

MINUTES/PUBLIC SERVICE COMMITTEE
Monday, September 29, 1997 - 7:05 p.m.

Members present: Hagness, Hafner, Klave.

13. Matter of 49th Avenue South project.

Diane Bjerke, 114 49th Ave.S., and Marie Okstad, 210 49th Ave.S. stated they were here for health and safety for people on 49th, street full of holes and very dusty, that holes need to be filled in, no barriers around storm sewer, that they have called Opp Const. re. and Council Member Beyer and hear that it's not in the budget. They also questioned why Rivers Edge was paved before their street. Al Grasser, asst. city engineer, reported that 49th is part of same project as Rivers Edge, couldn't do in one construction season, and 49th will be paved next year; he noted that Rivers Edge paved first to provide access (if 49th constructed first, would leave with no access to the area). He reported he will talk to contractor re. keeping dust down and re. speeding complaints. He also reported that they had to redesign/reroute storm sewer which necessitated need for the ditch for drainage. There was some disc. re. graveling of 49th and to add to project cost, however, Mrs. Okstad stated they didn't feel that they should have to pay for gravel, street should be maintained. It was noted that it would take approx. 3 loads of gravel, at cost of less than \$500. Committee advised Mrs. Okstad and Mrs. Bjerke to contact Mr. Grasser if further problems re. this matter.

1. Applications for moving permits:

a) Scott Kroke to move garage from EGF to 1512 5th Ave.N.

Bev Collings, Bldg. & Zoning Adm., reported that all garage were quite nice, that with cleaning and sanitizing, and placing on concrete slab, building would meet Code requirements; she recommended approval of the application for moving permit. Moved by Hafner and Klave to approve application for moving permit. Motion carried.

b) Carl O. Gustafson to move garage to 810 14th Ave.S.

Mrs. Collings reported that upon completion of repairs (replace overhead doors, peeling paint and fascia rotting) building would meet Code requirements and recommended approval. Moved by Klave and Hafner to approve application for moving permit. Motion carried.

c) Wm. Lambert to move garage from EGF to 1006 S. 17th St.

Mrs. Collings reported that upon completion of repairs building would meet Code requirements and recommended approval.

Moved by Klave and Hafner to approve the application for moving permit. Motion carried.

d) Lee Liddle to move garage from EGF to 1218 S. 19th St.

Mrs. Collings reported that upon completion of repairs (con-crete slab and to clean and sanitize) building would meet Code, and recommended approval. Moved by Hafner and Klave to approve the application for moving permit. Motion carried.

MINUTES/PUBLIC SERVICE COMMITTEE

September 29, 1997 - Page 2

Mrs. Collings also reported that the buildings had been moved with understanding that if not approved, would have to remove; moved to meet City of East Grand Forks' deadline.

2. Matter of ICC physicals for commercial drivers.

Dan Gordon, dir. Human Resources, reported that employees are required to hold commercial drivers license, that his office notified about 45 days ago that City of Grand Forks has exemption (through Federal Motor Carriers Act - intercity zone), physicals not mandated to maintain commercial drivers license, up to council whether to mandate or not, that they bid through Altru Clinic at \$70/75 per physical for 120 employees (including bus drivers, dial-a-ride) once every two years, est. \$9,000, and is budgeted; and is asking for direction from committee whether to mandate or not to pursue. He also reported that 75% of accidents due to some form of illness (high blood pressure, diabetes, etc.). Hagness questioned cost, they pay \$55/ea. for physical exams for their employees.

Dick Newman, solid waste supt., reported he had lot of questions, concerns from his employees: whether all employees should be required (singling out specific group of people), what happens if employee fails test, and biggest problem is where physicals being done (at department), why their personal physician couldn't do physicals. Mr. Gordon stated that physicals done by certified occupational health physician; that if employee fails, physician can revoke license and issue temporary permit, refer individual to family physician until properly treated, and re-instate license.

