



Regular City Council Meeting
Monday, July 15, 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. PERSONAL APPEARANCES
4. CONSENT ITEMS

4.1. APPROVAL OF THE MINUTES

It is recommended the City Council approve the minutes of the July 1, 2019 regular City Council meeting.

Documents:

[190701.PDF](#)

4.2. THE FOLLOWING ORDINANCES SHOULD BE CONSIDERED ON SECOND READING

1. **Ordinance No. 5398 - Annex into City Limits the West Half of Lot 6, Thompson's 8th Plat**
2. **Ordinance No. 5400 - Amend the 2019 Annual Budget- 2019-2020 Nuisance Abatement**
3. **Ordinance No. 5401 - Amend the 2019 Annual Budget- Payoff Garrison Diversion Debt**
4. **Ordinance No. 5402 - Amending Chapter 1 of the CMCO Section 1-8 (General Penalty)**
5. **Ordinance No. 5403 - Amending Chapter 23 of the CMCO Marijuana Offenses**
6. **Ordinance No. 5404 - Amending Chapter 2-30 of the CMCO- Order of Business (Personal Appearances)**

Documents:

[ORDINANCE NO. 5398.PDF](#)
[ORDINANCE NO. 5400.PDF](#)
[ORDINANCE NO. 5401.PDF](#)
[ORDINANCE NO. 5402.PDF](#)
[ORDINANCE NO. 5403.PDF](#)
[ORDINANCE NO. 5404.PDF](#)

4.3. ADMINISTRATIVE APPROVALS

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

Documents:

[ADMIN APPROVALS 7-15-19.PDF](#)

- 4.4. AUTHORIZE FINAL PAYMENT OF \$111,201.28 TO DIG IT UP BACKHOE SERVICES, INC. FOR COMPLETION OF WORK AT 110 4TH AVENUE NW
Required final work on the relocation of this structure per SHPO requirements was restoration of brick and stucco façade which needed to be done during warm weather. All work has been completed per the contract with no additional cost. Final payment can now be released.

It is recommended the City Council authorize final payment of \$111,201.28 for completed work by Dig It Up Backhoe Services, Inc. at 110 4th Avenue NW.

Documents:

[FINALPAYMENTCOUNCILMEMO7-9-19.DOCX](#)
[FINALPAYMENT.PDF](#)

- 4.5. APPROVE ROUND 1 DEMOLITION CONTRACT FINAL PAYMENT OF \$131,102.50 TO DIG IT UP BACKHOE SERVICE, INC.
In an effort to improve cost control and overall management of the demolition/site restoration process, for 2019 we are going to undertake several rounds of demolition RFPs based definitive need versus projected needed. Round 1 was the first of several demolition bids to be issued in 2019 and its completion on a timely basis is evidence that this new methodology may prove to be prudent.

It is recommended the City Council approve final payment of \$131,102.50 to Dig It Up Backhoe Service, Inc. for 2019 Round 1 Demolition/Site Restoration Contract

Documents:

[FINALPAYMENTDIGITUPCOUNCILMEMO.PDF](#)
[DIG IT UP 2019 ROUND 1 INVOICE.PDF](#)

- 4.6. AUTHORIZE ROUND 2 AND ROUND 3 DEMOLITION BIDS
Authorization is requested by the City Council to issue Round 2 and Round 3 demolition and site restoration bids. It should be noted that this round of bids will include two more Zombie homes which will bring the total that will be demolished this year, to eight. It should also be noted that the bids are for different size structures to be demolished.

It is recommended the City Council authorize issuance of Round 2 and 3 Demolition/Site restoration Bids both for two more acquired Zombie Homes and structures acquired for flood control projects.

Documents:

[2019ROUND2-3DEMOLITIONBIDCOUNCILMEMOA.PDF](#)
[2019 ROUND 2 CITY OF MINOT STRUCTURE DEMO AND SITE RESTORATION BIDDING DOCUMENTS_DRAFT.PDF](#)
[2019 ROUND 3 CITY OF MINOT STRUCTURE DEMO AND SITE RESTORATION BIDDING DOCUMENTS_DRAFT.PDF](#)
[ADDRESSES- 2019 ROUND 2 STRUCTURE DEMOLITION AND SITE RESTORATION PROJECT.PDF](#)

- 4.7. BUDGET AMENDMENT FOR FRONT END LOADER LEASE AND SNOW BLOWER ATTACHMENTS
A budget amendment is required to move the front end loader lease and snow blower

attachments into the correct department expenditure accounts. The expenditure and revenue will be decreased for the equipment purchase capital fund and increased in the general fund street department applicable accounts.

