4.00	\$ 4.00	\$ 0.00	\$ 4.00

TICKET #: 232494  
Operator: DeAnna  
In : 08/05/2013 4:48 pm  
Out: 08/05/2013 4:48 pm  
Vehicle: YT99193

INBOUND  
CASH

Work Order#: 0  
Cell: 1

Signature: \_\_\_\_\_

**Total:** \$ 495.86

**Paid:** \$ 495.86

**Payment Type:**

**Change:** \$ 0.00

# VONCO V, LLC.

PHONE: 218-626-3830 FAX: 218-626-1009

## INDUSTRIAL/NON-HAZARDOUS MATERIAL TRANSPORT AND DISPOSAL MANIFEST

GENERATOR	1. Work Site Name <u>4<sup>th</sup> Avenue NE</u> Address <u>intersection of 4<sup>th</sup> Ave / 5<sup>th</sup> St</u> City, St., Zip <u>Grand Rapids, MN 55744</u> Owner's Name <u>City of Grand Rapids</u> Owner's Phone No. <u>218.326.7601</u>		PROFILE #: <u>13-089-7A</u>	
	2. Consultant/Contractor <u>Hammerlund Const.</u> Address <u>3201 west Highway Z</u> City, St., Zip <u>Grand Rapids, MN 55744</u> Operator's Phone <u>218.326.1081</u>		3. Waste Disposal Site <u>VONCO V, LLC.</u> Mailing Address <u>1100 West Gary Street</u> City, St., Zip <u>Duluth, MN 55808</u> 4. Responsible Agency <u>MN Pollution Control Agency</u> Address <u>620 Lafayette Road</u> City, St., Zip <u>St. Paul, MN 55155-3898</u>	
	5. Description of Materials <u>Petroleum impacted soil</u>		6. Containers (No.-Type)	7. Total Quantity (m <sup>3</sup> or yd <sup>3</sup> )
	8. Special Handling Instructions and Additional Information			
9. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations. The above listed material(s) is (are) not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law.				
Name & Title (Printed or Typed) <u>JULIE KENNEDY</u> Signature <u>[Signature]</u> Date <u>8-2-13</u>				
TRANSPORTER	10. Transporter 1 (Acknowledgement of receipt of materials)			
	Name/Title <u>Hammerlund Construction Inc</u> Signature <u>[Signature]</u> Date <u>8/5/13</u> Address <u>3201 West Highway Z Grand Rapids</u> City, St., Zip <u>MN 55744</u> Phone No. <u>218-326-1081</u>			
	11. Transporter 2 (Acknowledgement of receipt of materials)			
Name/Title <u><del>Pete Port Driver</del></u> Signature <u><del>[Signature]</del></u> Date <u><del>8-5-13</del></u> Address <u><del>24615 CR 137</del></u> City, St., Zip <u><del>MN 55744</del></u> Phone No. <u><del>218-326-0237</del></u>				
<b>DISPOSAL SITE</b>		13. Waste Disposal Site Owner or Operator: Certification of receipt of non-hazardous materials covered by this manifest except as noted in Item 12.		
12. Discrepancy Indication Space <u>15</u>		Name/Title (Printed or Typed) <u>Deanna Druck</u> Signature <u>[Signature]</u> Date <u>8/5/13</u>		
Ticket # <u>232494</u> Tons <u>21.04</u> Yards E _____ N _____ Elev. _____				

CONTRACTOR - WHITE      TRANSPORTER - CANARY      WASTE DISPOSAL SITE - PINK      GENERATOR/OPERATOR - GOLD

Vonco Duluth, LLC  
1100 West Gary Street  
Duluth, MN 55808  
(218) 626-3830

TICKET #: 232461  
Operator: DeAnna  
In : 08/05/2013 12:13 pm  
Out: 08/05/2013 12:42 pm  
Vehicle: YT99193

001339  
Hammerlund Construction:CC @ gate  
8321 1st Street

INBOUND  
CASH

Contract: 13-089-7A City of Grand Rapids

Work Order#: 0

Reference:

Cell: 1

GROSS 88,140.00 LB  
TARE 36,720.00 LB  
NET 51,420.00 LB 25.71 TN

Signature: \_\_\_\_\_

Quantity	Description	Rate	Extension	Tax	Total
25.71	TN Contaminated Soil Tons	\$20.00	\$ 514.20	\$ 11.83	\$ 526.03
1.00	Environmental Fee - 4	\$4.00	\$ 4.00	\$ 0.00	\$ 4.00

Total: \$ 530.03  
Paid: \$ 530.03  
Payment Type:  
Change: \$ 0.00



# VONCO V, LLC.

PHONE: 218-626-3830 FAX: 218-626-1009

## INDUSTRIAL/NON-HAZARDOUS MATERIAL TRANSPORT AND DISPOSAL MANIFEST

GENERATOR	1. Work Site Name <u>4<sup>th</sup> Avenue NE</u> Address <u>intersection of 4<sup>th</sup> Ave / 5<sup>th</sup> St</u> City, St., Zip <u>Grand Rapids, MN 55744</u> Owner's Name <u>City of Grand Rapids</u> Owner's Phone No. <u>218.326.7601</u>		PROFILE #: <u>13-089-7A</u>	
	2. Consultant/Contractor <u>Hammerlund Const.</u> Address <u>3201 West Highway Z</u> City, St., Zip <u>Grand Rapids, MN 55744</u> Operator's Phone <u>218.326.1081</u>		3. Waste Disposal Site <u>VONCO V, LLC.</u> Mailing Address <u>1100 West Gary Street</u> City, St., Zip <u>Duluth, MN 55808</u> 4. Responsible Agency <u>MN Pollution Control Agency</u> Address <u>620 Lafayette Road</u> City, St., Zip <u>St. Paul, MN 55155-3898</u>	
	5. Description of Materials <u>Petroleum impacted soil</u>		6. Containers (No.-Type)	7. Total Quantity (m <sup>3</sup> or yd <sup>3</sup> )
	8. Special Handling Instructions and Additional Information			
9. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations. The above listed material(s) is (are) not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law.				
Name & Title (Printed or Typed) <u>JULIE KENNEDY</u> Signature <u>[Signature]</u> Date <u>8-2-13</u>				
TRANSPORTER	10. Transporter 1 (Acknowledgement of receipt of materials)			
	Name/Title <u>Hammerlund Const. or Inc.</u> Signature <u>[Signature]</u> Date <u>8/5/13</u> Address <u>3001 W Hwy 2 Grand Rapids</u> City, St., Zip <u>MN 55744</u> Phone No. <u>218 326-1881</u>			
	11. Transporter 2 (Acknowledgement of receipt of materials)			
Name/Title <u>Russell Hemphill</u> Driver Signature <u>[Signature]</u> Date <u>8/5/13</u> Address <u>S.R.</u> City, St., Zip _____ Phone No. <u>218-558-2415</u>				
12. Discrepancy Indication Space <u>0</u> Tons <u>35.71</u> Yards _____ Ticket # <u>332461</u>		13. Waste Disposal Site Owner or Operator: Certification of receipt of non-hazardous materials covered by this manifest except as noted in Item 12.		
Name/Title (Printed or Typed) <u>Deanna Druck</u> Signature <u>[Signature]</u> Date <u>8/5/13</u>				



Vonco V Duluth, LLC  
1100 West Gary Street  
Duluth, MN 55808  
(218) 626-3830

TICKET #: 232467  
Operator: DeAnna  
In : 08/05/2013 1:08 pm  
Out: 08/05/2013 1:20 pm  
Vehicle: YTB2863

001339  
Hammerlund Construction:CC @ gate  
8321 1st Street

INBOUND  
CASH

Contract: 13-089-7A City of Grand Rapids

Work Order#: 0

Reference:

Cell: 1

GROSS 76,180.00 LB  
TARE 36,440.00 LB  
NET 39,740.00 LB 19.87 TN

Signature: \_\_\_\_\_

Quantity	Description	Rate	Extension	Tax	Total
19.87	TN Contaminated Soil Tons	\$20.00	\$ 397.40	\$ 9.14	\$ 406.54
1.00	Environmental Fee - 4	\$4.00	\$ 4.00	\$ 0.00	\$ 4.00

Total: \$ 410.54  
Paid: \$ 410.54  
Payment Type:  
Change: \$ 0.00

# VONCO V, LLC.

PHONE: 218-626-3830 FAX: 218-626-1009

## INDUSTRIAL/NON-HAZARDOUS MATERIAL TRANSPORT AND DISPOSAL MANIFEST

<b>GENERATOR</b>	1. Work Site Name <u>4<sup>th</sup> Avenue NE</u>		PROFILE #: <u>13-0891-7A</u>	
	Address <u>intersection of 4<sup>th</sup> Ave / 5<sup>th</sup> St</u>		3. Waste Disposal Site <u>VONCO V, LLC.</u>	
	City, St., Zip <u>Grand Rapids, MN 55744</u>		Mailing Address <u>1100 West Gary Street</u>	
	Owner's Name <u>City of Grand Rapids</u>		City, St., Zip <u>Duluth, MN 55808</u>	
Owner's Phone No. <u>218.326.7601</u>		4. Responsible Agency <u>MN Pollution Control Agency</u>		
2. Consultant/Contractor <u>Hammerlund Const.</u>		Address <u>520 Lafayette Road</u>		
Address <u>3201 West Highway Z</u>		City, St., Zip <u>St. Paul, MN 55155-3898</u>		
City, St., Zip <u>Grand Rapids, MN 55744</u>				
Operator's Phone <u>218.326.1881</u>				
5. Description of Materials		6. Containers (No.-Type)	7. Total Quantity (m <sup>3</sup> or yd <sup>3</sup> )	
<u>Petroleum impacted soil</u>				
8. Special Handling Instructions and Additional Information				
9. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations. The above listed material(s) is (are) not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law.				
Name & Title (Printed or Typed) <u>JULIE KENNEDY</u>		Signature <u>[Signature]</u>	Date <u>8-2-13</u>	
<b>TRANSPORTER</b>	10. Transporter 1 (Acknowledgement of receipt of materials)			
	Name/Title <u>Hammerlund Construction Inc.</u> Signature <u>[Signature]</u> Date <u>8/5/13</u>			
	Address <u>3201 W Hwy 2 Grand Rapids</u> City, St., Zip <u>MN 55744</u> Phone No. <u>218-326-1881</u>			
11. Transporter 2 (Acknowledgement of receipt of materials)				
Name/Title _____ Signature _____ Date _____				
Address _____ City, St., Zip _____ Phone No. _____				
<b>DISPOSAL SITE</b>		13. Waste Disposal Site Owner or Operator: Certification of receipt of non-hazardous materials covered by this manifest except as noted in Item 12.		
12. Discrepancy Indication Space <u>(5)</u>		Name/Title (Printed or Typed) <u>Dellana Dzuck</u>		
Ticket # _____ Tons <u>19.87</u> Yards _____		Signature <u>[Signature]</u> Date <u>8/5/13</u>		
E _____ N _____ Elev. _____				

CONTRACTOR - WHITE

TRANSPORTER - CANARY

WASTE DISPOSAL SITE - PINK

GENERATOR/OPERATOR - GOLD

Vonco V Duluth, LLC  
1100 West Gary Street  
Duluth, MN 55808  
(218) 626-3830

001339  
Hammerlund Construction:CC @ gate  
8321 1st Street

**Contract:** 13-089-7A City of Grand Rapids

**Reference:**

GROSS 89,900.00 LB  
TARE 36,080.00 LB  
NET 53,820.00 LB 26.91 TN

Quantity	Description	Rate	Extension	Tax	Total
26.91	TN Contaminated Soil Tons	\$20.00	\$ 538.20	\$ 12.38	\$ 550.58
1.00	Environmental Fee - 4	\$4.00	\$ 4.00	\$ 0.00	\$ 4.00

TICKET #: 232478  
Operator: DeAnna  
In : 08/05/2013 2:18 pm  
Out: 08/05/2013 2:34 pm  
Vehicle: YT99232

INBOUND  
CASH

Work Order#: 0  
Cell: 1

Signature: \_\_\_\_\_

**Total:** \$ 554.58  
**Paid:** \$ 554.58  
**Payment Type:**  
**Change:** \$ 0.00



# VONCO V, LLC.

PHONE: 218-626-3830 FAX: 218-626-1009

## INDUSTRIAL/NON-HAZARDOUS MATERIAL TRANSPORT AND DISPOSAL MANIFEST

GENERATOR	1. Work Site Name <u>4<sup>th</sup> Avenue NE</u> Address <u>intersection of 4<sup>th</sup> Ave / 5<sup>th</sup> St</u> City, St., Zip <u>Grand Rapids, MN 55744</u> Owner's Name <u>City of Grand Rapids</u> Owner's Phone No. <u>218.326.7601</u>		PROFILE #: <u>13-0891-7A</u>	
	2. Consultant/Contractor <u>Hammerlund Const.</u> Address <u>3201 West Highway Z</u> City, St., Zip <u>Grand Rapids, MN 55744</u> Operator's Phone <u>218.326.1881</u>		3. Waste Disposal Site <u>VONCO V, LLC.</u> Mailing Address <u>1100 West Gary Street</u> City, St., Zip <u>Duluth, MN 55808</u> 4. Responsible Agency <u>MN Pollution Control Agency</u> Address <u>520 Lafayette Road</u> City, St., Zip <u>St. Paul, MN 55155-3898</u>	
	5. Description of Materials <u>Petroleum impacted soil</u>		6. Containers (No.-Type) _____ _____ _____	
	7. Total Quantity (m <sup>3</sup> or yd <sup>3</sup> ) _____ _____ _____			
8. Special Handling Instructions and Additional Information  				
9. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations. The above listed material(s) is (are) not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law. Name & Title (Printed or Typed) <u>JULIE KENNEDY</u> Signature <u>[Signature]</u> Date <u>8-2-13</u>				
TRANSPORTER	10. Transporter 1 (Acknowledgment of receipt of materials) Name/Title <u>Hammerlund Construction Inc</u> Signature <u>[Signature]</u> Date <u>8/5/13</u> Address <u>3201 West Highway Z Grand Rapids</u> City, St., Zip <u>MN 55744</u> Phone No. <u>218-326-1881</u>			
	11. Transporter 2 (Acknowledgment of receipt of materials) Name/Title _____ Signature _____ Date _____ Address _____ City, St., Zip _____ Phone No. _____			
12. Discrepancy Indication Space <u>05</u> Tons <u>26.91</u> Yards E _____ N _____ Elev. _____		13. Waste Disposal Site Owner or Operator: Certification of receipt of non-hazardous materials covered by this manifest except as noted in Item 12. Name/Title (Printed or Typed) <u>Deanna Druck</u> Signature <u>[Signature]</u> Date <u>8/5/13</u>		

CONTRACTOR - WHITE      TRANSPORTER - CANARY      WASTE DISPOSAL SITE - PINK      GENERATOR/OPERATOR - GOLD

Vonco V Duluth, LLC  
1100 West Gary Street  
Duluth, MN 55808  
(218) 626-3830

TICKET #: 232490  
Operator: DeAnna  
In : 08/05/2013 4:31 pm  
Out: 08/05/2013 4:31 pm  
Vehicle: YTB2872

001339  
Hammerlund Construction:CC @ gate  
8321 1st Street

INBOUND  
CASH

Contract: 13-089-7A City of Grand Rapids

Work Order#: 0  
Cell: 1

Reference:

GROSS 83,240.00 LB  
TARE 37,680.00 LB  
NET 45,560.00 LB 22.78 TN

Signature: \_\_\_\_\_

Quantity	Description	Rate	Extension	Tax	Total
22.78	TN Contaminated Soil Tons	\$20.00	\$ 455.60	\$ 10.48	\$ 466.08
1.00	Environmental Fee - 4	\$4.00	\$ 4.00	\$ 0.00	\$ 4.00

Total: \$ 470.08  
Paid: \$ 470.08  
Payment Type:  
Change: \$ 0.00





Von V Duluth, LLC  
1100 West Gary Street  
Duluth, MN 55808  
(218) 626-3830

001339  
Hammerlund Construction:CC @ gate  
8321 1st Street

**Contract:** 13-089-7A City of Grand Rapids

**Reference:**

GROSS 81,340.00 LB  
TARE 37,680.00 LB  
NET 43,660.00 LB 21.83 TN

TICKET #: 232463  
Operator: DeAnna  
In : 08/05/2013 12:15 pm  
Out: 08/05/2013 12:54 pm  
Vehicle: YTB2872

INBOUND  
CASH

Work Order#: 0

Cell: 1

Signature: \_\_\_\_\_

Quantity	Description	Rate	Extension	Tax	Total
21.83	TN Contaminated Soil Tons	\$20.00	\$ 436.60	\$ 10.04	\$ 446.64
1.00	Environmental Fee - 4	\$4.00	\$ 4.00	\$ 0.00	\$ 4.00

**Total:** \$ 450.64

**Paid:** \$ 450.64

**Payment Type:**

**Change:** \$ 0.00



# VONCO V, LLC.

PHONE: 218-626-3830 FAX: 218-626-1009

## INDUSTRIAL/NON-HAZARDOUS MATERIAL TRANSPORT AND DISPOSAL MANIFEST

GENERATOR	1. Work Site Name <u>4<sup>th</sup> Avenue NE</u>		PROFILE #: <u>13-089-7A</u>	
	Address <u>intersection of 4<sup>th</sup> Ave / 5<sup>th</sup> St</u>		3. Waste Disposal Site <u>VONCO V, LLC.</u>	
	City, St., Zip <u>Grand Rapids, MN 55744</u>		Mailing Address <u>1100 West Gary Street</u>	
	Owner's Name <u>City of Grand Rapids</u>		City, St., Zip <u>Duluth, MN 55808</u>	
Owner's Phone No. <u>218.326.7601</u>		4. Responsible Agency <u>MN Pollution Control Agency</u>		
2. Consultant/Contractor <u>Hammerlund Const.</u>		Address <u>520 Lafayette Road</u>		
Address <u>3201 West Highway 2</u>		City, St., Zip <u>St. Paul, MN 55155-3898</u>		
City, St., Zip <u>Grand Rapids, MN 55744</u>				
Operator's Phone <u>218.326.1881</u>				
5. Description of Materials		6. Containers (No.-Type)	7. Total Quantity (m <sup>3</sup> or yd <sup>3</sup> )	
<u>Petroleum impacted soil</u>				
8. Special Handling Instructions and Additional Information				
9. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations. The above listed material(s) is (are) not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law.				
Name & Title (Printed or Typed) <u>JULIE KENNEDY</u>		Signature <u>[Signature]</u>		Date <u>8-2-13</u>
TRANSPORTER	10. Transporter 1 (Acknowledgement of receipt of materials)			
	Name/Title <u>Hammerlund Construction Inc.</u>		Signature <u>[Signature]</u> Date <u>8/5/13</u>	
	Address <u>3001 W Hwy 2 Grand Rapids</u> City, St., Zip <u>MN 55744</u> Phone No. <u>218-326-1881</u>			
11. Transporter 2 (Acknowledgement of receipt of materials)				
Name/Title <u>Don Schleicher</u> <u>Driver</u>		Signature <u>[Signature]</u>		Date <u>8-5-13</u>
Address <u>G.R.</u> City, St., Zip _____ Phone No. <u>218-256-2691</u>				
DISPOSAL SITE		13. Waste Disposal Site Owner or Operator: Certification of receipt of non-hazardous materials covered by this manifest except as noted in item 12.		
12. Discrepancy Indication Space		Name/Title (Printed or Typed) <u>Deanna Druck</u>		
<u>05</u>		Signature <u>[Signature]</u> Date <u>8/5/13</u>		
Ticket # <u>232463</u> Tons <u>21.83</u> Yards				
E _____ N _____ Elev. _____				

CONTRACTOR - WHITE

TRANSPORTER - CANARY

WASTE DISPOSAL SITE - PINK

GENERATOR/OPERATOR - GOLD

Vonco V Duluth, LLC  
1100 West Gary Street  
Duluth, MN 55808  
(218) 626-3830

001339  
Hammerlund Construction:CC @ gate  
8321 1st Street

**Contract:** 13-089-7A City of Grand Rapids

**Reference:**

GROSS 75,860.00 LB  
TARE 36,320.00 LB  
NET 39,540.00 LB 19.77 TN

TICKET #: 232464  
Operator: DeAnna  
In : 08/05/2013 12:23 pm  
Out: 08/05/2013 12:59 pm  
Vehicle: YT99216

INBOUND  
CASH

Work Order#: 0  
Cell: 1

Signature: \_\_\_\_\_

Quantity	Description	Rate	Extension	Tax	Total
19.77 TN	Contaminated Soil Tons	\$20.00	\$ 395.40	\$ 9.09	\$ 404.49
1.00	Environmental Fee - 4	\$4.00	\$ 4.00	\$ 0.00	\$ 4.00

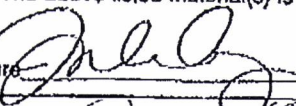
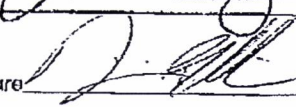
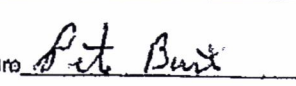
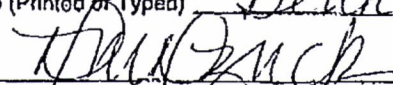
**Total:** \$ 408.49  
**Paid:** \$ 408.49  
**Payment Type:**  
**Change:** \$ 0.00



# VONCO V, LLC.

PHONE: 218-626-3830 FAX: 218-626-1009

## INDUSTRIAL/NON-HAZARDOUS MATERIAL TRANSPORT AND DISPOSAL MANIFEST

GENERATOR	1. Work Site Name <u>4<sup>th</sup> Avenue NE</u>		PROFILE #: <u>13-089-7A</u>	
	Address <u>Intersection of 4<sup>th</sup> Ave / 5<sup>th</sup> St</u>		3. Waste Disposal Site <u>VONCO V, LLC.</u>	
	City, St., Zip <u>Grand Rapids, MN 55744</u>		Mailing Address <u>1100 West Gary Street</u>	
	Owner's Name <u>City of Grand Rapids</u>		City, St., Zip <u>Duluth, MN 55800</u>	
	Owner's Phone No. <u>218.326.7601</u>		4. Responsible Agency <u>MN Pollution Control Agency</u>	
	2. Consultant/Contractor <u>Hammerlund Const.</u>		Address <u>620 Lafayette Road</u>	
	Address <u>3201 West Highway 2</u>		City, St., Zip <u>St. Paul, MN 55155-3898</u>	
	City, St., Zip <u>Grand Rapids, MN 55744</u>			
	Operator's Phone <u>218.326.1081</u>			
	5. Description of Materials <u>Petroleum impacted soil</u>		6. Containers (No.-Type)	7. Total Quantity (m <sup>3</sup> or yd <sup>3</sup> )
8. Special Handling Instructions and Additional Information				
9. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations. The above listed material(s) is (are) not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law.				
Name & Title (Printed or Typed) <u>JULIE KENNEDY</u>		Signature 		Date <u>8-2-13</u>
TRANSPORTER	10. Transporter 1 (Acknowledgement of receipt of materials)			
	Name/Title <u>Hammerlund Construction Inc.</u>		Signature 	
	Address <u>3001 W Hwy 2 Grand Rapids</u>		City, St., Zip <u>MN 55744</u> Phone No. <u>218-326-1888</u>	
	Date <u>8/5/13</u>			
11. Transporter 2 (Acknowledgement of receipt of materials)				
Name/Title <u>Pete Burt Driver</u>		Signature 		
Address <u>26615 cr 474 Grand Rapids</u>		City, St., Zip <u>MN-55744</u> Phone No. <u>727-0287</u>		
Date <u>8-5-13</u>				
DISPOSAL SITE		13. Waste Disposal Site Owner or Operator: Certification of receipt of non-hazardous materials covered by this manifest except as noted in item 12.		
12. Discrepancy Indication Space <u>15</u>		Name/Title (Printed or Typed) <u>Dellmar Druck</u>		
Tons <u>233464</u> Yards <u>19.77</u>		Signature 		
Elev. _____		Date <u>8/5/13</u>		

Vonco V Duluth, LLC  
1100 West Gary Street  
Duluth, MN 55808  
(218) 626-3830

001339  
Hammerlund Construction:CC @ gate  
8321 1st Street

**Contract:** 13-089-7A City of Grand Rapids

**Reference:**

GROSS 82,660.00 LB  
TARE 36,320.00 LB  
NET 46,340.00 LB 23.17 TN

Quantity	Description	Rate	Extension	Tax	Total
23.17 TN	Contaminated Soil Tons	\$20.00	\$ 463.40	\$ 10.66	\$ 474.06
1.00	Environmental Fee - 4	\$4.00	\$ 4.00	\$ 0.00	\$ 4.00

TICKET #: 232492  
Operator: DeAnna  
In: 08/05/2013 4:37 pm  
Out: 08/05/2013 4:37 pm  
Vehicle: YT99216

INBOUND  
CASH

Work Order#: 0  
Cell: I

Signature: \_\_\_\_\_

**Total:** \$ 478.06  
**Paid:** \$ 478.06  
**Payment Type:**  
**Change:** \$ 0.00



# VONCO V, LLC.

PHONE: 218-626-3830 FAX: 218-626-1009

## INDUSTRIAL/NON-HAZARDOUS MATERIAL TRANSPORT AND DISPOSAL MANIFEST

<b>GENERATOR</b>	1. Work Site Name <u>4<sup>th</sup> Avenue NE</u>		PROFILE #: <u>13-089-7A</u>	
	Address <u>intersection of 4<sup>th</sup> Ave / 5<sup>th</sup> St</u>		3. Waste Disposal Site <u>VONCO V, LLC.</u>	Mailing Address <u>1100 West Gary Street</u>
	City, St., Zip <u>Grand Rapids, MN 55744</u>		City, St., Zip <u>Duluth, MN 55808</u>	
	Owner's Name <u>City of Grand Rapids</u>		4. Responsible Agency <u>MN Pollution Control Agency</u>	Address <u>520 Lafayette Road</u>
Owner's Phone No. <u>218.326.7601</u>		City, St., Zip <u>St. Paul, MN 55155-3898</u>		
2. Consultant/Contractor <u>Hammerlund Const.</u>				
Address <u>3201 West Highway 2</u>				
City, St., Zip <u>Grand Rapids, MN 55744</u>				
Operator's Phone <u>218.326.1881</u>				
5. Description of Materials		6. Containers (No.-Type)	7. Total Quantity (m <sup>3</sup> or yd <sup>3</sup> )	
<u>Petroleum impacted soil</u>				
8. Special Handling Instructions and Additional Information				
9. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations. The above listed material(s) is (are) not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law.				
Name & Title (Printed or Typed) <u>JULIE KENNEDY</u>		Signature <u>[Signature]</u>	Date <u>8-2-13</u>	
<b>TRANSPORTER</b>	10. Transporter 1 (Acknowledgement of receipt of materials)			
	Name/Title <u>Hammerlund Construction Inc</u>		Signature <u>[Signature]</u> Date <u>8/5/13</u>	
	Address <u>3201 West Grand Rapids</u> City, St., Zip <u>MN 55744</u> Phone No. <u>218-326-1881</u>			
11. Transporter 2 (Acknowledgement of receipt of materials)				
Name/Title _____		Signature _____	Date _____	
Address _____		City, St., Zip _____	Phone No. _____	
<b>DISPOSAL SITE</b>		13. Waste Disposal Site Owner or Operator: Certification of receipt of non-hazardous materials covered by this manifest except as noted in Item 12.		
12. Discrepancy Indication Space		Name/Title (Printed or Typed) <u>Deanna Duck</u>		
<u>232492</u> <u>CS</u>		Signature <u>[Signature]</u> Date <u>8/5/13</u>		
Tons <u>23.17</u> Yards _____				
Elev. _____				

CONTRACTOR - WHITE

TRANSPORTER - CANARY

WASTE DISPOSAL SITE - PINK

GENERATOR/OPERATOR - GOLD

Vonco V Duluth, LLC  
1100 West Gary Street  
Duluth, MN 55808  
(218) 626-3830

001339  
Hammerlund Construction:CC @ gate  
8321 1st Street

**Contract:** 13-089-7A City of Grand Rapids

**Reference:**

GROSS 86,880.00 LB  
TARE 37,560.00 LB  
NET 49,320.00 LB 24.66 TN

Quantity	Description	Rate	Extension	Tax	Total
24.66	TN Contaminated Soil Tons	\$20.00	\$ 493.20	\$ 11.34	\$ 504.54
1.00	Environmental Fee - 4	\$4.00	\$ 4.00	\$ 0.00	\$ 4.00

TICKET #: 232460  
Operator: DeAnna  
In : 08/05/2013 12:10 pm  
Out: 08/05/2013 12:34 pm  
Vehicle: YT96535

INBOUND  
CASH

Work Order#: 0  
Cell: I

Signature: \_\_\_\_\_

**Total:** \$ 508.54  
**Paid:** \$ 508.54  
**Payment Type:**  
**Change:** \$ 0.00



# VONCO V, LLC.

PHONE: 218-626-3830 FAX: 218-626-1009

## INDUSTRIAL/NON-HAZARDOUS MATERIAL TRANSPORT AND DISPOSAL MANIFEST

<b>GENERATOR</b>	1. Work Site Name <u>4<sup>th</sup> Avenue NE</u>		PROFILE #: <u>13-089-7A</u>	
	Address <u>intersection of 4<sup>th</sup> Ave / 5<sup>th</sup> St</u>		3. Waste Disposal Site <u>VONCO V, LLC.</u>	
	City, St., Zip <u>Grand Rapids, MN 55744</u>		Mailing Address <u>1100 West Gary Street</u>	
	Owner's Name <u>City of Grand Rapids</u>		City, St., Zip <u>Duluth, MN 55808</u>	
	Owner's Phone No. <u>218.326.7601</u>		4. Responsible Agency <u>MN Pollution Control Agency</u>	
	2. Consultant/Contractor <u>Hammerlund Const.</u>		Address <u>520 Lafayette Road</u>	
	Address <u>3201 West Highway Z</u>		City, St., Zip <u>St. Paul, MN 55155-3898</u>	
	City, St., Zip <u>Grand Rapids, MN 55744</u>			
	Operator's Phone <u>218.326.1081</u>			
	5. Description of Materials		6. Containers (No.-Type)	7. Total Quantity (m <sup>3</sup> or yd <sup>3</sup> )
<u>Petroleum impacted soil</u>				
8. Special Handling Instructions and Additional Information				
9. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations. The above listed material(s) is (are) not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law.				
Name & Title (Printed or Typed) <u>JULIE KENNEDY</u>		Signature <u>[Signature]</u>	Date <u>8-2-13</u>	
<b>TRANSPORTER</b>	10. Transporter 1 (Acknowledgement of receipt of materials)			
	Name/Title <u>Hammerlund Construction Inc.</u>	Signature <u>[Signature]</u>	Date <u>1/5/13</u>	
	Address <u>3001 W Hwy 2 Grand Rapids</u> City, St., Zip <u>MN 55</u> Phone No. <u>-1881</u>			
	11. Transporter 2 (Acknowledgement of receipt of materials)			
Name/Title <u>Joe Preston</u>	Signature <u>[Signature]</u>	Date <u>8-5-13</u>		
Address <u>PO Box 213</u> City, St., Zip <u>Blackduck MN</u> Phone No. <u>218-875-8620</u>				
<b>DISPOSAL SITE</b>		13. Waste Disposal Site Owner or Operator: Certification of receipt of non-hazardous materials covered by this manifest except as noted in item 12.		
12. Discrepancy Indication Space <u>CS</u>		Name/Title (Printed or Typed) <u>Deanna Druick</u>		
Ticket # <u>232460</u> Tons <u>34.66</u> Yards		Signature <u>[Signature]</u> Date <u>8/5/13</u>		
E. _____ N. _____ Elev. _____				

CONTRACTOR - WHITE      TRANSPORTER - CANARY      WASTE DISPOSAL SITE - PINK      GENERATOR/OPERATOR - GOLD



Vonco V Duluth, LLC  
1100 West Gary Street  
Duluth, MN 55808  
(218) 626-3830

001339  
Hammerlund Construction:CC @ gate  
8321 1st Street

**Contract:** 13-089-7A City of Grand Rapids

**Reference:**

GROSS 87,080.00 LB  
TARE 37,560.00 LB  
NET 49,520.00 LB 24.76 TN

TICKET #: 232491  
Operator: DeAnna  
In : 08/05/2013 4:34 pm  
Out: 08/05/2013 4:34 pm  
Vehicle: YT96535

INBOUND  
CASH

Work Order#: 0

Cell: I

Signature: \_\_\_\_\_

Quantity	Description	Rate	Extension	Tax	Total
24.76	TN Contaminated Soil Tons	\$20.00	\$ 495.20	\$ 11.39	\$ 506.59
1.00	Environmental Fee - 4	\$4.00	\$ 4.00	\$ 0.00	\$ 4.00

**Total:** \$ 510.59

**Paid:** \$ 510.59

**Payment Type:**

**Change:** \$ 0.00

# VONCO V, LLC.

PHONE: 218-626-3830 FAX: 218-626-1009

## INDUSTRIAL/NON-HAZARDOUS MATERIAL TRANSPORT AND DISPOSAL MANIFEST

GENERATOR

1. Work Site Name 4<sup>th</sup> Avenue NE  
 Address intersection of 4<sup>th</sup> Ave / 5<sup>th</sup> St  
 City, St., Zip Grand Rapids, MN 55744  
 Owner's Name City of Grand Rapids  
 Owner's Phone No. 218.326.7601

2. Consultant/Contractor Hammerlund Const.  
 Address 3201 West Highway Z  
 City, St., Zip Grand Rapids, MN 55744  
 Operator's Phone 218.326.1081

PROFILE #: 13-085-7A

3. Waste Disposal Site VONCO V, LLC.  
 Mailing Address 1100 West Gary Street  
 City, St., Zip Duluth, MN 55808

4. Responsible Agency MN Pollution Control Agency  
 Address 520 Lafayette Road  
 City, St., Zip St. Paul, MN 55155-3898

5. Description of Materials	6. Containers (No.-Type)	7. Total Quantity (m <sup>3</sup> or yd <sup>3</sup> )
<u>Petroleum impacted soil</u>		

8. Special Handling Instructions and Additional Information

9. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations. The above listed material(s) is (are) not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law.

