

**THE CITY COUNCIL
GRAND FORKS, NORTH DAKOTA
February 20, 1996**

**PROCEEDINGS OF
OF THE CITY OF
Tuesday,**

The city council of the city of Grand Forks, North Dakota met in its adjourned session in the council chambers in City Hall on Tuesday, February 20, 1996 at the hour of 7:30 o'clock p.m. with Mayor Polovitz presiding. Present at roll call were Council Members Beach, Hoepfner, Hamerlik, Glassheim, Sande, Beyer, Babinchak Hagness - 8; absent: Council Members McCabe, Hanson, Geller, Johnson - 4.

Mayor Polovitz announced that anyone wishing to speak to any item may do so by being recognized prior to a vote being taken on the matter.

Mayor Polovitz welcomed Girl Scout Troop 91 from Winship and Agassiz Schools; leaders Pam Vervalen and Sonja Zimmerman.

REPORTS OF OFFICERS - HEALTH DEPARTMENT

Don Shields, executive director, city/county health department, gave brief overview of his department's responsibilities and activities; and various programs the department oversees.

**COUNCIL MEMBERS CARPENTER AND KLAVE
REPORTED PRESENT**

Mr. Shields asked for questions from the council; there were none. Mayor Polovitz thanked Mr. Shields for his report.

**ADOPT ORDINANCE NO. 3563, AMENDING ZONING
MAP TO INCLUDE WITHIN BIRKHOLZ'S PUD, CONCEPT
DEVELOPMENT PLAN, BIRKHOLZ'S 5TH ADDITION**

An ordinance entitled "An ordinance to amend the Zoning Map of the city of Grand Forks, North Dakota to rezone and exclude from the A-1 (Limited Development) District and to include within the Birkholz's PUD (Planned Unit Development), Concept Development Plan, Birkholz's 5th Addition, Grand Forks, North Dakota", which had been introduced and passed on its first reading on January 16, 1996, and upon which public hearing had been scheduled for this evening, was presented and read for consideration on second reading and final passage.

The city auditor reported that the required legal notice had been published calling for a public hearing to be held on this matter this evening and further that to date no protests or grievances had been filed with his office.

Mayor Polovitz called upon the audience to see if there was anyone present who had comments to make on this matter. There were none.

The Planning and Zoning Commission reported having considered the matter of the request from Dan Mikkelson on behalf of Francis D. Mikkelson for final approval of an ordinance to amend the Zoning Map to exclude from the A-1 (Limited Development) District and to include within the

Birkholz' PUD (Planned Unit Development) District, Concept Development Plan, Birkholz' 5th Addition (located between South 38th and 42nd Streets and between 24th and 28th Avenues South), and recommended final approval subject to special conditions shown on or attached to the review copy and passage of the ordinance amending the zoning map.

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

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Council Member Beyer reported that she had received several calls from residents concerned re. the zoning change, that during civic center meetings residents told this area would remain single family and asked for clarification.

Bob Bushfield, City Planner, reported that the area for residential development is south of 17th Avenue; that piece of property discussed is bounded on north by 24th Avenue, S. 38th Street, S. 42nd Street which curves into 30th and to 32nd Avenue South; that there were six lots in proposed development, top four lots planned for townhouses with density of 10 units per acre and up to 20 units per acre on south two multiple-family lots that abut the commercial property; so that there was a tiered effect going from single family to the townhouses, to the multiple-family and to the commercial property which fronts on 30th.

Upon call for the question and upon voice vote, the motion carried 10 votes affirmative.

Upon call for the question of adoption of this ordinance and upon roll call vote the following voted "aye": Council Members Beach, Hoepfner, Hamerlik, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Hagness - 10; voting "nay": none. Mayor Polovitz declared the ordinance adopted.

APPROVE FINAL PLAT; ADOPT ORDINANCE NO. 3564,
AMENDING STREET AND HIGHWAY PLAN TO INCLUDE
PUBLIC R/W SHOWN AS DEDICATED ON THE PLAT OF
SENSKE'S THIRD RESUBDIVISION

An ordinance entitled "An ordinance to amend the Street and Highway Plan of the city of Grand Forks, North Dakota, to include the public rights of way shown as dedicated on the plat of Senske's Third Resubdivision to the city of Grand Forks, North Dakota", which had been introduced and passed on its first reading on January 16, 1996 and upon which public hearing had been scheduled for this evening, was presented and read for consideration on second reading and final passage.

The city auditor reported that the required legal notice had been published calling for a public hearing to be held on this matter this evening and further that to date no protests or grievances had been filed with his office.

Mayor Polovitz called upon the audience to see if there was anyone present who had comments to make on this matter. There were none.

The City Planning and Zoning Commission reported having considered the matter of the request from CPS, Ltd. on behalf of ND Mustard and Spice

and Jim Senske, for final approval of the plat of Senske's Third Resubdivision to the city of Grand Forks, ND (located between North 42nd Street and I-29 and between the Burlington Northern Railroad (formerly Northern Pacific Railroad) and 24th Avenue North, and recommended final approval subject to special conditions shown on or attached to the review copy and passage of the ordinance amending the Street and Highway Plan.

It was moved by Council Member Glassheim and seconded by Council Member Hagness that this recommendation be and is hereby approved. Carried 10 votes affirmative.

Upon call for the question of adoption of this ordinance and upon roll call vote, the following voted "aye": Council Members Beach, Hoepfner, Hamerlik, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Hagness - 10; voting "nay": none. Mayor Polovitz declared the ordinance adopted.

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CONTINUE PUBLIC HEARING AND SECOND READING
OF ORDINANCE TO AMEND ZONING MAP TO INCLUDE
ALL OF SUN LAND WEST FIRST RESUBDIVISION AND
ALL OF SUN LAND WEST SECOND RESUBDIVISION,
INCLUDING VACATED STREETS, WITHIN CENTENNIAL
ESTATES PUD, CONCEPT DEVELOPMENT PLAN, TO
MARCH 18, 1996

An ordinance entitled "An ordinance to amend the Zoning Map of the city of Grand Forks, North Dakota to rezone and exclude from the Sun Land West PUD (Planned Unit Development), Concept Development Plan and to include within Centennial Estates PUD (Planned Unit Development), Concept Development Plan, all of Sun Land West First Resubdivision and all of Sun Land West Second Resubdivision, Grand Forks, North Dakota", which had been introduced and passed on its first reading on January 16, 1996 and upon which public hearing had been scheduled for this evening, was presented and read for consideration on second reading and final passage.

The city auditor reported that the required legal notice had been published calling for a public hearing to be held on this matter this evening and further that to date no protests or grievances had been filed with his office.

Mayor Polovitz opened the public hearing and announced that the Planning and Zoning Commission was recommending that this matter be continued until Monday, March 18, 1996.

