

**THE CITY COUNCIL  
GRAND FORKS, NORTH DAKOTA  
15, 1996**

**PROCEEDINGS OF  
OF THE CITY OF  
Monday, July**

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, July 15, 1996 at the hour of 7:30 o'clock p.m. with Mayor Owens presiding. Present at roll call were Council Members Beach, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; absent: none.

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

**REPORT FROM RIVER FORKS COMMISSION**

Gary Christianson, executive director of River Forks Commission, stated that copies of their annual report to the Grand Forks and East Grand Forks city council had been sent to council members, and briefly reviewed the report, including proposed downtown and riverfront projects and development, events and activities in Grand Forks and East Grand Forks and proposed budgets for 1996 and 1997.

**APPROVE MINUTES JUNE 3, 17 AND 25, 1996**

Typewritten copies of the minutes of regular, adjourned and organizational meetings of the city council held on June 3, 17 and 25, 1996, were presented and read. It was moved by Council Member Ellingson and seconded by Council Member Hafner that these minutes be approved as read. Carried 14 votes affirmative.

**ADOPT ORDINANCE NO. 3597, STREET AND  
HIGHWAY PLAN TO INCLUDE PUBLIC R/W SHOWN  
AS DEDICATED ON PLAT OF SHADYRIDGE ESTATES  
FIFTH 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 Shadyridge Estates Fifth Resubdivision to the city of Grand Forks, North Dakota", which had been introduced and passed on its first reading on June 17, 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 Owens called upon the audience to see if there was anyone present who had comments to make on this matter. There were none.

Upon call for the question of adoption of the ordinance and upon roll call the following voted "aye": Council Members Beach, Polovitz,

Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; voting "nay": none. Mayor Owens declared the ordinance adopted.

ADOPT ORDINANCE NO. 3598, TO AMEND ZONING MAP  
TO REZONE AND TO INCLUDE WITHIN HAAKE PUD, CONCEPT  
DEVELOPMENT PLAN, AMENDMENT NO. 2, WITH SUB-  
STANTIAL CHANGE PERTAINING TO LOT A, BLOCK 1, HAAKE  
SECOND ADDITION

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An ordinance entitled "An ordinance to amend the Zoning Map of the city of Grand Forks, North Dakota to rezone and exclude from Haake PUD (Planned Unit Development), Concept Development Plan, Amendment No. 1 and to include within Haake PUD (Planned Unit Development), Concept Development Plan, Amendment No. 2, with substantial change pertaining to Lot A, Block 1, Haake Second Addition to the city of Grand Forks, North Dakota", which had been presented, read and passed on its first reading on June 17, 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 Owens called upon the audience to see if there was anyone present who had comments to make on this matter. There were none.

The city auditor presented and read the report from the Planning and Zoning Commission that they had considered the matter of the request from Dakota Financial and Development, Inc. on behalf of First Bank for final approval of an ordinance to amend the Zoning Map to exclude from Haake PUD (Planned Unit Development), Concept Development Plan, Amendment No. 1, and to include within Haake PUD (Planned Unit Development), Concept Development Plan, Amendment No. 2, with substantial change pertaining to Lot A, Block 1, Haake Second Addition to the city of Grand Forks, North Dakota (located northeast of South Columbia Road and 13th Avenue 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.

Upon call for the question of adoption of the ordinance and upon roll call the following voted "aye": Council Members Beach, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; voting "nay": none. Mayor Owens declared the ordinance adopted.

APPROVE FINAL PLAT; AND ADOPT ORDINANCE NO.  
3599, AMENDING STREET AND HIGHWAY PLAN TO  
INCLUDE PUBLIC R/W SHOWN AS DEDICATED ON THE  
PLAT OF AURORA PLAZA ADDITION

An ordinance entitled "An ordinance to amend the Street and Highway Plan of the city of Grand Forks to include the public R/W shown as dedicated on the plat of Aurora Plaza Addition to the city of Grand Forks, North Dakota", which had been introduced and passed on its first reading on June 17, 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 that to date no protests or grievances had been filed with his office.

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

The city auditor presented and read the report from the Planning and Zoning Commission that they had considered the matter of the request from CPS, Ltd. on behalf of Cliff Coss for final approval of the plat of Aurora Plaza Addition lying in the NW Quarter of the SW Quarter and the SW Quarter of the NW Quarter of Section 17, Township 151 North of Range 50 West of the 5th Principal Meridian (located east of South 42nd Street between 24th and 29th Avenues South), and recommended final approval subject to special conditions shown on or attached to the review copy and passage of the ordinance amending

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the Street and Highway Plan.

Upon call for the question of adoption of the ordinance and final approval of the plat, and upon roll call vote, the following voted "aye": Council Members Beach, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; voting "nay": none. Mayor Owens declared the ordinance adopted.

APPROVE FINAL PLAT; AND ADOPT ORDINANCE NO.  
3600, AMENDING STREET AND HIGHWAY PLAN TO  
INCLUDE PUBLIC R/W SHOWN AS DEDICATED ON THE  
PLAT OF THE REPLAT OF LOTS 17 THROUGH 53,  
BLOCK 1 AND ALL OF BLOCK 2, GARDEN VIEW ESTATES  
FIRST ADDITION

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 Replat of Lots 17 through 53, Block 1 and all of Block 2 of Garden View Estates First addition to the city of Grand Forks, North Dakota", which had been introduced and passed on its first reading on June 17, 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 Owens called upon the audience to see if there was anyone present who had comments to make on this matter. There were none.

The city auditor presented and read the report from the Planning and Zoning Commission that they had considered the matter of the request from CPS, Ltd. on behalf of Crary Real Estate, for final approval of a replat of Garden View Estates First Addition to the city of Grand Forks, North Dakota (located west of South 34th Street and north of 11th Avenue South), 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.

Upon call for the question of adoption of the ordinance and final approval of the plat and upon roll call vote, the following voted "aye": Council Members Beach, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; voting "nay": none. Mayor Owens declared the ordinance adopted.

ADOPT ORDINANCE NO. 3601, TO AMEND THE LAND  
DEVELOPMENT CODE, ZONING, TO INCLUDE SERVICE  
STATIONS AS PERMITTED USE IN B-2 SHOPPING  
CENTER DISTRICT

An ordinance entitled "An ordinance relating to Chapter XVIII of the Land Development Code of 1987, as amended; Article II Zoning; Section 18-0215 B-2 Shopping Center District; subsection (2) uses permitted; (TTT) service stations", which had been introduced and passed on its first reading on June 17, 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.

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

The city auditor presented and read the report from the Planning and Zoning Commission that they had considered the matter of the request from the Grand Forks Fire Department for final approval of an ordinance to amend the text of the Land Development Code to allow above-ground storage tanks per the Uniform Fire Code, and recommended final approval and passage of the ordinance amending the text of the Land Development Code.

Upon call for the question of adoption of the ordinance and upon roll call vote, the following voted "aye": Council Members Beach, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; voting "nay": none. Mayor Owens declared the ordinance adopted.

CONTINUE PUBLIC HEARING AND SECOND READING  
OF ORDINANCE TO AMEND LAND DEVELOPMENT CODE,  
ZONING, RE. RESIDENTIAL ACCESSORY BUILDINGS  
TO AUGUST 19, 1996

An ordinance entitled "An ordinance relating to Chapter XVIII of the Land Development Code of 1987, as amended; Article III Rules and Regulations; Section 18-0305 Residential Accessory Buildings (4)", which had been introduced and passed on its first reading on June 17, 1996, and upon which public hearing had been scheduled for this evening, was presented and read for consideration on second reading.

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

The city auditor presented and read the Planning and Zoning Commission report that they had considered the matter of the request from the Inspection Office for final approval of an ordinance to amend the text of the Land Development Code, Section 18-0305, residential accessory buildings, and recommended tabling and continuing the public hearing until August 19, 1996.

It was moved by Council Member Hagness and seconded by Council Member Glassheim that the public hearing and second reading of the ordinance be continued to August 19, 1996. Carried 14 votes affirmative.

