

December 21, 2020 Regular City Council Meeting

MINOT CITY COUNCIL – SCHEDULED MEETING – DECEMBER 21, 2020 AT 5:30 P.M.

ROLL CALL

Members Present:

Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma

Members Absent:

None

PLEDGE OF ALLEGIANCE

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

Following the Pledge of Allegiance, the Mayor announced that Congress passed the year-end funding bill authorizing funding for Phase 4 of the Mouse River Enhanced Flood Protection Project.

They also approved a one-year extension for the NDR grant, adjusting the deadline to September 2023. He thanked Congressional staff, particularly Senator Hoeven, for all of their effort and emphasized the impact to Minot and the region.

CITY COUNCIL MINUTES – APPROVED

Alderman Olson moved the City Council approve the minutes of the December 7, 2020 regular City Council meeting.

Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5544 – REZONING OUTLOT 1, SECTION 10-154-83 FROM AG TO P – SECOND READING – APPROVED

Alderman Olson moved the City Council place ordinance no. 5544 on second reading to change the zone from AG “Agricultural District” to P “Public” on NE ¼ NE ¼ of Section 10-154N-83W. Motion seconded by Alderman Ross and carried unanimously.

Alderman Olson moved the City Council pass ordinance no. 5544. Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5549 – REZONING MELLUM'S SECOND ADDITION, LOTS 1 & 2 – SECOND READING – APPROVED

Alderman Olson moved the City Council place ordinance no. 5549 on second reading to change the zone from “C1” Neighborhood Commercial District to “R1” Single-Family Residential District on Mellum’s Second Addition, Lots 1 & 2. Motion seconded by Alderman Ross and carried unanimously.

Alderman Olson moved the City Council pass ordinance no. 5549 on second reading. Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5550 - 2021 DOMESTIC VIOLENCE CRISIS CENTER JAG (2021200001) – SECOND READING – APPROVED

Alderman Olson moved the City Council place ordinance no. 5550 on second reading to amend the 2021 annual budget to increase the Pass-Through Grants Fund federal revenues and expenditures for the FY2021 grant award from the U.S. Department Of Justice’s JAG program for the Domestic Violence Crisis Center. Motion seconded by Alderman Ross and carried unanimously.

Alderman Olson moved the City Council pass ordinance no. 5550 on second reading. Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

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ORDINANCE NO. 5551 – AMEND THE 2020 ANNUAL BUDGET- MAGIC CITY DISCOVERY CENTER GRANT AWARD (ST2P28 / 2020720001) – SECOND READING – APPROVED

Alderwoman Olson moved the City Council place ordinance no. 5551 on second reading to amend the 2020 annual budget to increase the Community Facilities fund pass-through revenues and expenditures for the grant award from the U.S. Department of Defense's Defense Community Infrastructure Pilot Program to the Magic City Discovery Center. Motion seconded by Alderman Ross and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5551 on second reading. Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5552 – AMEND THE 2020 ANNUAL BUDGET NDDOT FFY 2021 TRAFFIC SAFETY GRANT (202020014-202020018) – SECOND READING – APPROVED

Alderwoman Olson moved the City Council place ordinance no. 5552 on second reading to amend the 2020 annual budget to increase the Police department overtime salaries and benefits revenues and expenditures for the FY20-21 Traffic Safety grants awarded by the North Dakota Department of Transportation. Motion seconded by Alderman Ross and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5552 on second reading. Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5553 - 31ST AVE SE RECONSTRUCTION BUDGET AMENDMENT (4331) – SECOND READING – APPROVED

Alderwoman Olson moved the City Council place ordinance no. 5553 on second reading to amend the 2020 annual budget to increase street department street improvement for homeowner sprinkler repairs required for 31st Ave SE reconstruction and approve the transfer from Highway Reserves/Capital Infrastructure to General Fund. Motion seconded by Alderman Ross and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5553 on second reading. Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5554 – AMEND THE 2020 ANNUAL BUDGET- DRAINAGE & STORMWATER IMPROVEMENT – SECOND READING – APPROVED

Alderwoman Olson moved the City Council place ordinance no. 5554 on second reading to amend the 2020 annual airport budget to increase the Airport capital expenses for additional costs for the wetland delineation and culture report. Motion seconded by Alderman Ross and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5554 on second reading. Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5555 – AMEND THE 2020 ANNUAL BUDGET – MUNIS API INTEGRATION (4423) – SECOND READING – APPROVED

