

August 19, 2019

**PROCEEDINGS OF THE CITY COUNCIL  
OF THE CITY OF GRAND FORKS, NORTH DAKOTA  
August 19, 2019**

The city council of the city of Grand Forks, North Dakota met in the council chambers in City Hall on Monday, August 19, 2019 at the hour of 5:30 o'clock p.m. with Mayor Brown presiding. Present at roll call were Council Members Weigel, Dachtler, Mock, Marshall, Vein-6; absent: Sande - 1.

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.

**MAYOR'S ANNOUNCEMENT**

Mayor Brown commented on the following:

- Congratulated Sgt. Ellingson on his retirement from the City of Grand Forks
- Invited everyone to attend the Downtown Street Fair planned for this weekend downtown
- Welcomed University of North Dakota students back to the community. Welcome weekend will also be held this weekend as the students move back into dorms to start the fall term.
- Commented regarding the History Rocks Car Show held at the Myra Museum and fabulous event to see classic cars and enjoy great entertainment
- Recognized the week of September 8-14, 2019 as National Assisted Living Week.

**ADOPT ORDINANCE NO. 4736, AMENDING STREET AND  
HIGHWAY PLAN TO INCLUDE PUBLIC RIGHTS-OF-WAY  
DEDICATED ON THE PLAT OF AUDITOR'S SUBDIVISION NO. 51**

An ordinance entitled "An ordinance to amend the Street & Highway Plan of the City of Grand Forks, North Dakota, to include the public rights-of-way shown as dedicated on the plat of Auditor's Subdivision No. 51 to the City of Grand Forks, North Dakota", which had been introduced and passed on its first reading on July 15, 2019 and upon which public hearing had been scheduled for this evening, was presented and read for consideration on second reading and final passage.

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

The staff report from the planning department relating to approval of the plat of Auditor's Subdivision No. 51 and second reading and final approval of the Street and Highway Ordinance dedicating public rights-of-way on the plat of Auditor's Subdivision No. 51, with a recommendation to give final approval of the plat and ordinance.

It was moved by Council Member Marshall and seconded by Council Member Dachtler that this recommendation be approved. Upon call for the question, the following voted "aye": Weigel, Dachtler, Mock, Marshall, Vein – 5; voting "nay": None. Mayor Brown declared the motion passed and the ordinance adopted.

(Council Member Weber joined the meeting)

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APPROVE NOISE VARIANCE AND LETTER OF INTENT FOR  
CO-MINGLING FOR DOWNTOWN DEVELOPMENT  
ASSOCIATION STREET FAIR

The staff report from the public information center relating to a request for noise variance and letter of intent for co-mingling during the Downtown Development Association (DDA) Street Fair, August 23 and 24, 2019, with a recommendation to approve the noise variance and letter of intent to permit co-mingling for the event.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 4236.4, DISTRICT NO. 353.4

The staff report from the director of finance relating to the assessment district for Project No. 4236.40, District No. 353.4, Sanitary Sewer for 24<sup>th</sup> Ave S for newly annexed property in the future assessment district located in Maier's Fifth Addition, with a recommendation to include the newly annexed property within the special assessment District No. 353.4 and authorize subsequent assessment for Project No. 4236.4 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 4704.19, DISTRICT NO. 14

The staff report from the director of finance relating to the assessment district for Project No. 4704.19, District No. 14, Permanent Flood Protection, for newly annexed property in 2018, with a recommendation to create special assessment district for Project No. 4704.19, District No. 14, Permanent Flood Protection, the fourteenth "catch-up" assessment to newly annexed properties and authorize subsequent assessment for Permanent Flood Protection to the newly annexed properties.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 4704.91, DISTRICT NO. 14

The staff report from the director of finance relating to the assessment district for Project No. 4704.91, District No. 14, Permanent Flood Protection (Deferred), for newly annexed property in 2018, with the assessment to be deferred for three years, with a recommendation to create special assessment district for Project No. 4704.19, District No. 14, Permanent Flood Protection, the fourteenth "catch-up" assessment to newly annexed properties and authorize subsequent assessment for Permanent Flood Protection to the newly annexed properties, which will be deferred for three years.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 4959.3, DISTRICT NO. 400.3

The staff report from the director of finance relating to the assessment district for Project No. 4959.3, District No. 400.3, Storm Sewer, South 42<sup>nd</sup> Street, for newly annexed property in the future assessment district located in Maier's Fifth Addition, with a recommendation to include the newly annexed property within the special assessment District No. 400.3 and authorize subsequent assessment for Project No. 4959.3 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 5048.1, DISTRICT NO. 563.8