CONTINUE PUBLIC HEARING AND SECOND READING  
OF AN ORDINANCE AMENDING THE ZONING MAP TO  
INCLUDE LOT 1, BLOCK 1, AIRPORT 3RD RESUBDIVISION  
WITHIN GATEWAY COMMONS PUD CONCEPT DEVELOPMENT  
PLAN, AMENDMENT NO. 2, WITH SUBSTANTIAL CHANGES  
TO AUGUST 19, 1996

An ordinance entitled "An ordinance to amend the Zoning Map of the city of Grand Forks, North Dakota to rezone and exclude from Gateway Commons PUD (Planned Unit Development), Concept Development Plan, Amendment No. 1 and to include within Gateway Commons PUD (Planned Unit Development), Concept Development Plan, Amendment No. 2, with substantial change pertaining to Lot 1, Block 1, Airport 3rd Resubdivision to the city of Grand Forks, North Dakota", which had been introduced and passed on its first reading on June 17, 1996, and upon which public hearing had been scheduled for this evening, was presented and read for consideration on second reading.

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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 Owens called upon the audience to see if there was anyone present

who had comments to make on this matter. There were none.

The city auditor presented and read the Planning and Zoning Commission report that they had considered the matter of the request from Roger Mattern on behalf of Sherman Associates, Inc. for final approval of an ordinance amending the Zoning Map to exclude from Gateway Commons PUD (Planned Unit Development), Concept Development Plan, Amendment No. 1, and to include within Gateway Commons PUD (Planned Unit Development) Concept Development Plan, Amendment No. 2, with substantial change pertaining to Lot 1, Block 1, Airport 3rd Resubdivision (located east of North 51st Street between Gateway Drive and 12th Avenue North), and recommended tabling and continuing the public hearing until August 19, 1996.

It was moved by Council Member Glassheim and seconded by Council Member Hagness that the public hearing and second reading of the ordinance be continued to August 19, 1996. Carried 14 votes affirmative.

ADOPT ORDINANCE NO. 3602, RE. DAILY PARKING  
RESTRICTIONS

An ordinance entitled "An ordinance amending Section 8-0816 of the Grand Forks City Code relating to daily parking restrictions", which had been introduced and passed on its first reading on July 1, 1996, was presented and read for consideration on second reading and final passage.

Howard Swanson, city attorney, advised that he was recommending amendment to the ordinance to include language in subsection (2)(A) to include language to describe geographically by street rather than reference to those streets in sub-part C, have not altered service area designed by staff but described geographically by streets. It was moved by Council Member Beyer and seconded by Council Member Hagness that the ordinance be amended as recommended by the city attorney. Carried 14 votes affirmative.

Upon call for the question of adoption of the ordinance, as amended, and upon roll call vote, the following voted "aye": Council Members Beach, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; voting "nay": none. Mayor Owens declared the ordinance adopted.

HOLD PUBLIC HEARING AND ADOPT RESOLUTION  
GIVING PRELIMINARY APPROVAL TO PROJECT ON  
BEHALF OF CIRRUS DESIGN CORPORATION AND  
THE FINANCING THEREOF UNDER THE CITY CHARTER  
AND ORDINANCE, AND AUTHORIZING THE PREPARATION  
OF NECESSARY DOCUMENTS

The city auditor reported that the notice calling for a public hearing to be held before the city council this evening had been published as required, for the purpose of conducting a public hearing on the proposal that the City issue its Reserve Revenue Bonds to finance the proposed project, the acquisition and construction of a manufacturing facility and other improvements to be located in the City's industrial park in furtherance of the City's economic development program.

Mayor Owens called for the public hearing.

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It was noted that Cirrus Design Corporation will lease the building for the term of the bonds. Mr. O'Leary reported there will be a 20-year lease, that bids for the construction of the building will be considered later this evening, and that motion is contingent upon having an executed lease from Cirrus before commencing construction. Mayor Owens closed the public hearing.

Council Member Bakken introduced the following resolution, which was presented and read: Document No. 7115 - Resolution.

The motion for the adoption of the foregoing resolution was duly seconded by Council Member Beach and, upon vote being taken thereon, the following voted

in favor thereof: Council Members Beach, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; and the following voted against the same: none; whereupon the resolution was declared duly passed and adopted and was signed by the Mayor, whose signature was attested by the City Auditor.

GRANT FIVE-YEAR GRADUATED PROPERTY TAX  
EXEMPTION TO DAKOTA AIRCRAFT (CIRRUS DESIGN  
CORPORATION) FOLLOWING PUBLIC HEARING

The city auditor reported that pursuant to the provisions of Chapter 40-57.1 of the North Dakota Century Code, notice had been given that the city council would meet this evening to consider the application by Dakota Aircraft (Cirrus Design Corporation) for a five-year property tax exemption on a facility to be constructed on Lot 6, Block 1, Maiers Addition, which the applicants will use in the operation of their business, manufacturing of composite aircraft components and sub-assemblies, to hear any and all comments and/or protests on the application; and further that no protests or grievances had been filed with his office.

Mayor Owens called upon the audience to see if there was anyone present who had comments to make on this matter.

Council Member Ellingson asked what relationship this company has with the City of Duluth. John O'Leary, executive director of Urban Development, reported that they have made a number of trips to Duluth to inquire about that and other things, that the relationship has been excellent, they are in the process of putting in major expansion onto their building in Duluth and that is due part to what is happening in Grand Forks, both facilities are growing nicely and Duluth is delighted about their existence there and seem to be pleased with what is happening; they have been in operation two years.

Mr. O'Leary reported that the City's arrangement with Cirrus substantially different than Cirrus' arrangements with the City of Duluth, which built the building and leased it back to Cirrus, that building will now be sold to a for-profit development corporation who

will put the expansion onto the building and continue lease arrangements; and that Cirrus is discussing diversification into new fields. He reported that the City of Grand Forks' arrangements are much more performance-oriented, is based on the number of jobs created, the equity arrangement in the company is substantial, and is unique to North Dakota and the Midwest, that we are swapping dollar for dollar for stock in the company.

He also reported that the building will be completed in March and they are on track with total cost of the building and lease prices they had discussed.

There were no further comments, and Mayor Owens closed the public hearing.

It was moved by Council Member Hanson and seconded by Council Member Bakken that we do find and determine an insufficiency of protest on the application;  
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and that we approve the application for the five-year property tax exemption for Cirrus Design Corporation based on the standard formula: 100% for the first year, 80% for the second year, 60% for the third year, 40% for the fourth year, and 20% for the fifth year. Upon roll call the following voted "aye": Council Members Beach, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; voting "nay": none. Mayor Owens declared the motion carried.

#### REPORTS OF OFFICERS

The city auditor's statement of changes in cash balances as of June 30, 1996, was presented and read. It was moved by Council Member Babinchak and seconded by Council Member Glassheim that this report be and is hereby received and filed. Carried 14 votes affirmative.

#### APPROVE BILLS

Vendor Payment Listing No. 96-12, dated July 15, 1996, and totaling \$1,483,926.38, 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 Beyer and seconded by Council Member Carpenter 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, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; voting "nay": none. Mayor Owens declared the motion carried and the bills ordered paid.

#### APPROVE 1995 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE CITY OF GRAND FORKS

Committee No. 1, Finance, reported having considered the matter of 1995 audit report for the City of Grand Forks, and recommended to approve the

1995 audit report, and authorize payment to the audit firm subject to final approval of the report by the State Auditor's Office.

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

APPROVE SOFTWARE MAINTENANCE AGREEMENT

Committee No. 1, Finance, reported having considered the matter of software maintenance agreement (with New World Systems), and recommended to authorize payment of the license fee upgrade in the amount of \$5,000 and to enter into the three-year maintenance agreement at a cost of \$28,200 each year, with option to renew at end of each year.

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

APPROVE POSITION OF PROJECT COORDINATOR FOR  
YOUTH COMMISSION AND JOB DESCRIPTION; AND  
APPROVE GRANT APPLICATION

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Committee No. 1, Finance, reported having considered the matter of Youth Commission and recommended to approve position of project coordinator and the related job description.

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

Council Member Sande questioned general duties and responsibilities of the position, whether this position would be "responsible for public presentations, newsletter, Youth Community calendar, comprehensive director of youth services, Info (Hot) Line and all youth recreation activities" or whether responsible for "...a directory of all youth recreation activities" . Pam Larson, Youth Commission, stated this person would be responsible for a directory of all youth recreation activities and would not be directing or managing any program directly dealing with kids; nor any case management.

Upon call for the question the motion carried 14 votes affirmative.

