

July 20, 2020 Regular City Council Meeting

MINOT CITY COUNCIL – SCHEDULED MEETING – JULY 20, 2020 AT 5:30 P.M.

ROLL CALL

Members Present:

Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma

Members Absent:

None

PLEDGE OF ALLEGIANCE

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

PUBLIC HEARING- REZONE LOTS 1 & 2 OF SWENSON'S ADDITION

The City Council held a public hearing to consider a request by Souris River Joint Board and Ackerman-Estvold to rezone proposed Lot 1 from AG (Agricultural) to P, (Public) and to rezone proposed Lot 2 from AG (Agricultural) to RA (Residential Agricultural). No one appeared on behalf of the request.

Alderman Jantzer moved the City Council close the public hearing and approve the request.

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

LOTS 1 & 2 OF SWENSON'S ADDITION – APPROVED

Alderman Jantzer moved the City Council approve the subdivision to be known as Lots 1 and 2 of Swenson's Addition to construct a levee as part of the Mouse River Flood Control Project.

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

ORDINANCE NO. 5516 - REZONE LOTS 1 & 2 OF SWENSON'S ADDITION – FIRST READING – APPROVED

Alderman Jantzer moved the City Council place ordinance no. 5516 on first reading to rezone Lot 1 of Swenson's Addition from AG (Agricultural) to P, (Public) and to rezone Lot 2 of Swenson's Addition from AG (Agricultural) to RA (Residential Agricultural). Motion seconded by Alderman Pitner and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5516 on first reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

PUBLIC HEARING- REZONE THE BLUFFS 14TH ADDITION

The City Council held a public hearing to consider a request by Ackerman Estvold to rezone The Bluffs 14th Addition from R1 (Single-Family Residential) and AG (Agricultural) to RA (Agricultural Residential). No one appeared on behalf of the request.

Alderman Pitner moved the City Council close the public hearing and approve the request.

Motion seconded by Alderwoman Olson and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

SUBDIVISION OF THE BLUFFS 14TH ADDITION – APPROVED

Alderman Pitner moved the City Council approve subdivision of The Bluffs 14th Addition.

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Motion seconded by Alderwoman Olson and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5517 - REZONE THE BLUFFS 14TH ADDITION – FIRST READING – APPROVED

Alderman Pitner moved the City Council place ordinance no. 5517 on first reading to rezone The Bluffs 14th Addition from R1 (Single-Family Residential) and AG (Agricultural) to RA (Agricultural Residential). Motion seconded by Alderwoman Olson and carried unanimously.

Alderman Pitner moved the City Council pass ordinance no. 5517 on first reading. Motion seconded by Alderwoman Olson and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

SUBDIVISION OF BEL AIR 25TH ADDITION, LOT 1 – APPROVED

Alderwoman Olson moved the City Council approve a subdivision to combine existing Lots 10 and 11, Bel Air 14th Addition into one lot to be known as Bel Air 25th Addition, Lot 1.

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

PUBLIC HEARING- REZONE TRINITY HEALTH 3RD ADDITION

The City Council held a public hearing to consider a request by Eric Poppinga of Central Power Electric Cooperative, Inc. for a zone change from AG (Agricultural) to P (Public Zone) on Trinity Health 3rd Addition, Lot 1. No one appeared on behalf of the request.

Alderman Pitner moved the City Council close the public hearing and approve the request.

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

SUBDIVISION OF TRINITY HEALTH 3RD ADDITION – APPROVED

Alderman Pitner moved the City Council approve a two-lot subdivision plat to be known as Trinity Health 3rd Addition, Lots 1 & 2.

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

ORDINANCE NO. 5518 - REZONE TRINITY HEALTH 3RD ADDITION – FIRST READING – APPROVED

Alderman Pitner moved the City Council place ordinance no. 5518 on first reading to change the zoning on Trinity Health 3rd Addition, Lot 1 from AG (Agricultural) to P (Public Zone). Motion seconded by Alderman Jantzer and carried unanimously.

Alderman Pitner moved the City Council pass ordinance no. 5518 on first reading. Motion seconded by Alderman Jantzer and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

APPROVAL OF THE MINUTES – APPROVED

Alderwoman Olson moved the City Council approve the minutes of the July 6, 2020 special City Council meeting and the July 6, 2020 regular City Council meeting.

