

# City of Minot

Regular City Council Meeting  
Monday, August 19, 2019 at 4:15 PM  
Minot Municipal Auditorium, Room 201

Any person needing special accommodation for the meeting is requested to notify the City Clerk's Office at 857-4752.

## 1. ROLL CALL

## 2. PLEDGE OF ALLEGIANCE

## 3. BUDGET REVIEW QUESTION-AND-ANSWERS SESSION OF CITY COUNCIL, CITY MANAGER, AND DEPARTMENT HEADS.

## 4. CONSENT ITEMS

### 4.1. THE FOLLOWING ORDINANCES SHOULD BE CONSIDERED ON SECOND READING

1. **Ordinance No. 5411 - Amend the 2019 Annual Budget- PD Testing Equipment (PD0144)**
2. **Ordinance No. 5412 - No Parking Restrictions- Hammond Park**

Documents:

[ORDINANCE NO. 5411.PDF](#)  
[ORDINANCE NO. 5412.PDF](#)

### 4.2. 2019 K-9 CASPIAN (PD0170)

On September 21, 2018, the Rural Community Grant Fund pledged to support the City of Minot Police Department with \$19,396 for a dual purpose K-9 and associated training. A budget amendment is required to increase the general fund police expenditures and revenues and the police capital purchases revenues and expenditures due to the purchase of a new K-9 Caspian. The City was awarded the Rural Community Grant towards the purchase of a new K-9.

1. **Recommend approval for the first reading of the budget amendment to increase the general fund police revenues and expenditures and police capital purchases revenues and expenditures for a 2019 K-9**
2. **Authorize the Mayor to sign the budget amendment.**

Documents:

[51. 2019 MEMO - 2019 K-9 PD0170.PDF](#)  
[51. 2019 BA - 2019 K-9 CASPIAN \(PD0170\).PDF](#)

### 4.3. CITYWIDE ASSET MANAGEMENT SOFTWARE 4423

A budget amendment is required to move the citywide asset management software from the capital fund into the general fund as it does not meet the City policy for a capital purchase. The expenditure and revenue will be decreased for the equipment purchase capital fund and increased in the general fund engineering department

applicable accounts. There is no net impact on the existing budget.

**Recommend approval for the first reading of the budget amendment to move the citywide asset management software out of the equipment purchase capital fund into the general fund engineering department accounts and authorize the Mayor to sign the budget amendment**

Documents:

[50. 2019 MEMO - 4423 CITYWIDE ASSET MANAGEMENT SOFTWARE.PDF](#)  
[50. 2019 BA - 4423 CITYWIDE ASSET MANAGEMENT SOFTWARE.PDF](#)

4.4. CITY COUNCIL APPROVE 2019 ROUND 2 AND ROUND 3 DEMOLITION/SITE RESTORE BIDS

City issued bids for two new rounds of CDBG-NDR acquired structures for demolition and site restoration in support of the flood control projects with one bid reflecting standard demolition and one bid reflecting more extensive and complicated demolition of multiple structures which have been acquired this year.

**It is recommended the City Council approve CDBG-NDR 2019 Round 2 and Round 3 Structure Demolition and Site Restoration Bids to be awarded to Dig It Up Backhoe Service Inc.**

Documents:

[ROUND2 AND 3 DEMOLITION CONTRACTS COUNCILMEMO.DOCX](#)  
[RECOMMENDATION TO AWARD LETTER 2019 ROUND 2 3 STRUCTURE DEMOLITION .PDF](#)

4.5. ERP SOFTWARE AND IMPLEMENTATION SERVICES (G&A018)

City staff has gone through an RFP process to select a vendor for a new ERP system to replace our existing legacy system. We have also conducted an RFQ process to select an implementation consultant to assist with the project. Through this process we are recommending Tyler Munis for the ERP system and Berry Dunn for the implementation consultant.

