

FINANCE AND IMPROVEMENTS COMMITTEE

Tuesday, January 31, 2017 – 4:15 p.m.

City Council Chambers

A g e n d a

1. [Amend the 2016 Annual Budget- Council Approved Expenditures/Expenses](#)
2. [Amend the 2016 Annual Budget- Internet Crimes Against Children Grant \(PD0126\)](#)
3. [Amend the 2016 Annual Budget- National Disaster Resilience Competition](#)
4. [Amend the 2017 Annual Budget- City SAN Replacement \(IT0012\)](#)
5. [Amend the 2017 Annual Budget- GIS Software \(ENG014\)](#)
6. [Special Assistant City Attorney](#)
7. [State Small Business Credit Initiative – U.S. Department of Treasury](#)
8. [Interim Duties and Authorization of City Treasurer to Countersign all Orders on the City Treasury](#)
9. [Amendment No. 7 to Agreement between City of Minot and Program Administrator \(CDM Smith\) – Hurricane Sandy Allocation – \(Second Allocation\)](#)
10. [Memorandum of Agreement between the North Dakota State Historic Preservation Officer and the City of Minot Regarding “The Minot Mill” 400 3rd Street NE Located within the Minot Industrial Historic District](#)
11. [Optional Relocation Policy #2](#)
12. [Contract Amendment No. 2 to Agreement between City of Minot and Program Administrator \(CDM Smith\) – NDR Funds](#)
13. [Storm Sewer District 122 Status Update \(4197\)](#)
14. [Pledged Assets](#)
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MEMO TO: Finance and Improvements Committee
FROM: City Clerk's Office
RE: Agenda for Tuesday, January 31, 2017 - 4:15 p.m.

1. Amend the 2016 Annual Budget- Council Approved Expenditures/Expenses

It is recommended the Committee and Council pass an [ordinance](#) amending the 2016 annual budget to increase the department expenditures for funds approved by City Council for the Mouse River Enhanced Flood Protection Plan using cash reserves and the Minot State University Air Dome previously approved by City Council and increase the storm sewer maintenance expenditures for the Storm Sewer District #121 and increase the general fund revenues and expenditures for the Narcotics Task Force Grant.

2. Amend the 2016 Annual Budget- Internet Crimes Against Children Grant (PD0126)

It is recommended the Committee and Council pass an [ordinance](#) amending the 2016 annual budget to increase the revenues and expenditures in the Criminal Investigations budget for the Internet Crimes against Children grant.

3. Amend the 2016 Annual Budget- National Disaster Resilience Competition

It is recommended the Committee and Council pass an [ordinance](#) amending the 2016 annual budget to increase the National Disaster Resilience Competition (\$74.3M) expenditures and revenues.

4. Amend the 2017 Annual Budget- City SAN Replacement (IT0012)

It is recommended the Committee and Council pass an [ordinance](#) to amend the 2017 annual budget to increase Information Technology capital purchase expenditures for the City SAN replacement. Half the funds were budgeted in 2016 and the other half will come from cash reserves.

5. Amend the 2017 Annual Budget- GIS Software (ENG014)

It is recommended the Committee and Council pass an [ordinance](#) amending the 2017 annual budget to increase the Capital Equipment Purchase expenditures and decrease the General Fund expenditures for the purchase of new GIS software.

6. Special Assistant City Attorney

The City Council has previously approved a contract and appointment of Shane Goettle as Special Assistant City Attorney to represent the City on various matters that arise through the state legislative process.

Mr. Goettle has an associate in his legal practice, Lacey Anderson, whom will be assisting him in this regard during the legislative session. Therefore, Mr. Goettle has requested the City also appoint Ms. Anderson as a Special Assistant City Attorney.

There is no fiscal impact associated with this request. Any expenses or fees are covered under the contract between the City and Mr. Goettle.

It is recommended the Committee and Council appoint Lacey Anderson as a Special Assistant City Attorney as an associate under Mr. Goettle's contract and further authorize the Mayor to sign the necessary [documentation](#).

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7. State Small Business Credit Initiative – U.S. Department of Treasury

The City participates in the State Small Business Credit Initiative (SSBCI) administered by the Lewis and Clark Regional Development Center by having the Finance Director serve on the loan committee.

The obligations require the Finance Director to participate in conference calls, on an as needed basis, to review loan applications and approve or disapprove the loan request.

