

May 17, 2021 Regular City Council Meeting

MINOT CITY COUNCIL – SCHEDULED MEETING – MAY 17, 2021 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.

PROCLAMATION: SUMMER OF READING

City of Minot Mayor Proclaims summer of 2021 as the Summer of Reading for 20.

WHEREAS, research has proven that reading for just 20 minutes a day can drastically improve students' test scores and increase their vocabulary;

WHEREAS, reading will not only help in school success, but will stimulate imagination which can introduce children to concepts, cultures, and possibilities beyond their own experiences and thereby builds empathy;

WHEREAS, when children read for 20 minutes a day they could be hearing (and thus learning) up to 1.8 million words per year;

WHEREAS, adults who read for at least 20 minutes each day sharpen a variety of skills that are valuable in the workforce, including memory retention, social-emotional skills and critical thinking;

WHEREAS, the experience of being read to helps children develop good listening skills by making them aware of the important components of language;

WHEREAS, families who read together for 20 minutes a day, 7 days a week, will get 121 hours of bonding time every year;

WHEREAS, research by the National Literacy Trust found that 90% of children feel happiest when reading and writing rather than playing video games or watching television;

WHEREAS, young adults who enter college without established reading habits will struggle to focus, develop critical thinking skills, and understand complex issues;

WHEREAS, the ability to focus for 20 minutes helps lead to informed voters and involved citizens who can critically evaluate issues;

NOW, THEREFORE, be it resolved that I, Shaun Sipma, Mayor of Minot, ND, proclaim the summer of 2021 as the Summer of Reading for 20. During this summer, I encourage all residents to join together to promote the Read for 20 campaign by making the time to read on your own or with a child for 20 minutes every day.

PROCLAMATION: PUBLIC WORKS WEEK

City of Minot Mayor Proclaims May 16 – 22, 2021 National Public Works Week, “Stronger Together”

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Minot North Dakota; and,

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WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in Minot to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2021 marks the 61st annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association,

NOW, THEREFORE, be it resolved that I, Shaun Sipma, Mayor of Minot, ND, do hereby designate the week May 16 – 22, 2021 as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association/Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

2021 LEGISLATIVE SESSION RECAP

Shane Goettle, Special Assistant City Attorney, provided a recap of the Legislative Session. He said, they wrapped up on April 29, 2021 after 76 days of session. There were 914 bills and resolutions introduced; 500 passed each chamber and 29 were withdrawn. The Legislature passed a record \$16.9 billion two-year budget which includes \$5 billion in state general fund spending but results in no tax increase. He then explained the Hub City funding formula and said it remained intact without change this session.

Mr. Goettle continued by describing various bills relating to Water Commission Budget and bonding, including funding for the Mouse River Enhanced Flood Protection Project (MREFPP) and Northwest Area Water Supply (NAWS). He also explained bills affecting the Legacy Fund, COVID-19, Neighborhood Support Zones, Local Taxation, Restrictions During Emergency Conditions, Changes to City Elections, Restrictions on City Governance, and the Intermodal Facility. He reviewed what each bill encompassed and provided an update on the status of each bill affecting Minot. He said, the 2021-2022 Interim may include a special session for CARES ACT dollars, a special session for redistricting as well as interim studies and committees.

Following the presentation, Mayor Sipma also pointed out the weekly League of Cities meetings and numerous correspondence Mr. Goettle provided throughout the session.

Alderman Evans thanked Mr. Goettle and staff for their testimony and expertise during the Legislative Session.

CITY MANAGER REPORT

The City Manager provided a written update describing events and activities for various departments.

Mr. Stewart reminded the Council of the Budget Tours taking place over the next two weeks and the work session May 24th, focused on economic development. He also mentioned attending the Williston Petroleum Conference.

He then stated, there was an issue regarding a record request made last year in which notes that were considered by the City to be attorney work product, were not produced to the requester of those notes. The requester appealed to the Attorney General and an opinion was released last week requiring the City to release the notes. In an effort to increase transparency to all who have since requested the documents, a copy will be available on the City website. He said, he hopes this resolves the situation and allows the City to move forward in a positive and productive way.