Name & Title (Printed or Typed) JULIE KENNEDY Signature [Signature] Date 8-2-13

TRANSPORTER

10. Transporter 1 (Acknowledgement of receipt of materials)  
 Name/Title Hammerlund Construction Inc Signature [Signature] Date 8/5/13  
 Address 3201 West Grand Rapids City, St., Zip MN 55744 Phone No. 218-326-1081

11. Transporter 2 (Acknowledgement of receipt of materials)  
 Name/Title \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Address \_\_\_\_\_ City, St., Zip \_\_\_\_\_ Phone No. \_\_\_\_\_

**DISPOSAL SITE**

12. Discrepancy Indication Space 65

Ticket # 233491 Tons 34.76 Yards \_\_\_\_\_  
 E \_\_\_\_\_ N \_\_\_\_\_ Elev. \_\_\_\_\_

13. Waste Disposal Site Owner or Operator: Certification of receipt of non-hazardous materials covered by this manifest except as noted in Item 12.

Name/Title (Printed or Typed) Deanna Druck  
 Signature [Signature] Date 8/5/13

- **Vonco V Duluth, LLC**  
1100 West Gary Street  
Duluth, MN 55808  
(218) 626-3830

001339  
Hammerlund Construction:CC @ gate  
8321 1st Street

**Contract:** 13-089-7A City of Grand Rapids

**Reference:**

GROSS 79,580.00 LB  
TARE 36,300.00 LB  
NET 43,280.00 LB 21.64 TN

TICKET #: **232465**  
Operator: DeAnna  
In : 08/05/2013 12:25 pm  
Out: 08/05/2013 1:03 pm  
Vehicle: YTB2865

INBOUND  
CASH

Work Order#: 0  
Cell: 1

Signature: \_\_\_\_\_

Quantity	Description	Rate	Extension	Tax	Total
21.64	TN Contaminated Soil Tons	\$20.00	\$ 432.80	\$ 9.95	\$ 442.75
1.00	Environmental Fee - 4	\$4.00	\$ 4.00	\$ 0.00	\$ 4.00

**Total:** \$ 446.75  
**Paid:** \$ 446.75  
**Payment Type:**  
**Change:** \$ 0.00



# VONCO V, LLC.

PHONE: 218-626-3830 FAX: 218-626-1009

## INDUSTRIAL/NON-HAZARDOUS MATERIAL TRANSPORT AND DISPOSAL MANIFEST

<b>GENERATOR</b>	1. Work Site Name <u>4<sup>th</sup> Avenue NE</u> Address <u>intersection of 4<sup>th</sup> Ave / 5<sup>th</sup> St</u> City, St., Zip <u>Grand Rapids, MN 55744</u> Owner's Name <u>City of Grand Rapids</u> Owner's Phone No. <u>218.326.7601</u>		PROFILE #: <u>13-089-7A</u>	
	2. Consultant/Contractor <u>Hammerlund Const.</u> Address <u>3201 West Highway 2</u> City, St., Zip <u>Grand Rapids, MN 55744</u> Operator's Phone <u>218.326.1881</u>		3. Waste Disposal Site <u>VONCO V, LLC.</u> Mailing Address <u>1100 West Gary Street</u> City, St., Zip <u>Duluth, MN 55808</u>	
	5. Description of Materials <u>Petroleum impacted soil</u>		4. Responsible Agency <u>MN Pollution Control Agency</u> Address <u>520 Lafayette Road</u> City, St., Zip <u>St. Paul, MN 55155-3698</u>	6. Containers (No.-Type) _____ _____ _____
	7. Total Quantity (m <sup>3</sup> or yd <sup>3</sup> ) _____ _____ _____		8. Special Handling Instructions and Additional Information	
<b>TRANSPORTER</b>	9. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations. The above listed material(s) is (are) not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law.			
	Name & Title (Printed or Typed) <u>JULIE KENNEDY</u>		Signature <u>[Signature]</u>	Date <u>8-2-13</u>
	10. Transporter 1 (Acknowledgement of receipt of materials) Name/Title <u>Hammerlund Construction Inc.</u>		Signature <u>[Signature]</u>	Date <u>8/5/13</u>
	Address <u>3001 W Hwy 2 Grand Rapids</u>		City, St., Zip <u>MN 55744</u>	Phone No. <u>218-326-1881</u>
11. Transporter 2 (Acknowledgement of receipt of materials) Name/Title <u>Tom Johnson TRUCK DRIVER</u>		Signature <u>[Signature]</u>	Date <u>8-5-13</u>	
Address _____		City, St., Zip _____	Phone No. <u>218-396-3870</u>	
<b>DISPOSAL SITE</b>		13. Waste Disposal Site Owner or Operator: Certification of receipt of non-hazardous materials covered by this manifest except as noted in Item 12.		
12. Discrepancy Indication Space <u>5</u>		Name/Title (Printed or Typed) <u>Deanne Druck</u>	Signature <u>[Signature]</u>	
Tons <u>21.04</u> Yards _____		Date <u>8/5/13</u>		
E _____ N _____ Elev. _____				

CONTRACTOR - WHITE

TRANSPORTER - CANARY

WASTE DISPOSAL SITE - PINK

GENERATOR/OPERATOR - GOLD

Vonco V Duluth, LLC  
1100 West Gary Street  
Duluth, MN 55808  
(218) 626-3830

001339  
Hammerlund Construction:CC @ gate  
8321 1st Street

**Contract:** 13-089-7A City of Grand Rapids

**Reference:**

GROSS 82,880.00 LB  
TARE 36,300.00 LB  
NET 46,580.00 LB 23.29 TN

TICKET #: 232493  
Operator: DeAnna  
In : 08/05/2013 4:40 pm  
Out: 08/05/2013 4:40 pm  
Vehicle: YTB2865

INBOUND  
CASH

Work Order#: 0

Cell: 1

Signature: \_\_\_\_\_

Quantity	Description	Rate	Extension	Tax	Total
23.29	TN Contaminated Soil Tons	\$20.00	\$ 465.80	\$ 10.71	\$ 476.51
1.00	Environmental Fee - 4	\$4.00	\$ 4.00	\$ 0.00	\$ 4.00

**Total:** \$ 480.51

**Paid:** \$ 480.51

**Payment Type:**

**Change:** \$ 0.00

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# VONCO V, LLC.

PHONE: 218-626-3830 FAX: 218-626-1009

## INDUSTRIAL/NON-HAZARDOUS MATERIAL TRANSPORT AND DISPOSAL MANIFEST

GENERATOR

TRANSPORTER

PROFILE #: 13-089-7A

1. Work Site Name 4<sup>th</sup> Avenue NE  
 Address intersection of 4<sup>th</sup> Ave / 5<sup>th</sup> St  
 City, St., Zip Grand Rapids, MN 55744  
 Owner's Name City of Grand Rapids  
 Owner's Phone No. 218.326.7601

2. Consultant/Contractor Hammerlund Const.  
 Address 3201 West Highway 2  
 City, St., Zip Grand Rapids, MN 55744  
 Operator's Phone 218.326.1881

3. Waste Disposal Site VONCO V, LLC.  
 Mailing Address 1100 West Gary Street  
 City, St., Zip Duluth, MN 55808

4. Responsible Agency MN Pollution Control Agency  
 Address 620 Lafayette Road  
 City, St., Zip St. Paul, MN 55155-3898

5. Description of Materials	6. Containers (No.-Type)	7. Total Quantity (m <sup>3</sup> or yd <sup>3</sup> )
<u>Petroleum impacted soil</u>		

8. Special Handling Instructions and Additional Information

9. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations. The above listed material(s) is (are) not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law.

Name & Title (Printed or Typed) TULLIE KENNEDY Signature [Signature] Date 8-2-13

10. Transporter 1 (Acknowledgement of receipt of materials)  
 Name/Title Hammerlund Construction Inc Signature [Signature] Date 3/5/13  
 Address 3201 West Highway 2 Grand Rapids City, St., Zip MN 55744 Phone No. 218-326-1881

11. Transporter 2 (Acknowledgement of receipt of materials)  
 Name/Title Ken Johnson DRIVER Signature [Signature] Date 8-5-13  
 Address \_\_\_\_\_ City, St., Zip \_\_\_\_\_ Phone No. 218-398-3870

**DISPOSAL SITE**

12. Discrepancy Indication Space C5

Ticket # 232493 Tons 23.29 Yards \_\_\_\_\_

E \_\_\_\_\_ N \_\_\_\_\_ Elev. \_\_\_\_\_

13. Waste Disposal Site Owner or Operator: Certification of receipt of non-hazardous materials covered by this manifest except as noted in Item 12.

Name/Title (Printed or Typed) Deanna Duck  
 Signature [Signature] Date 8/5/13



Vonco V Duluth, LLC  
1100 West Gary Street  
Duluth, MN 55808  
(218) 626-3830

001339  
Hammerlund Construction:CC @ gate  
8321 1st Street

**Contract:** 13-089-7A City of Grand Rapids

**Reference:**

GROSS 77,960.00 LB  
TARE 36,720.00 LB  
NET 41,240.00 LB 20.62 TN

Quantity	Description	Rate	Extension	Tax	Total
20.62	TN Contaminated Soil Tons	\$20.00	\$ 412.40	\$ 9.49	\$ 421.89
1.00	Environmental Fee - 4	\$4.00	\$ 4.00	\$ 0.00	\$ 4.00

**Total:** \$ 425.89  
**Paid:** \$ 425.89  
**Payment Type:**  
**Change:** \$ 0.00

TICKET #: 232504  
Operator: DeAnna  
In : 08/06/2013 8:21 am  
Out: 08/06/2013 8:30 am  
Vehicle: YTB2862

INBOUND  
CASH

Work Order#: 0  
Cell: 1

Signature: \_\_\_\_\_

# VONCO V, LLC.

PHONE: 218-626-3830 FAX: 218-626-1009

## INDUSTRIAL/NON-HAZARDOUS MATERIAL TRANSPORT AND DISPOSAL MANIFEST

GENERATOR	1. Work Site Name <u>4<sup>th</sup> Avenue NE</u> Address <u>intersection of 4<sup>th</sup> Ave / 5<sup>th</sup> St</u> City, St., Zip <u>Grand Rapids, MN 55744</u> Owner's Name <u>City of Grand Rapids</u> Owner's Phone No. <u>218.326.7601</u>		PROFILE #: <u>13-0821-7A</u>	
	2. Consultant/Contractor <u>Hammerlund Const.</u> Address <u>3201 West Highway 2</u> City, St., Zip <u>Grand Rapids, MN 55744</u> Operator's Phone <u>218.326.1881</u>		3. Waste Disposal Site <u>VONCO V, LLC.</u> Mailing Address <u>1100 West Gary Street</u> City, St., Zip <u>Duluth, MN 55808</u> 4. Responsible Agency <u>MN Pollution Control Agency</u> Address <u>620 Lafayette Road</u> City, St., Zip <u>St. Paul, MN 55155-3898</u>	
	5. Description of Materials <u>Petroleum impacted soil</u>		6. Containers (No.-Type) _____ _____ _____	
	7. Total Quantity (m <sup>3</sup> or yd <sup>3</sup> ) _____ _____ _____		8. Special Handling Instructions and Additional Information _____ _____	
9. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations. The above listed material(s) is (are) not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law. Name & Title (Printed or Typed) <u>JULIE KENNEDY</u> Signature <u>[Signature]</u> Date <u>8-2-13</u>				
TRANSPORTER	10. Transporter 1 (Acknowledgement of receipt of materials) Name/Title <u>Hammerlund Construction Inc</u> Signature <u>[Signature]</u> Date <u>8/2/13</u> Address <u>3201 W Hwy 2 Grand Rapids</u> City, St., Zip <u>MN 55744</u> Phone No. <u>218-326-1881</u>			
	11. Transporter 2 (Acknowledgement of receipt of materials) Name/Title <u>Hammerlund Const.</u> Signature <u>[Signature]</u> Date <u>8-1-13</u> Address <u>3201 W. Hwy 2 Grand Rapids, MN</u> City, St., Zip <u>55744</u> Phone No. <u>218-326-1881</u>			
12. Discrepancy Indication Space <u>15</u> Ticket # <u>232504</u> Tons <u>20.62</u> Yards _____ E _____ N _____ Elev. _____		13. Waste Disposal Site Owner or Operator: Certification of receipt of non-hazardous materials covered by this manifest except as noted in Item 12. Name/Title (Printed or Typed) <u>Deanna Dzuch</u> Signature <u>[Signature]</u> Date <u>8/6/13</u>		

CONTRACTOR - WHITE      TRANSPORTER - CANARY      WASTE DISPOSAL SITE - PINK      GENERATOR/OPERATOR - GOLD

Vonco V Duluth, LLC  
1100 West Gary Street  
Duluth, MN 55808  
(218) 626-3830

001339  
Hammerlund Construction:CC @ gate  
8321 1st Street

**Contract:** 13-089-7A City of Grand Rapids

**Reference:**

GROSS	73,160.00	LB	
TARE	37,060.00	LB	
NET	36,100.00	LB	18.05 TN

Quantity	Description	Rate	Extension	Tax	Total
18.05	TN Contaminated Soil Tons	\$20.00	\$ 361.00	\$ 8.30	\$ 369.30
1.00	Environmental Fee - 4	\$4.00	\$ 4.00	\$ 0.00	\$ 4.00

**Total:** \$ 373.30  
**Paid:** \$ 373.30  
**Payment Type:**  
**Change:** \$ 0.00

TICKET #: 232502  
Operator: DeAnna  
In : 08/06/2013 7:59 am  
Out: 08/06/2013 8:10 am  
Vehicle: YTB2864

INBOUND  
CASH

Work Order#: 0  
Cell: I

Signature: \_\_\_\_\_



# VONCO V, LLC.

PHONE: 218-626-3830 FAX: 218-626-1009

## INDUSTRIAL/NON-HAZARDOUS MATERIAL TRANSPORT AND DISPOSAL MANIFEST

GENERATOR

TRANSPORTER

1. Work Site Name <u>4<sup>th</sup> Avenue NE</u> Address <u>intersection of 4<sup>th</sup> Ave / 5<sup>th</sup> St</u> City, St., Zip <u>Grand Rapids, MN 55744</u> Owner's Name <u>City of Grand Rapids</u> Owner's Phone No. <u>218.326.7601</u>	PROFILE #: <u>13-089-7A</u>
2. Consultant/Contractor <u>Hammerlund Const.</u> Address <u>3201 West Highway 2</u> City, St., Zip <u>Grand Rapids, MN 55744</u> Operator's Phone <u>218.326.1881</u>	3. Waste Disposal Site <u>VONCO V, LLC.</u> Mailing Address <u>1100 West Gary Street</u> City, St., Zip <u>Duluth, MN 55808</u>
	4. Responsible Agency <u>MN Pollution Control Agency</u> Address <u>520 Lafayette Road</u> City, St., Zip <u>St. Paul, MN 55155-3898</u>

5. Description of Materials <u>Petroleum impacted soil</u>	6. Containers (No.-Type)	7. Total Quantity (m <sup>3</sup> or yd <sup>3</sup> )
_____ _____ _____	_____ _____ _____	_____ _____ _____

8. Special Handling Instructions and Additional Information

9. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations. The above listed material(s) is (are) not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law.

Name & Title (Printed or Typed) JULIE KENNEDY Signature [Signature] Date 8-2-13

10. Transporter 1 (Acknowledgement of receipt of materials)

Name/Title Hammerlund Construction Inc Signature [Signature] Date 8/5/13

Address 3201 West Highway 2 Grand Rapids City, St., Zip MN 55744 Phone No. 218-326-1881

11. Transporter 2 (Acknowledgement of receipt of materials)

Name/Title Josh Pomplun Driver Signature [Signature] Date 8/6/13

Address GR City, St., Zip \_\_\_\_\_ Phone No. 256 8191

**DISPOSAL SITE**

12. Discrepancy Indication Space 05

Ticket # 232502 Tons 18.05 Yards \_\_\_\_\_

E \_\_\_\_\_ N \_\_\_\_\_ Elev. \_\_\_\_\_

13. Waste Disposal Site Owner or Operator: Certification of receipt of non-hazardous materials covered by this manifest except as noted in Item 12.

Name/Title (Printed or Typed) Deanna Dzurk

Signature [Signature] Date 8/6/13



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0492      **Version:** 1      **Name:**

**Type:** Agenda Item      **Status:** Consent Agenda

**File created:** 8/19/2013      **In control:** City Council

**On agenda:** 8/26/2013      **Final action:**

**Title:** Consider allowing the Engineering Department to obtain quotes for the re-striping of 5th St N, from 6th Ave NW to 6th Ave NE, converting it from a 4-lane roadway to a 3-lane roadway with dedicated bike lanes.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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Consider allowing the Engineering Department to obtain quotes for the re-striping of 5th St N, from 6th Ave NW to 6th Ave NE, converting it from a 4-lane roadway to a 3-lane roadway with dedicated bike lanes.

**Background Information:**

The City's Comprehensive Plan includes a goal of promoting biking for commuters and recreational riders and creating access is the first step to enabling more bike use. The 5th St N conversion project would re-stripe a major collector street converting it from a 4-lane vehicle roadway to a 3-lane roadway with dedicated bike lanes. By creating dedicated bike lanes, bicyclists will be able to enter and/or drive through our busy central business district. The converting/re-striping will serve as a trial project providing the City with valuable insight when designing the overlay project for 5th St N which is scheduled for 2017. The trial re-striping project will be funded with a grant from Blue Cross Blue Shield, a donation from Get Fit Itasca, and the City's PIR account.

**Staff Recommendation:**

City staff is recommending the City obtain quotes for the re-striping of 5th St N to convert the 4-lane roadway to a 3-lane roadway with dedicated bike lanes.

**Requested City Council Action**

Considering allowing the Engineering Department to obtain quotes for the re-striping of 5th St N, from 6th Ave NW to 6th Ave NE, converting it from a 4-lane roadway to a 3-lane roadway with dedicated bike lanes.





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

# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

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**File #:** 13-0493      **Version:** 1      **Name:** Lost Accounts Payable Checks  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/19/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider voiding lost Accounts Payable checks #104391, 106453, 108018 & 111506 issuing new checks and waiving bond requirements for checks issued to Matthew O'Rourke in the amounts of \$60.00, \$30.00, \$40.00 & \$40.00.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Lost AP Checks.pdf](#)

Date	Ver.	Action By	Action	Result
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Consider voiding lost Accounts Payable checks #104391, 106453, 108018 & 111506 issuing new checks and waiving bond requirements for checks issued to Matthew O'Rourke in the amounts of \$60.00, \$30.00, \$40.00 & \$40.00.

**Background Information:**

Lost Accounts Payable checks #104391 in the amount of \$60.00 issued on 7/5/11, #106453 in the amount of \$30.00 issued on 11/28/11, #108018 in the amount of \$40.00 issued on 3/19/12 & #111506 in the amount of \$40.00 issued 12/3/12 to Matthew O'Rourke were lost. Matthew O'Rourke has completed an Affidavit of lost check on all four checks.

**Requested City Council Action**

Consider voiding lost Accounts Payable checks #104391, 106453, 108018 & 111506 issuing new checks and waiving bond requirements for checks issued to Matthew O'Rourke in the amounts of \$60.00, \$30.00, \$40.00 & \$40.00.



AFFIDAVIT

STATE OF            ) Minnesota

                          ) SS

COUNTY OF         ) Itasca

**Matthew O'Rourke**, being first duly sworn on oath, states that he/she resides at **932 Pokegama Ave N, Grand Rapids, MN, 55744** and that he/she is the payee named in a check number **104391**, issued to **Matthew O'Rourke**, drawn by **City of Grand Rapids** dated **7/5/11**, for the sum of **\$60.00**; that to my knowledge this check was never endorsed by me, that I did not authorize anyone to endorse it for me, and that the circumstances of the loss or destruction of the check are as follows:

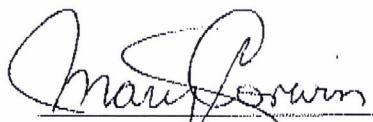
**Lost AP Check**

I am making this Affidavit in conjunction with my request that the **City of Grand Rapids** issue a duplicate check. I understand that I make this Affidavit under oath and that I may be subject to criminal penalty if my statements in this Affidavit are false.

\*\*\*\*\*  
                          ) MARY LOU CORWIN  
                          ) NOTARY PUBLIC  
                          ) MINNESOTA  
                          ) My Comm Exp Jan 31, 2018  
Subscribed and sworn to before me  
\*\*\*\*\*

SIGNED 

This 5 day of August, 2013

  
Notary Public

AFFIDAVIT

STATE OF ) Minnesota

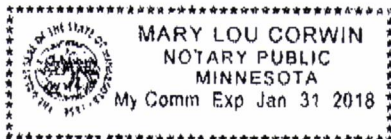
) SS

COUNTY OF ) Itasca

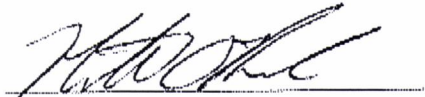
**Matthew O'Rourke**, being first duly sworn on oath, states that he/she resides at **932 Pokegama Ave N, Grand Rapids, MN, 55744** and that he/she is the payee named in a check number **106453**, issued to **Matthew O'Rourke**, drawn by **City of Grand Rapids** dated **11/28/11**, for the sum of **\$30.00**; that to my knowledge this check was never endorsed by me, that I did not authorize anyone to endorse it for me, and that the circumstances of the loss or destruction of the check are as follows:

**Lost AP Check**

I am making this Affidavit in conjunction with my request that the **City of Grand Rapids** issue a duplicate check. I understand that I make this Affidavit under oath and that I may be subject to criminal penalty if my statements in this Affidavit are false.




SIGNED



Subscribed and sworn to before me

This 5 day of August, 2013

  
Notary Public

AFFIDAVIT

STATE OF ) Minnesota

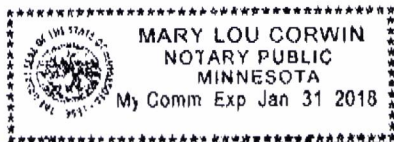
) SS

COUNTY OF ) Itasca

**Matthew O'Rourke**, being first duly sworn on oath, states that he/she resides at **932 Pokegama Ave N, Grand Rapids, MN, 55744** and that he/she is the payee named in a check number **108018**, issued to **Matthew O'Rourke**, drawn by **City of Grand Rapids** dated **3/19/12**, for the sum of **\$40.00**; that to my knowledge this check was never endorsed by me, that I did not authorize anyone to endorse it for me, and that the circumstances of the loss or destruction of the check are as follows:

**Lost AP Check**

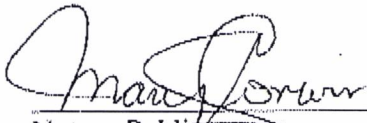
I am making this Affidavit in conjunction with my request that the **City of Grand Rapids** issue a duplicate check. I understand that I make this Affidavit under oath and that I may be subject to criminal penalty if my statements in this Affidavit are false.



SIGNED 

Subscribed and sworn to before me

This 5 day of August, 2013

  
\_\_\_\_\_  
Notary Public



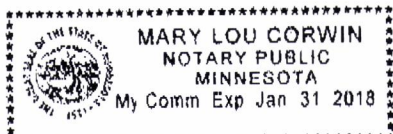
AFFIDAVIT

STATE OF ) Minnesota  
                  ) SS  
COUNTY OF ) Itasca

**Matthew O'Rourke**, being first duly sworn on oath, states that he/she resides at **932 Pokegama Ave N, Grand Rapids, MN, 55744** and that he/she is the payee named in a check number **111506**, issued to **Matthew O'Rourke**, drawn by **City of Grand Rapids** dated **12/03/12**, for the sum of **\$40.00**; that to my knowledge this check was never endorsed by me, that I did not authorize anyone to endorse it for me, and that the circumstances of the loss or destruction of the check are as follows:

**Lost AP Check**

I am making this Affidavit in conjunction with my request that the **City of Grand Rapids** issue a duplicate check. I understand that I make this Affidavit under oath and that I may be subject to criminal penalty if my statements in this Affidavit are false.



SIGNED

A handwritten signature in black ink, appearing to be "Matthew O'Rourke", written over a horizontal line.

Subscribed and sworn to before me

This 5<sup>th</sup> day of August, 2013.

A handwritten signature in black ink, appearing to be "Mary Lou Corwin", written over a horizontal line.

Notary Public



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

# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0494      **Version:** 1      **Name:**  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/19/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider approving Part-Time Public Works employees for Fall Maintenance Season.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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Consider approving Part-Time Public Works employees for Fall Maintenance Season.

**Background Information:**

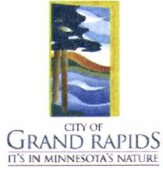
The Public Works Department hires part-time maintenance workers for all seasons for parks, athletic fields, right-of-ways and city property maintenance. Once approved, the part-time workers will be effective from August 26th through December 31st, 2013, and their wage rates will be as follows; Jace Luoma, Aaron Rodenberg and Allen Waller will earn \$9.50 per hour, Dominic DeGuisseppi will earn \$8.00 per hour and Gene Eklin will earn \$14.25 per hour. The cost for these Part-Time Fall Maintenance workers is included in the 2013 Budget.

**Staff Recommendation:**

Public Works Staff recommends hiring these five part-time workers for the 2013 Fall Maintenance Season.

**Requested City Council Action**

Approve Jace Luoma, Aaron Rodenberg, Allen Waller, Dominic DeGuisseppi and Gene Eklin as Part-Time Fall Maintenance Workers.



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0497      **Version:** 1      **Name:** Majestic Pines - Permanent Easements - Mock & Mann  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/20/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider approving two Permanent Easements related to the Majestic Pines Project.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Mann&Pavich OfferLtr&Esmt-Signed](#)  
[Mock OfferLtr&Esmt-Signed](#)

Date	Ver.	Action By	Action	Result
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Consider approving two Permanent Easements related to the Majestic Pines Project.

### **Background Information:**

Attached are two executed offer letters for Permanent Easements from Bradley Mann and Theresa Pavich and Thomas and Rebecca Mock. Additionally, approximately 15 new trees will be placed to compensate for those being lost for the new public infrastructure. By securing these easements, the benefits of public infrastructure beyond the Majestic Pines project are recognized for future extensions. Using the same proportion as in the original TIF agreement, DW Jones will be cost participating in these easements in the amount of \$5,844.13 and the City will be participating in the amount of \$9,603.87. Funding for the City's portion will come from the PIR account.

### **Staff Recommendation:**

City staff is recommending the purchase of Permanent Easements from Bradley Mann and Theresa Pavich and Thomas and Rebecca Mock.

### **Requested City Council Action**

Consider approving the purchase of Permanent Easements from Bradley Mann and Theresa Pavich and Thomas and Rebecca Mock in the amount of \$9,603.87 with funding coming from the PIR account.





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

ENGINEERING DEPARTMENT

420 NORTH POKEGAMA AVENUE, GRAND RAPIDS, MINNESOTA 55744-2662

## OFFER LETTER

August 2, 2013

Bradley Mann and Theresa Pavich  
1812 Golf Course Road  
Grand Rapids, MN 55744

In reply refer to: Purchasing Easement for construction of City water and sewer along Gold Course Road

Dear Bradley Mann and Theresa Pavich

The City of Grand Rapids hereby submits to you an offer of **\$5420.00**, for a permanent easement, 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 project.

The City's appraisal of market value is based on information from the County Assessors Office. 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 taxes 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 Shirley Miller, Finance Director, at 218.326.7616

**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.**

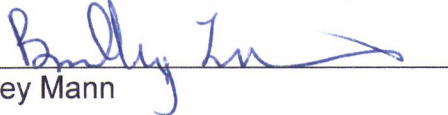
This letter is furnished to inform you of procedures and your rights in this acquisition. It is respectfully requested that you acknowledge its receipt by signing the attached copy in the space provided. Signing this acknowledgment does not in any way commit you to an acceptance of the offer.

Sincerely,

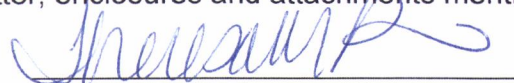


By: Patrick Pollard  
Engineering Tech.

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



Bradley Mann



Theresa Pavich

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**PUBLIC SERVICE AND INFRASTRUCTURE EASEMENT**

**THIS INDENTURE** made and entered into this 2nd day of August, 2013 by and between Bradley Mann and Theresa Pavich, husband and wife, of Grand Rapids, Minnesota, as Grantors and The City of Grand Rapids, a political subdivision and road authority of the State of Minnesota, as Grantee.

**WITNESSETH** that whereas said Grantors are the fee simple owners of a tract of land in the County of Itasca, State of Minnesota, described as follows:

**Exhibit 2**

Bradley Mann and Theresa Pavich  
Parcel No. 91-030-1404

**EXISTING LEGAL DESCRIPTION**

The West 200.00 feet of the East 400.00 feet of the North 173.00 feet of the Southeast Quarter of the Northeast Quarter (SE ¼ NE ¼), Section Twenty-nine (30), Township Fifty-five (55) North, Range Twenty-five (25) West of the Fourth Principal Meridian,.

Subject to reservations, restrictions and easements as the same appear of record.

**NOW THEREFORE**, Grantors, in consideration of One Dollar (\$1.00) and other good and valuable consideration, to them in hand paid by said Grantee, the receipt of which is hereby acknowledged, hereby grant to said Grantee, its successors and assigns, a **permanent easement** for the purpose of providing public services and infrastructure within the perpetual easement described as follows:

**PERMANENT EASEMENT**

The North 43.00 feet of the West 200.00 feet of the East 400.00 feet of the North 173.00 feet of the Southeast Quarter of the Northeast Quarter (SE ¼ NE ¼), Section Twenty-nine (30), Township Fifty-five (55) North, Range Twenty-five (25) West of the Fourth Principal Meridian, less existing easements of record.

Grantors, for their heirs, executors and administrators, do covenant with the Grantee, its successors and assigns, that they are the owner of said lands and have good right to convey an easement and option in manner and form herein, and the same is free from all encumbrances.



Grantors agree that all rights, title, interests and privileges granted to Grantee by this Agreement shall run with the land and shall be binding upon and inure to the benefit of the parties, their respective heirs, executors, administrators, successors, assigns, and legal representatives.

