

Greenway Technical Committee (GTC) Staff
10:30AM - Tuesday, October 14, 2014
Grand Forks Park District Office - 1210 7th Ave. S. Grand Forks, ND

MEETING NOTES

Steve Mullally, chairperson
David Kuharenko, GF Engineering
Dave Aker, EGF Parks & Rec

Catherine Johnson, RRSRA
Sgt. Derik Zimmer, GF Police
Bill Palmiscno, GF Park District

I. Old Business

- A. **Boathouse & river access:** Kim has been trying to work with Ground Up Adventures regarding the floating dock placed near the boathouse site. Access to the dock is difficult because of the steep and slippery riverbank. The size and flexibility also make it difficult for inexperienced users to utilize. There have been a few reports of people falling off the dock. A path to more accessible site is being installed to the north of the boathouse. Work is expected to be completed later this month.
- B. **NASA Picture Posts:** Instructional signs have been ordered and should be installed later this month.

II. New Business

A. Vegetation management

- i. **Invasive and noxious weeds:** Both states require that invasive species are eliminated. Programs are available through the County for assisting with removing some species. Eliminating weeds from the Greenway is nearly impossible because of the flooding. The water brings new seeds to the area and continues the cycle.

GF has been working to eliminate burdock and plantain in a few of the public areas. The main goal has been to keep it away from the trails and contain the weeds to limited areas. GF has been using a rotation of mowing and spraying in most of these areas. Kim has been documenting the progress in a few areas. She will share that document with the group. There is burdock, crowned vetch, and common tansy along trails in EGF. Both cities have Purple Loosestrife in areas.

EGF uses city employees to spray weeds. GF contracts the work out to a private company. The parks employees at the GF Park District are certified through the state for spraying.

- ii. **Written policies**

- a. GF has a written vegetation management policy on the Greenway website. These were done in response to citizen inquiries about mowing and weed management. The document is just a policy but it is helpful for answering questions about the methodology used for vegetation management in the Greenway.
- b.

B. Winter preparations

- i. **Ski trails:** EGF will be grooming the same trail as in years past. GF has revised a segment of trail south of Sunbeam trailhead to 47th Avenue South. The new trail is closer to the river.
- ii. **Snowmobile trails – update for GF:** Commercial development along South 42nd Street might be in conflict with the current snowmobile route. The paved shared-use path has been extending further south and is in the path of the snowmobile route.

Planned development along this street over the next few years will make mixed use difficult.

The snowmobile club would like to continue to have a north-south piece to the route. One option is a permanent north-south route through the Greenway. This route could run along the river and would include permanent signs to mark the route. Permanent, marked routes can cut down on riders going off the trail into other areas. Snowmobile tracks are good for fat bikes, which have been increasing in the Greenway during the winter.

If the snowmobile club would like a route in the Greenway, they will need to submit a request form to the Greenway Technical Committee for consideration. The next step would be to make a formal request to the GF Chief of Police for consideration. The final step may include approval from City Council.

- C. Meeting location after December 1:** The GF Park District offices will be moving to ICON Hockey Arena in December. Kim will book the GF City Hall for future meetings, beginning in December.

I. Greenway & Trail Users Advisory Group update

- a. Changes in meeting location and possibly mission:** The group is looking at their mission and purpose for the future. The group started as an avenue for people who enjoyed the Greenway and wanted to learn more about activities in the Greenway. It has also been a way for staff to stay connected with users.

On November 3, 2008, the GF City Council voted to include the bicycle advisory component to the mission of the group. The staff report for this request states *"This mixed users group meets monthly and is a sub-committee of the Greenway Technical Committee. Therefore, suggestions and recommendations made by the users group would continue to be explored and fleshed out by the staff members of the Greenway Technical Committee. If policy changes would be necessary, the Greenway Technical Committee would bring these to the appropriate City Council Stand-by Committee."*

This could pose some problems for the order of business of the technical committee. Kim will work on determining a plan to maintain a good workflow and flesh out how the user group and technical committee will function together. She will also continue to work on how to establish the role of the user group for bicycle related decisions.

II. Greenway Agency Updates

- A. City of EGF:** Crews have been working to winterize the restrooms for the season. They are still moving forward with the future pool plans. The harvest workers are moving out of the campground on Thursday. The water will be turned off at that time. The electricity will be shut off after Sunday.
- B. GF Park District:** Crews have been working to winterize the buildings.
- C. City of Grand Forks:** Kim is working with representatives from fire, law enforcement, and other emergency responders to start a river advisory group. This group would develop a set of standards for river access during high water times, work toward a unified permit system for special events on the rivers, and improve inter-agency communication for water related events.
- D. MN DNR: No report**
- E. GF Engineering:** David is working on the funding application for a shared-use path along DeMers Avenue from 42nd street to 48th street.

