



Regular City Council Meeting  
Monday, February 3, 2020 at 5:30 PM  
City Council Chambers, City Hall

Any person needing special accommodation for the meeting is requested to notify the City Clerk's Office at 857-4752.

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. MAYOR'S REPORT
4. CITY MANAGER REPORT
  - 4.1. RETIREMENT RECOGNITION
  - 4.2. SWEARING IN OF NEW POLICE CHIEF
5. CITY ATTORNEY REPORT

Documents:

[2020-01.PDF](#)

6. CONSENT ITEMS
  - 6.1. APPROVAL OF THE MINUTES

**It is recommended the City Council approve the minutes of the January 6, 2020 regular City Council minutes, the January 21, 2020 special City Council minutes and the January 21, 2020 regular City Council minutes.**

Documents:

[200106.PDF](#)  
[200121 SPECIAL445.PDF](#)  
[200121.PDF](#)

- 6.2. APPROVAL OF BILLS, TRANSFERS & PAYROLL

**It is recommended the City Council approve the bills and transfers as listed for January in the amount of \$4,870,707.12 and payroll from December 22, 2019 through January 18, 2020 in the amount of \$2,123,896.86.**

Documents:

[BILLS JAN 2020.PDF](#)  
[PAYROLL JANUARY 2020.PDF](#)

- 6.3. THE FOLLOWING ORDINANCES SHOULD BE CONSIDERED ON SECOND READING

1. **Ordinance No. 5447 - Amend the 2020 Annual Budget- 2019 Signal Improvement Project (4229)**
2. **Ordinance No. 5448 - Stop Control within Region VIII**

Documents:

[ORDINANCE NO. 5447.PDF](#)  
[ORDINANCE NO. 5448.PDF](#)

6.4. ADMINISTRATIVE APPROVALS

**It is recommended the Council ratify the attached administratively approved requests.**

Documents:

[ADMIN APPROVALS 2-3-20.PDF](#)

6.5. GAMING SITE AUTHORIZATION- PRAIRIE PUBLIC BROADCASTING, INC.

Site approval by the City Council is required as a precondition to obtain a state games of chance license. Each organization submits documentation annually in order to conduct games of chance at locations throughout the city of Minot.

**It is recommended the City Council approve the gaming site authorization for Prairie Public Broadcasting, Inc to conduct games of chance at The Ice Box.**

Documents:

[MEMO- GAMING SITE AUTHORIZATION- PRAIRIE PUBLIC BROADCASTING.PDF](#)

6.6. SPECIALTY RESTAURANT BEER & WINE LICENSE – TACO FELIZ

The City received a request from Taco Feliz, LLC dba Taco Feliz, for a Specialty Restaurant Beer & Wine License operating at 1535 South Broadway. All documentation has been approved by the Police Chief, Building Official and Fire Marshal.

**It is recommended the City Council approve the request from Taco Feliz for a Specialty Restaurant Beer & Wine License.**

Documents:

[MEMO- TACO FELIZ.PDF](#)

6.7. 2019 PROPOSED ORDINANCE - LINE ITEMS OVER BUDGET

Department budgets must reflect the correct amounts for the 2019 CAFR. Adjustments are necessary so that no departments report amounts that are not appropriated.

**Recommend the Council pass an ordinance to amend the 2019 annual budget to adjustment department budgets for funds approved by the City Council for Sales Tax Flood Control, Various Grants, Library Memorial, and Interest Distribution.**

Documents:

[2019 MEMO - LINE ITEMS OVER BUDGET \(YEAR-END\).PDF](#)  
[64. 2019 BA - LINE ITEMS OVER BUDGET \(YEAR-END\).DOCX](#)

6.8. APPROVAL OF PLEDGED ASSETS

Section 21-04-11 of the North Dakota Century code requires securities pledged for deposits by banking institutions be approved by the City Council annually.

**Recommend approval of the Pledged assets as of 12/31/2019.**

Documents:

[MEMO PLEDGED ASSETS 123119.PDF](#)  
[PLEDGED ASSETS 123119.PDF](#)

6.9. 2019 FEED POINT REPLACEMENT BUDGET AMENDMENT (4506)

Portions of the street lighting system in the City are deteriorating due to age, and portions of the system need replacement. The feed point is the electrical source for each individual lighting system. The City Council has approved funds to replace those feed points that either have become

non-accessible or are past their service life.

