



Committee of the Whole
Tuesday, October 30, 2018 - 4:15 PM
City Council Chambers

1. AUDITORIUM MAIN ARENA FLOOR REPLACEMENT - FINAL PAYMENTS

The new arena flooring system will finish the Auditorium updates and give the building a better playing surface for recreational activities and also improve the aesthetics of the arena during other events. The flooring system project was completed on September 17, 2018.

1. **Request Final Payment to Dynamic Sports Construction in the amount of \$194,365.00 for Resurfacing of the Main Auditorium Arena Floor.**
2. **Request Final Payment to EAPC Architects in the amount of \$1,733.17 for Architecture Design and Construction Administration of the Main Arena Floor.**

Documents:

[Main Arena Flooring Replacement Memo - 2018 - Final Payment.pdf](#)
[20182500 Bid Recommendation Letter 6.21.18_with bid tabulation.pdf](#)
[Minot Municipal Auditorium Layout 4.pdf](#)

2. CONFERENCE ROOM SMART BOARD EQUIPMENT PURCHASE (FIN004)

Staff is requesting the Council authorize the purchase of a SMART board for the Finance Conference Room. The SMART board will allow meetings to be able to capture information and produce handouts to all in attendance. It will also allow for images to be projected onto the writing screen and meetings to be more efficient and productive.

Funding for this project will come from the General and Administration budget in the amount of \$4,858 and cost savings from the Council Chamber upgrades project in the amount of \$3,142.

Recommend the City Council approve the purchase of a SMART board for the Finance Conference Room and pass an ordinance on first reading amending the 2018 annual budget.

Documents:

[2018 Memo - Finance Conference Room SMART Board \(FIN004\).pdf](#)
[34. 2018 BA - Finance Conference Room SMART Board \(FIN004\).pdf](#)

3. PROFESSIONAL CONSULTING SERVICES FOR ACDBE PROGRAM DEVELOPMENT (AIR075)

As a component of accepting grant money from the FAA for Capital Projects, the Airport is required to have in place a compliant Airport Concession Disadvantaged Business Enterprise (ACDBE) Program. As outlined in the Sponsor's Grant Assurances, this program has very specific requirements for leveling the playing field for small businesses who wish to participate in contracting opportunities at the Airport. Recent updates to these requirements necessitate review of current policies and an update of the Airport's plan and legal commitments to these enterprises.

Along with this, a review and update of lease agreements relating to privately owned hangars and business' on Airport property is also appropriate. To the extent possible, a template will be developed which ensures consistency and compliance, which is currently lacking in many current agreements. These updated leases will help the Airport and City avoid disputes and legal action that may arise from use of outdated agreements.

- 1. Recommend approval of the Statement of Work from Trillion Aviation to develop an ACDBE program and lease template; and**
- 2. Authorize the Mayor to sign any applicable documentation.**

Documents:

[MEMO Trillion ACDBE SOW \(AIR075\) \(3\).pdf](#)
[MOT SOW 14 ACDBE and lease template.pdf](#)

4. RETAIL LIQUOR & BEER LICENSE – ICE TIME, LLC DBA ACES

Paperwork was submitted to transfer the retail liquor and beer license from Gary Huber, owner of H O Entertainment, LLP dba dae Udder Place Lounge & Casino, to Ice Time, LLC.

The City received a request from Ice Time, LLC dba Aces, for a retail liquor and beer license operating at 1524 S. Broadway. All documentation has been submitted and is being reviewed by the appropriate departments.

- 1. It is recommended the Committee and Council approve the transfer of the retail liquor and beer license from H O Entertainment LLP (dba dae Udder Place Lounge & Casino) to Ice Time, LLC.**
- 2. It is also recommended the Committee and Council approve the request by Ice Time, LLC dba Aces for the retail liquor and beer license to operate at 1524 S. Broadway, subject to approval by the Police Chief, Fire Marshal and Building Official.**

Documents:

[Memo- Aces.pdf](#)
[Transfer Form.PDF](#)

5. APPROVAL OF CDBG-NDR NON-SUBSTANTIAL AMENDMENT

In the past several months, we have completed a comprehensive assessment and review of the City's HUD approved CDBG-NDR Action Plan. The primary focuses of the assessment have been to align activities and uses of funds in the Action Plan with the current and projected private sector housing and business markets as well as incorporate needs for which awareness was not complete at the time the Action Plan was developed three years ago.

It is recommended the City Council approve the CDBG-NDR Non-Substantial Amendment.