Grantee agrees that the Grantors shall have the right to grant other non-exclusive easements in, along or upon the easement premises, provided however that:

1. Any other such easements shall be subject to the easement granted to Grantee by this Agreement; and

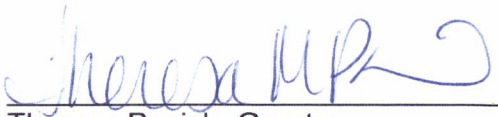
2. Grantee shall have first consented in writing to the terms, nature and location of any such other easements to determine that the easements do not interfere with Grantee's rights granted by this Agreement.

Grantors reserve the right to use the easement premises in any manner that will not prevent or interfere with the rights granted to Grantee by this Agreement; provided, however, that Grantors shall not obstruct or permit the obstruction of the easement premises at any time without the express prior written consent of the Grantee.

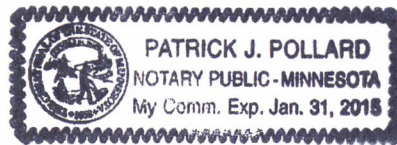
**TO HAVE AND TO HOLD SAID EASEMENT**, unto said Grantee, its assigns and successors, as appurtenant to said land.

**IN WITNESS WHEREOF**, said Grantors have hereunto set their hands and seals the date and year first above written.

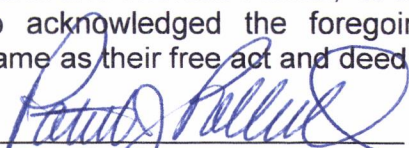
  
\_\_\_\_\_  
Bradley Mann, Grantor

  
\_\_\_\_\_  
Theresa Pavich, Grantor

STATE OF MINNESOTA    )  
  ) SS  
COUNTY OF ITASCA    )



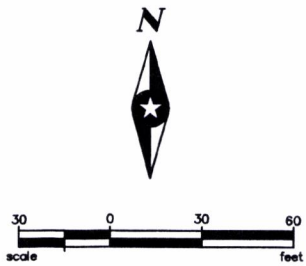
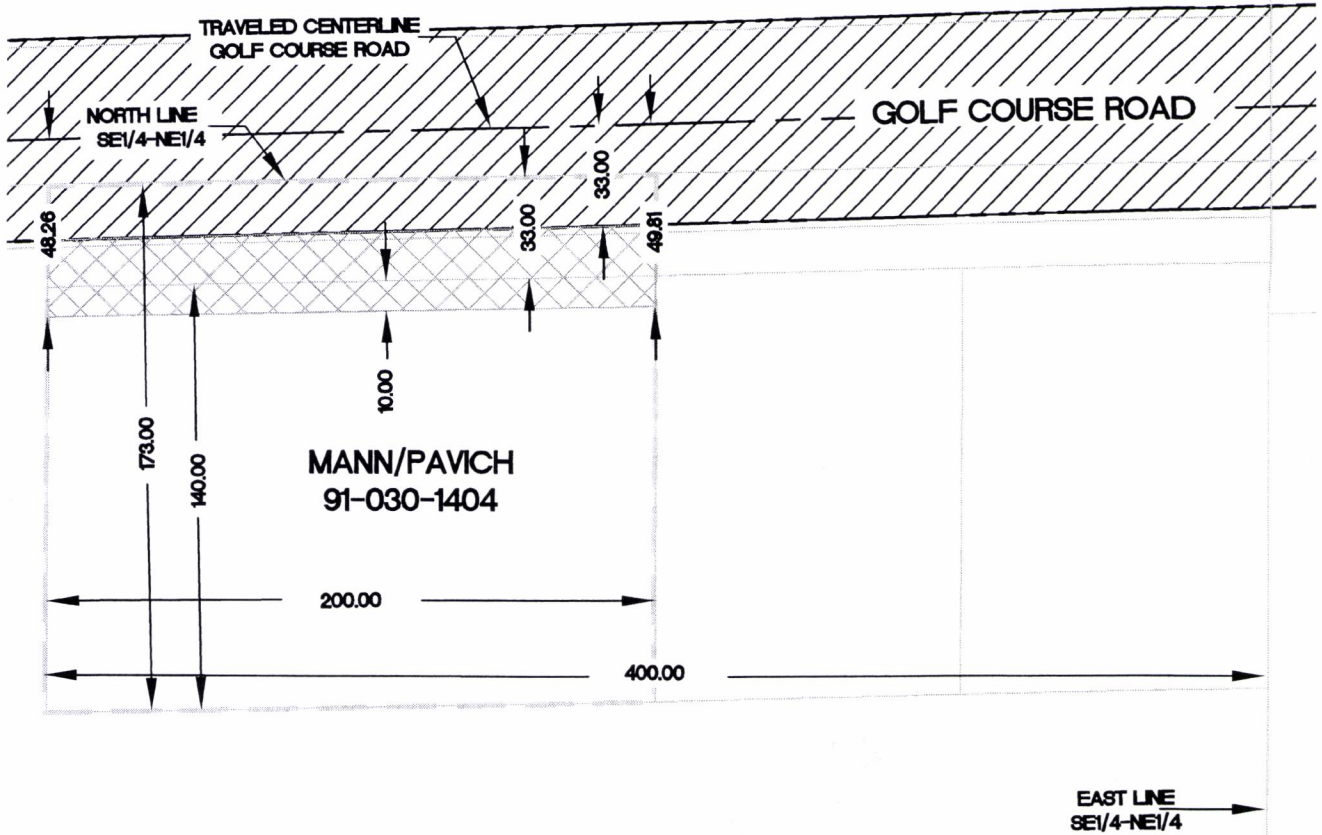
On this 2<sup>nd</sup> day of August, 2013, before me a Notary Public within and for said County and State, personally appeared, Bradley Mann and Theresa Pavich, to me known to be the person(s) described in and who acknowledged the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

  
\_\_\_\_\_  
Notary Public

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THIS DOCUMENT WAS DRAFTED BY:  
Patrick Pollard  
Engineering Tech.  
City of Grand Rapids  
420 Pokegama Ave. N.  
Grand Rapids, MN 55744

P:\F.A.G.\GRAND\123034\4-prelim-dgn-prts\exhibits.dwg\cad\dwg\GRT23034ESMITS\_BW.dwg 8/1/2013 11:10 AM dshannon



LEGEND	
	PROPOSED PERMANENT EASEMENT
	PROPERTY LINES
	EXISTING PERMANENT EASEMENT

Parcel Number	91-030-1404
Owner	Bradley Mann & Theresa Pavich
Area of Parcel	34,609.78 SF
Zoning	R-3
Area of Proposed Permanent Easement	5,211.19 SF
Area of Existing Prescriptive Easement	0.00 SF
Area of Compensation (Permanent Easement)	5,211.19 SF

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

FILE NO.	123034
DATE:	08/02/13

**MANN/PAVICH EASEMENT**  
**GOLF COURSE ROAD**  
**GRAND RAPIDS, MINNESOTA**

**EXHIBIT**  
**NO. 2**





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

ENGINEERING DEPARTMENT

420 NORTH POKEGAMA AVENUE, GRAND RAPIDS, MINNESOTA 55744-2662

## OFFER LETTER

August 2, 2013

Thomas S. and Rebeca Mock  
1608 Golf Course Road  
Grand Rapids, MN 55744

In reply refer to: Purchasing Easement for construction of City water and sewer along Gold Course Road

Dear Thomas S. and Rebeca Mock

The City of Grand Rapids hereby submits to you an offer of **\$5728.00**, for a permanent easement, 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 project.

The City's appraisal of market value is based on information from the County Assessors Office. 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 taxes 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 Shirley Miller, Finance Director, at 218.326.7616

**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.**

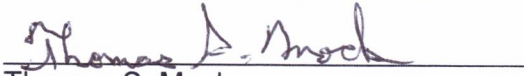
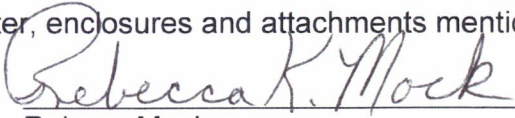
This letter is furnished to inform you of procedures and your rights in this acquisition. It is respectfully requested that you acknowledge its receipt by signing the attached copy in the space provided. Signing this acknowledgment does not in any way commit you to an acceptance of the offer.

Sincerely,



By: Patrick Pollard  
Engineering Tech.

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

  
Thomas S. Mock  
Rebecca Mock

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## PUBLIC SERVICE AND INFRASTRUCTURE EASEMENT

**THIS INDENTURE** made and entered into this 2nd day of August, 2013 by and between Thomas S. and Rebecca Mock, husband and wife, of Grand Rapids, Minnesota, as Grantors and The City of Grand Rapids, a political subdivision and road authority of the State of Minnesota, as Grantee.

**WITNESSETH** that whereas said Grantors are the fee simple owners of a tract of land in the County of Itasca, State of Minnesota, described as follows:

### **Exhibit 1**

Thomas S. and Rebecca Mock  
Parcel No. 91-030-1405

### **EXISTING LEGAL DESCRIPTION**

The East 200.00 feet of the North 173.00 feet of the Southeast Quarter of the Northeast Quarter (SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), Section Twenty-nine (30), Township Fifty-five (55) North, Range Twenty-five (25) West of the Fourth Principal Meridian,.

Subject to reservations, restrictions and easements as the same appear of record.

**NOW THEREFORE**, Grantors, in consideration of One Dollar (\$1.00) and other good and valuable consideration, to them in hand paid by said Grantee, the receipt of which is hereby acknowledged, hereby grant to said Grantee, its successors and assigns, a **permanent easement** for the purpose of providing public services and infrastructure within the perpetual easement described as follows:

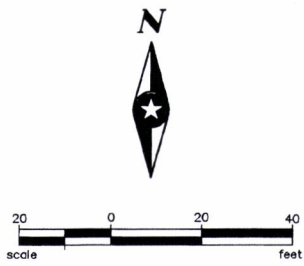
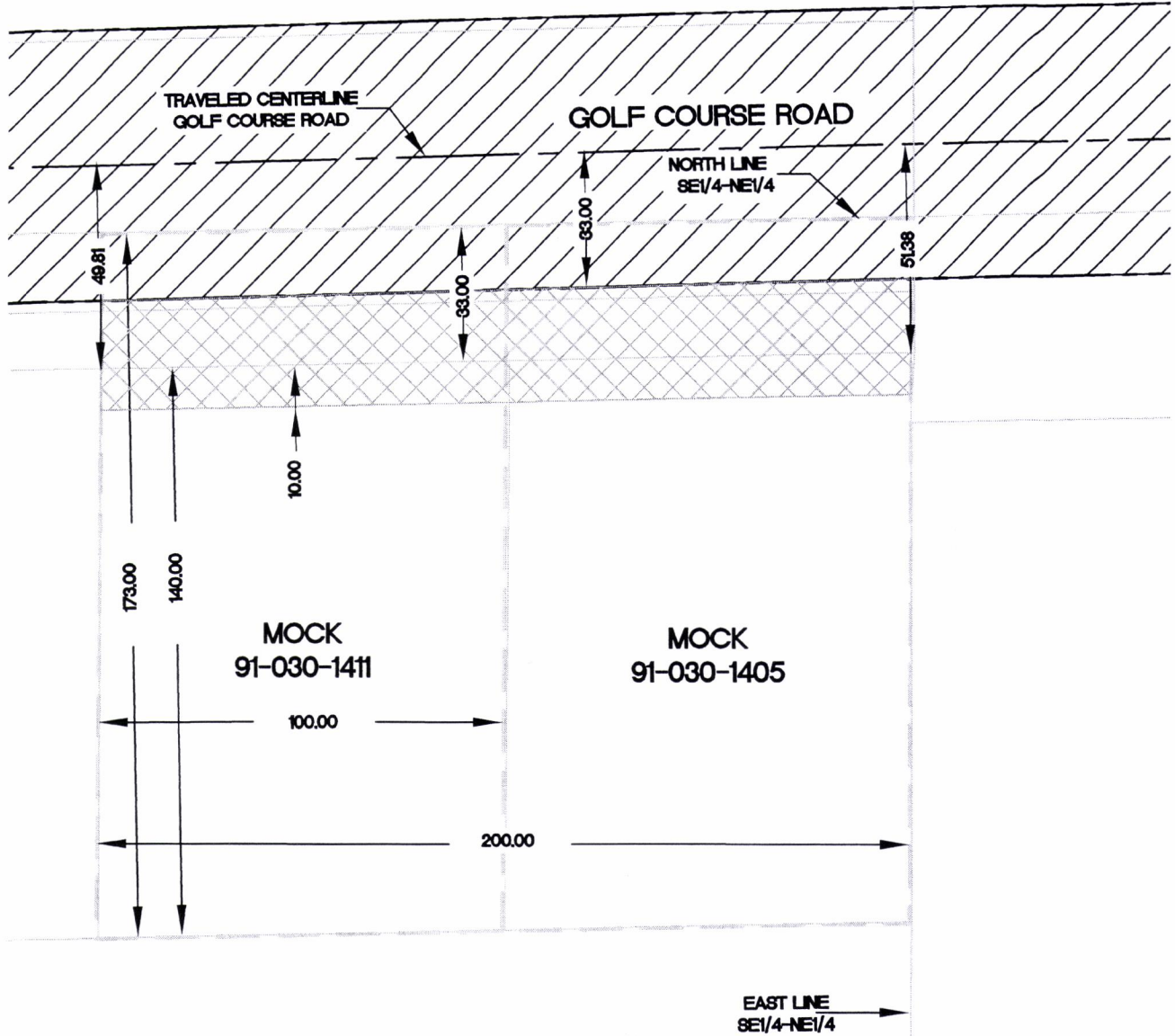
### **PERMANENT EASEMENT**

The North 43.00 feet of the East 200.00 feet of the North 173.00 feet of the Southeast Quarter of the Northeast Quarter (SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), Section Twenty-nine (30), Township Fifty-five (55) North, Range Twenty-five (25) West of the Fourth Principal Meridian, less existing easements of record.

Grantors, for their heirs, executors and administrators, do covenant with the Grantee, its successors and assigns, that they are the owner of said lands and have good right to convey an easement and option in manner and form herein, and the same is free from all encumbrances.







LEGEND	
	PROPOSED PERMANENT EASEMENT
	PROPERTY LINES
	EXISTING PERMANENT EASEMENT

Parcel Number	91-030-1405 & 91-030-1411
Owner	Thomas & Rebeca Mock
Area of Parcel	34583.27 SF
Area of Proposed Permanent Easement	5,507.50 SF
Area of Existing Prescriptive Easement	0.00 SF
Area of Compensation (Permanent Easement)	5,507.50 SF

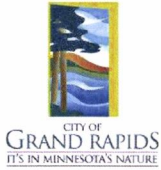
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PHONE: 218.322.4500  
 21 NE 5TH ST STE 200  
 GRAND RAPIDS, MN 55744-2601  
 www.sehinc.com

FILE NO. 123034
DATE: 08/02/13

**MOCK EASEMENT  
 GOLF COURSE ROAD  
 GRAND RAPIDS, MINNESOTA**

**EXHIBIT  
 NO. 1**



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0499      **Version:** 1      **Name:** JPA-Minnesota Internet Crimes Against Children Taskforce  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/20/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Request by the Grand Rapids Police Department to consider approving a Resolution and authorize the Grand Rapids City Mayor, Grand Rapids Police Chief and City Administrator to sign the attached Joint Powers Agreement between the State of Minnesota, acting through its Commissioner of Public Safety, Bureau of Criminal Apprehension and the City of Grand Rapids, Police Department.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Cover Letter BCA](#)  
[JPA](#)  
[MN Joint Powers Res](#)

Date	Ver.	Action By	Action	Result
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Request by the Grand Rapids Police Department to consider approving a Resolution and authorize the Grand Rapids City Mayor, Grand Rapids Police Chief and City Administrator to sign the attached Joint Powers Agreement between the State of Minnesota, acting through its Commissioner of Public Safety, Bureau of Criminal Apprehension and the City of Grand Rapids, Police Department.

**Background Information:**

In past years, the City of Grand Rapids and its Police Department had entered into a Multi-Agency Agreement with the Minnesota Internet Crimes Against Children Task Force.

As part of this agreement the Task Force will assist law enforcement in investigating and combating the exploitation of children which occurs through the use of computers by providing funding for equipment, training, and expenses, including travel and overtime funding, which are incurred by law enforcement as a result of such investigations.

The current Minnesota Internet Crimes Against Children Task Force Joint Powers Agreement has expired. The State of Minnesota requires a Joint Powers Agreement (JPA). The new JPA shall remain in effect through May 31, 2016.

**Staff Recommendation:**

Enter into the JPA with the State of Minnesota.

**Requested City Council Action**

Consider approving the Resolution and authorize the Grand Rapids City Mayor, Grand Rapids Police Chief and City Administrator to sign the attached Joint Powers Agreement between the State of Minnesota, acting through its Commissioner of Public Safety, Bureau of Criminal Apprehension. and the City of Grand Rapids, Police Department.



# MINNESOTA DEPARTMENT OF PUBLIC SAFETY



## Bureau of Criminal Apprehension

1430 Maryland Avenue East • Saint Paul, Minnesota 55106-2802  
Phone: 651.793.7000 • Fax: 651.793.7001 • TTY: 651.282.6555  
<http://bca.dps.mn.gov>

August 7, 2013

Grand Rapids Police Department  
Attn: Sgt. Robert Stein  
420 Pokegama Ave North  
Grand Rapids, MN 55744 55744

Dear Sgt. Robert Stein:

Once again, it is time to renew our Joint Powers Agreement (JPA). Our current JPA has expired. The new JPA shall remain effective through May 31, 2016.

Enclosed you will find three copies of the Joint Powers Agreement (JPA) from the State of Minnesota. All three copies must be signed by a representative of your jurisdiction's governing body, i.e., designated city council member, city manager, county commissioner, etc. All three copies must be signed and returned to the Minnesota Bureau of Criminal Apprehension (BCA).

Before the JPA can be implemented, the MMB (Minnesota Management and Budget) requests a signed resolution in addition to the signed JPA. The resolution grants legal authority for signing contracts for the cities and counties identified. Failure to provide the resolution in addition to the three copies of the JPA will result in a delay. Upon final review and approval of the signed agreements, the BCA will return a copy of the approved and signed JPA to your agency.

Thank you for your agency's dedication and commitment to the Minnesota Internet Crimes Against Children Taskforce (MICAC). Your agency has joined approximately 100 other state and federal law enforcement agencies throughout the State of Minnesota who have made the formal commitment to protect our children from exploitation by online sexual predators.

Regards,

A handwritten signature in black ink, appearing to read "Donald Cheung".

Donald Cheung  
MN ICAC Commander  
Minnesota BCA



Minnesota Internet Crimes Against Children Task Force

**Multi-Agency Law Enforcement Joint Powers Agreement**

This Multi-Agency Law Enforcement Joint Powers Agreement, and amendments and supplements thereto, ("Agreement") is between the State of Minnesota, acting through its Commissioner of Public Safety, Bureau of Criminal Apprehension ("Grantee"), empowered to enter into this Agreement pursuant to Minn. Stat. § 471.59, Subd. 10 & 12, and City of Grand Rapids, acting through its Grand Rapids Police Department, located at 420 Pokegama Ave North, Grand Rapids, 55744. ("Undersigned Law Enforcement Agency"), empowered to enter into this Agreement pursuant to Minn. Stat. § 471.59, subd. 10,

**Whereas**, the above subscribed parties have joined together in a multi-agency task force intended to investigate and prosecute crimes committed against children and the criminal exploitation of children that is committed and/or facilitated by or through the use of computers, and to disrupt and dismantle organizations engaging in such activity; and

**Whereas**, the undersigned agencies agree to utilize applicable state and federal laws to prosecute criminal, civil, and forfeiture actions against identified violators, as appropriate; and

**Whereas**, the Grantee is the recipient of a federal grant (attached to this Agreement as Exhibit A) disbursed by the Office of Juvenile Justice and Delinquency Prevention ("OJJDP") in Washington, D.C. to assist law enforcement in investigating and combating the exploitation of children which occurs through the use of computers by providing funding for equipment, training, and expenses, including travel and overtime funding, which are incurred by law enforcement as a result of such investigations; and

**Whereas**, the OJJDP Internet Crimes Against Children ("ICAC") has established a Working Group of Directors representing each of the existing ICAC Task Forces to oversee the operation of the grant and sub-grant recipients; and the State of Minnesota, acting through its Commissioner of Public Safety, Bureau of Criminal Apprehension has designated Donald Cheung as the Commander of the Minnesota ICAC Task Force.

**Now Therefore**, the parties agree as follows:

1. The Undersigned Law Enforcement Agency approves, authorizes, and enters into this Agreement with the purpose of implementing a three-pronged approach to combat Internet Crimes Against Children: **prevention, education and enforcement**; and
2. The Undersigned Law Enforcement Agency shall adhere to the Minnesota ICAC Task Force Program Standards contained in Exhibit B attached to this Agreement, in addition to complying with applicable Minnesota state and federal laws in the performance of this



Agreement, including conducting undercover operations relative to ICAC, ; a list of Regional ICAC Task Force, Minnesota State Affiliate Agency and Training & Technical Assistance Program contact information is available at <http://www.ojjdp.gov/programs/progsummary.asp?pi=3#Resources> ; and

3. Exhibits A and B are incorporated into this Agreement and made a part thereof. In the event of a conflict between this Agreement and the Exhibits, the terms of the Exhibits prevail; and
4. The Undersigned Law Enforcement Agency and the Grantee agree that each party will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of any others and the results thereof. The Grantee's liability shall be governed by the provisions of the Minnesota Tort Claims Act, Minnesota Statutes, Section 3.736, and other applicable law. The Undersigned Law Enforcement Agency's liability shall be governed by the provisions of the Municipal Tort Claims Act, Minnesota Statutes, Section 466.01 - 466.15, and other applicable law; and
5. All members of the Undersigned Law Enforcement Agency shall continue to be employed and directly supervised by the same Law Enforcement Agency employer which currently employs the member performing Minnesota ICAC Task Force assignments; and all services, duties, acts or omissions performed by the member will be within the course and duty of that employment, and therefore, are covered by the Workers Compensation programs of that employer; will be paid by that employer and entitled to that employer's fringe benefits; and
6. The Undersigned Law Enforcement Agency must first submit a written request for funds and receive approval for the funds from the Grantee to receive any funds from the Grantee; and
7. The Undersigned Law Enforcement Agency must supply original receipts to be reimbursed on pre-approved requests. Approved reimbursement will be paid directly by the Grantee to the Undersigned Law Enforcement Agency within 30 days of the date of invoice, with payment made out to the City of Grand Rapids and mailed to the Grand Rapids Police Department, 420 Pokegama Ave North, Grand Rapids, MN, 55744.
8. The Undersigned Law Enforcement Agency shall maintain accurate records pertaining to prevention, education, and enforcement activities, to be collected and forwarded monthly to the Minnesota ICAC Task Force Commander or his designee for statistical reporting purposes; and
9. The Undersigned Law Enforcement Agency shall participate fully in any audits required by the OJJDP. In addition, under Minn. Stat. § 16C.05, subd. 5, the Undersigned law Enforcement Agency's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the Grantee and/or the Minnesota State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end date of this Agreement; and
10. The Undersigned Law Enforcement Agency shall make a reasonable good faith attempt to be represented at any scheduled regional meetings in order to share information and resources



amongst the multiple entities; and

11. The Undersigned Law Enforcement Agency shall be solely responsible for forwarding information relative to investigative targets to the Child Pornography Pointer System (CPPS) pursuant to the OJJDP guidelines; and
12. The Undersigned Law Enforcement Agency shall provide the Minnesota ICAC Task Force Commander in a timely manner all investigative equipment that was acquired through OJJDP grant funding; in the event that future federal funding is no longer available, the Undersigned Law Enforcement Agency decides to dissolve its binding relationship with the Minnesota ICAC Task Force and the State of Minnesota Department of Public Safety, or the Undersigned Law Enforcement Agency breaches the Agreement.
13. That the Grantee may reimburse, the Undersigned Law Enforcement Agency for the following duties:
  - A. Investigations by the Undersigned Law Enforcement Agency under this agreement should be conducted in accordance with the OJJDP ICAC Task Force Program Standards contained in Exhibit B, and concluded in a timely manner. The Undersigned Law Enforcement Agency will only be reimbursed by the Grantee for overtime hours inclusive of fringe benefits of actual hours and/or actual expenses incurred related to performing Minnesota ICAC Task Force assignments and/or training approved by the Minnesota ICAC Task Force Commander through the term of this agreement or until all Federal funds under the OJJDP grant have been expended, whichever comes first.
  - B. The Grantee has a **TOTAL** Expense Budget of \$347,101.00 that was approved under the OJJDP Internet Crimes Against Children ("ICAC") Grant for investigative hours and expense reimbursement. The Undersigned Law Enforcement Agency participating in the Minnesota ICAC Task Force investigations will be reimbursed by the Grantee for actual costs as defined in Clause 13, Section A., to the extent such actual costs have been reviewed and approved by the Minnesota ICAC Task Force Commander.
14. Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original agreement, or their successors in office.
15. The Undersigned Law Enforcement Agency and the Grantee may terminate this Agreement at any time, with or without cause, upon 30 days' written notice to the other party.
16. **Terms of this agreement:**

This Agreement shall be effective on the date the Undersigned Law Enforcement Agency obtains all required signatures under Minn. Stat. § 16C.05, Subd. 2, and shall remain in effective through May 31, 2016 unless terminated or canceled. **Upon the effective date of this Agreement, the Undersigned Law Enforcement Agency will be entitled to reimbursements approved by the Grantee dating back to July 1, 2013 for overtime**

**salary including fringe benefits, equipment, training and expenses to the extent Grantee has available funds to pay such and they have been approved consistent with Clause13, Section B.** Nothing in this Agreement shall otherwise limit the jurisdiction, powers, and responsibilities normally possessed by an employee as a member of the Undersigned Law Enforcement Agency.

**1. Undersigned Law Enforcement Agency**

Undersigned Law Enforcement Agency certifies that the appropriate person(s) have executed the Agreement on behalf of the Undersigned Law Enforcement Agency and its jurisdictional government entity as required by applicable articles, laws, by-laws, resolutions, or ordinances.

\_\_\_\_\_  
By and Title

\_\_\_\_\_  
Date

Undersigned Law Enforcement Agency

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Title:  
City of Grand Rapids

\_\_\_\_\_  
Date

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Title:  
City of Grand Rapids

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor or Board Chair

\_\_\_\_\_  
Date

City of Grand Rapids

2. Department or Public Safety,  
Bureau of Criminal Apprehension

Name: \_\_\_\_\_

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_  
(With delegated authority)

\_\_\_\_\_  
Date

3. Commissioner of Administration

\_\_\_\_\_  
By and Title

MN Department of Administration

(With delegated authority)

\_\_\_\_\_  
Date



Councilor introduced the following resolution and moved for its adoption:

RESOLUTION NO. 13-

A RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENT  
WITH THE CITY OF GRAND RAPIDS ON BEHALF OF ITS POLICE DEPARTMENT

WHEREAS, the City of Grand Rapids Police Department desires to enter into Joint Powers Agreement with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the City is eligible. The Joint Powers Agreement further provide the City with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the City to pay the costs for the network connection ; and

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Grand Rapids, Minnesota as follows:

- That the State of Minnesota Joint Powers Agreement by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Grand Rapids Police Department, are hereby approved.
- That the Police Chief, James Denny, or his successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.
- That Dale Adams, the Mayor for the City of Grand Rapids, Thomas Pagel, the City Administrator and James Denny, Police Chief are authorized to sign the State of Minnesota Joint Powers Agreements.

Adopted this 26<sup>th</sup> day of September, 2013

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Dale C. Adams, Mayor

Attest:

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Kimberly Johnson-Gibeau, City Clerk

Councilor whereby the resolution was declared duly passed and adopted.



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

# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0500      **Version:** 1      **Name:**  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/21/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider hiring temporary employees for Park & Recreation.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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Consider hiring temporary employees for Park & Recreation.

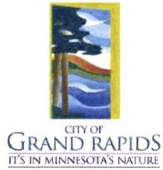
**Background Information:**

The following individuals will be hired with the Grand Rapids Park and Recreation Department and are part of the Recreation Department Budget.

Mackenzie Dumm      Various Part Time Positions      Hourly Range: \$7.50 to \$10.00 per hour  
Savanna Holum      Various Part Time Positions      Hourly Range: \$7.50 to \$10.00 per hour  
Carli Haynes      Various Part Time Positions      Hourly Range: \$7.50 to \$10.00 per hour

**Staff Recommendation:**

Approve the hiring of the part time employees listed above with the Grand Rapids Park and Recreation Department.  
Consider approving the hiring of the part time employees listed above with the Grand Rapids Park and Recreation Department



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

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**File #:** 13-0505      **Version:** 1      **Name:** Adv Contracts-Coldwell  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/21/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Entering into a rental agreement with an area business for advertising at the IRA Civic Center.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Coldwell Banker Brett Beckfeld-signed 2013.doc](#)

Date	Ver.	Action By	Action	Result
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Entering into a rental 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 cost. As part of this policy, agreements are renewed at the end of each term. The following are new agreements: Coldwell Banker, Brett Beckfeld-January 1, 2014-December 31, 2015-lighted wall sign and dasher ad-\$400 for 2013, \$1,200 for 2014 and \$1,200 for 2015.

**Staff Recommendation:**

Pass a motion authorizing appropriate signatures for an advertising rental agreement at the IRA Civic Center.

**Requested City Council Action**

Consider passing a motion authorizing appropriate signatures for an advertising rental agreement at the IRA Civic Center.



## AGREEMENT FOR RENTAL OF WALL LIGHTED SIGN

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 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 **Coldwell Banker, Brett Beckfeld** that the Lessee shall lease for a period of 2 (two) years, and will be automatically renewed yearly unless cancelled in writing according to paragraph 3 below, and 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 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 of the IRA Civic Center.
2. The Lessee shall pay to the Lessor in consideration of the sign and/or dasherboard, the sum of \$400.00 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, 2014 through December 31, 2015. This contract will 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, 2014, the Lessee must notify the Lessor in writing no later than December 1, 2013 for cancellation effective December 31, 2013.
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 September 15, 2013. The Lessor reserves the right to sell sign space if the payment is not received by September 15, 2013.
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 \$400.00 for 2013, \$1,200.00 for 2014 and \$1,200.00 for 2015 for a total of \$2,800.00 for a 4 x 5 interior wall sign and/or dasherboard advertisement.

BY: \_\_\_\_\_

Lessee PRATT BECKFELD

DATE: \_\_\_\_\_

8-8-2013

CITY OF GRAND RAPIDS (Lessor)

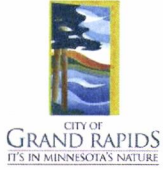
BY: \_\_\_\_\_

Mayor

DATE: \_\_\_\_\_

\_\_\_\_\_  
City Clerk/Administrator

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

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**File #:** 13-0510      **Version:** 1      **Name:** CP 2011-6 Final Hearing  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/21/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider adopting a resolution establishing a public hearing on September 23, 2013 on proposed assessments for CP 2011-6, Horseshoe Lake Road Improvements.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [8-26-13 Resolution CP 2011-6 Hearing for Assessments](#)

Date	Ver.	Action By	Action	Result
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Consider adopting a resolution establishing a public hearing on September 23, 2013 on proposed assessments for CP 2011-6, Horseshoe Lake Road Improvements.

### **Background Information:**

CP 2011-6, Horseshoe Lake Road Improvements project is complete and ready for levying final assessments. The attached resolution establishes a public hearing which is required prior to adopting final assessments.

### **Staff Recommendation:**

City staff is recommending the attached resolution establishing a public hearing on proposed assessments for CP 2011-6, Horseshoe Lake Road Improvements.

### **Requested City Council Action**

Consider adopting a resolution establishing a public hearing on proposed assessments for CP 2011-6, Horseshoe Lake Road Improvements.



