

City of Minot

Regular City Council Meeting
Monday, April 5, 2021 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. COVID UPDATE
4. MAYOR'S REPORT
 - 4.1. PROCLAMATION: PARKINSON'S AWARENESS MONTH

Documents:

[STATE OF NORTH DAKOTA PROCLAMATION.PDF](#)

- 4.2. MAYORAL APPOINTMENTS

I am recommending that the following motion be approved by the City Council:

Civil Service Commission

It is recommended the City Council remove Becky Nelson from the Civil Service Commission and appoint Laurie Davis as her replacement with a term to expire April 5, 2026.

Minot Commission On Aging

It is recommended the City Council ratify the appointment of Lacey McNichols, of First District Health Unit RN, to replace Tony Kulig.

5. CITY MANAGER REPORT

Documents:

[CITY MANAGER REPORT 4-5-2021.PDF](#)

6. CITY ATTORNEY REPORT

Documents:

[CITY ATTORNEYS REPORT 4-5-2021.PDF](#)

7. CONSENT ITEMS

- 7.1. CITY COUNCIL MINUTES

It is recommended the City Council approve the minutes of the March 15, 2021

regular City Council meeting.

Documents:

[210315.PDF](#)

7.2. BILLS, TRANSFERS AND PAYROLL

It is recommended the City Council approve bills and transfers in the amount of \$4,458,729.29 and payroll for the period of February 14 through March 13, 2021 in the amount of \$2,152,291.20

Documents:

[MONTHLY BILLS.PDF](#)
[PAYROLL.PDF](#)

7.3. THE FOLLOWING ORDINANCES SHOULD BE CONSIDERED ON SECOND READING

- 1. Ordinance No. 5584 - Amend the 2020 Annual Budget- Close Fund Balance in Recreation/Auditorium Fund**
- 2. Ordinance No. 5585 - Amend the 2021 Annual Budget- Project Safe Neighborhoods**
- 3. Ordinance No. 5586 - Amend the 2021 Annual Budget- Sidewalk, Curb & Gutter**
- 4. Ordinance No. 5587 - Zoning Ordinance Text Amendment- Complete Overhaul: Land Development Ordinance**

Documents:

[ORDINANCE NO. 5584.PDF](#)
[ORDINANCE NO. 5585.PDF](#)
[ORDINANCE NO. 5586.PDF](#)
[ORDINANCE NO. 5587.PDF](#)

7.4. GA APRON CONSTRUCTION FINAL PAYMENT TO CONTRACTOR (2018500004)

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

- 1. Recommend approval of Pay Request #6 – Final to Bluestone Construction for work completed on the General Aviation Apron project; and**
- 2. Authorize Rick Feltner, Airport Director, to sign applicable Final Payment documentation**

Documents:

[MEMO FINAL PAYMENT TO CONTRACTOR \(2018500004\).PDF](#)

7.5. LICENSE RENEWAL- CHINA STAR

In order to renew an alcoholic beverage license, an application must be submitted for review by the Police Department and inspections are done by the Building Official and Fire Marshal. China Star, Inc. dba China Star 88 has submitted their application and renewal fee for the 2021 year and all documentation has been approved by the necessary departments.

It is recommended the City Council approve the license renewal for China Star, Inc. dba China Star 88, effective April 6, 2021 through December 31, 2021.

Documents:

[MEMO- CHINA STAR.PDF](#)

7.6. WATER/SEWER AND STREET DEPT TANDEM AXLE TRUCKS - AWARD OF BID (PROJECT NUMBER 4573)

On March 16, 2021, bids were opened for two tandem axle trucks for the Water/Sewer Department and the Street Department. A tabulation of the bids is as follows:

Bidder – Westlie Truck Center

| <u>Equipment</u> | <u>Make/Model</u> | <u>Bid Price</u> |
|------------------------------|--------------------------|------------------|
| Street Dept Truck and Box | Freightliner w/Henderson | \$119,555.00 |
| Plow, Sander, and Hydraulics | Henderson/Force America | \$48,550.00 |
| Water/Sewer Truck and Box | Freightliner w/Henderson | \$116,905.00 |
| Street Dept Truck and Box | Freightliner w/Crysteel | \$124,730.00 |
| Plow, Sander, and Hydraulics | Monroe/Force America | \$52,160.00 |
| Water/Sewer Truck and Box | Freightliner w/Crysteel | \$121,950.00 |

Recommend council approve the bid from Westlie Truck Center in the amount of \$285,010.00 for the Water/Sewer Department and Street Department tandem axle trucks and associated equipment.

