

# City of Minot

Regular City Council Meeting  
Tuesday, January 19, 2021 at 5:30 PM  
City Council Chambers, City Hall

This meeting will be conducted with social distancing modifications consistent with the recommendations of the CDC. Members of the public may attend but are encouraged to view the live airing of the City Council meeting on Channel 19 or streamed through the City's [YouTube](#) channel.

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. COVID UPDATE
4. CITY MANAGER REPORT

Documents:

[CITY MANAGER REPORT 1-19-2021.PDF](#)

## 5. CONSENT ITEMS

### 5.1. MAYORAL APPOINTMENTS

The Mayor recommends the following appointments be approved by City Council:

#### **Renaissance Zone Review Board**

- **Kerry Candrian representing the Minot Housing Authority with a term to expire December 31, 2023**
- **Justin Anderson representing Minot Area Council of the Arts with a term to expire December 31, 2023**

### 5.2. CITY COUNCIL MINUTES

**It is recommended the City Council approve the minutes of the January 4, 2021 regular City Council meeting.**

Documents:

[210104.PDF](#)

### 5.3. THE FOLLOWING ORDINANCES SHOULD BE CONSIDERED ON SECOND READING

1. **Ordinance No. 5561 - Amend the 2021 Annual Budget- Network Switch Upgrade**

Documents:

[ORDINANCE NO. 5561.PDF](#)

5.4. DVCC COVID FUNDING GRANT APPROVAL

The DVCC was awarded the Coronavirus Emergency Supplemental Funding Program grant. Council approved their request to use the City as a pass through for the grant application in the December 7, 2020 meeting.

**It is recommended the Council review and authorize the the Mayor to sign the grant award and subrecipient agreement as well as pass an ordinance to approve the budget amendment.**

Documents:

[DVCC COVID UNSIGNED AWARD.PDF](#)  
[SUBRECIPIENT AGREEMENT.PDF](#)  
[5. DVCC COVID PASS THROUGH AWARD.PDF](#)  
[5. 2021 BA - DVCC COVID PASS THROUGH \(2020720002\).PDF](#)

5.5. PUBLIC WORKS COOLING TOWER AND HEAT EXCHANGER – BID AWARD (PROJECT NUMBER 4444)

Over the years, malfunctions in the cooling tower controls have resulted in bursting of the cooling tower coil during freezing temps. The addition of a heat exchanger will create a secondary circulating loop that will utilize a glycol solution so the cooling tower can remain online during cold months without the worry of tower freezing.

On January 5, 2021 bids were opened for the replacement of the Public Works building cooling tower and the addition of a heat exchanger. There were two bids received and they are as follows:

Bidder	Base Bid	Add Alternate #1
Mowbray & Sons Inc.	\$138,688.00	\$16,100.00
C & C Plumbing and Heating, LLP	\$179,868.00	\$21,818.00

- 1. Recommend council award the bid for the cooling tower and heat exchanger project to Mowbray & Sons Inc in the amount of \$154,788.00.**
- 2. Recommend council approve the budget amendment in the amount of \$34,788.00.**

Documents:

[4444 - MEMO TO COUNCIL - PW COOLING TOWER AWARD OF BID.PDF](#)  
[8. 2021 BA - PW COOLING TOWER.PDF](#)

5.6. EMERGENCY SIREN BATTERY REPLACEMENT FUNDS

The Property Maintenance Department operates and maintains 18 emergency sirens in and around Minot. The emergency sirens, when activated, are energized by two deep cycle batteries in each control cabinet. As part of the maintenance program for the siren system, all batteries are replaced every five years.

Funding was in the 2021 budget request under 001-4400-419-04-43 Siren Maintenance, but the funds were missed during the transfer to JARVIS under Security system 100-44000-44327 budget line.

- 1. Recommend council approve a budget amendment in the amount of \$10,000 to the Property Maintenance Security System Budget to purchase 36 batteries for the Emergency Siren System.**

Documents:

[SIREN BATTERY FUNDING MEMO.PDF](#)

5.7. ASSETWORKS PURCHASING AND RECEIVING CHANGE ORDER (4423)

The engineering department is assisting the shop with implementing AssetWorks for the City's fleet maintenance software. Now that Munis is designed and in use, we are able to select the appropriate interface to integrate AssetWorks' purchase order and receiving interface to Munis.