Alderwoman Olson moved the City Council place ordinance no. 5555 on second reading to amend the 2020 annual budget to increase the Engineering Department's technical services and data processing expenditures for the purchase of an integration software to be use with the citywide asset management software with the use of sales improvements tax cash reserves. Motion seconded by Alderman Ross and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5555 on second reading. Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5556 – AMEND THE 2020 ANNUAL BUDGET - RAILROAD QUIET ZONE 2021 STUDY (3308.1) – SECOND READING – APPROVED

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Alderwoman Olson moved the City Council place ordinance no. 5556 on second reading to amend the 2020 annual budget to increase the sales tax improvement and engineering plans, designs, and reviews expenditures using sales tax improvement cash reserves. Motion seconded by Alderman Ross and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5556 on second reading. Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5557 – AMEND THE 2021 ANNUAL BUDGET- MUNICIPAL PROSECUTION SERVICES – SECOND READING – APPROVED

Alderwoman Olson moved the City Council place ordinance no. 5557 on second reading to amend the 2021 annual budget to increase the City Attorney personnel, training and equipment expenditures and decrease the contracted prosecutors' expenditures for the additional full-time position. Motion seconded by Alderman Ross and carried unanimously.

Alderwoman Olson moved the City Council pass ordinance no. 5557 on second reading. Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ADMINISTRATIVE APPROVALS – APPROVED

Alderwoman Olson moved the City Council ratify the following administratively approved requests:

1. Minot Area Homeless Coalition to conduct a raffle December 14, 2020 at Minot Area Homeless Coalition (105 1st Street SE)
2. Power of 1 to conduct a raffle April 28, 2021 at Marco's Pizza (1250 4th Ave NW)
3. 10 North Main for a special event permit November 22, 2020 at Oak Park Theater (1500 4th Ave NW)
4. Knights of Columbus St. Leo Council 9906 to conduct raffles through June 30, 2021 at Knights of Columbus Columbian Club (2601 North Broadway)
5. Minot High Wrestling Boosters to conduct a raffle March 1, 2021 at Minot High School (1100 11th Ave SW)
6. Disabled American Veterans Chapter 4 Minot to conduct a raffle August 4, 2021 at the Veterans Room #105 (225 3rd Street NE)
7. Woman of the Moose to conduct a raffle January 26, 2021 at the Moose Lodge (400 9th St SW)
8. The Starving Rooster for a special event permit December 18, 2020 at the Regency Event Center (105 1st Ave SE)
9. Optimist Club of Minot to conduct a raffle April 7, 2021 at the Grand Hotel (1505 North Broadway)
10. Hometown Hero Outdoors to conduct a raffle March 9, 2021 at Broadway Liquors (1030 North Broadway)

Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

2020 INTEREST DISTRIBUTION – APPROVED

Alderwoman Olson moved the City Council approve the 2020 Interest Distribution sheet.

Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

2019-2020 NUISANCE ABATEMENT - FINAL PAYMENT (4439) – APPROVED

Alderwoman Olson moved the City Council approve the final payment of \$2,323 to be paid to Hanson's Excavating, Inc. for the 2019-2020 Nuisance Abatement project.

Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

2020 SIDEWALK, CURB & GUTTER REPLACEMENT - FINAL PAYMENT (4468) – APPROVED

Alderwoman Olson moved the City Council approve the final payment of \$27,904.38 to be paid to Keller Paving & Landscaping, Inc. for the 2020 Sidewalk, Curb, and Gutter Replacement project.

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Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

2020 STREET PATCHING - PHASE 1 - FINAL PAYMENT (4470.1) – APPROVED

Alderman Olson moved the City Council approve the final payment of \$50,016.28 to be paid to Keller Paving & Landscaping, Inc. for 2020 Street Patching Phase 1.

Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5558 – AMEND THE 2020 ANNUAL BUDGET- STORM SEWER DISTRICT 123 – 10TH ST SW (4393) – FIRST READING – APPROVED

Alderman Olson moved the City Council place ordinance no. 5558 on first reading amending the 2020 annual budget to increase the Water Distribution and Sewage Collection watermain maintenance and design infrastructure expenditures and decrease the Storm Sewer capital infrastructure and Street improvements expenditures for the Storm Sewer District #123 watermain replacement portion. Motion seconded by Alderman Ross and carried unanimously.