III. Other

- IV. **Next Greenway Technical Committee meeting: November 18, 2014 at 10:30 am at Grand Forks Park District, 1210 7th Avenue South. PLEASE NOTE: THIS IS ONE WEEK LATER THAN USUAL BECAUSE OF THE VETERAN'S DAY HOLIDAY.**
- V. **Next Greenway Technical Committee STAFF meeting: December 9, 2014 at 10:30 am at Grand Forks Park District, 1210 7th Avenue South**

Submitted by: Kim Greendahl, Greenway specialist, city of Grand Forks

Supporting documents:

- Picture Post sign example
- Vegetation and Weed Control for the City of Grand Forks Greenway
- Vegetation Management Policy - GFGreenway 4-15-09
- GF City Council Staff Report August 11, 2008
- GF City Council Staff Report October 27, 2008
- GF City Council meeting minutes for November 3, 2008
- New cross-country ski route south of Sunbeam trailhead in GF

Vegetation and Weed Control for the City of Grand Forks Greenway

Summary: The primary function of the Greenway is to serve as a floodplain to allow the flow of high water through Greater Grand Forks. Fortunately, this occurs on an infrequent basis. During times of normal water flow, the Greenway provides seemingly endless opportunities for recreation and outdoor enjoyment.

Managing the Greenway requires a balance of preserving and restoring the natural setting while providing recreational opportunities for park users. The best practices for vegetation management are not always compatible with visitor services or access but are necessary for long-range planning. The main criteria for deciding vegetation maintenance plans is how it will affect flood control.

Goals and objectives: The goals of vegetation restoration and management are:

- Maintain a functional flood protection system to protect the community
- Provide both natural and manicured areas for the enjoyment of greenway visitors and wildlife
- Restore and build natural bank stabilization through vegetation
- Administer vegetation control methods that control weed population and encourage healthy vegetation growth

Types of weeds:

Noxious weeds: any species of plants "which when established is or may become destructive and difficult to control by ordinary means of cultivation or other farm practices." Noxious weeds have a high capacity for destruction and can be difficult to control or remove.

Troublesome weeds: any plant considered undesirable, unattractive, or troublesome, especially one growing where it is not wanted.

Methods: Mowing, burning and herbicides have been used to maintain and restore areas in the Greenway.

Riparian Restoration

A riverbank stabilization and wildflower restoration project was started in 2005 in several areas along the Red River in the Greenway. Funding for the project was received by from Red River Regional Council-Red River Basin Riparian Project. This included North Dakota Forest Service and the Energy & Environmental Research Center as well as North Dakota Game & Fish Department. Funds from the City of Grand Forks were also used for the project.

Grand Forks Greenway Vegetation Management General Plan and Policies

- I. Executive Summary
- II. Mowing and Maintenance
 - a. Debris removal
- III. Trees
 - a. Large scale plantings
 - b. Small scale plantings
 - c. Reforestation
 - d. Maintenance
- IV. Weed Control
 - a. Common weeds
 - b. Noxious weeds
- V. Riparian Management
- VI. Landscaping
- VII. Recommended Planting List- Trees, Shrubs, and Grasses
- VIII. Partners and Resources

Executive Summary

The primary function of the Greenway is to serve as a floodplain to allow the flow of high water through Greater Grand Forks. Fortunately this occurs on an infrequent basis and during times of normal water flow the Greenway provides seemingly endless opportunities for recreation and outdoor enjoyment.

The management of the Greenway requires a delicate balance of preserving and restoring the natural setting of the facility while continuing to provide recreational opportunities for park users. Best practices for vegetation management may not always be compatible with visitor services or access, but are necessary components to any long range planning. The function of the area is the main criteria for determining maintenance plans.

Overall maintenance of the Greenway is done by two agencies: the City of GF and the GF Park District. The City of Grand Forks owns all the land in the North Dakota portion of the Greenway. The Grand Forks Park District manages four of these areas. These areas include Riverside, Kannowski and Lincoln Drive Parks and Lincoln Golf Course. The City of Grand Forks manages and maintains all other areas on the North Dakota side.

The goals of the vegetation management plan are:

- Provide guidelines for vegetation management decisions
- Maintain a functional flood protection system for the protection of the community
- Provide both natural and manicured areas for the enjoyment of greenway visitors and wildlife
- Restore/build natural bank stabilization through vegetation

Mowing

The Grand Forks portion of the Greenway includes approximately 900 acres of natural green space that requires a wide variety of maintenance levels. The criteria used for determining maintenance levels are the effects on bank stabilization, flood control, how the area is used, best management practices and cost.

Guidelines:

- a. All high recreation areas, including the downtown area, are mowed on a regular rotation, as weather and soil conditions permit, to maintain a reasonable grass height. Saturated soil or forecasted dry weather may cause the alteration of mowing plans.
- b. Mowing begins at the north or south end of the Greenway and continues the entire length of the project until completed. Special exception may be given for community special events or areas missed during previous mowings because of special circumstances.
- c. Spot mowing in a specific area is done only as necessary.
- d. Some areas will either be revegetated or left in a natural state with periodic maintenance to remove weeds or diseased tree species. These areas include, but are not limited to, most riverbank property.

