

**MINUTES/PUBLIC SERVICE COMMITTEE**  
**Monday, February 24, 1997 - 7:00 p.m.**

Members present: Beyer, Hafner, Klave.

1. Request for permission to construct skywalk across University Avenue, east of Princeton Street.

LeRoy Sondrol, UND Plant Services, presented request to build 196 ft. skywalk across University Avenue between Princeton and Oxford Streets, to allow students to cross between two housing complexes (Johnstone and Hancock Halls), skywalk would have clearance of 14.10 ft. He reported that John Thompson, traffic eng., was researching whether any further restrictions. Reps. of Johnson Laffen Architects, Ltd. were present. It was noted that the hold harmless is included in the encroachment agreement.

Move by Klave and Hafner to approve request contingent upon encroachment agreement and approval by city engineer and city attorney. Motion carried.

2. Matter of Devils Lake Advisory Board.

Joe Belford, county commissioner of Ramsey County, stated he was here to talk about the Devils Lake-Sheyenne-Red River Basin Advisory Committee that he has been working on for some time; that the Red River Basin is composed of 20 counties and half the State's population. He stated that Devils Lake has been enlarging every year since 1993 and which is projected to rise another 3 ft. this year. He stated that he was here tonight to ask the City of Grand Forks to be a part of the organization they are putting together, called the advisory committee. He stated that each county is asked to submit a county commissioner's name, a city official's name and a Resource District board member (Grand Forks County would have three people in the committee). He reported they have about 30 agreements in place; have held two meetings and elected officers (chairman, Jim McLaughlin, water resource district member from Cass Co. and the vice chair is Bob Wood, Grand Forks County commissioner); and that they broke committee into three sections: the Devils Lake Basin, Red River Basin and the Sheyenne Basin; and Hetty Walker, Pembina, was elected sub-chairman for the Red River Basin. He stated that the chairman of Sheyenne River Basin is Ken Stroh, Ransom Co. Water Resource Dist. and alternate, Harlan Updahl, county commissioner from Barnes County; Devils Lake Basin: Barry Cox, county commission

from Benson County, and alternate, Arne Berg, county commissioner from Ramsey County. He stated that the purpose of this group is to make everyone aware of Devils Lake problem and process (outlets, etc.) so no hidden agenda. He stated he can see this group expanding to become involved with the new Red River Basin Board that's going to be formed next month (7 from Manitoba, 5 from North Dakota, 5 from Minnesota, 2 from South Dakota, and 2 from the three affected Indian Nations that are in the Red River Basin). He stated that this group (Devils Lake/ Sheyenne/Red River Basin Board) would be an advisory committee to the Red River Basin Board, and start to work on water issues and

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start to put together a process to try to curb some of the flooding that's happening, not only in Devils Lake area, but Sheyenne and Red River, through a good sound water management practice program. He stated that at their meeting another issue that was discussed was the lobbying group, that with area of 20,000 sq.mi. and half population of the State, it was felt that this group could become very strong lobbying group for projects that need to be done in any one of the areas and set up in a prioritized manner, not only with State Legislature but with federal people and others as well. He stated this group would have lot of importance, if handled properly, and set priorities and discuss the water management principals within the Red River Basin. He also reported that at their meetings they had some changes to the agreement and submitted copy of final draft; that they changed the name from a joint authority to Devils Lake/ Sheyenne/Red River Basin Joint Board, with limitations under the authority of the Century Code (water law - 61-16.1 joint powers agreement) and that this Board has no ability to tax; and if member wants to terminate they can do so by writing the State Water Commission and would be withdrawn from the group. He stated that another provision included is that if the Board feels they have accomplished their goals, they have right of termination (sunset clause). He stated he has been in contact with Mr. Vein, who has sent copy of agreement to the city attorney for review. He noted that all major cities have signed, as well as Pembina, Drayton, etc.; and they are asking Grand Forks to become a part of this and thinks will be very beneficial to everyone.

Committee asked what funding sources were; Mr. Belford stated that each entity would bear their representative's travel

expenses, and can see each entity contributing some funds for office expense (telephone, postage), but no heavy financial burden.

Mr. Vein asked who would be responsible for mailings, etc.; Mr. Belford stated that administrative support would be provided by ND State Water Commission. Mr. Belford also noted that the State's congressional delegation are highly in favor of this. Mr. Vein reported he hasn't heard back from the city attorney.

Moved by Klave and Hafner to hold for the city attorney's review.

Motion carried.

Beyer advised Mr. Belford that they would hold for city attorney's review for the time being, and that they may ask Mr. Belford to come back to give presentation to the entire council after getting further involved in this.

