

# City of Minot

Regular City Council Meeting  
Monday, August 2, 2021 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

Documents:

[CITY MANAGER REPORT 8-2-2021.PDF](#)

5. CITY ATTORNEY REPORT

Documents:

[2021-07.PDF](#)

6. CONSENT ITEMS

- 6.1. MAYORAL APPOINTMENT

**It is recommended the City Council accept the resignation of Boyd Sivertson from the Minot Planning Commission and appoint Erin Iverson to fulfill Siverston's term which is set to expire on December 31, 2022.**

- 6.2. CITY COUNCIL MINUTES

**It is recommended the City Council approve the minutes of the July 19, 2021 regular City Council meeting.**

Documents:

[210719.PDF](#)

- 6.3. BILLS, TRANSFERS AND PAYROLL

**It is recommended the City Council approve payroll for the period of June 20, 2021 through July 17, 2021 in the amount of \$2,120,668.88 and approve bills and transfers for July in the amount of \$7,386,117.27.**

Documents:

6.4. THE FOLLOWING ORDINANCES SHOULD BE CONSIDERED ON SECOND READING

1. **Ordinance No. 5627 - Annexation of Outlot 35 of Section 29, Township 155 N, Range 82 W and Adjacent Right-of-Way**
2. **Ordinance No. 5628 - Rezone Outlot 35 of Section 29-155N-82W from "AG" to "M1"**
3. **Ordinance No. 5630 - Amend the 2021 Annual Budget- LED Streetlights**
4. **Ordinance No. 5631 - Modifying The 1st Street SW Approaches from Yield Control to Stop Control at the Intersection with 13th Avenue SW**

Documents:

[ORDINANCE NO. 5627.PDF](#)  
[ORDINANCE NO. 5628.PDF](#)  
[ORDINANCE NO. 5630.PDF](#)  
[ORDINANCE NO. 5631.PDF](#)

6.5. 2020 STREET PATCHING - PHASE 2 - FINAL PAYMENT (4470.2)

This is an annual maintenance project to patch and repair pavement surfaces that have failed or are showing distresses.

**Recommend approval of the final payment of \$42,492.58 to be paid to Keller Paving & Landscaping, Inc.**

Documents:

[2020 STREET PATCHING - PHASE 2 - FINAL PAYMENT \(4470.2\).PDF](#)  
[4470.2 - APP FOR PAYMENT 4-SIGNED.PDF](#)

6.6. 2020 STREET IMPROVEMENTS - FINAL PAYMENT (4471)

This project was the annual maintenance project to repair and replace streets that were showing moderate to severe pavement distresses.

**Recommend approval of the final payment of \$19,218.47 to be paid to Minot Paving Company, Inc.**

Documents:

[2020 STREET IMPROVEMENT - FINAL PAYMENT 4471.PDF](#)  
[4471 - APP FOR PAYMENT NO. 9-SIGNED.PDF](#)

6.7. CARGO APRON CONSTRUCTION FINAL PAYMENT TO CONTRACTOR (2020500002)

This project was approved by City Council and advertised in mid-2020.

1. **Recommend approval of Pay Request #6 – Final to Bluestone Construction for work completed on the Cargo Apron project; and**

2. **Authorize the Mayor to sign applicable Final Payment documentation.**

Documents:

[MEMO FINAL PAYMENT TO CONTRACTOR - CARGO APRON.PDF](#)  
[FINAL PAY APP 6 - BLUE STONE CONSTRUCTION - CARGO APRON.PDF](#)

6.8. BUDGET AMENDMENT - LIBRARY HVAC CONTROLS

The Minot Public Library has a computerized control system for the building's heating and cooling. This system has been in place for more than 10 years and though it is functioning currently, the controller is now obsolete and as issues arise the current hardware and software are no longer able to be fixed.

**It is recommended that Council approve a Budget Amendment to move \$11,997 from 41094000-57300 to 21067000-44322 in order to perform necessary upgrades to the Library's HVAC controls.**

Documents:

[2021 CONTROLS UPGRADE BA MEMO.PDF](#)  
[2021 CONTROLS UPGRADE BA ORDINANCE.PDF](#)  
[PROCONTROLS PROPOSAL.PDF](#)  
[QUOTE JUSTIFICATION MEMO.PDF](#)

6.9. BURDICK EXPRESSWAY WATERMAIN REPLACEMENT – BUDGET AMENDMENT (CITY PROJECT NO. 4567.1)

Each year, the Water and Sewer Department budgets funds for water main replacement in areas where old water mains are in poor condition. The proposed improvements are necessary because of the high maintenance costs over the past several years with respect to the old mains and hydrants.

