

February 4, 2019

**PROCEEDINGS OF THE CITY COUNCIL  
OF THE CITY OF GRAND FORKS, NORTH DAKOTA  
February 4, 2019**

The city council of the city of Grand Forks, North Dakota met in the council chambers in City Hall on Monday, February 4, 2019 at the hour of 5:30 o'clock p.m. with Mayor Brown presiding. Present at roll call were Council Members Weigel, Dachtler, Weber (via phone), Mock, Marshall, Sande, Vein - 7; absent: none.

Mayor Brown announced that anyone wishing to speak to any item may do so by being recognized prior to a vote being taken on the matter, and that the meeting is being televised.

City Council led the Pledge of Allegiance.

Mayor Brown commented regarding the recent snow event and encouraged all to use caution when driving and be mindful of heavy equipment working to clear snow.

**LEGISLATIVE UPDATE**

Pete Haga, Community Government Relations Officer, provided a brief summary of legislative bills that the city is tracking and testimony provided. Areas impacted by bills include nonconforming structures, Statewide Interoperable Radio Network (SIRN), NDPERS, and Home Rule Authority. He also provided information on the upcoming Grand Forks Day at the Legislature scheduled for February 28 and March 1 during which local community leaders will have the opportunity to meet with various legislators and state officials to address Grand Forks concerns. He also provided a recap of activities on the federal level occurring over the last two weeks with meetings with Sen. Hoeven and staff of Sen. Kramer, and Rep. Armstrong in which we were able to discuss items including the GF Air Force Base, UAS, and related matters.

**DETERMINE INSUFFICIENCY OF PROTEST ON  
PROJECT NO. 7961, DISTRICT NO. 731**

The city auditor reported that the period for filing protests on the resolution of necessity for the improvement in and for Paving/Street Lighting District No. 731, Project No. 7961, paving and street lighting for Peyton's Place Circle had expired on January 17, 2019, and that she had received no written protests.

Mayor Brown opened the public hearing, there were no comments and the public hearing was closed.

It was moved by Council Member Sande and seconded by Council Member Vein that we find and determine an insufficiency of protests against the project listed as no protests were filed and further that the resolutions be adopted. Motion carried unanimously.

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APPROVE TRANSFER OF CLASS 4 ALCOHOLIC BEVERAGE  
LICENSE AND DENY REQUEST FOR WAIVER OF TRANSFER FEE  
– MEXICAN FOODS OF GRAND FORKS, LLC

The staff report from the finance director and city attorney relating to a request for transfer of alcoholic beverage license and request to waive transfer fee for Class 4 (Food & Beverage) Alcoholic Beverage License for Mexican Foods of Grand Forks, LLC, dba Paradiso, with a recommendation to approve the transfer but deny the request for waiver of the transfer fee.

It was moved by Council Member Sande and seconded by Council Member Dachtler that this recommendation be approved. Motion carried unanimously.

APPROVE JOINT POWERS AGREEMENT BETWEEN  
CITY OF GRAND FORKS AND GRAND FORKS COUNTY  
FOR PROVISION OF PUBLIC HEALTH SERVICES

The staff report from the health department director relating to a Joint Powers Agreement between City of Grand Forks and Grand Forks County for Provision of Public Health Services, with a recommendation to approve the agreement.

It was moved by Council Member Sande and seconded by Council Member Dachtler that this recommendation be approved. Motion carried unanimously.

APPROVE 2019 ARTS REGRANT PROGRAM

The staff report from the community development specialist relating to Arts Regrant Program Annual Report, with a recommendation to receive and file the 2018 report and authorize proceeding with 2019 regrant program with Community Foundation administering the program.

It was moved by Council Member Sande and seconded by Council Member Dachtler that this recommendation be approved. Motion carried unanimously.

APPROVE COST PARTICIPATION AND MAINTENANCE  
AGREEMENT FOR PROJECT NO. 7954

The staff report from the engineering department relating to a Cost Participation and Maintenance Agreement for Project No. 7954, Traffic Signals and Turn Lanes at DeMers Avenue and Columbia Road West Ramps, with a recommendation to approve the agreement with ND Department of Transportation (NDDOT).

It was moved by Council Member Sande and seconded by Council Member Dachtler that this recommendation be approved. Motion carried unanimously.

