

PUBLIC WORKS AND SAFETY COMMITTEE

January 6, 2016

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Members Present:

Connole, Berg, Hatlelid, Jantzer, Lehner, Schuler, Shomento

Members Absent:

None

Others Present:

City Clerk, Clerk Admin., City Manager, City Attorney, City Assessor, City Engineer, Assistant City Engineer, Chief Resilience Officer, Fire Chief Craven, Fire Chief Flermoen, Police Chief, Captain Klug, Public Works Director, Assistant Public Works Director, Auditorium/Recreation Director, Public Information Officer, Alderman Olson, Jill Schramm, Wanda Staab

To the Honorable Mayor and All Aldermen:

Following are the recommendations of the **Public Works and Safety Committee** meeting called to order at 4:15 p.m. on January 6, 2016:

1. The City Council approve the request to amend the current contract with Stantec for the SW Sewer Improvements project by \$15,000 and authorize the Mayor to sign the amendment. (3561)

The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

2. The City Council approve plans and specifications for the 37th Ave SW Reconstruction and authorize a call for bids. It is also recommended a resolution be adopted approving the use of general obligation bonds for the amount in excess of State surge funding. (4070)

The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

3. The City Council approve the plans and specifications for the Oak Park Bridge Replacement and authorize a call for bids. (4032)

The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

4. The City Council approve the CPM agreement with the NDDOT for retroreflective signing improvements and authorize the Mayor to sign the agreement. (4172)

The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

5. The City Council accept the bid from Emergency One for a 78' Quint and Pumper in the amount of \$1,065,475 as the lowest and best bid and authorize the Mayor to sign the contracts. (FD0035 & FD0041)

The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

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6. The City Council approve the purchase of land at 416 3rd St NW and authorize the Public Works Director to sign any documents at closing. It is also recommended an ordinance be passed to amend the 2016 annual budget to reflect this purchase.

The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

7. The City Council award the bid to Vortex Drain Tiling for 8th St Water and Sewer Improvements for their low bid of \$485,227.36. (4010.2)

The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

8. The City Council approve a contract amendment with Moore Engineering for the Pedestrian Bridge Repairs project to reallocate \$5,841.56 from geotechnical work to construction services and authorize the mayor to sign the amendment. (3512)

The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

9. The City Council approve the selection of Houston Engineering Inc. to provide engineering services for the new NW water tower and NE transmission line project and further authorize the Public Works Director to negotiate a contract for engineering services for the projects and also authorize the Mayor to sign the contract on the City's behalf once it is completed.

The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

10. The City Council ratify the application by the Minot Police Department and authorize acceptance if awarded St. Joseph's Community Health Foundation Grant.

The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

11. The City Council approve the contract with Jessica Declercq to continue another year of advertising on a City of Minot Transit Bus.

The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

12. The City Council place and pass the following ordinances on second reading:

- a. **Ordinance No. 5026 – Rezoning Keyes S/D Lots A, B & N1/2 Lot C Keyes Amended Plat, Lot 5, Block 1**
- b. **Ordinance No. 5028 – Amending the Minot Zoning Code of Ordinances- Flood Plain Management**
- c. **Ordinance No. 5029 – Amending the Minot Zoning Code of Ordinances- Storm Water Management**
- d. **Ordinance No. 5030 – Amending the Minot Zoning Code of Ordinances- Daycare Facilities**
- e. **Ordinance No. 5031 – Amend the 2015 Annual Budget- Body Worn Camera System**
- f. **Ordinance No. 5032 – Amend the 2016 Annual Budget- Recreation Department**

The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

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13. The City Council approve the request from Richard Wilson to move a 1965 year built, 1,464 square foot single family residence from 606 Forest Rd to 2409 7th Ave SW also known as Napa Valley 16th Addition, Lot 4 subject to the following conditions:

- A \$10,000 completion bond must be posted with the City of Minot prior to issuance of any permits for this work.
 - Building permits for all proposed construction.
 - An approved foundation design in compliance with City of Minot building codes.
 - The plumbing, electrical and HVAC systems must be brought into compliance with current code requirements of the City of Minot.
 - All work at the new location must be in compliance with the City of Minot building codes and zoning ordinances.
 - Egress windows must be installed in the basement and all sleeping rooms.
 - Smoke detectors must be installed in the basement, in each bedroom, and in areas immediately outside bedrooms.
 - There must be fire resistive wall and door between the house and attached garage.
 - The exterior of the structure must be one consistent color or scheme of colors and relocation.
 - Applicant must obtain all necessary permits, and coordinate all relocation activities with public utilities and traffic authorities.
 - The property must be provided with proper drainage, and must be landscaped in a manner similar to surrounding properties.
 - All work must begin within 30 days of issuance of moving and building permits and completed within ten months of start date and generally in accordance with the following schedule.
1. Foundation complete within two months.
 2. Structure relocated within four months.
 3. Work required for code compliance complete within six months.
 4. All proposed construction and final clean up complete within ten months.
 5. City of Minot Zoning Ordinance, Section 23-1 states that “All off-street parking spaces and all driveways on private property leading to such parking areas shall be all-weather hard surface material. Acceptable surfacing materials include asphalt, concrete, brick, cement pavers or similar materials installed and maintained according to industry standards.”

Alderman Hatlelid moved the Committee recommend the City Council approve the relocation of a single family residence from 606 Forest Rd to 2409 7th Ave SW. Motion seconded by Alderman Lehner.

Richard Wilson of 2204 24th Ave SW appeared before the Committee. Upon questioning by Alderman Lehner, he responded by saying the house in question is part of the City buyout plan and it is in the process of being appraised. He explained, the house was built in 1965 but after the flood, was entirely remodeled with everything besides the framework. The siding is vinyl and there are plans to install a basement at the new location. He stated, he will bring the elevation up to the level of the other homes in the neighborhood if necessary. It is his mother in law’s house and it is her wish to remain there for the rest of her life. He continued by saying, since the appraisal is not completed, the plan is to begin landscaping in April which may be after the required two month starting period.

The Building Official clarified there is a two month time limit to pour foundation but Mr. Wilson will be granted a cold weather permit if the relocation is approved.

Upon questioning by Alderman Schuler, Mr. Wilson stated that he has purchased the lot at 2409 7th Ave SW.

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Sandra Larson of 600 24th St SW stated that her home is across the street from the proposed lot. She said it took many years to plan where her family was going to build a home and she does not want a house to move in that is half the value of the other homes in the neighborhood. She continued by saying the house does not fit in with the design of the rest of the neighborhood and that she and the rest of the homeowner's in the area are against the move.

The City Assessor came forward and explained that there are two factors in determining whether a house can be moved to a location. First they ask, is it compatible? Second, does the house have 60% of the replacement cost? While assessing the neighborhood of the proposed moving location, he stated the most expensive house is appraised at \$446,000. Most of the other houses are in the range of \$250,000-\$260,000. He continued by saying, even though the house was originally built in 1965, it is still compatible with the area. There are no covenants to consider and there is a wide variation of houses in the area. There was simply no reason not to approve the request. He stated, if the neighbors have a concern with the two car garage, it would be possible to add a third.

Alderman Lehner stated, since Mr. Wilson already owns the lot, he could build a house from scratch using the money he receives from the buyout program.

Alderman Connole asked if moving the house would decrease the value of the other homes in the area, to which the City Assessor responded he does not believe that would happen.

Joe Zieska of 505 25th St SW appeared to voice his concerns over the proposed move. He stated that he owns the biggest house in the neighborhood so he has the most to lose. He believes the house will lower the value of his property. He also questioned the curb appeal of the house, particularly the garage door, and feels the house doesn't fit in the neighborhood.

Alderman Schuler asked Mr. Wilson if he had given any thought to replacing the garage to which he replied that he has, but to make it a three car garage would cause construction issues with the rest of the house. Alderman Schuler then asked if he had looked at any other lots as she has concerns that this location is still part of the flood plain.