Alderman Olson moved the City Council pass ordinance no. 5558 on first reading. Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5559 – AMEND THE 2020 ANNUAL BUDGET- DONATIONS FOR EQUIPMENT – FIRST READING – APPROVED

Alderman Olson moved the City Council place ordinance no. 5559 on first reading amending the 2020 annual budget to increase the Fire department operation supplies revenues and expenditures for the donations funding from local businesses to be used to purchase exercise equipment. Motion seconded by Alderman Ross and carried unanimously.

Alderman Olson moved the City Council pass ordinance no. 5559 on first reading. Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

APPROVAL TO HIRE FOUR (4) POLICE OFFICERS AND EXCEED THE NUMBER OF SWORN OFFICER POSITIONS ALLOCATED IN THE 2021 BUDGET – APPROVED

Alderman Olson moved the City Council grant approval to allow the police department to hire four (4) officers and exceed the allocated number of sworn officers (83) budgeted for the department in 2021.

Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

GAMING SITE AUTHORIZATION- NORTH DAKOTA ASSOCIATION FOR THE DISABLED, INC – APPROVED

Alderman Olson moved the City Council approve the gaming site authorization for North Dakota Association for the Disabled to install electronic pull tabs at The Drop Zone (101 S. Main St).

Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ALCOHOLIC BEVERAGE LICENSE RENEWALS 2021 – APPROVED

Alderman Olson moved the City Council approve the alcoholic beverage license renewals for the period of January 1, 2021 through December 31, 2021 for all applicants who have submitted all application materials and passed background checks and inspections.

Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

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WARD COUNTY HAZARD MITIGATION PLAN ANNUAL PROGRESS REPORT – APPROVED

Alderwoman Olson moved the City Council receive and file the Ward County, ND Hazard Mitigation Plan Annual Progress Report.

Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

REAPPOINTMENT OF CITY PLANNING COMMISSIONERS – APPROVED

Alderwoman Olson moved the City Council appoint Planning Commissioners to align with the proposed expiration dates as provided below.

Proposed Restructured Planning Commission Term Expiration Dates (County Appointed Members Excluded)					
Term #	Name	Present Term Expiration	Proposed Term Start Date	Proposed Term Expiration	Comments
1	Todd Wegenast	6/1/2021	1/1/2021	12/31/2021	Term ends every five (5) years thereafter ending December 31
2	Charles DeMakis, Chairman	12/31/2024	1/1/2021	12/31/2021	Then every five (5) years thereafter ending December 31
3	Kelly Barnett	6/1/2023	1/1/2021	12/31/2022	Then every five (5) years thereafter ending December 31
4	Boyd Sivertson	6/1/2023	1/1/2021	12/31/2022	Then every five (5) years thereafter ending December 31
5	Justin Hochhalter	6/1/2023	1/1/2021	12/31/2023	Then every five (5) years thereafter ending December 31
6	Dustin Offerdahl, Vice-Chair	6/1/2024	1/1/2021	12/31/2023	Then every five (5) years thereafter ending December 31
7	Elisha Gates	4/1/2025	1/1/2021	12/31/2024	Then every five (5) years thereafter ending December 31
8	Shane Lider	4/1/2025	1/1/2021	12/31/2024	Then every five (5) years thereafter ending December 31
9	Tammy Nesdahl-Zietz	6/1/2025	1/1/2021	12/31/2025	Then every five (5) years thereafter ending December 31
10	Tim Baumann	6/1/2025	1/1/2021	12/31/2025	Then every five (5) years thereafter ending December 31

Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

BROADWAY WATERMAIN 19TH AVE TO 36TH AND MODEL UPDATE - ENGINEERING AGREEMENT (PROJECT NUMBER 4584) – APPROVED

Alderwoman Olson moved the City Council approve the contract in the amount of \$327,356.00 with Houston Engineering for design, water model update and construction services for Broadway water main from 19th Avenue to 36th Avenue and authorize the Mayor to sign the contract.

Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

STABILIZATION POND SEEPAGE STUDY (PROJECT NUMBER 4325) – APPROVED

Alderwoman Olson moved the City Council approve the task order, in the amount of \$75,000, with Apex Engineering to conduct a seepage study of the existing lagoon ponds and authorize the Mayor to sign the task order on behalf of the City.