Debris Removal

The winding path of the Red River creates plenty of opportunity for debris to collect along the riverbank. Although this debris may be unsightly to some, fallen trees can provide habitat for birds and other wildlife as they travel through or live in the Greenway. Most debris piles will not be removed unless there is concern for damage to other property or person, or the debris impedes the natural flow of water.

Trees

Trees and shrubs play an important role in the natural beauty of the Greenway as well as environmental benefits for our community. Erosion control, removal of carbon dioxide and reduction of carbon emissions are just a few of the benefits of maintaining healthy vegetation in the Greenway.

The Greenway is home to more than 76 species of trees. A Tree Inventory Report and Management Plan was conducted by ACRT, Inc. in 1998 on behalf of the Grand Forks/East Grand Forks Metropolitan Planning Organization. Inventory, maintenance needs, and urban forestry management are addressed in this report.

Trees located in areas of the Greenway managed by the GF Park District are maintained by that agency at no cost to the City of Grand Forks. The GF Park District also provides general advisement on tree management for all other areas.

Guidelines:

- a. Old and decaying trees are removed when they pose a safety hazard.
- b. Care will be taken to maintain the road corridors left behind from the removal of the homes in Lincoln Drive Park to be a reminder of the former neighborhood.

Large scale plantings

During the construction of the flood protection project, some tree plantings were removed from the Phase II and III design plans as a cost saving measure. Private and foundation funding has provided opportunities to reinstate some of these planting projects and staff continues to pursue funding from a variety of sources to replace these eliminated trees.

The criteria used for pursuing tree planting projects are the need to replenish old or damaged stock, provide a visual buffer and/or the need to provide erosion control along the riverbank. Greenway staff works with the Grand Forks Park District and contracted staff to determine planting needs.

Greenway Tree Planting Program

The Greenway attracts a wide variety of visitors and is a special place for many. Each year several trees are planted within the project in memory of loved ones or mark a special occasion or location. The Greenway Tree Planting program offers an opportunity for Greenway users to purchase a living, growing memorial for a loved one or special occasion to be planted in the Greenway.

Weed Control

Weed control is an area that generates considerable discussion among greenway users. A desire for weed free areas, differing ideas on what constitutes a weed and community concerns about the use of chemicals in public areas are all topics of concern.

Like any lawn or garden the Greenway experiences fluctuations in weed frequency. The biggest obstacle for creating a weed free area is the function of the Greenway as floodplain in which high water brings weed seeds that are left behind after waters recede. Even with the most comprehensive spray program, providing and maintaining weed free environment in the Greenway will not be achievable.

Weed categories**Common weeds**

Dandelions are the most common weeds found in the Greenway. The City of Grand Forks contracts for herbicide spraying to combat the problem. Spraying is done on an as needed basis.

Noxious weeds

Noxious weeds are described as any species of plants "which when established is or may become destructive and difficult to control by ordinary means of

cultivation or other farm practices." Noxious weeds have a high capacity for destruction and can be difficult to control or remove.

Riparian management

Riparian restoration provides the opportunity to develop semi-natural areas in the Greenway that provide vegetation for stability to riverbanks susceptible to erosion. Some of the benefits of riparian restoration include bank stabilization, creating wildlife habitats, increased recreational opportunities as well providing a filter from pollution from runoff into the Red River.

A riverbank stabilization and wildflower restoration project was started in 2005 in several areas along the Red River in the Greenway. Funding for the project was received from Red River Regional Council- Red River Basin Riparian Project, which includes North Dakota Forest Service and the Energy & Environmental Research Center as well as North Dakota Game & Fish Department. Funds from the City of Grand Forks were also used. Staff has been monitoring the success of these projects for reference on future projects.

Vegetation management activities to maintain the native grasses within the restoration areas will include mowing, burning, and use of herbicides to assist in the control of noxious weeds. Though mowing may be required on a periodic basis, frequent mowing, fertilizing, and pest control will not be necessary to maintain the restoration areas.

Landscaping

Flower beds and shrubbery are located at trailhead facilities throughout the project. The Grand Forks Park District provides the maintenance of the landscaping located within areas managed by their agency. All other landscaping is completed through contracted labor at the direction of greenway staff.

Partners and Resources

Greenway staff relies on many partners for information and recommendations regarding vegetation management. Some of the partners include:

- Grand Forks Park District
- Minnesota Department of Natural Resources
- North Dakota Parks & Recreation – Turtle River State Park
- NDSU Extension Office

**Grand Forks City
City Council Staff Report
Committee of the Whole: August 11, 2008
City Council: August 18, 2008**

Matter of the request from the Mayor's Office to amend the Bikeway Committee by amending the name and membership of the committee.

Submitted by: Mayor's Office

Recommended Action: Approval of the attached ordinance and give first reading of approval; recommend the City Council give final approval and second reading to the attached ordinance at its September 2nd meeting.