The Planning and Zoning Commission reported having considered the matter of the request from Dan Schmaltz on behalf of Sun Land West L.L.C. for final approval of an ordinance to amend the Zoning Map to exclude from Sun Land West PUD (Planned Unit Development), Concept Development Plan and to include within Centennial Estates PUD (Planned Unit Development) Concept Development Plan, all of Sun Land West First Resubdivision and all of Sun Land West Second Resubdivision to the city of Grand Forks, North Dakota, including vacated streets therein (located between 6th and 10th Avenues North and between North 51st and North 55th Streets), and

recommended tabling and continuing the public hearing until March 18, 1996.

It was moved by Council Member Hagness and seconded by Council Member Glassheim that this recommendation be and is hereby approved. Carried 10 votes affirmative.

It was moved by Council Member Babinchak and seconded by Council Member Hagness that the public hearing and second reading of the ordinance be continued until Monday, March 18, 1996 at 7:30 o'clock p.m. Carried 10 votes affirmative.

ADOPT ORDINANCE NO. 3565, RELATING TO
MUNICIPAL SALES TAX

An ordinance entitled "An ordinance amending Article 1 of Chapter XXII of the Grand Forks City Code relating to the municipal sales tax", which had been introduced and passed on its first reading on February 5, 1996, was presented and read for consideration on second reading and final passage.

Committee No. 1, Finance, reported having considered the matter of clarification of businesses having potential obligation for one-quarter percent tax increase, and recommended to approve the listing of businesses subject to the one-quarter percent sales tax as outlined in the letter from the State Tax Commissioner's Office of February 9, 1996.

It was moved by Council Member Babinchak and seconded by Council Member 14352
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Carpenter that this recommendation be and is hereby approved. Carried 10 votes affirmative.

Upon call for the question of adoption of this ordinance, and upon roll call vote, the following voted "aye": Council Members Beach, Hoepfner, Hamerlik, Glassheim, Carpenter, Sande, Beyer, Klave, Babinchak, Hagness - 10; voting "nay": none. Mayor Polovitz declared the ordinance adopted.

ADOPT ORDINANCE NO. 3566, RELATING TO
WASTEWATER DISPOSAL

An ordinance entitled "An ordinance amending Article II of Chapter XV of the Grand Forks City Code relating to wastewater disposal", which had been introduced and passed on its first reading on February 5, 1996, was presented and read for consideration on second reading and final passage.

Upon call for the question of adoption of this ordinance, and upon roll call vote, the following voted "aye": Council Members Beach, Hoepfner, Hamerlik, Glassheim, Carpenter, Sande, Beyer, Klave, Babinchak, Hagness - 10; voting "nay": none. Mayor Polovitz declared the ordinance adopted.

ADOPT ORDINANCE NO. 3567, RELATING TO SALE
OF CITY PROPERTY

An ordinance entitled "An ordinance amending Grand Forks City Code Section 2-0402(4) and adopting Section 2-0402(5) relating to sale of city property", which had been introduced and passed on its first reading on

February 5, 1996, was presented and read for consideration on second reading and final passage.

Howard Swanson, city attorney, advised council that he had included some amendments to the ordinance introduced for first reading which he would suggest that the council consider; that in order to waive any of the bidding requirements it would take a minimum of 9 members of the council; to increase breadth of ordinance to allow for the transfer of real property to any authority, commission, body or entity created in whole or in part by the City, as well as the State of North Dakota or any political subdivision where the property is to be used as a right of way for public improvements; and recommended the changes to the ordinance.

It was moved by Council Member Klave and seconded by Council Beyer that the ordinance be amended as recommended by the city attorney. Carried 10 votes affirmative.

Council Member Glassheim declared to the council that he is a member of Habitat for Humanity which may request land from the City, but that he has no personal interest in the matter.

Upon call for the question of adoption of this ordinance, as amended, and upon roll call vote the following voted "aye": Council Members Beach, Hoepner, Hamerlik, Glassheim, Carpenter, Sande, Beyer, Klave, Babinchak, Hagness - 10; voting "nay": none. Mayor Polovitz declared the ordinance adopted.

ADOPT ORDINANCE NO. 3568, RELATING TO
PENSION COMMITTEE MEMBERS

An ordinance entitled "An ordinance amending Section 7-0214 of the Grand Forks City Code relating to pension committee members", which had been introduced and passed on its first reading on February 5, 1996, was presented and read for consideration on second reading and final passage.

Upon call for the question of adoption of this ordinance, and upon roll call

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the following voted "aye": Council Members Beach, Hoepner, Hamerlik, Glassheim, Carpenter, Sande, Beyer, Klave, Babinchak, Hagness - 10; voting "nay": none. Mayor Polovitz declared the ordinance adopted.

ADOPT ORDINANCE NO. 3569, RELATING TO
TAXICAB FARES

An ordinance entitled "An ordinance amending Section 21-0311 of the Grand Forks City Code relating to taxicab fares", which had been introduced and passed on its first reading on February 5, 1996, was presented and read for consideration on second reading and final passage.

Upon call for the question of adoption of this ordinance, and upon roll call the following voted "aye": Council Members Beach, Hoepner, Hamerlik, Glassheim, Carpenter, Sande, Beyer, Klave, Babinchak, Hagness -

10; voting "nay": none. Mayor Polovitz declared the ordinance adopted.

CONTINUE PUBLIC HEARING ON PETITION TO
VACATE ALL OF 7TH AVENUE NORTH AND SUN LAND
WEST AVENUE AS PLATTED WITHIN SUN LAND WEST
FIRST RESUBDIVISION AND SUN LAND WEST SECOND
RESUBDIVISION TO MARCH 18, 1996

The city auditor reported that pursuant to instructions by the city council after having received a petition to vacate all of 7th Avenue North and all of Sun Land West Avenue as platted within Sun Land West First Resubdivision and Sun Land West Second Resubdivision to the city of Grand Forks, ND, the required legal notice had been published calling for a public hearing to be held this evening, and further that no protests or grievances had been filed with his office.

Mayor Polovitz opened the public hearing and announced that this item had been requested to be held (along with the introduced ordinance amending Zoning Map to include all of Sun Land West First Resubdivision and all of Sun Land West Second Resubdivision within Centennial Estates PUD, Concept Development Plan) until Monday, March 18, 1996.

It was moved by Council Member Hagness and seconded by Council Member Beach that the public hearing be continued until Monday, March 18, 1996 at 7:30 o'clock p.m. Carried 10 votes affirmative.

