

COMMITTEE OF THE WHOLE

February 27, 2018

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Members Present:

Barney (Mayor), Jantzer, Olson, Podrygula, Sipma, Straight, Wolsky

Members Absent:

None

To the Honorable Mayor and All Aldermen:

Following are the recommendations of the **Committee of the Whole** meeting called to order at 4:15 p.m. on February 27, 2018:

1. The City Council approve Final Payment of \$9,711.72 to SP&E, Inc. for Auditorium Seating (REC030)

The above motion by Alderman Olson, seconded by Alderman Sipma, and carried by the following roll call vote: ayes: Barney, Jantzer, Olson, Podrygula, Sipma, Straight, Wolsky. nays: none.

2. The City Council award the Engineering Service contract to Prairie Engineering for the removal of (543) T-12 Lights, at the Auditorium complex, and installation of a new LED lighting system.

The above motion by Alderman Olson, seconded by Alderman Sipma, and carried by the following roll call vote: ayes: Barney, Jantzer, Olson, Podrygula, Sipma, Straight, Wolsky. nays: none.

3. The City Council authorize staff to issue a demolition bid for 2018 buyout acquisitions with structures deemed to require demolition with funding from the CDBG-NDR grant.

The above motion by Alderman Olson, seconded by Alderman Sipma, and carried by the following roll call vote: ayes: Barney, Jantzer, Olson, Podrygula, Sipma, Straight, Wolsky. nays: none.

4. The City Council approve the final payment of \$183,796.74 be paid to Keller Paving and Landscaping for 36th Ave NW Extension to Broadway. (4071)

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

Alderman Wolsky pointed out, there was \$190,000 in liquidated damages during the project. He suggested creating a database of contractor performance to provide backup information when awarding bids in the future that aren't granted to the lowest bidder.

The City Manager said, staff is monitoring and tracking contractor performance and there is an upcoming recommendation to deny the lowest responsive bidder for this purpose.

Alderman Podrygula said, it sounds like a great idea to compile all of this information but it takes resources to conduct a performance analysis. The Council has to be willing to provide the resources the staff needs to oversee all of the requests the Council is asking for. The contracting process needs

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improvement but that may involve hiring a contracting officer or purchasing more attorney time. Any improvements will require more investment.

Whereupon a vote was taken on the above motion by Alderman Olson, seconded by Alderman Wolsky and carried by the following roll call vote: ayes: Barney, Jantzer, Olson, Podrygula, Sipma, Straight, Wolsky. nays: none.

5. The City Council award the Architectural Service contract to EAPC for the removal and replacement of a multi-purpose floor in the Main Arena of the Auditorium.

The above motion by Mayor Barney, seconded by Alderman Straight.

Mayor Barney asked why we need an architect to lay flooring in the Auditorium. The Auditorium/ Recreation Director replied by saying, the Armory floor that was installed did not have the proper testing done and resulted in problems. When core samples were done after the issues occurred, they had to be sent to Minneapolis to be analyzed. The architect will ensure the proper testing is done. He said he would rather have the testing done prior to installing the floor so they don't run into the same problems as in the Armory.

Whereupon a vote was taken on the above motion by Mayor Barney, seconded by Alderman Straight and carried by the following roll call vote: ayes: Barney, Jantzer, Olson, Podrygula, Sipma, Straight, Wolsky. nays: none.

6. The City Council award the bid to Clean Harbors Environmental for HHW and Kalix for E-Waste for the 2018-2019 collection contracts. (4342)

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

Alderman Wolsky asked the Assistant Public Works Director about the bulk collection event and the hazardous waste collection. Mr. Sorenson said, they need to hold the two events at separate times but both will take place in May. Once the contractors are approved, they can schedule the events and start promoting them.

Upon questioning by Alderman Straight regarding disposal costs, Mr. Sorenson said, they will have those statistics after the event takes place. He estimated that last year the cost was about \$8,000-\$10,000. He mentioned, lots of people improperly dispose of e-waste throughout the year.

Whereupon a vote was taken on the above motion by Alderman Wolsky, seconded by Alderman Straight, and carried by the following roll call vote: ayes: Barney, Jantzer, Olson, Podrygula, Sipma, Straight, Wolsky. nays: none.

7. The City Council approve the purchase of a 2018 Eldorado National-California EZ-Rider II Low Floor Heavy Duty Bus and authorize the Public Works Director to sign the purchase order and any other associated forms for this purchase.

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The above motion by Alderman Olson, seconded by Alderman Straight

Upon questioning by Alderman Wolsky, the Public Works Director gave some details about the buses and their routes. He said, the 28-passenger bus is being replaced by a 31- passenger bus. Some routes throughout the day have few passengers on board, whereas at peak times, during morning and afternoon school runs, they add additional buses, but overall ridership has been increasing. Alderman Wolsky commented that purchasing equipment is important to balance with the demands of ridership and mentioned the expectation for passengers to stand on crowded buses as is done in other cities.

Alderman Straight asked about ADA accessibility, to which Mr. Jonasson responded by saying, the new bus will lower rather than have ramps. It also has new equipment that is quicker to secure wheelchairs. He further stated, there are four or five buses with the lowering capability and the others have ramps for access. The low floor models are used 90% of the time and the others are used during high ridership.

Whereupon a vote was taken on the above motion by Alderman Olson, seconded by Alderman Straight, and carried by the following roll call vote: ayes: Barney, Jantzer, Olson, Podrygula, Sipma, Straight, Wolsky. nays: none.

8. The City Council approve a CDBG-NDR RFP for rehabilitation of multi-family housing units for low and moderate income residents.

The above motion by Alderman Sipma, seconded by Alderman Olson

Mr. Zakian confirmed, the goal for the RFP is to provide 70 LMI units and 138 units is the total goal. Alderman Wolsky asked is the market can bare the additional government funded competition. Mr. Zakian responded by saying, they are not building any additional units, this project rehabilitates existing properties. He continued by saying, there has been a clear expression of interest downtown which has been encouraged by the Council and is described in the action plan. He explained, the original RFP for this project was more restrictive but this one allows for multiple applicants. This project does not use all of the funds allocated for this purpose and there will still be \$11 million left to spend within the time frame. He also said, they have the flexibility to award a portion of the applications submitted.

Upon further questioning by Alderman Straight, Mr. Zakian said, there is no cap or limit on what they can award through the RFP but they cannot override City code. If a space downtown is zoned commercial, they cannot transition it into residential.

Whereupon a vote was taken on the above motion by Alderman Sipma, seconded by Alderman Olson, and carried by the following roll call vote: ayes: Barney, Jantzer, Olson, Podrygula, Sipma, Straight, Wolsky. nays: none.

9. The City Council authorize staff to submit a Technical Amendment for CDBG-DR Allocation #1 shifting unused funds of \$1,584,407 to the Northern Sewer Project to complete the final phase.

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

Alderman Wolsky asked if the funding being shifted in this request was otherwise included in the budget from another source. Mr. Zakian said, the originally contemplated action plan funded the first phase of the Northern Sewer project. Since it is already an approved project, leftover funds from the infrastructure portion of the grant can be used to pay for the final phase rather than using other City sources.

Mr. Jonasson stated, the project was initially going to be funded through CDBG-DR using water and sewer bonds for the remainder.

Whereupon a vote was taken on the above motion by Alderman Sipma, seconded by Alderman Straight, and carried by the following roll call vote: ayes: Barney, Jantzer, Olson, Podrygula, Sipma, Straight, Wolsky. nays: none.

10. The City Council authorize staff to proceed with the HUD process for CDBG-DR Allocation #1 Substantial Amendment #15 to address blighted homes and to create a revolving loan program for downtown and adjacent businesses.

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The above motion by Alderman Sipma, seconded by Alderman Podrygula.

Alderman Podrygula complimented staff on the flexibility of using funding. He said how important it is to deal with zombie homes effectively and that \$800,000 should make a significant impact.

Alderman Straight emphasized the need to bundle demolition costs to keep them minimal and said, he believes the Public Information Officer should publicize that the City is taking care of the issue.

Alderman Wolsky mentioned the reprioritization of resources but said it is difficult to identify priorities without having alternatives presented. He said, he would like to see what options are available when identifying where to allocate funding.

Mr. Zakian stated, there is about \$150,000 that were able to be moved into demolition for this purpose. He then address Alderman Wolsky's concerns by saying, they are consciously identifying priorities while staying within the scope of the original action plan. They are listening to the concerns of the Council and the community.

Alderman Straight brought up concerns there is additional money needed for acquisitions. There has not been an estimate projected for future phases of flood control acquisitions on the east side of town but he would guess a minimum of \$20 million may be needed. He said, we might want to use our senators to run a substantial amendment through their office to utilize NDR funds for acquisitions. In order to build a more resilient community, we need to move people out of harm's way.

Mr. Zakian said, he is trying to reserve as much money possible for acquisitions by more aggressively auctioning properties rather than demolishing them and using minimum bids when auctioning properties. However, at some point there needs to be a serious discussion on what to do beyond NDR funds.

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Alderman Wolsky said, should we seek a substantial amendment, the current needs of the community should be analyzed for consideration.

Mr. Zakian responded by saying, projections have changed since the application was written but none of the 13 NDR recipients have applied for a substantial amendment so there is no precedent. He said we would be in a defensible position but he does envision it happening either the latter part of this year or 2019.

Whereupon a vote was taken on the above motion by Alderman Sipma, seconded by Alderman Podrygula, and carried by the following roll call vote: ayes: Barney, Jantzer, Olson, Podrygula, Sipma, Straight, Wolsky. nays: none.

11. The City Council table the recommendation from the Technical Review Committee's to not accept either of the two responses to the NDR Single Family Home Buildable Lot RFP.

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Alderman Jantzer stated, requests were received from Mr. Feist, of Skyport Developers, LLC and from Mr. Haroche, of Silverleaf Capital Group, LLC, which disagreed with the recommendation from staff and requested additional time to respond.

Mr. Zakian said, under HUD standard procedures the communication made by the companies who responded to the RFP can be considered formal responses for an appeal. He recommended the Council table the item as they are the body to which an appeal would take place. The responders have the right to disagree with the recommendation. In the next thirty days, staff will ask them to provide details from their RFP as to why they disagree with the findings and the item will be brought back to the Council for consideration. He said, the City is not under obligation to award a bid but they have the right to respond to our findings.

Whereupon Alderman Sipma moved the Committee table the item. Motion seconded by Alderman Olson and carried by the following roll call vote: ayes: Barney, Jantzer, Olson, Podrygula, Sipma, Straight, Wolsky. nays: none.

12. The City Council approve a Neighbor Next Door Lot sale program with properties acquired by the city because of flood damaged homes and not needed for flood mitigation measures to be offered for sale contiguous homeowners.

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

Alderman Wolsky said he is glad to see this moving forward since the lots have been a concern for neighbors but he asked why the properties were purchased.

Mr. Zakian said, he was not here at the time, but his understanding is the properties were identified as zombie homes and there was potential for partners to build low-moderate income housing. Since rules were still being formulated at that time, we now know this is the only viable alternative. Any new building in the 100 year flood plain would have to be elevated and is required to carry flood insurance.

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Those factors would drive the cost above the LMI threshold. No other use is reasonable and the properties are a liability to the City.

Alderman Sipma commented, this addresses issues brought forward by the community and he is happy to take care of the problem. It also adds property back to the usable tax roll.

Alderman Podrygula agreed and said it is a win-win situation for the City and the community and is an excellent idea.

Whereupon a vote was taken on the above motion by Alderman Sipma, seconded by Alderman Straight and carried by the following roll call vote: ayes: Barney, Jantzer, Olson, Podrygula, Sipma, Straight, Wolsky. nays: none.

13. The Committee of the Whole discussed the Governor's Main Street Summit.

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Mayor Barney began by saying it was interesting to listen to the State's perception on the Main Street Initiative. He said there is no program available from the State to foster this but he came away with some ideas. He said, Minot is uniquely situated to take advantage of the initiative because the city has brand new infrastructure for a healthy downtown. He said he will be speaking to the Downtown Business Professional Association at their meeting in April to discuss what we should do downtown. One of the suggestions from the summit said that a downtown should program 250 events per year. He also mentioned that merchants need to be open past 6:00 pm to generate activity.

Alderman Sipma brought up the value of investment in the downtown and how the cost of expansion has had an effect on the higher property tax. He compared the value of one acre of downtown to the value of one acre of expansion. He also commented on the quality of life and the value of the property taxes that fund City operations.

Alderman Straight said, he spoke to the key note speaker, Roger Brooks, for some advice on what pitfalls to avoid when implementing the gathering place. Mr. Brooks said to simultaneously build the business plan and decide who is going to be running the site. He said the City has to work parallel with the Park District to create a dynamic organization to oversee the gathering space. He mentioned the IEDC meeting and how the MADC and other organizations can move forward using the information from those conversations. He also explained how Minot was not chosen to host a Downtown Conference because we do not have full time staff on a Downtown Professional Business Association. He hopes the discussions with IEDC will enable everyone to work better together. He listed some ideas to enhance downtown such as the outdoor seating ordinance and a bike share program.

Alderman Wolsky also commented on the fact that merchants need to stay open later. He stated, 70% of retail sales take place after 6:00 pm. He said, there was representation from the City at the Main Street Summit but there were very few business owners present at the event. Their challenge is to bring that knowledge to the rest of the community. One concept he mentioned was to focus on an anchor attraction in downtown. He said it will be a challenge when Trinity vacates that area.

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14. The Committee of the Whole discussed student representatives at City Council.

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Alderman Wolsky said he requested the item be placed on the agenda because it ties into the Main Street Initiative. He emphasized the need to engage students in discussions and get younger citizens involved in the process that takes place at meetings.

Alderman Podrygula said it would be a good idea to invite representatives from student media groups. He also said there is a process international visitors follow to immerse themselves in a community and the Council can seek advice from those programs. There are ways to build on what we are already doing and create a formalized method for involvement.

Mayor Barney said, at the College of Business at Minot State, some professors have requirements for their students to attend a certain number of events and he often sees them at meetings. He has also extended invitations to the student government association at MSU and although he has not seen them here he understands they are busy. He also met with students involved in addiction studies who are actively involved in the Committee on Addiction meetings. There used to be periodic meetings set up through Dr. Vollmer where Mayor Barney would discuss his role as the Mayor with student government but those meetings have discontinued.

Alderman Sipma suggested blocking off some time during the Council Workshop to discuss some of these suggestions. The City Manager explained, he has formed a Community Engagement subcommittee with the intent to develop a comprehensive community engagement strategy which would include a youth component. He has reached out to school districts to figure out what that would look like at different age levels. He is also talking with other members of the community to look at adult engagement as well. He suggested waiting until concepts and ideas have been more fully developed before discussing the plan with the Council.

The Mayor reminded the Committee, they don't have to wait to reach out to organizations in the community. He is often asked to speak to Boy Scout troops or other various groups during their meetings and they would be thrilled to have Council members there.

Alderman Olson said teachers are always looking for opportunities to have experts in their fields come to the classrooms and hopefully after this discussion there will be more requests.

15. The Airport Director submitted a written report

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There being no further business, the meeting was adjourned at 5:29 pm.

Respectfully Submitted,
Kelly Matalka,
City Clerk