



Monday, June 7, 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. MAYOR'S REPORT
4. CITY MANAGER REPORT

Documents:

[CITY MANAGER REPORT 6-7-2021.PDF](#)
[AIRPORT CITY COUNCIL PRESENTATION EMAIL APRIL 2021.PDF](#)

5. CITY ATTORNEY REPORT

Documents:

[2021-05.PDF](#)

6. CONSIDER THE REPORT OF THE PLANNING COMMISSION

Documents:

[06 \(JUN\) RECOMMENDATIONS 2021.PDF](#)

- 6.1. SUBDIVISION OF OUTLOT 5

Planning Commission recommends City Council approve a subdivision plat to create Outlot 5, being all of Outlot 4, a Portion of the NW1/4 of the NW1/4, and a portion of the NE1/4 of the NW1/4, all within Section 9, Township 155N, Range 82W, Ward County, North Dakota. The property is located at 4540 30th Avenue NE.

- 6.2. PUBLIC HEARING: ZONING MAP AMENDMENT- BERTSCH ADDITION

A public hearing to consider a request from Ackerman Surveying representing Troy Bertsch, for a zoning map amendment from "AG" Agricultural District to both "AG" Agricultural District and "RR" Rural Residential District on proposed Bertsch Addition, Lot 2

Planning Commission recommends the City Council:

1. **approve a subdivision plat of Outlot 13 of Section 6, Township 154 North, Range 82 West Bertsch Addition to be known as Bertsch Addition, Lot 2.**
2. **pass an ordinance on first reading to rezone Bertsch Addition, Lot 2 from "AG" Agricultural District to both "AG" Agricultural District and "RR" Rural Residential District**
3. **adopt a resolution for a future land use map amendment from Medium Density Residential and Low Density Residential to Very Low Density Residential.**

Documents:

[060721 - RZ BERTSCH ADDITION LOT 2 - AG TO R1.PDF](#)
[060721 - LUM AMEND BERTSCH ADDITION - LDR MDR TO VLDR.PDF](#)

6.3. SUBDIVISION PLAT AND STREET/ALLEY VACATION- MINOT INTERNATIONAL AIRPORT FOURTH ADDITION

Planning Commission recommends City Council approve a subdivision plat including a vacation of right-of-way to be known as Minot International Airport Fourth Addition. The properties are legally known as Lots 5 & 6, Block 5 and a Portion of Vacated Right-of-Way of Minot International Airport Second Addition. The property address is 2400 N. Broadway, Unit 2.

6.4. PUBLIC HEARING: ZONING MAP AMENDMENT- LOT 8, DAKOTA SQUARE 2ND ADDITION

A public hearing to consider a request from Jason Loney, Scheels All Sports, Inc. representing Dakota Square Mall CMBS, LLC for a zoning map amendment from "C4" Planned Commercial to "C2" General Commercial with a Planned Unit Development (PUD) overlay for the purposes of building expansion. The property is legally known as Lot 8 of Dakota Square Second Addition to the City of Minot, North Dakota. The property is located at 2400 10th Street SW.

Planning Commission recommends City Council pass an ordinance on first reading for the zoning map amendment.

Documents:

[060721 - PUD DAKOTA SQUARE 2ND ADDITION LOT 8.PDF](#)
[060721 - RZ DAKOTA SQUARE 2ND ADDITION LOT 8 - C4 TO C2 WITH PUD.PDF](#)
[060721 - PUD DAKOTA SQUARE 2ND ADDITION LOT 8 ATTACHMENT A.PDF](#)

6.5. PUBLIC HEARING: ZONING MAP AMENDMENT- SUBURBAN HOMES 4TH ADDITION

A public hearing to consider a request by Michael Sartwell, PRGA Properties – St. Joseph, LLC owner/representative and Trustees Church of God of Prophecy, for a zoning map amendment from "R1" Single-Family Residential District to "C2" General Commercial District on proposed Suburban Homes 4th Addition.

The Planning Commission recommends City Council

1. **approve a subdivision plat to be known as Suburban Homes 4th Addition to adjust the shared property boundary between the two subject properties thirty (30) feet to the west.**
2. **pass an ordinance on first reading to rezone Lot 2 From "R1" Single-Family Residential District And "C2" General Commercial District To "R1" Single-Family Residential District And "C2" General Commercial**

District Of A Different Configuration.

- 3. Adopt a resolution for a future land use map amendment from Low Density Residential to Commercial.**

Documents:

[060721 - RZ SUBURBAN HOMES 4TH ADDITION - R1 TO C2.PDF](#)
[060721 - LUM AMEND SUBURBAN HOMES 4TH ADDITION - LDR COMMERCIAL TO COMMERCIAL.PDF](#)

7. CONSENT ITEMS

7.1. CITY COUNCIL MINUTES

It is recommended the City Council approve the minutes of the May 17, 2021 regular City Council meeting and the May 19, 20, and 27 special City Council meetings.