ADOPT RESOLUTION VACATING PORTION OF PLAT OF
SHADYRIDGE ESTATES FIRST ADDITION

The city auditor reported that pursuant to instructions by the city council after having received a petition to vacate a portion of the plat of Shadyridge Estates First Addition, more specifically described as all of Lot 1, Block 1, Shadyridge Estates First Addition, Grand Forks County, ND, excluding any portion of Shadyridge Court adjacent thereto, the required legal notice had been published calling for a public hearing to be held this evening, and further that no protests or grievances had been filed with his office.

Mayor Polovitz called upon the audience to see if there was anyone present who had comments to make on this matter. There were none.

It was moved by Council Member Beyer and seconded by Council Member Beach that we do hereby find and determine an insufficiency of protest on the petition for vacation. Carried 10 votes affirmative.

Council Member Beyer introduced the following resolution which was presented and read: Document No. 6658 - Resolution.
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It was moved by Council Member Beyer and seconded by Council Member Beach that this resolution be and is hereby adopted. Carried 10 votes affirmative.

ADOPT RESOLUTION VACATING PORTION OF EASEMENT
IN LOTS 3 AND 4, BLOCK 1, SHADYRIDGE ESTATES
FIRST ADDITION

The city auditor reported that pursuant to instructions by the city council after having received a petition to vacate the 30-foot wide access and utility easement located 15 feet on either side of the lot line common to Lots 3 and 4, Block 1, Shadyridge Estates First Addition, Grand Forks County, North Dakota, the required legal notice had been published calling for a public hearing to be held this evening and further that no protests or grievances had been filed with his office.

Mayor Polovitz called upon the audience to see if there was anyone present who had comments to make on this matter. There were none.

It was moved by Council Member Beyer and seconded by Council Member Klave that we do hereby find and determine an insufficiency of protest on the petition for vacation. Carried 10 votes affirmative.

Council Member Beyer introduced the following resolution which was presented and read: Document No. 6659 - Resolution.

It was moved by Council Member Beyer and seconded by Council Member Klave that this resolution be and is hereby adopted. Carried 10 votes affirmative.

ADOPT RESOLUTION VACATING PORTION OF EASEMENTS
IN LOT 2, BLOCK 1, GOLDEN VALLEY 1ST ADDITION,
AND PORTION OF ACCESS CONTROL LINE ALONG 30TH
AVENUE SOUTH IN LOT 2, BLOCK 1, GOLDEN VALLEY
SECOND ADDITION

The city auditor reported that pursuant to instructions by the city council after having received a petition to vacate all of a 30-foot wide east/west utility and access easement and all of a 10-foot wide east/west utility easement, all lying within Lot 2, Block 1, Golden Valley 1st Addition, and the vacation of two 24-foot wide segments of an east/west access control line lying on and along the south line of 30th Avenue South (formerly Ishim Drive) and more specifically described as lying within the westerly 24 feet of the easterly 177 feet and within the westerly 24 feet of the easterly 637 feet respectively of Lot 2, Block 1, Golden Valley Second Addition, being replatted as Lot 1, Block 1, Nodak Resubdivision to the city of Grand Forks, North Dakota, the required legal notice had been published calling for a public hearing to be held this evening and further that no protests or grievances had been filed with his office.

Mayor Polovitz called upon the audience to see if there was anyone present who had comments to make on this matter. There were none.

It was moved by Council Member Sande and seconded by Council Member Beyer that we do hereby find and determine an insufficiency of protests on the request for vacation. Carried 10 votes affirmative.

Council Member Sande introduced the following resolution which was presented and read: Document No. 6660 - Resolution.

It was moved by Council Member Sande and seconded by Council Member Beyer that this resolution be and is hereby adopted. Carried 10 votes affirmative.

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REFER CONSENT AGENDA ITEM TO COMMITTEE

It was moved by Council Member Hoepfner and seconded by Council Member Babinchak that the consent agenda item be referred to committee as noted for consideration. Carried 10 votes affirmative.

Finance Committee:

1) matter of licensing use of city emblem and flag and establishing merchandising contracts.

REPORTS OF OFFICERS

The city auditor's statement of changes in cash balances as of January 31, 1996, was presented and read. It was moved by Council Member Babinchak and seconded by Council Member Sande that this report be and is hereby received and filed. Carried 10 votes affirmative.

REPORT OF BOARD OF APPEALS

A communication from Bruce Melin, building inspector II, secretary, Board of Appeals, was presented and read stating that the Board of Appeals had held a public meeting on Thursday, February 15, 1996, and the following actions on requests for variances were heard: 1) the use of a single step at 2520 University Avenue was presented and filed; 2) St. Mary's Catholic Church, request to allow a stair adjacent to the new elevator lift to be 36" wide as an alternate to the required 44" and to have a winder within the stair run because of structural constraints in an existing building and without the variance no stair would be provided for the wheelchair attendant, and a motion was approved to allow the 36" width and the winder within the stair run.

It was moved by Council Member Klave and seconded by Council Member Hoepfner that this report be and is hereby received and filed. Carried 10 votes affirmative.

APPROVE BILL LISTING

Vendor Payment Listing No. 96-02, dated February 20, 1996, and totaling \$1,096,223.82, all having been audited by the city auditor for payment in accordance with Regulation No. 2, was presented and read.

It was moved by Council Member Hoepfner and seconded by Council Member Babinchak that these bills be allowed and that the city auditor be authorized to issue warrants in payment of the same. Upon roll call the following voted "aye": Council Members Beach, Hoepfner, Hamerlik, Glassheim, Carpenter, Sande, Beyer, Klave, Babinchak, Hagness - 10; voting "nay": none. Mayor Polovitz declared the motion carried and the bills ordered paid.

APPROVE APPLICATION FOR ABATEMENT OF 1995
TAXES FOR PROPERTY AT 723 OAK STREET

Committee No. 1, Finance, reported having considered the application for abatement of 1995 taxes by Annette Hauser, 723 Oak Street, for property described as Lots 19 and 20, Block 2, McKelvey's Addition, and recommended that the application be approved as submitted, and the value of the property be reduced from \$64,100 to \$32,100.

It was moved by Council Member Babinchak and seconded by Council Member Carpenter that this recommendation be and is hereby approved, and further that we adopt the findings, conclusions and recommendations as prepared by the city attorney. Carried 10 votes affirmative.

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ESTABLISH BUDGET FRAMEWORK COMMITTEE

Committee No. 1, Finance, reported having considered the appointment of the budget framework committee, and recommended to establish the budget framework committee as the four committee chairs or their designees.

It was moved by Council Member Babinchak and seconded by Council Member Carpenter that this recommendation be and is hereby approved. Carried 10 votes affirmative.

APPROVE BUDGET AMENDMENTS

Requests to amend the city budget, various departments in the amount of \$1,257,458.50, to increase the budget for prior year encumbrances; in the amount of \$69,296 to increase the budget for 1995 health insurance payback; and in the amount of \$5,302.00 to increase budget for 1995 health insurance payback for FICA and Medicare deductions, were presented and read. It was moved by Council Member Babinchak and seconded by Council Member Carpenter that these budget amendments be and are hereby approved. Carried 10 votes affirmative.