SUBDIVISION OF SOUTHEAST RIDGE BUSINESS PARK 3RD ADDITION

Alderman Evans moved the City Council approve a subdivision plat of Southeast Ridge Business Park 3rd Addition that will combine three lots into two. The property is legally known as Lots 3, 4, & 5, Block 1 of Southeast Ridge Business Park Addition, Section 29, Township 155 North, Range 82 West, Ward County, North Dakota. The properties are located at 1309 39th Street SE., 1305 9th Street SE and 3900 13th Avenue SE.

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

RESOLUTION NO. 3712 - CONDITIONAL USE PERMIT – HAZARDOUS MATERIAL STORAGE

Alderman Evans moved the City Council approve resolution no. 3712 for a conditional use permit for hazardous material storage related to diesel fuel tanks to be utilized to support operations of Keller Paving and Landscaping, Inc. The property is legally known as Outlot 37 of NESW NWSE Section 29, Township 155 North, Range 82 West. The property is located at 1820 Hwy 2 Bypass E.

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

PUBLIC HEARING: RUTH ADDITION, LOTS 1 & 2

The City Council held a public hearing to consider a request by Nathan Amick representing Souris River Joint Board and David Kopp, for a zoning district change to revise the existing zoning district boundaries of “AG” Agricultural District and “P” Public Zone to establish “AG” Agricultural District on Lot 1 and “P” Public Zone on Lot 2 Ruth Addition.

No one appeared in favor or opposition of the request.

Alderman Pitner moved the City Council close the public hearing and approve the request. Motion seconded by Alderman Olson and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

SUBDIVISION OF RUTH ADDITION, LOTS 1 & 2

Alderman Pitner moved the City Council approve a subdivision plat of Ruth Addition, which includes Outlot 31 and an unplatted portion of the SE ¼ NW ¼, Section 21, Township 155 North, Range 83 West, Ward County, North Dakota.

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

RESOLUTION NO. 3713 - RUTH ADDITION, LOTS 1 & 2- AMEND THE FUTURE LAND USE MAP

Alderman Pitner moved the City Council adopt resolution no. 3713 amending the existing Future Land Use Map of the Comprehensive Plan boundaries of Ruth Addition, Lots 1 & 2 from Low Density Residential with a Conceptual Greenway Connection overlay and Public/Semi-Public with a Conceptual Greenway Connection overlay to establish Low Density Residential with no change to the Conceptual Greenway Connection overlay on Lot 1 and Public/Semi-Public with no change to the Conceptual Greenway Connection overlay on Lot 2.

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

ORDINANCE NO. 5606 - RUTH ADDITION, LOTS 1 & 2- REZONE – FIRST READING – APPROVED

Alderman Pitner moved the City Council place ordinance no. 5606 on first reading to rezone from “AG” Agricultural District and “P” Public Zone to establish “AG” Agricultural District on Ruth Addition Lot 1 and “P” Public Zone on Ruth Addition Lot 2. Motion seconded by Alderman Olson and carried unanimously.

Alderman Pitner moved the City Council pass ordinance no. 5606 on first reading. Motion seconded by Alderman Olson and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

PUBLIC HEARING: NORTON'S ADDITION, LOTS 14-17 IN BLOCK 3 OF THE REPLAT OF LOTS 41 THRU 49, BLOCK 1, AND BLOCKS 2 & 3

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The City Council held a public hearing to consider a request by Travis Mowbray representing Mowbray Properties, LLC, for a zone change from “C2” General Commercial to “M1” Industrial on Lots 14-17 in Block 3 of the Replat of Lots 41 thru 49, Block 1, and Blocks 2 & 3 of Norton’s Addition. The property is located at 328 20th Avenue SE.

No one appeared in favor or opposition of the request.

