

**CITY OF GILBERT
CITY COUNCIL MEETING
Tuesday, June 13, 2023**

6:00 P.M. REGULAR CITY COUNCIL MEETING

- 1. CALL TO ORDER**
- 2. ROLL CALL**
 - A. Determination of Quorum**
 - B. Pledge of Allegiance**
 - C. Approve Additions/Deletions to the Agenda (If any)**
- 3. CONSENT AGENDA**
 - A. City Council Minutes**
 - May 23, 2023, City Council Regular & Working Meeting Minutes
 - B. Boards and Commissions Minutes**
 - Apr 3, 2023, Planning and Zoning Meeting Minutes
 - May 18, 2023, Water and Light Meeting Minutes
 - RAMS April 27, 2023, Meeting Minutes
 - C. Invoices from Previously Approved Projects**
 - WWTP: Magney Construction Payment No. 39 - 150,530.89
 - WWTP: Kubota MBR final payment \$84,400.00
 - SEH Invoice 445590 WTP \$73,862.50
 - D. Invoices for Campground – Reimburse to General Fund Transfer**
 - Invoices for May 2023 (see spreadsheet) \$16,886.44
 - E. Payments of bills and payroll upon proper audit of clerk and mayor**
 - Check register 05/20/23 – 06/07/23.
- 4. PUBLIC INPUT**
- 5. REPORTS - MAYOR & COUNCIL**
 - A. Mayor - charter board update**
 - B. City Councilors**
- 6. REPORTS - STAFF, BOARDS & COMMISSIONS**
 - A. Fire Chief Kwiakowski**
 - B. City Attorney**
 - C. Chief of Police Techar**
 - D. City Engineer**
 - E. PW Operations Supervisor – Summer Hire; Fee Schedules (Water/Bulk); DN Tank**
 - F. Campground Host**
 - G. Library Director**
 - H. Advisory Boards**
 - I. Clerk-Treasurer**
- 7. OLD BUSINESS**
 - A. WWTP Update & WTP Update**
 - B. Brown Parcel – Lake Ore Be Gone #060-0110-00070**
 - C. Crep Parcel – Lake Ore Be Gone #060-0110-00410**
 - D. IRRRB Dev Agree Resolution 2023-11/Approve plumbing purchase.**
 - E. CD Purchase PW Truck Funds**
 - F. Splash Town Proposal**
 - G. Franchise Fee/Access 12 TV**
 - H. Gas tank proposals**
- 8. NEW BUSINESS**
 - A. IREACS – Joe Peterson – System Evaluation/10-year plan**
 - B. Interim funding - Rural Water Resolution 2023-12**
 - C. Cleveland Cliffs Access Agreement – 3rd of July fireworks access**
 - D. CIT Camera renewal**
 - E. WIN-911 Annual Renewal Request – WWTP/WTP (alarm system)**
 - F. CDBG Community Center Bathrooms Bid Tab**
 - G. Liquor License (1-5th July)**
 - H. Letter of support – Authorization to send to SLC Trails Task Force**
- 9. Miscellaneous Announcements**
- 10. ADJOURN **Note: Agenda Subject to change or additions****

City of Gilbert
Minutes of Regular City Council Meeting
Tuesday, May 23, 2023
Council Chambers

Mayor Smith called the meeting to order at 6:15 P.M.

Quorum determined.

Present: Councilors Pontinen, Pulles, Heitzman, Mayor Smith

Absent with notice: Councilor Skenzich

Mayor Smith led the audience in the Pledge of Allegiance

Addition to the Agenda: None

Approve Consent Agenda:

City Council Minutes

- May 9, 2023 City Council Regular Meeting Minutes
- May 9, 2023 City Council Working Session Minutes

Boards and Commissions Minutes

- Campground Board Minutes March 1, 2023

Invoices from Previously Approved Projects

- SEH #440197 \$2,954.50; #442660 \$11,818.00; #444383 \$17,727.00
- Stantec #2075966 \$5,942.32
- Magney Pay Req. #40 \$42,578.62

Invoices for Campground-Reimburse to General Fund Transfer

- Campground Sign - \$448.00 previously approved to Mesabi Sign

Payment of Bills and Payroll upon proper audit of Clerk and Mayor

- Check register 5/6/23 – 5/19/23

Motion by Heitzman, second by Pulles to approve Consent Agenda items as listed above.

Aye: Heitzman, Pulles, Pontinen, Smith MCU

Public Participation:

Paul Skrbec, Gilbert resident. Concerned with ATV traffic on City streets and requests the City address the issue.

Reports – Mayor & Council

Mayor Smith:

The City currently has 5 applications for the Charter Commission and encourages residents to submit applications for current openings on the Charter Commission, Planning & Zoning Commission, Library Board and Water & Light Board, if interested.

Councilor Pontinen:

Blight concern around the Gmen dumpster area and 3rd of July aluminum can container on Broadway Street and requests a cleanup in those areas.

Councilor Pulles:

The City was awarded 6 million dollars toward the Water Treatment Plant project. Total project cost 13 million dollars.

Councilor Pontinen announces SEH to present informational meeting on the new Water Treatment Plant on May 24 at City Hall 9:30am- 11:00am.

Councilor Skenzich: Absent

City of Gilbert
Minutes of Regular City Council Meeting
Tuesday, May 23, 2023
Council Chambers

Councilor Heitzman: No report
Reports – Staff, Boards & Commissions

City Attorney Noelle Berkelman: No formal report

Police Chief Ty Techar:

1. Blight enforcement started, increased activity at City dumpsters.
2. PD received \$74,000 in recent public state aid, funds dispersed by September 1, 2023.
3. Marijuana legal as of August 1, 2023, regulations will fall to individual cities, policy discussion. 20% of gross sales tax receipts are returned to local government to manage the cannabis programs. Drug Recognition Officer training funding.

Motion by Pulles, second by Pontinen to remove the City dumpster behind Public Works building, to be open in September for fall cleanup only. Aye: Heitzman, Pulles, Smith, Pontinen MCU

City Engineer John Jamnick:
Mesabi Bituminous construction update.

Fire Chief Marc Kwiatkowski

1. New Fire Department Ladder 23 truck arrival, training taking place.
Open House Tuesday, June 13, from 5:00-7:00pm to present the new fire truck to the public, refreshments will be served. Chief thanks the public, Council and Clerk Zallar for helping this process and that this fire truck will benefit local communities.
2. Gilbert Fire Relief will hold their annual fundraiser at the Fire Hall during the 3rd of July parade and invites the public.
3. Gilbert Fire Relief will hold a fundraising beer garden during the Crawl for the Cure event July 14/15, and invites the public to attend the free music concert/dance at the Skenzich Arena.

Councilor Pontinen inquires of plan/sale of the retired fire ladder truck. Chief has researched and there is low possibility of sale, and valued at approx. \$10,000. Conversion cost of ladder truck to a Public Works vehicle approx. \$20,000

4. Councilor Heitzman encourages the public to submit applications for volunteer fire fighter.

Public Works Operations Director Sam Lautigar:

1. AEOA will no longer be offering diesel fuel to the City of Gilbert. Fuel tank discussion.
2. Seasonal Hire, currently accepting applications.

Advisory Boards:

Paul Skrbec, Campground Board update on scheduling platforms, new and current.
Councilor Heitzman inquires re: adding more trees around the campground, to be more in keeping with Sherwood “Forest” Campground name. DNR to assist. Campground Board to address this.

Library Director Su Dabbas:

Audio quality issue.

Summer reading program, United Way to provide lunch on-site Mon-Thurs.

City of Gilbert
Minutes of Regular City Council Meeting
Tuesday, May 23, 2023
Council Chambers

Campground Director Wendy Flannigan:

1. Flowers planted, full capacity this weekend.
2. Explore Minnesota 2024 ad request.

Motion by Heitzman, second by Pulles to approve \$615 for advertising in the Explore Minnesota tourism magazine. Aye: Heitzman, Pulles, Smith, Pontinen MCU

3. Councilor Pulles inquires re: Crawl for the Cure additional parking and camping sites.

Clerk Treasurer Zallar:

1. Water Treatment Plant funding update, City financial update, audit update.
2. Utility Billing past due funds collection update.
3. Requests a date with Council and Attorney to take care of outstanding City business requiring Council action. Date to be determined.

Old Business:

Approve Plumbing Parcels 060-0052-01220 & 060-0030-04940

Development agreement/Purchase agreement have been presented to Council. Mayor states the changes needed.

Councilor Heitzman inquires of IRRR contingency, and Attorney review. Discussion.

Motion by Heitzman, second by Pulles to approve the development agreement as discussed, contingent on the following 3 changes: 1. Name change from Approve Plumbing to Melvin Freeman Hwy 53 Trust; 2. Remove Western portion of the "triangle"; 3. Add 3rd "whereas": Approve Plumbing would not undertake this plan without the IRRRB grant funding, and review/adjustments by City Attorney. Aye: Heitzman, Pulles, Smith, Pontinen MCU

WWTP Update

Max flow is at capacity, May 10 completion and warranty start date. System running well with 3 Kubota MBR.

Councilor Heitzman thanks Terah Rinerson for her work and additional training.

WTP Update

Soil Borings needed, cost \$22,750. Bonding bill /funding discussion.

Motion by Pontinen, second by Heitzman to approve the soil boring process by Braun Intertech for SEH to continue the new Water Treatment Plant, in the amount of \$22,750.

Aye: Heitzman, Pulles, Smith, Pontinen MCU

SEH proposal design meeting 5/24/23. Mayor Smith and Councilor Pontinen to attend.

Franchise Fee/Access 12 – Tabled no action.

New Business:

Splash Town-from working session

- Awaiting clarification from City Attorney. No action taken. Councilor Heitzman would like to see this business come to our Lake Ore Be Gone

City of Gilbert
Minutes of Regular City Council Meeting
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Public Works Purchase for AHU

WWTP, HVAC system needs maintenance. Iron Range Plumbing and Heating Quote. Warranty discussion.

Motion by Heitzman, second by Pulles to approve Iron Range Plumbing and Heating in the amount of \$1,264.00 to supply and install a motor, sheave, flame sensor and igniter on AHU WWTP HVAC system. Aye: Heitzman, Pulles, Smith, Pontinen MCU

Street Dance Request

Bar owners are to clean up after the street dance.

Motion by Pulles, second by Heitzman to approve the request from Devo's Sand Bar, The Dugout, and Downtown Bar to hold a street dance on Saturday, July 1, 2023.

Aye: Heitzman, Pulles, Smith, Pontinen MCU

Air BnB Procedure-from working session

No action required.

W/WW Training Request

Motion by Heitzman, second by Pulles to approve Terah Rinerson's training reimbursement of \$164.62. Aye: Heitzman, Pulles, Smith, Pontinen MCU

Miscellaneous Announcements: *NONE*

Motion by Heitzman, second by Pulles to adjourn meeting at 8:03PM.

Aye: Heitzman, Pulles, Smith, Pontinen MCU

**These minutes are paraphrased and are not written word for word.*

ATTEST:

Jill Zallar, Clerk Treasurer

Thomas Smith, Mayor

City of Gilbert
Minutes of City Council Working Session
Tuesday, May 23, 2023
Council Chambers

Mayor Smith called the meeting to order at 5:02 P.M.
Present: Councilors Pulles, Heitzman, Pulles, Mayor Smith
Absent: Councilor Skenzich
Quorum established.

1. Call to Order
2. Approve Plumbing
3. Splash Town presentation
4. Ehlers FMP & URS discussion
5. Air BnB discussion
6. AEOA Small City Loans
7. Miscellaneous items: none

Motion by Heitzman, second by Pulles to adjourn meeting at 6:05 PM. MCU

**These minutes are paraphrased and are not written word for word.*

ATTEST:

Jill Zallar, Clerk-Treasurer

Thomas Smith, Mayor

City of Gilbert
Planning & Zoning Commission Minutes

Monday, June 5, 2023

6:30 PM Gilbert City Hall Council Chamber

1. CALL TO ORDER AND ROLL CALL FOR PLANNING AND ZONING

Commissioner	Lonnie Gulbranson	<u> x </u>
Commissioner	Scott Dennie	<u> x </u>
Commissioner	James Hall	<u> x </u>
Ex Officio – Zoning Administrator	John Jamnick	<u> x </u>
Ex Officio – City of Gilbert Mayor	Tom Smith	<u> </u>
Ex Officio – City Engineer	John Jamnick	<u> </u>
Ex Officio – City Attorney	Bryan Lindsay	<u> </u>
Special Projects / Admin Assistant		<u> </u>
Ex Officio – City Clerk	Jill Zallar	<u> </u>

2. APPROVAL OF MINUTES

Approval of the Planning and Zoning Commission minutes for April 3, 2023. Motion to approve.

By: James Hall Second: Lonnie Gulbranson

Motion to approve minutes as submitted passed 3-0.

3. ACCEPTANCE OF AGENDA

Acceptance of Agenda for recording purposes. Permit application for Block 4 Lot 4 Sherwood Forest Drive was added to new business. Motion to approve.

By: Lonnie Gulbranson Second: James Hall

Motion to approve agenda with permit application added passed 3-0.

4. NEW BUSINESS

- a. North Gilbert Expansion Area – Discussed update on the plan for commercial development in the area. No action is needed at this time.
- b. Ore Be Gone Point Plans – Discussed the general plan for the development of this area. No action is needed at this time.
- c. Permit Applications
 - i. 204 Minnesota W – approved 3-0
 - ii. 1 Circle Dr – approved 3-0
 - iii. 303 Arizona Ave W (Circle K Signage) – approved 3-0
 - iv. 417 Michigan Ave W – approved 3-0
 - v. 106 Ohio Ave W – approved 3-0
 - vi. 123 Nebraska Ave E – application tabled, requested setbacks
 - vii. Block 4 Lot 4 Sherwood Forest Dr – approved 3-0

5. OLD BUSINESS

a. Planning & Zoning Administrator's Report:

i. Permit Requests Approved:

1. 219 E Michigan Ave

ii. Real Estate Assessments completed:

1. 402 S Broadway Ave
2. 210 W Indiana Ave
3. TBD Ore Be Gone Dr
4. 108 Nebraska Ave W

5. 107 Deerwood Dr
6. 320 Dakota Ave W
7. 210 W Indiana Ave

b. Building Fees – Looking at options – no discussion.