AUTHORIZE PURCHASE OF NODAK REA BUILDING

Committee No. 1, Finance, reported having considered the matter of request by Grand Forks Housing Authority for funds to purchase Nodak REA building, and recommended to authorize purchase of the property in the amount of \$475,000, with payment of \$400,000 from the Loan and Stabilization Fund, and balance of \$75,000 to be paid by the Housing Authority.

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

John O'Leary reported in answer to questions as to whether there would need to be any major renovation of the building, that the roof is five years old, with 15-year warranty which goes with building as a condition of sale; that there is new heat pump and telephone system more than adequate for their needs; and stated that they wouldn't be back asking for money for that, nor for annual subsidy. He also reported that Nodak will allow them to move into shop this spring, and balance of the building not until December.

Council Member Glassheim expressed concern re. financing, that property taxes under tremendous pressure, and taking \$400,000 from General Fund, with no payback to the General Fund, and building taken off tax rolls. There was some discussion re. building coming off tax rolls, however, it was noted that Nodak REA pays taxes only on land because of exemption under State law. It was also noted that the move will provide additional space for the health department.

Upon call for the question and upon roll call vote, the following voted "aye": Council Members Beach, Hoepfner, Hamerlik, Carpenter, Sande, Beyer, Klave, Babinchak, Hagness - 9; voting "nay": Council Member Glassheim - 1.

APPROVE REQUEST BY NATIONAL MULTIPLE
SCLEROSIS SOCIETY TO HOLD MS 150 BIKE TOUR
AUGUST 20 AND 11, 1996

Committee No. 2, Public Safety, reported having considered the request by National Multiple Sclerosis Society, Dakota Chapter, to hold MS 150 Bike Tour August 10 and 11, 1996, and recommended to approve request contingent upon coordination with the police department.

It was moved by Council Member Sande and seconded by Council Member Hoepfner

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that this recommendation be and is hereby approved. Carried 10 votes affirmative.

APPROVE REQUEST BY ST. MICHAEL'S CHURCH TO
HOLD MAY PROCESSION

Committee No. 2. Public Safety, reported having considered the request by St. Michael's Church to hold procession, and recommended approval of the request to hold procession on May 5, 1996.

It was moved by Council Member Sande and seconded by Council Member Hoepfner that this recommendation be and is hereby approved. Carried 10 votes affirmative.

APPROVE CHANGE IN LOADING ZONE AND HANDICAPPED
PARKING ZONES AT RYAN HOUSE AT INTERSECTION OF
NORTH 3RD STREET AND 1ST AVENUE NORTH

Committee No. 2, Public Safety, reported having considered the request to change loading/unloading and handicapped parking zones near Ryan House on corner of 1st Avenue North and North 3rd Street, and recommended to reinstate loading/unloading zone on North 3rd Street in front of the Ryan House, with one loading/unloading zone on 1st Avenue North at North 3rd Street, and with a handicapped zone directly behind the loading zone.

It was moved by Council Member Sande and seconded by Council Member Hoepfner that this recommendation be and is hereby approved. Carried 10 votes affirmative.

AUTHORIZE SPEED LIMIT SIGNS IN ALLEY BEHIND
1601 UNIVERSITY AVENUE

Committee No. 2, Public Safety, reported having considered the request from Maurice Bushaw for 15 mph sign in alley behind 1601 University Avenue, and recommended to authorize installation of 15 mph signs in the alley as requested.

It was moved by Council Member Sande and seconded by Council Member Hoepfner that this recommendation be and is hereby approved. Carried 10 votes affirmative.

ADOPT RESOLUTION RECOGNIZING ND BOWHUNTERS
ASSOCIATION AS PUBLIC-SPIRITED ORGANIZATION
ELIGIBLE TO CONDUCT GAMING, AND APPROVE PERMIT

Committee No. 2, Public Safety, reported having considered the application for gaming permit by North Dakota Bowhunters Association for raffle on April 13, 1996, and recommended that we adopt a resolution recognizing the North Dakota Bowhunters Association as a public-spirited organization eligible to conduct games of chance, and to approve the application for permit.

It was moved by Council Member Sande and seconded by Council Member Hoepfner that this recommendation be and is hereby approved. Carried 10 votes affirmative.

Council Member Sande introduced the following resolution which was presented and read: Document No. 6661 - Resolution.

It was moved by Council Member Sande and seconded by Council Member Hoepfner that this resolution be and is hereby adopted. Carried 10 votes affirmative.

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ADOPT RESOLUTION RECOGNIZING RED RIVER NU-VOICE
CLUB AS PUBLIC-SPIRITED ORGANIZATION ELIGIBLE
TO CONDUCT GAMING, AND APPROVE PERMIT

Committee No. 2, Public Safety, reported having considered the application for gaming permit by Red River Nu-Voice Club for raffle on April 13, 1996, and recommended that we adopt a resolution recognizing the Red River Nu-Voice Club as a public-spirited organization eligible to conduct games of chance, and to approve the application for permit.

It was moved by Council Member Sande and seconded by Council Member Hoepfner that this recommendation be and is hereby approved. Carried 10 votes affirmative.

Council Member Sande introduced the following resolution which was presented and read: Document No. 6662 - Resolution.

It was moved by Council Member Sande and seconded by Council Member Hoepfner that this resolution be and is hereby adopted. Carried 10 votes

affirmative.

APPROVE BUDGET AMENDMENTS

A request to amend the health department budget in the amount of \$2,219.00 to reflect 1995 cash carryover, was presented and read. It was moved by Council Member Sande and seconded by Council Member Hoepfner that this budget amendment be and is hereby approved. Carried 10 votes affirmative.

A request to amend the police building PD40 budget to reflect 1995 cash carryover in the amount of \$4,736.00 to purchase riding snowblower, was presented and read.

There was some discussion re. central buildings and grounds department for the city; that this equipment needed to keep parking lot clear, and police department conceded that if there were a buildings and grounds department, this equipment would go into that pool. Mayor Polovitz reported that they have ordered that sidewalks be cleared as soon as possible because of liability, and time element crucial to keeping sidewalks clear, that there is lot of pedestrian traffic into that building.

Upon call for the question and upon voice vote, the motion carried 10 votes affirmative.

APPROVE UTILITY EASEMENT WEST OF WILCOX AND MALM PROPERTY

Committee No. 3, Public Service, reported having considered the utility easement to accommodate existing utility located west of Wilcox and Malm property, for and in consideration of the sum of \$1.00, Larson Enterprises, grantor, and recommended to approve the easement and to authorize proper City officials to sign said easement.

