

City of East Grand Forks

"Center of the Rich Red River Valley"

EAST GRAND FORKS, MINNESOTA 56721

RONALD I. GALSTAD
City Attorney
P.O. Box 386
East Grand Forks, MN 56721
Phone: 218-773-9729
Fax: 218-773-8950

October 23, 2015

Minnesota Municipal Boundary Adjustment
600 Roberts Street North
St. Paul, MN 551501

RE: **Annexation Ordinance No. 15, 4th Series**

Dear Clerk:

Enclosed please find for filing pursuant to Minnesota Statute Section 414.033, Subd. 7, copies of the Annexation Ordinance for the City of East Grand Forks, Affidavit of Mail and a Check in the amount of \$100.00 for the filing fee.

Once it has been approved by the Municipal Boundary Board of Adjustments I will have have it recorded with the Polk County Recorder's Office and filed immediately with the Polk County Auditor.

Also, included for your file is the record of the annexation which includes:

1. Petition for Annexation;
2. Resolution No. 15-06-67;
3. Notice of a Public Hearing to Annex the property;
4. Affidavit of Mailing Public Hearing Notice; (Attached list include township clerk David Thompson);
5. Approved Minutes dated August 18, 2015 (First Reading);
6. Approved Minutes dated September 1, 2015 (Second Reading)
7. Ordinance No. 15 4th Series; and
8. Affidavit of Publication;

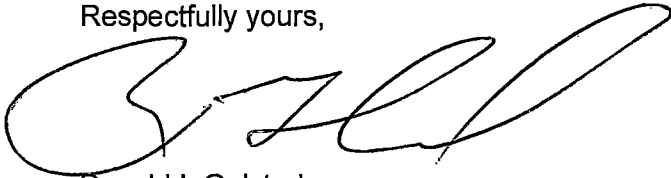


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Once you have had a chance to review the Ordinance and attachments, please contact me if you have questions or concerns. If the Board deems appropriate, I will look forward to notification of Board approval.

I would like to thank you in advance for your just consideration.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'R. Galstad', written in a cursive style.

Ronald I. Galstad
East Grand Forks City Attorney
RIG/jp

Enclosures

CC: Polk County Auditor (w/ encl)
Minnesota Secretary of State (w/ encl)
Grand Forks Township (w/ encl)
David Murphy (w/o encl)

**PROPERTY OWNER PETITION TO MUNICIPALITY
FOR ANNEXATION BY ORDINANCE - 120 Acres or Less**

IN THE MATTER OF THE PETITION OF CERTAIN PERSONS FOR THE
ANNEXATION OF CERTAIN LAND TO THE CITY OF EAST GRAND FORKS,
MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 2(3)

TO: Council of the City of East Grand Forks, Minnesota

PETITIONER(S) STATE: All of the property owners in number are required to commence a proceeding under Minnesota Statutes § 414.033, Subd. 2(3).

It is hereby requested by:

_____ the sole property owner; or
 X all of the property owners (If the land is owned by both husband and wife, both
must sign the petition to represent all owners.)

of the area proposed for annexation to annex certain property described herein lying in the Township of Grand Forks to the City of East Grand Forks, County of Polk, Minnesota.

The area proposed for annexation is described as follows:

Southeast Quarter of the Southeast Quarter (SE1/4SE1/4), Section Twenty-six (26), Township One Hundred Fifty-two (152) North, Range Fifty (50) West.

1. There are 2 property owners in the area proposed for annexation. (If a property owner owns more than one parcel in the area proposed for annexation, he/she is only counted once as an owner - the number of parcels owned by a petitioner is not counted.)
2. The land abuts the municipality and the area to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available.

Except as provided for by an orderly annexation agreement, this clause may not be used to annex any property contiguous to any property previously annexed under this clause within the preceding 12 months if the property is owned by the same owners and annexation would cumulatively exceed 120 acres.

3. Said property is unincorporated, abuts on the city's **North S E W** (circle one) boundary(ies), and is not included within any other municipality.
4. The area of land proposed for annexation, in acres, is 40 acres.
5. The reason for the requested annexation is to assist an orderly development for residential and commercial growth. The current plan is to build (in phases) multi-family housing to

help in the retention and growth of students at the Northland Community and Technical College located just south and east of the proposed area along Highway 220 North

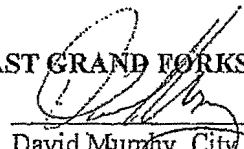
PETITIONERS REQUEST: That pursuant to Minnesota Statutes § 414.033, the property described herein be annexed to and included within the City of East Grand Forks, Minnesota.

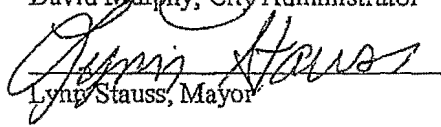
Dated: 5-4-15 Dated: _____

Signatures: _____

Rodger Johnson, Partner
Johnson Farms a North Dakota Partnership

CITY OF EAST GRAND FORKS


David Murphy, City Administrator


Lynn Stauss, Mayor

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 2b, before a municipality may adopt an ordinance under subdivision 2, clause (2), (3), or (4), a municipality must hold a public hearing and give 30 days' written notice by certified mail to the town or towns affected by the proposed ordinance and to all landowners within and contiguous to the area to be annexed.

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 11, when a municipality declares land annexed to the municipality under subdivision 2, clause (3), and the land is within a designated floodplain, as provided by section 103F.111, subdivision 4, or a shoreland area, as provided by section 103F.205, subdivision 4, the municipality shall adopt or amend its land use controls to conform to chapter 103F, and any new development of the annexed land shall be subject to chapter 103F.