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Motion seconded by Alderman Ross and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

WATER MODEL TASK ORDER - ENGINEERING SERVICES – APPROVED

Alderman Podrygula moved the City Council approve the contract in the amount of \$30,000.00 with Houston Engineering for yearly water model update and flow analysis assistance of the Minot water system and authorize the Mayor to sign the contract. Motion seconded by Alderwoman Evans.

Alderman Podrygula raised concerns about water quality issues that were brought to his attention by a resident. He said City staff had been helpful regarding the issue but it raises a larger systemic problem with water related issues. He wondered if the study could include the engineer's opinion of water quality and problem areas. He specified that the area he was referring to is near the location of the new Fire Station on 25th Street NW, between 2nd and 4th Avenue. He said it is important to identify the problem areas and get some idea of how long it may take to fix some of the deferred maintenance.

Public Works Director Jonasson explained that the information is already available. As new issues pop up, they flush the surrounding area right away. He said the problem is that there are areas with old six-inch cast iron pipe that needs replaced. It is an ongoing situation they have dealt with for years since cast iron pipe was used until the 1970's. He said, they plan to address the issues but there are 86 miles of cast iron pipeline to replace throughout Minot so it could take several years.

Alderman Podrygula said the Council may need to allocate more funding and resources to address the problem and consider it a higher priority.

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

COVID-19 UPDATE

Lisa Clute, Director of First District Health Unit, provided the latest statistics available for Ward County. She said, the 14-day positivity rate is 36.3 per 10,000 which is in the orange risk category. The demand for tests has decreased but they are still available, including rapid testing at Minot Public Schools. The positivity rate has substantially improved to 7.7% which is in the moderate risk category. She thanked the community for following the recommendations set by the CDC and the Governor to help drive the numbers down. She said they continue to monitor hospital capacity which is currently tight but still available. Ms. Clute reiterated the importance of continuing the mitigation strategies to keep moving in the right direction.

She then provided an update on vaccinations by saying, the Pfizer vaccine has been utilized by hospitals and their employees. The Moderna vaccine was approved and is coming to First District Health Unit to be given to emergency responders and those identified as priority 1. A shipment of the Moderna vaccine will be delivered the week of December 28th and the week of January 4th and are going to long-term care facilities. Out of the 210 doses that will be allocated, the first 30 will go to the vaccinators. The next shipment will be the week of January 11th and will go to Minot Fire Department and Police Department as well as Trinity Ambulance. She then cautioned that the Moderna vaccine is for individuals over 18 and there have been instances of anaphylactic reactions. They proceed with caution and will not advise the Moderna vaccine for people with a history of allergic reactions. She concluded by describing the Federal recommendations for prioritizing vaccination categories but said they are still waiting for State-level recommendations.

DENIAL OF 2018 ABATEMENT REQUEST BY HUDYE GROUP LP FOR 92 VACANT LOT PARCELS IN PRAIRIE WYND FOURTH & FIFTH ADDITIONS – APPROVED

The City Council held an Abatement Hearing to consider a request by Hudye Group, LP for a reduction in the 2018 True and Full Valuation for 92 vacant lot parcels in Prairie Wynd Fourth & Fifth Additions. The City Assessor recommends denial of all 2018 abatement requests.

City Assessor, Ryan Kamrowski explained that property owners have the right to appeal through a formal abatement according to the North Dakota Century Code. The applications for property abatement for the tax year of 2018 were not filed in accordance to North Dakota Century Code, therefore denial is the only applicable decision the City Council has for the 2018 abatements. He stated, the application for abatement must be filed with the County Auditor's Office on or before November 1st of the year following the year of which the tax had become delinquent. The applications were filed with the County Auditor November 20, 2020, therefore there is no action other than denial for the 2018 abatement.

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Alderwoman Evans moved the City Council deny all 2018 abatement requests by Hudye Group, LP. Motion seconded by Alderman Jantzer.

