

March 2, 2020

**PROCEEDINGS OF THE CITY COUNCIL  
OF THE CITY OF GRAND FORKS, NORTH DAKOTA  
March 2, 2020**

The city council of the city of Grand Forks, North Dakota met in the council chambers in City Hall on Monday, March 2, 2020 at the hour of 5:30 o'clock p.m. with Mayor Brown presiding. Present at roll call were Council Members Weigel, Dachtler, Weber, Mock, Marshall, Sande, - 6; absent: Vein - 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 the following:

- Congratulated the Red River hockey team on their State Championship win and Central hockey team on their third place win.
- Congratulated UND on their win over the weekend which earned them the Penrose Cup.
- Expressed appreciation to the Alerus Center, Chamber and all the community partners that helped make the State of the City address a great event.
- Invited all to attend the Mayor's Choice Art Exhibit opening on Thursday, March 5 in the City Hall atrium from 5-6:00 p.m. This quarter's exhibit focuses on veterans.
- Explained that he will be attending the National League of Cities event next week and interacting with other leaders from cities around the nation as well as visiting with the congressional delegation.

**PRESENTATION – MENTAL HEALTH MATTERS**

Geoff Gaukler, Grand Forks Schools, gave a brief presentation on Mental Health Matters, which is a Grand Forks community collaborative to address mental health needs for individuals of all ages in the community. A kick-off event will be held on Saturday, March 7 at Lake Agassiz School with a variety of booths and activities.

**PRESENTATION – CERTIFICATE OF ACHIEVEMENT IN  
FINANCIAL REPORTING FOR 2018 COMPREHENSIVE  
ANNUAL FINANCIAL REPORT**

Mayor Brown recognized the Finance Department, which received the Certificate of Achievement in Financial Reporting for the 2018 Comprehensive Annual Financial Report. He noted that this is the 33<sup>rd</sup> consecutive year that the department has received this award from the Government Finance Officers Association. Maureen Storstad, Finance Director recognized the work of staff including Candice Stjern, Asst. Finance Director, who leads the creation of this report.

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#### UPDATE – 2020 CENSUS

Brad Gengler, City Planner, provided a brief update on the 2020 Census. Residents will start receiving invitations to complete the census between March 12 and 20. The report can be made online, by phone or by completing the report and returning it in the mail. Later this spring, workers will be reaching out to addresses that have not responded. The completed compilation will be given to the President December 1. Gengler listed several strategies being used to educate and assist individuals with completing the census including a message with the next utility bill, bus wrap for the bus on Route 7, working with various community groups such as the Senior Citizens Group, UND, Housing Authority, and Grand Forks Apartment Association. The Census will have workers available at several events over the spring including the Annual Senior Citizen Breakfast at the Alerus Center.

#### UPDATE – 2020 FLOOD

Al Grasser, City Engineer, provided an update on flood predictions from the National Weather Service. The latest update was issued this past Thursday, with some of the lower percent outcomes being lowered, but overall the highest percentage outcomes remaining stable, with an 85% chance of a flood event exceeding 46'. At this level, both the Sorlie and Point bridges will be closed. The prediction is still high for a top 5 flood event, but one that should be below the level of our flood protection project height of 57'. A meeting has been scheduled for residents of the Shadyridge area for Tuesday at 5:30 p.m. at Fire Station 5. Staff continues to meet collaboratively with other departments and entities to plan for the flood response and we will be awarding the contract for flood fight assistance later in tonight's agenda.

#### UPDATE – SYRINGE SERVICE PROGRAM

Michael Dulitz, NRP Opioid Response Project Coordinator, provided an update on the Syringe Service Program including statistics for usage of the program, referrals made, and shared stories from two clients that have been helped by the program. Discussion included information on how the referral stats are counted, partners that the program works with currently such as Spectra Health, as well as the continued work to develop more partner relationships. Council Members expressed appreciation to the staff of the program and their work to help struggling individuals in the community.

#### UPDATE – CORONAVIRUS

Debbie Swanson, Director of Public Health, provided information on the Coronavirus to City Council, including statistics on current infection and death rates. The health department is working with the State and other agencies on pre-event planning and promoting best practices for response should the virus be found in our area. Currently there is an ample supply of resources to address a situation and the conditions will be monitored. The best way to combat the virus is to exercise common practices such as handwashing, covering your cough, getting a flu shot, and staying home if you are sick. People with questions should contact the Health Department. Under the authority in City Code, the Mayor can authorize quarantine, social distancing, and other activities. In the event that would be necessary, the health department would work closely with the Mayor and Health Officer on determining the appropriate restrictions. Council Member Sande asked that information regarding the Mayor and city's authority be provided to council members for their information. Howard Swanson, City Attorney, stated that all authority is included in Chapter 3 of the City Code, but that he would put together information and distribute.