Documents:

[210517.PDF](#)
[210519 BUDGET TOUR.PDF](#)
[210520 BUDGET TOUR.PDF](#)
[210527 BUDGET TOUR.PDF](#)

7.2. BILLS, TRANSFERS AND PAYROLL

It is recommended the City Council approve bills and transfers for May in the amount of \$3,283,533.62 and payroll for the period of April 25, 2021 through May 22, 2021 in the amount of \$2,117,059.80.

Documents:

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

7.3. THE FOLLOWING ORDINANCES SHOULD BE CONSIDERED ON SECOND READING

- 1. Ordinance No. 5608 - Amend the 2021 Annual Budget- Bus Video Surveillance Equipment**
- 2. Ordinance No. 5609 - Amend the 2021 Annual Budget- Downtown Planning Services Study**
- 3. Ordinance No. 5610 - Speed Reduction from 35 mph to 30 mph at 31st Avenue SW between 16th Street SW and S Broadway**

Documents:

[ORDINANCE NO. 5608.PDF](#)
[ORDINANCE NO. 5609.PDF](#)
[ORDINANCE NO. 5610.PDF](#)

7.4. BROADWAY VIADUCT REPLACEMENT FINAL MEMO (3979)

The City partnered with the NDDOT to replace the Broadway Viaduct. The project is now complete and final payment must be made to the NDDOT.

- 1. Recommend final payment be made to the NDDOT in the amount of \$313,144.02**
- 2. Authorize the Mayor to sign the certification of local match.**

Documents:

3979 BROADWAY VIADUCT FINAL PAYMENT MEMO.PDF
FINAL INVOICE AND CERTIFICATION OF LOCAL MATCH.PDF

- 7.5. 16th ST SW & 37th AVE SW MILL & OVERLAY BUDGET AMENDMENT (4592)
The City has selected Moore Engineering as the consultant to perform engineering services for the 16th St and 37th Ave Mill and Overlay project. A budget amendment is needed to adjust the engineering expenditures for the project to fit the amount programmed in the capital improvement plan.

1. Recommend council approve the attached budget amendment on 1st reading

Documents:

[4592 - 16TH ST 37TH AVE SW MILL OVERLAY - BUDGET AMENDMENT MEMO.PDF](#)
[40. 2021 BA - 16TH-37TH MILL OVERLAY 4592 \(2021400004\).PDF](#)

- 7.6. RURAL COMMUNITY GRANT FUND – APPLICATION FOR POLICE BIKES
Presented by John Klug, Chief of Police

The Minot Police Department has seen increased demand on their Bike Patrol and the bikes are beginning to age. The funding for the bikes in this grant are Specialized Turbo Levo E-Bikes which are battery powered to assist the operator when negotiating hills or long distances.

Recommend approval of application to the Rural Community Grant Fund for the purchase of two Specialized Police Bikes; and, If awarded, allow the Mayor or Chief of Police to sign the award acceptance documents and purchase the bikes.

Documents:

[COUNCIL MEMO - RURAL COMMUNITY GRANT FUND APPLICATION.PDF](#)
[SPECIALIZED TURBO LEVO E-BIKES.PDF](#)

- 7.7. 2021 NUISANCE ABATEMENT - AWARD BID (4601)
This is the annual project to address nuisances throughout the City.

1. **Award the bid for the 2021 Nuisance Abatement Project to the low bidder, DL Barkie Construction, Inc., in the amount of \$39,235.00.**
2. **Authorize the Mayor to sign the Agreement.**

Documents:

[4601 - 2021 NUISANCE ABATEMENT AWARD OF BID MEMO.PDF](#)

- 7.8. ANNUAL GAMING SITE AUTHORIZATION- MSU ALUMNI ASSOCIATION
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. Minot State University Alumni Association has submitted documentation and received approval from the Police Chief.

Recommend approval of the gaming site authorization for MSU Alumni Association to conduct electronic pull tabs, poker and calcuttas at The Grand

International Inn during the license year of July 1, 2021 through June 30, 2022.

Documents:

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

7.9. ENCROACHMENT PERMIT - 900 21ST AVE SE - STNL MINOT, LLC

The property owner at 900 21st Ave SE wishes to construct and install private storm sewer across a City boulevard to connect their onsite storm sewer system into a City storm sewer catch basin.

Recommend approval of the Right of Way Encroachment Agreement Application submitted by STNL Minot, LLC for the installation of private storm sewer to tie into a City catch basin at 900 21st Avenue SE.

Documents:

[MEMO_ENCROACHMENT_900 21ST AVE SE.PDF](#)
[ROW ENCROACHMENT AGREEMENT APPLICATION.PDF](#)
[ENCROACHMENTPERMIT_900 21ST AVE SE.PDF](#)
[900 21ST AVE SE-LOCATION AERIAL.PDF](#)

7.10. GALUSHA RANCH PLAT AGREEMENT AMENDMENT 1 (4353 & 4612)

The Galusha Ranch Addition plat and developers agreement was approved in 2018. The Galusha Ranch 2nd Addition plat was approved in March 2021. The agreement details the obligations for development. The amendment will carry over all requirements from Galusha Ranch Addition so that they also apply to Galusha Ranch 2nd Addition.