Ben Hudye, Chairman and President of Hudye Group, LP, came before the Council and said they have been addressing the issue since 2016. They met with City staff in August, 2020 to work toward a solution for an amicable agreement. He stated, they purchased Prairie Wynd in 2011 and their taxes were about \$252 per acre for 95 acres of agricultural land. Over the next eight years, the rate went up to \$2,835 per acre which is over 1000% increase. Since 2012, including 2020, they have been billed and paid \$1.7 million in taxes and special assessments on 95 acres. He said, it is agricultural ground which grows alfalfa and is leased to a local producer for \$45 an acre. He stated that in their meeting in August, they were told by Damon Druse, from the City Assessor's Office, that he would do a site visit to confirm whether any improvements had been made and he would get back to them with a proposed valuation. Mr. Druse provided them with the abatement forms but they did not receive any revised numbers. Mr. Hudye confirmed that they mailed the applications October 28th but due to a storm and because offices are closed on Sunday, it was not delivered until Monday, November 2nd. He then received a response from the City Assessor November 12th. Mr. Hudye requested the Council allow them to address the applications from 2018 and 2019.

Alderwoman Evans pointed out that the information provided by Hudye Group includes a receipt stating the application was received by the Ward County Auditor November 20th. She asked if there is proof the package was received by the deadline of November 1st.

Rick McCann, a representative from Hudye Group, said there is a receipt that the City Assessor received the abatement documents November 2nd.

Alderman Pitner asked why they waited until the last day to mail the applications when they were aware the deadline was November 1st.

Mr. Hudye said they had met with Damon in the City Assessor's Office who wanted to deal with it internally and they were waiting for information from the Assessor's Department.

Alderman Pitner then asked what zoning the property is designated and if any improvements have been made, to which Mr. Hudye explained, the land is used for Agricultural use and there have been no improvements other than a special assessment for a street in front of Ramstad School.

Mr. Kamrowski clarified, the properties are zoned M1, Light Industrial and R4, Planned Residential. He then said, he sent an email to Mr. Hudye October 26th, 2020 where he provided his recommendations 2018, 2019, and 2020. He reiterated that the application was received at the City Assessor's Office, not the County Auditor's, on November 2nd. He further explained, he would review the 2018 with the property owner but there is no legal standing for the City or the County to hear the 2018 abatements.

Alderman Pitner asked if properties are taxed based upon zoning or by use.

Mr. Kamrowski said, as appraisers and assessors they look at the highest and best use of the property. They take zoning, use, overall market, and comparable sales into their overall analysis. He confirmed that since it is M1 zoning, it would be held to the M1 standard, not Agricultural.

Alderwoman Evans pointed out that the application was not sent to the Ward County Auditor's Office by the deadline as required by Century Code. There is no exception for snowstorms or incorrect addresses.

Alderman Pitner asked if an appeal could be filed while discussion continues regarding valuation. Mr. Kamrowski said, yes, there are emails included in the documentation provided to Council. The applicants have two years to file the request and they can continue to gather information. As a City and as a County they have no ramification to hear this abatement since it was not received by the deadline.

The Mayor reminded the representatives from Hudye Group, LP that after the City Council votes on the issue, they have an opportunity to appeal the request to the County.

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

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PARTIAL REDUCTION OF 2019 ABATEMENT- HUDYE GROUP LP FOR 92 VACANT LOT PARCELS IN PRAIRIE WYND FOURTH & FIFTH ADDITIONS – APPROVED

The City Council held an Abatement Hearing to consider a request by Hudye Group, LP for a reduction in the 2019 True and Full Valuation for 92 vacant lot parcels in Prairie Wynd Fourth & Fifth Additions. The City Assessor recommends partial approval of the abatement request for Residential and Light Industrial zoned lots.

City Assessor, Ryan Kamrowski, explained that he recommends a partial reduction in the 2019 true and full value as described in the documentation provided to the Council.

Rick McCann, representing Hudye Group, LP, read a statement in support of their application. He provided documents to the Council and described several comparable properties which they felt better represented the value of the property. He said the vacant agricultural land use does not warrant the amount of taxation.

Mayor Sipma asked if the comparables were located within City limits, to which Mr. McCann said, they used close proximity, zoning and size to compare properties.

Mr. Kamrowski said he recommends denial of the abatement request since they are asking for a property value less than market value. He continued by saying, it is the Assessor's opinion that the highest and best use for the property is as Residential and Commercial property, as applicable. His recommendation for Prairie Wynd fourth Addition is a value of \$1.50/square foot and Prairie Wynd fifth Addition a value of \$1.00/square foot. He said, in their analysis of the 2019 valuations, they pulled comparable sales and comparable assessments to ensure they are equalized across all assessments. He explained the comparable sales they used and why the applicant's comparable sales were not valid. He then stated, the applicant's entire property is listed for sale for \$18.6 million but they requested a valuation reduction in the amount of \$364,000.