Committee No. 1, Finance, reported having considered the matter of Youth Commission and recommended to authorize mayor, in consultation with the city attorney, to enter into grant application with Knight Ridder.

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

RECEIVE AND FILE REQUEST BY TIM LAMB FOR  
TIF FINANCING FOR PROJECT AT 1624 DYKE AVENUE

Committee No. 1, Finance, reported having considered the matter of reconsideration of request by Tim Lamb for TIF financing for project involving improvements for property at 1624 Dyke Avenue, and recommended to receive and file the request.

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

Tim Lamb, 912 North 39th Street, distributed handouts and photographs of the project, and stated that this is a proposal to add revenue to the City budget, and he is requesting approx. \$25,000 in TIF which will be repaid by the increase in property taxes on two city lots that they plan to improve, that it is an urban development project of a blighted city lot through TIF as opposed to the old federal rehab. funding. He stated that this might be comparable to the \$350,000 TIF that was given to the Kedney Warehouse project, although this is minor in comparison. He stated his proposal was rejected by the finance committee, he believes, for technical reasons and stated he would like to approach the council on a broader issue and that is, should the City invest in smaller projects that improve blighted areas through TIF. He stated he was available for questions.

Council Member Carpenter reported that the finance committee recommended to receive and file, which is to kill the proposal; that while this may increase revenue, it is specifically dedicated to pay off the bonds and would tie up any increased revenues for the term of the bond issue; that City would be at risk, and need significantly larger project to make bonding costs feasible; and urged defeat of the proposal.

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

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APPROVE APPLICATION FOR LIQUOR LICENSE AT  
1950 SOUTH COLUMBIA ROAD

Committee No. 2, Public Safety, reported having considered the application for a liquor license for Bucks of Grand Forks, LLC, 1950 South Columbia Road, (Class 1 - General On/Off Sale Alcoholic Beverage), and recommended that a variance be granted to the 300 ft. distance requirement of existing licensed premise, and approve the application.

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

APPROVE APPLICATION BY TOWNHOUSE FOR SPECIAL

ALCOHOLIC BEVERAGE PERMIT FOR AUGUST 17

Committee No. 2, Public Safety, reported having considered request from Townhouse for special alcoholic beverage permit August 17 (fund raiser for Parrothead Club, incl. dance in parking lot, and variance to noise ordinance), and recommended to approve the application for special alcoholic beverage permit, and to grant variance to the noise ordinance to 12:30 a.m.

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

RECEIVE AND FILE INFORMATION FROM CHI-CHI'S  
RE CHANGE IN CORPORATE OFFICERS

Committee No. 2, Public Safety, reported having considered the communication from Chi-Chi's re. change in corporate officers, and recommended to receive and file the information.

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

APPROVE REQUEST FROM GRAND FORKS PUBLIC SCHOOLS  
FOR ADDITIONAL PARKING ADJACENT TO SCHOOL ON 2ND  
AVENUE NORTH FOR RENAISSANCE PROGRAM

Committee No. 2, Public Safety, reported having considered the matter of request from Grand Forks Public Schools for control of parking on school side of 2nd Avenue between Central and City Hall, and recommended to authorize four spaces during school hours only for the School for its Renaissance Program, and to continue same number of tags for school administration.

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

REFER MATTER OF JOINT EMERGENCY PREPAREDNESS  
PLAN FOR NEW EVENTS CENTER TO CORE COMMITTEE

Committee No. 2, Public Safety, reported having considered the matter of joint emergency preparedness plan for new events center, and recommended to refer this matter to the Core Committee.

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

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REMOVE PARKING AT CROSSWALK AT 20TH AVENUE  
AND SOUTH 34TH STREET FOR UP TO 100 FEET

Committee No. 2, Public Safety, reported having considered the matter of crosswalk at 20th and 34th Street and expansion of "no parking here to corner" signs, and recommended to remove parking as necessary to develop a clear line of sight for vehicles and pedestrians using the intersection, up to 100 feet from the crosswalk.

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

APPROVE VARIOUS GRANT AGREEMENTS WITH  
NORTH DAKOTA DEPARTMENT OF HEALTH

Committee No. 2, Public Safety, reported having considered the matter of grant application/agreement with North Dakota Department of Health for Occupational Health Nurse agreement for period July 1 to September 30, 1996, in the amount of \$14,635.00, and recommended to approve the grant for Occupational Health Nurse.

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

Committee No. 2, Public Safety, reported having considered the matter of the grant application/agreement with the North Dakota Department of Health for Maternal and Child Health (MCH) agreement for the period July 1, 1996 to June 30, 1997, in the amount of \$94,485.00, and recommended to approve the grant.

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

APPROVE ENCROACHMENT AGREEMENT FOR SIGN AT  
PRESIDENTS PARK MOBILE HOME COURT

Committee No. 3, Public Service, reported having considered the matter of sign encroachment on 36th Avenue South at Presidents Park, and recommended to authorize entering into the encroachment agreement with Presidents Park.

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

APPROVE ENCROACHMENT AGREEMENT FOR LANDSCAPE  
PLANTINGS AT 302 40TH AVENUE SOUTH

Committee No. 3, Public Service, reported having considered the matter of encroachment for plantings within Belmont Road R/W at 40th Avenue South (Kyle and Marijo Whitcomb), and recommended to allow the encroachment subject to entering into an encroachment agreement and maintaining of shrubs.

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

APPROVE AMENDMENT TO ENGINEERING AGREEMENT  
FOR PROJECT NO. 4433, AIR BASE WATERMAIN  
IMPROVEMENTS

Committee No. 3, Public Service, reported having considered the matter of amendment to engineering agreement for Project No. 4433, Air Base Watermain improvements, and recommended approval of the amendment to the engineering

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services agreement with engineering fees est. in the amount of \$143,686.00.

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

ACCEPT LOW BID FOR PROJECT NO. 4333,  
FORCEMAIN VALVE REPLACEMENT

Committee No. 3, Public Service, reported having considered the matter of bids for Project No. 4333, forcemain valve replacement, and recommended to accept the low bid and award contract to ICS, Inc. in the amount of \$197,800.00.

It was moved by Council Member Klave and seconded by Council Member Hafner that this recommendation be approved. Upon roll call the following voted "aye": Council Members Beach, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; voting "nay": none. Mayor Owens declared the motion carried.

RECEIVE TABULATION OF BIDS, ESTIMATES OF  
TOTAL COST AND AWARD CONTRACT, SEWER PROJECT  
NO. 4476, WATERMAIN PROJECT NO. 4477 AND  
SEWER PROJECT NO. 4478

The city auditor presented and read the tabulation of bids which had been received and opened on July 8, 1996 for Sewer Project No. 4476, District No. 373, sanitary sewer on South 38th Street from 24th Avenue South to 29th Avenue South; Watermain Project No. 4477, District No. 248, watermain on South 38th Street from 24th Avenue South to 29th Avenue South; and Sewer Project No. 4478, District No. 374, storm sewer on South 38th street from 24th Avenue South to 29th Avenue South, indicating that Molstad Excavating, Inc. was the low bidder based upon their bids in the amounts of \$58,765.00, \$50,625.00 and \$29,438.00 respectively, for a total bid of \$138,828.00: Document No. 7116 - Bid Tabulation.

The city engineer's estimates of total cost on Sewer Project No. 4476, District No. 373; Watermain Project No. 4477, District No. 248; and Sewer Project No. 4478, District No. 374; in the amounts of \$25,000.00, \$64,500.00, and \$37,500.00, respectively, were presented and read.

Committee No. 3, Public Service, reported having considered the matter of bids for construction/assessment Project No. 4476, District No. 373,

sanitary sewer on South 38th Street from 24th to 29th Avenue South; Project No. 4477, District No. 248, watermain on South 38th Street from 24th to 29th Avenue South; and Project No. 4478, District No. 374, storm sewer on South 38th Street from 24th to 29th Avenue South; and recommended to accept the low bids of Molstad Excavating, Inc. in the amounts of \$58,765.00, \$50,625.00 and \$29,438.00, respectively, for a total bid of \$138,828.00.

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

Council Member Klave introduced the following resolution which was presented and read: Document No. 7117 - Resolution.

