

City of Minot

Committee of the Whole
Wednesday, August 29, 2018 - 4:15 PM
City Council Chambers

1. BUILDING RELOCATION REQUEST TO 712 VALLEY STREET- GAYLIN SCHMIDT

It is recommended the Committee and Council approve the relocation of the single family residence, from 1014 6th Ave SW, Minot ND, 58701 also known as Kittelsons S/D Port N ½ SW Sec 23 155-83 E50 W100 Lot 7, to 712 Valley Street, Minot, ND 58701, also known as Heckers First Addition Lot 39, subject to conditions.

Documents:

[Memo to City Council.pdf](#)
[Schmidt Move Request.pdf](#)
[Property Owners Itr.pdf](#)
[Gaylin Schmidt Itr.pdf](#)
[Inspectors Report - Gaylin Schmidt move.pdf](#)
[Assessors Report - Gaylin Schmidt.pdf](#)

2. RECREATION TENNIS/BASKETBALL COURT RESURFACING – FINAL PAYMENT

Resurfacing of two tennis courts and one basketball court at the South Hill Complex is done every 4 years. This project was held for an extra two years because of budget constraints. Advanced Athletic Surfaces was awarded the bid and has completed the project. They are now awaiting final payment.

It is recommended the City Council authorize final payment to Advanced Athletic Surfaces in the amount of \$17,980 for Resurfacing of two Tennis Courts and one Basketball court at the South Hill Complex.

Documents:

[Tennis Court Resurfacing Memo - 2018 Final Payment.pdf](#)
[Minot ND quote.docx.pdf](#)

3. FINAL PAYMENT – AERATION BLOWER IMPROVEMENTS (PROJECT NUMBER 4105)

In 2014, Apex Engineering completed a Wastewater Treatment Facility Plan for the City of Minot. In that study, Apex identified a deficiency in blower capacity that was resulting in inadequate wastewater treatment and odor issues at our aeration ponds. A project was designed and bid in 2015 to upsize the aeration blowers and replace the air piping. Fusion Automation was the low bidder for the electrical portion of the bid at \$599,900.00 and they have completed all items remaining for the project.

It is recommended the City Council approve final payment in the amount of \$43,878.04 to Fusion Automation Inc. for the Aeration Blower Improvements.

Documents:

[Memo to council - final payment - electrical.pdf](#)

4. FINAL PAYMENT - NE WATER DISTRIBUTION (PROJECT NUMBER 4156)

The project will construct a water main along 30th Ave NE from 27th St east to 13th and then north to 46th Ave NE. This is the last phase to providing a fully looped water system in NE Minot through an interconnect with the NW Minot distribution system. The project was bid in April of 2017 and Wagner Construction submitted the low bid at \$1,694,160.00. They have completed all remaining contract items.

It is recommended the City Council approve final payment to Wagner Construction in the amount of \$43,071.08 for the NE Water Distribution Project.

Documents:

[4156 - NE Water Distribution - final payment.pdf](#)

[4156 Pay app 4 - final.pdf](#)

[4156 Change Order 4 - Final.pdf](#)

5. FINAL PAYMENT AUTHORIZATION FOR PARK SOUTH MULTI-FAMILY APARTMENT PROJECT

Essential Living LLC is identified in the HUD approved NDR Action Plan as a city partner for the purpose of creating affordable multi-family housing units outside the flood inundation area with the Park South project specifically identified in the Action Plan to be one of the initial projects. It is one of the first NDR funded projects to be completed and represents a performance benchmark milestone for the city in meeting its Action Plan commitments.

It is recommended the City Council approve final payment in the amount of \$213,412.77 to Essential Living, LLC for the Park South LMI multi-family apartment project.

Documents:

[ParkSouthfinalpaymentcouncilmemo.pdf](#)

[Essential Living invoice.pdf](#)

6. REJECT BID - LIBRARY EXTERIOR JOINT SEALANTS REPLACEMENT

The Minot Public Library budgeted \$68,000 in 2018 for the replacement of deteriorating building sealants. Advertisements for bids were published in the Minot Daily News on 7/3/18, 7/10/18 and 7/17/18 with a bid opening on 7/24/18. Only one bid was received, from Innovative Masonry, in the amount of \$119,817.00. The Library Director worked with representatives from Innovative Masonry to determine if there was any flexibility in their bid and also spoke with the Finance Department to find out if additional funds were available. However, based on lack of available funding it is the recommendation of the Library Board that Council reject the bid and allow the Library Director to re-bid this project.