It was moved by Council Members Hamerlik and Klave that this recommendation be and is hereby approved. Carried 10 votes affirmative.

INTRODUCE ORDINANCE RE. WASTEWATER DISPOSAL

Committee No. 3, Public Service, reported having considered the matter of amendment to wastewater disposal ordinance (to include selenium as toxic pollutant for which concentration limits for discharge to the wastewater collection system are established), and recommended to introduce the ordinance for first reading.

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It was moved by Council Member Hamerlik and seconded by Council Member Klave that this recommendation be and is hereby approved. Carried 10 votes affirmative.

Council Member Beyer introduced an ordinance entitled "An ordinance amending Section 15-0204(4) of the Grand Forks City Code relating to wastewater disposal", which was presented, read and passed on its first

reading.

APPROVE AGREEMENT FOR ARCHITECTURAL SERVICE
AGREEMENT FOR PROJECT NO. 4335

Committee No. 3, Public Service, reported having considered the matter of architectural services agreement for Project No. 4335, brick repair at water treatment plant, and recommended to approve agreement with Kent Anderson/ Architects in an amount not to exceed \$12,000 for basic services, and not to exceed \$5,000 for additional services.

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, Hoepner, Hamerlik, Glassheim, Carpenter, Sande, Beyer, Klave, Babinchak, Hagness - 10; voting "nay": none. Mayor Polovitz declared the motion carried.

ADOPT RESOLUTION CREATING ASSESSMENT DISTRICT,
SEWER PROJECT NO. 4337, DISTRICT NO. 372

Committee No. 3, Public Service, reported having considered the matter of creating special assessment district for Project No. 4337, District No. 372, sanitary sewer through Sertoma Park, and recommended that we adopt a resolution creating the assessment district, approving the engineer's report, including estimate of cost, an assessment district map, and further that we pass a resolution instructing the city engineer to prepare detailed plans and specifications, and that we declare intent to sell bonds to finance these improvements.

It was moved by Council Member Hamerlik and seconded by Council Member Klave that this recommendation be and is hereby approved. Carried 10 votes affirmative.

Council Member Hamerlik introduced the following resolution creating the assessment district, which was presented and read: Document No. 6663 - Resolution.

It was moved by Council Member Hamerlik and seconded by Council Member Klave that this resolution be and is hereby adopted. Upon roll call the following voted "aye": Council Members Beach, Hoepner, Hamerlik, Glassheim, Carpenter, Sande, Beyer, Klave, Babinchak, Hagness - 10; voting "nay": none. Mayor Polovitz declared the motion carried and the resolution adopted.

ACCEPT ENGINEER'S REPORT, SEWER DISTRICT NO.
372, PROJECT NO. 4337

The city auditor presented and read the engineer's report on Sewer District No. 372, Project No. 4337: Document No. 6664 - Report.

It was moved by Council Member Hamerlik and seconded by Council Member Klave that this report be and is hereby approved. Carried 10 votes affirmative.

ADOPT RESOLUTION TO PREPARE PLANS AND SPECIFICATIONS,
SEWER DISTRICT NO. 372, PROJECT NO. 4337

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Council Member Hamerlik introduced the following resolution to prepare plans and specifications, which was presented and read: Document No. 6665 - Resolution.

It was moved by Council Member Hamerlik and seconded by Council Member Klave that this resolution be and is hereby adopted. Carried 10 votes affirmative.

ADOPT RESOLUTION CREATING ASSESSMENT DISTRICT,
WATERMAIN PROJECT NO. 4368, DISTRICT NO. 241

Committee No. 3, Public Service, reported having considered the matter of creating special assessment district for Project No. 4368, District No. 241, watermain on South 34th Street from 24th Avenue South to 30th Avenue South, and recommended that we adopt a resolution creating the assessment district, approving the engineer's report, including estimate of cost, an assessment district map, and further that we pass a resolution instructing the city engineer to prepare detailed plans and specifications, and that we declare intent to sell bonds to finance these improvements.

It was moved by Council Member Hamerlik and seconded by Council Member Klave that this recommendation be and is hereby approved. Carried 10 votes affirmative.

Council Member Hamerlik introduced the following resolution creating the assessment district, which was presented and read: Document No. 6666 - Resolution.

It was moved by Council Member Hamerlik and seconded by Council Member Klave that this resolution be and is hereby adopted. Upon roll call the following voted "aye": Council Members Beach, Hoepfner, Hamerlik, Glassheim, Carpenter, Sande, Beyer, Klave, Babinchak, Hagness - 10; voting "nay": none. Mayor Polovitz declared the motion carried and the resolution adopted.

ACCEPT ENGINEER'S REPORT, WATERMAIN DISTRICT
NO. 241, PROJECT NO. 4368

The city auditor presented and read the engineer's report on Watermain District No. 241, Project No. 4368: Document No. 6667 - Report.

It was moved by Council Member Hamerlik and seconded by Council Member Klave that this report be and is hereby approved. Carried 10 votes affirmative.

ADOPT RESOLUTION TO PREPARE PLANS AND SPECIFICATIONS,
WATERMAIN DISTRICT NO. 241, PROJECT NO. 4368

Council Member Hamerlik introduced the following resolution to prepare plans and specifications, which was presented and read: Document No. 6668 - Resolution.

It was moved by Council Member Hamerlik and seconded by Council Member

Klave that this resolution be and is hereby adopted. Carried 10 votes affirmative.

DIRECT THAT CITY EXPLORE ALTERNATIVES
FOR ADJUSTMENT IN PROCEDURES FOR STREET
CLEANING

Committee No. 3, Public Service, reported having considered the matter of condition of city streets, and recommended that the City explore alternatives for adjustments in procedures.

It was moved by Council Member Hamerlik and seconded by Council Member Klave

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that this recommendation be and is hereby approved. Carried 10 votes affirmative.

ADOPT RESOLUTION RE. CHANGE IN NAME OF AIRPORT,
AND FORWARD TO AIRPORT AUTHORITY FOR CONSIDERATION

Committee No. 4, Urban Development, reported having considered the matter of change in name of Grand Forks Mark Andrews International Airport, and recommended that a resolution be communicated to the Airport Authority.

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

Clair Carlson, 201 Chestnut Street, addressed council stating that he had worked for Senator Mark Andrews, suggested a change to the resolution and encouraged council to pass the resolution with the additional language and that he intends to pursue with Airport Authority. (additional language in last paragraph after "...aviation in the city of Grand Forks..." as follows: "maintain Mark Andrews' name on one of the airport facilities;" Council Members Glassheim and Beach agreed to include the language in the resolution.

Bruce Gjovig, 2501 26th Avenue South, spoke in favor of the resolution as amended; that this is issue of protocol and etiquette, public relations problem for the community; that you don't take honor away from somebody; and that Senator Mark Andrews worked for years for air transportation causes, etc.

