

City of Minot



Regular City Council meeting
Tuesday, January 18, 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. COVID REPORT

Presented by Lisa Clute

4. MAYORAL APPOINTMENTS

It is recommended the City Council confirm the following appointment:

1. **Miranda Schuler to replace Pam Karpenko on the Civil Service Commission with a term to expire December 2025.**

5. CITY MANAGER REPORT

Harold Stewart has Submitted a Report for Review.

Documents:

[CITY MANAGER REPORT 1-18-2022.PDF](#)

6. CONSIDER THE REPORT OF THE PLANNING COMMISSION

Documents:

[01 \(JAN\) RECOMMENDATIONS 2022.PDF](#)

6.1. PUBLIC HEARING: BLU ON BROADWAY PARKING LOT EXPANSION

Public hearing request on an application from Blake Nybakken representing Blu on Broadway, LLC and Northern Bottling Company (owners) for an amendment to the Planned Unit Development "PUD" overlay to remove the restriction to first floor commercial comprising of 30% office or similar uses. The application proposes expanding the overlay district to encompass a proposed parking area to provide ten (10) additional parking stalls as part of the Blu on Broadway development. The legal description for the properties are Lots 7 & 8, Block 2, Home Acres Addition Less Highway & Street and the South 60' of East 120' of West 150' of Lot 3, Block 2, City of Minot, Ward County, ND.

RECOMMENDED ACTION

It is recommended City Council approve the item in alignment with the Planning Commission recommendation.

Documents:

[01182022 - RZ HOME ACRES - ATTACHMENT A.PDF](#)
[01182022 - RZ HOME ACRES LOTS A PORTION OF LOTS 3, 7, AND 8, BLOCK 2 - C2 AND C2 WITH PUD TO JUST C2 WITH PUD.PDF](#)

7. CONSENT ITEMS

7.1. CITY COUNCIL MINUTES

It is recommended that the City Council approve the minutes of the January 3, 2022 Regular City Council meeting.

Documents:

[01032022 COUNCIL MEETING MINUTES.PDF](#)

7.2. ADMINISTRATIVE APPROVALS

It is recommended the City Council approve the Administrative Approvals.

Documents:

[ADMIN APPROVALS 01-18-2022.PDF](#)

7.3. ORDINANCES

The following Ordinances should be considered for second reading:

1. Ordinance No. 5691 - Amending 2021 Annual Budget - Hazardous Materials Emergency Preparedness Grant
2. Ordinance No. 5692 - Amending 2022 Annual Budget - Fire Department Scheels Donation

Documents:

[ORDINANCE 5691 - HMEP GRANT.PDF](#)
[ORDINANCE 5692 - SCHEELS DONATION FOR FD.PDF](#)

7.4. ALCOHOLIC BEVERAGE LICENSE RENEWALS

In order to renew an alcoholic beverage license, an application must be submitted for review by the Police Department and inspections are done by the Building Official and Fire Marshal. Complete renewal applications approved by Police Chief.

RECOMMENDED ACTION

It is recommended the City Council approve the alcoholic beverage license renewals for the January 1, 2022 through December 31, 2022.

Documents:

[MEMO- ALCOHOLIC BEVERAGE LICENSE RENEWALS 01-13-2022.PDF](#)

7.5. GAMING SITE AUTHORIZATION - MINOT HOCKEY BOOSTERS

Presented by Mikayla McWilliams

Site approval by the City Council is required as a precondition to obtain a state games of chance license. Each organization submits documentation annually in order to conduct games of chance at locations throughout the city of Minot.

RECOMMENDED ACTION

It is recommended the City Council approve the gaming site authorization for Minot Hockey Boosters to install electronic pull tabs at On the Rocks (614 3rd St NE).

Documents:

[MEMO- GAMING SITE AUTHORIZATION- MINOT HOCKEY BOOSTERS AND ON THE ROCKS.PDF](#)

7.6. GAMING SITE AUTHORIZATION - MULE DEER FOUNDATION

Presented by Mikayla McWilliams

Site approval by the City Council is required as a precondition to obtain a state games of chance license. Each organization submits documentation annually in order to conduct games of chance at locations throughout the city of Minot.

RECOMMENDED ACTION

It is recommended the City Council approve the gaming site authorization for the Mule Deer Foundation to conduct a raffle at Sports on Tap (220 South Broadway #A).