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## PROCLAMATIONS

Mayor Brown read the following proclamations:

- 1) General Aviation Month, March 2020
- 2) Colorectal Cancer Awareness Month, March 2020
- 3) Neuromyelitis Optica Awareness Month, March 2020

### APPROVE APPLICATIONS FOR PROPERTY TAX EXEMPTION OF IMPROVEMENTS TO RESIDENTIAL AND COMMERCIAL BUILDINGS

The staff report from the city assessor relating to applications for property tax exemption of improvements to residential and commercial buildings, with a recommendation to grant property tax exemptions of increased value due to remodeling or renovation of the properties listed for 5 years to the following properties: 919 N 6<sup>th</sup> St, 212 S 4<sup>th</sup> St, 710 S 14<sup>th</sup> St, 1027 N 5<sup>th</sup> St, 815 Duke Dr #112, 106 Breezy Hills Cove, 1825 4<sup>th</sup> Ave N, 34 Vail Circle, 2200 29<sup>th</sup> St S #21S, 811 S 23<sup>rd</sup> St, 2104 6<sup>th</sup> Ave N, 3615 9<sup>th</sup> Ave N, 290 Circle Hills Dr, 3602 9<sup>th</sup> Ave N, 827 N 3<sup>rd</sup> St, 3721 Simonview Ct, and 624 N 4<sup>th</sup> St.

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

### APPROVE OWNERSHIP CHANGE WITHIN SOGF, INC DBA SPEEDWAY 805

The staff report from the finance department relating to a request for approval of ownership change of the Class 4 (Food & Beverage) Alcoholic Beverage License from SOGF, Inc., dba Speedway 805, with a recommendation to approve the transfer request and waive the transfer fee, due to the nature of the changes. Ownership shifts are between parties with a first degree blood relation.

It was moved by Council Member Sande and seconded by Council Member Weigel to approve the ownership transfer between parties with the result being a corporate ownership of Jim Nostdahl, 32.44%; Julie Nostdahl Elsberry, 17.84%; Karen Nostdahl Johnson, 14.44%; Nancy Nostdahl Gackle, 13.24%; Mary Jo Nostdahl Bahl, 4.44%; Tom Wold, 4.6%; Phyllis Becker, 3.5%; Linda Anderson, 3.5%; Michael Brevig, 4%; and Harley Schmidt, 2%; and to waive the transfer fee. Motion carried unanimously.

### APPROVE OWNERSHIP CHANGE WITHIN BTAB, LLC DBA RUMORS

The staff report from the finance department relating to a request for approval of ownership change of the Class 1 (General On/Off Sale) Alcoholic Beverage License from BTAB, LLC, dba Rumors Sports Bar & Grill, with a recommendation to approve the transfer and waive the transfer fee, due to the nature of the change. BTAB, LLC has been owned equally by Adam Badalato and William Tyrrell. Mr. Badalato is leaving the business and selling his shares to the other owner William Tyrrell.

It was moved by Council Member Sande and seconded by Council Member Weigel that this recommendation be approved and that ownership be recorded as 100% William Tyrrell and to waive the

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transfer fee as ownership will remain substantially similar to existing ownership. Motion carried unanimously.

DESIGNATE VOTING LOCATIONS FOR  
2020 ELECTIONS

The staff report from the finance department relating to resignation of voting locations for the 2020 elections, with a recommendation to approve the following as voting locations for the June 9 and November 3 elections: Ward 1, Precincts 1 and 2, Public Works Facility, 724 N 47<sup>th</sup> St; Ward 2, Precincts 1, 2, and 3, UND Wellness Center, 801 Princeton St; Ward 3, Precincts 1, 2, and 3, City Hall, 255 N 4<sup>th</sup> St; Ward 4, Precincts, 1, 2 and 3, Holy Family Church, 1001 17<sup>th</sup> Ave S; Ward 5, Precinct 1, 2 and 3, Icon Arena/Park District Offices, 1060 47<sup>th</sup> Ave S; Ward 6, Precincts 1, 2 and 3; Alerus Center, 1200 S 42<sup>nd</sup> St; and Ward 7, Precincts 1 and 2, Alerus Center, 1200 S 42<sup>nd</sup> St.