Upon call for the question on the motion and upon voice vote, the motion carried 10 votes affirmative.

Council Member Glassheim introduced the following resolution which was presented and read: Document No. 6669 - Resolution.

It was moved by Council Member Glassheim and seconded by Council Member Beach that this resolution be and is hereby adopted. Carried 10 votes affirmative.

CONTINUE MATTER OF CENTENNIAL ESTATES PUD,

DETAILED DEVELOPMENT PLAN, MOBILE HOME RESIDENCE,
IN SUN LAND WEST FIRST AND SECOND RESUBDIVISIONS
UNTIL MARCH 18, 1996

The Planning and Zoning Commission reported having considered the matter of the request from Dan Schmaltz on behalf of Sun Land West L.L.C. for final approval of Centennial Estates PUD (Planned Unit Development), Detailed Development Plan, Mobile Home Residence, all of Lots 14 through 27, Block 1 and Lots 1 through 13, Block 2, Sun Land West First Resubdivision to the city of Grand Forks, North Dakota including all of vacated 7th Avenue North adjacent thereto and all of Lots 1 through 19, Block 1 and Lots 1 through 11, Block 2, Sun Land West Second Resubdivision to the city of Grand Forks, North Dakota, including all of vacated 7th Avenue North and Sun Land West Avenue adjacent thereto (located between 6th Avenue and 10th Avenue North and between North 51st and North 55th Streets), and recommended tabling until March 18, 1996.

It was moved by Council Member Hagness and seconded by Council Member Sande that this recommendation be and is hereby approved. Carried 10 votes affirmative.

TABLED REQUEST TO VACATE E/W ALLEY LOCATED
NORTH OF AND PARALLEL WITH 7TH AVENUE SOUTH
EXTENDED BETWEEN SOUTH 21ST AND 26TH STREETS,
APPROVED REQUEST TO ERECT FENCE, AND REFER
TO PUBLIC SERVICE COMMITTEE
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The Planning and Zoning Commission reported having considered the matter of the petition from Oscar W. Sorenson on behalf of Finest Auto Trim, Inc., etal. for approval to vacate an east/west alley adjoining Lot J, Block 3, and Lots 1, 3, 4, 5, 10, 11, A through F, Block A, Westward Acres Subdivision (located north of and parallel with 7th Avenue South extending between South 21st Street and South 26th Street), and recommended tabling the request to vacate, approval of the request to erect a gated fence across the subject alley along the west line of vacated South 22nd Street and to refer the matter to the public service committee.

It was moved by Council Member Hagness and seconded by Council Member Glassheim that this recommendation be and is hereby approved. Carried 10 votes affirmative.

GRANT FINAL APPROVAL OF GOLDEN VALLEY PUD
DETAILED DEVELOPMENT PLAN, NODAK ELECTRIC,
LOT 1, BLOCK 1, NODAK RESUBDIVISION; AND
ESTABLISH SUBCOMMITTEE TO STUDY NAMING/RE-NAMING
OF PORTION OF SOUTH 38TH STREET, 30TH AVENUE
SOUTH AND NORTH AND SOUTH 42ND STREETS

The Planning and Zoning Commission reported having considered the matter of the request from Johnson, Laffen and Meland, Architects, on behalf of Nodak Electric Cooperative for final approval of Golden Valley PUD (Planned Unit Development), Detailed Development Plan, Nodak Electric, Lot 1, Block 1, Nodak Resubdivision to the city of Grand Forks, ND (located on the south side of 30th Avenue South between South 38th and

South 42nd Street), and recommended final approval subject to special conditions shown on or attached to the review copy and to appoint Commission Member Gary Malm as chairman of a subcommittee to study the naming and re-naming of a portion of South 38th Street, 30th Avenue South and North and South 42nd Streets.

It was moved by Council Member Hagness and seconded by Council Member Glassheim that this recommendation be and is hereby approved. Carried 10 votes affirmative.

APPROVE FINAL PLAT OF SHADYRIDGE ESTATES
FOURTH RESUBDIVISION

The Planning and Zoning Commission reported having considered the matter of the request from CPS, Ltd. on behalf of LaVonne Adams for final approval of the plat of Shadyridge Estates Fourth Resubdivision, Grand Forks, North Dakota, being a Replat of a portion of Shadyridge Estates First Addition and including a portion of Government Lot 3, Section 26, T151N, R50W, Grand Forks County, ND (located north of Shadyridge Court and east of the Adams farmstead), and recommended final approval subject to special conditions shown on or attached to the review copy.

It was moved by Council Member Hagness and seconded by Council Member Glassheim that this recommendation be and is hereby approved. Carried 10 votes affirmative.

ACCEPT PETITION FOR VACATION OF PORTION
OF NORTH 44TH STREET AND UTILITY EASEMENT
LYING BETWEEN LOT 1, BLOCK 1 AND LOT D, BLOCK 2,
SENSKE'S FIRST ADDITION

The City Planning and Zoning Commission reported having considered the matter of the petition from Jim Senske for approval to vacate the curved segment of North 44th Street located at the southerly end of Senske's First Addition, Grand Forks, ND and lying between Lot 1, Block 1 and Lot D, Block 2 of said

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addition and is shown as vacated on the plat of Senske's Third Resubdivision, Grand Forks, ND and petition to vacate a 10-foot wide east/west utility easement (excluding any portion intersecting with adjoining north/south utility easements) lying north of and adjoining the southerly lot lines of Lot 1, Block 1, and Lot D, Block 2, Senske's First Addition as shown on map which is by reference made a part hereof, and recommended approval of the vacation and to set the date of the public hearing for April 1, 1996.

It was moved by Council Member Hagness and seconded by Council Member Glassheim that this recommendation be and is hereby approved, that the petition filed is in proper form and contains the requisite signatures, that it be filed with the city auditor, and that a notice of public hearing be published as required. Carried 10 votes affirmative.

INTRODUCE ORDINANCE TO AMEND ZONING MAP

TO INCLUDE WITHIN COLUMBIA PARK PUD, CONCEPT DEVELOPMENT PLAN, AMENDMENT NO. 8 WITH ALL SUBSTANTIVE CHANGES, LOT 14, BLOCK A, COLUMBIA PARK 15TH ADDITION

The City Planning and Zoning Commission reported having considered the matter of the request from Steven L. Adams on behalf of Arthur Greenberg, Jr. for preliminary approval of an ordinance to amend the Zoning Map to exclude from Columbia Park PUD (Planned Unit Development), Concept Development Plan, Amendment No. 7, and include within the Columbia Park PUD, Concept Development Plan, Amendment No. 8, Lot 14, Block A, Columbia Park 15th Addition to the city of Grand Forks, ND (located in the northwest corner of South 34th Street and 30th Avenue South), and recommended preliminary approval subject to special conditions shown on or attached to the review copy, to introduce the ordinance amending the zoning map and to set the date of the public hearing for March 18, 1996.