Mr. Belford gave brief update on what's happening in Devils Lake: projected rise in water level is 2.5 ft., bring level up to 40.5; to date over \$100 million has been spent (bridges, roads, sewer

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system, agriculture programs, etc.); that the Lake flows freely into Stump Lane at 1445 so if this becomes reality, which would raise Stump Lake 40 ft. and when gets to 1457 will free flow into the Sheyenne. He reported that the State Water Commission is currently doing some borings to see how much silt is in the channels to Stump Lake and into the Sheyenne; and they are doing a \$7 million permanent dike around the city of Devils Lake; they are raising Hwy. 57 this summer to 1445 which is \$8.5 million, plus other roads to \$2 million; going to spend another \$15-20 million this year without the dike, plus thousands of acres of agricultural land affected.

6. Consideration of bids:

g) Proj. 4468, Dist. 12, sidewalks in Landeco 2nd.

Al Grasser, asst. city engineer, reported that bids had been received for sidewalks, low bid \$3,802.50 for this portion; that typically they put sidewalks in easements (area dedicated as green space) at end of development or as ordinance requires and special assess properties, but they but have become aware that sidewalk was a requirement of the PUD process

and a requirement of the development of the property. He stated they have been in contact with the developer, Rod Hadland, and he's aware of the requirements and he is willing to install when weather permits. Mr. Grasser stated that his recommendation would be to reject the bids and allow the developer a period time to get the work done; Mr. Hadland suggested July 1, and issue is not sidewalk installation but is issue with the land owners.

It was noted that a letter of protest had been received by the city auditor's office and signed by 8 property owners. Dick Lian, 3714 Cherry Street, stated they have problem with people walking through their backyards, do not want maintenance, and also stated that no snow has been moved off that route this winter, not essential sidewalk. A protest was also submitted from Jennifer Morrow, 3706 Cherry Street, and she stated that existing sidewalks are not being maintained, and asked if they could get variance during winter so wouldn't have to shovel. It was noted the City has not been enforcing sidewalk maintenance re. snow removal because of the amount of snow this year.

Moved by Hafner and Klave to reject bids for Project No. 4468. Motion carried.

Mr. Hadland asked if sidewalk could be shifted farther north along property line where it should be; staff stated easement could be moved. Mr. Hadland also asked whether a 5 ft. sidewalk would have to be installed as it will connect to an existing 4 ft. sidewalk. Staff reported that 5 ft. sidewalk is required.

Mr. Grasser reported that he would work with developer to move sidewalks easement. Mr. Klave also cautioned Mr. Hadland about snow being pushed onto that area by adj. properties.

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e) Proj. 4593, Dist. 15, sidewalks in Sunland West.

f) Proj. 4617, Dist. 16, sidewalks in Landeco and Washington Addn.

h) Proj. 4612, Dist. 14, pedestrian route in Garden View.

Mr. Grasser reported these projects bid as a combined bid and distributed tabulation of bids received, reported that S.M. Kalenze Construction was low bidder, and recommended award.

Moved by Klave and Hafner to accept the low bid of S.M. Kalenze Construction in the amount of \$2,915.00, \$1,635.00, \$15,833.75

for a total bid of \$20,383.75 (this is less bid for Proj. 4448 above). Motion carried.

Mr. Grasser reported that Cameo Homes did not enclose their contractor's license in the bid bond envelope as required and bids for sidewalk and pedestrian route projects were not opened. Moved by Klave and Hafner that the bids of Cameo Homes for Sidewalk Projects Nos. 4468, 4617, 4612 and 4593 not be opened and be returned to the bidder. Motion carried.

a) Proj. 4571, 1997 sidewalk repair.

Mr. Grasser distributed tabulation of bids received, reported that Rogers Construction Company was low bidder and recommended award for standard sidewalk construction project. Moved by Klave and Hafner that we accept the bid of Rogers Construction Company in the amount of \$136,215.00 based on estimated quantities on unit price basis. Motion carried.

b) Proj. 4572, 1997 concrete street repair.

Mr. Grasser distributed tabulation of bids received, reported that Opp Construction was low bidder, and recommended award. Moved by Hafner and Klave to accept the low bid of Opp Construction in the amount of \$192,570.00. Motion carried.

c) Proj. 4573, 1997 asphalt street repair.

Mr. Grasser distributed tabulation of bids received, reported that Valley Contracting Company was low bidder and recommended award. Moved by Klave and Hafner to accept the low bid of Valley Contracting Company in the amount of \$26,250.00. Motion carried.

d) Proj. 4562, Dist. 379, storm sewer on 11th Ave.s. (Duke-34th St)

Mr. Grasser distributed tabulation of bids received, reported that Duckstad Contracting, Inc. was low bidder, and recommended award. Moved by Hafner and Klave to accept the low bid of Duckstad Contracting, Inc. in the amount of \$87,875.00. Motion carried.

7. Plans and specifications for:

a) Proj. 4578, Dist. 544, overlay in Medvue Addn.