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

RESOLUTION NO.13-\_\_

**A RESOLUTION FOR PUBLIC HEARING ON PROPOSED ASSESSMENT FOR  
HORSESHOE LAKE ROAD IMPROVEMENTS  
CP 2011-6**

WHEREAS, a resolution passed by the Council on August 26<sup>th</sup>, 2013, the City Clerk was directed to prepare a proposed assessment of the cost to improve existing public infrastructure, by reconstructing streets, street lighting, sidewalks, trails, storm sewer and associated appurtenances along the Horseshoe Lake Road corridor generally from 10<sup>th</sup> Street SW (Golf Course Road) to Oakdale Drive, and

WHEREAS, the City Clerk has notified the Council that such proposed assessment has been or will be completed and filed in the Clerk's office for public inspection,

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

1. A hearing shall be held on the 23<sup>rd</sup> day of September, 2013, in the City Hall Council Chambers at 6:00 p.m., to pass upon such proposed assessment, and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and shall state in the notice the total cost of the improvement. The City Clerk shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. The property owner may, at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15, or interest will be charged through December 31 of the succeeding year.

Adopted by the Council this 26<sup>th</sup> day of August, 2013.

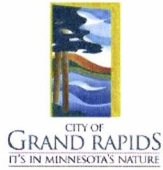
\_\_\_\_\_  
Dale Adams, Mayor

ATTEST:

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Kimberly 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.



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

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**File #:** 13-0511      **Version:** 1      **Name:** CP 2011-6 Declare Costs  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/21/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2011-6, Horseshoe Lake Road Improvements.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [8-26-13 Resolution CP 2011-6 Declaring Costs](#)

Date	Ver.	Action By	Action	Result
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Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2011-6, Horseshoe Lake Road Improvements.

**Background Information:**

CP 2011-6, Horseshoe Lake Road Improvements project is complete and ready to process special assessments. The attached resolution directs staff to prepare the final assessments.

**Staff Recommendation:**

City staff is recommending the attached resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2011-6, Horseshoe Lake Road Improvements.

**Requested City Council Action**

Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2011-6, Horseshoe Lake Road Improvements.



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

RESOLUTION NO. 13-\_\_

**A RESOLUTION DECLARING THE COST TO BE ASSESSED AND  
ORDERING THE PREPARATION OF PROPOSED ASSESSMENT FOR  
HORSESHOE LAKE ROAD IMPROVEMENTS  
CP 2011-6**

WHEREAS, a contract was let and cost was determined to improve existing public infrastructure by reconstructing streets, street lighting, sidewalks, trails, and storm sewer along the Horseshoe Lake Road corridor generally from 10<sup>th</sup> Street SW (Golf Course Road) to Oakdale Drive, and

The improvement cost, including change orders, was \$1,613,105 and the expenses incurred in making the improvements amount to \$557,395, so that the total cost of the improvements will be \$2,170,500.

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

1. The portion of the cost of such improvement to be paid by the City is hereby declared to be \$2,025,835 and the portion of the cost to be assessed against benefited property owners is declared to be an amount not to exceed \$144,665.
2. Assessments shall be payable in equal annual installments extending over a period of 15 years, the first of the installments to be payable on or before the first Monday in January 2014, and shall bear interest at the rate of 2.94 percent per annum from the date of the adoption of the assessment resolution.
3. The City Clerk, with the assistance of the City Engineering Department Staff, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece, or parcel of land within the district affected, without regard to cash valuation, as provided by law, and shall file a copy of such proposed assessment in the Clerk's office for public inspection.
4. The City Clerk shall, upon the completion of such proposed assessment, notify the Council thereof.

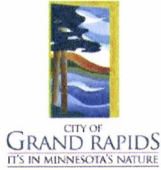
Adopted by the Council this 26<sup>th</sup> day of August, 2013.

\_\_\_\_\_  
Dale Adams, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly 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.



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0514      **Version:** 1      **Name:** CP 2010-2 and CP 2012-4A Declare Costs  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/21/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2010-2, City Wide Overlays - Urban and CP 2012-4A Remer-Deschepper Overlays - Rural.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [8-26-13 Resolution CP 2010-2 & CP 2012-4A Declaring Costs](#)

Date	Ver.	Action By	Action	Result
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Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2010-2, City Wide Overlays - Urban and CP 2012-4A Remer-Deschepper Overlays - Rural.

### **Background Information:**

CP 2010-2, City Wide Overlays - Urban and CP 2012-4A Remer-Deschepper Overlays - Rural project is nearly complete and ready to process special assessments. The attached resolution directs staff to prepare the final assessments.

### **Staff Recommendation:**

City staff is recommending the attached resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2010-2, City Wide Overlays - Urban and CP 2012-4A Remer-Deschepper Overlays - Rural.

### **Requested City Council Action**

Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2010-2, City Wide Overlays - Urban and CP 2012-4A Remer-Deschepper Overlays - Rural.



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

RESOLUTION NO.13-\_\_

**A RESOLUTION DECLARING THE COST TO BE ASSESSED AND  
ORDERING THE PREPARATION OF PROPOSED ASSESSMENT FOR  
CITY WIDE OVERLAYS - URBAN  
CITY PROJECT 2010-2  
AND  
REMER-DESCHEPPER OVERLAYS – RURAL  
CP 2012-4A**

WHEREAS, a contract was let and cost determined for the reconstruction of street, sidewalk, street lighting, storm sewer, trails, and associated appurtenances for a project located on 13th Street S from Fraser Dr. to 7th Avenue SE, 21st Street SE from Pokegama Avenue to 2nd Avenue SE, 4th Avenue SE from 13th Street SE to 17th Street SE, 5th Avenue SE from 14th Street SE to 15th Street SE, 6th Avenue SE from 14th Street SE to 17th Street SE, 14th Street SE from 4th Avenue SE to 7th Avenue SE, 15th Street SE from 5th Avenue SE to 6th Avenue SE, and all streets located within the plat of Remer-DeSchepper Addition by applying bituminous overlays of streets, partial reconstruction of streets, reconstructing storm sewer, street lights, sidewalks/trails.

The improvement cost, including change orders, was \$1,482,183 and the expenses incurred in making the improvements amount to \$369,017, so that the total cost of the improvements will be \$1,851,200.

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

1. The portion of the cost of such improvement to be paid by the City is hereby declared to be \$1,307,088 and the portion of the cost to be assessed against benefited property owners is declared to be an amount not to exceed \$544,112.
2. Assessments shall be payable in equal annual installments extending over a period of 15 years, the first of the installments to be payable on or before the first Monday in January 2014, and shall bear interest at the rate of 2.94 percent per annum from the date of the adoption of the assessment resolution.
3. The City Clerk, with the assistance of the City Engineering Department Staff, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece, or parcel of land within the district affected, without regard to cash valuation, as provided by law, and shall file a copy of such proposed assessment in the Clerk's office for public inspection.
4. The City Clerk shall, upon the completion of such proposed assessment, notify the Council

thereof.

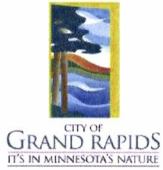
Adopted by the Council this 26<sup>th</sup> day of August, 2013.

\_\_\_\_\_  
Dale Adams, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly 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.



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

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**File #:** 13-0515      **Version:** 1      **Name:** CP 2010-2 and CP 2012-4A Final Hearing  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/21/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider adopting a resolution establishing a public hearing on September 23, 2013 on proposed assessments for CP 2010-2, City Wide Overlays - Urban and CP 2012-4A Remer-Deschepper Overlays - Rural.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [8-26-13 Resolution CP 2010-2 & CP 2012-4A Hearing for Assessments](#)

Date	Ver.	Action By	Action	Result
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Consider adopting a resolution establishing a public hearing on September 23, 2013 on proposed assessments for CP 2010-2, City Wide Overlays - Urban and CP 2012-4A Remer-Deschepper Overlays - Rural.

### **Background Information:**

CP 2010-2, City Wide Overlays - Urban and CP 2012-4A Remer-Deschepper Overlays - Rural project is nearly complete and ready for levying final assessments. The attached resolution establishes a public hearing which is required prior to adopting final assessments.

### **Staff Recommendation:**

City staff is recommending the attached resolution establishing a public hearing on proposed assessments for CP 2010-2, City Wide Overlays - Urban and CP 2012-4A Remer-Deschepper Overlays - Rural.

### **Requested City Council Action**

Consider adopting a resolution establishing a public hearing on proposed assessments for CP 2010-2, City Wide Overlays - Urban and CP 2012-4A Remer-Deschepper Overlays - Rural.



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

RESOLUTION NO.13-\_\_

**A RESOLUTION FOR PUBLIC HEARING ON PROPOSED ASSESSMENT FOR  
CITY WIDE OVERLAYS - URBAN  
CITY PROJECT 2010-2  
AND  
REMER-DESCHEPPER OVERLAYS – RURAL  
CP 2012-4A**

WHEREAS, a resolution passed by the Council on August 26<sup>th</sup>, 2013, the City Clerk was directed to prepare a proposed assessment of the cost of a project for the reconstruction of street, sidewalk, street lighting, storm sewer, trails, and associated appurtenances for a project located on 13th Street S from Fraser Dr. to 7th Avenue SE, 21st Street SE from Pokegama Avenue to 2nd Avenue SE, 4th Avenue SE from 13th Street SE to 17th Street SE, 5th Avenue SE from 14th Street SE to 15th Street SE, 6th Avenue SE from 14th Street SE to 17th Street SE, 14th Street SE from 4th Avenue SE to 7th Avenue SE, 15th Street SE from 5th Avenue SE to 6th Avenue SE, and all streets located within the plat of Remer-DeSchepper Addition by applying bituminous overlays of streets, partial reconstruction of streets, reconstructing storm sewer, street lights, sidewalks/trails.

WHEREAS, the City Clerk has notified the Council that such proposed assessment has been or will be completed and filed in the Clerk's office for public inspection,

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

1. A hearing shall be held on the 23<sup>rd</sup> day of September, 2013, in the City Hall Council Chambers at 6:00 p.m., to pass upon such proposed assessment, and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and shall state in the notice the total cost of the improvement. The City Clerk shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. The property owner may, at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before

November 15, or interest will be charged through December 31 of the succeeding year.

Adopted by the Council this 26<sup>th</sup> day of August, 2013.

\_\_\_\_\_  
Dale Adams, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly 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.



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

# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0516      **Version:** 1      **Name:** CP 2012-3 & CP 2013-1 Declare Costs  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/21/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2012-3, 4th Ave NE Reconstruction and CP 2013-1, 7th Ave NW Reconstruction.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [8-26-13 Resolution CP 2012-3 & CP 2013-1 Declaring Costs](#)

Date	Ver.	Action By	Action	Result
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Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2012-3, 4th Ave NE Reconstruction and CP 2013-1, 7th Ave NW Reconstruction.

**Background Information:**

CP 2012-3, 4th Ave NE Reconstruction and CP 2013-1, 7th Ave NW Reconstruction project is nearly complete and ready to process special assessments. The attached resolution directs staff to prepare the final assessments.

**Staff Recommendation:**

City staff is recommending the attached resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2012-3, 4th Ave NE Reconstruction and CP 2013-1, 7th Ave NW Reconstruction.

**Requested City Council Action**

Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2012-3, 4th Ave NE Reconstruction and CP 2013-1, 7th Ave NW Reconstruction.



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

RESOLUTION NO.13-\_\_

**A RESOLUTION DECLARING THE COST TO BE ASSESSED AND  
ORDERING THE PREPARATION OF PROPOSED ASSESSMENT FOR  
4<sup>th</sup> AVENUE NE RECONSTRUCTION  
PROJECT 2012-3  
AND  
7<sup>th</sup> AVENUE NW RECONSTRUCTION  
PROJECT 2013-1**

WHEREAS, a contract was let and cost determined to improve 4<sup>th</sup> Avenue NE from TH 2 to 7<sup>th</sup> Street NE and 7<sup>th</sup> Avenue NW from TH 2 to 6<sup>th</sup> Street NW by reconstructing streets, storm sewer, sanitary sewer, water main, street lights, sidewalks, and associated appurtenances in the limits described above, and

The improvement cost, including change orders, was \$1,026,300 and the expenses incurred in making the improvements amount to \$246,580, so that the total cost of the improvements will be \$1,272,880.

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

1. The portion of the cost of such improvement to be paid by the City is hereby declared to be \$1,046,141 and the portion of the cost to be assessed against benefited property owners is declared to be an amount not to exceed \$226,739.
2. Assessments shall be payable in equal annual installments extending over a period of 15 years, the first of the installments to be payable on or before the first Monday in January 2014, and shall bear interest at the rate of 2.94 percent per annum from the date of the adoption of the assessment resolution.
3. The City Clerk, with the assistance of the City Engineering Department Staff, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece, or parcel of land within the district affected, without regard to cash valuation, as provided by law, and shall file a copy of such proposed assessment in the Clerk's office for public inspection.
4. The City Clerk shall, upon the completion of such proposed assessment, notify the Council thereof.

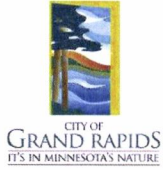
Adopted by the Council this 26<sup>th</sup> day of August, 2013.

\_\_\_\_\_  
Dale Adams, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly 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.



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

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**File #:** 13-0517      **Version:** 1      **Name:** CP 2012-3 & CP 2013-1 Final Hearing  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/21/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider adopting a resolution establishing a public hearing on September 23, 2013 on proposed assessments for CP 2012-3, 4th Ave NE Reconstruction and CP 2013-1, 7th Ave NW Reconstruction.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [8-26-13 Resolution CP 2012-3 & CP 2013-1 Hearing for Assessments](#)

Date	Ver.	Action By	Action	Result
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Consider adopting a resolution establishing a public hearing on September 23, 2013 on proposed assessments for CP 2012-3, 4th Ave NE Reconstruction and CP 2013-1, 7th Ave NW Reconstruction.

### **Background Information:**

CP 2012-3, 4th Ave NE Reconstruction and CP 2013-1, 7th Ave NW Reconstruction project is complete and ready for levying final assessments. The attached resolution establishes a public hearing which is required prior to adopting final assessments.

### **Staff Recommendation:**

City staff is recommending the attached resolution establishing a public hearing on proposed assessments for CP 2012-3, 4th Ave NE Reconstruction and CP 2013-1, 7th Ave NW Reconstruction.

### **Requested City Council Action**

Consider adopting a resolution establishing a public hearing on proposed assessments for CP 2012-3, 4th Ave NE Reconstruction and CP 2013-1, 7th Ave NW Reconstruction.



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

RESOLUTION NO.13-\_\_

**A RESOLUTION FOR PUBLIC HEARING ON PROPOSED ASSESSMENT FOR  
4<sup>th</sup> AVENUE NE RECONSTRUCTION  
PROJECT 2012-3  
AND  
7<sup>th</sup> AVENUE NW RECONSTRUCTION  
PROJECT 2013-1**

WHEREAS, a resolution passed by the Council on August 26<sup>th</sup>, 2013, the City Clerk was directed to prepare a proposed assessment of the cost of a project to improve 4<sup>th</sup> Avenue NE from TH 2 to 7<sup>th</sup> Street NE and 7<sup>th</sup> Avenue NW from TH 2 to 6<sup>th</sup> Street NW by reconstructing streets, storm sewer, sanitary sewer, water main, street lights, sidewalks, and associated appurtenances in the limits described above, and

WHEREAS, the City Clerk has notified the Council that such proposed assessment has been or will be completed and filed in the Clerk's office for public inspection,

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

1. A hearing shall be held on the 23<sup>rd</sup> day of September, 2013, in the City Hall Council Chambers at 6:00 p.m., to pass upon such proposed assessment, and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and shall state in the notice the total cost of the improvement. The City Clerk shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. The property owner may, at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15, or interest will be charged through December 31 of the succeeding year.

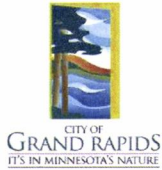
Adopted by the Council this 26<sup>th</sup> day of August, 2013.

\_\_\_\_\_  
Dale Adams, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly 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.



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

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**File #:** 13-0518      **Version:** 1      **Name:** CP 2004-3 Final Hearing  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/21/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider adopting a resolution establishing a public hearing on September 23, 2013 on proposed assessments for CP 2004-3, 4th St SW/SE and Pokegama Avenue from 1st S to 10th St S.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [8-26-13 Resolution CP 2004-3 Hearing for Assessments](#)

Date	Ver.	Action By	Action	Result
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Consider adopting a resolution establishing a public hearing on September 23, 2013 on proposed assessments for CP 2004-3, 4th St SW/SE and Pokegama Avenue from 1st S to 10th St S.

**Background Information:**

CP 2004-3, 4th St SW/SE and Pokegama Avenue from 1st S to 10th St S project is complete and ready for levying final assessments. The attached resolution establishes a public hearing which is required prior to adopting final assessments.

**Staff Recommendation:**

City staff is recommending the attached resolution establishing a public hearing on proposed assessments for CP 2004-3, 4th St SW/SE and Pokegama Avenue from 1st S to 10th St S.

**Requested City Council Action**

Consider adopting a resolution establishing a public hearing on proposed assessments for CP 2004-3, 4th St SW/SE and Pokegama Avenue from 1st S to 10th St S.



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

RESOLUTION NO.13-\_\_

**A RESOLUTION FOR PUBLIC HEARING ON PROPOSED ASSESSMENT FOR  
4<sup>TH</sup> STREET SW/SE IMPROVEMENTS  
PROJECT 2004-3**

WHEREAS, a resolution passed by the Council on August 26<sup>th</sup>, 2013, the City Clerk was directed to prepare a proposed assessment of the cost for the improvement of the necessary public infrastructure within the right of way 4<sup>th</sup> Street South from 2<sup>nd</sup> Avenue SW to 7<sup>th</sup> Avenue SE, and Pokegama Avenue, from 1<sup>st</sup> Street South to 10<sup>th</sup> Street South, including street, sidewalk, multi-use trail, street lighting, storm sewer, sanitary sewer, water main, and associated appurtenances, and

WHEREAS, the City Clerk has notified the Council that such proposed assessment has been or will be completed and filed in the Clerk's office for public inspection,

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

1. A hearing shall be held on the 23<sup>rd</sup> day of September, 2013, in the City Hall Council Chambers at 6:00 p.m., to pass upon such proposed assessment, and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and shall state in the notice the total cost of the improvement. The City Clerk shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. The property owner may, at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15, or interest will be charged through December 31 of the succeeding year.

Adopted by the Council this 26<sup>th</sup> day of August, 2013.

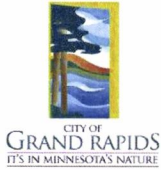
\_\_\_\_\_  
Dale Adams, Mayor

ATTEST:

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Kimberly 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.



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0519      **Version:** 1      **Name:** CP 2004-3 Declare Costs  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/21/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2004-3, 4th St SW/SE and Pokegama Avenue from 1st S to 10th St S.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [8-26-13 Resolution CP 2004-3 Declaring Costs](#)

Date	Ver.	Action By	Action	Result
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Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2004-3, 4th St SW/SE and Pokegama Avenue from 1st S to 10th St S.

### **Background Information:**

CP 2004-3, 4th St SW/SE and Pokegama Avenue from 1st S to 10th St S project is complete and ready to process special assessments. The attached resolution directs staff to prepare the final assessments.

### **Staff Recommendation:**

City staff is recommending the attached resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2004-3, 4th St SW/SE and Pokegama Avenue from 1st S to 10th St S.

### **Requested City Council Action**

Consider adopting a resolution declaring the cost to be assessed and ordering the preparation of proposed assessments for CP 2004-3, 4th St SW/SE and Pokegama Avenue from 1st S to 10th St S.



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

RESOLUTION NO.13-\_\_

**A RESOLUTION DECLARING THE COST TO BE ASSESSED AND  
ORDERING THE PREPARATION OF PROPOSED ASSESSMENT FOR  
4<sup>TH</sup> STREET SW/SE IMPROVEMENTS  
PROJECT 2004-3**

WHEREAS, a contract was let and cost determined for the improvement of the necessary public infrastructure within the right of way 4<sup>th</sup> Street South from 2<sup>nd</sup> Avenue SW to 7<sup>th</sup> Avenue SE, and Pokegama Avenue, from 1<sup>st</sup> Street South to 10<sup>th</sup> Street South, including street, sidewalk, multi-use trail, street lighting, storm sewer, sanitary sewer, water main, and associated appurtenances.

The improvement cost, including change orders, was \$3,960,906 and the expenses incurred in making the improvements amount to \$1,037,077, so that the total cost of the improvements will be \$4,997,983.

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

1. The portion of the cost of such improvement to be paid by the City is hereby declared to be \$4,513,082 and the portion of the cost to be assessed against benefited property owners is declared to be an amount not to exceed \$484,901.
2. Assessments shall be payable in equal annual installments extending over a period of 15 years, the first of the installments to be payable on or before the first Monday in January 2014, and shall bear interest at the rate of 2.94 percent per annum from the date of the adoption of the assessment resolution.
3. The City Clerk, with the assistance of the City Engineering Department Staff, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece, or parcel of land within the district affected, without regard to cash valuation, as provided by law, and shall file a copy of such proposed assessment in the Clerk's office for public inspection.
4. The City Clerk shall, upon the completion of such proposed assessment, notify the Council thereof.

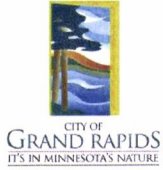
Adopted by the Council this 26<sup>th</sup> day of August, 2013.

\_\_\_\_\_  
Dale Adams, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly 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.



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0520      **Version:** 1      **Name:** CO 1 for 8 & 10 Hangar Apron Reconstruction  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/22/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider approving Change Order 2 related to the 8 & 10 Hangar Apron Reconstruction Project.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Map AirportAddIPavement](#)

Date	Ver.	Action By	Action	Result
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Consider approving Change Order 2 related to the 8 & 10 Hangar Apron Reconstruction Project.

**Background Information:**

The area in blue on the attached map shows that which is to be reconstructed as part of the 2013 Hangar Apron Reconstruction Project. The pavement area shown in red is adjacent to 3 private hangars, its reconstruction is ineligible for state or federal funding assistance, and as a result, it was not included in the original project. Excluding it results in a small isolated section (579 SY) of unimproved pavement adjacent to the newly reconstructed area. It makes sense to add the area in red to the 2013 project. Using unit prices from the current contract, the estimated cost of the additional work is \$18,716.75. The City and County would be cost participating on an equal basis, \$9,358 from each. The change order would be funded from the Airport Capital account.

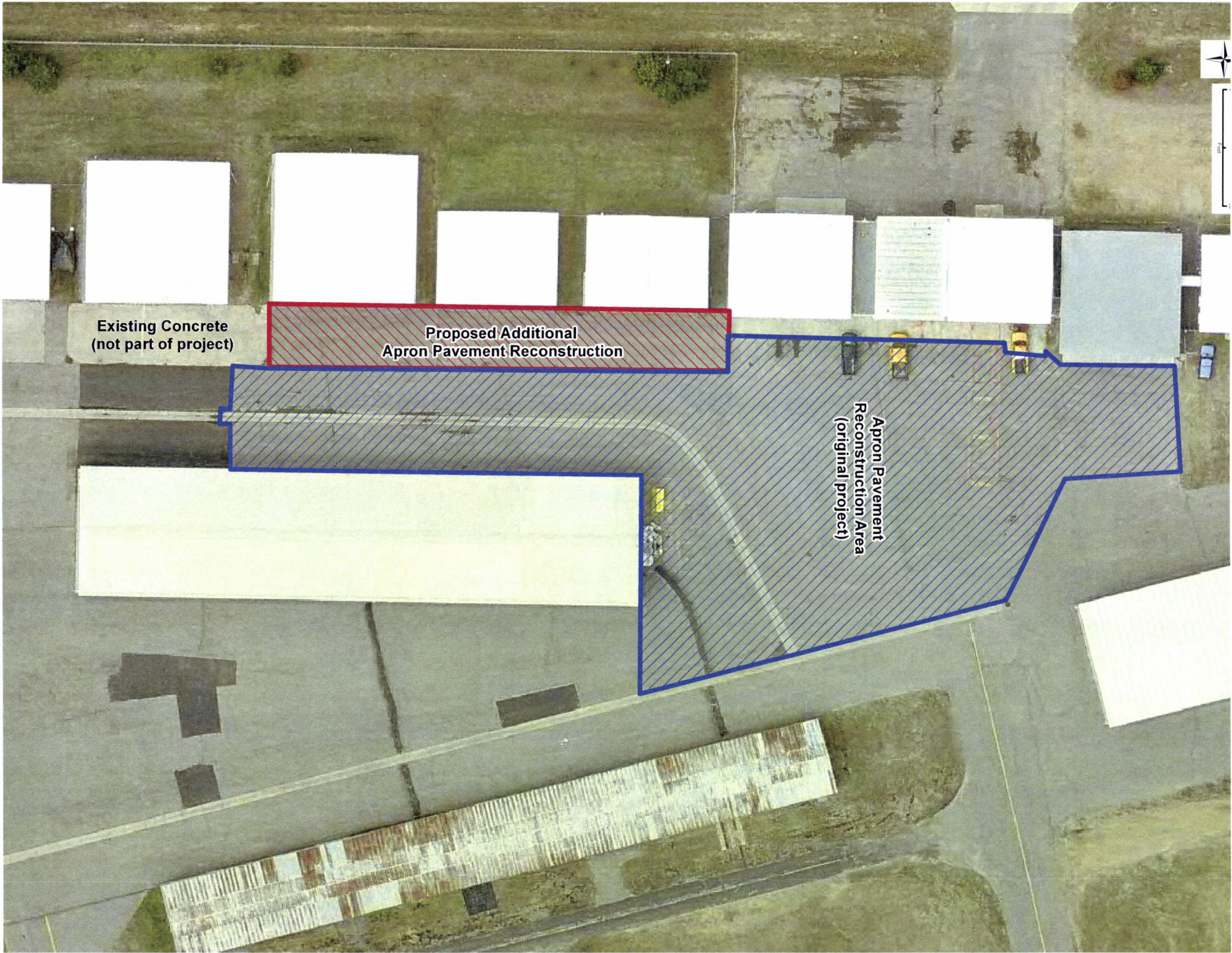
**Staff Recommendation:**

City staff is recommending the approval of Change Order 2.

**Requested City Council Action**

Consider approving Change Order 2 related to the 8 & 10 Hangar Apron Reconstruction Project in the amount of \$18,716.75.





Existing Concrete  
(not part of project)

Proposed Additional  
Apron Pavement Reconstruction

Apron Pavement  
Reconstruction Area  
(original project)





CITY OF  
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# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0521      **Version:** 1      **Name:**

**Type:** Agenda Item      **Status:** Consent Agenda

**File created:** 8/22/2013      **In control:** City Council

**On agenda:** 8/26/2013      **Final action:**

**Title:** Consider adoption of resolution authorizing execution of a subordination agreement

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [City reso approving TIF assignment and subord agreement - 430569v2 \(2\).pdf](#)

Date	Ver.	Action By	Action	Result
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Consider adoption of resolution authorizing execution of a subordination agreement

**Background Information:**

The City entered into a Contract for Private Development "Contract" with Majestic Pines Grand LLC on July 8th which established a TIF Housing District to fund public infrastructure associated with the development a senior assisted living campus along the Golf Course Rd. The developer has obtained a commitment for mortgage financing for the construction of the project. A portion of the project financing, which involves the Grand Rapids State Bank "GRSB" as the lender, is secured by the TIF Note. As provided for under our Contract withy Majestic Pines Grand, GRSB has requested that the City subordinate is rights under the Contract. The City's Development Counsel, at Kennedy and Graven Chartered, has reviewed and approved the language of the attached subordination agreement.

**Requested City Council Action**

Consider adoption of resolution authorizing execution of a subordination agreement

**CITY OF GRAND RAPIDS**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AUTHORIZING EXECUTION OF  
SUBORDINATION AGREEMENT**

WHEREAS, the City of Grand Rapids (the "City") has executed and entered into that certain Contract for Private Development dated as of July 8, 2013 (the "Contract") with Majestic Pines Grand, LLC ("Developer"); and

WHEREAS, the Developer has obtained a commitment for mortgage financing for the acquisition of the Development Property and construction of the Minimum Improvements thereon (as such terms are defined in the Contract) from Grand Rapids State Bank (the "Lender"); and

WHEREAS, the Lender has requested that the City subordinate its rights under the Contract pursuant to Section 7.3 of the Contract, and the City's Development Counsel has reviewed and approved the language of the proposed subordination.

NOW, THEREFORE, be it resolved by the City of Grand Rapids as follows:

1. The Mayor and City Administrator are hereby authorized to execute and deliver to the Lender a Subordination Agreement in substantially the form of the attached Exhibit A, subject to modifications that do not alter the substance of the transaction and are approved by such officials, provided that execution of the Subordination Agreement by such officials is conclusive evidence of their approval.

Adopted by the City of Grand Rapids this 26th day of August, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



Exhibit A

**ASSIGNMENT OF TAX INCREMENT FINANCING  
AND SUBORDINATION AGREEMENT**

This ASSIGNMENT OF TAX INCREMENT FINANCING AND SUBORDINATION AGREEMENT ("Assignment") is effective as of \_\_\_\_\_, 2013, by and between MAJESTIC PINES GRAND, LLC, a Minnesota limited liability company, its successors and assigns ("Borrower") whose address is PO Box 340, Walker, Minnesota 56484; GRAND RAPIDS STATE BANK, a Minnesota banking corporation ("Lender") whose address is 523 NW First Avenue, Grand Rapids, Minnesota 55744; and the CITY OF GRAND RAPIDS, MINNESOTA, a municipal corporation and political subdivision of the State of Minnesota (the "City") whose address is 420 North Pokegama Avenue, Grand Rapids, Minnesota 55744.

**PRELIMINARY RECITALS**

A. The Lender has made or will make credit advances to the Borrower pursuant to the following:

i. a Promissory Note dated August 21, 2013 from Borrower to Lender in the original principal amount of \$402,349.00 (the "Note");

ii. a Mortgage dated August 21, 2013 from Borrower to Lender (the "Mortgage") on real property described in Exhibit A hereto (the "Land") on which the Borrower will be constructing senior housing comprised of 18 memory care units, 16 enhanced care units, and 39 independent living units with services, as an affordable rental property (the "Project");

iii. a Commercial Security Agreement dated August 21, 2013 from Borrower to Lender (the "Security Agreement") granting the Lender a security interest in certain of Borrower's personal property, including but not limited to certain contract rights;

iv. a Business Loan Agreement dated August 21, 2013 between Borrower and Lender (the "Loan Agreement," and together with the Mortgage and the Security Agreement, the "Loan Documents") pursuant establishing the terms and conditions of a loan to the Borrower by the Lender of the proceeds of the Note (the "Loan") to finance a portion of the costs of the Project.

B. The Project is within Tax Increment Financing District No. 1-9 (the "TIF District") created by the City.

C. The City and the Borrower have entered into that certain Contract for Private Development dated July 8, 2013, and recorded in the Office of the County Recorder, Itasca County, Minnesota, on \_\_\_\_\_, 2013, as Document No. \_\_\_\_\_ (the "Development Agreement"), setting forth the City's agreement to provide certain tax increment payments derived from TIF District to Borrower to reimburse Borrower for a portion of the capital cost of the Project (the "Tax Increment Financing") as consideration for construction of the Project and the imposition of rental restrictions on the units located on the Project.

D. In order to further evidence the Tax Increment Financing, the City will issue and deliver to Borrower the City of Grand Rapids, Tax Increment Revenue Note, Series 20\_\_ in the maximum principal amount of Four Hundred Two Thousand Three Hundred Forty-nine and 00/100ths Dollars (\$402,349), as (the "TIF Note").

E. The TIF Note, the Development Agreement and any and all amendments and documents related thereto shall be referred to collectively herein as the "TIF Documents".

F. Lender requires as a condition precedent to Lender making advances under the Note that (i) Borrower assign its rights and interests under the Development Agreement and the Tax Increment Financing to Lender, and (ii) the City subordinates its rights under the Development Agreement to the Note and the Loan Documents. Borrower has agreed to execute and deliver this Assignment to Lender as security for repayment of the Loan and the Note, and the City has agreed to subordinate its rights under the Development Agreement to the Note and the Loan Documents.

NOW, THEREFORE, in consideration of the above recitals, and for other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Assignment of TIF.