The staff report from the director of finance relating to the assessment district for Project No. 5048.1, District No. 563.8, Paving South 42<sup>nd</sup> Street, 17<sup>th</sup> Avenue South and 11<sup>th</sup> Avenue South, for newly annexed property in the future assessment district located in Maier's Fifth Addition, with a recommendation to include the newly annexed property within the special assessment District No. 563.8 and authorize subsequent assessment for Project No. 5048.1 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 6151.1, DISTRICT NO. 457.1

The staff report from the director of finance relating to the assessment district for Project No. 6151.1, District No. 457.1, Sanitary Sewer-1200 & 1500 Blocks of N 42<sup>nd</sup> St, 4200-4600 Blocks of 16<sup>th</sup> Ave N, and 1500 Block of 16<sup>th</sup> Ave N Circle, for newly annexed property in the future assessment district located in Gornowicz Resubdivision, with a recommendation to include the newly annexed property within the special assessment District No. 457.1 and authorize subsequent assessment for Project No. 6151.1 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 6999.2, DISTRICT NO. 480.2

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The staff report from the director of finance relating to the assessment district for Project No. 6999.2, District No. 480.2, Storm Sewer – 55<sup>th</sup> Avenue South, for newly annexed property in the future assessment district located in Southern Estates Eleventh Resubdivision, with a recommendation to include the newly annexed property within the special assessment District No. 480.2 and authorize subsequent assessment for Project No. 6999.2 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7000.2, DISTRICT NO. 660.2

The staff report from the director of finance relating to the assessment district for Project No. 7000.2, District No. 660.2, Paving and Street Lights – 55<sup>th</sup> Avenue South, for newly annexed property in the future assessment district located in Southern Estates Eleventh Resubdivision, with a recommendation to include the newly annexed property within the special assessment District No. 660.2 and authorize subsequent assessment for Project No. 7000.2 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7030.3, DISTRICT NO. 494.3

The staff report from the director of finance relating to the assessment district for Project No. 7030.3, District No. 494.3, Stormwater Pond – Southern Estates Eighth Resubdivision, for newly annexed property in the future assessment district located in Southern Estates Eighth Resubdivision, with a recommendation to include the newly annexed property within the special assessment District No. 494.3 and authorize subsequent assessment for Project No. 7030.3 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7046.2, DISTRICT NO. 489.2

The staff report from the director of finance relating to the assessment district for Project No. 7046.2, District No. 489.2, Storm Sewer – Southern Estates Tenth Resubdivision, for newly annexed property in the future assessment district located in Southern Estates Tenth Resubdivision, with a recommendation to include the newly annexed property within the special assessment District No. 489.2 and authorize subsequent assessment for Project No. 7046.2 to the newly annexed property.

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

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APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7055.3, DISTRICT NO. 666.3

The staff report from the director of finance relating to the assessment district for Project No. 7055.3, District No. 666.3, Paving & Street Lights – Southern Estates Tenth Resubdivision, for newly annexed property in the future assessment district located in Southern Estates Tenth Resubdivision, with a recommendation to include the newly annexed property within the special assessment District No. 666.3 and authorize subsequent assessment for Project No. 7055.3 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7231.1, DISTRICT NO. 507.1

The staff report from the director of finance relating to the assessment district for Project No. 7231.1, District No. 507.1, Stormwater Pond-Crary's Second Addition and LeClerc's Addition, for newly annexed property in the future assessment district located in Crary's Second Addition and LeClerc's Addition, with a recommendation to include the newly annexed property within the special assessment District No. 507.1 and authorize subsequent assessment for Project No. 7231.1 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7245.1, DISTRICT NO. 508.1

The staff report from the director of finance relating to the assessment district for Project No. 7245.1, District No. 508.1, Storm Sewer – Crary's Second Addition, for newly annexed property in the future assessment district located in Crary's Second Addition, with a recommendation to include the newly annexed property within the special assessment District No. 508.1 and authorize subsequent assessment for Project No. 7245.1 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7435.1, DISTRICT NO. 691.1

The staff report from the director of finance relating to the assessment district for Project No. 7435.1, District No. 691.1, Paving Rehab of N 42<sup>nd</sup> Street, for newly annexed property in the future assessment district, with a recommendation to include the newly annexed property within the special assessment

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District No. 691.1 and authorize subsequent assessment for Project No. 7435.1 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7588.1, DISTRICT NO. 530.1

The staff report from the director of finance relating to the assessment district for Project No. 7588.1, District No. 530.1, Sanitary Sewer – N 39<sup>th</sup> St/N 36<sup>th</sup> St and 20<sup>th</sup> Ave N, for newly annexed property in the future assessment district, with a recommendation to include the newly annexed property within the special assessment District No. 530.1 and authorize subsequent assessment for Project No. 7588.1 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7648.1, DISTRICT NO. 535.1

