

The Committee of the Whole met on Monday, June 24, 2019 at 5:30 p.m. in Council Chambers in City Hall. Present at roll call were: Weigel (via phone), Dachtler, Weber, Mock, Marshall, Sande, and Vein-7; absent-none.

The meeting was called to order at 5:30 p.m. by President Sande.

2.1 Northern Plains Nitrogen (NPN) Letter of Intent Extension

Todd Feland, City Administrator, introduced the request to extend the Letter of Intent Agreement with the NPN from June 30, 2019 to December 31, 2019 relating to industrial water supply and discharge permitting. Feland pointed out that NPN is located by the Grand Forks Airport and that they will have to find ways to continue their project with limited disruption of services to the surrounding area.

Larry Mackie, Chief Operating Officer of Northern Plains Nitrogen, gave an update on where the project is and some of the obstacles that have come up along the way. Mackie expressed that securing financing has taken longer than was anticipated, but that they have spoken with a several potential investors. Mackie also highlighted ways that the company will improve the economy of the surrounding area once it is functioning.

Motion by Weber, second by Mock, to recommend the approval of the Letter of Intent extension. Carried 7 votes affirmative.

2.2 Request for exemption to City Code for permission to allow a helicopter to land and take off within city limits for Choice Financial Bank –Charity Fundraiser Hero’s for Hospice, July 18, 2019.

Sharyl Simeone, Public Information Center, presented the request from Choice Financial for an exemption to City Code in order to allow a helicopter to take off and land within city limits for their upcoming fundraiser, Hero’s for Hospice. Sharyl explained that the pilot selected to fly the helicopter is from Homeland Security.

Motion by Weber, second by Mock, to recommend the approval to allow the exemption to City Code. Carried 7 votes affirmative.

2.3 Request for approval of noise variance and commingling for alcohol for various special events: a.) ND Museum of Art Concert in the Garden series (Rhombus Guys)

Sharyl Simeone, Public Information Center, presented the request from Rhombus Guys for approval of noise variance and commingling for the returning concert series at the ND Museum of Art which is held on five separate dates. Sharyl informed that the police department has signed off on the event.

Motion by Weber, Second by Marshall, to recommend the approval of noise variance and commingling. Carried 7 votes affirmative.

b.) August 31- Kappa Sigma Fraternity – Military Heroes Benefit Concert (Brick & Barley)

Sharyl Simeone, Public Information Center, presented the request from Kappa Sigma Fraternity for the approval of noise variance and commingling for their Military Heroes Benefit Concert with Brick & Barley in University Park. She explained that this will be the second year the event has been held and that they intend to conduct it as it was last year. Sharyl shared that the University of North Dakota Police have been contacted and that they gave their permission for the event location. The Grand Forks Park District also approved and issued a permit for the event.

Jeff Frane, Kappa Sigma Fraternity Alumni President, explained to council that plans to incorporate the community through reaching out to the local veterans, VFW, and Grand Forks Air Force Base are being made. The council was informed that the first event was able to donate about \$15,000 to the charity after production costs and they anticipated more profits to donate this year due to the reusable supplies that were purchased last year. Security for the event will be a combination of the Grand Forks Police and Pro Dog Security.

Council member Sandi Marshall shared that she was on a ride along with the GFPD during the evening of last year's concert. Marshall noted that she impressed with how the Kappa Sigma Fraternity handled the event and that they did a nice job supplementing security measures. She recalled only minor incidents last year.

Motion by Vein, second by Mock to approve noise variance and commingling for the August 31st Kappa Sigma Fraternity Military Heroes Benefit Concert. Carried 7 votes affirmative.

2.4 Health Department – Declare Surplus Vehicles

Debbie Swanson, Grand Forks Health Department, presented the request from the department to declare two of their vehicles as surplus so that they can be sold at public auction. It was explained that the vehicles are aging and are beginning to require more maintenance and repair expenses. One of the vehicles is not currently being used and the second is being used by a summer intern. Swanson informed the council that one replacement vehicle has been purchased and that the sale of the two vehicles would downsize the fleet. Proceeds from the sale would fund future vehicle replacements.

Motion by Marshall, second by Mock to recommend the approval of declaring two aging vehicles as surplus. Carried 7 votes affirmative.

2.5 Confirm Appointment to Pension & Insurance Committee – Jessica Bergerson (Employee Representative)

President Sande introduced the request to confirm the appointment of Jessica Bergerson to the Pension and Insurance Committee. No comments were made to oppose.