Committee stated it was in the best interest of the City to have safe drivers, and that employees should be given time off from work to have physicals done. It was also noted that Workers' Comp. rates have decreased from \$551,000 down to \$225,000 and lower, that they get to those levels through these

programs.

Moved by Hafner and Klave that we approve mandating of physical exams, and changing the site for the physicals to the Altru Clinic. Motion carried.

3. Consideration of bids for salt and sand.

Chuck Grotte, asst. dir. of public works, reported they received only one bid for each; salt bid \$2/ton higher than last year, sand bid at same price as last year, and recommended award. Moved by Klave and Hafner to accept the bid of Cutler Wagner for 325 tons of salt @\$35.80/ton for a total of \$11,635.00, and the bid of Bradshaw Gravel for 5620 tons of sand @\$8.25/ton for a total of \$46,421.20. Motion carried.

6. Matter of modification to composting agreement with KBM, Inc.

Jim West, KBM, Inc. and Dr. Peter Hombach, were present. Mr. Grotte reported they were suggesting changing one sentence in the agreement which concerns new technology - to add: "It is agreed

MINUTES/PUBLIC SERVICE COMMITTEE

September 29, 1997 - Page 3

that any technology developed in the course of the study shall be considered "new" technology only at the written mutual agreement of the Owner and KBM, Inc. and the subconsultants of KBM, Inc." City will be owner of the new technology. There was some discussion and Dr. Hombach stated that it's expected that no new technology will come out of this. Mr. Swanson stated he has not reviewed and has no comments at this point.

Moved by Klave and Hafner to approve modification subject to final review by the city attorney. Motion carried.

7. Matter of agreements for design and construction engineering

services between CPS and City for Proj. 4669, Dist. 386.1, Southend Drainway Phase 1B from Chestnut to Hwy. 81.

Mr. Grasser presented matter of construction agreements for phase 1B, that they split project and phase 1A under construction; their goal is to try to get that section in this fall. He reported that drainway critical to future southend development of the city., that agreements are for design and construction services with hourly rates at about same rate. Mark Lambrecht, CPS, Ltd., was present. Moved by Klave and

Hafner to authorize entering into the agreements. Motion carried.

8. Matter of land acquisition for Proj. 4669, Dist. 386.1, Southend Drainway Phase 1B from Chestnut to Hwy. 81.

Mr. Grasser reported that they had hired appraiser about year ago, that with blizzards, flood, etc. never got appraisal, and hired another appraiser and received partial appraisal in August, and that appraisal is first step in making offer in land acquisition, that Mr. Swanson involved to help expedite land acquisition, that offers made to Bert Johnson and Francis Curran. He stated that there are some legal technicalities, that they have added to the process (5 acre purchase - waiting for appraisal and 6-acre lease to provide stockpile sites for excavation from these areas). He reported that offers have gone out to both property owners, have not had any acceptance of offers, and indications are that they will have to go through condemnation with both, (one benefiting tax purposes), and need to pass resolution in order to begin condemnation process for 3 parcels listed: parcel east of Cherry, parcel west of Cherry Street and Curran property east of Washington.

Mr. Swanson reported that the design and construction got ahead of acquisition and find ourselves in position to move quickly, but property owners not particularly interested in selling; that in one area some title defects, that offers expire first of October, and have neither acceptance or rejection (Ray LeClerc handling that and not sure what communications he has had with property owners), and probably should have been at this stage 60 days ago. He stated that to try to accommodate engineer's timetable for receipt and award of bids, that if council authorizes quick take, thinks he can

MINUTES/PUBLIC SERVICE COMMITTEE

September 29, 1997 - Page 4

get part of the right of way to Washington for this year's construction. He stated that they have used eminent domain procedure couple times in his tenure with City and resolved both by agreement rather than going to jury. Mr. Swanson stated that offer based upon appraisal which is opinion of value, determination of value by jury and they will hear different valuations; but no other choice. Committee asked if Mr. Johnson benefits from drainage, not just tax purposes and he has items on agenda that he wants City to deal with, and should assess back to the property owners.