**Recommend approval of the budget amendment ordinance allocating unused 2019 Feed Point Replacement funds into the 2020 Feed Point Replacement fund.**

Documents:

[2619.PDF](#)  
[14. 2020 BA - FEED POINT REPLACEMENT \(4506\).PDF](#)

**6.10. HPS TO LED STREET LIGHT CONVERSION BUDGET AMENDMENT**

The Traffic Department maintains a majority of the streetlights throughout the City of Minot. A majority of these streetlights utilize the traditional high-pressure sodium, or HPS, light bulbs. As an industry standard, HPS lighting is being phased out for more efficient Light-Emitting Diode, or LED, streetlights. In December 2019, the Traffic Department entered into a contract to upgrade 52 streetlights from HPS to LED. This replacement will upgrade street lighting along 31st Avenue SW west of Broadway and passed 16th Street SW. Residential street lighting will also be upgraded in the area south of 31st Avenue SW, west of Broadway and east of 16th Street SW.

**Recommend approval of a budget amendment ordinance allocating \$58,844 from the unused 2019 Traffic Departments Street Light Maintenance Fund into the 2020 Traffic Departments Street Light Maintenance Fund.**

Documents:

[2620 \(1\).DOCX](#)  
[13. 2020 BA - HPS TO LED STREET LIGHT CONVERSION.DOCX](#)

**6.11. BROADWAY CORRIDOR STUDY BUDGET AMENDMENT (4443)**

Council has advanced the Broadway Corridor Study twice in the past year. At the April 1, 2019 meeting, Council authorized funds up to \$62,500 for a match with a NDDOT Grant. Furthermore at the October 21, 2019 meeting, Council authorized KLJ to perform the study and for the City Engineer to negotiate a scope and fee. However, due to delays with NDDOT compiling and finalizing the contract, the contract could not be signed by the Mayor in 2019. The Engineering Department received the Contract the week of January 21, 2020. Since Council authorized 2019 funds but the contract was not signed until 2020, a budget amendment will be needed to reallocate funds so that the study may begin.

**Recommend approval of a budget amendment ordinance allocating \$62,500 from Highway Reserve funds to provide matching funds to the NDDOT grant.**

Documents:

[4443 - BROADWAY CORRIDOR STUDY BUDGET AMENDMENT MEMO.DOCX](#)  
[9. 2020 BA - BROADWAY CORRIDOR STUDY \(4443\).DOCX](#)

**6.12. PURCHASE GPS RECEIVER (4473)**

The City of Minot Engineering Department had budgeted \$6,000 for the capital purchase of GPS equipment in 2020. The quote received for the equipment, including all necessary accessories and software, has come in slightly above at \$6,890.

**Recommend approval of the budget amendment ordinance transferring \$890 from the General Fund to the Engineering Department's Equipment Purchases fund.**

Documents:

[2020-02-03\\_ENGDEPTBA\\_GPS.PDF](#)  
[8. 2020 BA - GPS RECEIVER \(4473\).PDF](#)

**6.13. 30th AVE GRAVITY SEWER PHASE 2 – AWARD OF BID (CITY PROJECT 3490.6)**

30th Ave Gravity Sewer Phase 2 is the final phase of this project and consists of installing a 21" gravity sewer pipe from the east ditch of Broadway at 30th Ave across the airport to about 13th St NE. On January 15, 2020 the City of Minot received sealed bids for the 30th Ave Gravity Sewer

Project. There were four bids received and Dakota Underground Specialties, LLC was the lowest responsible bidder in the amount of 1,572,800.00.