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 12, when a municipality annexes land under subdivision 2, clause (2), (3) or (4), property taxes payable on the annexed land shall continue to be paid to the affected town or towns for the year in which the annexation becomes effective. If the annexation becomes effective on or before August 1 of a levy year, the municipality may levy on the annexed area beginning with that same levy year. If the annexation becomes effective after August 1 of a levy year, the town may continue to levy on the annexed area for that levy year, and the municipality may not levy on the annexed area until the following levy year.

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd 13, at least 30 days before a

municipality may adopt an ordinance under subdivision 2, clause (2), (3), or (4), the petitioner must be notified by the municipality that the cost of electric utility service to the petitioner may change if the land is annexed to the municipality. The notice must include an estimate of the cost impact of any change in electric utility services, including rate changes and assessments, resulting from the annexation.

Municipal Boundary Adjustment Unit Contacts

Star Holman star.holman@state.mn.us 651-361-7909
Katie Lin katie.lin@state.mn.us 651-361-7911

RESOLUTION NO. 15 – 06 - 67

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

WHEREAS, Rodger Johnson partner and owner of Johnson Farms a North Dakota Partnership has asked that the City join in the petition and the parties have filed a Petition with the City of East Grand Forks to annex their property on 23rd Street into the City.

WHEREAS, the Land requested to be annexed is legally described as follows:

Southeast Quarter of the Southeast Quarter (SE1/4SE1/4), Section Twenty-six (26), Township One Hundred Fifty-two (152) North, Range Fifty (50) West.

WHEREAS, The City Council believes that the proposed annexation is in the best Interest of the City of East Grand Forks.

NOW, THEREFORE, BE IT HEREBY RESOLVED:

That the City of East Grand Forks does hereby accept the petition of Johnson Farms and the City of East Grand Forks to annex their property into the City of East Grand Forks.

That the City of East Grand Forks does hereby Authorize the City Attorney to take the appropriate measures according to Minnesota Statute Section 414.033 to annex the proposed property into the City of East Grand Forks.

That the City Council does hereby authorize the City Administrator and the Mayor to sign the necessary document to effectuate the annexation of the above described property into the City of East Grand Forks.

Voting Aye: Vetter, Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, and DeMers.

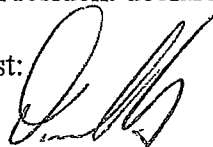
Voting Nay: None.

Absent: None.

The President declared the resolution passed.

Passed: June 16, 2015

Attest:

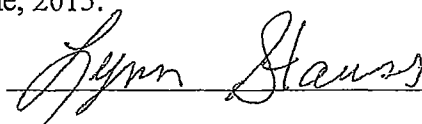


City Administrator/Clerk-Treasurer



President of Council

I hereby approve the foregoing resolution this 16th of June, 2015.



Mayor

**NOTICE OF A PUBLIC HEARING TO ANNEX PROPERTY
INTO THE CITY OF EAST GRAND FORKS**

PLEASE TAKE NOTICE that the City Council of the City of East Grand Forks, Minnesota, will meet at **5:00 o'clock p.m. on Tuesday, August 18th**, in the Council Chambers of City Hall located at 600 Demers Avenue Northwest, East Grand Forks, Minnesota 56721, to consider annexation of property into the City of East Grand Forks property located north of 23rd Avenue N.W. and west of 220 North.

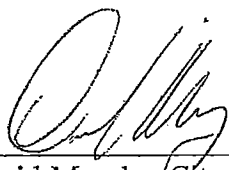
WHEREAS, the City Council of the City of East Grand Forks, Minnesota, desires to annex the 40 acres that Johnson Farms and containing the City drain way which is located north of 23rd Avenue NW and west of Hwy 220 North 15th Ave NE, into the City, to wit:

Southeast Quarter of the Southeast Quarter (SE1/4SE1/4), Section Twenty-six (26), Township One Hundred Fifty-two (152) North, Range Fifty (50) West containing 40 acres more or less.

WHEREAS, a public hearing to discuss the annex of the hereinbefore described 40 acres that the City and Johnson Farms own north of 23rd Avenue NW and west of Hwy 220 North is noticed and will held by the City Council at 5:00 o'clock p.m. on Tuesday, August 18th, 2015 in the Council Chambers of City Hall, East Grand Forks, Minnesota; notice of such hearing is being mailed by Certified mail to the town board and all landowners within and contiguous on July 13, 2015; and notice of such hearing being posted in City Hall.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the hereinbefore described 40 acres that the City and Johnson Farms own north of 23rd Avenue NW and west of Hwy 220 north in East Grand Forks, such annexation being subject to any and all pre-existing easements, reservations and restrictions of record.

Dated: 7/9/15



David Murphy, City Administrator
City of East Grand Forks, Minnesota

Affidavit of Mailing Public Hearing Notice – Johnson Annexation

State of Minnesota)
)
Council of East Grand Forks)

David Murphy, being first duly sworn, deposes and says:

I am a United States citizen, over 18 years of age, and the City Administrator of the City of East Grand Forks, Minnesota.

On July 13, 2015, acting on behalf of the said city, I deposited in the United States mail at 10:00am, Minnesota, copies of the attached notice of a hearing on the proposed annexation, enclosed in certified envelopes, with postage thereon fully prepaid, addressed to the following persons at the addresses appearing opposite their respective names:

Name	Address
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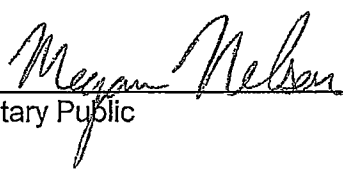
See Attached List

There is delivery service by United States mail between the place of mailing and the places so addressed.

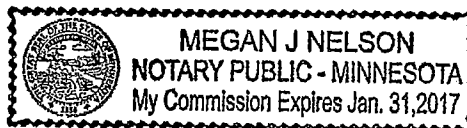


Signature

Subscribed and sworn to before me this 13th day of July, 2015.



