

September 2, 2025

**PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF GRAND FORKS, NORTH DAKOTA
September 2, 2025**

The city council of the city of Grand Forks, North Dakota, met in Council Chambers on Tuesday, September 2, 2025, 5:30 p.m., with Mayor Bochenski presiding. Present at roll call were Council Members Weigel, Osowski, Berg, Lunski, Fridolfs, Sande and Vein - 7; absent: None.

Pledge of Allegiance was led by the Mayor and City Council.

MAYOR'S ANNOUNCEMENTS

Mayor Bochenski commented on various community events including the Agristo celebration event in Town Square.

PRESENTATION – RED RIVER VALLEY COMMUNITY ACTION UPDATE

Collin Hanson, Community Development, informed City Council that Red River Valley Community Action has ceased operations and is considering dissolving. He provided information on the various programs that used to serve the community through that organization and the transitional processes that are being put in place to continue to serve members of the community that utilize the programs.

PROCLAMATION – NATIONAL ASSISTED LIVING WEEK

Mayor Bochenski proclaimed the week of September 7-13, 2025 as National Assisted Living Week.

**ADOPT ORDINANCE NO. 4924 ENACTING TRESPASSING
ON CITY PROPERTY AND APPEAL**

A public hearing was held on an ordinance entitled “An ordinance to enact City Code Section 9-0127.1 relating to trespassing on City Property; Appeal”, with no public comment received. Council Member Osowski moved and Council Member Lunski seconded to give final approval of the request and adopt Ordinance No. 4924. Motion passed unanimously.

**ADOPT ORDINANCE NO. 4925 RELATING TO
GAMING SITE AUTHORIZATIONS**

A public hearing was held on an ordinance entitled “An ordinance to amend Grand Forks City Code Sections 9-0401(2) and 9-0406 relating to gaming and site authorization of gaming. The following individuals provided comments on this item: Andrew Ktauseneck, Julie Lewis on behalf of North Prairie Performing Arts, and Mike McMenamy.

City Attorney Gaustad provided information on what is allowed to be included as qualifications at the municipal level and what can not be included. A city can not restrict where or on what funds raised from gaming be spent. He also noted changes that had been made based on discussions and action at first reading.

Council Member Weigel moved and Council Member Osowski seconded to approve the ordinance as presented.

Council Members discussed potential unintended consequences of the restrictions relating to board members and employee residency requirements, that there is a delayed effective date of July 1, 2027 which

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gives organizations time to become compliant, and the message from some organizations that are local and having a hard time finding a way to get into gaming due to lack of sites. Compliance of the new requirements will be monitored through annual reporting at renewal date.

Upon call for the question, motion on the adoption of Ordinance 4925 passed 5-2, with Berg and Vein dissenting.

ADOPT RESOLUTION DETERIMING AN INSUFFICIENCY
OF PROTEST ON REQUEST TO VACATE DRAINAGE
EASEMENTS IN HOMESTEAD GROVE FOURTH ADDITION

City Council held a public hearing on a request to vacate drainage easements located in Lots 1 and 2, Block 1 of Homestead Grove Addition, 1051 10th Avenue South and 4401 South 11th Street, with detailed description of the area on the map for recording. No public comments were received. Council Member Sande moved and Council Member Fridolfs seconded to approve the request and adopt a resolution of insufficiency of protest. Motion passed unanimously.

CITIZEN COMMENTS

The following individual addressed the city council: Greg Rixen, Andrew Krauseneck.

Several electronic comments were attached and also provided to City Council for their information.

ACTION ITEMS CONSENT AGENDA

Council Member Berg moved, and Council Member Weigel seconded to approve the following items on consent agenda, with the motion passing unanimously.

1) Approved reappointment of Greg Rixen to the Event Center Commission for a three-year term.

2) Directed Special Assessment Commission to assess special assessments on an estimated basis for the following projects:

Storm Pond Outfall, Proj #8485.02, Dist #601: Hwy 81 & Associated Area	\$1,439,329.29
Paving & St Lights, Proj #8545.00, Dist #766: Grand Valley 1 st Addition	\$1,686,898.28
Paving & St Lights, Proj #8545.88, Dist #766: Grand Valley 1 st Addition	\$4,250,634.65
Storm Sewer, Proj #8729.00, Dist #600: 30 th Ave N (Hwy 81 to N 32 nd St)	\$1,670,637.05
Mill & Overlay, Proj#8758.10, Dist #772.1: Near Southside Neighborhood	\$ 646,868.40
Mill & Overlay, Proj #8758.20, Dist #779.2: 17 th Ave S (S Wash to S 20 th St)	\$ 109,402.28
Reconstruct, Proj #8790.00, Dist #782: 10 th Ave S	\$ 275,071.17
Storm Sewer, Proj #8811.00, Dist #604: 2 nd Ave N (Columbia Rd to N 25 th St)	\$ 580,035.58
Street Lights, Proj #8833.00, Dist #226: 4 th Ave S & Lincoln Dr.	\$ 55,874.78
Sanitary Sewer, Proj #8834.00, Dist #610: Crary's 12 th Resub.	\$ 262,043.14
Watermain, Proj #8835.00, Dist #361: Crary's 12 th Resub. (57 th Ave S to 500' S)	\$ 153,968.94
Paving, Proj #8838.00, Dist #786: Career Dr (N 42 nd St to N 43 rd St)	\$ 952,378.39
Sanitary Sewer, Proj #8844.00, Dist #608: Opportunity Park 2 nd Resub	\$ 248,153.44
Watermain, Proj #8845.00, Dist #360: Opportunity Park 2 nd Resub	\$ 451,810.41
Storm Sewer, Proj #8846.00, Dist #609: Opportunity Park 2 nd Resub	\$1,677,500.00
Storm Pond Outfall, Proj #8916.00, Dist #611: UND Pond Outfall N 25 th St	\$ 160,893.60
Storm Sewer, Proj #8926.00, Dist #615: 27 th Ave N & N 32 nd St	\$ 588,781.21

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- 3) Considered an ordinance entitled “An ordinance to amend Grand Forks City Code Sections 8-1503 and 8-0516 so as to update the ordinances of Grand Forks to be in compliance with the new laws under the updated Century Code”. The City Code sections relate to speeding in construction zones, overtaking a bus and disregarding a traffic signal, to be in compliance with updates to Century Code.
- 4) Approved an MOU with Grand Forks County relating to infrastructure work within the area of the County office building where the Health Department offices are located. Work will include fiber installation, cabling upgrade and city network integration. Benefits of the project will be improved network security, better use integration for the Health Department staff, and increased efficiency. The agreement will also need approval by the County Commission, which will review the item at an upcoming September meeting.
- 5) Approved a Task Order Agreement for Professional Services for the Police Department Remodel, Project #8984, with EAPC for architectural services in the amount of 8.5% of the owner’s budget for the Cost of Work, as calculated per the detailed description in the contract, with any additional services at the rates included in the agreement. The project is budgeted at \$1,098,000.00.
- 6) Approved a Preliminary Engineering Reimbursement Agreement for Project No. 8987, Gateway Dr & N 43rd St Intersection Improvements with NDDOT, along with any necessary budget amendments. This project is a Primary Regional Road, with cost sharing anticipated to be 90% Federal/10% State /0% City Share.
- 7) Approved Task Order Amendment No. 1 for Project No. 8549, Upgrade Storm Sewer Pump Station #184, with Webster, Foster & Weston in the amount of \$26,460.00, along with any necessary budget amendment.
- 8) Approve Amendment for Task Order for Project No. 8529, Upgrade Flood Pump Stations 202, 203 & 210, with Webster, Foster & Weston (WFW) for engineering services that will be reimbursed through liquidated damages to RBB Electric, in the amount of \$79,970.00.

ACTION ITEMS PULLED FOR DISCUSSION

- 1) Considered the Fire Chief Employment Agreement with Charles Marcott. Council Members discussed various aspects of the agreement including the provision for leave accrual and carryover, as well as differences between Civil Service positions and Contract positions. Mr. Marcott introduced himself to the Council, providing background information including his 20+ years of service with the City in various roles with the Fire Department. Council Member Sande moved and Council Member Osowski seconded to approve the agreement. Motion passed unanimously.
- 2) Considered an ordinance enacting an ordinance relating to Alcohol Compliance. City Attorney’s office provided information on the background for the ordinance, which is to replace the process for handling compliance check failures that was previously done by the Attorney General’s office, but now falls to local jurisdictions to enact sanctions in the form of monetary fines or license suspensions. Discussion included levels of fines vs. suspensions and comparison of the proposed ordinance to other communities in the state. The proposed ordinance is similar to what applies to tobacco compliance failures by businesses, with the intent to stress the importance of not selling products to minors. Council Members asked staff to gather further information on this item. Council Member Fridolfs moved and Council Member Lunski seconded to postpone this item to the Committee of the Whole meeting on September 8, 2025. Motion carried unanimously.
- 3) Considered an ordinance entitled “An ordinance to amend Grand Forks City Code Section 14-0402, and creating City Code Section 14-0420, relating to the use of mobility devices on the Greenway”. The

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ordinance is coming forward at the request of a citizen that has mobility issues and would like to be able to utilize a low-speed vehicle to be able to access the Greenway trails along the river. The request was reviewed and approved by the Greenway Technical Committee and the Bicycle, Pedestrian and Greenway Advisory Committee, with stipulations that this type of vehicle be allowed on paved trails only and a permitting system is put in place. Police Department has worked with Finance on how a permitting system with a minimal fee would be implemented. Council Member Berg moved and Council Member Osowski seconded preliminary approval of the ordinance. Motion passed unanimously.