6. MISCELLANEOUS

- a. Recommend adding a Planning & Zoning Permit fee of \$100 for an addition.
- b. Recommend adding a line to the Application for Land Use/Building Permit form for the structure height.

7. ADJOURNMENT Time: 7:08

8. NEXT MEETING TBA Gilbert City Hall Council Chamber.

CITY OF GILBERT

COMMITTEE/BOARD Water & Light

Date: 5/18/23 Call to Order: 6:10 a.m./p.m.

In Attendance: Leo, Bruce, Nick

Approval of Minutes 4- -23

Motion by Leo 2nd by Bruce M.C.U.
New Business:

Old Business:

Recommendations:

Non Residents to be charged Base rates and upgrades
Move on City Apartments Above Business to pay usage fees
Address Mickeyly water contract.

Next Meeting Date/Time: 6-15-23

Adjourn: 7:00 a.m./p.m. Bruce motion Leo 2nd M.C.U.

Range Association of Municipalities & Schools

Board Meeting Minutes

Thursday, April 27, 2023 – 6:00 P.M.

Northeast Service Cooperative Building

President Pat Medure called the meeting to order at 6:00 P.M.

Roll Call of Board:

Present: Pat Medure (ISD 318-Grand Rapids); Glenn Anderson (City of Babbitt); Barb Kalmi (ISD 319-Nashwauk/Keewatin); Dale Adams (City of Grand Rapids); Richard Aldrich (ISD 701-Hibbing, Supt Assn); Bob Berrini (Morse Township); Jim Fisher (McDavitt Township); Gary Friedlieb (City of Virginia); Jennifer Hoffman-Sacoman (City of Hibbing); Dan Goette (City of Aurora); Pamela LaFrenier (ISD 2711-Mesabi East); Julie Lucas (French Township); Philip Medure (Great Scott Township); Ron Pittman (Cherry Township); Cal Saari (City of Nashwauk); Warren Stolp (Nashwauk Township); John Tuorila (City of Calumet); Dr Rae Villebrun (ISD 319-Nashwauk/Keewatin Supt Assn); Cal Warwas (Clinton Township); Jim Weikum (City of Biwabik); Cherie Grams (City of Hoyt Lakes)

Absent: City of Silver Bay; City of Ely; City of Chisholm

Also Present: Steve Giorgi, Interim Executive Director; Kristen Kranz, RAMS Admin Assistant; Jeff Anderson; Paul Peltier; Kristi Kane (ARDC)

(Persons highlighted were present in person; others were via Zoom.)

Review and Approve Agenda:

The agenda was amended to remove 7a and add 8g-approve executive director contract and 8h-Stauber hearing. A motion to approve the amended agenda was made by Fisher and supported by Adams. Motion carried.

Approve Meeting Minutes:

A motion to approve the regular meeting minutes from March 23, 2023, and special meeting minutes from April 6, 2023, was made by Kalmi and supported by Saari. Motion carried.

Appearances:

The Board was joined by Kristi Kane from the Arrowhead Regional Development Commission, specifically the director of the Arrowhead Area Agency on Aging.

The Agency has 4 primary roles:

- 1) Access (Senior LinkAge Line)- Medicare Part B counseling, referrals to transportation services, assistance in signing up for programs at no charge
- 2) Administrative (Home and community-based service)-\$2.6M in funding last year in Arrowhead region, includes AEOA and Legal Aid
- 3) Advocacy (state level)
- 4) Development-Fill gaps in service provision. Transportation, chore services, and affordable housing

Some of the services that are funded by the Intrastate Funding Formula are nutrition, transportation, chore services, caregiver services, and health promotion classes. These programs are designed to help people stay in their homes longer, so they don't have to spend down to long term care. The Arrowhead region receives 9.03% of the state's funds. Kathy Chavers is the only representative for the Arrowhead region on the MN Board of Aging.

Kristi asked for a letter of support from RAMS and individuals for a new formula that best serves all people living rural in MN. Public comment is open until May 3. See greaterminnesotaaging.org for more information.

The Board was joined by Board member Julie Lucas, on behalf of Mining Minnesota. The lawsuit by Northeastern Minnesotans for Wilderness vs MN DNR was filed in 2020. They are claiming that the regulations for

nonferrous mining are inadequate to protect the Rainy River headwaters watershed. The lawsuit claims that the rules are not protective enough. Within the RR watershed is Twin Metals and the Mesaba Deposit. The DNR decided to take public comment and then decide if the rules are adequate.

Julie asked for a letter of support from RAMS in support of the current rules.

Director's Report:

See the Director's report that was included in the packet.

Old Business:

A. Dues Committee met and looked over possible options. Discussion will continue next month.

New Business:

A. Legislative report from Jeff Anderson:

a. Senate and House are debating tax bills = \$4M in tax cuts over 4 years, exempts some people from tax on SS (about 75%).

-LGA/County Program Aid increase \$100M (H)

-Construction sales tax exemption for municipalities and school districts (H)

-LGA/CPA increase \$40M each (S)

-Public Safety Grant \$325M for communities-one time (S)

-Rebate checks \$275/person + \$275/kid (H); \$279/person + \$56/kid (S)

-Fifth tier income tax of 10.85% on single filer above \$600k, married above \$1M (H)

-Multinational corporations = new tax (S) (H)

- Mineral Article extension of nickel production tax (S) (H)

b. Earmarks for schools, transportation, \$5M for Canyon Waste project, Silver Bay, Chisholm, Crane Lake, Biwabik

c. Bonding- 2022 bonding bill passed by the House in March but stalled in the Senate. Another bonding bill is in the works.

d. May 22 is the adjournment date, could be earlier.

e. Conference committees will start to meet next week.

f. Education- Funding increase 4-5%/year for two years; investment in special education. These may come with mandates (unemployment for food service, bus drivers, etc.; provision allowing teachers union involvement in class size)

B. Discussion was held on the correspondence on MERA-DNR lawsuit. A motion to approve the letter was made by Friedlieb and supported by Warwas. Motion carried.

C. Discussion was held on the correspondence on Intrastate Funding Formula. A motion to approve the letter was made by Kalmi and supported by Fisher. Motion carried.

D. Discussion was held on correspondence on continued ERDAC funding. A motion to approve the letter was made by Friedlieb and supported by Warwas. Motion carried.

E. RAMS purchased a new 5-month CD at 5% in Hibbing = \$75K. An old CD will mature on May 18 = around \$80k, which will balance out.

F. A motion to accept Ida Rukavina's notice of resignation was made by Fisher and supported by LaFrenier. Motion carried.

G. Discussion was held on the final contract for Paul Peltier, the next Executive Director of RAMS. The contract starts on July 1, 2023, and goes through December 31, 2024. Base salary is \$80,000/annually. Health and Dental insurance was a challenge; a stipend was decided on which equals \$20,500/annually for Paul to purchase his own insurances. PTO is 30 days annually. He will also receive \$600/month for auto stipend, \$100/month for cell stipend, PERA, \$100,000 life insurance policy, and disability insurance. There will be a 90-day performance review. A motion to accept the contract was made by Friedlieb and supported by Fisher. Motion carried.

- H. On May 2, there will be a subcommittee hearing with Rep Stauber at the Mt Iron High school, at 1:30pm in the auditorium, enter through door 4. They will be examining the mineral wealth of Northern Minnesota. This a very unique opportunity. RAMS encourages a good turnout to this event.

Board Member Updates:

Jennifer Hoffman-Saccoman gave an update on the city of Hibbing:

1. The city of Hibbing currently has 60 outstanding loans to businesses totaling \$2.3M
-22 of these loans have 0% interest totaling \$850,000 (given during COVID)
2. K-9 Chase won \$30,000 in America's Top Dog contest for a new K-9 after Chase retires, plus another \$10,000 for the Range Regional Animal Rescue. The HPD added another K-9 to the force in 2022, and K-9 Dottie passed the electronic storage device detection training. HPD is the only municipality north of the twin cities to have a K-9 trained in this, as there are only three in the state of MN.
3. Hibbing has a \$12.1M bonding request for the Hibbing Public Safety Building.
4. Hibbing Fire Department purchased a fire engine in 2022 for \$593,000. It was just received last month. EMS run volume has been increasing every year.
5. Hibbing Publics works department plows 227 miles of paved streets, 27 miles of alleys, and 90 miles of gravel roads each time the plows are called out.
6. Sewer Line Project has lined over 20.6 miles of sewer at a cost of \$4.4M
7. City services project: Hull Rust Mine View. Construction will begin this spring on the new visitors center with a balcony overlooking the mine and a new exhibit hall with a gift shop and balcony. The cost is around \$2.4M.
8. New pickleball courts
9. Cary Lake Campground will have 39 RV sites with electrical and water hookups as well as 6 tent sites. A shower and restroom will be constructed as well as a dump station.
10. Range Regional Airport will close the main runway from May30-June18 for reconstruction. Cost of the project is approximately \$4.89M with majority of the funds coming from FAA, IRRR, MnDot, and Chisholm/Hibbing Airport Authority).

Dan Geotte gave an update on the City of Aurora:

1. Aurora has a new Administrator with experience in waste water industry.
2. A new splash pad was added to a small playground last year and has been very successful. The hockey rink was moved so a parking lot could be added.
3. New work done to the community building: floors, windows, appliances, A/C and heat.
4. Water plant= projected to be about 80% funded. Will produce a better water supply.
5. Sewer plant= working to meet mercury requirements: checked sump pumps and adding sand filters
6. Hired a new blight officer last year, adopted stronger ordinances to give more power to blight officer
7. The city bought 6 tax forfeit lots
8. HRA= 10 \$500 matching fund grants to homeowners for exterior work on homes; this year we are raising it to 10 \$1000 matching fund grants
9. Working on ordinances= wind and solar ordinances to keep uniform, edibles ordinances together with Hoyt Lakes, rent ordinance updates
10. New cell tower went up last fall. Today they were trying to get it up and running, but were having trouble with software
11. HWY 100 (main street) will be done in 2027
12. A group of citizens came forward and asked if they could raise money to repurpose the old basketball/tennis courts into pickle ball courts.

Finance Committee Report:

Kalmi reported on the Finance Committee Meeting held April 27, 2023:

1. Expenditures for the period of March 23-April 26, 2023, in the total amount of \$16,154.62.
2. Profit and Loss Budget vs Actual is on track.
3. Balance Sheet as of April 26, is \$438,379.55

A motion to accept the financial reports was made by Warwas and supported by Pittman. Motion carried.

Other: Itasca County is hosting a housing summit at the Timberlake Lodge on May 4th. They are targeting mayors, housing developers, and economic development in your community.

Minnesota is close to passing legal marijuana. The House bill does not allow for local control, but the Senate bill does. It will be worked out in the conference committee.

Member Floor Privileges:

Next Meeting:

The next regular Board meeting will be on Wednesday, May 31, 2023, at 6pm at the Northeast Service Cooperative building.

Adjournment.

Meeting adjourned at 8:40pm.

To: City of Gilbert

From: Peter Daniels, PE

File: 193803690

Date: April 5, 2023

**Reference: Application for Payment No. 39 – Wastewater Treatment Facility Improvements
Partial Release of Claims**

Attached to this memo is Pay Application No. 39 from Magney Construction Inc. ("Magney") for the Wastewater Treatment Facility Improvements project. We are recommending payment for the work completed and materials stored to date by Magney as reflected in the subject Application for Payment. Some of the costs for this work will be paid directly by Stantec, as described below. It is recommended that the City make payment of the amount of \$150,530.89 to Magney. Upon receipt from the City of a signed copy of this Memo, Stantec will make payment directly to Magney for an amount of \$3,862.45.

Work completed as part of this pay request is related to the post-completion change orders (Change Orders 19-23). Including previous pay requests, this brings the total payment amounts to:

	Base Bid
Previous Payments:	\$8,552,562.90
Total completed and stored to date:	\$8,706,956.24
Total retainage to date:	\$0.00
Amount Requested this pay request:	\$154,393.34
Original contract amount:	\$8,035,500.00
Approved change orders to date:	\$729,122.35
Contract amount with approved change orders:	\$8,764,622.35

A breakdown of the cost sharing for the work completed as part of this pay request, as previously approved with each change order, is attached to this cover memo. The work completed for this pay request is highlighted on the cost sharing summary sheet.

Reference: **Application for Payment No. 39 – Wastewater Treatment Facility Improvements**

Upon City acceptance of the pay application, please sign the Magney pay application cover page and email the signed page back to Peter Daniels at Stantec. Also please complete the section below related to the partial release for Stantec's contribution towards the work and email this signed page back to Peter Daniels as well.

Please contact Peter Daniels at 763-218-3023 if there are any questions.

By signing below, the City agrees that upon payment by Stantec to Magney of the "Stantec Share" shown in the attached table, Stantec will have satisfied all its obligations to the City with respect to the items identified in the table and the City releases any and all claims it may now or in the future have against Stantec related to those items.

The undersigned, an authorized representative of the City of Gilbert, agrees to the terms and conditions above, including the release of claims against Stantec with respect to those items for which Stantec pays to Magney the "Stantec Share."

