

City of Minot



Regular City Council meeting
Monday, March 21, 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. MAYORAL APPOINTMENTS

It is recommended the City Council confirm the following appointments:

1. **Vicki Summerfield to replace Mike Rysted on the Minot Commission on Aging Board of Directors with a term to expire March of 2025.**
2. **Katelynn Albers to replace Jay Wahlund on the Minot Housing Authority Board of Commissioners with a term to expire December of 2026.**

4. CITY MANAGER REPORT

Documents:

[CITY MANAGER REPORT 03-21-2022.PDF](#)
[20220223 STATUS MEMO HOUSTON 3-21-2022.PDF](#)
[20220303 - STATUS MEMO BARR 3-15-2022.PDF](#)
[HDR_PROGRESS REPORT 40_2022.02.24 3-21-2022.PDF](#)
[JANUARY BOARD PACKET_CITYCONTRACT.PDF](#)
[FEBRUARY BOARD PACKET_CITYCONTRACT_.PDF](#)
[MINOT COMMISSION ON AGING FEB. 18 2022.PDF](#)

5. CONSIDER THE REPORT OF THE PLANNING COMMISSION

Documents:

[03 \(MAR\) RECOMMENDATIONS 2022.PDF](#)

5.1. PUBLIC HEARING: Lots 1 & 2, Bakers Rearrangement

Public hearing request on an application from Melissa Wright, representing Harmony Heights, LLC and ORMA, LLC, owners, for a zoning map amendment from "M1" Light Industrial to "CBD" Central Business District and a future land use map amendment from Industrial to Downtown Mixed Use for the purpose of qualifying for a façade improvement grant, which is limited to those properties in the "CBD" Central Business District. The legal description for the properties are Lot 1, Baker's Rearrangement of a portion of Lots 1, 2, 3, 11 and 12, Block 30, First Addition to the City of Minot and Lot 2, Baker's Rearrangement of a portion of Lots 1, 2, 3, 11 and 12, Block 30, First

Addition to the City of Minot. The addresses for the properties are 12 3rd St. SE and 212 E. Central Ave.

It is recommended City Council approve the following in alignment with the Planning Commission recommendation:

1. **Resolution 3751 to amend the Future Land Use Map for the subject properties from Industrial to Downtown Mixed Use.**
2. **An ordinance on first reading for a zoning map amendment from "M1" Light Industrial District to "CBD" Central Business District.**

Documents:

[032122 - RZ - LOTS 1 AND 2, BAKERS REARRANGEMENT.PDF](#)
[032122 - LUM AMEND LOTS 1 AND 2, BAKERS REARRANGEMENT - INDUSTRIAL TO DMU.PDF](#)

- 5.2. PUBLIC HEARING: LAND DEVELOPMENT ORDINANCE - ANNUAL CLEAN-UP
Public hearing request on an application from Harold Stewart, City Manager, on behalf of the City of Minot for a text amendment to the Land Development Ordinance of the City of Minot (LDO). The proposed changes are the product of the City's annual "clean-up" ordinance and primarily focus on adding clarifying language to bolster the respective section's original intent.

It is recommended City Council approve an ordinance on first reading for a text amendment in alignment with the Planning Commission recommendation.

Documents:

[032122- TEXT AMENDMENT - LDO CLEAN-UP - 2021-2022 8.5X11.PDF](#)

- 5.3. PUBLIC HEARING: OUTLOTS 4, 6 & 7 (PROJECT BEE)
Public hearing request on an application by Project Bee, applicant on behalf of City of Minot, owner, for a zoning map amendment from "C2" General Commercial to "C2" General Commercial and "PUD Overlay" Planned Unit Development. The purpose for the request surrounds a mix of housing for homeless and low-to-moderate income families, a commercial restaurant, office space, and space for congregate meals. The legal description for the property is Outlots 4, 6 & 7 of the SW ¼ SW ¼ Less Parcel 1-7A. of Section 25, Township 155 North, Range 83 West. The property is located at 1901 S Broadway.