BACKGROUND: The reorganization of City Council and its committees did not dissolve the Bikeway Committee. However, the Bikeway Committee has not met for several years. With the increasing activities and added facilities to the network, the time has come to re-instate the committee. The re-instatement is proposed with two significant changes.

The first change is to rename the committee to the **Bike and Pedestrian Advisory Committee**. This is being done to have the committee advice on most issues dealing with alternative transportation modes primarily involving human powered activities. These activities include walking, roller-blading, running, bicycling, etc. along the extensive bike path, greenway trail, and sidewalk facilities in Grand Forks.

The second change is to allow the involvement of more users of the facilities to provide input, comment, insight, and recommendations on the facilities they use. The additional two members at-large (bringing the total at-large to three) allow a diverse group of users to engage in the discussion and decisions involving the facilities.

The city of East Grand Forks has its own advisory committee to provide advice specific to its facilities. The membership of that committee is from a variety of users of their system. Many of which also serve on the Bike Friendly taskforce; yet meet more often to provide advice specific to the East Grand Forks facilities.

The proposal being suggested in this report and in the ordinance change is to re-instate this same type of advisory committee specific to the city of Grand Forks facilities.

The forming of advocacy groups within their special and/or specific interest of human power transportation is highly encouraged within both communities. These types of groups provide vital resource for input as well as likely candidates for membership into the various committees for the appropriate side of the Red River.

FINDINGS AND ANALYSIS:

- The reorganization of the City Council and its committees did not dissolve the Bikeway Committee.
- The Bikeway Committee has stopped meeting for several years.
- The membership has not been maintained so a committee meeting could not be called to order.
- The increase activities and facilities pertaining to the particular needs and desires of the users of the facilities has lead to a desire to provide an organization to advise the City on issues involving these facilities.
- The name is being proposed to change to be more inclusive of the users of the facilities.
- The membership is being proposed to increase the at-large membership to incorporate more input from actual users of the facilities

SUPPORT MATERIALS:

- Draft ordinance amending the Bikeway Committee.

Respectfully Submitted:_____

Grand Forks City City Council Staff Report City Council: October 27, 2008

Informational Item: Greenway/Bikeway-Pedestrian Path Users Group

Submitted by: Mayor's Office

Recommended Action: Concur with merging the bikeway and pedestrian path users function into the existing Greenway Users Group.

BACKGROUND: The reorganization of City Council and its committees did not dissolve the Bikeway Committee. However, the Bikeway Committee has not met for several years. With the increasing activities on the bike and pedestrian paths, it is essential to allow for greater input by citizen users on how to properly ensure these paths are of the most function to the community. By defining a bike and pedestrian users group, the specific users and the general public have a designated input mechanism by which to assist City and MPO staff in administering these paths. This is being done to foster advice on most issues dealing with alternative transportation modes primarily involving human powered activities. These activities include walking, roller-blading, running, bicycling, etc. along the extensive bike path, greenway trail, and sidewalk facilities in Grand Forks.

At the suggestion of Council Members Christensen and Kreun, the option of merging these functions of with the existing Greenway Users group was explored by the Mayor's Office, Engineering Department, Planning Department, MPO and the existing members of the Greenway Users group. It was determined the added task of allowing for greater citizen input for the bike and pedestrian paths would be possible if 4 additional members representing bike and pedestrian path users and one staff member of the City Planning Department were included on the committee.

This mixed users group meets monthly and is a sub-committee of the Greenway Technical Committee. Therefore, suggestions and recommendations made by the users group would continue to be explored and fleshed out by the staff members of the Greenway Technical Committee. If policy changes would be necessary, the Greenway Technical Committee would bring these to the appropriate City Council Stand-by Committee.

FINDINGS AND ANALYSIS:

- The Bikeway Committee has stopped meeting for several years.
- The increase in activities and facilities pertaining to the particular needs and desires of the users of the facilities has led to a desire to provide an organizational mechanism to advise the City on issues involving these facilities.
- The functions of Greenway Users and Bike/Pedestrian Users can be merged into the existing Greenway Users group with the addition of specific users.
- This merged group will allow for greater citizen input, a specific channel through which to express recommendations and concern and a vehicle to provide for improvements to the current Bike/Pedestrian path system.
- A policy change is not necessary and this can be done, with City Council concurrence, by administrative action.

SUPPORT MATERIALS:

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Respectfully Submitted: _____



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**PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF GRAND FORKS, NORTH DAKOTA
November 3, 2008**

The city council of the city of Grand Forks, North Dakota met in the council chambers in City Hall on Monday, November 3, 2008 at the hour of 5:30 o'clock p.m. with Mayor Brown presiding. Present at roll call were Council Members Bjerke, Glassheim, Gershman, Christensen, Bakken, Kreun - 6; absent: none.

Troop 14, Sacred Heart, led the council in the pledge of allegiance to the flag, under leadership of Mary Kowalski.

Mayor Brown announced that anyone wishing to speak to any item may do so by being recognized prior to a vote being taken on the matter, and that the meeting is being televised.