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

ORDINANCE NO. 5347 – REZONE FAMILY RECREATION ADDITION, LOT 1 – SECOND READING – APPROVED

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Alderwoman Olson moved the City Council place ordinance no. 5347 on second reading to change the zone from AG (Agriculture) District to P (Public) District for the purpose of developing a day use park and a golf course on Family Recreation Addition, Lot 1. Motion seconded by Alderman Pitner and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5347 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5348 – ANNEX INTO CITY LIMITS FAMILY ADDITION, LOT 1 – SECOND READING – APPROVED

Alderwoman Olson moved the City Council place ordinance no. 5348 on second reading to annex into city limits Family Recreation Addition, Lot 1. Motion seconded by Alderman Pitner and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5348 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5420 - REZONE MCHENRY ADDITION, LOT 1 – SECOND READING – APPROVED

Alderwoman Olson moved the City Council place ordinance no. 5420 on second reading to rezone a portion of Outlot 7 in Section 14-155-83 from R3B (Multiple Residential Medium Density) to C2 (General Commercial District). Motion seconded by Alderman Pitner and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5420 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5489- ANNEX LOT 4 OF HAWKS VIEW ADDITION – SECOND READING – APPROVED

Alderwoman Olson moved the City Council place ordinance no. 5489 on second reading to annex Lot 4 of Hawks View Addition into the corporate boundary of the City of Minot. Motion seconded by Alderman Pitner and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5489 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5490- REZONE ESSENTIAL TOWNHOMES ADDITION – SECOND READING – APPROVED

Alderwoman Olson moved the City Council place ordinance no. 5490 on second reading to change the zone on Lot 1, Essential Townhomes Addition from R4 (Planned Residential District) to RM (Medium Density Residential District) and to rezone Lots 2 through 32 from R4 (Planned Residential District) to R3C (Townhouse Residential District). Motion seconded by Alderman Pitner and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5490 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5498 – REZONE RAMSTAD HEIGHTS 7TH ADDITION – SECOND READING – APPROVED

Alderwoman Olson moved the City Council City Council place ordinance no. 5498 on second reading to change the zone from R-4 (Planned Residential District) to R1S (Single-Family Residential District with Small Lot Flexibility.) Motion seconded by Alderman Pitner and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5498 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5499 – REZONE RAMSTAD HEIGHTS 8TH ADDITION – SECOND READING – APPROVED

Alderwoman Olson moved the City Council place ordinance no. 5499 on second reading to rezone Ramstad Heights 8th Addition from R-4, Planned Residential District to R1S, Single-Family Residential District with Small Lot Flexibility. Motion seconded by Alderman Pitner and carried unanimously.

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Alderwoman Olson moved the City Council pass ordinance no. 5499 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5500 – REZONE RAMSTAD HEIGHTS 9TH ADDITION – SECOND READING – APPROVED

Alderwoman Olson moved the City Council place ordinance no. 5500 on second reading to rezone Ramstad Heights 9th Addition from R-4, Planned Residential District to R1S, Single-Family Residential District with Small Lot Flexibility. Motion seconded by Alderman Pitner and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5500 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5515 – AMEND THE 2020 ANNUAL BUDGET - SECOND ALLOCATION QUALITY CONTROL (DR0001) – SECOND READING – APPROVED

Alderwoman Olson moved the City Council place ordinance no. 5515 on second reading to amend the 2020 annual budget to increase the general fund personnel expenditures for quality control activities. Motion seconded by Alderman Pitner and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5515 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5516 - AMEND THE 2020 ANNUAL BUDGET- COUNTRY FINANCIAL DONATION (FD0108) – SECOND READING – APPROVED

Alderwoman Olson moved the City Council place ordinance no. 5516 on second reading to amend the 2020 annual budget to increase fire control - operational supplies for a sound system purchase for the fire prevention department with a donation from Country Financial. Motion seconded by Alderman Pitner and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5516 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ADMINISTRATIVE APPROVALS – APPROVED

Alderwoman Olson moved the City Council ratify the following administratively approved requests.