It is recommended City Council approve an ordinance on first reading for a zoning map amendment from "C2" General Commercial to "C2" General Commercial with a "PUD Overlay" Planned Unit Development.

Documents:

[032122 - RZ - OUTLOTS 4, 6 AND 7 OF SECTION 25-155N-83W - C2 TO C2 WITH PUD.PDF](#)

- 5.4. MAJOR SUBDIVISION PRELIMINARY PLAT: BOLTON HEIGHTS 12TH ADDITION
It is recommended City Council approve the major subdivision preliminary plat for Bolton Heights 12th Addition in alignment with the Planning Commission recommendation.

Documents:

[BOLTON HEIGHTS 12TH ADDITION - PRELIMINARY PLAT.PDF](#)

- 5.5. MAJOR SUBDIVISION PRELIMINARY PLAT: LARSON'S SUBDIVISION
It is recommended City Council approve the major subdivision preliminary plat for Larson's Subdivision in alignment with the Planning Commission recommendation.

Documents:

[PRELIMINARY PLAT - LARSONS SUBDIVISION.PDF](#)

6. CONSENT ITEMS

- 6.1. CITY COUNCIL MINUTES
It is recommended the City Council approve the minutes of the March 7, 2022 Regular City Council meeting.

Documents:

[03072022 COUNCIL MEETING MINUTES.PDF](#)

- 6.2. ADMINISTRATIVE APPROVALS
It is recommended the City Council approve the Administrative Approvals.

Documents:

[ADMIN APPROVALS 03212022.PDF](#)

6.3. ORDINANCES

The following ordinances should be considered for second reading:

1. Ordinance No. 5713 - Amending the 2022 Budget - 2022 Nuisance Abatement Project
2. Ordinance No. 5714 - Amending the 2022 Budget - 2022 Traffic Signal Cabinet Replacement
3. Ordinance No. 5715 - Amending the 2022 Budget - K-9 Donations
4. Ordinance No. 5716 - Amending the 2022 Budget - Sundre Aquifer Well F

Documents:

[5713 - 2022 NUISANCE ABATEMENT PROJECT.PDF](#)

[5714 - 2022 TRAFFIC SIGNAL CABINET.PDF](#)

[5715 - 2022 K9 DONATION.PDF](#)

[5716 - 2022 NAWS ADDITIONAL WELL F CONSTRUCTION.PDF](#)

6.4. GAMING SITE AUTHORIZATION - MSU BEAVER BOOSTERS

Presented by Mikayla McWilliams and Chief John Klug

Site approval by the City Council is required as a precondition to obtain a state games of chance license. Each organization submits documentation 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 MSU Beaver Boosters to conduct a raffle, install pull tabs, and play twenty-one and calcuttas on April 6, 2022 at the Clarion Hotel (2200 Burdick Expwy East).

Documents:

[MEMO- GAMING SITE AUTHORIZATION- MSU BEAVER BOOSTERS AND CLARION HOTEL.PDF](#)

6.5. RETAIL BEER & WINE LICENSE - TAPESTRY HOTEL

Presented by Mikayla McWilliams and Chief John Klug

The City received a request from Liberty Sierra Vista, LLC, for a Retail Beer & Wine license operating at 1516 26th Ave SW. All documentation has been submitted and inspections relating to the proposed premises have been approved by the Police Chief, Building Official and Fire Marshal.

RECOMMENDED ACTION

- 1. It is recommended the City Council approve the Retail Beer & Wine license for Liberty Sierra Vista, LLC dba Tapestry Hotel, SureStay Collection by Best Western operating at 1516 26th Ave SW.**

Documents:

[RETAIL BEER AND WINE LICENSE MEMO - TAPESTRY HOTEL.PDF](#)

6.6. APPROVAL OF EMERGENCY ACTION PLAN 2022 UPDATES (EAP) FOR FLOOD FIGHTING P#3135.1

Presented by Dan Jonasson

As a requirement of our System Wide Improvement Framework for flood fighting and preparedness (SWIF) the city is required to prepare a flood fight plan and update this plan yearly. This plan is posted on our city webpage.

