

City of Minot

Regular City Council meeting
Monday, January 3, 2022 at 5:30 PM
City Council Chambers, City Hall (515 2nd Ave SW)
Any person needing special accommodation for the meeting is requested to
notify the City Clerk's office at 857-4752

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. MAYOR'S REPORT

4. MAYORAL APPOINTMENTS

It is recommended that the City Council approve the following Visit Minot Board Commissioner appointment:

Thor Nelson: January 1, 2022: Expiry January 1, 2025

5. CITY MANAGER REPORT

Documents:

[CITY MANAGER REPORT 01-03-2022.PDF](#)

6. CITY ATTORNEY REPORT

Documents:

[2021-12 CITY ATTORNEY REPORT.PDF](#)

7. PUBLIC HEARING

7.1. PUBLIC HEARING: RENAISSANCE ZONE FINAL APPROVAL - PROJECT M-96, TITA, LLC

Gabriel Holt representing TITA, LLC recently constructed a commercial automated car wash located at 619 N Broadway. The Minot City Council voted for conditional approval of this Renaissance Zone project on December 7, 2020.

The Renaissance Zone Review Board recommends the City Council grant final approval of Renaissance Zone Case M-96 filed by TITA, LLC for a five-year property tax exemption including improvements and land, and for a State income tax exemption.

Documents:

[CC MEMO M-96 TITA FINAL APPROVAL.PDF](#)
[M-96 TITA APPLICATION.PDF](#)

8. CONSENT ITEMS

8.1. ADMINISTRATIVE APPROVALS

It is recommended that the City Council approve the Administrative Approvals.

Documents:

[ADMIN APPROVALS 01-03-2022.PDF](#)

8.2. CITY COUNCIL MINUTES

It is recommended that the City Council approve the minutes of the December 20, 2021 Regular City Council meeting.

Documents:

[12-20-2021 CITY COUNCIL MINUTES.PDF](#)

8.3. ORDINANCES

The following Ordinances should be considered for second reading:

1. Ordinance No. 5687 - Amending the 2021 Annual Budget - City Hall Rehabilitation
2. Ordinance No. 5688 - Rezoning Lot 7, Dakota Square 2nd Addition
3. Ordinance No. 5689 - Annex into the Corporate Limits of the City of Minot
4. Ordinance No. 5690 - Amending Ordinances related to traffic fines

Documents:

[83. 2021 BA - CITY HALL REHABILITATION \(CAP032\).PDF](#)
[122021 - RZ DAKOTA SQUARE 2ND ADDITION LOT 7 - C4 TO C2 WITH PUD.PDF](#)
[122021 - PUD DAKOTA SQUARE 2ND ADDITION LOT 7 ATTACHMENT A 8.5X11 REDUCED.PDF](#)
[122021 - ORDINANCE-ANNEX - OUTLOT 33 LESS LOT A AND PORTION OF BELVIEW 2ND ADD.PDF](#)
[ATTACHMENT B - ANNEXATION EXHIBIT.PDF](#)
[ORDINACE TO INCREASE FINES FOR THE POLICE DEPARTMENT.PDF](#)

8.4. BILLS, TRANSFERS, AND PAYROLL

It is recommended the City Council approve payroll for the period of December 5, 2021 through December 18, 2021 in the amount of \$2,086,305.41 and bills and transfers for December in the amount of \$6,193,374.06.

Documents:

[PAYROLL FOR DECEMBER 5 2021 TO DECEMBER 18 2021.PDF](#)
[BUDGETED 2021 GENDERAL FUND ADMINISTRATIVE AND OVERHEAD CHARGES.PDF](#)
[COPY OF DECEMBER CHECK PAYMENTS.PDF](#)
[COPY OF DECEMBER P CARD CHARGES.PDF](#)

8.5. DESIGNATE DEPOSITORIES

Chapter 21-04 of the North Dakota Century Code requires the governing board to

designate depositories of public funds at its regular meeting in January of each even-numbered year. Any financial institution duly incorporated in this state under and pursuant to the laws governing the incorporation of financial institutions, and any financial institution situated and doing business with this state may be designated a depository of public funds.