Alderman Jantzer moved the City Council close the public hearing and approve the request. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

ORDINANCE NO. 5607 - NORTON'S ADDITION, LOTS 14-17 IN BLOCK 3 OF THE REPLAT OF LOTS 41 THRU 49, BLOCK 1, AND BLOCKS 2 & 3

Alderman Jantzer moved the City Council place ordinance no. 5607 on first reading for a zoning change from “C2” General Commercial to “M1” Industrial on Norton's Addition, Lots 14-17 in Block 3 of the Replat of Lots 41 Thru 49, Block 1, and Blocks 2 & 3. Motion seconded by Alderman Pitner and carried unanimously.

Alderman Jantzer City Council pass ordinance no. 5607 on first reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

RESOLUTION NO. 3714 - NORTON'S ADDITION, LOTS 14-17 IN BLOCK 3 OF THE REPLAT OF LOTS 41 THRU 49, BLOCK 1, AND BLOCKS 2 & 3- AMEND THE FUTURE LAND USE MAP

Alderman Jantzer moved the City Council adopt resolution no. 3714 to amend the future land use map from Commercial to Industrial on Norton's Addition, Lots 14-17 in Block 3 of the Replat of Lots 41 Thru 49, Block 1, and Blocks 2 & 3.

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

CITY COUNCIL MINUTES

Alderman Pitner moved the City Council approve the minutes of the May 3, 2021 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. 5602 - BUDGET AMENDMENT FOR – L-TRON OSCR360 PANORAMIC SCENE CAMERA PURCHASE - PROJECT SAFE NEIGHBORHOODS (2021200003/PD0196) – SECOND READING – APPROVED

Alderman Pitner moved the City Council place ordinance no. 5602 on second reading amending the 2021 annual budget to increase Police department General fund data processing and equipment supplies expenditures and revenues and decrease the Capital equipment purchases expenditures and revenues for the portion of a data collection camera system that does not meet capital requirements purchased with funding from the Project Safe Neighborhoods Grant. Motion seconded by Alderman Ross and carried unanimously.

Alderman Pitner moved the City Council pass ordinance no. 5602 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. 5603 - STOP SIGNS FOR SIDE STREETS OF 16TH ST NW AND 36TH AVE NW (4552) – SECOND READING – APPROVED

Alderman Pitner moved the City Council place ordinance no. 5603 on second reading to add a stop sign restriction to the following approaches:

1. Westbound 32nd Avenue NW at 16th Street NW
2. Westbound 35th Avenue NW at 16th Street NW
3. Northbound Kodiak St NW at 36th Avenue NW

Motion seconded by Alderman Ross and carried unanimously.

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Alderman Pitner moved the City Council pass ordinance no. 5603 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. 5604- AMEND THE 2021 ANNUAL BUDGET- PAVING & UTILITY DISTRICT 2021-1 (4585) - ENLARGE DISTRICT – SECOND READING – APPROVED

Alderman Pitner moved the City Council place ordinance no. 5604 on second reading to amend the 2021 annual budget to increase water, sewer, storm sewer and capital infrastructure expenses/expenditures and refunding bond revenue for the enlargement of the Minot Park District paving and utility improvements. Motion seconded by Alderman Ross and carried unanimously.

Alderman Pitner moved the City Council pass ordinance no. 5604 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. 5605 - AMEND THE 2021 ANNUAL BUDGET - RECRUITMENT SERVICES FOR AIRPORT DIRECTOR POSITION – SECOND READING – APPROVED

Alderman Pitner moved the City Council place ordinance no. 5605 on second reading amending the 2021 annual budget to increase the Airport's consultants expense for the hiring of a consulting firm to assist with recruiting the new Airport Director, using Airport cash reserves. Motion seconded by Alderman Ross and carried unanimously.

