

City of Minot

Regular City Council meeting
Tuesday, September 7, 2021 at 5:30 PM
City Council Chambers, City Hall (515 2nd Ave SW)
Any person needing 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 UPDATE

4. MAYOR'S REPORT

4.1. MAYORAL APPOINTMENT

It is recommended the City Council confirm Dean Lenertz to the Special Assessment Committee with a term to expire September 2027.

5. CITY MANAGER REPORT

Documents:

[CITY MANAGER REPORT 9-7-2021.PDF](#)

6. CITY ATTORNEY REPORT

Documents:

[2021-08.PDF](#)

7. CONSENT ITEMS

7.1. CITY COUNCIL MINUTES

It is recommended the City Council approve the minutes of the August 16, 2021 regular City Council meeting and the August 23, 2021 special City Council meeting.

Documents:

[210816.PDF](#)
[210823 SPECIAL.PDF](#)

7.2. BILLS, TRANSFERS AND PAYROLL

It is recommended the City Council approve the bills and transfers for August in the amount of \$7,130,710.93 and approve payroll for the period of July 18, 2021 through August 14, 2021 in the amount of \$2,117,993.25.

Documents:

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

7.3. THE FOLLOWING ORDINANCES SHOULD BE CONSIDERED ON SECOND READING

1. **Ordinance No. 5639 - Rezone Lots 1 thru 3 of Thurston's 2nd Addition from M1 to P**
2. **Ordinance No. 5641 - Amend the 2021 Annual Budget- Low Head Dam Remediation**
3. **Ordinance No. 5642 - Amend the 2021 Annual Budget- LED Streetlights**
4. **Ordinance No. 5643 - Amend the 2021 Annual Budget- FY20 Fire State Homeland Security Grant Capital Purchase**
5. **Ordinance No. 5644 - Amend the 2021 Annual Budget- 2021 Sanitary Sewer Rehab**
6. **Ordinance No. 5645 - Stop Sign Eastbound 14th Avenue SW at 10th Street SW**

Documents:

[ORDINANCE NO. 5639.PDF](#)
[ORDINANCE NO. 5641.PDF](#)
[ORDINANCE NO. 5642.PDF](#)
[ORDINANCE NO. 5643.PDF](#)
[ORDINANCE NO. 5644.PDF](#)
[ORDINANCE NO. 5645.PDF](#)

7.4. BUDGET AMENDMENT FOR AIRCRAFT RESCUE AND FIRE FIGHTING (ARFF) LIVE BURN TRAINING

In order to maintain regulatory compliance with the Federal Aviation Administration's Part 139 requirements, the Minot International Airport hosts live burn training for the Fire Department. An increase in pricing for the training and associated fuel costs was not accounted for in the airport's 2021 budget.

1. **Recommend approval of the proposed ordinance on first reading**
2. **Authorize the Mayor to sign the applicable documentation.**

Documents:

[MEMO BUDGET AMENDMENT_ARFF LIVE BURN TRAINING.PDF](#)
[63. 2021 BA - AIRPORT ARFF TRAINING.PDF](#)

7.5. BUDGET AMENDMENT FOR TRAVEL EXPENSES FOR AIRPORT DIRECTOR FINAL CANDIDATES

The airport director search required travel for the three final candidates, resulting in airfare, lodging, and food-related expenses, none of which were included in the airport's 2021 travel budget.

1. **Recommend approval of the proposed ordinance on first reading; and**
2. **Authorize the Mayor to sign the applicable documentation.**

Documents:

[MEMO AIRPORT DIRECTOR TRAVEL COSTS.PDF](#)
[62. 2021 BA AIRPORT DIRECTOR TRAVEL COSTS_.PDF](#)

7.6. FY20 FIRE STATE HOMELAND SECURITY GRANT CAPITAL PURCHASE
(2021300001)

Minot Fire Department was awarded funding for the FY2020 State Homeland Security Grant. These funds are used for equipment purchases, equipment maintenance, and training for the Regional Response Teams. One piece of equipment purchased with this grant is a battery operated spreader. This equipment is used to respond with the NW Regional Operational Teams to incidents in the Northwest Region as well as the City of Minot. This was originally budgeted as capital based on the grant award amount of \$5,000; however, the actual purchase price of \$4,375 for the equipment does not meet the City's capital equipment qualifications

It is Recommend council approve a budget amendment to move grant funded revenue and expenditures from Capital Equipment to General fund for a purchase that does not meet the City's capital equipment qualifications.