The staff report from the director of finance relating to the assessment district for Project No. 7648.1, District No. 535.1, Stormwater Pond – N 36<sup>th</sup> St and 20<sup>th</sup> Ave N, for newly annexed property in the future assessment district, with a recommendation to include the newly annexed property within the special assessment District No. 535.1 and authorize subsequent assessment for Project No. 7648.1 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7650.1, DISTRICT NO. 536.1

The staff report from the director of finance relating to the assessment district for Project No. 7650.1, District No. 536.1, Storm Sewer – N 36<sup>th</sup> St and N 39<sup>th</sup> Streets and 20<sup>th</sup> Ave N, for newly annexed property in the future assessment district, with a recommendation to include the newly annexed property within the special assessment District No. 536.1 and authorize subsequent assessment for Project No. 7650.1 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7653.1, DISTRICT NO. 332.1

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The staff report from the director of finance relating to the assessment district for Project No. 7653.1, District No. 332.1, Watermain – N 39<sup>th</sup> St and 27<sup>th</sup> Ave N, for newly annexed property in the future assessment district, with a recommendation to include the newly annexed property within the special assessment District No. 332.1 and authorize subsequent assessment for Project No. 7653.1 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7766.1, DISTRICT NO. 540.1

The staff report from the director of finance relating to the assessment district for Project No. 7766.1, District No. 540.1, Storm Sewer – Crary’s Sixth Resubdivision, for newly annexed property in the future assessment district, with a recommendation to include the newly annexed property within the special assessment District No. 540.1 and authorize subsequent assessment for Project No. 7766.1 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7767.1, DISTRICT NO. 711.1

The staff report from the director of finance relating to the assessment district for Project No. 7767.1, District No. 711.1, Paving – Crary’s Sixth Resubdivision, for newly annexed property in the future assessment district, with a recommendation to include the newly annexed property within the special assessment District No. 711.1 and authorize subsequent assessment for Project No. 7767.1 to the newly annexed property.

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

APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7768.1, DISTRICT NO. 541.1

The staff report from the director of finance relating to the assessment district for Project No. 7768.1, District No. 541.1, Stormwater Pond-Crary’s Sixth Resubdivision, for newly annexed property in the future assessment district, with a recommendation to include the newly annexed property within the special assessment District No. 541.1 and authorize subsequent assessment for Project No. 7768.1 to the newly annexed property.

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

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APPROVE SPECIAL ASSESSMENT NEWLY ANNEXED  
PROPERTY WITHIN THE FUTURE ASSESSMENT DISTRICT  
FOR PROJECT NO. 7811.1, DISTRICT NO. 216.1

The staff report from the director of finance relating to the assessment district for Project No. 7811.1, District No. 216.1, Street Lights for S 48<sup>th</sup> St and S 47<sup>th</sup> St, for newly annexed property in the future assessment district, with a recommendation to include the newly annexed property within the special assessment District No. 216.1 and authorize subsequent assessment for Project No. 7811.1 to the newly annexed property.

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

AWARD BID #2019-25, AEA RAE DETECTION SYSTEM  
AND ACCESSORIES

The staff report from the fire department relating to bid award for AreaRae detection system and accessories, with a recommendation to award Bid #2019-25 to M&T Fire and Safety, Inc. in an amount up to \$75,000.

It was moved by Council Member Weigel and seconded by Council Member Dachtler that this recommendation be approved.

AUTHORIZE SUBMISSION OF 2019 JUSTICE  
ASSISTANCE GRANT (JAG) APPLICATION

The staff report from the police department relating to the 2019 Justice Assistance Grand (JAG) Application, with a recommendation to authorize submission of the grant application.

It was moved by Council Member Weigel and seconded by Council Member Dachtler that this recommendation be approved.

APPROVE PLANS & SPECIFICATIONS FOR PROJECT NO. 8095,  
SANITARY SEWER & STORM SEWER FOR BLOCK 1 OF  
SOUTHERN ESTATES 12<sup>TH</sup> ADDITION

The staff report from the engineering department relating to plans and specifications for Project No. 8095, Storm and Sanitary Sewer for Block 1 of Southern Estates Twelfth Addition, with a recommendation to approve the plans and specifications.

It was moved by Council Member Weigel and seconded by Council Member Dachtler that this recommendation be approved.