Alderman Pitner moved the City Council pass ordinance no. 5605 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

Alderman Pitner moved the City Council ratify the following administratively approved requests:

1. Guns & Hoses Charity Hockey Game to conduct a raffle May 15, 2021 at MAYSA Arena (2501 West Burdick Expy)
2. The Landing for a special event permit June 8, 2021 outside 2015 North Broadway
3. The Landing for a special event permit May 8, 2021 outside 2015 North Broadway
4. Elevation for a special event permit May 4-9, 2021 at The Depot (15 N Main street)
5. The Tap Room for a special event permit April 23 at the Minot Auditorium (420 3rd Ave SW)
6. Minot Area Chamber EDC to conduct a raffle July 8, 2021 at Clarion Hotel (2200 E Burdick Expy)
7. MSU Native American Club to conduct raffles April 30-May 1, 2021 at MSU Dome (500 University Ave W)
8. Colin Brown Y's Men Club to conduct raffles and sports pools through January 2, 2022 at Minot Family YMCA (3515 16th St SW)
9. YWCA Minot to conduct a raffle June 12, 2021 at High Third (7 First Street SE)
10. Pathfinder Services of ND, Inc. to conduct a raffle August 31, 2021 at Pathfinder Services of ND (1015 S. Broadway, Suite 16)
11. The Landing for a special event permit May 20, 2021 at Chamber EDC (1020 20th Ave SW)
12. The Pour Farm for special event permits June 3-30, 2021 outside 201 37th Ave SW
13. Army's 2.0 for a special event permit May 7-16, 2021 outside 12 3rd Street SE
14. Prairie Sky Breads for a special event permit May 17, 2021 outside First Street SE

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. 5608 - AMEND THE 2021 ANNUAL BUDGET- BUS VIDEO SURVEILLANCE EQUIPMENT – FIRST READING – APPROVED

Alderman Pitner moved the City Council place ordinance no. 5608 on first reading amending the 2021 annual budget to increase the Public Transportation IT repair and maintenance agreements expenditures for the license fees on the City bus Wi-Fi cellular routers. Motion seconded by Alderman Ross and carried unanimously.

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Alderman Pitner moved the City Council pass ordinance no. 5608 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. 5609 – AMEND THE 2021 ANNUAL BUDGET- DOWNTOWN PLANNING SERVICES STUDY – FIRST READING – APPROVED

Alderman Pitner moved the City Council place ordinance no. 5609 on first reading to amend the 2021 budget to increase planning revenues and expenditures for the Partners in Planning grant. Motion seconded by Alderman Ross and carried unanimously.

Alderman Pitner moved the City Council pass ordinance no. 5609 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.

PLAN AND SPEC APPROVAL P3135.2F SWIF ACTION F OUTFALL PIPE CLEANING

Alderman Pitner moved the City Council approve plans and specs for SWIF Action F Outfall Pipe Cleaning and authorize the advertisement for bids.

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

PAVING DISTRICT 499 - FAMILY REC ADDITION - APPROVE PLANS (4591)

Alderman Pitner moved the City Council approve the Plans and Specifications for Paving District 499 Family Recreation Addition and authorize a call for bids.

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

RETAIL BEER & WINE LICENSE – NOBLE INN OWNERSHIP TRANSFER

Alderman Pitner moved the City Council approve the transfer of a Retail Beer & Wine License from Magni, LLC to NHS, LLC operating as Noble Inn located at 1009 20th Ave SE.

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

RETAIL BEER & WINE LICENSE – URBAN GOURMET, LLC DBA THE STATION

Alderman Pitner moved the City Council approve the Retail Beer & Wine License for Urban Gourmet, LLC dba The Station operating at 1303 South Broadway.