Motion by Weber, second by Dachtler to approve the appointment of Jessica Bergerson to the Pension & Insurance Committee. Carried 7 votes affirmative.

2.6 2019 HOME Program Funds

Meredith Richards, Director of Community Development, introduced the request to reallocate the 2019 HOME Program funds of \$350,000.00 to Red River Valley Community Action to help finance rehab services to income-eligible households in the community. Richards also gave a brief overview of what the program has funded in the past.

Motion by Marshall, second by Dachtler to reallocate funds to Red River Valley Community Action. Carried 7 votes affirmative.

2.7 Budget Amendment – Fire Department

Gary Lorenz, Grand Forks Fire Chief, requested approval from council to reallocate funds designated for vehicle replacement in 2020 to the 2019 budget. Lorenz explained that fire vehicle costs are expected to rise in 2020 and that moving the purchasing of vehicles to 2019 will save money.

Motion by Weber, second by Mock to approve reallocating budget funds from 2020 to 2019. Carried 7 votes affirmative.

2.8 Bids for Project No.8066, Sanitary Sewer for South 19th St (40-44th Ave S)

David Kuharenko, Principal Civil Engineer, explained that United Crane & Excavation was the low bidder for Project No.8066 and recommend awarding the contract. Kuharenko added that there was a mathematical error on the bid from Molstad Excavating which caused their total cost to be much higher than intended. The error changed Molstad from the lowest bidder to the highest bidder. Though the error and intent were apparent, council members Sande and Vein pointed out that the unit cost takes precedence in this type of situation. Because Molstad's math error was in their unit cost, the bid was taken as it was presented and they were not the lowest bidder.

Motion by Vein, second by Mock to award the contract for Project No. 8066 to United Crane & Excavation. Carried 7 votes affirmative.

2.9 Purchase Agreement for property necessary for construction of Project No. 7540, District No. 567, Oscarville Storm Sewer, Storm Pond, Pump Station, and Discharge Ditch.

Mark Walker, City Engineer, presented the purchase agreement for property necessary for construction of Project. 7540, contingent on the approval of the City Attorney. Walker explained why the project is necessary and that it will need an estimated 9.3 acres for development and materials. The site chosen for the project is adjacent to the Oscarville area and is currently privately owned farm land, which the land owner is willing to sell. Walker shared that the City Attorney has drafted a purchase agreement which will be filled in with more details as the project develops a little more. At this time, the purchase agreement contains a purchase price of \$20,000.00 per acre based on a similar land purchase made in the Korynta area in the recent past. The agreement also contains temporary and permanent easements, at no additional cost to the city, and a request from the property owners to not be annexed to the city for 15 years, after which the property would be annexed under normal city polices. Walker also informed council that the benefiting property owners will be special assessed the cost of the project not paid by the City's share.

Motion by Weber, second by Vein to approve the purchase agreement for Project No. 7540, contingent on approval from the City Attorney. Carried 7 votes affirmative.

2.10 Design Contract for Project No. 8067, Sanitary Sewer for South 19th St (40-44th Ave. S)

Melanie Parvey, Water Works Director, presented the request to approve the Engineering Services Agreement with AE2S in the amount of \$195,000.00 for Project No. 8067. Parvey explained that the project involves improvements to the waste water treatment plant's chemical room, MBF recycle pump header piping, and bypass piping.

Council members Mock and Vein requested to be recused from the vote. Motion by Weber, Second by Dachtler, to recuse Mock and Vein. Motion carried unanimously.

Motion by Weber, second by Marshall to approve the Engineering Services Agreement with AE2S for Project No. 8067. Carried 5 votes affirmative

2.11 Easement Agreement between the City of Grand Forks and Nodak Electric

LeahRae Amundson, Public Works Operations Director, presented an easement agreement between the City of Grand Fork and Nodak Electric. The agreement was drafted by Nodak Electric, the Public Works Department, the City's Consultant, CPS, Ltd., and the City Attorney to provide more permanent electrical services for Nodak's customer, TP& L, which is a subcontractor for LM Windpower.

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Motion by Marshall, second by Dachtler to approve the Easement Agreement. Carried 7 votes affirmative.

Motion to adjourn by Weber and Vein at 6:15 p.m.

Respectfully submitted,

Stefanie Coleman
Administrative Specialist, Sr.