It was moved by Council Member Klave and seconded by Council Member Hafner that this resolution awarding the contract for Sewer Project No. 4476, District No. 373, Watermain Project No. 4477, District No. 248, and Sewer Project No. 4478, District No. 374, to Molstad Excavating, Inc. be and is hereby adopted. Upon roll call the following voted "aye": Council Members Beach, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande,

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Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; voting "nay": none. Mayor Owens declared the resolution adopted and the contract awarded.

APPROVE THREE-WAY AGREEMENT FOR INSTALLATION  
OF UTILITIES IN PERKINS 3RD ADDITION

Committee No. 3, Public Service, reported having considered the matter of three-way agreement in Perkins 3rd Addition, and recommended to authorize City to enter into three-way agreement with developer and engineer for installation of utilities at their cost.

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

APPROVE THREE-WAY AGREEMENT FOR INSTALLATION  
OF UTILITIES IN JOHNSON'S 2ND ADDITION

Committee No. 3, Public Service, reported having considered the matter of three-way agreement in Johnson's 2nd (Kuster property), and recommended to authorize City to enter into three-way agreement with developer and engineer for private installation of sewer and water to service properties in Johnson 2nd Addition.

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

ADOPT RESOLUTION APPROVING PLANS AND

SPECIFICATIONS AND ADVERTISEMENT FOR BIDS,  
PROJECT NO. 4479, PAVING DISTRICT NO. 543

The city engineer's estimate of total cost of the construction of paving on South 38th Street from 24th Avenue South to 29th Avenue South, in the amount of \$141,081.15, was presented and read.

Committee No. 3, Public Service, reported having considered the matter of plans and specifications for Project No. 4479, District No. 543, paving South 38th Street from 24th to 29th Avenue South, and recommended that we pass a resolution approving plans and specifications for this construction and further that the city auditor be directed to advertise for bids on the project.

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

Council Member Klave introduced the following resolution which was presented and read: Document No. 7118 - Resolution.

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

ADOPT RESOLUTION APPROVING PLANS AND  
SPECIFICATIONS AND ADVERTISEMENT FOR BIDS,  
PROJECT NO. 4514, SEWER DISTRICT NO. 375

The city engineer's estimate of total cost of the construction of sanitary sewer on 24th Avenue South from South 38th Street to South 40th Street, and South 40th Street from 24th Avenue South to 29th Avenue South, in the amount of \$ \_\_\_\_\_, was presented and read.

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Committee No. 3, Public Service, reported having considered the matter of plans and specifications for Project No. 4514, District No. 375, sanitary sewer in Birkholz' 5th Addition, and recommended that we pass a resolution approving plans and specifications for this construction and further that the city auditor be directed to advertise for bids on the project.

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

Council Member Klave introduced the following resolution which was presented and read: Document No. 7119 - Resolution.

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

ADOPT RESOLUTION APPROVING PLANS AND  
SPECIFICATIONS AND ADVERTISEMENT FOR BIDS,  
PROJECT NO. 4515, WATERMAIN DISTRICT NO. 249

The city engineer's estimate of total cost of the construction of watermain on 24th Avenue South from South 38th Street to South 40th Street, on South 40th Street from 24th Avenue South to 29th Avenue South, and on 29th Avenue South from South 38th Street to 440 ft. west of South 40th Street, in the amount of \$ , was presented and read.

Committee No. 3, Public Service, reported having considered the matter of plans and specifications for Project No. 4515, District No. 249, watermain in Birkholz' 5th Addition, and recommended that we pass a resolution approving plans and specifications for this construction and further that the city auditor be directed to advertise for bids on the project.

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

Council Member Klave introduced the following resolution which was presented and read: Document No. 7120 - Resolution.

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

ADOPT RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ADVERTISEMENT FOR BIDS, PROJECT NO. 4516, SEWER DISTRICT NO. 376

The city engineer's estimate of total cost of the construction of storm sewer on 24th Avenue South from South 38th Street to South 40th Street, on South 40th Street from 24th Avenue South to 29th Avenue South, and on 29th Avenue South from South 38th Street to 235 ft. west of South 40th Street, in the amount of \$ , was presented and read.

Committee No. 3, Public Service, reported having considered the plans and specifications for Project No. 4516, District No. 376, storm sewer in Birkholz' 5th Addition, and recommended that we pass a resolution approving plans and specifications for this construction and further that the city auditor be directed to advertise for bids on the project.

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

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Council Member Klave introduced the following resolution which was presented and read: Document No. 7121 - Resolution.

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

ADOPT RESOLUTION CREATING ASSESSMENT DISTRICT,

SEWER PROJECT NO. 4523, DISTRICT NO. 377

Committee No. 3, Public Service, reported having considered the matter of creating special assessment district for Project No. 4523, sanitary sewer for English Coulee Center Phase II, 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 Klave and seconded by Council Member Hafner that this recommendation be and is hereby approved. Carried 14 votes affirmative.

Council Member Klave introduced the following resolution creating the assessment district, which was presented and read: Document No. 7122 - Resolution.

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

ACCEPT ENGINEER'S REPORT, SEWER DISTRICT NO.  
377, PROJECT NO. 4523

The city auditor presented and read the engineer's report on Sewer District No. 377, Project No. 4523: Document No. 7123 - Report.

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

ADOPT RESOLUTION TO PREPARE PLANS AND  
SPECIFICATIONS, SEWER DISTRICT NO. 377, PROJECT  
NO. 4523

Council Member Klave introduced the following resolution to prepare plans and specifications, which was presented and read: Document No. 7124 - Resolution.

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

ADOPT RESOLUTION CREATING ASSESSMENT DISTRICT,  
WATERMAIN PROJECT NO. 4524, DISTRICT NO. 250

Committee No. 3, Public Service, reported having considered the matter of creating special assessment district for Project No. 4524, watermain for English Coulee Center Phase II, 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  
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specifications, and that we declare intent to sell bonds to finance these improvements.

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

Council Member Klave introduced the following resolution creating the assessment district, which was presented and read: Document No. 7125 - Resolution.

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

ACCEPT ENGINEER'S REPORT, WATERMAIN DISTRICT  
NO. 250, PROJECT NO. 4524

The city auditor presented and read the engineer's report on Watermain District No. 250, Project No. 4524: Document No. 7126 - Report.

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

ADOPT RESOLUTION TO PREPARE PLANS AND  
SPECIFICATIONS, WATERMAIN DISTRICT NO. 250,  
PROJECT NO. 4524

Council Member Klave introduced the following resolution to prepare plans and specifications, which was presented and read: Document No. 7127 - Resolution.

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

ADOPT RESOLUTION CREATING ASSESSMENT DISTRICT,  
SEWER PROJECT NO. 4525, DISTRICT NO. 378

Committee No. 3, Public Service, reported having considered the matter of creating special assessment district for Project No. 4525, storm sewer in English Coulee Center Phase II, 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 Klave and seconded by Council Member

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

Council Member Klave introduced the following resolution, which was presented and read: Document No. 7128 - Resolution.

It was moved by Council Member Klave and seconded by Council Member Hafner that this resolution be adopted. Upon roll call the following voted "aye": Council Members Beach, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; voting "nay": none. Mayor Owens declared the motion carried and the resolution adopted.

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ACCEPT ENGINEER'S REPORT, SEWER DISTRICT NO.  
378, PROJECT NO. 4525

The city auditor presented and read the engineer's report on Sewer District No. 378, Project No.4525: Document No. 7129 - Report.

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

ADOPT RESOLUTION TO PREPARE PLANS AND  
SPECIFICATIONS, SEWER DISTRICT NO. 378,  
PROJECT NO. 4525

Council Member Klave introduced the following resolution to prepare plans and specifications, which was presented and read: Document No. 7130 - Resolution.

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

AUTHORIZE FUNDING FOR SOIL TESTING FOR  
FEASIBILITY STUDY BY CORPS OF ENGINEERS

Committee No. 3, Public Service, reported having considered the matter of soil testing for feasibility study, Corps of Engineers, and recommended to authorize funding in the amount of \$5,500 for soil testing.

It was moved by Council Member Klave and seconded by Council Member Hafner that this recommendation be approved. Upon roll call the following voted "aye": Council Members Beach, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; voting "nay": none. Mayor Owens declared the motion carried.

