

September 3, 2019

**PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF GRAND FORKS, NORTH DAKOTA
September 3, 2019**

The City Council of the city of Grand Forks, North Dakota met in the Council Chambers in City Hall on Tuesday, September 3, 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, Sande, Vein -6; absent: Weber - 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.

PLEDGE OF ALLEGIANCE

City Council led the pledge of allegiance.

MAYOR'S ANNOUNCEMENT

Mayor Brown commented on Longest Table event planned for September 4 on near University Park, Greenway Takeover Fest scheduled for this weekend on the Greenway in downtown Grand Forks, and the GF Pride BBQ.

PROCLAMATION – ALI BORGEN “SMILE WIDE DAY”

Mayor Brown read a proclamation designating September 5, 2019 (and in perpetuity) as Ali Borgen “Smile Wide Day” in honor of Ali Borger who was diagnosed with leukemia at the age of 10 and ultimately lost her battle with this terrible disease, but never lost her courage or kind, loving nature, which made an impact on her friends, family and the community.

**TABLE DISCUSSION OF AMENDMENT TO CITY CODE
RELATING TO NOISY PARTY**

The staff report from the city administrator relating to noisy party ordinance with a recommendation to consider approval of an ordinance to amend the Grand Forks City Code Section 9-0110(1) Noisy Party or Gathering with the attached suggested changes to the current ordinance, subject to further review and approval of City Attorney.

Council Members discussed the proposed code changes and versions of the draft ordinance that have been presented at prior meetings. It was also discussed at a Joint Ward 1 and 2 Ward Meeting at which residents in the area gave a general consensus that moving forward with an ordinance amendment was in the best interest of the neighborhood. The group also discussed some changes made in state legislation that effect provisions we can include in our city code. Swanson clarified that those have been included in the latest draft, and that if City Council wishes to have failure to disburse remain a misdemeanor that is possible. Consensus was that this may need some more review and should be referred back to Committee of the Whole.

Peggy Lucke, 514 Harvard, stated that resident's concerns are that they need a quick response when there is an issue and that responding officers have the proper authority for ticketing to resolve the issue. She

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stated that with all the rentals in the neighborhood this has been an ongoing issue with some and asked City Council to act quickly so residents have relief.

It was moved by Council Member Weigel and seconded by Council Member Sande to table this item and refer it back to Committee of the Whole. Motion carried unanimously.

APPROVE CLASS 3 (ON- AND/OR OFF-SALE BEER & WINE)
ALCOHOLIC BEVERAGE LICENSE FOR BPC GRAND FORKS, LLC

The staff report from the finance department relating to an application for Class 3 (On- and/or Off-Sale Beer & Wine) Alcoholic Beverage License for BPC Grand Forks, LLC, dba Boss' Pizza and Chicken, with a recommendation to review the request and if approved, approval should be contingent upon final inspection and approval of various city departments and payment of appropriate fees.

Maureen Storstad, Finance Director, gave a brief overview of the application and stated that her department has received payment of application fee and application is in order.

It was moved by Council Member Sande and seconded by Council Member Vein that this license be approved subject to contingencies listed. Motion carried unanimously.

APPROVE AMENDMENT NO. 1 TO ENGINEERING SERVICES
AGREEMENT WITH WFW FOR PROJECT NO. 7642, INTERIM
LIFT STATION NO. 45

The staff report from the engineering department relating to Amendment No. 1 to Engineering Services Agreement with WFW for Project No. 7642, Interim Lift Station No. 45, with a recommendation to approve the Amendment with Webster, Foster and Weston in the amount of \$65,000.00 for additional services.

Al Grasser, City Engineer, explained that the amendment was needed as the engineer was asked to do additional duties from what was anticipated in the original contract in the area of construction observation services and design services. He noted that this is in a Strategic Infrastructure Growth area located south of 32nd Ave S and west of I-29, and will provide service to an expanded development area. Grasser noted that the contractor involved with the project has agreed to liquidated damages to cover the cost of the additional engineering effort as well as covering the cost of additional staff time spent on the project during the extended construction period.

It was moved by Council Member Weigel and seconded by Council Member Vein to approve the recommendation. Motion carried unanimously.

AWARD CONTRACT FOR PROJECT NO. 8067,
2019 WWTP IMPROVEMENTS AND AUTHORIZE
STAFF TO ISSUE NOTICE TO PROCEED

The staff report from the water works director relating to award of bids and notice to proceed for Project No. 8067, 2019 Wastewater Treatment Plant (WWTP) Improvements to Chemical Room, MBF Recycle Pump Header Piping, and Bypass Piping, with a recommendation to award bids contingent upon approval of the plans and specifications and authorization of contractor award by North Dakota Department of

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Environmental Quality (ND DEQ) to Northern Plains Contracting Inc. for contract #1 in the amount of \$958,000 and Fusion Automation, Inc. for contract #2 in the amount of \$70,498.65 for Project No. 8067.

Melanie Parvey, Water Works Director, provided an overview of the project, that bids were received on August 20, 2019. Upon review the award of Contract #1 to Northern Plains Contracting Inc and Contract #2 to Fusion Automation Inc was the lowest bid and staff recommends approval contingent upon approval of plans and specifications and authorization of the contractor award by ND Department of Environmental Quality.

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

APPROVE PURCHASE THROUGH OMNIA CONSORTIUM
FOR PROJECT NO. 8092, GRAND FORKS REGIONAL
WATER TREATMENT PLANT FURNITURE

The staff report from the water works director relating to approval of purchasing the Water Treatment Plant's furniture in the amount of \$90,835.18 from Norby's Work Perks through Omnia Partners Contract 55603 Alt 1, with a recommendation to approve the request.

Melanie Parvey, Water Works Director, reviewed the project status, explaining that consultant JLG has designed the furniture needs for the plant, that the product is available through the Omnia Partners Contract 55603 Alt 1, which is a competitive solicited contract and is allowed as a purchasing source under the City of Grand Forks Purchasing Policy.

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

INFORMATION ITEMS

The following were presented for City Council's information:

- Statement of Cash Balances as of April 30, 2019

CITIZEN COMMENTS

Tom O'Neill, 43 Ransom Ave, Niagara, ND, commented regarding the recently passed Resolution created Indigenous Peoples Day in the Grand Forks Community. Mr. O'Neill shared comments against the action that was taken and questioned the ability to not observe the federal holiday of Columbus Day in the community.

APPROVE BILL LISTING

Vendor Payment Listing 19-17, dated September 3, 2019 totaling \$2,322,999.42, and engineers estimate dated August 31, 2019 totaling \$7,995,400.20 were presented and read.

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

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MAYOR AND COUNCIL MEMBER COMMENTS

Council Member Marshall reminded everyone of a Joint Ward 5 & 6 ward meeting at Schroeder Middle School on September 17.

ADJOURN

It was moved by Council Member Dachtler and seconded by Council Member Weigel that we adjourn at 6:00 p.m. Motion carried unanimously.

Respectfully submitted,

Maureen Storstad
City Auditor

Approved:

Michael R. Brown, Mayor