

PUBLIC WORKS AND SAFETY COMMITTEE

July 27, 2016

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Members Present:

Schuler, Jantzer, Berg, Shomento, Straight

Members Absent:

Kossan, Podrygula

Others Present:

City Clerk, City Manager, City Attorney, HR Director, City Assessor, City Comptroller, City Engineer, Traffic Engineer, Chief Resilience Officer, Assistant City Planner, Fire Chief, Police Chief, Public Works Director, Public Information Officer, Alderman Hedberg, Alderman Lehner, Alderman Olson, Alderman Sipma, Alderman Withus, Nancy Simpson, Mia Dillard, Josh Wolsky, Jill Schramm

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 July 27, 2016:

1. The City Council pass an ordinance to install a stop sign at the intersection of 1st Street SE and 18th Avenue SE.

The above motion by Alderman Jantzer, seconded by Alderman Straight, and carried by the following roll call vote: ayes: Berg, Jantzer, Schuler, Shomento, Straight. nays: none.

2. The City Council accept the following bids for fire equipment: Section 1: M&T; \$7,159.00, Section 2: Fire Safety USA; \$12,370.00, Section 3: Heiman; \$6,465.85, Section 4: Fire Safety USA; \$8,965.00.

The above motion by Alderman Jantzer, seconded by Alderman Straight, and carried by the following roll call vote: ayes: Berg, Jantzer, Schuler, Shomento, Straight. nays: none.

3. The City Council order the sidewalk repair and installation work at the listed properties to be performed by the City’s Contractor, and the expense of constructing, repairing or rebuilding the sidewalk shall be assessed to the properties.

The above motion by Alderman Jantzer, seconded by Alderman Straight, and carried by the following roll call vote: ayes: Berg, Jantzer, Schuler, Shomento, Straight. nays: none.

4. The City Council approve the contract amendment with KLJ for the Hillcrest Drive Retaining Wall in the amount of \$12,334.75 and authorize the Mayor to sign the amendment. (4088.1)

The above motion by Alderman Jantzer, seconded by Alderman Straight, and carried by the following roll call vote: ayes: Berg, Jantzer, Schuler, Shomento, Straight. nays: none.

5. The City Council award the bid to Utility Systems of America in the amount of \$4,925,861.30 for Puppy Dog Sewer System Improvements- Phase 6, authorize the Mayor to sign contracts on behalf of the City and adopt a resolution authorizing the use of utility bonds.

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The above motion by Alderman Jantzer, seconded by Alderman Straight, and carried by the following roll call vote: ayes: Berg, Jantzer, Schuler, Shomento, Straight. nays: none.

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

- a. **Ordinance No. 5096 – Amend the 2016 Annual Budget- Grid X-Ray System**
- b. **Ordinance No. 5097 – Amend the 2016 Annual Budget- Surface Pro 4 Tablets and Accessories**

The above motion by Alderman Jantzer, seconded by Alderman Straight, and carried by the following roll call vote: ayes: Berg, Jantzer, Schuler, Shomento, Straight. nays: none.

7. The City Council pass an ordinance on first reading adding special speed zones on 37th Ave SE and 13th St SE to the list of City Council created traffic restrictions provided for in section 20-2 of the City of Minot Code of Ordinances; Special Speed Limits.

The above motion by Alderman Jantzer, seconded by Alderman Straight, and carried by the following roll call vote: ayes: Berg, Jantzer, Schuler, Shomento, Straight. nays: none.

8. The City Council pass an ordinance on first reading adding Central Ave and Main Street to the list of City Council created traffic restrictions provided for in section 20-2 of the City of Minot Code of Ordinances; Stop Signs and Yield Signs.

The above motion by Alderman Jantzer, seconded by Alderman Shomento.

Upon questioning by Alderman Shomento, the City Engineer stated, the four-way stop was requested and that is why it is before them for approval. He added, the amount of traffic is not any higher than expected but as a result of previous discussions, the request was granted.

Alderman Schuler expressed her appreciation for their attention to the matter.

Alderman Straight asked if any parking will be eliminated as a result of the stop signs, to which the City Engineer responded, no, but during high volume times if traffic backs up, someone in those parking spots may have to wait to get out.

Whereupon a vote was taken on the motion by Alderman Jantzer, seconded by Alderman Shomento and carried by the following roll call vote: ayes: Berg, Jantzer, Schuler, Shomento, Straight. nays: none

9. The City Council approve the low bid from Cordova Construction in the amount of \$132,361 and approve paying the entire cost for the golf course temporary improvements. (3529)

The above motion by Alderman Jantzer, seconded by Alderman Straight.

