

# City of Minot

Regular City Council Meeting  
Monday, January 7, 2019 at 5:30 PM  
City Council Chambers - City Hall

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. APPROVAL OF THE MINUTES

**Approval of the minutes of the December 3, 2018, Regular City Council meeting, and the December 12, 2018 Special City Council meeting.**

Documents:

[181203.PDF](#)  
[181212 SPECIAL.PDF](#)

4. BILLS, TRANSFERS, AND PAYROLL

**Approval of the bills and transfers in the amount of \$6,766,319.35 and payroll for the period of November 25, 2018 through December 22, 2018 in the amount of \$1,966,017.82.**

Documents:

[BILLS DEC 18.PDF](#)  
[PAYROLL DEC 18.PDF](#)

5. PERSONAL APPEARANCES

6. PUBLIC HEARING TO DENY PAUL NKETIA A CITY TAXI DRIVER LICENSE

This is a required public hearing based on the decision by the Police Chief to deny Paul Nketia a City of Minot - Taxi Driver License.

**Recommend that the City Council uphold the decision to deny the license to Mr. Nketia.**

Documents:

[TAXI LICENSE DENIAL LETTER PAUL NKETIA 12.11.18.PDF](#)  
[PAUL NKETIA TAXI DENIAL MEMO.PDF](#)

7. PUBLIC HEARING: SPECIAL USE PERMIT – EXCEEDING NUMBER OF DOGS AND CATS

The applicants submitted a request for a special permit to exceed the number of allowed dogs per household which is four (combined dogs and cats). The applicants moved to Minot with 6 dogs and were unaware of the ordinance. They have stated that they will not replace any of the dogs as they age out and will be in compliance at some point in the not too distant future as several of the dogs are older. The neighbors have all signed off in agreement with the permit being issued.

**Recommend approval of the Special Use Permit to allow Kathleen Fleming and Angela Veiszer to exceed the allowed number (4) of cats and dogs at 409 12th Ave NE.**

Documents:

[MEMO - SPECIAL USE PERMIT FLEMMING AND VEISZER.PDF](#)  
[FLEMING.VEISZER APPLICATION.PDF](#)

8. REPORTS: MAYOR

9. REPORTS: CITY MANAGER/CITY ATTORNEY

Documents:

[ATTORNEY REPORT 2019.PDF](#)

10. ACTION ITEMS

10.1. PROPERTY TAX ABATEMENT FOR 48 UNIT APARTMENT COMPLEX AT 3215 8TH ST NE

Stonebridge Development Co., LLC filed an abatement for the 2016 property tax assessment of a 48 unit apartment complex located at 3215 8th St NE.

**The City Assessor recommends denial of the abatement request in its entirety.**

Documents:

[2016 ABATEMENT APPLICATION AGENDA MEMO FROM WIPFLI FOR 3215 8TH ST NE.PDF](#)  
[SCAN18122615570.PDF](#)

10.2. APPLICATION FOR ABATEMENT OR REFUND OF TAXES FOR 3241 8th St NE

Stonebridge Villas II, LLC, the owners of a 40 unit apartment complex at 3241 8th St NE are requesting an abatement of taxes for the 2016 tax assessment.

**The City Assessor recommends denial of the abatement request on its entirety.**

Documents:

[2016 ABATEMENT APPLICATION AGENDA MEMO TO COUNCIL FOR 3241 8TH ST NE.PDF](#)  
[SCAN18122615571.PDF](#)

10.3. APPLICATION FOR ABATEMENT OR REFUND OF TAXES FOR 3343 8TH ST NE

Stonebridge Villas, LLC, owners of a 68 unit apartment complex located at 3343 8th St NE have filed an abatement for the 2016 tax assessment.

**The City Assessor recommends denial of the abatement request in its entirety.**

Documents:

[2016 ABATEMENT APPLICATION AGENDA MEMO FROM WIPFLI FOR 3343 8TH ST NE.PDF](#)  
[SCAN18122615580.PDF](#)

- 10.4. MENARD'S 2016 ABATEMENT REQUEST ON 101 28TH AVE SE, (MAIN STORE)  
Paradigm Tax Group is representing Menard, Inc in a 2016 tax abatement. They are requesting the 2016 True and Full Value be reduced from a total of \$13,587,000 to \$10,173,600 for 101 28th Ave, SE, Minot ND.

