

City of Minot

Regular City Council Meeting
Monday, July 19, 2021 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. CITY MANAGER REPORT

Documents:

[CITY MANAGER REPORT 7-19-2021.PDF](#)
[AIRPORT CITY COUNCIL PRESENTATION EMAIL JUNE 2021.PDF](#)
[WATER SEWER MONTHLY REPORT 2021.PDF](#)
[NAWS UPDATE FOR WATER TOPICS 7-13-21.PDF](#)
[JULY 2021 WATER TOPICS COMMITTEE UPDATE2.PDF](#)

4. CONSIDER THE REPORT OF THE PLANNING COMMISSION

Documents:

[07 \(JULY\) RECOMMENDATIONS 2021.PDF](#)

- 4.1. PENDLETON ESTATES 2ND ADDITION

Planning Commission recommends City Council approve a subdivision plat to create Pendleton Estates 2nd Addition subdivision, being Lots 9 & 10, Block 2, Pendleton Estates Addition. The properties are located at 501 and 701 83rd St. NE.

- 4.2. URBAN 15TH ADDITION

Planning Commission recommends City Council approve a subdivision plat to create Urban 15th addition, being Lots 2, 3, & 4, Urban Fifth Addition to the City of Minot, North Dakota. The property is located at 900 37th Ave. SW.

- 4.3. SOUTHWEST BUSINESS PARK 3RD ADDITION

Planning Commission recommends City Council approve a subdivision plat to create 3 separate lots known as Southwest Business Park 3rd Addition from Lot 2, Block 1 of Southwest Business Park Second Addition, Section 32, Township 155 North, Range 83 West, Ward County, North Dakota. The property address is 36th Ave SW.

- 4.4. PUBLIC HEARING: ANNEXATION AND REZONE OUTLOT 35 OF SECTION 29,

TOWNSHIP 155 NORTH, RANGE 82 WEST

A public hearing to consider a request from Loren Klein, for an annexation and a zoning map amendment from "AG" Agricultural District to "M1" Light Industrial District.

The property is legally known as Outlot 35 of Section 29, Township 155 North, Range 82 West, Ward County, North Dakota. The property is located at 1613 27th St SE.

1. **Planning Commission recommends City Council approve and pass an ordinance on the first reading to change the zoning designation of Outlot 35 of Section 29-155N-82W from "AG" Agricultural District to "M1" Light Industrial District**
2. **pass an ordinance on first reading to annex the same property into city limits.**

Documents:

[071921-ORDIANCE-ANNEX-OUTLOT 35 SECTION 29-155N-82W.PDF](#)
[071921 - RZ OUTLOT 35 SECTION 29-155N-82W - AG TO M1.PDF](#)

4.5. PUBLIC HEARING: REZONE OF OUTLOT 23 OF SECTION 19-155N-83W

A public hearing to consider a request by Ethan and Courtney Erickson representing Darla and Donald Erickson, for a zoning map amendment from "C2" General Commercial to "AG" Agricultural District for a 10-acre portion of their property to be known as Outlot 23. The property is legally known as an unplatted portion of the NE 1/4 of the SE 1/4, Section 19, Township 155 North, Range 83 West, Ward County, North Dakota.

1. **Planning Commission recommends City Council approve an outlet plat to create Outlot 23**
2. **pass an ordinance on the first reading to change the zoning designation of the property from "C2" General Commercial District to "AG" Agricultural District.**

Documents:

[071921 - RZ OUTLOT 23 SECTION 19-155N-83W - C2 TO AG.PDF](#)

5. CONSENT ITEMS

5.1. MAYORAL APPOINTMENT

It is recommended the City Council confirm the following Mayoral appointment:

Library Board- Lindsey Bertsch with a term to expire June 2024

5.2. CITY COUNCIL MINUTES

It is recommended the City Council approve the minutes of the July 6, 2021 regular City Council meeting.

