



Regular City Council Meeting
Tuesday, February 18, 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. CONSIDER THE REPORT OF THE PLANNING COMMISSION

Documents:

[02 \(FEB\) RECOMMENDATIONS 2020.PDF](#)

3.1. PUBLIC HEARING: STARR SUBDIVISION LOTS 1 & 2

A public hearing to consider a request by Jessie Starr, owner, and Ackerman Surveying & Associates, Inc, applicant, to rezone lots 1 & 2 Starr Subdivision from AG (Agricultural District) to RA (Agricultural Residential District).

1. **It is recommended that the City Council approve the subdivision to separate the North Half of Outlot 7 into two (2) rural residential lots to be known as Lots 1 and 2 of proposed Starr Subdivision.**
2. **it is recommended that the City Council pass an ordinance on first reading to change the zone from AG (Agricultural District) to RA (Agricultural Residential District).**

Documents:

[021820 - RZ -STARR SUBDIVISION - AG TO RA.PDF](#)

3.2. CITY COUNCIL PUBLIC HEARING TEXT AMENDMENTS - CHAPTER 30

Planning staff conducted research of other North Dakota cities on which types of planning requests require public hearings and which do not in the interest of eliminating duplicative public hearings before the City Council. Currently, the Minot ordinance requires public hearings before both the Commission and the Council for text amendment applications, rezoning applications, conditional use permits, and interim use permits. The proposed text amendment prepared by staff will eliminate the need for a second public hearing at City Council since the requirement for public input will be satisfied at the Planning Commission meeting.

The Planning Commission modified the staff proposal by recommending that rezoning amendments and conditional use permits require a second public hearing at the Council level, while removing the hearing requirement for interim use permits and text amendments.

Planning Staff recommends the City Council pass the attached ordinance amendment in Attachment B on first reading to eliminate duplicative public hearings before the City Council for text amendment applications, rezoning applications, conditional use permits, and interim use permits.

OR

The Planning Commission recommends the City Council pass the attached ordinance amendment in Attachment C on first reading with the amendments summarized as follows:

- **Section 30-3(b) Conditional Use Permits shall require a public hearing at both Planning Commission and City Council in the same manner as a rezoning request.**
- **Section. 30-4(b) Interim Use Permits shall be processes in the same manner as Conditional Use Permits, except that no public hearing is required at City Council**
- **Section 30-5(i) differentiates actions by the Council for zoning map amendments which require a public hearing at City Council as well as Planning Commission, and zoning text amendments which only require a public hearing at Planning Commission, not City Council.**

Documents:

[CC- MEMO -12182020 - TEXT AMEND CH 30 FOR PUBLIC HEARINGS.PDF](#)
[ZONING TEXT AMENDMENT SECTION 30-5\(I\) A.PDF](#)
[BRIAN- PUBLIC HEARINGS ORDINANCE.PDF](#)
[PUBLIC HEARINGS ORDINANCE 2.PDF](#)

4. CONSIDER THE REPORT OF THE MAGIC FUND SCREENING COMMITTEE

The annual compliance report for the MAGIC Fund Screening Committee is attached for the City Council's review.

Documents:

[ANNUAL COMPLIANCE REPORT 2019.PDF](#)

5. CONSENT ITEMS

5.1. APPROVAL OF THE MINUTES

It is recommended the City Council approve the minutes of the February 3, 2020 regular City Council meeting and the February 10, 2020 special City Council meeting.

Documents:

[200203.PDF](#)
[MI - 5 RIVER PLAN PUBLIC INPUT MTG 2-10-20.PDF](#)

5.2. THE FOLLOWING ORDINANCES SHOULD BE CONSIDERED ON SECOND READING

1. **Ordinance No. 5449 - Amend the 2020 Annual Budget- 2019 Feed Point Replacement (4506)**
2. **Ordinance No. 5450 - Amend the 2020 Annual Budget- HPS to LED Street Light Conversion**
3. **Ordinance No. 5451 - Amend the 2020 Annual Budget- Broadway Corridor Study (4443)**
4. **Ordinance No. 5452 - Amend the 2020 Annual Budget- GPS Receiver**
5. **Ordinance No. 5453 - Amend the 2020 Annual Budget- SWIF (3135.2E)**
6. **Ordinance No. 5454 - Amend the 2019 Annual Budget- Line Items Over Budget**
7. **Ordinance No. 5455 - Amend the 2020 Annual Budget- City Hall Security Improvements**