City of Gilbert

By: _____

Date: _____

Change Order Cost Sharing Summary

	City Share	Stantec Share	Total
Change Order No. 19			
Item 1: Mobilization	\$ 9,670.00	\$ -	\$ 9,670.00
Item 1: Mobilization (50% Complete)	\$ 4,835.00	\$ -	\$ 4,835.00
Item 1: Mobilization (12.5% Complete)	\$ 1,208.75	\$ -	\$ 1,208.75
Item 1: Mobilization (12.5% Complete)	\$ 1,208.75	\$ -	\$ 1,208.75
Item 1: Mobilization (12.5% Complete)	\$ 1,208.75	\$ -	\$ 1,208.75
Item 1: Mobilization (12.5% Remaning)	\$ 1,208.75	\$ -	\$ 1,208.75
Item 2: General Conditions and Job Overhead	\$ 120,000.00	\$ -	\$ 120,000.00
Item 2: General Conditions and Job Overhead (12.5% Complete)	\$ 15,000.00	\$ -	\$ 15,000.00
Item 2: General Conditions and Job Overhead (29.2% Complete)	\$ 35,000.00	\$ -	\$ 35,000.00
Item 2: General Conditions and Job Overhead (29.2% Complete)	\$ 35,000.00	\$ -	\$ 35,000.00
Item 2: General Conditions and Job Overhead (19.5% Complete)	\$ 23,450.00	\$ -	\$ 23,450.00
Item 2: General Conditions and Job Overhead (9.6% Remaining)	\$ 11,550.00	\$ -	\$ 11,550.00
Item 3: Membrane Replacement Tank #1	\$ 85,000.00	\$ -	\$ 85,000.00
Item 3: Membrane Replacement Tank #1 (90% Complete)	\$ 76,500.00	\$ -	\$ 76,500.00
Item 3: Membrane Replacement Tank #1 (10% Complete)	\$ 8,500.00	\$ -	\$ 8,500.00
Item 4: Membrane Replacement Tank #2	\$ 85,000.00	\$ -	\$ 85,000.00
Item 4: Membrane Replacement Tank #2 (45% Complete)	\$ 38,250.00	\$ -	\$ 38,250.00
Item 4: Membrane Replacement Tank #2 (55% Complete)	\$ 46,750.00	\$ -	\$ 46,750.00
Item 5: Membrane Replacement Tank #3	\$ 85,000.00	\$ -	\$ 85,000.00
Item 5: Membrane Replacement Tank #3 (67% Complete)	\$ 57,000.00	\$ -	\$ 57,000.00
Item 5: Membrane Replacement Tank #3 (33% Remaining)	\$ 28,000.00	\$ -	\$ 28,000.00
Allowance - Electrical Controls	\$ 10,000.00	\$ -	\$ 10,000.00
Charge Order No. 20			
No cost changes proposed with this change order	\$ -	\$ -	\$ -
Change Order No. 21			
Item 1: Change operators from lever to chain wheel	\$ 1,562.98	\$ 1,790.15	\$ 3,353.13
Item 2: Lower pump stand add filler flange	\$ 3,524.39	\$ 3,231.46	\$ 6,755.85
Item 3: Add Weights to Sludge Tank Decant Arms	\$ -	\$ 7,892.43	\$ 7,892.43
Item 3: Add Weights to Sludge Tank Decant Arms (12.5% Complete)	\$ -	\$ 985.06	\$ 985.06
Item 3: Add Weights to Sludge Tank Decant Arms (87.5% Remaining)	\$ -	\$ 6,907.37	\$ 6,907.37
Item 4: Invoice owner for fiberglass tank purchased	\$ -	\$ 671.68	\$ 671.68
Item 5: Add lockable circuit breakers at blowers	\$ -	\$ 419.80	\$ 419.80
Change Order No. 22			
Item 1: New Header Piping in Tanks 2 and 3	\$ 22,430.46	\$ -	\$ 22,430.46
Item 1: New Header Piping in Tanks 2 and 3 (50% Complete)	\$ 11,215.23	\$ -	\$ 11,215.23
Item 1: New Header Piping in Tanks 2 and 3 (50% Complete)	\$ 11,215.23	\$ -	\$ 11,215.23
Change Order No. 23			
Item 1: MBR Tank 1 Rework	\$ 10,906.91	\$ -	\$ 10,906.91
Item 2: Caustic Injection Point Relocation	\$ -	\$ 2,105.43	\$ 2,105.43
Item 3: MBR Permeate Nozzle Size Change	\$ -	\$ 1,757.02	\$ 1,757.02
Total	\$ 477,542.19	\$ 61,094.31	\$ 538,636.50
Pay Applications			
Pay Application No. 39	\$ 150,530.89	\$ 3,862.45	\$ 154,393.34
Shading indicates included with current Pay Application			

Application for Payment No. 39

To: The City of Gilbert, MN

From: Magney Construction, Inc., 1401 Park Road, Chanhassen, MN 55317

Contract: _____

Project: Wastewater Treatment Facility Improvements

Owners Contract No. _____ Engineer's Project No. 193803690

Date of this Invoice: 4/3/23

Invoice Work Period: 3/1/23 to 3/31/23

1) Original Contract amount	<u>\$8,035,500.00</u>
2) Change Orders to date	<u>\$729,122.35</u>
3) Revised Contract amount	<u>\$8,764,622.35</u>
4) Value completed to date	<u>\$8,706,956.24</u>
5) Materials stored on site	<u>\$0.00</u>
6) Total Earned to date	<u>\$8,706,956.24</u>
7) Amount retained	<u>\$0.00</u>
8) Amount previously paid	<u>\$8,552,562.90</u>
Amount due this Payment	<u>\$154,393.34</u>

Accompanying Documentation:

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of work done under the Contract referred to above have been applied on account to discharge CONTRACTOR'S legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 1 inclusive; (2) title of all work, materials and equipment incorporated in said Work otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interest or encumbrance (except such as are recovered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance by the Contract Documents and not defective.

Magney Construction, Inc. (Contractor)


By: _____

Project Manager

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Owner: City of Gilbert Engineer: Stantec

By: _____

By: 

Date: _____

Date: April 7, 2023

Contractor: Magney Construction, Inc.
 Owner: City of Gilbert, MN
 Project: Wastewater Treatment Facility Improvements
 Stantec Project Number 193803690

Date of Application: 4/03/23
 Work Completed Through: 3/31/23

APPLICATION FOR PAYMENT SCHEDULE

Spec. Section	Description of Work	Scheduled Value	Work Previous Application	Completed This Application	Materials Presently Stored	Total Completed & Stored to Date	% Complete	Balance To Finish
1000	General Conditions & Job Overhead	\$ 636,420	636,420.00	0.00	0.00	636,420.00	100%	0.00
1015	Bond & Insurance	\$ 110,550	110,550.00	0.00	0.00	110,550.00	100%	0.00
15120	Temporary Conveyance of Wastewater	\$ 68,120	68,120.00	0.00	0.00	68,120.00	100%	0.00
24113	Demolition & Structure Modifications:							
	Control Building	\$ 46,720	46,720.00	0.00	0.00	46,720.00	100%	0.00
	Influent Building	\$ 18,650	18,650.00	0.00	0.00	18,650.00	100%	0.00
	Garage/Filter Building	\$ 92,450	92,450.00	0.00	0.00	92,450.00	100%	0.00
	Primary Clarifier	\$ 32,760	32,760.00	0.00	0.00	32,760.00	100%	0.00
	Sludge Tanks/ Aeration Tanks	\$ 71,330	71,330.00	0.00	0.00	71,330.00	100%	0.00
	Exterior	\$ 61,490	61,490.00	0.00	0.00	61,490.00	100%	0.00
	Digester	\$ 139,240	139,240.00	0.00	0.00	139,240.00	100%	0.00
	Trickling Filter	\$ 129,420	129,420.00	0.00	0.00	129,420.00	100%	0.00
U.P.	Removal of Sand/Grit from Tanks (200 CY@\$60/CY)	\$ 12,000	12,000.00	0.00	0.00	12,000.00	100%	0.00
24113	Asbestos Abatement	\$ 6,500	6,500.00	0.00	0.00	6,500.00	100%	0.00
31000	Concrete Work							
	MBR Building	\$ 706,530	706,530.00	0.00	0.00	706,530.00	100%	0.00
	Control Building	\$ 3,600	3,600.00	0.00	0.00	3,600.00	100%	0.00
	Influent Building	\$ 2,100	2,100.00	0.00	0.00	2,100.00	100%	0.00
	Garage	\$ 69,860	69,860.00	0.00	0.00	69,860.00	100%	0.00
	Primary Clarifiers	\$ 1,320	1,320.00	0.00	0.00	1,320.00	100%	0.00
	Sludge Tanks	\$ 17,840	17,840.00	0.00	0.00	17,840.00	100%	0.00
	Exterior (Includes Retaining Wall & Sand Drying Bed))	\$ 68,230	68,230.00	0.00	0.00	68,230.00	100%	0.00
32000	Rebar							
	MBR Building	\$ 233,640	233,640.00	0.00	0.00	233,640.00	100%	0.00
	Control Building	\$ 1,200	1,200.00	0.00	0.00	1,200.00	100%	0.00
	Influent Building	\$ 800	800.00	0.00	0.00	800.00	100%	0.00
	Garage	\$ 23,700	23,700.00	0.00	0.00	23,700.00	100%	0.00
	Primary Clarifiers	\$ 400	400.00	0.00	0.00	400.00	100%	0.00
	Sludge Tanks	\$ 6,000	6,000.00	0.00	0.00	6,000.00	100%	0.00
	Exterior	\$ 23,100	23,100.00	0.00	0.00	23,100.00	100%	0.00
34000	Precast Hollow Core Planks	\$ 124,400	124,400.00	0.00	0.00	124,400.00	100%	0.00
34800	Precast Concrete Specialties (Splash Blks)	\$ 400	400.00	0.00	0.00	400.00	100%	0.00
37000	Concrete Restoration	\$ 150,000	150,000.00	0.00	0.00	150,000.00	100%	0.00

APPLICATION FOR PAYMENT SCHEDULE

Contractor: Magney Construction, Inc.
Owner: City of Gilbert, Mtn
Project: Wastewater Treatment Facility Improvements
Stantec Project Number 193803690

Spec. Section	Description of Work	Scheduled Value	Work Previous Application	Completed This Application	Materials Presently Stored	Total Completed & Stored to Date	% Complete	Balance To Finish
42200	Masonry Work	\$ 386,320	386,320.00	0.00	0.00	386,320.00	100%	0.00
	MBR Building	\$ 12,340	12,340.00	0.00	0.00	12,340.00	100%	0.00
	Garage	\$ 161,800	161,800.00	0.00	0.00	161,800.00	100%	0.00
55000	Metal Fabrications	\$ 14,350	14,350.00	0.00	0.00	14,350.00	100%	0.00
55001	Stop Logs and Stop Plates	\$ 9,400	9,400.00	0.00	0.00	9,400.00	100%	0.00
61000	Rough Carpentry	\$ 6,600	6,600.00	0.00	0.00	6,600.00	100%	0.00
62000	Finish Carpentry (casework in Break Rm)	\$ 16,550	16,550.00	0.00	0.00	16,550.00	100%	0.00
66000	Plastic Fabrications (FRP Grating)	\$ 45,000	45,000.00	0.00	0.00	45,000.00	100%	0.00
67000	Fiberglass Dome Cover re-surfacing	\$ 15,900	15,900.00	0.00	0.00	15,900.00	100%	0.00
71113	Bituminous Dampproofing (cavity wall)	\$ 18,100	18,100.00	0.00	0.00	18,100.00	100%	0.00
71300	Membrane Waterproofing	\$ 2,880	2,880.00	0.00	0.00	2,880.00	100%	0.00
72100	Insulation (below grade)	\$ 82,000	82,000.00	0.00	0.00	82,000.00	100%	0.00
75423	Thermoplastic Polyolefin Roofing	w/75423						
76200	Sheet Metal Flashing & Trim	\$ 15,200	15,200.00	0.00	0.00	15,200.00	100%	0.00
79200	Joint Sealants	\$ 48,500	48,500.00	0.00	0.00	48,500.00	100%	0.00
81100	Metal Doors and Frames (incl. HDWE)	w/81100						
81613	FRP Doors and Frames	\$ 350	350.00	0.00	0.00	350.00	100%	0.00
83100	Access Panels	\$ 6,220	6,220.00	0.00	0.00	6,220.00	100%	0.00
83113	Floor Access Doors	\$ 8,800	8,800.00	0.00	0.00	8,800.00	100%	0.00
83323	Insulated Rolling Service Door	\$ 5,200	5,200.00	0.00	0.00	5,200.00	100%	0.00
83613	Upward Acting Sectional Doors	\$ 46,090	46,090.00	0.00	0.00	46,090.00	100%	0.00
84513	Translucent Panels	w/84513						
85113	Aluminum Windows	w/84513						
88100	Glass & Glazing	\$ 4,800	4,800.00	0.00	0.00	4,800.00	100%	0.00
89119	Metal Wall Louvers	\$ 1,800	1,800.00	0.00	0.00	1,800.00	100%	0.00
92000	Gyp Board & Framing	\$ 32,600	32,600.00	0.00	0.00	32,600.00	100%	0.00
93113	Ceramic Tile	\$ 5,050	5,050.00	0.00	0.00	5,050.00	100%	0.00
95100	Acoustical Treatment	\$ 8,980	8,980.00	0.00	0.00	8,980.00	100%	0.00
96500	Resilient Flooring	\$ 4,940	4,940.00	0.00	0.00	4,940.00	100%	0.00
98813	Concrete Floor Sealer	\$ 100,690	100,690.00	0.00	0.00	100,690.00	100%	0.00
99100	Painting	w/99100						
99723	Concrete Floor Coating	\$ 1,070	1,070.00	0.00	0.00	1,070.00	100%	0.00
101400	Signs	\$ 2,590	2,590.00	0.00	0.00	2,590.00	100%	0.00
102813	Toilet Accessories	\$ 1,210	1,210.00	0.00	0.00	1,210.00	100%	0.00
104400	Fire Protection Specialties	\$ 4,560	4,560.00	0.00	0.00	4,560.00	100%	0.00
105112	Metal Lockers							