Mr. Grasser reported they have been working on acquisition for

two years, and appears that only hope for timely acquisition is to go through eminent domain.

Mr. Swanson stated that the draft resolution before committee is not complete, minor changes that need to be made, the council would have to authorize deposit of money with District Court and authorize city attorney to move forward with litigation.

Mr. Grasser reported that Mr. Johnson concerned with favorable tax consequences, and possibly receiving higher price for land by going through condemnation. He reported that the dollar amount listed, \$171,000, includes right of way purchase and easements; there would be additional cost for the 5 acre parcel. Comm. asked staff to set up meeting with Mr. Johnson to discuss.

Moved by Hafner and Klave to adopt resolution offering to purchase land and authorizing deposit into Court and use of quick-take authority. Motion carried.

9. Consideration of construction bids for various projects:

a) Proj. 4682, Dist. 390 and Proj. 4683, Dist. 257, san. sewer

and water on 24th Ave.S. from 40th to 42nd Sts.

Mark Walker submitted tabulation of bids received, Soberaski, Inc. low bidder and recommended award. Moved by Klave and Hafner to accept the low bids of Soberaski, Inc. in the amounts of \$78,520.00 and \$34,496.00, for a total of \$113,016.00. Motion carried.

b) Proj. 4439, san. sewer Lift Sta. No. 38, loc. at Ruummele

Road and 40th Ave.S.

Tom Hanson, WFW, reported that Wanzek Construction low on the structure and United Crane & Excavation low on the forcemain, and recommended awarding both bids. He reported this is south of C'Mon Inn and serves whole section. He stated they have option to start construction this year with completion July 30.

There was some discussion re. future lift stations, and service areas.

Mr. Grasser reported that they are in the process of trying to

MINUTES/PUBLIC SERVICE COMMITTEE

September 29, 1997 - Page 5

finalize details of R/W plats for area south of Wal-Mart, and is thinking of including lift station site in with the drainway site, that they probably won't see that until December, next year's construction for station south of Wal-Mart.

Mr. Vein stated they will request payment out of CDBG funds.

Moved by Klave and Hafner to accept the low bids of Wanzek Construction in the amount of \$651,840 for Schedule A, and United Crane & Excavation in the amount of \$227,023 for Schedule C. Motion carried.

10. Plans and specs. for various projects:

- a) Proj. 4694, flood control structures on storm sewer outfalls on English Coulee.

Reps. (Mark Hefta and Lon Aune) of Advanced Engineering reviewed plans for flood control structures (slide gates to close off storm sewer and prevent backflow) on English Coulee between Gateway Drive and University Avenue, there are 7 outfalls in that area that are uncontrolled when the Coulee comes up, and some of the areas impacted were Shakespeare Road and Boyd Drive and others in that area. They also noted that they have been working with CPS and looked at some tentative alignments for secondary dike and trying to locate these structures so that if secondary dike built these gates could be closed and they could pump out of existing manhole over the dike.

Moved by Hafner and Klave to approve plans and specifications, and authorize call for bids to proceed with the project. Motion carried.

It was noted that bid latter part of October and completion end of March.

Mr. Grasser reported these projects submitted under Flood Hazard Mitigation to the State, and they will prioritize state-wide and notify us next week, that we are to proceed with these projects irrespective of whether get funds, it has been marked out as potential CDBG contributions; and these projects are interim measures, that Corps plan ultimate protection plan and will render these redundant.

- b) Proj. 4695, flood control structures on storm sewer outfalls on the River.

Mark Lambrecht, CPS, reported this is same type of project

- at three locations: Elks Drive and Belmont, 47th Ave.S. near Loamy Hills and English Coulee along 30th near Parkwood Place, with work done this winter.