1. **Approve the selection of Berry Dunn as the implementation consultant for the Citywide ERP project with Tyler Technologies.**
2. **Approve the contract with Tyler Technologies for purchase and implementation of the Tyler Munis product.**
3. **Authorize the Finance Director to negotiate a scope of work and contract with Berry Dunn and authorize the Mayor to sign the contract.**

Documents:

[TYLER CONTRACT MEMO.PDF](#)  
[TYLER CONTRACT PRICING -SCHEDULE A NOT TO EXCEEDS.PDF](#)

4.6. BURDICK EXPRESSWAY ADA UPGRADES NDDOT PE AGREEMENT (4394)

Burdick Expressway is planned to have ADA compliant pedestrian ramps installed during the 2021 construction season. The project will start at 16th St SW and continue east to Broadway. It will start again at 16th St SE and continue to 27th St SE.

1. **It is recommended that the council approve the agreement with the NDDOT and authorize the Mayor to sign the agreement.**

Documents:

[4396 BURDICK EXPRESSWAY ADA UPGRADES PE AGREEMENT MEMO.PDF](#)  
[PE AGREEMENT FOR BURDICK EXPY ADA RAMPS PROJECT.PDF](#)

4.7. BURDICK EXPRESSWAY MAJOR REHABILITATION NDDOT PE AGREEMENT (4394)

Burdick Expressway is planned to have a mill and overlay take place in 2021. The project will include pavement mill and overlay from the Burdick Viaduct west to 1st St SW and Valley St from Burdick south to the edge of concrete pavement. Pedestrian ramps will be installed at all intersections. In addition, the pedestrian signal at 1st St SE will be replaced with a new pedestrian signal.

**It is recommended that the council approve the agreement with the NDDOT and authorize the Mayor to sign the agreement.**

Documents:

[4394 BURDICK EXPRESSWAY MAJOR REHAB PE AGREEMENT MEMO.PDF](#)  
[PE AGREEMENT FOR BURDICK EXPY FROM 1ST TO VALLEY STREET.PDF](#)

4.8. RIGHT OF WAY ENCROACHMENT APPLICATION – ROOFTOP STAIRCASE – 220 S BROADWAY

Derf, Inc. wishes to install a staircase along the outside of the southern wall of their building at 220 South Broadway to allow ingress/egress to the rooftop seating area on top of the building. The proposed staircase will encroach on the City's right-of-way but will have a minimum of 8ft vertical clearance from the existing sidewalk.

**Recommend approval of the Right of Way Encroachment Agreement Application submitted by Derf, Inc. for the installation of a staircase at their building at 220 South Broadway.**

Documents:

[MEMO\\_ENCROACHMENT\\_DERFSPORTSONTOP.PDF](#)  
[ENCROACHMENT APPLICATION.PDF](#)  
[FLOOR PLAN.PDF](#)  
[EXTERIOR STAIR ELEVATION DETAIL.PDF](#)  
[ENCROACHMENTPERMIT\\_DERFSPORTSONTOP.PDF](#)  
[PERMITATTACHMENT.PDF](#)

4.9. CITY COUNCIL APPROVE CONDITIONAL APPROVAL OF LMI SENIOR RENTAL HOUSING

Beyond Shelter, Inc. as a non-profit housing developer using funds from CDBG-DR Allocation #1 constructed a LMI multi-family apartment building. It acquired a site which was sufficient for two buildings which was contemplated in the agreement with the city. Through a sub-recipient agreement, the City Council approved an extension of the agreement with the potential of using CDBG-NDR funds as part of covering costs of second building. Since the second building was never constructed because of changing market conditions, one of the requirements has been quarterly meetings to assess market conditions and needs. At our last quarterly meeting, Beyond Shelter was seeing continued market improvement and agreed with our assessment that there was a need for LMI Senior Housing.

**It is recommended the City Council approve a conditional commitment of CDBG-NDR funds to support Beyond Shelter efforts to secure additional**

**leveraged funds to build up to 56 rental units for senior citizens.**

Documents:

[BEYONDSHELTERSENIORHOUSINGCOUNCILMEMO.DOCX](#)  
[CONDITIONAL COMMITMENT LETTER BETWEEN THE CITY OF MINOT AUG  
9 2019 V.2A.DOCX](#)

## **5. ACTION ITEMS**

### **5.1. SALES TAX RESERVES FOR FLOOD CONTROL PROJECTS (CAP012 AND 3135.2)**

The sales tax flood control reserves are being used for ongoing flood protection projects, the Minot system wide improvement framework (SWIF) project, and design work for bridges outside of the City of Minot. There are two projects that require the use of reserves.

