

## **April 6, 2020 Regular City Council Meeting**

**MINOT CITY COUNCIL – SCHEDULED MEETING – APRIL 6, 2020 AT 5:30 P.M.**

### **ROLL CALL**

#### Members Present:

Jantzer, Olson (phone), Pitner (phone), Podrygula (phone), Sipma, Straight (phone), Wolsky

#### Members Absent:

None

### **PLEDGE OF ALLEGIANCE**

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

### **MAYOR'S REPORT**

Mayor Sipma began by reminding everyone to take the Census. He reiterated the importance of entitlement dollars and how they could be used to offset costs of COVID-19. He then described some of his meetings and activities over the past month.

March 5th – Meeting with General Timothy Rey – Minot Air Force Base  
March 5th – Meeting with Secretary of the Air Force Barbara Barrett  
March 6th – Souris Valley Animal Shelter Gala  
March 9th – Flood Acquisition Home Closing  
March 9th – Coronavirus City Operation Planning Meeting  
March 9th – Special City Council Meeting  
March 9th – Special City Council Meeting – Building Tours  
March 10th – KHRT Radio Interview  
March 10th – City Hall Technical Team Meeting  
March 11<sup>th</sup> – 36 Volunteers including himself and Alderman Straight went to Fargo to help with flood fighting efforts  
March 11th – Governor Burgum Phone Call Regarding 1st Confirmed COVID-19 Case in Ward County  
March 11th – Phone Conference with Col. Cochran Regarding COVID Case  
March 12th – COVID-19 Meeting First District Health  
March 12th – COVID-19 Task Force Meeting at City Hall  
March 13th – Census Kiosk at Marketplace Foods. Kiosks have since been postponed to practice social distancing.  
March 16th – Special City Council Meeting  
March 16th – COVID-19 Task Force Meeting at City Hall  
March 16th – City Council Meeting  
March 17th – Phone Conferences Regarding Emergency Day Care Setup  
March 18th – Emergency Daycare Meetings  
March 18th – COVID-19 Task Force Meeting  
March 19th – League of Cities Phone Conference  
March 19th – Emergency Daycare Task Force Meeting  
March 20th – Emergency Daycare Task Force Meeting  
March 20th – COVID-19 Task Force Meeting  
March 23rd – COVID-19 Task Force Meeting  
March 24th – NDLC COVID-19 Task Force  
March 24th - Staff Meeting Regarding Emergency Daycare  
March 24th – Joint Press Briefing at City Hall  
March 25th – Emergency Daycare Contract Meeting  
March 25th – COVID-19 Task Force Meeting  
March 26th – Information Update Meeting from Mayors  
March 26th – Special City Council Meeting  
March 27th – Numerous Individual Meetings via phone  
March 28th – Governor Burgum Conference call with Mayors  
March 30th – COVID-19 Task Force Meeting  
March 31st – Joint Press Briefing at City Hall  
April 1st – IEDC Steering Committee Conference Call Mtg  
April 2nd – NDLC COVID-19 Conference Call

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April 3rd – Budget Planning Meeting

April 3rd – COVID-19 Task Force Meeting

He also said, there were numerous meetings, phone calls, e-mails, and individual contact concerning City business.

### **CITY MANAGER REPORT**

The City Manager presented an upcoming meeting calendar, however because of COVID-19, many meetings have been postponed or canceled. He mentioned the weekly Press Briefings taking place every Tuesday at 3:00 and the regularly scheduled Planning Commission and City Council meetings.

Alderman Wolsky asked about the Board of Equalization, to which Mr. Barry said, it is still scheduled for April 14<sup>th</sup>. Letters have been sent to property owners encouraging comments to be submitted in advance to hopefully reduce the number of face to face interactions at the meeting.

He shared statistics from the Department of Health regarding the latest numbers of COVID-19 cases in North Dakota. He pointed out there have been 16 cases in Ward County. His presentation listed the operational adjustments that have taken place since the pandemic was announced. They developed a COVID-19 Task Force which meets regularly to work on a community wide approach. There is a Joint Information Center which covers health, community, and business impacts and there are weekly press conferences to share information with the public.