- 1. Recommend Council approve the change order from AssetWorks for the Purchasing and Receiving Interface**
- 2. Approve the budget amendment and use of General Fund Cash Reserves on 1st reading**

Documents:

[4423 - ASSETWORKS PURCHASING AND RECEIVING CHANGE ORDER MEMO.PDF](#)  
[6. 2021 BA - ASSETWORKS CHANGE ORDER \(OLD 4423\).PDF](#)

5.8. RETAIL BEER & WINE LICENSE TRANSFER- NOK BACK TAVERN

Paperwork was submitted to transfer the Retail Beer & Wine license from Don and Dawn VerBruggen dba the Ice Box to KnR, LLC dba Nok Back Tavern operating at 100 3rd Street NE. All documentation has been reviewed and approved by the Building Official, Fire Marshal and Police Chief.

**It is recommended the City Council approve the transfer of the Retail Beer & Wine license from Don and Dawn VerBruggen dba the Ice Box to KnR, LLC dba Nok Back Tavern effective on or before January 29, 2021.**

Documents:

[MEMO- LICENSE TRANSFER- NOK BACK TAVERN.PDF](#)

5.9. OFFER LEASE RENEWAL OPTION TO FLYING S REAL ESTATE, LLC, FOR LOT 6, BLOCK 9, MINOT INTERNATIONAL AIRPORT, SECOND ADDITION

Flying S Real Estate, LLC, (Flying S), is currently in a Ground Lease agreement with the Minot International Airport (MOT), with the Base Term set to expire on January 31, 2021. Per the terms of the lease agreement, the Renewal Option was to be executed ninety (90) days prior to the expiration of the Base Term. The request was not received within the designated timeframe, however, Flying S has since expressed a desire to continue the longstanding relationship with the Minot International Airport. Flying S submitted a request to renew the lease for five (5) years, per the renewal option of the original lease agreement on January 12, 2021.

The renewal option continues the current monthly rental rate, which is in line with the approved 2021 Rates and Charges.

- 1. Approve Ground Lease agreement renewal option with Flying S Real Estate, LLC; and**
- 2. Authorize the Mayor to sign any applicable documentation.**

Documents:

[MEMO FLYING S REAL ESTATE LEASE RENEWAL OPTION\\_FINAL.PDF](#)  
[LEASE ASSIGNMENT PACKET\\_LOT 6 BLOCK 9.PDF](#)  
[RENEWAL REQUEST\\_RE\\_ FLYING S HANGAR LEASE.PDF](#)

5.10. 2021 SPECIFICATIONS & DETAILS FOR CONSTRUCTION

Standard Specifications and Details for Construction provide contractors, developers, engineers, and the public in general with information regarding the requirements for infrastructure construction within the City of Minot. This year's updates consist mostly of cleanup and clarification items that carried over from last year's major update, with only a few substantive changes.

**Approve and adopt the 2021 Standard Specifications and Details for Construction.**

Documents:

[MEMO\\_2021SPECAPPROVAL\\_COUNCIL.PDF](#)  
[REVISIONSSUMMARY2021.PDF](#)

- 5.11. ADOPTION OF 2018 NORTH DAKOTA PLUMBING CODE, NDPC (2018 UPC)  
The 2018 NDPC is the new plumbing code adopted by the State of North Dakota in April of 2020. The last adopted plumbing code is the 2009 UPC, with ND amendments.

**It is recommended the City Council adopt the proposed ordinance on first reading adopting the 2018 NDPC.**

Documents:

[MEMO-ADOPTION OF THE 2018 NDPC\\_KH.PDF](#)  
[ORDINANCE NO \(SEC 26-1 NDPC-UPC\) \(LUKE\).PDF](#)

- 5.12. ADOPTION OF 2020 NATIONAL ELECTRICAL CODE, NEC (NFPA 70) & 2020 LAWS, RULES AND WIRING STANDARDS OF NORTH DAKOTA  
The 2020 NEC is the new electrical code adopted by the State of North Dakota in April of 2020. The last adopted electrical code is the 2017 NEC, with ND Laws, Rules and Wiring Standards.

**It is recommended the City Council approve the proposed ordinance on first reading adopting the 2020 NEC.**

Documents:

[MEMO-ADOPTION OF THE 2020 NEC\\_KH.PDF](#)  
[ORDINANCE NO \(SEC 12-1 NEC\) \(LUKE\).PDF](#)

- 5.13. ASSESSOR OFFICE INTERIM MANAGEMENT PLAN  
Attached is the Assessor's Office Management Plan to address the City Assessor's extended leave of absence.

The purpose of this item is informational and no action is necessary.