1. Minot Optimist Club to conduct a raffle August 5, 2020 at The Grand Hotel (1505 North Broadway)
2. The Starving Rooster for a special event permit June 20, 2020 at The Regency Event Center (105 1st Ave SE)
3. The Spot for a special event permit June 19-20, 2020 outside 6 2^{ns} Street NE
4. Prairie Grit for a raffle permit June 27, 2020 at Hoeven Field (2630 7th Street SW)
5. Minot Youth For Christ to conduct a raffle June 29, 2020 at Souris Valley Golf Course (2400 14th Ave SW)
6. Gourmet Chef for a special event permit June 29, 2020 outside 122 South Main Street
7. Elevation for a special event permit July 11, 2020 The Depot (15 N Main Street)
8. Pointe of View Winery for a special event permit each Saturday from July 11-September 12, 2020 at Oak Park (1300 4th Ave NW)
9. The Starving Rooster for a special event permit July 12, 2020 at Oak Park (1300 4th Ave NW)
10. Clarion Hotel & Convention Center for a special event permit July 4, 2020 outside 2200 Burdick Expressway East
11. 19th Hold for a special event permit July 17, 2020 at Roosevelt Park Zoo (1219 Burdick Expy E)
12. The Spot for a special event permit July 16-19, 2020 outside 6 2nd Street NE
13. The Starving Rooster for a special event permit July 16-19 outside 6 2nd Street NE
14. The Spot for a special event permit July 15, 2020 outside 6 2nd Street NE
15. Minot Top 3 to conduct a raffle August 20, 2020 at The Starving Rooster (30 1st Street NE)

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

SUPPER CLUB LICENSE- BOOK VALUE INVESTORS, LLP DBA 28 TASTES & TAPS – APPROVED

Alderwoman Olson moved the City Council approve the request from Book Value Investors, LLP dba 28 Tastes & Taps, for a Supper Club License operating at 1603 35th Ave SW.

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

GAMING SITE AUTHORIZATION- MINOT HOCKEY BOOSTERS – APPROVED

Alderwoman Olson moved the City Council approve the gaming site authorization for Minot Hockey Boosters to conduct gaming at 28 Tastes & Taps (1603 35th Ave SW).

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

4505 – EDISON ELEMENTARY SCHOOL SAFE ROUTES TO SCHOOL – TRANSPORTATION ALTERNATIVES GRANT AWARD – APPROVED

Alderwoman Olson moved the City Council authorize acceptance of federal Transportation Alternative (TA) funds in the amount of \$290,000, authorize staff to start the design engineering and subsequent construction services, and authorize staff to complete the project to provide safe routes to school for Edison Elementary.

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

2021 WCNTF JAG & LOTTERY GRANT APPLICATION – APPROVED

Alderwoman Olson moved the City Council ratify the application by the Minot Police Department and Ward County Narcotics Task Force and authorize acceptance if awarded the 2021 JAG and Lottery Grant from the ND Bureau of Criminal Investigations.

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

CARGO APRON BID AWARD AND CONTRACT – APPROVED

Alderwoman Olson moved the City Council approve the Notice of Award of the Cargo Apron Reconstruction and Expansion project to Bluestone Construction as the low bidder, approve the Agreement for construction of the project, authorize the Airport to utilize budgeted funds for the project, until FAA grant funds are received and authorize the Mayor to sign the necessary documentation.

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

ENCROACHMENT PERMIT - 1ST STREET NE RAMP - 21EC – APPROVED

Alderwoman Olson moved the City Council approve the Right of Way Encroachment Agreement Application submitted by Creedence Properties III, LLC for the installation of one ADA access ramp and one staircase along 1st Street NE for their building at 21 East Central Avenue.

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

OFFER NEW LEASE TERMS TO DELOS HAUGEN FOR LOT 4 BLOCK 9, MINOT INTERNATIONAL AIRPORT, SECOND ADDITION (FORMERLY LOT 5, MINOT INTERNATIONAL AIRPORT) – APPROVED

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Alderwoman Olson moved the City Council approve the new Ground Lease and Hangar Development Agreement with Delos Haugen and authorize the Mayor to sign any applicable documentation. Motion seconded by Alderwoman Evans.

Mayor Sipma requested the Airport Director explain some of the updates to the agreements since several lease holders were in attendance.