He mentioned the changes to open meetings as outlined in an Executive Order by the Governor. It suspends the requirements for cities to have a meeting room available for the public to attend. He then explained that a form was created on the City of Minot website for the community to submit feedback. They are also able to contact Council members individually with concerns and the Council can share those comments at meetings. As always, a live stream of Council meetings is also available.

Mr. Barry provided details about continuity of government preparations, including cross training and potential discontinuation of services. Departments are working on scenarios for operations at a 25% reduction in staff, 50% reduction in staff and 80% reduction in staff.

He mentioned economic impacts of COVID-19 and the response on a national level as well as locally. The IEDC Steering Committee is discussing local economic impacts and tracking mitigation efforts in the region and across the country. They are sharing information and resources to minimize impacts as well as coordinating communication efforts to ensure resources get where they are needed. He also provided websites with additional information.

The City Manager then described in detail the potential financial impacts to the City's budget and provided options for the Council to consider. He presented a graph of 2019 revenue in several different funds and then described the projected reductions in that revenue due to COVID-19. Overall, there could be a reduction in revenue of about \$10.2 million for the City. He presented the current allocation of sales tax dollars from each penny of sales tax and described the impacts to projects as a result in a reduction of sales. Their models demonstrated a 25% reduction from 2019 actual collections. He said he believes there are enough reserves to cover any impacts to property tax relief. If they are looking to delay projects, there are potential reserves to cover those as well. He discussed Hub City funding since oil prices have plummeted around the globe and production in the Bakken has declined. Under the new formula, Minot has seen an increase so far but reductions are expected going forward. The WDEA predicts a modest reduction of \$1.5 million whereas the City is more conservatively estimating a \$3.16 million reduction. Mr. Barry then explained that the City is at decision points for two projects, Fire Station #5 and the City Hall Retaining Wall. He said, the Fire Station was initially spread over multiple years but was moved up using reserves. The City Hall Retaining Wall was awarded but the contract has not been signed so it can be delayed. If it is pushed however, it would keep the Maple Diversion from proceeding on time. Both projects could move forward with the use of reserves instead of Hub City funding.

Alderman Straight moved the City Council hold both the Fire Station #5 project and the City Hall Retaining Wall project for six months. Motion seconded by Alderman Wolsky.

City Engineer, Lance Meyer stated, if the motion passed, they would have to cancel the Retaining Wall and rebid at a later date. Language in the bid specifications for the project states the City must make a decision within 30-60 days. There is likely similar language in the documents for the Fire Station.

Alderman Straight amended his motion to hold both projects for one year. Alderman Wolsky as the second, agreed.

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Public Works Director, Dan Jonasson explained that if the Retaining Wall is held for one year, it would delay the Maple Diversion project. There are utilities that need to be relocated and the project was pushed off for a year so it wouldn't conflict with the Retaining Wall construction taking place in the same location. If the wall is pushed one year, then the utility relocation would be pushed two years.

The Mayor commented that the wall could be pushed two years to keep the flood protection project on track.

Alderman Wolsky said that his intention in seconding the motion to push off a significant investment in such an uncertain revenue climate would be to keep flood protection as a priority and make sure the utility relocation takes place as soon as possible. They should keep flood protection as a priority and hopefully gain Federal interest.

Alderman Olson said, they are faced with a difficult decision but the retaining wall project has been pushed several times and although it may seem unimportant to people in the public, it is vitally important to the preservation and investment in the City's current assets. She said however, she supports holding the Fire Station.

The Finance Director explained, since the project has been awarded to the contractor, they may have already incurred costs for the Retaining Wall project. If the project were canceled, it is possible the City would still be responsible for some costs. There are scenarios for other funding sources to keep the project going. As an overdue maintenance project, should Hub City funding decline, there are alternatives to fund this project. He reiterated the importance of maintaining existing assets, which was identified as a priority during the 2020 budget cycle.

Alderman Straight further clarified his motion to state, the flood protection project will proceed as planned, moving utilities for the Maple Diversion project ahead of the Retaining Wall project. Alderman Wolsky, as the second, agreed.

Upon questioning by Alderman Straight, Mr. Jonasson described the project. He said, there is an 18" waterline that goes north of Maple Street where the Maple Diversion will be located. There is also a gravity sewer which will be removed from the footprint of the Maple Diversion. Those lines will be relocated down Western Avenue and 2<sup>nd</sup> Avenue and a new lift station will be constructed to the east of the Library and out of the way before the Maple Diversion is excavated. The relocation will ensure the utilities are still accessible during flood protection. He further explained that the Retaining Wall project will shut down the area needed for utilities and both projects cannot be done at the same time since they will both need access to the same location.

