

**THE CITY COUNCIL  
GRAND FORKS, NORTH DAKOTA  
4, 1996**

**PROCEEDINGS OF  
OF THE CITY OF  
Monday, March**

The city council of the city of Grand Forks, North Dakota met in its adjourned session in the council chambers in City Hall on Monday, March 4, 1996 at the hour of 7:30 o'clock p.m. with President Hagness presiding. Present at roll call were Council Members Beach, McCabe, Hoepfner, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Geller, Johnson, Hagness - 14; 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.

APPROVE MINUTES SEPTEMBER 5, 1995 THROUGH  
FEBRUARY 5, 1996

Typewritten copies of the minutes of meetings of the city council were presented and read: regular meeting held on Tuesday, September 5, 1995; adjourned meeting on Monday, September 18, 1995; special meeting on September 25, 1995; regular meeting on October 2, 1995; special meeting on Friday, October 6, 1995; adjourned meeting on Monday, October 16, 1995; special meeting on Thursday, October 26, 1995; special meeting on Thursday, November 2, 1995; regular meeting on Monday, November 6, 1995; adjourned meeting on Monday, November 20, 1995; special meeting on November 30, 1995; regular meeting on December 4, 1995; adjourned meeting on Monday, December 18, 1995; regular meeting on Tuesday, January 2, 1996; adjourned meeting on Tuesday, January 16, 1996; and regular meeting on February 5, 1996. It was moved by Council Members Beyer and Sande that these minutes be approved as read. Carried 14 votes affirmative.

ADOPT ORDINANCE NO. 3570, RELATING TO  
WASTEWATER DISPOSAL

An ordinance entitled "An ordinance amending Section 15-0204(4) of the Grand Forks City Code relating to wastewater disposal", which had been introduced and passed on its first reading on February 20, 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, McCabe, Hoepfner, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Geller, Johnson, Hagness - 14; voting "nay": none. President Hagness declared the ordinance adopted.

REPORTS OF OFFICERS

The city auditor's report on investment activity for period ending February 29, 1996 was presented and read. It was moved by Council Member Babinchak and seconded by Council Member Klave that this report be and is hereby received and filed. Carried 14 votes affirmative.

COUNCIL McCABE EXCUSED

APPROVE BILLS

Vendor Payment Listing No. 96-03, dated March 4, 1996 and totaling \$757,981.49, 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 Hanson and seconded by Council Member Hoepfner  
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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, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Geller, Johnson, Hagness - 13; voting "nay": none. President Hagness declared the motion carried and the bills ordered paid.

COUNCIL McCABE REPORTED BACK

APPROVE APPLICATION FOR ABATEMENT OF TAXES  
FOR PROPERTY AT 2551 SOUTH COLUMBIA ROAD

Committee No. 1, Finance, reported having considered the application for abatement and settlement of 1993 taxes on property at 2551 South Columbia Road (Lot 5, Block K, BFM Addition), and recommended that the value be reduced from \$375,100 to \$344,600 for 1993.

It was moved by Council Member Geller and seconded by Council Member Babinchak 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 14 votes affirmative.

CONSIDER BIDS FOR SALE OF CITY PROPERTY  
IN AUDITOR'S SUBDIVISION NO. 27 AND IN  
MEDVUE ESTATES 6TH RESUBDIVISION

Committee No. 1, Finance, reported having considered the matter of bids on City-owned property in Auditor's Subdivision No. 27 (Lots 1 - 6, Block 1), and recommended that we reject all bids for lots in Auditor's Subdivision No. 27.

It was moved by Council Members Geller and Babinchak that this recommendation be and is hereby approved. Carried 14 votes affirmative.

Committee No. 1, Finance, reported having considered the bids on City-owned property in Medvue Estates 6th Resubdivision (Lots 1, 2 and 3, Block 1), and recommended that Mr. Carsen, city assessor, Mr. Schmisek, city auditor, and Mr. Swanson, city attorney, negotiate with Mr. Doe on Lot 1, Block 1, Medvue Estates 6th Resubdivision (bid of \$20,000 submitted).