**The City Assessor recommends denial of the abatement request in its entirety.**

Documents:

[2016 ABATEMENT APPLICATION AGENDA MEMO FOR MENARDS STORE AT 101 28TH AVE SE.PDF](#)  
[2016 ABATEMENT INFORMATION SUBMITTED FOR MAIN STORE.PDF](#)  
[2016 PROPERTY CARD FOR MENARDS MAIN STORE.PDF](#)  
[BIG BOX 2016 COMPARISON GRID.PDF](#)  
[MENARDS - MINOT ABATEMENT LETTER 1-4-19.PDF](#)

- 10.5. MENARD'S 2016 ABATEMENT REQUEST ON 104 28TH AVE SE (DRIVE THRU-LUMBER STORAGE STRUCTURE)  
Paradigm Tax Group is representing Menard, Inc in a 2016 abatement. They are requesting the 2016 True and Full Value for the drive thru storage structure be reduced from a total of \$3,164,000 to \$2,382,400 for 104 28th Ave, SE, Minot ND.

**The City Assessor recommends denial of the abatement request in its entirety.**

Documents:

[2016 ABATEMENT APPLICATION AGENDA MEMO FOR MENARDS STORAGE BUILDING 104 28TH AVE SE.PDF](#)  
[2016 ABATEMENT MENARDS STORAGE DRIVE THRU BUILDING SUBMITTED INFORMATION.PDF](#)  
[2016 ASSESSORS PROPERTY CARD ON MENARDS DRIVE THRU.PDF](#)

- 10.6. ADMINISTRATIVE APPROVALS

**It is recommended the City Council ratify the attached administratively approved requests.**

Documents:

[ADMIN APPROVALS.PDF](#)

- 10.7. THE FOLLOWING ORDINANCES SHOULD BE CONSIDERED ON SECOND READING  
**Ordinance No. 5334 - Amend the 2018 Annual Budget- Airport Parking Lot Improvements (AIR071)**  
**Ordinance No. 5337 - Amend the 2018 Annual Budget- RouteMatch Upgrade**

Documents:

[ORDINANCE NO. 5334.PDF](#)  
[ORDINANCE NO. 5337.PDF](#)

- 10.8. FINAL PAYMENT – PUPPY DOG SEWER PHASE 6 (PROJECT NUMBER 3020.5)  
The Puppy Dog Sewer Improvements project has been under construction since about 2007. This was a long term multi-phase project to accommodate growth on the south side of Minot. Puppy Dog Phase 6 is the last segment of gravity sewer which runs from a manhole on the east side of the Minot Country Club to the Puppy Dog Lift Station.

**Recommend Council approve the final payment in the amount of \$3,111.50 to**

**be paid to Utility Systems of America.**

Documents:

[3020.5 - MEMO TO COUNCIL - FINAL PAYMENT.PDF](#)  
[3020.5 USA PAY APP 14 - FINAL.PDF](#)

10.9. PARKING LOT PROJECT FINAL PAYMENT TO CONTRACTOR (AIR071)

This project was approved by City Council in August 2018 and advertised for in the same month.

**Recommend approval of Pay Request #2 – Final to Minot Paving Co. for work completed on the Parking Lot Improvement project; and authorize Rick Feltner, Airport Director, to sign applicable Final Payment documentation.**

Documents:

[MEMO FINAL PAYMENT TO CONTRACTOR \(AIR071\).PDF](#)  
[MINOT PAVING - FINAL PAYMENT.PDF](#)

10.10. 2018 STREET PATCHING FINAL PAYMENT (4309)

This is the annual maintenance project to patch and repair pavement surfaces that have failed or are showing distresses.

