



Committee of the Whole  
Tuesday, September 25, 2018  
City Council Chambers

**1. FINAL PAYMENT- LIBRARY CHILLER REPLACEMENT – LIB030**

As approved at the October, 2017 City Council meeting, the Minot Public Library replaced an air conditioning unit (chiller) in the early spring of 2018. C&C Plumbing & Heating, L.L.P. was awarded the project and completed work the week of 9/10/18.

**It is recommended the Committee and Council approve the final payment in the amount of \$2,071.10 to C&C Plumbing for the completion of project LIB030 (Library Chiller Replacement).**

Documents:

[Final Payment Memo LIB030.docx.pdf](#)  
[Pay Request 6.pdf](#)

**2. SWIF ACTION C LEVEE REPAIR, BANK STABILIZATION - FINAL PAYMENT (P3135.2C)**

This project removed trees within the levee footprint, repaired minor erosion areas that could jeopardize the levee integrity, and stabilized bank erosion. The project was bid in August of 2017 and Park Construction submitted the low bid for the project at \$966,077.80. After balancing quantities on the project and adding some additional work, the project came in \$8,781.71 under the bid price.

**It is recommended the City Council approve the final payment to Park Construction in the amount of \$125,611.27 for the SWIF Action C Levee Repair.**

Documents:

[Memo - Final Payment 3135.2c.pdf](#)  
[Pay app 7 - final.pdf](#)  
[3135.2c - Change Order 5 - final.pdf](#)

**3. CITIES OF SERVICE BUDGET AMENDMENT (LIB032)**

Tools were purchased to be rented out to the public as part of the new library program. They were budgeted in the library's general fund. Because these items are rented out, they need to be capitalized.

**It is recommended the Committee and Council pass an ordinance to increase library capital revenues and expenditures and decrease general fund planning revenue and expenditures**

Documents:

[2018 Memo- Cities of Service BA.pdf](#)  
[2018 BA Cities of Service MGR003.pdf](#)

**4. SPECIAL ASSESSMENT APPROVAL; REVISED 2018 WEED CUTTING**

Two parcels were pulled from last month's weed cutting list: #131540400030 was pulled to allow the property owner a protest period and no protest has been received. #34C691000120 was pulled as it was discovered the wrong parcel/address was used. Notice has been given to the property

owners and the City wishes to certify the assessments to Ward County for collection with property taxes.

**Staff recommends the approval of special assessment for weed cutting costs for the two remaining parcels.**

Documents:

[Memo Weed cutting 2018\\_2.pdf](#)

[2nd weed cutting 2018.pdf](#)

#### **5. JOINT POWERS AGREEMENT – MINOT PARK DISTRICT**

On August 7, 2017, the City Council considered the request of the Minot Park District with respect to construction of the Magic City Discovery Center, a community facility located in Minot, ND. The Council has given tentative approval for their finance request in the amount of one million dollars. This one million dollar contribution is contingent and subject to (1) the passage of an ordinance (on second reading at the October 1, 2018 meeting); (2) the execution and signature of the attached Joint Powers Agreement; (3) determination by the City Finance Director that sufficient funds have been collected upon the city sales tax which adequately fund the NAWS project and further permit distributions of the one million dollar sum for improvements and enhancements to Roosevelt Park Zoo; (4) proof to the City Finance Director that, prior to disbursement of any monies by the City and no later than December 31, 2018, the Minot Park District or Magic City Discovery Center raised an additional five hundred thousand dollars for the Magic City Discovery Center; and (5) execution of an agreement between the Minot Park District and Magic City Discovery Center relating to this venture.