Documents:

[MEMO - AWARD OF BID - TANDEM TRUCKS.PDF](#)

7.7. BID AWARD FOR FIRE DEPARTMENT TRENCH PROP

The Fire Department received one bid for construction of one Trench Training Prop to be used by staff to safely teach and maintain technical skills in trench rescue.

It is recommended the City Council accept the bid from Hight Construction in the amount of \$69,500.00 to construct the trench training prop at the Minot Fire Department Training Facility.

Documents:

[MEMO- BID AWARD FOR TRENCH PROP.DOCX](#)

7.8. BID FOR PICKUPS (PROJECT NUMBER 4598)

On March 30, 2021, the Public Works Department opened bids for pickups for multiple departments. One bid was received, and it is as follows:

| Westlie Motor Company | Make/Model | Bid Price |
|-------------------------------------|-------------------|------------------|
| ½ ton 4x4 4-door w/ topper (Sewer) | 2021 Ford F150 XL | \$39,357.28 |
| (2) ¾ ton 4x4 extended cab (Street) | 2021 Ford F250 XL | \$61,259.12 |
| ½ ton 4x4 regular cab (Shop) | 2021 Ford F150 XL | \$30,125.28 |

1. Recommend council award the bid to Westlie Motor Company as follows:

| | | |
|------------------------------|-----------------------------------|--------------------|
| Sewer Department | ½ ton 4x4 4-door w/ topper | \$39,357.28 |
| Street Department (2) | ¾ ton 4x4 extended cab | \$61,259.12 |
| City Shop | ½ ton 4x4 regular cab | \$30,125.28 |

2. Recommend council approve the budget amendment for the Sewer Department to cover the \$1,357.28 shortfall.

Documents:

7.9. 2021 STREET IMPROVEMENT - AWARD BID (4550)
Presented by Lance Meyer

This is the annual maintenance project to repair and rehabilitate streets that are showing moderate to severe pavement distresses. Mill and overlays, leveling, cement stabilized base, asphalt reconstruction, and other treatments will improve ride and safety, and increase the pavement life.

- 1. Award the bid for the 2021 Street Improvement Project to the low bidder, Minot Paving Co., Inc. in the amount of \$2,353,353.85.**
- 2. Authorize the Mayor to sign the Agreement.**

Documents:

[2021 STREET IMPROVEMENT - AWARD BID \(4550\).PDF](#)
[4550 COVER.PDF](#)

7.10. 2021 CONCRETE PAVEMENT REHABILITATION - AWARD BID (4551)
Presented by Lance Meyer

This is the annual maintenance project to repair and rehabilitate concrete pavement streets that are showing moderate to severe pavement distresses. Concrete panel replacements, joint resealing, spall repairs, random crack sealing, and other treatments to distressed streets will improve both ride and safety, while also improving the life expectancy of the pavement.

RECOMMENDED ACTION

- 1. Award the bid for the 2021 Concrete Pavement Rehabilitation Project to the low bidder, Keller Paving & Landscaping, Inc. in the amount of \$754,152.00.**
- 2. Authorize the Mayor to sign the Agreement.**

Documents:

[2021 CONCRETE PAVEMENT REHABILITATION - AWARD BID \(4551\).PDF](#)
[4551 COVER.PDF](#)

7.11. 2021 STREET PATCHING - AWARD BID (4553)
Presented by Lance Meyer

This is the annual maintenance project to patch and repair pavement surfaces that have failed or are showing distresses. Repairing failed and distressed pavement prolongs the lifespan of the roadway.