Mr. Feltner stated, over the past several years Airport staff has worked to standardize leases and all of the leases on the agenda have similar terms. They typically have long term leases for hangars which extend about 20 years. Some of the general terms that have been updated include a rate of \$0.26 per square foot, which was enacted by Council in 2013 and has been established in previous leases for the area. He then explained, the leases brought to Council for approval have all expired since their original 20-year lease but have been continuing month to month. The new leases address issues that have come up requiring owners identify an aeronautical purpose. There are also insurance changes included as recommended by the City's insurance provider and other insurance experts. They believe it is in the best interest of protecting the City and is reasonable to the clients.

Upon questioning by Alderman Pitner about the rate, Mr. Feltner said, it was established before he was hired but he would assume it had a basis in similar type airports. He noted, Minot is designated a commercial service airport opposed to a general aviation airport so comparisons between other airports aren't always apples to apples.

Mr. Feltner further explained, the rates range from \$0.24-\$0.28 per square foot. He then described the locations in which each rate is charged.

Jim Larsen, a hangar owner, asked what the benefit would be for the City to require hull insurance. He said, they have liability insurance but he doesn't see the need for hull insurance as well.

Mr. Feltner stated, the new lease requires hull insurance for the current value of the aircraft. The rationale was that in a long-term agreement, the City wants to ensure coverage to keep up the long-term commitment. If the aircraft was destroyed, this provides insurance to prevent the lease holder from walking away without being able to continue the commitment to the Airport.

Mr. Larson then shared the rates that other airports charge including Dickinson at \$0.23 per square foot, Jamestown at \$0.17-\$0.21 and Bismarck at \$0.23.

Mayor Sipma asked if the insurance requirements are similar to other commercial airports in the region. Mr. Feltner responded by saying, yes, they surveyed other airports in North Dakota and Minnesota. He said it is difficult to compare airports to one another because there are so many different comparisons to make but he is confident in what they came up with.

Danny Schatz, a hangar owner, said he also has hangars at Fargo Airport and Mesa Gateway Airport, which are designated commercial. He said his hangar in Fargo is three times the size of the one in Minot but the one in Minot is \$200 more. He said he appreciates that the lease is being updated but raised several questions. He mentioned the snow plan, and said the hull insurance is immaterial to a land lease. He said the renewal lease also includes an estimate of how much the rent will increase in five years, which he finds premature. He then said, it mentions that if there is a disagreement, there are seven days to vacate.

The Airport Director explained that the lease includes an escalating rate every five years which increases to the CPI for Minot or 7%, whichever is greater. The increase assures that rates steadily increase at a reasonable amount. He said, they have to adjust the rates based on what's best for the Minot Airport. The costs that are not recouped by lease holders is passed onto taxpayers to share the burden of operation costs.

Mayor Sipma asked about the options available to a leaseholder whose aircraft is destroyed and no longer has an aeronautical use.

Mr. Feltner replied by saying, leaseholders are expected to have an aeronautical use so if something were to happen, they could assign the lease to someone else or terminate the lease. Once the relationship has concluded, there are seven days to vacate. Realistically, six months before the leases expire, they will begin negotiations for renewal.

Alderman Podrygula asked about the square footage of the property and the average cost to the lease holder.

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Mr. Feltner explained, they are about 3,000-6,000 square feet so for example, a 4,800 square foot lot would be \$1,248 per year or \$104 per month. The Airport is in charge of promoting aviation so the long-term leases are federally obligated meaning the FAA paid for 90% of the land. They try to charge a fair price which allows people to promote aviation. Private individuals rent the land and build hangars of varying size and quality.

Several hangar owners came forward to express concerns about the hull insurance, the increase in rate, and the seven-day clause.

The City Attorney clarified the process for a breach of contract. She said, in order to terminate a lease prematurely there would have to be a breach of the lease. If there is a breach the City would notify the tenant and give them an opportunity to cure the issue. The notification and cure period would have to happen before termination of the lease prior to the seven-day period. If the Council decides to remove the seven-day clause, the agreement still needs a time period for there to be action on the building before it would revert to the City.

The Council discussed whether there is a need for hull insurance by weighing the risk to the City compared to the financial obligation for the operators. It was also pointed out that modifications to the agreement could be made annually as long as notice is provided.

Alderman Ross moved to amend the motion to approve the new Ground Lease and Hangar Development Agreements removing the requirement for hull insurance and authorize the Mayor to sign any applicable documentation. Motion seconded by Alderman Podrygula.