Notary Public



SCHRYVER CHRIS & JANELLE M
2235 3RD AVE NW
EAST GRAND FORKS, MN 56721

KRAFT RANDY & ANDREA
2241 PIONEER CT NW
EAST GRAND FORKS, MN 56721

MERKENS SETH A & CHRISTINA L
2233 PIONEER CT NW
EAST GRAND FORKS, MN 56721

BLACKER STEVEN D & SUSAN F
2225 PIONEER CT NW
EAST GRAND FORKS, MN 56721

JOHNSON JEFFREY K & MISTY M
2219 PIONEER CT NW
EAST GRAND FORKS, MN 56721-1235

COWGER MARK J & DEBRA L
2228 5TH AVE NW
EAST GRAND FORKS, MN 56721

KLINER SCOTT L & CONNIE L
2215 PIONEER CT NW
EAST GRAND FORKS, MN 56721

NEWHOUSE TROY & JENNIFER MAU
2227 5TH AVE NW
EAST GRAND FORKS, MN 56721

STRICKER PAUL SCOTT & JAN MARIE
2221 5TH AVE NW
EAST GRAND FORKS, MN 56721

FOGARTY BRIAN
2215 5TH AVE NW
EAST GRAND FORKS, MN 56721

GORDON DAVID S & DENISE A PIKER-
GORDON
2232 PIONEER CT NW
EAST GRAND FORKS, MN 56721

LINNERTZ DON & THERESE TRUSTEES
2226 PIONEER CT NW
EAST GRAND FORKS, MN 56721

ABBAY BLAKE B & HOLLY M
2248 PIONEER CT NW
EAST GRAND FORKS, MN 56721

RITCHIE BETTY L TRUSTEE
33 S SAINTE MARIE ST
BARRON, WI 54812-1336

PRAIRIE VIEW INVESTMENTS
304 22ND ST NW
EAST GRAND FORKS, MN 56721

CENTURY PROPERTIES INC
1800 5TH AVE NE
EAST GRAND FORKS, MN 56721

JEFFREY AND SUSAN BAKKE
2218 5TH AVE NW
EAST GRAND FORKS, MN 56721

JAMES AND ANGELINE BELBAS
2210 5TH AVE NW
EAST GRAND FORKS, MN 56721

MELISSA AND CLINT DIETRICH
2209 PIONEER CT NW
EAST GRAND FORKS, MN 56721

KROKE STEVEN J & EVELYN
14778 ST HWY 220 SW
EAST GRAND FORKS, MN 56721

MCKAY ROBIN J & NANCY L
14848 ST HWY 220 SW
EAST GRAND FORKS, MN 56721

MESA JOHN L & SANDRA J
14832 ST HWY 220 SW
EAST GRAND FORKS, MN 56721

BYE LUCAS & BRITTANY SCHROEDER
14772 STATE HIGHWAY 220 SW
EAST GRAND FORKS, MN 56721

JABLINSKE BETTY A ETAL, LIFE ESTATE
14868 ST HWY 220 SW
EAST GRAND FORKS, MN 56721

RINGUETTE TIM & JEANNETTE
14884 STATE HWY 220 SW
EAST GRAND FORKS, MN 56721

MARTINEZ LOUIS & DENISE
1410 CENTRAL AVE NE
EAST GRAND FORKS, MN 56721

TACK LARRY L & JEANNE M TRUSTEES
44930 150TH ST SW
EAST GRAND FORKS, MN 56721

DAVID THOMPSON
44477 110TH St SW
EAST GRAND FORKS, MN 56721

**APPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, AUGUST 18, 2015 - 5:00 P.M.**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for August 18, 2015 was called to order by Council President Mark Olstad at 5:00 P.M.

CALL OF ROLL:

On a Call of Roll the following members of the East Grand Forks City Council were present: Mayor Lynn Stauss (5:04pm), Council President Mark Olstad, Council Vice-President Chad Grassel, Council Members Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, and Marc DeMers.

Dave Aker, Parks & Recreation Superintendent; Karla Anderson, Finance Director; Dan Boyce, Water & Light Manager; Nancy Ellis, City Planner; Steve Emery, City Engineer; Ron Galstad, City Attorney; Paul Gorte, EDA Director; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Gary Larson, Fire Chief; David Murphy, City Administrator/Clerk-Treasurer; Megan Nelson, Executive Assistant; and Jason Stordahl, Public Works Director.

DETERMINATION OF QUORUM:

The Council President Determined a Quorum was present

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

"An opportunity for members of the public to address the City Council on items not on the current Agenda. Items requiring Council action maybe deferred to staff or Boards and Commissions for research and future Council Agendas if appropriate." If you would like to address the City Council, please come up to the podium to do so."

Mr. Bob Moore, 211 Demers Ave, stated that he would like to discuss the easement by the bank building and that he had brought updated plans for the Council to review. He said he would like approval as soon as possible so he is able to try and get the cement work done. Council President Olstad asked if this plan had changed from the last plan the Council had seen. Mr. Moore said it included the suggestions the Council made. Discussion followed about how the curb and gutter would need to be removed for the exit of the drive thru, that snow removal shouldn't be an issue for the fire department, that the requested easement was smaller than originally asked for, and that the old driveway would not be taken out because that is where the water drained to. Council President Olstad asked if Mr. Moore was able to attend the meeting the following Tuesday. Mr. Moore stated yes.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the "Special Meeting" for the East Grand Forks, Minnesota City

Council of July 28, 2015.

2. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of July 28, 2015.
3. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of August 4, 2015.
4. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of August 11, 2015.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE ITEMS ONE (1) THROUGH FOUR (4).