**It is recommended the City Council move to approve the Joint Powers Agreement between the City of Minot and the Minot Park District and authorize the Mayor to sign the Agreement.**

Documents:

[Memo Community Facilities\\_Minot Park District\\_Childrens Museum.pdf](#)

[FINAL\\_JP Agreement\\_Childrens Museum.pdf](#)

[Agreement 9-19-18 \(Redline\) \(002\).pdf](#)

[Ground Lease 9-18-18 \(Redline\).pdf](#)

#### **6. APPROVAL OF NON-SUBSTANTIAL AMENDMENT #9 CDBG-DR ALLOCATION #2**

All changes in this amendment involve minor adjust of accounts based on project close-out or winding down projects. The one exception is recently approved \$50,000 for the Anne Street Bridge study for which funds are being transferred from administration to the previously de-funded line item for the Anne Street Bridge Study.

**It is recommended the City Council approve the Non-Substantial (Technical) Amendment #9 for CDBG-DR Allocation #2.**

Documents:

[Non-substantialamendment9allocation2councilmemo.pdf](#)

[Amendment 9 Action Plan Revised 09-13-18.pdf](#)

#### **7. CITY COUNCIL EMINENT DOMAIN AUTHORIZATION FOR CDBG-NDR PROPERTY ACQUISITION**

These three properties are located in what is identified as Buyout Area #4 in the HUD approved CDBG-NDR Action Plan. The city has carried out the due diligence with the owners of these properties as set forth in HUD's involuntary acquisition guidelines and the requirements of the federal Uniform Relocation Act.

**It is recommended the City Council authorize Eminent Domain process to commence for acquisition of 435 Fourth Avenue NE, 19 Fifth Street NE, and 105 Sixth Street NE.**

Documents:

[Eminentdomainauthorizationcouncilmemo9-13-18a.pdf](#)

#### **8. LEGISLATIVE PROCESS AND PRIORITIES**

The North Dakota Legislature meets biennially. The next session of the Legislature will be held from January 2019 to April of 2019. To prepare local legislative leaders to best represent the interests of the City and Community, more needs to be done to adequately brief and prepare local legislators on the issues and concerns important to our community.

1. **It is recommended the City Council approve the 2019 City of Minot Legislative Process; and**
2. **Request all Council Members begin identifying legislative priorities**

Documents:

[Council Memo on Legislative Process - 09-19-18 - FINAL.pdf](#)

#### **9. DEPARTMENT PRESENTATION: FIRE DEPARTMENT**

The Fire Chief will present an update on current activities taking place and obstacles encountered within the Fire Department.

#### **10. SETTLEMENT OFFER- DAMAGED TRAFFIC SIGNAL**

Progressive Insurance Company insured a driver that struck a traffic signal in the City of Minot on February 14, 2018, then left the scene of the accident. The driver was located by the North Dakota Highway Patrol and Ward County Sheriff's Department, was cited for and pled guilty to leaving the scene of a fixed object and violating the conditions of his overwidth permit. Main Electric Construction, Inc. invoiced the City of Minot \$11,476.15 for the repairs. On September 21, 2018, Progressive Insurance offered to settle his claim for the full replacement cost (\$11,476.15).

**It is recommended the City Council accept offer from Progressive Insurance Company to settle outstanding claim with the City of Minot for the full amount to replace the traffic signal (\$11,476.15) and authorize the Mayor to sign the Full Release of All Property Damage Claims on behalf of the City of Minot.**

Documents:

[Memorandum to Council\\_9.21.18.pdf](#)  
[Rising Minot release \(002\)\\_revised srs.pdf](#)

#### **11. REALLOCATION OF THE FIRST PENNY SALES TAX**

This proposed amendment to section 28½-108(3) will allow the Minot City Council additional flexibility in the allocation of fifteen percent of the first penny. The amendment would maintain the current ability to allocate that fifteen percent portion of the first penny to permanent flood control and/or MAGIC Fund functions and activities, but would also add the ability of the Minot City Council to allocate some or all of the fifteen percent to other economic development activities or initiatives approved by the Minot City Council.

**It is recommended the City Council approve, on first reading, the proposed amendment to the first penny sales tax ordinance.**

Documents:

[Pitner Memo RE Allocation.pdf](#)  
[ExecutiveSummaryofIEDCTechnicalAssistanceReportonEconomicDevelopmentStrategies\\_.pdf](#)