It is recommended the Committee and Council:

- 1. Reject the bid received for replacing the Minot Public Library's joint sealants; and**
- 2. Authorize the Library Director to re-bid for this project**

Documents:

[Reject Bid MEMO_Library Sealants.pdf](#)

[Innovative Masonry 2018 Sealant Bid7.24.18.pdf](#)

7. DOMESTIC VIOLENCE CRISIS CENTER JAG GRANT PASS-THROUGH 2018 (PD0133)

The Domestic Violence Crisis Center employs a Victim Advocate who provides assistance with obtaining Protection Orders for the victims of domestic violence, sexual assault, dating violence, stalking and human trafficking in the counties of Ward, Renville, Pierce and McHenry in north central North Dakota. The JAG grant helps defer the costs of their salary/benefits.

It is recommended the Committee and Council accept award of the JAG Grant for the Domestic Violence Crisis Center as a pass through entity. and authorize the Mayor to sign any necessary documents.

Documents:

[2018 Memo- DVCC JAG Grant Pass Through \(PD0133\).pdf](#)
[JAG 2018 Award.pdf](#)

8. FY 2018 LOCAL EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

The Minot Police Department and Ward County Sheriff's Department will make a joint purchase of a Crisis Response Throw Phone and Video System for use by the Crisis Negotiations Team. This item is used by negotiators to establish contact when traditional or cellular phones are not available to establish contact with a subject during a critical incident such as a barricaded suspect.

- 1. Recommend approval to apply for and accept the Fiscal Year 2018 Byrne Justice Assistance Grant (JAG); and**
- 2. Authorize the Mayor to sign the Memorandum of Understanding**

Documents:

[City Council Memo 2018 JAG.pdf](#)
[2018 JAG MOU \(signed\).pdf](#)

9. NDDES FY 2018 SHSP REGIONAL RESPONSE TEAM GRANT – MINOT FD

The Minot Fire Department Regional Response Team has applied for the NDDES FY 2018 SHSP Regional Response Team Grant for sustainability fund to include training, exercises, and equipment in the areas of hazardous materials and technical rescue. We have been awarded \$130,848.00.

- 1. Recommend authorization to ratify and accept the North Dakota Department of Emergency Services (NDDES) FY 2018 State Homeland Security Program (SHSP); and**
- 2. Authorize the Mayor to sign the agreement**

Documents:

[2018 Memo - FY18 FD SHSG.docx](#)
[FY18 SHSG Application.pdf](#)
[Minot FD FY18 SHSG Award Letter.pdf](#)

10. MINOT AIR FORCE BASE MUTUAL AID AGREEMENT

This document being updated due to the USAFB moving toward a standardized format with their mutual aid agreements. This agreement will enter the Minot Fire Department as written in the document to be requested by the Minot Air Force Base Fire Department to assist in the event of a larger emergency. This defines roles, responsibilities and expectations as responding to the Minot Air Force Base.

It is recommended the City Council authorize the Mayor to sign the Minot Air

Force Base Fire Department Mutual Aid Agreement with the Minot Fire Department.

Documents:

[8-18 Minot AFB Mutual Aid Agreement.docx](#)
[MAA Minot City 2.pdf](#)

11. USED SCBA EQUIPMENT TRADE-IN FOR IN STORE CREDIT

The Minot Fire Department through the Assistance to Firefighter Grant purchase \$300,000 in self-contained breathing apparatus (SCBA). The older, used equipment will not longer be used and can be traded in for in store credit from the regional distributor to be used for equipment to augment our SCBA project.

- 1. It is recommended the City Council authorize the Fire Chief to trade in used SCBA equipment for a in store credit to be used to purchase additional equipment to augment SCBA project.**
- 2. Also, pass an ordinance amending the 2018 annual budget to increase expenditures and revenues in the fire control operation supplies budget.**

Documents:

[2018 Memo - USED SCBA EQUIPMENT TRADE-IN FOR IN STORE CREDIT.docx](#)
[Estimate 1.pdf](#)
[Estimate 2.pdf](#)
[25. 2018 BA - Used SCBA Equipment Trade-In for in Store Credit.docx](#)

12. FY16 SHSG BOMB EQUIPMENT - BOMB SUIT (PD0112)

On July 26, 2018, the Minot Police Department opened bids for a bomb suit for the Minot Bomb Squad. Three bids were solicited. One bid was received.