Voting Aye: Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, DeMers, and Vetter.

Voting Nay: None.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS:

5. Public Hearing for consideration of the annexation of 40 acres north of 23rd Avenue NW and west of Highway 220 North into the city.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO OPEN THE PUBLIC HEARING.

Voting Aye: Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, DeMers, and Vetter.

Voting Nay: None.

Ms. Ellis reminded the Council this was for the Johnson property. She explained it was being set up as a tax service district with R-3 zoning and Urban Expansion Reserve zoning. There were no further questions or comments.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER DEMERS, TO CLOSE THE PUBLIC HEARING.

Voting Aye: Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, DeMers, and Vetter.

Voting Nay: None.

CONSENT AGENDA:

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

6. Consider approving the Minnesota Municipal Utilities Association Service Agreement for the Safety Management Program split 50/50 between the City and the Water and Light Department for October 1, 2015 through September 30, 2015.

7. Consider approving the application for an Exempt Gambling Permit for a raffle for Sacred Heart Church and School to be held January 5, 2016 at the Sacred Heart School at 200 3rd St NW East Grand Forks, MN 56721 and waive the 30 day waiting period.
8. Consider approving the renewal of the 2AM Closing Application for the Eagles 350 located at 227 10th St NW, East Grand Forks, MN 56721.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER GRASSEL, TO APPROVE ITEMS SIX (6) THROUGH EIGHT (8).

Voting Aye: Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, DeMers, and Vetter.

Voting Nay: None.

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

9. Regular meeting minutes of the Water, Light, Power, and Building Commission for July 16, 2015.

COMMUNICATIONS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

10. Consider approving Ordinance No. 15 4th Series annexing Southeast Quarter of the Southeast Quarter (SE1/4SE1/4), Section Twenty-Six (26), Township One Hundred Fifty-Two (152) North, Range Fifty (50) West Of The Fifth Principal Meridian, Polk County, Minnesota (1st Reading).

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO APPROVE ORDINANCE NO. 15 4TH SERIES ANNEXING SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4), SECTION TWENTY-SIX (26), TOWNSHIP ONE HUNDRED FIFTY-TWO (152) NORTH, RANGE FIFTY (50) WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, MINNESOTA (1ST READING).

Voting Aye: Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, DeMers, and Vetter.

Voting Nay: None.

11. Consider adopting Resolution No. 15-08-86 accepting a grant and entering into a grant agreement between the City of East Grand Forks and the Minnesota Department of Public Safety for a \$30,825 for the Toward Zero Death Program.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 15-08-86 ACCEPTING A GRANT AND ENTERING INTO A GRANT AGREEMENT BETWEEN THE CITY OF EAST GRAND FORKS AND THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY FOR A \$30,825 FOR THE TOWARD ZERO DEATH PROGRAM.

Voting Aye: Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, DeMers, and Vetter.

Voting Nay: None.

12. Consider approving the Special Event Application to the Extreme North Dakota Racing Group for the Uff Da Mud Run on September 5, 2015 with the racing taking place from 8:00am until 8:00pm contingent upon the Certificate of Liability being turned into the Administration Office prior to the event.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE THE SPECIAL EVENT APPLICATION TO THE EXTREME NORTH DAKOTA RACING GROUP FOR THE UFF DA MUD RUN ON SEPTEMBER 5, 2015 WITH THE RACING TAKING PLACE FROM 8:00AM UNTIL 8:00PM CONTINGENT UPON THE CERTIFICATE OF LIABILITY BEING TURNED INTO THE ADMINISTRATION OFFICE PRIOR TO THE EVENT.

Voting Aye: Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, DeMers, and Vetter.

Voting Nay: None.

13. Consider adopting Resolution 15-08-88 authorizing the transfer from the lot sale fund to the special assessment fund.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPT RESOLUTION 15-08-88 AUTHORIZING THE TRANSFER FROM THE LOT SALE FUND TO THE SPECIAL ASSESSMENT FUND.

Voting Aye: Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, DeMers, and Vetter.

Voting Nay: None.

CLAIMS:

14. Consider adopting Resolution No. 15-08-87 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 22208 for a total of \$626.23 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 15-08-87 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 22208 FOR A TOTAL OF \$626.23 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

Voting Aye: Pokrzywinski, Tweten, Olstad, Grassel, DeMers, and Vetter.

Voting Nay: None.

Abstain: Buckalew.

15. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER VETTER, TO AUTHORIZE THE CITY ADMINISTRATOR/CLERK-TREASURER TO ISSUE PAYMENT OF RECOMMENDED BILLS AND PAYROLL.

Voting Aye: Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, DeMers, and Vetter.

Voting Nay: None.

SUSPENSION OF RULES

A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO VOTE TO SUSPEND RULES FOR DISCUSSION AND VOTING ON INFILL BUILDING ELEVATOR AND RECOMMENDATION FROM AUDIT COMMITTEE FOR CONSULTATION SERVICES.

Voting Aye: Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, DeMers, and Vetter.

Voting Nay: None.

Ms. Ellis explained there were issues with the elevator in the Infill building. She explained the elevator sometimes gets stuck when there is freight being hauled in it and won't open, or get stuck in between floors. She said that the estimate from OTIS is \$57,000 and how there will be additional charges for the electric work which she didn't have enough time to get before the meeting.