Mr. Grasser reviewed district, and assessment based on

effective front footages. Moved by Hafner and Klave that we pass a resolution approving the plans and specifications for this construction and further that the city auditor be directed to advertise for bids on the project. Motion carried.

b) Proj. 4461, Dist. 370, sanitary sewer on S. 42nd St.

Mr. Grasser reported this is in conjunction with the Aurora, and that there is a tapping area for the project. Moved by Klave and Hafner that we pass a resolution approving the plans and specifications for this construction and further that the city auditor be directed to advertise for bids on the project. Motion carried.

c) Proj. 4462, Dist. 247, watermain on S. 42nd St.

Mr. Grasser reported there is a tapping fee area on this project also. Moved by Hafner and Klave that we pass a resolution approving the plans and specifications for this construction and further that the city auditor be directed to advertise for bids on the project. Motion carried.

d) Proj. 4561, Dist. 545, paving in Garden View Estates 1st Addn.

Mr. Grasser presented plans and specs. Moved by Hafner and Klave that we pass a resolution approving the plans and specifications for this construction and further that the city auditor be directed to advertise for bids on the project. Motion carried.

e) Proj. 4440, Dist. 386, south end drainway, Phase 1A

Mr. Grasser reported that Phase 1A covers area from Red River through 52nd Avenue South to the west side of Chestnut Street, have acquired land in this phase of the project, and there will be tapping fees on the project. Moved by Klave and Hafner that we pass a resolution approving the plans and specifications for this construction and further that the city auditor be directed to advertise for bids on the project. Motion carried.

f) Proj. 4603, Dist 251, watermain on 11th Ave.S.

Mr. Grasser reviewed plans and specs. Moved by Klave and Hafner that we pass a resolution approving the plans and specifications for this construction and further that the city auditor be directed to advertise for bids on the project. Motion carried.

g) Proj. 4517, Dist. 546, paving in Birkholz' 5th Addn.

Mr. Grasser reported this is area west of the Coulee and

includes 24th Avenue South, 29th Avenue South and South 40th Street, and that there is tapping fee area. Moved by Hafner and Klave that we pass a resolution approving the plans and specs. for this construction and further that the city auditor be directed to advertise for bids on the project. Motion carried.

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h) Proj. 4620, Dist. 384, storm sewer on 24th Ave.S.

Mr. Grasser reported this is storm sewer to 42nd St. Moved by Klave and Hafner that we pass a resolution approving the plans and specifications for this construction and further that the city auditor be directed to advertise for bids on the project. Motion carried.

i) Proj. 4526, Dist. 547, paving English Coulee Center.

Mr. Grasser reported this will serve area north of DeMers Avenue (have letter of credit for underground utilities). Moved by Klave and Hafner that we pass a resolution approving the plans and specifications for this construction and further that the city auditor be directed to advertise for bids on the project. Motion carried.

j) Proj. 4616.1, UPS System for DeMers and Washington.

Mr. Grasser reported this project is for uninterrupted power source (backup power source for this intersection); is budgeted through Highway Users'; and that they will be taking quotes and will get system that provides 2 to 4 hours of power. He also noted that City crews will install the system, that this will be first intersection and could add to traffic signals as they go. Moved by Hafner and Klave to approve plans and specifications and that the city auditor be directed to advertise for bids on the project. Motion carried.

8. Matter of creating special assessment districts:

a) Proj. 4557, Dist. 551, paving River's Edge (revised)

Mr. Grasser reported that this was approved by council at its last meeting, however, district has been revised to include several lots which would receive sideage and will require change in plans (request from developer to include storm sewer on 49th Avenue). He noted that this will replace prior assessment district and Special Assessment Commission is aware of this. Mark Lambrecht informed committee that underground utilities will be completed June 15 and that the paving contractor will not start until after July 1.

Moved by Klave and Hafner that we adopt resolution creating the assessment district, approving the engineer's report, including estimate of cost, an assessment district map, and further that we pass a resolution instructing the city engineer to prepare detailed plans and specifications, and that we declare intent to sell bonds to finance these improvements. Motion carried.

b) Proj. 4625, Dist. 385, Longview sanitary sewer.

c) Proj. 4626, Dist. 254, Longview watermain

Mr. Grasser reported that these two projects are located on 32nd Avenue South by RR tracks to bring utilities to Longview site, that there will be tapping fee area because property not annexed. Mr. Grasser also noted that sanitary sewer line sized

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only to the section line, on other side of tracks there will be new lift station. He reported that the watermain will be a 16" main and that there is City's share on the project.

Moved by Klave and Hafner that we adopt resolutions creating the assessment districts, approving the engineer's reports, including estimates of cost, assessment district maps, and further that we pass resolutions instructing the city engineer to prepare detailed plans and specifications, and that we declare intent to sell bonds to finance these improvements. Motions carried.