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 AUTHORIZATIONS- ANNUAL GAMING ORGANIZATION RENEWALS

Alderman Pitner moved the City Council approve gaming site authorizations for the license year of July 1, 2021 through June 30, 2022 for the following locations:

Organization Name	Dbas	Site Address
American Foundation for Wildlife	The Landing Bar & Bottle Shop	2015 N Broadway
Bishop Ryan Catholic School	Bishop Ryan High School	316 11 th Ave NW
Companions for Children	Buffalo Wild Wings	3820 South Broadway
Companions for Children	Mi Mexico	301 40th Ave SW Ste 101
Foundation for Orthodoxy	Clarion Hotel & Convention Center	2200 Burdick Expy E

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Magic City Lions	Spicy Pie	1100 North Broadway
Magic City Lions	Ebenezer's	300 & 304 E Central Avenue
Magic City Lions	Nok Back Tavern	100 3rd St NE
Minot Hockey Boosters, Inc.	Barley Pop Bar	437 N Broadway
Minot Hockey Boosters, Inc.	Aces Lounge & Casino	1524 S Broadway, Ste 8
Minot Hockey Boosters, Inc.	Nola's Lounge	919 Burdick Expy W
Minot Hockey Boosters, Inc.	The "O"riginal Bar and Nightclub	720 North Broadway
Minot Hockey Boosters, Inc.	28 Tastes & Taps	1603 35th Ave SW
Minot Junior Golf Assn, Inc.	Capri Bar	2030 Burdick Expy E
Minot Junior Golf Assn, Inc.	Dakota Inn Trappers Lounge	2401 W 2 & 52 Bypass
Minot Junior Golf Assn, Inc.	Dakota Lounge	2400 10 th St SW
Minot Junior Golf Assn, Inc.	Lucky Strike Lounge & Casino	1901 N Broadway
Minot Junior Golf Assn, Inc.	Ranger Lounge	1218 S Broadway
Minot Junior Golf Assn, Inc.	Bootlegz	515 20th Ave SE, Ste 2B
Minot Lodge 822 Loyal Order of Moose	Moose Lodge	400 9th St SW
MSU Beaver Boosters, Inc.	The Pour Farm	201 37 th Ave SW
MSU Beaver Boosters, Inc.	Lamplighter Lounge	200 16 th St. SW
MSU Beaver Boosters, Inc.	Sports on Tap	220 S Broadway
MSU Beaver Boosters, Inc.	The Spot	215 E. Central
ND Assn for the Disabled, Inc.	Rockin' Horse Saloon	2625 Burdick Expy E
ND Assn for the Disabled, Inc.	The Drop Zone	101 South Main Street
Prairie Grit Adaptive Sports	Applebee's Grill & Bar	2302 15th Street SW

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. 5610 - 2021 STREET IMPROVEMENT – 31ST AVENUE NW SPEED REDUCTION (4550)

Alderman Pitner moved the City Council place ordinance no. 5610 on first reading adding to the list of traffic restrictions provided in Section 20-2 of the City of Minot Code of Ordinances to reduce the posted speed limit at 31st Avenue SW between 16th Street SW and S Broadway from 35-mph to 30-mph. Motion seconded by Alderman Ross and carried unanimously.

Alderman Pitner moved the City Council pass ordinance no. 5610 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.

RESOLUTION NO. 3715 - ADJUST 2021 PARKING FEES AT MINOT INTERNATIONAL AIRPORT

Alderman Pitner moved the City Council adopt resolution no. 3715 to adjust the 2021 Rates, Fees, and Charges Pertaining the Minot International Airport Parking Fees.

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

MINOT AIRPORT PROFESSIONAL CONSULTING SERVICES

Alderman Pitner moved the City Council approve selection of Short Elliot Hendrickson, Inc. (SEH) as the Airport's professional consultant for architecture, engineering, planning, and environmental services over a 5-year term (2021-2026); authorize the Airport to negotiate and enter into a Master Professional Services Agreement with SEH and authorize the Mayor to sign any applicable documents.

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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.

LANDFILL SCRAPER – LEASE DOCUMENTS (PROJECT NUMBER 4575)

Alderman Pitner moved the City Council authorize a lease with Caterpillar Financial Services Corporation for the new landfill scraper that was awarded to Butler Machinery in December of 2020. Also, authorize the Mayor to sign the Governmental Entity Resolution to Lease document within the lease and other associated documents.