1. **Recommend approval for the first reading of the budget amendment to move the front end loader lease and snow blower attachments out of the equipment purchase capital fund into the general fund street department accounts.**
2. **Authorize the Mayor to sign the budget amendment.**

Documents:

[44. 2019 MEMO - 2019 FUND 429 BA PROJECTS 4412 AND 4413.PDF](#)
[44. 2019 BA - 2019 FUND 429 BA, PROJECT S 4412 AND 4413.DOCX](#)

4.8. AIRPORT CONCESSION DISADVANTAGED BUSINESS ENTERPRISE (ACDBE) PROGRAM

The Minot International Airport (MOT) has established an Airport Concession Disadvantaged Business Enterprise (ACDBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 23. MOT is a primary airport and has received federal funds authorized for airport development after January 1988 (authorized under Title 49 of the United States Code). MOT has signed airport grant assurances that it will comply with 49 CFR Part 23. This program will help to ensure the tenants of MOT are putting forth due diligence to comply with these standards.

1. **Recommend approval of ACDBE Program Policy; and**
2. **Authorize Rick Feltner, Airport Director, to sign applicable documentation**

Documents:

[MEMO ACDBE POLICY \(FINAL\).PDF](#)
[MOT ACDBE PROGRAM POLICY STATEMENT.PDF](#)

4.9. SUNDRE PIPELINE EASEMENT ABANDONMENT

In the mid-1970's, as part of the Garrison Diversion project, the United States Bureau of Reclamation constructed a water line to convey water from the Sundre Aquifer to the City of Minot Water Treatment Plant. That pipeline has delivered about two thirds of the City's annual raw water needs for over 40 years. In 2016, when design began for the first phases of flood control, it was discovered that the pipeline would need to be relocated for multiple phases of flood control at an estimated cost of over \$20 million. Since that time, multiple solutions have been investigated and eventually a project was designed and constructed that rerouted the Sundre Pipeline around the south end of Minot.

Recommend Council authorize the Mayor to sign a letter on the City's behalf requesting all easements for the Sundre Pipeline to be abandoned.

Documents:

[MEMO TO COUNCIL - SUNDRE PIPELINE EASEMENT ABANDONMENT.PDF](#)
[SUNDRE EASEMENT ABANDONMENT.PDF](#)

4.10. AMENDED RIGHT-OF-WAY ENCROACHMENT PERMIT- ARTIFICIAL TURF

A Right-of-Way Encroachment Agreement submitted by Vallely Properties, LLC, was approved at the July 1, 2019 City Council meeting. Minor amendments were made to the Encroachment Permit.

It is recommended the City Council ratify the attached Right-Of-Way Encroachment Permit with Vallely Properties, LLC.

Documents:

[MEMO- REVISED ENCROACHMENT PERMIT.PDF](#)
[MEMO- RIGHT OF WAY ENCROACHMENT- ARTIFICIAL TURF.PDF](#)
[ARTIFICIAL TURF ENCROACHMENT PERMIT_REVISIED_KH.PDF](#)

5. ACTION ITEMS

5.1. MEN'S WINTER REFUGE LEASE RENEWAL

The City Council originally entered into a lease with regard to the City property located at 1038 43rd Street SE on August 1, 2014 with Men's Winter Refuge (MWR) for a term of five years. The current lease is set to expire on July 31, 2019.

It is recommended the City Council approve the renewal of the lease between the City of Minot and Men's Winter Refuge and authorize the Mayor to sign.

Documents:

[CC MEMO_MWR LEASE.PDF](#)
[MWR 2019 LEASE.PDF](#)
[MWR REQUEST AND INFORMATION.PDF](#)
[MWR 2014 LEASE.PDF](#)

5.2. FAA 2019 AIRPORT IMPROVEMENT PROGRAM (AIP) GRANT OFFER

The FAA is in the process of reviewing Minot International Airport's 2019 Airport Improvement Grant Application. It is anticipated that the grant offer will be received around the third week in July. In order to make the most of the summer construction season, the Airport is requesting that the City Council pre-approve the grant award as well as the associated budget amendment.