It is recommended the City Council award the bomb suit bid to MED-Eng, LLC. in the amount of \$32,599.00.

Documents:

[2018 Memo - FY16 SHSG Bomb Equipment PD0112.docx](#)
[2018 Memo - FY16 SHSG Bomb Equipment PD0112 - BID.PDF](#)

13. PURCHASE OF ADA COMPLIANT MINI VAN AND SALE OF EXISTING VAN (4376/BUS027)

This van will replace a 2014 Dodge Entervan with over 100,000 miles on it that is beyond its life expectancy. This van is used by Souris Basin Transit as a requirement to meet our ADA transit responsibility. There is an approved Section 5339 North Dakota Department of Transportation grant that will reimburse 80% of the purchase cost of this bus and the matching funds were approved in the 2018 city budget.

- 1. We are requesting that Council approve the purchase of an ADA compliant handicap accessible 2018 Braun Entervan off of North Dakota State Bid Contract #382 and allow the Public Works Director to sign the purchase order and any other associated forms for this purchase**
- 2. We are also requesting permission to sell the van that is being replaced on sealed bids once the new van is in service. The income from that sale will offset a portion of the cities cost of this purchase**
- 3. Authorize the Mayor to sign the budget amendment**

Documents:

[2018 Memo - Purchase of ADA Compliant Mini Van BUS027.docx](#)
[2018 BA- Purchase of ADA Compliant Mini Van BUS027.docx](#)

14. AMEND CONTRACT FOR FIRE DEPARTMENT STATION 3 REMODEL

The original scope of work for the airport fire station was to remodel with larger budget. There was a reduction in both scope and budget, which required contract amendment to reflect the correct project budget, fee breakdown and reimbursable. This will allow for the Minot Fire Department to have complete paperwork for finance and for compliance with the FAA grant requirements.

Recommend the Council approve the amended contract with EAPC that reflects the adjusted remodel construction cost for Fire Station 3 and authorize the Mayor to sign the amended contract.

Documents:

[8-18 EAPC Contract Amendment.pdf](#)
[20165890_B101 Amendment 1_04.10.18.pdf](#)

15. MINOT PARK DISTRICT/CHILDREN'S MUSEUM ORDINANCE

In August 2017, the City Council tentatively approved contributing Community Facility sales tax monies to the Minot Park District in relation to the Magic City Discovery Center. City staff recently received an agreement and lease outlining and establishing the Park District's relationship with the Magic City Discovery Center. After receipt of that documentation, this office drafted the proposed ordinance and a proposed joint powers agreement between the City and Park District. City staff and Park District staff are working through the joint powers agreement. If the attached proposed ordinance is approved, on first reading, at the September City Council meeting, this office anticipates submitting the joint powers agreement to the City Council at the September Committee of the Whole meetings, for final approval at the October City Council meeting.

It is recommended the City Council approve the proposed ordinance, on first reading.

Documents:

[magic city discovery center_memo.pdf](#)
[Museum Enterprise Ordinance.pdf](#)

16. MINOT PARK DIST. - CANADA GOOSE MITIGATION REQUEST

The Minot Park District has requested that they be allowed to conduct a limited hunt as part of a mitigation program to control the population of Canada geese specifically at the Souris Valley Golf Course. This would require an amendment to City of Minot Ordinance 23-61 which prohibits the discharge of firearms within the city limits unless it occurs in accordance with one of the exceptions.

It is recommended the City Council pass an ordinance to amend and reenact 23-61 of the City of Minot Code of Ordinances to add an exception for a Canada Goose mitigation program for the Park District.

Documents:

[Canada Goose mitigation memo.pdf](#)
[Request to Police Chief Goose Hunt SVGC 2018.pdf](#)

17. STOP CONTROL AT THE INTERSECTION OF MAIN ST S AND 8TH AVE S.

An investigation was recently completed regarding motorist safety at the yield controlled intersection of Main Street S and 8th Avenue S. The engineering study consisted of applying AASHTO's guidelines for intersection sight triangles.

It is recommended the City Council pass on first reading an ordinance to remove yield control on Main St at 8th Avenue S, and replace with a stop sign to improve intersection sight distance.