8. **Ordinance No. 5456 - Amend the 2020 Budget- Asset Management Software**
9. **Ordinance No. 5457 - Amend the 2020 Annual Budget- Parking Authority Bookkeeping duties**

Documents:

[ORDINANCE NO. 5449.PDF](#)
[ORDINANCE NO. 5450.PDF](#)
[ORDINANCE NO. 5451.PDF](#)
[ORDINANCE NO. 5452.PDF](#)
[ORDINANCE NO. 5453.PDF](#)
[ORDINANCE NO. 5454.PDF](#)
[ORDINANCE NO. 5455.PDF](#)
[ORDINANCE NO. 5456.PDF](#)
[ORDINANCE NO. 5457.PDF](#)

5.3. APPROVE RETAINAGE PAYMENTS FOR DEMOLITION CONTRACTS

As part of the preparation for flood control and mitigation projects, CDBG-NDR funds are used for demolition of structures on acquired properties which are not sold at auction. Structures at 205/215 Maple Street and 400 Maple Street were demolished under contract with Dig It Up Backhoe Service, Inc. All work has been completed and CDM Smith has inspected and gave clearance on all requirements being met.

City Council approve retainage payments to Dig It Up Backhoe Service, Inc. for demolition contracts in amounts of \$18,513.50 (205/215) Maple Street and \$5,213.05 (400 Maple St.)

Documents:

[205-215-400MAPLERETAINAGEPAYMENTSCOUNCILMEMO.PDF](#)
[205 215 MAPLE ST DEMO INVOICE 2.PDF](#)
[400 MAPLE ST DEMO INVOICE 2.PDF](#)

5.4. UPDATED WARD COUNTY EMERGENCY OPERATIONS PLAN

Ward County developed an Emergency operations plan for the entire county, as well as individual entities within the county. Minot was included as one of those entities in this plan so that we did not have to develop our own individual plan.

1. **Recommend adopting the updates to the Ward County Emergency Operations Plan.**
2. **Authorize the required entities, ex. Police, fire, Mayor, Public works, PSAP to sign the signature sheet.**

Documents:

[MEMO UPDATE WARD COUNTY EOP.PDF](#)
[2020 WARD COUNTY EOP.PDF](#)

5.5. REQUEST FOR BIDS HAY LAND/CROP

The hay land lease expired in October 31, 2019. In order to remain in compliance with wildlife mitigation plans, it is recommended that the acreage be contracted out for cutting and removal.

1. Recommend that City Council authorize the Airport Director to advertise and issue a Request for Bids for Hay Land/Crop; and

2. Authorize the Airport Director to sign the contract once the highest bidder is determined.

Documents:

[MEMO HAY RFB.PDF](#)
[MOT HAYING REQUEST FOR BIDS_2020.PDF](#)

5.6. WASTEWATER TESTING AGREEMENT

The MAFB operates a lagoon system similar to the City of Minot for wastewater treatment. As such, regular testing is required before lagoon cells can be discharged. The City of Minot wastewater lab is EPA certified and has provided testing services to the MAFB for many years.

Recommend Council authorize the Mayor to sign the agreement between the City and Ageiss Inc. to provide wastewater testing services to the MAFB.

Documents:

[MEMO - WASTEWATER TESTING AGREEMENT.PDF](#)
[WASTE WATER SERVICES AGREEMENT.PDF](#)
[CHARGE CODES FOR LAB TESTING.PDF](#)

5.7. TRAILER MOUNTED PUMP PURCHASE (PROJECT NUMBER 3992)

During the summers of 2013 and 2014 heavy rains caused severe erosion at many areas around Minot. Due to the state declaring a flood emergency, funding was available for repair work associated with erosion repair and flood fighting reimbursement.

- 1. Recommend council approve the purchase of two trailer mounted pumps utilizing \$20,307.97 in excess funds from the 2013 and 2014 flood projects.**
- 2. Recommend council approve a budget amendment to move hazard mitigation dollars into the storm sewer capital purchases account.**

Documents:

[MEMO - PURCHASE PUMPS.PDF](#)
[17. 2020 BA - TRAILER MOUNTED PUMPS \(3992\).PDF](#)

6. ACTION ITEMS

6.1. 2020 STREET SEAL – 16TH STREET NW SPEED REDUCTION (4469)

As part of the 2013 Local Road Safety Program study, 16th Street NW was identified as a "Pedestrian and Bicycle Corridor." As part of the Engineering Department's 2020 Street Seal project, bicycle lanes are currently designed for 16th Street NW between 21st Avenue NW and 30th Avenue SW. This improvement will better allocate the existing roadway space as well as provide a connection between the shared-use paths on 21st Avenue NW and on 16th Street NW north of 36th Avenue NW.