**Recommend approval of final payment in the amount of \$69,389.17 to be paid to Keller Paving & Landscaping, Inc.**

Documents:

[4309 -FINAL PAY MEMO.PDF](#)

10.11. SECURITY SYSTEM SUPPORT AGREEMENT

The Airport currently uses Genetec Security System for its access control and security program. Due to the high level of technical expertise involved with the program, ongoing support is required for troubleshooting, maintenance, and software updates. The annual support agreement will provide remote and on-site technical support, necessary software updates, as well as additional training to airport staff.

**1. Recommend approval of the annual support agreement with MEI/Parsons Technologies for the Airport's security system; and  
2. Authorize the Mayor to sign the agreement**

Documents:

[MEMO PARSONS SUPPORT AGREEMENT 2019.PDF](#)  
[2019 MEI.PARSONS SERVICE AGREEMENT PROPOSAL - MINOT AIRPORT.PDF](#)

10.12. EXPANSION OF SERVICE AREA FOR LIQUOR LICENSE AT AIRPORT

The restaurant within the airport has expressed the desire to expand the service area for alcoholic beverages at the Minot International Airport. The expanded area will include the entire gate area in addition to areas currently served. Commercial airports around the state provide similar service areas at their respective facilities.

As required by City Ordinance, the Police Chief, Fire Marshal and Building Official have conducted inspections of the premises and have granted approval.

**It is recommended the City Council approve the expanded service area for**

**alcoholic beverages served by the airport restaurant owned and operated by Oakwells Commuter Rail, LLC and authorize the Mayor to sign the agreement.**

Documents:

[MEMO - LIQUOR LICENSE SERVICE AREA EXPANSION.PDF](#)  
[OAKWELLS SERVICE AREA - CURRENT.PDF](#)  
[OAKWELLS SERVICE AREA - PROPOSED.PDF](#)

10.13. BUDGET AMENDMENT – COMPOST SITE CAMERAS

Over the past two years the Sanitation Department has been adding cameras to the City compost collection sites. This helps the drivers prioritize the bins that are full and has made our compost collection much more efficient.

**Recommend the City Council pass an ordinance to approve an amendment to the 2018 Sanitation Department budget for the purchase of cameras for the compost sites.**

Documents:

[MEMO TO COUNCIL - BA COMPOST CAMERAS.PDF](#)  
[40. 2018 BA - COMPOST SITE CAMERAS \(GAR010\).PDF](#)

10.14. ENGINEERING STUDY AT THE INTERSECTION OF 12TH ST SW AND 17TH AVE SW

An investigation was recently completed regarding motorist safety at the yield controlled intersection of 12th Street SW and 17th Avenue SW. The engineering study consisted of applying AASHTO's guidelines for intersection sight triangles. Actual conditions at the intersection do not meet AASHTO's sight distance recommendations for a yield controlled intersection. The use of a stop sign instead of a yield sign should be considered.

**It is recommended the City Council pass an ordinance on 1st reading modifying the 12th Street SW approach to stop control at the intersection of 17th Avenue SW.**

Documents:

[ORDINANCE PACKET\\_STOPS AT 12TH STREET SW AND 17TH AVENUE SW.PDF](#)

10.15. ENGINEERING STUDY AT THE INTERSECTION OF 6TH ST SW AND 18TH AVE SW

An investigation was recently completed regarding motorist safety at the yield controlled intersection of 12th Street SW and 17th Avenue SW. The engineering study consisted of reviewing the five (5)-year crash history. A total of twelve (12) crashes, six (6) of which have resulted in injuries, have occurred at this intersection since December 1st, 2013. Of those twelve crashes, ten have a contributing factor of "Failure to Yield" on either the north or south approach. Therefore, the conversion from Yield control to Stop control on 6th Street SW at 18th Avenue SW should be considered.

**It is recommended the City Council pass an ordinance on 1st reading modifying the 6th Street SW approach to stop control at the intersection of 18th Avenue SW.**

Documents:

[COUNCIL PACKET 6TH STREET SW AND 18TH AVENUE SW.PDF](#)

10.16. AMEND CONTRACT FOR FIRE DEPARTMENT STATION 3 REMODEL

This will allow for the Minot Fire Department to have complete paperwork for finance and for compliance with the FAA grant requirements.