Documents:

[MEMO- GAMING SITE AUTHORIZATION- MULE DEER FOUNDATION AND SPORTS ON TAP.PDF](#)

7.7. GAMING SITE AUTHORIZATION - RMEF MINNDAK, INC

Presented by Mikayla McWilliams

Site approval by the City Council is required as a precondition to obtain a state games of chance license. Each organization submits documentation annually in order to conduct games of chance at locations throughout the city of Minot.

RECOMMENDED ACTION

It is recommended the City Council approve the gaming site authorization for RMEF Minndak, Inc to conduct a raffle at the Grand Hotel (1505 North Broadway).

Documents:

7.8. SUPPER CLUB LICENSE - WHISKEY NINE
Presented by Mikayla McWilliams

The City received a request from Whiskey Nine, LLC for a Supper Club license operating at 111 W Central Ave. All documentation has been submitted and inspections relating to the proposed premises have been approved by the Police Chief, Building Official, and Fire Marshall.

RECOMMENDED ACTION

It is recommended the City Council approve the Supper Club license for Whiskey Nine, LLC dba Whiskey Nine operating at 111 W Central Ave.

Documents:

[SUPPER CLUB LICENSE MEMO - WHISKEY NINE.PDF](#)

7.9. MOU WITH MINOT PUBLIC SCHOOLS FOR SCHOOL RESOURCE OFFICERS
Presented by John Klug, Chief of Police

The Minot Police Department renews the memorandum of understanding with Minot Public Schools annually. This MOU has been in place since School Resource Officers have been assigned to schools in Minot and outlines the duties, mission, and responsibilities of both parties to include the payment of the officers' salaries and benefits.

RECOMMENDED ACTION

It is recommended the City Council approve the MOU with Minot Public Schools; and authorize the Chief of Police to sign the MOU.

Documents:

[MEMO FOR MOU - MINOT PUBLIC SCHOOLS.PDF](#)
[SRO MPS MPD MOU 2022.PDF](#)

7.10. MAGIC FUND SCREENING COMMITTEE
RECOMMENDED ACTION

It is recommended that the City Council approve the MAGIC Fund Screening Committee Minutes from December 17, 2021

Documents:

[MAGIC FUND SCREENING COMMITTEE MEETING DECEMBER 17, 2021 NOTES.PDF](#)

7.11. BUDGET AMENDMENT MAGIC FUND STEVENS WELDING
Presented by David Lakefield

The recommendation is to approve the budget amendment to appropriate the expenditure of funds from the Magic Fund for the PACE loan for Stevens Welding that

was approved at the Jan. 3 Council meeting.

Documents:

[STEVENS WELDING MEMO.PDF](#)
[STEVENS WELDING ORDINANCE.PDF](#)

7.12. FINAL PAYMENT – CARGO APRON CONSTRUCTION – (PHASE II)

Presented by Jennifer Eckman

In 2021, Bluestone Construction began construction on the Cargo Apron – Phase II project at the Minot International Airport. The City Council approved the project in April of 2021 and has now been completed.

RECOMMENDED ACTION

1. It is recommended the City Council approve the final payment in the amount of \$117,721.61 to be paid to Bluestone Construction.

Documents:

[2022-01-18 MEMO FINAL PAYMENT MOT CARGO APRON 02.PDF](#)
[MOT CARGO APRON PHASE 02 CONTRACTOR PAY APPLICATION_3_FINAL - ENG CONT SIGNED.PDF](#)

7.13. PUBLIC WORKS COOLING TOWER AND HEAT EXCHANGER – FINAL PAYMENT (PROJECT NUMBER 4444)

Presented by Jason Sorenson, Assistant Public Works Director

The project consisted of installing a new cooling tower and heat exchanger at the Public Works Facility. This project was bid in January of 2021 and Mowbray & Sons Inc. was determined to be the lowest responsible bidder. They have completed all of the work for the project and final payment is warranted.

1. Recommend council approve the final payment for the cooling tower and heat exchanger project to Mowbray & Sons Inc in the amount of \$28,915.32.

Documents:

[4444 - MEMO TO COUNCIL - PW COOLING TOWER - FINAL PAYMENT.PDF](#)

7.14. SAFER GRANT REQUEST

Presented by Chief Kelli Kronschnabel

FEMA has a grant program called Staffing for Adequate Fire and Emergency Response (SAFER) which allows fire departments to apply for funding to cover the cost of firefighters to assist communities meet industry minimum standards. Station 5 will require 12 personnel to fully staff and with an organization restructure we have the ability to reallocate 9 personnel from across the other stations but need to hire 3 FTEs in order to fully staff this station. The request of the grant will be to pay the

salary and benefits for these three additional firefighters for three years. The Fire Chief is asking for approval to apply for the SAFER grant.

