

December 2, 2019

**PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF GRAND FORKS, NORTH DAKOTA
December 2, 2019**

The city council of the city of Grand Forks, North Dakota met in the council chambers in City Hall on Monday, December 2, 2019 at the hour of 5:30 o'clock p.m. with Mayor Brown presiding. Present at roll call were Council Members Weigel, Weber, Sande, Vein-4; absent: Dachtler, Mock, Marshall - 3.

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.

PLEDGE OF ALLEGIANCE

City Council led the Pledge of Allegiance.

MAYOR'S ANNOUNCEMENT

Mayor Brown commented on the following:

- Reminded everyone to clear the snow from around fire hydrants.
- Congratulated UND Hockey on their win this past weekend.
- Gave a brief update on his trip with the BRIC team to visit with officials at Langley
- Announced that the city website has received over 1,000,000 visits this year.
- Recognized Slumberland for their program to provide beds to disadvantaged families in the community. They are assisted by the Fire Department on this program and along with the beds, the recipients receive quilts made by area church women. This program has been in existence for over 23 years and has provided over 1200 beds.
- Recognized Council Member Ken Vein for being appointed to the team working on the Teddy Roosevelt Library. Vein will serve as Director of Design and Construction.
- Thanked all city employees for their work throughout the year.

(Council Member Mock joined the meeting during the announcements at 5:40 p.m.)

**RECOGNITION OF POLICE CHIEF MARK NELSON
RECIPIENT OF THE ANDREW P. NELSON AWARD
FOR OUTSTANDING LEADERSHIP AND SERVICE**

Mayor Brown recognized Police Chief Mark Nelson who received the Andrew P. Nelson Award for Outstanding Leadership and Service from the Northern Lights Council of Boy Scouts.

(Council Member Marshall joined the meeting during the presentation at 5:45 p.m.)

DOWNTOWN ACTION PLANNING FINAL UPDATE AND OVERVIEW

Meredith Richards, Community Development Director, provided an update on the Downtown Action Planning study. She shared that the final results have been posted on a website, celebrategrandforks.com and encouraged all to check out the report. She thanked RDG and the Steering Committee for their work

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on completing the study and informed City Council that individual action items will be coming to City Council for consideration and approval.

Andy Conlon, Community Development Specialist, shared a presentation and video which reviewed the multiple public inputs opportunities that were held as well as giving examples of ways that we are looking at integrating the statewide Mainstreet Initiative and the Mayor's Vibrancy Initiative into plans.

PRESENTATION – GRAND FORKS HERALD BUILDING/
CITY HALL RENOVATION UPDATE AND OVERVIEW

Lynsey Rood, Asst. Human Resources Director, gave a brief presentation informing City Council of the renovation project. The project will include the relocation of some departments from City Hall to the Herald building, freeing up space to expand departments remaining in City Hall. The presentation included proposed floor plans, on which it was noted the spaces that will be utilized by partner organizations including EDC, MPO, UND, Altru, Lake Region, Grand Forks Schools and Grand Forks Herald, timeline for the project, partners that will share in the project and opportunities for programming that will be available once the project is complete. There will be spaces for collaborative work as well as a Board Room, which could be made available to outside entities for rental. Rood explained that they are proceeding with a Construction Manager at Risk to complete the project, with proposals due next week.

PRESENTATION – UND SCHOOL OF GRADUATE
STUDIES/CITY OF GRAND FORKS PROPOSED
PARTNERSHIPS, INCLUDING PHD STUDENT
TRAINEESHIP PROGRAM

Chris Nelson, PhD, Associate Dean, School of Graduate Studies, gave a presentation on a proposed partnership program that would allow graduate students to earn credits through work with city departments or on city projects. He shared statistics on graduate enrollment, programs, and potential ideas for ways that UND and the City could partner to provide real world education opportunities for students, who through their learning would also be able to assist the City with project and staffing. A primary goal of the program is workforce development and the program would also work in partner with other entities such as the EDC, Chamber of Commerce and other interested community partners.

Council Members expressed interest in proceeding with the partnership and asked that information on city involvement with the program be included for the next budget cycle.

(Council Member Sande left the meeting during the presentation at 6:15 p.m.)

CDBG MASTER PLANNING UPDATE AND OVERVIEW

Meredith Richards, Community Development Director, introduced Jen Garner, Root Policy Research in Denver, CO, who has been working with the city to review our CDBG program and look at potential ways to change the program to better align it with the funding shifts that are happening.

Garner provided information to the City Council on data that was collected from a survey distributed widely throughout the community and online. Data showed a strong need for affordable housing in both owner occupied and rental housing. Data also supported a continued need for affordable childcare especially in the infant age. A workshop was held with Citizens Advisory Committee (CAC) members to

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share information and discuss guiding principles for funds, priorities and target outcomes from programs put in place. The group discussed potential programs that could be utilized to help lessen the need, however some are not eligible for CDBG funds. The CAC is in favor of using CDBG funds where available to assist, however some organizations that might administer programs do not have the required resources to meet HUD requirements. The CAC suggests that the City should pursue assisting with programs in some of the need areas.