The Council and City Attorney discussed whether one motion could be made for all of the hangar leases on the agenda, rather than discussing one by one.

After clarification from the City Attorney, Alderwoman Olson rescinded her motion. Alderwoman Evans rescinded the second.

Alderman Ross then moved to approve the new Ground Lease and Hangar Development Agreements for each of the leases on the agenda removing the requirement for hull insurance and authorize the Mayor to sign any applicable documentation. Motion seconded by Alderman Jantzer.

Mr. Larsen came forward and asked if the change to the hull insurance would be retroactive to previously approved leases. His lease had been renewed during an earlier meeting.

The Airport Director stated, the motion would not automatically affect Mr. Larsen's lease but he could review other leases currently in effect and bring them back to Council for approval.

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

OFFER NEW LEASE TERMS TO ELMO CARLSON FOR LOT 1 BLOCK 5, MINOT INTERNATIONAL AIRPORT, SECOND ADDITION (FORMERLY LOT 54, WESTSIDE DEVELOPMENT, MINOT INTERNATIONAL AIRPORT) – APPROVED

Alderman Ross moved the City Council approve the new Ground Lease and Hangar Development Agreement with Elmo Carlson removing the requirement for hull insurance and authorize the Mayor to sign any applicable documentation.

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

OFFER NEW LEASE TERMS TO FLYING S REAL ESTATE, LLC. FOR LOT 3 BLOCK 5, MINOT INTERNATIONAL AIRPORT, SECOND ADDITION – APPROVED

Alderman Ross moved the City Council approve the new Ground Lease and Hangar Development Agreement with Flying S Real Estate, LLC. removing the requirement for hull insurance and authorize the Mayor to sign any applicable documentation.

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

OFFER NEW LEASE TERMS TO GALEN MARSH FOR LOT 5 BLOCK 9, MINOT INTERNATIONAL AIRPORT, SECOND ADDITION (FORMERLY LOT 4, MINOT INTERNATIONAL AIRPORT) – APPROVED

Alderman Ross moved the City Council approve the new Ground Lease and Hangar Development Agreement with Galen Marsh removing the requirement for hull insurance and authorize the Mayor to sign any applicable documentation.

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

OFFER NEW LEASE TERMS TO GARY JOHNSON FOR LOT 2 BLOCK 5, MINOT INTERNATIONAL AIRPORT, SECOND ADDITION (FORMERLY LOT 53, WESTSIDE DEVELOPMENT, MINOT INTERNATIONAL AIRPORT) – APPROVED

Alderman Ross moved the City Council approve the new Ground Lease and Hangar Development Agreement with Gary Johnson removing the requirement for hull insurance and authorize the Mayor to sign any applicable documentation.

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

OFFER NEW LEASE TERMS TO LARRY DURAND, DBA L&S NORTHERN ADVENTURES, INC. FOR LOT 7 BLOCK 9, MINOT INTERNATIONAL AIRPORT, SECOND ADDITION (FORMERLY LOT 2, HANGAR ADDITION, WESTSIDE DEVELOPMENT, AND MINOT INTERNATIONAL AIRPORT) – APPROVED

Alderman Ross moved the City Council approve the new Ground Lease and Hangar Development Agreement with Larry Durand, dba L&S Northern Adventures, Inc. removing the requirement for hull insurance and authorize the Mayor to sign any applicable documentation.

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

OFFER NEW LEASE TERMS TO SCHATZ CROSSROADS FOR LOT 4 BLOCK 5, MINOT INTERNATIONAL AIRPORT, SECOND ADDITION (FORMERLY LOT 51, WESTSIDE DEVELOPMENT, MINOT INTERNATIONAL AIRPORT) – APPROVED

Alderman Ross moved the City Council approve the new Ground Lease and Hangar Development Agreement with Schatz Crossroads removing the requirement for hull insurance and authorize the Mayor to sign any applicable documentation.

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

ORDINANCE NO. 5511 ON SECOND READING- SECOND PENNY SALES TAX EXTENSION – SECOND READING – APPROVED

Alderman Jantzer moved the City Council place ordinance no. 5511 on second reading to approve the language for the reinstatement of the second penny sales tax following the anticipated expiration on June 1, 2021. Motion seconded by Alderman Pitner and carried unanimously.

