

MINUTES/PUBLIC SAFETY COMMITTEE

Tuesday, September 23, 1997 - 7:00 p.m.

Members present: Glassheim, Beyer, Sande.

1. Request from West Hall, UND, to hold outdoor festival on October 11 and request for variance to noise ordinance.

Tom Pehrson, 303-A West Hall, West Hall president, stated that the West Hall Council is hosting "West Fest" an outdoor festival for the entire campus on October 11 from 7:00 p.m. to 10:30 p.m., that activities will include two live bands, and they are requesting variance to the noise ordinance until 11:30 p.m. to clear area and tear down equipment, etc. He also noted that the sound should be contained within courtyard; that they will have security, and have support of campus residence halls. Moved by Beyer and Glassheim to approve request with variance to 11:30 p.m. Motion carried.

5. Matter of budget amendment.

6. Matter of Immunization Grant contract amendment.

7. Matter of Altru Health Plan Medical Assistance agreement.

Don Shields, dir. Health Department, reported that the Immunization Grant amendment provides \$22,140 increase in the grant, and is part of an ongoing grant agreement with ND Department of Health and involves a total of \$50,604 in grant funds for period July 1, 1997 through June 30, 1998 but that funds must be spent by December 31, 1997 and that budget amendment has been submitted. He noted the grant provides dollars for immunization at schools (Hepatitis B and tetanus boosters) for kids in the Grand Forks County area, and asked committee to consider approving both the grant and the associated budget amendment. Moved by Beyer and Glassheim to approve grant amendment. Motion carried.

Sande reported present.

Mr. Shields reported that the Altru Health Plan Medical Assistance agreement is an agreement that the State set up between the Department of Human Services and Altru Health Plan (HMO), test for Grand Forks County for medical assistance and could involve a total of 1900 people, Public Health Department provides immunizations, nursing home visits for newborns, flu shots, etc. and is between City and Altru to provide those same types of services but only in a contract arrangement with Altru since they were under a prepaid contract arrangement, for period November 1, 1997 through December 31, 1998. He stated

that they provide these services for Altru's patients who are on medical assistance (patients State has turned over to Altru to manage), and Altru has decided it is to their benefit to have Public Health provide those services vs. them-selves. Moved by Beyer and Glassheim to approve contingent upon approval of the city attorney. Motion carried.

Moved by Beyer and Sande to approve budget amendments in the amounts of \$6,300 and in the amount of \$22,140. Motion carried.

MINUTES/PUBLIC SAFETY COMMITTEE

September 23, 1997 - Page 2

2. Matter of complaint re. noise at Borrowed Bucks Roadhouse.

Sande stated that the committee has had a number of complaints over the summer about the noise emanating from Borrowed Bucks, specifically from apartment building behind Borrowed Bucks, and asked Health Department to take noise readings of noise levels at the apartment building and area behind Borrowed Bucks weekend before last, and noise levels exceed those permitted in noise ordinance. Apt. mgr. had stated that there were high turn-over in tenants.

Mac Larson, Health Department, reported he took noise readings at property directly west of Borrowed Bucks, the apartment building at 2867 19th Avenue S. on Sept. 15 and 19, and both evenings averaged 53 decibels which is over the limit in the ordinance which pro-hibits noise levels over 50 between the hours of 10:00 p.m. and 8:00 a.m. the following day. He stated that readings were on the sidewalk at east entrance to the apartment building, readings farther north and west were not over the 50 decibel limit, and inside the apartment building not above limit but could hear low bass sound.

Reps. of Borrowed Bucks were present: Warren Ackley, one of part-ners of Borrowed Bucks, 1502 S. 9th St., Fargo, and Chad Bonuck, new general manager, 1970 S. Columbia Road. Mr. Bonuck reported that they have new sound equipment and that there is a break-in period for speakers and amplifiers, that the sound technician was in and adjusted, and had turned low bass down, and hasn't heard any problems since. Mr. Ackley stated they want to be good neighbor and want to correct problem. Committee encouraged Mr. Ackley and Mr. Bonuck to work with health department to reduce noise levels.