APPROVE PLANS & SPECIFICATIONS FOR PROJECT NO. 7950,  
SHARED USE PATH ON 17<sup>TH</sup> AVE S (S 20<sup>TH</sup> – S 25<sup>TH</sup> ST)



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The staff report from the engineering department relating to plans and specifications for Project No. 7950, Shared Use Path on 17<sup>th</sup> Ave S from S 20<sup>th</sup> to S 25<sup>th</sup> Street, with a recommendation to approve the plans and specifications.

It was moved by Council Member Weigel and seconded by Council Member Dachtler that this recommendation be approved.

APPROVE PRELIMINARY ENGINEERING REIMBURSEMENT  
AGREEMENT FOR PROJECT NO. 7978, RECONSTRUCTION  
OF WASHINGTON ST UNDERPASS

The staff report from the engineering department relating to a Preliminary Engineering Reimbursement Agreement for Project No. 7978, Reconstruction of Washington Street Underpass, 5<sup>th</sup> Ave S to 1<sup>st</sup> Ave N, with a recommendation to approve the agreement.

It was moved by Council Member Weigel and seconded by Council Member Dachtler that this recommendation be approved.

APPROVE AMENDMENT #1 TO ENGINEERING SERVICES  
AGREEMENT FOR PROJECT NO. 8028, MILL & OVERLAY  
OF UNIVERSITY AVE (N 3<sup>RD</sup> ST TO STATE ST)

The staff report from the engineering department relating to Amendment No. 1 to an Engineering Services Agreement with CPS for City Project No. 8028, Mill and Overlay University Avenue from N 3<sup>rd</sup> Street to State Street, with a recommendation to approve Amendment No. 1 with CPS for Design Services in the amount of \$209,308.00.

It was moved by Council Member Weigel and seconded by Council Member Dachtler that this recommendation be approved.

AWARD BID #2019-27, PUBLIC WORKS STREET DIVISION  
SALT FOR ICE CONTROL FOR 2019-FY2020 WINTER SEASON

The staff report from the engineering department relating to Public Works Operations Street Division Salt for Ice Control Bids #2019-27 for 2019-FY2020 Winter Season, with a recommendation to award the bid to NSC Minerals of Saskatoon, Saskatchewan, Canada in the amount of \$67,732.00.

It was moved by Council Member Weigel and seconded by Council Member Dachtler that this recommendation be approved.

APPROVE SOLE SOURCE PURCHASE OF PARTS  
FOR WASTEWATER TREATMENT PLANT

The staff report from the water works director relating to a purchase of parts to repair the MBF at the Wastewater Treatment Plant, with a recommendation to award the sole source purchase of parts through Brentwood Industries, Inc. in the amount of \$14,529.68.

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It was moved by Council Member Weigel and seconded by Council Member Dachtler that this recommendation be approved.

APPROVE DISPOSITION OF PUBLIC  
TRANSPORTATION VEHICLES

The staff report from the public transportation division director and mobility manager relating to disposition of public transportation vehicles, with a recommendation to approve the disposition and sale of (1) 1997 New Flyer bus, (1) 2003 Gillig bus, (1) 2009 Arboc bus and (1) 2011 Arboc bus.

It was moved by Council Member Weigel and seconded by Council Member Dachtler that this recommendation be approved.

APPROVE PUBLIC TRANSIT FARE AGREEMENT FOR  
UND FACULTY AND STAFF

The staff report from the public transportation division director and mobility manager relating to public transit fare agreement for UND Faculty and Staff, with a recommendation to approve the Public Transit Fare Agreement for ND Faculty and Staff, subject to City Attorney review and approval. Under the agreement, UND faculty and staff will ride Cities Area Transit fixed routes free of charge. The City will invoice UND at a rate of \$1.30 per ride. The agreement will renew annually unless terminated by either party.

It was moved by Council Member Weigel and seconded by Council Member Dachtler that this recommendation be approved.

APPROVE REPLAT OF LOTS 1, 2, 3 AND 4, BLOCK 1,  
EDGEWOOD VILLAGE FIRST RESUBDIVISION

The staff report from the city planner relating to a replat (fast track) of Lots 1, 2, 3 and 4, Block 1, Edgewood Village First Resubdivision, located east of South 19<sup>th</sup> Street, between 44<sup>th</sup> Avenue South and 47<sup>th</sup> Avenue South, with a recommendation to give final approval of the relating to a request from CPS Ltd, on behalf of Miskagisi LLP, for final approval of the replat of Lots 1, 2, 3 and 4, Block 1, Edgewood Village First Resubdivision, located east of South 19<sup>th</sup> Street, between 44<sup>th</sup> Avenue South and 47<sup>th</sup> Avenue South, subject to the conditions shown on or attached to the review copy.

It was moved by Council Member Weigel and seconded by Council Member Dachtler that this recommendation be approved.