RECOMMENDED ACTION

- 1. It is recommended that the City Council approve Fire Chief Kelli Kronschnabel to apply for the SAFER grant.**

Documents:

[SAFER GRANT MEMO FOR APPROVAL.PDF](#)

7.15. WARD COUNTY HAZARD MITIGATION PLAN ANNUAL PROGRESS REPORT Presented by Lance Meyer

In 2013, the Ward County, ND Hazard Mitigation Plan (the Plan) was prepared by 12 local jurisdictions incorporated into Ward County. On October 7, 2013 the Plan was formally adopted by the Minot City Council.

In order to maintain compliance with the Federal Emergency Management Agency (FEMA), the Plan is updated every 5 years and submission of the update was due on October 1, 2018. The 2018 update to the Plan was approved by FEMA as documented by a letter to the North Dakota Department of Emergency Services dated August 17, 2018.

To maintain the effectiveness of the Plan, a yearly evaluation report is used as a method of monitoring the Plan. The report is attached to this memo and lists the mitigation goals, action items, and current status.

RECOMMENDED ACTION

It is recommended the City Council receive and file the Hazard Mitigation Plan Annual Progress Report.

Documents:

[HMP MEMO TO COUNCIL.PDF](#)
[WARD HMP 2022 ANNUAL PROGRESS REPORT.PDF](#)

7.16. ORDINANCE TO AMEND 2022 BUDGET TO REASSIGN PART-TIME ADMINISTRATIVE CLERK FROM MUNICIPAL COURT TO POLICE DEPARTMENT Presented by John Klug, Chief of Police

A budget amendment is required to move the funding from the 2022 Municipal Court budget to the 2022 Police Department budget to allow for the hiring of a part-time clerk in the police records division. This amendment would allow for the reallocation of the part-time administrative clerk to the Police Department with no impact to the City budget for 2022.

RECOMMENDED ACTION

It is recommend the City Council approve the proposed amendment to the 2022 annual budget to reallocate the part-time clerk from Municipal Court to the Police Department.

Documents:

[MEMO REALLOCATE PART TIME CLERK.PDF](#)
[12. 2022 BA - POLICE PART TIME CLERK.PDF](#)

8. ACTION ITEMS

8.1. HESS GRANT AWARD FOR CAPITAL PURCHASE OF AIR COMPRESSOR

Presented by Brent Weber

Minot Fire Department was awarded funding from Hess Corporation for the purchase of a new breathing air compressor. This compressor is used to fill Self Contained Breathing Apparatus for responses involving fires, Hazardous Materials, Confined Space and any other incidents that the quality of air is compromised. This grant was awarded from the North Dakota Hess Force Donation and Sponsorship program for the amount of \$41,533.85.

RECOMMENDED ACTION

- 1. Recommend council to approve and accept the grant award for the air compressor.**
- 2. Recommend council approve the budget amendment to increase donation funded revenue and capital equipment expenditures for an air compressor purchase to be made using donated funds.**

Documents:

[HESS GRANT MEMO.PDF](#)
[2022 BA - HESS FIRE DONATION.PDF](#)
[HESS GRANT APPLICATION.PDF](#)
[HESS GRANT AWARD EMAIL.PDF](#)

8.2. 4600 - 2022 TRAFFIC SIGNAL IMPROVEMENT PROJECT

Presented by Stephen Joersz

In 2012, the Engineering Department conducted a Traffic Signal Pole Inspection Report that documented the condition of one-hundred and twelve (112) traffic signal poles throughout the City of Minot. An initial round of traffic signal standard replacements was completed in 2014 followed by a second round in 2020-2021. The 2022 Signal Improvement project will continue addressing this deficient signal pole situation at the intersection of 16th Street SW and 16th Avenue SW.

RECOMMENDED ACTION

- 1. It is recommended the City Council award the bid for the construction portion of the 2022 Signal Improvement Project to the low bidder, Main Electric Construction Inc. in the amount of \$305,575.00**
- 2. Authorize the Mayor to sign the Agreement**

Documents:

[4600 - 2022 SIGNAL IMPROVEMENT AWARD OF BID MEMO.PDF](#)
[ATT A - 4600 COVER SHEET.PDF](#)

8.3. APPROVE CDBG-NDR SUBSTANTIAL AMENDMENT #7

Presented by Emily Berg

Substantial Amendment #7 proposes funding allocation adjustments specifically to increase the amount allocated to the City Hall project & Family Homeless Shelter projects.

RECOMMENDED ACTION

It is recommended the City Council approve CDBG-NDR Substantial Amendment #7 authorizing submission to HUD following a public comment period.