**Recommend approval for the first reading of the budget amendment to authorize using flood control sales tax reserves for additional flood control expenditures.**

Documents:

[47. USE 265 RESERVES FOR FLOOD CONTROL PROJECTS.DOCX](#)  
[47. 2019 BA - USE 265 RESERVE FOR FLOOD CONTROL  
PROJECTS.DOCX](#)

### **5.2. PARKING RAMP ROOF AND DRAINAGE SYSTEM AWARD OF BID (3738.6)**

Since taking over operation and maintenance activities of the parking ramps, the Public Works Department has been constantly plugging holes and sealing leaks in the podium deck. The podium is a structural slab meant to place the future building floors upon, it is not intended to act as a roofing system.

**Recommend Council award the bid to Rolac Contracting Inc, in the amount of \$870,000 with a completion date option of December 31, 2019.**

Documents:

[3738.6 PARKING RAMP ROOF AND DRAINAGE SYSTEM AWARD OF BID  
ROLAC MEMO.PDF](#)  
[RECOMMENDATION OF AWARD.PDF](#)

### **5.3. SECURITY CAMERA SYSTEM AWARD OF BID (CITY PROJECT NO. 4408)**

There have been multiple incidents around the parking ramps facilities where vandalism or theft have occurred and there are no surveillance devices in place to assist with the investigation of these crimes. In addition, adding cameras will be a deterrent and improve the safety of the public at the parking ramps. On Tuesday, April 2, 2019 bids were opened for a security camera system at the parking ramps facilities.

**Recommend council to award the bid for a security camera system at the Parking ramps facilities to Gefroh Electric in the amount of \$62,690.00.**

Documents:

[4408 - SECURITY CAMERAS - AWARD OF BID MEMO.PDF](#)

### **5.4. INCREASE TO PERMIT AND LICENSE FEE**

The current fees for residential building, mechanical and plumbing permits do not

adequately collect the revenue necessary to pay the operational costs of the building inspections department. Valuation costs for residential building permit fees have not changed since 1994.

**It is recommended the City Council adopt a resolution to increase the established fees for building, mechanical and plumbing permits and licensing.**

Documents:

[FEE MEMO TO CC 20190719.PDF](#)

[1. ATTACHMENT A- SQ.FT EVAL. HISTORY 20190723.PDF](#)

[2. ATTACHMENT B- CURRENT BUILDNG FEES 20190726.PDF](#)

[3. ATTACHMENT C- PROPOSED BUILDING FEES 20190726.PDF](#)

[4. ATTACHMENT D-EXAMPLE FOR SINGLE FAMILY 20190723.PDF](#)

[5.. ATTACHMENT E1-M P CHARTS 20190723.PDF](#)

[6. ATTACHMENT E2-BUILDING FEE CHARTS 20190723.PDF](#)

[7. ATTACHMENT F.1- 2000-2019 M P FEE HISTORY 20190815.PDF](#)

[5. ATTACHMENT F2- 2000-2019 VALUATION FEE HISTORY 20190723.PDF](#)  
[PERMIT FEE RESOLUTION\\_20190725.PDF](#)

5.5. SPECIAL ASSESSMENT APPROVAL; 2019 NUISANCE ABATEMENT (4347)

Nuisance abatement project 4347 was approved by City Council on April 2, 2018 and final payment approval occurred on December 3, 2018. The attached list includes those properties of which nuisance abatement was completed between August 1, 2018 and July 31, 2019. The City wishes to certify the list to Ward County for collection with property taxes.

**It is recommended the City Council approve the assessment roll for 2019 Nuisance abatement.**

Documents:

[MEMO NUISANCE ABATEMENT 2019.PDF](#)

[NUISANCE ABATEMENT ROLL 2019.PDF](#)

5.6. SPECIAL ASSESSMENT APPROVAL; 2019 WEED CUTTING

The Public Works department has responded to a number of complaints regarding tall grass and weeds. The attached list represents those locations the City abated for the twelve-month period beginning August 31, 2018 but has not received payment. The City wishes to certify the attached list to Ward County for collection with property taxes.