Moved by Klave and Hafner to approve plans and specifications, and authorize call for bids to proceed with the project. Motion carried.

MINUTES/PUBLIC SERVICE COMMITTEE

September 29, 1997 - Page 6

c) Proj. 4696, flood control structures at various locations.

Mr. Walker reported this is similar project except this involves flap gates and sluice gates to storm sewer at various locations to protect from overflow.

Moved by Hafner and Klave to approve plans and specifications, and authorize call for bids to proceed with the project. Motion carried.

Committee suggested getting information out what they are doing for flood protection, general public needs to know.

d) Proj. 4697, pumping station at Columbia Road and DeMers.

Mr. Walker presented plans and specifications, KBM will design that project. Rep. from KBM reported that they have been asked to work on pumping stations at three locations: two are part of current project, one at DeMers Avenue and Riverboat Road near Sorlie Bridge, Columbia Road by Valley Contracting, etc. It was noted that the city filed grant application for electric pumps. Mr. Grasser reported that the whole flood mitigation project list totaling \$1.5 million (1996 projects) and competes for funding on state-wide basis. Comm. asked why put in electric pump and not continue using gas pumps; and it was noted that because of limited manpower during flood (electric pumps checked once day compared to many times a day).

Moved by Klave and Hafner to approve plans and specifications and authorize call for bids to proceed with the project. Motion carried.

11. Matter of two-way agreement for water on 32nd Ave.S.

Mr. Grasser reported this is Burger King site, agreement to install watermain, main has to go in before paving, authorization to enter into two-way agreement between Wild Rice Investments and the City of Grand Forks, City will prepare

plans, and bill them. Moved by Hafner and Klave to authorize entering into the two-way agreement for installation on watermain. Motion carried.

12. Matter of 3-way agreement for san.sewer on N. Columbia Road.

Mr. Grasser reported this project north of Columbia Road, that Valley Contracting is proposing strip mall development, and need to install sanitary sewer within City right of way, that they have retained WFW to do site plan and to draw plans, with developer paying costs. Moved by Klave and Hafner to authorize entering into the three-way agreement for installation of sanitary sewer. Motion carried.

14. Purchase of pumps.

Mr. Grasser presented proposal for purchase of 6 pumps which were rented during the flood and paid lease cost and now available at approx. half price of pumps, cost on matrix. Moved by Hafner

MINUTES/PUBLIC SERVICE COMMITTEE
September 29, 1997 - Page 7

and Klave to authorize purchase with CDBG funds. Motion carried.

15. Change order for Southend Drainway, Proj. 4440. Dist. 386.

Mr. Grasser presented change order for this project, closing chute, install flapgates to let water out, and prevent water from backing into drainway, that there are \$2 million in funds included in matrix for southend drainway closure and pump station, tentative est. \$150-200,000, and recommended using CDBG funds, that Corps putting in different closure at later date, and 5 years from now this will be obsolete so wouldn't want to special assess to the project. Committee stated they are nit-picking CDBG funds. Mr. Vein suggested special assessing to the area as they are bene-fitting. Moved by Klave and Hafner to approve the change order and assess costs to the project. Motion carried.

16. Matter of pump station serving Simplot.

Keith Johnson reported they have received response from Smith Const. to add third pump at Lift No. 22, station serves Simplot and north end of town, also Conte Luna and Red River Cement. Tom Hanson, WFW, reported that Simplot added new line and using so much flow that standby pump running 70% of the

time, est. cost \$55,000, and intention is that Mike Shea negotiating with Simplot for this additional capacity and large portion paid for as result of that negotiation. Moved by Hafner and Klave to approve installation of third pump at Lift Station No. 22 at an est. cost of \$55,000, with portion of cost to be negotiated with Simplot. Motion carried.