It was moved by Council Member Hagness and seconded by Council Member Glassheim that this recommendation be and is hereby approved. Carried 10 votes affirmative.

Council Member Beyer introduced an ordinance entitled "An ordinance to amend the Zoning Map of the city of Grand Forks, North Dakota to rezone and exclude from Columbia Park PUD (Planned Unit Development), Concept Development Plan, Amendment No. 7, and to include within Columbia Park PUD, Concept Development Plan, Amendment No. 8, with all substantive changes lying within Lot 14, Block A, Columbia Park 15th Addition, Grand Forks, North Dakota", which was presented, read and passed on its first reading.

GRANT PRELIMINARY APPROVAL OF COLUMBIA PARK PUD, AMENDMENT NO. 8, DETAILED DEVELOPMENT PLAN, MULTI-FAMILY, LOT 13 AND 14, BLOCK A, COLUMBIA PARK 15TH ADDITION

The Planning and Zoning Commission reported having considered the matter of the request from Mike Johl on behalf of Prairie Design Studio for preliminary approval of Columbia Park PUD (Planned Unit Development) Amendment No. 8, Detailed Development Plan, Multi-Family (201 Units), Lots 13 and 14, Block A, Columbia Park 15th Addition (located north of 30th Avenue South between South 34th Street and South 38th Street), and recommended preliminary approval subject to special conditions shown on or attached to the review copy.

It was moved by Council Member Hagness and seconded by Council Member Glassheim that this recommendation be and is hereby approved. Carried 10 votes affirmative.

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INTRODUCE ORDINANCE AMENDING STREET AND HIGHWAY PLAN TO INCLUDE PUBLIC R/W SHOWN AS DEDICATED ON THE PLAT OF MAIER'S THIRD ADDITION

The Planning and Zoning Commission reported having considered the matter

of the request from Dick Olson on behalf of the Grand Forks Growth Fund for preliminary approval of the plat of Maier's Third Addition to the city of Grand Forks, ND lying in the Southwest Quarter of Section 7, T151N, R50W, 5th Principal Meridian (located between 12th Avenue South and 15th Avenue South and between South 48th Street and South 52nd Street), and recommended preliminary approval subject to special conditions shown on or attached to the review copy, to introduce the ordinance amending the Street and Highway Plan and to set the date of the public hearing for March 18, 1996.

It was moved by Council Member Hagness and seconded by Council Member Glasheim that this recommendation be and is hereby approved. Carried 10 votes affirmative.

Council Member Beyer introduced an ordinance entitled "An ordinance to amend the Street and Highway Plan of the city of Grand Forks, North Dakota, to include the public rights of way shown as dedicated on the plat of Maier's Third Addition to the city of Grand Forks, North Dakota", which was presented, read and passed on its first reading.

INTRODUCE ORDINANCE AMENDING ZONING MAP TO
INCLUDE ALL OF SOUTHWEST QUARTER OF SECTION
7, T151N, R50W OF THE 5TH PRINCIPAL MERIDIAN
WITHIN INDUSTRIAL 2ND PUD, CONCEPT DEVELOPMENT
PLAN

The Planning and Zoning Commission reported having considered the matter of the request from Dick Olson on behalf of the Grand Forks Growth Fund for preliminary approval of an ordinance to amend the Zoning Map to exclude from Industrial PUD (Planned Unit Development) District from I-2 (Heavy Industrial) District and from A-1 (Limited Development) District and to include within Industrial 2nd PUD (Planned Unit Development) District, Concept Development Plan, all of the Southwest Quarter of Section 7, Township 151 North, Range 50 West of the 5th Principal Meridian, which includes Maier's 1st Addition, Maier's 2nd Addition, proposed Maier's 3rd Addition and the Northern States Power Substation Tract (located between 11th Avenue South and 17th Avenue South and between South 48th Street and 55th Street extended [Burlington Northern Railroad Right of Way]), and recommended preliminary approval subject to special conditions shown on or attached to the review copy, to introduce the ordinance amending the zoning map and to set the date of the public hearing for March 18, 1996.

It was moved by Council Member Hagness and seconded by Council Member Glasheim that this recommendation be and is hereby approved. Carried 10 votes affirmative.

Council Member Beyer introduced an ordinance entitled "An ordinance to amend the Zoning Map of the city of Grand Forks, North Dakota to rezone and exclude from Industrial PUD (Planned Unit Development), Concept Development Plan, from I-2 (Heavy Industrial) District and from A-1 (Limited Development) District, and to include within Industrial 2nd PUD (Planned Unit Development), Concept Development Plan, all of the Southwest Quarter of Section 7, Township 151 North, Range 50 West of the 5th Principal Meridian, Grand Forks, North Dakota (includes Maier's 1st and 2nd Additions, proposed Maier's 3rd Addition and Northern States Power Substation Tract)", which was presented, read and passed on its

first reading.

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GRANT PRELIMINARY APPROVAL TO BFM PUD,
DETAILED DEVELOPMENT PLAN, FIRST STATE BANK,
LOT H, BLOCK 1, BFM 4TH RESUBDIVISION

The Planning and Zoning Commission reported having considered the matter of the request from Gary w. Johnson of Johnson, Laffen and Meland, Architects, on behalf of the First State Bank, Buxton, ND for preliminary approval of BFM PUD (Planned Unit Development), Detailed Development Plan, First State Bank, Lot H, Block 1, BFM 4th Resubdivision to the city of Grand Forks, ND (located in the northwest corner of 32nd Avenue South and South 25th Street), and recommended preliminary approval subject to special conditions shown on or attached to the review copy.

It was moved by Council Member Hagness and seconded by Council Member Glassheim that this recommendation be and is hereby approved. Carried 10 votes affirmative.

APPROVE FINAL PLAT OF REPLAT OF LOT 24,
BLOCK 3, BLAIR-SATROM-BAUKOL ADDITION SUBJECT
TO SPECIAL CONDITIONS

The Planning and Zoning Commission reported having considered the matter of the request from Alan B. Warcup on behalf of Sally Ann Knutson and Carol M. Fox for final approval of a Replat of Lot 24, Block 3, Blair-Satrom-Baukol Addition to the city of Grand Forks, North Dakota (located at 2249 and 2251 Springbrook Court), and recommended final approval subject to special conditions shown on or attached to the review copy.

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

It was moved by Council Member Sande and seconded by Council Member Beyer to include language in special conditions to require construction of a firewall.

Council Member Hagness stated that Mr. Warcup not present, and is opposed to additional expense; won't change structure of the building but will have to have new firewall.

