

MINUTES/URBAN DEVELOPMENT COMMITTEE
Wednesday, February 12, 1997 - 4:00 p.m.

Members present: Beach, Polovitz.

It was moved by Hanson and Polovitz to suspend the agenda and move to item 3. Motion carried.

3. Matter of RFP for architectural services for D & B
Specialty

Foods building.

Mr. O'Leary reported that this afternoon he met with Mr. Dahl, one of the principals in the D & B Specialty Foods project that was recently approved by the Growth Fund. He stated that the extra item for today was going to be whether to proceed with RFP for architectural services. He stated that D & B was special conditioned under the Growth Fund to require the applicants to generate \$2 Million in equity in this company prior to our proceeding with it; that the \$2 Million is required to set up the plant and probably wouldn't want to put ourselves in the position of building a building until the equity was in place and the plant was ready to go; however, this afternoon Mr. Dahl told them that he would prefer to have 2 to 4 weeks, that final documents for the offering are being drawn up now and there is good interest in the project and it looks positive that they will be able to generate the equity.

Mr. Dahl stated they appreciate opportunity given them by City's accepting their application and will be keeping City posted. He stated he understands urgency for building, which he shares; and they felt that because of commitment they would have to make on the architectural phase, they would like to assure themselves not only of quantity but quality of investors, and would like to meet with some of them. He stated that two weeks wouldn't jeopardize their timing for site preparation and would like to wait 2 more weeks before committing to the architectural phase.

Mr. O'Leary stated that if they proceeded with RFP for architectural services prior to having equity in hand, would need some kind of guarantee from the principals that if the project didn't proceed the City wouldn't be responsible for the bill, and suggestion of staff to wait is prudent.

Held in committee until next meeting.

1. Budget amendment for riverbank maintenance.

Terry Hanson distributed copy of the budget expense for the Nuisance Abatement Fund, and stated that last November or December ran budget amendment through for the same project for 1996. He stated that this was left off budget for 1996 anticipating it would be funded through Beautification Fund or other sources, and was also left out of the 1997 budget. He stated they are asking for budget amendment to cover riverbank maintenance account that Urban Development Office carries out every summer to the amount of \$22,000. He reported that 1996 was

MINUTES/URBAN DEVELOPMENT COMMITTEE

February 12, 1997 - Page 2

funded from Nuisance Abatement Fund, and there are funds available to fund from this account (approx. \$59,000); and that there is no specific commitment on behalf of Nuisance Abatement Fund for any project as of today. He stated that it was up to committee whether to fund from this account or to have Mr. Schmisek research for other funding.

Mr. O'Leary reported that riverbank maintenance is on-going maintenance effort, weed control, etc. and it was their understanding that this was going to be in budget, but was not included. Mr. Schmisek had recommended using funds from Nuisance Abatement for 1996 maintenance and that's why recommendation is again to fund 1997 allocation out of that fund. He noted that this item will be included in the 1998 budget.

Moved by Polovitz and Hanson that we amend budget for riverbank maintenance in the amount of \$22,000, with funds to be transferred from the Nuisance Abatement Fund.

Polovitz questioned whether this was enough because of anticipated flood; Curt Siewert reported that last year about 25% of cleanup out of maintenance account and balance out of FEMA funds.

After further discussion the committee agreed to amend motion to include "subject to the discretion of the city auditor".

Upon call for the question, the motion carried.

2. Matter of public art.

Polovitz stated he thinks they should explore possibility of committee or commission to look at process of selecting or commissioning some type of public art, that we don't have mechanism to deal with; and that another issue is City Hall art, but not sure what direction we should take. He noted that

letter from Laurel Reuter, director of North Dakota Museum of Art suggested some type of committee to look into answering some of these questions, which is a possibility.

Committee questioned whether City should be doing this kind of thing, that in other countries there is lot more commitment to the fine arts. Chairman Beach stated that perhaps one of the reasons don't support in this country is the lavish support of athletics through school systems, etc. Committee also questioned whether council should be budgeting for art. Mr. O'Leary stated that in Winnipeg they set aside 1% of budget for art.

The committee discussed number of issues: whether committee/commission should be established, make-up of that committee, type of art and whether for private places or strictly for public display in public buildings, ie., ND Museum of Art, City Hall, Aurora and what entities involved, who make selection, funding **MINUTES/URBAN DEVELOPMENT COMMITTEE**
February 12, 1997 - Page 3

(budget, grants, etc.), site selection process
(indoor/outdoor).

Polovitz suggested that Mr. O'Leary brain-storm and bring back some scenarios for committee to look at: overall public art committee, membership and what charge might be. Mr. O'Leary agreed they would this.

Chairman Beach stated the matter would be held pending investigation by staff; however, he would like to make two or three comments: would prefer in publicly owned site, there may be exceptions; public money and park sites good; that he tends to lean to outdoor presentation but wouldn't exclude indoor but indoor sites would be fewer (City Hall, Aurora); thinks they should have independent commission, would like to see commission that would make very strong recommendation and very weak veto power from this committee or council; and cautiously say that he thinks this is a good idea, and would say that for a very long time the City has subsidized the city band, which is budgeted in the city's budget every year.

Hanson stated he agrees that in a progressive community we need art and is important part of the community, but was his feeling that now is not right time to make too much of this publicly because feedback from public is re. Aurora and some other expenses incurred lately, and lot of expense to the public (can't plow driveway but can put up \$20,000 piece of art). He

stated he would also suggest that if go forward we take out of sales taxes rather than out of general fund. He stated as far as the committee is concerned, Chamber Beautification Committee and Museum of Art should be involved, however, also agrees that there should be some type of cost-share because both entities mentioned come to this committee for funding for projects.

Meridith Richards, Planning Office, stated that a lot of cities have 1% of budget for art, after basic necessities look at art, need commitment from council or no point in proceeding.

Mr. O'Leary reported that he will be out of town the next meeting, but will bring something back in 30 days so they will have something to look at in budget process.

Chairman Beach stated he will be absent for the next two meetings.

Moved by Polovitz and Hanson to adjourn; meeting adjourned at 4:55 p.m..

Alice Fontaine
City Clerk

Dated: 02/12/97