RECOMMENDED ACTION

- 1. It is recommended the City Council approve the updates to the Emergency Action Plan.**

Documents:

[MEMO APPROVE EMERGENCY ACTION PLAN FOR FLOOD FIGHT ACTIVITIES. P3135 -2022.PDF](#)
[MINOT FLOODING EAP REPORT 3-8-2022 REVISION.PDF](#)

6.7. 3529.1A MI-5 PROJECT FLOOD CONTROL C&M EASEMENT 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 with BNSF are required to work on their property.

RECOMMENDED ACTION

1. **It is recommended the City Council approve the easement agreement with the SRJB and BNSF; and**
2. **Authorize the Mayor to sign the agreement.**

Documents:

[3529.1A MI-5 CPM EASEMENT AGREEMENT MEMO.PDF](#)
[MI-5A BNSF EASEMENT AGREEMENT.PDF](#)

6.8. NW MINOT WATERMAIN REPLACEMENT - ACCEPTANCE OF STATE WATER COMMISSION GRANT (PROJECT #4656)

Presented by Dan Jonasson

This area has experienced not only discolored water, but numerous watermain breaks and lower than normal fire flows in the area. Public Works applied to the Department of Water Resources (formerly the State Water Commission) and were successful in obtaining a 60% cost share for this project. The DWR approved a 60% cost share for the estimated engineering cost for this project at their February 23, 2022 meeting.

RECOMMENDED ACTION

1. **It is recommended the City Council approve to accept the funding awarded by the Department of Water Resources (formerly State Water Commission) for the NW Minot Watermain Replacement of CIP pipe; and**
2. **Authorize the Mayor to sign the grant agreement.**

Documents:

[4656 - MEMO TO COUNCIL - ACCEPT SWC GRANT.PDF](#)
[LOCATION MAP.PDF](#)
[AGREEMENT MINOT NW WATERMAIN FEB 2022.PDF](#)

6.9. NW MINOT WATERMAIN REPLACEMENT - ENGINEERING AGREEMENT (PROJECT NUMBER 4656)

Presented by Dan Jonasson

This project will replace a large area of old CIP waterline in NW Minot. Public Works applied to the Department of Water Resources (formerly the State Water Commission) and were successful in obtaining a 60% cost share for this project. The DWR approved a 60% cost share for the design engineering cost for this project at their February 23, 2022 meeting.

RECOMMENDED ACTION

- 1. It is recommended the City Council approve the contract with Houston Engineering for design and construction services for NW Minot Watermain Replacement; and**
- 2. Authorize the Mayor to sign the contract.**

Documents:

[MEMO - 4656 - NW AREA WATERMAIN REPLACEMENT ENGINEERING.PDF](#)
[TASK ORDER 8_4656 SIGNED.PDF](#)

6.10. MINOR SUBDIVISION PLAT: SCHEELS ADDITION

It is recommended City Council approve a minor subdivision plat as provided in Attachment A to create Scheels Addition, being a replat of Lot 8 of Dakota Square Second Addition to the City of Minot.

Documents:

[CC MEMO - SCHEELS ADDITION.PDF](#)
[ATTACHMENT A - SCHEELS ADDITION FINAL PLAT.PDF](#)

6.11. DEVELOPERS AGREEMENT - RIVER OAKS 6TH ADDITION (4674)

Presented by Lance Meyer

River Oaks 6th Addition was approved by the Planning Commission and City Council in December 2021. The Developers Agreement details the expectations and responsible parties relating to items associated with the development of the River Oaks 6th Addition project.

