

January 21, 2020 Regular City Council Meeting

MINOT CITY COUNCIL – SCHEDULED MEETING – JANUARY 21, 2020 AT 5:30 P.M.

ROLL CALL

Members Present:

Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky

Members Absent:

None

PLEDGE OF ALLEGIANCE

Mayor Sipma presiding and led the City Council in the Pledge of Allegiance.

INFORMATIONAL UPDATE AND PRESENTATION ON PHASE MI-5 OF THE MREFPP

Alderman Straight moved the City Council amend the agenda, to move the Informational Update and Presentation on Phase MI-5 of the MREFPP to the front of the agenda.

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

Public Works Director Jonasson came forward with a brief summary and introduced Jerry Bents of Houston Engineering to present the update.

Mr. Bents displayed maps of the future pending FEMA Regulatory Floodplain and the phases of the MREFPP that have been completed or are in construction. He explained that the Phase MI-5 will connect the current phases to remove 60% of Minot residents from the floodplain. In April, 2018, the City Council approved their preferred alignment for Phase MI-5 which minimized the impact to private property and crossed rail lines with wall closures. After coordinating with BNSF, the conceptual alignment was modified to address BNSF concerns. In areas where the closure structures were proposed, BNSF would instead require the rail line be raised, which included reconstructing existing rail bridges, raising the 3rd Street viaduct and raising 18,000 feet of track. It escalated the project costs from the proposed \$47 million to \$129 million. They applied for a BUILD Transportation Grant and were awarded \$18 million but including \$2 million BNSF would contribute, it is still not enough to make the project viable.

Houston Engineering and the Souris River Joint Board went back to designs to consider alternatives that would reduce the impact to the railroad and reduce the cost of the alignment. Mr. Bents then presented the current preferred alignment which proposes staying to the north side of the tracks. In order to do that, they will push Railway Avenue to the north and need to acquire the first row of properties on the north side. He displayed images of the approximate location of the flood wall and described the plan to install a detention pond and pump station. In addition, they proposed upgrading the pedestrian underpass on the west end and remove the pedestrian bridge and push traffic to the underpass. On the north side, there would be two maintenance access points and path. This alignment would include acquisition of 15 homes and 7 businesses and the total project cost is estimated at \$75 million.

He explained that the meeting tonight is informational and does not require any action from Council. There will be a public meeting February 10th at Roosevelt Elementary School. Pending public input, they will refine the alternative concept and bring the alignment to a future Council meeting for approval, tentatively on March 2nd. Once approved, the project schedule includes completing the design from spring 2020 through spring 2021, and project construction would take place later in 2021 or 2022.

Alderman Straight emphasized that the project escalated from about \$50 million to \$129 million as a result of BNSF concerns but they only offered to contribute \$2 million. He said, this is not the City's preferred option and the Souris River Joint Board and many others have worked tirelessly to try and protect people's homes. He blamed BNSF for requiring the changes.

Mayor Sipma commented on the significant effort by Senator Hoeven as well. He said, it is unfortunate that homes need to be acquired especially ones that were not flooded, but this is the prudent path forward.

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Alderman Pitner mentioned the need for partners in the surrounding communities and the need to come together to overcome the challenges and unforeseen costs.

Alderman Wolsky acknowledged that it is not yet approved by Council and they need to hear from the community.

EVERY'S ADDITION, LOT 1: PUBLIC HEARING – APPROVED

The City Council held a Public hearing to consider a request by Arlene Avery, owner, and Ackerman Surveying & Associates, Inc., applicant, to rezone Avery's Addition, Lot 1 from AG (Agricultural District) to RA (Agricultural Residential District). No one appeared on behalf of the application.

Alderman Jantzer moved the City Council close the public hearing and approve the requests. Motion seconded by Alderman Olson and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

EVERY'S ADDITION, LOT 1: SUBDIVISION – APPROVED

Alderman Jantzer moved the City Council approve the subdivision of property described as Outlot 12 and an unplatted portion of the SW1/4 of the SE1/4, Section 32, Township 155 North, Range 82 West, Ward County to create a one lot subdivision to be known as Avery's Addition, Lot 1.