APPLICATION FOR PAYMENT SCHEDULE

Contractor: Magney Construction, Inc.
Owner: City of Gilbert, Mn
Project: Wastewater Treatment Facility Improvements
Stantec Project Number 193803690

Spec. Section	Description of Work	Scheduled Value	Work Previous Application	Completed This Application	Materials Presently Stored	Total Completed & Stored to Date	% Complete	Balance To Finish
115360	Laboratory Equipment - Allowance	\$ 8,000	8,000.00	0.00	0.00	8,000.00	100%	0.00
116110	Bench Fume Hoods	w/123100						
123100	Manufactured Metal Casework	\$ 40,070	40,070.00	0.00	0.00	40,070.00	100%	0.00
133419	Metal Building Systems	\$ 81,620	81,620.00	0.00	0.00	81,620.00	100%	0.00
146300	Bridge Crane	\$ 45,350	45,350.00	0.00	0.00	45,350.00	100%	0.00
146300	Portable Davit Cranes and Flush Mount Sockets	\$ 10,820	10,820.00	0.00	0.00	10,820.00	100%	0.00
211313	Wet Pipe Sprinkler System	\$ 24,400	24,400.00	0.00	0.00	24,400.00	100%	0.00
220500	Plumbing	\$ 140,270	140,270.00	0.00	0.00	140,270.00	100%	0.00
	MBR Building	\$ 22,750	22,750.00	0.00	0.00	22,750.00	100%	0.00
	Control Building	\$ 8,420	8,420.00	0.00	0.00	8,420.00	100%	0.00
	Influent Building	\$ 26,960	26,960.00	0.00	0.00	26,960.00	100%	0.00
	Garage							
230500	HVAC	\$ 187,230	187,230.00	0.00	0.00	187,230.00	100%	0.00
	MBR Building	\$ 72,750	72,750.00	0.00	0.00	72,750.00	100%	0.00
	Control Building	\$ 41,080	41,080.00	0.00	0.00	41,080.00	100%	0.00
	Influent Building	\$ 58,040	58,040.00	0.00	0.00	58,040.00	100%	0.00
	Garage							
260505	Electrical	\$ 135,200	135,200.00	0.00	0.00	135,200.00	100%	0.00
	Mobilization	\$ 327,300	327,300.00	0.00	0.00	327,300.00	100%	0.00
	MBR Building	\$ 119,800	119,800.00	0.00	0.00	119,800.00	100%	0.00
	Control Building	\$ 100,200	100,200.00	0.00	0.00	100,200.00	100%	0.00
	Influent Building	\$ 184,000	184,000.00	0.00	0.00	184,000.00	100%	0.00
	Garage	\$ 32,100	32,100.00	0.00	0.00	32,100.00	100%	0.00
	Sludge Tanks	\$ 60,500	60,500.00	0.00	0.00	60,500.00	100%	0.00
	Generator	\$ 17,000	17,000.00	0.00	0.00	17,000.00	100%	0.00
	Exterior	\$ 9,100	9,100.00	0.00	0.00	9,100.00	100%	0.00
	Site Fiber	\$ 82,400	82,400.00	0.00	0.00	82,400.00	100%	0.00
311000	Structure Excavation	\$ 95,670	95,670.00	0.00	0.00	95,670.00	100%	0.00
311000	Structure Backfill and Granular Fill Under Slabs	\$ 42,000	42,000.00	0.00	0.00	42,000.00	100%	0.00
321123	Aggregate Base Course	\$ 80,500	80,500.00	0.00	0.00	80,500.00	100%	0.00
321201	Flexible Pavement	\$ 12,830	12,830.00	0.00	0.00	12,830.00	100%	0.00
323113	Chain Link Fencing	\$ 7,530	7,530.00	0.00	0.00	7,530.00	100%	0.00
329200	Turf & Grasses	\$ 354,050	354,050.00	0.00	0.00	354,050.00	100%	0.00
330505	Site Piping	\$ 40,000	40,000.00	\$0.00	0.00	40,000.00	100%	0.00
	U.P. Additional DI Fittings (8000 lbs @ \$5.00/lbs)	\$ 20,000	20,000.00	0.00	0.00	20,000.00	100%	0.00
	U.P. Improved Pipe Foundations (1000 CY @ \$20/CY)							

Contractor: Magney Construction, Inc.
Owner: City of Gilbert, Mn
Project: Wastewater Treatment Facility Improvements
Stantec Project Number 193803690

Spec.		Scheduled Value	Work Previous Application	Completed This Application	Materials Presently Stored	Total Completed & Stored to Date	% Complete	Balance To Finish
Section	Description of Work							
409100	SCADA, Process Controls and Integration	\$ 367,200	367,200.00	0.00	0.00	367,200.00	100%	0.00
400510	Process Piping							
	MBR Building	\$ 249,180	249,180.00	0.00	0.00	249,180.00	100%	0.00
		\$ 57,650	57,650.00	0.00	0.00	57,650.00	100%	0.00
	Control Building	\$ 21,070	21,070.00	0.00	0.00	21,070.00	100%	0.00
	Influent Building	\$ 7,750	7,750.00	0.00	0.00	7,750.00	100%	0.00
	Primary Clarifier	\$ 78,880	78,880.00	0.00	0.00	78,880.00	100%	0.00
	Sludge Tanks/ Aeration Tanks	\$ 6,860	6,860.00	0.00	0.00	6,860.00	100%	0.00
	Exterior	\$ 35,750	35,750.00	0.00	0.00	35,750.00	100%	0.00
400511	Stainless Steel Air Piping	\$ 48,450	48,450.00	0.00	0.00	48,450.00	100%	0.00
400513	Swivel Joints - 4 @ 6" diameter	\$ 11,320	11,320.00	0.00	0.00	11,320.00	100%	0.00
400513	Effluent Washwater Piping (DM 701)	\$ 84,560	84,560.00	0.00	0.00	84,560.00	100%	0.00
400520	Process Valves	\$ 3,200	3,200.00	0.00	0.00	3,200.00	100%	0.00
400525	Pressure Gauges	\$ 16,420	16,420.00	0.00	0.00	16,420.00	100%	0.00
409113	Samplers	\$ 5,080	5,080.00	0.00	0.00	5,080.00	100%	0.00
409114	Sampler Box & Tubing	w/Electrical						
409114	Gas Detection System	\$ 9,160	9,160.00	0.00	0.00	9,160.00	100%	0.00
416719	Plant Safety Equipment	\$ 54,790	54,790.00	0.00	0.00	54,790.00	100%	0.00
432150	Single Stage Non-Clog Pumps	\$ 16,210	16,210.00	0.00	0.00	16,210.00	100%	0.00
432155	Submersible Sewage Pumps	\$ 24,840	24,840.00	0.00	0.00	24,840.00	100%	0.00
432350	Plunger Pumps	\$ 75,350	75,350.00	0.00	0.00	75,350.00	100%	0.00
441011	Positive Displacement Blowers	w/444419						
444416	Dual Chlorine Scale	\$ 78,770	78,770.00	0.00	0.00	78,770.00	100%	0.00
444419	Chemical Feed Systems	\$ 16,760	16,760.00	0.00	0.00	16,760.00	100%	0.00
	Chemical Feed & small water Piping	\$ 22,460	22,460.00	0.00	0.00	22,460.00	100%	0.00
444439	Non-Potable Water Pumps (w/hydropneumatic tank)	\$ 18,200	18,200.00	0.00	0.00	18,200.00	100%	0.00
444516	Sludge Tank Coarse Bubble Aeration	\$ 42,760	42,760.00	0.00	0.00	42,760.00	100%	0.00
444517	Sludge Tank Fine Bubble Aeration	\$ 64,080	64,080.00	0.00	0.00	64,080.00	100%	0.00
445000	Primary Clarifier Equipment	\$ 48,270	48,270.00	0.00	0.00	48,270.00	100%	0.00
446000	MBR System	\$ 137,690	137,690.00	0.00	0.00	137,690.00	100%	0.00
447010	Rotary Drum Screen	\$ 16,190	16,190.00	0.00	0.00	16,190.00	100%	0.00
460000	Trash Debris Chute	w/447010						
465100	Screw Wash Press							

Contractor:Magney Construction, Inc.
Owner: City of Gilbert, Mn
Project: Wastewater Treatment Facility Improvements
Stantec Project Number 193803690

[illegible]

Contractor: Magney Construction, Inc.
Owner: City of Gilbert, Mn
Project: Wastewater Treatment Facility Improvements
Stantec Project Number 193803690

APPLICATION FOR PAYMENT SCHEDULE

[illegible]

Contractor: Magney Construction, Inc.
Owner: City of Gilbert, Mn
Project: Wastewater Treatment Facility Improvements
Stantec Project Number 193803690

APPLICATION FOR PAYMENT SCHEDULE

Spec. Section	Description of Work	Scheduled Value	Work Previous Application	Completed This Application	Materials Presently Stored	Total Completed & Stored to Date	% Complete	Balance To Finish
	Change Order No. 10							
Cor 129	Delete floor coating in MBR Tank Room 202	\$ (2,283.75)	(2,283.75)	0.00	0.00	(2,283.75)	100%	0.00
Cor 133	Add underground insulation for decant piping	\$ 2,890.08	2,890.08	0.00	0.00	2,890.08	100%	0.00
Cor 148	Add 2" Non-Potable water in MBR Building	\$ 9,447.71	9,447.71	0.00	0.00	9,447.71	100%	0.00
Cor 150	Add FRP grating at MBR splitter box	\$ 14,494.31	14,494.31	0.00	0.00	14,494.31	100%	0.00
Cor 154	Add FRP grating at MBR splitter box	\$ 17,567.63	17,567.63	0.00	0.00	17,567.63	100%	0.00
Cor 159	Cap water line	\$ 3,919.73	3,919.73	0.00	0.00	3,919.73	100%	0.00
Cor 160	Add fencing	\$ 12,652.58	12,652.58	0.00	0.00	12,652.58	100%	0.00
Cor 163	Add valve extensions in Aeratipn Tank	\$ 3,087.84	3,087.84	0.00	0.00	3,087.84	100%	0.00
Cor 168	Add joint sealant in MBR Tank Room 202	\$ 1,881.85	1,881.85	0.00	0.00	1,881.85	100%	0.00
Cor 171	Reduce Concrete Restoration Allowance	\$ (25,000.00)	(25,000.00)	0.00	0.00	(25,000.00)	100%	0.00
Cor 172	Reduce Tank Cleaning Allowance	\$ (9,242.09)	(9,242.09)	0.00	0.00	(9,242.09)	100%	0.00
Cor 173	Reduce Improved Pipe Foundation Allowance	\$ (5,402.80)	(5,402.80)	0.00	0.00	(5,402.80)	100%	0.00
Cor 174	Reduce Concrete Restoration Allowance	\$ (13,000.00)	(13,000.00)	0.00	0.00	(13,000.00)	100%	0.00
	Change Order No. 11							
Cor 158	Extend Culvert and add Manhole	\$ 58,883.45	58,883.45	0.00	0.00	58,883.45	100%	0.00
Cor 160B	West Side grading T&M	\$ 23,130.37	23,130.37	0.00	0.00	23,130.37	100%	0.00
Cor 162	Remove and replace bitum at entry gate area and road	\$ 10,924.70	10,924.70	0.00	0.00	10,924.70	100%	0.00
	Change Order No. 12							
Cor 152B	Add Class Five Road	\$ 1,301.99	1,301.99	0.00	0.00	1,301.99	100%	0.00
Cor 160C	West Side grading T&M - Top soil, seeding, fertilizer	\$ 5,254.64	5,254.64	0.00	0.00	5,254.64	100%	0.00
Cor 177	Patch Holes in Control Building	\$ 1,452.21	1,452.21	0.00	0.00	1,452.21	100%	0.00
Cor 182	Relocate ferric line to splitter box	\$ 1,187.63	1,187.63	0.00	0.00	1,187.63	100%	0.00
	Change Order No. 13							
Cor 177B	Patch Holes in Control Building - Revised	\$ (232.39)	(232.39)	0.00	0.00	(232.39)	100%	0.00
Cor 193	Cleaning Control Building First Level	\$ 915.57	915.57	0.00	0.00	915.57	100%	0.00
Cor 197	Reduce Concrete Restoration Allowance	\$ (1,400.00)	(1,400.00)	0.00	0.00	(1,400.00)	100%	0.00
	Change Order No. 14							
	Add for ductile iron pipe fittings (Unit Price Bid Item 2)	\$ 21,548.12	21,548.12	0.00	0.00	21,548.12	100%	0.00
	Credit for decrease in pavement section	\$ (20,685.00)	(20,685.00)	0.00	0.00	(20,685.00)	100%	0.00
	Credit for unused lab equipment (Unit price Bid Item 8)	\$ (2,882.87)	(2,882.87)	0.00	0.00	(2,882.87)	100%	0.00

Contractor: Magney Construction, Inc.
Owner: City of Gilbert, Min
Project: Wastewater Treatment Facility Improvements
Stantec Project Number 193803690