**Recommend council award the contract for construction of the 30th Ave Gravity Sewer Project at the bid price of \$1,572,800.00 to Dakota Underground Specialties, LLC.**

Documents:

[3490.6 - MEMO - AWARD OF BID.PDF](#)  
[3490.6 - BID TABULATION.PDF](#)

6.14. LANDFILL COMPACTOR LEASE (PROJECT NUMBER 4508)

On January 28, 2020 the Public Works Department opened lease proposals for a landfill compactor for the landfill. Five bids were received, and they are as follows:

<u>Bidder</u>	<u>Make/Model</u>	<u>Annual Lease</u>	<u>Buyout</u>
Butler Machinery	CAT 836K	\$145,000.00	\$265,000
Titan Machinery	Bomag BC1172RB	\$175,266.00	\$175,000
CMI Roadbuilding Inc.	TM11-4	\$153,803.00	\$150,000
Humdinger Equipment	Tana E520 ECO	\$171,244.49	\$200,000
Allied Systems Company	Wagner LC120	\$161,256.00	\$187,084

**Recommend council award the 5-year lease to Butler Machinery in the amount of \$145,000 per year for the CAT 836K landfill compactor.**

Documents:

[4508 - MEMO TO COUNCIL - COMPACTOR.PDF](#)

6.15. BID APPROVAL P3135.2E SWIF - REPAIR OF BANK, STABILIZATION, DREDGING AND CULVERT CLEANING

Plans and specifications were approved for project 3135.2E SWIF work on the city of Minot existing levee system at the December 16, 2020 Council meeting. Bids were opened January 21, 2020. Five bids were received for this work. Wagner Const. is the apparent low bidder.

1. **Recommend award of bid for above project to Wagner Construction.**
2. **Authorize the Mayor to sign the agreement on behalf of the city**
3. **Authorize Public Works Director to sign "Notice to Proceed"**
4. **Recommend approval of proposed ordinance amending the 2020 annual budget on first reading.**

Documents:

[MEMO APPROVE BIDS 3135.2E SWIF.PDF](#)  
[3135.2E BID REVIEW LETTER.PDF](#)  
[11. 2020 BA - SWIF BID APPROVAL.PDF](#)

6.16. WAIVER OF CONFLICT OF INTEREST WITH NDIRF REPRESENTATION

The City of Minot was recently named in a lawsuit along with Ward County and several individual law enforcement officers from the City and County. Randall Bakke and other attorneys at Bakke Grinolds Wiederholt were retained as defense counsel by the North Dakota Insurance Reserve Fund (NDRIF).

**Recommend the Council approve the proposed "Joint Defense & Waiver of Conflict of Interest" document and authorize the City Attorney to sign on behalf of the City of Minot.**

Documents:

[CONFLICT WAIVER\\_WILKIE.PDF](#)  
[JOINT DEFENSE AND WAIVER OF CONFLICTS OF INTEREST.PDF](#)

6.17. PROJECT EXTENSION, QTA AND ACDBE PROJECTS (AIR082, AIR075)

During the June 3, 2019 City Council Meeting, Council members approved the Landrum & Brown, Inc. Task Order No. 2 (T.O. 2) to develop a Request for Proposals (RFP) for the development of a Quick Turn Around (QTA) facility at the Minot International Airport. This task order listed an anticipated completion date of November 30, 2019; this project remains ongoing. Though this was an estimated completion date, it is the request of the Airport that City Council formally approve the extension of Task Order No. 2 to June 30, 2020.

During the October 30, 2018 City Council Meeting, Council members approved the Trillion Aviation, LLC Statement of Work No. 14 to develop an Airport Concession Disadvantaged Business Enterprise (ACDBE) Program Policy, review, and develop a consistent tenant lease document. The ACDBE Program Policy was approved by Council members during the July 15, 2019 Council Meeting; review and development of lease documentation is ongoing. Since the approval of Statement of Work No. 14, Trillion Aviation, LLC has been acquired by Landrum & Brown, Inc. It is the recommendation that Council approved Task Order No. 3 (T.O. 3) with Landrum & Brown, Inc. to extend the completion of the ACDBE project through December 31, 2020.