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

APPROVE APPOINTMENT TO EMERGENCY  
MANAGEMENT BOARD

The staff report from the mayor relating to appointment to the Emergency Management Board, with recommendation to confirm the appointment of Leah Ista to a two-year term expiring March 3, 2022 as a public-at-large representative.

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

AWARD BID #2020-14, 2020-15; REJECT BID  
#2020-16 AND AUTHORIZE REBID; AND REJECT  
BID #2020-17 AND AUTHORIZE STAFF TO  
NEGOTIATE PURCHASE

The staff report from the mosquito control manager relating to bids for mosquito control services including aerial services, chemicals, and equipment, with a recommendation to award Bid #2020-14 to Airborne Custom Spraying with a rate of \$2.80/acre; award Bid #2020-15 for mosquito control chemicals and equipment as specified on the bid tabulation, but to reject the bid from Van Diest Supply Co. as it was not signed; reject all bids for Bid #2020-16 for a utility tractor and authorize staff to rebid; reject the sole bid for Bids #2020-17 for a utility vehicle as it was not signed and authorize staff to negotiate a purchase not higher than the bid price submitted of \$19,338.64 with the lone bidder Acme Electric.

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

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APPROVE MODIFICATION TO PROPERTY TAX  
EXEMPTION OF IMPROVEMENTS TO COMMERCIAL  
AND RESIDENTIAL BUILDINGS PROGRAM

The staff report from the assessing department relating to a proposed modification of the remodeling exemption for residential and commercial buildings authorized under NDCC 57-02.2-03, with a recommendation to approve a resolution to modify the commercial building remodeling improvements exemption by increasing the minimum threshold to \$15,000 (minimum has been \$5,000) and 10% of the market value of the existing building prior to improvements; removing the cap for a commercial property exemption; to remove the language allowing for an application to be made within 60 days of the mailing of a notice of increase and retain the language allowing an application to be filed within 12 months of the initiation of improvements; and to require that a building permit for the renovation be acquired prior to the renovation beginning for both commercial and residential projects. (The residential exemption minimum level will remain at \$5,000.)

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

ADOPT RESOLUTION CREATING SPECIAL  
ASSESSMENT DISTRICTS, ACCEPT ENGINEERS  
REPORTS, ADOPT RESOLUTIONS TO PREPARE  
PLANS AND SPECIFICATIONS FOR PROJECT NO.  
8177, DISTRICT NO. 574; PROJECT NO. 8178,  
DISTRICT NO. 348; PROJECT NO. 8179, DISTRICT  
NO, 575; AND ADOPT RESOLUTION OF NECESSITY  
FOR PROJECT NO. 8180, DISTRICT NO. 745

The staff report from the engineering department relating to creation of special assessment districts for Project No. 8177, District No. 574; Project No. 8178, District No. 348; Project No. 8179, District No. 575; and Project No. 8180, District No. 8180, District No. 745, Sanitary Sewer, Watermain, Storm Sewer, Paving and Street Lighting for 36<sup>th</sup> Ave S from S 15<sup>th</sup> St to S Washington St, with a recommendation to adopt resolutions creating the districts, accept the engineers reports, and adopt resolutions to prepare plans and specifications and resolution of necessity for the projects, which were presented and read.

Council Member Sande introduced resolutions to create the special assessment districts.

The city auditor presented and read the engineer's reports for Sanitary Sewer Project No. 8177, District No. 574; Watermain Project No. 8178, District No. 348; Storm Sewer Project No. 8179, District No. 575; and Paving/Street Lighting Project No. 8180, District No. 745.

Council Member Sande introduced resolutions to prepare the plans and specifications for Sanitary Sewer Project No. 8177, District No. 574; Watermain Project No. 8178, District No. 348; and Storm Sewer Project No. 8179, District No. 575; and a resolution of necessity for Paving/Street Lighting Project No. 8180, District No. 745, which were presented and read.

It was moved by Council Member Sande and seconded by Council Member Weigel that this recommendation be approved, resolutions adopted and engineering reports accepted and that we declare intent to sell bonds to finance these improvements. Upon call for the question, the following voted "aye":

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Weigel, Dachtler, Weber, Mock, Marshall and Sande – 6; voting “nay”: none. Mayor Brown declared the motion carried, reports accepted and resolutions adopted.