APPROVE BID FOR CONFLICT MONITOR TESTING  
EQUIPMENT

Committee No. 3, Public Service, reported having considered the matter of

quotes for conflict monitor testing equipment, and recommended to approve low bid in the amount of \$6,135.00 from ATSI (Athens Technical Specialists, Inc.), Athens, Ohio.

It was moved by Council Member Klave and seconded by Council Member Hafner that this recommendation be approved. Upon roll call the following voted "aye": Council Members Beach, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; voting "nay": none. Mayor Owens declared the motion carried.

#### APPROVE BUDGET AMENDMENTS

A request to amend the Engineering Department budget in the amount of \$6,135.00 to transfer funds from Cash Carryover for the purchase of conflict monitor tester, was presented and read. It was moved by Council Member Klave and seconded by Council Member Hafner that this amendment be approved. Carried 14 votes affirmative.

A request to amend the budget for the Director of Public Works in the amount of \$2,000, to fund a portion of new copy machine, was presented and read. It was moved by Council Member Klave and seconded by Council Member Hafner that this amendment be approved. Carried 14 votes affirmative.

#### APPROVE REQUEST TO ABANDON SANITARY SEWER

LINE BY SIMONSON STATION STORES

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Committee No. 3, Public Service, reported having considered the matter of abandoning sanitary sewer between 3rd and 4th Streets north of Gateway Drive, and recommended to approve request for abandonment of the sanitary sewer line.

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

#### ACCEPT BID FOR PROJECT NO. 4414, PAVING 47TH AVENUE SOUTH, CONTINGENT UPON PARK BOARD GRANTING EASEMENT FOR SOUTHEND DRAINWAY

Committee No. 3, Public Service, reported having considered the bids for Project No. 4414, paving 47th Avenue South to Ulland Park, and recommended to accept the bid of Valley Contracting Company for Alternate No. 1 in the amount of \$288,944.40 with the City's share of approx. \$108,000 to come from Highway Users, contingent on Park Board granting the easement for southend drainway.

It was moved by Council Member Klave and seconded by Council Member Hafner that this recommendation be approved.

Ken Vein, city engineer, reported that the plat has not been filed and asked that they make award contingent upon filing of the plat for Ulland Park by the Park District.

It was moved by Council Member Hagness and seconded by Council Member Babinchak that the recommendation be amended to include that the award of the contract be contingent upon filing of the plat by the Park District.

Council Member Hagness reported that the Park Board is not aware that the award of the contract is contingent upon their granting right of way for the southend drainage ditch; but that he was not aware that the Park District is not contributing any funds except through the Softball Association and other related items, that the City of Grand Forks is contributing \$108,000 to pave that road, and public service committee's thoughts were that the Park District should share in some of the responsibility of those roads to Ulland Park.

Upon call for the question on the amendment and upon voice vote, the motion carried.

Upon call for the question, as amended, and upon roll call the following voted "aye": Council Members Beach, Polovitz, Ellingson, Hamerlik, Hanson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 14; voting "nay": none. Mayor Owens declared the motion carried.

#### MATTER OF RIVERBANK BOAT LANDING

AREA  
CLEANUP

Committee No. 4, Urban Development, reported having considered the matter of clean-up of riverbank boat landing area, and recommended that we release Mr. Lester (River Queen) from any more responsibility for the property.

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

MATTER OF TRANSFER OF FUNDS TO CENTRAL  
BUSINESS DISTRICT AUTHORITY RIVERBANK  
ACCESS PROJECT

Committee No. 4, Urban Development, reported having considered the matter of Central Business District Authority riverbank access project, and recommended

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that \$10,000 be transferred from Contingencies to the Riverbank Access Project.

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

MATTER OF ADOPT-AN-AREA FOR CITY HALL

Committee No. 4, Urban Development, reported having considered the matter

of Adopt-An-Area for City Hall, and recommended that the city council approve request from Planning Department to adopt City Hall parking lot islands as an Adopt-An-Area project.

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

#### ACCEPT BIDS FOR INDUSTRIAL PARK EXPANSION

Committee No. 4, Urban Development, reported having considered the matter of bids for Industrial Park expansion, and recommended to accept the low bid of Molstad Excavating, Inc. for underground utilities in the amounts of \$101,158.00 for Sanitary Sewer Project No. 4492, \$133,844.00 for Watermain Project No. 4493, and \$302,374.00 for Storm Sewer and Holding Pond Project No. 4494 for a total of \$537,376.00, contingent upon EDA concurrence.

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

Committee No. 4, Urban Development, reported having considered the matter of bids for Industrial Park expansion, and recommended to accept the low bid of Opp Construction in the amount of \$435,336.60 for Paving and Lighting Project No. 4495, contingent upon EDA concurrence.

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

#### ACCEPT BIDS FOR CIRRUS BUILDING

Committee No. 4, Urban Development, reported having considered the bids for Cirrus building, and recommended that we accept withdrawal of Baukol Builder's bid based on their admitted error.

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

Committee No. 4, Urban Development, reported having considered bids for Cirrus building, and recommended that we accept the bid of Community Builders for general construction in the amount of \$2,001,800, the bid of D & D Heating & Sheet Metal for mechanical construction in the amount of \$530,309, and the bid of Bergstrom Electric for electrical contract in the amount of \$273,490, pending review of appropriate City officials and acceptance by the lessee and execution of the lease by Cirrus Design Corporation.

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

AUTHORIZE FUNDING TO PAY BALANCE OF A/E  
FEES FOR CIRRUS BUILDING

Committee No. 4, Urban Development, reported having considered the matter of payment for the remainder of the A/E fees for the design of the Cirrus building (council previously approved paying up to \$80,000 from Growth Fund/Economic Development Fund), and requested authorization to pay up to the balance of the A/E contract, \$175,000, with funds to be reimbursed from the bond proceeds; and recommended to approve \$95,000.00 from Economic Development funds to pay balance of A/E fees for the Cirrus building.

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

AUTHORIZE ACQUISITION OF PROPERTY AT  
923 UNIVERSITY AVENUE AND TO AUTHORIZE  
BIDS FOR DEMOLITION

Committee No. 4, Urban Development, reported having considered the matter of acquisition of slum/blighted building, and recommended that an amount up to \$10,500 be authorized for the acquisition and demolition of property at 923 University Avenue and to authorize proper City officials to accept bids for demolition.

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

RESCIND OFFER TO LEASE FORMER BILL LARSON  
BUILDING TO CHILDREN'S SCIENCE AND TECHNOLOGY  
EDUCATION FOUNDATION

Committee No. 4, Urban Development, reported having considered the matter of Children's Science and Technology Education Foundation to rescind offer of use of Bill Larson building, and recommended to rescind offer to lease the building.

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

APPROVE EASEMENT FOR RENTAL REHAB-FUNDED  
PROJECT AT 2603 7TH AVENUE SOUTH

Committee No. 4, Urban Development, reported having considered the matter of request from Terry Farder for easement to cross 2603 7th Avenue South, and recommended that an easement be granted contingent upon approval and review by the city attorney.

It was moved by Council Member Polovitz and seconded by Council Member Hanson

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

APPROVE TRANSFER OF FUNDS FOR FINANCING  
FOR WATER DAMAGE AT CONTINENTAL HOMES

Committee No. 4, Urban Development, reported having considered the matter of financing for water damage at Continental Homes, and recommended \$20,000 from Contingencies be transferred to Continental Homes to assist with costs incurred as a result of water damage.

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

Mr. O'Leary reported that earlier this year the Urban Development Office assisted Grand Forks Homes and Continental Homes in securing some monies from HUD to remodel the facility, that damage occurred during remodeling construction of the three buildings, that contractor removed roofs and then had heavy rain, that there was lot of personal property damage, esp. in top floors. He stated they are going after the construction company and their insurance company for all damages and are negotiating settlement. He stated these funds are to reimburse Grand Forks Homes for costs that they cannot collect from the insurance company, ie., Community Development assigned staff member to work with tenants who are being relocated, but expect to be reimbursed for most of the costs, and as reimbursements take place, those funds will go back to the Community Development fund.

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

APPROVE FY 1997 DISADVANTAGED BUSINESS  
ENTERPRISE GOAL FOR PUBLIC TRANSPORTATION  
DEPARTMENT

The Bus Committee reported having considered the matter of approval of FY 1997 Disadvantaged Business Enterprise (DBE) goal for the period of 10/1/96 to 9/30/97 for the Public Transportation Department, and recommended approval of a Disadvantaged Business Enterprise goal of fifteen percent (15%) for the period 10/1/96 to 9/30/97 for the Public Transportation Department, and authorization of staff to advertise said goal in regional newspapers.

