

CITY COUNCIL
GRAND FORKS, NORTH DAKOTA
1996

PROCEEDINGS OF THE
OF THE CITY OF
Tuesday, January 2,

The city council of the city of Grand Forks, North Dakota met in its regular session in the council chambers in City Hall on Tuesday, January 2, 1996 at the hour of 7:30 o'clock p.m. with President Hagness presiding. Present at roll call were Council Members Hoepfner, Hanson, Carpenter, Sande, Klave, Babinchak, Geller, Johnson, Hagness - 9; absent: none.

President Hagness announced that anyone wishing to speak to any item may do so by being recognized prior to a vote being taken on the issue.

COUNCIL MEMBERS BEYER AND HAMERLIK REPORTED
PRESENT

ADOPT ORDINANCE NO. 3557, TECHNICAL CORRECTIONS
ORDINANCE AMENDING CHAPTER VIII OF THE CITY
CODE RELATING TO TRAFFIC AND MOTOR VEHICLES

An ordinance entitled "A technical corrections ordinance amending Chapter VIII of the Grand Forks City Code relating to traffic and motor vehicles", which had been introduced and passed on its first reading on December 18, 1995, was presented and read for consideration on second reading and final passage.

Howard Swanson, city attorney, stated that the ordinance before the council consists of two major items, one is items that were omitted when Chapter VIII was re-written and the other is duplication in numbering and correction of the numbering; there are no substantive changes in Chapter VIII that did not appear in the old Chapter VIII or that were intended to appear in the revised version; however, there is one item that he wished to bring to the council's attention and that is the penalty for the illegal use of snowmobile within the city limits. He stated that the fine is a \$50.00 minimum and not \$20.00 as previously reported; and would recommend adoption of the ordinance.

Upon call for the question of adoption of the ordinance, and upon roll call vote, the following voted "aye": Council Members Hoepfner, Hamerlik, Hanson, Carpenter, Sande, Klave, Beyer, Babinchak, Geller, Johnson, Hagness - 11; voting "nay": none. President Hagness declared the ordinance adopted.

COUNCIL MEMBERS GLASSHEIM, BEACH AND McCABE
REPORTED PRESENT

REFER CONSENT AGENDA ITEMS (PROPOSED
APPOINTMENTS)

The consent agenda items, proposed appointments by mayor, were referred to the council for their review prior to appointment.

- a) Emergency Management Board: Council Member Hoepfner and Joe Simon.
- b) Mechanical Board: W.D. Hastings, Jr., Terrence Grundysen, Steven Kroke, Gregg Ehreth and Clarence Nikle.

APPROVE BILLS

Vendor Payment Listing No. 95-23, dated January 2, 1996, and totaling \$579,931.02, all having been audited by the city auditor for payment in accordance with Regulation No. 2, were presented and read.

It was moved by Council Member Geller and seconded by Council Member Hoepner that these bills be allowed and that the city auditor be authorized to issue

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warrants in payment of the same. Upon roll call the following voted "aye": Council Members Beach, McCabe, Hoepner, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Geller, Johnson, Hagness - 14; voting "nay": none. President Hagness declared the motion carried and the bills ordered paid.

APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN
CITY AND STATE HEALTH DEPARTMENT RE. LICENSING/
INSPECTION OF FOOD SERVICE ESTABLISHMENTS

Committee No. 2, Public Safety, reported that the matter of Memorandum of Understanding between ND Department of Health and Public Health Department re. licensing/inspection of food service establishments, and recommended to approve the Memorandum of Understanding.

It was moved by Council Member Johnson and seconded by Council Member Sande that this recommendation be and is hereby approved. Carried 14 votes affirmative.

ADOPT RESOLUTION RECOGNIZING GF COUNTY
DEPUTY SHERIFFS ASSN., LTD. AS PUBLIC-
SPIRITED ORGANIZATION ELIGIBLE TO CONDUCT
GAMING, AND APPROVE APPLICATION FOR PERMIT

Committee No. 2, Public Safety, reported having considered the application for gaming permit by GF County Deputy Sheriffs Assn., Ltd. for a raffle on April 1, 1996, and recommended that we adopt a resolution recognizing this organization as a public-spirited organization, waive the two-year existence requirement, and approve the application.

It was moved by Council Member Johnson and seconded by Council Member Sande that this recommendation be and is hereby approved. Carried 14 votes affirmative.

Council Member Johnson introduced the following resolution, which was presented and read: Document No. 6651 - Resolution.

It was moved by Council Member Johnson and seconded by Council Member Sande that this resolution be and is hereby adopted. Carried 14 votes affirmative.

APPROVE BUDGET AMENDMENT

A request to amend the Fire Department budget in the amount of \$6,000 from Cash Carry-over for year-end adjustments, was presented and read. It was moved by Council Member Johnson and seconded by Council Member Sande that this amendment be and is hereby approved. Carried 14 votes affirmative.

ACCEPT BIDS FOR WORK STATIONS AT PUBLIC
WORKS FACILITY

Committee No. 3, Public Service, reported having considered the matter of bids for work stations at public works facility, and recommended that we accept Gaffaney's bid, without chairs, in the amount of \$30,392.26.