**Recommend Council approve the budget amendment for water main replacement for additional valve replacement needed before the overlay on Burdick Expressway.**

Documents:

[4567.1 - 2021 WATERMAIN REPLACEMENT-BURDICK EXPWY-BUDGET AMENDMENT.PDF](#)  
[51. 2021 BA - BURDICK WATERMAIN REPLACEMENT \(4567.1\).PDF](#)

6.10. HAZARDOUS MATERIALS GRANT PURCHASE BUDGET AMENDMENT

The Minot Fire Department purchased a piece of equipment under the hazardous materials grant and the funding wasn't within the proper accounts based on government accounting requirements.

**Request for City Council to approve attached budget amendment for purchase of grant equipment for hazardous materials response.**

Documents:

[BUDGET AMENDMENT FOR HM GRANT .DOCX](#)

6.11. PURCHASE OF ECOLOGIC MOBILE FOAM TEST SYSTEM FOR THE MINOT AIRPORT'S AIRCRAFT RESCUE AND FIRE FIGHTING (ARFF) VEHICLES

In order to remain in compliance with the Federal Aviation Administration's (FAA's) regulations, the Minot Airport is required to conduct testing of various aspects of its operations including the two Aircraft Rescue and Fire Fighting (ARFF) trucks. The ARFF trucks utilize a foam chemical that contains hazardous material which requires contained testing of the material. In an effort to become more environmentally cognizant, the FAA recommends vehicle system testing within 6-months of its annual certification inspection. It was recently brought to the attention of airport staff that the testing system originally in place was no longer viable in that a retrofit of the trucks would need to be conducted in order for the testing system to be successful.

As a result, City staff have researched various options including retrofit kits, test carts, and external testing companies. The retrofit kits are required for proper hook-up to a testing system, which cost approximately \$8,000. The test carts can be purchased for around \$30,000, and a testing company brought on site to test vehicles would cost approximately \$7,000.

1. **Recommend Council approve the purchase of the ARFF mobile foam testing system; and**
2. **Recommend Council approve the budget amendment for the purchase of the foam testing system; and**
3. **Authorize the Mayor to sign applicable documentation.**

Documents:

[MEMO ARFF TESTING CART.PDF](#)  
[E-ONE FOAM TESTING QUOTES.PDF](#)  
[NOFOAM - MINOT INTERNATIONAL AIRPORT V2021 \(MOT\), ND - 1 PORTABLE SYSTEM AND 2 KITS - JUNE 30, 2021.PDF](#)  
[OSHKOSH FOAM TESTING QUOTES.PDF](#)  
[AIRPORT ARFF FOAM TESTING CART\\_PROCUREMENT CHECKLIST.PDF](#)  
[53. 2021 BA - AIRPORT MOBILE FOAM TEST SYSTEM.PDF](#)

6.12. FY2022 WCNTF JAG & LOTTERY GRANT APPLICATION

The Minot Police Department/Ward County Narcotics Task Force requests authorization to apply for, and if awarded, accept, the 2022 JAG and Lottery Grant to fund the Task Force 2022 operating budget. The grant would provide 65% of the operating budget. A 35% match is required. The match will be split equally between the City of Minot and Ward County. The City of Minot will be the fiscal agent for this grant.

1. **Recommend the City Council ratify the application by the Minot Police Department and Ward County Narcotics Task Force; and**
2. **authorize acceptance if awarded the 2022 JAG and Lottery Grant from the ND Bureau of Criminal Investigations.**

Documents:

6.13. LANDFILL CELL 7 – TASK ORDER APPROVAL (PROJECT NUMBER 4241.1)

As the landfill continues to take in trash, cells fill, and new cells need to be constructed. Cell 6 was the last constructed cell that was completed in early 2018.

That cell is now approximately 50% filled and a new cell needs to be constructed in 2023. Getting a consultant on board to start design now should give us ample time to get design completed and approved before issues with capacity occur.