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

CONCUR ON PURCHASE PRICE FOR FLOOD BUYOUT AT 1212 28TH STREET SW AT \$138,000

Alderman Pitner moved the City Council concur with the negotiated purchase price of \$138,000 for Flood buyout acquisition at 1212 28th Street SW owned by Patricia Bender and Michael Wilson.

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

DELEGATION OF AUTHORITY - ND STATE FIRE MARSHAL

Alderman Pitner moved the City Council authorize the Fire Chief to sign the Delegation of Authority from the North Dakota State Fire Marshal's Office to allow the Authority Having Jurisdiction (AHJ) to have code responsibility for schools, State buildings and residential State buildings within the City of Minot.

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

LETTER TO SURFACE TRANSPORTATION BOARD DOWNTOWN RAIL TRANSFER

Alderman Pitner moved the City Council authorize the Mayor to send a letter to the Surface Transportation Board stating the City's concerns about a transfer operation change with BNSF.

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

APPROVAL OF CONTRACT WITH ND OFFICE OF STATE TAX COMMISSIONER FOR COLLECTION OF CITY SALES TAX

Alderman Pitner moved the City Council approve the contract with the ND State Tax Commissioner to collect City sales tax for the period of July 1, 2021 to June 30, 2021 and authorize the Finance Director 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.

REPORT ON 1901 SOUTH BROADWAY (BROADWAY CIRCLE LMI HOUSING/FAMILY HOMELESS SHELTER PROJECT)

The NDR Grant Program Manager provided a written report on the LMI Housing/Family Homeless Shelter project with no City Council action needed.

MINOT INTERMODAL FACILITY CRISI GRANT UPDATE (4546)

In May of 2020, the City and NDDOT signed an agreement to accept funds from the Federal Railway Administration's CRISI grant program for a study of intermodal operations and planning. Because of changes to intermodal service by BNSF,

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the scope of work in the agreement has been updated. Staff provided and updated scope for the Council to review so there is understanding of how the study is being undertaken. No action is required.

MINOT AIRPORT PARKING FACILITIES MANAGEMENT AGREEMENT

Airport Director, Rick Feltner, explained that Minot Airport has had the same parking vendor for ten years. Since the beginning of the relationship, there have been advances in parking and new technology. Parking is the number one non-aeronautical source of revenue for the Airport so they strive to effectively manage this revenue source. Since the end of the current contract was approaching, Airport staff issued a Request for Proposals. They received five submissions which were evaluated and ranked accordingly and LAZ Parking was found to be the best solution. He said, they will be moving from a management-fee based operation to a concession-based operation which will move the risk onto the concessionaire.

Alderwoman Evans asked what type of operations other North Dakota communities use, to which the Airport Services Coordinator, Maria Romanick, said, the operations vary depending on the community. Grand Forks uses a management fee operation whereas Williston uses an app and remains unstaffed.

The Airport Director then introduced Stuart Vieth, Senior Director of US Airports and Brendon Bowen, Regional Vice President, of LAZ Parking. Mr. Veith stated, they would be the team operating in Minot and he provided some background about the company. Mr. Bowen explained some of the technological solutions for parking, including an app/website called LAZgo. He assured the advances in technology will be in addition to methods currently used in parking operations.

Following the presentation, Alderman Ross moved the City Council approve the parking management contract with LAZ Parking for management of the Airport's parking lots, approve parking equipment procurement/purchase and authorize the Mayor to sign the agreement.

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

AGREEMENT WITH PARK DISTRICT FOR USE OF CITY LOTS

Alderwoman Evans moved the City Council approve the revised Joint Powers Agreement with the Minot Park District for use of City properties for flower gardens and small park areas, until they are needed for the future flood protection project.