9. Matter of authorizing negotiating engineering services for storm sewer design on S. Washington Street.

Mr. Grasser reported that City had disagreement with DOT re. storm sewer design and impact on existing utilities and just prior to bid opening last week, the DOT agreed to allow the City to redesign the storm sewer at City's cost for upgrade. He noted that the liability will transfer from the DOT to the City. He stated they would like to hire consultant to design that to make sure that if any legal issues arise in the future will have an outside independent designer; and with flood situation, staff starting to switch to flood mode, and storm sewer needs to be designed. He reported that they had a consultant who assisted them in dealing with DOT on this issue, Houston Engineering, and would like to negotiate with them as they are familiar with the project. Moved by Hafner and Klave to authorize staff to negotiate with Houston Engineering for engineering services for this project. Motion carried.

3. Matter of surplus rear-load refuse containers.

Dick Newman, solid waste mgr., reported that they switched commercial routes to front-load system and have an excess of 274+ containers they would like authorization to sell, and would like monies to go back into container funds to change apartments to front-load containers. They will maintain inventory of rear-load containers (various sizes). He reported they have already been contacted by several companies re. purchase. Moved by Hafner and Klave to declare containers as surplus and offer for sale. Motion carried.

4. Matter of replacing automated refueling system.

Mr. Newman reported that they have problems with present system; that he talked to Mr. Schmisek and he is aware of problems they are having - they lose about 500 gal. in fuel ea. month in recording/inventory system. He stated that present system 13 years old, technology has changed to point where system obsolete. He stated that this system used to fuel all city vehicles, as well as some County vehicles and United Hospital ambulances. He stated est. cost \$17,000 to replace system and would be funded from gasoline fund. Moved by Klave and Hafner to approve request to replace system. Motion carried.

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5. Matter of bids:

a) heavy-duty truck

Mr. Newman reported they took proposals about 2 weeks ago, analyzed the bids and opened price proposals today, Rydell Truck Center only bidder, in the amount of \$86,621.00. He reported they budgeted \$120,000 for truck and packer, and total bids came in at \$118,000. Moved by Klave and Hafner to accept the bid of Rydell Truck Center in the amount of \$86,621.00. Motion carried.

b) front-load compactor

Mr. Newman reviewed tabulation of bids received, Sanitation Products was low bidder in the amount of \$56,133.00 and gave the best price on trade-in unit (truck and packer) for net cost of \$32,133.00. He stated they get better price if sell truck and packer as a unit. Moved by Hafner and Klave to accept the bid of Sanitation Products in the amount of \$56,133.00, less trade-in \$24,000, for a net price of \$32,133.00. Motion carried.

Mr. Newman reported they had received bid from ABM Equipment which was not identified on the envelope as a bid, and was opened in error, saw that envelope contained bid documents and envelope was closed, so not sure if envelope contained bid or statement that they were not submitting bid (packet not large enough to be an actual bid), but recommended that it be returned. Moved by Klave and Hafner that we return bid with explanation from city attorney. Motion carried.

Mr. Vein reported that they will hold on any additional bids until further along in once-a-week garbage pickup.

13. Request to call for bids for front-load containers.

Mr. Newman requested authorization to take bids on front-load containers (various sizes) and won't all be purchased at one time, but will purchase what have money for and then as they sell the surplus rear-load containers. Moved by Klave and Hafner to authorize call for bids on front-load containers. Motion carried. (committee only)

14. Informational item.

Mr. Newman reported that he had promotional tapes on side-load trucks and testimonials and would pass around for committee to review.

10. Matter of amended Highway Users' budget summary.

Mr. Grasser reviewed revised summary of Highway Users Fund Account showing projected 1997 carry-over of \$440,500 and which changed 1998 Highway Users projected carry-over to a deficit of \$702,000. He stated that he talked with Mr. Schmisek and that if there is a short-fall his recommendation would be to sell bonds that would be paid for through Highway Users account; and they will attempt to cut back on other areas of expenditure to reduce shortfall - street

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shortfall - street reconstruction and look at specific projects, ie., 27th Ave.N. bridge replacement. Mr. Vein stated that if proceed with Corps of Engineers flood study, that bridge would have to be removed.

Moved by Klave and Hafner to recommend to CIP to hold bridge replacement project on 27th Avenue North indefinitely. Motion carried.

11. Matter of engineering agreement for storm sewer on 42nd Street (DeMers - 17th Avenue South).  
Held in committee.

12. Budget amendment.  
Withdrawn - no action.

15. Annual report for 1996.  
Copies had been distributed to committee and council members for their review.

Meeting adjourned at 8:45 p.m.

Alice Fontaine  
City Clerk

Dated: 02/25/97