Finance Director Lakefield highlighted the changes that were made to the ordinance. He said, there were minor language changes modifying the words “Section” to “Article” which separated the description of the first penny sales tax in Article IV from the second penny of sales tax in Article V. This ordinance will codify the language in the Minot Code of Ordinances. It also more clearly defines the tax limits per penny.

Mr. Lakefield then clarified, there are no longer collections for community facilities as those funds are now allocated to flood control. He also said, the implementation date was confirmed by the State Tax Commissioner.

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Alderman Jantzer moved the City Council pass ordinance no. 5511 on second reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

DEVELOPERS AGREEMENT - LOT 2 TRINITY HEALTH 3RD ADDITION (4420) – APPROVED

Alderman Pitner moved the City Council approve the Lot 2 Trinity Health 3rd Addition Developers Agreement with Trinity Health and authorize the Mayor to sign. Motion seconded by Alderman Ross.

City Engineer, Lance Meyer, explained that Trinity Health raised concerns about the agreement being tied to the plat. He described the location by displaying a map and explained that the Engineering Department wants to ensure there is a connection to 16th Street when the area is developed. He demonstrated the need for additional east/west roadways as parcels continue to develop. He said, at some point 37th Avenue will need to be rebuilt and there needs to be alternative access points. They would work with Trinity on the site design to facilitate a route through the property. He concluded by saying, the engineering department believes this is a good long-term planning exercise but they haven't been able to contact anyone from Trinity to walk through their intentions.

Alderman Pitner asked if there is any reason Trinity would object to the agreement. Mr. Meyer said, they expressed concerns this would limit their options in the future however, the City will work with them during future planning and development.

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

ARCGIS ENTERPRISE CONFIGURATION CONSULTING CONTRACT APPROVAL (4549) – APPROVED

Alderman Jantzer moved the City Council approve the contract with Timmons Group to provide GIS consulting services and authorize the Mayor to sign the contract. Motion seconded by Alderman Pitner.

Alderwoman Evans commented on what an exciting project it is and a necessary improvement to current technology.

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

RECRUITMENT SERVICES FOR CITY MANAGER POSITION – APPROVED

Alderman Pitner moved the City Council approve the services of GovHR USA (GHR) for the recruitment of the City Manager position; and further, authorize the Mayor to sign the contract on the City's behalf. Motion seconded by Alderwoman Olson.

Alderwoman Evans asked if it would be appropriate to also discuss the revised job description which is included later in the agenda. The Mayor confirmed, the item can be discussed simultaneously.

The HR Director stated, Alderwoman Evans and Alderman Podrygula provided a job description for the City Manager. She reviewed it and doesn't see any issues. The revised version is not much different from what was in place but is more specific.

Alderman Podrygula asked if there was any input from staff to which Ms. Jundt replied by saying, staff comments were more conducive to the individual not the job description.

Alderman Ross asked how long the position has been advertised and where it was posted. Ms. Jundt said, it had been advertised since April on the ICMA website as well as other government sites. Upon further questioning, the HR Director stated, they have fulfilled the EOE requirements but they have not been actively recruiting the way a firm would do.

Alderwoman Olson asked if there would be a cost to the City if we hired someone independently after signing a contract with a firm. Ms. Jundt responded by saying, if the City signs a contract with a firm, we would be obligated to use the firm.

Alderwoman Evans said she believes they should hire a firm even if it results in hiring the internal applicant. A firm would give more legitimacy to the candidate search and be better perceived by the public.

Upon questioning by Alderman Podrygula, the HR Director stated, there have been one internal and four external applications submitted.

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Alderman Jantzer said he reviewed the job description and it is similar to the previous description but he has no problems with the document. He said he is satisfied and thinks they should move forward with the recruiter. They can do a national search but having a bigger pool doesn't exclude local candidates.

Alderman Pitner agreed and pointed out that the recent search for a Police Chief was recruited nationally through a firm and they hired an internal candidate.

The HR Director also mentioned that as in the last recruitment process, the interviews are open to the community as well as a social to meet the candidates.