It was moved by Council Member Hamerlik and seconded by Council Member Klave that this recommendation be and is hereby approved. Upon roll call the following voted "aye": Council Members Beach, McCabe, Hoepner, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Geller, Johnson, Hagness - 14; voting "nay": none. President Hagness declared the motion carried.

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ACCEPT BID FOR STREET SWEEPER

Committee No. 3, Public Service, reported having considered the matter of bids for street sweeper, and recommended to accept the bid of Sanitation Products in the amount of \$76,423.00, with trade.

It was moved by Council Member Hamerlik and seconded by Council Member Klave that this recommendation be and is hereby approved. Upon roll call the following voted "aye": Council Members Beach, McCabe, Hoepner, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Geller, Johnson, Hagness - 14; voting "nay": none. President Hagness declared the motion carried.

SELECT CONSULTING ENGINEER FOR SOUTH
WASHINGTON STREET RECONSTRUCTION PROJECT,
(34TH TO 40TH AVENUE SOUTH), PROJECT NO.
SU-6-986(042)045

Committee No. 3, Public Service, reported having considered the matter of consultant selection for South Washington Street reconstruction from 34th Avenue South to 40th Avenue South, Project SU-6-986(042)045, and recommended to select the firm of KBM, Inc. pending satisfactory financing arrangements, and concurrence by the State Department of Transportation.

It was moved by Council Member Hamerlik and seconded by Council Member Klave that this recommendation be and is hereby approved. Carried 14 votes affirmative.

INTRODUCE ORDINANCE RELATIVE TO OPTIONS
FOR CITY PENSION PLAN

The Pension and Insurance Committee reported having considered the matter of options for the City pension plan, and recommended the introduction and first reading of an ordinance stating that all employees hired after January 1, 1996 will be excluded from the City's Defined Benefit Pension Plan and will be included in a Defined Contribution Pension Plan only.

It was moved by Council Member Carpenter and seconded by Council Member Babinchak that this recommendation be and is hereby approved. Carried 14 votes affirmative.

Council Member Beyer introduced an ordinance entitled "An ordinance amending Section 7-0203 relating to eligibility for pension plan", which was presented, read and passed on its first reading.

REFER MATTER OF CITY'S CONTRIBUTION TO PENSION PLAN BACK TO COMMITTEE

The Pension and Insurance Committee reported having considered the matter of the City's contribution for the City pension plan, and recommended that the City contribute 5.25% to the City's pension plan.

It was moved by Council Member Carpenter and seconded by Council Member Babinchak that this recommendation be and is hereby approved.

Council Members Babinchak and Hamerlik asked that this matter be sent back to the committee for further consideration. President Hagness referred the matter back to committee.

REPORT FROM EVENTS CENTER COMMITTEE

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Council Member Carpenter reported that the committee is meeting at noon on Wednesdays and that at their last week they authorized request to call for qualifications for an architect, and have tried to accelerate time-frame as much as possible for this process, and are in process of forming advisory committees, with various subcommittees, defining objectives of the committee and membership on those committees.

APPROVE ESTIMATES, VARIOUS PROJECTS

Estimate Summary No. 279, dated December 31, 1995, totaling \$357,620.86, was presented and read.

It was moved by Council Member Hoepfner and seconded by Council Member Hanson that these estimates be and are hereby approved and that the city auditor be and is hereby authorized to issue warrants in payment of the same.

Council Member Babinchak asked to be excused from voting on those estimates for Duckstad Contracting, Inc. It was so moved by Council Members Beyer and Sande. Carried 13 votes affirmative.

Upon call for the question and upon roll call vote the following voted "aye": Council Members Beach, McCabe, Hoepfner, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak (except any estimate payments to Duckstad Contracting, Inc.), Geller, Johnson, Hagness - 14; voting "nay": none. President Hagness declared the motion carried.

APPROVE CERTIFICATES OF COMPLETION

Communications were presented and read from the city engineer certifying that the contractors had successfully completed the construction of the following projects in a satisfactory manner, and recommending acceptance by the council: Project No. 4117, electrical construction at public works facility; Sewer Project No. 4218, District No. 351; and Sewer Project No. 4236, District No. 353.

It was moved by Council Member Klave and seconded by Council Member Sande that these recommendations be and are hereby approved. Carried 14 votes affirmative.

REFER VARIOUS ITEMS TO COMMITTEE

Various items were presented to the council and/or referred to committee as follows:

- 1) Council Member Sande reported she had received complaints from residents of Belmont Patio Homes re. snowmobiles on 47th Avenue South who asked for signing "no snowmobiles"; President Hagness referred the matter to the public safety committee.
- 2) Council Member Klave reported he had also received complaints of snowmobiles on Olson Drive; President Hagness referred the matter to the safety committee.
- 3) The matter of police captain position in the police department was presented (vacancy created through retirement). Chief Paschke reported that the position would be filled by a police officer through promotion, that the rank is pending the consultant's review of the entire structure, and that the mayor had held the filling of the position until that time. President Hagness referred the matter to the public safety committee.

ADJOURN

It was moved by Council Member Hoepfner and seconded by Council Member Beach 14318
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that we do now adjourn until Tuesday, January 16, 1996 at 7:30 o'clock p.m.
Carried 14 votes affirmative.

Respectfully submitted,

John M. Schmisek
City Auditor

Approved:

Thomas M. Hagness, President of Council