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

ADOPT RESOLUTION RELATING TO THE ISSUANCE  
OF REVENUE BONDS ON BEHALF OF THE UNITED  
HOSPITAL; AND CALLING A PUBLIC HEARING

Committee No. 1, Finance, reported having considered the matter of resolution to issue additional bonds, United Hospital, and recommended that we adopt the resolution relating to the issuance of revenue bonds on behalf of The United Hospital up to \$20,000,000 and set a public hearing for April 1, 1996.

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

The city auditor reported that this bond issue doesn't reflect on our debt and we have no obligation for those bonds.

Council Member Geller introduced the following resolution which was presented and read: Document No. 6670 - Resolution.

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

DIRECT ATTORNEY AND AUDITOR TO DRAFT LANGUAGE  
FOR PLACEMENT ON JUNE BALLOT OF ISSUE RE.  
PUBLICATION OF MINUTES

Committee No. 1, Finance, reported having considered the matter of ballot issue of publication of minutes, and recommended that issue be placed on June ballot and direct city attorney and finance director to draft language.

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

RECEIVE AND FILE REQUEST TO PLACE QUESTIONS RE.  
SALES TAX INCREASE FOR EVENTS CENTER OF BALLOT

Committee No. 1, Finance, reported having considered the matter of request to place on June ballot that the sales tax increase to pay for the events center cannot be extended because the cost of the center exceeds \$49 million and no future sales tax increase can be made unless a super majority of 60% of the voters of Grand Forks approve that, and recommended to receive and file.

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

Terry Bjerke, 5356 5th Avenue North, stated that as a citizen he believes that they need to start placing restrictions on how government spends

their money, and would like to more involvement on part of citizens on how tax monies spent. He stated that the election re. events center was predicated on several facts, 1) that cost would not exceed \$49 million, and questioned if they exceed that amount, what recourse do citizens have; and if goes over bid, does government just pay; that only way to get answer to that is to have vote on that. He stated that second issue is super majority of 60% to increase the sales tax, and important that taxpayers have more input in how money spent, need to make harder to increase taxes, and would like to have individual vote. He stated he would like to have council members address those points: whether City should be bound to the \$49 million. and what recourse citizens have if they go over that amount; and whether citizens of Grand Forks have a right to have a 60% super majority to have taxes raised through sales tax.

It was noted that the vote on increased sales tax for an events center passed by 59.87% majority. Council Member Carpenter stated that he believes council made commitment to the citizens and believes they will uphold those commitments, and recommends support of the finance committee's recommendation to receive and file.

Upon call for the question and upon voice vote, the motion carried 14 votes affirmative.

RECEIVE AND FILE MATTER OF SNOW MAINTENANCE  
PROBLEMS AT WATER PLANT

Committee No. 2, Public Safety, reported having considered the matter of maintenance problems at the water treatment plant, purchase of snowblower, and recommended to receive and file.

It was moved by Council Members Sande and Johnson that this recommendation be

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and is hereby approved. Carried 14 votes affirmative.

ADOPT RESOLUTION RECOGNIZING AMERICAN INDIAN  
SERVICE & ENGINEERING SOCIETY (AISES) AS PUBLIC-  
SPIRITED ORGANIZATION ELIGIBLE TO CONDUCT GAMING,  
AND APPROVE APPLICATION FOR PERMIT

Committee No. 2, Public Safety, reported having considered the matter of application for gaming permit by American Indian Service & Engineering Society, AISES Chapter at UND, for raffle on April 20, 1996, and recommended that we adopt a resolution recognizing this groups as a public-spirited organization eligible to conduct games of chance, and to approve the permit.

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

Council Member Sande introduced the following resolution which was presented and read: Document No. 6671 - Resolution.

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

APPROVE AGREEMENT WITH DISTRICT IV SOLID  
WASTE MANAGEMENT BOARD FOR PROFESSIONAL  
SERVICES

Committee No. 3, Public Service, reported having considered the matter of District IV Solid Waste Management Board contract for professional services, and recommended that we approve the agreement for professional services in the amount of \$65,000.

It was moved by Council Member Beyer 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, Hoepfner, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Geller, Johnson, Hagness - 14; voting "nay": none. President Hagness declared the motion carried.