APPLICATION FOR PAYMENT SCHEDULE

Spec. Section	Description of Work	Scheduled Value	Work Previous Application	Completed This Application	Materials Presently Stored	Total Completed & Stored to Date	% Complete	Balance To Finish
	Change Order No. 15							
RFP 16	Add plug valves to storage tanks #3 and #4	\$ 8,984.66	8,984.66	0.00	0.00	8,984.66	100%	0.00
RFP 30	Replace Blower intakes	\$ 6,539.83	6,539.83	0.00	0.00	6,539.83	100%	0.00
RFP 44	Adjust sodium hydroxide lines in splitter box	\$ 2,318.29	2,318.29	0.00	0.00	2,318.29	100%	0.00
RFP 49	Adjust chemical tank vent pipes	\$ 1,057.14	1,057.14	0.00	0.00	1,057.14	100%	0.00
	Change Order No. 16							
RFP 31	Add valve at sludge pump #2	\$ 4,903.45	4,903.45	0.00	0.00	4,903.45	100%	0.00
RFP 42	Change operators from lever to chain wheel	\$ 10,129.05	10,129.05	0.00	0.00	10,129.05	100%	0.00
	Change Order No. 17							
RFP 4	SCADA upgrades to effluent pumps	\$ 10,175.38	10,175.38	0.00	0.00	10,175.38	100%	0.00
RFP 36	Add chlorine scale electrical	\$ 1,304.78	1,304.78	0.00	0.00	1,304.78	100%	0.00
RFP 39	Exterior light replacement	\$ 3,647.20	3,647.20	0.00	0.00	3,647.20	100%	0.00
	Change Order No. 18							
RFP 3	CIP Pipe Bracing	\$ 1,686.03	1,686.03	0.00	0.00	1,686.03	100%	0.00
RFP 7A	A/C in MBR electrical Room	\$ 19,519.16	19,519.16	0.00	0.00	19,519.16	100%	0.00
RFP 16	PVC pipe horizontal bracing	\$ 1,660.08	1,660.08	0.00	0.00	1,660.08	100%	0.00
RFP 41	MBR Pipe Gallery safety shower	\$ 15,748.74	15,748.74	0.00	0.00	15,748.74	100%	0.00
	Change Order No. 19							
	Mobilization	\$ 9,670.00	7,252.50	1,208.75	0.00	8,461.25	88%	1,208.75
	General Conditions and Job Overhead	\$ 120,000.00	85,000.00	23,450.00	0.00	108,450.00	90%	11,550.00
	Membrane Replacement Tank #1	\$ 85,000.00	85,000.00	0.00	0.00	85,000.00	100%	0.00
	Membrane Replacement Tank #2	\$ 85,000.00	38,250.00	46,750.00	0.00	85,000.00	100%	0.00
	Membrane Replacement Tank #3	\$ 85,000.00	0.00	57,000.00	0.00	57,000.00	67%	28,000.00
	Allowance - Electrical Controls	\$ 10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
	Change Order No. 20							
	Correction Period Clarification - No Cost	0.00	0.00	0.00	0.00	0.00	0%	0.00

Date of Application: 4/03/23
Work Completed Through: 3/31/23

Contractor: Magney Construction, Inc.
Owner: City of Gilbert, Mn
Project: Wastewater Treatment Facility Improvements
Stantec Project Number 193803690

APPLICATION FOR PAYMENT SCHEDULE

Spec. Section	Description of Work	Scheduled Value	Work Previous Application	Completed This Application	Materials Presently Stored	Total Completed & Stored to Date	% Complete	Balance To Finish
	Change Order No. 21							
RFP 42	Change operators from lever to chain wheel	\$ 3,353.13	3,353.13	0.00	0.00	3,353.13	100%	0.00
RFP 31	Lower pump stand add filler flange	\$ 6,755.85	6,755.85	0.00	0.00	6,755.85	100%	0.00
RFP 38AR	Add weight to sludge tank decant arms	\$ 7,892.43	985.06	0.00	0.00	985.06	12%	6,907.37
RFP 57	Invoice owner for fiberglass tank purchased	\$ 671.68	671.68	0.00	0.00	671.68	100%	0.00
	Add lockable circuit breakers at blowers	\$ 419.80	419.80	0.00	0.00	419.80	100%	0.00
	Change Order No. 22							
Cor 03	New air and permeate headers in membrane tanks	\$ 22,430.46	11,215.23	11,215.23	0.00	22,430.46	100%	0.00
	Change Order No. 23							
Cor 04	Extra work in Membrane Tank #1 header	\$ 10,906.91	0.00	10,906.91	0.00	10,906.91	100%	0.00
RFP 9R	Caustic injection point relocation	\$ 2,105.43	0.00	2,105.43	0.00	2,105.43	100%	0.00
Cor 01	Revise permeate pipe	\$ 1,757.02	0.00	1,757.02	0.00	1,757.02	100%	0.00
	Totals	8,764,622.35	8,552,562.90	154,393.34	0.00	8,706,956.24		57,666.12

To: City of Gilbert

From: Peter Daniels, PE

File: 193803690

Date: May 24, 2023

C

Reference: Application for Payment – Kubota MBR Equipment Supply

Attached to this memo is the third Application for Payment issued by Kubota Membrane USA Corporation for the supply of the new Membrane Bioreactor (MBR) Equipment. Kubota Membrane USA is the manufacturer of the new MBR equipment that will be installed at the City's wastewater treatment facility (WWTF). We are recommending payment to Kubota for an amount of \$84,400.00, as reflected in the invoice attached.

Stantec has also been retained as the Purchasing Agent for the City of Gilbert as required by Minnesota state rules related to sales tax exemptions.

Kubota completed all the payment terms to date, and work is now complete. This is the final invoice related to the Kubota contract. Work completed as part of this pay request brings the total payment amounts to:

Payment Terms	Amount
Total Kubota Contract Price:	\$844,000.00
Completed payment terms	
Due with purchase order (5%)	\$42,200.00
Due for delivery of submittals (10%)	\$84,400.00
Due for membrane and parts delivery (75%)	\$633,000.00
Due for startup completion (10%)	\$84,400.00
Amount Requested this pay request:	\$84,400.00
Previous Payments:	\$759,600.00

Please contact Peter Daniels at 763-252-6838 if there are any questions.

Attachments:
Kubota Invoice 3

**KUBOTA Membrane USA Corporation**

11807 North Creek Parkway S. Suite B-109
Bothell WA 98011
USA
Phone: 425-898-2858

INVOICE

Page No.: Page 1 of 1
Invoice No.: ARDP4000124CG
Invoice Date: 05/02/2023
Due Date: 06/02/2023
Customer Ref No:

BILL TO
City of Gilbert, MN P.O.Box 548 Gilbert MN 55741 USA

SHIP TO
City of Gilbert WWTF 202 Dakota Ave East Gilbert MN 55741 USA

BALANCE DUE
USD 84,400.00

KMU Employee: Brian.Codianne
Project Code: 4000124
Project Name: Gilbert

Payment Terms: NET30
Trade Terms:

Thanks for sending us your payment promptly. We appreciate your business!

Item No.	Item Description	Item Details	Qty	Unit Price	Total
KMUSYS1001	See below	See below	1	USD 84,400.00	USD 84,400.00

This invoice is 10% upon startup completion - \$84,400.00.

Subtotal	USD 84,400.00
Down Payment	
Tax	
Total	USD 84,400.00
Deposit	
Balance Due	<u>USD 84,400.00</u>

Please inform Invoice# or PO# on remittance.
Send inquiries on an invoice to kmu_g.AR@kubota.com.
Our bank account information changed from 4/1/2022.
Please make a payment to the account below.

Bank Name : Sumitomo Mitsui Banking Corporation
Branch/Division: San Francisco Branch
Address: 601 S. Figueroa Street, Suite 1800 Los Angeles, CA 90017
Account Name: Kubota Membrane USA Corporation
Account #:4534433970 (USD account-Checking)
ABA Routing#:122041594
SWIFT Code: SMBCUS33

Authorized by

Koji Sueyoshi
Treasury Analyst



Invoice

Invoice Number: **445590**

Short Elliott Hendrickson, Inc. FEIN: 41-1251208 | 651.490.2000 | 800.325.2055

**BILL TO:**

Attn: Accounts Payable
City of Gilbert
PO Box 548
Gilbert MN 55741

REMIT PAYMENT TO:

Short Elliott Hendrickson, Inc.
PO Box 64780
Saint Paul, MN 55164-0780

Pay This Amount \$73,862.50

Due Date	14-JUN-23
Invoice Date	15-MAY-23
Bill Through Date	30-APR-23
Terms	30 NET
SEH Customer Acct #	5687
Customer Project #	
Agreement / PO #	159878
Project Manager	Kevin Young kbyoung@sehinc.com 320.229.4300
Client Service Manager	Mike Larson mlarson@sehinc.com 218.741.4284
Accounting Representative	Karen Thull kthull@sehinc.com 320.229.4300

Project #	Project Name	Project Description
159878	GILBM WTP Prelim Design & Impr	GILBM WTP Preliminary Design & Water System Improvements

Notes:**Fee****Description**

(100% of \$295,450.00) less previously billed of \$221,587.50

Amount

\$73,862.50

\$73,862.50

Invoice total

\$73,862.50

Project Billing Summary

	<u>Current Amount Due</u>	<u>Previously Invoiced</u>	<u>Cumulative</u>
Totals	\$73,862.50	\$221,587.50	\$295,450.00

2023 Campground

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Wages	1,000.00	1,000.00	1,000.00	1,000.00	3,000.00	3,000.00						
Taxes												
6.875% State		January 1 to April 30			2,473.97							
3% Hospitality		January 1 to April 30			1,256.33							
6% 1st Resp		January 1 to April 30			2,159.10							
.5% Transportation		January 1 to April 30			179.92							
Miscellaneous supplies, etc.												
Wood	0	0	0	0	770.00							
Ice	0	0	0	0	220.40	102.80						
Camping World												
Apparel												
Fuel -Holiday card												
Utilities												
Cellular Phone	44.65	44.65	44.65	44.65	44.65							
Internet-Mediacom	329.95	339.95	339.95	339.95	339.95							
Electric												
Sewer												
Sanitation												
A1 rentals	0	0	0	0	313.72							
Advertising												
Explore MN Ad						615.00						
Membership Dues												
SECA Permit												
Design approval					400.00							
Permit					200.00							
TOTALS	1,369.95	1,384.60	1,384.60	1,384.60	11,358.04							

* Total Reimburse for May 2023 16,886.44 *

Mesabi Sign					448.00	office sign	reimbursed 05/22					
Floor to Ceiling					13,866.44	shower tile	reimbursed 05/22					

Camp Host Wage

(Hotel/Motel tax return paid to Eveleth)

Range Wood

Lakeshore Ice

Campground Store supplies

J&B Milos Enterprises

AEOD no longer offers fuel for City (end of May 2023) now using credit card.

218-748-2221 First Net

Campground only 05-11-2023

SECA permit-design approve fee (1x unless area changes)

Permit-Application Fee (annually - good for 2 events per year)

Report Criteria:

Report type: Invoice detail

Check.Type = {<>} "Adjustment"

Check Issue Date	Check Number	Payee	Amount
05/24/2023	28609	CertServe LLC	100.00-
06/02/2023	28769	SKENZICH, JEREMY	512.00-
05/22/2023	28821	BLUE CROSS & BLUE SHIELD OF MN	274.20
05/22/2023	28822	medicareblue rx	80.70
05/22/2023	28823	BLUE CROSS & BLUE SHIELD OF MN	255.10
05/22/2023	28824	BLUE CROSS & BLUE SHIELD OF MN	255.10
05/25/2023	28825	FLANNIGAN, WENDY	3,000.00
05/25/2023	28826	Minnesota Department of Health	200.00
06/02/2023	28827	SKENZICH, JEREMY	512.00
06/06/2023	28828	A1 SERVICES INC	4,971.90
06/06/2023	28828	A1 SERVICES INC	243.47
06/06/2023	28828	A1 SERVICES INC	88.00
06/06/2023	28828	A1 SERVICES INC	313.72
06/06/2023	28828	A1 SERVICES INC	113.14
06/06/2023	28828	A1 SERVICES INC	113.14
06/06/2023	28828	A1 SERVICES INC	88.00
06/06/2023	28828	A1 SERVICES INC	113.14
06/06/2023	28829	APG Media of MN	74.75
06/06/2023	28829	APG Media of MN	1,095.00
06/06/2023	28830	CHRISTENSEN PARTS	138.99
06/06/2023	28831	CINTAS	40.59
06/06/2023	28831	CINTAS	62.48
06/06/2023	28831	CINTAS	111.48
06/06/2023	28831	CINTAS	47.33
06/06/2023	28832	EAST MESABI SANITATION	1,934.10
06/06/2023	28832	EAST MESABI SANITATION	8,340.56
06/06/2023	28833	GOPHER STATE ONE CALL	21.60
06/06/2023	28834	HAWKINS INC	395.50
06/06/2023	28834	HAWKINS INC	10.00
06/06/2023	28834	HAWKINS INC	7,093.28
06/06/2023	28835	KELLER FENCE CO	7,385.20
06/06/2023	28836	L & M SUPPLY	10.47
06/06/2023	28836	L & M SUPPLY	60.81
06/06/2023	28836	L & M SUPPLY	349.98
06/06/2023	28836	L & M SUPPLY	75.93
06/06/2023	28837	LAKESHORE ICE	102.80
06/06/2023	28838	MENARDS	9.16
06/06/2023	28838	MENARDS	60.11
06/06/2023	28838	MENARDS	829.00
06/06/2023	28838	MENARDS	46.36
06/06/2023	28839	MESABI SIGN	48.00
06/06/2023	28840	Miles Partnership	615.00
06/06/2023	28841	Remien, Justin	51.66
06/06/2023	28842	RMB ENVIRONMENTAL LABORATORIES	214.53
06/06/2023	28842	RMB ENVIRONMENTAL LABORATORIES	214.53
06/06/2023	28842	RMB ENVIRONMENTAL LABORATORIES	214.53
06/06/2023	28843	ST. LOUIS COUNTY AUDITOR-SOLID WASTE	21,558.75
06/06/2023	28844	VERIZON WIRELESS	22.68
06/06/2023	28845	VIA ACTUARIAL-VAN IWAARDEN ASSOCIATES	3,500.00
06/06/2023	28846	AT&T FIRST NET	44.65
06/06/2023	28847	BAKER & TAYLOR	67.75
06/06/2023	28848	FIVE SEASONS SPORTS CENTER	601.52
06/06/2023	28849	HOMETOWN FOCUS	25.50