RECOMMENDED ACTION

- 1. Award the bid for the 2021 Street Patching Project to the low bidder, Bechtold Paving, Inc. in the amount of \$495,572.25.**
- 2. Authorize the Mayor to sign the Agreement for the 2021 Street Patching project.**

Documents:

[2021 STREET PATCHING - AWARD BID \(4553\).PDF](#)
[COVER 4553.PDF](#)

7.12. 2021 PAVEMENT MARKINGS - AWARD BID (4556)

This is the annual maintenance project to stripe pavement markings throughout the City's streets. This project maintains all pavement markings on all of the City of Minot roads. On Tuesday, March 30, 2021 at 11:00 a.m., bids were opened for the 2021 Pavement Marking Project. The lowest bid was received by West River Striping Company with the bid amount of \$227,701.73; which is approximately 12.6% above the Engineer's Estimate. The Traffic Department has a Thinner, Paint, Markings line item budget of \$200,000.00. The 2021 Pavement Marking project is a unit-based payment project, staff understands that quantities will need to be adjusted so that the total payment is less than the Thinner, Paint, Markings line item budget.

Documents:

[4556 - 2021 PAVEMENT MARKINGS AWARD OF BID MEMO.PDF](#)

7.13. MANHOLE REHAB – MINOT COUNTRY CLUB - AWARD OF BID (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.

On Thursday, March 25, 2021, bids were opened for a project to clean all of the affected manholes, rebuild the lost concrete section, and line with a corrosion resistance coating. There were two bids received and they are as follows:

Bidder Total Bid Price

Key Contracting, Inc. \$296,875.00

Hydro-Klean \$378,977.00

1. Recommend council award the bid to Key Contracting in the amount of \$296,875.00 for the manhole rehab project through the Minot Country Club.

2. Authorize the Mayor to sign the contract.

Documents:

[4571 - MEMO - MANHOLE REHAB - AWARD OF BID.PDF](#)
[2021-03-25_MANHOLEREHAB_4571_BIDRECOMMENDATION.PDF](#)

7.14. 16TH ST SW AND 37TH AVE SW MILL & OVERLAY - ENGINEERING SELECTION (4592)

Presented by Lance Meyer.

16th Street SW and 37th Avenue SW are showing signs of aging and are in need of a mill and overlay to correct pavement deficiencies. This project is programed in the CIP for 2022 construction, so now is the time to start the necessary environmental clearance, preliminary, and design engineering for this project.

1. Recommend council select Moore Engineering, Inc. to perform all consulting engineering for this project.

2. Recommend council authorize the City Engineer to negotiate a scope and fee for services.

3. Recommend council authorize the Mayor to sign the contract.

Documents:

[4592 - 16TH ST 37TH AVE SW MILL OVERLAY - ENGINEERING SELECTION](#)

7.15. SNOW REMOVAL EQUIPMENT (SRE) BUILDING OVERHEAD DOOR

The east overhead door at the SRE has been inoperable since February 21. The door has been repaired numerous times in the past six months, and the latest repair estimate is \$5,200.00. As the door has now reached the end of its expected number of operational cycles, replacement is the preferred option to ongoing repair and maintenance. Quotes were obtained from three local business's, and Overhead Door Company of Minot had the low bid of \$13,500.00.

- 1. Approve the purchase of a replacement overhead door for the Snow Removal Equipment Building (SRE); and**
- 2. Authorize the Mayor to sign any associated documents.**

Documents:

[MEMO SRE OVERHEAD DOOR \(002\).PDF](#)
[MINOT AIRPORT - SRE BUILDING OVERHEAD DOOR REPLACEMENT QUOTE.PDF](#)

7.16. CARGO APRON RECONSTRUCTION AND EXPANSION PHASE II (2020500002)

This project was approved as part of the 2020 Airport capital improvements budget. No contract was awarded in 2020, as such, no encumbrance could be completed at year-end. An amendment is needed to increase the 2021 Airport capital budget; the City anticipates 95% reimbursement from the FAA and State Aeronautics. Grant awards are anticipated mid-2021.