Council member Pokrzywinski said this was discussed at the EDA meeting that had been held earlier in the day. He stated how this was a passenger elevator being used as a freight elevator and that there haven't been issues when it is only passengers riding in the elevator. He said that he would vote to approve getting the elevator fixed because of the potential liability and asked if there was a way to prohibit freight from being hauled in the elevator. Discussion followed about delivery people are not in favor of using stairs during deliveries. Council Vice-President Grassel said there was a concern about the safety of passengers without freight. He added it was highly important to get this fixed and keep issues from reoccurring. Council member Pokrzywinski commented how it was considered to wait to fix the elevator until a maintenance agreement was done but it isn't known when that would be complete. Ms. Ellis reminded the Council that there was a common area agreement which includes the use of the elevator but the maintenance agreement was never completed. Discussion followed about what funds could be used to cover the costs of the repair, what the capacity was for elevator, and what can be done in the future regarding the elevator.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER GRASSEL, TO AUTHORIZE THE REPAIR WORK TO THE ELEVATOR NOT TO EXCEED \$70,000.

Voting Aye: Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, DeMers, and Vetter.

Voting Nay: None.

Mr. Murphy stated the audit committee had met three times and had discussed how with the current job openings and potential job openings made this a prime time to look at how work more efficiently within the departments. He explained they had reviewed three proposals for a consulting firm to assist in this process and the committee recommended The Idea Circle from Bemidji. Council member Pokrzywinski asked who was on the audit committee. Mr. Murphy stated it was Mr. Loven, Ms.

Ogden, Mr. Thompson, Mr. Boyce, Ms. Anderson, and himself. Council member Buckalew said he understood why this is being done and asked why it couldn't be done in-house. Mr. Murphy explained how the consultant will be looking at all of the departments, not just within each department, and how they will do it with a fresh set of eyes. Discussion followed about how the consulting firm will review the job descriptions, not redo the job descriptions, and look at how duties can be streamlined.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPT RESOLUTION 15-08-89 ENTERING INTO A CONTRACT BETWEEN THE CITY OF EAST GRAND FORKS AND THE IDEA CIRCLE FOR CONSULTING SERVICES NOT TO EXCEED \$7,495.

Voting Aye: Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, DeMers, and Vetter.

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Mayor Stauss informed the Council the funds had run out for caring for the flowers so the flowers will no longer be watered.

Council Member Pokrzywinski stated he was impressed with the work being done on the mill and overlay and seal coat project. He also introduced two new members of Ward 2, Winston and Warren Pokrzywinski, and how both mom and boys are doing well.

Council Member Buckalew thanked the volunteers and folks who helped out with Heritage Days. He said that he wasn't able to attend but his family was able to enjoy the parade and people he spoke with commented how there was an excellent showing at the Heritage Village.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER VETTER, TO ADJOURN THE AUGUST 18, 2015 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:35 P.M.

Voting Aye: Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, DeMers, and Vetter.

Voting Nay: None.



David Murphy, City Administrator/Clerk-Treasurer

**APPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, SEPTEMBER 1, 2015 - 5:00 P.M.**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for September 1, 2015 was called to order by Council President Mark Olstad at 5:01 P.M.

CALL OF ROLL:

On a Call of Roll the following members of the East Grand Forks City Council were present: Mayor Lynn Stauss(5:04pm), Council President Mark Olstad, Council Vice-President Chad Grassel, Council Members Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, and Marc DeMers.

Dave Aker, Parks & Recreation Superintendent; Karla Anderson, Finance Director; Dan Boyce, Water & Light Manager; Nancy Ellis, City Planner; Steve Emery, City Engineer; Ron Galstad, City Attorney; Paul Gorte, EDA Director; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Gary Larson, Fire Chief; David Murphy, City Administrator/Clerk-Treasurer; Megan Nelson, Executive Assistant; and Jason Stordahl, Public Works Director.

DETERMINATION OF QUORUM:

The Council President Determined a Quorum was present

PLEDGE OF ALLEGIANCE:

SWEARING IN OF OFFICER TYLER HAJICEK:

Chief Hedlund introduced Officer Hajicek to the Council, commented how he will be a second generation police officer for the department and with this addition to the police department they will be fully staffed once everyone completes their training. Chief Hedlund swore in Officer Hajicek.

OPEN FORUM:

"An opportunity for members of the public to address the City Council on items not on the current Agenda. Items requiring Council action maybe deferred to staff or Boards and Commissions for research and future Council Agendas if appropriate." If you would like to address the City Council, please come up to the podium to do so."

APPROVAL OF MINUTES:

1. Consider approving the minutes of the "Regular Meeting" for the East Grand Forks, Minnesota City Council of August 18, 2015.

2. Consider approving the minutes of the "Work Session" for the East Grand Forks, Minnesota City Council of August 25, 2015.
3. Consider approving the minutes of the "Special Meeting" for the East Grand Forks, Minnesota City Council of August 25, 2015.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO APPROVE ITEMS ONE (1) THROUGH THREE (3).

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS: NONE

CONSENT AGENDA:

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

4. Consider approving the request to declare the list of vehicles as surplus and to be sold at auction.
5. Consider approving the special event application to the Grand Forks Run for Fun LLC for the Wild Hog Half Marathon taking place on September 26, 2015 from 8:00am until 11:00pm.

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER POKRZYWINSKI TO APPROVE ITEMS FOUR (4) AND FIVE (5).

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.

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

6. Regular meeting minutes of the Water, Light, Power, and Building Commission for August 6, 2015.
7. Regular meeting minutes of the Economic Development Authority Board for July 21, 2015.

COMMUNICATIONS: NONE

OLD BUSINESS:

8. Consider adopting Ordinance No. 15 4th Series annexing Southeast Quarter of the Southeast Quarter (SE1/4SE1/4), Section Twenty-Six (26), Township One Hundred Fifty-Two (152) North, Range Fifty (50) West Of The Fifth Principal Meridian, Polk County, Minnesota (2nd Reading).

A MOTION WAS MADE BY COUNCIL MEMBER TWETEN, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT ORDINANCE NO. 15 4TH SERIES ANNEXING SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4), SECTION TWENTY-SIX (26), TOWNSHIP ONE HUNDRED FIFTY-TWO (152) NORTH, RANGE FIFTY (50) WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, MINNESOTA (2ND READING).