Documents:

[SUBSTANTIAL AMENDMENT 7 MEMO.PDF](#)
[SUBSTANTIAL AMENDMENT 7.PDF](#)

8.4. 16th ST SW & 37th AVE SW COST PARTICIPATION AND MAINTENANCE AGREEMENT (CPM) (4592)

Presented by Lance Meyer

16th St SW and 37th Ave SW have been scheduled for a thin lift mill and overlay through the NDDOT Urban Roads program. The CPM agreement is the standard agreement generated by the NDDOT to dedicate federal funds to the City to pay for the federal share of the project.

RECOMMENDED ACTION

- 1. Recommend the Council approve the CPM agreement with the North Dakota Department of Transportation (NDDOT).**
- 2. Recommend Council authorize the Mayor to sign the agreement.**

Documents:

8.5. APPROVE DESIGN AND CONSTRUCTION OF NEW WELL IN SUNDRE AQUAFER
P# 4681

Presented by Dan Jonasson

During this period of drought, we have seen our water demands increase and put a demand on our existing well system. In 2021 we were under severe water restrictions due to wells going down and loss of raw water capacity for treatment. We are requesting permission to design, drill and construct a new well in the SUndre aquafer for additional capacity.

RECOMMENDED ACTION

1. **Recommend approval for the Public Works Director to negotiate an agreement with Houston Eng. for design, bidding and Construction service for a new well in the sundre aquafer**
2. **Authorize use of NAWS sales tax dollars for funding a new well.**
3. **Authorize the Mayor to sign the contract.**
4. **Approve attached budget amendment for engineering services.**

Documents:

8.6. APPROVE A BUSINESS INCENTIVE AGREEMENT WITH LPN1, LLC REGARDING
THE MINOT INTERMODAL PORT

Presented by Harold Stewart, City Manager and MACEDC

Having an operational Intermodal Port that allows rail access for the loading of local goods such as crops, minerals, and manufactured products gives the Minot region, and the State of North Dakota a significant economic development competitive advantage. Rail access is in high demand but difficult to create due to railroad company requirements/policies and costs. The current efforts of MACEDC to secure an operator of the Port for the foreseeable future are important to the economic makeup of Minot

RECOMMENDED ACTION

It is recommended the City Council approve a Business Incentive Agreement (BIA) with LPND1, LLC (MACEDC) which establishes the purchase of the land from the City, as outlined in the current lease, and implements a forgivable loan in exchange for created jobs and full-time operation of the Intermodal Port.

Documents:

COUNCIL MEMO REGARDING BIA FOR INTERMODAL PORT.PDF
LTR_CITYCOUNCIL_INTERMODALBUSINESSINCENTIVE.PDF
BUSINESS INCENTIVE AGREEMENT_MACEDC_DRAFT_2022.1.12.PDF
EXHIBIT A_LEASE AGREEMENT (003).PDF
EXHIBIT B_SECOND SUBORDINATION AGREEMENT (003).PDF
EXHIBIT C_PROMISSORY NOTE (FINAL).PDF
EXHIBIT D_LPND1 MORTGAGE (FINAL).PDF
EXHIBIT E_WARRANTY DEED (FINAL).PDF
EXHIBIT F - 5 YEAR ECONOMIC IMPACTS FROM THE OPERATION PHASE
OF THE INTERMODAL FACILITY.PDF
LEASE AGREEMENT_AMENDMENT (FINAL).PDF
FUTURE INTERMODAL PORT BUSINESS INCENTIVE AGREEMENT
DISCUSSION INFORMATION CITY MANAGER EMAIL TO COUNCIL ON 12-
20-2021.PDF
ECONOMIC IMPACTS FROM THE OPERATION PHASE OF THE
INTERMODAL FACILITY 10 YEAR.PDF
COPY OF 5 YEAR RAIL IMPACT 12-8-21.PDF
COPY OF 10 YEAR RAIL IMPACT 12-8-21.PDF

9. PERSONAL APPEARANCES

10. MISCELLANEOUS AND DISCUSSION ITEMS

10.1. MACEDC SEMI-ANNUAL PRESENTATION

Documents:

JANUARY 2022_REPORT TO THE CITY.PDF
EXHIBIT
A_MINOTAREACHAMBEREDC_STRATEGICPLANOUTLINE_2022.PDF
EXHIBIT B_QUARTER 4 2021 MINOT CHAMBER EDC BRE REPORT
(003).PDF

11. LIAISON REPORTS

12. ADJOURNMENT