It is Recommended that the City Council approve the resolution.

Documents:

[2021 MEMO - DESIGNATE DEPOSITORIES.PDF](#)
[RESOLUTION TO DESIGNATE DEPOSITORIES OF THE FUNDS OF THE CITY OF MINOT.PDF](#)
[DEPOSITORIES OF PUBLIC FUNDS-CENTURY CODE.PDF](#)

8.6. ALCOHOLIC BEVERAGE LICENSE RENEWALS

It is recommended that the City Council approve the renewal of alcohol licenses for the upcoming year of January 1, 2022 through December 31, 2022.

Documents:

[MEMO- ALCOHOLIC BEVERAGE LICENSE RENEWALS 01-03-2022.PDF](#)

8.7. PIPE INSPECTION TRAILER – AWARD OF BID (PROJECT NUMBER 4648)

Presented by Jason Sorenson, Assistant Public Works Director

The City of Minot has made agreements through the System Wide Improvement Framework (SWIF) with the US Army Corps of Engineers to keep the existing federally funded flood control project in an acceptable condition. Maintaining the flood control in acceptable condition keeps us eligible for federal funding and USACE assistance in the event of a flood. One of the requirements is having all pipe penetrations inspected every five years.

On December 21, 2022, bids were opened for a pipe inspection system. Two bids were received and are tabulated as such:

Bidder	Make/Model	Price
Titan Machinery, Inc.	Rapidview/IBAK	\$171,500.00
Normont Equipment Company	Envirosight Rover X	\$167,810.00

1. Recommend council award the bid to Normont Equipment Company in the amount of \$167,810.00 for the trailer mounted pipe inspection system.

Documents:

[MEMO TO COUNCIL - PIPE INSPECTION TRAILER.PDF](#)

8.8. COMPOST SITE LEASE AGREEMENT

Presented by Jason Sorenson, Assistant Public Works Director

The City of Minot has been utilizing a site owned by Trinity Church to maintain a compost location. This agreement is a new two year agreement with identical terms as the agreement that will expire in February of 2022.

1. It is Recommended that City Council approve the lease agreement

between the City of Minot and Trinity Church for the purpose of a compost site location.

2. **It is Recommended that City Council authorize the Mayor to sign the agreement on behalf of the City.**

Documents:

[MEMO - TRINITY CHURCH AGREEMENT \(2022-2023\).PDF](#)
[TRINITY CHURCH SIGNED 2022-2023 COMPOST SITE 9 LEASE AGREEMENT.PDF](#)

8.9. SCHEELS DONATION

Fire Department received a donation from Scheels. This funding to be used toward equipment and we want to use it in a meaningful way to benefit our firefighters directly. Using this funding for exercise equipment for the new station 5.

Request to amend 2022 annual budget to increase fire control - operational supplies for physical fitness equipment to be used by the firefighters with a donation from Scheels.

Documents:

[9. 2022 BA - FD SCHEELS DONATION.PDF](#)
[MEMO FOR BUDGET AMENDMENT SCHEELS DONATION_.PDF](#)

8.10. CONTRACT FOR BOARDING CITY OF MINOT'S INMATES

Presented by John Klug, Chief of Police

The Minot Police Department uses the Ward County Jail for holding all prisoners being held on criminal charges requiring bond or court appearance prior to release from custody. The City of Minot has contracted with Ward County as there is not another feasible option in the area for housing prisoners.

Recommend approval of the Contract of Boarding City of Minot's Inmates with Ward County, and authorize the Mayor and Finance Director to sign the contract.