INTRODUCE ORDINANCE TO AMEND STREET AND  
HIGHWAY PLAN TO INCLUDE PUBLIC R/W SHOWN  
AS DEDICATED ON THE PLAT OF N.S.P. AND  
PILLSBURY INDUSTRIAL PARK 2ND RESUBDIVISION

Committee No. 3, Public Service, reported having considered the matter of the request for an ordinance to amend the Street and Highway Plan to include plat of N.S.P. and Pillsbury Industrial Park 2nd Resubdivision and right of way dedication thereon, for crossing of English Coulee and Mill Road, Project No. 4260, bridge replacement, Northern States Power Company and Gibbs Investment, and recommended that the ordinance be introduced and that the date of the public hearing be set for March 18, 1996.

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

Council Member Hanson 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 N.S.P. and Pillsbury Industrial Park 2nd Resubdivision, being a Replat of Lot 1, Block 1, N.S.P. and Pillsbury Industrial Park Resubdivision and including an unplatted tract of land lying in the Southwest Quarter of Section 28, Township 152 North, Range 50 West of the 5th Principal Meridian, Grand Forks County, North

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Dakota", which was presented, read and passed on its first reading.

DEFEAT PETITION FOR VACATION OF PORTION OF  
SOUTH 48TH STREET BETWEEN 12TH AND 15TH  
AVENUES SOUTH

Committee No. 3, Public Service, reported having considered the matter of the petition for vacation of portion of South 48th Street between 12th and 15th Avenues South, and recommended approval of the vacation of the westerly 15 feet of South 48th Street right of way as platted in Lot 3, Block 1, Maier's Third Addition, with excess street right of way added to the adjacent lot.

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

Mr. Vein reported that as originally platted, the center of the quarter line is on 48th Street, with 40 ft. right of way on east side and 75 ft. on the west side, and original request was to retain 40 ft on the west side and have the remaining 35 ft. vacated; that committee recommended vacation of westerly 15 ft. for utility easement and keeping remaining 60 ft. as right of way, and committee voted 2-2. He stated that the right of way runs from section line which is 17th Avenue South extended, north about one-half mile. He stated that if the vacation takes place, would retain easement, but would also need to replat as those areas develop.

President Hagness spoke against the vacation, that may need in the future for maintenance of utilities.

After further discussion and upon call for the question and upon roll call vote, the following voted "aye": Council Members Beach, McCabe, Hoepfner, Carpenter, Klave, Babinchak, Johnson - 7; voting "nay": Council Members Hamerlik, Hanson, Glassheim, Sande, Beyer, Geller, Hagness - 7. President Hagness declared the motion defeated because of a lack of a majority vote.

APPROVE AMENDMENT TO ENGINEERING SERVICES  
AGREEMENT FOR PROJECT NO. 4045, SURFACE WATER  
TREATMENT RULE IMPROVEMENTS, PHASE I

Committee No. 3, Public Service, reported having considered the matter of Amendment No. 1 to the engineering services agreement for Project No. 4045, Surface Water Treatment Rule Improvements, Phase I, and recommended to approve Amendment No. 1 to the agreement in an amount not to exceed \$123,681.00.

It was moved by Council Member Beyer 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, Hoepfner, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Babinchak, Geller, Johnson, Hagness - 14; voting "nay": none. President Hagness declared the motion carried.

DIRECT THAT CITY NOT CHARGE FOR SANDBAGS IN  
EVENT OF FLOOD EMERGENCY

Committee No. 3, Public Service, reported having considered the matter of furnishing sandbags in the event of a flood emergency, and recommended that in the event of a flood emergency the City not charge residents for sandbags.

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

that this recommendation be and is hereby approved. Carried 14 votes affirmative.

ADOPT RESOLUTION CREATING ASSESSMENT DISTRICT,  
PAVING DISTRICT NO. 532, PROJECT NO. 4286  
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Committee No. 3, Public Service, reported having considered the matter of creating special assessment district for Project No. 4286, District No. 532, paving 24th Avenue South from South 34th to South 38th Street, and recommended that we adopt a resolution creating the assessment district, approving the engineer's report, including estimate of cost, an assessment district map; that we pass a resolution instructing the city engineer to prepare detailed plans and specifications; that we declare intent to sell bonds to finance these improvements; and further that we enter into agreements with Nodak REA and Minnkota Power Cooperative Assn. for relocation of utilities.