Upon further questioning, Mr. Kamrowski said, all of the properties used as comparables are undeveloped, have the same zoning, and have no improvements.

Alderman Jantzer moved the City Council accept the recommendation by the City Assessor for partial approval of the abatement request for Residential and Light Industrial zoned lots.

Motion seconded by Alderman Pitner, and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

PUBLIC HEARING REGARDING UPDATES TO THE CITY'S SPECIAL ASSESSMENT POLICY – APPROVED

The City Council held a public hearing to consider input on the City's policy regarding special assessments. No one appeared to submit public comment.

Alderman Pitner moved the City Council close the public hearing and adopt the updates to the City's special assessment policy.

Motion seconded by Alderwoman Olson and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ENTERPRISE AGREEMENT BETWEEN CITY OF MINOT AND MINOT CONVENTION AND VISITORS BUREAU – APPROVED

Alderman Pitner moved the City Council approve an Enterprise Agreement with Minot Convention and Visitors Bureau, Inc; and authorize the Mayor to sign all instruments pertaining to such an agreement. Motion seconded by Alderwoman Olson.

Stephanie Schoenrock, Executive Director of Visit Minot, said they worked closely with City staff to develop measurable outcomes for the project. She intends to come back to City Council in February to show how the recruitment fund would be allocated. The agreement includes the framework but there will be more detail added later. She explained that they are committed to providing a 10-million-dollar impact over three years.

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Alderman Ross raised concerns about giving an entity money before asking for benchmarks. He said the plan is too vague and they need regular reports to determine success. He moved the City Council table the Agreement until further information is provided.

City Attorney Hendershot stated, there will be two reports to the City Council each year. There are also specific requirements for events that are built into the agreement. The funding is set up for the three components Ms. Schoenrock described, including development of the three components. As an Enterprise Agreement, there are requirements for the City to have a public purpose, specific goals, and oversight by the City which is why they worked in an approval process for certain aspects of the project.

Alderman Podrygula seconded the motion to table which failed by the following roll call vote: ayes: Ross; nays: Evans, Jantzer, Olson, Pitner, Podrygula, Sipma.

Alderman Pitner shared his frustration over the idea of tabling the Agreement. He said, they worked with staff to create an airtight enterprise agreement that goes above and beyond any previous agreement. The staff at Visit Minot are competent individuals who have come up with actual, measurable impacts to the community.

Alderwoman Evans asked Jonathan Rosenthal, Economic Development Administrator, to provide his input. Mr. Rosenthal presented an article from the Minot Daily News which describes the economic impact that COVID-19 has had on hotel revenue and the hospitality industry. He said the procedural aspects of the project will come later but the metrics are included and it is a well-crafted agreement. He said he believes this is a great idea that involves substantial economic and fiscal impact to the community.

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

ORDINANCE NO. 5560 – AMEND THE 2021 ANNUAL BUDGET- TOURISM RECOVERY AND RESILIENCE PROJECT – FIRST READING – APPROVED

Alderman Pitner moved the City Council place ordinance no. 5560 on first reading to amend the 2021 annual budget to increase the Sales Tax Economic Development expenditures for the Tourism Recovery and Resilience Project. Motion seconded by Alderwoman Olson and carried unanimously.

Alderman Pitner moved the City Council pass ordinance no. 5560 on first reading. Motion seconded by Alderwoman Olson and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

RECYCLING TRANSFER STATION AND NEW LANDFILL ENTRANCE (PROJECT NUMBER 4580) – APPROVED

Alderwoman Olson moved the City Council approve the task order, in an amount not to exceed \$565,226, with CPS Engineering to design the recycling transfer station, design a new landfill entrance and provide construction management services during construction, authorize the Mayor to sign the agreement on behalf of the City, and approve the Reimbursement Resolution in order to preserve the option of the City to finance the costs of the projects with tax-exempt obligations. Motion seconded by Alderman Podrygula.

Alderwoman Evans explained how they are moving step by step toward a curbside recycling program. This step involves design and engineering of a transfer facility and relocating the landfill entrance. The engineer will come back with the design in the spring of 2021. She said, funding is available in the Landfill budget. She also commented that 65% of the community supports recycling whereas many City projects do not have that amount of support.