There was some discussion re. buffer zone or sound barrier but Mr. Larson said that wouldn't work because too close. There was also some discussion re. penalty, which is up to \$500/day for each day of the violation, at discretion of municipal judge.

It was noted that in the past they also have received complaints re. litter. Beyer stated that this is first time seen ownership and new gen. mgr., and asked that they get together with health department and work out. Sande also suggested that they perhaps if have high readings off property, may need to take readings inside -threat to hearing (OASHA).

Moved by Glassheim and Beyer to receive and file, and that ownership and management work with health department to reduce noise levels. Motion carried.

11. Petition re. changing stop signs on 13th at Walnut and Chestnut.

Carol Hadlich, 1223 Chestnut Street, rep. residents, stated that petition signed by 106 residents had been sent to committee **MINUTES/PUBLIC SAFETY COMMITTEE**

September 23, 1997 - Page 3

opposing the conversion of stop signs on either the corner of 13th Avenue South and Chestnut Street and/or the corner of 13th Avenue South and Walnut Street, and proposing a 3-way stop system be established at both corners. She also stated that when they first received notice from Mr. Thompson that the committee would be con-sidering changing stop signs on Walnut and Chestnut and removing 13th Avenue South signs, the residents returned survey forms (as well as telephone calls) to Mr. Thompson protesting this change.

John Thompson, traffic engineer, reported that this change was part of study in area bounded by 4th Ave.S., 17th Ave. S., S. Washington Street and the River, that they highlighted any intersection that showed up to be intersections that were inappropriately controlled (political warrants or unbalanced traffic, etc.); that they changed 8th Ave.S. and S. 12th Street, 15th and Cherry, and these inter-sections were surveyed and they were waiting for summer to hold meetings, then flood hit and schools relocated, everyone has to move from east to west and get crossing issue handled for children, trying to put intersections at most efficient and safe situations.

A number of residents were in the audience, and several

individuals spoke in support of the petition: Doug Sebanaler, 1224 Belmont; Nick Ruhland, 1302 Walnut; Susie Harrie, 1308 Chestnut; Bonita Shambaugh, 1202 Chestnut; and stated that speed has increased on 13th Ave.S.

Sande stated that Cherry, 13th Ave.S. and 8th Ave.S. are collector streets, Belmont and 17th Ave.S. minor arterials, that there is potential to make Chestnut St. a minor arterial from 17th to Police Bldg. but only if that section of Belmont made a one-way street, have not had any complaints from vicinity of 8th Avenue re. changes on that street.

After considerable discussion it was moved by Beyer and Glassheim to change intersections of 13th Avenue South and Walnut Street, and 13th Avenue South and Chestnut Street to three-way stop inter-sections and to re-evaluate at traffic engineer's discretion. Motion carried.

Mrs. Hadlich asked that residents be notified before any changes are made.

4. Matter of signage at 9th Avenue North and North 25th Street.

Gerald Hamerlik, council member for Second Ward, presented matter of signage in this area, that residents concerned about speed on 25th. and need to look at whole area between University and 10th Avenue North, and asked consideration for safety of students (lot of trucks because of damage to West School). Moved by Beyer and Glassheim to refer to the traffic engineer for study. Motion carried. (comm. only)

MINUTES/PUBLIC SAFETY COMMITTEE
September 23, 1997 - Page 4

3. Request to consider removal of parking along the north side of 19th Avenue South between South Columbia Road and South 29th Street.

Mr. Thompson reported that this area has seasonal parking now (parking removed in winter - November 1 to April 1) and approval of this request would make that permanent. Moved by Beyer and Glassheim to authorize removal of parking as requested. Motion carried.
Glassheim excused.

8. Applications for gaming permits:

- a) Holy Family Altar Society - raffle 11/08/97
- b) Holy Family Church Knights of columbus Council #7176 -

raffle 12/07/97.