Mayor Brown commented on various items during the past week and upcoming events:

This week fire department crews will be walking door to door in one of our neighborhoods to encourage residents to practice fire safety, the area is the area north of DeMers Avenue and east of North Washington Street, that we are concerned about the number of fires lately and whether residents are taking the appropriate precautionary actions such as working smoke detectors and practice fire escape plans.

That if you are not one of the thousands that have voted at the Alerus Center early or through absentee ballots, please exercise your right tomorrow at your regular polling place - every vote is important and many have given much for this right so please exercise it.

YOUTH COMMITTEE REPORT

No report was made.

HOLD PUBLIC HEARING AND APPROVE APPLICATION BY CONCRETE, INC. FOR FIVE-YEAR PROPERTY TAX EXEMPTION

The staff report from the city assessor relating to public hearing on a property tax exemption pursuant to NDCC Chapter 40-57.1 (Expanding Business) by Concrete, Inc., 5000 DeMers Avenue, with recommendation to hold public hearing and may grant a 5-year step-down exemption of the proposed new building, 100% - first year; 80% - second year; 60% - third year; 40% - fourth year; and 20% - fifth year.

The deputy city auditor reported that pursuant to the provisions of Section 40-57.1 of the North Dakota Century Code, notice had been given to the public that the city council would meet this evening to consider the application of Concrete, Inc., 5000 DeMers Avenue, for a five-year declining property tax exemption of the property taxes to the proposed 15,000 sq.ft. building for architectural finishing or precast products at this location on Lot A, Block 1, Concrete, Inc. First Resubdivision to the city of Grand Forks, North Dakota, which the applicant will use in the operation of his business and further that no protests or grievances had been filed with her office.

Mayor Brown opened the public hearing and asked if there was anyone present who had comments to make on this matter; there were no comments and the public hearing was closed.

It was moved by Council Member Kreun and seconded by Council Member Gershman that the City of Grand Forks grant the request for an abatement of the real property taxes to be levied and assessed against the Concrete, Inc. project for a period of five years on a declining exemption on the proposed addition; 100% for the first year, 80% for the second year, 60% for the third year, 40% for the fourth year and 20% for the fifth year.

Upon roll call the following voted "aye": Council Members Glassheim, Gershman, Christensen, Bakken, Kreun - 5; voting "nay": Council Member Bjerke - 1. Mayor Brown declared the motion carried.

PUBLIC HEARING ON FINAL 2009 FUNDING ALLOCATION AND 2009 CDBG ANNUAL ACTION PLAN

The deputy city auditor reported that the 30-day public comment period had ended and that a public hearing had been set for this evening to approve final 2009 funding applications and the 2009 CDBG Annual Action Plan.

Mayor Brown opened the public hearing on this matter, there were no comments and the public hearing was closed.

Council Member Glassheim moved to approve the list before us which includes \$175,000 for Public Service programs; \$337,000 for Bricks & Mortar and moving the unprogrammed \$105,000 into the Primrose Apartments Ltd. rehab of 48 units of affordable rental housing. Council Member Kreun seconded the motion.

Council Member McNamara reported present.

Council Member Bjerke stated that in the future he will meet with Mr. Hoover of Urban Development to review some of the specifics, and keep up with our planning and budgeting and that next year look at some potential ways to spend this money in different areas, that the availability to spend it on water, sewer, streets, open spaces, ADA, crime prevention, etc. and spend in ways to benefit more people.

Upon call for the question and upon voice vote, the following voted "aye": Council Members McNamara, Glassheim, Gershman, Christensen, Bakken, Kreun - 6; voting "nay": Council Member Bjerke - 1. Mayor Brown declared the motion carried.

APPROVE ABATEMENT OF 2007 TAXES ON PROPERTY AT 210 CIRCLE HILLS DRIVE

The staff report from the city assessor relating to application for abatement for 2007 taxes by Gary Masilko, 210 Circle Hills Drive, with recommendation to Board of County Commissioners that the application be approved as submitted.

It was moved by Council Member Bakken and seconded by Council Member Kreun that this recommendation be approved and further that we adopt the findings, conclusions and recommendations as prepared by the city attorney. Upon roll call the following voted "aye": Council Members Bjerke, McNamara, Glassheim, Gershman, Christensen, Bakken, Kreun - 7; voting "nay": none. Mayor Brown declared the motion carried.

APPROVE ABATEMENT OF 2007 TAXES ON PROPERTY AT 1204 OAK STREET

The staff report from the city assessor relating to the application for abatement for 2007 taxes by Alfred Johnson, 1204 Oak Street, with recommendation to Board of County Commissioners that application be approved as submitted.

It was moved by Council Member Bakken and seconded by Council Member Kreun that this recommendation be approved and further that we adopt the findings, conclusions and recommendations as prepared by the city

attorney. Upon roll call the following voted "aye": Council Members Bjerke, McNamara, Glassheim, Gershman, Christensen, Bakken, Kreun - 7; voting "nay": none. Mayor Brown declared the motion carried.