Alderman Podrygula asked for a timeline and corresponding costs for the projects.

Assistant Public Works Director, Jason Sorenson, prepared a presentation of the information which described each step of the projects beginning with approval of the Task Order under consideration and ending with the implementation of the recycling program at the end of 2022. He also broke down the costs of the total project in the amount of \$4,560,226 which includes the Transfer Facility, New Landfill Entrance, Engineering, Compactor, Compactor Trailers, and containers.

Finance Director, Dave Lakefield, further stated, funding has been set aside for the Task Order and the Reimbursement Resolution is included in the motion as an option if they want to consider bond funding.

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The Mayor also pointed out, there were funds approved for the project by the Community Facilities Fund. Mr. Sorenson said, there is about \$766,000 from Community Facilities.

Alderman Pitner said he still believes the issue should be discussed in conjunction with the larger Landfill discussion which was postponed until July.

Alderman Jantzer commented that since they are opening a new cell at the current landfill, and the likelihood of getting a new landfill would take years, leads him to conclude this is not a bad investment at this time. He expressed support but mentioned concerns about blending the transfer station and recycling project with the relocation of the landfill entrance. He said it is important to keep in mind, they are separate projects and should be considered appropriately.

Alderman Ross asked if the counties who currently use the landfill would be required to participate in recycling.

Mr. Sorenson said, they have held discussions on the issue and the transfer facility opens the opportunity for smaller communities to implement a program. They can also discuss incentive programs to promote recycling.

The Mayor said EPA permitting for a new landfill could take a decade and he believes this is a good utilization of their investment. He acknowledged comments about recycling markets and the decreased profitability but said he thinks it's the right move given the timeframe.

Whereupon a vote was taken on the above motion by Alderwoman Olson, seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Podrygula, Ross, Sipma; nays: Pitner.

PERSONAL APPEARANCES

None

UPDATE FROM THE MINOT ALLIANCE OF NONPROFITS

Scott Burlingame, President of the Minot Alliance of Nonprofits read a prepared statement to the Council.

“The Minot Alliance of Nonprofits is a membership organization representing 33 local nonprofit organizations who collaborate to raise the profile and illustrate the value of the nonprofit sector in our community. Together, we participate in professional trainings, create meaningful mentoring opportunities, address community-wide issues, and much more.

Our membership represents many vital segments within the nonprofit sector. This includes the arts - with organizations like The Minot Symphony Orchestra and the Minot Area Council of the Arts.

We have six organizations who support local children including Companions for Children a local Youth Mentoring organization that has provided children with mentors since 1972, The Dakota Boys and Girls Ranch, who helps at-risk children and their families and the Magic City Discovery Center who will build a beautiful center for our children to learn and play.

We also have 6 foundations -including the Minot Area Community Foundation, St. Joseph's Community Foundation, and the Minot State University Development Foundation.

Finally, we have 19 organizations that provide human services, including the Domestic Violence Crisis Center that served 1364 families in our community this year alone as they experience one of the most trying times in their lives, the Minot Commission on Aging who has not skipped a beat during this pandemic and has even increased their capacity to ensure the most vulnerable in our community are receiving hot meals, Kalix, who provides housing and other supports for some of our most at-risk residents, and finally, my personal favorite, Independence, Inc., working hard to remove barriers and help people with all types of disabilities achieve their dreams.

It is the role of the nonprofit sector is to perform the tasks and services for-profit businesses cannot make money at, and government has no business performing.

The Nonprofit sector in North Dakota represents over 15% of our total workforce - did you know that is more than twice the size of the manufacturing industry in our state? Of which, the Minot Alliance of Nonprofits represents a combined workforce of 917 employees.

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Like many other parts of our economy, our sector can often struggle with workforce challenges, however, make no mistake, we are professionals. The leaders of our local nonprofits boast an average of 17 years' experience and combined, we have over 500 years of experience.

Since the COVID-19 pandemic rocked our world, our Alliance of Nonprofits has implemented two surveys of our membership to ascertain the effects on our sector, and to explore how those effects are challenging our community.

As you know, fund raisers are the backbone of our industry. Fund raisers create an avenue for organizational self-sustainability, flexible dollars to support our unique needs, and awareness for our mission to those in our community.