Documents:

[COUNCIL MEMO FOR CONTRACT FOR BOARDING CITY OF MINOT INMATES \(2022\).PDF](#)
[CONTRACT FOR BOARDING CITY OF MINOT INMATES \(2022\).PDF](#)

9. ACTION ITEMS

9.1. P3529.5 MI-6 ANNE STREET BRIDGE OPTIONS

Presented by Dan Jonasson and SRJB

MI-6 consists of flood control design from Broadway to Roosevelt Park on the south side of the bridge. Various alignment options were looked at through this area and options consist of reconstruction of the Anne street bridge ramps on the south side of the tracks to removal of the Anne street bridge in entirety.

The SRJB took action, after reviewing the various options at the Dec. 9, 2021 meeting as the least expensive option in regards to flood control, which consists of recommending removal of the Anne street bridge and provide historical documentation as a mitigation effort in lieu of repairing the bridge.

RECOMMENDED ACTION

- 1. Recommend the Council approve one of the options below in order to proceed with the design for MI-6, and forward the recommendation to the SRJB.**
- 2. 3B.1 Remove the Anne Street Bridge in entirety and allow SRJB to complete historical mitigation fo0r the removal.**
- 3. 3B.2/3 Request the SRJB reconstruct the south portion of the bridge with ADA access and the City will commit required funding (approx. \$1.6 Million+-) to complete the required repairs to open the remaining bridge north of the tracks to pedestrian use.**

Documents:

[3529.5 MEMO FOR ANNE STREET BRIDGE MI-6.PDF](#)
[LETTER FOR ANNE STREET BRIDGE FROM SRJB.PDF](#)

9.2. RECOMMENDATION TO TERMINATE ROLAC CONTRACT FOR LIBRARY

Presented by: Janet Anderson, Library Director

It is recommended that Council authorize staff to terminate the current contract with Rolac Contracting, Inc. and authorize staff to seek another contractor to complete the work. Sections 14.2.1(1) and (4) on page 36 of the attached A201-2017 outlines the reasons the City can terminate the agreement with the contractor. We believe that the City has reason to terminate for the following reasons:

- .1 repeatedly refuses or fails to supply enough properly skilled workers or proper materials;**
- .4 otherwise is guilty of substantial breach of provision of the Contract Documents.**

Documents:

[ROLAC CONTRACT TERMINATION.PDF](#)
[LETTER TO ROLAC.PDF](#)
[A201-2017 - FINAL.PDF](#)
[A104-2017 ROLAC CONTRACTING CONTRACT_SIGNED 200512.PDF](#)
[JUNE 8 - NOVEMBER 8 E-MAIL COMMUNICATION.PDF](#)
[MAY 5 2021 _MINOTLIBRARY_OAC MM_210506.PDF](#)

9.3. REMOVAL OF PAYROLL AND HUMAN CAPITAL MANAGEMENT PHASES FROM THE ENTERPRISE RESOURCE PLANNING (ERP) PROJECT AGREEMENT WITH TYLER TECHNOLOGIES, INC.

Presented by Lisa Jundt, Human Resource Director

On November 30, 2021 City Council approved a Memorandum of Understanding (MOU) with Tyler Technologies, Inc., outlining the requirements for a Proof of Concept (PoC) demonstration of the Payroll and Human Capital Management Phases, for the City's Enterprise Resource Planning (ERP) Project. At the December 17, 2021

meeting, Tyler failed to demonstrate the system's ability to perform within the City's software environment and did not exhibit the agreed upon data provided by the City per outlined requirements. The City then extended a second opportunity to Tyler to meet the requirements outlined in the MOU with a deadline of December 24, 2021. Review of this information by staff shows the data entered by Tyler was still not correct, nor was the system set up to the specifications originally agreed upon. Rather than expend any further time or effort on Tyler Technologies, Human Resource Staff recommend the City discontinue implementation of the applicable phases.

Recommend to Exercise Option 3./a./i. from the Memorandum of Understanding with Tyler Technologies, Inc. and Amend the Agreement with Tyler to Remove the Payroll and Human Capital Management Project Phases.