Check Issue Date	Check Number	Payee	Amount
06/06/2023	28849	HOMETOWN FOCUS	25.50
06/06/2023	28849	HOMETOWN FOCUS	70.13
06/06/2023	28849	HOMETOWN FOCUS	34.00
06/06/2023	28849	HOMETOWN FOCUS	42.50
06/06/2023	28849	HOMETOWN FOCUS	25.52
06/06/2023	28849	HOMETOWN FOCUS	31.90
06/06/2023	28850	HUSKY SPRING	1,064.80
06/06/2023	28851	INTER CITY OIL CO	694.18
06/06/2023	28852	MEDIACOM	339.95
06/06/2023	28853	MESABI BITUMINOUS INC	900.00
06/06/2023	28854	PARKHURST, RANDALL	1,745.00
06/06/2023	28855	RANGE OFFICE SUPPLY	316.01
06/06/2023	28856	RANGE PAPER	131.07
06/06/2023	28857	SHRED-it USA	84.12
06/06/2023	28857	SHRED-it USA	83.47
06/06/2023	28858	SPARTAN SAUNA HEATERS	3,400.00
06/06/2023	28859	AT&T FIRST NET	44.65
06/06/2023	28860	AXON ENTERPRISE	69.61
06/06/2023	28861	BRADACH, MICHAEL	281.13
06/06/2023	28862	BYRN'S GREENHOUSE	211.30
06/06/2023	28862	BYRN'S GREENHOUSE	366.57
06/06/2023	28863	DISTINGUISHED TROPHY CO	24.00
06/06/2023	28864	Gellerman, Mary	450.00
06/06/2023	28865	GRANDE ACE HARDWARE	9.18
06/06/2023	28865	GRANDE ACE HARDWARE	95.65
06/06/2023	28865	GRANDE ACE HARDWARE	413.87
06/06/2023	28865	GRANDE ACE HARDWARE	550.94
06/06/2023	28865	GRANDE ACE HARDWARE	4.80
06/06/2023	28866	HEISEL BROTHERS INC	6.65
06/06/2023	28866	HEISEL BROTHERS INC	3.33
06/06/2023	28867	HOMETOWN FOCUS	34.00
06/06/2023	28867	HOMETOWN FOCUS	51.04
06/06/2023	28868	LAKE COUNTRY POWER	36.75
06/06/2023	28869	mesabi glass	17,976.00
06/06/2023	28870	qualification targets inc	82.02
06/06/2023	28871	RANGE AUTO PARTS CO	15.72
06/06/2023	28871	RANGE AUTO PARTS CO	231.37
06/06/2023	28871	RANGE AUTO PARTS CO	263.31
06/06/2023	28871	RANGE AUTO PARTS CO	313.04
06/06/2023	28871	RANGE AUTO PARTS CO	289.22
06/06/2023	28871	RANGE AUTO PARTS CO	191.64
06/06/2023	28872	Range Wood	385.00
06/06/2023	28873	USABLE LIFE	336.45
06/06/2023	28874	USIC locating service	600.00
06/06/2023	28874	USIC locating service	300.00
06/06/2023	28875	WATER & LIGHT	32,366.36
06/06/2023	28876	AT&T FIRST NET	558.39
06/06/2023	28877	CAMPING WORLD	14.00
06/06/2023	28877	CAMPING WORLD	124.85
06/06/2023	28878	CIT Computer Integration Technologies	381.38
06/06/2023	28878	CIT Computer Integration Technologies	145.00
06/06/2023	28878	CIT Computer Integration Technologies	2,116.00
06/06/2023	28879	DSGW ARCHITECTS	1,500.00
06/06/2023	28880	Gmen Environmental Services	105.30
06/06/2023	28881	GUARDIAN PEST SOLUTIONS	108.60
06/06/2023	28881	GUARDIAN PEST SOLUTIONS	58.00
06/06/2023	28881	GUARDIAN PEST SOLUTIONS	62.06

Check Issue Date	Check Number	Payee	Amount
06/06/2023	28882	ITL PATCH CO INC	244.00
06/06/2023	28883	KAFUT, MARY BETH	70.80
06/06/2023	28884	MACQUEEN EQUIPMENT INC	7,879.48
06/06/2023	28885	METRO SALES	477.49
06/06/2023	28886	Minnesota Association of Cemeteries	75.00
06/06/2023	28887	MINNESOTA FIRE SERVICE CERTIFICATION BRD	25.00
06/06/2023	28888	MINNESOTA NORTH COLLEGE HIBBING	200.00
06/06/2023	28889	MINNESOTA PUMP WORKS	1,260.40
06/06/2023	28890	OFFICE OF MN IT SERVICES	155.96
06/06/2023	28891	RINERSON, TERAH	164.62
06/06/2023	28892	STREICHERS	122.98
06/06/2023	28893	TOTAL CONTROL SYSTEMS	4,296.76
06/06/2023	28894	WASCHKE FAMILY CHRYSLER DODGE JEEP RAM	57.51
06/06/2023	28895	AFLAC	602.99
06/06/2023	28896	amptek inc	114.00
06/06/2023	28897	CITY OF EVELETH	1,256.33
06/06/2023	28898	D & D BEVERAGE/Dahlheimer Beverage	11.00
06/06/2023	28899	DELTA DENTAL OF MN	1,520.75
06/06/2023	28900	LINDE GAS - PRAXAIR	115.98
06/06/2023	28901	MINNESOTA POWER	5.33
06/06/2023	28902	Northland Lawn and Sport	84.60
06/06/2023	28903	Pace Analytical Services	250.00
06/06/2023	28904	PRECISION MACHINE	2,150.00
06/06/2023	28905	TOTAL CONTROL SYSTEMS	405.00
06/06/2023	28906	ADVANCED AUDIO INC	1,217.09
06/06/2023	28907	AFSCME Council 65	536.52
06/06/2023	28908	AFSCME PEOPLE	6.00
06/06/2023	28909	Gmen Environmental Services	1,635.07
06/06/2023	28910	HUSKY SPRING	1,268.20
06/06/2023	28910	HUSKY SPRING	94.76
06/06/2023	28911	LELS	405.00
06/06/2023	28912	MINNESOTA DEPT OF COMMERCE	56.52
06/06/2023	28913	university of minnesota	100.00
06/06/2023	28914	USIC locating service	200.00
06/07/2023	28915	RANGE RECREATION CIVIC CENTER	4,032.45
06/07/2023	28916	SEH Inc.	11,818.00
06/07/2023	28916	SEH Inc.	17,727.00
06/07/2023	28916	SEH Inc.	2,954.50
05/22/2023	201509064	NORTHEAST SERVICE COOPERATIVE	44,780.86
05/22/2023	201509065	WEX	55.00
05/22/2023	201509066	PAYMENT SERVICE NETWORK INC.	816.91
05/22/2023	201509066	PAYMENT SERVICE NETWORK INC.	19.89
05/24/2023	201509067	PAYCHEX PAYROLL SERVICES	243.64
05/24/2023	201509068	STATE OF MN	480.32
05/24/2023	201509069	STATE OF MN	635.00
05/24/2023	201509070	PERA	10,601.92
05/24/2023	201509071	PAYCHEX PAYROLL SERVICES	48,730.62
Grand Totals:			305,610.77

Dated: _____

Mayor: _____

City Council: _____

City Administrator/Clerk: _____

Report Criteria:

Report type: Invoice detail

Check.Type = {<>} "Adjustment"

City of Gilbert
Request for City Council Action

Date: June 13, 2023

Issue: Resolution 2023-11

Background: Resolution authorizing City of Gilbert to make application to and accept funds from IRRRB 2023 Community Infrastructure Fund Program.

Council Action: Council is requested to approve Resolution 2023-11

CITY OF GILBERT
RESOLUTION NO. 2023-11

STATE OF MINNESOTA
COUNTY OF ST. LOUIS
CITY OF GILBERT

RESOLUTION AUTHORIZING CITY OF GILBERT TO
MAKE APPLICATION TO AND ACCEPT FUNDS FROM
THE FY 2023 DEVELOPMENT INFRASTRUCTURE FUND PROGRAM

WHEREAS THE authorizing authority approves of the attached application for the City of Gilbert 2023 Development Infrastructure project; and

WHEREAS THE authorizing authority agrees to accept funding for the underlying project if approved by IRRRB.

NOW BE IT RESOLVED that the authorizing authority of the City of Gilbert does adopt this resolution.

Upon vote taken, the following voted:

For:

Against:

Absent:

Whereupon Resolution No. 2023-11 was declared duly passed and adopted this 13th day of June 2023.

Tom Smith

Mayor

Title

Jill Zallar

Clerk-Treasurer

Title

City of Gilbert
Request for City Council Action

Date: June 13, 2023

Issue: Public Works bond funds

Background: Authorization to appropriate \$239,000.00 (as a whole dollar) bond funding for the public works truck into a 6-month CD at 4.25% from June 15, 2023, to January 15, 2024 held with the First National Bank of Gilbert.

Council Action: Council action is requested.

City of Gilbert
Request for City Council Action

Date: June 13, 2023

Issue: Gas Tank Quotes

Background: Gas Tank Quotes
JME Ellsworth \$4739.97
\$5169.24

Council Action: City Council acknowledgement is requested.



*Bottom \$ 550.5
pump*

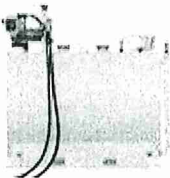


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JME Tanks

JME Tanks 550 Gallon 12 Gauge Double Wall UL142 Skid Tank

Pump: GPI GPRO PRO20-115 SERIES 115V AC 20 GPM Transfer Pump - Pump Only

Nozzles: Fill-Rite Standard Duty 1 in. Diesel Automatic Nozzle

Meters: GPI QM40G8N 1 in. NPT Fuel Meter- Gallons

Accessory Kits: Diesel Vent Kit for 550 Gal x 48 in. Double Wall Tank

SKU

NENB00550DWS04812G

Price

\$5,452.56

Qty:

1

Total

\$5,452.56

×



Continental ContiTech

Continental ContiTech Aggie Gas 1 in. - 2 Ply Farm Tank Hose Assemblies

Size: 15 ft.

Change

SKU

AGYFARM100X15MXM

Price

\$52.44

Qty:

1

Total

\$52.44

×

All orders less than \$20.00 will be subject to a \$10.00 surcharge included in your shipping cost

Next Day orders placed after 1:30pm CST may not be shipped until the next business day

Due to global supply chain issues, lead times may vary depending on the item(s) you selected

Subtotal: \$5,505.00

Shipping: [Estimate Shipping](#)

Coupon Code: [Add Coupon](#)

Gift Certificate: [Gift Certificate](#)

Grand total: \$5,505.00

Check out

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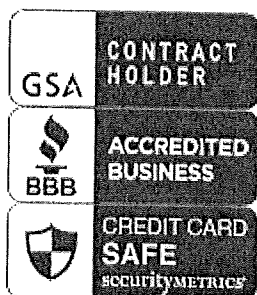
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John M. Ellsworth Company, Inc.,
8700 West Bradley Road
Milwaukee, WI 53224 USA

ORDER ONLINE or Toll

Free 1 (877) 458-3181

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Reserved





GP Pro 115V AC Commercial Grade Fuel Transfer Pump With Meter — 20 GPM, Model# PRO20-115AD/QM240G8N

Item # 56654

\$1409.99

Qty: 1



Save for Later

Remove



Shipping: Free shipping (lower 48 states) - Factory shipped



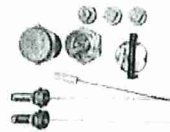
Store Pickup: Not available - online only



Repair Plan — 1 Year \$99.99

Add to Cart

See Plan Benefits



Midwest Industrial Tanks Fitting Package for 500-Gallon Storage Fuel Tank — Fits Item# 39662, Model# RTD-500-FTG

Item # 48164



Northern Tool

Total without Shipping

4739.97

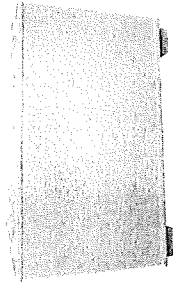
429.99



Shipping: Factory shipped



Store Pickup: Not available - online only



Midwest Industrial Tanks Double-Wall Storage Fuel Tank — 500-Gallon, Model# RTD-CC-500-10-12

Item # 39662

\$2899.99

Qty: 1



Save for Later

Remove



Shipping: Factory shipped



Store Pickup: Not available - online only

Promo Code

Promo Code

Apply



Product Total

\$4739.97

Delivery

\$0.00

Tax

TBD

See Delivery Options

Order Total

\$4739.97

Checkout



Available at Checkout

Delivery Options



You will be able to select your preferred delivery option during checkout



Shipping

ZIP Code

Check



Store Pickup

All items in your cart are not available at St. Cloud MN

Check store stock





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5169. 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100



JME Tanks 550 Gallon 12 Gauge Double Wall UL142 Skid Tank

SKU: NENB00550DWS04812G

Manufacturer: JME Tanks

Size: 550 Gallon

Dimensions: 49 in. x 77 in.

