

## March 26, 2020 Special City Council Meeting

MINOT CITY COUNCIL – SPECIAL MEETING – MARCH 26, 2020 AT 3:00 P.M.

### ROLL CALL

#### Members Present:

Jantzer, Olson (phone), Pitner, Podrygula, Sipma, Straight, Wolsky

#### Members Absent:

None

### PLEDGE OF ALLEGIANCE

Mayor Sipma presiding and led the City Council in the Pledge of Allegiance.

### ORDINANCE NO. 5486 - ENACTING A NEW DIVISION OF CHAPTER 2, ARTICLE II, TO BE TITLED “DISASTER AND EMERGENCY” – SECOND READING – APPROVED

Alderman Podrygula moved the City Council place an amended version of ordinance no. 5486 on second reading enacting a new division of Chapter 2, Article II, to be titled “Disaster and Emergency” which shall authorize the Mayor to declare a local disaster or emergency and to provide for the necessary organization, powers, and authority to prepare for, respond to, and recover from such declared local disasters or emergencies which affect the health, security, safety, or property of the city and its residents. Motion seconded by Alderman Jantzer and carried unanimously.

Alderman Podrygula described the amendments that he discussed with the City Attorney before he provided the revised ordinance to the Council that afternoon. Under Section 2-38 (a), #1, he removed the words “suspend, limit, cancel,” in reference to the Mayor’s ability to decide if the City Council would meet. The Mayor could still postpone, reschedule or relocate meetings to maintain flexibility.

He also added Section 2-38 (e) which states, “The city council may terminate the declaration of a local disaster or emergency or reverse any procedural act or order taken under 2-38(a) at any time.” He said he felt it was important to explicitly state that the Council could reverse any procedural act taken by the Mayor in an effort to rectify any abuse of power.

Alderman Wolsky said, he interpreted the original ordinance would give the Council authority to reverse the Mayor’s actions but appreciates that he clarified their authority. He said, the community reached out with concerns about a checks and balance system and although he did not share those concerns, it will be appreciated by the public. He also commented that the Governor has been using his authority on a daily basis to address executive orders during these emergency conditions.

Alderman Pitner agreed with the other Aldermen. He said he trusts that the Mayor would only express his authority in the interest of public safety. He encouraged everyone to continue social distancing and none of the actions in the ordinance would need to be done.

Alderman Olson said, looking back at previous emergencies, they happen so quickly the Mayor should have privileges to protect the health and safety of the community.

Alderman Jantzer commented that the Council can still call a meeting as described in the current ordinance. In the event the full Council is not available for a meeting, it would only take four members to take action.

Mayor Sipma stated, the draft of the ordinance was taken from the City of Grand Forks and he agreed with the other Council member’s comments.

Mayor Sipma moved to amend the ordinance on second reading to remove “firearms” from Section 2-38 (a) #2. Motion seconded by Alderman Podrygula.

Mayor Sipma stated, he is a proponent of citizen’s second amendment rights and he does not believe the authority to limit the sale of firearms should be left to one person. Under the assumption of a worst-case scenario, an order such as that would come from someone of higher authority than the Mayor.

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The Council agreed with the Mayor's comments and said they would not want to infringe on anyone's rights. They did not find it overly concerning and didn't believe that action would ever be invoked however, they shared their support for the amendment.

A vote was taken on the amendment by Mayor Sipma, seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

Whereupon a vote was taken on the above motion by Alderman Podrygula, seconded by Alderman Jantzer, as amended, and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

### **ORDINANCE NO. - CHILDCARE FOR FIRST RESPONDERS – FIRST READING – APPROVED**

Alderman Jantzer moved the City Council place ordinance no. on first reading amending the 2020 annual budget to increase the Emergency Fund Professional Service Contracts expenditures for the Emergency Personnel Childcare Services and approve the use of Emergency Fund cash reserves. Motion seconded by Alderman Pitner and carried unanimously.

The Mayor explained their efforts to set up childcare for emergency personnel to ensure medical staff could continue to go to work while schools were closed. The hospital identified staff in need of the service as well as the Minot Police Department, Minot Fire Department, Water Treatment Plant, and Ward County Sheriff's Department. He described the daily cleaning that will take place and the precautions taken to prevent the spread of COVID-19. He thanked staff for working to develop the agreement and identify the financing needed. He emphasized the vital need to have emergency response personnel on duty.

Alderman Straight took a moment to address the community's hoarding tendencies and how it is affecting local daycares. He encouraged the public to help their neighbors and to only buy essentials so that others have supplies for their daycare or other businesses.

The Mayor said, if daycares have to close for a lack of supplies, then it puts strain on others who depend on their service.

Alderman Wolsky said he supports the idea and believes it is an example of good government practice.

Alderman Jantzer moved the City Council pass ordinance no. on first reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

### **SCOPE OF SERVICES AND CONTRACT- CHILDCARE FOR FIRST RESPONDERS – APPROVED**

Alderman Pitner moved the City Council approve the Services Agreement between the City of Minot and Reser, LLC dba The Learning Tree for childcare for first responders during the COVID-19 Pandemic. Motion seconded by Alderman Jantzer.

The Mayor explained that the daycare facility reached out to ensure all needs were met. He thanked City staff, The Learning Tree, and Trinity for helping to set up the facility.

Alderman Wolsky said, the Governor mentioned that logistics and State laws may become more stringent regarding daycare policies. He asked if the center would be prepared in the situation the laws change in the near future.

Mayor Sipma said, they are overstaffing in anticipation for those restrictions. The Department of Health and Human Services, Minot Public School and First District Health Unit have coordinated efforts to ensure they will remain in compliance.

The City Attorney further clarified, the contract requires compliance with all Federal, State and local laws.

Alderman Olson asked if they had considered arrangements for children over 12 who may have special needs.

The Mayor said they would have to identify personnel in that situation but so far, it has not been communicated as a need. They will analyze needs during the first couple weeks and address as necessary.

### **ADJOURNMENT**

There being no further business, Alderman Pitner moved the City Council meeting be adjourned. Motion seconded by Alderman Jantzer and carried unanimously. Meeting adjourned at 3:29 pm.

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ATTEST: \_\_\_\_\_  
Kelly Matalka, City Clerk

APPROVED: \_\_\_\_\_  
Shaun Sipma, Mayor