

City of Minot

Regular City Council Meeting
Monday, November 2, 2020 at 5:30 PM
City Council Chambers, City Hall

This meeting will be conducted with social distancing modifications consistent with the recommendations of the CDC. Members of the public may attend but are encouraged to view the live airing of the City Council meeting on Channel 19 or streamed through the City's [YouTube](#) channel.

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. MAYOR'S REPORT

Documents:

[MEMO TO APPT NOV 2020.PDF](#)

4. CITY MANAGER REPORT
5. CITY ATTORNEY REPORT

Documents:

[2020-10.PDF](#)

6. CONSENT ITEMS

- 6.1. CITY COUNCIL MINUTES

It is recommended the City Council approve the minutes of the October 19th regular City Council meeting, and the October 19th, October 22nd, and October 26th Special City Council meetings

Documents:

[201019.PDF](#)
[201019- SPECIAL.PDF](#)
[201022- SPECIAL.PDF](#)
[201026- SPECIAL.PDF](#)

- 6.2. BILLS & TRANSFERS

It is recommended the City Council approve bills and transfers for October in the amount of \$12,761,241.87.

Documents:

[BILLS OCTOBER 2020.PDF](#)

- 6.3. PAYROLL- SEPTEMBER 26, 2020 THROUGH OCTOBER 24, 2020

It is recommended the City Council approve payroll for the period of

September 26, 2020 through October 24, 2020 in the amount of \$3,292,611.66.

Documents:

[PAYROLL.PDF](#)

6.4. THE FOLLOWING ORDINANCES SHOULD BE CONSIDERED ON SECOND READING

1. **Ordinance No. 5536 - Rezone 30 lots in Chaparelle Subdivision, 21 lots in Sundre Valley Addition, and Outlot 27 of S4-155N-82W**
2. **Ordinance No. 5538 - Amend the 2020 Annual Budget- FY 2020 Homeland Security Grant Program**
3. **Ordinance No. 5539 - Amend the 2020 Annual Budget- Emergency Daycare Operations**

Documents:

[ORDINANCE NO. 5536.PDF](#)

[ORDINANCE NO. 5538.PDF](#)

[ORDINANCE NO. 5539.PDF](#)

6.5. ADMINISTRATIVE APPROVALS

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

Documents:

[ADMIN APPROVALS 11-2-2020.PDF](#)

6.6. GAMING SITE AUTHORIZATION- THE AGGIE FOUNDATION

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 The Aggie Foundation to install pull tabs at the Blue Rider (118 1st Ave SE).

Documents:

[MEMO- GAMING SITE AUTHORIZATION-THE AGGIE FOUNDATION.PDF](#)

[AGGIE FOUNDATION- BLUE RIDER.PDF](#)

6.7. FINAL PAYMENT TO PARK CONSTRUCTION P 3135.2d - SWIF D

The City has been working toward completion of a SWIF to address deficiencies that the USACE has noted in the flood protection system through Minot. This project in particular entailed the repair and stabilization of an eroded section of river channel, outfall repairs and storm sewer repairs. Park Construction has completed the work on SWIF D phase of the SWIF correction work.

It is recommended the City Council approve the final payment amount of \$527,153.18 to be paid to Park Construction for SWIF Action D.

Documents:

[MEMO TO COUNCIL - FINAL PAYMENT 3135.2D.PDF](#)

[3135.2D FINAL PAY EST 8.PDF](#)

6.8. CP RAIL MAIN ST CROSSING UPGRADE FINAL PAYMENT (4384)

The CP Rail crossing at Main St N was upgraded with a constant warning time (CWT) system. The project is now complete and the NDDOT is requesting final payment from the City.

- 1. Recommend final payment to the NDDOT in the amount of \$2,977.54;**
- 2. Approve the attached budget amendment on 1st reading**

Documents:

[CP RAIL MAIN ST CROSSING UPGRADE FINAL PAYMENT MEMO.PDF](#)
[72. 2020 BA - ADDITIONAL FUNDS NEEDED FOR 4384.PDF](#)

6.9. AMEND LIBRARY BUDGET TO INCLUDE CARES ACT FUNDS (LIB037)

The Minot Public Library applied for CARES Act grant funds through Humanities North Dakota and was awarded the requested amount of \$9,161. These funds will be used to help reimburse and pay for additional COVID-related supplies such as masks and cleaning supplies as well as for Take & Make programs.

It is recommended the City Council amend the Library's 2020 Budget to increase expenditures by \$9,161 for the purchase of COVID-related supplies, Take & Make program supplies and other expenses related to COVID-19.

Documents:

[LIB037 BA MEMO.PDF](#)
[LIB037 BA.DOCX.PDF](#)

6.10. PROPOSED ORDINANCE – USDOJ – OJP FY2020 BULLETPROOF VEST PARTNERSHIP GRANT (PD0198/2020200012)

An ordinance amending the 2020 annual budget to increase the Police Department operation supplies revenues and expenditures for the award of the US Department of Justice – Office of Justice Programs, FY2020 Bulletproof Vest Partnership Grant.

Recommend approval of the proposed ordinance for the FY2020 US Department of Justice – Office of Justice Programs, Bulletproof Vest Partnership Grant on first reading.

Documents:

[BA MEMO - USDOJ-OJP FY2020 BVP GRANT.PDF](#)
[69. 2020 BA - FY20 USDOJ BULLETPROOF VEST \(PD0198\) - MUNIS ACCOUNTS.PDF](#)

6.11. VOLKSWAGEN SETTLEMENT FUNDING APPLICATION REQUEST

North Dakota's has been awarded funding through the Environmental Mitigation Trust Fund for the Volkswagen Settlement. The primary goal of the settlement is to reduce NOx emissions. The eligible projects for this application period will primarily include the replacement or repower of diesel-powered vehicles and equipment. The Fire Department would like to apply for the 2020 Volkswagen Settlement Fund for a 50% cost share towards a new fire engine with the other 50% match coming from the Cares funding.

It is recommended the City Council allow the Fire Chief to apply for the 2020 Volkswagen Settlement Fund for a 50% cost share towards a new fire engine with the other 50% match coming from the Cares funding.

Documents:

[2020 VOLKSWAGEN SETTLEMENT FUNDING MEMO .PDF](#)
[2020 VOLKSWAGEN NEWS RELEASE.PDF](#)
[MINOT ND SOURCEWELL PROPOSAL LETTERHEAD 10-26-2020 .PDF](#)
[MINOT BID PROPOSAL TOP MOUNT PUMPER 10-8-2020.PDF](#)
[MINOT TM PUMPER BODY SPEC 10-8-2020.PDF](#)
[ND_VW_VEHICLE_APP_YEAR_2 \(6\).PDF](#)
[ND_VW_INVENTORY-BUDGET_SHEET_YEAR_2 \(2\).PDF](#)

6.12. FUEL AWARD OF BID (PROJECT NUMBER 4562)

On October 19, 2019 the Public Works Department opened bids for providing the City with approximately 210,000 gallons of diesel and unleaded gas. There were two bids received. The specifications require that the supplier provide fuel to be delivered within 24 hours' notice, if unable to do so, we have the right to utilize another supplier. This is why we are asking that both suppliers be approved.

Recommend award of bid to Farstad Oil and approve Enerbase as a backup supplier.

Documents:

[4562- MEMO TO COUNCIL - FUEL AWARD.DOCX](#)

6.13. GENERAL WASTEWATER CONSULTING (PROJECT NUMBER 4325)

City Council approved master service agreements with Apex Engineering and Ackerman Engineering at the September 21 Council meeting. The first task order for Council consideration is a task order for general consulting services. Services include but are not limited to, permit discharge assistance, permit renewal, odor control questions, sanitary sewer modeling, lift station operations, sewer capacity analysis and other technical questions that arise relating to the sanitary sewer system.

Recommend Council approve the firm of Apex Engineering to provide general wastewater consulting services and authorize the Mayor to sign the task order on behalf of the City.

Documents:

[4325 - MEMO - GENERAL SERVICES TASK ORDER.PDF](#)
[TASK ORDER 16 GENERAL WW SERVICES.PDF](#)

6.14. PURCHASE OF FTIR FOR FIRE DEPARTMENT

The Minot Fire Department was awarded the NDDDES FY 2019 SHSP Regional Response Grant that includes funding for purchase of a Fourier-Transform Infrared Spectroscopy Device (FTIR). The Fire Department received 2 bids for this equipment with 1 meeting the specifications. The bid meeting the specifications is close to the amount budgeted for the device.

Recommend the Council approve the purchase of the Fourier-Transform Infrared Spectroscopy Device (FTIR) from FarrWest Environmental Supply with funding from the FY2019 SHSG Regional Response Grant.

Documents:

[MEMO FOR FTIR SPECTROSCOPY DEVICE COPY.DOCX](#)
[FARWEST FTIR BID.PDF](#)

6.15. ESRI SOFTWARE LICENSE AGREEMENT

Every three years the city enters into a new agreement with ESRI to provide GIS

software. The software provides the GIS backbone for city operations.

1. Recommend council approve the agreement with ESRI and authorize the city engineer to sign the agreement.

Documents:

[ESRI CONTRACT AGREEMENT MEMO.PDF](#)
[SMALL ENTERPRISE AGREEMENT COUNTY AND MUNICIPALITY GOVERNMENT.PDF](#)

6.16. SECURITY SYSTEM SUPPORT AGREEMENT

The Airport currently uses Genetec Security System for its access control and security program. Due to the high level of technical expertise involved with the program, ongoing support is required for troubleshooting, maintenance, and software updates. The annual support agreement will provide remote and on-site technical support, and necessary software updates.

- 1. Recommend approval of the annual support agreement with ArchKey Technologies for the Airport's security system; and**
- 2. Authorize the Airport Director to sign the agreement**

Documents:

[MEMO ARCHKEY SUPPORT AGREEMENT 2021.PDF](#)
[ARCHKEY SUPPORT AGREEMENT 2021.PDF](#)

7. ACTION ITEMS

7.1. OFFER RENEWAL OPTION OF LEASE TERMS TO AEROPORT HOBBY SHOPPE, DBA MINOT AVIATION, FOR LOT 1 BLOCK 1, MINOT INTERNATIONAL AIRPORT, SECOND ADDITION

Minot Aviation is has been a longstanding tenant at the Minot International Airport (MOT) and is currently in a ground lease agreement with MOT. Minot Aviation has submitted a request to renew the lease for an additional year, per the terms of the lease agreement. The renewal option of the original lease states, "Unless CITY has notified the LESSEE in writing at least one hundred twenty (120) days prior to the expiration of the Base Term or the previously renewed term that it elects not to renew or extend this Agreement, LESSEE and CITY agree, that upon the prior mutual agreement of land rental rates, that LESSEE may be granted an OPTION TO RENEW THIS AGREEMENT ON A YEAR-TO-YEAR BASIS... The parties must mutually agree to the land rental rate and execute the Renewal Option a minimum of ninety (90) days prior to the expiration of the Base Term."

- 1. Approve renewal option of lease terms to Aeroport Hobby Shoppe, dba Minot Aviation, owned by Stewart Lucke and Eva Lucke; and**
- 2. Authorize the Mayor to sign any applicable documentation.**

Documents:

[MEMO MINOT AVIATION.LUCKE LEASE RENEWAL OPTION.PDF](#)
[ORIGINAL LEASE - LOT 1, BLOCK 1 - MINOT AVIATION.PDF](#)

7.2. MANHOLE REHAB – MINOT COUNTRY CLUB (PROJECT NUMBER 4571)

Sewer crews, on a regular basis, inspect manholes and other pieces of the sanitary sewer system. During a routine inspection of the Puppy Dog gravity sewer on the south end of Minot, significant deterioration was noted in the manholes due to high levels of hydrogen sulfide sewer gas. There are about 22 manholes that run through

what is now the Minot Country Club. This task order would consist of having a consultant analyze solutions, design the repair work and access plan, and provide project management services.

Recommend Council approve the contract in the amount of \$67,500 with Ackerman Engineering for design and construction services for the manhole rehab project through the Minot Country Club and authorize the Mayor to sign the contract.

Documents:

[4571 - MEMO - MANHOLE REHAB TASK ORDER.PDF](#)
[TO-01_MANHOLEREPAIR_PUPPYDOGSYSTEM_COUNTRYCLUB.PDF](#)

7.3. ENCROACHMENT PERMIT – 123 MAIN ST S

Gideon's Trumpet, Inc. and their tenant wish to install a new projecting sign from the southwestern corner of their building at 123 Main St S. The bottom of the sign will exceed the required minimum of eighty-six (86) inches above the elevation of the existing sidewalk below.

1. Recommend approval of the Right of Way Encroachment Permit Application submitted by Gideon's Trumpet, Inc. for the projecting sign at their building at 123 Main St S.

Documents:

[ENCROACHMENTPERMIT_MAGIC CITY SWEETS.PDF](#)
[MEMO_ENCROACHMENT_MAGIC CITY SWEETS.PDF](#)
[MAGIC CITY SWEETS OWNER SIGNATURE.PDF](#)
[123 MAIN ST S-LOCATION.PDF](#)

7.4. REPORTING STRUCTURE

In April 2020, Attorney Patricia Monson delivered a final report to the City Council where she recommended, among other things, modifications to the organizational chart and/or order of reporting for certain city officers.

It is recommended the City Council approve, on first reading, the proposed ordinance changes.

Documents:

[REPORTING STRUCTURE_MEMO_KH.PDF](#)
[ORDINANCE_REPORTING STRUCTURE_KH.PDF](#)
[ORDINANCE_REPORTING STRUCTURE_CLEAN.PDF](#)
[ORG CHART.PDF](#)

8. PERSONAL APPEARANCES

9. MISCELLANEOUS AND DISCUSSION ITEMS

9.1. CITY HALL OPTIONS AND UPDATE

10. ADJOURNMENT