

FINANCE AND IMPROVEMENTS COMMITTEE

Tuesday, August 30, 2016 – 4:15 p.m.

City Council Chambers

A g e n d a

1. [Final Payments](#)
2. [Citizen's Participation Plan](#)
3. [Resolution Offering to Purchase Land and Authorizing Use of Eminent Domain Authority](#)
4. [Confirmation of 2016 Demolitions](#)
5. [Confirmation of 2016 Nuisance Abatements](#)
6. [Confirmation of 2016 Weed Cutting & Miscellaneous Assessments](#)
7. [Oak Park Bridge Replacement Use of Liquidated Damages \(4032\)](#)
8. [Amend the 2016 Annual Budget – Police Administration Education and Training](#)
9. [Amend the 2016 Annual Budget – Police Patrol Maintenance Expenditures](#)
10. [Parking Structure Exterior Finishes: Approve Concept, Architectural Contract, Authorize Creation of Plans and Specifications, and Authorize Call for Bids \(3738.4\)](#)
11. [Ordinances on Second Reading](#)

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MEMO TO: Finance and Improvements Committee
FROM: City Clerk's Office
RE: Agenda for Tuesday, August 30, 2016 - 4:15 p.m.

1. Final Payments

It is recommended the Committee and Council approve the following requests for final payment:

- a. [S.J. Louis Construction, Inc.](#) in the amount of \$417,912 for 55th Street Forcemain and Gravity Sewer Improvements (3490.3)

2. Citizen's Participation Plan

The City of Minot [Citizen's Participation Plan](#) has been revised to include specifics for the HUD National Disaster Recovery grant, based on guidance published in the Federal Register.

The revision specifies minimum requirements for public meetings and appropriate commentary time. Additionally, guidance is provided to define an action plan substantial amendment with related procedures. Unneeded material has been removed regarding grant application procedures.

It is recommend the Committee and City Council approve the updated City of Minot Citizen's Participation Plan, and further authorize the Mayor to sign the policy.

3. Resolution Offering to Purchase Land and Authorizing Use of Eminent Domain Authority

The City staff has been working with property owners in the first three phases of the flood control project. Staff is not always able to reach an agreement with the property owner on the purchase price of their property. When this occurs, the City will need to proceed to the eminent domain process.

Staff has identified ten (10) additional properties that may potentially follow the eminent domain process as follows:

Property Address	Record Title Owner	Legal Description
1603 – 7 th Ave SW	Todd and Roxanne Pesky	Lot 12, Amended Plat of Lots 1 through 15, 32 through 47 and 55, 56 and 62, Westwood Rearrangement of Vallie Addition to the City of Minot, Ward County, North Dakota
332 – 1 st Ave NW	Jodi L. Blake	East 62.5 feet of Lot 3, except the North 21 ½ feet by 14 ½ feet thereof; East 62.5 feet of Lot 5, and the West 3 ½ feet of Lot 4, Ekrem's Subdivision of Lot 3, Block 1, Riverside Addition to the City of Minot, North Dakota
324 – 1 st Ave NW	Jodi L. Blake	Portion of Lot 4, Block 1, Riverside Addition to the City of Minot, Ward County, North Dakota, more fully described as follows: Beginning at the southwest corner of Lot 4, Block 1, Riverside Addition; thence