Documents:

[210706.PDF](#)

5.3. THE FOLLOWING ORDINANCES SHOULD BE CONSIDERED ON SECOND READING

1. **5611 Zoning Map Amendment from AG to AG & RR on Bertsch Addition, Lot 2**
2. **5623 Amend the 2021 Annual Budget- LOIS Subscription Agreement**
3. **5624 Amend the 2021 Annual Budget- NDDOT Urban Agreement CRISI Grant**
4. **5625 Amend the 2021 Annual Budget- CRSAA Grant**
5. **5626 Amend the 2021 Annual Budget- Airport Toro Mower Exchange**

Documents:

[ORDINANCE NO. 5611.PDF](#)
[ORDINANCE NO. 5623.PDF](#)
[ORDINANCE NO. 5624.PDF](#)
[ORDINANCE NO. 5625.PDF](#)
[ORDINANCE NO. 5626.PDF](#)

5.4. ADMINISTRATIVE APPROVALS

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

Documents:

[ADMIN APPROVALS 7-19-21.PDF](#)

5.5. 3RD ST SE & BURDICK HSIP - FINAL PAYMENT (4426)

The 3rd Street SE and Burdick Expressway HSIP project is a Highway Safety Improvement Program (HSIP) project designed for crosswalk improvements at the Ward County Courthouse and at Roosevelt Zoo/Corbett Field. Strata Corporation was awarded the construction contract and the project has been completed.

Recommend Council approve the final payment to the NDDOT in the amount of \$3,607.42.

Documents:

[4426 - FINAL PAYMENT MEMO.PDF](#)
[6-29-201 NDDOT FINAL PAY APP.PDF](#)

5.6. STORM SEWER DISTRICT 123 – 10TH STREET SW – FINAL PAYMENT (4393)

Storm Sewer District 123 - 10th St SW was included in the approved capital improvements plan for 2019 design and 2020 construction and is now complete.

Recommend that Council approve the final payment to the Wagner Construction in the amount of \$162,990.49.

Documents:

5.7. LED STREETLIGHTS – AWARD OF BID (PROJECT NUMBER 4615)

The Traffic Department maintains a majority of the streetlights throughout the City of Minot. A majority of these streetlights utilize the traditional high-pressure sodium, or HPS, light bulbs. As an industry standard, HPS lighting is being phased out for more efficient Light-Emitting Diode, or LED, streetlights. Over the next few years, the Traffic Department will continue making efforts to upgrade the City's streetlights from HPS to LED. On July 8, 2021, bids were opened for 160 LED streetlights for the Traffic Department. A single bid was received from Gefroh Electric, Inc. in the amount of \$131,280.

1. **Recommend council approve the bid from Gefroh Electric in the amount of \$131,280.**
2. **Recommend council approve a budget amendment that increases the Traffic capital equipment fund and decreases the Traffic street lights and signal maintenance fund \$16,352 to cover the cost of the bid.**

Documents:

[MEMO - AWARD OF BID - STREETLIGHTS.DOCX](#)
[50. 2021 BA - TRAFFIC SIGNAL UPGRADE .DOCX](#)

5.8. ENGINEERING STUDY AT THE INTERSECTION OF 1ST STREET SW AND 13TH AVENUE SW

An investigation was recently completed regarding motorist safety at the yield controlled intersection of 1st Street SW and 13th Avenue SW. The engineering study consisted of applying AASHTO's guidelines for intersection sight triangles, per City of Minot ordinances. Actual conditions at the intersection do not meet AASHTO's sight distance recommendations for a yield controlled intersection. The use of a stop sign instead of a yield sign should be considered.

It is recommended that Council pass an ordinance modifying the 1st Street SW approaches from Yield control to Stop control at the intersection with 13th Avenue SW.

Documents:

[MEMO_STOPS - 1ST ST SW AT 13TH AVE SW.DOCX](#)
[1ST ST SW AT 13TH AVE SW.PDF](#)
[PROPOSED ORDINANCE 1ST ST SW AT 13TH AVE SW.DOC](#)

5.9. OAG AVIATION WORLDWIDE, LLC (OAG) LICENSE AGREEMENT RENEWAL

OAG has provided automated flight information for the airport's website for several years. The annual support agreement will provide continuous flight information to the website as well as any technical assistance to airport staff. This is an updated contract provided by OAG.