**Staff recommends approval of the special assessment roll for 2019 weed cutting.**

Documents:

[MEMO WEED CUTTING 2019.PDF](#)

[WEED CUTTING 2019.PDF](#)

5.7. SPECIAL ASSESSMENT APPROVAL; SIDEWALK REPAIR (4311)

Sidewalk repair project #4311 was approved by City Council on March 5, 2018 and final payment approval was obtained on December 3, 2018. Council's approval of the assessment roll will allow staff to move forward with processing the loans resulting in inclusion in the annual certification to Ward County for collection.

**Staff recommends approval of the assessment roll for the 2019 Sidewalk**

## **Repair project (4311).**

Documents:

[SIDEWALK 2018-19.PDF](#)  
[SIDEWALK ASSESSMENT ROLL 2019.PDF](#)

### **5.8. STORM SEWER DISTRICT 123 – 10TH STREET SW – ENGINEERS REPORT (4393)**

10th Street SW from 37th Avenue to 31st Avenue SW and surrounding areas have long been identified as known storm water problem areas. The 2015 City of Minot Storm Water Management Plan analyzed this area and provided planning level engineering and cost estimates to address these drainage problems. This project is included in the approved capital improvements plan for 2019 design and 2020 construction.

Currently, even small rain storms can cause intersection flooding at 10th Street SW and 31st Avenue SW, as well as 7th Street SW and 28th Avenue SW. Additionally, water pools all along 10th Street SW, south of 31st Avenue SW, as there are no existing inlets. Upon completion of this project, roadway flooding will be reduced in both depth and duration allowing for safer travel along the 10th Street SW and 31st Avenue corridors.

**It is recommended that the City Council adopt the following resolutions:**

- 1. Create Storm Sewer District 123.**
- 2. Direct preparation of the Engineer's Report.**
- 3. Approve the Engineer's Report.**
- 4. Waive the resolution of necessity since the project is a storm sewer district listed in NDCC 40-22-01.1**
- 5. Direct preparation of Plans and Specifications.**

Documents:

[4393 - SSD123 10TH ST SW ENG REPORT MEMO.PDF](#)  
[STORM SEWER DISTRICT 123 ENGINEERS REPORT.PDF](#)  
[ATTACHMENT1\\_MAP.PDF](#)  
[ATTACHMENT2\\_COST.PDF](#)  
[ATTACHMENT3\\_SCHEDULE.PDF](#)  
[ATTACHMENT4\\_ASSESSMENTROLL.PDF](#)

## **6. PERSONAL APPEARANCES**

### **7. MISCELLANEOUS AND DISCUSSION ITEMS**

#### **7.1. MOSQUITO SPRAYING UPDATE**

The Public Works Director will provide an update on the mosquito spraying process and costs associated with spraying.

Documents:

[MOSQUITO SPRAYING VECTOR CONTROL UPDATE.PDF](#)

#### **7.2. ADOPTION OF 2018 INTERNATIONAL EXISTING BUILDING CODE, IEBC**

A large number of existing buildings and structures do not comply with the current building code requirements for new construction. Adoption of the IEBC allows for a controlled departure from full compliance with the technical codes without compromising the minimum standards for fire prevention and life safety.

There is no recommended action at this time. This is for informational purposes only.

Documents:

[ADOPTION OF THE IEBC.PDF](#)

### 7.3. CITY HALL RETAINING WALL

Following discussion of the City Hall wall retaining project at the Council's regular meeting of August 5, Alderman Podrygula had some further questions regarding the matter, and ended up having a (31-minute-long) telephone conversation with the consulting structural engineer – Cassie McNames, PE, from KLJ – who originally presented at the Council meeting.

Alderman Podrygula felt the information he obtained was significant and should be made available to the Council and the public. The attached memo includes information from their conversation.

Documents:

[AGENDA ITEM 081519.PDF](#)

[CITY MEMO 081319.PDF](#)

[CITY MEMO 081619.PDF](#)

## 8. LIAISON REPORTS

## 9. ADJOURNMENT