Mr. Wilson stated, his mother in law likes the location and wants to keep the house that she has lived in since 1965.

Whereupon a vote was taken on the above motion by Alderman Hatlelid, seconded by Alderman Lehner, and carried by the following roll call vote: ayes: Hatlelid, Jantzer, Lehner, Shomento. nays: Berg, Connole, Schuler.

14. The City Council approve the following proposals: authorize the design and construction of the Hillcrest Drive retaining wall and utility improvements, authorize a contract with KLJ for design and construction engineering services, and adopt a resolution authorizing the use of general obligation and water and sewer revenue bonds for the improvements. (4088)

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The above motion by Alderman Lehner, seconded by Alderman Hatlelid.

The City Engineer came forward to give a background on the project. He stated, the soil behind the wall on Hillcrest Drive is globally stable but rainwater can erode the soil. A permanent solution will be to drill shafts, excavate the area and include pile work which will cost an estimated \$1.3 million. So far, the study has been done for the project but now the City engineers need authorization to continue to the design phase. Citizens in the area of the project were invited to a meeting in order to get their feedback on the retaining wall but none attended. He also stated the utilities in the area need to be updated at an additional cost of about \$500,000.

Alderman Shomento asked if the roadway is in danger if the City does not move forward with the project. The City Engineer replied by saying the wall will eventually erode. He stated, Public Works has done repairs but this will be a permanent solution. The wall will be about 600 feet in length located on the south side of the road and it would

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take about 126 days of construction which will disrupt the roadway for that time period.

Whereupon a vote was taken on the above motion by Alderman Lehner, second by Alderman Hatlelid and carried by the following roll call vote: ayes: Berg, Connole, Hatlelid, Jantzer, Lehner, Schuler. nays: Shomento.

15. The City Council approve a request from Lutheran Social Services to advertise on a City of Minot Transit Bus for the period of January 1, 2016 through December 31, 2016.

The above motion by Alderman Hatlelid, seconded by Alderman Lehner.

The Public Works Director came before the Committee to explain the request. He stated, in prior years there was an advertisement on a City Bus for 4 Bears Casino which received numerous citizen complaints as it promoted gambling. He said that afterwards, the department made revisions to the contract to forbid certain types of advertisements. The one that may play a role in this decision is #1 which does not permit advertising of political, religious, moral or social issues. He stated the advertisements on the busses generate \$6,000 per year in revenue for the bus department.

Alderman Lehner stated the design of the advertisement may be misleading. It says "Gambler ND" which may be construed as suggesting gambling rather than advertising a gambling addiction service. He stated, he is not against the advertisement but would like to see it redesigned.

Alderman Schuler asked if the department is actively seeking advertisers, to which the Public Works Director responded, they do not, but the Bus Superintendent has taken it on and is working with the advertisers.

Upon questioning by Alderman Shomento, the Public Works Director stated the wrap is paid for by the advertiser.

Whereupon a vote was taken on the above motion by Alderman Hatlelid, seconded by Alderman Lehner and carried by the following roll call vote: ayes: Berg, Connole, Hatlelid, Jantzer, Lehner, Shomento. nays: Schuler.

16. The City Council approve a request by ZZ Food Group dba J.L. Beers to advertise on a City of Minot Transit Bus for the period of January 1, 2016 through December 31, 2016.

The above motion by Alderman Lehner, seconded by Alderman Hatlelid, and carried unanimously.

The Public Works Director stated this is the same situation as the previous discussion but did add that J.L. Beers currently advertises on public transit in other cities.

Upon questioning by Alderman Schuler, Jesse Zwak responded that J.L Beers is a 21 and over establishment due to the constraints of the liquor license.

There being no further business, the Public Works and Safety Committee meeting was adjourned at 5:03 p.m.

Respectfully Submitted,
Lisa Jundt,
City Clerk