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

RESTORATION EFFORT FOR FLOOD BUYOUT PROPERTIES NOT NEEDED FOR FLOOD CONTROL PROJECTS

Alderman Podrygula moved the City Council approve the following staff recommendations relating to restoration effort for flood buyout properties not needed for Flood Control projects:

- Establish an Ecological Restoration and Improvement Task Force comprised of a City Council liaison, DR Program Manager, City Engineer, Public Works Director, Community and Economic Development Director, Audubon Society, Minot Park District and Souris River Joint Board for the purpose of identifying projects consistent with flood protection and encouraging Minot residents to enjoy the natural environment at or near the river
- City negotiate with the Audubon Society of North Dakota a sub-recipient agreement to leverage CDBG-NDR Ecological Restoration funds with Society's grant resources in support of projects identified through the Task Force
- Develop design and implementation strategies for projects identified through the Task Force
- Develop a joint operating agreement or similar agreement between the Minot Park District and the City of Minot for the construction and/or maintenance and use of projects funded and authorized as a result of the Task Force Work
- Regularly report to the City Council on the work of the Task Force, present to the City Council for approval projects identified for implementation, and present to the City any agreements including the sub-recipient agreement and the joint operating agreement for approval needed for projects' implementation

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

APPROVE CDBG-NDR SUBSTANTIAL AMENDMENT #5

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Alderwoman Olson moved the City Council approve CDBG-NDR Substantial Amendment #5 to add beneficiaries to relocation services for tenants currently located in the former Wells Fargo Building which has been identified for the relocation of City Hall. Motion seconded by Alderman Jantzer.

Alderwoman Evans asked how many tenants would be affected, to which the City Engineer stated, there are six total tenants and two are long term, the rest are month to month.

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

APPROVE MINOR MODIFICATION TO TERMINATION AGREEMENT WITH LIGHTHOUSE MANAGEMENT

Alderwoman Evans moved the City Council approve a modification to the Termination Agreement with Lighthouse Management. Motion seconded by Alderwoman Olson.

Alderman Pitner asked if there would be additional action for Council in the future or if this conveyed the property to the City.

Mr. Zakian, NDR Grant Program Manager, stated, the agreement conveying the property to the City was court ordered, signed and approved. The next steps will include discussions with nonprofits interested in operating the facility. They will negotiate a subrecipient agreement which would then be brought back to Council for approval.

Alderman Pitner shared his support for the project but raised concerns over the location. He said he would still like to see a different site thought out, taking into consideration the high vehicle traffic in that area and the Broadway Corridor study.

Alderman Jantzer pointed out, the Broadway Corridor study will improve pedestrian access around Broadway and provide solutions to his concerns. He also said, NDR funds cannot be expended for operations which is why this site, that includes and active tenant provides income to operate the rest of the project.

Alderman Ross said he agreed with Alderman Pitner and believes there are safer options available which should be fully explored first.

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

10TH ANNIVERSARY OF THE FLOOD EVENT PLANNER CONTRACT

Alderwoman Evans moved the City Council approve the contract between the City of Minot and Hometown Elegance Event Catering and Productions for consultation of the 10th Anniversary & commemoration of the 2011 flood. Motion seconded by Alderman Pitner.

Mayor Sipma explained that since June 26th will be the ten-year anniversary of the 2011 flood, he pulled together a committee consisting of members who were affected by the flood. It includes representatives from the County, surrounding communities and local partners. They are planning for a full day event at Oak Park that will involve a memory walk throughout the park with memorial and commemoration of the past and future. There will be quite a few dignitaries in attendance, some entertainment and a roundtable discussion on the flood fight and recovery. There will also be a ribbon cutting and dedication for the completion of Phases MI-2 & MI-3 of the Flood Project. There could potentially be bike ride from Burlington to Minot, a motorcycle run from Mouse River Park to Oak Park and 5k run throughout. Their intention was to have as many people involved as possible while recognizing the flood and focusing on recovery. Mr. Zakian confirmed that NDR dollars could be used for the expense of the event planner, however, the committee is reaching out for sponsorships to defray the costs.