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.
Voting Nay: None.

NEW BUSINESS:

9. Consider adopting Resolution No. 15-09-93 formally accepting the NV & Me Program Grant in the amount of \$1800 for DARE Program supplies and training.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 15-09-93 FORMALLY ACCEPTING THE NV & ME PROGRAM GRANT IN THE AMOUNT OF \$1800 FOR DARE PROGRAM SUPPLIES AND TRAINING.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.
Voting Nay: None.

10. Consider adopting Resolution No. 15-09-94 setting the final public hearing for 2014 Assessment Job No. 1 – Reconstruction of 17th Street NE for October 6, 2015.

A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 15-09-94 SETTING THE FINAL PUBLIC HEARING FOR 2014 ASSESSMENT JOB NO. 1 – RECONSTRUCTION OF 17TH STREET NE FOR OCTOBER 6, 2015.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.
Voting Nay: None.

11. Consider adopting Resolution No. 15-09-95 accepting and awarding the bid for 2014 City Project No. 3 – Lift Station No. 5 Replacement to Industrial Contract Services for the amount of \$2,272,827.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 15-09-95 ACCEPTING AND AWARDING THE BID FOR 2014 CITY PROJECT NO. 3 – LIFT STATION NO. 5 REPLACEMENT TO INDUSTRIAL CONTRACT SERVICES FOR THE AMOUNT OF \$2,272,827.

Voting Aye: Tweten, Olstad, Grassel, Vetter, Pokrzywinski, and Buckalew.
Voting Nay: None.

Abstain: *DeMers.*

12. Consider adopting Resolution No. 15-09-96 accepting and awarding the bid for 2015 City Project No. 5 – Campground Improvements to R.J. Zavoral & Sons for the amount of \$209,941.85.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADOPT RESOLUTION NO. 15-09-96 ACCEPTING AND AWARDING THE BID FOR 2015 CITY PROJECT NO. 5 – CAMPGROUND IMPROVEMENTS TO R.J. ZAVORAL & SONS FOR THE AMOUNT OF \$209,941.85.

Voting Aye: *Tweten, Olstad, Grassel, Vetter, Pokrzywinski, and Buckalew.*

Voting Nay: *None.*

Abstain: *DeMers.*

13. Consider adopting Resolution 15-09-97 authorizing the reduction of the combined sewage bill from June and July for the Fairfield Inn by \$3,000.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION 15-09-97 AUTHORIZING THE REDUCTION OF THE COMBINED SEWAGE BILL FROM JUNE AND JULY FOR THE FAIRFIELD INN BY \$3,000.

Voting Aye: *Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.*

Voting Nay: *None.*

14. Consider approving the license agreement between the City of East Grand Forks and Riverwalk Enterprises LLC for the use of city owned property as a drive thru exit.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE LICENSE AGREEMENT BETWEEN THE CITY OF EAST GRAND FORKS AND RIVERWALK ENTERPRISES LLC FOR THE USE OF CITY OWNED PROPERTY AS A DRIVE THRU EXIT.

Council member Buckalew commented how this had changed from an easement agreement to a license agreement and asked Mr. Galstad if he had reviewed this agreement with Mr. Moore. Mr. Galstad explained that he had reviewed this document with Mr. Moore, how it made more sense to move forward with a license agreement, all of the concerns were addressed in the agreement, and that this document had also been sent to Mr. Moore's attorney for review. Mr. Moore stated he did not have any issues with the agreement.

Voting Aye: *Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.*

Voting Nay: *None.*

15. Consider adopting Resolution No. 15-09-99 approving and authorizing curb and gutter repairs to 4th Street NW not to exceed \$10,000.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 15-09-99 APPROVING AND AUTHORIZING CURB AND GUTTER REPAIRS TO 4TH STREET NW NOT TO EXCEED \$10,000.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.

CLAIMS:

16. Consider adopting Resolution No. 15-09-98 authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 22301 for a total of \$336.31 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER TWETEN, TO ADOPT RESOLUTION NO. 15-09-98 AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 22301 FOR A TOTAL OF \$336.31 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, and Pokrzywinski.

Voting Nay: None.

Abstain: Buckalew.

17. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

A MOTION WAS MADE BY COUNCIL MEMBER BUCKALEW, SECONDED BY COUNCIL MEMBER GRASSEL, TO AUTHORIZE THE CITY ADMINISTRATOR/CLERK-TREASURER TO ISSUE PAYMENT OF RECOMMENDED BILLS AND PAYROLL.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.

COUNCIL/STAFF REPORTS:

Council Member Vetter wished the participants of the mud run good luck.

Council Member Buckalew commented how it was a great thing to see a son follow in his father's footsteps, how it was a great testament to his father, and the police department will benefit from this.

Council Member Tweten stated he joined in on Council member Buckalew's comments and how the police department has done an excellent job for the community.

Mr. Murphy informed the Council the Senate bonding committee will be in town on September 30th at

Northland College and that they will want to see a presentation.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADJOURN THE SEPTEMBER 1, 2015 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:14 P.M.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.

Voting Nay: None.



David Murphy, City Administrator/Clerk-Treasurer

CERTIFICATION

State of Minnesota)
County of Polk)
City of East Grand Forks)

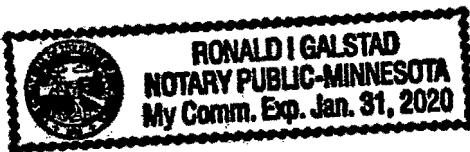
I, David Murphy, City Administrator of and for the City of East Grand Forks, Minnesota, hereby attest that the attached Ordinance is a true and exact copy of Ordinance No. 15 4th Series passed by the City Council of the City of East Grand Forks, Minnesota, at a regular meeting of said Council held at the City Hall in said City on September 1, 2015, the original of which said Ordinance is now on file in this office.