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

COUNCIL MEMBER HANSON EXCUSED

GRANT FINAL APPROVAL OF SHADYRIDGE PUD  
(PLANNED UNIT DEVELOPMENT), DETAILED  
DEVELOPMENT PLAN, SINGLE-FAMILY AND  
TOWNHOUSE, ALL OF SHADYRIDGE ESTATES  
THIRD ADDITION

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 Shadyridge PUD (Planned Unit Development), Detailed Development Plan, Single-Family and Townhouse, all of Shadyridge Estates Third Addition to the city of Grand Forks, ND (located east of Belmont road and north of Adams Drive), and recommended final approval subject to special conditions shown on or attached to the review copy.

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It was moved by Council Member Glassheim and seconded by Council Member Sande that this recommendation be and is hereby approved. Carried 13 votes affirmative.

GRANT FINAL APPROVAL OF HAAKE PUD, AMENDMENT NO.  
2, DETAILED DEVELOPMENT PLAN, OFFICE/RETAIL,  
LOT E, BLOCK 1, HAAKE 2ND ADDITION

The Planning and Zoning Commission reported having considered the request from Dakota Financial and Development, Inc. on behalf of Dennis Johnson for final approval of Haake PUD (Planned Unit Development), Amendment No. 2, Detailed Development Plan, Office/Retail, Lot E, Block 1, Haake Second Addition to the city of Grand Forks, North Dakota (located northeast of South Columbia Road and 13th Avenue South), and recommended final approval subject to special conditions shown on or attached to the review copy.

It was moved by Council Member Glassheim and seconded by Council Member Sande that this recommendation be and is hereby approved. Carried 13 votes affirmative.

GRAND FINAL APPROVAL OF PERKINS PUD,  
DETAILED DEVELOPMENT PLAN, PET FOOD  
WAREHOUSE, LOT F AND EAST 30 FT. OF LOT  
G, BLOCK 1, PERKINS 1ST ADDITION

The Planning and Zoning Commission reported having considered the matter of the request from Larry Nifong on behalf of J. N. Investors for final approval of Perkins PUD (Planned Unit Development), Detailed Development Plan, Pet Food Warehouse, Lot F and the east 30 feet of Lot G, Block 1, Perkins 1st Addition to the city of Grand Forks, North Dakota (located at 2901 32nd Avenue South), and recommended final approval subject to special conditions shown on or attached to the review copy.

It was moved by Council Member Glassheim and seconded by Council Member Sande that this recommendation be and is hereby approved. Carried 13 votes affirmative.

TABLE GATEWAY COMMONS PUD, AMENDMENT NO. 2,  
DETAILED DEVELOPMENT PLAN, MOBILE HOME COURT  
EXPANSION, LOT 1, BLOCK 1, AIRPORT 3RD RESUB-  
DIVISION UNTIL AUGUST 19, 1996

The Planning and Zoning Commission reported having considered the matter of the request from Roger Mattern on behalf of Sherman Associates, Inc. for final approval of Gateway Commons PUD, Amendment No. 2, Detailed Development Plan, Mobile Home Court expansion (61 units), Lot 1, Block 1, Airport 3rd Resubdivision (located east of North 51st Street between Gateway Drive and 12th Avenue North), and recommended tabling until August 19, 1996.

It was moved by Council Member Glassheim and seconded by Council Member Sande that this recommendation be and is hereby approved. Carried 13 votes affirmative.

APPROVAL FINAL PLAT OF REPLAT OF LOTS 1-28,  
BLOCK 1, LOTS 1-12, BLOCK 2, SUN LAND WEST  
SECOND RESUBDIVISION, INCLUDING VARIANCE TO  
MINOR SUBDIVISION REGULATIONS PERTAINING TO  
MINIMUM NUMBER OF LOTS AND DEDICATED EASEMENTS

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

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approval (fast track) of a Replat of Lots 1 through 28, Block 1, Lots 1 through 12, Block 2, Sun Land West Second Resubdivision to the city of Grand Forks, North Dakota, including a variance to the minor subdivision regulations pertaining to the minimum number of lots and the dedication of easements (located between 6th and 10th Avenues North and between North 51st and 55th Streets), and recommended final approval subject to special conditions shown on or attached to the review copy including variances to the subdivision regulations.

It was moved by Council Member Glassheim and seconded by Council Member Sande that this recommendation be approved. Carried 13 votes affirmative.

ACCEPT PETITION FOR VACATION OF 15-FOOT  
SIDEWALK AND UTILITY EASEMENT IN BLOCKS  
1 AND 2, SUN LAND WEST SECOND RESUBDIVISION

The Planning and Zoning Commission reported having considered the petition from Dan Schmaltz on behalf of Sun Land West, L.L.C. for approval to vacate a 15-foot wide sidewalk and utility easement lying 7.5 feet on each side of the lot lines common to Lots 16, 17, 21, and 22,

Block 1 and Lots 8, and 9, Block 2, Sun Land West Second Resubdivision to the city of Grand Forks, ND (located between North 48th and North 55th Streets and between 6th Avenue and one-half block north of 7th Avenue North, and recommended approval and to set the date of the public hearing for August 19, 1996.

It was moved by Council Member Glassheim and seconded by Council Member Sande 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 notice of public hearing be published and required. Carried 13 votes affirmative.

ADOPT RESOLUTION OF ANNEXATION TO ANNEX  
PARTS OF BLOCKS 1 AND 2, JOHNSON'S 2ND ADDITION,  
AND UNPLATTED TRACT OF LAND LYING IN SW QUARTER  
SW QUARTER OF SECTION 8, T151N, R50W OF 5TH PM

The Planning and Zoning Commission reported having considered the matter of the request from Ray D. Kuster and Michael E. Hart for approval of a resolution to annex to the city of Grand Forks all of Lots 19, 20, 21 and 22, Block 1 and Lots 14, 15, 16, 17, 18 and 19, Block 2, Johnson's 2nd Addition (located north of 17th Avenue South and east of South 38th Street), and recommended approval and to set the date of the public hearing for August 19, 1996.

It was moved by Council Member Glassheim and seconded by Council Member Sande that this recommendation be approved. Carried 13 votes affirmative.

Council Member Glassheim introduced the following resolution of annexation which was presented and read: Document No. 7131 - Resolution.

It was moved by Council Member Glassheim and seconded by Council Member Sande that this resolution be and is hereby adopted. Upon roll call the following voted "aye": Council Members Beach, Polovitz, Ellingson, Hamerlik, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 13; voting "nay": none. Mayor Owens declared the resolution adopted.

GRANT PRELIMINARY APPROVAL OF JOHNSON'S  
PUD (PLANNED UNIT DEVELOPMENT), DETAILED  
DEVELOPMENT PLAN, SINGLE FAMILY AREA J,  
LOTS 19-22, BLOCK 1 AND LOTS 14-19, BLOCK 2,  
JOHNSON'S 2ND ADDITION  
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The Planning and Zoning Commission reported having considered the matter of the request from Michael E. Hart on behalf of Ray D. Kuster for preliminary approval of Johnson's PUD (Planned Unit Development), Detailed Development Plan, Single Family Area J, Lots 19 through 22, Block 1 and Lots 14 through 19, Block 2, Johnson's 2nd Addition (located at 15th Avenue South 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 Glassheim and seconded by Council Member

Sande that this recommendation be and is hereby approved. Carried 13 votes affirmative.

ACCEPT PETITION TO VACATE PORTION OF MAPLE AVENUE AS PLATTED IN LINDSAY'S ADDITION AND LYING BETWEEN LINCOLN DRIVE AND RED RIVER

The Planning and Zoning Commission reported having considered the petition from Carik and Morrison for approval to vacate the westerly 10 ft. of the easterly 30 ft. and to vacate the westerly 30 ft. of Maple Avenue as platted in Lindsay's Addition and lying between Lincoln Drive and the Red River (located between 825 and 903 Lincoln Drive), Grand Forks, North Dakota, and recommended approval subject to retaining 25 ft. right of way for access to the dike and to set the date of the public hearing for August 19, 1996.