Thickness: 12 Gauge

Product Type: Double Wall

Weight: 1,185.00 LBS

\$5,169.24

Pump:

☐ None



Fill-Rite FR1204H 12V DC Fuel Transfer Pump Only - 15 GPM
+ \$321.99

[View](#)

[Add](#)



Fill-Rite FR604H 115V AC Fuel Transfer Pump Only - 15 GPM
+ \$429.99

[View](#)

[Add](#)



Fill-Rite FR700VN 115V AC Fuel Transfer Pump Only - 20 GPM
+ \$647.99

[View](#)

[Remove](#)

Incompatible product combination

Nozzles:

☐ None

Incompatible product combination

Incompatible product combination



☐ Fill-Rite Standard Duty 3/4 in. Diesel Automatic Nozzle
+ \$65.00

View

Remove

Incompatible product combination

Incompatible product combination

Hose Lengths:

☐ None



☐ Continental ContiTech Aggie Gas 3/4 in. - 2 Ply Farm Tank Hose Assemblies
+ \$43.75

10 ft.	12 ft.	15 ft.	20 ft.
--------	--------	--------	--------

View

Remove

Compatible product combination

Filter Kits:

☐ None

Incompatible product combination



☐ Cim-Tek 3/4 in. Diesel Pump Filter Kit - 30 Micron - 25 GPM
+ \$32.17

View

Remove

Incompatible product combination

Incompatible product combination

Meters:

☐ None



☐ Fill-Rite 807C 3/4 in. Heavy Duty Mechanical Flow Meter w/ JME Install Kit (Gallons)
+ \$222.74

[View](#)

[Remove](#)

Incompatible product combination

Accessory Kits:

☐ None

Incompatible product combination



Diesel Vent Kit for 550 Gal x 48 in. Double Wall Tank
+ \$759.64

View

Remove

Qty:

1

ADD TO CART

DESCRIPTION



FEATURES



TANK OPENINGS



DOWNLOADS



These 550 Gallon Double Wall Skid Tanks are UL-142 listed and constructed of 12-gauge steel that meets ATM specifications. Primarily designed for storage of flammable and combustible liquids,

City of Gilbert
Request for City Council Action

Date: June 13, 2023

Issue: Resolution 2023-12

Background: Resolution authorizing City of Gilbert to make application to and accept funds from MN Rural Water Assoc. for interim financing for the WTP project.

Council Action: Council is requested to approve Resolution 2023-12

**CITY OF GILBERT
RESOLUTION NO. 2023-12**

**RESOLUTION AUTHORIZING CITY OF GILBERT TO MAKE APPLICATION TO AND
ACCEPT FUNDS FROM MINNESOTA DEPARTMENT OF HEALTH SOURCE WATER
PROTECTION PLAN IMPLEMENTATION GRANT PROGRAM**

WHEREAS THE authorizing authority approves of working in conjunction with the Minnesota Rural Water Association for applying to the Minnesota Department of Health Source Water Protection Plan Implementation program; and

WHEREAS THE authorizing authority agrees to accept funding for the underlying project if approved by the Minnesota Department of Health Source Water Protection Plan Implementation Grant Program.

NOW BE IT RESOLVED that the authorizing authority of the City of Gilbert does adopt this resolution.

Upon vote taken, the following voted:

For:

Against:

Absent:

Whereupon said Resolution No. 2023-12 was declared duly passed and adopted this 13th day of June 2023.

Tom Smith, Mayor

Attested:

Jill Zallar, City Clerk Treasurer

City of Gilbert
Request for City Council Action

Date: June 13, 2023

Issue: Access Agreement

Background: The 3rd of July Fireworks Committee would like council to approve and sign the Cleveland Cliffs Access Agreement granting access to their property for the July 3-4 firework show.

Council Action: Council action is requested.

ACCESS AGREEMENT

THIS ACCESS AGREEMENT (hereinafter the “Agreement”) is entered into by and between Cleveland-Cliffs Minorca Mine, LLC, (hereinafter the “Grantor”), with an address of 200 Public Square, Suite 3300, Cleveland, Ohio 44114, and City of Gilbert, a Minnesota municipal corporation (hereinafter the “Grantee”), as of the 13 day of June, 2023 (hereinafter the “Effective Date”), and is based upon the following Recitals which are made a part of this Agreement.

RECITALS

- A. The Grantee desires access to land owned and/or controlled by Grantor (hereinafter the “Premises”) to perform certain work or access sites for certain work (hereinafter the “Work”) and may employ one or more contractors (hereinafter the “Contractor”) to perform the Work.
- B. The Premises is described and depicted in **Exhibit A** to this Agreement.
- C. Grantor is willing to grant the Grantee and its Contractors access to the Premises for the limited purpose of performing the Work as described in Section 2, subject to the terms and conditions set forth in this Agreement.

NOW, THEREFORE, THE PARTIES TO THIS AGREEMENT AGREE AS FOLLOWS:

AGREEMENT

1. **Consent.** Subject to the terms and conditions set forth in this Agreement and payment of \$ 0, Grantor consents to the Grantee and Contractors entering upon and using the Premises for the limited purpose of performing the Work. The right of entry under this Agreement shall be limited to that access corridor shown as Gilbert 4th of July Firework Map in **Exhibit A (subject to change at Grantor’s discretion)**. If it is necessary to modify the Premises as described and depicted in **Exhibit A**, then the Agreement will be amended in writing and executed by the parties before Grantee utilizes the modified premises.
2. **The Work.** The Work shall be limited to July 3-4 for set-up, firework show and clean-up. If it is necessary to modify the Work as herein defined, then the Agreement will be amended before Grantee performs the work. Grantee will ensure that the Premise is pre-soaked to the proper extent to prevent fire.
3. **Term.** The term of this Agreement begin on the Effective Date and end on July 5, 2023.
4. **Limitations on Entry & Use.** Only such individuals as are necessary to perform the Work may enter the Premises. Grantee and any Contractors will carry a copy of this Agreement with them while they are on the Premises as proof of authorization to access the Premises. The Grantee and each Contractor shall provide written notification to Grantor at least 72 hours before first entering the Premises to begin the Work. In addition, prior to noon on Friday of each week the Grantee and

each Contractor shall provide Grantor a weekly schedule in writing of the work to be performed on the Premises during the following week. All work and activities by the Grantee and the Contractors shall be performed during reasonable times. Permission to enter the Premises granted herein shall exclude time periods when production blasting activities are taking place on the Premises. Upon termination of this Agreement, the Grantee and each Contractor shall remove all of the Grantee's and each Contractor's property and debris, leaving the Premises in as good condition as before the Grantee's and/or Contractor's use hereunder.

5. **Interference.** The Grantee and the Contractors shall conduct their activities so as to minimize interference with the operations or other business of Grantor or other companies operating on the Premises. In the event of interference, the Grantee, each Contractor and Grantor shall confer to resolve the interference. If any portion of the Premises must be disturbed as a result of the Grantee's or a Contractor's activities, the Grantee and the Contractor will restore the Premises at the termination of this Agreement to as close to its original condition as possible.
6. **Condition of the Premises/Grantor Representations.** GRANTOR MAKES NO EXPRESS OR IMPLIED REPRESENTATION OR WARRANTY TO THE GRANTEE OR ANY CONTRACTOR CONCERNING THE SAFETY OR PHYSICAL CONDITION OF THE PREMISES, WHICH CONDITION IS HEREBY ACCEPTED BY THE GRANTEE AND ALL CONTRACTORS "AS IS." THE GRANTEE AND EACH CONTRACTOR REPRESENT THAT THEY ARE FAMILIAR WITH, AND THAT GRANTOR HAS MADE NO REPRESENTATIONS CONCERNING, THE PHYSICAL CONDITION OF THE PREMISES. THE GRANTEE AND EACH CONTRACTOR AGREE NOT TO MAKE ANY CLAIM AGAINST GRANTOR, OR AGAINST ANY PERSON OR CORPORATION BEING AT ANY TIME UPON ANY PART OF THE PREMISES BY AGREEMENT WITH OR CONSENT OF GRANTOR, FOR DAMAGES OR INJURIES DIRECTLY OR INDIRECTLY DUE TO THE PHYSICAL CONDITION OF ANY PART OF THE PREMISES OR TO ANY CHANGE THEREIN OR FOR DAMAGES OR INJURIES DIRECTLY OR INDIRECTLY CAUSED BY THE GRANTEE'S OR ANY CONTRACTOR'S ACTIVITIES.

7. **Liability and Insurance.**

- 7.1 Liability. Grantee assumes all risk of damage to Grantor's property caused by the activities of Grantee, its employees, agents, and Contractors, normal wear and tear excepted, and in the event any such damage occurs, shall be liable to Grantor for the cost of repair or restoration of the damaged property to its previous condition.

Grantor assumes no liability to the Grantee, any Contractor, or any third party, with respect to any activities conducted by or on behalf of the Grantee and the Contractors on the Premises, it being understood that such use of the Premises shall be entirely at the Grantee's and each Contractor's own risk.

- 7.2 Insurance. Grantee and each Contractor shall obtain and provide evidence of coverage meeting the insurance requirements set forth in **Exhibit B** to this Agreement.
- 7.3 Indemnity. Grantee and each Contractor agree to assume all liability for, and to indemnify, defend, and hold harmless Grantor from, any and all claims, costs, injuries, damages and/or losses, and expenses of any kind or nature whatsoever arising from or related to the activities of the Grantee, the Contractor, its employees, agents or representatives on the Premises, including all costs, expenses and reasonable attorney's fees which may be incurred by Grantor in connection therewith.
8. **Compliance with Laws.** The Grantee and each Contractor shall comply with all applicable federal, state and local laws and ordinances in its use of the Premises.
9. **Notices.** All written notices from one party to the other shall be delivered personally, or by facsimile or electronic mail (provided such delivery is confirmed), to:

Cliffs Mining Services
Attn: Land Administration
PO Box 180
Eveleth, MN 55734

To the Grantee at:
Gilbert City Hall
Attn: City Administrator
16 S Broadway St,
Gilbert, MN 55741

10. **Coordination, Cooperation and Safety.** The Grantee's use of the Premises shall be coordinated in advance with Grantor. The Grantee agrees to comply with all safety and traffic regulations which may be established by Grantor or which may otherwise apply, including, but not limited to, existing and future MSHA Training and Mining safety policies pertaining to the Premises and to Grantor's private roads. Prior to gaining access to the Premises authorized representatives and Contractor of the Grantee shall be obligated to view Grantor's site specific video for the Premises if they have not previously viewed the video and also receive a tour, if not previously received, instructing the Grantee and/or Contractor on how to gain authorized access to the Premises.

Grantee is required to meet with Grantor's staff no later than June 27, 2023 to coordinate activities on the Premise.

Alcohol, intoxicants, narcotics, and controlled substances in any form are strictly prohibited on the Premise and neither Grantee nor Contractor may enter the Premise while intoxicated or otherwise impaired.

11. **Assignment.** The Grantee may not assign or sublet its rights under this Agreement.

12. **Permits.** The Grantee and each Contractor shall be responsible for obtaining all required governmental permits for the Work.
13. **Early Termination or Suspension.** Grantor may terminate this Agreement at any time for any reason, or no reason whatsoever, upon thirty (30) days written notice to Grantee. In the event the Grantee or any Contractor fails to comply with any term or condition set forth in this Agreement and fails to cure that default immediately following notice of default by the Grantor to the Grantee, Grantor may then immediately terminate this Agreement by written notice to the Grantee. In addition, Grantor may immediately suspend the Grantee's or any Contractor's access to the Premises under this Agreement at any time that Grantor reasonably believes suspension to be necessary in order to avoid interference with mining activities or to avoid any unsafe condition or activity.
14. **Joinder by Contractors.** The Grantee shall cause each Contractor to join in this Agreement by executing and delivering to Grantor a Contractor Joinder in the form attached hereto and marked as **Exhibit C**. No Contractor shall be permitted access to the Premises prior to the Contractor's execution and delivery of this Contractor Joinder to Grantor accompanied by the proof of insurance required by **Exhibit B** to this Agreement.
15. **Jurisdiction.** This Agreement shall be construed and enforced in accordance with the laws of the State of Minnesota. No amendment, modification, or waiver of any condition, provision, or term of this Agreement shall be valid unless made in writing, signed by the party or parties to be bound and specifying with particularity the extent and nature of such amendment, modification, or waiver. Any waiver by any party of any default of another party shall not affect or impair any right arising from any subsequent default.
16. **Representation on Authority of Signatories.** Each person signing this Agreement represents that he or she is duly authorized and has legal capacity to execute and deliver this Agreement and that the Agreement is a valid and legal agreement binding on such party and enforceable in accordance with its terms.

(Signatures on following page)

IN WITNESS WHEREOF, the parties execute this Agreement.