Documents:

[CDBG-NDRTechnicalAmendmentCouncilmemo.pdf](#)
[NDRC Technical Amendment Clarificationsa.pdf](#)

6. APPROVE CHANGE ORDER # 2 REDUCING TOTAL CONTRACT PRICE FOR 2017 DEMO CONTRACT (3755.4)

This is the 2017 contract which has been completed but remains in effect for the warranty period. Change Order #2 is essentially a pro forma ministerial action but it does eliminate

a punitive situation which arose in which we were made aware by the contractor that the insurance company that provides their performance bond is holding them to the total contract price and not the actual amount spent. By reducing the contract total to the actual amount spent, it eliminates this unfair situation.

It is recommended the City Council approve Change Order #2 reducing total contract price for the completed 2017 CDBG-DR/CDBG-NDR demolition contract.

Documents:

[ChangeOrder2for2017DemocontractCouncilmemo.pdf](#)
[CDMSmithChangeOrder2memo2017democontract.pdf](#)

7. APPROVE ACQUISITION POLICIES AND PROCEDURES TO CEASE USE OF APPEALS COMMITTEES

When the city first began undertaking acquisitions, it was felt by City personnel that an Appeals Committee process inserted into the acquisition and relocation negotiation procedure might mitigate property owners concerns regarding the entire process and the need to proceed to eminent domain. As the program has progressed, it has become evident that even with the best of intentions at the beginning in creating the Appeals Committee process, this added layer of bureaucracy has increasingly become misunderstood by affected property owners and has increased rather than diminished difficulties in negotiating a purchase price to avoid eminent domain.

It is recommended the City Council approve amending the Involuntary Acquisition Policies and Procedures to cease use of Appeals Committees as being inconsistent with the federal law and causing confusion about the federal required acquisition procedures.

Documents:

[AppealsCommitteecessationCouncilmemo.pdf](#)

8. APPROVAL ADDING FOUR ACQUIRED BUYOUT STRUCTURES TO CITY'S AUCTION PROGRAM

To reduce demolition costs and add funds for property acquisition in support of the flood mitigation buyout program under the CDBG-NDR Action Plan, all properties upon being acquired are reviewed for soundness of the structures with a determination made on viability of offer for auction to be moved off site and out of flood inundation area by successful bidder. In the most recent round of acquisitions, there have been four structures which meet the standards to be offered for auction.

It is recommended the City Council add four structures, located at 710 12th Street SW, 601 2nd Ave NE, 821 2nd Ave NE, and 201 6th Street NE, to the City's auction initiative to make available additional funds for other needed property acquisitions.

Documents:

[AddstructuresforauctionCouncilmemo.pdf](#)

9. AUTHORIZE EMINENT DOMAIN PROCESS FOR INVOLUNTARY BUYOUT PROPERTIES

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 404 4th Ave NE, 805 2nd Ave NE, and 612 2nd Ave NE.

Documents:

[Eminentdomainauthorizationcouncilmemo10-23-18.pdf](#)

10. CITY COUNCIL GUIDANCE ON PURSUING NATIONAL MAIN STREET ACCREDITED STATUS

The National Trust for Historic Preservation began the national Main Street program in 1980 to promote revitalization and sustainability of downtowns. In 2013, the National Main Street Center was spun off as a subsidiary of the National Trust with a distinct and defined focus on downtowns. A City Council policy statement supporting the pursuit of becoming an accredited Main Street through the Main Street Center encouraging city staff within available resources and expertise to support such an effort can serve as a baseline for the Technical Committees and Stakeholders involved in the Downtown in their planning and needs assessment efforts.

City staff is requesting the City Council offer guidance on whether to pursue Main Street accredited status with the national Main Street Center for the downtown.

Documents:

[MainStreetCenterCouncilmemo.pdf](#)
[Accreditation_StandardsMainStreet.pdf](#)
[2018_Coordinating_Program_ListMainStreet.pdf](#)

11. LANDFILL EXPANSION (PROJECT NUMBER 4264)

The City of Minot has been seeking land to expand the landfill dating back to 2002. The current landfill, as permitted, has capacity until about 2025. In 2017, after years of negotiations, two quarter sections of land were successfully purchased adjacent to the existing facility. The newly acquired land would provide about 50 plus years of capacity.

When the City proceeded to the next step to expand our key infrastructure by rezoning the land for public use, residents in the area of the landfill opposed the expansion plan. In an effort to ensure all comments and concerns were addressed, the City engaged the services of a consultant to perform a siting and cost analysis for relocation of the landfill as well as formed a focus group to talk through issues and concerns. Both of those efforts have come to their conclusions and a public input meeting was held to present the results. Attached to this memo are comments received during the input meeting along with explanations or clarifications.

It is recommended the City Council select the landfill expansion option and direct staff to proceed.

Documents:

[Landfill Expansion memo to council.pdf](#)
[Landfill Study public input responses.pdf](#)
[Emailed and FB comments.pdf](#)

12. DEPARTMENT PRESENTATION: ASSESSOR'S OFFICE

The City Assessor will present an update on current activities, opportunities, and obstacles encountered within the Assessor's Office.