APPROVE PLANS AND SPECIFICATIONS FOR  
PROJECT NO. 8123, 2020 CONCRETE STREET  
REPAIRS AND PROJECT NO. 8183, 2020  
SUBDIVISION CONCRETE REHAB

The staff report from the engineering department relating to plans and specifications for Project No. 8123, 2020 Concrete Street Repairs and Project No. 8183, 2020 Subdivision Concrete Rehab, with a recommendation to approve the plans and specifications.

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

APPROVE PLANS AND SPECIFICATIONS FOR  
PROJECT NO. 8120, 2020 SIDEWALKS AND  
PROJECT NO. 8121, 2020 ADA CURB RAMPS

The staff report from the engineering department relating to plans and specifications for Project No. 8120, 2020 Sidewalks and Project No. 8121, 2020 ADA Curb Ramps, with a recommendation to approve the plans and specifications.

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

ADOPT RESOLUTION TO APPROVE PLANS  
AND SPECIFICATIONS FOR PROJECT NO. 8184  
DISTRICT NO. 748

The city engineer’s estimate of total cost of the construction of paving Gateway Dr. frontage road rehabilitation from I-29 to N 55<sup>th</sup> St in the amount of \$56,501.59 was presented and read.

The staff report from the engineering department relating to plans and specifications for Project No. 8184, District No. 748, Gateway Dr Frontage Rd Rehabilitation from I-29 to N 55<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 Weigel that this recommendation be approved and the resolution adopted. Motion carried unanimously.

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ADOPT RESOLUTION TO APPROVE PLANS  
AND SPECIFICATIONS FOR PROJECT NO. 8157  
DISTRICT NO. 742

The city engineer's estimate of total cost of the construction of paving reconstruction of S 12<sup>th</sup> Street from 17<sup>th</sup> Avenue South to Park Drive in the amount of \$2226,299.33 was presented and read.

The staff report from the engineering department relating to plans and specifications for Project No. 8157, District No. 742, Reconstruct S 12<sup>th</sup> St from 17<sup>th</sup> Ave S to Park Dr, 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 Weigel that this recommendation be approved and that the resolution be adopted. Motion carried unanimously.

ADOPT RESOLUTIONS TO PREPARE PLANS AND  
SPECIFICATIONS FOR PROJECT NO. 8098, DISTRICT  
NO. 739; PROJECT NO. 8124.1, DISTRICT NO. 749.1;  
PROJECT NO. 8124.2, DISTRICT NO. 749.2; PROJECT  
NO. 8124.3, DISTRICT NO. 749.3; PROJECT NO. 8124.4,  
DISTRICT NO. 749.4; AND PROJECT NO. 8158,  
DISTRICT NO. 743

The city engineer's estimate of total cost of the construction of paving mill and overlay on Shadyridge Ct in the amount of \$32,881.68, was presented and read.

The city engineer's estimate of total cost of the construction of paving mill and overlay on S 19<sup>th</sup> St from 17<sup>th</sup> to 20<sup>th</sup> Avenue S; 20<sup>th</sup> Ave S from Library Circle to S 20<sup>th</sup> St; Library Circle from S 20<sup>th</sup> St to Library Circle; 21<sup>st</sup> Ave S from S 17<sup>th</sup> to S 20<sup>th</sup> St; 22<sup>nd</sup> Ave S from S 17<sup>th</sup> St to 550' west; Library Lane from Library Circle to S Library Circle; S Library Circle from Library Lane to 17<sup>th</sup> Ave S; and Drees Drive in the amount of \$124,079.67 was presented and read.

The city engineer's estimate of total cost of the construction of paving mill and overlay on 22<sup>nd</sup> Ave S from Chestnut to Cherry St; 23<sup>rd</sup> Ave S from Chestnut to Cherry St; Chestnut St from 24<sup>th</sup> Ave S to the 2200 block; and Cottonwood Street from 24<sup>th</sup> Ave S to the 2200 block in the amount of \$68,202.46 was presented and read.

The city engineer's estimate of total cost of the construction of paving mill and overlay on Victoria Ct in the amount of \$27,709.66 was presented and read.

The city engineer's estimate of total cost of the construction of paving mill and overlay on Charwood Ct and Dellwood Court in the amount of \$10,734.54 was presented and read.

The city engineer's estimate of total cost of the construction of paving reconstruction of Library Circle from 300' west of S Washington to Library Circle in the amount of \$44,765.12 was presented and read.

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The staff report from the engineering department relating to plans and specifications for 2020 Mill and Overlay Project No. 8098, District No. 739 and Project No. 8124, District No. 749 and Reconstruction Library Circle Project No. 8158, District No. 743, with a recommendation to approve the plans and specifications.