Alderman Wolsky stated, his intention would be for the Retaining Wall project to take place in 2022 and keep flood protection moving forward. He emphasized the need to be conservative with their estimates and recommended they take projects off the table until we see how the situation unfolds. He said that they can't control revenue but they can control costs. He also suggested they tie the reconstruction of the retaining wall to the expansion of City Hall. He challenged the assumptions about how much space is needed for City Hall based on the reorganization that has taken place in the last few weeks.

Alderman Podrygula shared his concerns about delaying the Fire Station. He said he would even sacrifice a new City Hall in order to cover the new Fire Station.

Alderman Pitner said to base their decisions on facts not fear. Both projects are long overdue. He asked if staff could estimate the costs associated with cancelling the projects and if they could project what funding would be available for the potentially inflated costs to bid the projects in the future.

Mr. Lakefield said, it is difficult to estimate but they are assuming there are bonding costs for the contractor, as well as costs to issue contracts to subcontractors, and potential future litigation to cover the bid costs. He then said, revenue collections lag so in about two months we should see the impact. The funding sources would depend on the priority of other projects and they may be able to reprogram funding. He added, if the Fire Station is postponed, it may not be necessary to reprogram funds. If Hub City is not available, they could use budget savings.

Alderman Straight asked the Finance Director about the City's current debt, to which Mr. Lakefield said, he believes it is about \$90 million including any revenue bonds for utility infrastructure projects, flood control, SRF loans, and anything outstanding. It also includes special assessment projects that we carry the debt for that we collect from property owners in the future.

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Alderman Olson said, she believes we have the funding in place to do the retaining wall and we have the opportunity to follow through with the process that has been conducted. The project allows the opportunity to invest in our city, our infrastructure, and put people back to work who probably haven't had a paycheck for a while. She said she agrees that they should be conservative going forward and they can look at big projects differently knowing the funding sources they have in place. The funds are in place for this project and they should follow through.

The City Attorney recommended clarification of the motion to state, the City Council cancel the award of bid for the City Hall Retaining Wall and reject the bids for the Fire Station #5 project. The motion maker and the second agreed to the clarification.

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

Alderman Wolsky moved the City Council cancel the award of bid for the City Hall Retaining Wall and rebid the project in 2022. Motion seconded by Alderman Straight and carried by the following roll call vote: ayes: Jantzer, Podrygula, Straight, Wolsky; nays: Olson, Pitner, Sipma.

Alderman Wolsky moved the City Council reject the bids for Fire Station #5 and rebid the project in one year. Motion seconded by Alderman Podrygula.

Alderman Straight said he finds it disconcerting to consider using reserves to pay for the project during very tenuous financial times. He said, the public will have more confidence in their City leaders if they act mindfully about what we can pay for.

Alderman Jantzer commented that they accelerated the project because there were funding resources. Now those resources are constrained so it makes sense to go back to the original schedule.

The Finance Director said, the Fire Station was budgeted over three years and although accelerating the project was discussed, there was never action taken by the Council directing the funds to be budgeted this year. It would still require a budget amendment to award the bids for the Fire Station.

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

The City Manager said, since the direction from the Council is to delay the City Hall Retaining Wall project, he requested additional funding in the amount of about \$50,000 to make temporary repairs to extend the life of the retaining wall the necessary two years. He commented that they were looking for a reduction in costs for Hub City funding of about \$1.5-\$3 million and the Council eliminated over \$3 million.

Alderman Wolsky suggested a budget amendment be brought to a later meeting.

The City Manager then continued his report.

He said, city-wide cleanup week has been postponed for the safety of sanitation staff. But there will be free drop-off at the Landfill the week of April 27-May 1. The recycling proposal has also been postponed since it is likely the community wants to participate in discussion and COVID-19 is preventing the public from attending meetings. There will be a discussion on the NDR Program at the April 20<sup>th</sup> meeting. Strategic Planning has been postponed.