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

Council Member Beyer introduced the following resolution creating the assessment district, which was presented and read: Document No. 6672 - Resolution.

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

ACCEPT ENGINEER'S REPORT, PAVING DISTRICT NO.  
532, PROJECT NO. 4286

The city auditor presented and read the engineer's report on Paving District No. 532, Project No. 4286: Document No. 6673 - Report.

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

ADOPT RESOLUTION OF NECESSITY, PAVING DISTRICT  
NO. 532, PROJECT NO. 4286

Council Member Beyer introduced the following resolution of necessity and to prepare plans and specifications, which was presented and read: Document No. 6674 - Resolution.

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

ADOPT RESOLUTION CREATING ASSESSMENT DISTRICT,  
WATERMAIN DISTRICT NO. 245, PROJECT NO. 4417

Committee No. 3, Public Service, reported having considered the matter of creating special assessment district for Project No. 4417, District No. 245, watermain on South 34th Street from 11th Avenue South to Baron Blvd., 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 Beyer and seconded by Council Member Klave that this recommendation be and is hereby approved. Carried 14 votes affirmative.

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Council Member Beyer introduced the following resolution creating the assess- ment district, which was presented and read: Document No. 6675 - Resolution.

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

ACCEPT ENGINEER'S REPORT, WATERMAIN DISTRICT  
NO. 245, PROJECT NO. 4417

The city auditor presented and read the engineer's report on Watermain District No. 245, Project No. 4417: Document No. 6676 - Report.

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

ADOPT RESOLUTION TO PREPARE PLANS AND  
SPECIFICATIONS, WATERMAIN DISTRICT NO. 245,  
PROJECT NO. 4417

Council Member Beyer introduced the following resolution to prepare plans and specifications, which was presented and read: Document No. 6677 - Resolution.

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

APPROVE PLANS AND SPECIFICATIONS FOR PROJECT  
NO. 4260, MILL ROAD BRIDGE REPLACEMENT

Committee No. 3, Public Service, reported having considered the matter of plans and specifications for Project No. 4260, Mill Road Bridge Replacement, and recommended to approve plans and specifications, and authorize call for bids, and that we authorize entering into utility relocation agreements with Nodak REA and Northern States Power Company.

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

REFER MATTER OF BIDS FOR PROJECT NO. 4379,  
RR CROSSING MATERIALS FOR SOUTH 5TH STREET  
BACK TO COMMITTEE

Committee No. 3, Public Service, reported having considered the matter of bids for Project No. 4379, RR crossing material for South 5th Street, and recommended to accept the low bid of Premier Concrete RR Crossings, Keller, TX in the amount of \$13,550.24.

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

Council Members Beyer and Klave asked that this matter be sent back to committee for further consideration; President Hagness referred the matter back to the public service committee.

ACCEPT BID FOR ELECTRICAL ASSISTANCE,  
PROJECT NO. 4471

Committee No. 3, Public Service, reported having considered the bids for 14376  
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Project No. 4471, electrical assistance contract, and recommended to accept the low bid of Ron's Electric, Inc. on a unit-price basis.

It was moved by Council Member Beyer 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, Hoepfner, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Beyer, Klave, Babinchak, Geller, Johnson, Hagness - 14; voting "nay": none. President Hagness declared the motion carried.

AUTHORIZE ENTERING INTO URBAN PROJECT AGREEMENT,  
PROJECT NO. 4225.2, SOUTH WASHINGTON STREET PAVING

Committee No. 3, Public Service, reported having considered the matter of Urban Project agreement, project No. 4225.2. South Washington Street paving from 36th Avenue South to 40th Avenue South, and recommended to authorize entering into the agreement, subject to review and approval by the city attorney.

It was moved by Council Member Beyer 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, Hoepfner, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Beyer, Klave, Babinchak, Geller,

Johnson, Hagness - 14; voting "nay": none. President Hagness declared the motion carried.

APPROVE SELECTION OF ARCHITECT FOR HOUSING  
PROJECT IN BURDICK'S RESUBDIVISION

Committee No. 4, Urban Development, reported having considered the matter of architect for housing project in Burdick's Resubdivision, and recommended that we approve selection of Kent Anderson as architect for the project, with the provision that this does not preclude use of a construction manager to supervise the project.