Motion seconded by Alderman Olson and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

ORDINANCE NO. 5444 - EVERY'S ADDITION, LOT 1: REZONING FROM AG TO RA – FIRST READING – APPROVED

Alderman Jantzer moved the City Council place ordinance no. 5444 on first reading to change the zone from AG (Agricultural District) to RA (Agricultural Residential District) on Avery's Addition, Lot 1. Motion seconded by Alderman Olson and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5444 on first reading. Motion seconded by Alderman Olson and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

RAMSTAD HEIGHTS 5TH ADDITION: PUBLIC HEARING – APPROVED

The City Council held a Public Hearing to consider a request by Bakken Development Group Minot I, LLC, owner, and Ackerman Surveying & Associates, Inc., applicant, to rezone Ramstad Heights 5th Addition from R-4, Planned Residential District to R1S, Single-Family Residential District with Small Lot Flexibility. No one appeared on behalf of the application.

Alderman Pitner moved the City Council close the public hearing and approve the request. Motion seconded by Alderman Jantzer.

Alderman Wolsky requested the Planning Department provide a financial analysis of the impact these changes may have in the future.

RAMSTAD HEIGHTS 5TH ADDITION: SUBDIVISION – APPROVED

Alderman Pitner moved the City Council approve the subdivision of property described as Lots 10A thru 18B, Block 6, Statesboro Addition and the vacated portion of Kodiak Street NW to create a nine-lot subdivision to be known as Ramstad Heights 5th Addition.

Motion seconded by Alderman Jantzer and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

ORDINANCE NO. 5445 - RAMSTAD HEIGHTS 5TH ADDITION: REZONING FROM R-4 TO R1S – FIRST READING – APPROVED

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Alderman Pitner moved the City Council place ordinance no. 5445 on first reading to change the zone from R-4 (Planned Residential District) to R1S (Single-Family Residential District with Small Lot Flexibility) on Ramstad Heights 5th Addition. Motion seconded by Alderman Jantzer and carried unanimously.

Alderman Pitner moved the City Council pass ordinance no. 5445 on first reading. Motion seconded by Alderman Jantzer and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

RAMSTAD HEIGHTS 6TH ADDITION: PUBLIC HEARING – APPROVED

The City Council held a Public Hearing to consider a request by Bakken Development Group Minot I, LLC, owner, and Ackerman Surveying & Associates, Inc., applicant, to rezone Ramstad Heights 6th Addition from R-4, Planned Residential District to R1S, Single-Family Residential District with Small Lot Flexibility. No one appeared on behalf of the application.

Alderman Olson moved the City Council close the public hearing and approve the requests. Motion seconded by Alderman Straight and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

RAMSTAD HEIGHTS 6TH ADDITION: SUBDIVISION – APPROVED

Alderman Olson moved the City Council approve the subdivision of property described as Lots 1A thru 9B, Statesboro Addition to create a nine-lot subdivision to be known as Ramstad Heights 6th Addition.

Motion seconded by Alderman Straight and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

ORDINANCE NO. 5446 - RAMSTAD HEIGHTS 6TH ADDITION: REZONING FROM R-4 TO R1S – FIRST READING – APPROVED

Alderman Olson moved the City Council place ordinance no. 5446 on first reading to change the zone from R-4 (Planned Residential District) to R1S (Single-Family Residential District with Small Lot Flexibility) on Ramstad Heights 6th Addition. Motion seconded by Alderman Straight and carried unanimously.

Alderman Olson moved the City Council pass ordinance no. 5446 on first reading. Motion seconded by Alderman Straight and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

ORDINANCE NO. 5437 – AMEND THE 2019 ANNUAL BUDGET- FY 2019 STATE HOMELAND SECURITY GRANT (FD0105) – SECOND READING – APPROVED

Alderman Jantzer moved the City Council place ordinance no. 5437 on second reading to amend the 2019 annual budget to increase equipment and training expenditures and revenues for the award of the FY2019 State Homeland Security Grant. Motion seconded by Alderman Pitner and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5437 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

ORDINANCE NO. 5438 – AMEND THE 2019 ANNUAL BUDGET- NDDDES FY2019 STATE HOMELAND SECURITY PROGRAM GRANT (PD0187) – SECOND READING – APPROVED