Mr. Barry pointed out some changes to the proposed budget schedule which is on the Consent Agenda for approval. He said, the Budget Workshop will be held at the Reorganization meeting on June 23<sup>rd</sup>. The Q & A session, which has been held in the Auditorium the past two years is scheduled for a regular Council meeting and the first reading of the budget ordinance was moved up one week. This schedule will finalize the budget process without any special Council meetings.

He also reminded everyone to participate in the census and said the self-response deadline was delayed to August 14<sup>th</sup>. He pointed out the Minot self-response rate of 46.6% compared to those of the state at 45.2% and the rest of the country at 45.1%. He then mentioned, the Census Bureau is still hiring census workers.

He announced the candidates for the 2020 Primary election. There are three seats open for Minot City Council and five candidates as follows: Tom Ross, Carrie Evans, Steve Podrygula, Scott Burlingame, and Roscoe Streyle.

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He concluded by thanking City staff for adapting to the changing environment during these difficult times.

Alderman Straight asked about the estimated reduction in Airport revenue at only 10% and whether the City is considering partial payments or delays for utilities.

Mr. Barry responded by saying, the reduction in Airport revenue is largely due to CFC charges and car rentals. He said, there is a possibility of receiving stimulus funding through the avenue of eliminating match requirements for projects funded by the FAA. He then addressed utility payments by saying, the City cannot extend loans to residents but is working with individuals on payment plans.

Alderman Wolsky brought up the storm sewer improvement fund and suggested commercial properties be given relief during this time.

### **CITY ATTORNEY REPORT**

The City Attorney submitted a written report.

### **APPROVAL OF THE MINUTES – APPROVED**

Alderman Jantzer moved the City Council approve the minutes of the March 9th special City Council meetings, the March 16th special Council meeting, the March 16th regular Council meeting, the March 19th special Council meeting, and the March 26th special Council meeting.

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

### **APPROVAL OF BILLS, TRANSFERS & PAYROLL – APPROVED**

Alderman Jantzer moved the City Council approve bills and transfers as listed for March in the amount of \$3,757,421.55 and approve payroll for the period of February 16-March 14, 2020 in the amount of \$2,078,715.25.

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

### **ORDINANCE NO. 5409 – REZONE RETRIEVER RIDGE SUBDIVISION – SECOND READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5409 on second reading to rezone Retriever Ridge Subdivision, Lots 1 through 4 from AG (Agricultural District) to RA (Agricultural Residential District). Motion seconded by Alderman Podrygula and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5409 on second reading. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight; nays: Wolsky.

### **ORDINANCE NO. 5458 - REZONING OF STARR SUBDIVISION – SECOND READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5458 on second reading to change the zone from AG (Agricultural District) to RA (Agricultural Residential District) on Starr Subdivision. Motion seconded by Alderman Podrygula and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5458 on second reading. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

### **ORDINANCE NO. 5475- REZONING SECTION 25-156N-83W, OUTLOT 15 – SECOND READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5475 on second reading to rezone Section 25-156N-83W, Outlot 15 from AG (Agricultural District) and C2 (General Commercial District) to C2 (General Commercial District) only. Motion seconded by Alderman Podrygula and carried unanimously.

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Alderman Jantzer moved the City Council pass ordinance no. 5475 on second reading. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none

### **ORDINANCE NO. 5476- REZONING ROSES SUBDIVISION, OUTLOT 15 IN SECTION 20-155N-82W – SECOND READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5476 on second reading to change the zone from C2, General Commercial District, to R1, Single-Family Residential District on Lot 6 of Rose's Subdivision, Outlot 15 In Section 20, Township 155N, Range 82W. Motion seconded by Alderman Podrygula and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5476 on second reading. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none

### **ORDINANCE NO. 5477- REZONING SHADY DELL ADDITION, LOT 10 AND A PORTION OF VACATED 42ND STREET SE CUL-DE-SAC – SECOND READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5477 on second reading to change the zone from R1, Single-Family Residential District to MH, Manufactured Home District on Shady Dell Addition, Lot 10 plus A Portion of Vacated 42nd Street SE Cul-De-Sac. Motion seconded by Alderman Podrygula and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5477 on second reading. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