A. Borrower transfers, assigns and grants a security interest in, pledges, and conveys, to Lender all right, title and interest of Borrower, if any, in and to the Tax Increment Financing and the TIF Documents, provided Lender does not assume any obligations under the TIF Documents unless and until Lender assumes such obligations in writing, together with the immediate and continuing right to receive and collect all amounts due or to become due thereunder and all other rights which may derive from or accrue thereunder and the right to amend, cancel, modify, alter or surrender the TIF Documents for the purpose of securing the following (hereinafter collectively referred to as the "Indebtedness Secured Hereby"):

i. Payment of the indebtedness evidenced by and performance of the terms and conditions of the Loan Agreement;

ii. Payment of all other sums with interest thereon becoming due and payable to Lender herein and under any of the other Loan Documents;

iii. Performance and discharge of each and every obligation, covenant and agreement of Borrower herein and in the Loan Agreement and all other Loan Documents.

B. Borrower constitutes and appoints the Lender its irrevocable attorney in fact to enforce all rights, title and interest of the Borrower under the Development Agreement, to collect and receive any debts or obligations related thereto, and to satisfy said Development Agreement as same might or could have done were these presents not executed, and covenants with the Lender that the Borrower has good right to sell, assign and transfer the same.



2. Present Pledge and Assignment. This Assignment shall constitute a perfect, absolute and present pledge and assignment in connection with which Borrower shall have delivered to Lender the TIF Note assigned and endorsed to Lender. Immediately upon the issuance of the TIF Note by the City, the Borrower shall execute and deliver to Lender the Allonge Endorsement to Note in the form attached hereto as Exhibit B to be attached to the TIF Note. So long as no default has occurred under the Loan Documents or this Assignment, Borrower may collect the semi-annual payments under the TIF Note. From and after the occurrence of an Event of Default (as defined herein) and upon notice to the City, all payments on the Tax Increment Financing shall be paid directly to Lender to be held and applied by Lender as provided herein and in the Loan Agreement. If Borrower should receive any payments on the TIF Note or otherwise under the Tax Increment Financing at any time after the occurrence of an Event of Default, Borrower shall immediately deposit such payments with Lender to be held and applied in accordance with the Loan Agreement and this Assignment. If Borrower and Lender make inconsistent demands on the City for payment under the TIF Note, or otherwise challenge the appropriate party to which payment is to be made, Borrower and Lender expressly agree and authorize the City to pay to Lender the disputed amount. Upon the making of any such payment to Lender, the City's obligation with respect to the making of such payment will be deemed fully satisfied.

3. Subordination of Development Agreement. The City agrees and acknowledges that the Note and the Loan Documents, and all advances made thereunder and accrued interest thereon are senior and prior to the Development Agreement. Therefore, the City agrees to, and subordinates any and all liens, security interests and restrictive covenants, if any, included in the Development Agreement to any and all liens, security interests and restrictive covenants, if any, securing repayment of the Note or created by the Loan Documents. Without limiting the foregoing, the City agrees that, in the event of any insured loss and/or condemnation award on or for the Project, the City shall atorn solely to the act and decision of Lender which shall be made as set forth in the Loan Documents in collecting, settling for and paying any and all insurance/awards made to or associated with the Project, except to the extent that such amounts are applicable to payment of the City's administrative fees relating to the TIF District.

4. Warranties. Borrower covenants, warrants and agrees that:

A. Borrower is the true and lawful, absolute owner of the TIF Note free and clear from any and all liens, security interest, encumbrances or other right, title or interest of any other person, firm or corporation;

B. Borrower has the full right and title to assign and pledge the Tax Increment Financing and Borrower's interest in the TIF Documents; that there are no outstanding claims, assignments or pledges thereof, other than as set forth hereinabove; that there are no existing defaults under the TIF Documents on the part of the parties hereto; and that Borrower has fully complied with and is not in default with regard to the TIF Documents.

C. The TIF Documents shall not be amended, altered, cancelled, modified or surrendered without the prior written consent of Lender.



D. Borrower is in material compliance with the terms, conditions and provisions of the Development Agreement.

E. No default by either Borrower or the City exists under the terms of the TIF Note or Development Agreement.

F. The maturity date of the TIF Note is the earliest to occur of payment in full of the principal amount of the TIF Note and accrued interest thereon, termination of the Development Agreement, expiration of the TIF District, or February 1, 2022.

G. The Development Agreement remains in full force and effect.

H. There are no defenses, setoffs or counterclaims against or with regard to the TIF Note or the Development Agreement or the indebtedness evidenced thereby. The TIF Note is a valid and enforceable obligation of the City and Borrower in accordance with its terms.

5. Performance under the TIF Documents. Borrower shall (a) enforce or secure the performance of each and every obligation of the City in the TIF Documents; (b) not borrow against or further pledge or assign any payments due under the TIF Documents; and (c) not waive, excuse, condone or in any manner release or discharge the City from its obligations under the TIF Documents.

6. Security Agreement. This Agreement constitutes a Security Agreement under the Uniform Commercial Code as adopted in the State of Minnesota (the "Code") and shall be governed by the Code.

7. Events of Default. An Event of Default shall occur hereunder upon any of the following:

A. a default occurs under any of the terms, conditions or provisions of the Loan Agreement or Note; or

B. failure to comply with or perform any of the terms, conditions or covenants of this Assignment; or

C. a default shall occur under any of the Loan Documents or any other instrument securing the Loan or the Note; or

D. any representation or warranty made by Borrower herein, in the Loan Agreement, the Note or in any other Loan Document shall be false, breached or dishonored.

8. Remedies. Upon or at any time after an Event of Default that remains uncured after any required notice under the Loan Documents, Lender may declare all Indebtedness Secured Hereby immediately due and payable and provide notice to the City to thereafter make all payments on the Tax Increment Financing to Lender and apply all sums held by Lender including the Tax Increment Financing to the Indebtedness Secured Hereby and may, at its

option, enforce the payment thereof and exercise all of the rights of a holder of the TIF Documents. In addition, upon the occurrence of an Event of Default which remains uncured, Lender may without demand, advertisement or notice of any kind (except such notice as may be required under the Code) and all of which are, to the extent permitted by law, expressly waived by the Borrower:

- A. Exercise any of the remedies available to a secured party under the Code;
- B. Proceed immediately to exercise each and all of the powers, rights, and privileges reserved or granted to Lender under the Loan Agreement and other Loan Documents; and/or
- C. Proceed to protect and enforce this Assignment by suits or proceedings or otherwise, and for the enforcement of any other legal or equity available to Lender.

In the event that any notice is required to be given under the Code such requirements for reasonable notice shall be satisfied by giving at least ten (10) days written notice prior to the event or thing giving rise to the requirement of notice.

9. Authorization to the City. The City is irrevocably authorized and directed by Borrower to recognize the claims of Lender without investigating the reason for any action taken or the validity of or the amount of indebtedness owing to Lender or the existence of any Event of Default. Borrower irrevocably directs and authorizes the City at the direction of the Lender to pay exclusively to Lender or its assigns from and after the date hereof, all sums due under the TIF Documents without the necessity and to the extent such sums are paid to Lender and Borrower agree that the City shall have no further liability to Borrower for the same. The sole signature of Lender shall be sufficient for the exercise of any rights under this Assignment and the sole receipt by Lender of any sum paid by the City shall be in discharge and release of that portion of any amount owed by the City.

10. Additional Instruments. Borrower, upon the request of Lender shall, at its sole expense, execute and deliver all assignments, certificates, financing statements or other documents and give further assurances and do all other acts and things as Lender may request to perfect or to realize upon Lender's interest in the Tax Increment Financing and the TIF Documents or to protect, enforce, or otherwise effect Lender's rights and remedies. If Borrower is unable or unwilling to execute any such other assignments, certificates, financing statements or other documents and to file financing statements or other public notices or recordings with the appropriate authorities, as and when reasonably requested by Lender, and Borrower authorizes Lender to sign and deliver as its true and lawful agent and attorney-in-fact, coupled with an interest, any such assignment, certificate, financing statement or other document and to make any such filing.

11. Amendment. The TIF Documents shall not be amended, altered, cancelled or modified in any way which materially affects the generation or receipt of the Tax Increment Financing without the prior written consent of Lender.



12. Release. Upon payment and performance in full of the Indebtedness Secured Hereby, this Assignment shall be released and shall thereafter become null and void and be of no further effect.

13. Successors and Assigns. This Assignment, and each and every covenant, agreement and provision hereof shall be binding upon Borrower and its successors and assigns and shall inure to the benefit of Lender and its successors and assigns. Should Lender assign the Loan and the Loan Documents to any other person or entity, Lender shall cause such person or entity to be bound by the terms and provisions hereof.

14. Governing Law. This Assignment is intended to be governed by the laws of the State of Minnesota.

15. Validity and Severability Clause. The unenforceability or invalidity of any provision hereof shall not render any other provision or provisions herein contained unenforceable or invalid. Any provisions found to be unenforceable shall be severable from this Assignment.

16. Notices; Notice to City.

A. Notices which any party hereto may desire or may be required to give to any other party shall be made in the manner specified by the Loan Agreement.

B. Lender agrees to use commercially reasonable efforts to notify the City of the occurrence of any Event of Default by Borrower under the Loan Documents. The Lender acknowledges that under the Development Agreement the City has the right but not the obligation to cure any such default on behalf of the Borrower within such cure periods as are available to Borrower under the Loan Documents.

17. Attorneys' Fees. Borrower agrees to pay all costs and expenses, including reasonable attorneys' fees, at any time paid or incurred by Lender and the City in connection with the enforcement of the Lender's rights hereunder.

18. Counterparts. This Assignment may be executed in several counterparts, each of which is an original and all of which constitute but one and the same instrument.

**[Signature Pages to Follow]**



IN WITNESS WHEREOF, the undersigned have caused this Assignment of Tax Increment Financing to be effective as of the date first above written.

**BORROWER:**

MAJESTIC PINES GRAND, LLC, a Minnesota limited liability company

By: \_\_\_\_\_  
Ronald A. Duchesneau, Jr., Chief Manager

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF ITASCA    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2013, by Ronald A. Duchesneau, Jr., the Chief Manager of MAJESTIC PINES GRAND, LLC, a Minnesota limited liability company, on behalf of the company.

\_\_\_\_\_  
Notary Public

**LENDER:**

GRAND RAPIDS STATE BANK, a Minnesota banking corporation

By: \_\_\_\_\_  
Wayne Bruns, Vice President Business Banking

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF ITASCA    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2013, by Wayne Bruns, Vice President Business Banking of GRAND RAPIDS STATE BANK, a Minnesota banking corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public

**CITY:**

CITY OF GRAND RAPIDS, MINNESOTA, a  
municipal corporation and political subdivision of  
the State of Minnesota

By \_\_\_\_\_  
Its: Mayor

By \_\_\_\_\_  
Its: Administrator

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF ITASCA     )

The foregoing instrument was acknowledged before me on \_\_\_\_\_, 2013, by  
\_\_\_\_\_, the Mayor, and \_\_\_\_\_, the Administrator of the City of Grand  
Rapids, Minnesota, on behalf of the City.

\_\_\_\_\_  
Notary Public

THIS DOCUMENT WAS PREPARED BY AND  
WHEN RECORDED RETURN TO:

Fryberger, Buchanan, Smith & Frederick, P.A. (MFS)  
302 W. Superior St. Ste 700  
Duluth, Minnesota 55802

EXHIBIT A  
TO  
ASSIGNMENT OF TAX INCREMENT FINANCING  
AND SUBORDINATION AGREEMENT

LEGAL DESCRIPTION

The real property located in Itasca County, Minnesota, and legally described as follows:

The East Four Hundred Eighty-four feet (E 484') of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4 ), Except the East Four Hundred feet of the North One Hundred Seventy-three feet (E 400' of N 173') thereof.  
AND

The North One Hundred Seventy-nine feet (N 179') of the East Four Hundred Eighty-four (E 484') of Government Lot Five (5), Section Thirty (30), Township Fifty-five (55) North of Range Twenty-five (25) West of the Fourth Principal Meridian, Itasca County, Minnesota.

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EXHIBIT B  
TO  
ASSIGNMENT OF TAX INCREMENT FINANCING  
AND SUBORDINATION AGREEMENT

ALLONGE ENDORSEMENT TO NOTE

FOR VALUE RECEIVED, MAJESTIC PINES GRAND, LLC, a Minnesota limited liability company, endorses, assigns and transfers to GRAND RAPIDS STATE BANK, a Minnesota banking corporation, all of its right, title and interest in and to the following described Note:

City of Grand Rapids, Tax Increment Revenue Note, Series 20\_\_ dated \_\_\_\_\_, 20\_\_, in the original principal amount of \$402,349.00 executed by the City of Grand Rapids, as maker, to Majestic Pines Grand, LLC, a Minnesota limited liability company, as holder;

Dated at Grand Rapids, Minnesota, on \_\_\_\_\_, 20\_\_.

MAJESTIC PINES GRAND, LLC, a Minnesota  
limited liability company

By: \_\_\_\_\_  
Ronald A. Duchesneau, Jr., Chief Manager

THIS ALLONGE IS TO BE AFFIXED TO THE NOTE DESCRIBED ABOVE



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0495      **Version:** 1      **Name:** Northland Counseling Public Hearing  
**Type:** Agenda Item      **Status:** Consent Agenda  
**File created:** 8/20/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider approving a resolution authorizing preliminary approval of a project on behalf of Northland Counseling Center, Inc., and calling for a public hearing on Monday September 23, 2013, at 6:00 p.m.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Grand Rapids Northland 2013 Prelim Resol.pdf](#)

Date	Ver.	Action By	Action	Result
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Consider approving a resolution authorizing preliminary approval of a project on behalf of Northland Counseling Center, Inc., and calling for a public hearing on Monday September 23, 2013, at 6:00 p.m.

### **Background Information:**

Northland Counseling Center, Inc. is a 501(c)(3) non-profit corporation that is undertaking a project that consists of the following:

- Finance the costs of capital improvements including but not limited to new roofs on several buildings, HVAC, and the acquisition of land for future expansion;
- Refinance certain outstanding indebtedness incurred by the Corporation; and
- Finance the costs of issuance of the Notes and other costs related to the Project.

Northland Counseling Center, Inc. is requesting that the City issue a principal amount not to exceed \$1,500,000 in tax-exempt bonds for this project.

Non-profit entities that have the 501(c)(3) Internal Revenue Service designation can incur debt obligations, at tax-exempt interest rate. However, the non-profit organization requires the assistance of a local political subdivision (City) in acquiring this type of financing. The city acts as the "issuer" of the debt and the non-profit entity is the borrower. The underwriter if the debt, or the lender, lends the money to the issuer who in turn lends it to the actual borrower.

The issuing body (City) is only a conduit in the arrangement and it has no obligation or responsibility whatsoever in the repayment of the debt. Once the transaction is closed and funded, the issuer (City) is virtually eliminated from the transaction.

The City Council adopted a Tax-exempt Financing Policy on August 13, 2001. Northland Counseling Center has completed the application process required by this policy.

The law firm Kennedy & Graven is the Bond Counsel and they are assisting in the preparation and review of the necessary documents relating to the project and the bond issue. Northland Counseling Center will pay all costs, either directly or through the City, incurred by the city in connection with the Project.

If the City Council wishes to proceed with this request, a council resolution is required to hold a hearing to review such issuance, and following the hearing it requires a second final resolution to approve and authorize the City's participation.

The adoption of this Resolution does not constitute a guaranty or firm commitment that the City will issue the bonds as requested by Northland Counseling Center, Inc. The City retains the right to withdraw from participation and not to issue the bonds, or to issue the bonds in an amount less than requested.

**Requested City Council Action**

Consider approving a resolution authorizing preliminary approval of a project on behalf of Northland Counseling Center, Inc., and calling for a public hearing on Monday September 23, 2013, at 6:00 p.m.



CITY OF GRAND RAPIDS, MINNESOTA

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION GIVING PRELIMINARY APPROVAL TO THE  
ISSUANCE OF REVENUE NOTES FOR THE BENEFIT OF  
NORTHLAND COUNSELING CENTER, INC. UNDER  
MINNESOTA STATUTES, SECTIONS 469.152 THROUGH  
469.1655, AS AMENDED, AND CALLING A PUBLIC HEARING  
REGARDING THE ISSUANCE OF THE REVENUE NOTES AND  
A PROJECT TO BE FINANCED WITH THE PROCEEDS  
THEREOF**

BE IT RESOLVED by the City Council of the City of Grand Rapids, Minnesota (the "City") as follows:

1.01. Statutory Authorization. Minnesota Statutes, Sections 469.152 through 469.1655, as amended (the "Act"), authorizes a city to issue revenue obligations to finance, in whole or in part, the costs of the acquisition, construction, reconstruction, improvement, betterment, or extension of a "project," defined in the Act, in part, as any properties, real or personal, used or useful in connection with a revenue producing enterprise, whether or not operated for profit.

1.02. Notes. Northland Counseling Center, Inc., a Minnesota nonprofit corporation (the "Borrower"), has proposed that the City issue its revenues notes, in one or more series, in a principal amount not to exceed \$1,500,000. The Borrower proposes to use proceeds of the Notes to (i) finance the costs of capital improvements including but not limited to additional parking space for families, new roofs on several buildings, HVAC, furnace, and air-conditioning improvements, new cabinetry in the women's center, flooring and remodeling of staff areas, the acquisition of land for future expansion, the construction of a garage for the consolidation of all maintenance equipment, and the construction of an addition to provide additional chemical dependency treatment and detox beds (collectively, the "Project"); (ii) refinance certain outstanding indebtedness incurred by the Borrower; and (iii) pay the costs of issuance of the Notes and other costs related to the Project.

1.03. Public Hearing Required. Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and regulations promulgated thereunder, requires that prior to the issuance of the Notes, the City Council of the City (the "City Council") must approve the Notes after conducting a public hearing thereon. Section 469.154, subdivision 4, of the Act requires that prior to the City's submission of an application to the Minnesota Department of Employment and Economic Development ("DEED") for approval of the Project, the City Council must conduct a public hearing on the proposal to undertake Project authorized to be financed under the terms of the Act.

Section 2. City Council Approvals.

2.01. Preliminary Approval. The City Council hereby states its preliminary intention to issue the Notes in the aggregate principal amount not to exceed \$1,500,000 to (i) finance the Project; (ii) refinance certain of the Borrower's outstanding indebtedness; and (iii) pay the costs of issuance of the Notes and other costs related to the Project.

2.02. Approval of the Project. It is hereby found and determined that the Project furthers the purposes set forth in the Act, and the Project constitutes a "project" within the meaning of Section 469.153, subdivision 2(b) and (d), of the Act.

2.03. Submission of Project to DEED. In accordance with Section 469.154 of the Act, the City Administrator of the City is hereby authorized and directed to submit the proposal for the Project to DEED. The City Administrator and other officers, employees and agents of the City are hereby authorized to provide DEED with any preliminary information needed for this purpose, and the City Administrator is authorized to initiate and assist in the preparation of such documents as may be appropriate to the Project, if it is approved.

2.04. Approval of Bond Counsel. The law firm of Kennedy & Graven, Chartered, is authorized to act as Bond Counsel and to assist in the preparation and review of necessary documents relating to the Project and the refinancing of the indebtedness and the Notes issued in connection therewith. The Mayor, City Administrator, Finance Director, City Clerk, and other officers, employees, and agents of the City are hereby authorized to assist Bond Counsel in the preparation of such documents.

Section 3. Public Hearing.

3.01. Establishment of Public Hearing. The City Council shall meet at or after 5:00 p.m. on Monday, September 23, 2013, to conduct a public hearing on the issuance of the Notes and the approval of the Project as requested by the Borrower.

3.02. Notice of Public Hearing. The City Clerk is authorized and directed to publish notice of the hearing in substantially the form attached hereto as EXHIBIT A in the *Grand Rapids Herald-Review*, the official newspaper and a newspaper of general circulation in the City, once, at least fourteen (14) days but no more than thirty (30) days prior to the date of the public hearing.

Section 4. Costs. The Borrower will pay the administrative fees of the City and pay, or, upon demand, reimburse the City for payment of, any and all costs incurred by the City in connection with the Project, the refinancing of the indebtedness, and the issuance of the Notes, whether or not the Notes are issued.

Section 5. Commitment Conditional. The adoption of this resolution does not constitute a guaranty or firm commitment that the City will issue the Notes as requested by the Borrower. The City retains the right in its sole discretion to withdraw from participation and accordingly not to issue the Notes, or issue the Notes in an amount less than the amount referred to herein, should the City at any time prior to issuance thereof determine that it is in the best interest of the City not to issue the Notes, or to issue the Notes in an amount less than the amount referred to in Section 1.02 hereof, or should the parties to the transaction be unable to reach agreement as to the terms and conditions of any of the documents required for the transaction.

Section 6. Effective Date. This resolution shall be in full force and effect from and after its passage.

Approved by the City Council of Grand Rapids, Minnesota, this 26<sup>th</sup> day of August, 2013.

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Mayor

ATTEST:

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City Clerk



**EXHIBIT A**

**NOTICE OF PUBLIC HEARING**

CITY OF GRAND RAPIDS, MINNESOTA

NOTICE OF A PUBLIC HEARING WITH RESPECT TO THE  
ISSUANCE OF REVENUE NOTES PURSUANT TO MINNESOTA  
STATUTES, SECTIONS 469.152 TO 469.1655, AS AMENDED, FOR  
THE BENEFIT OF NORTHLAND COUNSELING CENTER, INC.

NOTICE IS HEREBY GIVEN that the City Council of the City of Grand Rapids, Minnesota (the "City"), will conduct a public hearing on Monday, September 23, 2013, at 5:00 p.m. at City Hall, 420 North Pokegama Avenue, Grand Rapids, Minnesota, to consider a proposal for the issuance of revenue notes (the "Notes") under Minnesota Statutes, Sections 469.152 to 469.1655, as amended, on behalf of Northland Counseling Center, Inc., a Minnesota nonprofit corporation (the "Borrower"), to (i) finance the costs of capital improvements including but not limited to additional parking space for families, new roofs on several buildings, HVAC, furnace, and air-conditioning improvements, new cabinetry in the women's center, flooring and remodeling of staff areas, the acquisition of land for future expansion, the construction of a garage for the consolidation of all maintenance equipment, and the construction of an addition to provide additional chemical dependency treatment and detox beds (collectively, "Project"), (ii) refinance certain outstanding indebtedness incurred by the Borrower, and (iii) pay the costs of issuance of the Notes and other costs related to the Project. The Project will be owned by the Borrower.

Following the public hearing, the City Council will consider adoption of a resolution approving the Project and the issuance of the Notes to finance the costs of the Project and refinance certain of the Borrower's outstanding indebtedness. The aggregate face amount of the Notes proposed to be issued to finance the Project and refinance certain of the Borrower's outstanding indebtedness is presently estimated not to exceed \$1,500,000. The Notes will be issued by the City and will constitute a limited obligation of the City payable solely from the revenues expressly pledged to the payment thereof, and will not constitute a general or moral obligation of the City and will not be secured by the taxing power of the City or any assets or property of the City except interests in the Project that may be granted to the City in conjunction with this financing.

All interested persons may appear and be heard at the time and place set forth above.

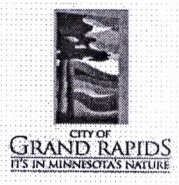
A draft copy of the application to the Minnesota Department of Employment and Economic Development for approval of the Project is on file with the City and is available for public inspection in the office of the City Clerk during regular business hours.

Dated: [date of publication]

BY ORDER OF THE CITY COUNCIL OF THE CITY  
OF GRAND RAPIDS, MINNESOTA

By           /s/ Kimberly Johnson-Gibeau

City Clerk



# CITY OF GRAND RAPIDS

## Legislative Master

**File Number: 13-0528**

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<b>File ID:</b> 13-0528	<b>Type:</b> Agenda Item	<b>Status:</b> Consent Agenda
<b>Version:</b> 1	<b>Reference:</b>	<b>In Control:</b> City Council
		<b>File Created:</b> 08/23/2013
<b>File Name:</b> Approve Seasonal Golf Course Employee		<b>Final Action:</b>

<b>Title:</b> Approve Seasonal Golf Course Employee
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**Notes:**

**Sponsors:**

**Attachments:**

**Contact:**

**Drafter:**

**Enactment Date:**

**Enactment Number:**

**Hearing Date:**

**Effective Date:**

### History of Legislative File

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Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File 13-0528

Approve Seasonal Golf Course Employee

**Background Information:**

Many of the summer seasonal employees left for school the week of August 19th. The new hires will replace the college students that staffed the golf shop.

**Staff Recommendation:**

Consider approving employment for Judy Taylor as a golf shop cashier at the hourly wage of \$7.50.

**Requested City Council Action**

Consider approving seasonal employment for Judy Taylor at the hourly wage of \$7.50. She will be a Pokegama Golf Course cashier.  
Employment to begin August 27 and end no later than October 31, 2013.





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

# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

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**File #:** 13-0503      **Version:** 1      **Name:** Acknowledge Minutes  
**Type:** Minutes      **Status:** Approved  
**File created:** 8/21/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Board & Commission minutes.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [June 12, 2013 Library Board](#)  
[July 10, 2013 Library Board](#)  
[July 11, 2013 PUC](#)  
[July 30, 2013 PUC Special Meeting](#)  
[July 16, 2013 Golf Board minutes](#)

Date	Ver.	Action By	Action	Result
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Board & Commission minutes.

Grand Rapids Area Library Board  
Regular Meeting June 12, 2013

**Members present:** John Soll, Jemma Baker, Abby Kuschel, David Yankowiak, Dennis Jerome, Jean MacDonell, and Max Peters

Members absent: Shannon Benolken and Mary Helen Haarklau

Staff Present: Director Marcia Anderson and Assistant Director Amy Dettmer

The monthly board meeting was called to order at 5:00 PM by Dennis Jerome.

**Agenda:** Jean MacDonell moved to approve the agenda. A second was made by Abby Kuschel. The motion passed unanimously.

**Minutes:** John Soll moved to approve the minutes of the May 8, 2013 board meeting. A second was made by Max Peters. The motion passed unanimously.

**Communications:** Director Anderson discussed the semi-annual library report she gave to the city council and let the members of the board know of any questions the city council had regarding the report.

**Financial Report:**

Library Bill List for June  
Invoices due on or before June 12, 2013

5 Star Pest Control	\$485.00
Amazon.com	14.38
Ameripride Linen and Apparel	34.60
Arrowhead Library System	26.78
Baker and Taylor Inc.	2,293.20
Blue Cross and Blue Shield of MN	4,138.00
Busy Bees Quality Cleaning	1,700.00
Cengage Learning Inc.	112.46
Delta Dental of Minnesota	238.45
Diverse Media Inc.	22.53
Fidelity Security Life Ins. Co.	11.27
City of Grand Rapids	278.80
Grand Rapids City Payroll	52,842.15
Bonnie Henriksen	57.92
Junior Library Guild	63.00
Learning Opportunities Inc.	2,008.78
Lexis Nexis	140.04
Minnesota Energy Resources	35.00

Minnesota Sales and Use Tax	40.57
Motion Industries Inc.	295.24
Nardini Fire Equipment Co. Inc.	247.60
Nextera Communications LLC	97.33
Northern Business Products Inc.	366.75
Paul Bunyan Communications	497.22
Personnel Dynamics LLC	475.24
Pizza Works	11.99
P.U.C.	2,394.72
Rapids Plumbing and Heating Inc.	104.90
William Richter	87.01
Jason Shephard	80.00
Sim Supply Inc.	262.56
Stokes Printing Company	15.02
Unique Management Services	331.15
Verizon Wireless	114.71
Waste Management	115.20
Wylde Thyme Catering	100.00
Xerox Corporation	25.21
Lake Superior Zoo	165.00
Sam Miltich and Friends	400.00
Deb Cleven	70.00
Annie Humphrey	350.00
TOTAL	\$71,149.78

Abby Kuschel moved to approve the financial report. A second was made by Dave Yankowiak. On a roll call vote, the motion passed unanimously.

**Staff Report:** Director Anderson expressed a need for replacing the library lights. There were no details regarding this replacement yet, but estimates on the matter are to be made in the near future. Assistant Director Dettmer discussed the Grand Rapids Art Commission. Interviews were done and appointments of nine members made by the City Council. She also explained that although there is no clear focus yet for the group, but there will be no duplication of other groups. Director Anderson also discussed the chair fundraising event by the Library Foundation. The chairs will be displayed throughout the town from July 4 - August 6. Lastly, Assistant Director Dettmer noted that the library summer reading program already has more than 500 kids signed up and that it was a goal to beat last summer's attendance.

**Old Business:**

**1. Strategic Plan Process:** Director Anderson led the discussion on the Strategic Plan process. This process will not be from scratch and will consist of an in depth review of data. A committee will be formed around September - October to decide what information will be needed. The committee will also determine how to take community needs and



develop a plan. The board members agreed that this was a good approach to the process. A day next March will be used to fully determine the plan.

**New Business:**

**Consent Agenda:**

1. Approve payment of late bills
  - a. Mike Russell carpet cleaning \$920.00
  - b. QA Graphics \$9,870.00
2. Approve Contracts
  - a. Dunn/Humphrey June 20 program \$350 honorarium
3. Approve Resolution 2013- 06 Accepting Donations
  - a. \$100 Earl E. Orf & Diana L. Hestwood for children's books  
(in memory of Sandy Conrad)
  - b. \$16,050 Grand Rapids Are Library Foundation for Solar Footings

A motion was made by Abby Kuschel to approve the consent agenda. A second was made by Max Peters. A roll call vote was approved by all present.

**Regular Agenda:**

**1. Budget Discussion:** The budget was presented by Director Anderson to the members of the board. The decision on the budget was an estimate at what the library would need, and it was roughly the same as last year. The budget for staff costs, materials and computers, and periodicals was increased. The reserve fund also had a \$15,000 pay back, as the funds needed to be replenished. The feedback made by members of the board was positive, as they thought the budget was communicated well. Another budget sheet will be distributed in July.

The monthly board meeting was adjourned at 5:30 PM by Dennis Jerome.

## Grand Rapids Area Library Board Regular Meeting July 10, 2013

**Members present:** Dennis Jerome, Abby Kuschel, Max Peters, Mary Helen Haarklau, and John Soll

**Members absent:** Shannon Benolken, Jemma Baker, David Yankowiak, and Jean Macdonnel

**Staff present:** Director Marcia Anderson

**Staff absent:** Assistant Director Amy Dettmer

The monthly board meeting was called to order at 5:08 PM by Dennis Jerome.

**Agenda:** Abby Kuschel moved to approve the agenda. A second was made by Max Peters. The motion passed unanimously.

**Minutes:** Max Peters moved to approve the minutes of the June 12, 2013 board meeting. A second was made by John Soll. The motion passed unanimously.

**Communications:** None to report.

**Financial Report:**

### Library Bill List for July Invoices due on or before July 10, 2013

Ameripride Linen and Apparel	\$34.60
Arrowhead Library System	221.15
Baker and Taylor Inc.	1,986.33
Beier's Greenhouse	285.91
Blue Cross and Blue Shield of MN	4,138.00
Busy Bees Quality Cleaning	1,700.00
Cengage Learning Inc.	59.96
Delta Dental of Minnesota	476.90
Demco	277.95
Fidelity Security Life Ins. Co.	11.27
City of Grand Rapids	176.90
Grand Rapids City Payroll	35,211.13
Itasca Area Schools	425.00
Keewatin Public Library	16.99
Lincoln National Life	90.70

Mackin Educational Resources	399.20
Macrostie Art Center	20.00
Minnesota Energy Resources	35.00
Minnesota Historical Society	93.50
MN State Horticultural Society	34.00
Minnesota Sales and Use Tax	41.14
Nardini Fire Equipment Co. Inc.	890.00
Nextera Communications LLC	95.71
Northern Business Products Inc.	894.20
Paul Bunyan Communications	249.17
Personnel Dynamics LLC	1,166.04
Pioneer Mutual Life Ins. Co.	41.00
Pitney Bowes	143.34
Pizza Works	11.99
P.U.C.	3,305.96
QA Graphics Inc.	9,870.00
Michael Russell	920.00
Showcases	238.39
Sim Supply Inc.	349.24
Tru North Electric LLC	158.34
Verizon Wireless	275.01
The Village Book Store	12.00
Waste Management	116.79
Loden Books LLC	147.23
<b>TOTAL</b>	<b>\$64,620.04</b>

Director Marcia Anderson noted that the revenue side of the financial report looked abysmal. She also mentioned that there was nothing outstanding on the report.