Council Member Sande introduced resolutions to approve the plans and specifications for the projects, which were presented and read.

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

AWARD CONTRACT FOR PROJECT NO. 8122,  
2020 ASPHALT STREET REPAIR

The staff report from the engineering department relating to bids for Project No. 8122, 2020 Asphalt Street Repairs, with a recommendation to award the contract to the low bidder, Taggart Contracting Inc. in the amount of \$135,330.00.

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

AWARD CONTRACT FOR PROJECT NO. 8077,  
VETERANS PARK RESTROOM

The staff report from the engineering department relating to bids for Project No. 8077, Veterans Memorial Park – General Al Palmer Visitor Center, with a recommendation to award the contract to low bidder, Sand Steel Building Co., in the amount of \$482,000.00.

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

APPROVE CHANGE ORDER NO. 6 FOR  
PROJECT NO. 8042, DISTRICT NO. 738

The staff report from the engineering department relating to Change Order No. 6 for Project No. 8042, District No. 738, University Avenue Reconstruction (Coulee to Columbia) and Medians & Street Lights (Coulee to 42<sup>nd</sup> Street), with a recommendation to approve Change Order No. 6 in the amount of \$1,069,800 as an expense to be 100% special assessed to UND and increase City Engineer's authority to approve future change orders for this project not to exceed \$90,000.

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

DECLARE VEHICLES SURPLUS AND  
AUTHORIZE PUBLIC SALE

The staff report from the public transportation director and mobility manager relating to Disposition of Public Transportation Vehicles, with a recommendation to declare surplus (1) 2012 Dodge Caravan and

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(1) 2014 Dodge Caravan and authorize staff to proceed with advertising and public sale through the surplus website, GovDeals.

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

AUTHORIZE SUBMISSION OF NORTH  
DAKOTA SECTION 5339 FUNDING APPLICATION

The staff report from the public transportation division director and mobility manager relating to North Dakota Section 5339: Bus and Bus Facilities Funding Application, with a recommendation to approve the funding request in the amount of \$316,832, along with any budget amendments needed upon award. If application is approved, funding will be used for Radio Infrastructure, shop equipment, upgrade to the fuel system, shop vehicle, A&E Services for Facility Expansion Phase 2, Electronic Vehicle Inspection Program, and staff cars.

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

AUTHORIZE SUBMISSION OF NORTH  
DAKOTA SECTION 5310 FUNDING APPLICATION

The staff report from the public transportation division director and mobility manager relating to North Dakota Section 5310: Enhanced Mobility of Senior and Individuals with Disabilities Program Funding Application, with a recommendation to approve the funding request in the amount of \$136,241.00, along with any budget amendment should application be awarded. If application is approved, funding would be used for the mobility manager position and replacement of ADA Minivans.

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

INFORMATION ITEMS

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

- Investment Portfolio Management Summary as of January 21, 2020

APPROVE BILL LISTING AND ENGINEERS ESTIMATES

Vendor Payment Listing 20-05, dated March 2, 2020 totaling \$1,592,920.33 and engineers estimate dated February 29, 2020 totaling \$3,156,086.59 were 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, Sande – 6; voting "nay": none. Mayor Brown declared the motion carried and the bills ordered paid.

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APPROVE MINUTES – FEBRUARY 18, 2020

Typewritten copies of the minutes from the city council meeting held on February 18, 2020 were presented and read. It was moved by Council Member Sande and seconded by Council Member Dachtler that this recommendation be approved. Motion carried unanimously.

CITY COUNCIL

Council Member Weigel expressed congratulations to Coach Schweigert on receiving a contract extension as coach of the UND Football Team.

Council Member Dachtler wished everyone a happy Social Workers Month and invited all to attend the Feast of Nations at the Alerus Center this weekend.

Council Member Mock thanked staff for their updates provided this evening.

Council Member Marshall expressed appreciation to the Finance Department for their work and congratulations on their award and invited those interested to attend the public input meeting on Belmont Road Project to be held later this week.

Council Member Sande expressed appreciation for all the work that has been put into the Veterans Memorial Park by the team of volunteers, city staff and vendors and will be a great asset to our community once it is completed. He also commented regarding housing ordinances and like more information. Dachtler stated that a meeting is set for Monday afternoon.

ADJOURN

It was moved by Council Member Sande and seconded by Council Member Marshall that we adjourn at 6:30 p.m. Motion carried unanimously.

Respectfully submitted,

Maureen Storstad  
City Auditor

Approved:

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Michael R. Brown, Mayor