GRANTOR

Cleveland Cliffs Minorca Mine, LLC

By: _____

Its: _____

GRANTEE

City of Gilbert

By: _____

Its: Mayor, City of Gilbert

Exhibit A: Part of the SE1/4 of the NE1/4 all in Section 23
Township 58 Range 17, St. Louis County, State of Minnesota



EXHIBIT B- INSURANCE REQUIREMENTS

GRANTEE shall procure and maintain (and shall cause each of its Contractors and Subcontractors (hereinafter collectively "Contractors"), if any, to procure and maintain), at its own expense, insurance coverage meeting or exceeding the following requirements (all coverages in \$US Dollars):

- (a) Workers Compensation: Workers' Compensation Insurance for the benefit of GRANTEE'S (or any Contractor's) employees, as required by the laws of the State or Commonwealth or Province in which the Premises are located, and as required by any other similar federal, state, provincial, municipal or local laws applicable to such employee(s), including Employer's Liability insurance coverage as per limits indicated in Item B below. If not otherwise prohibited by law, the policy shall be endorsed to include a waiver of subrogation in favor of GRANTOR and its affiliates.
- (b) Employers Liability: Employer's Liability Insurance for accident and occupational disease in an amount not less than \$1,000,000 per accident, disease-policy limit, and disease each employee. This limit may be satisfied by an excess general or umbrella liability policy.
- (c) Commercial General Liability: Commercial General Liability Insurance, including contractual liability, premises liability, on-going operations liability, completed operations liability, contractors protective liability, personal injury, broad form property damage, and explosion, collapse, and underground ("xcu") liability). This requirement may be satisfied by self-insurance. The GL policy shall be endorsed to include GRANTOR and each of its affiliates as Additional Insureds on a primary and non-contributory basis with respect to any insurance or self-insurance maintained by any of them. The policy shall allow cross-liability suits and shall be endorsed to include a waiver of subrogation in favor of GRANTOR and its affiliates. The minimum required insurance coverages are set forth below:

\$2,000,000	General Aggregate
\$2,000,000	Products-Completed Operations Aggregate
\$1,000,000	Each Claim

- (d) Automobile Liability: Such insurance shall cover liability arising out of the operation of any vehicles (including owned, hired and non-owned vehicles) that GRANTEE or any of its agents or employees may use at any time in connection with the Agreement. The limit may be satisfied self-insurance, an excess general or umbrella liability policy or any combination of the forgoing. The policy shall be endorsed to include a waiver of subrogation in favor of GRANTOR and its affiliates. The minimum required insurance coverages are set forth below:

\$1,000,000	Combined Single Limit Bodily Injury and Property Damage
\$5,000,000	For Hazardous Materials Transport (if applicable)

- (e) Umbrella or Excess Liability: such coverage shall provide excess limits over and above the employer's liability, commercial general liability, and comprehensive automobile liability limits stated in this article. The policy shall be endorsed to include a waiver of subrogation in

favor of GRANTOR and its affiliates. The minimum required insurance coverages are set forth below:

\$2,000,000	Each Claim
\$2,000,000	Annual Aggregate

All insurance shall be placed with insurance carriers having a current A.M. Best rating of A- or better, and a financial size category of at least "VII," and be authorized to do business in the state of Minnesota. Any deductibles or self-insured retentions must be consistent with industry standards. All deductibles and self-insured retentions remain the sole responsibility of GRANTEE and its Contractor(s). Any self-insured or other non-risk transfer programs must be specifically disclosed and approved by GRANTOR.

GRANTEE (and Contractors, if any) shall furnish to GRANTOR acceptable certificates of insurance evidencing full compliance of the specified requirements. Should any policy or policies expire during the term of the Agreement, updated certificates of insurance evidencing renewal of the policy and ongoing full compliance of the specified requirements shall be provided at least 10 days prior to expiration of the policy or policies.

GRANTEE shall be responsible to obtain separate certificates of insurance from each Contractor. All coverage for Contractors shall be subject to all the requirements stated above.

Any failure on the part of GRANTOR or its affiliates to pursue, obtain or identify any non-compliance with respect to Certificates of Insurance shall not constitute a waiver of any of the insurance requirements specified herein, nor relieve GRANTEE of its obligations or liabilities under this Agreement.

These insurance provisions are intended to be a separate and distinct obligations of GRANTEE and its Contractors (if any). The insurance provisions shall be enforceable and LESSEE and its Contractors (if any) shall be bound thereby regardless of whether or not indemnity provisions are determined to be enforceable. The obligation of GRANTEE and Contractors (if any) to provide insurance shall not limit in any way the liability or obligations assumed by GRANTEE or its Contractors.

EXHIBIT C - CONTRACT JOINDER AGREEMENT

Contractor Information

Name of Contractor:

Address of Contractor:

Contact Person:

Phone:

Fax:

Email:

The undersigned Contractor hereby covenants and agrees as follows:

1. That the Contractor has received an executed copy of that Access Agreement (hereinafter the "Agreement") entered into as of the ____ day of _____, _____, between _____, a _____ (hereinafter the "Grantor"), and _____ (hereinafter the "Grantee").
2. That the Contractor hereby agrees with Grantor and the Grantee to perform all promises, covenants and obligations of a Contractor under the Agreement and to be bound by all terms, conditions and restrictions of a Contractor under the Agreement.
3. Contractor agrees to provide and comply with the insurance requirements set forth in **Exhibit B** to the Agreement. Contractor shall provide proof of this insurance to Grantor prior to commencement of any work on the Premises and thereafter upon written request by Grantor. Contractor agrees to assume all liability for, and to indemnify and hold harmless Grantor from, any and all claims, injuries, damages and/or losses arising from or related to the activities of the Contractor, its employees, agents or representatives on the Premises.

By: _____
Its: _____

City of Gilbert
Request for City Council Action

Date: June 13, 2023

Issue: CIT Exacq License and support for Cameras

Background: The City of Gilbert camera system is up for renewal

Total 1 Year quote price \$504.00

Council Action: Council action is requested.



Exacq Camer Renewal Quote

Quote #023187 v1



Prepared For:

City of Gilbert

Jill Zallar

16 S Broadway St
Gilbert, MN 55741

P: (218) 748-2232

E: JillZallar@gilbertmn.org

Prepared by:

Computer Integration
Technologies, Inc.

Nick Lesneski

2375 Ventura Drive
Woodbury, MN 55125-3930

P: 651.255.5734

E: nick.lesneski@cit-net.com

Date Issued:

06.02.2023

Date Expires:

06.06.2023

Quote Details

Type	Renewal Details	Notes
RENEWAL TYPE	Exacq Camera	
EXPIRATION DATE	06/06/2023	

1 Year Support

Description	Price	Qty	Ext. Price
Exacq License Qty 13	\$504.00	1	\$504.00
Subtotal:			\$504.00

Quote Summary	Amount
1 Year Support	\$504.00
Total:	\$504.00

By signing this quote, it is assumed that CIT will proceed with placing orders for the recommended products and services. Quoted prices are based upon market pricing at the time of the quote. Due to fluctuating market conditions, pricing for third-party hardware, services, and related products are subject to change due to the market pricing in effect at the time of delivery. CIT will make commercially reasonable efforts to communicate with the customer for material price increases prior to delivery.

Beyond the standard configuration and deployment of the tool/service, additional configuration, tuning will be billed T&M.

Each of the parties hereto has caused this Schedule to be duly executed by their authorized representatives on the date expressed below. The terms of this project proposal ("Schedule") by and between Computer Integration Technologies, Inc., ("CIT") and Customer are part of, and are hereby incorporated into, the Master Service Agreement executed by CIT and Customer.

Please do not pay from quote; taxes, shipping, handling and other fees may apply. Not all items are available for refund or exchange and must be approved by CIT prior to product return. Customers may need to work directly with manufacturers for item returns.



Acceptance

Computer Integration Technologies, Inc.

City of Gilbert

Nick Lesneski

Nick Lesneski

Signature / Name

Jill Zallar

Signature / Name

Initials

06/02/2023

Date

Date

City of Gilbert
Request for City Council Action

Date: June 13, 2023

Issue: WTP/WWTP WIN-911 Annual Renewal

Background: Annual renewal of Basic Customer Care Subscription for WIN-911 License
For the WTP and WWTP – suggestion is locking in a 3 year option @

\$2400.00

\$ 800.00

\$3200.00 Total

Council Action: Council action is requested.



PO Box 19229 Austin, TX 78760
Phone: 512.326.1011 Email: sales@win911.com

Invoice No. 2341531977 3 years
Created Date 5/4/2023
Customer Care Subscription # 230XT013
CCS Expiration Date 7/24/2023

emailed Terah 6/1/23

Contact Name Terah Rinerson
Email terahrinerson@gilbertmn.org

City Of Gilbert
Terah Rinerson
200 Dakota Avenue East
Gilbert, MN 55741
US

City Of Gilbert
Terah Rinerson
200 Dakota Avenue East
Gilbert, MN 55741
US

Your WIN-911 Customer Care Subscription is expiring.

There are two renewal options available; a standard one-year renewal and a three-year option that locks in your price and reduces annual processing effort. Ensure your access to upgrades and live technical support and avoid annual price increases by selecting the three-year option. Additionally, beginning August 2023 a Premium customer care plan will be required for WIN-911/ Mobile smartphone app users. A Premium Care plan is \$1200 annually.

To pay by credit card, please visit <https://www.win911.com/pay-your-invoice/>

Please reference the invoice number on your purchase order or check. Please send purchase orders to orders@win911.com

Product	Description	Quantity	Sales Price	Total Price
WIN-911/Maint-R	Annual Renewal of Basic Customer Care Subscription for WIN-911/PRO & WIN-911/Basic. License Tracking #: W07171934005C0D;	3.00	\$800.00	\$2,400.00

Subtotal \$2,400.00
Total Price \$2,400.00
Grand Total \$2,400.00

RECEIVED
MAY 25 2023
CITY OF GILBERT



PO Box 19229 Austin, TX 78760
Phone: 512.326.1011 Email: sales@win911.com

Invoice No. 2341531977 1 year
Created Date 4/25/2023
Customer Care 230XT013
Subscription #
CCS Expiration 7/24/2023
Date

Contact Name Terah Rinerson
Email terahrinerson@gilbertmn.org

City Of Gilbert

City Of Gilbert

Terah Rinerson

200 Dakota Avenue East
Gilbert, MN 55741
US

Your WIN-911 Customer Care Subscription is expiring.

There are two renewal options available; a standard one-year renewal and a three-year option that locks in your price and reduces annual processing effort. Ensure your access to upgrades and live technical support and avoid annual price increases by selecting the three-year option. Additionally, beginning August 2023 a Premium customer care plan will be required for WIN-911/ Mobile smartphone app users. A Premium Care plan is \$1200 annually.

To pay by credit card, please visit <https://www.win911.com/pay-your-invoice/>

Please reference the invoice number on your purchase order or check. Please send purchase orders to orders@win911.com

Product	Description	Quantity	Sales Price	Total Price
WIN-911/Maint-R	Annual Renewal of Basic Customer Care Subscription for WIN-911/PRO & WIN-911/Basic. License Tracking #: W07171934005C0D;	1.00	\$800.00	\$800.00

Subtotal \$800.00
Total Price \$800.00
Grand Total \$800.00

RECEIVED

MAY 25 2023

CITY OF GILBERT

City of Gilbert
Request for City Council Action

Date: June 13, 2023

Issue: Acknowledge Community Center ADA Bathroom Renovation Bid

Background: 2 bids were received for the Community center ADA Bathroom Renovation project as conducted by DSGW project# 022129. (Partial funding is CDBG \$50,000 award to be used by Oct 31, 2023)

1. Donald Hom Construction
\$80,500.00
2. Lenci Enterprises
\$81,500.00

Council Action: City Council action is requested.

BID TABULATION

City of Gilbert Library – Community Center ADA Toilet
Gilbert, Minnesota
DSGW Project # 022129.00



BID DATE/TIME: Monday, May 15, 2023 @ 11:00 a.m.
BID LOCATION: City of Gilbert, ATTN: Sam Lautigar, Public Works Operations Director
16 Broadway Street, Gilbert, MN 55741

BIDDER	BID BOND Y/N	ADD 1 Y/N	BASE BID	ADD ALT. 1 (Men's & Women's Restrooms)	CONTRACT TIME (CCD)	NOTES
Adolfson & Peterson Construction Duluth, Minnesota						
Donald Holm Construction Duluth, Minnesota	X		80,500	22,000	120 Days	
Gardner Builders Duluth, Minnesota						
Hawk Construction Grand Rapids, Minnesota						
Johnson Wilson Constructors Duluth, Minnesota						
Kraus Anderson Construction Duluth, Minnesota						
Lenci Enterprises Virginia, Minnesota	X	✓	81,500	52,000	150 Days	
Max Gray Construction Hibbing, Minnesota						
McGough Construction Duluth, Minnesota						
Oscar J. Boldt Construction Cloquet, Minnesota						

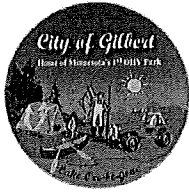
Date: June 13, 2023

Issue: Approval of applications to conduct Liquor Sales Outside Premises

Background: The following establishments have submitted application to the City of Gilbert to conduct liquor sales outside on their premises during the dates and times listed on their applications.
The Gilbert Fire Relief has submitted application to the State of MN Alcohol and Gambling Enforcement Agency (AGE) and received approval and license certificate for their requested dates.

The Dugout	July 1, July 3
Downtown Bar	July 1, July 3
Devo's Sand Bar	July 1, July 3
The Ore House	July 1-4
Alibi Bar	July 3-4
VFW Post 4456	July 3
Whistling Bird	July 3
Gilbert Fire Relief Assoc.	July 3, July 14-15

Council Action: Council action is requested



City of Gilbert

www.gilbertmn.org

16 South Broadway • P.O. Box 548 • Gilbert, MN 55741

Phone: 218-748-2232 • Fax: 218-748-2234

June 13, 2023

Beth Pierce
Executive Director, Iron Range Tourism
111 Station 44 Road
Eveleth, MN 55734

The City of Gilbert, a city in St. Louis County, Minnesota with a population of 1681 at 2022 census is part of the Quad Cities of Virginia, Eveleth, and Mountain Iron. Gilbert is home to one of Minnesota's most well-known OHV parks, "The Iron Range Off-Highway Vehicle State Recreation Area" which is adjacent to the Lake Ore-be-gone, a former mining pit now used for fishing.

The City of Gilbert is committed to bringing more trail projects to the Iron Range, specifically those that support the economies of the Quad Cities.

This letter confirms that the City of Gilbert, Minnesota supports the Northern St Louis County Trails Task Force in applying and receiving application funding to help grant out dollars for trail projects.

Sincerely,

Jill Zallar
City of Gilbert Clerk-Treasurer