



TO: Mayor Shaun Sipma
Members of the City Council

FROM: Emily Huettl, PE, Assistant City Engineer

DATE: April 1, 2019

SUBJECT: POTENTIAL SALE OF CITY LAND – PORTION OF VIA VIEW PARK

I. RECOMMENDED ACTION

1. Approve the sale of the City owned portion of the land known as Via View Park.
2. Approve the terms of the Purchase Agreement.
3. Approve the Request for Bids.
4. Authorize the Mayor to sign the Purchase Agreement and any other documents to complete the bid/auction and transfer of this parcel of land to the highest bidder.

II. DEPARTMENT CONTACT PERSONS

Lance Meyer, City Engineer	(701) 857-4100
Emily Huettl, Assistant City Engineer	(701) 857-4100
Kelly Hendershot, City Attorney	(701) 857-4755
Stefanie Stalheim, Assistant City Attorney	(701) 857-4755

III. DESCRIPTION

A. Background

The City of Minot and the ND Department of Transportation currently own the land at the corner of Broadway and 4th Ave NW, known as Via View Park (see attached figure). The Park District maintains this land. The City was approached by an adjacent landowner who is interested in purchasing the City’s portion of the property. The City acquired this land through the 1970s flood control project and has no current or future need or use for this land.

Section 2-5.1 of the City’s ordinance govern the sale, exchange, or donation of property by the City and provides:

*“[t]he sale, exchange, or donation of city property, including the terms of such sale, exchange, or conditions on such donation, or the method of sale or exchange if the terms thereof have not been established, **must be pre-approved or ratified by the city council** if the property is real estate or the property has an estimated market value in excess of five thousand dollars (\$5,000.00). This section shall supersede any state law to the contrary pertaining to the same subject matter. Cash or its equivalent shall not be considered property under this section.”*

B. Proposed Project

The sale of this land would be through a publically advertised bidding process. The terms of the sale are outlined in the attached Purchase Agreement.

- C. Consultant Selection
N/A

IV. IMPACT:

- A. Strategic Impact:
N/A

- B. Service/Delivery Impact:
With the sale of this land, approximately 70% of Via View Park will remain and the Park District will continue to maintain it as it is currently.

- C. Fiscal Impact:
Staff has suggested a minimum bid price of \$500 to recoup costs associated with the legal advertisement. Per the Purchase Agreement, the buyer will pay for all title work, abstract creation, and other closing costs so that the City incurs no costs from this sale. Depending on the bids received, the City would generate a small amount of income from this sale and from future property tax collections.

V. ALTERNATIVES

- 1. Council could choice not to sell the land.

VI. TIME CONSTRAINTS

Approving the sale in a timely manner would take advantage of the current interest in the land.

VII. LIST OF ATTACHMENTS

- A. Property Figure
- B. Purchase Agreement
- C. Request for Bids