I am sure it comes to no surprise that I tell you fund raising has been a struggle this year - this is especially true of those nonprofits who host in-person fundraisers that have been cancelled such as the MSU Gala, the Prairie Grit Adaptive Sports Annual Banquet, the Great Tomato Festival and Companions for Children's annual fund raiser to name a few. Not only do these in-person gatherings support local nonprofit organizations, but they also have a trickle effect on the local hospitality industry as well. Of our members surveyed, 86% have cancelled a fund raiser since March this year, resulting in the loss of thousands in revenue.

The economic impacts of the COVID-19 pandemic and its effects on our nonprofit sector will be felt for years to come. When our community members are hurting, they turn to the nonprofit sector for help. Unfortunately, when people are losing their jobs, when they are fighting to maintain their housing, when parents are struggling to feed their children, and when people need extra help and support to just get by the funding for those supports through nonprofits are often decreased.

It is for this reason; healthy nonprofits maintain a "rainy-day" fund. Well, it's raining right now, and those rainy-day funds are quickly being drained to allow us to continue to meet the community's increasing needs.

Although many of the local nonprofits were fortunate to benefit from the Payroll Protection dollars, these funds have been expended and reserves are dwindling. Therefore, in the next six months, many of these organizations will need additional support in some form in order to maintain current service to our community.

The nonprofit sector is equally as important to our health community as a strong business, local government, and education system. Nonprofits touch many aspects of our life daily basis and are an irreplaceable part of a healthy community. Nonprofits provide us with culture and arts, they help us heal, they educate us, they mentor our children, they are our civic and social clubs, and they are our houses of worship.

With that said, our request tonight is very simple. Please allow our nonprofit sector a seat at the table in all conversations about how our community continues to respond to the COVID-19 pandemic and allow our sector access to any emergency funding available to help in our recovery. Finally, as we move beyond this pandemic, please look to our sector a vital partner in all efforts to make Minot a strong and resilient community.”

Mayor Sipma asked if the Alliance of Nonprofits has reached out to the state for assistance, to which Mr. Burlingame said, yes, and they are reaching out to raise community awareness.

Alderman Evans reminded the community to think of local nonprofits when considering year-end giving. She said, many nonprofits in Minot have continued to provide services throughout this difficult year.

MADC UPDATE

John MacMartin, Acting Executive Director of MADC, provided a summary of the MADC report. He spoke about Business Expansion and Retention, the One Brand Campaign, executing contract training, the Intermodal Facility, media coverage, and the merger with the Chamber of Commerce.

Alderman Pitner asked about their financial situation, to which Mr. MacMartin said, the Department of Motor Vehicles, under the Chamber of Commerce, was affected by state regulations however, they were able to keep all six of their employees.

Alderman Podrygula asked about recruitment for the head of the organization. Mr. MacMartin said he would continue in the position for about the next 15 months. He will work to put the organization together and assist the Board in finding his replacement.

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Mayor Sipma elaborated on the significant impact the Intermodal Facility will have on the community.

LIAISON REPORTS

Alderman Podrygula attended the Commission on Aging meeting and brought up issues regarding the elevator that wasn't working. He raised concerns about the larger issue for facilities that do not have a backup in those types of situations. He also spoke about the County Planning meeting which continues to work on the zoning code revisions.

Alderwoman Olson attended the Souris Basin Planning Council virtual meeting.

Alderwoman Evans also attended the County Planning meeting and said the zoning revisions should be completed in 2021. She attended the Library Board meeting and said the exterior of the building should be completed soon. The Library is working on strategic planning including implementing their vision and mission. They continue to provide programs to the community.

Mayor Sipma met with the Ward County Weed Board and discussed UAV and the impact COVID had on spraying throughout the county. He attended the Task Force 21 Omaha trophy presentation and said there is noticeable involvement by the Minot community.

Alderman Ross said the zoning ordinance updates are now available on the City website for public comment until the end of December.

Alderman Jantzer had no report.

Alderman Pitner attended a Renaissance Zone meeting and said investors are taking advantage of the program in place which is exciting.

Alderwoman Evans took a moment to recognize David Lakefield for filling in as City Manager over the last several months.

ADJOURNMENT

There being no further business, Alderwoman Evans moved the City Council meeting be adjourned. Motion seconded by Alderman Pitner and carried unanimously. Meeting adjourned at 7:51 pm.

ATTEST: _____
Kelly Matalka, City Clerk

APPROVED: _____
Shaun Sipma, Mayor