Alderman Jantzer moved the City Council place ordinance no. 5438 on second reading amending the 2019 annual budget to increase the Police department travel and capital equipment revenues and expenditures for the award of the North Dakota Department of Emergency Services (NDDDES) FY2019 State Homeland Security Program Grant. Motion seconded by Alderman Pitner and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5438 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

ORDINANCE NO. 5439 – AMEND THE 2019 ANNUAL BUDGET- ENBRIDGE EQUIPMENT GRANT (FD0107) – SECOND READING – APPROVED

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Alderman Jantzer moved the City Council place ordinance no. 5439 on second reading to amend the 2019 annual budget to increase equipment expenditures and revenues for the purchase of an extrication tool funded by the Safe Community Grant awarded by Enbridge. Motion seconded by Alderman Pitner and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5439 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

ORDINANCE NO. 5440 – AMEND THE 2019 ANNUAL BUDGET- BRAZOS ELECTRONIC TICKETING PROJECT (PD0159) – SECOND READING – APPROVED

Alderman Jantzer moved the City Council place ordinance no. 5440 on second reading amending the 2019 annual budget to increase the Police software agreements revenues and expenditures and decrease Police capital equipment purchases revenues and expenditures for the Brazos Electronic Ticketing project. Motion seconded by Alderman Pitner and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5440 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

ORDINANCE NO. 5441 – AMEND THE 2020 ANNUAL BUDGET- ATF JOINT LAW ENFORCEMENT OPERATIONS PROGRAM (PD0189) – SECOND READING – APPROVED

Alderman Jantzer moved the City Council place ordinance no. 5441 on second reading amending the 2020 annual budget to increase the Police department salary and benefit revenues and expenditures for Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Joint Law Enforcement Operations Program. Motion seconded by Alderman Pitner and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5441 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

ORDINANCE NO. 5442 – AMEND THE 2020 ANNUAL BUDGET- WATER/SEWER CRANE TRUCK (4324) – SECOND READING – APPROVED

Alderman Jantzer moved the City Council place ordinance no. 5442 on second reading amending the 2020 annual budget to increase the Sewage Pumping and Treatment Capital Equipment Purchases expenditures for the purchase of a crane truck. Motion seconded by Alderman Pitner and carried.

Alderman Jantzer moved the City Council pass ordinance no. 5442 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight; nays: Wolsky.

ORDINANCE NO. 5443 – AMEND THE 2019 ANNUAL BUDGET- GENERAL AVIATION APRON PH. II (AIR069) AND PH. III (AIR073) – SECOND READING – APPROVED

Alderman Jantzer moved the City Council place ordinance no. 5443 on second reading amending the budget to decrease 2019 Airport capital expenses, Federal, and State revenue and increase 2020 Airport capital expenses, Federal, and State revenue. Motion seconded by Alderman Pitner and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5443 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

AWARD OF BID - PICKUPS (PROJECT NUMBER 4483) – APPROVED

Alderman Jantzer moved the City Council award the bid to Westlie Motor Company as follows:

Property Maintenance ¾ ton 4x4 extended cab	\$30,149.52
Water Department ¾ ton 4x4 extended cab w/ service body	\$44,528.52
Water Department ½ ton 4x4 extended cab	\$29,459.76
Sewer Department ¾ ton 4x4 extended cab w/ service body	\$44,528.52
Street Department (2) ¾ ton 4x4 extended cab	\$60,299.04
Traffic Department ¾ ton 4x4 extended cab	\$30,149.52

And the City Council award the bid to Ryan Chevrolet as follows:

Landfill ½ ton 4x4 super crew	\$31,406.00
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Street Department ½ ton 4x4 super crew

\$31,406.00

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

AWARD OF BID - PURCHASE OF SKID STEER LOADER (PROJECT NUMBER 4487) – APPROVED

Alderman Jantzer moved the City Council award the bid to Swanston Equipment for the purchase of a new Bobcat skid steer loader at the bid price of \$41,934.