17. Matter of flood protection plan for water treatment plant.

Lisa Johnson and Charlie Vein, Advanced Engineering, reviewed flood protection plans for water treatment plant and est. costs of the various plans, and it was noted that FEMA would pay \$400,000 towards cost of project but not pay for levee system:

First Order Plan A (protect to elevation of 833.3+ 1.0 ft.) at est. cost of \$1,056,000 - this plan utilizes existing wall as barrier from water, and would allow plant to continue to operate at level of this year's flood.

First Order Plan B (protect to elevation of 388.3 + 1.0 ft.) at est. cost of \$822,000, this would have lesser degree of protection.

Second Order Plan A (protect to elevation of 833.6 + 3 ft) at est. cost of \$1,079,000; this plan would involve construction of temporary and permanent dikes around plant and also include land acquisition and building demolition, would provide protection to 200-year flood.

Second Order Plan B (protect to elevation of 833.6 + 3 ft) at est. cost of \$797,000, incl. land acquisition and demolition.

Charlie Vein reported this is interim protection and would like to see done this year.

MINUTES/PUBLIC SERVICE COMMITTEE
September 29, 1997 - Page 8

After considerable discussion it was moved by Klave and Hafner to approve First Order Plan A, which protects to elevation of 833.3 + 1.0 ft, at est. cost of \$1,056.000. Motion carried.

Comm. asked that they present this matter to the Flood Response Comm. also.

18. Change order for Proj. 4440, Southend Drainway, Phase 1A.

Mr. Walker presented Change Order #1, for miscellaneous items, added watermain, flood flapgates, additional fill and extends completion date to November 15, est. cost \$6,500.00. Moved by Hafner and Klave to approve the change order as presented. Motion carried.

5. Matter of recycling.

Mr. Newman reported that several weeks ago Vern's Refuse & Recycling sold to United Waste and they merged with USA Waste, and that Hagness asked him if the City could do the recycling and est. cost for City to get into recycling business, \$225,000/yr. to start, purchase of 2 trucks at \$85-90,000 each (amortizing over 10 years) and 4 people, \$160,000; lot of other things to be considered - marketing of recycling product. It was noted that City now pays \$336,960 to Vern's; and contract with RPM Recycling renewed before January 1998 and would be renewed for period of two years; he stated if withdrew City's recycling, they would probably extend their services farther out. He stated he wasn't sure could get equipment by that date because of bidding require-ments, etc. He stated that he is advocate of getting into recycling collection, not sure about marketing, and that City can do lot cheaper. It was noted that City owns containers. Committee asked that they inves-tigate further and bring back.

4. Matter of post flood refuse collection.

Mr. Newman reported on what has happened with City's collection; since flood City crews have collected an extra 40% over last year for both July and August for alley and berm collections.

He reported on once a week collection, crews downsized by 4 people (by mid-June), that once a week collection is working, that with the extra 40% and once week had set routes up for 550 homes per house and crews tried to accommodate, had two people out with back problems and another four complaining about backs, they broke extra truck loose to assist them and since haven't been complaining about workload, getting in on time, before running up to 2 hours extra ea. day. He noted that before flood going to landfill with one load day; when twice week collection, first day of week full load and second three-quarters full, now doing two loads/day. He stated they haven't had any citizen complaints, exc. with trash manuals which had some misinformation, satisfied with collection.

Committee stated that department made it work; and Mr. Newman
MINUTES/PUBLIC SERVICE COMMITTEE
September 29, 1997 - Page 9

stated crews really tried to make it work. Committee stated they have heard good reports on collection.

Mr. Newman stated that there are some things to keep in mind: limiting number of garbage cans, in the future hauling to near Manvel, etc., separate building materials, etc. from garbage. Comm. stated that when City goes to its own recycling, perhaps limit number of cans at that time.

Mr. Newman also noted that soon leaf pickup will be starting, and may take longer; Comm. suggested campaign for residents to take to composting pickup sites.

Meeting adjourned at 10:00 p.m.

Alice Fontaine
City Clerk

Dated: 9/30/97.