Documents:

[MEMO RECOMMENDING CONTRACT AMENDMENT WITH TYLER TECHNOLOGIES, INC.PDF](#)
[MINOT ND SIGNED MOU 121621.PDF](#)
[HISTORY OF IMPLEMENTATION DIFFICULTIES WITH TYLER TECHNOLOGIES.PDF](#)
[EMAIL POC FOLLOW-UP.PDF](#)

9.4. RAILROAD QUIET ZONE 2021 STUDY (3308.1)

Presented by Lance Meyer and SRF

Over the past year, staff and SRF have been reviewing the quiet zone options along the CP Rail corridor through Minot. The study is complete and ready to be received by the City.

1. **Recommend council receive and file the report;**
2. **Staff requests direction whether to place the project in the upcoming Capital Improvement Plan**

Documents:

[RAILROAD QUIET ZONE 2021 STUDY FINAL REPORT MEMO.PDF](#)
[MINOT QZ CC MTG 220103 FINAL.PDF](#)
[MINOT REPORT_FINAL REPORT.PDF](#)

9.5. 3529.1 MI-5 PROJECT FLOOD CONTROL C&M AGREEMENT WITH BNSF AND SRJB

Presented by Dan Jonasson

MI-5 consists of flood control along Railway Avenue between 3rd street NE and approx.. 13th street NE area. This portion of the project provides the NE tieback of Milestone 1 and ties into high ground east of 13th street NE. This consists of flood walls, levee, roadway and utility relocation, A portion of this work is on BNSF ROW so permanent and temporary easements are required to work on their property.

1. **It is Recommended that the Council approve the C&M agreement with the SRJB and BNSF**
2. **Authorize the Mayor to sign the agreement**

Documents:

[3529.1 MI-5 CPM AGREEMENT MEMO.PDF](#)
[BF10017725 MINOT ND MREFPP MI-5 CM AGREEMENT-COMBINED.PDF](#)

9.6. APPROVAL OF PLANS AND SPECS AND AUTHORIZATION TO BID MI-5B BUILDING RELOCATION

Presented by Dan Jonasson

As part of the MI-5 alignment project. The SRJB has agreed to relocate a 60 x 200 foot building that was acquired, out to the Public Works facility for use in storing flood control closures and flood control related equipment.

- 1. It is Recommended the City Council approve the plans and specs for bid of building relocation on MI-5b**
- 2. It is Recommended the City Council allow authorization to bid.**

Documents:

[MEMO P3529.1B BUILDING RELCOATION PLANS AND SPECS.PDF](#)
[COPY OF MI_5_B.1_OPCC WORKSHEET.PDF](#)
[BUILDING RELOCATION_12.23.21.PDF](#)
[MI-5B.1_SPECIFICATIONS_12.23.2021.PDF](#)

9.7. MAGIC FUND SCREENING COMMITTEE

Presented by David Lakefield

Stevens Welding made a request from the Magic Fund for \$128,571.49. The funds will be used for the community match for a BND PACE loan to purchase the business real estate and equipment.

- 1. The recommendation is to approve the Magic Fund request from Stevens Welding**
- 2. Approve the Development Agreement with Stevens Welding.**
- 3. Authorize the Mayor and Finance Director to sign the necessary documents.**

Documents:

[STEVENS WELDING MEMO.PDF](#)
[MINOT STEVENS WELDING DEVELOPMENT AGREEMENT SIGNED BY SW.PDF](#)
[STEVENS WELDING AND MACHINE LLC LOAN 2 PACE DOCUMENT.PDF](#)
[STEVENS WELDING AND MACHINE LLC LOAN PACE DOCUMENT.PDF](#)

10. PERSONAL APPEARANCES

11. MISCELLANEOUS AND DISCUSSION ITEMS

12. ADJOURNMENT