Alderman Podrygula questioned if it is worth spending \$25,000 if they already believe they have a qualified candidate. He agreed that recruitment firms offer credibility and they need to find the best candidate. He also commented that competition brings out the best in each candidate. He said, although it is a lot of money, they owe it to the community to make sure the process is done right this time. He then said they need to include a careful vetting and onboarding process to make sure the chosen candidate succeeds.

Alderman Ross suggested the City go through the interview process with the current candidates before they get comfortable spending \$25,000 on a gamble. He emphasized the need to have someone in place who is ready to begin working with the Legislature during the next session and a recruitment process could take months.

Alderwoman Olson agreed.

Ms. Jundt reminded however, out of the external applications, three do not meet the job description and one meets the minimal qualifications but has no government experience. She cautioned against putting them all through the intensive interview process.

Alderwoman Evans asked about funding for the recruitment firm, to which Ms. Jundt explained, it would come out of salary savings in the City Manager's budget.

At the request of the City Attorney, Alderman Pitner clarified, the motion includes adoption of the proposed City Manager Job Description. Alderwoman Olson, as the second, agreed.

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

PERSONAL APPEARANCES

Dan Lawson, owner of 28 Tastes & Taps, came forward to discuss traffic flow in and out of his restaurant's location. He said he believes there could be safety issues since there is only one way in and out of the location. He also said that at certain times during the day, the traffic from the neighboring Sonic drive-through blocks the entrance entirely. He said he's concerned that in an emergency, vehicles would not be able to access the property. He proposed to Engineering staff that a turning lane from 16th Street be installed but it was denied. He said, they told him that other businesses were also denied access from 16th Street.

Mayor Sipma asked the City Engineer for additional information. Mr. Meyer explained that on an arterial like 16th Street the policy is to limit access points in order to reduce accidents and congestion. When the area was developed the overall goal was to consolidate access points onto the avenues and limits access from 16th Street to keep the corridor from turning into another Broadway.

The Mayor then asked about the area being a major corridor to the Trinity complex. Mr. Meyer said, in the transportation plan, 16th Street is projected to carry around 25,000 vehicles per day as southwest Minot continues to build out. They are trying to plan for long-term development.

Alderwoman Evans asked if anyone from staff has visited the area to check traffic or safety issues. Mr. Meyer responded by saying, they were not aware of the issue but it would be a good idea to check it out and see if there are other solutions.

Mayor Sipma asked about the intention for 35th Avenue which runs between Mr. Lawson's restaurant, Sonic, and the hotel. Mr. Meyer said, in the future concept as they plat properties from east to west would funnel cars onto 35th Avenue as the

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collector street. The intersection would be a likely candidate for a traffic signal. 35th Avenue would eventually continue to 30th Street which would be the next arterial. Hopefully someday, the roadway would head north and connect to the Bypass to create another north/south arterial.

The Mayor directed Mr. Meyer to visit with Mr. Lawson about a solution and to include the Fire Chief in any discussions regarding safety issues.

CITY MANAGER JOB DESCRIPTION

The revised City Manager Job Description was discussed in a previous item regarding recruitment services.

WARD COUNTY MASS MORTUARY TRAILER MEMORANDUM OF UNDERSTANDING

Mayor Sipma explained that he added the item to the agenda in order to update and agreement with Ward County.

Alderman Ross moved the City Council approve the MOU between the City of Minot and Ward County regarding the Mass Mortuary Trailer, and authorize the Mayor to sign the MOU. Motion seconded by Alderman Podrygula.

Jennifer Wiechmann of Ward County Emergency Management, said this MOU serves as the mass mortality trailer used for badly decomposed bodies that cannot be transported by ambulance.

Upon questioning by Alderwoman Evans, Ms. Wiechmann said, this MOU has been in place but has not been updated since 2007. There is no financial impact to the City and all maintenance and supplies are through Ward County.

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

DEPARTMENT REPORT: FINANCIAL UPDATE

Acting City Manager Lakefield provided a financial update regarding the 2020 revenue forecast. He stated however, updated sales tax collections are usually reported around this time and have not been received yet for the month. He presented several graphs demonstrating the variable sales tax collections throughout the year and in previous years. He explained that when the pandemic began, they forecast a reduction of 25% from 2019 actual collections. In reality, year-to-date collections are 13.21% under the same period last year and only 8.92% under what was budgeted. He displayed the 2019-2021 Biennium Forecast Formula which provides funding to Minot through Hub Cities. He said, Hub Cities receive certain funding first so not all of it is in jeopardy. He explained the revenue sensitivity analysis and 2020 impact assessment conducted by staff and the differences between the 2020 budget and forecast. He then said, shortfalls have been identified as well as ways to offset them, including postponing two capital projects. Staff is working to maximize revenues while controlling expenses.