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

AWARD OF BID - 2019 SIGNAL IMPROVEMENT PROJECT (4429) – APPROVED

Alderman Jantzer moved the City Council award the bid for the construction portion of the 2019 Signal Improvement Project to the low bidder, Main Electric Inc. in the amount of \$520,880.00 and authorize the Mayor to sign the agreement.

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

ORDINANCE NO. 5447 – AMEND THE 2020 ANNUAL BUDGET- 2019 SIGNAL IMPROVEMENT PROJECT (4429) – FIRST READING – APPROVED

Alderman Jantzer moved the City Council place ordinance no. 5447 on first reading to amend the 2020 annual budget to increase the traffic capital equipment purchase expenditures and revenues for the purchase of a traffic signal cabinet, signal replacements, and battery backups. The equipment was originally budgeted and funding went into cash reserves. Motion seconded by Alderman Pitner and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5447 on first reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

RETAIL LIQUOR & BEER LICENSE TRANSFER FROM EBP, INC. TO ANTHONY JOHN BARRETTE – APPROVED

Alderman Jantzer moved the City Council approve the transfer of the Retail Liquor & Beer license from EBP, Inc. dba Rooster's Bar and Nightclub to Anthony John Barrette dba The Drop Zone at 101 South Main Street.

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

JOB DESCRIPTION - CAD TECHNICIAN – APPROVED

Alderman Jantzer moved the City Council approve the job description for the Engineering Department's CAD Technician position.

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

NDDOT BRIDGE INSPECTION AND LOAD RATING AGREEMENT (4512) – APPROVED

Alderman Jantzer moved the City Council approve the Bridge Inspection and Load Rating Agreement with the NDDOT to perform bridge inspections.

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

EXTEND AGREEMENT WITH SOURIS BASIN PLANNING COUNCIL – APPROVED

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Alderman Jantzer moved the City Council approve extension of the Sub-Recipient Agreement with Souris Basin Planning Council to extend to December 31, 2020 to continue support of an activity with Allocation #1 CDBG-DR.

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

EPA LEAD AND COPPER RULE PROPOSED CHANGES – APPROVED

Alderman Jantzer moved the City Council authorize the Mayor to sign a joint letter with the League of Cities and other ND municipalities on the City's behalf regarding a draft of new federal regulations regarding changes to sampling procedures of Lead and Copper.

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

WARD COUNTY HAZARD MITIGATION PLAN ANNUAL PROGRESS REPORT – APPROVED

Alderman Jantzer moved the City Council receive and file the Hazard Mitigation Plan Annual Progress Report and authorize the Mayor to sign the CRS annual recertification form. Motion seconded by Alderman Olson.

Alderman Wolsky requested an update of the flood recertification and FIRM maps, to which the Engineer responded by saying, an update is included in his presentation later in the meeting.

A vote was taken on the above motion by Alderman Jantzer, seconded by Alderman Olson and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

CITY HALL RETAINING WALL – APPROVE PLANS AND SPECIFICATIONS CALL FOR BIDS (4398) – APPROVED

Alderman Olson moved the City Council approve plans and specifications for the City Hall Retaining Wall and authorize a call for bids.

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma; nays: Straight, Wolsky.

TIMELINE ASSURING ALL CDBG-NDR FUNDS SPENT BY SEPTEMBER 30, 2022 – APPROVED

Alderman Olson moved the City Council accept the CDBG-NDR timeline serving as activity benchmark to assure all funds are spent by the statutory requirement of September 30, 2022. Motion seconded by Alderman Jantzer.

Alderman Wolsky suggested the Council explore the potential of a substantial amendment to allocate more funding toward acquisitions as a result of the Phase MI-5 discussion earlier in the meeting.

Mayor Sipma asked where the funds should be diverted from, to which Alderman Wolsky responded by saying, there are areas of the NDR application that did not score as favorably in HUD's opinion. HUD may be more amenable to diverting funds from those projects.

Mr. Zakian explained that the timeline allows for those discussions. There currently is no funding for additional acquisitions but they have the ability to move 10% of the award, \$7.4 million, within a technical amendment. As long as they do not create a new activity, new beneficiaries, or change the national objective, a substantial amendment would not be required and the process to reallocate funds would only take about five days.

Mayor Sipma asked how much has been moved between activities to this point. Mr. Zakian responded by saying, they have moved about \$500,000 but it was only between relocation and acquisition funds.