APPROVE REPLAT OF LOT 1, BLOCK, 1,  
AIRPORT 5<sup>TH</sup> RESUBDIVISION

The staff report from the planning department relating to the replat (fsst track) of Lot 1, Block 1, Airport 5<sup>th</sup> Resubdivision, with a recommendation to give final approval of the request from Neset Land Surveys on behalf of Service Oil, Inc., for final approval of the replat of Lot , Block 1, Airport 5<sup>th</sup> Resubdivision, locates at 1212 N 47<sup>th</sup> Street, subject to the conditions shown on or attached to the review copy.

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It was moved by Council Member Weigel and seconded by Council Member Dachtler that this recommendation be approved.

PRELIMINARY APPROVAL OF AN ORDINANCE DEDICATING  
R/W ON THE REPLAT OF LOT 22, BLOCK 1, SOUTHERN  
ESTATES TWELFTH ADDITION

The staff report from the planning department relating to preliminary approval of the replat of Lot 22, Block 1, Southern Estates Twelfth Addition, with a recommendation to give preliminary approval of the request from Houston Engineering on behalf of Useldinger LLLP, for preliminary approval of the replat of Lott 22, Block 1, Southern Estates Twelfth Addition, located in the 4400 block of South Columbia Road, subject to the conditions shown on or attached to the review copy, and to also give preliminary approval of the Street and Highway Ordinance and set a public hearing for September 16, 2019.

Brad Gengler, City Planner, gave an overview of the requested replat, that the development was originally planned to have an entrance from S Columbia Rd at 43<sup>rd</sup> Ave S which would enter the development and end as a cul-de-sac. The developer is requesting that the road be a city owned street as it will function as a public street in particular with its direct entry from a main public road. The developer would ask the construction cost for the street to be special assessed to the benefitting lots within the development. Gengler explained that at Planning & Zoning Commission the commission had discussion on this request and their recommendation was to remove the public street and that the lot line run through the center of the removed public right-of-way.

Austin Morris, Enclave Development, provided information on the development which is planned to include mixed use of retail, restaurant and office space and is anticipated to have a developed value of approximately \$30 million. He shared the rationale for having the street be a public street for ease of maintenance along with Columbia Road and that there would be no construction cost to the city for the road, as it would be fully special assessed to his property. He shared some issues that they as a private developer have had in dealing with Magellan pipeline for an easement and that they believe the City may have an easier time resolving the easement. S Columbia Road is planned to have a signalized intersection at the location of the proposed road into the development, which increases the perception from the public that it is a public road.

Staff noted other instances where similar private roads have been put in and then the city later acquires them and there is additional cost to upgrade them to a normal public road standard, which supports the argument to initially construct as a public road.

It was moved by Council Member Vein and seconded by Council Member Weber to give preliminary approval of the plat as originally recommended by staff including preliminary approval of the Street and Highway Ordinance and to set a public hearing for September 16, 2019. Motion carried unanimously.

Council Member Weigel 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 replat of Lot 22, Block 1, Southern Estates Twelfth Addition to the City of Grand Forks, North Dakota", which was presented, read and passed on its first reading.

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#### INFORMATION ITEMS

The following items were presented for City Council's information:

- Human Resources – Quarterly Staffing Report for 2<sup>nd</sup> Quarter 2019
- Statement of Changes in Cash Balances as of 03/31/2019
- Investment Portfolio Summary as of 07/31/2019

#### APPROVE BILL LISTING

Vendor Payment Listing 19-16, dated August 19, 2019 totaling \$1,004,240.92, and was presented and read.

It was moved by Council Member Weber and seconded by Council Member Dachtler 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, Vein – 6; voting "nay": none. Mayor Brown declared the motion carried and the bills ordered paid.

#### CITY ADMINISTRATOR COMMENTS

Todd Feland, City Administrator, congratulated Tangee Bouvette on being appointed as the HR Director. She brings 17 years of Human Resources experience to her new position and excited to have her in this new role. He also thanked Council Member Marshall for serving on the interview panel.

#### MAYOR AND COUNCIL MEMBER COMMENTS

Council Member Weigel reminded everyone of the Joint Ward 1 and 2 and Fire Station 2 on N Columbia Road. Discussion will include the noisy party ordinance.

Council Members Marshall and Vein offered congratulations to Tangee on her promotion to HR Director.

#### ADJOURN

It was moved by Council Member Vein and seconded by Council Member Marshall that we adjourn at 6:10 p.m. Motion carried unanimously.

Respectfully submitted,

Maureen Storstad, City Auditor

Approved:

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Michael R. Brown, Mayor