John Soll moved to approve the financial report. A second was made by Mary Helen Haarklau. On a roll call vote the motion passed unanimously.

**Staff Report:** Director Marcia Anderson mentioned that the interactive Tumblebooks for children will now be accessible from the library's website and will be available in the children's area of the library. She also said that the downloadable magazines from Zinio will be available through the library's website as well. Director Anderson also noted that the American Library Association and IMLS will be providing online access to new health insurance information. This information will be available on the computers at the library and will greatly assist those who do not have computers at home to access this information. Lastly, she mentioned that the Chair Affair fundraising is still going and that there is a link on the library's website that shows all of the chairs from the fundraiser.

**Old Business:** None to report.



## **New Business:**

### **Consent Agenda:**

1. Approve payment of late bills
  - a. Xerox \$116.32
  - b. Unique Management Services Inc. \$250.60
2. Approve Contracts
  - a.
3. Approve Resolution 2013-07 Accepting Donations  
\$250 Nick and Nancy Eltgroth Fund undesignated  
\$ 20 Sharon and Frank Sterle for Dog Training book

John Soll moved to approve the consent agenda. A second was made by Max Peters. On a roll call vote the motion passed unanimously.

### **Regular Agenda:**

#### **1. Authorize soliciting quotes for lighting replacement**

The lights in the library that need to be replaced are the hanging pendant lights. There are 28 of them, and they currently burn too much electricity. Director Marcia Anderson would like an inexpensive way to replace the sockets or the entire light fixture. Through one quote, someone would be able to provide LED lights, get different light fixtures, and replace the ballasts. This replacement could be done at around \$7,000. Even though the budget for the repairs is \$15,000, this price is fairly expensive, and another quote should be solicited to compare prices and productivity. The members of the board said that they should choose someone who will do a great job replacing the lights and not necessarily choose the lowest price.

Abby Kuschel moved to solicit more quotes. A second was made by John Soll. The motion passed unanimously.

#### **2. Approve refinishing front doors**

Director Marcia Anderson mentioned that there was a relative of Shannon Benolken who could refinish the doors with the doors still attached. Director Anderson and the other board members noted that it would be desirable for the doors to stay attached during the refinishing process to avoid a security issue. John Soll mentioned that the refinishing could be done at night or on weekends when library is closed to avoid interference. Under city policies, if the task costs less than \$1,500, another quote does not need to be solicited.

Abby Kuschel moved to approve this door quote. A second was made by Max Peters. The motion passed unanimously.

### **3. Authorize purchase of staff and public computers**

Director Marcia Anderson noted that there was a quote from the local company, Computer Enterprises, for 10 new computers for the library. A higher standard of computers would be available to the staff of the library while a lower standard would be available for the public who don't need as advanced computers. A quote was also solicited from HP for comparison purposes. This quote comes with keyboards and mice for the computers. The board decided that it is a better idea to buy locally because the staff computers need a quick turnaround and Computer Enterprises would be able to quickly fix any computers that may need repair in the future.

Max Peters moved to approve the quote for the 10 computers from Computer Enterprise. A second was made by Mary Helen Haarklau. The motion passed unanimously.

The monthly board meeting was adjourned at 5:46 PM by Dennis Jerome.

A regular meeting of the Grand Rapids Public Utilities Commission was held on July 11, 2013 at 3:30 PM in the conference room of the Public Works/Public Utilities Service Center at 500 SE 4<sup>th</sup> Street.

Members Present: President Welliver, Secretary Hodgson, Commissioner Chandler, Commissioner Zabinski, Commissioner Lenius.

Members Absent: None.

Others Present: General Manager Ward, Finance Manager Betts, Interim Wastewater Treatment Facility Manager Heinritz, Superintendent of Electric Distribution Goodell, Water/Wastewater Collection/Safety Manager Doyle, Administrative/HR Assistant Flannigan, Attorney Bengtson.

President Welliver acknowledged the publication and posting of change in meeting date and time.

Motion by Zabinski to approve the minutes of the June 12, 2013 regular meeting. Motion seconded by Hodgson and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

Finance Manager Betts reviewed the June 2013 City Treasurer's Report and Investment Activity Report with the Commission.

Motion by Chandler to approve the City Treasurer's Report and Investment Activity Report for June 2013. Motion seconded by Zabinski and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

President Welliver acknowledged public forum. None present.

#### Commission Member Reports:

Commissioner Chandler reported the Personnel Committee recommendations will be addressed with the Administration agenda items.

The Commission viewed Powerpoint presentations on Minnesota Power Resource Planning and Formula Based Rates by Ms. Julie Pierce and Ms. Marcia Podratz, respectively.

#### Election of Officers:

President Welliver called for nominations for the office of President. Motion by Secretary Hodgson to nominate President Welliver for the office of President. No other nominations were placed. Motion seconded by Commissioner Chandler and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.



Motion by Secretary Hodgson to close nominations and declare President Welliver elected to the office of President. Motion seconded by Commissioner Zabinski and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

President Welliver called for nominations for the office of Secretary. Motion by Commissioner Chandler to nominate Secretary Hodgson for the office of Secretary. No other nominations were placed. Motion seconded by Commissioner Zabinski and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

Motion by Commissioner Chandler to close nominations and declare Secretary Hodgson elected to the office of Secretary. Motion seconded by Commissioner Zabinski and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

President Welliver called for two appointments to serve on the Personnel Committee. Motion by Commissioner Zabinski to re-appoint Commissioner Hodgson and Commissioner Chandler to the Personnel Committee. Motion seconded by Commissioner Lenius and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

Administration:

Motion by Zabinski to adopt the proposed Load Management – Customer Generation Credit Rate Schedule, effective August 1, 2013. Motion seconded by Chandler and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

Motion by Lenius to confirm hiring the Selection Committee's preferred candidate, Mr. Steven R. Mattson, for the position of Wastewater Treatment Department Manager. Motion seconded by Hodgson and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

In anticipation that the Grand Rapids Public Utilities Commission would award a contract for construction of the Industrial Force Main Replacement-Segment B project, provide funding for said project and reduce the cost of funding by issuing the bonds in conjunction with a City of Grand Rapids bond sale, General Manager Ward recommended the Grand Rapids Public Utilities Commission adopt the proposed Resolution 07-11-13-01.

Motion by Chandler adopt Resolution 07-11-13-01 approving the issuance and sale of Taxable General Obligation Wastewater Revenue Bonds, Series 2013C (PUC), by the City of Grand Rapids, Minnesota in the approximate aggregate principal amount not to

exceed \$2,770,000. Motion seconded by Zabinski and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

Accounting and Finance:

Finance Manager Betts reviewed the June 2013 Operations Report with the Commission.

Motion by Zabinski to authorize the write-off of uncollectible accounts in the amount of \$37.80. Motion seconded by Chandler and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

Manager Betts reviewed the proposed Cash Reserve Policy. Based on the calculation factors in the proposed policy, the minimum cash reserve for 2013 would be \$4,542,427.00. Under the proposed policy, the minimum cash reserve amount would be calculated on an annual basis.

Motion by Zabinski to adopt the proposed Cash Reserve Policy. Motion seconded by Lenius and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

Electric Department:

Superintendent of Electric Distribution Goodell reviewed the June 2013 Operations Report with the Commission.

Motion by Hodgson to authorize expenditures for a power pole inspection and evaluation survey in an amount not to exceed \$68,605.90 (\$62,369.00 + 10%). Quotes in excess of this amount would need to be brought before the Commission at the August regular meeting for further review and consideration. Motion seconded by Chandler and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

Wastewater Treatment Facility Operations:

Interim Wastewater Treatment Facility Manager Heinritz reviewed the June 2013 Operations Report with the Commission.

General Manager Ward reviewed the bid results for the "Industrial Force Main Replacement-Segment B" project with the Commission. The engineer's estimated probable cost of the project \$2,540,000.00. The project is scheduled for completion in the spring of 2014.

The Commission was informed that, pursuant to the Advertisement for Bids for the Industrial Force Main Replacement-Segment B, seven bids were received and opened



at 2:00 PM, July 9, 2013, in the Conference Room at the Public Works/Public Utilities Service Center, in the presence of General Manager Ward, Administrative/HR Assistant Flannigan, and Jason Benson, PE of Advanced Engineering and Environmental Services, Inc. (AE2S). Mr. Benson tabulated the bids as follows:

- Hammerlund Construction, Inc.	\$1,913,000.00
- Casper Construction, Inc.	\$1,950,400.00
- R. Larson Excavating, Inc.	\$2,398,195.00
- S.J. Louis Construction, Inc.	\$2,412,000.00
- Utility Systems of America	\$2,437,990.00
- RJS Construction Group	\$2,616,393.75
- Meyer Contracting	\$2,682,324.00

The bid results were reviewed by Mr. Benson and based upon this review, AE2S recommended awarding the contract to Hammerlund Construction, Inc.

Motion by Chandler to award the contract for the "Industrial Force Main Replacement-Segment B" project to the low bidder, Hammerlund Construction, Inc. in the amount of \$1,913,000.00. Motion seconded by Lenius and upon roll call the following voted in favor thereof: Welliver, Chandler, Zabinski and Lenius; Against: None; Abstained: Hodgson, whereby the motion was declared duly passed and adopted.

Water/Wastewater Collection:

Water/Wastewater Collection/Safety Manager Doyle reviewed the June 2013 Operations Report with the Commission.

Safety Training Procedures and Updates:

Water/Wastewater Collection/Safety Manager Doyle reviewed the safety initiatives for the month. Noise profile testing will be completed at the Wastewater Treatment Facility on July 24, 2013.

GRPUC Discussion/Correspondence:

No items.

Change Orders:

Motion by Zabinski to approve Change Order #4-Rock Bores for \$11,250.00, Change Order #5-Rock Bores for \$10,545.00 and Change Order #6- Stabilization Mulch/Inlet Protection for \$5,540.00 and Change Order #7-Dig/Expose Existing Underground Utilities for \$3,850.00 from Itasca Utilities, Inc. for the Golf Course Road Overhead to Underground Conversion Project. Motion seconded by Hodgson and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.



Claims for Payment:

Motion by Chandler to approve Pay Request #2 from Itasca Utilities, Inc. for 100% completion less a 5% retainage (\$111,503.42 less \$9,023.60) for the Golf Course Road Overhead to Underground Conversion Project in the amount of \$102,479.82. Motion seconded by Zabinski and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

Motion by Chandler to authorize the verified claims for payment in the amount of \$2,073,837.99 (\$1,197,997.86 computer checks and \$875,840.13 manual checks) per attached lists. Motion seconded by Zabinski and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler, Zabinski and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

Commissioner Zabinski reported that the City of Grand Rapids is collaborating with the Iron Range Iron Range Resources and Rehabilitation Board (IRRRB) and the City of LaPrairie on infrastructure project grant funding requests for the years 2014 and 2015.

A special meeting to consider results of the water and wastewater revenue requirement update and review the pro-forma balance sheet and income statement was scheduled for July 30<sup>th</sup> at 3:00 PM in the conference room of the Public Works/Public Utilities Service Center at 500 SE 4<sup>th</sup> Street.

The next regular Commission meeting is Wednesday, August 14, 2013 at 4:00 PM in the conference room of the Public Works/Public Utilities Service Center at 500 SE 4<sup>th</sup> Street.

Upon a motion duly made and seconded, the meeting was adjourned at 5:40 PM.

Attest:

\_\_\_\_\_  
Stephen R. Welliver, President

\_\_\_\_\_  
Glen D. Hodgson, Secretary

A special meeting of the Grand Rapids Public Utilities Commission was held on July 30, 2013 at 3:00 PM in the conference room of the Public Works/Public Utilities Service Center at 500 SE 4<sup>th</sup> Street, Grand Rapids, MN.

Members present: President Welliver, Secretary Hodgson, Commissioner Chandler, Commissioner Lenius.

Members Absent: Commissioner Zabinski.

Others Present: General Manager Ward, Finance Manager Betts, Water/Wastewater Collection/Safety Manager Doyle, Wastewater Treatment Department Manager Mattson, Administrative/HR Assistant Flannigan, Attorney Bengtson

President Welliver acknowledged the posting of the special meeting date, time and purpose. The purpose of the meeting was stated as:

- Consider results of the water and wastewater revenue requirement update.
- Review the pro-forma balance sheet and income statement.
- Consider renewal of lease agreements with Pitney Bowes for the billing inserter and postage machines.

General Manager Ward presented the calculated revenue requirement for the water and wastewater departments. The requirement was determined using the cost of service model acquired from Advanced Engineering and Environmental Services, Inc. (AE2S) To meet the proposed requirement, Ward recommended implementing the multi-family residential water rate, which were proposed pending completion of the revenue requirement model and leak detection study, and increasing all water and wastewater collection rates from 3-5%, effective October 2013. Discussion followed on the financial impact to the utility operations and customers.

Motion by Hodgson to table considering adjustments to the water and wastewater collection rates and review the revenue requirements at the November 2013 meeting, with consideration to make any adjustments effective January 2014. Motion seconded by Chandler and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

Finance Manager Betts reviewed the pro-forma balance sheet and income statement, prepared by Baker Tilly Virchow Kraus, LLP, noting the operational ratios of the utility operations for 2012 compare very well with the industry standards.

Motion by Chandler to approve the renewal of the five year lease agreement with Pitney Bowes for the billing inserter and postage machines, and authorize the General Manager to sign the contract, at a cost of \$872.01 per month. Motion seconded by Lenius and upon roll call the following voted in favor thereof: Welliver, Hodgson, Chandler and Lenius; Against: None, whereby the motion was declared duly passed and adopted.

Upon a motion duly made and seconded, the meeting was adjourned at 3:45 PM.

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Stephen R. Welliver, President

Attest: \_\_\_\_\_  
Glen D. Hodgson, Secretary



GRAND RAPIDS GOLF COURSE BOARD  
REGULAR MONTHLY MEETING  
July 16, 2013  
7:00 AM

Present: Jeff Ericson, Steve Forneris, Larry O'Brien, Ron Iannelli, Dan Richter  
Absent: None  
Staff: None

- I. Jeff Ericson called the meeting to order.
- II. Ron Iannelli made a motion to accept the minutes of the June 18, 2013 Board meeting. Steve Forneris seconded the motion. The motion passed.
- III. Consideration of monthly bills: Steve Forneris made a motion to approve the bill list. Ron Iannelli seconded the motion. The motion passed. Ron Iannelli made a motion to approve one additional bills; Eric Svensson \$306.73. Steve Forneris seconded the motion. The motion passed.

ACHESON TIRE COMPANY INC	36.72
AMERIPRIDE LINEN & APPAREL	53.74
ANDERSON GLASS	45.00
ARROW EMBROIDERY	534.38
LEAGUE OF MN CITIES INS TRUST	952.00
BLUE CROSS & BLUE SHIELD OF MN	1,316.50
BUNES SEPTIC SERVICE INC	340.00
BURGGRAF'S ACE HARDWARE INC	689.57
CITY OF COHASSET	101.55
COHASSET CONCRETE PRODUCTS	98.62
DAMBERG.SCOTT.GERZINA.WAGNER	2,028.71
DAVIS OIL	3,096.78
DELTA DENTAL OF MINNESOTA	111.20
ESC SYSTEMS	384.75
FILTHY CLEAN INC 8	226.34
GPS TECHNOLOGIES INC	458.73
CITY OF GRAND RAPIDS	33.17
GRAND RAPIDS CITY PAYROLL	26,054.18
GRAND RAPIDS GREENHOUSE	1,010.18
GRAND RAPIDS STATE BANK	3,138.71
HAWKINSON CONSTRUCTION CO INC	642.21
KING PAR LLC	2,375.00
L&M SUPPLY	173.85
MINNESOTA SALES & USE TAX	9,584.95
MINNESOTA TORO	2,152.56
DAVE MOGREN	327.38
NORD AUTO PARTS	760.28
NORTHERN LAKES WINDOW CLEANING	144.28
NORTHERN SAFETY CO. INC.	218.00
PIONEER MUTUAL LIFE INS CO	4.10
PRESTO PRINT	11.12
NORTHERN MN WATER COND DBA	151.42
RUTTGER'S SUGAR LAKE LODGE	8,625.00
SIM SUPPLY INC	243.26
STOKES PRINTING COMPANY	163.64
SUPERIOR GOLF CARS	752.84
TDS Metrocom	233.94
TESSMAN SEED COMPANY	1,019.87



TURFWERKS	171.34
<a href="http://TWINCITIESGOLF.COM">TWINCITIESGOLF.COM</a>	225.00
WASTE MANAGEMENT	254.33
WITTEK GOLF SUPPLY COMPANY INC	733.49
PAT BEATTY	648.73
MIKE BOWMAN	306.73
JERRY FEMRITE	306.73
DUANE JEDLENSKI	853.93
TOTAL ALL VENDORS:	71,794.81

IV. Visitors: None

V. Grounds Superintendent: No official report was given. The Board discussed several issues. The overall condition of the course is excellent. Good comments have been heard from guests. A fall tour of the course will be done again this year and periodic reports regarding the developed list will be requested.

VI. Concessions: None

VII. Director of Golf: No official report was given. Dan Richter provided a new bathroom update. The project is on hold until all permits are received. A final drawing from the architects was shared.

VIII. Old Business: None

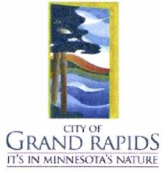
IX. New Business: None

X. Correspondence and Open Discussion: None.

XI. Adjourn: Ron Iannelli made a motion to adjourn the meeting. Steve Forneris seconded the motion. The motion passed.

Respectfully Submitted,

Larry O'Brien  
Recording Secretary



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

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**File #:** 13-0526      **Version:** 1      **Name:**  
**Type:** Agenda Item      **Status:** Department Head Report  
**File created:** 8/22/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Housing & Redevelopment Authority ~ Jerry Culliton  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [HRA Department Head Report](#)

Date	Ver.	Action By	Action	Result
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Housing & Redevelopment Authority ~ Jerry Culliton

## Housing and Redevelopment Authority of Grand Rapids, Minnesota

411 Seventh Street NW  
Grand Rapids, MN 55744  
Telephone: (218) 326-9515  
Fax: (218) 326-5019



August 22, 2013

To: Grand Rapids City Council

From: Jerry Culliton, Grand Rapids HRA

RE: HRA Updates and Developments

The GRHRA has basically three components. They are the "public" housing located at 411 NW 7<sup>th</sup> Street and 401 River Road, which are subsidized one bedroom apartments, with rents based on 30% of your adjusted gross income, which contain 92 units, in two separate buildings. We also own and operate Crystal Lake Town Homes which contain 6 buildings, with 48 total units which are 24 two bedroom, and 24 three bedroom units. This complex is a project based section 8 complex, again with 30 % of your adjusted gross income used for determining your rent for that facility. Forest Park West and Lakeshore Place contain 96 units in four separate buildings, and are one, two and three bedroom units with garages, as well as balconies.

Forest Park West and Lakeshore Place are affordable/ moderate rate rental housing complexes. We have 15 years remaining on the outstanding bonds that financed the four buildings, two facilities, with a yearly debt service of approximately \$408,720. This amount includes the principal and interest yearly. Crystal Lake Town homes have a first and second mortgage on the property for 30 years. The second mortgage is for 30 years at 0%, and the first mortgage is for 30 years at 5.5%, with a starting principal balance of 1,555,383, and monthly payments of approximately \$9,345.00. The two "public" buildings do not carry a mortgage, and the GRHRA own them in their entirety.

The GRHRA is in the process of re-financing the existing bonds for Forest Park West and Lakeshore Place. We have an existing principal of \$4,064,000 and 15 years remaining on the debt. We anticipate that the closing date for the re-finance will be no later than October 1<sup>st</sup> of 2013.

We were notified that we are eligible in applying for and obtaining Capital Fund Improvement money for fiscal year "2014 ". We are completing the steps for fiscal year "2014" capital funds, the amount is \$79,961. These funds will be placed towards "public housing" building improvements only. These funds are used strictly for modernization and



building improvements. They are only used for the "public" subsidized housing portion of the GRHRA, and are not part of our routine monthly operations. The capital funds **are not** part of any funding for Crystal Lake Town Homes, Forest Park West or Lakeshore Place. This money is used to maintain our two "public housing" buildings in proper condition.

In order to be eligible for these funds the GRHRA must write yearly, and have approved, a five year agency plan. The buildings are also inspected by an independent third party and must pass that inspection. Thirdly, we must pass financially, and once our CPA audits are completed, around June, we then submit our official audited information, which the Federal Government then reviews and grades, which finishes the audit process. We also must submit, and are in the process of submitting, our Management Assessment Information. After passing these criteria, we are then eligible for funding of Capital Funds on the monies appropriated, and approved by the Federal Government for that particular fiscal year. Our agency has continually been graded and designated a high performer, as you will note by the attached enclosure.

We are doing a construction remodel project this past year at the "411" and "401" River Road buildings. The project will be new roofing and venting for the "411" building as well as insulation and venting upgrades for the 401 River road building. The GRHRA Board authorized and awarded the work which will proceed shortly.

I shall be attending the August 26, 2013 meeting to answer any questions that the Grand Rapids City Council may have pertaining to the GRHRA.

Respectfully Submitted,

Jerry Culliton  
GRHRA

Enclosures: PHA score

# HA Profiles



**HA :** MN057 **Hub :** 5HMIN Minneapolis Hub  
**Field Office :** 5KPH MINNEAPOLIS HUB OFFICE

## HA Details

<b>HA Code:</b> MN057	<b>TTY:</b>
<b>Common Name:</b> GRAND RAPIDS HRA	<b>Web Page Address:</b>
<b>Formal Name:</b> HRA of GRAND RAPIDS, MINNESOTA	<b>Email Address:</b>
<b>Activity Status:</b> Active	<b>Executive Director:</b> Jerry Culliton
<b>HA Program Type:</b> Low-Rent	<b>Board Chair-Person:</b> Len Salmela
<b>HA FY End:</b> 12/31	<b>Last Modified User:</b>
<b>Phone #:</b> (218) 326 9515 ext 0	<b>Last Modified Date:</b> 08/14/2013
<b>FAX #:</b> (218) 326 5019	

## HA Address

	Physical Address	Mailing Address
<b>Address Line1:</b>	411 NW 7TH Street	<b>Address Line1:</b>
<b>Address Line2:</b>		<b>Address Line2:</b>
<b>County Name:</b>	ITASCA	<b>County Name:</b>
<b>City/Locality:</b>	GRAND RAPIDS	<b>City/Locality:</b>
<b>State:</b>	MN	<b>State:</b>
<b>Zip Code:</b>	55744	<b>Zip Code:</b>

## HA Inventory

### Low Rent Information

Start

Next 1000

Total

<b>In Management</b>	1	92
<b>In Development</b>	0	0
<b>Total</b>	1	92

PHAS

Year	PHAS	Score	HA Profile	Notes
01/21/2011	PHAS	98.0	High Performer	Not Assigned

HA Funding

**Low Rent As Of 08/10/2013**

Operating Grants	Fiscal Year	Operating	Capital
Operating Subsidy	2013	\$59,488.00	\$59,488.00
	2011	\$99,322.00	\$99,322.00
	2010	\$107,557.00	\$100,546.00
	2009	\$119,820.00	\$119,820.00
<b>Grant Total</b>		<b>\$386,187.00</b>	<b>\$379,176.00</b>
<b>Operating Grants</b>			
CFP	2013		
<b>Grant Total</b>			
<b>Low Rent Total</b>		<b>\$386,187.00</b>	<b>\$379,176.00</b>





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

# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0504      **Version:** 1      **Name:** Accept a donation from Affinity Plus Credit Union  
**Type:** Agenda Item      **Status:** Civic Center, Parks & Recreation  
**File created:** 8/21/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Adopt a resolution accepting a donation from Affinity Plus Credit Union  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Affinity Plus Resolution](#)

Date	Ver.	Action By	Action	Result
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Adopt a resolution accepting a donation from Affinity Plus Credit Union

**Background Information:**

Affinity Plus Credit Union has committed to funding the purchase of a new playground to be constructed at Maplewood Park. Their donation of \$22,638.53 will cover the cost of equipment, supervised install, and wood fiber.

**Staff Recommendation:**

Approve a resolution accepting a donation of \$22,638.53 from Affinity Plus Credit Union to purchase play equipment to be constructed at Maplewood Park.

**Requested City Council Action**

Consider adopting a resolution accepting a donation of \$22,638.53 from Affinity Plus Credit Union to purchase play equipment to be constructed at Maplewood Park.



August 21, 2013

To Whom It May Concern:

Fundraising is currently underway to cover expenses incurred by the City of Grand Rapids to buy and install playground equipment at Maplewood Park in southeast Grand Rapids, with installation scheduled for 9/21/2013. There are a number of different entities involved in fundraising - including neighborhood groups, individuals, businesses, and civic organizations and foundations - all with the intent of donating funds raised to the Maplewood Park playground project.

At this time it is uncertain how much will be raised; therefore it is the intent of this letter is to inform you that Affinity Plus Federal Credit Union will guarantee to cover the difference between money collected through the above efforts and \$23,000 which is the projected total cost for this project.

Please feel free to contact me at 651-312-6360 or 218-398-2982 if you have any questions regarding this guarantee.

Sincerely,

A handwritten signature in blue ink that reads 'Debbie Bruns'.

Debbie Bruns

Director of Branch Services

Affinity Plus Federal Credit Union

535 E Hwy 2

Grand Rapids, MN 55744

1001 S. Pokegama Ave, Suite G  
Grand Rapids, MN 55744  
Phone (800) 322-7228  
Fax (218) 326-7083  
[www.affinityplus.org](http://www.affinityplus.org)



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

RESOLUTION NO. 13-

A RESOLUTION ACCEPTING A \$22,638.53 DONATION FROM AFFINITY PLUS FEDERAL CREDIT UNION TO THE CITY OF GRAND RAPIDS RECREATION DEPARTMENT TO PURCHASE PLAY EQUIPMENT TO BE CONSTRUCTED AT MAPLEWOOD PARK

WHEREAS, Minnesota State Statutes 465.03, states that cities may accept gifts of real or personal property, including money, and use them in accordance with the terms the donor prescribes; and

WHEREAS, every such acceptance shall be by resolution of the governing body adopted by two-thirds majority of its members,

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Grand Rapids, Itasca County, Minnesota, accepts the listed donation and terms of the donor as follows:

- Affinity Plus Federal Credit Union has donated \$22,638.53 to the City of Grand Rapids Recreation Department to purchase new play equipment to be constructed at Maplewood Park.

Adopted this 26th day of August, 2013

---

Dale C. Adams, Mayor

Attest:

---

Kimberly Johnson-Gibeau, City Clerk

Councilmember seconded the foregoing resolution and the following voted in favor thereof ; and the following voted against same: None, whereby the resolution was declared duly passed and adopted.





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

# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0502      **Version:** 1      **Name:** Purchase a playground for Maplewood Park  
**Type:** Agenda Item      **Status:** Civic Center, Parks & Recreation  
**File created:** 8/21/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Purchase a playground to be placed at Maplewood Park.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Grand Rapids Park Equip.](#)  
[Grand Rapids install](#)

Date	Ver.	Action By	Action	Result
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Purchase a playground to be placed at Maplewood Park.

**Background Information:**

Earlier this summer we removed the playground at Maplewood Park as we deemed it unsafe for use. No immediate plans to replace the equipment were in place as there were no CIP funds available for park equipment in 2014. After reading the article in our local paper about how disappointed residents in that neighborhood were, employees from Affinity Plus Credit Union asked to meet with Mayor Adams, Jeff Davies, and myself. They expressed interest in heading up a fundraising effort to install a new playground at Maplewood Park this fall. Seeing great success in their efforts, they have provided a letter of commitment to cover the cost of a new playground and surfacing materials. Our Public Works department will perform all site preparation and assist in the install.

Affinity Plus Credit Union met with neighbors to select a play structure for the park. A Gametime play system from Minnesota / Wisconsin Playground was selected. This is a reputable company who we have purchased our last three playgrounds from. No other bids or quotes are necessary as the purchase will be made through US Communities, a government purchasing alliance which guarantees the best possible pricing. Included in the quote is a supervised install and wood fiber to be placed within the border.

**Staff Recommendation:**

Purchase a play structure from Minnesota / Wisconsin Playground for \$22,638.53.

**Requested City Council Action**

Consider purchasing a play structure from Minnesota / Wisconsin Playground for \$22,638.53.



**Minnesota / Wisconsin Playground**  
**5101 Highway 55, Suite 6000**  
**Golden Valley, Minnesota 55422**  
**Ph. 800-622-5425 | 763-546-7787**  
**Fax 763-546-5050 | info@mnwiplay.com**

**QUOTE**  
**#8342**

08/20/2013

**City Park**

Ship To Zip: 55744

City of Grand Rapids  
 Attn: Dale Anderson  
 420 N Pokegama Ave  
 Grand Rapids, MN 55744  
 Phone: 218-259-4485  
 Fax: 218-326-5410  
 danderson@ci.grand-rapids.mn.us

Quantity	Part #	Description	Unit Price	Amount
1	178749	GameTime - Owner's Kit	\$49.00	\$49.00
1	19210	GameTime - PrimeTime Walker's Ridge <i>- This unit ordered through US Communities            (government purchasing alliance) a            competitively bid process, in spring palette            colors.</i>	\$23,886.00	\$23,886.00

SubTotal: \$23,935.00  
 Discount: (\$8,360.10)  
 Tax: \$1,237.12  
 Freight: \$2,419.51  
**Total Amount: \$19,231.53**

This quotation is subject to policies in the current Gametime Park and Playground catalog and the following terms and conditions. Our quotation is based on shipment of all items at one time to a single destination, unless noted, and changes are subject to price adjustment. Purchases in excess of \$1,000.00 to be supported by your written purchase order made out to Gametime, c/o Minnesota/Wisconsin Playground.

Pricing: f.o.b. factory, firm for 30 days from date of quotation. Sales tax, if applicable, will be added at time of invoice unless a tax exempt certificate is provided at time of order entry.

Payment terms: payment in full, net 30 days subject to approval by GameTime Credit Manager. A 1.5% per month finance charge will be imposed on all past due accounts. Equipment shall be invoiced separately from other services and shall be payable in advance of those services and project completion. Retainage not accepted.

Shipment: order shall ship within 30-45 days after GameTime's receipt and acceptance of your purchase order, color selections, approved submittals, and receipt of deposit, if required.

Freight charges: Prepaid & added

**Acceptance of quotation:**

Accepted By (printed): \_\_\_\_\_

P.O. No: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Phone: \_\_\_\_\_

Facsimile: \_\_\_\_\_

Purchase Amount: **\$19,231.53**



**Minnesota / Wisconsin Playground**  
**5101 Highway 55, Suite 6000**  
**Golden Valley, Minnesota 55422**  
**Ph. 800-622-5425 | 763-546-7787**  
**Fax 763-546-5050 | info@mnwiplay.com**

**QUOTE**  
**#8362**

08/20/2013

**Walkers Ridge Install and EWF**

City of Grand Rapids  
 Attn: Dale Anderson  
 1401 NW 3rd Ave  
 Grand Rapids, MN 55744  
 Phone: 218-259-4485  
 Fax: 218-326-5410  
 danderson@ci.grand-rapids.mn.us

Ship To Zip: 55744

Quantity	Part #	Description	Unit Price	Amount
1		Supervised Install w/Lodging, and millage - All holes and site prep by others	\$1,397.00	\$1,397.00
1		93 cu yds EWF Material only	\$2,010.00	\$2,010.00
			<b>SubTotal:</b>	<b>\$3,407.00</b>
			<b>Total Amount:</b>	<b>\$3,407.00</b>

This quotation is subject to current Minnesota/Wisconsin Playground policies as well as the following terms and conditions. Our quotation is based on shipment of all items at one time to a single destination, unless noted, and changes are subject to price adjustment. Purchases in excess of \$1,000.00 to be supported by your written purchase order made out to Minnesota/Wisconsin Playground.