RECOMMENDED ACTION

- 1. It is recommended the City Council approve the River Oaks 6th Addition Developers Agreement with Rivers Edge Development, LLC; and**
- 2. Authorize the Mayor to sign the agreement.**

Documents:

[4674 - DEVELOPERS AGREEMENT - RIVER OAKS 6TH.PDF](#)
[4674-RIVEROAKS6TH-DEVAGREEMENTFINAL.PDF](#)

6.12. TRUCK PURCHASE – TAX EXEMPT CERTIFICATE (PROJECT NUMBER 4573)

Presented by Jason Sorenson, Assistant Public Works Director

The Public Works Department bid and ordered two tandem axle trucks in 2021 for the Street Department and the Water/Sewer Department. A tax exempt certificate needs to be signed to remove the Federal Excise Tax from the invoice.

RECOMMENDED ACTION

1. **It is recommended the City Council authorize the Finance Director to sign the Federal Excise Tax Exemption Certification to complete the purchase of a tandem axle truck; and**
2. **Authorize the Finance Director to sign all future tax-exempt certifications.**

Documents:

[MEMO - TAX EXEMPT CERTIFICATE.PDF](#)
[FET EXEMPTION CERTIFICATION.PDF](#)

6.13. PURCHASE OF ARTICULATING LOADER (PROJECT NUMBER 4637)

Presented by Jason Sorenson, Assistant Public Works Director

On Tuesday, March 15, 2022, bids were opened for the purchase of a new small articulating loader for the Street Department. One bid was received, and it is tabulated below:

Bidder Name	Base Bid	Trade	Annual Exchange Price
Swanston Equipment	\$33,700	\$18,000	\$2,000 - \$5,000

RECOMMENDED ACTION

1. **It is recommended the City Council award the bid to Swanston Equipment for the purchase of a new small articulating loader in the amount of \$33,700 minus the trade-in of \$18,000.**

Documents:

[4637 - MEMO TO COUNCIL - SMALL LOADER - AWARD.PDF](#)

6.14. APPROVE PLANS AND SPECS FOR BUILDING RELOCATION IMPROVEMENTS MI-5 P#3529.1B2

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. After moving to the site, additional overhead doors are being added, electrical, and concrete to have a functional building for storage of flood control amenities such as stop logs for

closures, etc.

RECOMMENDED ACTION

- 1. It is recommended the City Council approve the plans and specs for bid of building relocation Improvements on MI-5b; and**
- 2. Recommend authorization the bid be forwarded to the SRJB.**

Documents:

[MEMO P3529.1B2 BUILDING RELOCATION IMPROVEMENT PLANS AND SPECS.PDF](#)
[MI_5_B.2_OPCC WORKSHEET3.14.22.PDF](#)

6.15. 2022 STREET SEAL – AWARD OF BID (4624)

Presented by Lance Meyer

This is the annual maintenance project to fill the cracks that have developed over time and seal the pavement surface. The project helps protect the pavement surface and prevent surface water infiltration for approximately 5-8 years.

RECOMMENDED ACTION

- 1. It is recommended the City Council award the bid for the 2022 Street Seal District Project to the low bidder, Asphalt Preservation Company, Inc. in the amount of \$2,237,587.16; and**
- 2. Authorize the Mayor to sign the Agreement for the project.**

Documents:

[2022 STREET SEAL - AWARD BID \(4624\).PDF](#)
[4624 - 2022 STREET SEAL - COVER SHEET.PDF](#)

6.16. 2022 STREET IMPROVEMENT – CONTRACT 1 – AWARD OF BID (4623.1)

Presented by Lance Meyer

This is the annual maintenance project to repair and rehabilitate streets that are showing moderate to severe pavement distresses. Mill and overlays, leveling, cement stabilized base, asphalt reconstruction, and other treatments to distressed streets will improve ride and safety, and increase the pavement life.