### **ORDINANCE NO. 5478 - BUDGET AMENDMENT - GPS RECEIVER (4473) – SECOND READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5478 on second reading to amend the 2020 annual budget to increase the Engineering department in the general fund software agreement, operation supplies and freight expenditures and revenues and decrease the Engineering department equipment purchases expenditures for the purchase of a GPS Receiver. Motion seconded by Alderman Podrygula and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5478 on second reading. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

### **ORDINANCE NO. 5479 - AMEND 2020 BUDGET FOR TRENCH EQUIPMENT PURCHASE (FD0105) – SECOND READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5479 on second reading to amend the 2020 annual budget to increase Fire capital equipment purchase expenditures and revenues and decrease Fire general fund supplies and shipping expenditures and revenues for the purchase of an attachment for trench rescue equipment funded by the 2019 Homeland Security Grant. Motion seconded by Alderman Podrygula and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5479 on second reading. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

### **ORDINANCE NO. 5480- AMEND THE BUDGET- ENBRIDGE ALLIANCE MANAGEMENT TRAINING FUNDING – SECOND READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5480 on second reading to amend the 2020 annual budget to increase Fire travel and training expenditures and revenues for the cost of a FEMA Basic Public Information Officer Course to be funded with a donation from Enbridge. Motion seconded by Alderman Podrygula and carried unanimously.

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Alderman Jantzer moved the City Council pass ordinance no. 5480. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

### **ORDINANCE NO. 5481- AMEND THE BUDGET- PRE-PLAN ADDITION TO TYLER TECHNOLOGIES NEW WORLD CREW FORCE SOFTWARE – SECOND READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5481 on second reading to amend the 2020 annual budget to increase the Fire Department software and professional service contract expenditures and approve the use of cash reserves to cover one-time costs for set up fees for the pre-plan module from Tyler Technologies New World Crew Force software not included in the 2020 Budget. Motion seconded by Alderman Podrygula and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5481 on second reading. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

### **ORDINANCE NO. 5482- BUDGET AMENDMENT FOR SKIDSTEER AND SNOWBLOWER – SECOND READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5482 on second reading to amend the 2020 annual budget to increase the fire operation supplies revenues and expenditures and decrease fire capital equipment expenditures and revenues for the purchase of a skid steer snow blower attachment. Motion seconded by Alderman Podrygula and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5482 on second reading. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

### **ORDINANCE NO. 5483 - BUDGET AMENDMENT- COMMUNITY ICE FUNDS FOR REPAIRS AT MAYSA – SECOND READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5483 on second reading to amend the 2020 annual budget to increase the Sales Tax Capital Improvement expenditures for repairs to the facilities at MAYSA arena. Motion seconded by Alderman Podrygula and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5483 on second reading. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

### **ORDINANCE NO. 5484- AMEND THE 2020 ANNUAL BUDGET- ROSEHILL CEMETERY GAZEBO PROJECT – SECOND READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5484 on second reading amending the 2020 annual budget to increase the Cemetery capital purchases for the construction of a Gazebo at Rosehill Cemetery. Motion seconded by Alderman Podrygula and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5484 on second reading. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

### **ORDINANCE NO. 5485- AMEND THE CODE OF ORDINANCES, SECTION 23-58 TO REDUCE THE CRIME OF CARRYING A LOADED FIREARM IN CERTAIN VEHICLES TO AN INFRACTION AND PROVIDE FOR AN ADDITIONAL EXCEPTION PER STATE LAW – SECOND READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5485 on second reading, amending Section 23-58 of Division 1, Article IV, Chapter 23 of the City of Minot Code of Ordinances to reduce the crime of carrying a loaded firearm in certain vehicles to an infraction and to provide for an additional exception per state law and authorize the Mayor to sign the Ordinance. Motion seconded by Alderman Podrygula and carried unanimously.