Howard Swanson, City Attorney, stated that the City has to be careful, as there are limits set by the State for what cities are able to provide, such as a city can not provide direct aid to individuals or agencies with the source of the aid being property tax or sales tax.

Richards stated that prior to the flood there was a Human Needs program from the city that provided some funding and will look into the limitations and bring back to City Council for more discussion.

Council Member Marshall thanked Ms. Garner for the work she did to compile and present the data.

ADOPT ORDINANCE NO. 4750,
RELATING TO FOOD CODE UPDATE
AND ADOPT A RESOLUTION ESTABLISHING
THE FEE FOR NEW LICENSE CLASSES

An ordinance entitled “An ordinance amending Section 21-0701 of the Grand Forks City Code relating to regulation of food and drink establishments; Section 21-0711 of the Grand Forks City Code relating to special requirements; and Section 21-0712 of the Grand Forks City Code relating to regulation regarding temporary restaurants”, which had been introduced and passed on its first reading on November 18, 2019 and upon which public hearing had been scheduled for this evening was presented and read for consideration on second reading and final passage.

The staff report from the health department relating to food license code updates, with a recommendation to give final approval of the ordinance amending the City Code relating to food licenses. The changes will add licensing requirements for soup kitchens, food pantries, and childcare facilities with a fee of zero dollars. The code amendment also modifies the requirements to qualify for a mobile food license.

It was moved by Council Member Weber and seconded by Council Member Vein that this recommendation be approved and a resolution establishing the fees at zero dollars for the new license classes was introduced. Upon call for the question on final adoption of the ordinance and resolution, the following voted “aye”: Council Members Weigel, Weber, Mock, Marshall, Sande, Vein – 6; voting “nay”: none. Mayor Brown declared the motion passed, resolution and ordinance adopted.

APPROVE 2019 EMPLOYEE HOLIDAY HOURS

The staff report from the human resources department relating to 2019 employee holiday hours, with a recommendation to approve four holiday hours for City employees, pro-rated for contracted, classified and benefitted non-classified employees to be taken between Council approval date and July 1, 2019, with time off to be scheduled and approved by Department Heads.

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Tangee Bouvette, Human Resources Director, stated that she was presenting this item on behalf of the Mayor and Council President Sande, that in the past City Council has approved these holiday hours and request approval this evening.

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

ESTABLISH PRECINCT BOUNDARIES FOR 2020 ELECTIONS

The staff report from the finance department relating to establishing precinct boundaries for the 2020 election, with a recommendation to approve the precinct boundaries as shown on the attached map.

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

SET PUBLIC HEARING ON AMENDMENT TO 2019 CDBG ANNUAL ACTION PLAN

The staff report from the community development director relating to an Amendment to the 2019 Community Development Block Grant (CDBG) Annual Action Plan, with a recommendation to review and comment on the proposed amendment and to schedule a public hearing for January 6, 2020. The amendment would divert \$20,000 from the HomeCents allocation to fund emergency repairs at the Ernie J. Norman shelter for installation of sump pumps, drain tile, and replacement sheetrock and floor coverings, which is an eligible use of the funds.

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

APPROVE SOLE SOURCE PURCHASE REQUEST FOR A TRU-NARC DRUG TESTING SOLUTION

The staff report from the police department relating to sole source purchase of TruNarc Drug Testing Solution, with a recommendation to approve the sole source purchase of (1) TruNarc Drug Testing Solution.

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

APPROVE PLANS AND SPECIFICATIONS FOR PROJECT NO. 8028, MILL AND OVERLAY UNIVERSITY AVE FROM N 3RD ST TO STATE STREET

The staff report from the engineering department relating to plans and specifications for Project No. 8028, Mill & Overlay of University Avenue from N 3rd St to State Street, with a recommendation to approve the plans and specifications.

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

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APPROVE ENGINEERING SERVICES AGREEMENT (TASK
ORDER EDITION) WITH HOUSTON ENGINEERING INC. FOR
PROJECT NO. 8181

The staff report from the engineering department relating to an Engineering Services Agreement (Task Order Edition) with Houston Engineering Inc. for various future city projects, Project No. 8181, with a recommendation to approve the engineering services agreement (Task Order Edition).

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

APPROVE ENGINEERING SERVICES AGREEMENT FOR
PROJECT NO. 8169, STORMWATER IMPROVEMENT STUDY
FOR PUMP STATION 188 AREA

The staff report from the engineering department relating to an Engineering Services Agreement for Project No. 8169, Stormwater Improvement Study for Pump Station 188 Area, with a recommendation to approve the agreement with Webster, Foster, and Weston Consulting Engineers, Inc. (WFW) in the amount of \$95,754 and approve any necessary budget amendment.