RECOMMENDED ACTION

- 1. It is recommended the City Council award the bid for the 2022 Street Improvement - Contract 1 to the low bidder, Bechtold Paving Inc. in the amount of \$850,918.50; and**
- 2. Authorize the Mayor to sign the Agreement.**

Documents:

[2022 STREET IMPROVEMENT - CONTRACT 1 - AWARD BID \(4623.1\).PDF](#)

6.17. 2022 SIDEWALK, CURB & GUTTER REPLACEMENT – AWARD OF BID (4626)
Presented by Lance Meyer

This annual maintenance project consists of the constructing, rebuilding, or repairing of sidewalk and curb & gutter in the right of way. In the fall of 2021, the Engineering Department staff assessed several problem areas and design work began. This spring and summer, staff will mark areas for replacement and the Contractor will complete as much as possible within the budget.

In addition to the City's regular maintenance portion of the project, this also includes any assessment roll work.

RECOMMENDED ACTION

1. **It is recommended the City Council award the bid for the 2022 Sidewalk, Curb & Gutter Replacement Project to the low bidder, Ti-Zack Concrete, Inc., in the amount of \$904,905.28; and**
2. **Authorize the Mayor to sign the Agreement for the project.**

Documents:

[2022 SIDEWALK, CURB AND GUTTER REPLACEMENT - AWARD BID \(4626\).PDF](#)
[4626 - COVER SHEET.PDF](#)

6.18. 2022 STREET PATCHING – AWARD BID (4625)
Presented by Lance Meyer

This is the annual maintenance project to patch and repair pavement surfaces that have failed or are showing distresses. Repairing failed and distressed pavement prolongs the lifespan of the roadway.

RECOMMENDED ACTION

1. **It is recommended the City Council award the bid for the 2022 Street Patching Project to the low bidder, Bechtold Paving, Inc. in the amount of \$414,680.00; and**
2. **Authorize the Mayor to sign the Agreement for the 2022 Street Patching project.**

Documents:

[2022 STREET PATCHING - AWARD BID \(4625\).PDF](#)
[4625 - 2022_PATCHING - COVER SHEET.PDF](#)

6.19. ~~FAÇADE IMPROVEMENT PROGRAM CASE NO. FI-3 (115 1ST ST. SE)~~
~~Presented by Jonathan Rosenthal:~~

~~The Mouse River Players, Inc. submitted an application for a Façade Improvement~~

Program forgivable loan for their building located at 115 1st Street SE. The recommended amount is determined from the lowest of three bids obtained by the applicant times 75%. The owner must pay all the remaining costs.

The Renaissance Review Board met on Thursday, February 17, 2022, and recommends that the City Council take the following action:

- 1. Approve Façade Improvement Program Case No. FI-3 for façade renovation work to be performed by The Mouse River Players, 115 1st Street SE, in an amount not to exceed \$63,998, subject to terms and conditions set forth in the program.**

Documents:

[FI-3 MEMO TO CC.PDF](#)
[FI-3 APPLICATION AND RENDERINGS.PDF](#)
[REPORT ON 115 1ST STREET SE.PDF](#)
[STAFF RECOMMENDATIONS ON FI-3.PDF](#)

6.20. FACADE IMPROVEMENT PROGRAM CASE NO. FI-4 (109 MAIN STREET S.)

Presented by Jonathan Rosenthal:

Edward and Marjorie Bolton have submitted an application for a Façade Improvement Program forgivable loan for their building located at 109 Main Street South. The recommended amount is determined from the lowest of three bids obtained by the applicant times 75%. The property owners must cover the remaining cost of 25%.