- 1. Recommend Council approve Amendment 1 to the Galusha Ranch Addition Plat Agreement**
- 2. Authorize the Mayor to sign the amendment**

Documents:

[GALUSHA RANCH AMENDMENT 1 MEMO.PDF](#)
[GALUSHA RANCH DEVELOPMENT AGREEMENT_AMENDMENT 1.PDF](#)

7.11. TIDAL WAVE AUTO SPA - NDDOT PERMIT (4588)

Tidal Wave Auto Spa is developing a site along South Broadway. The improvements include an on-site storm water collection system that will discharge into the South Broadway/US Highway 83 ditch. When a project like this occurs, the NDDOT requires the local authority having jurisdiction over drainage to sponsor the project and sign the permit application.

- 1. Recommend council approve the City of Minot to sponsor the project and be designated as the permittee.**
- 2. Authorize the mayor to sign the permit.**
- 3. Require that a performance and payment bond be required for the full amount of the improvements within the right of way.**

Documents:

[MEMO_TIDALWAVENDDOT.PDF](#)
[NDDOT PERMIT.PDF](#)

8. ACTION ITEMS

8.1. ENCROACHMENT PERMIT - 1ST STREET AKSAL PARKLET

Aksal Group wishes to install a parklet/streatery on the western side of their property to serve customers at Prairie Sky Breads.

Recommend approval of the Right of Way Encroachment Permit Application submitted by Aksal Group, LLC for the installation of a parklet/streatery at their building at 3 1st Street SE.

Documents:

[MEMO_ENCROACHMENT_AKSALPARKLET.DOCX](#)
[PARKLETAPPLICATION_ENCROACHMENTPERMIT2.PDF](#)
[ENCROACHMENTPERMIT_AKSALPARKLET.DOCX](#)
[3 1ST ST SE-LOCATION AERIAL.PDF](#)

8.2. RENAISSANCE ZONE FINAL APPROVAL, PROJECT M-94

At its regular meeting on May 20, 2021 the Renaissance Zone Review Board recommended final approval of an application for a Renaissance Zone Project filed by Creedence Properties III, LLC, represented by Kevin Black, for a five-year property tax exemption, including improvements and land, on property located at 21 East Central Avenue (Addition East, Lots 19 and 20, Block 19). The Minot City Council issued conditional approval of this project on July 6, 2020.

It is recommended the City Council grant final approval to Renaissance Zone Project #M-94.

Documents:

[MEMO TO CC 6-7-2021 \(FINAL\).PDF](#)
[21 EAST CENTRAL AVE. - CREEDENCE ENERGY.PDF](#)

8.3. ORDINANCE AMENDING SECTION 9-6 IN CHAPTER 9 OF THE CITY OF MINOT CODE OF ORDINANCES

The Inspection Department is proposing an ordinance change to improve the safety of new residential buildings, as it relates to fuel-fired appliances and future installations. The main goal of this ordinance will be to protect homeowners and neighbors from possible code violations and safety hazards when "roughing-in" for a fuel-fired appliance, but not installing the appliance until a future date.

It is recommended the City Council pass the proposed ordinance on first reading amending Chapter 9-6 of the City of Minot Code of Ordinances.

Documents:

[MEMO ORDINANCE CHANGE \(9-6\).PDF](#)
[ORDINANCE NO \(SEC 9-6\) \(LUKE\)_KH_CLEAN.PDF](#)

8.4. CRAFTSMEN LICENSE ORDINANCE/RESOLUTION

The attached ordinance will amend the Code of Ordinances by changing the language to allow the City Council to set the Craftsmen fees by resolution. The attached ordinance also rescinds language in the Code of Ordinances allowing Gas Fitters and HVAC Installers to apply for temporary work permits.

1. **It is recommended the City Council approve the proposed ordinance on first reading.**
2. **Adopt the attached resolution upon approval of the ordinance**

amendment on second reading.

Documents:

[LICENSING MEMO TO CC_SRS.PDF](#)
[2021.5.27_LICENSING FEES ORDINANCE.PDF](#)
[2021.5.27_LICENSING FEES ORDINANCE.MARKUP.PDF](#)
[2021.5.27_LICENSING FEES RESOLUTION - LT.SS.PDF](#)
[LICENSING FEES SUMMARY .PDF](#)

8.5. BUDGET AMENDMENT- CITY ECONOMIC DEVELOPMENT ACTIVITIES

Presented by David Lakefield, Finance Director

On November 5, 2018 the City Council approved the second reading of Ordinance No. 5323 which provided for the use of a portion of First Penny Sales Tax for use for City of Minot economic development activities to be approved by the Minot City Council. The proposed budget amendment would appropriate the funding available for City of Minot economic development activities that has not been encumbered. This would allow these initiatives to proceed.

It is recommended the City Council approve the attached budget amendment to appropriate funds for use in City economic development activities

Documents:

[CITY ECONOMIC DEVELOPMENT - CC MEMO_BB.PDF](#)
[42. 2021 BA - ST ECONOMIC DEV RESERVES \(1\).PDF](#)

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