APPROVE APPLICATIONS FOR EXEMPTION OF IMPROVEMENTS TO VARIOUS PROPERTIES

The staff report from the city assessor relating to the application for exemption of remodeling improvements to residential or commercial buildings as listed: 4802 4th Avenue North; 2915 South Washington Street (includes addition); and 611 South 15th Street, with recommendation to grant exemptions of increased value for three (3) years.

It was moved by Council Member Bakken and seconded by Council Member Kreun that this recommendation be approved. Upon roll call the following voted "aye": Council Members Bjerke, McNamara, Glassheim, Gershman, Christensen, Bakken, Kreun - 7; voting "nay": none. Mayor Brown declared the motion carried.

APPROVE PLEDGED COLLATERAL REPORT

The staff report from the finance department relating to approval of Pledged Collateral Report, with recommendation to approve the Pledged Security Report.

It was moved by Council Member Bakken and seconded by Council Member Kreun that this recommendation be approved. Carried 7 votes affirmative.

APPROVE FEDERAL TRANSPORTATION FUNDING REQUESTS

The staff report from the city engineer relating to Federal Transportation Funding requests, with recommendation to approve: 2010 Safe Routes to School applications; 2010 and 2011 Transportation Enhancement applications; 2010 to 2014 Railroad Safety applications; and proper City officials to sign Urban Agreement with the NDDOT for 5th Street railroad crossing.

It was moved by Council Member Bakken and seconded by Council Member Kreun that this recommendation be approved. Carried 7 votes affirmative.

APPROVE FINAL REPORT FOR PROJECT NO. 5993, GRAND FORKS PERIMETER DRAINAGE STUDY

The staff report from the city engineer relating to report for Project No. 5993, Grand Forks Perimeter Drainage Study, with recommendation to approve Final Report for Project No. 5993, Grand Forks Perimeter Drainage Study, prepared by CPS and dated November 2008.

Council Member Christensen stated that we need to start thinking about how we are going to implement the project, whether do a lake or series of holding ponds and if develop a policy if there is going to be development and land dedicated for it or payment in lieu of dedication of land. Mr. Grasser stated that the DOT is ready to implement the next set of regulations, probably March or April, and that this was supposed to be in place last year and need to get this together and that either service/safety committee or council working session within the next month or two have those discussions on those items.

Council Member Kreun stated he would like to have the engineering department bring that information to the service/safety committee, then bring that to work session or committee of the whole, or to the finance committee to see what economic impacts we will have and how we are going to fund it. It was suggested that the matter go to the service/safety committee, then to finance and then either a committee of the whole or work session so public could see that.

It was moved by Council member Christensen and seconded by Council Member Kreun that the recommendation be approved. Carried 7 votes affirmative.

APPROVE CHANGE ORDER NO. 2 FOR PROJECT NO.
6211, 2008 CITY SIDEWALKS

The staff report from the engineering department relating to Change Order No. 2 for Project No. 6211, 2008 City Sidewalks, with recommendation to approve the change order in the amount of \$51,550.00.

It was moved by Council Member Bakken and seconded by Council Member Kreun that this recommendation be approved. Upon roll call the following voted "aye": Council Members Bjerke, McNamara, Glassheim, Gershman, Christensen, Bakken, Kreun - 7; voting "nay": none. Mayor Brown declared the motion carried.

INTRODUCE XCEL FRANCHISE ORDINANCES FOR
ELECTRIC AND GAS

The staff report from the city administrator relating to Xcel Franchise Agreement, with recommendation subject to the approval of the city attorney adopt the Xcel Gas and Electric Franchise Ordinances.

Council Member Glassheim stated that in the midst of negotiating a 20-year franchise agreement with Xcel, that 20 years is a long time and things are changing rapidly in the electricity industry, the environmental and the conservation areas and that to this point the council has not had much of a discussion of the kinds of items we might want to see in a franchise agreement. He stated he had copies of franchise agreements or proposed agreements in Boulder and Denver, CO, and what they include in their agreements are broader than just the use of right of way, etc. and would like to see the council spend more time discussing the kinds of things we would like to see as negotiating items in the franchise agreement - including requiring certain amounts of contributions to low income weatherization programs or requiring that new smart metering be used in their city, requiring that a certain amount of sales be set aside for burying existing lines, etc. and certain conservation activities be done by the franchise holder. In proposing some of these things, the people that he talked to who are involved in alternate energy and conservation think that Xcel is one of the leading companies in wind energy and in conservation, and this is not any attempt to play gotcha with the company, as they do a good job, but 20 years is a long time and won't have another opportunity to look at these things for 20 years as it is now structured. He stated our current agreement runs out the end of this year and has to be something in place and that he would like this go back to finance committee and have further discussion and whether they can do a one year extension of the existing in order to give them more time because this is more complicated than a two hour meeting.