Applications had been reviewed and approved by the city attorney. Moved by Beyer and Sande that the applications be approved. Motion carried. (comm. only)

9. Matter of reinstating parking enforcement for police and street departments under Chapter VIII of the Code.

Mr. Swanson reported that in the area of parking and traffic, on-street parking of motor homes and trucks is suspended and probably need to continue that suspension; parking in excess of 24 hours and need to continue that also; limited time parking and daily parking restrictions (incl. street cleaning) and if have allowed on-street parking of trucks and trailer homes, would they have to be moved for street cleaning. He stated this issue could be considered in another month or so. (It was noted that street department has been ticketing and some conflict with municipal court who will not sign any warrants.)

Glassheim reported back.

It was moved by Beyer and Glassheim that we reinstate the enforce-ment of limited-time parking. Motion carried.

After further discussion it was moved by Beyer and Glassheim to reinstate enforcement of on-street parking of trucks and motor homes, parking in excess of 24 hours, and daily parking restric-tions, effective November 1. Motion carried.

Capt. MacCarthy asked whether someone would inform street depart-ment that parking regulations have not been reinstated for street cleaning and that tickets cannot be issued. Mr. Swanson reported that the street department has been advised by both the mayor's office and his office.

Sande stated that there is a problem with traffic enforcement, re. speeding, stop signs, left turns, etc. and asked police department for better enforcement. Capt. MacCarthy stated he would so advise the supervisors.

MINUTES/PUBLIC SAFETY COMMITTEE

September 23, 1997 - Page 5

10. Request for block party on Willow Drive on Sunday, Sept. 28, starting at 5:00 p.m. and blocking of Willow at S. 17th St. Moved by Beyer and Glassheim to approve request for

blocking of the street as requested. Motion carried. (comm. only)

Capt. MacCarthy asked if there was way for block party requests in the future to allow more time for processing. After some discussion it was moved by Beyer and Glassheim to delegate authority to police department to process requests for block parties through 1997. Motion carried. (comm. only)

Comm. instructed Capt. MacCarthy that notification be given to fire and street departments when block parties approved.

12. Application for site authorization - amendment to existing site by increasing number of blackjack tables, The ARC.

It was noted that the amendment would increase number of black-jack (21) tables to two at ARC's site at 2105 S. Washington Street (Red Ray Lanes). Moved by Glassheim and Beyer to approve amendment to the site authorization. Motion carried. (comm. only)

13. Matter of mutual aid agreement with City of East Grand Forks,

MN for police services.

Mr. Swanson reported that this is standard joint powers agreement for mutual aid, similar to what fire department has. It was stated that this doesn't obligate but allow response, and also protects employees under Workers Comp. Mr. Swanson stated that key change is that it moves decision whether to participate from the mayor to the department (officer in charge), and follows what fire department has had for a number of years.

Moved by Glassheim and Beyer to approve the mutual aid agreement. Motion carried.

14. Matter of truck traffic over Sorlie Bridge.

Beyer reported she had received complaints re. truck traffic, that with construction downtown, whether there was any way to restrict truck traffic over the Sorlie Bridge. Capt. MacCarthy stated that is a truck route. Mr. Swanson reported that when DeMers blocked between 3rd and 5th, they detour traffic around to Kittson, and have designated as truck route and less traffic than under normal circumstances. Glassheim reported that he had talked with John Thompson, traffic eng., re. synchronizing traffic signals and he will do that. Moved by Beyer and Glassheim to receive and file. Motion carried. (comm. only)

15. Application for gaming permit:

a) Physical Therapy Club, UND - raffle October 4, 1997.

It was noted this application had been reviewed and approved by the city attorney. Moved by Glassheim and Beyer to approve the application. Motion carried. (comm. only)

MINUTES/PUBLIC SAFETY COMMITTEE

September 23, 1997 - Page 6

16. Information.

Mr. Swanson reported that at the last meeting they discussed refund of liquor license fees for those downtown businesses that have not been able to reopen, and was sent to their office to draft ordinance, that under the declaration of emergency would not need to draft ordinance to address that, but would simply identify those who couldn't reopen as result of flood damage and fire damage and authorize credit or refund, could be done by resolution (that it affects the Hub, Bonzers, French Connection, Knights of Columbus, Uptown, McGuires, Whiskey Point, etc.). No action at this time.

Meeting adjourned at 8:40 p.m.

Alice Fontaine
City Clerk

Dated: 9/24/97