The Executive Director of the Minot Area Development Corporation also serves in this capacity.

To replace the current Finance Director in this position until a new Finance Director is hired requires Council action. After staff discussion and the requirements of the position the City Manager has determined the appropriate person to take the temporary position on this committee is the City Comptroller. The position requires financial analysis of the company applying for the loan and the City Comptroller possess those skills.

After a Finance Director is hired, the Council will need to take action again to appoint the Finance Director to the loan committee if they so desire.

It is recommended the Committee and Council appoint the City Comptroller to the loan committee for the State Small Business Credit Initiative administered by the Lewis and Clark Regional Development Center until such time a Finance Director is hired.

8. Interim Duties and Authorization of City Treasurer to Countersign all Orders on the City Treasury

During the interim period without a Finance Director, after consultation with the City Manager, it has been determined the duties of the Finance Director will be shared by the City Treasurer and the Comptroller.

The Comptroller will be responsible for all project accounting and financial matters of that type. The City Treasurer will be responsible for all other duties to include countersigning all orders on the city treasury.

Article III – City Officers – Division 3. City Auditor – Sec. 2-60. (g) Specifically states: “To draw and countersign all orders on the city treasury in pursuance of any order or resolution of the city council, and to keep a fully accurate account thereof in books provided for that purpose.”

This authority will terminate when the new Finance Director starts in the position.

During this interim period, it is recommended to contact the Administrative Assistant of the Department and she will direct the call to the appropriate individual. The Administrative Assistant, Landi Funke, maybe reached at 701-857-4784 or landi.funke@minotnd.org.

It is recommended the Committee and Council approve the Comptroller and City Treasurer sharing the Finance Director’s responsibilities and further authorize the City Treasurer to countersign all orders on the city treasury and this authorization will terminate when the new Finance Director starts in the position.

9. Amendment No. 7 to Agreement between City of Minot and Program Administrator (CDM Smith) – Hurricane Sandy Allocation – (Second Allocation)

[Amendment No. 7](#) amends section 4.1.1 Relocation Plan. In the original scope of work, which was developed in 2013, section 4.1.1 was included. As staff has worked through the program, it became apparent changes were necessary to meet the requirements of HUD.

The amended section 4.1.1 is more comprehensive and specific as to how the relocation process works.

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There is no fiscal impact associated with the amendment.

It is recommended the Committee and Council approve Amendment No. 7 to Agreement between City of Minot and Program Administrator (CDM Smith) – Hurricane Sandy Allocation and further authorize the Mayor to sign the necessary documentation.

10. Memorandum of Agreement between the North Dakota State Historic Preservation Officer and the City of Minot Regarding “The Minot Mill” 400 3rd Street NE Located within the Minot Industrial Historic District

The referenced property is required for the Mouse River Enhanced Flood Protection Plan (MREFPP). The agreement, as referenced, spells out the City’s responsibilities in regards to 400 3rd Street NE, known as the Minot Mill, which is a historic property.

The City has taken the necessary steps to notify the Advisory Council on Historic Preservation of the adverse effect of demolishing the mill.

The City will provide to the State Historic Preservation Officer documentation that the City looked at alternatives in an attempt to leave the Minot Mill in place.

The agreement on page 2, spells out the specific measures the City will carryout to meet the requirements of the State Historic Preservation Office.

It is recommended the Committee and Council approve the [Memorandum of Agreement](#) between the North Dakota State Historic Preservation Officer and the City of Minot Regarding “The Minot Mill” 400 3rd Street NE Located within the Minot Industrial Historic District and further authorize the Mayor to sign the Memorandum of Agreement.

11. Optional Relocation Policy #2

A second optional relocation policy was created to further support upcoming relocations associated with the HUD National Disaster Resilience (NDR) grant project of removing citizens from harm’s way.

This policy prescribes use of a waiver in Federal Register (78, #43, page 14343, 19g) to requirements in 24 CFR 570.606(d), which enable the City to assist homeowner-residents who are “upside down” on their mortgages. Essentially, the City can authorize a greater administrative settlement when the appraised value is below the mortgage payoff amount, and not jeopardize the owner-occupant’s ability to receive a replacement housing payment for assistance purchasing another property to occupy.

It is recommended the Committee and City Council approve the City of Minot [Optional Relocation Policy #2](#), and further authorize the City Manager to sign the policy.