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Alderman Jantzer moved the City Council pass ordinance no. 5485 on second reading. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

### **ORDINANCE NO. 5487 - CHILDCARE FOR SECOND RESPONDERS – SECOND READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5487 on second reading amending the 2020 annual budget to increase the Emergency Fund Professional Service Contracts expenditures for the Emergency Personnel Childcare Services and approve the use of Emergency Fund cash reserves. Motion seconded by Alderman Podrygula and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5487 on second reading. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

### **ADMINISTRATIVE APPROVALS – APPROVED**

Alderman Jantzer moved the City Council ratify the following administratively approved requests:

1. Taube Museum of Art to conduct a raffle February 29, 2020 at the Taube Museum (2 N Main Street)
2. Minot Area Chamber of Commerce to conduct a raffle March 21, 2020 at the Grand Hotel (1505 N Broadway)
3. Legislative Victory Fund to conduct a raffle March 28, 2020 at Clarion Hotel & Convention Center (2200 East Burdick Expy)
4. Elevation for a special event permit March 5, 2020 at The Depot (15 N Main Street)
5. Knights of Columbus #9839 to conduct a raffle May 3, 2020 at Little Flower Church (800 University Ave W)
6. DJR Softball to conduct a raffle April 19, 2020 at Sertoma Sports Complex (1705 3<sup>rd</sup> Street NE)
7. The Tap Room for a special event permit March 7, 2020 at Regency at 1<sup>st</sup> and 1<sup>st</sup>
8. Little Hands Loving Hearts to conduct a raffle March 13, 2020 at Our Savio Lutheran Church (3705 11<sup>th</sup> Street SW)
9. Minot State University Staff Senate to conduct a raffle May 15, 2020 at Minot State University (500 University Ave West)
10. Ward County Historical Society to conduct to conduct a raffle May 2, 2020 at the Grand Hotel (1505 N Broadway)
11. Minot Area Special Olympics to conduct a raffle March 24, 2020 at MAYSA Arena (2501 Burdick Expy West)
12. Elevation for a special event permit March 16, 2020 at The Depot (15 N Main Street)
13. Bootlegz for a special event permit April 23, 2020 at Edgewood Vista
14. The Tap Room for a special event permit March 13-March 23, 2020 at Mouse River Players (115 1<sup>st</sup> Street SE)
15. Power of 1 to conduct a raffle August 15, 2020 at Marco's Pizza (1250 4<sup>th</sup> Ave NW)
16. Madonna Meyer Medical Benefit to conduct a raffle May 15, 2020 at Moose Lodge (400 9<sup>th</sup> St SW)
17. I II V Motorcycle Club to conduct a raffle August 26, 2020 at the Ranger Lounge (1218 S. Broadway)

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

### **SUPPER CLUB LICENSE- AMERICAN MULTI-CINEMA, INC DBA AMC DAKOTA SQUARE 9 – WITHDRAWN**

The application was withdrawn prior to the Council meeting and will be considered on a later agenda.

### **2021 BUDGET SCHEDULE – APPROVED**

Alderman Jantzer moved the City Council approve the 2021 Budget Schedule.

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

### **TYLER TECHNOLOGIES SOFTWARE AGREEMENT AMENDMENT – APPROVED**

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Alderman Jantzer moved the City Council authorize the Mayor to sign the amended agreement with Tyler which will allow purchase of the less expensive equipment for the Fire Department.

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

### **PLANS AND SPECS FOR SW WATER TOWER AND AUTHOIZE ADVERTISEMENT FOR BID – APPROVED**

Alderman Jantzer moved the City Council approve the plans and specs and authorize the advertisement for bids for the SW Water Tower.

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

### **2020 WATERMAIN REPLACEMENT AWARD OF BID (CITY PROJECT NO. 4493) – APPROVED**

Alderman Jantzer moved the City Council award the bid for the 2020 Watermain Replacement Project to Post Construction for the lowest bid of \$1,647,433.95.

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

### **ORDINANCE NO. 5488 – AMEND THE 2020 ANNUAL BUDGET – 2020 WATERMAIN REPLACEMENT – FIRST READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. 5488 on first reading amending the 2020 annual budget to increase the Water Distribution and Sewage Collection watermain replacement expenditure for the award of the watermain replacement project. Motion seconded by Alderman and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5488 on first reading. Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

### **2020 STREET PATCHING - PHASE 2 - AWARD BID (4470.2) – APPROVED**

Alderman Jantzer moved the City Council award the bid for the 2020 Street Patching Project – Phase 2 to the low bidder, Keller Paving & Landscaping, Inc. in the amount of \$343,515.00 and authorize the Mayor to sign the Agreement.