Alderman Shomento asked the Public Works Director why the City would spend funds on Park District property. The Public Works Director explained, City staff has been working with the Park District regarding the flood protection improvement plan which will directly affect the golf course with construction next year. He said, in order

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to maintain use of the golf course while construction takes place, the lowest cost alternative is to create these two temporary tee boxes.

Upon questioning by Alderman Schuler, the Public Works Director stated, the golf course improvements will direct traffic away from the construction area and still keep the course playable. He added, if the course had to shut down during construction, the City could be responsible for paying loss of income.

The Public Works Director stated, the City proposed the work to the Park District in order to prevent future costs for engineering studies and further construction. He also explained, there were numerous attempts made to procure funding from the State Water Commission but they could not be convinced this project was part of the overall flood protection plan and it therefore, did not fit the criteria for funding.

Alderman Straight commented on the importance of flood protection and showed his support for the staff's recommendation.

Mr. Jonasson announced there would be a Basin Wide input meeting at 5:00pm at the County office building. He said there would be discussions involving NAWS, and the Mouse River Flood Protection Plan and encouraged anyone who is able, to attend.

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

10. The City Council approve the contract amendment with Apex Engineering Group for \$145,487 for 37th Ave SW Reconstruction and authorize the Mayor to sign the amendment. (4070)

The above motion by Alderman Shomento, seconded by Alderman Berg.

The City Engineer explained that engineering contracts use a sliding scale to determine the engineering fee based on a percentage of total construction costs. He said it is capped at 11% for projects over \$5 million. The initial estimate is usually fairly close to the bid prices but in some situations, like this one, the bid price came in much lower than the engineer's estimate. When that happens, the fee for the engineer decreases while the amount of work required stays the same.

Upon further questioning by Alderman Shomento, the City Engineer explained, the engineer is on site for the majority of a project. They ensure the work is done correctly, and if anything should go wrong they can be a safety net against unnecessary and costly construction claims. He also said, before requesting more money, the engineering firm tries to cut costs by limiting the hours devoted to a project.

Upon questioning by Alderman Jantzer, as to what happens in an opposite situation and the bids are higher than the estimate, the City Engineer stated, when the bid price increases the percentage for engineering costs goes down as it is bumped into a different cost bracket. The agreement is negotiated as an hourly not-to-exceed amount.

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

11. The City Council approve the contract amendment with Moore Engineering for \$118,255 for 36th Ave NW Extension to Broadway and authorize the Mayor to sign the amendment. (4071)

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The above motion by Alderman Jantzer, seconded by Alderman Straight.

Alderman Shomento asked the City Engineer about liquidated damages for this project. He replied by saying, as of August 26th the company will be charged \$1,550 per day until completion.

Upon questioning by Alderman Schuler as to when the road will be open again and its impact on school routes, the City Engineer stated, the project is about five weeks behind so it will not be opened for the beginning of school. He explained, the road will be paved in August but it will not have street lights yet so he would not be comfortable opening it until it is completely finished. He said the project was delayed because of a very slow subcontractor doing the underground work. He stated, at the insistence of the City staff, the contractor hired two additional subcontractors to move the project along. Keller Paving will have two grading crews working on curb and gutter next week.

Upon questioning by Alderman Shomento, the City Engineer stated, the increase in contract costs will pay through July and August but the cost of liquidated damages will cover the engineering work after that.

Alderman Schuler asked if incentives were ever used rather than liquidated damages, to which the City Engineer replied by saying, it has not been used but that type of policy is often used when constructing buildings.

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

Other Business

Alderman Berg requested an update on the downtown project. The City Engineer stated, curb and gutter is completed on 1st and Main St. Reinforced steel is being installed followed by concrete which will take three days to cure. Keller Paving will work on joint sealing and concrete next week and will have the striping done after that. He said they are currently being charged \$2,400 per day in liquidated damages and are about three weeks behind the phase 1 milestone.

Alderman Schuler asked about the progress on 4th Ave Bridge, to which the City Engineer replied by saying it has one late pour but a DOT inspection will be conducted this week and it should be partially open by Saturday.

Alderman Straight asked about the work in Eastwood Park, to which the Public Works Director explained, the same underground subcontractor from the 36th Ave NW project was used and work has progressed very slowly. There is temporary access and curb and gutter will be completed after the Fair traffic is over. He said the north side of the river completed pressure testing and the last sewer manhole is set. He added, the project has been under liquidated damages since Memorial Day. Upon questioning, he stated the subcontractor which caused the delay is called Vortex Drain Tiling.

There being no further business, the Public Works and Safety Committee meeting was adjourned at 4:53 pm

Respectfully Submitted,
Kelly Matalka,
City Clerk