- 1. Recommend approval of the project extension of the Landrum & Brown, Inc. Task Order No. 2 (T.O. 2) to develop a Request for Proposals (RFP) for the development of a Quick Turn Around (QTA) facility at the Minot International Airport; and**
- 2. Recommend approval of the Landrum & Brown, Inc. Task Order No. 3 (T.O. 3) to Update Standard Contract Forms; and**
- 3. Authorize the Mayor to sign any applicable documentation.**

Documents:

[MEMO PROJECT EXTENSION \(AIR082, AIR075\).PDF](#)  
[LANDRUM BROWN TO2 - FULLY EXECUTED.PDF](#)  
[MOT LB TO 3 CONTRACT REVIEW AND UPDATES.PDF](#)

#### 6.18. BERRY DUNN SCOPE OF WORK ERP PROJECT

Early in the ERP implementation process, it was agreed that the implementation of various phases of the project should be staged differently than originally anticipated to accommodate other strains on staff schedules. This change resulted in a longer timeline than was originally proposed. The attached proposed changes to the Scope of Work agreed to by Berry Dunn would accommodate the anticipated additional time and travel.

**It is recommended the Council approve the change to the Scope of Work for the Berry Dunn contract to provide consulting services for the ERP project and authorize the Finance Director to sign any necessary paperwork related to the change.**

Documents:

[BERRYDUNNCO1MEMO.PDF](#)

#### 6.19. ZONING ORDINANCE UPDATE – SRF CONSULTING GROUP CONTRACT AMENDMENT #1

The Minot City Council entered into a contract with SRF Consulting Group, Inc. on March 6, 2019 to assist with an update to the city's zoning ordinance. City staff and the consultant are requesting a minor modification to the scope of work that does not involve an increase to the contract amount.

**It is recommended the City Council adopt the attached contract amendment; and authorize the Mayor to sign the contract amendment.**

Documents:

[CC - ZONING ORDINANCE CONTRACT AMENDMENT 1.PDF](#)

## 7. ACTION ITEMS

### 7.1. 2020 – 2024 CAPITAL IMPROVEMENT PLAN ADOPTION (4499)

In 2019, the city staff developed a new capital improvement plan (CIP) process. The new process added a significant amount of detail for each project in an effort to be more transparent. Staff has continued this process in developing the 2020-2024 CIP.

## **Recommend the Council adopt the 2020 – 2024 Capital Improvement Plan**

Documents:

[2020 - 2024 CIP ADOPTION MEMO.PDF](#)  
[CITY OF MINOT CAPITAL IMPROVEMENT PLAN 2020-2024 REDUCED.PDF](#)

### **7.2. CITY HALL SECURITY UPGRADES**

There have been a number of instances in the last year where individuals have come in to City Hall and have been very hostile. The Police Dept. has been called to assist on a number of occasions. These upgrades would secure areas of City Hall so that visitors would be screened before being allowed into the secured area.

- 1. Approve the bids received for construction/installation of the City Hall Security Upgrades.**
- 2. Pass an ordinance on first reading amending the 2020 annual budget to increase Property Maintenance buildings and grounds revenues and expenditures for the City Hall Security Improvements**

Documents:

[FEB3 CITY HALL SECURITY.PDF](#)  
[10. 2020 BA - CITY HALL SECURITY IMPROVEMENTS.PDF](#)  
[CITY HALL SECURITY QUOTES.PDF](#)

### **7.3. CITYWIDE ASSET MANAGEMENT SOFTWARE VENDOR SELECTION (4423)**

Since 2017, the City has been planning and budgeting for an enterprise asset management and land development software to modernize the City's operational side of the organization.

The City's RFP listed four primary components for vendors to submit proposals on. These components include Asset Management, Fleet and Fuel Management, Citizen Management, and Permitting & Land Development.

- 1. Recommend Council approve the following contracts and authorize the mayor to sign the contracts:**
  - 1. AssetWorks, LLC: Software License and Related Hardware Purchase Agreement, Software Maintenance Agreement, and Professional Services Agreement**
  - 2. Azteca Systems, LLC: Cityworks License and Maintenance Agreement**
  - 3. Hyland Software, Inc.: Hyland Master Agreement**
  - 4. Timmons Group: Letter of Agreement Enterprise Asset/Work Order Management with, Citizen Management, and Permitting/Land Development Solution with Implementation Services**
  - 5. Timmons Group: Letter of Agreement Esri GIS, Cityworks AMS & PLL System Architecture Analysis**
- 2. Recommend Council pass a budget amendment ordinance on first reading to move the budgeted funds into the engineering department budget.**