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

### **ADDING 6 SPOT BLIGHT (ZOMBIE) PROPERTIES FOR AUCTION – APPROVED**

Alderman Jantzer moved the City Council approve adding 13 & 13.5 9th St. SE, 816 7th Ave. NW, 1004 3rd Ave. NW, 420 9th St. SE, 1613 1st Ave. SE, and 429 4th Ave. NW to City acquired Spot Blight properties for Auction sale under approved rules.

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

### **AUCTION FLOOD BUYOUT BOUGHT STRUCTURES AT 1523 BURDICK EXPY – APPROVED**

Alderman Jantzer moved the City Council authorize auction of structures (house and garage) at 1523 Burdick Expy with execution of sale to the highest responsible bidder.

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

### **GAMING SITE AUTHORIZATION- FORT ABRAHAM LINCOLN FOUNDATION – APPROVED**

## April 6, 2020 Regular City Council Meeting

Alderman Wolsky moved the City Council approve the gaming site authorization for Fort Abraham Lincoln Foundation to conduct games of chance at Sleep Inn & Suites. Motion seconded by Alderman Jantzer.

Alderman Wolsky said he has raised concerns in the past and believes gaming should be examined to prioritize community funding and show more support locally. He added, there should be additional conditions for gaming organizations and he would like to set a moratorium on gaming sites.

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

### **COOK'S COURT PROGRAM AGREEMENT AMENDMENT – APPROVED**

Alderman Jantzer moved the City Council approve the amendment to the agreement with Beyond Shelter, Inc. which provided CDBG-DR funds in support of construction of Cook's Court LMI Multi-Family Rental Housing. Motion seconded by Alderman Olson.

Mr. Zakian, CDBG/NDR Program Manager, explained that the next three agenda items pertain to the same situation. The original agreements were executed since 2014 between the City of Minot and Beyond Shelter, Inc. He said, he is confident that Beyond Shelter will maintain compliance relating to LMI housing however, Beyond Shelter, Inc. transferred the facilities to an LLC after the agreements were executed. In order to maintain compliance with HUD, this action will provide a record that appropriate steps were taken to comply with HUD rules. The original agreements state, we cannot compel Beyond Shelter to sign the amendments.

Alderman Jantzer asked if there is anything in the agreement preventing the transfer to which Mr. Zakian responded by saying, no.

Alderman Wolsky said, the community as well as himself have concerns over adding LMI housing to the private sector. He asked if there will be additional requests for dollars in the future.

Mr. Zakian said, the project is completed and all funds have been spent. He also confirmed that any new units would come back to Council for consideration.

Alderman Straight asked if there have been projects identified to renovate multi-family units.

Mr. Zakian said, there is a proposal in progress which has not been presented yet, that will rehabilitate multi-family units in poor condition.

Alderman Straight then asked about data from Minot Housing Authority relating to seniors on a fixed income and the need for LMI housing compared to availability.

Mr. Zakian explained the Section 8 Housing Choice Voucher Program and how the current list cannot afford the units in the private sector. These projects provide data regularly which have demonstrated a vacancy rate less than 5%. The Park South project has a 0% vacancy rate. He said he understands the challenge of the private sector but the Housing Choice Voucher Program subsidizes 60% of the tenant's rent and has a lengthy waiting list. These projects offer rent that does not require Section 8 and the existing need for LMI housing refers to those who cannot carry the full weight of the private sector.

The Mayor asked if the City has met the LMI requirement for NDR funds. Mr. Zakian said, 50% of NDR funds must have a direct benefit to LMI households. The LMI rental housing and acquisitions exceed that requirement so it is not necessary to finance any more LMI housing.

Alderman Wolsky stated, they are attempting to fix problems with dollars that are not providing solutions. He said their good intentions are not delivering the result they need and he believes the private sector and other pieces could better solve the problems.

Whereupon 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, Podrygula, Sipma, Wolsky; nays: Pitner, Straight.

## **April 6, 2020 Regular City Council Meeting**

### **FIELDCREST PROGRAM AGREEMENT AMENDMENT – APPROVED**

Alderman Jantzer moved the City Council approve the amendment to the Agreement with Beyond Shelter, Inc. which provided CDBG-DR funds in support of construction of Fieldcrest LMI Multi-Family Rental Housing.