Documents:

[Main St S Stop at 8th Ave Memo.docx](#)
[Approach SightTriangle for Yield Controlled Intersection \(Main St S and 8th Ave\).pdf](#)
[Departure SightTriangle for Stop Controlled Intersection \(Main St S and 8th Ave\).pdf](#)
[Proposed Ordinance Change \(715 S. Maint St\).docx](#)

18. US 2 23RD ST TO BURDICK EXPRESSWAY LIGHTING (4383)

Currently, roadway lighting does not exist on US 2 from 23rd St to Burdick Expressway. The NDDOT is designing a project to install roadway lighting on this segment of the corridor. The City maintains the lighting systems on the US 2/52 within City limits.

Recommend approval of the Cost Participation and Maintenance Agreement with the NDDOT for the US 2 23rd St to Burdick Expressway Lighting project; and authorize the Mayor to sign the agreement.

Documents:

[US 2 23rd St to Burdick Expressway Lighting.docx](#)
[CPM Agreement - NHU-4-002\(111\)148.pdf](#)
[Feed Point Map.pdf](#)

19. FAA 2018 AIRPORT IMPROVEMENT PROGRAM (AIP) GRANT OFFER

The FAA has reviewed and approved Minot International Airport's 2018 AIP Grant Application. The \$1,729,391 offer represents the FAA's commitment to fund 90% of three 2018 projects. These include the Airport's share of the Fire Station 3 remodel, the purchase of two pieces of Snow Removal Equipment, and a required Wildlife Attractant and Stormwater Environmental Assessment. Each of these projects has been previously approved by the City, as were the associated Pre-Grant Application and the Grant Application. The remaining 10% of the costs for these projects come from state and local funds with 5% requested from the North Dakota State Aeronautics Commission, and the remaining 5% coming from the City. The City portion has been approved in the 2018 budget.

- 1. Recommend acceptance of the 2018 AIP Grant Offer 3-38-0037-054-2018 from the FAA in the amount of \$1,729,391; and**
- 2. Recommend approval of the attached Budget Amendment; and**
- 3. Authorize the Mayor and the City Attorney to sign necessary documents.**

Documents:

[MEMO FAA 2018 AIP Grant Acceptance \(1\).pdf](#)
[1 Grant Offer Cover Letter - AIP 3-38-0037-054-2018.pdf](#)
[2 Grant Agreement - AIP 3-38-0037-054-2018.pdf](#)
[3 Certification and Disclosure - Potential Conflicts of Interest.pdf](#)

4 Construction Project Final Acceptance.pdf
5 Selection of Consultants.pdf
6 Drug-Free Workplace.pdf
7 Equipment and Construction Contracts.pdf
8 Project Plans and Specifications.pdf
2018 ba - 8-17-18 increase airport capital projects with FAA FY18 grant approval.pdf

20. LEASE ASSIGNMENT – CORPAT / ENTERPRISE

The National/Alamo car rental business at the Airport is in the process of being sold to Enterprise Car Rental. As part of this transaction, the companies have requested that the CORPAT lease now be assigned to Enterprise. The concession agreements with both companies allow for this, and the Airport does not have any reason to withhold approval of the lease assignment. Upon completion of the sales transaction, Enterprise will operate both counters and associated rental brands under separate concession agreements with the Airport. There will be no noticeable change for the public, or financial arrangements with the Airport.

- 1. Recommend approval of the Lease Assignment Document between CORPAT Inc. dba National/Alamo Car Rental and Enterprise RAC Company of Montana/Wyoming. LLC.; and**
- 2. Authorize the Mayor to sign the required document.**

Documents:

MEMO Lease Assignment Corpat Enterprise (1).pdf
Concession Assignment MOT assignment of corpat lease.pdf

21. MUNICIPAL COURT MARRIAGES & POSSIBLE CHANGE TO MUNICIPAL COURT SCHEDULE

Since becoming municipal judge, there have been many requests to perform marriages. This is not a duty of municipal judge, but rather an ability conferred upon becoming a judge. Most requests are to have the marriage ceremony in the municipal courtroom in the weekday afternoon hours.

It is recommended the City Council grant approval for the Municipal Judge to utilize the Municipal Courtroom to conduct marriage ceremonies.

Documents:

City Council Memo (Beall_Weddings_Potential Schedule Change).pdf

22. AUTHORIZE CREATION OF 501(C)(3) NONPROFIT FOR CDBG-DR REVOLVING LOAN FUND

Several months ago, HUD approved a Substantial Amendment to the Allocation #1 Action Plan permitting the city to launch a revolving loan fund with \$800,000 in CDBG-DR funds to assist businesses and commercial property owners affected by the flood with primary focus on the downtown and other flood impacted commercial areas.