Maren and Gary Niemeier, 2417 Glen Circle, addressed the City Council expressing appreciation for the work that staff is doing by conducting the study and the anticipated action that will occur in the future, but asked that the City also consider some type of stop-gap measure that would provide until the long-term plan can be put in place. Council Member Vein stated that it will be optimal to get the study results back by the start of the next construction season so work could be completed this year. Grasser provided a timeline, that should have some information back from the consultant after January, and that he agrees this is a unique area and will work to see what could be put in place.

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

AWARD CONTRACT FOR PROJECT NO. 8171,
2020 ELECTRICAL SERVICES CONTRACT

The staff report from the engineering department relating to bids for Project No. 8171, 2929 Electrical Services Contract, with a recommendation to award the contract to the low bidder, Fusion Automation, Inc. for \$67,700.00.

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

APPROVE CHANGE ORDER NO. 3 FOR PROJECT
NO. 8007, 2019 ASPHALT STREET REPAIRS

The staff report from the engineering department relating to Change Order No. 3 for Project No. 8007, 2019 Asphalt Street Repairs, with a recommendation to approve the change order in the amount of \$34,830, along with any necessary budget amendment.

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

APPROVE CHANGE ORDER NO. 1 FOR PROJECT
NO. 8003, 2019 STORM SEWER REPAIR

The staff report from the engineering department relating to Change Order No. 1 for Project No. 8003, 2019 Storm Sewer Repair, with a recommendation to approve the change order in the amount of \$72,049.00, along with any necessary budget amendment, and to retain city engineer's authority to approve future change orders for this project within 15% of the original bid excluding the amount of this change order.

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

APPROVE FEDERAL FUNDING REQUEST,
URBAN GRANT PROGRAM

The staff report from the engineering department relating to a Federal Funding Request – Urban Grant Program, with a recommendation to approve the Urban Grant Program 2022 project funding request and direct staff to submit the approved project to the Grand Forks – East Grand Forks Metropolitan Planning Organization for submission to the North Dakota Department of Transportation. The project to be submitted is N 4th Street (Demers Ave to 1st Avenue North Reconstruction in the amount of \$2,305,000.

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

APPROVE FEDERAL FUNDING REQUEST,
URBAN ROADS PROGRAM

The staff report from the engineering department relating to Federal Funding Request – Urban Roads Program, with a recommendation to approve the Urban Road Program project funding requests and direct staff to submit the approved project to the Grand Forks – East Grand Forks Metropolitan Planning Organization for submission to the North Dakota Department of Transportation. The project being submitted is Columbia Road Overpass Rehabilitation with a total project cost of \$8,930,000, of which anticipated city cost would be \$2,186,000.00.

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

APPROVE FEDERAL FUNDING REQUEST,
REGIONAL ROADS PROGRAM

The staff report from the engineering department relating to Federal Funding Request – Regional Road Program, with a recommendation to approve the Regional Road Program project funding request and direct staff to submit the approved project to the Grand Forks – East Grand Forks Metropolitan Planning Organization for submission to the North Dakota Department of Transportation. The projects, along with their anticipated cost, submitted for consideration are: US2/Gateway Dr (N 55th St to N 69th St) Mill &

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Overlay, \$567,500.00; N 5th St (Demers Ave to US2/Gateway Dr) Mill & Overlay and Reconstruction, \$1,813,140; Environmental Document and Construction Project to Address Congestion on 32nd Ave S, 50% cost share not to exceed \$1,500,000.00; N 5th Street (Demers Ave to US2/Gateway Dr) Chip Seal, \$100,000.00; Washington St Reconstruction (8th Ave S to Hammerling Ave), \$5,700,000.00 ; US2/Gateway Dr Concrete Panel Replacement and Grinding (Red River to I-29), \$1,564,000.00; and Washington St Reconstruction (Demers Ave to 8th Ave S), \$5,922,000.00.

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

APPROVE BILL LISTING AND ENGINEERS ESTIMATES

Vendor Payment Listing 19-23, dated December 2, 2019 totaling \$1,064,485.55, and engineers estimate dated November 30, 2019 totaling \$2,171,709.43 were presented and read.

It was moved by Council Member Dachtler and seconded by Council Member Weigel 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.

MAYOR AND COUNCIL MEMBER COMMENTS

Council Member Marshall encouraged all to drive slowly and carefully to avoid accidents.

ADJOURN

It was moved by Council Member Weigel and seconded by Council Member Marshall that we adjourn at 7:25 p.m. Motion carried unanimously.

Respectfully submitted,

Maureen Storstad
City Auditor

Approved:

Michael R. Brown, Mayor

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