Documents:

[INTERIM\\_MANAGEMENT\\_PLAN.PDF](#)

## 6. ACTION ITEMS

- 6.1. PUBLIC HEARING FOR TAXI LICENSE DENIAL – EDDIE LIDDELL  
On December 31, 2020, Eddie Liddell filed an application for a City of Minot Taxi Driver's License. A background check was conducted which revealed that Mr. Liddell had a conviction for an offense while operating a vehicle.
- Driving Under the Influence 2/2016 (convicted 6/2016)

**Recommend the City Council ratify the decision to deny a City of Minot Taxi Driver's License to Eddie Liddell based on his disqualifying driving record.**

Documents:

[COUNCIL MEMO - LIDDELL DENIAL.PDF](#)  
[LIDDELL - TAXI LICENSE DENIAL AND HEARING NOTICE.PDF](#)

6.2. STACKING SPACE APPROVAL – HOLT CAR WASH

Section 11-3 j) 1) of the Zoning Supplement to the City of Minot Code of Ordinances (Zoning Code) requires stacking spaces for car washes, or those spaces reserved for vehicles waiting in line to be served via a drive-through facility, to be approved by City Council.

**Recommend approval of approximately 13 stacking spaces as illustrated on the site plan provided in Attachment 'A'.**

Documents:

[CAR WASH VEHICLE STACKING - CC MEMO.PDF](#)  
[ATTACHMENT A - FINAL CIVIL CD 11X8.5.PDF](#)

6.3. PAVING & UTILITY DISTRICT 2021-1 (4585)

This improvement district is a petitioned project brought forth by the Minot Park District. The pavement and utility improvements are located on 1st St NW from 19th Ave NW to 15th Ave NE. Approximately 2000 linear feet of roadway and utilities would serve the impending development of the Magic City Discovery Center (MCDC) and other future Park District developments in the area. Details are included in the Engineer's Report.

**Recommend that Council pass the following resolutions:**

- 1. Create Paving & Utility District 2021-1**
- 2. Direct preparation of the Engineer's Report**
- 3. Approve the Engineer's Report**
- 4. Direct preparation of Plans and Specifications.**
- 5. Approve the request for AE2S to provide the necessary engineering services and authorize the Mayor to sign the contract on the City's behalf.**
- 6. Waive the Resolution of Necessity and Public Hearing since all of the district area has petitioned for the project.**
- 7. Approve the Plans and Specifications and authorize a call for bids.**
- 8. Approve the Budget Amendment and Reimbursement Resolution.**

Documents:

[4585\\_MEMO\\_ENGREPORTANDADVERTISE.PDF](#)  
[OVERLOOK PROJECT REQUEST CITY ENGINEER 2020.PDF](#)  
[ENGREPORT\\_PAVINGUTIL2021-1.PDF](#)  
[7. 2021 BA - PAVING AND UTILITY DISTRICT 2021-1 4585.PDF](#)  
[REIMBURSEMENT RESOLUTION 4585.PDF](#)

6.4. BRIC GRANT APPLICATION AND CERTIFICATION OF LOCAL MATCH 4087

In 2015, the City began working on a proposed storm sewer assessment district to replace the culvert infrastructure around the Dakota Square Mall that carries storm flows from Puppy Dog Coulee. Due to the size and cost of the project, it became clear that the project would be difficult to special assess and other funding sources would be needed to make this project come to fruition. FEMA has a program called Building Resilient Infrastructure and Communities (BRIC) that staff believes would fit this project.

1. **Recommend council authorize staff to apply for the FEMA BRIC grant and authorize the mayor and staff to execute the grant application**
2. **Certify the proposed local match from Storm Sewer Development funds**

Documents:

[4087 STORM SEWER DISTRICT 121 BRIC GRANT MEMO.PDF](#)  
[STM 121 CURRENT AND PROPOSED FLOODPLAIN.PDF](#)  
[LOCAL MATCH LETTER.DOCX](#)  
[STORM SEWER DISTRICT 121 PROJECT MAP.PDF](#)

6.5. PROFESSIONAL SERVICES AGREEMENT AMENDMENT FOR MINOT AREA CHAMBER EDC

On February 20, 2019, the Minot City Council (CITY) approved a contract with the Minot Area Development Corporation (MADC) for various economic development services. The contract expired on December 31, 2020.

**It is recommended the City Council approve a three-month contract extension with Minot Area Chamber EDC (formerly Minot Area Development Corporation) for the continuation of economic development services.**

Documents:

[CC MEMO - MADC CONTRACT EXTENSION\\_FINAL.PDF](#)  
[MADC CONTRACT AMENDMENT\\_TERM\\_FINAL.PDF](#)

7. PERSONAL APPEARANCES
8. MISCELLANEOUS AND DISCUSSION ITEMS
9. LIAISON REPORTS
10. ADJOURNMENT