Upon questioning by Alderman Straight, Mr. Zakian said, if they decide to move more than 10% of the funds, it would require a waiver and he does not believe there is much chance of HUD approving another waiver for the City. He said, other grants only allow grantees to move \$1 million.

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Alderman Wolsky asked for a cost estimate for the acquisitions that would be required for the change in Phase MI-5. Mr. Zakian stated, some properties involved are not in city limits and therefore cannot be acquired using NDR funds. He said however, the acquisitions would be much less than \$6 million. He said, he believes they have allocated funding on all of the acquisitions they are currently involved but it is possible they won't need all of the money. Until the plan for Phase MI-5 is confirmed, they won't have a clear estimate.

Alderman Straight requested a special City Council meeting to discuss reallocation of NDR funds.

Whereupon a vote was taken on the above motion by Alderman Olson, seconded by Alderman Jantzer and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

CITY OF MINOT COMMUNITY ENGAGEMENT STRATEGY – APPROVED

Alderman Jantzer moved the City Council adopt the Community Engagement Strategy.

Motion seconded by Alderman Olson and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

ORDINANCE NO. 5448 - ENGINEERING STUDY FOR REGION VIII SIGN REPLACEMENTS – APPROVED

Alderman Jantzer moved the City Council place ordinance no. 5448 on first reading modifying approaches from Yield Control to Stop Control within the Region VIII Sign Replacement Area. Motion seconded by Alderman Pitner and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5448 on first reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

4511 – NDDOT URBAN ROAD PROGRAM SUBMITTAL FOR 2021-2024 – APPROVED

Alderman Jantzer moved the City Council approve the listed priority of projects for submittal to the NDDOT Urban Road Program.

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

GROUND AGREEMENT, MINOT AVIATION UPDATE ON NEGOTIATIONS/STAFF RECOMMENDATION – APPROVED

Alderman Pitner moved the City Council authorize City Staff to accept the essential terms of the contract between Minot International Airport and Aeroport Hobby Shoppe and Minot Aviation, direct City Staff to draft an agreement memorializing these essential terms; and pending regulatory approval, authorize the execution of a Concurrent Use Ground Agreement; and authorize the Mayor to sign any applicable documentation. Motion seconded by Alderman Straight.

City Attorney Hendershot stated, the agreement has been finalized and is pending FAA approval.

Alderman Wolsky asked about the previous concerns of the FAA regarding aeronautical use. The City Attorney said, they worked through the issue with the tenants and there is language included in the lease to allow the Airport Director to weigh in on ensuring the aeronautical purpose is met.

Alderman Wolsky then asked about an escalating scale if the agreement renews annually. The City Attorney responded by saying the negotiation of rent terms are also described in the lease.

Whereupon a vote was taken on the above motion by Alderman Pitner, seconded by Alderman Straight and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

2020 – 2024 CAPITAL IMPROVEMENT PLAN (4499)

City Engineer, Lance Meyer, said they used the same process as in the previous year to compile the Capital Improvements Plan document. They also included suggestions from the City Council. He said it is an ambitious plan including projects that

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total about \$422 million dollars, most of which can be attributed to Flood Control, NAWs and City Hall relocation. He invited the Council and the public to review the document, found on the website, and provide feedback.

Alderman Straight mentioned his frustration with BNSF for not providing more assistance in the escalated costs for flood control.

PERSONAL APPEARANCES

Aaron Moss, representing the North Dakota Fraternal Order of Police, Souris Valley Regional Lodge #7, stated it is the 99th anniversary of the most recent line of duty death in the Minot Police Department. Officer, Lee S. Fahler was shot attempting to make an arrest of a bootlegger on January 20, 1920 and succumbed to his wounds the following day. Secondly, he said the Lodge wanted to congratulate Chief Jason Olson for his leadership and mentorship throughout his career.

Alderman Podrygula mentioned a memorial for fallen officers that he visited in New York City and said it would be something to consider in Minot. Officer Moss said, there is a North Dakota Peace Officers memorial at the Capitol in Bismarck as well as a memorial for emergency personnel located at Fire Station #1.