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**AUTHORIZE STAFF TO PROCEED WITH  
PROJECT NO. 8042, DISTRICT NO. 738**

The staff report from the engineering department relating to Project No. 8042, District No. 738, University Avenue Reconstruction (Coulee to Columbia) and Median and Streetlights (Coulee to 42<sup>nd</sup> Street), with a recommendation to proceed with development of the project.

It was moved by Council Member Sande and seconded by Council Member Dachtler that this recommendation be approved. Motion carried unanimously.

**ADOPT RESOLUTION TO APPROVE PLANS AND  
SPECIFICATIONS FOR PAVING AND STREET LIGHTING  
PROJECT NO. 7938, DISTRICT NO. 728**

The city engineer's estimate of total cost of the construction of paving and street lighting for Crary's 9<sup>th</sup> Addition in the amount of \$846,205.82, was presented and read.

The staff report from the engineering department relating to plans and specifications for Project No. 7938, District No. 728, paving and street lighting for Crary's 9<sup>th</sup> Addition, with recommendation to approve plans and specifications and revised engineer's report for this project.

Council Member Sande introduced a resolution to approve the plans and specifications, which was presented and read.

It was moved by Council Member Sande and seconded by Council Member Dachtler that the recommendation be approved and that the resolution approving the plans and specifications be adopted. Motion carried unanimously.

**ADOPT RESOLUTION TO APPROVE PLANS AND  
SPECIFICATIONS FOR WATERMAIN PROJECT  
NO. 7964, DISTRICT NO. 344, AND PAVING AND  
STREET LIGHTING PROJECT NO. 7965, DISTRICT NO. 732**

The city engineer's estimate of total cost of the construction of watermain and paving/street lighting for 2200 block of N 39<sup>th</sup> Street in the amounts of \$33,234.48 and \$176,902.07 respectively, for a total of \$210,136.55, was presented and read.

The staff report from the engineering department relating to plans and specifications for Project No. 7964, District No. 344, and Project No. 7965, District No. 732, Watermain and Paving/Street Lighting for 2200 Block of N 39<sup>th</sup> St, with a recommendation to approve the plans and specifications.

Council Member Sande introduced a resolution to approve the plans and specifications which was presented and read.

It was moved by Council Member Sande and seconded by Council Member Dachtler that the recommendation be approved and that the resolution approving the plans and specifications be adopted. Motion carried unanimously.

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ADOPT RESOLUTION APPROVING PLANS AND  
SPECIFICATIONS FOR STORM SEWER PROJECT  
NO. 7963, DISTRICT NO. 221, AND PAVING/STREET  
LIGHTING PROJECT NO. 7977, DISTRICT NO. 733

The city engineer's estimate of total cost of the construction of storm sewer and paving/street lighting for Kings View 7<sup>th</sup> Resubdivision in the amounts of \$289, 305.76 and \$1,272,817.28 respectively, for a total of \$1,562,123.04, was presented and read.

The staff report from the engineering department relating to plans and specifications for Project No. 7963, District No. 221, and Project No. 7977, District No. 733, storm sewer and paving/street lighting for Kings View 7<sup>th</sup> Resubdivision, with recommendation to approve the plans and specifications.

Council Member Sande introduced a resolution to approve the plans and specifications, which was presented and read.

It was moved by Council Member Sande and seconded by Council Member Dachtler that the recommendation be approved and the resolution adopted. Motion carried unanimously.

RECEIVE TABULATION OF BIDS, ESTIMATES OF  
TOTAL COST AND AWARD CONTRACT, PAVING/STREET  
LIGHTING PROJECT NO. 7961, DISTRICT NO. 731

The city auditor presented and read tabulation of bids which had been received and opened on January 14, 2019 for paving and street lighting Project No. 7961, District No. 731, paving and street lighting for Peyton's Place Circle, indicating that Paras Contracting, Inc. was the low bidder in the amount of \$120,451.25.

The city engineer's estimate of total cost for Project No. 7961, District No. 731, in the amount of \$117,036.00 was presented and read.

The staff report from the engineering department relating to consideration of bids for Project No. 7961, District No. 731, paving and street lighting for Peyton's Place Circle, with a recommendation to award the contract to low bidder, Paras Contracting, Inc. in the amount of \$120,451.25.

