

**FINANCE AND IMPROVEMENTS COMMITTEE**

April 26, 2016

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Members Present:

Frantsvog, Frey, Hedberg, Miller, Olson, Seymour

Members Absent:

Pankow

Others Present:

City Clerk, City Assessor, Finance Director, City Comptroller, City Treasurer, City Engineer, Assistant City Engineer, Traffic Engineer, Chief Resilience Officer, Building Official, Fire Chief, Police Chief, Public Works Director, Assistant Public Works Director, Auditorium/Recreation Director, Public Information Officer, Alderman Hatlelid, Alderman Jantzer, Alderman Lehner, Alderman Shomento, Jill Schramm, Josh Wolsky, Shannon Straight

To the Honorable Mayor and All Aldermen:

Following are the recommendations of the **Finance and Improvements Committee** meeting called to order at 4:15 p.m. on April 26, 2016:

**1. The City Council approve the following requests for final payment:**

- a. **Wagner Construction, Inc. in the amount of \$633,261.19 for the 55<sup>th</sup> Crossing Lift Station (3965)**
- b. **NDDOT in the amount of \$4,502.35 for the Canadian Pacific Railway Signal Upgrade at Central Ave (3761)**
- c. **NDDOT in the amount of \$205.14 for the Traffic Signal Base Improvement Project – US 83 (N. Broadway) and University Ave (3887)**

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The above motion by Alderman Olson, seconded by Alderman Miller and was carried unanimously.

**2. The City Council pass an ordinance to amend the 2016 annual budget to increase General Fund maintenance expenditures and decrease the Equipment Purchase expenditures for the Civic-Plus City Website upgrade. (MGR002)**

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The above motion by Alderman Olson, seconded by Alderman Miller and was carried unanimously.

**3. The City Council approve the attached Rules and Regulations for the Rosehill Cemetery Columbarium and establish the attached prices for interment or use of the Rosehill Cemetery Columbarium and amend resolution no. 3327, establishing Cemetery rates, to include the Columbarium pricing. (4122)**

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The above motion by Alderman Olson, seconded by Alderman Miller and was carried unanimously.

**4. The City Council approve the Special Assistant Attorney contract with Mr. Goettle and further authorize the Mayor to sign the contract.**

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The above motion by Alderman Olson, seconded by Alderman Miller and was carried unanimously.

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**5. The City Council declare 109 25th Street SW surplus property; authorize the Finance Director to sell the property; and further authorize the Mayor to sign the necessary documentation.**

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The above motion by Alderman Olson, seconded by Alderman Miller and was carried unanimously.

**6. The City Council approve the easements for the 36th Ave NW Extension to Broadway, as identified in the attached documents and authorize the Mayor and City Clerk to sign the easements. (4071)**

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The above motion by Alderman Olson, seconded by Alderman Miller and was carried unanimously.

**7. Due to the timing of the bid opening, a recommendation is not available for the Hillcrest Drive retaining wall but will be placed on Council's desk for approval at the time of the City Council meeting. (4088.1)**

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The above motion by Alderman Olson, seconded by Alderman Miller and was carried unanimously.

**8. The City Council approve the plans and specifications for the Sertoma Complex Parking Lot and Paving Improvements and authorize a call for bids. (4142)**

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The above motion by Alderman Olson, seconded by Alderman Miller and was carried unanimously.

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

- a. Ordinance No. 5071 – Rezoning Schall Addition, Lot 1**
- b. Ordinance No. 5072 – Amend CMCO- Chapter 12 Section 12.28**
- c. Ordinance No. 5073 – Amend CMCO- Chapter 12 Section 12.30**

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The above motion by Alderman Olson, seconded by Alderman Miller and was carried unanimously.

**10. The City Council award the bid to Berger Enterprises, LLC. for the City of Minot Structure Demolition and Site Restoration Round 3 and further authorize the Mayor to sign the necessary documentation. (3755.2)**

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The above motion by Alderman Olson, seconded by Alderman Miller and was carried unanimously.

**11. The City Council adopt a resolution to approve the plans and specifications for Paving District 495 and authorize a call for bids.**

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The above motion by Alderman Olson, seconded by Alderman Miller and was carried unanimously.

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**12. The City Council approve the City of Minot Ethics Policy, and further authorize the Mayor to sign the policy.**

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The above motion by Alderman Olson, seconded by Alderman Hedberg.

Upon questioning by Alderman Seymour as to how the City staff intends on measuring several of the principles listed in the Ethics Policy, the Finance Director stated, there isn't a specific way to measure each of them but rather, the City would use citizen feedback, personal integrity, impartiality and if necessary the Human Resource department.

Alderman Seymour asked for clarification on principle #6 of the Ethics Policy regarding which statutes it is referring, to which the Finance Director stated, the City Attorney would be able to respond when she is present.

Alderman Seymour then asked about #10 concerning accepting gifts from persons or entities conducting business with the employee's department. The Finance Director stated, if it comes to light that a situation occurred, then it would be dealt with appropriately.

Alderman Seymour asked about #11 which regulates a public servant's outside employment, and he specifically questioned the regulation relating to firefighters. Chief Flermoen responded by saying firefighters' outside employment is only monitored during their first year because of the necessary training. The Finance Director stated, outside employment is permitted as long as it does not interfere with the job at the City, is not a conflict of interest.

Alderman Seymour stated the policy appears to contain a lot of holes and should be rejected in order to make improvements.

Whereupon a vote was take on the above motion by Alderman Olson, seconded by Alderman Hedberg and carried by the following roll call vote: ayes: Frey, Hedberg, Miller, Olson. nays: Seymour.

**13. The City Council adopt the resolution offering to purchase land and authorize use of eminent domain proceedings as necessary on the listed properties.**

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Alderman Miller moved, Alderman Frey seconded to amend the resolution to include the phrase "contingent upon prior settlement" at the end of the document, after the word "properties." Alderman Miller explained he does not want to give the citizens a negative impression or make anyone feel threatened by the idea of eminent domain. He commended staff for working toward a reasonable resolve to respect the rights of the citizens.

Alderman Hedberg stated, he would like input from the City Attorney when she is present, to which the Finance Director responded by saying the Finance department is working with the law firm, Swanson and Warcup on the eminent domain process and she would meet with them for guidance.

Alderman Miller withdrew his amendment, Alderman Frey withdrew his second.

Alderman Miller moved to adopt the resolution offering to purchase land and authorize use of eminent domain proceedings as necessary on the listed properties, seconded by Alderman Frey and was carried unanimously.

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**14. The City Council deny in full, the application for abatement or refund of taxes, from Kevin Hawk, aka K. Hawk Venture, LLC for the property located at 1925 N. Broadway, also known as Lot 4, Block 1 of Anderson's S/D E 375' S 700.5 Sec.11 155 83, also known as the former International Brotherhood of Electrical Workers.**

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The above motion by Alderman Miller, seconded by Alderman Seymour.

The City Assessor explained there was a typographical error on Mr. Hawk's property tax bill. The applicant paid the correct amount according to his assessment but wants to be refunded the difference and only pay based on the amount in the typo.

Alderman Frantsvog asked what the difference would be, to which the City Assessor replied, about \$300-\$400.

Mr. Hawk did not appear for testimony.

Whereupon a vote was taken on the above motion by Alderman Miller, seconded by Alderman Seymour and was carried unanimously.

There being no further business, Chairman Frantsvog adjourned the meeting at 4:35 p.m.

Respectfully Submitted,  
Kelly Matalka,  
City Clerk