Council Member Gershman noted that a couple ideas would be to ask of Xcel Energy to supply us with things that they have done in other communities towards the green initiative, etc. that they have had to negotiate. One thing that he would like them to look at, as one of our larger employers, LM Glasfiber, makes wind turbine blades and if Xcel Energy considered making Grand Forks as wind-powered as they could, to set our city apart and utilizing an industry for wind energy and be one of the communities in America that would mostly be powered by wind, that we understand the storage issues, etc. and would like to see if there is some discussion.

Council Member Bakken stated he always thought that having some wind energy here with LM Glasfiber would be good idea for the city and power some of the city buildings off of wind energy, and that he doesn't have a problem with the 20-year contract but would like to see if we can't revisit it every 5 years because we have change in council.

Rick Duquette, city administrator, pointed out that Mark Nisbet, principal manager for the State of North Dakota for Xcel was present and if some questions related to their record, he is available this evening. Research that he has done related to this is that he and Howard Swanson prepared for the discussions with Xcel, echo what Mr. Glassheim commented on and there was an announcement last week related to wind energy in North Dakota and seems like much of that is already in process. He stated he would like the recommendation to send this back to finance for review.

Mark Nisbet, Xcel Energy, stated they are very proud of their environmental record and commitment to wind and in the 150 megawatt wind farm that they just announced last Friday; Mr. Glassheim mentioned some of

the things that are done - typically in MN have stuck to a more traditional franchise and in addressing these issues in a policy fashion, talking about where they can go and which areas the energy audits that they are doing at a greatly reduced rate for any gas customer and they work with Kent Keyes and his group as far as low income for free energy audits and have worked on a state-wide level and actually put in place in front of the Public Service Commission an energy efficiency program that they are working on; many of the things mentioned are on-going and they tend to listen to what the consumers are saying, and are the leading provider of wind to customers in the United States and they would sit down and look to discuss any of these ideas but that they would like to get the actual franchise wrapped up.

Council Member Bjerke stated he is concerned when communities start doing this because then the company is forced to placate different communities across the state or the region: 1) costs go up and we are going to pay the cost - 2% will bring more than enough money because our electricity and natural gas costs will go up; 2) would be interesting in finding out the cost of wind energy vs. nuclear, coal, etc. and put all the facts on the table, and find out the subsidies for wind energy at the federal, state and local levels also; that; that Xcel not going to pay for it, the people who get the products pay for it and whatever we do we pass it on to the taxpayers.

Council Member McNamara stated that relative to the timeframe of the agreement, what would compel the City to sign a 20-year commitment and what do we get back for that 20-year commitment as opposed to a series of 5-year agreements with options that would be reviewable and why lock ourselves into financing for 20 years. Mr. Duquette stated there is a give and take on both sides of the agreement, on one hand have capital planning and investment that are made by the energy companies and we have a unique situation in Grand Forks where Xcel has a certain area for its electric and its gas is growing outside of that area, Nodak's area for the electric is growing on a regular basis because they have area outside Xcel, Territorial Integrity Act, and their part of that is the capital planning piece, our part is the stable revenue profile over 20 years where we can make plans 5, 6, 7 years out as it relates to that. In his opinion it is important for municipality to be involved in that give and take with an energy company or any other franchise, for long term planning purposes for them.

Mr. Duquette stated our specific benefit is revenue and growing revenue because as municipalities continue to grow these companies continue to make capital investment into that growth and we gain more revenue from the franchise fee as they grow. We gain a 2% fee annually from their gross revenue and those revenues grow each year and our fee gets bigger. Mr. McNamara stated that wouldn't change if we had a series of 5-year reviewable agreements or 5-year agreements with an option. Mr. Duquette stated that is the other side of the equation he is describing, is a company willing to make the capital investments and take the risk for that not knowing in 6 years they may be out.

Mr. Duquette stated he would like the council to introduce these ordinances, that in the last section of the franchise agreement he and Mr. Swanson along with the Xcel attorneys have crafted an amendment to this franchise agreement and any time in that 20 years, we can amend this franchise agreement and ideas related to technology, changing times, new advents coming our way, we have the ability as a municipality to amend this franchise agreement.

It was moved by Council Member Christensen and seconded by Council Member Glassheim to approve the recommendation and to refer to the finance committee. Carried 7 votes affirmative.

Council Member Christensen introduced an ordinance entitled "An ordinance granting to Northern States Power Company, a Minnesota corporation, d/b/a Xcel Energy its successors and assigns, permission to construct, operate, repair and maintain in the city of Grand Forks, North Dakota, an electric distribution system and transmission lines, including necessary poles, lines, fixtures and appurtenances, for the furnishing of electric energy to the city, its inhabitants, and others, and to use the public ways and public grounds of the city for such purposes", which was presented, read and passed on its first reading.

Council Member Christensen introduced an ordinance entitled "An ordinance granting to Northern States Power Company, a Minnesota corporation, d/b/a Xcel Energy its successors and assigns, permission to erect a gas distribution system for the purposes of constructing, operating, repairing and maintaining in the city of Grand Forks, North Dakota, the necessary gas pipes, mains and appurtenances for the transmission or

distribution of gas to the city and its inhabitants and others and transmitting gas into and through the city and to use the public ways and public grounds of the city for such purposes", which was presented, read and passed on its first reading.