Pricing: f.o.b. factory, firm for 30 days from date of quotation. Sales tax, if applicable, will be added at time of invoice unless a tax exempt certificate is provided at time of order entry.

Payment terms: payment in full, net 30 days subject to approval by GameTime Credit Manager. A 1.5% per month finance charge will be imposed on all past due accounts. Equipment shall be invoiced separately from other services and shall be payable in advance of those services and project completion. Retainage not accepted.

EWF Shipment: order shall deliver within 14 - 21 days after our receipt and acceptance of your purchase order as well as schedule and weather allowing. Bulk material will ship via semi-truck/trailer with a live floor system in trailer which allows driver to deposit EWF directly onto a specific area provided proper access is available. Driver has final say whether the site has proper access. Site restoration is not included and will be the responsibility of the owner/owner's representative. Road restrictions may be in effect and cause delays depending on time of year.

Freight charges: Prepaid & added

Exclusions: unless specifically included, this quotation excludes all site work and landscaping; removal of existing equipment; acceptance of equipment and off-loading; storage of goods prior to installation; equipment assembly and installation; safety surfacing; borders and drainage provisions.

**Acceptance of quotation:**

Accepted By (printed): \_\_\_\_\_ P.O. No: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Facsimile: \_\_\_\_\_ Purchase Amount: **\$3,407.00**





# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0509      **Version:** 1      **Name:** Recommended changes to the Ordinance Sec. 42-42 Firearms and the firearms zones map.

**Type:** Agenda Item      **Status:** Police

**File created:** 8/21/2013      **In control:** City Council

**On agenda:** 8/26/2013      **Final action:**

**Title:** Recommended changes to the Chapter 42, 42 Firearms Ordinance and the firearm zones map.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Firearms rough draft](#)  
[Firearms Map](#)  
[Firearms Ordinance](#)

Date	Ver.	Action By	Action	Result
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Recommended changes to the Chapter 42, 42 Firearms Ordinance and the firearm zones map.

### **Background Information:**

The Police Department is recommending changes to the city's firearms ordinance and firearm zones map, with the annexation now complete and with much new development within the city limits, the police department feels it is necessary to make changes to our current ordinance. Over the past several years the police department has monitored the effectiveness of the current ordinance and has found that the current ordinance is in need of changes.

The police department, city staff and members of the Minnesota DNR have met and discussed the proposed changes. The police department has taken input from the public and City Council and feel that the proposed changes best satisfies all whom have a vested interest.

Attached, you will find a copy of the proposed ordinance with text changes denoted in red. Also attached is a copy of the proposed map indicating the newly proposed zones.

### **Staff Recommendation:**

Staff recommends the acceptance of the proposed text and map changes to Ordinance 42-42 Firearms.

### **Requested City Council Action**

Consider adopting an Ordinance amending Chapter 42, Sec. 42 pertaining to Firearms, the firearm zones map and authorize publication in summary form.



Sec. 42-42. Firearms

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

- (1) The term "firearms" shall mean any device from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive substance; or for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas or vapor.
- (2) Bows and arrows when arrowheads are made of all-steel barbless design, and the blade of high carbon steel more than one inch wide for a single two-edge blade and of more than a three-inch circumference for three or more blades with a weight in excess of 110 grains; or when arrowheads are made with blades of mill-tempered spring steel containing a plastic core or ferrule in excess of such dimensions and with a weight in excess of 90 grains; or when arrows are poisoned or have explosive tips.
- (3) All instruments used to propel a high-velocity pellet of any kind, including but not limited to air rifles and compressed air guns.
- (4) Slingshots.

(5) Any similar type instrument, whether such instrument is called by any name set forth in this definition or any other name. The term "dangerous weapon" does not include a stud gun or nail gun used in the construction industry or children's popguns or toys.

(6) The term "rare circumstances" shall be defined as a condition, fact, or event to be taken into consideration that indicates the probability or improbability of an event.

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(b) Discharge. No person shall discharge within the city in zone one (1) any loaded firearms, slingshot, bow and arrow, air rifle, or other device for throwing projectiles except for any authorized association or club operating a rifle range or other firearms concession with the express permission and authorization of the Chief of Police and or city council. Such permits shall set up specifications as to supervision, locations, and liability insurance. Such groups that may request the use of city property or any privately or publicly held



land, which exists within the city limits, must apply for a permit to conduct activities that involve the discharge of firearms. ~~Such permit requests will only be granted upon a majority vote of a quorum and only after input from the chief of police or designee.~~

(c) Zone two (2). Archery only will be allowed in zone two (2).

(d) Zone three (3). The discharge of a shotgun, shotgun with slugs, a muzzle load and archery will be allowed in zone three (3).

~~(d)(e)~~ Zone four (4) The discharge of a rifle, shotgun, shotgun with slugs, a muzzle load and archery will be allowed in zone four (4).

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(e)(f) Exceptions. This section does not prohibit the use of firearms by duly authorized law enforcement officers within the city. This section does not apply to city officials with proper state and/or federal permits for the purpose of wildlife management to use firearms for said purpose. Additionally, under rare circumstances a permit may be obtained from the Grand Rapids Chief of Police for a temporary ~~, or a renewable annual permit of up to five years~~, to allow for the discharge of firearms and/or bows and arrows that would otherwise be prohibited. Each requested permit will be judged on its own merit and if granted may be subject to conditions, terms, time constraints, or other considerations as prescribed by the chief of police after consultation with other city departments.

~~(f)(g)~~ The designation of zones as listed above will be reviewed and may be modified by the chief of police after consulting with appropriate city staff and with final approval of the Grand Rapids City Council.

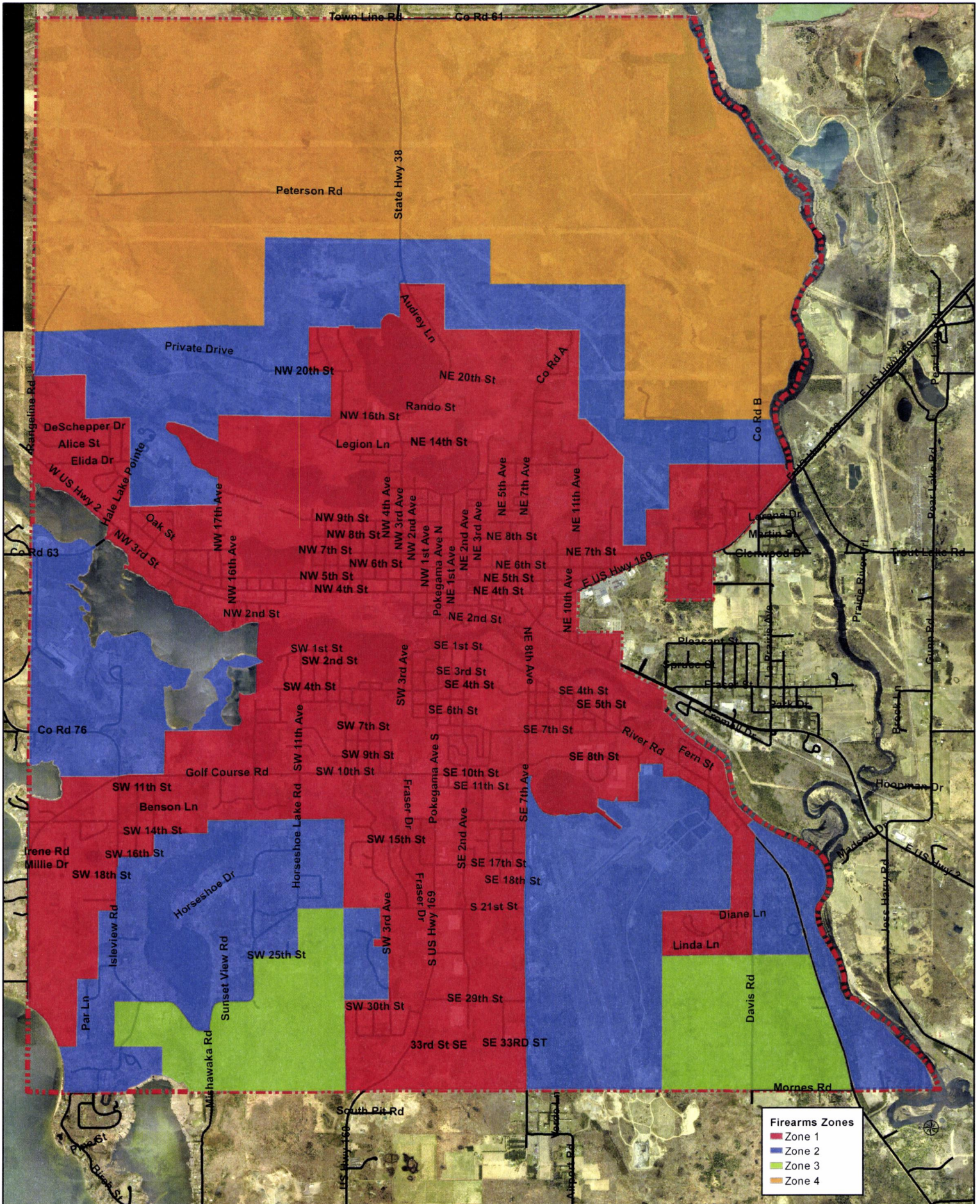
(Code 1978, § 42.15(a), (c); Ord. No. 03-10-13, 10-27-2003; Ord. No. 06-10-05, 10-10-2006; Amd. of 8-31-2011)

State law reference— Authority to prohibit discharge of firearms preserved, Minn. Stat. § 471.633; firearms generally, Minn. Stat. § 624.71 et seq.



# Grand Rapids Firearms Zones

(Revised 2013)





Councilor           introduced the following ordinance and moved for its adoption:

**CITY OF GRAND RAPIDS  
ORDINANCE NO. 13 -**

**AN ORDINANCE AMENDING CHAPTER 42, SECTION 42 PERTAINING TO  
FIREARMS OF THE GRAND RAPIDS CITY CODE**

**Sec. 42-42. - Firearms.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

- (1) The term "firearms" shall mean any device from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive substance; or for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas or vapor.
  
- (2) Bows and arrows when arrowheads are made of all-steel barbless design, and the blade of high carbon steel more than one inch wide for a single two-edge blade and of more than a three-inch circumference for three or more blades with a weight in excess of 110 grains; or when arrowheads are made with blades of mill-tempered spring steel containing a plastic core or ferrule in excess of such dimensions and with a weight in excess of 90 grains; or when arrows are poisoned or have explosive tips.
  
- (3) All instruments used to propel a high-velocity pellet of any kind, including but not limited to air rifles and compressed air guns.
  
- (4) Slingshots.
  
- (5) Any similar type instrument, whether such instrument is called by any name set forth in this definition or any other name. The term "dangerous weapon" does not include a stud gun or nail gun used in the construction industry or children's popguns or toys.



- (6) The term “rare circumstances” shall be defined as a condition, fact, or event to be taken into consideration that indicates the probability or improbability of an event.
- (b) Discharge. No person shall discharge within the city in zone one (1) any loaded firearms, slingshot, bow and arrow, air rifle, or other device for throwing projectiles except for any authorized association or club operating a rifle range or other firearms concession with the express permission and authorization of the Chief of Police and or city council. Such permits shall set up specifications as to supervision, locations, and liability insurance. Such groups that may request the use of city property or any privately or publicly held land, which exists within the city limits, must apply for a permit to conduct activities that involve the discharge of firearms.
- (c) Zone two (2). Archery only will be allowed in zone two (2).
- (d) Zone three (3). The discharge of a shotgun, shotgun with slugs, a muzzle load and archery will be allowed in zone three (3).
- (e) Zone four (4) The discharge of a rifle, shotgun, shotgun with slugs, a muzzle load and archery will be allowed in zone four (4).
- (f) Exceptions. This section does not prohibit the use of firearms by duly authorized law enforcement officers within the city. This section does not apply to city officials with proper state and/or federal permits for the purpose of wildlife management to use firearms for said purpose. Additionally, under rare circumstances a permit may be obtained from the Grand Rapids Chief of Police for a temporary permit, to allow for the discharge of firearms and/or bows and arrows that would otherwise be prohibited. Each requested permit will be judged on its own merit and if granted may be subject to conditions, terms, time constraints, or other considerations as prescribed by the chief of police after consultation with other city departments.
- (g) The designation of zones as listed above will be reviewed and may be modified by the chief of police after consulting with appropriate city staff and with final approval of the Grand Rapids City Council.

(Code 1978, § 42.15(a), (c); Ord. No. 03-10-13, 10-27-2003; Ord. No. 06-10-05, 10-10-2006; Amd. of 8-31-2011)

State law reference— Authority to prohibit discharge of firearms preserved, Minn. Stat. § 471.633; firearms generally, Minn. Stat. § 624.71 et seq.

Adopted by the City Council of the City of Grand Rapids, Minnesota, this 26th day of August, 2013.

\_\_\_\_\_  
Dale Adams, Mayor

Attest:

\_\_\_\_\_  
Kimberly Johnson-Gibeau, City Clerk

Councilor \_\_\_\_\_ seconded the foregoing resolution and the following voted in favor thereof:  
; Abstain: \_\_\_\_\_; and the following voted against same: None, whereby the ordinance was declared duly passed and adopted.



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0508      **Version:** 1      **Name:** Consider appointing Anthony Beer to the position of Cemetery/Airport Maintenance Worker.  
**Type:** Agenda Item      **Status:** Administration Department  
**File created:** 8/21/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider appointing Anthony Beer to the position of Cemetery/Airport Maintenance Worker.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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Consider appointing Anthony Beer to the position of Cemetery/Airport Maintenance Worker.

**Background Information:**

At the June 10, 2013 City Council meeting, the City Council adopted the job description for Cemetery/Airport Maintenance and authorized City staff to begin the process of filling the vacancy. We advertised the position and received 100 applications from several qualified applicants. The interview committee consisting of Public Works Director Jeff Davies, Cemetery Sexton Larry Hoopman, Building/Airport Maintenance Worker Everett Baumgarner and Human Resources Director Lynn DeGrio interviewed nine candidates. The candidate we are recommending for appointment to the position is Anthony Beer.

Anthony is a graduate of Greenway High School and attended Minnesota State Community and Technical College in Wadena for carpentry. He has heavy equipment operation experience, snow removal experience, experience with operating multiple types of machinery, and great people skills. Anthony has been employed by A-Plus Seamless Gutters as a Gutter Installer, The Home Depot as a Merchandising Execution Associate, and most recently with Morton Buildings as a Crew Member/Carpenter.

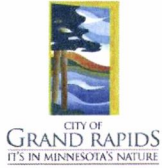
**Staff Recommendation:**

The Interview Committee is recommending the hiring of Anthony Beer to the position of Cemetery/Airport Maintenance Worker at a rate of \$17.577 per hour per union contract subject to a background check, psychological exam, and drug screening.

**Requested City Council Action**

Consider appointing Anthony Beer to the position of Cemetery/Airport Maintenance Worker effective September 1, 2013 at a rate of \$17.577 per hour per union contract.





# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

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**File #:** 13-0523      **Version:** 1      **Name:** VERIFIED CLAIMS  
**Type:** Agenda Item      **Status:** Verified Claims  
**File created:** 8/22/2013      **In control:** City Council  
**On agenda:** 8/26/2013      **Final action:**  
**Title:** Consider approving the verified claims for the period August 6, 2013 to August 19, 2013 in the total amount fo \$ 516,679.97.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [8/26/2013 Bill List](#)

Date	Ver.	Action By	Action	Result
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Consider approving the verified claims for the period August 6, 2013 to August 19, 2013 in the total amount fo \$ 516,679.97.

**Requested City Council Action**

Consider approving the verified claims for the period August 6, 2013 to August 19, 2013 in the total amount fo \$ 516,679.97.

CITY OF GRAND RAPIDS COUNCIL BILL LIST - AUGUST 26, 2013

DATE: 08/22/2013  
 TIME: 11:14:17  
 ID: AP443000.CGR

CITY OF GRAND RAPIDS  
 DEPARTMENT SUMMARY REPORT

PAGE: 1

INVOICES DUE ON/BEFORE 08/26/2013

VENDOR #	NAME	AMOUNT DUE
GENERAL FUND		
CITY WIDE		
0718015	GRAND RAPIDS CITY PAYROLL	52.00
	TOTAL CITY WIDE	52.00
ADMINISTRATION		
0618080	FRAME UP	320.45
1805230	REESE RUBBER STAMP COMPANY	26.71
1920240	STERLE LAW OFFICE	2,500.00
	TOTAL ADMINISTRATION	2,847.16
BUILDING MAINTENANCE-CITY HALL		
0103325	ACHESON TIRE COMPANY INC	42.06
0113233	AMERIPRIDE LINEN & APPAREL	24.83
0315455	COLE HARDWARE INC	6.59
0920060	ITASCA COUNTY TREASURER	200.25
1301067	MANGSETH PAINTING INC	370.00
1909510	SIM SUPPLY INC	124.05
	TOTAL BUILDING MAINTENANCE-CITY HALL	767.78
COMMUNITY DEVELOPMENT		
1309495	MINUTEMAN PRESS	184.10
	TOTAL COMMUNITY DEVELOPMENT	184.10
COUNCIL/COMMISSION/BOARDS		
1920240	STERLE LAW OFFICE	2,500.00
	TOTAL COUNCIL/COMMISSION/BOARDS	2,500.00
ENGINEERING		
0920060	ITASCA COUNTY TREASURER	46.84
	TOTAL ENGINEERING	46.84
FINANCE		
1805230	REESE RUBBER STAMP COMPANY	5.34
	TOTAL FINANCE	5.34

CITY OF GRAND RAPIDS COUNCIL BILL LIST - AUGUST 26, 2013

DATE: 08/22/2013  
 TIME: 11:14:17  
 ID: AP443000.CGR

CITY OF GRAND RAPIDS  
 DEPARTMENT SUMMARY REPORT

PAGE: 2

INVOICES DUE ON/BEFORE 08/26/2013

VENDOR #	NAME	AMOUNT DUE
GENERAL FUND		
FIRE		
0103325	ACHESON TIRE COMPANY INC	3,120.00
0112220	ALERT ALL CORPORATION	1,506.00
0121721	AUTO VALUE - GRAND RAPIDS	38.46
0221650	BURGGRAF'S ACE HARDWARE INC	25.80
0717996	GRAND ITASCA CLINIC	467.40
0920060	ITASCA COUNTY TREASURER	81.93
1200500	L&M SUPPLY	206.82
2209421	VIKING ELECTRIC SUPPLY INC	20.36
	TOTAL FIRE	5,466.77
PUBLIC WORKS		
0100002	3D SPECIALTIES	916.30
0113240	AMERICAN PUBLIC WORKS ASSOC	355.00
0221650	BURGGRAF'S ACE HARDWARE INC	249.15
0301685	CARQUEST AUTO PARTS	75.90
0315455	COLE HARDWARE INC	62.66
0401804	DAVIS OIL	434.64
0612083	FLAGSHIP RECREATION LLC	571.78
0618080	FRAME UP	70.54
0801825	HAWKINSON CONSTRUCTION CO INC	803.12
0805093	HEADWATERS IRRIGATION	2,226.14
0920040	ITASCA COUNTY FARM SERVICE	88.28
0920060	ITASCA COUNTY TREASURER	1,748.70
1200500	L&M SUPPLY	117.51
1205110	LEASE LANDSCAPING	220.00
1309355	MINNESOTA TORO	396.64
1415640	NORTRAX EQUIPMENT COMPANY	399.75
1415685	NORTHWEST ASPHALT MAINT INC	15,506.75
1615650	PORTABLE JOHN	1,667.28
1618555	PROFESSIONAL TURF & RENOVATION	2,832.19
1801615	RAPIDS WELDING SUPPLY INC	15.71
1801897	RAY JOHNSON STUMP GRINDING	180.00
1815920	ROYS TREE SPADE SERVICE	275.00
1908248	SHERWIN-WILLIAMS	127.07
2021650	TURF AND TREE INC	14,813.83
2605225	ZEE SERVICE COMPANY	34.07
	TOTAL PUBLIC WORKS	44,188.01
FLEET MAINTENANCE		
0103325	ACHESON TIRE COMPANY INC	372.69
0121721	AUTO VALUE - GRAND RAPIDS	14.95
0301685	CARQUEST AUTO PARTS	210.74



CITY OF GRAND RAPIDS COUNCIL BILL LIST - AUGUST 26, 2013

DATE: 08/22/2013  
 TIME: 11:14:17  
 ID: AP443000.CGR

CITY OF GRAND RAPIDS  
 DEPARTMENT SUMMARY REPORT

PAGE: 3

INVOICES DUE ON/BEFORE 08/26/2013

VENDOR #	NAME	AMOUNT DUE
GENERAL FUND		
FLEET MAINTENANCE		
0315455	COLE HARDWARE INC	4.25
0805640	HERC-U-LIFT	141.08
0920060	ITASCA COUNTY TREASURER	127.28
1109500	KIMBALL MIDWEST	30.65
1309355	MINNESOTA TORO	-220.29
1415536	NORTHLAND HYDRAULIC SERVICE	1,124.07
1500700	OSI ENVIRONMENTAL BR 50	50.00
1615427	POKEGAMA LAWN AND SPORT	489.13
1914100	SNAP - ON TOOLS	125.04
TOTAL FLEET MAINTENANCE		2,469.59
POLICE		
0103325	ACHESON TIRE COMPANY INC	20.00
0218220	BRENT RICHTER CONSULTING LLC	150.00
0300200	CDW GOVERNMENT INC	267.19
0920060	ITASCA COUNTY TREASURER	5,077.91
1105235	K.E.E.P.R.S. INC	443.73
1200500	L&M SUPPLY	137.84
1801609	RAPIDS TOWING	500.00
1920233	STREICHER'S INC	120.29
2000400	T J TOWING	210.00
TOTAL POLICE		6,926.96
GENERAL FUND-LIQUOR/CHART GAMB		
1205250	LEFTYS TENT & PARTY RENTAL	107.62
TOTAL		107.62
CENTRAL SCHOOL		
0113233	AMERIPRIDE LINEN & APPAREL	188.02
0221650	BURGGRAF'S ACE HARDWARE INC	-0.31
0405223	DEER RIVER HIRED HANDS INC	25.00
1503150	OCCUPATIONAL DEVELOPMENT CTR	69.47
1801555	RAPID PEST CONTROL INC	61.45
1909510	SIM SUPPLY INC	215.05
TOTAL		558.68

CITY OF GRAND RAPIDS COUNCIL BILL LIST - AUGUST 26, 2013

DATE: 08/22/2013  
 TIME: 11:14:17  
 ID: AP443000.CGR

CITY OF GRAND RAPIDS  
 DEPARTMENT SUMMARY REPORT

PAGE: 4

INVOICES DUE ON/BEFORE 08/26/2013

VENDOR #	NAME	AMOUNT DUE
-----		
AIRPORT		
0315455	COLE HARDWARE INC	93.97
0504825	EDWARDS OIL INC	354.04
0801450	HALI-BRITE INC	623.13
T000904	JOHN UNDEM	1,099.00
	TOTAL	2,170.14
CIVIC CENTER		
GENERAL ADMINISTRATION		
0113233	AMERIPRIDE LINEN & APPAREL	338.07
0205153	BECKER ARENA PRODUCTS INC	417.03
0221650	BURGGRAF'S ACE HARDWARE INC	97.48
0315453	COLE-PARMER INSTRUMENT CO	418.91
0315455	COLE HARDWARE INC	59.01
0405223	DEER RIVER HIRED HANDS INC	15.00
0605670	FERRELLGAS	165.46
0701650	GARTNER REFRIGERATION CO	853.50
0715095	GOALCREASE INC	240.00
0920060	ITASCA COUNTY TREASURER	50.01
1301168	MARKETPLACE FOODS	43.16
1421155	NUCH'S IN THE CORNER	8.00
1605611	PEPSI-COLA	179.12
1901535	SANDSTROM COMPANY INC	261.15
1909510	SIM SUPPLY INC	156.73
2605225	ZEE SERVICE COMPANY	51.99
	TOTAL GENERAL ADMINISTRATION	3,354.62
RECREATION PROGRAMS		
0116617	APPLIED INSIGHTS NORTH	2,895.00
0718004	GRAHA	275.00
1100130	KBAJ-FM	120.00
1100300	KGPZ RADIO INC	120.00
1605611	PEPSI-COLA	100.00
1801204	RADIO USA 99.9 WUSZ/WHLB 1400	252.00
2018225	TREASURE BAY PRINTING INC	111.15
2301335	WTBX 94 INC	252.00
	TOTAL	4,125.15
STATE HAZ-MAT RESPONSE TEAM		

CITY OF GRAND RAPIDS COUNCIL BILL LIST - AUGUST 26, 2013

DATE: 08/22/2013  
 TIME: 11:14:17  
 ID: AP443000.CGR

CITY OF GRAND RAPIDS  
 DEPARTMENT SUMMARY REPORT

PAGE: 5

INVOICES DUE ON/BEFORE 08/26/2013

VENDOR #	NAME	AMOUNT DUE
STATE HAZ-MAT RESPONSE TEAM		
0221650	BURGGRAF'S ACE HARDWARE INC	8.54
0300200	CDW GOVERNMENT INC	359.88
0315455	COLE HARDWARE INC	64.08
2300600	W.P. & R.S. MARS COMPANY	157.64
TOTAL		590.14
CEMETERY		
0103325	ACHESON TIRE COMPANY INC	66.72
0109645	AIR ESPRESSO	38.93
0221650	BURGGRAF'S ACE HARDWARE INC	73.66
0301685	CARQUEST AUTO PARTS	116.09
0920060	ITASCA COUNTY TREASURER	513.63
TOTAL		809.03
DOMESTIC ANIMAL CONTROL FAC		
0113233	AMERIPRIDE LINEN & APPAREL	12.31
0920060	ITASCA COUNTY TREASURER	134.17
1415048	NORTH COUNTRY VET CLINIC	49.50
TOTAL		195.98
CAPITAL EQPT REPLACEMENT FUND		
CAPITAL OUTLAY-BLDG MAINT		
0114200	ANDERSON GLASS	517.30
TOTAL CAPITAL OUTLAY-BLDG MAINT		517.30
CAPITAL OUTLAY-FIRE DEPT		
0718211	GREAT PLAINS FIRE INC	1,062.32
TOTAL CAPITAL OUTLAY-FIRE DEPT		1,062.32
CAPITAL OUTLAY-PUBLIC WORKS		
1301015	MACQUEEN EQUIPMENT INC	99,430.09
TOTAL CAPITAL OUTLAY-PUBLIC WORKS		99,430.09



CITY OF GRAND RAPIDS COUNCIL BILL LIST - AUGUST 26, 2013

DATE: 08/22/2013  
 TIME: 11:14:17  
 ID: AP443000.CGR

CITY OF GRAND RAPIDS  
 DEPARTMENT SUMMARY REPORT

PAGE: 6

INVOICES DUE ON/BEFORE 08/26/2013

VENDOR #	NAME	AMOUNT DUE
AIRPORT CAPITAL IMPRV PROJECTS		
8/10	T-HANGAR APRON RECONST	
2000425	TKDA	834.07
TOTAL 8/10 T-HANGAR APRON RECONST		834.07
STORM WATER UTILITY		
0801535	HAMMERLUND CONSTRUCTION INC	30,577.50
0801825	HAWKINSON CONSTRUCTION CO INC	11,690.56
0920060	ITASCA COUNTY TREASURER	749.45
0920120	ITASCA UTILITIES INC	1,233.48
1809154	RICHARD RYSAVY	150.00
TOTAL		44,400.99
TOTAL UN-PAID TO BE APPROVED		223,610.68
CHECKS ISSUED-PRIOR APPROVAL		
PRIOR APPROVAL		
0114210	D. ANDERSON - CHANGE FUND	1,460.00
0212750	BLUE CROSS & BLUE SHIELD OF MN	33,667.50
0218100	BRENT BRADLEY	80.00
0301650	JEFF CARLSON	80.00
0305530	CENTURYLINK INC	268.08
0315451	CITY OF COLERAINE	1,188.80
0405200	CITY OF DEER RIVER	649.90
0421446	SMDC HEALTH SYSTEMS	200.20
0504610	RON EDMINSTER	104.29
0612224	FLEET SERVICES	4,272.79
0717996	GRAND ITASCA CLINIC	240.09
0718015	GRAND RAPIDS CITY PAYROLL	209,738.78
0718070	GRAND RAPIDS STATE BANK	490.05
0805358	JACKIE HEINRICH	40.00
0809445	CITY OF HILL CITY	780.84
0900060	ICTV	1,347.20
0920014	ITASCA CHIROPRACTIC CENTER	5.27
0920036	ITASCA COUNTY ATTORNEY OFFICE	956.80
0920055	ITASCA COUNTY RECORDER	112.00
1101645	LASHA KARELS	40.00
1201402	LAKE COUNTRY POWER	45.73
1301250	ROBERT MATTEI	3,545.22
1309098	MINNESOTA DEPT OF ADMN	590.00
1309180	MN STATE FIRE CHIEFS ASSOC	1,160.00
1309199	MINNESOTA ENERGY RESOURCES	80.30
1309335	MINNESOTA SALES & USE TAX	7,812.14
1315630	ASHLEY MORAN	40.00
1315654	NATHAN MORLAN	116.96

CITY OF GRAND RAPIDS COUNCIL BILL LIST - AUGUST 26, 2013

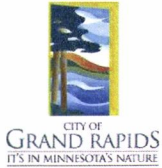
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 TIME: 11:14:17  
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CITY OF GRAND RAPIDS  
 DEPARTMENT SUMMARY REPORT

PAGE: 7

INVOICES DUE ON/BEFORE 08/26/2013

VENDOR #	NAME	AMOUNT DUE
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CHECKS ISSUED-PRIOR APPROVAL		
PRIOR APPROVAL		
1405435	JEREMY NELSON	80.00
1405850	NEXTERA COMMUNICATIONS LLC	380.80
1415479	NORTHERN DRUG SCREENING INC	54.00
1415530	NORTHLAND COUNSELING CENTER	22.19
1502645	GARY O'BRIEN	80.00
1518550	MATTHEW O'ROURKE	40.00
1520720	KEVIN OTT	80.00
1609561	PIONEER TELEPHONE	11.34
1621130	P.U.C.	18,433.17
1801206	RADIOLOGIST ASSOC. IN DULUTH	63.00
1901820	WILLIAM SAW	185.77
1903557	TROY SCOTT	80.00
2000490	TDS Metrocom	667.51
2205637	VERIZON WIRELESS	1,157.01
2209665	VISA	821.64
2301700	WASTE MANAGEMENT	387.67
2305447	WELLS FARGO BANK NA	1,175.00
T000896	JULIE GLASER	237.25
	TOTAL PRIOR APPROVAL	293,069.29
	TOTAL ALL DEPARTMENTS	516,679.97



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

<b>File #:</b>	13-0506	<b>Version:</b>	1	<b>Name:</b>	Conduct a public hearing to consider the rezoning of a 2.13 acre parcel of land from I-1 (Industrial Park) to GB (General Business).
<b>Type:</b>	Public Hearing	<b>Status:</b>		<b>Status:</b>	Public Hearing
<b>File created:</b>	8/21/2013	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	8/26/2013	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	Conduct a public hearing to consider the rezoning of a 2.13 acre parcel of land from I-1 (Industrial Park) to GB (General Business).				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Zoning Map Amendment- Maps and Excerpts</a> <a href="#">Zoning Map Amendment- Hardy Application</a> <a href="#">Understanding Spot Zoning.pdf</a>				

Date	Ver.	Action By	Action	Result
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Conduct a public hearing to consider the rezoning of a 2.13 acre parcel of land from I-1 (Industrial Park) to GB (General Business).

**Background Information:**

Ron and LeAnn Hardy filed an application for a Zoning Map Amendment with the City on July 15, 2013. The application requests the City’s consideration of the rezoning of the following described property from its current I-1 (Industrial Park) designation to that of GB (General Business):

*N 300' OF S 333' OF W 375' OF SW SW LESS HWY 38 ROW, SECTION 4, TOWNSHIP 55N, RANGE 25W*

The petition submitted by Mr. and Mrs. Hardy, involves a 2.13 acre parcel of land generally located east of the MN State Hwy. 38 and Peterson Road intersection (*see map #1*), it is the current home of City Limits Storage Center: 3414 Trout Road. Map #1 also illustrates the subject property in relation to the existing zoning in the area: I-1 to the north, south & east and RR (Rural Residential) to the west.