1. **Recommend Council approve the annual support agreement with**

OAG for the airport's website flight information; and

2. Authorize the Mayor to sign the agreement

Documents:

[MOT OAG FLIGHT VIEW AGREEMENT.PDF](#)
[MEMO OAG FLIGHT VIEW LICENSE AGREEMENT RENEWAL.PDF](#)

5.10. ENCROACHMENT PERMIT - 111 CENTRAL AVE W

S-J ONE ELEVEN, LLC wishes to provide access to their building from the northern adjacent public sidewalk. The interior finished floor elevation is approximately 7" higher than the exterior sidewalk elevation. This ramp is necessary to provide ADA access to this business.

Recommend approval of the Right of Way Encroachment Agreement Application submitted by S-J ONE ELEVEN, LLC for the installation of an ADA access for their building at 111 West Central Avenue.

Documents:

[MEMO_ENCROACHMENT_111WCENTRAL.DOCX](#)
[ENCROACHMENT AGREEMENT APPLICATION_KB.PDF](#)
[ENCROACHMENTPERMIT_111WCENTRALRAMPS.DOCX](#)
[111 W CENTRAL-LOCATION AERIAL.PDF](#)

5.11. ENCROACHMENT PERMIT - 1602 27TH STREET SE

Dakota Agronomy Partners submitted an encroachment permit application for a sign for a sign within the right of way east of their property at 1602 27th St SE. Because of the previous realignment of 27th St SE, there is excess right of way in this location.

Recommend approval of the Right of Way Encroachment Permit Application for the sign at 1602 27th St SE.

Documents:

[MEMO_ENCROACHMENT_1602 27THSTSE SIGN.PDF](#)
[ENCROACHMENT AGREEMENT APPLICATION_DAKOTA AGRONOMY PARTNERS SIGN.PDF](#)
[DAP 27TH STREET SIGN PROPOSAL.JPG](#)
[ENCROACHMENTPERMIT_1602 27THSTSE SIGN.PDF](#)
[1602 27TH ST SE-LOCATION AERIAL.PDF](#)

5.12. ENCROACHMENT PERMIT - LOT 1 LIVINGSTON'S

The owner of Lot 1 Livingston's 9th Addition wishes to construct and install private storm sewer across a City boulevard to connect their future onsite storm sewer system into a City storm sewer catch basin.

Recommend approval of the Right of Way Encroachment Agreement Application submitted by Meadowlark Holdings, LLC for the installation of private storm sewer to tie into a City catch basin east of Lot 1 Livingston's 9th

Addition, along 21st Avenue SE.

Documents:

[MEMO_ENCROACHMENT_LOT1LIVINGSTON9.PDF](#)
[APPLICATION.PDF](#)
[PLAN SHEET.PDF](#)
[ENCROACHMENTPERMIT_LOT1LIVINGSTON9TH_21ST AVE SE.PDF](#)
[LIVINGSTONS 9TH ADDN LOT 1-LOCATION AERIAL.PDF](#)

6. ACTION ITEMS

6.1. CARNEGIE CENTER LEASE WITH MACA

The City of Minot owns the Carnegie Center and for the last ten years has leased it to the Carnegie Association of Minot. The lease expires in August 2021. Staff has heard concerns from the public regarding non-responsiveness and inaccessibility to rent the facility for events. The facility is also in need of significant cleaning and maintenance. The City Manager has discussed other possible uses with staff and community leaders over the last several months in an effort to re-establish community pride and access to the building. MACA was interested in leasing the building and making it accessible to the general public, as well as programming arts and cultural events in the facility.

It is recommended the City Council approve a two-year Lease of the Carnegie Center to Minot Area Council of the Arts (MACA).

Documents:

[CARNEGIE CENTER LEASE 2021.PDF](#)
[CARNEGIE CENTER LEASE_2021.PDF](#)
[CARNEGIE CENTER LEASE_2021_HLS.PDF](#)
[EXHIBIT A_CARNEGIE CENTER FLOOR PLAN.PDF](#)
[CARNEGIE CENTER FEE SCHEDULE 2021.PDF](#)
[LEASE- CARNEGIE ASSOCIATION OF MINOT.PDF](#)

7. PERSONAL APPEARANCES

8. MISCELLANEOUS AND DISCUSSION ITEMS

9. LIAISON REPORTS

10. ADJOURNMENT