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

### **SUNSET RIDGE PROGRAM AGREEMENT AMENDMENT – APPROVED**

Alderman Olson moved the City Council approve the Amendment to the Agreement with Beyond Shelter, Inc. which provided CDBG-DR funds in support of construction of Sunset Ridge First of Two LMI Multi-Family Rental Housing Buildings.

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

### **AUTHORIZE INITIATING INVOLUNTARY ACQUISITION PROCESS FOR MI-5 NEW REVISED ALIGNMENT MAP – APPROVED**

Alderman Jantzer moved the City Council authorize initiating Involuntary Acquisition for properties within the new MI-5 Revised Alignment identified by property addresses attached to the Council memo and further authorize submission of the list of properties to the State Engineer consistent with the MOU between the City of Minot and State of North Dakota for the State Water Commission Match Funds. Motion seconded by Alderman Olson.

Mr. Zakian explained, they receive regular advisories from HUD on COVID-19 and reported they are still under the September 2022 deadline. He further stated, the Souris River Joint Board provided a definitive list of properties for acquisition but it is likely that offers won't be made until January 2021. The environmental review will take about 75 days, then meetings with the property owners will take place in the fall. He clarified, they originally believed the City would acquire all of the properties, however, the SRJB will acquire properties outside City limits. He said, he believes the City will acquire residential properties and SRJB is addressing commercial properties. If funds need to be moved, it can be discussed during the full NDR conversation at the April 20<sup>th</sup> Council meeting. They initially thought \$6 million would be needed for acquisitions but now they estimate it will be about \$3.5-\$4 million with SRJB handling some acquisitions. All of the properties have been communicated to the State Engineer.

Alderman Wolsky pointed out, the City is also funding the SRJB.

Mr. Jonasson made a correction to previous comments by saying, there are four commercial properties located inside city limits and three commercial properties outside, which the SRJB will handle. There are 15 residential properties inside City limits.

The Mayor then reminded, this portion of flood control, once completed will remove 65% of the City from flood danger.

Alderman Wolsky said, during the previous discussion on this issue, he suggested alternatives. He has since met with the Houston Engineering and the SRJB to work through his suggestions and now endorses this plan moving forward.

Alderman Straight mentioned his concerns about relocating citizens from their homes. He said he is disappointed in his colleagues for not standing up against the railroad.

The Mayor stated, he stands by the work that has been done in this process and he thanked everyone involved. He said, he believes this is the best we can do.

Whereupon 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, Wolsky; nays: Straight.

### **DEVELOPERS AGREEMENT - SOUTHWEST CROSSING CCRC (4467) – APPROVED**

Alderman Jantzer moved the City Council approve the Southwest Crossing CCRC Subdivision Developer's Agreement with Southwest Crossing Partners, LLC and authorize the Mayor to sign.

## April 6, 2020 Regular City Council Meeting

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

### **DEVELOPERS AGREEMENT - OVERLOOK PARK ADDITION (4504) – APPROVED**

Alderman Jantzer moved the City Council approve the Overlook Park Addition/Magic City Discovery Center Developer's Agreement with the Minot Park District and authorize the Mayor to sign.

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

### **DEVELOPERS AGREEMENT - RAMSTAD HEIGHTS 5TH & 6TH (4519) – APPROVED**

Alderman Jantzer moved the City Council approve the Ramstad Heights 5th and 6th Additions Developer's Agreement with Four Seasons Construction, Inc. and authorize the Mayor to sign.

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

### **PERSONAL APPEARANCES**

The Mayor reminded the public that a form is available on the website to submit comments for the City Council to review.

### **MISCELLANEOUS & DISCUSSION**

Mayor Sipma said, a press briefing will be held the following day regarding COVID-19. The City is following the advice of the ND Department of Health regarding all closures and they will continue to monitor the situation.

Alderman Straight suggested there be more conversation regarding the budget during the 2021 budget cycle, specifically more clarification for the public.

The Mayor said, that would be addressed in the coming months.

### **ADJOURNMENT**

There being no further business, Alderman Wolsky moved the City Council meeting be adjourned. Motion seconded by Alderman Jantzer and carried unanimously. Meeting adjourned at 7:57 pm.

ATTEST: \_\_\_\_\_  
Kelly Matalka, City Clerk

APPROVED: \_\_\_\_\_  
Shaun Sipma, Mayor