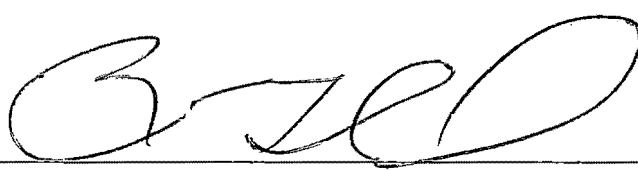
Dated this 23 day of Oct, 2015.



David Murphy, City Administrator
City of East Grand Forks, Minnesota

Subscribed and sworn to before me on this 23 day of October, 2015, by
Ronald I. Galstad.





Notary Public
My Commission Expires:

ORDINANCE NO. 15 4th SERIES

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, ANNEXING SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4), SECTION TWENTY-SIX (26), TOWNSHIP ONE HUNDRED FIFTY-TWO (152) NORTH, RANGE FIFTY (50) WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, MINNESOTA.

THE CITY OF EAST GRAND FORKS ORDAINS:

Section 1. This annexation is being passed and adopted pursuant to the provisions of Minnesota Statute § 414.033 subd. 2 clause 3.

Section 2. Johnson Farms a North Dakota partnership petitioned the City requesting the City join in the request to annex the above described property into the City of East Grand Forks. Johnson Farms made said request as it has been approached by a developer that wants to build Multi-family housing units to accommodate the Northland Community and Technical College student population.

Section 3. The land abuts the City of East Grand Forks, is urban or suburban in character and is owned by the City and Johnson Farms.

Section 4. That the City Council has determined that it is the best interest of the City that said parcel is to be annexed into the City so that it can have access to all City utilities and services to the area for the multi-family housing development

Section 5. That the notice and public hearing requirements of Minnesota Statute § 414.033 subd. 2b have been provided and a public hearing was held on June 16, 2015.

Section 6. That Minnesota Statute § 414.033 subd. 3, does not control because it is appropriate for annexation under Minnesota Statute § 414.033 subd. 2, clause 3.

Section 7. That the area to be annexed is unplatted and unpopulated property.

Section 8. That electric utility service notice of Minnesota Statute § 414.033 subd. 13, is not applicable as there are no electrical services presently provided in the proposed area.

Section 9. The City hereby annexes the real property situated in the County of Polk, State of Minnesota, legally described as follows, to wit:

Southeast Quarter of the Southeast Quarter (SE1/4SE1/4), Section Twenty-six (26), Township One Hundred Fifty-two (152) North, Range Fifty (50) West of the Fifth Principal Meridian, Polk County, Minnesota containing approximately 40 acres.

Section 10. That said land is not in the floodplain or shoreland area.

Section 11. The City Administrator/Clerk Treasurer is hereby directed to file certified copies of this ordinance with the Chief Administrative law Judge, Municipal Boundary Adjustments Division of the state Office of Administrative Hearings (Minnesota Municipal Board), Huntsville Township, Polk County Auditor, and the Minnesota Secretary of State. A copy of the annexation ordinance must be delivered immediately to the Polk County auditor upon approval of the chief administrative law judge.

Section 12. City Code Chapter 10 entitled Definitions and General Provisions Applicable to the Entire City Code Including Penalty for violation" is hereby adopted in its entirety, by reference, as repeated verbatim herein.

Section 13. This ordinance shall take effect and be in force from and after its passage and publication and be given number 15 4th Series, and after its approval by the Minnesota Municipal Board.

Voting Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Buckalew.

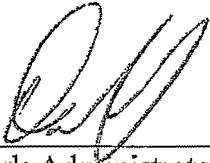
Voting Nay: None.

Absent: None.

The President declared the Ordinance passed.

ATTEST:

PASSED: September 1, 2015

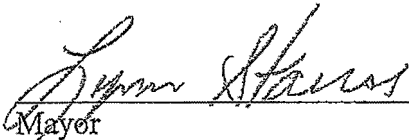


Clerk-Administrator



President of Council

I hereby approve the foregoing Ordinance this 1st day of September, 2015.



Mayor

CITY OF
EAST GRAND FORKS, MINNESOTA
PROPOSED ANNEXATION

EXISTING CITY LIMITS

APPROX. 1345'

PROPOSED
ANNEXATION AREA
(APPROX. 38.8 ACRES)

APPROX. 1266'

APPROX. 1324'

GRAND FORK

23rd Street NW

22nd Street NW

Pioneer Ct NW

22nd Street NW

General Avenue

College



0 250 500



Scale in Feet

SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER,
SECTION 26, TOWNSHIP 152 NORTH, RANGE 50 WEST
OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY,
MINNESOTA CONTAINING APPROXIMATELY 38.8 ACRES.

600 DEMERS AVENUE
EAST GRAND FORKS, MN 56721
ASSUMED NAME

ORDINANCE NO. 15 4th SERIES

**DATE OF INVOICE
AND AFFIDAVIT
WEDNESDAY, SEPTEMBER 9, 2015**

ORDINANCE NO. 15 4th SERIES
AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINN-
OTA, ANNEXING SOUTHEAST QUARTER OF THE SOUTH-
T QUARTER (SE1/4SE1/4); SECTION TWENTY-SIX (26),
TOWNSHIP ONE HUNDRED FIFTY-TWO (152) NORTH, RANGE
FIFTY (50) WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK
COUNTY, MINNESOTA.