It was moved by Council Member Glassheim and seconded by Council Member Sande 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 13 votes affirmative.

APPROVE PRELIMINARY PLAT OF REPLAT OF LOTS 8, 9 AND 10, BLOCK 4, COX'S ADDITION

The Planning and Zoning Commission reported having considered the matter of the request from the engineering department for preliminary approval of a Replat of Lots 8, 9 and 10, Block 4, Cox's Addition to Grand Forks, North Dakota (located at 2211 and 2301 South Washington Street), and recommended preliminary approval subject to special conditions shown on or attached to the review copy.

It was moved by Council Member Glassheim and seconded by Council Member Sande that this recommendation be approved. Carried 13 votes affirmative.

APPROVE PRELIMINARY PLAT OF REPLAT OF LOTS F AND G, BLOCK 1, PERKINS FIRST ADDITION

The Planning and Zoning Commission reported having considered the matter of the request from Pribula Engineering on behalf of the Perkins Land Company for preliminary approval of a Replat of Lots F and G, Block 1, Perkins First Addition to the city of Grand Forks, North Dakota (located south of 32nd Avenue South and west of Payless Shoes), and recommended preliminary approval subject to special conditions shown on or attached to the review copy.

It was moved by Council Member Glassheim and seconded by Council Member Sande that this recommendation be approved. Carried 13 votes affirmative.

INTRODUCE ORDINANCE TO AMEND ZONING MAP TO INCLUDE WITHIN JOHNSON'S PUD, CONCEPT DEVELOPMENT PLAN, AMENDMENT NO. 1, ALL OF KUSTER'S 2ND AND 3RD ADDITIONS, ALL OF JOHNSON'S 1ST, 2ND, 3rd AND 4th ADDITIONS

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The Planning and Zoning Commission reported having considered the matter of the request from Tim Crary on behalf of Johnson Farms for preliminary approval of an ordinance to amend the Zoning Map to exclude from Johnson's PUD (Planned Unit Development), Concept Development Plan and to include within Johnson's PUD (Planned Unit Development), Concept Development Plan, Amendment Number 1, all of Kuster's 2nd and 3rd Additions, all of Johnson's 1st, 2nd and 3rd Additions, and all of proposed Johnson's 4th Addition of which addition is the area of substantial change to this PUD as amendment (located between South 34th and South 42nd Streets and between 11th and 17th Avenues South), and recommended preliminary approval subject to special conditions shown on or attached to the review copy, to introduce the attached ordinance amending the zoning map and to set the date of the public hearing for August 19, 1996.

It was moved by Council Member Glassheim and seconded by Council Member Sande that this recommendation be and is hereby approved. Carried 13 votes affirmative.

Council Member Beyer introduced an ordinance entitled "An ordinance to amend the Zoning Map of the city of Grand Forks to exclude from Johnson's PUD (Planned Unit Development), Concept Development Plan and to include within Johnson's PUD (Planned Unit Development), Concept Development Plan, Amendment Number 1, all of Kuster's 2nd and 3rd Additions, all of Johnson's 1st, 2nd, 3rd and 4th Additions; Johnson's 4th Addition being area of substantial change to the PUD as amended, located between South 34th and South 42nd Street and between 11th and 17th Avenues South", which was presented, read and passed on its first reading.

ACCEPT PETITION TO VACATE 2ND AVENUE NORTH  
LYING NORTHEASTERLY OF NORTH 3RD STREET

The Planning and Zoning Commission reported having considered the matter of the petition from Baltic Avenue, Grand Forks Chamber of Commerce, City of Grand Forks, etal., for approval to vacate 2nd Avenue North lying northeasterly of North 3rd Street, and recommended approval subject to the following special conditions: 1) a signed petition by all of the adjoining property owners, including the City of Grand Forks; 2) a 26-foot wide access and utility easement to be privately owned and maintained located on the northwesterly 26 ft. of the southeasterly 39 ft. of the proposed vacated 2nd Avenue North; 3) a 10-foot wide bikeway/pedestrian walkway easement running perpendicular to North 3rd Street; 4) a 20-foot wide bikeway/pedestrian walkway easement centered on the centerline of the existing asphaltic path, location and legal description of the same shall be furnished to the City of Grand Forks by the petitioners; 5) a 30-foot wide flood control easement centered on the centerline of the existing asphaltic path, location and legal description of the same shall be furnished to the City of Grand Forks by the petitioners; and to set the date of the public hearing for August 19, 1996.

It was moved by Council Member Glassheim and seconded by Council Member Sande that this recommendation be and is hereby approved, that the

petition be filed with the city auditor and that a notice of public hearing be published as required. Carried 13 votes affirmative.

APPROVE PRELIMINARY PLAT; AND INTRODUCE  
ORDINANCE TO AMEND STREET AND HIGHWAY PLAN  
TO INCLUDE PUBLIC R/W SHOWN AS DEDICATED ON  
THE PLAT OF RIVERS EDGE RESUBDIVISION

The Planning and Zoning Commission reported having considered the matter of the request from CPS, Ltd. on behalf of Simonson's Lumber for preliminary approval of a plat of Rivers Edge Resubdivision (located southeast of Belmont Road and 49th Avenue South), and recommended preliminary approval subject to

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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 August 19, 1996.

It was moved by Council Member Glassheim and seconded by Council Member Sande that this recommendation be and is hereby approved. Carried 13 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 Rivers Edge Resubdivision to the city of Grand Forks, North Dakota", which was presented, read and passed on its first reading.

APPROVE PRELIMINARY PLAT, AND INTRODUCE ORDINANCE  
TO AMEND STREET AND HIGHWAY PLAN TO INCLUDE PUBLIC  
R/W SHOWN AS DEDICATED ON THE PLAT OF ST. FRANCIS  
FIRST ADDITION

The Planning and Zoning Commission reported having considered the matter of the request from CPS, Ltd. on behalf of C & A Partnership for preliminary approval of a plat of St. Francis First Addition (located northeast of Belmont road and Adams Drive), 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 August 19, 1996.

It was moved by Council Member Glassheim and seconded by Council Member Sande that this recommendation be and is hereby approved. Carried 13 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 St. Francis First Addition to the city of Grand Forks, North Dakota", which was presented read and passed on its first reading.

INTRODUCE ORDINANCE TO ANNEX ALL OF RIVERS  
EDGE RESUBDIVISION AND ST. FRANCIS FIRST  
RESUBDIVISION

The Planning and Zoning Commission reported having considered the matter of the annexation of Rivers Edge Resubdivision and St. Francis First Addition, and recommended approval of the ordinance, to introduce the ordinance and to set the date of the public hearing for August 19, 1996.

It was moved by Council Member Glassheim and seconded by Council Member Sande that this recommendation be and is hereby approved. Carried 13 votes affirmative.

Council Member Beyer introduced an ordinance entitled "An ordinance to annex to the city of Grand Forks, North Dakota, all of Rivers Edge Resubdivision and St. Francis First Resubdivision, located east of Belmont Road between 49th Avenue South and Adams Drive", which was presented, read and passed on its first reading.

GRANT FINAL APPROVAL OF GOLDEN VALLEY PUD,  
DETAILED DEVELOPMENT PLAN, CARTIVA, LOT 2,  
BLOCK 1, AMUNDSON SECOND ADDITION AND LOT  
1, BLOCK 2, AURORA PLAZA ADDITION

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The Planning and Zoning Commission reported having considered the matter of request from James Lynch on behalf of Rydell Chevrolet, GMC, Inc., for final approval (fast track) of Golden Valley PUD (Planned Unit Development), Detailed Development Plan, Cartiva, Lot 2, Block 1, Amundson Second Addition and Lot 1, Block 2, Aurora Plaza Addition (located at 3101 South 42nd Street), and recommended final approval subject to special conditions shown on the review copy.

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

Jim Price, Rydell Chevrolet, stated that the request at the Planning meeting was related to pylon signs because of the freeway visibility and at that meeting the corridor was turned over from residential or multiple dwelling housing into a business district, and that he would suspect there would also be some type of signage for the events center along that freeway access. He stated that because this wedge of property so visible from the freeway they requested a decorative-type pylon sign on that corner of their lot (26 ft sign). He also stated that the sign would be maintained, that they are building a number of these facilities with same type signs with no problems. He stated that at lower speed traffic streets, the monument sign is very good, but at freeway distances, that they buy these properties that have freeway visibility for a reason, and won't see monument sign. He stated that he was sure there would be more requests along that corridor because now business corridor along the freeway.