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

ACCEPT BID FOR MOWING RIVERBANK AREA

Committee No. 4, Urban Development, reported having considered the matter of mowing bids, and recommended to accept the low bid of Pete's Lawn Care in the amount of \$400.00 base bid, plus addendum #1 (riverboat area) \$20.00, for a total bid of \$420.00 per occurrence.

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

APPROVE RELEASE OF CDBG FUNDS

Committee No. 4, Urban Development, reported having considered the matter of release of CDBG (Community Development Block Grant) funds, and recommended adoption of staff recommendations to release funding for Bricks/Mortar projects with the exception of funding for Shelter for Homeless, Inc., Affordable Housing Assistance Program and \$12,000 of the Urban Development Playground Project, and to release 52% of funds allocated to the Public Service and Human Needs projects.

It was moved by Council Members Glassheim and Hanson that this recommendation

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be and is hereby approved. Carried 14 votes affirmative.

Committee No. 4, Urban Development, reported having considered the matter of release of CDBG funds, and recommended to amend the previous recommendation by substituting \$4,250.00 for the Playground Project and zero for unprogrammed funds.

It was moved by Council Member Glassheim and seconded by Council Member Hanson that this recommendation be and is hereby approved. Carried 14

votes affirmative.

#### REPORT FROM EVENTS CENTER COMMITTEE

Council Member Carpenter reported that the committee has formally instituted name contest for the events center; that the committee will be meeting this week to interview firms for construction manager, and that they hope to have recommendation in the near future.

#### AUTHORIZE HIRING OF CONSULTANT FOR EVENTS CENTER PROJECT

The Events Center Core Committee reported having considered the matter of hiring John R. Croley, Director of the TacomaDome as a consultant for the events center project, and recommended that the City engage John Croley as a consultant to assist in the events center project at an hour rate not to exceed \$125.00.

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

It was noted that the funding for these costs will come from the one-quarter percent sales tax for operations.

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, Geller, Johnson, Hagness - 14; voting "nay": none. President Hagness declared the motion carried.

#### ADOPT MARKETING PLAN FOR 1996, AND BUDGET

The Events Center Core Committee reported having considered the matter of a marketing plan for the events center, and recommended adopting the proposed marketing plan for 1996 from the marketing subcommittee with a budget of \$99,500 and up to an additional \$20,000 for personnel services provided by the Convention & Visitors Bureau at cost.

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

It was noted that the funding for these costs also will come from the one-quarter percent sales tax for operations.

Ben Hart, Convention and Visitors' Bureau, reported that they would at least take it through the first year (through December 31, 1996), which this marketing plan covers, and at that time either the Events Center Authority or the management team will be in place and will make decision as to who's going to market facility.

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, Geller, Johnson, Hagness - 14;  
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voting "nay": none. President Hagness declared the motion carried.

APPROVE ESTIMATES, VARIOUS PROJECTS

Estimate Summary No. 281, dated February 29, 1996, and totaling \$295,315.86, was presented and read.

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

REFER VARIOUS ITEMS TO COMMITTEE

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

- 1) Council Member Hanson presented the matter of membership of the CVB Board, questioned whether council representative to the Board should be a voting member, that the City is responsible for a portion of the funding that goes to CVB, that it is tax dollars that support the organization, that sometimes when the organization does not have representative of the legislative body as a voting member, could lead to problems, and suggested they might want to look at again in the future. Mr. Swanson advised that an ex-officio position only means that you serve by virtue of your position, it does not designate that you are a non-voting member and to conclude that you are non-voting because you are ex-officio member would not be accurate.
- 2) matter of proposal to increase liability insurance coverage; President Hagness referred the matter to the finance committee.

AUTHORIZE RELEASE OF FUNDS TO NORTH VALLEY  
ARTS COUNCIL

Committee No. 1, Finance, reported having considered the request by North Valley Arts Council for release of funds allocated in the 1996 budget for renovation of the Empire Theatre, \$100,000.00, and recommended that we approve release of the funds.

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

ADJOURN

It was moved by Council Member Hanson and seconded by Council Member Hoepfner that we do now adjourn until Monday, March 18, 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 City Council