The Renaissance Zone Review Board met on Thursday, February 17, 2022, and recommends the City Council take the following action:

- 1. Approve Façade Improvement Program Case No. FI-4 for façade renovation work to be performed at Margie's Art Glass, 109 Main Street S., in an amount not to exceed \$84,563, subject to terms and conditions set forth in the program.**

Documents:

[FI-4 MEMO TO CC.PDF](#)
[FI-4 APPLICATION.PDF](#)
[FI-4 RENDERINGS.PDF](#)
[FI-4 CONTRACT 109 MAIN STREET S.-FINAL.PDF](#)
[STAFF RECOMMENDATIONS FOR FI-4.PDF](#)
[REPORT ON CONDITION OF 109 MAIN STREET.PDF](#)

7. ACTION ITEMS

7.1. LANDRUM & BROWN STATEMENT OF WORK

Presented by Jennifer Eckman

Landrum & Brown, Inc. is a skilled consulting firm with many years' experience in the aviation industry. Its previous work with the Minot International Airport affords it with

invaluable information about its operations and history. The City of Minot currently has a Master Service Agreement with Landrum & Brown, Inc. which commenced on April 1, 2021 and is set to expire on March 31, 2023.

RECOMMENDED ACTION

- 1. It is recommended the City Council approve the *2022 Statement of Work with Landrum and Brown*;**
- 2. Approve the budget amendment; and**
- 3. Authorize the Mayor to sign the related Task Orders and any applicable documentation.**

Documents:

[20220321 MEMO L AND B CONSULTING.PDF](#)
[20220216 SOW LANDRUM BROWN CONSULTING.PDF](#)
[MOT_LB MSA AND SOW ASD_FULLY EXECUTED.PDF](#)
[TO 9 AIRLINE USE AND LEASE NEGOTIATION 030222.PDF](#)
[TO 10 FOOD-BEVERAGE-RETAIL FRP ASSISTANCE 030222.PDF](#)
[TO 11 MISCELLANEOUS ASSISTANCE 030222.PDF](#)
[25. 2022 BA AIRPORT LANDRUM BROWN CONTRACT.PDF](#)

7.2. REPAIR OF ROLL-OFF TRUCK

Presented by: Jason Sorenson, Assistant Public Works Director

The Street Department borrows trucks from other departments to ensure the large quantities of snow can be moved in a timely manner. During this operation a few weeks ago, a landfill roll-off truck was severely damaged in an accident.

RECOMMENDED ACTION

- 1. It is recommended the City Council approve a budget amendment in the amount of \$100,000 from cash reserves to Landfill vehicle maintenance and repair; and**
- 2. Authorize Public Works to forego bidding requirements for a purchase over \$50,000 and allow a solicitation of quotes to shorten the project timeline.**

Documents:

[2017 ROLL OFF TRUCK REPAIR_BUDGET AMENDMENT.PDF](#)
[27. 2022 BA - GARBAGE COLLECTION TRUCK REPAIR.PDF](#)

7.3. 4577 - 2023 SAFE ROUTES TO SCHOOL - PROJECT UPDATE

Presented by Lance Meyer

The North Dakota Department of Transportation (NDDOT) has requested, in light of the recent increase in bid prices due to rising inflation and increased wage rates, that the City update our Engineer's Estimates for the Bel Air SRTS and Washington SRTS.

They also recommended the City tie the projects to bid at the same time. This would move the 2024 Washington SRTS project from 2024 construction to 2023 construction.

RECOMMENDED ACTION

- 1. It is recommended the City Council tie the 2023 Bel Air Safe Routes to School (SRTS) and the proposed 2024 Washington SRTS projects and move the 2024 project up to 2023.**

Documents:

[4577 - 2023 SRTS UPDATE.PDF](#)

8. PERSONAL APPEARANCES

9. MISCELLANEOUS AND DISCUSSION ITEMS

9.1. CITY OF MINOT RECYCLING DISCUSSION

Presented by Stephen Klemann and Bob Anderson with Closed Loop Partners

Documents:

[MINOT ND CITY COUNCIL 3.21.2022 LOCALIZED MRF PRESENTATION DECK.PDF](#)

10. LIAISON REPORTS

11. ADJOURNMENT