- 1. Recommend approval of construction contract with Blue Stone Construction, Inc. - Cargo Apron Reconstruction and Expansion Phase II; and**
- 2. Recommend approval of included budget amendment; and**
- 3. Authorize the Mayor to sign any applicable documentation.**

Documents:

[MEMO CARGO APRON PHASE II \(2020500002\) V3.PDF](#)
[CONSTRUCTION AGREEMENT_BLUE STONE-2021.PDF](#)
[25. AIRPORT CARGO APRON PH II.PDF](#)

7.17. USE OF CASH RESERVES FOR ERP PROJECT CENTRAL PROPERTY MODULE (2019160001/G&A018)

The City has been in the process of implementing a new ERP software since 2019 and are currently in the Utility Billing phase of the implementation. An additional Tyler module called Central Property is needed in order to connect the new Utility Billing software with the City GIS.

Request that Council pass the proposed ordinance to amend the 2021 budget for an additional ERP module and approve the transfer of Water Sewer cash reserves.

Documents:

[24. ERP CENTRAL PROPERTY AND GIS.PDF](#)
[24. 2021 BA - TYLER ERP CHANGE ORDER.PDF](#)
[TYLER GIS PRICING \(002\).PDF](#)

7.18. BUS VIDEO SURVEILLANCE SECURITY EQUIPMENT (BUS036) BUDGET AMENDMENT

This project has replaced the video surveillance security equipment on 10 buses in the

transit fleet. The total cost of this project included hosted software for managing video downloads and system health as well as vehicle licenses and installation costs. This project was 80% funded by a Federal Section 5339 Capital Purchases grant with the remaining matching funds coming from unused State Aid funds. The 20% match was originally budgeted as a City share, but unused State Aid was available to replace the City share.

Recommend approval of the proposed ordinance for the Bus video surveillance security equipment to amend the 2021 budget to transfer budget from Capital Equipment fund to Bus Operations fund for the 2021 federal portion of the 5 year hosted software fee for the surveillance equipment and transfer budget from Bus Operations fund to Capital Equipment fund to replace the City share of the capital project with State Aid budgeted in operations.

Documents:

[MTC FOR BUDGET AMENDMENT FOR HOSTING FEES.PDF](#)
[22. 2021 BA - BUS036.PDF](#)

7.19. USE OF CASH RESERVES FOR INSURANCE EXPENSES OVER BUDGET

Prior to 2021 the City budgeted insurance in the General and Admin department. In 2021 insurance was broken out by department based on the estimate from prior years. Because insurance expense changes for a multitude of reasons including inflation and additions and deletions for building, auto or equipment as well as other policy changes it is not unforeseen that the estimated budget would not be sufficient to cover the actual expenses for all departments.

Recommend City Council approve the Budget Amendment to increase the 2021 Airport and Storm Sewer insurance expense and approve the use of Airport and Water Sewer cash reserves.

Documents:

[23. INSURANCE OVER BUDGET.PDF](#)
[23. 2021 BA - INSURANCE OVER BUDGET.PDF](#)

7.20. CYBER INSURANCE PROPOSAL

The recent cybersecurity breach experienced by several North Dakota communities has caused us to reevaluate the City's potential exposure to any type of cyber attack as well as insurance coverage that is currently in place. The current coverage that we have through NDIRF is very limited.

It is recommended the City Council approve purchase of cyber insurance coverage and corresponding budget amendment.

Documents:

[CYBER INSURANCE.PDF](#)
[CYBER INSURANCE PROPOSAL.PDF](#)
[28. 2021 BA - CYBER SECURITY INSURANCE.PDF](#)

7.21. PERMISSION TO USE GOVDEALS ONLINE AUCTION FOR DISPOSAL OF EXCESS EQUIPMENT

Public Works is requesting to dispose of the following equipment:

2005 Dodge Caravan
2005 Ford Expedition

2015 Ford Expedition
1969 Austin-Western Crane
2003 Johnston Sweeper
2004 Startrans Ambassador Bus
2007 Ford F150
2016 ADA Compliant Dodge Entervan

Request that council approve the disposal of the above listed excess vehicles/equipment using the GovDeals online auction service

Documents:

[2021 MTC FOR ONLINE AUCTION.PDF](#)

7.22. APPROVAL OF EMERGENCY ACTION PLAN (EAP) FOR FLOOD FIGHT PREPAREDNESS

Presented by Dan Jonasson, Director of Public Works

As a requirement of our System Wide Improvement Framework (SWIF) for flood fighting and preparedness the city is required to prepare a flood fight plan and update this plan yearly. This plan is posted on our city webpage and attached with noted updates.

Recommend approval of the updated emergency action plan.

Documents:

[MEMO APPROVE EMERGENCY ACTION PLAN FOR FLOOD FIGHT ACTIVITIES. P3135.PDF](#)
[MINOT FLOODING EAP REPORT 2-19-2021 REVISION.PDF](#)

7.23. WARD COUNTY EMERGENCY OPERATIONS PLAN

The Ward County Emergency Operations Plan was approved through the Local Emergency Planning Committee Meeting. This needs to be adopted by the City and signed by Mayor and various department heads.

Recommend adoption of the Ward County Emergency Operations Plan.

Documents:

[WARD COUNTY EMERGENCY RESPONSE PLAN.PDF](#)
[2021 WARD COUNTY EOP FINAL .PDF](#)
[SIGNATURE PAGES 2021.PDF](#)

7.24. APPROVAL TO PARTICIPATE IN A SOUTH DAKOTA SCHOOL OF MINES WASTE STUDY

presented by Dan Jonasson, Director of Public Works

Public Works was contacted by Anu Shende, Associate Research Professor of Chemical and Biological Engineering from the South Dakota School of Mines and Technology to participate in a Department of Energy funded study, which will look at heterogeneity of MSW waste and its ability to be used for a waste to energy source.

Recommend approval of the attached letter to participate in a study with the South Dakota School of Mines for a MSW study for waste to energy.

Documents:

8. ACTION ITEMS

8.1. PUBLIC HEARING FOR TAXI LICENSE DENIAL – KRISTOPHER BRUNER

On March 26, 2021, Kristopher Bruner filed an application for a City of Minot Taxi Driver's License. A background check was conducted which revealed that Mr. Bruner had a conviction for assault.

Recommend the City Council ratify the decision to deny a City of Minot Taxi Driver's License to Kristopher Bruner based on his disqualifying criminal record.

Documents:

[COUNCIL MEMO - BRUNER DENIAL.PDF](#)
[BRUNER DENIAL LETTER \(3.29.21\).PDF](#)

8.2. PAVING DISTRICT 499 - FAMILY REC ADDITION - CREATE DISTRICT (4591)

Presented by Lance Meyer.

This improvement district is a petitioned project brought forth by the Minot Park District. This project provides access to and parking for the Minot Park District's Day Use Park located off County Road 15 W. This area is also known as Family Recreation Addition.

Recommend that Council pass the following resolutions:

- 1. Create Paving District 499**
- 2. Direct preparation of the Engineer's Report**
- 3. Approve the Engineer's Report**
- 4. Direct preparation of Plans and Specifications**
- 5. Waive the Resolution of Necessity and Public Hearing since all of the district area has petitioned for the project**
- 6. Approve the request for KLJ to provide the necessary engineering services, authorize the city engineer to negotiate a scope and fee, and authorize the Mayor to sign the contract on the City's behalf**
- 7. Approve the Budget Amendment and Reimbursement Resolution**

Documents:

[4591_MEMO_CREATEDISTRICT AND ENGREPORT.PDF](#)
[PD 499 ENGINEERS REPORT.PDF](#)
[OUTDOOR REC REQUEST CITY 2021.PDF](#)
[26. 2021 BA - PAVING DISTRICT 499 4591.PDF](#)
[REIMBURSEMENT RESOLUTION 4591.PDF](#)

8.3. RIGHT OF WAY PERMIT FEE RESOLUTION ADOPTION

Presented by Lance Meyer

The engineering department issues right of way permits to contractors to enable them to perform work within the public right of way. The department cannot find the last time the permit fees were updated. Thus, staff is recommending the fees be updated to cover the cost of administering the permit.

Approve the attached resolution setting right of way permit fees.

Documents:

[RIGHT OF WAY PERMIT FEE RESOLUTION MEMO.PDF](#)
[ROW PERMIT FEE RESOLUTION 4.5.21.PDF](#)
[ROW PERMIT FEE CALCULATION.PDF](#)
[ROW PERMIT NEW FORMAT 1-26-2021.PDF](#)

8.4. PARKLET AND STREETERY PROGRAM FOR OUTDOOR DINING

Parklets and streeterys are platforms with fencing on three sides that extend from a downtown sidewalk's curb into a parking space and have the footprint a little smaller than a full-sized car. The level platform improves and expands outdoor dining which can help address general demand for outdoor seating. The proposed program is based on similar programs around the country, including Grand Forks, ND. The platforms are only temporary and can be in place for 6 months from April 15 until October 15.

Staff recommends approval of the Parklet/Streeterly Program policy.

Documents:

[PARKLET AND STREETERY MEMO TO CC.PDF](#)
[PARKLETS AND DINING PLATFORMS - FINAL.PDF](#)

8.5. APPROVAL OF FIRST DISTRICT HEALTH UNIT SERVICES AGREEMENT

First District Health Unit has provided public health services for Minot residents for a number of years. In 2019, that agreement was formalized with a Services Agreement that was set to expire on December 31, 2020. The proposed agreement would formalize that relationship through December 31, 2021.

Approve the agreement with First District Health Unit for providing public health services for fiscal year 2021 and authorize the Mayor and Finance Director to sign the agreement.

Documents:

[FDHU SERVICES MEMO.PDF](#)
[FDHU 2021 SERVICES AGREEMENT CLEAN.PDF](#)

8.6. MACEDC PROFESSIONAL SERVICES AGREEMENT

On January 19, 2021, the Minot City Council (CITY) approved a contract extension with the Minot Area Chamber Economic Development Corporation (MACEDC) for various economic development services. The contract expires on April 1, 2021.

It is recommended the City Council approve a professional services agreement with Minot Area Chamber EDC (formerly Minot Area Development Corporation) for the continuation of economic development services through the remainder of the 2021 calendar year.

Documents:

[2021 PROFESSIONAL SERVICES AGREEMENT - MACEDC - CC MEMO.PDF](#)
[PROFESSIONAL SERVICES AGREEMENT - 2021 MACEDC CONTRACT - BK REVISED 3.31.._KH \(002\) \(NO MARKUP\).PDF](#)
[PROFESSIONAL SERVICES AGREEMENT - 2021 MACEDC CONTRACT - BK REVISED 3.31.._KH \(002\).PDF](#)

8.7. COVID-19 RELATED RESOLUTIONS

After significant discussion with Department heads, the City Manager is recommending that the City Council approve the attached resolution which will terminate the COVID-19 related resolutions, effective May 15, 2021. This timeframe

gives all staff adequate time to receive the vaccine. All City employees have been informed of this intention.

Approve the proposed resolution to terminate the following COVID-19-related resolutions, effective at 12:01 AM on May 15, 2021:

1. **Resolution 3660 – Resolution to Address Employee Absences Due to COVID-19 Pandemic;**
2. **Resolution 3670.1 – Temporary Employment Policy Regarding Mask Usage;**
3. **Resolution 3675.2 – Temporary Policy Requiring Visitors to Wear Masks While in City Buildings.**

Documents:

[MEMO_TERMINATION OF MASK AND LEAVE RESOLUTIONS.PDF](#)
[RESOLUTION_TERMINATING COVID RESOLUTIONS.PDF](#)
[3660.PDF](#)
[3670.1.PDF](#)
[RESOLUTION_MASK MANDATE IN CITY BUILDINGS_2021.02.01.PDF](#)

9. PERSONAL APPEARANCES
10. MISCELLANEOUS AND DISCUSSION ITEMS
 - 10.1. SUPERFUND SITE UPDATE
11. ADJOURNMENT