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		northwesterly along the southwesterly line of said Lot 4 to the northwesterly corner of said Lot 4; thence easterly 129.5 feet along the north line of said Lot 4; thence southerly 181 feet, more or less to a point on the south line of said Lot 4, said point being 45.5 feet east of the point beginning; thence westerly 45.5 feet to the point of beginning
400, 410 & 414 Main Street North	Open Gate Apostolic Ministries	West 80 feet of Lot 6 and West 100 feet of Lot 7, Block 3, River Park Addition to the City of Minot, Ward County, North Dakota AND Lots 4 and 5, Block 3, River Park Addition to the City of Minot, Ward County, North Dakota
419 & 423 1 st Ave NW	Verlon and Marian Dalin	Part of Lot 8, Block 7 of Lee and Jacobson's First Addition to Minot, according to the plat thereof on file and of record in the Office of the County Recorder in and for Ward County, North Dakota lying northwesterly of a line parallel with and distance 100 feet northwesterly, measured radially, from the center line of eastbound main track of the railway of Great Northern Railway Company. Said center line of eastbound main track is described as follows: Beginning at a point in the west line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 155 North, Range 83 West of the 5 th P.M., distant 736.2 feet north of the southwest corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23; thence northeasterly at an angle of 48° 03' with said west line for 382.21 feet; thence northeasterly along a 2° 00' curve to the right for 600 feet to the end of this description AND Lot 7, Block 7, Lee and Jacobson's First Addition to Minot, less portion to Great Northern Railway Co., Ward County, North Dakota
1800 Burdick Expressway West	Clifford Hummel	Lot 2, Spoklies First Addition to the City of Minot, Ward County, North Dakota
1308 – 3 rd Ave SW	Steven and Nita Debertain	Lot 5, Block 1, Amended Plat and Rearrangement of Forest Acres

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		Addition to the City of Minot, Ward County, North Dakota
103 – 4 th Ave. NW	Mark and Linda Johnson	Lot 8, Block 2, Oakland Park Addition to the City of Minot

It is recommended the Committee and Council adopt the [resolution](#) offering to purchase land and authorizing use of eminent domain.

4. Confirmation of 2016 Demolitions

Please find attached the list of [2016 Demolitions](#) to be approved at the August 30, 2016 Finance Committee meeting, and at the September 6, 2016 City Council meeting.

Registered letters have been sent to the property owners notifying them of the dates and times of the meetings and the amount of the assessments.

It is recommended the Committee and Council approve the list of 2016 Demolitions.

5. Confirmation of 2016 Nuisance Abatements

Please find attached the list of [2016 Nuisance Abatements](#) to be approved at the August 30, 2016 Finance Committee meeting, and at the September 6, 2016 City Council meeting.

Registered letters have been sent to the property owners notifying them of the dates and times of the meetings and the amount of the assessments.

It is recommended the Committee and Council approve the list of 2016 Nuisance Abatements.

6. Confirmation of 2016 Weed Cutting & Miscellaneous Assessments

Please find attached the list of [2016 Weed Cutting & Miscellaneous Assessments](#) to be approved at the August 30, 2016 Finance Committee meeting, and at the September 6, 2016 City Council meeting.

Registered letters have been sent to the property owners notifying them of the dates and times of the meetings and the amount of the assessments.

It is recommended the Committee and Council approve the list of 2016 Weed Cutting & Miscellaneous Assessments.

7. Oak Park Bridge Replacement Use of Liquidated Damages (4032)

Oak Park Bridge is complete and staff is preparing the project for close out. During the course of the project, the contractor exceeded the completion date by 12 days.

SRF, the City's engineering consultant, is requesting they be given additional compensation above the engineering contract maximum due to the fact the contractor overran the completion date and SRF's services were still needed for the bridge inspection.

For this project, the City charged the contractor \$1,100 in liquidated damages per day over the completion date (\$13,200). These funds are then used to pay additional expenses the City incurs from the Contractor missing the

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completion date. The City commonly uses this method of reimbursement for consultants when projects run past completion dates.

Also, during construction of the new light bases on this project, the contractor chose to pour concrete in the bases at a rate of one or two bases per day. This is not common practice and thus the concrete testing budget has been exceeded due to the number of tests taken. The tests are for concrete strength which must be tested to avoid the light poles falling over due to a weak foundation. An additional cost of \$1,770 will be paid from project costs to the testing firm Braun Intertec for the additional testing needed.