APPROVE APPOINTMENTS TO VARIOUS BOARDS AND COMMITTEES

The staff report from Mayor Brown relating to the Grand Forks Public Library Board appointment, with recommendation to reappoint Richard Fiordo and the appointment of Lila Christensen to the Public Library Board for a term of three years.

The staff report from Mayor Brown relating to appointment to the Civil Service Commission, with recommendation to reappoint Bev Bredemeier to the Commission for a three year term.

The staff report from Mayor Brown relating to Downtown Design Review Board appointment, with recommendation to approve appointment of Paul Helje and the reappointment of Doug Herzog for a term of three years.

The staff report from Mayor Brown relating to appointment to Emergency Management Board, with recommendation to approve reappointment of Joe Simon as the public representative jointly appointed by the Grand Forks County Commission and the Grand Forks City Council for a two-year term.

The staff report from Mayor Brown relating to appointment to MPO Executive Policy Board, with recommendation to confirm the reappointment of Doug Christensen as one of the Grand Forks City Council representatives on the Board for a two-year term.

The staff report from Mayor Brown relating to the appointment to Grand Forks City Planning & Zoning Commission, with recommendation to confirm reappointment of Dana Sande, at large representative and appointment of Jim Galloway, at large representative, for five-year terms.

Council Member Bjerke moved approval of the appointments with exception of Downtown Design Review Board. Council Member Gershman seconded the motion. Carried 7 votes affirmative.

Council Member Gershman moved approval of the appointments of the Downtown Design Review Board. Council Member Glassheim seconded the motion.

Council Member Kreun stated that this comes up frequently and should have one of the members from the Board to explain why this is in place, and what they actually do. He suggested that Jim Galloway come and give a history of the Review Board.

Upon call for the question and upon voice vote, the motion carried 6 votes affirmative; 1 vote against the motion by Council Member Bjerke. Mayor Brown declared the motion carried.

COMBINE GREENWAY/BIKEWAY PEDESTRIAN PATH GROUP WITH GREENWAY USERS GROUP

The staff report from the Mayor's Office relating to Greenway/Bikeway-Pedestrian Path Users Group, with recommendation to concur with merging the bikeway and pedestrian path users function into the existing Greenway Users Group.

It was moved by Council Member Bakken and seconded by Council Member Kreun that this recommendation be approved. Carried 7 votes affirmative.

APPROVE REDEVELOPMENT OF 1500 BLOCK OF CHESTNUT STREET (WEST SIDE)

The staff report from the director of urban development relating to redevelopment of 1500 block of Chestnut

Street (west side), with recommendation to approve proposals and convey lots per review committee's recommendation - to Corey and Peggy Vreeland with a lot bid of \$40,100.

It was moved by Council Member Bakken and seconded by Council Member Kreun that this recommendation be approved. Upon call for the question and upon voice vote, the motion carried 7 votes affirmative.

APPROVE PARKING AT THE CURRENT

The staff report from the director of urban development relating to public parking at The Current, with recommendation to approve release MDI Limited Partnership #110 (MDI) from Obligation 1(F) of Project Agreement dated July 26, 2006 for a period of two years after which a review be conducted to determine whether release should be permanent.

It was moved by Council Member Bakken and seconded by Council Member Kreun that this recommendation be approved. Carried 7 votes affirmative.

APPROVE BILL LISTING

Vendor Payment Listing No. 08-21, dated October 30, 2008, totaling \$1,374,102.66 and Estimate Summary dated October 31, 2008 in the amount of \$1,157,451.61 were presented and read.

It was moved by Council Member Gershman and seconded by Council Member Bjerke that these bills be allowed and that the city auditor be authorized to issue warrants in payment of the same. Upon roll call the following voted "aye": Council Members Bjerke, McNamara, Glassheim, Gershman, Christensen, Bakken, Kreun - 7; voting "nay": none. Mayor Brown declared the motion carried and the bills ordered paid.

APPROVE MINUTES OCTOBER 20, 2008

Typewritten copies of the minutes of the city council held on Monday, October 20, 2008 were presented and read. It was moved by Council Member Bjerke and seconded by Council Member Glassheim that these minutes be approved as read. Carried 7 votes affirmative..

COMMENTS BY MAYOR AND COUNCIL

1) Council Member McNamara stated that as he represents one of the older sections of town, that the Grand Forks fire department is going to go door to door to begin an effort to raise awareness of fire safety and encourage everybody to take that very seriously and test your smoke alarms and when fire department comes by to let them in your house and let them take a look, as we have had too many fires this short fall/winter season.

ADJOURN

It was moved by Council Member Gershman and seconded by Council Member Bakken that we adjourn. Carried 7 votes affirmative.

Respectfully submitted,

Saroj Jerath
Deputy City Auditor

Approved:

Michael R. Brown, Mayor

New Greenway Ski Route

Grand Forks, ND, 2014