Acceptance of this grant obligates the Airport and the City to comply with all of the terms and conditions in the offer and in the Project Application.

- 1. Recommend acceptance of the 2019 AIP Grant Offer from the FAA, once received; and**
- 2. Recommend acceptance of the associated Budget Amendment to account for increased revenue and expenses relative to the 2019 budget; and**
- 3. Authorize the Mayor and the City Attorney to sign necessary documents.**

Documents:

[MEMO FAA 2019 AIP GRANT ACCEPTANCE \(FINAL DRAFT\).PDF](#)
[20190517-MOT2019APPLICATION-UPDATEDSF424.PDF](#)
[46. AIRPORT FAA GRANT APPLICATION BA.PDF](#)
[20190611-MOT2019-ADDITIONAL-INFORMATION.PDF](#)

5.3. AUTHORIZE INITIATING INVOLUNTARY ACQUISITION PROCESS FOR BUYOUT AREAS 6 AND 6A

In the recently enacted state biennium budget, funds were approved for both acquisition and flood control measures within the City of Minot. Buyout Areas 6 and 6A have been selected for these funds because the City has previously acquired properties within the boundaries using Involuntary Acquisition. The URA sets forth that when Involuntary Acquisition is utilized then all properties within a defined area must be acquired.

It is recommended the City Council authorize initiating Involuntary Acquisition for

Buyout Areas 6 and 6A affirming a general authorization granted several years ago.

Documents:

[INITIATEINVOLUNTARYACQUISITIONBUYOUTAREAS6AND6ACOUNCILMEMO.PDF](#)
[SITE_6A_OUTLINE.PDF](#)
[SITE_6_OUTLINE.PDF](#)
[AREA 6 AND 6A JULY 2019.XLSX](#)

5.4. AUTHORIZE ADDING 3 FLOOD ACQUIRED STRUCTURES TO AUCTION BIDS

Assessment has been completed of recently acquired properties with structures under the Involuntary Acquisition program. Three structures have been determined to be suitable for being relocated to a location outside the FEMA flood inundation zone. Therefore, staff recommendation is to include the three structures as part of the auction bid process.

It is recommended the City Council authorize adding structures at 420 1st Ave. NE, 1124 6th Ave. SW, and 323 1st Ave NE to the auction bid program acquired as part of the CDBG-NDR Involuntary Acquisition program supporting flood control projects.

Documents:

[AUCTIONPROPERTYCOUNCILMEMO7-9-19.PDF](#)

5.5. NO PARKING ALONG 1ST STREET NE AT HAMMOND PARK MIDBLOCK CROSSWALK

As part of the 2019 Storm Sewer Rehabilitation project, the City of Minot Public Works is installing a 1st Avenue NE mid-block crosswalk, south of 8th Avenue NE, that connects the basketball courts and parking lot on the west to the tennis courts on the east. Conversations between Public Works and Engineering have concluded that installing no parking zones around the proposed crosswalk would improve pedestrian visibility for vehicles and provide a safer crossing for pedestrians.

It is recommended that Council pass an ordinance to add parking restrictions to the following location:

- 1. West side of 1st Street NE, south 125-feet to 180-feet from the west-center of the 8th Avenue NE intersection.**
- 2. East side of 1st Street NE, south 115-feet to 165-feet from the east-center of the 8th Avenue NE intersection.**

Documents:

[MEMO_NO PARKING AT HAMMOND PARK CROSSWALK.PDF](#)
[NO PARKING ORD - 1ST ST NE HAMMOND PARK.PDF](#)
[HAMMOND PARK OVERVIEW PAGE.PDF](#)

6. CONSIDER THE REPORT OF THE PENSION BOARD

- 1. Approve the request for City of Minot Pension Refunds**
- 2. Approve the request for Survivor Benefits**
- 3. Approve the request for City of Minot Pension Retirement Benefits**

Documents:

PENSION BOARD 190626.PDF

7. DEPARTMENT REPORT: POLICE CHIEF
8. LIAISON REPORTS
9. MISCELLANEOUS AND DISCUSSION ITEMS
10. ADJOURNMENT