1. **Recommend approval of a task order with CPS Engineering in the amount of \$221,000 for the design of cell 7 and completion of a stormwater management plan for the expanded landfill area.**
2. **Authorize the Mayor to sign the agreement on behalf of the City.**

Documents:

[4241 - CELL 7 - TASK ORDER APPROVAL.PDF](#)  
[TO12-CELL7-SMP.PDF](#)

6.14. 2021 SIDEWALK, CURB & GUTTER REPLACEMENT - ASSESSMENT (4554)

In accordance with Section 40-29-03 of the North Dakota Century Code, the Engineering Department sent certified letters to 26 properties providing notice to construct, rebuild, or repair sidewalks adjacent to their property. Table 1 lists the 22 properties, physical address and legal description of the properties, that, to date, did not comply with the notice to construct, rebuild, or repair sidewalks. The list also contains 4 properties that provided a waiver for the City's contractor to perform the work.

1. **Recommended that the City Council order the construction, rebuilding, or repairing of sidewalks to be performed by the City's contracted Contractor; and**
2. **Recommended that the City Council assess the construction cost and administration fees for this sidewalk work against the benefiting properties, as shown in Table 1.**

Documents:

[4554 - 2021 SIDEWALK, CURB AND GUTTER ASSESSMENT MEMO.PDF](#)  
[ASSESSMENT PROPERTIES.PDF](#)

6.15. 9TH AVENUE SW, WEST OF 6TH STREET SW - WESTBOUND ONE-WAY

Minot Public Schools reached out the Engineering Department about requesting to alter the traffic flow at Jim Hill Middle School. Minot Public Schools would like to convert 9th Avenue SW, west of 6th Street SW, from a two-way roadway to a one-way roadway with the only movement being eastbound. This change would make this roadway an exit only, where a left-turn and right-turn lane will be installed.

1. **It is recommended that Council pass an ordinance to add a parking restriction to the following location:**

1. **No parking on the south side of 9th Avenue SW, 180-feet from the center of the 6th Street SW intersection.**
  2. **No parking on the north side of 9th Avenue SW, 180-feet from the center of the 6th Street SW intersection.**
2. **It is recommended that Council pass an ordinance to allow a one-way street at the following location:**
1. **9th Avenue SW between Minot Public Schools property, with the legal description of UNPLATTED SEC 23 155 83 SW1/4SE1/4 & NW1/4 SE1/4 L, and 6th Street SW to a one-way eastbound-only street.**

Documents:

[MEMO-JIM HILL NO PARKING AND ONE WAY.DOCX](#)  
[ORDINANCE - JIM HILL 9TH AVE SW.DOCX](#)  
[ROW FIGURE.PDF](#)

6.16. NO PARKING ON 25TH STREET NW AT 5TH AVENUE NW

The Engineering Department, in conjunction with Bel Air Elementary, are proposing a parking restriction to 25th Street NW regarding the east/west crosswalk just north of 5th Avenue NW. Similar to other parking restrictions near schools, the Engineering Department is proposing this parking restriction be only for School Days between 8:00am and 4:00pm. This in a systematic effort to improve pedestrian safety.

**It is recommended that council pass a resolution to add a parking restriction to the following location:**

1. **East side of 25th Street NW, north 10-feet to north 50-feet from the center of the 5th Avenue NW intersection.**

Documents:

[MEMO-25TH STREET NW - BEL AIR NO PARKING.DOCX](#)  
[NO PARKING RES - 25TH ST NW.DOCX](#)  
[BEL-AIR NO PARKING.PDF](#)  
[BEL AIR LETTER 494 25TH ST NW.DOCX](#)

6.17. CITY HALL RETAINING WALL PROJECT CONTINUATION AND CONTRACT AMENDMENT (4398)

Presented by Lance Meyer

At the April 6, 2020 council meeting, council made the decision to delay the retaining wall project until the 2022 construction season. If Council wishes to construct the project in 2022, staff needs authorization to begin the design work to bid the project in the fall of 2021.

1. **Authorize design work to restart on the project;**
2. **Authorize the City Engineer to negotiate a contract amendment with KLJ and authorize the Mayor to sign the amendment**

Documents:

4398 - CITY HALL RETAINING WALL PROJECT CONTINUATION AND AMENDMENT MEMO.PDF

6.18. CONCUR WITH PERSONAL PROPERTY SALVAGE PURCHASES

From time to time the City will receive requests for purchases of salvage items on properties which have been acquired as part of the flood buyout program to support flood control projects. These purchase requests are for items on properties which, after review by City staff, were deemed to be eligible for demolition rather than subject to auction.

**It is recommended the City Council concur with salvage purchases considered personal property under local ordinance.**

Documents:

CONCURPERSONALPROPERTYPURCHASECITY COUNCIL MEMO6-30-20AB.DOCX

7. ACTION ITEMS

7.1. APPROVE SUB-RECIPIENT AGREEMENTS WITH YWCA MINOT DBA PROJECT BEE

Upon taking ownership of the land that had been acquired for Broadway Circle by Lutheran Social Services, the City reached out to three non-profits to ascertain their continued interest in taking over the project. YWCA Minot doing business as Project BEE responded affirmatively that they would assume the role as a sub-recipient per the terms the City had arranged with Lutheran Social Services. Sufficient information and commitment was demonstrated by the non-profit to determine it had necessary capabilities and capacity to complete Broadway Circle.

**City Council approve two sub-recipient agreements with YWCA Minot dba Project BEE to take over the role completing the project known as Broadway Circle for both the Family Homeless Shelter and 17 Unit LMI Apartment Rental Building.**

Documents:

PROJECTBEECOUNCILMEMOA.PDF  
AGREEMENTPROJECTBEEFAMILYSHELTER20190606A7-26AB.PDF  
AGREEMENTLSSMULTIFAMILYHOUSING20190606 (1).PDF7-26ABC.PDF  
1901 SOUTH BROADWAY MEMOA.PDF

7.2. 2045 COMPREHENSIVE PLAN CONSULTANT SELECTION

The Community Development Department solicited a Request for Qualifications from professional land planning firms throughout the country. A committee composing of three city staff, Aldermen Pitner and Podrygula, and a Minot Planning Commissioner reviewed and ranked the written statements of qualifications from four consulting firms. The committee invited three firms to interview before the committee in person on July 12, 2021.

**Based on the qualifications of the highest ranked firm, the committee is recommending SRF Consulting of Bismarck, Fargo, and Minneapolis to perform the services for this project. SRF is teaming with Confluence Area Planning and Design, based in Des Moines and Fargo, and Odney, which is based in Bismarck and Minot.**

Documents:

[CC MEMO - COMPREHENSIVE PLAN CONSULTANT SELECTION.PDF](#)

#### 7.3. 2021 LEGISLATIVE UPDATES

The 67th North Dakota Legislative Assembly made several amendments to state law concerning alcoholic beverages, licenses, tobacco, shoplifting, and possession of weapons. The City Attorney's Office drafted the attached ordinance to incorporate the amendments made by several house and senate bills, into the City's Code of Ordinances.

**It is recommended the City Council approve, on first reading, the attached ordinance relating to alcoholic beverages, licenses, tobacco, shoplifting, and possession of weapons.**

Documents:

- [1. CC MEMO.PDF](#)
- [2. ORDINANCE\\_2021.PDF](#)

#### 7.4. AMERICAN RESCUE PLAN ACT

The American Rescue Plan Act (ARPA), signed by President Biden on March 11, 2021, provides for the distribution of federal fiscal recovery funding to states, tribal governments, metropolitan cities, counties, and nonentitlement units (NEUs) of local governments, which generally have populations below 50,000. Funding allocations for states, tribal governments, metropolitan cities, and counties are received direct from the U.S. Department of the Treasury. The funding allocation for NEUs, such as cities in North Dakota, is provided from the U.S. Department of the Treasury to the state, and the state must then allocate that funding to the eligible NEUs (cities) based on their population.

The estimated allocation for the City of Minot is \$7,439,371.75 and the use of the funds is limited to specific infrastructure projects or to offset revenue losses due to the Covid-19 pandemic. The City needs to complete the necessary application and paperwork to receive funding.

**The recommendation is to approve the application for the ARPA funding and authorize the Finance Director to sign the necessary paperwork.**

Documents:

[ARPA APPLICATION.PDF](#)



NEU\_AWARD\_TERMS\_AND\_CONDITIONS.PDF  
SFN14772.PDF  
TITLE\_VI\_ASSURANCES (1).PDF  
NEU-FAQS.PDF

7.5. 2022 PRELIMINARY BUDGET

**It is recommended the City Council adopt the 2022 Preliminary Budget for the  
City of Minot**

8. PERSONAL APPEARANCES

9. MISCELLANEOUS AND DISCUSSION ITEMS

10. ADJOURNMENT