4) Received information on a request for a Letter of No Objection for Project No. 8975, 2025 Drain #4 Water Resource District Improvements. Al Grasser, City Engineer, provided information on proposed work on Legal Drain #4, which the Grand Forks Water Resource District is considering to address flooding to adjacent farmland. As Drain #4 is considered part of the flood control project, the US Army Corps of Engineers must evaluate the request and needs a letter from the City. There will be no cost to the City for this project. This is information only with no action needed tonight, but will go through the next cycle of meetings for action.

5) Considered a request for a Tax Incentive in the form of a Payment in Lieu of Taxes (PILOT) from Northridge Construction for the development referred to as The Reserve. This development was initially reviewed earlier this year with an initial request for a 20 year 100% PILOT, which after review of the third party financial analysis was adjusted to a 15 year PILOT with years 1-5 100%, years 6-10 80%, and years 11-15 60% and no reduction for years 16 and beyond, with action in July 2025 by all Grand Forks County, Grand Forks Schools and the City of Grand Forks to continue negotiating with the developer. Following further negotiations, a revised request for a 100% 5-year PILOT has come forward. The restructured project has been reviewed by our third party financial advisor and meets the coverage requirements for a sustainable project. Among changes to the project are a realignment of unit types to be offered, additional capital investors, and comfort with a higher risk level by the investors. As this incentive is for 5 years, a vote to participate by the County and School is not required. Council Members discussed concerns they have heard regarding tax incentives for housing projects, the need to stimulate housing development in the community and challenges with cost of construction versus rental rates that are sustainable in the market. Council Member Sande moved and Council Member Lunski seconded to approve the 5-year 100% PILOT for the Northridge Construction Project "The Reserve". Motion passed 6-1 with Osowski dissenting.

EXECUTIVE SESSION

Mayor Bochenski announced that City Council will enter into executive session on the pending litigation of East Central Regional Water District v. City of Grand Forks, United States District Court Case Number 3:20-cv-208, as allowed under NDCC Sections 44-04-19.1, 44-04-19.2 for attorney consultation on pending litigation.

Council Member Weigel moved and Council Member Berg seconded to convene in executive session. Motion passed unanimously.

Executive Session commenced at 7:20 p.m. with the following in attendance: Mayor Bochenski; Council Members Weigel, Osowski, Berg, Lunski, Fridolfs, Sande and Vein; City Attorney Gaustad; Holly Suave; Maureen Storstad; Sherie Lundmark; Todd Feland; Ryan Brooks; Melanie Parvey.

Council Member Fridolfs moved and Council Member Berg seconded to return to open session at 7:52 p.m. Motion passed unanimously.

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INFORMATION ITEMS

The following information was provided for City Council's information: Statement of Changes in Cash Balances as of July 31, 2025.

APPROVE VENDOR LIST AND ENGINEER ESTIMATE

Vendor list 25-18, dated September 2, 2025, in the amount of \$2,117,214.25 and Engineers Estimates dated August 31, 2025 in the amount of \$11,172,434.56 was presented. It was moved by Council Member Berg and seconded by Council Member Lunski to approve. Motion passed unanimously.

APPROVE MINUTES

Minutes from the August 18, 2025, City Council meeting were presented. Council Member Fridolfs moved and Council Member Berg seconded to approve. Motion passed unanimously.

MAYOR AND COUNCIL MEMBER COMMENTS

Council Members Osowski commented regarding Agristo event held last week, emails from residents relating to violence in the community and strategies to increase safety.

Council Member Berg commented regarding citizen comments received relating to having closed captioning for those attending meetings live in Council Chambers. Mayor responded that there are issues with automated closed captioning and errors that can occur, informed that there is a loop in Council Chambers to assist those with hearing aids, and that our ADA officer, Tangee Bouvette, HR Director, can work with City Attorney to make sure we are providing options as required by ADA.

Council Member Fridolfs commented that grant we applied for to add police officers will help with safety issue.

Mayor Bochenski congratulated Council Member Berg on birth of her daughter.

ADJOURNMENT

Motion by Council Member Lunski and second by Council Member Fridolfs to adjourn the meeting at 8:00 p.m. Motion passed unanimously.

Respectfully submitted,



Maureen Storstad
City Auditor

Approved:



Brandon Bochenski, Mayor