It is recommended the City Council authorize the DR Grant Program Manager to proceed with creation of 501(c)(3) nonprofit to establish Allocation #1 Business Revolving Loan Fund and expand sub-recipient agreement with Souris Basin Planning Council to manage the RLF.

Documents:

Create501c3RLFcouncilmemo.pdf
IRS501c3guidance.pdf

23. HIRE APPRAISAL FIRMS FOR ACQUISITION EFFORTS FOR FLOOD DAMAGED STRUCTURES

An RFP was issued for appraisal services to licensed appraisers as identified on the North Dakota state website to provide appraisal services to the city for acquisition of structures either through voluntary or involuntary acquisition which contain conditions causing spot blight which have become commonly known as "Zombie" homes. Three proposals were received.

- 1. It is recommended the City Council approve Hiring Mark Thelen Appraisal and Consulting for appraisals and Kathy's Appraisal, Inc. for review appraisals if required.**
- 2. Amend the Allocation #1 Voluntary Acquisition Program to establish property/structure value for making purchase offers to be post flood value.**

Documents:

[hiringappraisercouncilmemo.pdf](#)

24. CDBG-DR AND CDBG-NDR CONTRACT PERFORMANCE GUIDELINES

While the CDBG-DR and CDBG-NDR Contract Performance Guidelines have been followed in practice starting back in the latter half of 2017, its approval by the City Council will put in place clear written policy that will demonstrate to HUD the enhanced and upgraded procedures being followed.

It is recommended the City Council approve the CDBG-DR and CDBG-NDR Contract Performance Guidelines.

Documents:

[CDBGDR-NDRcontractperformanceguidelinescouncilmemo.pdf](#)
[CDBGDR-NDRcontractperformanceguidelines.pdf](#)

25. HOME SWEET HOME CONTRACT CHANGE ORDER

Upon elevating Home Sweet Home above its foundation, it was discovered by the city building inspection unit that there appeared to be structural issues that could result in the house not being able to sit on a new foundation. EAPC as an approved sub-contractor for CDM Smith with engineering services was requested to inspect the underneath sections of the house both to determine what shoring work, if any, is necessary, and the causes (s) of the conditions foundation. The EAPC report found that there needed to be repairs providing an estimate of \$17,692.75 which serves as compliance for HUD requirements as being necessary and reasonable.

It is recommended the City Council approve the \$17,692.75 change order to the contract with Dig It Up Backhoe Service for work needed to shore up Home Sweet Home to move to the new foundation.

Documents:

[HSHchangeordercouncilmemo.pdf](#)
[HSH Joist Improvements \(1\).pdf](#)

26. CITY COUNCIL REJECT DEMOLITION BIDS OF JULY 18 & AUGUST 17, 2018

Bids for the demolition and site restoration of several properties were opened on July 17, 2018. Bids were significantly over the engineer's estimate so were subsequently rebid on August 17, 2018.

1. It is recommended the City Council ratifies staff decisions to (1) reject all July 17, 2018 bids for demolition work for 614 & 717 4th Avenue NE, 205 & 215 Maple Street, 400 Maple Street, and 430 4th Avenue NE and (2) rebid the projects.
2. It is recommended the City Council reject all August 17, 2018 for 614 & 717 4th Avenue NE, 205 & 215 Maple Street, 400 Maple Street, and 430 4th Avenue NE.

Documents:

[Demolitionbid councilmemo.pdf](#)

27. CP RAIL MAIN ST CROSSING UPGRADE (4384)

Currently, the CP Rail crossing at Main St N does not have a constant warning time (CWT) system. CWT systems detect oncoming trains by speed and distance and are a safety improvement over older antiquated systems.

1. It is recommended the City Council approve the Cost Participation and Maintenance Agreement with the NDDOT for the CP Rail Main St Crossing Upgrade project; and authorize the Mayor to sign the agreement.
2. Pass an ordinance to amend the 2018 annual budget to increase the street improvement expenditures.

Documents:

[CP Rail Main St Crossing Upgrade Memo.docx](#)
[CPM Agreement.pdf](#)
[2018 BA - Railroad Crossing Upgrade.docx](#)