Documents:

[FD0111 MEMO.PDF](#)
[59. 2021 BA - FY20 FIRE SHSG CAPITAL TO GF2.PDF](#)

7.7. SWIF - REPAIR OF BANK, STABILIZATION, DREDGING AND CULVERT CLEANING
(PROJECT 3135.2E)

The City has been working toward completion of a SWIF to address deficiencies that the USACE has noted in the flood protection system through Minot. These deficiencies are items that need to be addressed to bring the flood control system to the current USACE standards. This project removed trees within the levee footprint or within the channel banks, repaired major and minor erosion areas that may jeopardize the levee integrity and corrects deficiencies in storm sewer pipes that penetrate the levee. Wagner Construction was the low bidder for the project, and they have completed all items remaining for this part of the project.

1. Recommend approval of the final payment amount of \$88,796.68 to be paid to Wagner Construction.

Documents:

[MEMO - FINAL PAYMENT 3135.2E SWIF.PDF](#)
[3135.2E PAY APP 5 \(FINAL\).PDF](#)
[3135.2E CHANGE ORDER NO. 2 - SIGNED.PDF](#)

7.8. ONE MILLION GALLON TANK DEMO AND 3RD STREET PIPING IMPROVEMENTS
(PROJECT NUMBER 4488)

This project consisted of piping improvements, valve replacements, a pressure reducing valve installation, along with the demolition of the old tank and foundation.

During construction of the original contract some additional valves were discovered that required replacement. With additional work getting added to the contractor's contract, the engineering firm spent additional time on the project outside of the original scope. Thus, Houston Engineering is requesting a contract amendment of \$5,000.00 to cover the additional time to complete the project.

Recommend approval of a budget amendment in the amount of \$5,000 for the task order with Houston Engineering.

Documents:

[MEMO - 4488 - ONE MILLION GALLON TANK DEMO - ENGINEERING CONTRACT AMENDMENT.PDF](#)
[TASK ORDER AMENDMENT MEMO.PDF](#)
[EXHIBIT K AMENDMENT TO TASK ORDER.PDF](#)

- 7.9. APPROVE SOLE SOURCE PURCHASE FOR BOMB SQUAD X-RAY EQUIPMENT
Minot City Council previously approved acceptance of the State Homeland Security Grant for FY 2019 to provide Xray Equipment for the Minot Area Bomb Squad. The Bomb Squad identified equipment to improve upon an existing SmartRay X-ray system. Procurement of this equipment requires sole source purchase approval.

Recommend the City Council approve the purchase of Bomb Squad equipment, SRV X1417 Extreme 3x Complete X-Ray System, via sole source purchase.

Documents:

[COUNCIL MEMO - FY 2019 SHGP - SOLE SOURCE PURCHASE.PDF](#)
[SMARTRAYVISION SOLE SOURCE PRODUCT - 2021 \(1\).PDF](#)
[SMARTRAY VISION QUOTE QT0010845.PDF](#)

- 7.10. 10TH ST. NW STORM SEWER REHAB - AWARD OF BID (CITY PROJECT NO. 4616)
The storm sewer in the area of 10th Street and 1st and 2nd Avenues NW has some issues that result in localized flooding during rain events. The storm sewer system has older inlets that plug on a regular basis, aging clay tile that is undersized, and an inefficient layout in general. On Thursday, August 19, 2021, bids were opened for the 10th Street NW Storm Sewer Rehab Project. A copy of the bid tabulation showing the different bids is attached.

1. **It is Recommended that council approve the bid award the bid for the 10th Street NW Storm Sewer Rehab Project to Post Construction, Inc. for the lowest bid of \$112,562.00.**
2. **Authorize the Mayor to sign the Agreement for the project.**

Documents:

[4616 - 10TH ST NW STORM SEWER REHAB AWARD OF BID MEMO.PDF](#)

- 7.11. MINOT INTERNATIONAL AIRPORT (MOT) RUNWAY 13/31 PAVEMENT EVALUATION
The primary runway at MOT, Runway 13/31, is experiencing surface deterioration in isolated areas along the length of the runway pavement and the potential for subsurface structural concerns. SEH staff and City staff met on site this summer to observe the pavement deterioration and behavior of the runway surface in isolated areas, reinforcing concerns regarding subgrade conditions below the concrete

pavement.

1. **Recommend approval of the runway pavement evaluation to be conducted by SEH; and**
2. **Recommend approval of the proposed ordinance on first reading; and**
3. **Authorize the Mayor to sign the applicable documentation**

Documents:

[MEMO RUNWAY 13.31 PAVEMENT EVALUATION.DOCX](#)
[PAVEMENT INVESTIGATION_SUMMARY MEMO.PDF](#)
[SEH PROPOSAL RWY13_31 PAVEMENT EVALUATION.PDF](#)
[60. 2021 BA AIRPORT RUNWAY DETERIORATION_.PDF](#)

7.12. AIRPORT GRANT CLOSEOUT, 3-38-0037-060-2021, CORONAVIRUS RESPONSE AND RELIEF APPROPRIATIONS ACT (CRRSA)

Similar to the CARES ACT funding received by the Airport in 2020, CRSSA funding was offered to airports to assist with operational expenses and relief money was specifically allocated specifically for airport concessionaires (e.g. car rental companies and food & beverage retailers). Minot International Airport was awarded \$35,147 to be used to assist on airport concessionaires. The payments have been made to the concessionaires and now the grant is ready for closeout.