Council Member Babinchak stated that this is not commercial property as yet, that it still has to be approved through the Land Use Plan.

Council Member Hagness stated he would like council to consider in Rydell's favor, that it helps to keep another business in the community

surviving; that it's not precedent because have pylon signs out there, making mistake by being over-restrictive.

Council Member Beach questioned whether City has policy in place along I-29 corridor. City Planner Bob Bushfield stated they have worked long time to develop an integrated sign policy on new corridors, that sign committee of the Chamber of Commerce in favor of going to ground monument signs in this community so have a uniform sign policy throughout the city; that most of the businesses that have put in ground monument signs are very supportive of the policy. He stated that the policy on 32nd Avenue hasn't been as uniform which is due in part to the differences in zoning on that corridor east of 20th Street, but ended up with ground monument signs on that corridor, a little larger but still ground monument signs which range from 25 to 26 ft. in height and escalate down. He stated you can have larger ground monument signs, and that it is their intention that the policy on 42nd Avenue be same as 32nd Avenue South, but trying to stay with ground monument signs for everything on the east side of the Interstate. He stated that he felt ground monument signs in this situation more than adequate and encouraged council to stay with ground monument signs, and that they are continuing to work with the Chamber of Commerce.

Howard Swanson, city attorney, advised council that whatever action they take, needs to be consistent, that according to his recollection they have required three businesses to have ground monument signs on 42nd Street, ie., Mini-Stor-all Unit, National Muffler and Nodak Electric, and two of those three preliminarily did ask for pylon signs; and if they were to allow pylon signs he would recommend that they revisit the signing issues with regard to those three establishments if they are interested, that they be allowed, and has some concern about the precedence on pylon signs on 42nd because he does not believe they would have ability to alter pylon signs from 32nd to DeMers on  
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either side of 42nd once it was started. He stated that if that was policy council wanted to establish, that policy should be established uniformly for the entire corridor.

Mr. Swanson stated in answer to question asked if sign installed across the Interstate, would it be allowed, that as a PUD ground monument signs are required unless the council were to provide a variance for pylon signs.

Council Member Beach questioned what type of signage the events center would be permitted. Mr. Swanson also stated that under the City Code can have building facing signs but there are restrictions as to how much signage can go on; City would not be allowed to place a pylon sign on its property if not inclined to allow for private enterprise; Code is the same for public property and private property.

Mr. Bushfield stated that they did change policy and do allow building facing signs up to 15% on building face that fronts the street, 12% on the side and 10% on the back so there is significant amount of signage that Mr. Price and Rydell's can put on their building. He noted that they have increased the height of the ground monument signs by 2 ft. and would be allowed to go up to 8 ft. Mr. Price stated they wouldn't like

to clutter building from architectural and design standpoint.

Council Hagness moved an amendment to allow a sign similar to the Slumberland sign which would be a height of 26 ft. and worked out with Planning re. design and to allow that type of sign for this facility. The amendment was seconded by Council Member Bakken.

Upon call for the question on the amendment, and upon roll call vote, the following voted "aye": Council Members Beach, Hamerlik, Bakken, Hafner, Hagness - 5; voting "nay": Council Members Polovitz, Ellingson, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak - 8. Mayor Owens declared the amendment defeated.

Upon call for the question on the original motion, and upon voice vote, the motion carried 13 votes affirmative.

APPROVE PRELIMINARY PLAT; AND INTRODUCE  
ORDINANCE TO AMEND STREET AND HIGHWAY PLAN  
TO INCLUDE PUBLIC R/W SHOWN AS DEDICATED ON  
THE PLAT OF JOHNSON'S 4TH ADDITION

The Planning and Zoning Commission reported having considered the matter of the request from Tim Crary on behalf of Johnson Farms for preliminary approval of the plat of Johnson's Fourth Addition to the city of Grand Forks, lying within the West Half of the Southwest Quarter of Section 8, Township 151 North, range 50 West of the 5th Principal Meridian (located east of South Columbia Road between 11th and 17th Avenues South), and recommended 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 August 19, 1996.

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

Council Member Hagness reported that the plat for this property includes the right of way for opening of 11th Avenue South, whether now or later; that the fire and police departments, medical providers from the Hospital and clinics all testified at Planning and Zoning as to why they wanted this street opened; however, the problem is that residents of the Johnson area felt that 11th Avenue South would drop a lot of traffic into their area that is unwarranted,

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and that they don't want even on a temporary basis (when event at the events center and street blocked off). He stated that another suggestion at the Planning and Zoning meeting was possibly to put curb at end of 11th Avenue South, and possibly a cul-de-sac, and emergency vehicles would be able to jump curb to get to 42nd Street. He stated there are 94 families in the Johnson's Addition and they would like to protest the opening of that street; and asked that they remove 11th Avenue South R/W to 42nd Street.

Council Member Hamerlik stated that they are voting to include right of

way and not opening of 11th Avenue, that decision would be made later, if at all; and that it would be wise to preserve that opportunity.

Upon call for the question and upon roll call vote, the following voted "aye": Council Members Polovitz, Ellingson, Hamerlik, Glassheim, Carpenter, Sande, Klave, Beyer, Bakken, Beach - 10; voting "nay": Council Members Babinchak, Hafner, Hagness - 3. Mayor Owens declared the motion carried.

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 Johnson's 4th Addition to the city of Grand Forks, North Dakota", which was presented, read and passed on its first reading.

#### APPROVE PROPOSED ORGANIZATIONAL CHART AND PROPOSED STAFFING FOR POLICE DEPARTMENT

The city auditor presented the matter of the proposed organizational chart and proposed total staffing for the police department as endorsed and approved by the Implementation Committee for the Police Department Study.

It was moved by Council Member Sande and seconded by Council Member Glassheim that we accept the proposed organizational chart and proposed staffing for the police department as presented. Carried 13 votes affirmative.

#### REPORT FROM EVENTS CENTER CORE COMMITTEE

Council Member Carpenter reported that the Core Committee will be meeting with city council, design team and construction manager on July 17 at 12:00 noon at the civic auditorium with a presentation of preliminary schematic drawings and cost estimates for the Aurora.

#### APPROVE APPOINTMENTS TO BOARD OF HEALTH

Mayor Owens announced the appointment of the following individuals to the Board of Health for one year terms expiring June, 1997: Council Members Sande, Hagness, Hanson and Hafner, and Keith Berger, and asked for concurrence in these appointments. It was moved by Council Member Beyer and seconded by Council Member Ellingson that these appointments be approved. Carried 13 votes affirmative.

#### APPROVE APPOINTMENTS TO LEGISLATIVE COMMITTEE

Mayor Owens announced the appointment of the Legislative Committee, to be comprised of the following individuals: Council Members Carpenter, Klave; John Schmisek, director of finance and administrative services; Ken Vein, city engineer and director of public works; John O'Leary, executive director of community development, and staff: Howard Swanson, city attorney. It was moved by Council Member Carpenter and seconded by Council Member Babinchak that these appointments be approved. Carried 13 votes affirmative.

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APPROVE APPOINTMENT OF YOUTH COMMISSION

Mayor Owens announced the appointment of the following individuals to the Youth Commission: Dennis Herbeck, juvenile justice representative; Bob Sanderson, Youth Social Service; Sgt. Richard Duquette, Youth Gang Task Force; Chris Rood, counselor in Grand Forks Public Schools; Michalea Saunders, youth representative; Dave Molmen, health and human service rep.; Dave Snow, United Way agencies; Pam Larson, community advocate; Dick Leker, Park District; Pastor Greg Mannel, religious rep.; Tom Kuchera, Jr., media rep.; and asked for concurrence in these appointments. Mayor Owens stated that she would ask for concurrence at a later date to appoint representatives from the Grand Forks Air Force Base and East Grand Forks.

It was moved by Council Member Hagness and seconded by Council Member Bakken that these appointments be approved. Carried 13 votes affirmative.

ADJOURN

It was moved by Council Member Beyer and seconded by Council Member Hamerlik that we do now adjourn. Carried 13 votes affirmative.

Respectfully submitted,

John M. Schmisek  
City Auditor