Upon questioning by Alderman Evans regarding the CARES Act, Mr. Lakefield stated, there were significant impacts to the Airport to offset losses from the decrease in travel. Staff has also been tracking pandemic related expenses that are eligible for reimbursement.

SOURIS RIVER JOINT BOARD- QUARTERLY REPORT

Ryan Ackerman, Administrator of the Souris River Joint Board, provided an update to the Council regarding the Flood Protection project. He showed drone footage of the various phases under construction. He said Tierrecita Vallejo Levee is 100% designed, MI-4 Maple Diversion is 30% designed, MI-5 Northeast Tieback Levee is 40% designed and the Burlington Levee is 100% designed. He also provided acquisition updates for each phase and stated, the SRJB completes property acquisitions for projects outside the city limits of Minot. He briefly mentioned the Rural STARR Program which is concluding. Mr. Ackerman also explained funding from the State of North Dakota and how it has been affected by COVID and the decline in oil revenue. The 2019-2021 Biennium funding is being reduced by 40% which required certain phases of flood control to be delayed. He provided details about current funding for each phase and potential future appropriations.

Mr. Ackerman explained reservoir management and how the Rafferty-Alameda Project affects the Souris River. He also demonstrated a hydrologic visualization tool which calculates various scenarios based on inputs provided by the user.

Following his presentation, he responded to questions by the Council.

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LIAISON REPORTS

Alderman Pitner said, as a new member of the Visit Minot Board he is observing as they undergo a period of change through the One Brand campaign.

Alderman Jantzer said the Liaison Committee met to discuss the preliminary 911 budget, the November election, Nuisance weeds, the potential new high school, what back to school might look like during the pandemic, City/County property tax abatements and a census update.

Alderman Ross said he has attended two meetings of the Zoning Ordinance Steering Committee and is impressed with how Community & Economic Development Director Billingsley runs the meetings.

Alderwoman Evans attended the Library Board meeting and shared that the Minot Library is the only Library that continued to provide services through the pandemic using creative methods to provide resources.

Alderwoman Olson said the Census Committee is getting back on track and is setting up kiosks at the North Marketplace. The CTE Committee met that day with representatives from partners at Trinity, MSU, Dakota College of Bottineau, and City representatives. They are working to secure a building for the project. The groundbreaking at Blu on Broadway, another NDR project, is taking place the following day. The One Brand initiative had their soft launch where they announced the Magic in Minot campaign.

Alderman Podrygula complimented the Mayor on conducting the recent special Council meetings. He said, the Committee on Aging has not been meeting in person due to the high risk of COVID. Ward County Emergency Management consists of 30-35 representatives from all areas of safety, who collaborate to share information and plan ways to keep the community safe. The Ecological Restoration Committee of the NDR plan began meeting again and is looking at how to restore the river. There are other organizations involved such as the Park District and Audubon Society and there will be a public input meeting in August. He then mentioned the growing concern they have about the former site of Erik Ramstad school and what could be done with it. He said, he has requested the issue be discussed at the next Liaison meeting of the City/County/Park/School. At the County Planning meeting, they discussed revising the zoning code and county maps which were being drafted with a consultant but the consultant has not followed through.

Mayor Sipma said, he was on vacation and missed the Task Force 21 and MADC meetings, however, he spoke about attending the changing of the guard for Col. Cochran of the 5th Bomb Wing.

Mr. Lakefield reminded the Council that Shane Goettle will be in Minot on Friday to discuss flood control financing. He also said there is a bond rating call scheduled with Moody's to determine the bond rates.

ADJOURNMENT

There being no further business, Alderman Pitner moved the City Council meeting be adjourned. Motion seconded by Alderman Ross and carried unanimously. Meeting adjourned at 8:29 pm.

ATTEST: _____
Kelly Matalka, City Clerk

APPROVED: _____
Shaun Sipma, Mayor