Recommend the City Council authorize the Interim Airport Director to sign the grant closeout documents for the vendor portion of the CRRSA grant.

Documents:

[8-26-21 GRANT CLOSEOUT MEMO.PDF](#)

7.13. CITYWORKS LICENSE UPGRADE (4423)

Staff is well into the development of the City's asset management and permitting software. We are beginning the integration of Cityworks with Munis inventory and utility billing. To make the integration happen, the City needs to upgrade its Cityworks license to a premium ELA license.

1. **Approve the modification to the Cityworks license and upgrade to premium ELA;**
2. **Approve the budget amendment and use of water and sewer cash reserves on 1st reading**

Documents:

[4423 - CITYWORKS LICENSE UPGRADE MEMO.PDF](#)
[61. 2021 BA - CITYWORKS INTEGRATION UPGRADE.PDF](#)

7.14. APPROVE ANNUAL RENEWAL OF SALESFORCE SOFTWARE

This software which is purchased through a Federal GSA contract has been used by the City of Minot as the official record of transaction activity for the past 8 years for all property acquisitions using HUD CDBG-DR and CDBG-NDR grant funds. Renewal of

the software is appropriate and consistent with HUD rules both because it maintains consistency of all records related to flood property related acquisitions and the price is from a federal General Services Administration requirements contract.

It is Recommended City Council approve annual renewal of Salesforce software with Carahsoft Technology Corp. in the amount of \$24,874.91

Documents:

[SALESFORCERENEWALCOUNCILMEMOAB.DOCX](#)
[CARAHSOFT - SALESFORCE.COM - 06.11.2021 - QUOTE 28837183.PDF](#)

7.15. APPROVE SUB-RECIPIENT AGREEMENTS WITH PROJECT BEE

The Young Women's Christian Association of Minot, ND has commenced the legal process of changing its corporate name to Project BEE. The change has been made effective with the state of North Dakota but continues to be in process at the federal level.

It is Recommended the City Council approve two sub-recipient agreements with Project BEE to take over the role completing the project known as Broadway Circle for both the Family Homeless Shelter and 17 Unit LMI Apartment Rental Building authorizing execution by Mayor and Finance Director upon Project BEE confirming it is registered with Sam.gov reporting no debarment.

Documents:

[PROJECTBEECOUNCILMEMOAB.PDF](#)
[BROADWAYCIRCLEREVERTER_9.1.2021 CLEAN9-1A.PDF](#)
[AGREEMENTPROJECTBEEFAMILYSHELTER20190606A \(1\)A \(1\)BC.PDF](#)
[IMG20210901_13104426.PDF](#)

7.16. GAMING SITE AUTHORIZATION- MSU BEAVER BOOSTERS

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. MSU Beaver Boosters has submitted their application and received approval from the Police Chief.

Recommend approval of the gaming site authorization for MSU Beaver Boosters to conduct pull tabs at X Golf through June 30, 2022

Documents:

[MEMO- GAMING SITE AUTHORIZATION.PDF](#)

7.17. LAW ENFORCEMENT PARKING ON S MAIN ST AT TRINITY EMERGENCY ROOM

The Police Department was approached by Trinity Health about parking in the Emergency Room Drop off parking area. Due to an increase in emergency room and Covid related activity, Trinity Health has requested that the Police Department start

parking vehicles on S Main Street rather than in the emergency room parking lot.

It is recommended that council pass an ordinance to modify the parking restriction on the west side of S Main Street that is 60-feet to 100-feet from the intersection of S Main Street and Burdick Expressway and do the following:

1. **Remove the existing 2-hour limited time parking zone**
2. **Add a Law Enforcement Only parking zone**

Documents:

[MEMO-S MAIN ST LAW ENFORCEMENT.DOCX](#)
[LAW ENFORCEMENT PARKING ORDINANCE - S MAIN ST.DOCX](#)
[LAW ENFORCEMENT NO PARKING ON S MAIN ST.PDF](#)

7.18. NO PARKING ON 13TH AVENUE SW BETWEEN 1ST STREET SW AND S BROADWAY

The Engineering Department was contacted by the owners of The Station regarding increased traffic on 13th Avenue SW between 1st Street SW and S Broadway, which has essentially turned this roadway into a one-lane road. The Engineering Department is proposing on restricting parking on the north side of 13th Avenue SW between 1st Street SW and S Broadway. This option will allow two-way traffic to be maintained during high on-street parking events.