Upon call for the question on the amendment, and upon voice vote, the motion carried 9 votes affirmative; Council Member Hamerlik voting against the amendment.

Upon call for the question on the motion, as amended, and upon voice vote, the motion carried 10 votes affirmative.

MATTER OF ASSETS IN AETNA FIXED INCOME
ACCOUNT

The Pension/Insurance Committee reported having considered the matter of assets in the Aetna Fixed Income Account, and recommended that the city of Grand Forks employee and employer pension fund contributions from this

date forward be sent directly to IDS (fifty percent) and to Aeltus Discretionary Asset Management Account (fifty percent) for investment.

It was moved by Council Member Carpenter and seconded by Council Member Babinchak that this recommendation be and is hereby approved. Carried 10 votes affirmative.

The Pension/Insurance Committee reported having considered the matter of assets in the Aetna Fixed Income Account, and recommended that Aetna be directed to transfer all unallocated funds from the Aetna Fixed Income Account 14366
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with fifty percent to be transferred to the City Employees Pension Plan Fund with IDS Advisory Group, Inc. and fifty percent to the City of Grand Forks Discretionary Asset Management Account with Aeltus.

It was moved by Council Member Carpenter and seconded by Council Member Babinchak that this recommendation be and is hereby approved. Carried 10 votes affirmative.

REFER MATTER OF PURCHASE OF SAND-BAGGING
MACHINE TO PUBLIC SERVICE COMMITTEE, WITH
POWER TO ACT

Mayor Polovitz reported that because of potential for a flood this year and that some of the council members are possibly not familiar with procedures in emergency situations, etc. they will be scheduling informational meetings to hear from Mr. Campbell, Mr. Vein and those involved if there is a flood. He also stated that there have been less and less volunteers for sandbagging each year, that the city of East Grand Forks purchased machine for filling sand-bags, that cost of the machine is close to \$20,000, that there is enough money in emergency management carry-over, and Mr. Campbell would like to know as soon as possible whether to order this machine. He stated that in the last flood the City spent approx. \$1 Million which was reimbursed from FEMA. He stated that the sandbagging machine would be good investment, and would need three weeks notice for delivery of the machine.

It was moved by Council Member Beyer and seconded by Council Member Carpenter to refer this matter to the public service committee with power to act. Carried 10 votes affirmative.

MATTER OF POLICE CONSULTANT'S REPORT

Mayor Polovitz announced that the report from the police consultants has been completed and received; that there will be an advisory council established of 5 members, with those members heading task force which would address segments of the report, respond, and make recommendations. Mayor Polovitz stated that his office will send information and/or explanation to the council members.

REPORT ON EVENTS CENTER

Council Member Carpenter reported that the committee had received report from the subcommittee re. marketing and promotion of the facility, that they will be running contest to name the event center and will make

recommendation to the council; that they are looking to interview firms for a construction manager on March 6.

REFER VARIOUS ITEMS TO COMMITTEE

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

- 1) Council Member Carpenter presented the matter of ballot issue re. publication of minutes; Mayor Polovitz referred this matter to the finance committee.
- 2) Council Member Hagness presented the matter of purchase of snowblower for the water treatment plant; Mayor Polovitz referred this matter to the public safety committee.
- 3) Council Member Hagness presented the matter of city-wide maintenance of public buildings; Mayor Polovitz referred this matter to the public service committee.
- 4) Council Member Sande presented the matter of request to investigate the possibility of permitting early retirees to continue to purchase health insurance through City's plan until eligible for coverage under Medicare at

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age 65; Mayor Polovitz referred this matter to the pension/insurance committee.

APPROVE SELECTION OF ARCHITECT FOR CONSTRUCTION
OF BUILDING FOR CIRRUS CORPORATION

Council Member Beach reported on the matter of selection of architect for the Cirrus building, that the committee consisting of representatives of the finance and the urban development committee and Abe Muscari, representing Grand Forks Regional Economic Development Committee, who were assisted and advised by Dick Olson and John O'Leary, met and interviewed representatives of four firms and recommended selection of the firm of Schoen & Associates as the architect for this project.

Council Member Beach moved the selection of the firm of Schoen & Associates as the architect for the building to be constructed for the use of Cirrus Design Corporation, and further directed that the appropriate City officials enter into negotiations with Schoen & Associates for architectural services for this project. Council Member Hoepfner seconded the motion. Upon roll call the following voted "aye": Council Members Beach, Hoepfner, Hamerlik, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Hagness - 10; voting "nay": none. Mayor Polovitz declared the motion carried.

APPROVE RECOMMENDATION TO DELAY IN TESTING
FOR VARIOUS POSITIONS IN POLICE DEPARTMENT
UNTIL SUCH TIME AS POLICE CONSULTANT'S REPORT
HAS BEEN REVIEWED/STUDIED

Council Member Babinchak reported that human resources department is in process of testing for promotions in the police department, that the committee and/or council hasn't had time to review consultant's report,

and should delay testing until report has been reviewed and decisions made on the recommenda- tions.

It was moved by Council Member Babinchak and seconded by Council Member Beyer to recommend to the Civil Service Commission a delay in testing for captain, lieutenant and sergeant positions in the police department until such time as the police consultant's report has been reviewed and/or studied. Carried 10 votes affirmative.

APPROVE CHANGE IN CLASS 3 (BEER & WINE) LICENSE
FOR FRENCH CONNECTION, 420 DEMERS AVENUE

Howard Swanson reported that communication had been received from Jane Meyer, French Connection, stating that the council had previously approved a Class 3, Beer and Wine license for Jane Meyer and Edward Meyer, Jr. dba French Connection, that license has not yet been issued and they have now incorporated their business, and were requesting that the license be issued to French Connection, Inc. He recommended approval without any transfer fees.

It was moved by Council Member Beyer and seconded by Council Member Babinchak that the change in ownership of the Class 3, On/Off Sale Beer and Wine license be approved, and the license be issued to French Connection, Inc. Carried 10 votes affirmative.

REFER MATTER OF REQUEST TO PLACE EVENTS CENTER
TAX ISSUE ON JUNE BALLOT TO FINANCE COMMITTEE

Terry Bjerke, 5356 5th Avenue North, submitted a request to place on the June ballot that the sale tax increase to pay for the events center cannot be ex- tended because the cost of the center exceeds \$49 million and no future sales
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tax increase can be made unless a super majority of 60% of the voters of Grand Forks approve that. Mayor Polovitz referred the matter to the finance committee.

ADJOURN

It was moved by Council Member Beyer and seconded by Council Member Babinchak that we do now adjourn. Carried 10 votes affirmative.

Respectfully submitted,

John M. Schmisek
City Auditor

Approved:

Michael Polovitz, Mayor