12. Contract Amendment No. 2 to Agreement between City of Minot and Program Administrator (CDM Smith) – NDR Funds

CDM Smith put together a scope of work based on the initial notification from HUD on the funds awarded to Minot through the NDRC application process. In the initial award, staff understood the City would be able to proceed with relocating City Hall.

After additional discussion with HUD, the City was informed the City Hall project may not move forward until such

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time the City is able to demonstrate the unmet needs of the vulnerable population have been met. In addition, at this time there was uncertainty in regards to proceeding with the Center For Technical Education. The Center For Technical Education was not included in the scope of work for CDM Smith.

Contract amendment number 2 moves the funding of CDM Smith's services from City Hall from the scope of work and adds a scope of work for the Center For Technical Education.

An original budget of \$456,300 was established by CDM Smith to cover the following activities:

- 3.1.1 HUD public facility waiver
- 3.1.2 Define goals and objectives and initial requirements for the new city hall
- 3.1.3 Develop initial requirements for the social services center
- 3.1.4 Document overall building requirements
- 3.1.5 Determine requirements for city departments
- 3.1.6 Base building needs report
- 3.1.7 Contracting with key partners
- 3.1.8 Evaluating potential building sites
- 3.1.9 Environmental reviews
- 3.1.10 Program management services

The scope of work for the center for technical education is as follows:

- 3.2.1 Create a center for technical education advisory committee
- 3.2.2 Conduct a needs assessment and define market area
- 3.2.3 Financial and operational strategy
- 3.2.4 Develop site location and building criteria
- 3.2.5 Construction process

Assumptions include one facility will be built or rehabilitated and one environmental assessment will be completed.

The scope for the Center for Technical Education will be done at the same anticipated cost identified for the relocation of City Hall. Therefore, there is no fiscal impact.

It is recommended the Committee and Council approve Contract [Amendment No. 2](#) to the Agreement between City of Minot and Program Administrator (CDM Smith) – NDR Funds and further authorize the Mayor to sign the necessary documents.

13. Storm Sewer District 122 Status Update (4197)

At the January 3, 2017 Finance and Improvements Committee meeting, Storm Sewer District 122 was presented for district creation and all applicable resolutions to send the project out for bid.

Several property owners approached the committee to ask questions and seek other alternatives for the district. The committee held the item to allow time for staff to address the concerns of the property owners.

Over the past several weeks, staff and the consulting engineer, Ackerman-Estvold have been working to address the property owner questions and provide additional options for the improvements.

Staff will hold another open house meeting with property owners in the district on February 13, 2017 at 6:30 pm in the Auditorium room 201. The goal is to address as many concerns as possible and present the Storm Sewer District 122 engineer's report and resolutions at the February 28, 2017 Finance and Improvements meeting. It is

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recommended the Committee continue to hold this item until the next month's agenda.

14. Pledged Assets

Section 21-04-11 of the North Dakota Century Code requires securities pledged for deposits by banking institutions be approved by the City Council.

Attached is a list of the [pledged securities](#) as of December 31, 2016, to be approved at the February 6, 2017 City Council meeting.

It is recommended the Committee and Council approve the list of pledged securities as of December 31, 2016.

15. Final Payment- Auditorium Lighting (REC025)

The Minot Recreation Commission is requesting approval of Final Payment for the Auditorium Lighting project. The total final payment to Minot Electric is \$17,132.50 and the total final payment to Prairie Engineering is \$1,790.00. The total amount of the Lighting project is \$165,600.50.

It is recommended the Committee and Council approve the final payment to [Minot Electric, Inc.](#) in the amount of \$17,132.50 for the Auditorium Lighting Upgrade.

16. Ordinances on Second Reading

The following ordinances need to be considered on second reading:

- a. [Ordinance No. 5147](#) – Amend CMCO- Chapter 5 Premises Requirements
- b. [Ordinance No. 5148](#) – Amend CMCO- Chapter 5 MAYSA Arena License
- c. [Ordinance No. 5149](#) – Amend CMCO- Chapter 5 Supper Club Restrictions
- d. [Ordinance No. 5150](#) – Amend CMCO- Chapter 5 Supper Club Definition
- e. [Ordinance No. 5151](#) – Amend CMCO- Chapter 28 Outdoor Dining Areas
- f. [Ordinance No. 5152](#) – Rezone Trinity Health Addition, Lot 1 from AG to C2