Documents:

[4423 - CITYWIDE ASSET MANAGEMENT SOFTWARE VENDOR SELECTION MEMO.DOCX](#)  
[ASSETWORKS AGREEMENT.PDF](#)  
[MINOT, ND CITYWORKS LICENSE AGREEMENT 2020 SIGNED.PDF](#)  
[20160257 - HYLAND SIGNED ONLY.PDF](#)  
[MINOT\\_SYSARC REVIEW FINAL.PDF](#)  
[TG STANDARD LOA FINAL.PDF](#)  
[7. 2020 BA - CITYWIDE ASSET MANAGEMENT SOFTWARE \(4423\).DOCX](#)

#### 7.4. PARKING AUTHORITY BOOKKEEPING DUTIES

Prior to 2014, the Parking Authority had a full-time parking manager and a part-time recording secretary. Upon their departure from the City, their responsibilities were taken over by a member of the Parking Board in the interim. Phil Schultz took over these duties in October 2019. The bookkeeping duties and responsibilities are listed out in the attached e-mail correspondence.

1. **Recommend approval of the proposed ordinance amending the 2020 annual budget on first reading for the Parking Authority bookkeeping duties.**
2. **Recommend approval of \$200/month compensation to Phil Schultz for bookkeeping duties.**
3. **Recommend approval for the use of Parking Authority cash reserves.**

Documents:

[PARKING AUTHORITY MEMO.PDF](#)  
[E-MAIL ATTACHMENT.PDF](#)  
[PROPOSED ORDINANCE.PDF](#)

#### 7.5. AMEND VOLUNTARY ACQUISITION POLICY ON FORECLOSED PROPERTIES

To acquire properties that are considered spot blight, the City can only use Voluntary Acquisition under the federal Uniform Relocation Act (URA) because the North Dakota Century Code does not permit use of eminent domain to acquire such properties. The City has been made aware of a property not identified through City inspection records which meet the standards of spot blight and are a threat to neighborhood stability. This property was taken over by the VA. Since there is no property owner involved, what is considered "just compensation" under the federal URA changes significantly become far more flexible in terms of acquiring at distressed purchase pricing.

**It is recommended the City Council approve amending CDBG-DR/NDR Voluntary Acquisition Policy to add setting purchase price standards for blight properties which have been foreclosed.**

Documents:

[AMENDVOLUNTARYACQUISITIONPOLICYFORECLOSEDPROPERTIESCOUNCILMEMO.PDF](#)  
[VOLUNTARYACQUISTIONPLAN\\_20180904.PDF](#)

#### 7.6. AUTHORIZE CDBG-NDR SUBSTANTIAL AMENDMENT FOR URGENT NEED

One of the basic requirements of HUD rules is that all activities in an Action Plan except Planning and Administration must have one or more National Objectives which are Urgent Need, Low/Moderate Income (LMI), and Blight (includes Spot Blight). To be able to use NDR funds outside Buyout Area 4, it is necessary to amend the Action Plan to add Urgent Need as a National Objective.

**Recommend Council authorize a Substantial Amendment to the CDBG-NDR Action Plan to add the National Objective of Urgent Need to the Involuntary Acquisition Activity.**

Documents:

[URGENT NEED SUBSTANTIAL AMENDMENT COUNCIL MEMO.PDF](#)

#### 8. PERSONAL APPEARANCES

#### 9. MISCELLANEOUS AND DISCUSSION ITEMS

##### 9.1. SOURIS RIVER JOINT BOARD- QUARTERLY REPORT

##### 9.2. NAWS PROJECT UPDATE

The Public Works Director will provide an update on the various NAWS projects currently under construction or design.

##### 9.3. FEMA RiskMAP UPDATE (3888)

This agenda item is for informational purposes. The City Engineer will present information regarding the FEMA RiskMAP process and timeline for new Flood Insurance Rate Maps for the City of Minot.

Documents:

[RISKMAP UPDATE TO COUNCIL MEMO 2.3.2020.PDF](#)

9.4. RECEIVING PUBLIC TESTIMONY

10. ADJOURNMENT