Alderwoman Evans stated, her hesitation with the item was regarding the lack of communication surrounding the event. She acknowledged that it is an important part of history but said they were unaware of any events taking place.

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The Mayor listed the members of the committee including himself, a Ward County Commissioner, Parks & Recreation, Mayor of Burlington, and a number of dignitaries. He said, the intent was for the committee to conduct the planning and roll it out as quickly as they could.

Alderwoman Olson asked if the other entities involved with planning would be contributing to the costs as well.

Mayor Sipma said, they identified NDR funds as the funding source however, they are working on programming to tie the communities together, so other items will be unveiled in which they can take part in.

Alderman Podrygula said he is not supportive of the motion or of the event. He stated, everyone responds differently to emotional circumstances and some are more comfortable with a somber recollection of the event. The commemoration described by the Mayor could be interpreted as a celebration and he believes they need to reflect on progress but not celebrate the events of the flood.

Alderman Pitner asked if the event coordinator was looking for sponsors or who he should contact if interested in being a sponsor.

Mayor Sipma stated, the sponsorship letters will come from him but they can reach out to the event planner to coordinate.

Alderwoman Evans addressed Alderman Podrygula's comments by saying, the event is to acknowledge the resilience of Minot and celebrate how far we've come to rebuild.

Mayor Sipma added, the attendees can participate at their own comfort level but the goal is to commemorate the progress since the flood. They will not sound the sirens since that is too hard for many people who still suffer from PTSD. He wants to recognize the community for its' ability to recover after tragedy and he assured the Council that the event is collectively thought out.

Alderwoman Evans suggested Alderman Podrygula work with mental health professionals to be on hand during the event. Mayor Sipma stated, the Burlington Mayor is already working to accomplish that.

Alderman Ross commented that since this is the first the Council has been made aware of the event, they were not able to share their different perspectives until now. He said he understands celebrating victories but a lot of the population is still hurting.

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

PERSONAL APPEARANCES

Neal Jensen of Minot, spoke in support of the Family Homeless Shelter project. He said, he has worked with the Lord's Cupboard Food Pantry for years and although he understands the concerns over the location, the project is not just a homeless shelter. The project will include services to reorient people into the community and provide limited basis transitional housing. He was also optimistic for a medically inclined option to take over operation of the facility.

MISCELLANEOUS & DISCUSSION

Alderman Podrygula brought up City permits and fees and the rising costs of delivering services. There is currently no process in place for assessment of fees so he requested the City Manager work on a policy to conduct annual evaluations of fees tied to the cost of living or the cost of issuance. He said there should also be allowances for public discussion.

LIAISON REPORTS

Alderman Pitner mentioned sitting on the Battalion Chief Assessment, which had several great candidates.

Alderman Jantzer had no meetings to report.

Alderman Ross said the Zoning Ordinance Steering Committee will resume meetings in June where they will address the Subdivision ordinance.

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Mayor Sipma met with the Chamber EDC which is working on moving the Intermodal facility forward. Alderman Jantzer

Alderwoman Evans said Library traffic is higher than it has been in several years. They are currently working on a website update. She reminded the public that the Library allows patrons to borrow music, movies, tools and more.

Alderwoman Olson said the City Hall building is moving forward with floor plan options and is working at a good consistent pace. The CTE is working on a purchase agreement for the property and Souris Basin Planning Council has not met.

Alderman Podrygula said the Emergency Resource Council is dealing with the drought and how Fire Departments have been strained. They are hoping for updates on the water supply. He also said, Ward County Planning Commission meets on Thursday and the Commission on Aging meets on Friday.

The Mayor then wished everyone a happy Syttende Mai, especially to Minot's Sister City Skien, Norway.

ADJOURNMENT

There being no further business, Alderwoman Evans moved the City Council meeting be adjourned. Motion seconded by Alderman Ross and carried unanimously. Meeting adjourned at 7:09 pm.

ATTEST: _____
Kelly Matalka, City Clerk

APPROVED: _____
Shaun Sipma, Mayor