POLICE CHIEF ANNOUNCEMENT

City Manager Barry announced that the Police Chief position has been filled by Captain John Klug, effective February 1st. He explained that it was a national recruitment process and there were three candidates interviewed. There will be a promotion ceremony during the February 3rd City Council meeting.

CONDUCT A STATISTICALLY VALID SURVEY TO DETERMINE RECYCLING PARTICIPATION – FAILED

The Assistant Public Works Director, Jason Sorenson, presented some options to the City Council to gather more public input on recycling. He said, they could include the issue on a city-wide ballot, they could hold a city-wide advisory vote, conduct a statistically valid survey, or use Survey Monkey. He then described some of the benefits and concerns of each approach.

Alderman Pitner asked how the statistically valid survey is conducted.

Alderman Jantzer commented that the OneBrand survey was done using various sources including landlines and cell phones. He said, it would ensure they are only using qualifying responses from individuals who currently participate in sanitation collection. He stated, the ballot questions have flaws and he is uncomfortable using Survey Monkey.

Therefore, Alderman Jantzer moved the City Council proceed with a statistically valid survey. Motion seconded by Alderman Olson.

Alderman Straight moved to amend the motion to authorize a group to investigate a partnership with Kalix as well as move forward with single stream service. Motion seconded by Alderman Podrygula.

Upon request for further clarification, Alderman Straight said, he does not want to lose the opportunity to partner with Kalix but he will withdraw the amendment if conversations on the issue can move forward.

Alderman Jantzer said, they have all collected input but it is polarized and hard to determine which side is favored. A survey will provide insight. He said, he is not against a partnership initiative but does not believe the issues need to be linked.

Mayor Sipma said, he appreciates the suggestion but after personally discussing the idea with the Executive Director of Kalix and the public, he is hesitant to create a committee that coincides with the survey.

Alderman Straight argued that it happens too often that we create something new when it already exists, such as this case, where the City wants to build a transfer facility but Kalix already has a building. He said, there are many people in Minot who don't own homes and don't participate in City sanitation service, but want an opportunity to recycle.

Brad Magness, Chairman of the North Dakota Renewable Energy Caucus, said they have held the position that recycling should be implemented to save landfill space.

The Council discussed how they could move forward with a survey while also incorporating a partnership with Kalix.

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Mayor Sipma invited Borgi Beeler, Executive Director of Kalix, to share her thoughts on a potential partnership. Ms. Beeler said, she appreciates the sentiment from the Council but after 25 years in the recycling business they have decided not to continue subsidizing the process. The path the City has discussed, single stream collection, is different from their business model. If the City decided to change their process, Kalix would be willing to discuss ideas. She then said, the decision has already been made for the business and it would be difficult to change direction.

Alderman Olson asked Mr. Sorenson about a timeframe for the survey. Mr. Sorenson responded by saying, he could write a scope of work and gather price estimates within the next month but he is not sure how long the actual survey will take.

After continued dialogue on the amendment, Mr. Barry asked if there would be any benefits of additional conversations since the topic has already been discussed.

Mr. Sorenson said, Kalix may have a facility that can be retrofit as a transfer facility but moving forward with a transfer facility doesn't make sense if a study finds that we do not need to pursue recycling. He explained that Kalix can only process separated recycling and the City intends to move forward with single-stream curbside collection.

Mr. Barry elaborated by saying, if the Council wants to continue with single stream curbside collection, Kalix cannot accommodate that so we already know the answer without additional meetings. If Council decides to move away from curbside recycling and move to drop off recycling, the opportunity can be discussed further. He said they need to be clear what program they are pursuing. If the Council continues with the program that was decided during the last discussion, then they know they need a minimum number of participants for the program to be cost effective so we can move forward with the statistically valid survey.

The Council discussed whether a curbside program and an interim program could both take place.

Alderman Jantzer said he does not support subsidizing the Kalix program using funds allocated to a transfer facility as Alderman Straight had suggested. He added, there is a reason Kalix is getting out of the drop off recycling business.

Ms. Beeler explained that there is no need to continue the conversation with Kalix if the City wants to pursue single stream collection. There are valid reasons for single stream but Kalix's business model is not set up for it. An interim program wouldn't work if the City is not willing to subsidize Kalix and Kalix is not willing to continue without a subsidy.