THE CITY OF EAST GRAND FORKS ORDAINS:

Section 1. This annexation is being passed and adopted pursuant to the provisions of Minnesota Statute § 414.033 subd. 2 clause 3.
Section 2. Johnson Farms a North Dakota partnership petitioned the City asking the City join in the request to annex the above described property to the City of East Grand Forks. Johnson Farms made said request as it has approached by a developer that wants to build Multi-family housing units to accommodate the Northland Community and Technical College student population.
Section 3. The land abuts the City of East Grand Forks, is urban or suburban character and is owned by the City and Johnson Farms.
Section 4. That the City Council has determined that it is the best interest of the City that said parcel is to be annexed into the City so that it can have access to all City utilities and services to the area for the multi-family housing development.
Section 5. That the notice and public hearing requirements of Minnesota Statute § 414.033 subd. 2b have been provided and a public hearing was held on September 16, 2015.
Section 6. That Minnesota Statute § 414.033 subd. 3, does not control because it is appropriate for annexation under Minnesota Statute § 414.033 subd. 2 clause 3.
Section 7. That the area to be annexed is unplatted and unpopulated property.

Section 8. That electric utility service notice of Minnesota Statute § 414.033 subd. 13, is not applicable as there are no electrical services presently provided in the proposed area.

Section 9. The City hereby annexes the real property situated in the County of Polk, State of Minnesota, legally described as follows, to wit: Southeast Quarter of the Southeast Quarter (SE1/4SE1/4), Section Twenty-Six (26), Township One Hundred Fifty-two (152) North, Range Fifty (50) West of the Fifth Principal Meridian, Polk County, Minnesota containing approximately 40 acres.

Section 10. That said land is not in the floodplain or shoreland area.

Section 11. The City Administrator/Clerk Treasurer is hereby directed to certified copies of this ordinance with the Chief Administrative Law Judge, Principal Boundary Adjustments Division of the State Office of Administrative Hearings (Minnesota Municipal Board), Huntsville Township, Polk County Auditor, and the Minnesota Secretary of State. A copy of the ordinance must be delivered immediately to the Polk County auditor upon approval of the chief administrative law judge.

Section 12. City Code Chapter 10 entitled Definitions and General Provisions Applicable to the Entire City Code Including Penalty for violation" is hereby adopted in its entirety, by reference, as repeated verbatim herein.

Section 13. This ordinance shall take effect and be in force from and after its passage and publication and be given number 15 4th Series, and after its approval by the Minnesota Municipal Board.

Rolling Aye: Tweten, Olstad, Grassel, DeMers, Vetter, Pokrzywinski, and Kulew.

Rolling Nay: None.

Absent: None.

The President declared the Ordinance passed.

TEST:

PASSED: September 1, 2015
Clerk-Administrator

President of Council
hereby approve the foregoing Ordinance this 1st day of September, 2015.
Mayor

(September 9, 2015)

Affidavit of Publication

1) Rollin Bergman, being duly sworn on oath says that he is the Publisher of the newspaper known as the EXPONENT, and has full knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.

2) The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3) The dates of the month and the year and day of the week upon which the public notice attached/copied to this document was published in the newspaper are as follows: **September 9, 2015.**

4) The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows:
\$10.60/column inch

5) Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Polk County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

BY:

Rollin Bergman

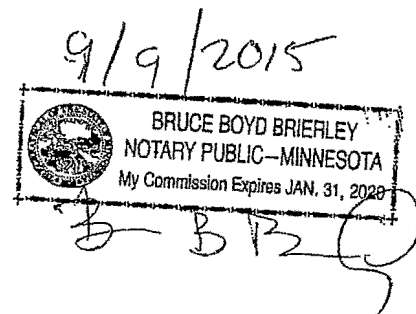
Rollin Bergman

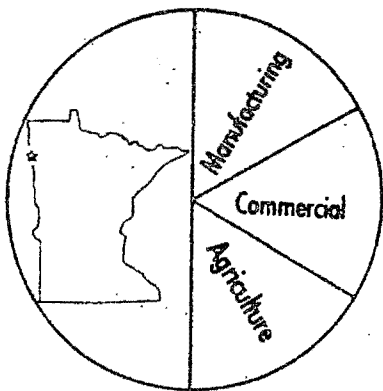
TITLE:

Publisher

Subscribed and sworn to me this 9th day of September, 2015.

Notary Public:





City of East Grand Forks

"Center of the Rich Red River Valley"

EAST GRAND FORKS, MINNESOTA 56721

RONALD I. GALSTAD
City Attorney
P.O. Box 386
East Grand Forks, MN 56721
Phone: 218-773-9729
Fax: 218-773-8950

STATE OF MINNESOTA

)

) SS

AFFIDAVIT OF SERVICE BY MAIL

COUNTY OF POLK

)

The undersigned, being first duly sworn, says that a copy of the attached:

Annexation Ordinance

was served upon:

Polk County Auditor' Office
612 North Broadway
Crookston, MN 56716

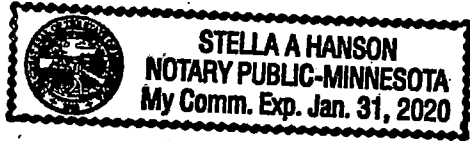
Grand Forks Township
ATTN: David Thompson, Clerk
44477 110th St SW
East Grand Forks, MN 56721

Minnesota Secretary of State
180 State Office Building
100 Rev. Dr. Martin Luther King Jr.
St. Paul, MN 55155-1299

by enclosing the same in an envelope addressed to such party at the above address with postage fully prepaid and depositing said envelope in a United States Postal Service mailbox at East Grand Forks, Minnesota on the 23 day of October, 2015.


Jeanne Peterson

Subscribed and sworn to before me on this 23 day of October, 2015, by Jeanne Peterson.



Stella Hanson

Notary Public

My Commission Expires: