

PUBLIC WORKS AND SAFETY COMMITTEE

August 31, 2016

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Members Present:

Schuler, Jantzer, Berg, Podrygula, Shomento, Straight

Members Absent:

Kossan

Others Present:

City Clerk, Acting City Manager, City Attorney, HR Director, City Assessor, City Comptroller, City Treasurer, Assistant City Engineer, Traffic Engineer, Building Official, Planning Director, Fire Chief, Police Chief, Captain White, Assistant Public Works Director, Aud/ Rec. Director, Public Information Officer, Alderman Hedberg, Alderman Lehner, Alderman Olson, Alderman Sipma, Alderman Withus, 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 August 31, 2016:

1. The City Council award the bid to Strata Corporation in the amount of \$586,280 for the general bid and Fusion Automation in the amount of \$47,887 for the electrical portion of the bid for the Park South Development Storm Water Pond and authorize the Mayor to sign the contracts on behalf of the City. (4135)

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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, Podrygula, Schuler, Shomento, Straight. nays: none.

2. The City Council approve the engineering amendment with Houston Engineering for Minot SWIF deficiency work Engineering services and authorize the Mayor to sign the contract amendment on behalf of the City. (3135.2)

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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, Podrygula, Schuler, Shomento, Straight. nays: none.

3. The City Council approve the Construction and Maintenance Agreement with Canadian Pacific Railroad and NDDOT for the Broadway Viaduct, and authorize the Mayor and City staff to execute the agreement. (3979)

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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, Podrygula, Schuler, Shomento, Straight. nays: none.

4. The City Council approve the relocation of an accessory building to 2310 62nd St SE, 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.**
- **An approved foundation design in compliance with City of Minot building codes.**
- **The plumbing, electrical and HVAC systems, if applicable, shall be brought into compliance with**

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- **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.**
- **Approved building permits for all proposed construction**
- **Smoke detectors in required locations**
- **The exterior of the structure must be one consistent color or scheme of colors after 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 site drainage, site restoration and must be landscaped in a manner similar to surrounding properties.**

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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, Podrygula, Schuler, Shomento, Straight. nays: none.

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

- a. **Ordinance No. 5101 – Remove concealed Fastener Requirement- Zoning Supplement**
- b. **Ordinance No. 5102 – Amend the 2016 Annual Budget- Homeland Security Grant**
- c. **Ordinance No. 5103 – Amend the 2016 Annual Budget- Emergency Generator for Fire Station One (FD0042)**

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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, Podrygula, Schuler, Shomento, Straight. nays: none.

6. The City Council approve the plans and specifications for the Storm Sewer Outfall Investigation and authorize a call for bids. (3135.2B)

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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, Podrygula, Schuler, Shomento, Straight. nays: none.

7. The City Council approve the plans and specifications for erosion repairs along 10th Street and 3rd Avenue and authorize a call for bids. (3135.2A)

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

Ryan Ackerman came before the committee to state his opinion on the funding for the SWIF projects. He does not believe the ½ cent from sales tax flood control is enough to construct, operate, and maintain the System Wide Improvement Framework.

The Acting City Manager, Cindy Hemphill, explained, the projects would involve annual maintenance but at this point the City does not know how much that would cost. She stated, the last flood control project set funds aside for maintenance but she will look up the exact wording in the ordinance. She also said, the decision to increase from ½ cent to the whole penny would be up to the City Council.

Alderman Jantzer commented, flood protection needs to be a top priority but we must also consider the time span. Having more money for the project will not speed up its completion. There are several parties involved and local

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sales tax is only a fraction of the big picture.

Alderman Podrygula agreed but said the full penny would help and it is a broad issue not limited to just construction.

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, Podrygula, Schuler, Shomento, Straight. nays: none

8. The City Council choose these options for the Burdick Expressway Reconstruction: Alternate B: Build Project and Realign the Road at the Oxbow; Option 1: Replace signal at Burdick/9th St; Option 2b: Remove Traffic Signal and Install a Pedestrian Signal. (4179)

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

Matt Kinsella, of Apex Engineering Group, presented the options for the reconstruction of Burdick Expressway. He explained, the pavement is about 60 years old and the utilities are about 100 years old so both are in need a replacement. They decided to use this opportunity to improve the safety and operation of the area. The stretch of road is characterized by poor sight distance, limited right of way and narrow lanes. Their goals are to improve the left turn at 13th St, correct the geometry offset, bring sidewalks up to ADA standards and replace the city sanitary sewer system.

Mr. Kinsella reviewed the alternatives for the overall build of the project; Alternate A: do not build the project, Alternate B: build the project and realign the road at the oxbow, and Alternate C: build the project but do not realign road at the oxbow. He said they recommend Alternate B since it creates four 12 foot wide lanes, realigns the curve and adds turning lanes. This option addresses safety issues but would also require partially filling in the abandoned oxbow.

He then discussed the traffic signal at 9th St and stated, the only option is to replace it. The signal at 13th St however, has three options: Option 2a: remove and replace the signal, Option 2b: remove the traffic signal and replace with a pedestrian signal, and Option 2c: remove traffic signal with no replacement. They recommend Option 2b and suggest a rectangular rapid flashing beacon. He explained, according to traffic studies, there is no justification for a signal and the Department of Transportation would probably not fund it, so a pedestrian signal is the next best option.

Mr. Kinsella went on to explain the detour necessary during construction, which will lead through Valley St to 27th St. He stated, they have had discussions with the State Fair regarding the 2017 Fair and parade route. They agreed to use Eastern Ave for Fair access and the parade route.

He gave the timeline for the project including finalizing plans in December, holding a February bid opening through the DOT and starting construction in spring 2017. Funding will be partially through the Department of Transportation. The utilities will be paid by the City and he said there is still a chance to obtain federal funding for the traffic signals.

Several Alderman and citizens spoke about concerns over removing the traffic signal at 13th St especially when events are taking place at Corbett field and Roosevelt Park.

Alderman Straight explained he would prefer to keep the road as it is now and said he agrees the plan looks good on

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paper but does not think it is worth the cost or the loss of the oxbow. The issue was raised concerning stormwater issues for Eastwood Park if the oxbow was no longer there to collect water. Mr. Kinsella stated, once a preferred alternative is chosen, they will conduct a study during the design of the project.

The Assistant City Engineer assured, they would never compromise the safety and well-being of residents for the sake of a project. Upon request for further details, she also stated, the department will bring the plans and specifications for City Council's approval at a later date. At this point, they need to know which alternative to design and the DOT needs a recommendation from Council in order to make their final decision.

Alderman Jantzer called the question, seconded by Alderman Shomento and carried by the following roll call vote: ayes: Berg, Jantzer, Podrygula, Schuler, Shomento, Straight. nays: none

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

9. Informational: CMCO Chapter 7- Animals and Fowl

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Sara Bloom, of 511 South Main St, gave a presentation requesting a change to the ordinance forbidding fowl, particularly hens, in City limits. She mentioned the importance of local home grown food and suggested the City allow up to six chickens per household. She cited the benefits including fresh eggs, chicken manure fertilizer for gardens and stated chickens are great pets.

Wendy Walker, her neighbor, spoke in favor of the proposal and stated all of her concerns, which were negated after further research.

Margie Zeitz and Alderman Lehner spoke against the idea, stating, the issue was raised seven years prior. They said it never made it to Council after discussions about the noise, cleanliness and requirement for approval from First District Health Unit.

Alderman Schuler expressed her support for the idea of having chickens and farm fresh eggs but does not recommend it for within the City limits.

10. The City Council request the Mayor appoint a committee to discuss a systematic organized mechanism to deal with the issue of weeds and debris on undeveloped property.

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Alderman Podrygula brought up an issue regarding weed complaints which have been extraordinarily frequent this season. He showed pictures of some of the empty lots on the NW area of town which have affected the neighboring properties by spreading harmful and intolerable weeds. There are also acres of property containing debris and abandoned materials which have become an eyesore to the residents nearby.

Sandy Horob, of 2519 8th St NW, spoke about her experience with the weeds this summer. She said there was so much foxtail floating into her yard she was forced to kennel her dog and took multiple trips to the vet. She said she contacted Public Works several times.

The Assistant Public Works Director explained, there are sometimes up to 60 acres of land requiring maintenance to prevent this issue and the department does not have the resources or the budget to accomplish it. He stated, they have contacted companies but it is difficult to maintain. He also explained the process for nuisance complaints. He

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said when they receive a complaint, the City sends a letter to the property owner giving them five days to react. After that, they reassess the property and if the problem has not been corrected, they abate the nuisance and assess a penalty to the property.

Upon questioning regarding details in the ordinance pertaining to the issue, the City Attorney stated, it includes weed nuisances, building issues and discarded building materials.

Whereupon Alderman Podrygula moved the City Council request the Mayor appoint a committee to discuss a systematic organized mechanism to deal with the issue of weeds and debris on undeveloped property, seconded by Alderman Berg and carried by the following roll call vote: ayes: Berg, Jantzer, Podrygula, Schuler, Straight. nays: Shomento.

There being no further business, the Public Works and Safety Committee meeting was adjourned at 6:08 pm

Respectfully Submitted,
Kelly Matalka,
City Clerk