Alderman Wolsky said he is not supportive of single stream collection and does not believe it is viable. He said he would like to explore other programs. He would be open to subsidize Kalix under their current model.

The Council voted on the amendment by Alderman Straight, seconded by Alderman Podrygula and failed by the following roll call vote: ayes: Podrygula, Straight, Wolsky; nays: Jantzer, Olson, Pitner, Sipma

Whereupon a vote was taken on the above motion by Alderman Jantzer, seconded by Alderman Olson and failed by the following roll call vote: ayes: Jantzer, Podrygula, Sipma; nays: Olson, Pitner, Straight, Wolsky

PURSUE SINGLE STREAM CURBSIDE RECYCLING PROGRAM WITH CAVEAT THAT THE MINIMUM PARTICIPATION RATE IS MET THROUGH A STATISTICALLY VALID SURVEY – APPROVED

Alderman Olson moved the City Council pursue a voluntary single stream curbside recycling program provided that a survey ensures the necessary participation rate is met. Motion seconded by Alderman Podrygula.

Mr. Sorenson asked if a Survey Monkey poll would be sufficient to determine if 4,000 residents are interested in recycling.

Alderman Podrygula asked if a survey could be distributed with the water bill. Mr. Sorenson responded by saying, a survey was distributed when the City rolled out automated collection and only received 2,500 responses so it would not be the most efficient method.

Mr. Barry cautioned against using a Survey Monkey poll to decide on a \$2 million program. He suggested using a statistically valid survey as a more trustworthy source.

Upon questioning by Alderman Wolsky regarding the minimum number of participants, Mr. Sorenson explained that in his previous presentation he described a twenty-year pro forma. Using a 60% initial opt out rate, he calculated that 4,000

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participants would make the program feasible. The first year is the most expensive so that would be the minimum number and then the model assumes there would be a conservative increase in participation each year.

Alderman Pitner said, the program would be subsidized by taxpayer dollars at the beginning and he does not believe now is the best time to initiate recycling.

Alderman Straight reiterated his rationale for partnering with Kalix. He said, if the survey finds they do not need to pursue recycling, they can reconvene the Community Development Committee and allocate those funds toward Kalix. He supports a voluntary program paid for by the participants.

Alderman Wolsky said, he would support a program if the monthly cost would cover the participants but believes the startup costs are prohibitive. He also is not in favor of hauling recyclables to Minneapolis and said it is not the path for Minot right now.

Alderman Olson clarified her motion by saying, the program she proposed aligns with what was presented by Mr. Sorenson. She is aware of the assumptions that were made considering the one-time opt-out period. She said, she is initially looking to see if they are in the ballpark for participation. It is not anticipated the survey will contact 4,000 households but if they can extrapolate data to predict participation, then the City can contact customers to opt-in or opt-out.

Alderman Straight suggested also looking at tipping fees for third party haulers to participate in recycling and possible franchise agreements.

Whereupon a vote was taken on the above motion by Alderman Olson, seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Podrygula, Straight, Sipma; nays: Pitner, Wolsky

The Finance Director asked for clarification on the funding for a statistically valid survey. The City Manager suggested Department funding be used.

DEPARTMENT REPORT: CITY ENGINEER

City Engineer, Lance Meyer used an Esri story map to share interactive data with the Council. He said, the material is available on the City website Engineering page. He shared information on the department's staff and activities as well as details on the Asset Management Program they are working to implement.

LIAISON REPORTS

Aldermen Jantzer, Olson, Pitner, and Podrygula had nothing to report.

Alderman Straight thanked former Mayor Chuck Barney for his involvement in the IEDC Stakeholder Committee's incubator feasibility study.

Alderman Wolsky said, the Planning and Zoning Steering Committee meets the following day.

ADJOURNMENT

There being no further business, Alderman Pitner moved the City Council meeting be adjourned. Motion seconded by Alderman Jantzer and carried unanimously. Meeting adjourned at 8:22 pm.

ATTEST: _____
Kelly Matalka, City Clerk

APPROVED: _____
Shaun Sipma, Mayor