It was moved by Council Member Sande and seconded by Council Member Dachtler that this recommendation be approved and a resolution awarding the contract to Paras Contracting, Inc. was presented and read. Upon roll call the following voted "aye": Council Member Weigel, Dachtler, Weber, Mock, Marshall, Sande, and Vein; voting "nay": none. Mayor Brown declared the resolution adopted and the contract awarded.

RECEIVE TABULATION OF BIDS, ESTIMATES OF  
TOTAL COST AND AWARD CONTRACT, WATERMAIN  
PROJECT NO. 7631, DISTRICT NO. 329

The city auditor presented and read tabulation of bids which had been received and opened on January 22, 2019 for watermain Project No. 7631, District No. 329, watermain along S 42<sup>nd</sup> St (20-24<sup>th</sup> Ave S), indicating that Taggart Contracting, Inc. was the low bidder in the amount of \$159,610.00.

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The city engineer's estimate of total cost for Project No. 7631, District No. 329, in the amount of \$147,185.00 was presented and read.

The staff report from the engineering department relating to consideration of bids for Project No. 7631, District No. 329, watermain along S 42<sup>nd</sup> St (20-24<sup>th</sup> Ave S), with a recommendation to award the contract to low bidder, Taggart Contracting, Inc. in the amount of \$159,610.00.

It was moved by Council Member Sande and seconded by Council Member Dachtler that this recommendation be approved and a resolution awarding the contract to Taggart Contracting, Inc. was presented and read. Upon roll call the following voted "aye": Council Member Weigel, Dachtler, Weber, Mock, Marshall, Sande, and Vein; voting "nay": none. Mayor Brown declared the resolution adopted and the contract awarded.

AWARD CONTRACT FOR PROJECT NOS.  
8001, 8002, AND 8003, 2019 SANITARY SEWER,  
WATERMAIN AND STORM SEWER REPAIRS

The staff report from the engineering department relating to bids for Project No. 8001, 2019 Sanitary Sewer Repairs, Project No. 8002, 2019 Watermain Repairs, and Project No. 8003, 2019 Storm Sewer Repairs, with a recommendation to award the contract to United Crane and Excavation, Inc. in the amounts of \$65,824.80, \$20,927.00, and \$101,492.00, respectively, for a total bid of \$188,243.80.

It was moved by Council Member Sande and seconded by Council Member Dachtler that this recommendation be approved. Upon call for the question and upon voice vote, the motion carried unanimously.

APPROVE PROFESSIONAL SERVICES AGREEMENT FOR  
CONSTRUCTION DESIGN AND BIDDING FOR PROJECT NO. 8030

The staff report from the public works operations division director relating to Authorization No. 32 for Public Works Operations Sanitation Division Professional Services Agreement for Baling/Scale Facility Improvements Construction Design and Bidding, Project No. 8030, with a recommendation to approve the agreement with Burns & McDonnell Engineering Company, Inc. in the amount of \$318,839.00, along with any necessary budget amendments, subject to review and approval of the Finance Department.

It was moved by Council Member Sande and seconded by Council Member Dachtler that this recommendation be approved. Motion carried unanimously.

APPROVE BILL LISTING

Vendor Payment Listing No. 19-3, dated February 4, 2019, totaling \$1,737,972.07 and Engineer's Estimates dated January 31, 2019 in the amount of \$6,249,207.47 was presented and read.

It was moved by Council Member Weigel and seconded by Council Member Mock 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 Weigel, Dachtler, Weber, Mock, Marshall, Sande, Vein – 7; voting "nay": none. Mayor Brown declared the motion carried and the bills ordered paid.

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COUNCIL MEMBER COMMENTS

Council Member Marshall expressed appreciation to the street department for their efforts to deal with the snow event and keep our roads open.

Council Member Sande also expressed appreciation to the street department. He also asked that staff follow the study being completed in City of Fargo on use of snow gates and provide a report to council once the study is completed.

ADJOURN

It was moved by Council Member Weigel and seconded by Council Member Mock that we adjourn at 5:45 p.m. Carried 7 votes affirmative.

Respectfully submitted,

Maureen Storstad  
City Auditor

Approved:

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Michael R. Brown, Mayor