**Recommend the City Council approve the amended contract with EAPC for the Fire Station 3 Remodel, that reflects the changes necessary to comply with the federal guidelines within the City of Minot procurement checklist and authorize the Mayor to sign the amended contract.**

Documents:

[1-19 EAPC CONTRACT AMENDMENT.PDF](#)  
[AMENDMENT 2 EAPC.PDF](#)

10.17. USGS WATER MONITORING AGREEMENT 2019

The City of Minot has been involved with funding two water monitoring sites on the Souris River. One of the sites is upstream of the City of Minot and the second one downstream of the City of Minot. We have had this contract with the USGS for a number of years. Due to cost cutting effort on the federal level some years ago, the USGS began to request in-kind monies to continue the monitoring.

**Recommend approval of standard joint funding agreement with the USGS for operation of two (2) water quality gauges on the Souris River and authorize the Mayor and Public Works Director to sign the agreement.**

Documents:

[MEMO USGS WATER MONITORING AGREEMENT 2019.PDF](#)  
[USGS WATER CONTRACT 2019.PDF](#)

10.18. WARD COUNTY HAZARD MITIGATION PLAN ANNUAL PROGRESS REPORT

In 2013, the Ward County, ND Hazard Mitigation Plan (the Plan) was prepared by 12 local jurisdictions incorporated into Ward County. To maintain the effectiveness of the Plan, a yearly evaluation report is used as a method of monitoring the Plan. In addition, a yearly recertification of the City's CRS Program is required.

**Recommend the Council receive and file the Hazard Mitigation Plan Annual Progress Report and authorize the Mayor to sign the CRS annual recertification form.**

Documents:

[HMP MEMO TO COUNCIL.PDF](#)  
[FULL SUBMITTAL SIGNED 12-20-2018.PDF](#)

10.19. P# 3529.04 MAPLE DIVERSION – FEASIBILITY STUDY – CHIEFS REPORT

In May of 2016, the SRJB entered into an agreement with the USACE for a feasibility study that was determined to take 3 years and approximately \$3million dollars. This feasibility study was to determine if there was a Federal interest in any portion of the MREFPP.

**Recommend concurrence/approval of draft Chiefs report for the feasibility study identifying the Maple Diversion MI-4 as the portion of the MREFPP with a Federal Interest.**

Documents:

MEMO - CHIEFS REPORT - MAPLE DIVERSION MI4 P3529.04.PDF  
CHIEFS REPORT.PDF  
MAPLE DIV OVERALL.PDF

10.20. CARDIAC READY COMMUNITY SUPPORT LETTER

In a letter from John Kutch, President and CEO of Trinity Health, it is requested the City of Minot endorse the designation as a Cardiac Ready Community.

**It is recommended the City Council pass a motion approving a letter of support for the Cardiac Ready Community Program in Minot.**

Documents:

[CARDIAC READY AGENDA MEMO.PDF](#)  
[LETTER- CARDIAC READY.PDF](#)

10.21. WARD COUNTY EMERGENCY OPERATIONS PLAN

The Ward County Emergency Operations Plan was approved through the Local Emergency Planning Committee Meeting. This needs to be adopted by the City.

**It is recommended the City Council adopt the Ward County Emergency Operations Plan.**

Documents:

[MEMO- WARD COUNTY EOP.PDF](#)  
[2019 APPROVED UPDATES.PDF](#)

10.22. PARKS AND RECREATION MERGER

In July, 2018, the City Council appointed a Committee to formally discuss merging the Recreation Department and the Park District and to bring a recommendation to the City Council. After several meetings, the Committee would like direction from the Council on how to proceed.

Parks Director, Ron Merritt, will present information on the topic.

**It is recommended the City Council direct staff to move forward by drafting the lease agreements and joint powers agreement necessary to merge the Recreation Department with the Park District.**

Documents:

[MINOT PARKS RECREATION PUBLIC FORUM.PDF](#)

11. MISCELLANEOUS AND DISCUSSION ITEMS

11.1. COMMUNITY DEVELOPMENT GRANT MATCHING DOLLARS

Update on the matching requirements for the grants awarded to the Minot Park District and Minot State University. Both entities have met the matching requirements and have submitted their documentation.

12. ADJOURNMENT