It is recommended that council pass a ordinance to add a parking restriction to the following location:

1. **No parking on the north side of 13th Avenue SW between 1st Street SW and S Broadway.**
2. **No parking on the south side of 13th Avenue SW for 160-feet east from the center of the 13th Avenue SW and S Broadway intersection.**

Documents:

[MEMO- 13TH AVENUE SW NO PARKING.PDF](#)
[NO PARKING ORD - 13TH ST SW.PDF](#)
[13TH AVE SW NO PARKING.PDF](#)
[EXISTING PHOTOS 13TH AVENUE SW.PDF](#)

8. ACTION ITEMS

- 8.1. PUBLIC HEARING: BUILDING RELOCATION REQUEST TO 1215 54TH AVE SE
A public hearing to consider a request by Sheldon Schneider to relocate a single family residence from 222 16th St SE, Minot ND, 58701 also known as Lenox Park Addition Lot 68, to 1215 54th Ave SE, Minot, ND 58701, also known as OLT 4 of SESE Less W 192' & E 183.35' & POR SBLT A S1-154-83, subject to conditions.

It is recommended the City Council approve the request.

Documents:

MEMO TO CITY COUNCIL.PDF
SCHNEIDER MOVE APPLICATION.PDF
PROPERTY OWNER LETTER.PDF
LTR TO SURROUNDING PROPERTIES.PDF
INSPECTORS REPORT SCHNEIDER.PDF
ASSESSORS REPORT - SCHNEIDER.PDF

8.2. APPROVAL OF HIRING RECOMMENDATION FOR AIRPORT DIRECTOR POSITION

City Manager, Harold Stewart is asking the City Council to support his recommendation to hire Jennifer Eckman as the new director at the Minot International Airport after a nationwide search process. Ms. Eckman's salary will be \$126,049 annually and she will start employment in her new position on October 4, 2021.

Approve recommendation of the City Manager to hire Jennifer Eckman as the new Airport Director for the Minot International Airport.

Documents:

MEMO APPROVING HIRING RECOMMENDATION FOR AIRPORT
DIRECTOR POSITION.PDF

8.3. AMEND CHAPTER 5-35 OF THE CITY OF MINOT CODE OF ORDINANCES

The total number of available Retail Liquor licenses granted by the City of Minot is limited by the city's population. The official 2020 United States Census determined that Minot has a population of 48,377 residents, meaning the City can issue 32 Retail Liquor Licenses. The City currently has 28 Retail Liquor Licenses in operation, so City staff is working on the process to grant four (4) additional licenses.

It is recommended the City Council pass an ordinance on first reading amending the City of Minot Code of Ordinances, Chapter 5-35 pertaining to exceptions to the limitation on the number of licenses.

Documents:

MEMO- ADDITIONAL LICENCES.PDF
ALCOHOLIC BEVERAGE_AUCTION OR BID CONDITIONS.PDF

8.4. 2021 BOND RESOLUTIONS FOR 2021A – 2021B

The three bond issuances will be used as follows:

1. The Series 2021A bonds will be used to finance various special assessment projects within the City.
2. The Series 2021B will be used to finance various flood control projects within the City.

The bonds being issued by the City are going to be listed for sale and require the resolutions to be signed in order to authorize the sale.

Authorize the Mayor to sign the 2021A Refunding Bond Resolution and 2021B Sales Tax Revenue Bond Resolution for the construction of Paving District 499, Paving and Utility District 2021-1 and the continuation of flood control.

The bonds will be sold by the City on Tuesday September 7, 2021, requiring the resolutions to be signed.

Documents:

[2021 BOND MEMO.PDF](#)
[BOND RESOLUTION \(MINOT RIBS 2021A\)-V2.PDF](#)
[BOND RESOLUTION \(MINOT SALES TAX REV 2021B\)-V2.PDF](#)

8.5. PUBLIC HEARING: 2022 PRELIMINARY ANNUAL BUDGET

Pursuant to NDCC 40-40-08, the City of Minot is required to conduct a public hearing of protests and objections to any items or amounts set forth in the preliminary budget.

Documents:

[PRESIDENT OLSON'S BUDGET LETTER AUGUST 2021.PDF](#)

8.5.i. 2022 PROPOSED ANNUAL BUDGET ORDINANCE

Recommend City Council approval of the 2022 budget ordinance on first reading.

Documents:

[2022 BUDGET ORDINANCE.PDF](#)

- 9. PERSONAL APPEARANCES
- 10. MISCELLANEOUS AND DISCUSSION ITEMS
- 11. ADJOURNMENT