

COMMITTEE OF THE WHOLE

July 31, 2018

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Members Present:

Sipma (Mayor), Jantzer, Olson, Pitner, Podrygula, 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 Tuesday, July 31, 2018:

- 1. The City Council approve final payment in the amount of \$277,969.50 to be paid to Wagner Construction for the 2018 Sanitary Sewer Rehab Project.**

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

- 2. The City Council approve final payment to Bechtold Paving, Inc. in the amount of \$46,812.98 for the 2017 Street Improvement District.**

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

- 3. The City Council order the construction or repair of Unit 2 sidewalks by the City’s contracted Contractor for parcels where a waiver has been received. The cost and administration fees for the sidewalk work are to be assessed against the benefiting parcels.**

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

- 4. The City Council award the bid for the snow removal broom and sander to M-B Companies, Inc., pending award of FAA grant funds and authorize the Mayor to sign the any applicable documentation.**

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

- 5. The City Council approve a one year extension of a modified eminent domain contract with Swanson & Warcup, Ltd.**

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

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6. The Airport Director provided a written report.

7. The City Council approve final payment in the amount of \$79,914.72 to be paid to Wagner Construction for the 30th Ave Gravity Sewer Project.

The above motion by Alderman Olson, seconded by Mayor Sipma.

Upon questioning by Alderman Wolsky, the Public Works Director stated, there is one more portion of the project that involves 13th Avenue NE which heads west across the airport. The project ran into issues regarding permitting through airport property but once it is resolved they will proceed with the bid process this fall or next spring.

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

8. The City Council consider the recommended bid for the Library Digital Sign which will be provided at the August 6, 2018 City Council meeting.

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

9. The City Council approve the project to improve the Short-Term Parking Lot so that rental car operations can be separated from paid parking stalls; and authorize the Airport Director to publish a Request for Proposal to award the project to the lowest qualified bidder, and complete the project in a cost effective and timely manner; pass an ordinance to amend the 2018 annual budget to increase the airport maintenance land-side for the constructing of the relocation of the car rental operations to the west short term parking lot and authorize the Mayor to sign the required approvals.

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

Alderman Podrygula commented on the signage at the Airport and the need to make improvements so it is less confusing. He said, from his perspective, the 'Exit' sign should be bigger and added, it is difficult to see how to exit the short term lot.

The Airport Director said, the issue has been discussed before and this is a good opportunity to adjust signage as the project will be paid for using Customer Facility Charges (CFC's), which are restricted to projects to benefit or improve car rental operations.

Upon further questioning, the Airport Director said, they have been working with the car rental companies throughout the project. The installation of a Quick Turn Area (QTA) was discussed with the

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car rental companies last year and phases are being implemented toward completion of that project. Phase 1 consisted of co-locating ready and drop off in the Short-term Pay Lot and now they are ready to proceed with phase 2; separating rental cars from short-term customers and phase 3 will involve the QTA facility.

Mr. Feltner assured, the improvements will be aesthetically pleasing and a number of options will be brought forward to the Council for approval once the QTA is designed.

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

10. The City Council grant approval to auction structures acquired for flood mitigation projects.

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

Alderman Wolsky asked if the presence of asbestos prevents a house from being auctioned. Mr. Zakian responded by saying, it does not prevent the auction but the presence of asbestos must be disclosed. Alderman Wolsky continued by asking how Mr. Zakian determined the minimum bid amounts, to which Mr. Zakian responded by saying, he began with an educated guess based on his experience. He started by using 15%-20% of the assessed value and if a property did not receive bids, the minimum was lowered for the next round. He said, there has been some success using minimum bids but in an effort to broaden interest, he plans to advertise the auctions on a statewide site to hopefully attract more, and effectively higher bids.

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

11. The City Council approve a modified one year contract extension with CDM Smith for project delivery services with Allocation #1.

The above motion by Alderman Olson, seconded by Mayor Sipma.

Mayor Sipma asked what is left for Allocation 1 and if there is a projected end date. Mr. Zakian responded by saying, Allocation 1 is a pre-Sandy appropriation and therefore has no deadline for the use of the funds. There is approximately \$3 Million unallocated, which he is holding onto while the other grants, which have deadlines, are being distributed. There are enough funds in the allocation for administration and the Northern Sewer project, which will be consist mostly of environmental review requirements.

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

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12. The City Council approve expanding the scope of IEDC agreement to provide complete analysis of incentives adding \$30,000 from NDR funds for the additional work and authorizing the Mayor to execute the extension.

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

Upon questioning by Alderman Wolsky, Mr. Zakian said, the IEDC will provide a report identifying the pros and cons and a structure to follow if we decide to advance any of the three incentives that the North Dakota Century Code avails us. The three programs are Business Improvement Districts, Tax Increment Financing Districts and Redevelopment Authority. The IEDC will provide the information necessary for the City to decide which programs to implement and how to advance them.

Alderman Straight asked about a timeline for use of the \$30,000 in funds. Mr. Zakian said, the current agreement is through September and if approved, he will extend it an additional two months giving the IEDC 120 days to deliver the finished product. He further stated, the same members who provided the initial report will continue working and he described the expertise they have in each area. Mr. Zakian concluded by saying, there is one remaining deliverable for completion is website connectivity for overall economic strategy.

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

13. The Committee of the Whole tabled the discussion on establishing an organizational structure to lead coordinated efforts to assess IEDC Action Step recommendations and undertake those recommendations with Council approval deemed necessary for a coordinated, overall economic development strategy for one month.

Mayor Sipma moved the Council approve the attached organizational structure to establish an Interagency Steering Committee to lead and coordinate all efforts involving implementation of prudent and feasible recommendations in the IEDC report and formally establish, as an integral part of the effort, an Economic Development Stakeholders Task Force; also, to designate a Project Manager, being the Chief Resilience Officer, to support the efforts of the Steering Committee as well as the Stakeholders Task Force and any technical committees formed by the Steering Committee to address specific recommendations in the IEDC report. Motion seconded by Alderman Podrygula.

Mayor Sipma explained, since the discussions at the stakeholders meetings, it is clear there needs to be a hierarchy to put together the group that will lead the directives from the IEDC report and implement the strategies in our community. He said, they provided a handout that includes, what he believes is a well-designed hierarchy that can be put together with different technical teams to carry out the different missions. He said, through lengthy discussions with the City Manager, they hoped to find the most constructive way to keep the momentum going and remain accountable. He also mentioned, there were a number of people who reached out to show interest in joining the committees. Once the members are established they will set goals and determine objectives further identify our own timelines.

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The Committee members shared their opinions on the process and encouraged the community to embrace the plan and get involved.

Pam Karpenko, owner of Mainstream Boutique, expressed her opinions to the Committee. She said, since the focus of economic development is on downtown, there should be more representation from downtown business owners. She has spoken with the Downtown Business & Professional Association (DBPA), the Heart of Our City and Little Chicago Pub District but there is only one representative included in the proposed structure, the President of DBPA. Ms. Karpenko suggested the Committee carefully consider who is included.

Mayor Sipma said, what they are approving is the basic structure but the committee members will be decided at a later time.

Alderman Olson suggested the Project Manager be someone from the community and not a member of City Council.

The City Manager explained, approval of the motion includes approving the structure and the positions identified within the memo, while providing flexibility on the Steering Committee. One recommendation included from staff is for the Chief Resilience Officer to be the Project Manager. If the Council would like to reserve that decision for a later time, an amendment would be necessary.

Alderman Olson moved the Committee amend the motion to consider other options as Project Manager. Motion seconded by Mayor Sipma and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Sipma. nays: Wolsky.

John MacMartin, President of the Chamber of Commerce came forward to address the Committee. He said, the members of the stakeholders meeting did not get a chance to discuss the proposed structure and he believes it should be shared with them before being adopted. He stated, the IEDC provided a roadmap for discussion and there needs to be more input before rushing forward.

The Committee discussed the challenge between wanting to move forward quickly to maintain momentum and taking additional time to make sure the structure done correctly.

Alderman Podrygula moved the Committee table the request for one month to allow more discussion to take place with the stakeholders. Motion seconded by Alderman Olson.

Alderman Podrygula explained, there should be more time taken in order to identify and fine tune the organizational structure.

Alderman Jantzer encouraged the stakeholders involved to make a serious evaluation of the roles of each organization to resolve some of the fracturing that has taken place.

Whereupon a vote was taken on the above motion by Alderman Podrygula, seconded by Alderman Olson and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Sipma. nays: Wolsky.

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- 14. The City Council authorize the Airport Director to apply for a supplemental Airport Improvement Grant offered by the FAA to fund completion of Phase II and III of the General Aviation pavement rehabilitation project; Authorize the Airport Director to commence the Request for Proposal process immediately to comply with application deadline requirements; Award the bid pending receipt of at least 90% of grant money; Authorize acceptance of grant money that may be offered through this supplemental opportunity which includes federal funding of at least 90% of the estimated \$1.9 million project cost; Authorize the Mayor to sign necessary documents.**

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

Upon questioning by Alderman Wolsky about the timing of the grant award, the Airport Director explained, the FAA recently made the grant available and the City would need to have an accepted bid by September 1st, which is why it requires immediate approval. Once approved by Council, the Request for Proposals will be advertised and the project has six months to begin. Mr. Feltner further explained, the grant will potentially be awarded in October, after the 2019 budget has already been approved. He included in his recommendation that the project will not move forward unless the Airport receives at least 90% FAA funding unless the Council directs otherwise.

The Airport Director then explained additional CIP projects that have been identified through 2022 which could be advanced if funding allows. There is the construction of stormwater management project, the wildlife mitigation project, and capital equipment needs.

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

There being no further business, the meeting was adjourned at 5:15 pm.

Respectfully Submitted,
Kelly Matalka,
City Clerk