As is described within the rezoning petition, the requested zoning change is to accommodate an expansion of the existing mini storage facility. Within Section 30-512 -Table-1 (*Permitted Uses*) of the Municipal Code, the use: *mini storage*, is a permitted use that is not permitted within the I-1 zoning districts.

The subject property is located within, what was, Orderly Annexation Area No. 6, which was annexed into the City on January 1, 2010. In accordance with the Orderly Annexation Agreement, the zoning jurisdiction for this annexation area, including the subject property, was assumed by the City 5 years in advance, or on July 1, 2005. Being subject to annexation this area was classified as R-1, and remained as R-1 until such time as action is taken by the City to reclassify it. The city took this action in October 2008, as part of a comprehensive rezoning within the city, particularly the areas annexed. The subject area was rezoned to I-1, in accordance with the direction given in the 2003 Comprehensive Plan.

At the time the City assumed zoning jurisdiction, there were several existing uses considered as grandfathered Class 1 nonconforming uses in the subject area. Under Section 30-458(b) of the City Code, legal pre-existing nonconforming



uses are permitted to continue although the use of the land may not conform to the provisions of Division 1, Article VI of the City Code. For the existing nonconformity to be enlarged or expanded, the use will need to be permitted or consistent with the zoning district with which it is located in.

A sample listing of the uses permitted by right in an GB zoning district are as follows:

- Accessory apartments, multi-family housing, bed and breakfast accommodations daycare/nurseries, accessory buildings, pet shops, veterinary services, farm equipment/supplies sales, automotive sales, auto-truck fleet storage, transportation dispatch, construction material suppliers, equipment/truck sales & service, banks, restaurants, clinics, offices, administrative & support services, indoor recreation, health/fitness clubs, communication services, general sales & service, nursery/landscaping, grocery stores, medical equipment & supplies, pharmacy's, and educational service institutes, post-high schools, general warehousing, mini-storage, motor freight terminal, cultural facilities, monument work/sales and wholesale distribution facilities.

A sampling of other uses permitted in GB with additional restrictions includes:

- Emergency housing facilities, outdoor storage, auto repair/service, car/truck wash, gas stations, contractors yard, equipment/tool rental, clubs/lodges, temporary outdoor sales, churches, essential service structures, light manufacturing, and recycling centers.

In addition to the previously mentioned permitted uses and uses permitted w/restrictions: junk/salvage yards, interim uses, outdoor recreation facilities, and general retail sales and service- *buildings w/footprint greater than 70,000 sq. ft.* are permitted provided a CUP (Conditional Use Permit) is petitioned for and granted by the City. These uses, however, are not a driving factor in the petitioned rezoning request of the subject property.

The following table shows a comparison of the yard and bulk requirement of GB and I-1 zoning, and illustrates the major difference between the two being larger lot size requirements and greater setbacks in I-1 zoning.

	<b><u>GB</u></b>	<b><u>I-1</u></b>
<b>Min. Lot Size:</b>	<u>gross area-10,500 sq. ft.,</u> area (unit)-3,000 sq. ft., <u>width-75 ft.</u>	<u>gross area-1 acre,</u> area (unit)- N/A, width- 150 ft.
<b>Min. Yard Setbacks*:</b>	front-30 ft, int. side-10 ft, street side-15 ft, rear- 10 ft.	<u>front-50 ft, int. side-25 ft.,</u> <u>street side-25 ft, rear- 25 ft.</u>
<b>Max. Lot Coverage:</b>	building-40%, total surface-90%, GUOS (unit)- 500	building-50%, total surface-90%, GUOS- N/A
<b>Building Size:</b>	max. height- 35 ft., min. dimension- 24 ft	max. height- 40 ft., min. dimension- N/A.

*\*In addition to the current zoning and requested zoning map amendment, the property is subject to the requirements of the Scenic byway commercial overlay district as outlined in Section 30-707 of the Municipal Code (see attached). The area having the most impact on any development (existing or proposed) are described in subsection 4 pertaining to Site development requirements.*

Generally, the purpose of the Scenic Byway commercial overlay district is to ensure commercial development along

designated scenic byway corridors is in keeping with the intrinsic environmental qualities of the corridors as articulated by established corridor management plans such as, the Minnesota Trunk Highway 38 Edge of the Wilderness Corridor Management Plan.

The Future Land Use map contained within the Comprehensive Plan (*see map #2*) shows the subject property located within a larger area indicated as future Resource Management: *Excerpt from Comprehensive Plan, Chapter 4-11 Future Land Use- Open Space Land Use Policy*

*“Resource Management areas include public and private land uses that are focused primarily on natural resource industry uses, conservation areas, and recreation uses. This designation includes some parcels with buildings, but only when the predominant land use is oriented to natural landscapes or natural resource use. Forestry, mining, agriculture, and conservation areas that allow for some economic use are included in this category.*

*Resource Management areas include both those areas that are held in ‘urban reserve’ (intended for eventual expansion of urban land uses), and areas intended to remain in rural and natural resource uses.”*

The Planning Commission formally reviewed the petition for the Zoning Map Amendment at their August 1, 2013 regular meeting, and, based on their findings, which are incorporated into the draft resolution, forwarded a recommendation for denial of the petitioned rezoning of the subject property as requested by Ron and LeAnn Hardy.

The recommended denial was based upon the findings of fact listed within the draft resolution. A primary concern expressed by the Planning Commission, Staff, and the City Attorney was and is the requested map amendments inconsistency with the Comprehensive Plan and, as a result, a conclusion that approval would amount to “spot zoning”.

### **Requested City Council Action**

Conduct a public hearing to consider the rezoning of a 2.13 acre parcel of land from I-1 (Industrial Park) to GB (General Business).

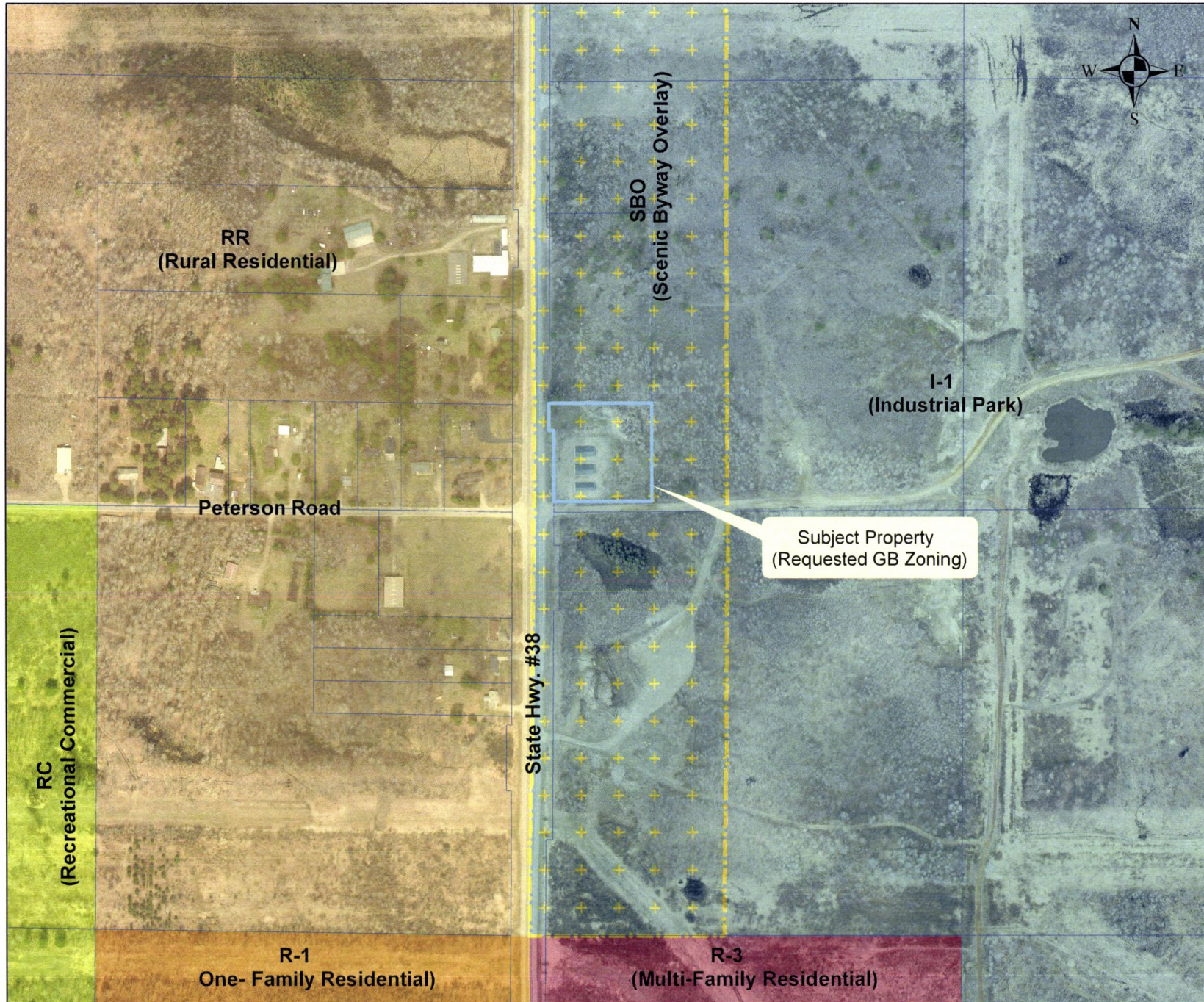


**Map #1**

**Hardy Zoning Map Amendment Request  
(I-1 to GB Requested)**



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



**Legend**

- Parcels
- R-1
- R-1a
- SR-1
- R-2
- SR-2
- R-3
- SR-3
- R-4
- RR
- SRR
- RC
- SRC
- LB
- SLB
- CBD
- GB
- SGB
- M
- SM
- BP
- SBP
- I-1
- SI-1
- I-2
- SI-2
- PU
- SPU
- CD
- AG
- AP
- MOD
- UO
- SBO
- PUD

**2009 Aerial Photo**

**RGB**

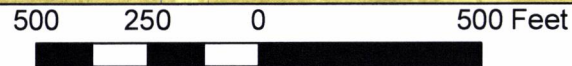
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

500 250 0 500 Feet





# Hardy Zoning Map Amendment Request (Comprehensive Plan Future Land Use)



**Legend**

- Parcels
- Comp. Plan Future Land Use
  - <all other values>
- FLU\_COMB
  - Business Park
  - Downtown Mixed Use
  - Highway Commercial
  - Institutional/Civic
  - Industrial Park
  - Industrial- Traditional
  - Medical Campus
  - Multi-Family Residential
  - Neighborhood Mixed Use
  - Parks & Recreation
  - Resource Management
  - Rural Residential
  - Suburban Residential
  - Traditional Neighborhood
  - Transportation & Utilities
- 2009 Aerial Photo
  - RGB
    - Red: Band\_1
    - Green: Band\_2
    - Blue: Band\_3



(b) *Applicability:* The Minnesota Trunk Highway 38 overlay district is intended for areas along Trunk Highway 38 extending from the centerline, 600 feet in either direction from the northerly boundary of Grand Rapids Township to the east/west quarter section line of Section 9. In cases where the City of Grand Rapids existing ordinances and policies conflict with the Minnesota Trunk Highway 38 Overlay District, the more restrictive provision applies.

(c) *Administration and enforcement:* All duties as outlined in Section 11 of the County's ordinance shall be carried out by the City of Grand Rapids Zoning Administrator and administrative ordinances or policies.

(Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

**Sec. 30-707. Scenic byway commercial overlay district.**

(a) *Purpose and intent:* The purpose of the Scenic Byway commercial overlay district is to ensure commercial development along designated scenic byway corridors is in keeping with the intrinsic environmental qualities of the corridors as articulated by established corridor management plans such as, the Minnesota Trunk Highway 38 Edge of the Wilderness Corridor Management Plan.

(b) *Jurisdiction:* The scenic byway commercial overlay zone shall encompass all lands shown as such on the official zoning map of the city.

(c) *Applicable regulations:* All regulations set forth under this chapter shall apply with the following additions and clarifications:

- (1) *Allowed uses.* Permitted, conditional or restricted uses within the scenic byway commercial overlay district shall be as allowed under section 30-512 for the underlying zoning district.
- (2) *Subdivision.* Lands within scenic byway commercial overlay districts shall be subdivided in accordance with this chapter and will be subject to the following additional requirements:
  - a. *Access and circulation plan.* In order to improve safety and preserve the effective movement of traffic along the highway corridor, subdivision of the property shall, to the maximum extent possible, provide for access to the individual properties from a centralized access point or points by way of publicly dedicated frontage or backage roads. All public easements and road right-of-way that are needed to allow the construction of service roads, trails and/or the needed expansion of highway right-of-way shall be dedicated to the city or state.
  - b. *Ghost platting.* If the lands within the Scenic Highway overlay district are not currently served with municipal sewer and water, nor planned to be immediately served, as part of the subdivision application process, a "ghost plat" shall be developed and provided for review. The ghost plat shall illustrate how commercial uses may be developed in such a manner that the parcels may be efficiently subdivided at a future date to facilitate a denser, urban development pattern,

when municipal sewer and water service becomes available. The ghost plat shall demonstrate how municipal sewer and water services may be engineered to serve the site as if it were part of the approved project.

- (3) *Stormwater management.* Site drainage plans must be submitted to ensure consistency with the stormwater management objectives of the city. Plans will be carefully reviewed to ensure both that proposed stormwater ponding areas contain sufficient storage capacity and whatever additional measures are necessary to guarantee that the quality of runoff from the site meets or exceeds the city's standards.
- (4) *Site development requirements.* The purpose of these requirements is to ensure that the commercial development provide compatible design, size and layout considerations to the unique character and natural environment along a scenic byway.
- a. Building setbacks shall be twice the required zoning district setback as provided for in Table 2-B of section 30-512.
  - b. Building design: Buildings shall incorporate high quality materials that provide long term durability and design appeal and shall incorporate the use of natural materials or materials of natural appearance whenever possible. Concrete cinder block and metal siding are prohibited on building facades that face Trunk Highway 38. Facade colors shall be low reflectance and subtle. High intensity colors are prohibited but complementary colors that accent primary colors are acceptable. Alterations or enlargements to any building or structure within the district shall meet the same standards as new construction.
  - c. Accessory buildings. No building or structure of a temporary character, trailer, tent or shack shall be constructed, placed or maintained upon the property except as accessory to and during the construction of permanent buildings.
  - d. Parking lot requirements. Parking lots shall be located in the rear and/or side yard areas of the properties. Lighting shall not produce unnecessary glare or light pollution.
  - e. Public utilities on site shall be placed underground to the extent possible.
  - f. To the extent possible, and consistent with the tree preservation requirements in section 30-595, mature trees along the perimeter of the site shall be preserved to maintain the natural and rural character of the development.
  - g. Bufferyard requirements. A Type "D" bufferyard shall be applied to all yards in the overlay district.
  - h. Signage. All signage shall be in compliance with the requirements referenced within section 30-706 (Minnesota Trunk Highway 38 Overlay District).

(Ord. No. 08-03-02, 3-10-08)

**Secs. 30-708—30-730. Reserved.**





### Open Space Land Use Policy

Open Space refers to land that has little or no built environment or infrastructure. Open space land uses have always had a significant presence in Grand Rapids, reflecting the City's natural resource based economic identity and the City's overall character, as emphasized in the City's logo and identity system. After the annexation of the township, Grand Rapids now has more land in forestry and natural resource industry use than in residential housing. Open Space has become a much more important element of the City's Comprehensive Plan.

Open Space land uses include several types of non-built uses, such as forestry, parks and trails, public and private recreation areas, agriculture, and community gardens, in addition to private lands with some buildings on very large lots. The Grand Rapids Comprehensive Plan has two land use categories that comprise the open space system: Parks and Recreation; and Resource Management. Resource Management is a new land use category that designates natural resource use as the primary value for the area, while recognizing that other secondary land uses also need to be accommodated in rural areas.

#### **Resource Management**



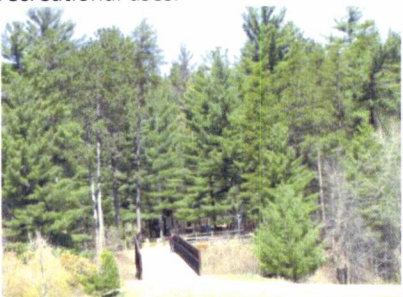
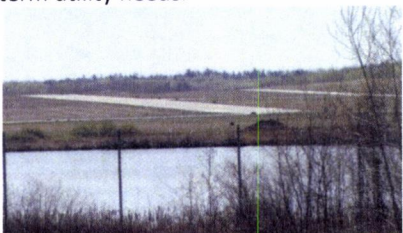
Resource Management areas include public and private land uses that are focused primarily on natural resource industry uses, conservation areas, and recreation uses. This designation includes some parcels with buildings, but only when the predominant land use is oriented to natural landscapes or natural resource use. Forestry, mining, agriculture, and conservation areas that allow for some economic use are included in this category.

Resource Management areas include both those areas that are held in 'urban reserve' (intended for eventual expansion of urban land uses), and areas intended to remain in rural and natural resource







Category / Description	Primary Land Use	Potential Secondary Land Uses	Other aspects, zoning considerations
<p><b>Institutional / Civic</b> – Larger campus-style institutions, mostly but not exclusively public and non-profit sector.</p> 	<p>Religious, educational, government institutions</p>	<p>Residential multi-family that is related to the institutional use.</p>	
<p><b>Resource Management</b> - Includes County-owned tax-forfeit lands managed for forestry, gravel, trail; private lands managed for minerals or forest products.</p> 	<p>Forestry, agriculture, sand and gravel, other mining, trails and recreational uses</p>	<p>Very low density residential that can be isolated from resource extraction and management.</p>	<p>May require use of multiple zoning districts to ensure separation of incompatible land uses. May require creation of overlays</p>
<p><b>Parks and Recreation</b> – public and private lands dedicated to long-term recreational uses.</p> 	<p>Public and semi-public parks, recreational areas, trails, water access points, golf courses.</p>	<p>Shooting ranges, outdoor racetracks.</p>	<p>Includes both public and private ownership, and thus does not translate directly to a zoning district.</p>
<p><b>Transportation and Utilities</b> – includes most public land dedicated to transportation infrastructure and long term utility needs.</p> 	<p>Airport, roads, railroad, other rights-of-way including electric transmission and inter-regional pipelines</p>	<p>None</p>	



**Petition for Rezoning (Zoning Map Amendment)**

Community Development Department  
 420 North Pokegama Ave.  
 Grand Rapids, MN 55744  
 Tel. (218) 326-7601 Fax (218) 326-7621  
 Web Site: www.grandrapidsmn.org

The undersigned do hereby respectfully request the following be granted by support of the following facts herein shown:

<u>RON + LEANN HARDY</u>			Name of Applicant		
<u>25107 COMMERCIAL DRIVE</u>			Name of Owner (If other than applicant)		
Address			Address		
<u>GRAND RAPIDS MN 55744</u>			Address		
City	State	Zip	City	State	Zip
<u>218-999-5900</u>	<u>RHARDY63@YAHOO.COM</u>				
Business Telephone/e-mail			Business Telephone/e-mail		

**Parcel Information:**

Tax Parcel # <u>91-004-3301</u>	Property Size: <u>2.13 ACRES</u>
Existing Zoning: <u>INDUSTRIAL</u>	Requested Zoning: <u>GENERAL BUSINESS</u>
Existing Use: <u>MINI STORAGE</u>	
Proposed Use: <u>MINI STORAGE</u>	
Property Address/Location: <u>3414 TROUT ROAD GRAND RAPIDS MN 55744</u>	
Legal Description: <u>N 300' OF S 333' OF W 375' OF SW SEW - HWY</u> (attach additional sheet if necessary) <u>SEC 4 TWP 55 R16 25</u>	

I(we) certify that, to the best of my(our) knowledge, information, and belief, all of the information presented in this application is accurate and complete and includes all required information and submittals, and that I consent to entry upon the subject property by public officers, employees, and agents of the City of Grand Rapids wishing to view the site for purposes of processing, evaluating, and deciding upon this application.

<u>[Signature]</u>	<u>7-14-13</u>
Signature(s) of Applicant(s)	Date
_____	_____
Signature(s) of Owner(s)-(If other than applicant)	Date

**JUL 15 2013** **Office Use Only**

Date Received \_\_\_\_\_ Certified Complete 7/15/2013 Fee Paid ✓\$05

Planning Commission Recommendation Approved \_\_\_\_\_ Denied \_\_\_\_\_ Meeting Date 8/1/2013

City Council Action Approved \_\_\_\_\_ Denied \_\_\_\_\_ Meeting Date \_\_\_\_\_

Summary of Special Conditions of Approval: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**Required Submittals (5 copies of each & electronic versions of all pertinent information):**

- Application Fee - \$505.00 \*<sup>1</sup>       Location Map       Map Showing Surrounding Zoning  
 Proof of Ownership – (a copy of a property tax statement or deed will suffice)

*\*<sup>1</sup>The application fees charged are used for postage to mail the required notices to adjacent properties, publication of the public hearing notice in the Grand Rapids Herald Review, and for a small portion of staff time for case review and preparation of documents. It is the policy of the City of Grand Rapids to require applicants for land use approvals to reimburse the City for costs incurred by the City in reviewing and acting upon applications, so that these costs are not borne by the taxpayers of the City.*

**Justification of Proposed Rezoning:** Please answer all of the following questions (attach additional pages if needed). The planning Commission will consider these questions and responses, and other issues (see attached list) in making their findings of fact and recommendation on the proposed rezoning.

A. What are the Surrounding land uses? Describe the existing uses and zoning classifications in the area surrounding the subject property.

RESIDENTIAL + UNDEVELOPED

PAST / CURRENT USE OF PROPERTY REQUESTING REZONE IS  
USED AS GENERAL BUSINESS

B. Would the uses permitted by the proposed zoning map change be appropriate for the surrounding area?

YES - EXISTING ALREADY

C. Is the property adequately served by public infrastructure (streets, sidewalks, utilities, etc)?

YES - NO WATER / SEWER NEEDED. - ONLY NEEDED  
ELECTRICITY - ~~NEED~~

D. Demonstrate the need for additional property in the proposed zoning district.

NO ADDITIONAL PROPERTY -

E. What effect will the proposed rezoning have on the growth and development of existing neighborhoods, other lands in the proposed district, commercial and industrial neighborhoods? MINI STORAGE IS USED BY RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND BUSINESSES - CURRENT CUSTOMERS / ADDRESSES ARE AVAILABLE IF REQUESTED TO AFFIRM THIS

F. Demonstrate that the proposed rezoning is the minimum change needed to allow a reasonable use of the property. CANNOT EXPAND WITHOUT CHANGE. ONLY EXPANDING EXISTING USE OF PROPERTY

G. How does the proposed rezoning conform to the City's Comprehensive Plan? ? WAS IN EXISTENCE BEFORE ANNEXATION. IT DOES NOT GO AGAINST THE COMP. PLAN.

H. Is the timing proper for the proposed rezoning? WE WOULD LIKE TO EXPAND THIS SUMMER.

I. Any additional information that the Petitioner would like to supply. ~~EXISTING~~ EXISTING BUILDING SETBACKS AND ~~HOUSE~~ USE ARE BETTER SUITED FOR GENERAL BUSINESS - ~~P~~

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**Additional Instructions:**

Prior to submitting your Petition to Rezone, you will need to arrange for one or more preliminary meetings with the Community Development Director. This meeting is intended to ensure that the proposed application is complete, to answer any questions the applicant may have, discuss meeting schedules and, if applicable, the scope of the required submittals. Completed applications required to be submitted to the Grand Rapids Community Development Department by the 15th of the month.

**Findings for Approval:**

The Planning Commission, in formulating its recommendation, and the City Council, in support of its action will make findings of fact based on their responses to the following list of considerations:

- Will the change affect the character of the neighborhoods?
- Would the change foster economic growth in the community?
- Would the proposed change be in keeping with the spirit and intent of the ordinance?
- Would the change be in the best interest of the general public?
- Would the change be consistent with the Comprehensive Plan?

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

More information may be requested by the City of Grand Rapids Planning Commission or City Council, if deemed necessary to properly evaluate your request. The lack of information requested may be in itself sufficient cause to deny an application.





State Hwy 38

133'

62 1/2'

Co Rd 803



# Understanding Spot Zoning

by Robert C. Widner, Esq.

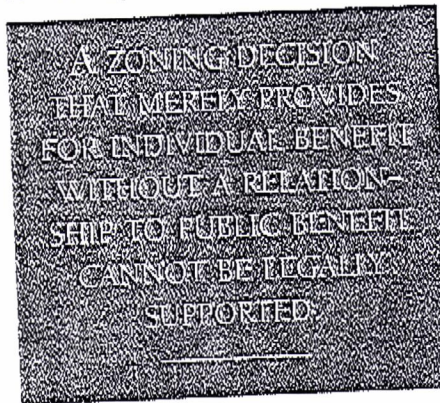
Most planning commissioners have heard the impassioned cry that a particular rezoning decision will constitute an invalid "spot zoning." This allegation typically arises where the community is considering the rezoning of a single lot or small parcel of property held by a single owner and the rezoning will permit land uses not available to the adjacent property.

Because spot zoning often focuses on the single parcel without considering the broader context, that is, the area and land uses surrounding the parcel, it is commonly considered the antithesis of planned zoning. While rezoning decisions that only affect a single parcel or small amount of land are most often the subject of spot zoning claims (as opposed to rezonings of larger areas), a locality can lawfully rezone a single parcel if its action is shown to be consistent with the community's land use policies. As I will discuss shortly, courts look to the community's comprehensive plan, or to other planning studies, in determining whether the rezoning is, in fact, consistent with local land use policies.

Of course, whether a particular rezoning constitutes an unlawful spot zoning depends largely upon the facts surrounding the zoning decision and upon the judicial decisions of each state. However, courts commonly note that the underlying question is whether the zoning decision advances the health, safety, and welfare of the community. A zoning decision that merely provides for individual benefit without a relationship to public benefit cannot be legally supported. Where a particular zoning decision is not supported by a public purpose, the zoning decision is arbitrary and may be subject to invalidation as unlawful spot zoning.

Although courts throughout the nation differ in their specific approaches when

reviewing spot zoning claims, the majority consider: (1) the size of the parcel subject to rezoning, (2) the zoning both prior to and after the local government's decision; (3) the existing zoning and use of the adjacent properties; (4) the benefits and detriments to the landowner, neighboring property owners, and the community resulting from the rezoning, and (5) the relationship between the zoning change



and the local government's stated land use policies and objectives.

This last factor — the relationship of the rezoning decision to the community's land use policies and objectives — is perhaps the most important one. As a result, when a planning commission (or governing body) initially considers a rezoning request it should determine whether the request is consistent with the comprehensive or master plan. Many communities' zoning codes also require a separate planning study that examines the merits of the proposed rezoning. This further ensures that any rezoning is consistent with the community's land use objectives, and not a case of spot zoning. The bottom line is that courts will give considerable weight to evidence that the locality's rezoning decision reflects thoughtful consideration of planning factors. *Q* "Consistency With the Plan."

It should be noted that there is one situation where a rezoning decision that does not conform to the comprehensive plan

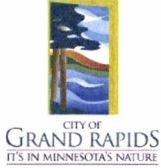
may nevertheless be upheld. That is where there is evidence showing significant changes in the community since the adoption of the plan that would justify a rezoning of the property. This is especially true where a review of other factors, such as benefit to the community and the size of the rezoned parcel, indicate that the rezoning was not merely intended to confer a benefit to the property owner. ♦

Robert (Bob) Widner is an assistant city attorney for the City of Arvada, Colorado. Bob serves as legal counsel to the Arvada Planning Commission and is principally responsible for land use and planning issues for the City. He also holds a master's degree in urban and regional planning and is an adjunct faculty member at the University of Colorado Graduate School of Architecture and Planning in Denver. Bob also wants to remind you that if you're confronted with a claim that a particular rezoning may constitute spot zoning, seek the opinion of your commission's attorney — it might avoid litigation later on.

## Consistency With the Plan

When a rezoning decision is in conformance with the municipal plan, courts will uphold the decision even though it may adversely affect surrounding land uses. For example, in *Pollock v. Zoning Board of Adjustment*, 342 A.2d 815 (1975) a Pennsylvania court upheld the rezoning from residential to commercial/ industrial of a tract less than one acre in area which was surrounded on three sides by residentially zoned land. The parcel, however, fronted on a major boulevard, and, as the court noted, "the comprehensive plan for the city is to encourage commercial development along the properties fronting on the boulevard... the rezoning of the instant tract was but another action in conformity with that pattern of development."





# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 13-0507      **Version:** 1      **Name:** Consider the recommendation of the Planning Commission regarding the adoption of a resolution denying the rezoning a 2.13 acre parcel of land from I-1 (Industrial Park) to GB (General Business).

**Type:** Agenda Item      **Status:** Public Hearing

**File created:** 8/21/2013      **In control:** City Council

**On agenda:** 8/26/2013      **Final action:**

**Title:** Consider the recommendation of the Planning Commission regarding adoption of a resolution denying the rezoning a 2.13 acre parcel of land from I-1 (Industrial Park) to GB (General Business).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Zoning Map Amendment- Denial Resolution- 8-26-13](#)

Date	Ver.	Action By	Action	Result
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Consider the recommendation of the Planning Commission regarding adoption of a resolution denying the rezoning a 2.13 acre parcel of land from I-1 (Industrial Park) to GB (General Business).

**Background Information:**

After the public hearing on this matter, the City Council will want to consider the public testimony received and review the recommendation put forward by the Planning Commission.

The Council can accept the recommendation of the Planning Commission, if they are in agreement with it, and adopt the resolution as prepared, or the Council can make its own findings to support its reasons for approving the requested rezoning. *Staff would then draft an ordinance based on those findings and present it to the Council at their next meeting.*

**Requested City Council Action**

Consider the recommendation of the Planning Commission regarding the adoption of a resolution denying the rezoning a 2.13 acre parcel of land from I-1 (Industrial Park) to GB (General Business).



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

RESOLUTION NO. 13-\_\_

**A RESOLUTION OF THE CITY OF GRAND RAPIDS, MINNESOTA, DENYING THE REZONING REQUEST FOR PROPERTY OWNED BY RON AND LEANN HARDY**

WHEREAS, on August 1, 2013, the Planning Commission approved a motion forwarding an unfavorable recommendation to the City Council regarding the rezoning of property legally described as,

*N 300' OF S 333' OF W 375' OF SW SW LESS HWY 38 ROW, SECTION 4, TOWNSHIP 55N, RANGE 25W*

from its current zoning designation of I-1 (Industrial Park) to that of GB (General Business), and

WHEREAS, the City Council conducted a public hearing on that request at their regular meeting on August 26, 2013 and all were heard, and

WHEREAS, the City Council did concur with the recommendations of the Planning Commission, and determined that the rezoning would not be in the best interest of the community and conflicted with the future land use recommendations set forth in the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA, that it adopts the following findings of fact relative to the requested rezoning denial:

- The requested rezoning would have an affect the character of neighboring areas “potential future uses”, in that intense development now may inhibit use of the natural resources in the area in the future.
- The change would foster economic growth by increasing the tax base within the community through added development on the property, however this development is inconsistent with the Comprehensive Plan for future land use in this area.
- The change would not be in keeping with the spirit and intent of the Zoning Ordinance as the current use is considered a Class 1 grandfathered-nonconforming use under Section 30-458, and as such, may not be enlarged. Additionally, as recommended by the League of MN Cities and with input from the City Attorney, approving the rezoning as requested would be view as “spot zoning” and should be avoided.
- The change may be in the best interest of the general public depending on the current supply of available, undeveloped, General Business zoned land.
- The requested zoning change is not consistent with several sections of the Comprehensive Plan:
  - The future land use map recommends that the subject area, is part of a larger area, identified as Resource Management.
  - Resource Management areas are intended to limit the intensity of development in an effort to protect the potential use of natural resources in an area (above or below ground).

Adopted by the Council this 26<sup>th</sup> day of August, 2013.

\_\_\_\_\_  
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.

DRAFT