It is recommended the Committee and Council approve the use of liquidated damages to compensate SRF Consulting for additional engineering services up to the maximum liquidated damages charged and also pay the overage to Braun Intertec in the amount of \$1,770.

8. Amend the 2016 Annual Budget – Police Administration Education and Training

It is recommended the Committee and Council pass an [ordinance](#) to amend the 2016 annual budget to increase the Police Administration Education and Training Expenditures account and increase the General Fund Revenues to reflect the award from the ND Insurance Reserve Fund.

9. Amend the 2016 Annual Budget – Police Patrol Maintenance Expenditures

It is recommended the Committee and Council pass an [ordinance](#) to amend the 2016 annual budget to increase the Equipment Capital Expenditures and the Miscellaneous Damage Claims Revenue and decrease the Police Patrol Maintenance Expenditures for the balance to purchase a replacement vehicle.

10. Parking Structure Exterior Finishes: Approve Concept, Architectural Contract, Authorize Creation of Plans and Specifications, and Authorize Call for Bids (3738.4)

City Staff has been working with V3 Studios/EAPC to develop concept plans for the exterior finishes to the parking structures. Two concepts have been developed for Council review. Both options will be designed to meet the zoning requirements in a phased approach. In the initial phase, the City will construct all items necessary to meet the zoning requirements with the exception of windows, awnings, and decorative cornices which will be installed by the developer or tenants of the retail space when construction takes place. Staff does not want to risk damage to those materials as the apartments above are built and the tenant build out construction plans are unknown.

Due to weather, the anticipated construction of the finishes would also be done in phases with a protective finishing put on the exterior yet this year, and the weather constrained materials being installed when weather allows, likely in the spring of 2017.

High level estimates have been developed for two options, a base option and alternative 1 option. These estimates are for comparison of options and no significant design work has started to narrow the estimated costs yet. The costs shown below are for each structure.

The Base Option includes an all EIFS surfacing with no other materials used. EIFS can be installed with various colors and architectural enhancements which is what this option would include.

The Alternative 1 option includes Nichiha panels on the bottom portion of the structure and EIFS above. Nichiha panels are a cement board material with different architectural finishes on the surface such as brick, stone, tile, etc. For some extra cost, these panels will provide additional aesthetic features to the buildings.

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Base Option:	All EIFS Material	
	Estimated Construction cost:	\$211,380
	7% Architectural Fee:	\$ 14,796
	Total:	\$226,176

Alternative 1:	Nichiha Base with EIFS Above:	
	Estimated Construction Cost:	\$234,224
	7% Architectural Fee	\$ 16,395
	Total:	\$250,619

To provide Council with the most flexible options regarding cost, the base option above will be bid with the alternative 1 features bid as additive alternates. Thus, Council will be able to choose the level of features added to the building.

Fiscal Impact: Funding for this project will come from Sales Tax Cash Reserves.

It is recommended the Committee and Council approve the design concepts as presented, authorize the architectural contract with V3 Studios for design and construction management, authorize the creation of plans and specifications, and authorize a call for bids.

11. Ordinances on Second Reading

- a. [Ordinance No. 5098](#) – Community Development Funds- City of Minot Recreation Commission and Minot Park District
- b. [Ordinance No. 5099](#) – Community Development Funds- Minot Commission on Aging
- c. [Ordinance No. 5100](#) – Community Development Funds- City of Minot Police Department and Domestic Violence Crisis Center
- d. [Ordinance No. 5104](#) – Install Stop Sign at the Intersection of 1st Street & 18th Avenue SE
- e. [Ordinance No. 5105](#) – Special Speed Zones for John Hoeven Elementary School
***Second reading is an amended ordinance from the first reading, changing 25 mph to 20 mph**
- f. [Ordinance No. 5106](#) – Four Way Stop Control at the Intersection of Central Ave & Main St.
- g. [Ordinance No. 5107](#) – Amend the 2016 Annual Budget- Airport Capital Expenses