In an effort to balance safety and mobility for all roadway users, the Engineering Department is proposing a Vision Zero traffic-calming practice of restricting vehicle travel lane width, by the addition of bicycle lanes, and lowering the posted vehicle speed limit. The proposed ordinance will lower the posted speed limit on 16th Street NW between 21st Avenue NW and 36th Avenue NW from 40 mph to 30 mph.

It is recommended that Council pass an ordinance of modifying the posted speed limit on 16th Street NW between 21st Avenue NW and 36th Avenue NW.

Documents:

[SPEED REDUCTION MEMO 2-18-20.DOCX](#)
[ATTACH A - PROPOSED ORDINANCE 16TH ST NW SPEED REDUCTION.DOC](#)
[ATTACH B - 4469 - 16TH ST NW PAVEMENT MARKING PLAN SHEETS.PDF](#)

6.2. WIRELESS TELECOMMUNICATION FACILITIES ORDINANCE AND ACCOMPANYING "SMALL CELL" AGREEMENTS

For the past year, city staff have been drafting ordinance revisions, guidelines, and related documents necessary to allow for "small cell" wireless telecommunications facilities to occupy the public right of way. Staff have completed the necessary documents to begin allowing this technology within City right of way and the documents are ready for council's review and approval.

1. **It is recommended that the Council approve the ordinance on first reading;**
2. **Approve the Master Attachment Form Agreement with Verizon Wireless, and authorize the Mayor to sign the agreements, contingent upon final passage of the ordinance; and**
3. **Approve the attached Resolution to Adopt Wireless Telecommunication Facilities Guidelines, contingent upon final passage of the ordinance.**

Documents:

[WIRELESS TELECOMMUNICATIONS ORDINANCE AND AGREEMENT MEMO.PDF](#)
[WIRELESS TELECOMMUNICATION FACILITY ORDINANCE.PDF](#)
[WIRELESS TELECOMMUNICATION FACILITY MASTER ATTACHMENT AGREEMENT.PDF](#)
[WIRELESS TELECOMMUNICATION FACILITY GUIDELINES.PDF](#)
[RESOLUTION ESTABLISHING WIRELESS TELECOMMUNICATION FACILITIES GUIDELINES.PDF](#)
[APPLICATION INSTRUCTIONS.PDF](#)
[CONSTRUCTION REQUIREMENT FOR WIRELESS TELECOMMUNICATION FACILITIES.PDF](#)
[DESIGN STANDARDS AND MATERIAL FINISHES FOR WIRELESS TELECOMMUNICATION FACILITIES.PDF](#)

6.3. SPECIAL ASSIGNMENT: ASSISTANCE FOR THE CITY MANAGER

The City of Minot has grown in size, scope and complexity over the past decade. New projects, programs, services, and initiatives have added workload and staff. When the current City Manager was hired, he oversaw 18 direct reports. While the number of reports has been since reduced to 16, his span of control remains quite large. A more proactive and assertive Council has also added to workload. Staff is proposing the development of an incentivized special assignment role which would be a cost-effective, short-term way of enhancing the capacity of the City Manager's Office.

1. **It is recommended the City Council authorize the development of the temporary Special Assignment role; and**
2. **Approve the Pay Differential Budget Amendment required to implement the Special Assignment role.**

Documents:

7. PERSONAL APPEARANCES

8. MISCELLANEOUS AND DISCUSSION ITEMS

8.1. FEMA RISKMAP FIRM APPEAL DISCUSSION (3888)

As presented at the last council meeting, the time has now come to make a decision whether to appeal the preliminary FIRM or to allow the process of map approval to continue and have the maps go effective in early 2021. Staff will be available to help provide information for the Council to consider when making a final decision.

Documents:

[RISKMAP APPEAL DISCUSSION MEMO.PDF](#)

9. DEPARTMENT REPORT: CDBG-DR/NDR PROGRAM MANAGER

The CDBG-DR/NDR Program Manager will provide an update to the Council.

10. LIAISON REPORTS

11. ADJOURNMENT